



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6464/1
Permit Holder:	B & J Catalano Pty Ltd
Duration of Permit:	21 November 2015 – 21 November 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 914 on Deposited Plan 211080, Chapman Hill.
Lot 2992 on Deposited Plan 203100, Chapman Hill.
- 3. Area of Clearing**
The Permit Holder must not clear more than 6.01 hectares of native vegetation within the area shaded yellow on attached Plan 6464/1.
- 4. 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

- 5. Type of clearing authorised**
The Permit Holder shall not clear any native vegetation after 21 November 2020.
- 6. Management plan - revegetation**
The Permit Holder must implement and adhere to the document "Revegetation Plan – Lot 2992 on Deposited Plan 203100, Sussex, Price Road, Chapman Hill, City of Busselton - May 2015", submitted to the Department of Environment Regulation on 9 June 2015.

PART III - RECORD KEEPING AND REPORTING

- 7. Records to be kept**
The Permit Holder must maintain a description of the activities undertaken in relation to the revegetation of areas pursuant to condition 6 of this permit.

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 year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding, 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 21 August 2025, 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.

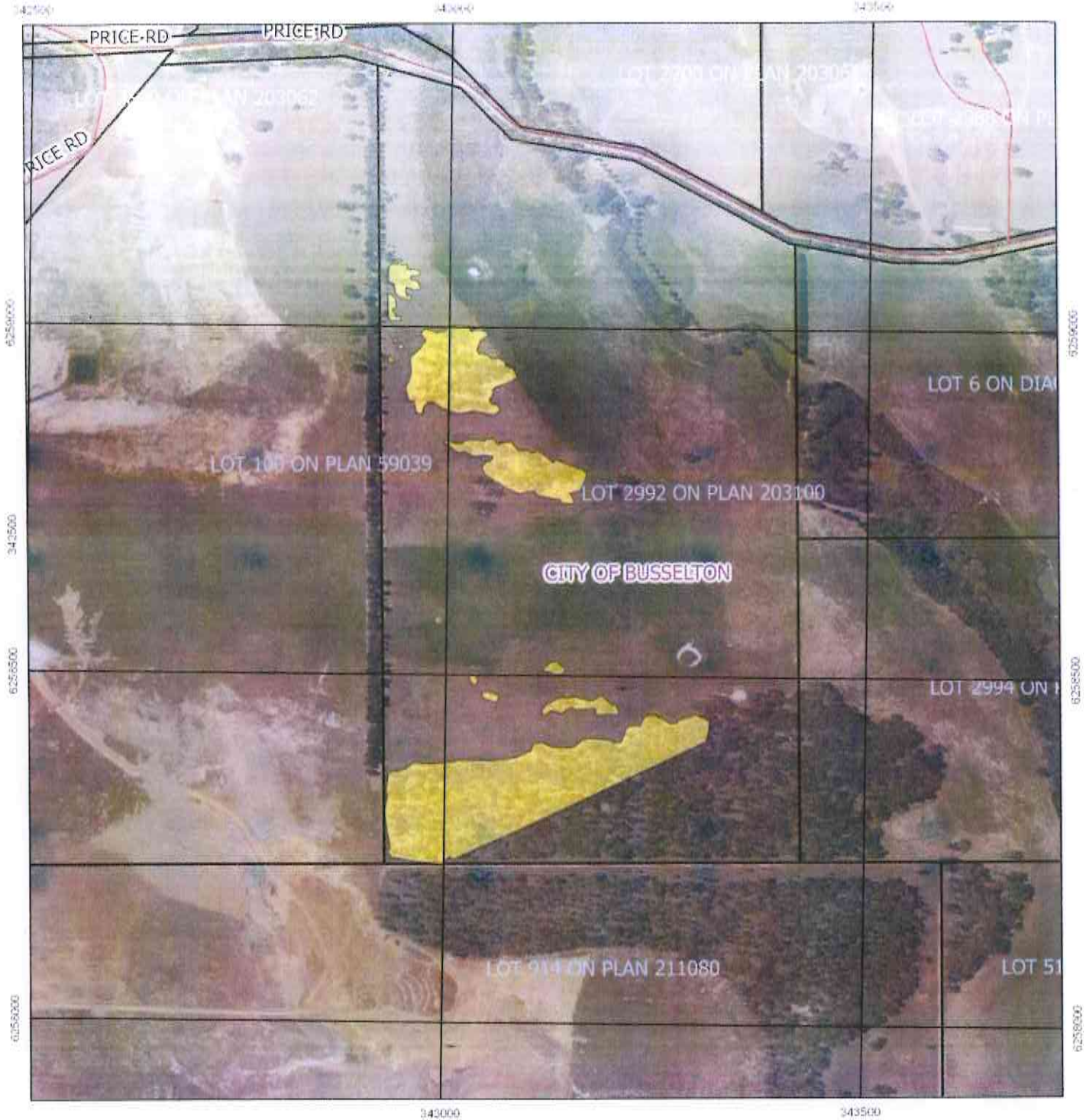


M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

22 October 2015


Plan 6464/1



Legend

- Areas approved to clear
- roads
- LGA
- cadastre_land_tenure_flattened

Virtual Mosaic




1:5 000

MGA 94
Geocentric Datum of Australia 1994

M Warnock Date 22/10/15

M Warnock

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 6464/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: B & J Catalano Pty Ltd

1.3. Property details

Property: LOT 2992 ON DEPOSITED PLAN 203100, CHAPMAN HILL
LOT 914 ON DEPOSITED PLAN 211080, CHAPMAN HILL

Colloquial name:
Local Government Authority: BUSSELTON, CITY OF
DER Region: Greater Swan
DPaW District: BLACKWOOD
LCDC: VASSE-WONNERUP
Localities: CHAPMAN HILL

1.4. Application

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

