



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	9286/2
Duration of Permit:	From 25 June 2022 to 24 June 2032
Permit Holder:	Urban Resources Ltd

ADVICE NOTE

The funds referred to in condition 11 of this Permit are intended for contributing towards the purchase of 69.4 hectares of native vegetation with foraging habitat for *black cockatoo species* and 'Banksia woodlands of the Swan Coastal Plain' ecological community within a nearby local government area.

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 70/1262

2. Clearing authorised (purpose)

The Permit Holder is authorised to clear native vegetation for the purpose of sand extraction.

3. Area of Clearing

The Permit Holder must not clear more than 30.78 hectares of native vegetation within the area cross-hatched yellow in Figure 1 of Schedule 1 and cross-hatched red in Figure 2 of Schedule 1.

4. Period in which clearing is Authorised

The Permit Holder must not clear any native vegetation after 27 June 2027.

PART II - MANAGEMENT CONDITIONS

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

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

6. Weed and dieback 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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no known *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.

7. Wind erosion management

The Permit Holder must ensure that sand extraction commences within three months of the authorised clearing being undertaken to reduce the risk of soil erosion by minimising the exposure time of soils prior to extraction.

8. Directional clearing

The Permit Holder must:

- (a) conduct clearing authorised under this Permit in one direction towards adjacent native vegetation; and
- (b) allow a reasonable time for fauna present within the area being cleared to move into adjacent native vegetation ahead of the clearing activity.

9. Fauna management - black cockatoo habitat

- (a) Within 72 hours prior to undertaking any clearing within the areas cross-hatched red in Figure 2 of Schedule 1, the Permit holder must engage a *fauna specialist* to:
 - (i) inspect the area to identify *black cockatoo habitat trees*, and
 - (ii) each *black cockatoo habitat tree* identified shall be inspected by a *fauna specialist* for evidence of current or past breeding use by *black cockatoos*.
- (b) Where a *black cockatoo habitat tree* shows evidence of current or past breeding use by *black cockatoos* under condition 9(a), and clearing of that tree cannot be avoided, that tree(s) shall be monitored by a *fauna specialist* to determine when it is no longer in use for that *breeding season*.
- (c) Any *black cockatoo habitat tree* with evidence of current breeding use by *black cockatoos* shall not be cleared while it is in use as determined by the *fauna specialist* under condition 9(b) of this Permit.
- (d) Where a *black cockatoo habitat tree* with evidence of past breeding use by *black cockatoos* is identified and cannot be avoided, that tree shall only be cleared:
 - (i) later the same day of the inspection required under condition 9(a)(ii) of this Permit if that inspection does not identify evidence of current breeding use; or
 - (ii) later the same day of a repeat inspection undertaken by a *fauna specialist* if that inspection does not identify evidence of current breeding use.
- (e) For each suitably sized black cockatoo nesting hollow that cannot be avoided, the Permit Holder must install one artificial black cockatoo nesting hollow.
- (f) Each artificial black cockatoo nesting hollow required by condition 9(e) must be installed prior to commencement of the next black cockatoo *breeding season* following clearing of the related *black cockatoo habitat tree(s)*.
- (g) The artificial black cockatoo nest hollow(s) required by condition 9(e) of this Permit must:
 - (i) be installed in consultation with, and on land vested with, the Department of Biodiversity, Conservation and Attractions;
 - (ii) be designed and placed in accordance with the specifications details in Schedule 2 of this Permit; and
 - (iii) be monitored and maintained in accordance with the specifications detailed in Schedule 3 of this Permit, for a period of at least 10 years.
- (h) Within two months of undertaking clearing authorised under this Permit, the Permit Holder must provide the results of the *fauna specialist's* inspection in a report to the *CEO*.
- (i) The *fauna specialist's* inspection report must include the following:
 - (i) the time(s) and date(s) of inspection(s) by the *fauna specialist*;
 - (ii) a description of the *fauna specialist* inspection methods used;
 - (iii) the location of any fauna species listed in condition 9(a), if identified, recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (iv) the name and number of each fauna species identified;
 - (v) whether the *black cockatoo habitat tree/s* identified show current or past use by *black cockatoo species*;
 - (vi) a photo of the *black cockatoo habitat tree(s)* identified;
 - (vii) a description of the *black cockatoo habitat tree(s)* identified, including the:
 - (A) species of *black cockatoo habitat tree(s)*; and
 - (B) condition of the *black cockatoo habitat tree(s)*
 - (viii) the time and date each *black cockatoo habitat tree* with evidence of current or past breeding use was cleared; and
 - (ix) the location of the artificial black cockatoo nesting hollow installed.

