



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6549/1
Permit Holder:	Opal Vale Pty Ltd
Duration of Permit:	3 October 2015 to 3 October 2020

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

- 1. Purpose for which clearing may be done**
Clearing for the purpose of landfill facility and associated infrastructure.
- 2. Land on which clearing is to be done**
Lot 11 on Deposited Plan 34937, Hoddys Well
- 3. Area of Clearing**
The Permit Holder must not clear more than 0.3 hectares of native vegetation within the combined areas cross-hatched yellow on attached Plan 6549/1.
- 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.

A handwritten signature in cursive script, appearing to read "M Warnock", written over a horizontal line.

M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

3 September 2015

Plan 6549/1



Legend

-  Areas approved to clear
-  Roads
-  Cadastre
-  local_gov_authority
- Virtual Mosaic



1:6,000

MGA 94

Geocentric Datum of Australia 1994

M Warnock Date 3/9/15
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.: 6549/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Opal Vale Pty Ltd

1.3. Property details

Property: Lot 11 on Deposited Plan 34937, Hoddys Well
Colloquial name: Salt Valley Road Class II Landfill (Stage 1)
Local Government: Shire of Toodyay
Authority:
DER Region: Greater Swan
DPaW District: Perth Hills
LCDC: Toodyay
Localities: Hoddys Well

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.3		Mechanical Removal	Landfill facility and associated infrastructure

1.5. Decision on application

Decision on Permit: Grant
Application:
Decision Date: 3 September 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
One Beard vegetation association has been mapped within the application area: 4: Medium woodland; marri and wandoo (Shepherd et al., 2001). One Mattiske vegetation complex has also been mapped over the application area: Mi: Open forest of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> – <i>Corymbia calophylla</i> – <i>Allocasuarina fraseriana</i> on broad undulating uplands in perhumid and humid zones (Mattiske and Havel, 1998). Based on supplementary information provided by the applicant, vegetation within the application area consists of isolated trees with no intact understorey or midstorey (Opal Vale, 2015).	Opal Vale Pty Ltd (Opal Vale) proposes to clear 0.3 hectares of native vegetation within Lot 11 on Deposited Plan 34937, Hoddys Well, for the purpose of a landfill facility and associated infrastructure.	Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	Vegetation condition was determined via aerial imagery and information provided by the applicant (Opal Vale, 2015).

3. Assessment of application against clearing principles

Comments The proposed clearing consists of 0.3 hectares of native vegetation within Lot 11 on Deposited Plan 34937, Hoddys Well, for the purpose of constructing a landfill facility and associated infrastructure. The application area comprises several clusters of trees, some of which have recolonised previously cleared areas. The vegetation under application is in a degraded (Keighery, 1994) condition, with a highly degraded understorey and midstorey.

A search of the Naturemap database returned records for 151 bird, 12 mammal, 23 reptile, four amphibian and 80 invertebrate species within a 10 kilometre radius of the application area, including 14 Threatened or Priority fauna species (Parks and Wildlife, 2007-). Of these, Baudin's cockatoo (*Calyptorhynchus baudinii*; Schedule 1), the forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*; Schedule 1) and the masked owl (*Tyto novaehollandiae* subsp. *novaehollandiae*; Priority 3) may use some trees within the proposed clearing for roosting. On a broad scale, the application area and surrounds is confirmed breeding habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*; Schedule 1), however the trees that occur within the application area are unlikely to provide adequate nesting habitat for this species (Opal Vale, 2015).

Aerial imagery indicates that vegetation adjacent to the application area provides better quality breeding habitat that has not been degraded and fragmented by historic clearing activity. With consideration to the availability of good quality habitat within the surrounding landscape and the degraded condition of vegetation within the application area, the proposed clearing is not likely to impact significant habitat for fauna on a local or regional scale.

Two rare flora species have been recorded within 10 kilometres of the application area. Based on photographs of the proposed clearing provided by the applicant (Opal Vale, 2015), and the vegetation and soil type that occurs within the application boundary, neither species are considered likely to occur within the application area.

Approximately 26 per cent of Matiske vegetation complex Mi remains in the Jarrah Forest bioregion (Parks and Wildlife, 2015). 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).

While Matiske vegetation complex Mi occurs at less than the recommended 30 per cent threshold, vegetation within the application area is in a degraded condition and no longer represents the Beard or Matiske vegetation types that have been mapped over the application area. Therefore, the vegetation under application is not likely to be a significant remnant in an area that has been highly cleared.

According to available databases, no wetlands, watercourses, Threatened Ecological Communities, Priority Ecological Communities or conservation areas occur within 10 kilometres of the application area. Given this they are not likely to be impacted by the proposed clearing.

The clearing of 0.3 hectares of degraded (Keighery, 1994) native vegetation is not likely to cause deterioration to the quality of surface water or groundwater, cause appreciable land degradation or exacerbate the incidence or intensity of flooding.

Based on the above, the proposed clearing is not likely to be at variance to any of the clearing principles.

Methodology

References:

Commonwealth of Australia (2001)
Keighery (1994)
Opal Vale (2015)
Parks and Wildlife (2007-)
Parks and Wildlife (2015)

GIS Databases:

- DPaW Tenure
- Hydrography, linear
- Imagery
- Imagery (Historic)
- Pre-European Vegetation
- Threatened and Priority Ecological Communities (TECPEC) - Buffers

Planning instruments and other relevant matters.

Comments The applicant proposes to clear up to 0.3 hectares of native vegetation within Lot 11 on Deposited Plan 34937 for the purpose of a landfill facility and associated infrastructure.

Under the provisions of the Shire of Toodyay's Local Planning Scheme, the application area occurs within a 'Rural' land use zone. A Works Approval for the proposed activities was granted on 27 August 2015 (Works Approval Number W5800/2014/1).

The project was referred to the Environmental Protection Authority (EPA), which determined not to assess the proposal on 7 October 2013. The EPA noted that the proposal raises a number of environmental issues, most of which pertain to the construction and operation of the landfill facility (EPA, 2013).

The proposed clearing is situated within the Avon River Catchment Surface Water Area. The Department of Water (DoW) advised that it did not support the proposal in its current form, as the engineering solution to potential groundwater pollution was considered to be inadequate. Opal Vale subsequently altered the engineering approach regarding groundwater management and has sufficiently addressed these concerns. The DER works approval decision document considered the engineering solutions to be employed in order to ensure groundwater is not impacted. This environmental impact has been taken into account in the granting of the works approval.

There are no Aboriginal Sites of Significance recorded in the area applied to clear.

The clearing permit application was advertised on 4 May 2015 by the Department of Environment Regulation inviting submissions from the public. No submissions from the public were received.

Methodology References:
DoW (2015)
EPA (2013)

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DoW (2015) Advice received from the Department of Water on 8 June 2015. DER REF: A917028.
- EPA (2013) Notice under Section 39A(3) *Environmental Protection Act 1986*. Opal Vale Pty Ltd - Class II Landfill, Lot 11 Chitty Road, Toodyay. Environmental Protection Authority, 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.
- 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.
- Opal Vale (2015) Supplementary information provided with clearing permit application. Opal Vale Pty Ltd.
- Parks and Wildlife (2007-) Naturemap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife, Perth. <http://naturemap.dpaw.wa.gov.au/default.aspx> (Accessed May 2015).
- Parks and Wildlife (2015) 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.