



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 7559/2
<b>Permit Holder:</b>	Shawmac Pty Ltd
<b>Duration of Permit:</b>	From 31 March 2018 to 31 March 2023

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

### ADVICE NOTE:

The funds referred to in condition 7 of this permit are intended for the purchase of at least 2.03 hectares of native vegetation for conservation that:

- contains suitable habitat for Carnaby's black cockatoo; and
- contains at least 2.03 hectares of vegetation representative of the Banksia Woodlands of the Swan Coastal Plain threatened ecological community.

### PART I – CLEARING AUTHORISED

#### **1. Purpose for which clearing may be done**

Clearing for the purpose of road widening and upgrades.

#### **2. Land on which clearing is to be done**

Lot 14249 on Deposited Plan 27729, Beermullah

#### **3. Area of clearing**

The Permit Holder must not clear more than 0.383 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7559/2.

#### **4. Period within which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 30 June 2022.

#### **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. Dieback and weed control**

- (a) When undertaking any clearing or other activity 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*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - (ii) ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
  - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and
  - (iv) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.
- (b) Prior to leaving the area(s) cross-hatched yellow on attached Plan 7559/2, the Permit Holder must clean earth-moving machinery of soil and vegetation.

### **7. Offset**

Prior to 6 March 2020, the Permit Holder shall provide funding of \$10,150 to the Department of Water and Environmental Regulation for the purpose of establishing or maintaining native vegetation.

### **8. Avoid, minimise and reduce the impacts and extent of 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:

- (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.

## **PART III – RECORD KEEPING AND REPORTING**

### **9. Records must be kept**

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 8 of this Permit;
- (e) actions taken to control weeds and dieback in accordance with condition 6 of this Permit; and
- (f) actions taken in accordance with condition 7.

### **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 has been undertaken, a written report confirming that no clearing under this Permit has been undertaken, must be provided to the *CEO* on or before 30 June of each year.

## Definitions

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

**CEO** means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

**dieback** means the effect of *Phytophthora* species on native vegetation;

**fill** means material used to increase the ground level, or fill a hollow;

**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;

**soil disease status** means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen.

**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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



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Samara Rogers  
MANAGER  
NATIVE VEGETATION REGULATION

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

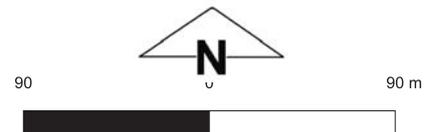
23 September 2019

# Plan 7559/2



## Legend

-  Areas approved to clear
-  Cadastre
-  Local Government Authorities
-  Roads
- Image



MGA 94  
Geocentric Datum of Australia 1994

*Samara Rogers*

**Samara Rogers**

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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.: 7559/2  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Shawmac Pty Ltd  
Application date: 30 April 2019

### 1.3. Property details

Property: Lot 14249 on Deposited Plan 27729, Beermullah  
Local Government Authority: Gingin, Shire of  
Localities: Beermullah

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.383		Mechanical Removal	Road widening and upgrades

### 1.5. Decision on application

Decision on application: Granted  
Decision date: 23 September 2019  
Reasons for decision: The clearing permit application to amend CPS 7559/1 has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is at variance to principles (a), (b), and (d), may be at variance to principle (c), and is not likely to be at variance to the remaining principles.

It is considered that the proposed clearing will result in the following impacts:

- loss of up to 0.383 hectares of vegetation that comprises a high level of biological diversity compared to that remaining in the local area (10 kilometre radius);
- loss of up to 0.383 hectares of habitat for Carnaby's cockatoo (*Calyptorhynchus latirostris*); and
- loss of up to 0.383 hectares of the "Banksia Woodlands of the Swan Coastal Plain" threatened ecological community (TEC);

After consideration of the above, the Delegated Officer determined that:

- the acquisition and conservation of 2.03 hectares of native vegetation that contains high biological diversity and habitat for Carnaby's cockatoo, and contains at least 2.03 hectares of vegetation representative of the "Banksia Woodlands of the Swan Coastal Plain" TEC, will counterbalance the remaining significant residual impacts.

