



## **CLEARING PERMIT**

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

<b>Purpose Permit number:</b>	CPS 8628/1
<b>Permit Holder:</b>	B&J Catalano Pty Ltd
<b>Duration of Permit:</b>	1 May 2021 to 1 May 2031

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

### **PART I – CLEARING AUTHORISED**

**1. Clearing authorised (purpose)**

The Permit Holder is authorised to clear native vegetation for the purpose of extracting limestone.

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

Lot 2 on Deposited Plan 15419, Myalup  
Lot 4 on Deposited Plan 15419, Myalup

**3. Clearing authorised**

The Permit Holder must not clear more than 6.7 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1.

**4. Period during which clearing is authorised**

The Permit Holder must not clear any native vegetation after 1 May 2026.

### **PART II – MANAGEMENT CONDITIONS**

**5. Avoid, minimise, and reduce impacts and extent of clearing**

In determining the native vegetation authorised to be cleared under this permit, the Permit Holder must apply the following principles, set out in descending 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.

## 6. Weed and dieback management

When undertaking any clearing authorised under this permit, the Permit Holder must take the following measures to minimise the risk of introduction and spread of *weeds* and *dieback*:

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

## 7. Directional clearing

The Permit Holder must conduct clearing activities in a slow, progressive manner from west to east to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

## 8. Fauna management – western ringtail possums

- (a) In relation to the area cross-hatched yellow in Figure 1 of Schedule 1, the Permit Holder must engage a *fauna specialist* for the duration of clearing activities, for the presence of western ringtail possum(s) (*Pseudocheirus occidentalis*).
- (b) Clearing activities must cease in any area where fauna referred to in condition 8(a) are identified until either:
  - (i) the western ringtail possum(s) individual has moved on from that area to adjoining *suitable habitat*; or
  - (ii) the western ringtail possum(s) individual has been removed by a *western ringtail possum specialist*.
- (c) Any western ringtail possum(s) individual removed in accordance with condition 8(b)(ii) must be relocated by a *western ringtail possum specialist* to a *suitable habitat*.
- (d) Where fauna is identified under condition 8(a), the Permit Holder must within 14 calendar days provide the following records to the CEO:
  - (i) the number of individuals identified;
  - (ii) the date each individual was identified;
  - (iii) the location where each individual was identified 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;
  - (iv) the number of individuals removed and relocated;
  - (v) the relevant qualifications of the *western ringtail possum specialist* undertaking removal and relocation;
  - (vi) the date each individual was removed;
  - (vii) the method of removal;
  - (viii) the date each individual was relocated;
  - (ix) the location where each individual was relocated to, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
  - (x) details pertaining to the circumstances of any death of, or injury sustained by, an individual.

## 9. Wind erosion management

The Permit Holder must commence activities authorised under condition 1 of this Permit no later than three (3) months after undertaking the authorised clearing activities to reduce the potential for wind erosion.

## 10. Retain vegetative material and topsoil, and rehabilitation

- (a) The Permit Holder must 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) The Permit Holder must within 12 months and no later than 1 May 2027, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit by:
  - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land;
  - (ii) ripping the ground on the contour to remove soil compaction; and
  - (iii) laying the vegetative material and topsoil retained under Condition 10(a) on the cleared area.
- (c) The Permit Holder must within 18 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 10(b) of this permit:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the vegetation of area revegetated and rehabilitated; and
  - (ii) engage an *environmental specialist* to make a determination as to whether the composition, structure and density determined under condition 10(c)(i) of this permit will, without further revegetation, result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area.
- (d) If the determination made by the *environmental specialist* under condition 10(c)(ii) is that the species composition, structure, and density determined under condition 10(c)(i) will not, without further *revegetation*, result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, the Permit Holder must *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation seeds that will result in a similar species composition, structure, and density of native vegetation to pre-clearing vegetation types in that area.
- (e) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 10(d), the Permit Holder must repeat the activities required by condition 10(c) and 10(d) within 12 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (f) Where a determination is made by an *environmental specialist* under condition 10(c)(ii) 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, that determination shall be submitted to the *CEO* within three months of the determination being made by the *environmental specialist*.

