GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5394/5
Permit Holder:	Bunbury Harvey Regional Council
Duration of Permit:	16 November 2013 – 16 November 2023

ADVICE NOTE
In regards to condition 6, it is noted that the Permit Holder has allocated 12.1 hectares of its banked offset site at Lot 4703 on Plan 207023, Cookernup, to this project. The nominated 12.1 hectare area contains similar environmental values to the application area, being; habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*), and Forest red-tailed black cockatoo (*Calyptorhynchus banksia naso*).

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 daily cover for a rubbish disposal site and compost facility.

2. **Land on which clearing is to be done**
   Lot 45 on Plan 17161, Wellesley.

3. **Area of Clearing**
   The Permit Holder must not clear more than 6 hectares of native vegetation within the area cross-hatched yellow on attached Plan 5394/5a.

4. **Type of clearing authorised**
   The Permit Holder shall not clear any native vegetation after 16 November 2018.

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.

PART II – MANAGEMENT CONDITIONS

6. **Offset - Land acquisition**
   (a) The Permit Holder must provide documentary evidence to the *CEO* on or before 31 December 2020, that the area cross-hatched red in Plan 5394/5b, containing at least 12.1 hectares of vegetation within Lot 4703 on Deposited Plan 207023, Cookernup, has been purchased with the following environmental value;
      (i) contains foraging habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*), Forest Red-tailed black cockatoo (*Calyptorhynchus banksii naso*) and Baudin's cockatoo (*Calyptorhynchus baudinii*); and

(ii) has been ceded to the Department of Biodiversity, Conservation and Attractions for the purpose of conservation to offset clearing associated with this Permit.

7. 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;
(d) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is laid on areas of *comparable soil disease status*; and
(e) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

PART III – RECORD KEEPING AND REPORTING

8. Records to 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 or decimal degrees;
  (iii) the date that the area was cleared;
  (iv) the size of the area cleared (in hectares); and
  (v) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 7 of this Permit.

9. 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 8 of this Permit; and
  (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
(b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar, 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 16 August 2023, the Permit Holder must provide to the *CEO* a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

DEFINITIONS

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

CEO means the Chief Executive Officer of the Department responsible for administering the clearing provisions under the *Environmental Protection Act 1986*;

comparable soil disease status means soils types that are either infested, not infested, uninterpretable or not interpreted;

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

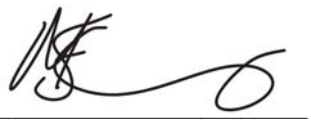
dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches**;**

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

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;

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 a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
(c) not indigenous to the area concerned.



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

20 April 2020

Plan 5394/5a

115°45.450′E 115°45.600′E

33°14.400′S

33°14.550′S

115°45.450′E 115°45.600′E

Legend

CPS layers

- CPS areas approved to clear
- Land TenureLGATE - 226
- Localities - Landgate

Image

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Officer delegated under section 20 of the Environmental Protection Act 1986

GOVERNMENT OF WESTERN AUSTRALIA

Plan 5394/5b

Legend

CPS layers

- CPS subject to conditions
- Land TenureLGATE - 226
- Localities - Landgate

Image

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Officer delegated under section 20 of the Environmental Protection Act 1986

GOVERNMENT OF WESTERN AUSTRALIA

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 5394/5
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Bunbury Harvey Regional Council
Application received date: 08 July 2019

1.3. Property details

Property: Lot 45 on Plan 17161, Wellesley
Local Government Authority: Shire of Harvey
Localities: Wellesley

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
6		Mechanical Removal	Daily cover for a rubbish disposal site and compost facility

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 20 April 2020

Reasons for Decision:

Under clearing permit CPS 5394/1, it was determined that the clearing will result in the loss of 6 hectares of significant foraging habitat for three black cockatoo species; Baudin's cockatoo (*Calyptorhynchus baudinii*), Forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*). To counterbalance the above significant residual impacts, clearing permit CPS 5394/1 was subject to revegetation and offset conditions, whereby the Permit Holder was required to revegetate and rehabilitate the cleared area, and enter 12.48 hectares of native vegetation within Lot 45 on Plan 17161, Wellesley, into a conservation covenant, agreement to reserve, or some other form of binding undertaking to maintain native vegetation.

