



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 6022/1
File Number: 2014/000623-1
Duration of Permit: From 17 May 2014 to 17 May 2029

PERMIT HOLDER

Shellbay Holdings Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 7965 on Deposited Plan 203124, Windy Harbour

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2.88 hectares of native vegetation within the area hatched yellow on attached Plan 6022/1.

CONDITIONS

1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 17 May 2019.

2. Dieback and weed control

- (a) 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*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared;
 - (iv) only move soils in *dry conditions*; and
- (b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

3. 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.
- (b) within six months following the completion of extractive activities, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit 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 pit floor and contour batters within the extraction site; and
 - (iii) laying the vegetative material and topsoil retained under condition 3(a) on the cleared area(s); and

- (iv) 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
 - (v) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 3b) 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 3(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, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 3(b)(v) and 3(b)(vi) of this Permit.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 3(c)(ii) of this permit, the Permit Holder shall repeat condition 3(c)(i) and 3(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 3(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 3(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 3(c)(ii).

4. 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 3 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.

5. 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 9 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 17 February 2029, the Permit Holder must provide to the CEO a written report of records required under condition 3 of this Permit where these records have not already been provided under condition 5(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 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.

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 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.

soil disease status means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen.

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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

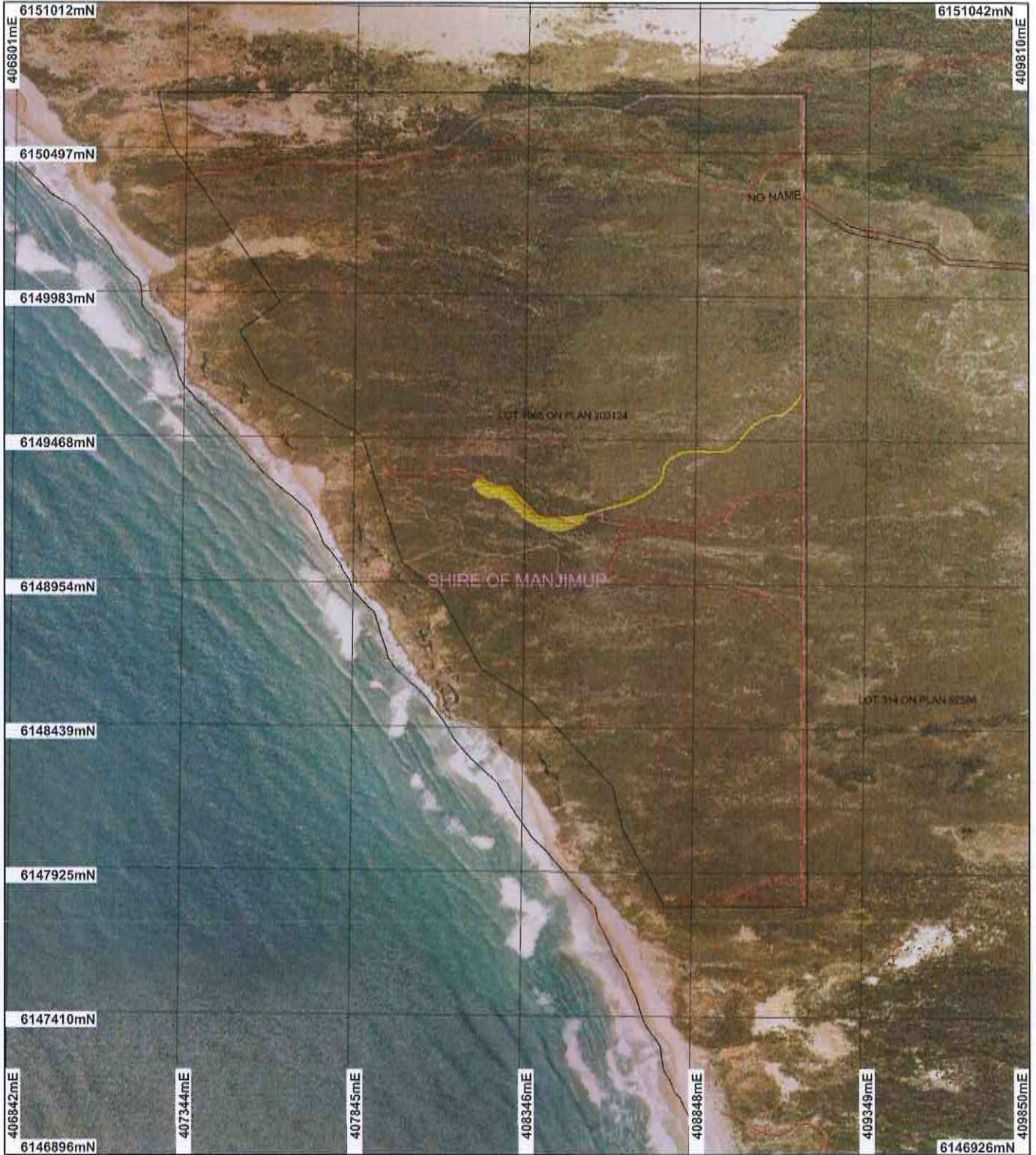


Jane Clarkson
ACTING MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

17 April 2014

Plan 6022/1



LEGEND

- | | |
|-----------------------------|--|
| Clearing Instruments | Manjimup 50cm Orthomosaic - Landgate 2007 |
| Areas Approved to Clear | Local Government Authorities |
| Road Centrelines | Meerup 50cm Orthomosaic - Landgate 2004 |
| Cadastre | |



Scale 1:18000
(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.

