



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	8101/1
Duration of Permit:	From 12 October 2019 to 11 October 2024
Permit Holder:	B & J Catalano Pty Ltd

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

PART I - CLEARING AUTHORISED

1. Land on which clearing is to be done

Mining Lease 70/733

2. Purpose for which clearing may be done

Clearing for the purpose of gravel extraction.

3. Area of Clearing

The Permit Holder must not clear more than 2.9 hectares of native vegetation. All clearing must be within the area cross-hatched yellow on attached Plan 8101/1.

4. Type of Clearing Authorised – Staged clearing

The Permit Holder shall not clear native vegetation unless gravel extraction commences within six months of the authorised clearing being undertaken.

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 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.

7. Dieback and Weed control

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 *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

8. Fauna Management – black cockatoo habitat trees and hollows

- (a) Prior to undertaking any clearing authorised under this Permit, the area cross hatched yellow on attached Plan 8101/1, shall be inspected by a *fauna specialist* who shall identify *black cockatoo habitat tree/s*.
- (b) Prior to undertaking any clearing, *black cockatoo habitat tree/s* identified under Condition 8(a) shall be inspected by a *fauna specialist* for the presence of hollows suitable for the use of *black cockatoos*.
- (c) Where *black cockatoo habitat tree/s* containing hollows suitable for the use of *black cockatoos* have been identified under Condition 8(b), the Permit Holder shall not clear:
 - (i) the identified *black cockatoo habitat tree/s* containing hollows, unless first approved by the *CEO*; and
 - (ii) within 10 metres of the identified *black cockatoo habitat tree/s* containing hollows, unless first approved by the *CEO*.

9. Fauna Management – black cockatoo hollows

To apply for approval from the *CEO* to clear *black cockatoo habitat tree/s* containing hollows or to clear within 10 meters of *black cockatoo habitat tree/s* containing hollows, identified under Condition 8(b), the Permit Holder must submit a copy of the *fauna specialist*'s report to the *CEO* containing the following records:

- (i) the coordinates of the tree 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 fauna species observed using the tree hollow or considered likely to use the tree hollow;
- (iii) the methodology used to inspect the tree; and
- (iv) a description of the tree.

10. Fauna Management – inspect black cockatoo habitat trees with hollows

Where approval from the *CEO* has been obtained under Condition 9:

- (a) Immediately prior to clearing the *black cockatoo habitat tree/s* containing hollows or within 10 meters of the *black cockatoo habitat tree/s* containing hollows, which have been approved for clearing by the *CEO* under Condition 9, a *fauna specialist* shall inspect the tree hollow/s to confirm whether it is occupied by *black cockatoos*.
- (b) Where tree hollows inspected under Condition 10(a) are identified as being occupied by *black cockatoos*, the Permit Holder shall ensure that no clearing of, or within 10 metres of, the occupied tree occurs until a *fauna specialist* has verified that the tree hollow is no longer occupied by *black cockatoos*.

PART III - RECORD KEEPING AND REPORTING

11. 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;
 - (iii) the size of the area cleared (in hectares); and
 - (iv) purpose for which clearing was undertaken.
- (b) In relation to fauna management pursuant to Condition 8 this Permit:
 - (i) the location of each *black cockatoo habitat tree*, 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 location of each *black cockatoo habitat tree* that contains hollows, 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;
 - (iii) a description of the *black cockatoo habitat tree's* identified;
 - (iv) the species name of fauna reasonably likely to utilise, or that have been observed utilising, the trees that contain hollows;
 - (v) the methodology used to survey the Permit Area; and
 - (vi) a copy of the *fauna specialist's* report.
- (c) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with Condition 6 of this Permit; and
- (d) actions taken to minimise the introduction and spread of *dieback* and *weeds* in accordance with Condition 7 of this Permit; and

12. Reporting

- (a) The Permit Holder shall provide a written report to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety by 30 June each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and providing the records required under Condition 11 of this Permit in relation to clearing carried out between 1 January and 31 December of the previous calendar year.
- (b) Prior to 11 October 2024, the Permit Holder must provide to the General Manager Environmental Compliance, Resource and Environmental Compliance Division, Department of Mines, Industry Regulation and Safety a written report of records required under Condition 11 of this Permit where these records have not already been provided under Condition 12(a) of this Permit.

DEFINITIONS

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

black cockatoo/s means *Calyptorhynchus latirostris* (Carnaby's cockatoo); *Calyptorhynchus baudinii* (Baudin's cockatoo); and *Calyptorhynchus banksii naso* (Forest Red-tailed Black Cockatoo).

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.

CEO means the Chief Executive Officer of the Department of Water and Environmental Regulation or an officer with delegated authority under Section 20 of the *Environmental Protection Act 1986*;

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

fauna specialist means a person who holds a tertiary qualification specialising 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* or the *Biodiversity Conservation Act 2016*.

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;

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 Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Melissa Harrison
Acting General Manager Environmental Compliance
Resource and Environmental Compliance Division
19 September 2019

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