



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 9351/2
Permit type:	Purpose permit
Applicant name:	SE Waroona Development Pty Ltd
Application received:	18 September 2024
Application area:	0.47 hectare of native vegetation
Purpose of clearing:	Construction of buried transmission line
Method of clearing:	Mechanical
Property:	Lot 4 on Diagram 34161 Lot 25 on Deposited Plan 59266 Landwehr Road reserve (PIN 11601192)
Location (LGA area/s):	Shire of Waroona
Localities (suburb/s):	Wagerup

1.2. Description of clearing activities

On 16 December 2021, the Department of Water and Environment Regulations (DWER) granted SE Waroona Development Pty Ltd (applicant) with Clearing Permit CPS 9351/1 to clear 0.99 hectare (ha) of native vegetation for the purpose of construction of an overhead transmission line.

On 18 September 2024, the applicant applied to amend Clearing Permit CPS 9351/1. The amendment is to:

- change the purpose of clearing from the construction of above ground transmission line to the construction of two below ground transmission lines
- decrease the authorised clearing area from 0.99 ha to 0.47 ha; and
- extend the permit duration by three years.

The transmission lines are a part of the Waroona Solar Farm and Battery development located eight kilometres southwest of the Waroona townsite. The applicant advised that no clearing has been undertaken under CPS 9351/1.

1.3. Decision on application

Decision:	Granted
Decision date:	9 April 2025
Decision area:	0.47 ha of native vegetation as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). DWER advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer had regard for the:

- site characteristics
- findings of a flora and fauna surveys (AECOM, 2022)
- clearing principles set out in Schedule 5 of the EP Act
- avoidance and mitigation measures identified by the proponent which reduced the extent of native vegetation required to be cleared (see section 3.1)
- relevant datasets (see section 4), including any new records of environmental values within the local area since the original assessment for Clearing Permit CPS 9351/1 was undertaken
- requirements of Development Approval granted under the *Planning and Development Act 2005* (SE Waroona, Pty Ltd, 2025a), requiring the applicant to revegetate approximately two ha of degraded areas using species providing foraging habitat for three species of black cockatoo (SE Waroona, Pty Ltd, 2025b). This will result in a net gain of native vegetation and black cockatoo foraging in the region and enhance connectivity between remnants of native vegetation.

The Delegated Officer also took into consideration that the purpose of the clearing is to support sustainable energy provision for the public.

Noting the above, the Delegated Officer determined that residual impacts of the proposed clearing remain unchanged since the assessment of Clearing Permit CPS 9351/1 and no additional management conditions were required to regulate the impacts of the reduced clearing. While the residual impacts of the proposed amendments are consistent with the original assessment, DWER revised the level of variance of the proposed clearing with the clearing principle (b) and clearing principle (e) from 'maybe at variance' to 'at variance' to reflect contemporary business practices.

In determining to grant the amended clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to unacceptable risks to the environment.