10. Revegetation plan

- (a) The Permit Holder shall *revegetate* and *rehabilitate* areas cleared within the area cross-hatched red in Figure 2 of Schedule 1.
- (b) Within 6 months of clearing commencing within the area cross-hatched red in Figure 2 of Schedule 1, the Permit Holder must submit a Project Revegetation Plan to the *CEO* for approval, which shall be developed in accordance with 'A Guide to Preparing Revegetation Plans for Clearing Permits' (Department of Water and Environmental Regulation (DWER) 2018).
- (c) The Project Revegetation Plan must be prepared by an *environmental specialist*.
- (d) The Project Revegetation Plan must include the following:
 - (i) *site preparation*
 - (ii) *weed control*
 - (iii) *regeneration, direct seeding or planting*, at an optimal time
 - (iv) a *vegetation establishment period*
 - (v) *revegetation success completion criteria* based on *reference sites*
 - (vi) *revegetation success completion criteria* shall include but not be limited to target *weed cover*, target *vegetation condition*, target density and target structure
 - (vii) remedial actions to be undertaken if *completion criteria* are not met
 - (viii) ongoing maintenance and monitoring of the area to be *revegetated* and *rehabilitated*
 - (ix) timeframes for completion of the activities
 - (x) management commitments that will be achieved.
- (e) The Permit Holder shall implement the Project Revegetation Plan as approved by the *CEO*.

11. Monetary contributions to a fund maintained for the purpose of establishing or maintaining vegetation (offset)

Prior to undertaking any clearing authorised under this Permit and no later than 25 June 2023, the Permit Holder shall provide documentary evidence to the *CEO* that funding of \$560,058 has been transferred to the Department of Water and Environmental Regulation to purchase land for the purpose of establishing or maintaining native vegetation.

PART III - RECORD KEEPING AND REPORTING

12. Records to 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

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ol style="list-style-type: none">(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;(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 5;(e) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 6;(f) actions taken to manage impacts to <i>black cockatoo species</i>, in accordance with condition 9 of this Permit;(g) actions taken in accordance with conditions 7, 8 and 11 of this Permit.
2.	In relation to <i>rehabilitation</i> pursuant to condition 10	<ol style="list-style-type: none">(a) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken each year, once commenced, outlined in a report produced by an <i>environmental</i>

No.	Relevant matter	Specifications
		<p><i>specialist</i>;</p> <p>(b) the location and size of the areas <i>revegetated</i> and <i>rehabilitated</i> (in hectares) recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;</p> <p>(c) the date that <i>revegetation</i> and <i>rehabilitation</i> works began;</p> <p>(d) at least two photographs of the areas <i>revegetated/rehabilitated</i> recorded annually at the same location each year;</p> <p>(e) the species composition, structure, density of the areas <i>revegetated/rehabilitated</i> recorded annually;</p> <p>(f) a description of the extent of bare ground cover, weed cover and vegetation condition of the areas <i>revegetated/rehabilitated</i>, recorded annually;</p> <p>(g) a species list identifying those species <i>planted</i> or <i>direct seeded</i>;</p> <p>(h) a description of any remediation works undertaken; and</p> <p>(i) a copy of the <i>environmental specialist</i> report and activities undertaken during monitoring.</p>

13. Reporting

- (a) The Permit Holder shall provide a report to the *CEO* by 31 July each year for the life of this Permit, demonstrating adherence to all conditions of this Permit, and setting out the records required under Condition 12 of this Permit in relation to clearing carried out between 1 July and 30 June of the previous financial year.
- (b) If no clearing authorised under this Permit was undertaken between 1 July and 30 June of the previous financial year, a written report confirming that no clearing under this permit has been carried out, must be provided to the *CEO* by 31 July of each year.
- (c) Prior to 24 June 2032, the Permit Holder must provide to the *CEO* a written report of records required under Condition 12 of this Permit where these records have not already been provided under Condition 13(a) or 13(b) of this Permit.