This amendment invovles the removal of the revegetation condition, to allow the cleared area to be developed into a compost facility. The Delegated Officer determined that the removal of the revegetation condition was appropriate, as the compost facility could be developed on previously disturbed land without the need for additional clearing.

The amendment also invovles moving the offset site to an off-site location. This is to facilitate future expansions of the Stanley Road Waste Management Facility without disturbing any offset sites. The Delegated Officer determined that the proposed revised offset, which involves purchasing 12.1 hectares of native vegetation at Lot 4703 on Plan 20723, Cookernup, and ceding this land to the Department of Biodiversity, Conservation and Attractions (DBCA) for their management in perpetuity, is appropriate in counterbalancing the significant residual impact to black cockatoo foraging habitat.

Given the above, the Delegated Officer decided to grant a clearing permit subject to amended offset conditions.

2. Site Information

Clearing Description

The clearing of up to 6 hectares of native vegetation under clearing permit CPS 5394/1 for the purpose of daily cover for rubbish disposal and rehabilitation, has already been undertaken (Figure 1).

The purpose of clearing permit CPS 5394/5 will be revised to 'daily cover for a rubbish disposal site and compost facility', to reflect the removal of the revegetation condition due to the cleared area being utilised for the development of a compost facility. No additional clearing is proposed under clearing permit application CPS 5394/5.

Vegetation Description

At the time of assessment of clearing permit CPS 5394/1, the application area was mapped as the Swan Coastal Plain Bassendean (Central and South) vegetation complex, which is described as vegetation ranging from woodland of *Eucalyptus marginata* (jarrah) - *Allocasuarina fraseriana* (sheoak) - *Banksia* species to low woodland of *Melaleuca* species, and sedgelands on the moister sites. This area includes the transition of jarrah to *Eucalyptus todtiana* (pricklybark) in the vicinity of Perth (Heddle et al., 1980).

Vegetation Condition

At the time of assessment of clearing permit CPS 5394/1, the vegetation condition within the application area ranged from good to degraded (Keighery, 1994) condition, which is described as:

- Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).
- Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

Soil Type

The following subsystems are mapped within the application area (Schoknecht et al., 2004):

- Bassendean B6 Phase: Sandplain and broad extremely low rises with imperfectly drained deep or very deep grey siliceous sands; and
- Bassendean B1 Phase: Extremely low to very low relief dunes, undulating sandplain and discrete sand rises with deep bleached grey sands sometimes with a pale yellow B horizon or a weak iron-organic hardpan at depths generally greater than 2 metres; banksia dominant.

Comments

In determining the suitability of the revised offset proposal, the assessment against the ten clearing principles under previous versions of this clearing permit have been considered.

