



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5753/1
Permit Holder:	B & J Catalano Pty Ltd
Duration of Permit:	8 November 2013 – 8 November 2023

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 1062 on Deposited Plan 203070, Cowaramup.

3. Area of Clearing

The Permit Holder must not clear more than 1.8 hectares of native vegetation within the area shaded yellow on attached Plan 5753/1.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 8 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. 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 12 months following the completion of extractive activities, *revegetate* and *rehabilitate* the area(s) shaded yellow on attached Plan 5753/1 by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) ripping the pit floor and contour batters within the extraction site; and
 - (iv) laying the vegetative material and topsoil retained under condition 6(a) on the cleared area(s)
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 6(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 species composition structure and density determined under condition 6(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 6(c)(ii) of this permit, the Permit Holder shall repeat condition 6(c)(i) and 6(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 6(c)(i) and (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 6(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 6(c)(ii).

PART III - RECORD KEEPING AND REPORTING

7. 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; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 6 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.

8. 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 7 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 9 August 2023, the Permit Holder must provide to the CEO a written report of records required under condition 7 of this Permit where these records have not already been provided under condition 8(a) of this Permit.

DEFINITIONS

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

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;

environmental specialist: means a person 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, or who is approved by the CEO as a suitable environmental specialist.

local provenance means native vegetation seeds and propagating material from natural sources within 20 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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;

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.

