



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: CPS 9603/2  
File Number: DWERVT9606~3  
Duration of Permit: From 4 October 2022 to 4 October 2025

### PERMIT HOLDER

Shire of Collie

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 5220 on Deposited Plan 240066, Collie  
Minninup Road Reserve (PIN 11522508)

### AUTHORISED ACTIVITY

The permit holder must not clear more than 1.23 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

### CONDITIONS

#### 1. 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.

#### 2. 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.

**3. Directional clearing**

The Permit Holder shall conduct clearing in a slow progressive manner in a single direction towards adjacent native vegetation to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

**4. Fauna management**

Engage a *fauna specialist* to inspect the area cross-hatched yellow in Figure 1 of Schedule 1, including an inspection of the logs, trees, and hollows immediately prior to, and for the duration of the clearing activities.

**5. Potential black cockatoo species habitat tree management – Demarcation of clearing area**

Prior to clearing, the permit holder shall demarcate the area authorised to clear under this permit with bunting to avoid accidental clearing of the *black cockatoo habitat trees* and additional priority flora species that are located in the surroundings of the application area.

**6. Water erosion management**

The permit holder shall not cause or allow the discharge of sediments, from within the areas permitted to be cleared under this permit, into the Collie River.

- (a) The permit holder must conduct clearing outside of the high rainfall months. Clearing is not to be undertaken during May to September.
- (b) The permit holder must commence the construction of road drainage, car park, toilet blocks and footpaths no later than (1) month after undertaking the authorised clearing activities to mitigate the potential for surface water runoff into the Collie River.

**7. Flora Management**

The permit holder must include *plantings* of the species *Grevillea ripicola* and species that provide black cockatoo foraging habitat within the areas proposed for rehabilitation as illustrated in areas cross-hatched red in Figure 2 of Schedule 1.

**8. Offset**

- (a) Prior to clearing, the permit holder must provide to the *CEO* for approval, an *offset proposal* prepared in accordance with the *Western Australian Environmental Offsets Policy* (2011), and *Western Australian Environmental Offsets Guidelines* (2014).
- (b) The *offset proposal* must counterbalance the significant residual impacts (SRI) of the clearing of 1.1 hectares of native vegetation that provides habitat for the western ringtail possum (*Pseudocheirus occidentalis*), Baudin's cockatoo (*Zanda baudinii*), Carnaby's cockatoo (*Zanda latirostris*), Forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*), Chuditch (*Dasyurus geoffroii*) and red-tailed phascogale (*Phascogale calura*) and native vegetation that is part of a significant ecological linkage.
- (c) The *offset proposal* must be prepared by an *environmental specialist*.

- (d) If it is necessary to modify the *offset proposal* approved by the *CEO*, then the permit holder must provide that modified *offset proposal* to the *CEO* for the *CEO*'s approval, prior to implementing the modified *offset proposal*.
- (e) The permit holder must implement the latest version of the *offset proposal* approved by the *CEO*.

## 9. 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**

No.	Relevant matter	Specifications
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 2020 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 1;</li> <li>(f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 2;</li> <li>(g) direction of the clearing in accordance with condition 3;</li> <li>(h) the date and the actions taken to demarcate the boundary of the clearing area in accordance with condition 5; and</li> <li>(i) record of the plants/seeds used for the rehabilitation.</li> </ul>
2.	In relation to fauna management pursuant to condition 4	<ul style="list-style-type: none"> <li>(a) the name and location of each <i>threatened fauna</i> and/or <i>priority fauna</i> species if identified, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020, expressing the geographical coordinates in Eastings and Northings.</li> </ul>
3.	In relation to water erosion management pursuant to condition 6	<ul style="list-style-type: none"> <li>(a) erosion management activities undertaken.</li> </ul>

No.	Relevant matter	Specifications
4.	In relation to offset implemented pursuant to condition 8.	<p>(a) a copy of the <i>offset proposal</i> approved by the <i>CEO</i>;</p> <p>(b) the location of any offset implemented;</p> <p>(c) the boundaries of the area of offset required for project activities recorded as a shapefile;</p> <p>(d) a description of activities undertaken to implement the approved <i>offset proposal</i>;</p> <p>(e) the size of the area of the offset (in hectares); and</p> <p>(f) the results of the monitoring against the compliance with the relevant approved <i>offset proposal</i>.</p>

## 10. Reporting

The permit holder must provide to the *CEO* the records required under condition 9 of this permit when requested by the *CEO*.