1.5. Site map

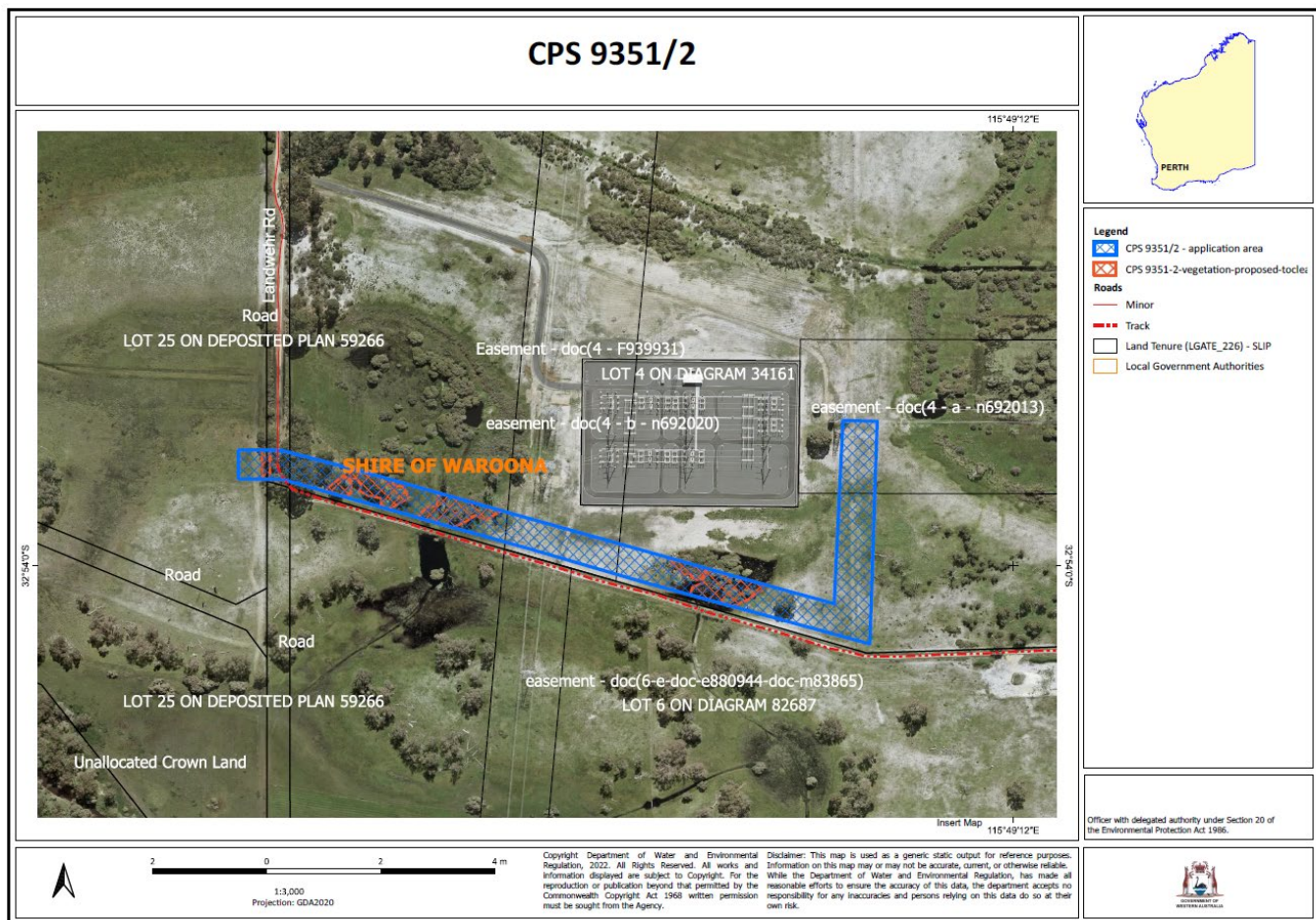


Figure 1. The area crosshatched yellow indicates the area proposed to be cleared under the purpose clearing permit.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- Biodiversity Conservation Act 2016* (WA) (BC Act)
- Conservation and Land Management Act 1984* (WA) (CALM Act)
- Country Areas Water Supply Act 1947* (WA) (CAWS Act)
- Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- Planning and Development Act 2005* (WA) (P&D Act)
- Soil and Land Conservation Act 1945* (WA)

Relevant policies considered during the assessment include:

- Environmental Offsets Policy* (2011)

The key guidance documents which inform this assessment are:

- A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- Procedure: Native vegetation clearing permits* (DWER, October 2019)
- Environmental Offsets Guidelines* (August 2014)

- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

To minimise the impacts of the proposed clearing activities on the environment, the applicant reduced the clearing area from 0.99 ha within a 4.49 ha development envelope to 0.47 ha of clearing within a 2.36 ha of development envelope. The extent of the reduction is depicted in Figure 2 below.



Figure 2. The proposed amendment will reduce the clearing footprint previously approved under CPS 9351/1 (crosshatched yellow) to smaller footprint (area crosshatched blue)

Furthermore, the applicant has developed an environmental management plan to avoid, minimise and mitigate potential impacts of the clearing activities and construction of the windfarm and associated transmission lines on the environment (AECOM, 2024). The management plan includes:

- vegetation clearing management
- weeds and pathogen management
- dust and water management
- fire management; and
- rehabilitation actions.

In addition, under the conditions of the Development Approval granted under the *Planning and Development Act 2005*, the applicant is required to prepare a landscaping plan to revegetate approximately two ha of existing degraded areas (Figure 3). The plants used for the revegetation includes species suitable for foraging by the three threatened black cockatoo species, including marri and jarrah. The outcome of this revegetation will provide a net gain in the extent of foraging habitat for black cockatoos and native vegetation in the region, and improve the connectivity of remnant vegetation across the landscape. The applicant will maintain the revegetated areas for the life of the project, that being 30 years.



Figure 3. Proposed revegetation and landscaping

The Delegated Officer was satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

End

4 Sources of information

4.1. GIS databases

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Offsets Register – Offsets (DWER-078)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)
- Regional Parks (DBCA-026)
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems
- Wheatbelt Wetlands Stage 1 (DBCA-021)

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

4.2. References

AECOM Australia Pty Ltd (2024) Environmental Management Plan. Waroona Solar Farm. Dated 7 August 2024. Perth, Western Australia. (DWER Ref: DWERDT1035677).

AECOM Australia Pty Ltd (2019) Waroona Solar Farm. Ecology Assessment. Prepared for Clearing permit Application CPS 9351/1 and CPS 9351/2. (DWER Ref: DWERDT1035677).

- AECOM Australia Pty Ltd (2021) Waroona Solar Farm Transmission Line Clearing Permit Supporting Document. Prepared for Clearing Permit Application CPS 9351/1 and CPS 9351/2. (DWER Ref: DWERDT1035680).
- Commonwealth of Australia (2001) *National Objectives and Targets for Biodiversity Conservation 2001-2005*, Canberra.
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- Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.
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- SE Waroona, Pty Ltd (2025a). *Development Approval*. DWER Ref: DWERDT1102054.
- SE Waroona Development Pty Ltd (2025b). *Landscape and Rehabilitation Plan for Clearing Permit Application CPS 9531/2 and CPS 8758/2*. Revised list of trees to be planted. Received by email on 4 February 2025. DWER Refs: DWERDT1098347
- Shah, B. (2006) *Conservation of Carnaby's Black-Cockatoo on the Swan Coastal Plain, Western Australia*. December 2006. Carnaby's Black-Cockatoo Recovery Project. Birds Australia, Western Australia.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) *Native Vegetation in Western Australia, Extent, Type and Status*. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Valentine, L.E. and Stock, W. (2008) *Food Resources of Carnaby's Black Cockatoo (Calyptorhynchus latirostris) in the Gnangara Sustainability Strategy Study Area*. Edith Cowan University and Department of Environment and Conservation. December 2008.

Shire of Waroona (2024). *Notice of Determination of Application for Development Approval. TP2115.2*. DAP Ref: DAP/19/01667. Dated 19 September 2024.

Western Australian Herbarium (1998-). *FloraBase - the Western Australian Flora*. Department of Biodiversity, Conservation and Attractions, Western Australia. <https://florabase.dpaw.wa.gov.au/> (Accessed March 2025)