1.5. Decision on application

Decision on Permit: Granted
Application:
Decision Date: 22 October 2015

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 Beard vegetation associations (Shepherd et al. 2001):</p> <ul style="list-style-type: none"> • 3 which is described as medium forest; jarrah-marri; and • 1181 which is described as medium woodland, jarrah and Eucalyptus haematoxylon (Whicher Range). 	<p>Application CPS 6464/1 is to clear 6.01 hectares of native vegetation within for the purpose of extractive industry.</p>	<p>Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).</p>	<p>The condition of the vegetation under application was determined via a Department of Environment Regulation site inspection (DER 2015).</p>

The vegetation under application is mapped as Matiske Vegetation associations (Matiske and Havel 1998):

- Y (Yelverton) which is described as woodland of Allocasuarina fraseriana-Nuytsia floribunda-Agonis flexuosa-Banksia attenuata on slopes and open forest of Corymbia calophylla-Eucalyptus patens-Eucalyptus marginata subsp. marginata on the lower slopes and woodland of Eucalyptus rudis-Melaleuca raphiophylla on valley floors in the humid zone; and
- T (Treeton) which is described as woodland of Eucalyptus marginata subsp. marginata-Corymbia calophylla with some Allocasuarina fraseriana on mild slopes in the perhumid zone.

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposed clearing is not likely to be at variance to this Principle

The application is to clear up to 6.01 hectares of native vegetation within Lot 2992 on Deposited Plan 203100, Sussex, for the purpose of extractive industry. The application area is described as an open *Eucalyptus marginata*, *Corymbia calophylla* woodland in a degraded (Keighery 1994) condition (DER 2015). It has been subject to grazing by cattle and contains almost no middle or understorey native species (DER 2015).

Numerous priority flora species have been mapped within the local area (10 kilometre radius), however, the Department of Parks and Wildlife (Parks and Wildlife) (2015a) has advised that the area under application is highly unlikely to have any flora conservation values remaining.