## DEFINITIONS

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

**Table 2: Definitions**

Term	Definition
black cockatoo habitat trees	means trees that have a diameter, measured 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> (previously <i>Calyptorhynchus latirostris</i> ) (Carnaby's cockatoo); (b) <i>Zanda Calyptorhynchus</i> (previously <i>Calyptorhynchus baudinii</i> ) (Baudin's cockatoo); and/or (c) <i>Calyptorhynchus banksii naso</i> (forest red-tailed black cockatoo).
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.
environmental specialist	a person who is engaged by the permit holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent and has experience relevant to the type of environmental advice that is required under the clearing permit and offset proposal.

Term	Definition
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 <i>CEO</i> 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.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
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.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
offset	means a direct offset as described in the Government of Western Australia's <i>Environmental Offsets Policy, September 2011</i> .
offset proposal	means a documented plan that addresses the principles outlined in the Government of Western Australia's <i>Environmental Offsets Policy, September 2011</i> .
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>

---

**END OF CONDITIONS**


\_\_\_\_\_  
 Jessica Burton  
 A/MANAGER  
 NATIVE VEGETATION REGULATION

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

25 January 2024



# SCHEDULE 1

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

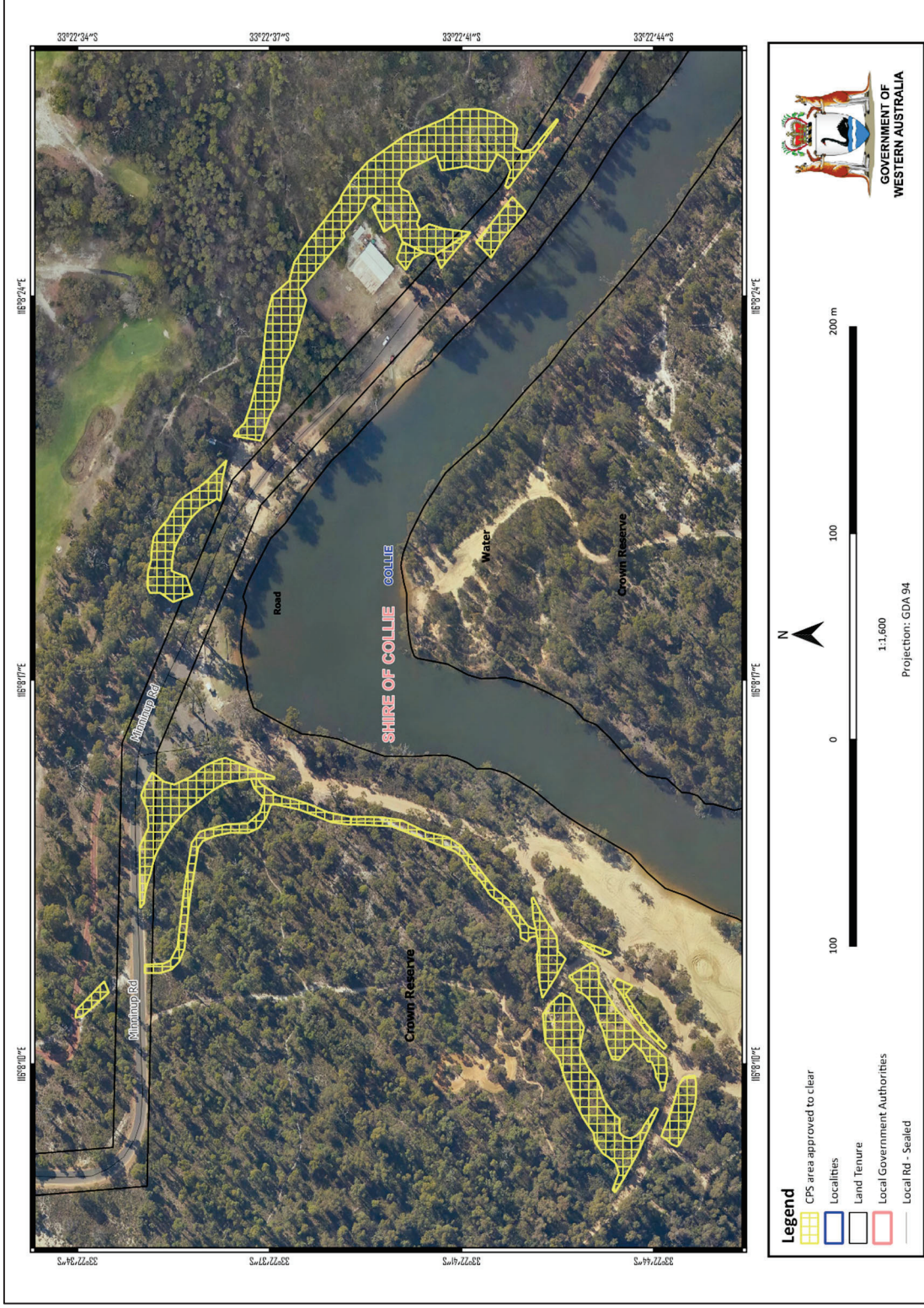


Figure 1: Map of the boundary of the area within which clearing may occur



# Clearing Permit Decision Report

## 1. Application details and outcome

### 1.1. Permit application details

<b>Permit number:</b>	CPS 9603/2
<b>Permit type:</b>	Area permit
<b>Applicant name:</b>	Shire of Collie
<b>Application area</b>	1.23 hectares of native vegetation
<b>Purpose of clearing:</b>	Construction of road drainage, car park, toilet blocks and footpaths
<b>Method of clearing</b>	Mechanical
<b>Property:</b>	Lot 5220 on Deposited Plan 240066 Minninup Road reserve (PIN 11522508)
