



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5393/2
Permit Holder:	Holcim (Australia) Pty Ltd
Duration of Permit:	1 March 2013 – 1 March 2025

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of extractive industry.

2. Land on which clearing is to be done

Lot 835 on Deposited Plan 230232 (MYRUP 6450)

3. Area of Clearing

The Permit Holder must not clear more than 2.75 hectares of native vegetation within the area hatched yellow on attached Plan 5393/2.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 1 March 2020.

5. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. Dieback and weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

9. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) within 3 months following completion of extractive activities, *revegetate* and *rehabilitate* the area shaded yellow, with the exception of the pit void, on attached Plan 5393/2 by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) laying the vegetative material and topsoil retained under condition 9(a) on the cleared area
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 9(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 9(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.
- (d) Where additional planting or direct seeding of native vegetation is undertaken in accordance with condition 9(c)(ii) of this permit, the Permit Holder shall repeat condition 9(c)(i) and 9(c)(ii) within 24 months of undertaking the additional planting or direct seeding of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 9(c)(i) and 9(c)(ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 9(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 9(c)(ii).

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) the species composition, structure and density of the cleared area;
 - (ii) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).

- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 9 of this Permit:
- (i) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
 - (v) a copy of the environmental specialist's report.

11. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
- (i) of records required under condition 10 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 July to 30 June of the preceding financial year.
- (b) If no clearing authorised under this Permit was undertaken between 1 July to 30 June of the preceding financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 1 December 2024, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

dieback means the effect of *Phytophthora* species on native vegetation;

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

environmental specialist means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

fill means material used to increase the ground level, or fill a hollow;

local provenance means native vegetation seeds and propagating material from natural sources within 50 kilometres of the area cleared;

mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area; and

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area; and

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

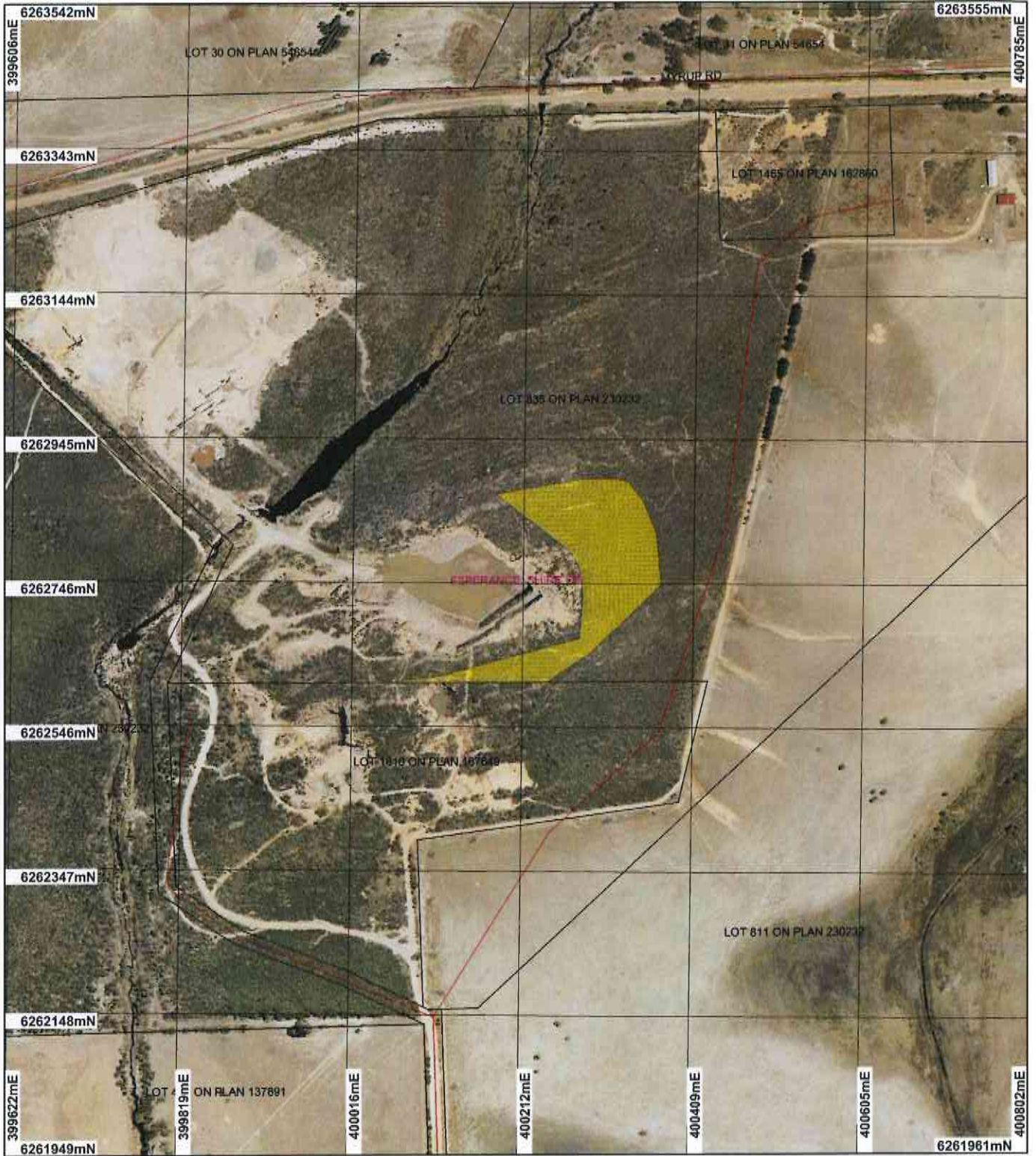
B. Walker

Belinda Walker
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

*Officer delegated under Section 20
of the Environmental Protection Act 1986*

11 July 2013

Plan 5393/2



LEGEND

- Cadastre
- Local Government Authorities
- Road Centrelines
- Clearing Instruments
- Areas Announced to Clear

Esperance Causeway 50cm
Orthomosaic - Landgate
2007



Scale 1:7000
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

B. Walker Date 11/7/13
B Walker

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Government of Western Australia
Department of Environment Regulation

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Clearing Permit Decision Report

Government of Western Australia
Department of Environment Regulation

1. Application details

1.1. Permit application details

Permit application No.: 5393/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Holcim (Australia) Pty Ltd

1.3. Property details

Property: LOT 835 ON PLAN 230232 (Lot No. 835 MYRUP 6450)
Local Government Area: Shire of Esperance
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.75		Mechanical Removal	Extractive Industry

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 11 July 2013

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Vegetation Association: 931 - Medium woodland; yate (Shepherd et al. 2001).	The application is to clear up to 2.75 hectares of native vegetation for the purpose of rock quarrying.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994).	Vegetation description and condition were determined through photographs and a site visit undertaken by Department of Environment and Conservation (DEC) officers in December 2012 (DEC 2012).
	The proposed clearing is considered to consist of five different vegetation communities as extrapolated from flora surveys undertaken for the adjacent clearing permit CPS 3015/2 (Mattiske 2008). These communities include:	To	
	Closed heath of <i>Hakea trifurcata</i> , <i>Lambertia inermis</i> , <i>Dryandra armata</i> var. <i>ignicida</i> , <i>Allocasuarina humilis</i> , <i>Boronia spathulata</i> , <i>Acacia varia</i> var. <i>parviflora</i> and <i>Taxandria spathulata</i> with emergent <i>Eucalyptus pleurocarpa</i> , <i>Eucalyptus incrassata</i> and <i>Nuytsia floribunda</i> on upper and mid slopes over granite.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	
	Closed heath of <i>Taxandria spathulata</i> , <i>Dryandra armata</i> var. <i>ignicida</i> and <i>Melaleuca striata</i> with emergent <i>Nuytsia floribunda</i> and <i>Eucalyptus pleurocarpa</i> .		
	Open heath of <i>Taxandria spathulata</i> , <i>Dryandra armata</i> var. <i>ignicida</i> and <i>Melaleuca striata</i> with emergent <i>Eucalyptus pleurocarpa</i> on disturbed sites.		
	Scrub of <i>Calothamnus villosus</i> , <i>Xanthorrhoea platyphylla</i> and <i>Taxandria spathulata</i> over mixed low shrubs with emergent <i>Eucalyptus pleurocarpa</i> and <i>Nuytsia floribunda</i> on granite ridge.		
	Open scrub of <i>Lambertia inermis</i> , <i>Hakea trifurcata</i> and <i>Dryandra armata</i> var. <i>ignicida</i> with emergent <i>Acacia cyclops</i> on disturbed sites.		
	Vegetation description has been confirmed by a site visit of the application area which identified the vegetation consisting of <i>Xanthorrhoea drummondii</i> , <i>Lambertia inermis</i> var. <i>inermis</i> , <i>Nuytsia floribunda</i> , <i>Eucalyptus</i> sp., <i>Macrozamia dyeri</i> shrubland and heathland over shallow granite with granite outcrops in good to excellent (Keighery 1994) condition (DEC 2012).		