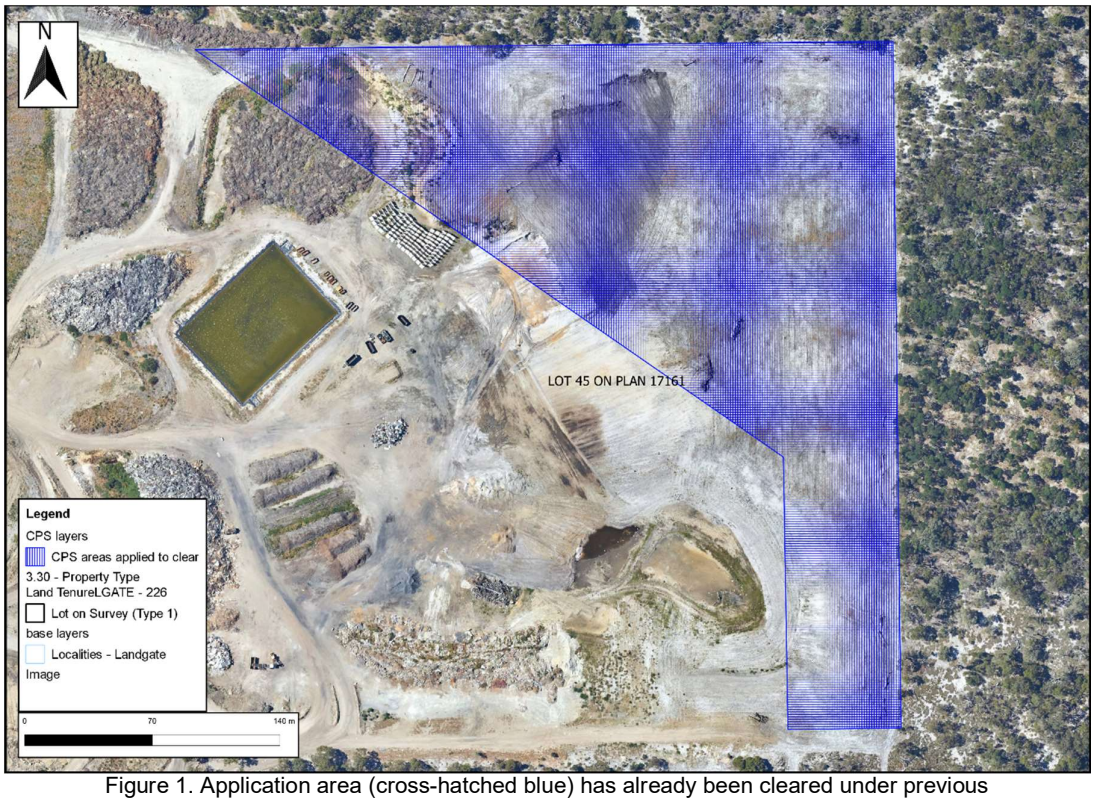

Figure 1. Application area (cross-hatched blue) has already been cleared under previous versions of clearing permit application CPS 5394/5.

3. Minimisation and mitigation measures

No additional clearing is proposed under clearing permit application CPS 5394/5, therefore further minimisation and mitigation measures are not required.

4. Assessment of application against clearing principles

The assessment against the ten clearing Principles under application CPS 5394/1 concluded that the proposed clearing is at variance with Principle (b), may be at variance with Principles (a), (e), and (h), is not at variance with Principles (f), (i) and (j), and is not likely to be at variance with the remaining clearing Principles.

Given that no additional clearing is proposed under clearing permit application CPS 5394/5, the assessment of the application against the ten clearing principles remains the same as previous versions.

An offset was required to counterbalance the significant residual impact to foraging habitat of the three black cockatoo species, Baudin's cockatoo (*Calyptorhynchus baudinii*), Forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*).

Clearing permit CPS 5394/1 was granted on 17 October 2013, subject to the following offset requirements:

- The Permit Holder was required to enter 12.48 hectares of native vegetation within Lot 45 on Plan 17161, Wellesley (on-site) into a conservation covenant, agreement to reserve or some other form of binding undertaking to maintain native vegetation; and
- Revegetate and rehabilitate the cleared area, following the completion of extraction of cover material.

The clearing permit has been amended various times (CPS 5394/2, CPS 5394/3 and CPS 5394/4), to extend the date by which the requirement to enter into a conservation covenant or other agreement, is to be met. The Permit Holder has not meet this offset requirement, and instead has proposed a revised offset condition whereby the offset location would be moved to an off-site location (discussed in Section 5). This is to facilitate future expansions of the Stanley Road Waste Management Facility without disturbing any offset sites.

The Applicant has advised that the area cleared required to be rehabilitated and revegetated under the previous iterations of the clearing permit is now proposed to be a compost facility. This area currently remains cleared, and no revegetation, including natural regeneration, has occurred onsite. Given this, the Permit Holder sought to amend the permit by removing the requirement for rehabilitation and revegetation (BHRC, 2019).

