



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6886/2
Permit Holder:	Omaha Nominees Pty Ltd
Duration of Permit:	From 12 November 2016 to 31 December 2027

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 limestone extraction.
- 2. Land on which clearing is to be done**
Lot 55 on Deposited Plan 36488, Myalup
- 3. Area of Clearing**
The Permit Holder must not clear more than 2.3 hectares of native vegetation within the area cross-hatched yellow on attached Plan 6886/2a.
- 4. Clearing not authorised**
The Permit Holder shall not clear any native vegetation after 30 May 2021.
- 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. Avoid, minimise etc.**
In determining the amount of native vegetation to be cleared as authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:
 - (a) avoid the clearing of native vegetation;
 - (b) minimise the amount of native vegetation to be cleared; and
 - (c) reduce the impact of clearing on any environmental value.

7. Offset - conservation covenant

Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall:

- (a) give a conservation covenant under section 30B of the *Soil and Land Conservation Act 1945* setting aside the area cross-hatched red on attached Plan 6886/2b for the protection and management of vegetation in perpetuity; and
- (b) provide to the CEO a copy of the executed conservation covenant.

8. Offset - revegetation

In relation to the area cross-hatched red on attached Plan 6886/2b, the Permit Holder must implement and adhere to the Revegetation and Offset Plan for CPS 6886/1, Lot 55 Finn Road, Shire of Harvey prepared for Omaha Nominees Pty Ltd by Lundstrom Environmental Consultants Pty Ltd, as provided to the Department of Environment Regulation on 10 November 2016.

PART III - RECORD KEEPING AND REPORTING

9. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to conditions 7 and 8 of to this Permit:

- (a) a description of the offset activities undertaken; and
- (b) the results of monitoring conducted pursuant to condition 8.

10. 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
 - (i) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding calendar year.
- (b) Prior to 30 September 2027, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.



Kelly Faulkner
EXECUTIVE DIRECTOR
LICENSING AND APPROVALS

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

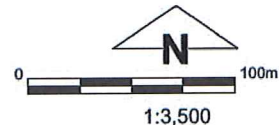
23 December 2016

Plan 6886/2a




Legend

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



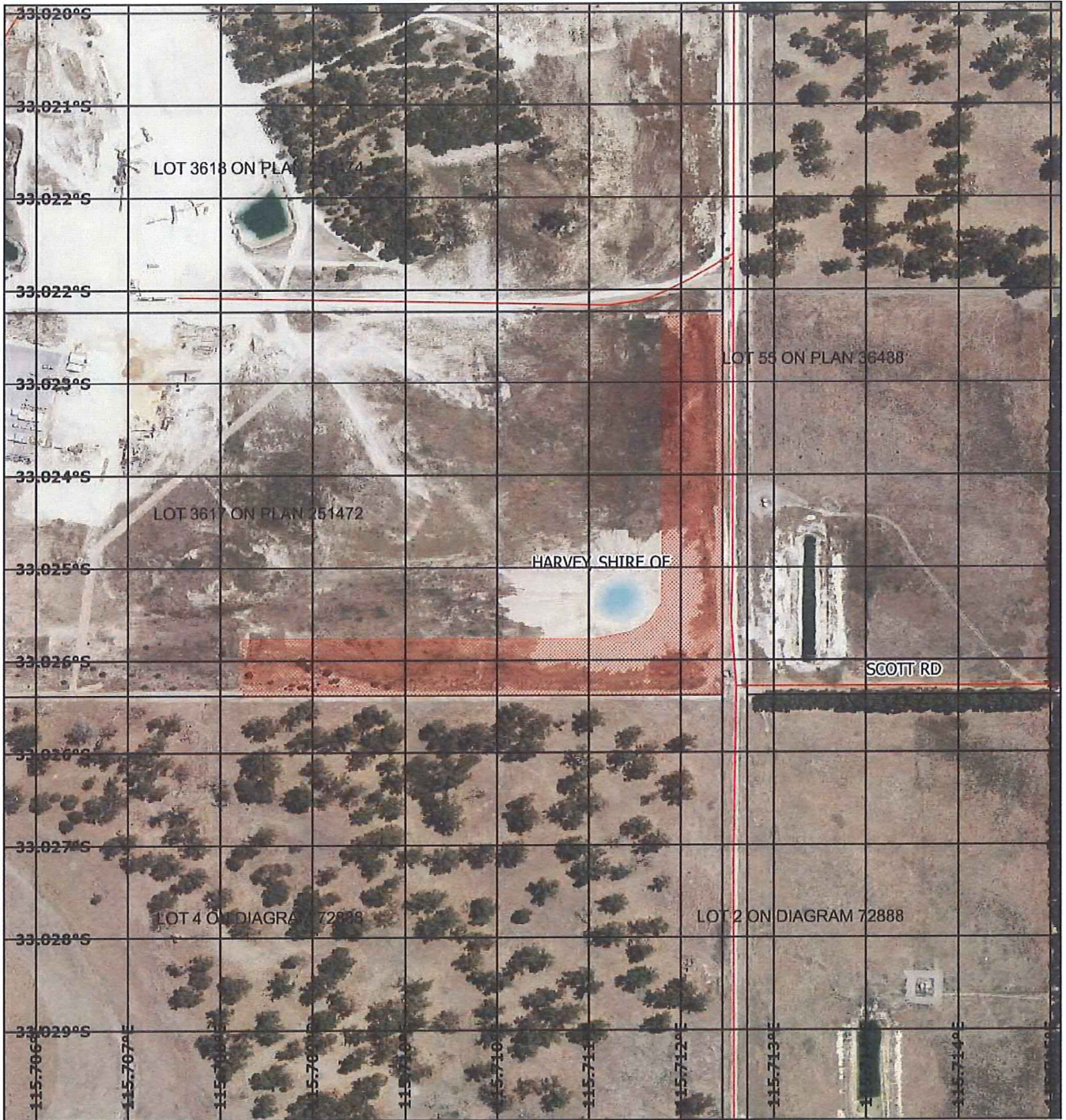
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 GDA 94 (Lat/Long)
 Geocentric Datum of Australia 1994


