



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 8155/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Holcim (Australia) Pty Ltd

### 1.3. Property details

Property: Mining Lease 70/1241  
Local Government Area: City of Rockingham  
Colloquial name: Baldivis Sand Quarry

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
25.9		Mechanical Removal	Sand mining

### 1.5. Decision on application

Decision on Permit Application:  
Decision Date:

## 2. Site Information

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

**Vegetation Description** The vegetation of the application area is broadly mapped as the following Beard vegetation associations: 998: Medium woodland; tuart; and 1001: Medium very sparse woodland; jarrah, with low woodland; banksia and casuarina (GIS Database).

A level 1 flora and vegetation survey was conducted over the application area by AECOM Australia Pty Ltd during October 2017. The following vegetation associations were recorded within the application area (AECOM, 2018a):

1. Paddock (Scattered native trees including *Eucalyptus marginata* subsp. *marginata* and *Eucalyptus gomphocephala* over weeds); and
2. Areas that have naturally revegetated.

**Clearing Description** Baldivis Sand Quarry. Holcim (Australia) Pty Ltd proposes to clear up to 25.9 hectares of native vegetation within a boundary of approximately 34.8 hectares, for the purpose of sand mining. The project is located approximately 15 kilometres south-east of Rockingham, within the City of Rockingham.

**Vegetation Condition** Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994);

To:

Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

**Comment** The vegetation condition was derived from a report prepared by AECOM (2018a).

## 3. Assessment of application against Clearing Principles

### Comments

The proposed clearing of 25.9 hectares is for Stage 2 of the Baldivis Sand Quarry. The application area was previously covered by pine plantation which was cleared in 2007 due to the presence of European House Borer (AECOM, 2018a). The application area comprises primarily of revegetated regrowth, and the flora and vegetation survey by AECOM (2018a; 2018b) identified two vegetation types within the application area. The vegetation condition ranged from 'completely degraded' to 'good' (Keighery, 1994).

AECOM (2018a; 2018b) recorded 18 weed species within the adjacent remnant vegetation areas. There was no dieback identified within the application area, however the proponent has a Dieback Management Plan in

place to reduce the potential risk of transferring dieback between areas. Potential impacts from weeds and dieback may be minimised by the implementation of a weed and dieback management condition.

No Threatened or Priority Ecological Communities have been recorded within the application area (AECOM, 2018; GIS Database). There were no Threatened or Priority flora recorded during the flora survey of the application area (AECOM, 2018a; 2018b) and the range of flora species recorded during the flora survey does not contain a high level of diversity (AECOM, 2018a).

The application area surrounds a patch of remnant native vegetation, which has been excluded from the application area (AECOM, 2016b). The remnant comprised of Banksia Woodland and Tuart Woodland, and is in a 'degraded' to 'good' condition (Keighery, 1994). AECOM (2018b) undertook a field survey in June and September 2017 to determine whether this patch meets the criteria to be classified as the Banksia Woodlands Threatened Ecological Community (TEC). The survey results indicated that the patch did not meet the minimum condition and size thresholds to be classified as the Banksia Woodlands TEC (AECOM, 2018b). DBCA (2018) advice supports the AECOM (2018b) survey that this patch is not likely to be a Banksia Woodlands TEC. Given the sandy soils within the application area, the proposed clearing has a risk of causing wind erosion, thus smothering nearby native vegetation. Potential land degradation impacts as a result of the proposed clearing may be minimised by the implementation of a staged clearing condition.

AECOM (2018) identified two broad fauna habitats within the application area:

1. Sparse woodland of Jarrah over introduced grasses of *Ehrharta calycina* and *Briza maxima*; and
2. Introduced grassland of *Ehrharta calycina* and *Briza maxima* with very occasional Tuart and Jarrah.

Much of the survey area has been historically cleared and the understory of these habitats have largely been cleared or undergone other disturbance which has resulted in a degraded state and is of a limited foraging quality than may have once existed. Potential foraging evidence (chewed Banksia cone) of the Black Cockatoo (*Calyptorhynchus* sp.) was recorded at one location adjacent to the application area. There are 11 habitat trees within the application area, however there were no hollows evident during the fauna survey (AECOM, 2018b). The fauna survey report states that these trees are 'Black Cockatoo Breeding Trees', however the survey also stated that there was no black cockatoo breeding recorded at the site (AECOM, 2018b; DBCA, 2018). The removal of habitat trees is still an impact due to the reduction of available foraging trees and vegetation and potential future nesting trees, however the proposed clearing of the 11 trees is not likely to be significant at a local, regional or species level scale for the Black cockatoo (DBCA, 2018). However, cumulative impacts of habitat loss for breeding and foraging across the species range need to be carefully considered with any future clearing of nearby native vegetation. The application area may be utilised by Quenda (*Isodon obesulus fusciventer* - Priority 4), however, it is not likely to be actively utilising the area on a regular basis (AECOM, 2018a; 2018b).

There are no watercourses within the application area (GIS Database). Surface runoff rarely occurs in the area as the infiltration capacity of the sandy soil is rarely exceeded by the rainfall intensity (AECOM, 2018a). None of the vegetation within the application area is riparian vegetation associated with a watercourse or wetland (AECOM, 2018a; 2018b).

Part of the application area is within Reserve 37090 which is vested in the Department of Biodiversity, Conservation and Attractions, and the Department of Mines, Industry Regulation and Safety for the purposes of forestry and explosives (GIS Database). The site previously comprised a pine plantation that was cleared in 2007 (AECOM, 2018a). The proposed clearing is not likely to significantly impact on any ecological linkages (AECOM, 2018a; 2018b).

