



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6816/1
Permit Holder:	Jie Yang Australia Pty Ltd
Duration of Permit:	21 May 2016 – 28 May 2026

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 sand extraction.

2. Land on which clearing is to be done

Lot 1000 on Deposited Plan 38068, Donnybrook
Lot 1 on Diagram 34502, Donnybrook

3. Area of Clearing

The Permit Holder must not clear more than 30 native trees within the area cross hatched yellow on attached Plan 6816/1.

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. 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 6816/1 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 5(a) on the cleared area.
- (c) Within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 5(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 5(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 5(c)(ii) of this permit, the Permit Holder shall repeat condition 5(c)(i) and 5(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 5(c)(i) 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 5(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 5(c)(ii).

6. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit between 1 July to 28 February, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the Permit Area to identify Marri (*Corymbia calophylla*) and Jarrah (*Eucalyptus marginata*) *black cockatoo habitat tree/s* being utilised by Carnaby's cockatoo (*Calyptorhynchus latirostris*), forest red-tailed black cockatoo (*Calyptorhynchus banksii subsp. naso*) and Baudin's cockatoo (*Calyptorhynchus baudinii*);
- (b) where fauna are identified under condition 6(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing within 10 metres of *black cockatoo habitat tree/s* of the identified fauna occurs, unless first approved by the CEO; and
 - (ii) no taking of identified fauna occurs, unless first approved by the CEO.

DEFINITIONS

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

black cockatoo habitat tree/s: means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater;

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.

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

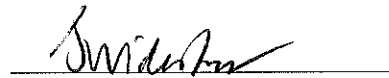
fauna survey: means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

local provenance means native vegetation seeds and propagating material from natural sources within 10 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

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.



James Widenbar
MANAGER
CLEARING REGULATION

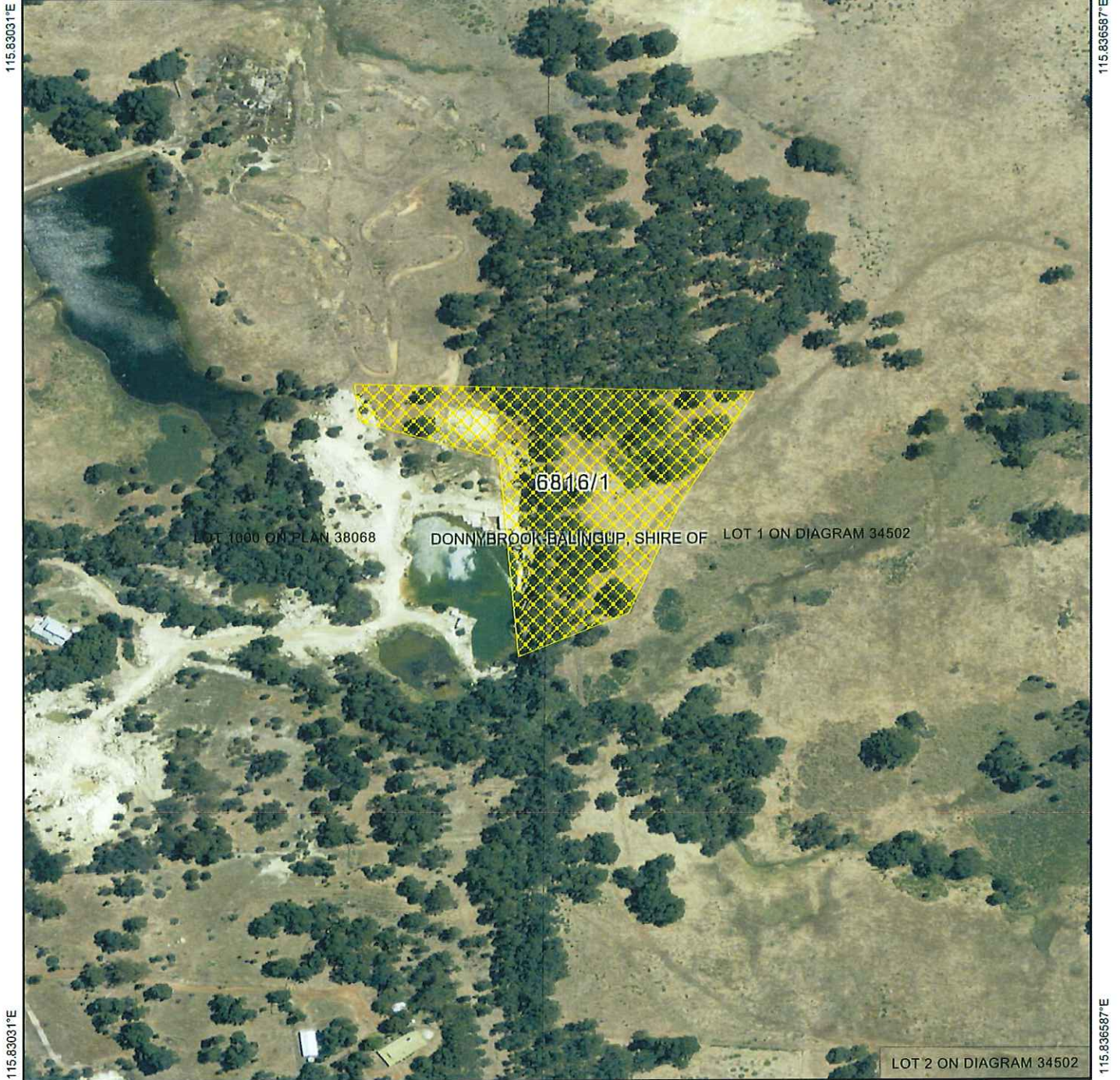
*Officer delegated under Section 20
of the Environmental Protection Act 1986*