J Clarkson Date 17.4.14

J Clarkson
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.: 6022/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shellbay Holdings Pty Ltd

1.3. Property details

Property: LOT 7965 ON PLAN 203124 (Lot No. 7965 DOGGERUP WINDY HARBOUR 6262)
Local Government Area: Shire of Manjimup
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 17 April 2014

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
<p>The vegetation under application is mapped as</p> <p>Beard vegetation associations (Shepherd et al. 2001):</p> <ul style="list-style-type: none"> - 1109 (95%): Shrublands; peppermint scrub, <i>Agonis flexuosa</i> - 990 (5%): Low forest: peppermint (<i>Agonis flexuosa</i>) <p>Mattiske vegetation complexes (Mattiske and Havel, 1998): Ms (Meerup): Low woodland of <i>Agonis flexuosa</i>-<i>Xylomelum occidentale</i>-<i>Banksia attenuata</i>-<i>Banksia ilicifolia</i> on oldest dunes in the hyperhumid zone.</p> <p>Mapped Mattiske Vegetation association:</p> <p>Ms (Meerup): Low woodland of <i>Agonis flexuosa</i>-<i>Xylomelum occidentale</i>-<i>Banksia attenuata</i>-<i>Banksia ilicifolia</i> on oldest dunes in the hyperhumid zone.</p>	<p>The clearing consists of 2.88 hectares of native vegetation within Lot 7965 on Deposited Plan 203124, Windy Harbour, for the purposes of extracting limestone and road upgrades.</p>	<p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)</p> <p>To</p> <p>Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994).</p>	<p>The vegetation condition was determined through aerial imagery and photos provided by the applicant. The application area is within a 'Rural Conservation' land use and the Lot is bounded by the D'Entrecasteaux National Park, an A Class reserve. The new track would involve the clearing of pristine vegetation whereas the site for the proposed limestone extraction pit encompasses degraded through to pristine vegetation.</p>

3. Assessment of application against clearing principles

Comments Application CPS 6022/1 is to clear 2.88 hectares of native vegetation within Lot 7965 on Deposited Plan 203124, Windy Harbour, for the purposes of extracting limestone and road upgrades. The application is mapped within an Environmentally Sensitive Area.

Seven priority flora species (one Priority 2, three Priority 3 and three Priority 4) have been recorded within the local area (10 kilometre radius) on the same soil and vegetation type as the application area. The Department of Parks and Wildlife advises the potential for three priority species occurring within the application area (Department of Parks and Wildlife, 2014). Priority 3 species are generally known from collections from several different localities not under imminent threat whilst Priority 4 species are considered to have been adequately surveyed and not in need of special protection but could be if circumstances change (Smith 2012). Given the size of the application area and the condition of most of the vegetation, the proposed clearing is not likely to impact on the conservation status of these species.

Several rare flora have been mapped within the local area including one species located on the same soil type as part of the application area (5%), however all species are recorded within vegetation associations that differ to that of the application area. The nearest Priority Ecological Community is mapped beyond 7 km of the application area and is within a different soil classification and vegetation association to that of the application area.

A report provided by the proponent indicated that although dieback has not been mapped within the proposed clearing area, it has been mapped within adjoining lots (Moore Mapping Pty Ltd 2014). Weed and dieback management practices will minimise their spread.

The vegetation to be cleared is well represented in the local area (99 per cent) therefore does not serve as a significant remnant of native vegetation in an area that has extensively been cleared and its clearing is unlikely to have a detrimental impact on fauna habitat.

There are no watercourses within the application area and the application area does not adjoin a conservation reserve. Soils within the application area have been mapped by Northcote et al (1960-68) as leached sands (95%) and swampy plains (5%). Sandy soils are highly permeable, therefore water erosion resulting from the proposed clearing is unlikely. Sandy soils are prone to wind erosion, however, given the small area of proposed clearing together with the surrounding vegetation serving as a buffer, it is unlikely the clearing will result in appreciable land degradation.

Given the above, the application may be at variance with clearing Principle (a) and is not likely to be at variance to the remaining clearing principles.

Methodology References:
- Department of Parks and Wildlife (2014)
- Keighery (1994)
- Northcote et al (1960-68)
- Smith (2012)

GIS Datasets:
- Hydrology, linear
- Geomorphic Wetlands, Augusta to Walpole
- IBRA Australia
- DEC Tenure
- Soils, statewide
- NLWRA, Current Extent of Native Vegetation_1
- Pre-European Vegetation
- Mattiske Vegetation
- Clearing Regulations - Environmentally Sensitive Areas
- SAC Biodatasets Accessed March 2014
- Meerup 50cm Orthomosaic - Landgate 2004
- Northcliffe 50cm Orthomosaic - Landgate 2007

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

Comments The application area is within the land use of 'Rural Conservation' according to the Town Planning Scheme Zones. The Shire of Manjimup has advised that it has no objection to the purpose of the proposed clearing and that there are no planning or other matters which would affect the proposal (Shire of Manjimup 2014).

Methodology References:
- Shire of Manjimup (2014)

GIS Datasets:

- Clearing Regulations ? Environmentally Sensitive Areas
- Environmental Impact Assessments_1 (Level_of_A)
- Town Planning Scheme Zones

4. References

- Department of Parks and Wildlife (2014) Advice received in relation to clearing permit application CPS 6022//1, received 7 April 2014. Department of Parks and Wildlife, Western Australia (DER Ref: A746077).
- Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Moore Mapping Pty Ltd (2014) Report and recommendations fo the mapping of the disease caused by Phytophthora cinnamomi (P.c.): Malimup Doggerup Location 7965 Pit and Pit Access, Shellbay Holdings.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- 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 Manjimup (2014) Advice received in relation to clearing permit application CPS 6022/1 received 19 March 2014. Shire of Manjimup (DER Ref: A738032).
- Smith, M.G. (2012) Threatened and Priority Flora List for Western Australia. WA Department of Environment and Conservation, Perth.