Given the above, the Delegated Officer decided to grant a clearing permit subject to weed management, avoidance and offset conditions.

## 2. Site Information

<b>Clearing Description</b>	The amended application has reduced from 1.9 hectares to 0.383 hectares of native vegetation within Lot 14249 on Deposited Plan 27729, Boonanning, for the purpose of road widening and upgrades.
<b>Vegetation Description</b>	The application area is mapped as the Swan Coastal Plain vegetation complex Coonambidgee Complex, which is described as 'vegetation ranges from a low open forest and low woodland of <i>Eucalyptus tottiana</i> (Pricklybark) - <i>Banksia attenuata</i> (Slender Banksia) - <i>Banksia menziesii</i> (Firewood Banksia) - <i>Banksia ilicifolia</i> (Holly-leaved Banksia) with localised admixtures of <i>Banksia prionotes</i> (Acorn Banksia) to an open woodland of <i>Corymbia calophylla</i> (Marri) - <i>Banksia</i> (Hedde et al., 1980).
<b>Vegetation Condition</b>	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994). To Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).
<b>Landform/Soil Type</b>	The application area is mapped as soil types Cb39 which are described as "Subdued dune-swale terrain: chief soils are leached sands on the low dunes" (Northcote et al., 1960-68).

**Comments**

The condition and description of the application area was determined by a site inspection undertaken by officers of the former Department of Environment Regulation (DER) [now Department of Water and Environmental Regulation (DWER)] (DER, 2017) and a flora and vegetation survey undertaken by 360 Environmental Pty Ltd (360 Environmental, 2013).

The local area considered in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area.

**Figure 1: Application area**



**3. Assessment of application against clearing principles**

This amendment is to reduce the clearing permit area from 1.9 hectares to 0.383 hectares and to change Condition 7 of the permit to reduce offset contribution value proportionate to the amended area. CPS 7559/2 would allow for the clearing of 0.383 hectares of native vegetation within Lot 14249 on Deposited Plan 27729, Boonanarring, for the purpose of road widening and upgrades.

A review of available information found that the assessment against the clearing principles has not changed for the revised application area, and can be found in the Decision Report for CPS 7559/1.

**Planning instruments and other relevant matters.**

The application area is mapped as an Aboriginal Site of Significance. The site is named Gingin Brook Waggyl Site. It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

The application was advertised online on 31 July 2019 for a seven day submission period. No submissions have been received in relation to this application.

The application area is adjacent to and outside of the Boonanarring Minerals Sand Mine Project Area. The Boonanarring Minerals Sand Mine Project Area was formally assessed (via Public Environmental Review) and approved by the EPA with conditions (Ministerial Statement 981).

#### **4. Avoidance, minimisation and offset**

##### Avoidance and minimisation

The applicant provided the following advice in relation to the avoidance and minimisation of impacts (Coterra Environment, 2018):

“The clearing is being undertaken in order to widen the existing roads (Wannamal Road and Brand Hwy) in the vicinity of the Boonanarring Minerals Sand Mine project, to ensure that the Wannamal Road and Brand Highway intersection can safely allow for heavy vehicle turning access and uninterrupted visual line of sight to oncoming traffic. The clearing is required due to the narrow width of the existing seal. The upgrade has been designed in a manner to minimise the impacts to roadside vegetation and utilised previously cleared areas within the road reserve where possible.”

“Given its location on a regional road the project is being undertaken under Main Roads specifications, which include the following:

- Engineering design should be subject to a minimum 3 m contingency buffer
- The use of roadside barriers is not supported in this location, as this may introduce a hazard
- Main Roads would not generally support the use of speed reduction around the entry point to Wannamal Road as an alternative to creating a slip lane.”

“As an avoidance measure, the original allowance of a 5 m contingency buffer has been reduced to a 3 m buffer (see updated Figures 1a to 1e and 2a in Attachment 1). This reduces the overall potential clearing area to 1.9 ha.”