<b>Location (LGA area/s):</b>	Shire of Collie
<b>Localities (suburb/s)</b>	Collie

### 1.2. Description of clearing activities

The vegetation proposed to be cleared is distributed across separate areas as illustrated in Figure 1 of section 1.5 of the decision report CPS 9603/1. The proposed clearing is for the purpose of construction of road drainage, car park, toilet blocks and footpaths with the final land use after the clearing being day use areas for picnics and recreation. The Shire of Collie advised that in a recently issued Economic Development Task Force Report, it was identified that tourism was a key factor within Collie and an initiative was the development of a nature-based hub at Minninup Pool, linking with the Munda Biddi Trail and the Bibbulmun Track and featuring accommodation and activity options.

The total area of clearing required to construct the above-mentioned facilities as part of the planned development equates to 1.23 hectares of native vegetation.

### Decision on application and key considerations

<b>Decision:</b>	Granted
<b>Decision date:</b>	25 January 2024
<b>Decision area:</b>	1.23 hectares of native vegetation

### 1.3. Reasons for decision

On 12 September 2022, the Department of Water and Environmental Regulation (the department) determined to grant Clearing Permit CPS 9603/1 to authorise the Shire of Collie to clear up to 1.23 hectares of native vegetation for the purpose of constructing road drainage, car park, toilet blocks and footpath as part of a recreational nature-based hub.

One appeal was lodged against the conditions of the clearing permit CPS 9603/1, covering six grounds of appeal.

This clearing permit amendment gives effect to the Minister for Energy; Environment; Climate Action's (the Minister) determination to allow the appeal in part (Appeal number: 037 of 2022). The Minister determined that:

- a new condition be added to the Permit to require the permit holder to submit a biodiversity offset proposal, prior to clearing, prepared in accordance with the *WA Environmental Offsets framework* (including the WA Environmental Offsets calculator), to counterbalance the significant residual impacts to 1.1 hectares of native vegetation that is habitat for multiple threatened fauna species within a significant ecological linkage.

