



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7028/1
Permit Holder:	Minister for Transport
Duration of Permit	13 July 2016 to 13 July 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 rock extraction.

2. Land on which clearing is to be done

Lot 115 on Deposited Plan 257539, Bremer Bay.

3. Area of Clearing

The Permit Holder must not clear more than 0.9 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7028/1.

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.

5. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 13 July 2021.

PART II – MANAGEMENT CONDITIONS

6. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

7. Dieback and weed control

When undertaking any clearing 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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

8. 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 3 months following completion of extraction operations in any area cleared under this Permit, *revegetate* and *rehabilitate* the area(s) 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 8(a) on the cleared area(s).
- (c) within 3 years of laying the vegetative material and topsoil on the cleared area(s) in accordance with condition 8(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 composition structure and density determined under condition 8(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 8(c)(ii) of this permit, the Permit Holder shall repeat condition 8(c)(i) and 8(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 8(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 8(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 8(c)(ii).

PART III - RECORD KEEPING AND REPORTING

9. 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 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;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).
- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 8 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 dates of the *revegetation* and *rehabilitation* activities undertaken;
 - (iv) the size of the area *revegetated* and *rehabilitated* (in hectares);
 - (v) the species composition, structure and density of *revegetation* and *rehabilitation*; and
 - (vi) a copy of the environmental specialist's report.

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
 - (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 year, 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 13 April 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.

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;

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 50 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;

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.



Simon Weighell
A/SENIOR MANAGER
CLEARING REGULATION



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

13 June 2016

Plan 7028/1



Legend

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



1:2,936

(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

S. Weighell Date *13/6/16*
Simon Weighell

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



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1. Application details

1.1. Permit application details

Permit application No.: 7028/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Department of Transport

1.3. Property details

Property: LOT 115 ON PLAN 257539, BREMER BAY
Local Government Authority: JERRAMUNGUP, SHIRE OF
DER Region: South Coast
DPaW District: ALBANY
Localities: BREMER BAY

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 13 June 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 is not likely to be at variance to any of the clearing principles.

Through assessment it has been determined that the clearing is unlikely to have any significant environmental impacts. 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 50 is described as shrublands; dwarf scrub on granite (south coast) (Shepherd et al., 2001).	The Department of Transport proposes to clear 0.9 hectares of native vegetation within Lot 115 on Deposited Plan 257539, Bremer Bay, for the purpose of rock extraction.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994). To Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994).	The condition and description of the application area was determined via a Flora Survey and Vegetation Assessment, conducted during March and April of 2016 (Elson, 2016). The dominant upper canopy plant species recorded throughout the application area included <i>Agonis flexuosa</i> , <i>Hakea oleifolia</i> and <i>Acacia cyclops</i> . The understorey contained shrubland including <i>Leucopogon minitifolius</i> , <i>Leucopogon revolutus</i> , <i>Leucopogon parviflorus</i> , <i>Spyridium globulosum</i> , <i>Templetonia retusa</i> , <i>Hibbertia cuneiformis</i> , <i>Hakea trifurcata</i> , <i>Billardiera fusiformis</i> , <i>Clematis pubescens</i> , and <i>Pimelea ferruginea</i> over sedges, grasses and rushes (Elson, 2016).

3. Assessment of application against clearing principles

Comments The Department of Transport proposes to clear 0.9 hectares of native vegetation within Lot 115 on Deposited Plan 257539, Bremer Bay, for the purpose of rock extraction. The condition of the vegetation under application ranges from very good to completely degraded (Keighery, 1994) with the majority of the vegetation in a degraded (Keighery, 1994) condition. A portion of the application area comprises regrowth as it was historically used as a disposal site for surplus rock from a previous quarry site.

A fauna and flora survey/vegetation assessment of the application area (the survey) identified the dominant habitat to be low *Agonis flexuosa* (peppermint tree) forest over heath and mixed shrublands over sedges, grasses and rushes (Elson, 2016).

The survey did not identify any rare or priority flora and the proposed clearing is not likely to impact on any such species.

The majority of the application area is within a mapped nationally listed threatened ecological community (TEC) known as 'Proteaceae Dominated Kwongkan Shrublands of the Southeast Coastal Floristic Province of Western Australia' (Kwongkan Shrublands). This nationally listed TEC is listed as endangered and protected under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. In Western Australia, the community has been afforded Priority 3 conservation status by the Department of Parks and Wildlife.

The Kwongkan Shrublands are dominated by plants from the family Proteaceae, including plants from the genera Adenanthos, Banksia, Grevillea, Hakea, Isopogon and Lambertia (Threatened Species Scientific Committee, 2014). The survey noted a lack of Proteaceous rich plant species, and based on the vegetation types identified within the survey (Elson, 2016), the application area is not considered to represent the Kwongkan Shrublands community.

Based on the vegetation identified in the survey (Elson, 2016), the application area is not considered to be representative of any other threatened or priority ecological communities.

The area surrounding the application area (within a two kilometre radius) is extensively vegetated and largely undisturbed whereby it retains approximately 90 per cent native vegetation. Given the extent of nearby remnant vegetation, the application area is not considered to provide significant habitat for fauna.

Given the size of the application area, absence of mapped watercourses or wetlands and presence of extensive surrounding vegetation, the proposed clearing is not likely to include riparian vegetation, contribute to or cause land degradation, deteriorate the quality of surface or ground water, or cause or exacerbate flooding.

The closest conservation area to the application area is Fitzgerald River National Park (National Park) located approximately 2.8 kilometres west of the application area. Given the distance to this area and extensive vegetative buffer that exists between the application area and the National Park, the proposed clearing is not likely to impact on this conservation area.

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

Methodology

References:

Elson (2016)
Keighery (1994)
Threatened Species Scientific Committee (2014)

GIS Databases:

SAC Bio Datasets (Accessed June 2016)
Hydrography, linear
Hydrography, hierarchy
Geomorphic Wetlands, South Coast
Department of Parks and Wildlife Tenure

Planning instruments and other relevant matters.

Comments

In support of the increased use of the Bremer Bay Boat Harbour facilities, the Department of Transport in conjunction with the Shire of Jerramungup, investigated potential sites to extract granite to upgrade and further develop the marina at the Bremer Bay boat harbour, whereby the application area was identified as the most suitable area for the extraction of the required materials (Elson, 2016).

The application was advertised in the West Australian newspaper on 25 April 2016 for a 21 day public submission period. No public submissions have been received in relation to this application.

There are no Aboriginal Sites of Significance mapped within the application area.

Methodology

References:

Elson (2016)

GIS Databases:

Aboriginal Sites of Significance

4. References

- Elson, S. (2016) Fauna and Flora Survey/Vegetation Assessment Steve Elson For the Proposed clearing area's of the Borrow Pit Bremer Bay. Additional Information for CPS 7028/1. DER Ref A1107321.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, 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.
- Threatened Species Scientific Committee (2014) Approved Conservation Advice for Proteaceae Dominated Kwongkan Shrublands of the southeast coastal floristic province of Western Australia. Department of the Environment, Canberra.