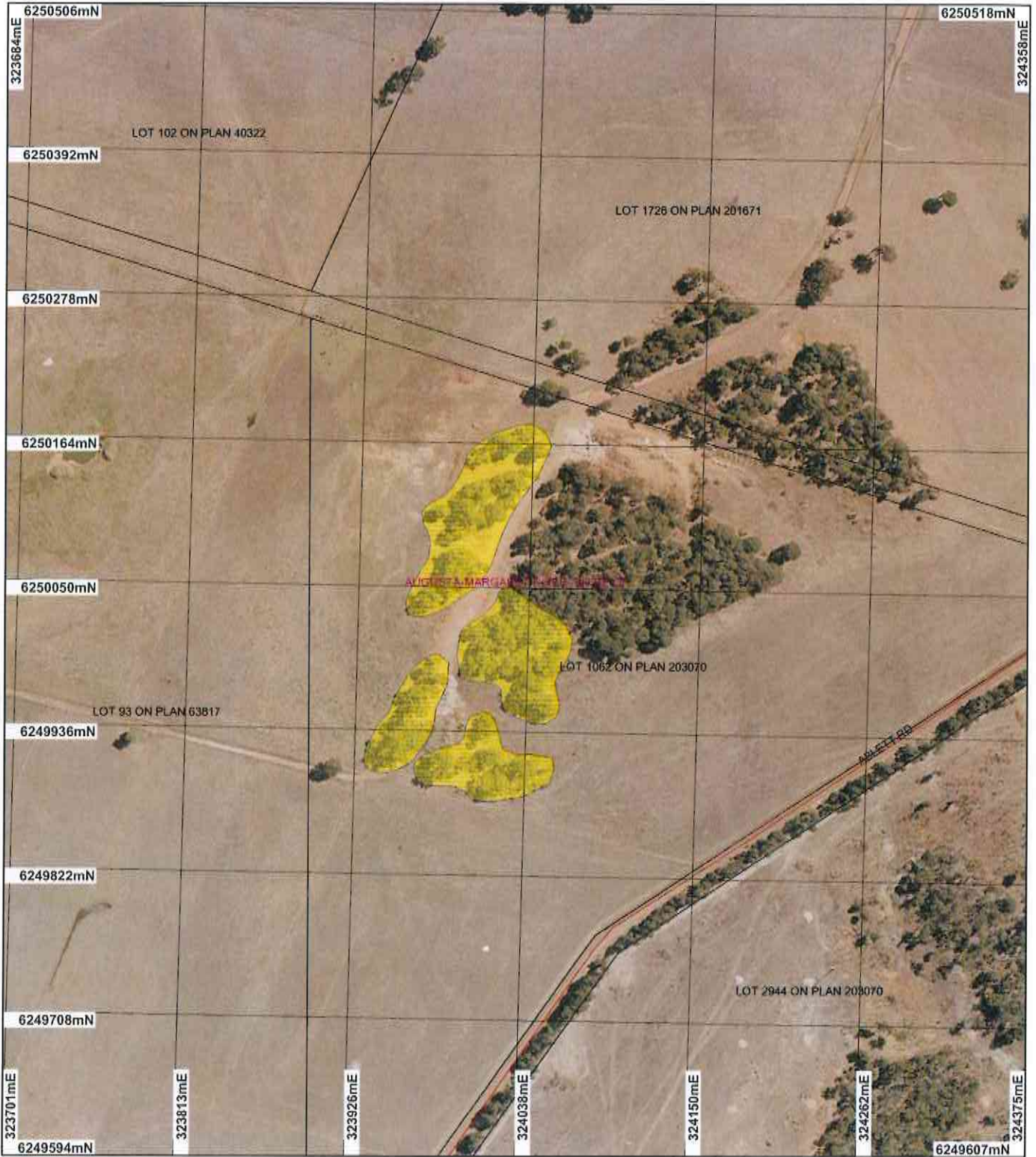


M Warnock
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

9 October 2013


Plan 5753/1



LEGEND

-  Cadastre
-  Local Government Authorities
-  Road Centrelines

Clearing Instruments

-  Areas Approved to Clear
- Busselton 50cm Orthomosaic - Landgate 2007



0 100 m

Scale 1:4000

(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.

M Warnock 9/10/13
Date

M Warnock

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.: 5753/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: B & J Catalano Pty Ltd

1.3. Property details

Property: LOT 1062 ON PLAN 203070 (Lot No. 1062 BUSSELL COWARAMUP 6284)
Local Government Area: Shire of Augusta-Margaret River
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 9 October 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: 3 - Medium forest; jarrah-marri (Shepherd et al. 2001). Mattiske Vegetation Complex: Cowaramup - Open forest of Eucalyptus marginata subsp. Marginata-Corymbia calophylla-Banksia grandis on lateritic upland in perhumid and humid zones (Mattiske and Havel 1998).	The application is for clearing of 1.8 of native vegetation for the purpose of extractive industry within Lot 1062 on Deposited Plan 203070, Cowaramup, in the Shire of Augusta-Margaret River.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Vegetation condition and description were obtained from aerial imagery and site inspection from previous application (DEC 2007).

3. Assessment of application against clearing principles

Comments	Proposal is not likely to be at variance to this Principle
	<p>The application is to clear up to 1.8 hectares of native vegetation for the purpose of extractive industry and is unlikely to have any significant environmental impacts. The vegetation is in degraded (Keighery 1994) condition with heavy evidence of historical grazing, logging and industrial activities (DEC 2007).</p> <p>There are no rare or priority flora species or threatened ecological communities in the vicinity of the application area. The vegetation to be cleared is well represented in the local area (45 percent), and therefore would not have a detrimental impact on fauna habitat or consist of an area of high biodiversity.</p> <p>The clearing is unlikely to impact on nearby conservation areas, cause or exacerbate land degradation or flooding or impact on water quality.</p> <p>The assessment of the application identified that the clearing is not likely to be at variance to any of the principles.</p>
Methodology	References: DEC 2007 Keighery 1994 GIS Databases: - Busselton 50cm Orthomosaic - Landgate 2007 - DEC Tenure - Hydrography, Linear - SAC Biodatasets

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

Comments

A clearing permit previously granted over the application area for this purpose (CPS 1707/1) expired in July 2009, without the clearing having been completed (B&J Catalano Pty Ltd 2013).

The Shire of Augusta-Margaret River has advised that planning consent was granted on 30 July 2008 for an extractive industry-gravel pit over the application area (Shire of Augusta-Margaret River 2013).

The application area is located within the Busselton-Capel Groundwater Area. It is the applicant's responsibility to comply with the Rights in Water and Irrigation Act 1914 and ensure that no taking of groundwater occurs without the appropriate licences.

No public submissions have been received in relation to this application.

Methodology

References:

B&J Catalano Pty Ltd 2013

Shire of Augusta-Margaret River 2013

GIS Databases:

- RIWI Act areas

4. References

- B&J Catalano Pty Ltd (2013) Clearing permit application for Lot 1062 on Plan 203070, Cowaramup. Received 15/08/2013. B&J Catalano Pty Ltd, Western Australia (DER REF: A661912).
- DEC (2007) Site inspection report for clearing permit application CPS 1707/1, conducted 20/02/2007. Department of Environment and Conservation, 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.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Shire of Augusta-Margaret River (2013) Advice for clearing permit application CPS 5753/1. Received 11/09/2013. Shire of Augusta-Margaret River, Western Australia. DER REF: A673925.

5. Glossary

Term	Meaning
DAFWA	Department of Agriculture and Food
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community