## OFFICIAL

The Delegated Officer reviewed the information available at the time of the amendment, noting that the site characteristics, planning and other relevant matters and the assessment against the clearing principals has not changed from the Clearing Permit Decision Report CPS 9603/1, with the exception of clearing principles (b) and (g).

The Delegated Officer has taken the above into consideration and has determine to grant an amended clearing permit in accordance with the Minister's determination.

## **2. Assessment of application**

### **2.1. Assessment**

This amendment is the result of an appeal determination made by the Minister regarding the conditions of Clearing Permit CPS 9603/1. As a result of the appeal determination, an additional condition related to offset requirements have been incorporated into the permit.

#### **Biological values**

The assessment of the vegetation under application identified that the proposed clearing may be at variance to clearing principle (b) as the clearing area comprised of suitable foraging habitat for the three black cockatoo species and had the potential to provide habitat for five terrestrial, ground dwelling or arboreal fauna. Based on the abundant similar foraging habitat available locally for the black cockatoo species, much of which is reserved, it was considered unlikely that the proposed clearing will result in a significant residual impact on black cockatoo foraging habitat. Conditions were implemented on the clearing permit to manage the impacts to fauna species that may be transient visitors to the application area. Based on this, the department considered that the proposed clearing is unlikely to result in a significant residual impact to fauna species and an offset was not considered necessary. The department also previously determined that given the separation distance, shape and size of the proposed clearing and the abundant vegetation in the local area, the proposed clearing is unlikely to sever the connectivity of, or permanently disrupt the function of, these or any other ecological linkage.

In the Appeal on the conditions of CPS 9603/1, the Appellant raised concerns in regard to the loss of habitat for the blue wren, forest red-tailed black cockatoos, the western brush wallaby, the western false pipistrelle and the Carter's freshwater mussel within a significant ecological linkage. During the appeal process, the department re-assessed the impacts of the proposed clearing on fauna habitat and agreed that the proposed clearing is at variance with clearing principle (b) and the proposed clearing is likely to result in a significant residual impact to black cockatoos, western ringtail possum, chuditch and south-western brush tailed phascogale (wambenger) habitat. It was also determined that the proposed clearing will impact vegetation occurring within a core remnant of the Southwest Regional Ecological Linkage network and is part of a significant ecological linkage.

The Minister agreed with the concerns raised by the Appellant and the department's revised variance level for clearing principle (b) and requested that 1.1 hectares of clearing related to this clearing permit should be subject to a biodiversity offset approved by the department. The offset proposal is required to be prepared in accordance with the WA Environmental Offset framework, using the WA Environmental Offsets calculator and that a condition be placed on the permit to offset the loss of significant fauna habitat.

To give effect to the Minister's determination, the Delegated Officer requested for the offset, delivered by the permit holder, to occur within a significant ecological linkage through the additional condition implemented on the clearing permit.

#### **Land and water resources**

The department previously considered the clearing is 'may be at variance' to clearing principal (g), as the mapped soil type was considered susceptible to nutrient export. However, given the extent and the purpose of the application, the department considered that the proposed clearing is not likely to have an appreciable impact on land degradation.

However, the Office of the Appeals Convenor determined during their investigate that given the risk of nutrient export and sedimentation run off into the Collie River during high rainfall events, the proposed clearing is 'at variance' to clearing principle (g) (Office of the Appeals Convenor, 2023). The Office of the Appeals Convenor's report further mentioned that although there is a risk, the risk can be adequately managed by the existing permit conditions. The Mininster did not recommend for amendments to be made to permit conditions in regard to land degradation.



## 2.2. Relevant planning instruments and other matters

The assessment against planning instruments and other matters is unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 9603/1.

**End**

## Appendix A - References and databases

### 1. References

Department of Water and Environmental Regulation (DWER) (2022) Purpose permit and decision report: CPS 9603/1 [Index of /permit/9603/Permit \(dwer.wa.gov.au\)](https://www.dwer.wa.gov.au/index.php/permit/9603/Permit)

Office of the Appeals Convenor (2023) Report to the Minister for Environment – Appeal against the grant of clearing permit CPS 9603/1 Lot 5220 on Deposited Plan 240066 and Minninup Road Reserve, Shire of Collie – Clearing Permit CPS 9603/1.