5. Suitability of proposed offset

Offset proposal

The amendment seeks to relocate the existing offset site to an off-site location at Lot 4703 on Plan 207023, Cookernup (BHRC, 2019). The revised offset proposal involves funding the purchase of a portion of Lot 4703 on Plan 207023, Cookernup, by BHRC to cede to DBCA for their management in perpetuity. The property is located approximately 27.7 kilometres north of the application area. The DBCA (2019) advised that the entire property is of conservation value as it is a large area of continuous remnant vegetation including both upland and wetland vegetation. The location supports large areas of conservation category wetlands and large populations of the priority listed flora species, *Acacia semitrullata* (P4) and *Acacia flagelliformis* (P4) (DBCA, 2019).

The DBCA recorded six vegetation types (VT) during a site inspection of the entirety of Lot 4703 on Plan 207023, Cookernup, in 2015, including:

- VT1: *Banksia attenuata, Banksia ilicifolia, Eucalyptus marginata* woodlands. This vegetation would be examples of both floristic community types (FCT) 21a and FCT21b, although *Scholtzia involucrata* and *Calytrix fraseri* are quite widespread and may indicate that the woodland vegetation here is transitioning to FCT23 (central *Banksia* woodlands). All this vegetation is the federally listed *Banksia* Woodlands TEC.

- VT3: this is dampland wetland vegetation. A small portion of VT3 is an example of FCT04, and the remaining extent of this community is predominantly a drier form of dampland vegetation dominated by *Melaleuca preissiana* over a closed *Hypocalymma angustifolia* low heath. The mapped extent of this vegetation also includes transitional vegetation between the damplands and FCT6.

- VT3a: this is where *Anarthria laevis* becomes a dominant in the dampland vegetation; the southern-most occurrence of FCT3a has been historically cleared and is of a poorer condition compared to the excellent example at the north of the location.

- VT6: this is a closed wetland heath of *Astartea fascicularis, Pericalymma elliptica, Calothamnus lateralis*, over *Meeboldina* sedge species. The health of this community ranges from excellent in the lower lying areas to poor in the drier areas where there is vegetation decline due to hydrological stress. In places, *Hakea varia* and *Anarthria laevis* occur in this community. Fringing the two south-eastern most examples of this wetland is *Dielsia stenostachya* which is of conservation significance as occurrences in this area are the only places the species occurs south of Perth (it is typically found between Perth and Gingin).

- VT8: these are long inundated wetlands of *Melaleuca rhaphiophylla* or *Melaleuca preissiana* over a *Lepidosperma longitudinale* closed sedgeland. The core of these wetlands is often bare ground. These wetlands are generally surrounded by *Melaleuca lateritia* and *Melaleuca teretifolia*.

- VT9: this is an area that has been historically cleared, prior to clearing the majority of this area would have been a continuation of VT1. The area is currently dominated by a closed tall scrub of *Kunzea glabrescens*, the area is very dense and was unable to be inspected in detail. The regrowth vegetation is weed free but appears to have poor structure and species diversity. Given the area is weed free it is likely that with time structure and diversity will develop.

Since the 2015 site inspection, the entire location was burnt by the 2016 Yarloop wildfire. A perimeter inspection of the location was undertaken in early 2019 by DBCA, and excellent bushland recovery was noted. In particular, the fire event is likely to assist in the development of structure and diversity in VT9 (DBCA, 2019).

Based on the vegetation types described above, the entirety of Lot 4703 on Plan 207023, Cookernup, is not suitable as an offset site. The wetland portion (VT3, VT3a, VT6 and VT8) is not suitable as an offset, as the environmental values of these areas are dissimilar to the application area. Given this, the wetland vegetation types are not included within the proposed banked offset.

Offset suitability

The upland vegetation comprising VT1 is suitable as an offset site to counterbalance the significant residual impacts to the *Banksia* Woodlands TEC and black cockatoo foraging habitat (Figure 2). In its current condition, the upland vegetation comprising VT9 is not considered suitable as an offset site. However, depending upon the regeneration of the area, there is a possibility that it may be banked as an offset site for future authorised clearing within Lot 45 (Figure 3).