 K Faulkner Date 23/12/16

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



Plan 6886/2b




Legend

-  Roads
-  Cadastre
-  local_gov_authority
-  Clearing Instruments Conditions
- Virtual Mosaic
- 



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Geocentric Datum of Australia 1994


K Faulkner Date 23/12/16

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





1. Application details

1.1. Permit application details

Permit application No.: 6886/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Omaha Nominees Pty Ltd

1.3. Property details

Property: Lot 55 on Deposited Plan 36488, Myalup
Local Government Authority: Shire of Harvey
DER Region: Greater Swan
DPaW District: Wellington
Localities: Myalup

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 22 December 2016
Reasons for Decision: The application to amend Clearing Permit CPS 6886/1 by amending the footprint of the offset area was received on 10 November 2016 and was assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act).

The Delegated Officer determined that the environmental impacts of the proposed clearing have not changed since the original assessment, and that the proposed clearing is at variance to Principle (b), may be at variance to Principles (e) and (g), is not likely to be at variance to Principles (a), (c), (d), (h), (i) and (j), and is not at variance to Principle (f).

The original assessment determined that the proposed clearing will lead to the loss of 2.3 hectares of native vegetation that provides significant fauna habitat for the forest red-tailed black cockatoo and Carnaby's cockatoo, which are listed as 'rare or likely to become extinct' under the *Wildlife Conservation Act 1950*.

Consistent with the WA Environmental Offsets Policy (2011) and WA Environmental Offsets Guidelines (2014), and pursuant to section 51(2)(b) of the EP Act, in order to mitigate the significant environment impacts described above the Permit Holder is required to provide an offset that comprises 1.64 hectares of revegetation within Lot 3617 on Deposited Plan 251472, Myalup, and eight artificial hollows to be placed within Lot 55 on Deposited Plan 36488 and Lot 3618 on Deposited Plan 251472, Myalup.

The amount of revegetation proposed (3.65 hectares) exceeds that required to offset the identified impacts. On 13 October 2016 the Delegated Officer approved the banking of the balance (2.01 hectares) as a pre-impact offset in accordance with the WA Environmental Offsets Guidelines (2014).

State policies and other relevant policies have been taken into consideration in the decision to grant an amendment to a clearing permit.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description

One Beard vegetation association and one Heddle vegetation complex have been mapped within the application area.

Beard vegetation association 998 is described as medium woodland; tuart (Shepherd et al., 2001).

Heddle vegetation complex

'Yoongarillup Complex' is described as woodland to tall woodland of *Eucalyptus gomphocephala* (tuart) with *Agonis flexuosa* in the second storey. Less consistently an open forest of *Eucalyptus gomphocephala* - *Eucalyptus marginata* (jarrah) - *Corymbia calophylla* (marri) (Heddle et al., 1980).

Vegetation within the application area has been parkland cleared, and includes mature tuart and jarrah trees with a midstorey of *Agonis flexuosa* and *Banksia grandis* and a sparse understorey of several zamia palms (*Macrozamia riedlei*) (Lundstrom, 2016).

Clearing Description

The applicant proposes to clear up to 2.3 hectares of native vegetation within an 8.275 hectare footprint for the purpose of limestone extraction.

Vegetation Condition

Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

Comment

Vegetation condition was determined via aerial imagery and a site inspection conducted by officers from the Department of Environment Regulation (DER) on 10 February 2016 (DER, 2016).

The 2.3 hectares of native vegetation includes all native vegetation within the application area.

3. Assessment of application against clearing principles

Comments The applicant has applied to amend Clearing Permit CPS 6886/1 by amending the shape of the offset area within Lot 3618 on Deposited Plan 251472, Myalup. The proposed clearing is unchanged.

A review of available information identified that the assessment against the clearing principles has not changed since the assessment of the original application CPS 6886/1, and can be found within Clearing Permit Decision Report CPS 6886/1.

The proposed clearing is at variance to Principle (b), may be at variance to Principles (e) and (g), is not likely to be at variance to Principles (a), (c), (d), (h), (i) and (j), and is not at variance to Principle (f).

Planning instruments and other relevant matters.

Comments The clearing permit application was advertised in *The West Australian* on 5 December 2016 for a seven day submission period. No public submissions were received.

The assessment against planning and other matters has not changed since the assessment of the original application CPS 6886/1, and can be found within Clearing Permit Decision Report CPS 6886/1.

4. References

- Department of Environment Regulation (DER) (2016) CPS 6886/1 Site inspection report. Department of Environment Regulation. DER REF: A1069290.
- Heddle, E.M., Loneragan, O.W., and Havel, J.J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, 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.
- Lundstrom Environmental Consultants Pty Ltd (Lundstrom) (2016) Black Cockatoo Habitat Survey, prepared for Omaha Nominees Pty Ltd, Lot 55, Finn Road, Myalup, Shire of Harvey. Unpublished report prepared by Lundstrom Environmental Consultants Pty Ltd on behalf of Omaha Nominees Pty Ltd (DER REF: A1067165).
- 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.