Several priority ecological communities are located within the local area. Two of these are both approximately 540 metres west of the application area, described respectively as:

- Whicher Scarp C1 (Central Whicher Scarp Jarrah woodland) (P1); and
- Whicher Scarp G2 – Shrublands of near permanent wetlands in creeklines of the Whicher Scarp (P1).

Given the lack of middle and understorey, the application area is unlikely to support vegetation representative of these communities.

The local area (10 kilometre radius) surrounding the application area retains approximately 30 to 40 per cent vegetation. The mapped Beard vegetation type and IBRA bioregion retain above the recommended level of 30 per cent (Government of Western Australia 2014).

Given its degraded (Keighery 1994) condition, the application area is unlikely to contain significant habitat for ground dwelling fauna. The proposed clearing area does, however, represent black cockatoo foraging habitat. Evidence of the presence of black cockatoo species was noted during a habitat assessment and numerous potential habitat trees were identified within the site (Harewood 2015).

Although the application area contains habitat for black cockatoos, given its degraded (Keighery 1994) condition, it is not likely to comprise a high level of biological diversity. Therefore the proposed clearing is not likely to be at variance to this clearing principle.

Methodology

References:

DER (2015)
Government of Western Australia (2014)
Harewood (2015)
Keighery (1994)
Parks and Wildlife (2015a)

GIS Datasets:

NLWRA, Current Extent of Native Vegetation
Sac Biodatasets - accessed April 2015
SWERL-AL

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Comments

Proposed clearing is at variance to this Principle

Numerous fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded in the local area (10 kilometre radius). These include *Calyptorhynchus baudinii* (Baudin's cockatoo), *Calyptorhynchus banksii naso* (forest red-tailed black cockatoo), *Calyptorhynchus latirostris* (Carnaby's cockatoo), *Dasyurus geoffroii* (Chuditch), *Leipoa ocellata* (Malleefowl) and *Phascogale tapoatafa* subsp. *tapoatafa* (Southern Brush-tailed Phascogale) (Parks and Wildlife 2007-).

Forest red-tailed black cockatoo, Baudin's cockatoo and Carnaby's cockatoo have a preference for foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia*, *Hakea* and *Grevillea* (Commonwealth of Australia 2012).

The habitat critical to survival of red-tailed black cockatoo and Baudin's cockatoo comprises all marri, karri and jarrah forests, woodlands and remnants in the south-west of Western Australia receiving more than 600 millimetres of annual average rainfall (Commonwealth of Australia 2012).

A black cockatoo habitat assessment of the application area was undertaken and it was determined that the application area represents black cockatoo foraging habitat given the dominance of marri and jarrah. Evidence of all three species of black cockatoos foraging on site was observed, mainly in the form of chewed marri fruits with a single example of chewed jarrah fruits observed (Harewood 2015). The presence of several forest red-tailed black cockatoos was noted during a site inspection undertaken by officers of the Department of Environment Regulation (DER 2015).

The habitat assessment identified 155 trees as potential habitat for black cockatoo species, these trees having a diameter at breast height of over 50 centimetres. Two of those identified were considered possibly suitable for nesting black cockatoos, although there was no evidence of actual use. No roosting trees were positively identified during the survey (Harewood 2015).

An unconfirmed Carnaby's cockatoo breeding area has been mapped approximately seven kilometres east of the application area. The Carnaby's Cockatoo Recovery Plan (DEC 2012) states that, "Success in breeding is dependent on the quality and proximity of feeding habitat within 12 kilometre of nesting sites. Along with the trees that provide nest hollows, the protection, management and increase of this feeding habitat that supports the breeding of Carnaby's cockatoo is a critical requirement for the conservation of the species".

Habitat within the application area was considered unsuitable for western ringtail possums or chuditch (Harewood 2015). The proposed clearing was considered unlikely to impact on the habitat of other ground-dwelling fauna species of conservation significance given the relatively small area of clearing involved and the presence of large expanses of better quality habitat in nearby state forest and reserve areas (Harewood 2015).