Figure 2. Upland vegetation (VT1) suitable offset site.

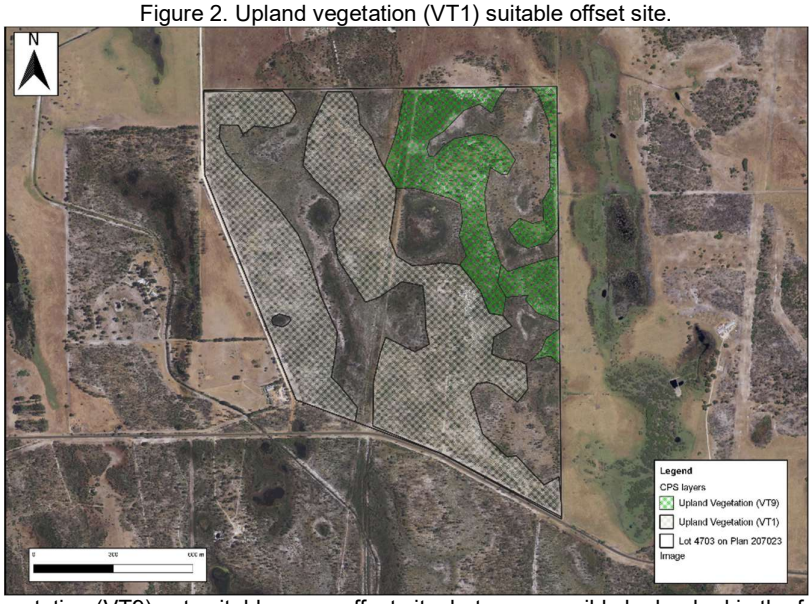

Figure 3. Upland vegetation (VT9) not suitable as an offset site, but may possibly be banked in the future dependent on regeneration.

Given the variation in the condition of the vegetation within the offset site, VT1 and VT9 have been assigned numbers Area 1 to 4, in order to calculate the amount (in hectares) available to be offset and banked for future authorised clearing (Table 1; Figure 4).

Table 1. Area 1 to 4 within offset site.

Vegetation Type	Area	Description	Amount within offset site (hectares)
VT1	Area 1	Area 1 is representative of the *Banksia* Woodlands TEC. The vegetation within Area 1 is considered to be 'like-for-like' with the application area. Overall, Area 1 is considered to be in very good (Keighery, 1994) condition.	26.36
	Area 2	Area 2 is also representative of the *Banksia* Woodlands TEC, however is patchy and in a lesser quality than Area 1. Overall, Area 2 is considered to be in good (Keighery, 1994) condition.	45.6
VT9	Area 3	Areas 3 and 4 have been historically cleared. However, prior to clearing the majority of this area would have been a continuation of VT1, therefore it may possibly be used as a banked offset site for future authorised clearing. However, this will be dependent upon regeneration success. Areas 3 and 4 have not been included as a banked offset, as it still is in a degraded (Keighery, 1994) condition, and is not suitable as an offset.	18
	Area 4		7.72