21 April 2016

Plan 6816/1

33.52301°S

33.52301°S



115.83031°E

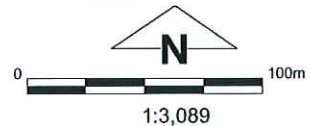
115.836587°E

33.527177°S

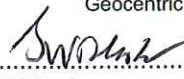
33.527177°S

Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Cadastre



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)
Geocentric Datum of Australia 1994

 Date 21.12.2016
J Widenbar

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



1. Application details

1.1. Permit application details

Permit application No.: 6816/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Jie Yang Australia Pty Ltd

1.3. Property details

Property: LOT 1 ON DIAGRAM 34502, DONNYBROOK
LOT 1000 ON PLAN 38068, DONNYBROOK

Colloquial name:
Local Government Authority: DONNYBROOK-BALINGUP, SHIRE OF
DER Region: Greater Swan
DPaW District: WELLINGTON
LCDC:
Localities: DONNYBROOK

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 21 April 2016
Reasons for Decision: The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and has concluded that the proposed clearing may be at variance to Principle (b) and is not likely to be at variance to any of the remaining clearing principles.

The assessment identified that the vegetation under application has the potential to provide nesting habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and the forest red-tailed black-cockatoo (*Calyptorhynchus banksii* subsp. *naso*). To mitigate the potential impact to these species a condition has been placed on the permit requiring the identification of black cockatoo habitat trees prior to clearing.

The applicant has been granted an extractive industry licence for the application area from the Shire of Donnybrook-Balingup. The Shire's planning approval, State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

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 1185: Medium woodland; jarrah, marri & blackbutt (Shephard et al, 2001).	The application is to clear 30 native trees within Lot 1000 on Deposited Plan 38068 and Lot 1 on Diagram 34502, Donnybrook for the purpose of sand extraction.	Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).	The vegetation under application consists of <i>Corymbia calophylla</i> trees over pasture, with no shrubs or ground covers, which have totally been replaced by pasture (Landform Research, 2015).
Mattiske vegetation complex DS: Low woodland of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Corymbia calophylla</i> - <i>Eucalyptus staeri</i> on small hills of siltstone plateau in the perhumid zone (Mattiske and Havel, 1998).			The condition of the vegetation under application was obtained via aerial imagery.

3. Assessment of application against clearing principles

Comments The application is to clear 30 native trees within Lot 1000 on Deposited Plan 38068 and Lot 1 on Diagram 34502, Donnybrook for the purpose of sand extraction. The vegetation under application is in a completely degraded (Keighery, 1994) condition and consists of *Corymbia calophylla* trees over pasture (Landform Research, ND).

Given the degraded (Keighery, 1994) condition of vegetation and lack of understorey species clearing the vegetation under application is not likely to impact on rare or priority flora, a priority or threatened ecological community, conservation reserves within the local area and is not likely to be classified as clearing a significant remnant within a highly cleared landscape.

Nine fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within the local area (10 kilometre radius). This includes, forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) (Parks and Wildlife, 2007-).

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) referral guidelines (SEWPaC 2012) defines breeding habitat for black cockatoos as trees of species known to support breeding within the range of the species which either have a suitable nest hollow or are of suitable diameter at breast height (DBH) to develop a nest hollow. For most trees, suitable DBH is 500 millimetres.

The application area is likely to contain suitable breeding habitat for black cockatoo, therefore the vegetation under application may be significant habitat for these species if they are utilising the hollows for breeding. Identifying habitat trees for black cockatoo breeding prior to clearing will assist in mitigating the potential impact to this species.

There is an existing dam on the property, constructed on a minor perennial watercourse. Aerial photography indicates the vegetation under application is not associated to the existing dam or minor watercourse. The landscape and soil type of the area consists of dissected lateritic plateau of a generally hilly relief, with chief soils on the slopes are hard acidic and also neutral, yellow mottled soils containing moderate to large amounts of ironstone gravels (Northcote et al, 1960-68)

Given the relatively small size of the proposed clearing within a larger footprint, it is unlikely that the proposed clearing will cause appreciable land degradation, impact on water quality or cause or exacerbate land degradation or flooding.

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

Methodology References:
Keighery, (1994)
Landform Research (2015)
Northcote et al (1960-68)
Parks and Wildlife (2007-)
SEWPaC (2012)

GIS datasets:
Hydrography linear
SAC Biodatasets accessed March 2016

Planning instruments and other relevant matters.

Comments The Shire of Donnybrook-Balingup has issued planning consent to the applicant for extractive industry within Lot 1 McCluchean Road and Lot 1000 Meotti Road, Donnybrook.

No registered Aboriginal Sites of Significance occur within the application area.

No public submissions have been received.

Methodology GIS Databases:
- Aboriginal Sites Register

4. References

- Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) (2012) EPBC Act Referral guidelines for three threatened black cockatoo species: Carnaby's cockatoo (endangered) *Calyptorhynchus latirostris*, Baudin's cockatoo (vulnerable) *Calyptorhynchus baudinii*, Forest red-tailed black cockatoo (vulnerable) *Calyptorhynchus banksii naso*.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Landform Research (2015) Excavation and Rehabilitation Management Plan - Lot 1, McCutcheon Road and Lot 1000 Meotti Road, Donnybrook – Prepared for Jie Yang Australia Pty Ltd (DER Ref:A993659).
- 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.

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 March 2015

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.