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

### **11. Records that must be kept**

The Permit Holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

**Table 1: Records that must be kept**

<b>No.</b>	<b>Relevant matter</b>	<b>Specifications</b>
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"><li>(a) the species composition, structure, and density of the cleared area;</li><li>(b) 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;</li><li>(c) the date that the area was cleared;</li><li>(d) the size of the area cleared (in hectares);</li><li>(e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 5 of this permit;</li><li>(f) actions taken to minimise the risk of the introduction and spread of weeds and dieback in accordance with condition 6 of this permit;</li><li>(g) actions taken in accordance with condition 7 of this permit;</li><li>(h) actions taken to manage and mitigate impacts to western ringtail possums in accordance with condition 8; and</li><li>(i) actions taken in accordance 9 of this permit.</li></ul>
2.	In relation to <i>revegetation</i> and <i>rehabilitate</i> of areas pursuant to condition 10 of this permit	<ul style="list-style-type: none"><li>(a) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken;</li><li>(b) the size of the areas <i>revegetated</i> and <i>rehabilitated</i> (in hectares);</li><li>(c) the date that <i>revegetation</i> and <i>rehabilitation</i> works began; and</li><li>(d) actions taken in accordance with condition 10(d) of this Permit.</li></ul>

## 12. 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 11 of this permit;
  - (ii) concerning activities done by the Permit Holder under this permit between 1 January and 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 1 February 2031, the Permit Holder must provide to the CEO 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

In this permit, the terms in Table have the meanings defined.

**Table 2: Definitions**

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
direct seeding	means a method of re-establishing vegetation through establishment of a seed bed and the introduction of seeds of the desired plant species
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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 <i>Biodiversity Conservation Act 2016</i> .
fill	means material used to increase the ground level, or to fill a depression.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
planting	means the re-establishment of vegetation by creating soil conditions and planting seedlings of the desired species
rehabilitate/ed/ion	means actively managing an area containing native vegetation in order to improve the ecological function of that area

Term	Definition
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
Suitable habitat (western ringtail possum)	means habitat known to support western ringtail possums ( <i>Pseudocheirus occidentalis</i> ) within the known current distribution of the species, typically characterised by abundant foliage, presence of suitable nesting structures such as tree hollows, as well as high canopy cover and continuity. Known habitat includes peppermint ( <i>Agonis flexuosa</i> ) dominated woodlands, jarrah ( <i>Eucalyptus marginata</i> ) and marri ( <i>Corymbia calophylla</i> ) forests, riparian vegetation with a canopy of Bullich ( <i>Eucalyptus megacarpa</i> ) or flooded gum ( <i>Eucalyptus rudis</i> ), karri ( <i>Eucalyptus diversicolor</i> ) forests, sheoak ( <i>Allocasuarina fraseriana</i> ) dominated woodlands, and other stands of myrtaceous trees growing near swamps, watercourses or floodplains.
weeds	means any plant – <ul style="list-style-type: none"> <li>(a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or</li> <li>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</li> <li>(c) not indigenous to the area concerned.</li> </ul>
western ringtail possum specialist	means a <i>fauna specialist</i> who holds a tertiary qualification specialising in environmental science or equivalent, has a minimum of two years of work experience in western ringtail possum ( <i>Pseudocheirus occidentalis</i> ) identification, surveys of western ringtail possums and capture and handling of western ringtail possums, and holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .