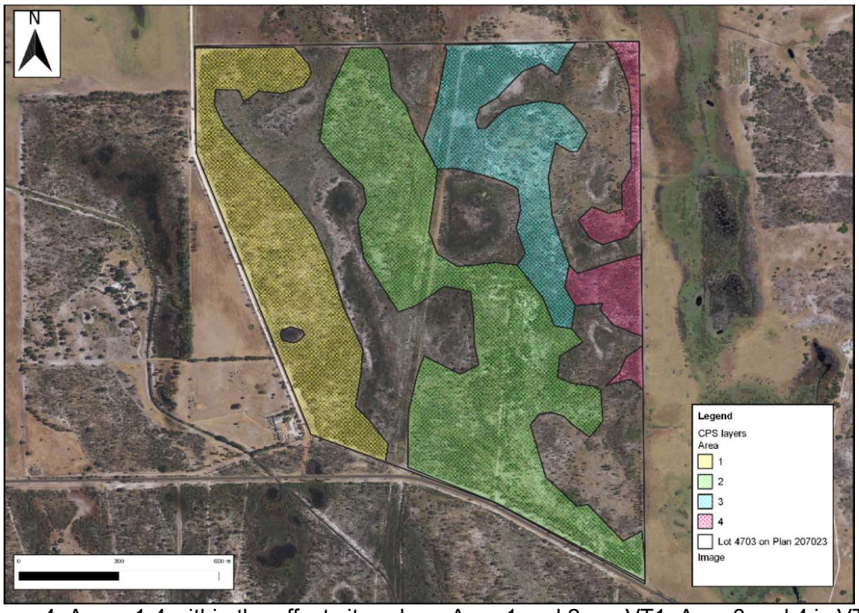

Figure 4. Areas 1-4 within the offset site; where Area 1 and 2 are VT1, Area 3 and 4 is VT9.

In assessing whether the proposed offset is adequately proportionate to the significance of the environmental values being impacted, DWER undertook a calculation using the former Department of Agriculture, Water and the Environment's Offsets Assessment Guide. The Offsets Assessment Guide indicated that the allocation of 12.1 hectares from Area 1 within the offset site is adequate in counterbalancing the significant residual impacts of the clearing of 6 hectares of black cockatoo foraging habitat (Figure 5). This is consistent with the WA Environmental Offsets Policy September 2011.

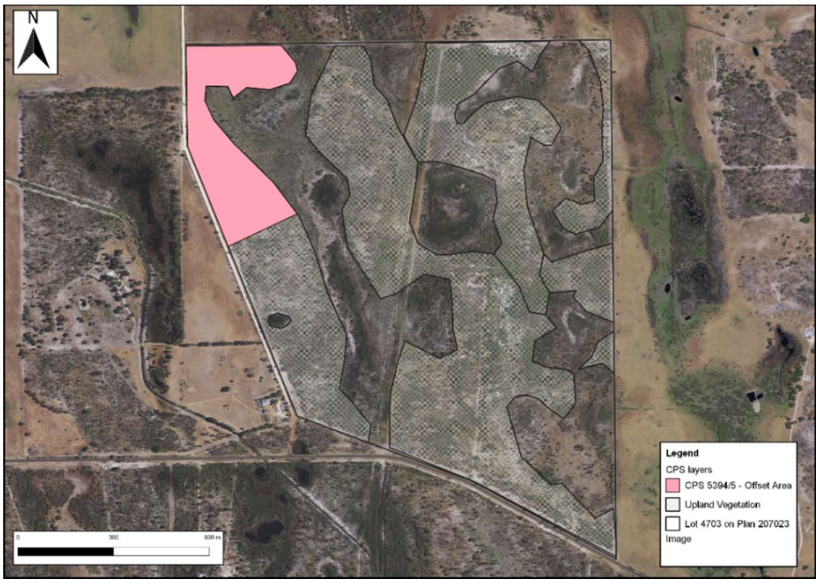

Figure 5. Offset area of Clearing Permit CPS 5394/5.

In addition to clearing permit application CPS 5394/5, there are two other clearing permits for the Stanley Road Waste Management Facility, being CPS 7259/2 and CPS 8486/1, which will be utilising the same offset site at Lot 4703 on Plan 207023, Cookernup. Clearing permit CPS 7259/2 required 3.5 hectares as an offset, and clearing permit CPS 8486/1 required 16.8 hectares.

In total, there is 71.96 hectares of VT1 (across Area 1 and Area 2) that can be used as an offset. The total offset site required for clearing permits CPS 5394/5, CPS 7259/2 and CPS 8486/1 is 32.4 hectares. Given this, there will be 39.56 hectares of VT1 (within Area 2), that can be banked for future authorised clearing (Figure 6). The remaining area within Area 2 will be recorded as a banked offset site in the WA Offsets Register. It should be noted that use of the banked offset site will not be automatically accepted in every instance. In each case, the applicant must demonstrate how the offset counterbalances the significant residual impacts of the associated clearing. Where relevant, this may include a requirement to provide additional site-level information verifying the environmental values of the offset site.