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*, and the proposed clearing is not likely to be at variance to Principles (a), (b), (c), (d), (g), (h), (i), and (j), and is not at variance to Principles (e) and (f).

#### Methodology

AECOM (2018a)  
AECOM (2018b)  
DBCA (2018)  
Keighery (1994)

GIS Database:

- DPaW Tenure
- Imagery
- Pre-European Vegetation
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities Boundaries
- Threatened and Priority Ecological Communities Buffers
- Threatened Fauna

## Planning Instrument, Native Title, previous EPA decision or other matter.

### Comments

The clearing permit application was advertised on 17 September 2018 by the Department of Mines, Industry Regulation and Safety (DMIRS), inviting submissions from the public. One submission was received in relation to this application with no comment on the proposed clearing.

There is one native title claim over the area under application (DPLH, 2018). This claim has been registered with the National Native Title Tribunal on behalf of the claimant group. However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There is one registered Aboriginal Sites of Significance within the application area (DPLH, 2018). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

It is the proponent's responsibility to liaise with the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

The application area is located within the draft Perth and Peel Green Growth Plan for 3.5 million (Green Growth Plan). The Green Growth Plan is draft and is currently suspended, therefore, has no statutory basis at this time and is therefore not a consideration in this application.

**Methodology** DPLH (2018)

## 4. References

- AECOM (2018a) Clearing Permit Supporting Information – Baldvis Sand Quarry Stage 2 Expansion Project M70/1241. Prepared by AECOM Australia Pty Ltd for Holcim (Australia) Pty Ltd, July 2018.
- AECOM (2018b) Flora, Vegetation and Fauna Assessment. Prepared by AECOM Australia Pty Ltd for Holcim (Australia) Pty Ltd, July 2018.
- DBCA (2018) Advice received in relation to Clearing Permit Application CPS 8155/1. Species and Communities Branch, Department of Biodiversity, Conservation and Attractions, Western Australia, October 2018.
- DPLH (2018) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed 9 October 2018).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

## 5. Glossary

### Acronyms:

<b>BoM</b>	Bureau of Meteorology, Australian Government
<b>DAA</b>	Department of Aboriginal Affairs, Western Australia (now DPLH)
<b>DAFWA</b>	Department of Agriculture and Food, Western Australia (now DPIRD)
<b>DBCA</b>	Department of Biodiversity Conservation and Attractions, Western Australia
<b>DEC</b>	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
<b>DEE</b>	Department of the Environment and Energy, Australian Government
<b>DER</b>	Department of Environment Regulation, Western Australia (now DWER)
<b>DMIRS</b>	Department of Mines, Industry Regulation and Safety, Western Australia
<b>DMP</b>	Department of Mines and Petroleum, Western Australia (now DMIRS)
<b>DPIRD</b>	Department of Primary Industries and Regional Development, Western Australia
<b>DPLH</b>	Department of Planning, Lands and Heritage, Western Australia
<b>DRF</b>	Declared Rare Flora
<b>DoE</b>	Department of the Environment, Australian Government (now DEE)
<b>DoW</b>	Department of Water, Western Australia (now DWER)
<b>DPaW</b>	Department of Parks and Wildlife, Western Australia (now DBCA)
<b>DSEWPac</b>	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
<b>DWER</b>	Department of Water and Environmental Regulation, Western Australia
<b>EPA</b>	Environmental Protection Authority, Western Australia
<b>EP Act</b>	<i>Environmental Protection Act 1986</i> , Western Australia
<b>EPBC Act</b>	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
<b>GIS</b>	Geographical Information System
<b>ha</b>	Hectare (10,000 square metres)
<b>IBRA</b>	Interim Biogeographic Regionalisation for Australia

<b>IUCN</b>	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
<b>PEC</b>	Priority Ecological Community, Western Australia
<b>RIWI Act</b>	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
<b>TEC</b>	Threatened Ecological Community

### Definitions:

{DPaW (2017) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia):-

<b>T</b>	<p><b>Threatened species:</b> Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).</p> <p><b>Threatened fauna</b> is that subset of ‘Specially Protected Fauna’ declared to be ‘likely to become extinct’ pursuant to section 14(4) of the <i>Wildlife Conservation Act 1950</i>.</p> <p><b>Threatened flora</b> is flora that has been declared to be ‘likely to become extinct or is rare, or otherwise in need of special protection’, pursuant to section 23F(2) of the <i>Wildlife Conservation Act 1950</i>.</p> <p>The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.</p>
<b>CR</b>	<p><b>Critically endangered species</b> Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.</p>
<b>EN</b>	<p><b>Endangered species</b> Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.</p>
<b>VU</b>	<p><b>Vulnerable species</b> Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.</p>
<b>EX</b>	<p><b>Presumed extinct species</b> Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.</p>
<b>IA</b>	<p><b>Migratory birds protected under an international agreement</b> Birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and the Bonn Convention, relating to the protection of migratory birds. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
<b>CD</b>	<p><b>Conservation dependent fauna</b> Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
<b>OS</b>	<p><b>Other specially protected fauna</b> Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.</p>
<b>P</b>	<p><b>Priority species</b> Species which are poorly known; or Species that are adequately known, are rare but not threatened, and require regular monitoring. Assessment of Priority codes is based on the Western Australian distribution of the species, unless the</p>

distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.

**P1 Priority One - Poorly-known species:**

Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.

**P2 Priority Two - Poorly-known species:**

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.

**P3 Priority Three - Poorly-known species:**

Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat. Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.

**P4 Priority Four - Rare, Near Threatened and other species in need of monitoring:**

(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection, but could be if present circumstances change. These species are usually represented on conservation lands.

(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for Vulnerable, but are not listed as Conservation Dependent.

(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.