3. Assessment of application against clearing principles

Comments

The applicant has appealed granted Clearing Permit CPS 5393/1 and is requesting that condition (9) Flora Management and condition (11b) Flora Management Records, be removed from the permit. In addition, the applicant is requesting that condition (10b) Retain vegetative material and topsoil, revegetation and rehabilitation, be amended so it is consistent with the revegetation requirements of the Extractive Industry Licence which does not allow for the 'pit void' to be rehabilitated.

There are numerous records of priority flora species within the local area (10 kilometre radius). The closest species is located approximately three kilometres from the application area. The vegetation under application has the potential to provide habitat for a range of priority flora species. One priority three flora species was identified within the application area during the flora surveys in 2008 (Mattiske Consulting 2008a and 2008b), however this species was removed from the priority flora list in 2010. A priority one species occurs in habitat similar to the vegetation under application and may occur within the application area. This species occurs in three locations from Albany to Esperance. This species was not identified in the flora surveys conducted adjacent to and within a portion of the application area, although two other species from this genus were found (Mattiske Consulting 2008a and 2008b).

A review of current environmental information reveals that priority flora species may occur within the application area, though none were identified during surveys over adjacent areas and small areas under application. Therefore, the proposed clearing may be at variance to Principle a. To ensure the seed bank of all flora, including potential priority flora, is saved and used, the retainment of vegetative material and topsoil for future revegetation and rehabilitation has been conditioned.

The assessment against the remaining clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 5393/1.

Methodology

References:

Mattiske Consulting Pty Ltd 2008a

Mattiske Consulting Pty Ltd 2008b

GIS databases:

- SAC Biodatasets

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The application is to clear up to 2.75 hectares of native vegetation for the purpose of rock quarrying.

CPS 5393/1 was granted on 7 February 2013. Holcim (Australia) Pty Ltd appealed condition (9) and (11b) on the permit and the wording of condition (10b).

Changes to the permit conditions have been made to bring the conditions in line with the Shire of Esperance's Extractive Industry Licence and current Department of Environment Regulation practice.

No submissions were received regarding this application.

Methodology

4. References

- DEC (2012) Site inspection report for Clearing Permit Application CPS 5393/1. Department of Environment and Conservation, Western Australia. DEC REF: A585147.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske Consulting Pty Ltd (2008a). Report for December 2007 flora survey: Flora and Vegetation Survey of the Esperance Quarry Expansion Area. TRIM ref DOC77249.
- Mattiske Consulting Pty Ltd (2008b). Report from October 2008 flora survey: Flora and Vegetation Survey of the Esperance Quarry Development Area. TRIM ref DOC77249.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

5. Glossary

Term	Meaning
DEC	Department of Environment and Conservation
DRF	Declared Rare Flora
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community