The application area is approximately 200 metres west and 2.5 kilometres east, respectively, of the axis lines of two ecological linkages identified in the South West Regional Ecological Linkage Technical Report (Molloy et al. 2009) which is endorsed by the Environmental Protection Authority (EPA 2009). These linkages are recognised for their significance in facilitating indigenous fauna movement across the landscape (Molloy et al. 2009). The clearing proposed may contribute to the degradation or disruption of the closer linkage, however, this is not likely to be significant.

Given the above, the clearing as proposed is at variance to this principle.

The requirement to revegetate 6.01 hectares of nearby land and parts of the application area to a very good (Keighery 1994) condition, representative of the mapped vegetation association, once extraction activities cease, will help mitigate impacts to black cockatoo species.

Methodology

References:

Commonwealth of Australia (2012)
DEC (2012)
DER (2015)
EPA (2009)
Harewood (2015)
Keighery (1994)
Molloy et al. (2009)
Parks and Wildlife (2007-)

GIS Datasets:

Carnaby's Cockatoo breeding areas
Carnaby's Cockatoo feeding areas
Hydrography linear
SWERL-AL

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments

Proposed clearing is not likely to be at variance to this Principle

Several rare flora species have been mapped within the local area (10 kilometre radius), within the same vegetation association and soil type as the application area.

The application area is dominated by exotic grass species and is void of native ground cover and middle storey species (DER 2015). Parks and Wildlife (2015) has advised that the area under application is highly unlikely to have any flora conservation values remaining.

The proposed clearing is therefore not likely to be at variance to this clearing principle.

Methodology

References:

DER (2015)
Parks and Wildlife (2007-)

GIS Datasets:

SAC Biodatasets - accessed April 2015

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.

Comments

Proposed clearing is not likely to be at variance to this Principle

Several threatened ecological communities (TECs) are located within the local area (10 kilometre radius). The closest is TEC SCP 10b, described as 'Shrublands on southern Swan Coastal Plain Ironstones', approximately 550 metres west of the application area.

Given the type and condition of the vegetation proposed to be cleared it is not representative of this community.

Therefore, the application is not likely to be at variance to this clearing principle.

Methodology GIS Datasets:
- SAC Biodatasets - accessed April 2015

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Comments **Proposed clearing is not likely to be at variance to this Principle**
The area under application is located within the Jarrah Forest Interim Biogeographic Regionalisation of Australia (IBRA) bioregion. This IBRA bioregion has approximately 54 per cent of its pre-European vegetation extent remaining (Government of Western Australia 2014).

The vegetation under application is mapped as Beard vegetation associations 3 and 1181 of which there is approximately 68 and 53 per cent, respectively, of their pre-European extent remaining within the Jarrah Forest bioregion (Government of Western Australia 2014). The application area is also mapped as comprising Matiske vegetation complexes Yelverton and Treeton of which approximately 37 and 47 per cent of pre-European vegetation remains, respectively (Parks and Wildlife 2015b).

The area under application is located within the City of Busselton, within which there is approximately 41 per cent of pre-European extent remaining (Government of Western Australia 2014). It is estimated that the local area retains between 30 and 40 per cent.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001).

As the application area contains habitat for black cockatoo species, it may be a significant remnant. However, given the above, the application area is not considered to be within a highly cleared landscape.

The proposed clearing is therefore not likely to be at variance to this clearing principle.