In regard to VT9 (Area 3 and Area 4), here an additional 25.72 hectares that may possibly be banked (Figure 6). However, the use of Area 3 and Area 4 as a banked offset is dependent on the regeneration success. Additional site-level information verifying the environmental values of these areas will be required prior to accepting these areas to be banked for future use. Given this, Area 3 and Area 4 will not be recorded as a banked offset site in the WA Offsets Register.

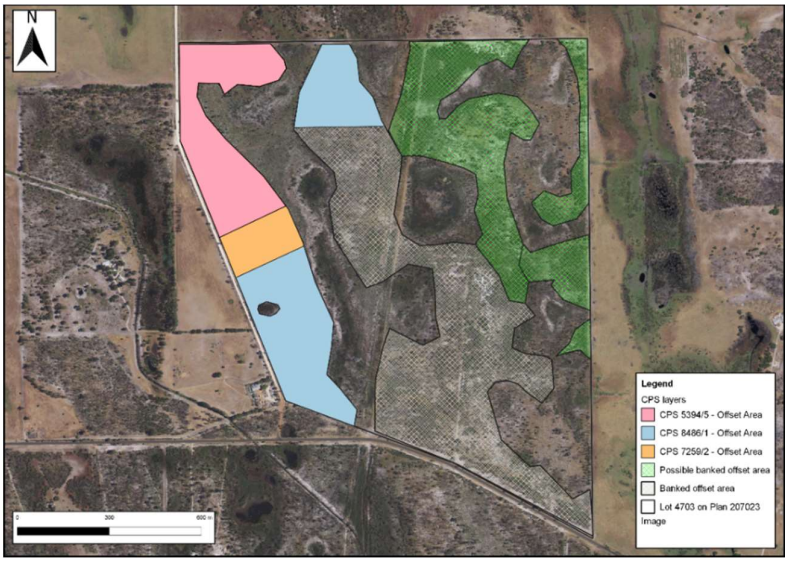

Figure 6. Utilisation of Lot 4703 on Plan 207023 so far. White cross-hatched area indicates the offset site to be banked; the green cross-hatched area indicates the area that may possibly be banked (dependent upon the regeneration of VT9).

6. Planning instruments and other relevant matters

No Aboriginal sites of significance have been mapped within the application area.

The clearing permit application was advertised on the DWER website on 21 August 2019 with a 14 day submission period. No public submissions have been received in relation to this application.

A development approval (DA) has been issued by the Western Australian Planning Commission (2029), subject to conditions. The DA has been approved under the Greater Bunbury Region Scheme only, and the Applicant has been advised that the development complies with all other legislation, local laws and/or licence requirements that may relate to the development (WAPC, 2020). The WAPC also advised that a separate building permit by the Shire of Harvey is required prior to the commencement of development.

7. References

Bunbury Harvey Regional Council (BHRC) (2019). Clearing Permit Application form for CPS 5394/5, received 8 July 2019 (DWER Ref: A1803702).

Department of Biodiversity, Conservation and Attractions (DBCA) (2019). Vegetation summary and map of offset site - Lot 4703 on Plan 207023, Cookernup (DWER Ref: A1823114).

Heddle, E. M., Loneragan, O. W., and Havel, J. J. (1980). Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.

Keighery, B.J. (1994). Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Schoknecht, N., Tille, P. and Purdie, B. (2004). Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs. Resource Management Technical Report No. 280. Department of Agriculture.

Western Australian Planning Commission (WAPC) (2020). A copy of approval to commence development issued by the Western Australian Planning Commission to Bunbury Harvey Regional Council (DWER Ref: A1881940).

GIS Database

- IBRA Vegetation Statistics
- Soil and Landscape Mapping – Best Available
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)