DEFINITIONS

In this Permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	the Chief Executive Officer of the Department responsible for administering the clearing provisions contained within the <i>Environmental Protection Act 1986</i> or an Officer with delegated authority under Section 20 of the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
Black cockatoo habitat trees	means trees that have a diameter measured over bark at 130 centimetres from the base of the tree of 50 centimetres or greater (or 30 centimetres or greater for <i>Eucalyptus salmonophloia</i> or <i>Eucalyptus wandoo</i>) that contain hollows suitable for breeding by black cockatoo species.
Black cockatoo species	means one or more of the following species: a) <i>Zanda latirostris</i> (Carnaby's cockatoo); b) <i>Zanda baudinii</i> (Baudin's cockatoo); and/or c) <i>Calyptorhynchus banksii naso</i> (forest red-tailed black cockatoo).
breeding season	Means the period from 1 June to 29 February of any given year.
completion criteria	means a measurable outcome based on suitable <i>reference sites</i> , used to determine <i>revegetation/rehabilitation</i> success.
condition/s	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.
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.
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.
optimal time	means the optimal time for undertaking direct seeding and planting for that region.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
project rehabilitation plan	means plans developed by the Permit Holder for the revegetation and

Term	Definition
	rehabilitation of a site in accordance with condition 10 of this Permit.
reference sites	<p>means nearby sites used to provide baseline data for planning a revegetation project. Measurements from fixed reference points or plots where biodiversity components are measured are used to set measurable completion criteria for revegetation projects. The reference sites must contain native vegetation which provides the following values:</p> <ul style="list-style-type: none"> • provides suitable <i>Zanda latirostris</i> (Carnaby’s cockatoo), <i>Calyptorhynchus banksii</i> subsp. <i>naso</i> (forest red-tailed black cockatoo) and <i>Zanda baudinii</i> (Baudin’s cockatoo) foraging habitat • Vegetation that is representative of the ‘Banksia Woodlands of the Swan Coastal Plain’ ecological community • Vegetation in a very good (Keighery, 1994) or better condition.
regeneration	means <i>revegetation</i> that can be established from in situ seed banks contained either within the topsoil or seed-bearing <i>mulch</i> .
rehabilitate / rehabilitated / rehabilitation	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
revegetate / revegetated / revegetation	means the re-establishment of a cover of <i>local provenance</i> native vegetation in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
site preparation	means management of existing site topsoil and preparation of the finished soil surface for revegetation, for example by ripping or tilling the soil surface and respreading site topsoil and chipped native vegetation.
vegetation condition	means the rating given to native vegetation which refers to the impact of disturbance on each of the layers and the ability of the community to regenerate (Keighery 1994).
vegetation establishment period	means a period of at least two summers after the revegetation during which time replacement and infill revegetation works may be required for areas in which revegetation has been unsuccessful, and involves regular inspections of revegetation sites to monitor the success of revegetation.
weed/s	<p>means any plant –</p> <ol style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; 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.

REFERENCES

Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*.
Wildflower Society of WA (Inc). Nedlands, Western Australia.

END OF CONDITIONS

Danielle Risbey

Danielle Risbey
Acting General Manager Mine Closure and Environmental Services
Resource and Environmental Compliance Division
20 December 2022

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

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).



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



Figure 2: Map of the boundary of the area subject to Conditions 9 and 10

SCHEDULE 2 – How to design and place artificial hollows for Carnaby’s cockatoo

**SCHEDULE 3 – How to monitor and maintain artificial hollows for
Carnaby’s cockatoo**