	Pre-European (ha)	Current Extent Remaining (ha)	Extent in DPaW Managed Lands (%)	Extent in DPaW Managed Lands (%)
IBRA Bioregion*				
Jarrah Forest	4,506,660	2,425,551	54	69
Shire*				
City of Busselton	146,478	60,212	41	67
Beard Vegetation Associations in Bioregion*				
3	2,390,591	1,613,658	68	81
1181	9,978	5,322	53	68
Matiske Vegetation Association**				
T	27,830	13,117	47	28
Y	9,050	3,331	37	21

Methodology References:
Commonwealth of Australia (2001)
*Government of Western Australia (2014)
**Parks and Wildlife (2015b)

GIS Datasets:
Pre-European Vegetation

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments **Proposed clearing is not likely to be at variance to this Principle**
No wetlands or watercourses are mapped within the application area and no riparian vegetation within the area was evident (DER 2015).

The closest watercourse is Vasse River which is located approximately 200 metres east of the application area.

Given this, the application is not at variance to this clearing principle.

Methodology Reference:
DER (2015)

GIS Dataset:
Hydrography linear

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments **Proposed clearing is not likely to be at variance to this Principle**
The soils of the area under application are described as hard acidic yellow mottled soils containing small to very large amounts of ironstone gravels (Northcote et al. 1960-68). The mean annual rainfall is 1000 millimetres and groundwater salinity is mapped at less than 500 milligrams per litre total dissolved solids.

The application area is situated on sloping land with a gradient of up to one in eight, thus the proposed clearing may result in erosion (DoW 2015). However, given the mapped soil type, low susceptibility to wind and water erosion and current condition of the vegetation, the proposed clearing is not considered likely to cause appreciable land degradation.

The proposed clearing is therefore not likely to be at variance to this principle.

Methodology References:
DoW (2015)
Northcote et al. (1960-68)

GIS Datasets:
Hydrography linear
Topographic contours
Soils, Statewide
WA Isohyets

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

Comments **Proposed clearing is not likely to be at variance to this Principle**
Blackwood State Forest is located approximately 500 metres west of the application area. A cleared paddock exists between the application area and this conservation area and activities associated with extractive industry have occurred within this area. Weed species are therefore likely to be already prevalent in these areas and the proposed clearing is not likely to impact on the environmental values of the Blackwood State Forest.

The application area is approximately 200 metres west and 2.5 kilometres east, respectively, of the axis lines of two ecological linkages identified in the South West Regional Ecological Linkage Technical Report (Molloy et al. 2009) which is endorsed by the Environmental Protection Authority (EPA 2009). These linkages are recognised for their significance in facilitating indigenous fauna movement across the landscape (Molloy et al. 2009). Given the condition of the application area, impacts to nearby linkages are not likely to be significant.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
EPA (2009)
Molloy et al. (2009)

GIS Datasets:
Parks and Wildlife Tenure
SWERL-AL

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Comments **Proposed clearing is not likely to be at variance to this Principle**
Groundwater salinity is mapped as less than 500 milligrams per litre total dissolved solids. This level of groundwater salinity is considered to be low.

No watercourses or wetlands are mapped within the application area. The application area is situated on land with a gradient of up to one in eight, sloping towards Vasse River, approximately 250 metres west of the application area. The main risk related to the proposed clearing is erosion, sediment transport and associated turbidity to the Vasse River. This risk is likely to be low given the distance from the application area to Vasse River (DoW 2015) and the soil type under application which has a low susceptibility to wind and water erosion.

Given the above, the proposed clearing is not likely to be at variance to this principle.

Methodology Reference:
DoW (2015)

GIS Datasets:
Groundwater Salinity Statewide
Hydrography, Linear
Topographic Contours, Statewide

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments Proposed clearing is not likely to be at variance to this Principle

Given there are no watercourses or wetlands within the application area and the porosity of the soil under application, flooding is not likely to result from the proposed clearing.

The application is not likely to be at variance to this clearing principle.

Methodology GIS Dataset:
- Hydrography linear

Planning instruments and other relevant matters.

Comments The land is zoned as 'Agriculture' under the local Town Planning Scheme.

Planning approval has been issued by the City of Busselton, subject to conditions (City of Busselton 2015).