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## END OF CONDITIONS

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Ryan Mincham  
MANAGER  
NATIVE VEGETATION REGULATION

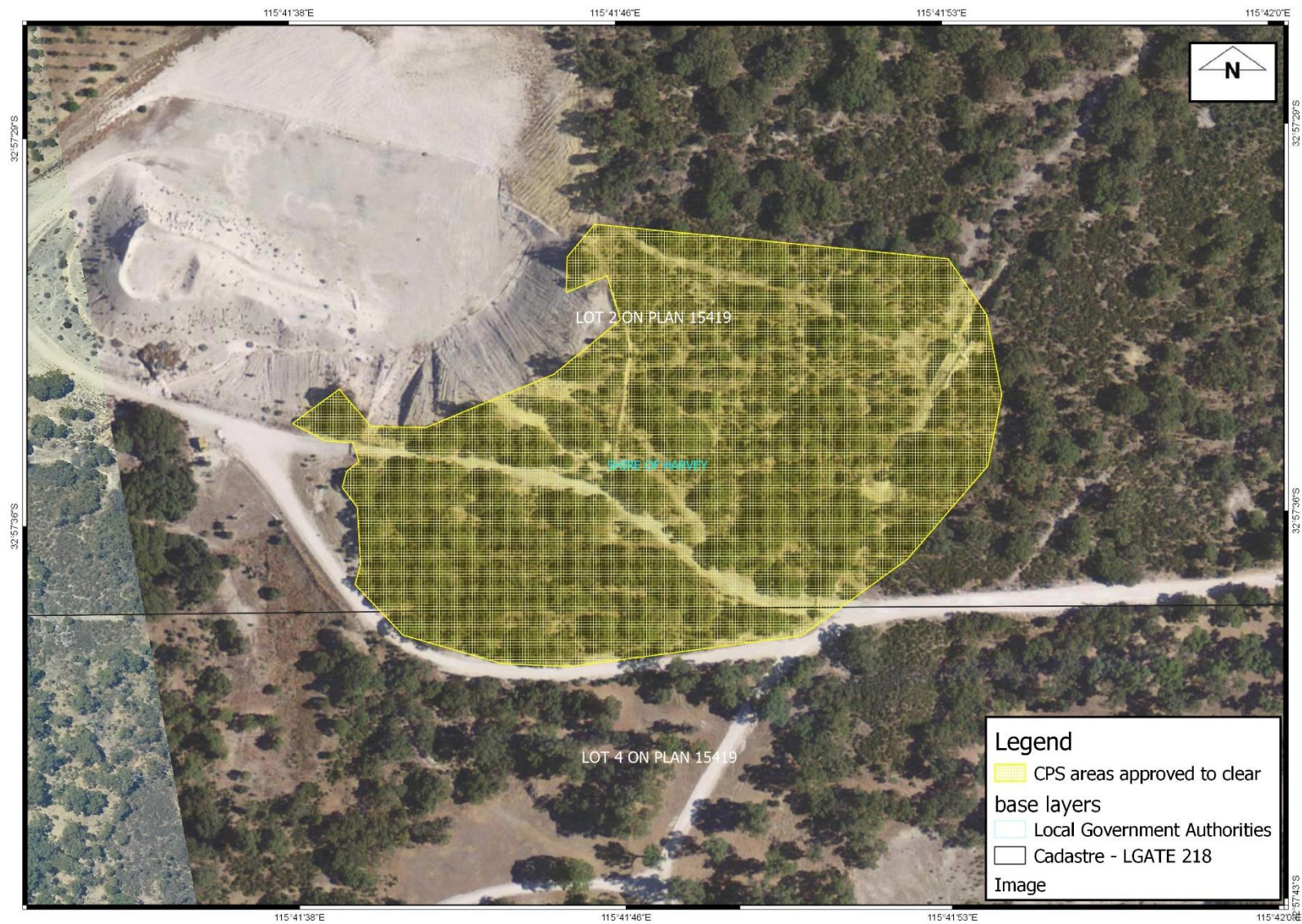
*Officer delegated under Section 20  
of the Environmental Protection Act 1986*

8 April 2021



## Schedule 1

The boundary of the area authorised to be cleared is shown in the map below.



**Figure 1: Map of the boundary of the area within which clearing may occur**