“Other incorporated measures to avoid and minimise clearing include:

- The clearing area will be demarcated prior to the commencement of the clearing of native vegetation and other project activities, and retained for the duration of road works.
- The site office, storage areas and construction vehicles / machinery will be located on previously disturbed or cleared areas to avoid any additional clearing or disturbance.”

It is noted that impacts have been further avoided and minimised after DWERs letter dated 1 December 2017, including:

- reducing the proposed clearing area from 2.3 hectares to 1.9 hectares and further reducing the clearing permit area to 0.383 hectares;
- the proposed clearing is the minimum width required for road widening and upgrades; and
- five metre contingency buffer has been reduced to a three metre buffer.

##### Significant residual impacts

The assessment against the clearing principles identified that the proposed clearing is at variance to principles (a), (b) and (d). After avoidance, minimisation and mitigation, and reducing the area from 1.9 to 0.383 hectares, it is considered that the proposed clearing will result in the following significant residual impacts:

- loss of up to 0.383 hectares of vegetation that comprises a high level of biological diversity compared to that remaining in the local area (10 kilometre radius);
- loss of up to 0.383 hectares of habitat for Carnaby's cockatoo; and
- loss of up to 0.383 hectares of the “Banksia Woodlands of the Swan Coastal Plain” TEC.

##### Offset– Monetary contribution

To offset the remaining significant residual impacts (i.e. to high biological diversity, the “Banksia Woodlands of the Swan Coastal Plain” TEC, and Carnaby's cockatoo habitat), the applicant proposed a monetary contribution for the acquisition of 2.03 hectares of remnant native vegetation for conservation that:

- contains suitable habitat for Carnaby's black cockatoo; and
- contains at least 2.03 hectares of vegetation representative of the Banksia Woodlands of the Swan Coastal Plain threatened ecological community (Coterra Environmental, 2019).

It is considered that sufficient remnant native vegetation remains available for acquisition and conservation that contains high biological diversity and comprises of Carnaby's cockatoo habitat and the “Banksia Woodlands of the Swan Coastal Plain” TEC. The Department is likely to be able to acquire native vegetation for conservation containing all of the environmental values that relate to those being lost.

In assessing whether the proposed offset is adequately proportionate, the Department of Water and Environmental Regulation undertook a calculation using the Commonwealth Offsets Assessment Guide. The calculation indicated that the acquisition of 2.03 hectares of vegetation that comprise suitable habitat for Carnaby's black cockatoo and is representative of the “Banksia Woodlands of the Swan Coastal Plain” TEC is required. This equates to a monetary contribution of \$10,150 determined based on the estimated value per hectare of a vegetated parcel of land. In this instance a similar offset in the area was at \$5000 per hectare.

Given the above, a monetary contribution of \$10,150 for the acquisition of 2.03 hectares of native vegetation for conservation is considered adequate to counterbalance the remaining significant residual impacts of the proposed clearing consistent with the *WA Environmental Offsets Policy September 2011*.

## 5. References

- 360 Environmental (2013), Boonanarring Mineral Sands- Baseline Flora and Vegetation Survey- Addendum, Report prepared for Image Resources NL, July 2013.
- Coterra Environment (2018) CPS 7559/1 (Shawmac Pty Ltd) Application to clear native vegetation under the Environmental Protection Act 1986 – Response to DWER correspondence. DWER Ref: A1590240
- Department of Environment Regulation (DER) (2017) Site Inspection Report for Clearing Permit Application CPS 7559/1. Site inspection undertaken 30 May 2017. Department of Environment Regulation, Western Australia (DER Ref: A1471549)
- Hedde, 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.
- 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.

### GIS Datasets:

- Aboriginal Sites of Significance
- Acid Sulfate Soil Risk Map, Swan Coastal Plain
- Geomorphic Wetlands Swan Coastal Plain
- Ground Water Contours
- Groundwater Salinity Statewide
- Hydrology, linear
- DBCA, Tenure
- Pre-European Vegetation
- SAC Bio Datasets – accessed August 2019
- Salinity Risk
- Soils, statewide
- Topographic Countours, Statewide