Given the proposed clearing will involve the clearing of areas of identified black cockatoo habitat, consideration should be given to referring the proposal to the Department of the Environment to ensure compliance with the Environment Protection and Biodiversity Conservation Act (1999) (Parks and Wildlife 2015a).

The subject land is located within a proclaimed surface water area and within the Geographe Bay Rivers Surface Water Area as proclaimed under the Rights in Water and Irrigation (RIWI) Act 1914. Groundwater abstraction in this proclaimed area, for the extractive industry, is subject to licensing. This includes the taking of water from on-site groundwater fed dams. Any taking or diversion of surface water in this proclaimed area can also be subject to licensing. If the proponent requires the use of either surface or groundwater for the extractive industry, the proponent is advised to contact the Department of Water's Busselton licensing section (DoW 2015).

The Department of Water (2015) has identified risks associated with the proposed extractive landuse including the potential for sediment, hydrocarbons and herbicides to escape into the Vasse River. There is also the risk of groundwater contamination if extractive activities intersect the water table or if surface spills infiltrate into the groundwater. A number of mitigation measures are recommended through the adoption of best practices including the information contained within the Department of Water's Water Quality Protection Note No. 15 'Extractive industries near sensitive water resources' where appropriate and practical.

No aboriginal sites of significance are mapped within the application area.

No submissions from the public have been received for the current application.

Methodology References:
City of Busselton (2015)
DoW (2015)
Parks and Wildlife (2015a)

GIS Datasets:
Aboriginal Sites of Significance

4. References

- City of Busselton (2015) Decision on application for planning consent – extractive industry – gravel (approximately 155,000m³) – Lot 2992 Price Road and Jamison Road, Chapman Hill, received 7 October. City of Busselton, Western Australia (DER Ref: A984963).
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species, Canberra.
- DEC (2012) Carnaby's cockatoo (*Calyptorhynchus latirostris*) Recovery Plan. Department of Environment and Conservation, Perth, Western Australia.
- DER (2015) Site Inspection Report for Clearing Permit Application CPS 6464/1, Lot 2992 on Deposited Plan 203100 and Lot 914 on Deposited Plan 211080, Sussex. Site inspection undertaken 17 March 2015. Department of Environment Regulation, Western Australia (DER Ref: A894087).
- DotE (1996) Action Plan for Australian Marsupials and Monotremes- Recovery Plan – Brush-tailed Phascogale, <http://www.environment.gov.au/node/14789> Accessed April 2015
- DoW (2015) Advice received in relation to clearing permit application CPS 6464/1, received 25 March 2015. Department of Water, Western Australia (DER Ref: A888186).
- EPA (2009) South West Regional Ecological Linkages. Environmental Protection Bulletin No 8. Environmental Protection Authority, Western Australia.
- Government of Western Australia (1997) Wetlands Conservation Policy for Western Australia, Department of Conservation and Land Management and the Water and Rivers Commission, Perth WA.

- Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, Perth.
- Harewood (2015) Black Cockatoo Assessment of Proposed Clearing Areas, Lot 2992 Price Road Chapman Hill, received 9 April 2015. Department of Parks and Wildlife, Western Australia (DER Ref: A893238).
- 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.
- Molloy, S., Wood, J., Hall, S., Wallrodt, S. and Whisson, G. (2009) South West Regional Ecological Linkages Technical Report. DEC, WALGA and Planning South West.
- 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.
- Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed May 2015.
- Parks and Wildlife (2015a) Advice received in relation to clearing permit application CPS 6464/1, received 8 April 2015. Department of Parks and Wildlife, Western Australia (DER Ref: A892786).
- Parks and Wildlife (2015b) 2015 South West Forest and Swan Coastal Plain Vegetation Complex Statistics: a report prepared for the Department of Environment Regulation. Current as of March 2015. Department of Parks and Wildlife, Perth, Western Australia.
- 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.