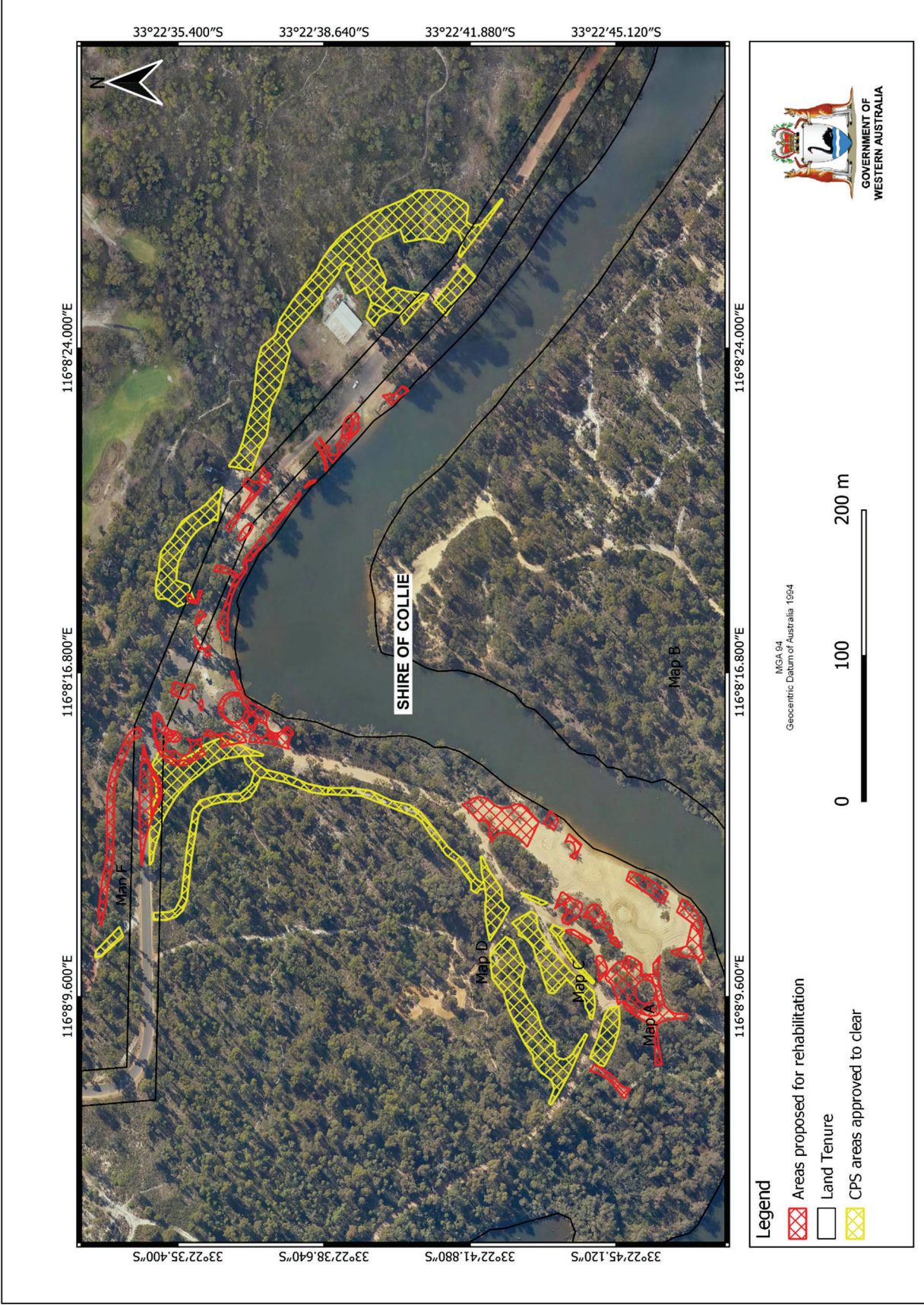


Figure 2: Map of the area proposed for rehabilitation  
Page 7 of 7