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16 June 2026

Department of Water and Environmental Regulation
Locked Bag 10, Joondalup DC WA 6919
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To whom it may concern,

RE – Portion of Lot 262 (No. 220) Queelup Road, North Boyanup – Clearing Permit Application

Please find herein information pertaining to a clearing permit application on behalf of JW Cross Maintenance Pty Ltd (the applicant) for vegetation clearing within a portion of Lot 262 (No. 220) Queelup Road, North Boyanup (herein referred to as the subject site) (refer to **Figure 1**).

Background

JW Cross Maintenance Pty Ltd (the applicant) is proposing to extract sand from an approximately 4.03 hectare (ha) area within Lot 262 (No. 220) Queelup Road, North Boyanup (herein referred to as the subject site) (refer to **Figure 1**).

The subject site is located within the municipality of the Shire of Capel, approximately 10 kilometres (km) southeast of the Bunbury town centre and approximately 150 km south of Perth.

The subject site has a current maximum elevation ranging from 30 metres (m) Australian Height Datum (AHD) to 34 m AHD. Sand will be excavated to a maximum depth of 6.26 m below ground level (BGL) commencing in the south and moving in a northerly direction, with each extraction area being 2 ha in size.

Development Approval for the proposed sand extraction within the subject site was granted by the Regional Development Assessment Panel on 23 April 2026 (refer to **Attachment A**). This clearing permit refers to Stage 1 and Stage 2 only of the Development Approval.

The subject site is zoned 'Rural' under the Shire of Capel's *Local Planning Scheme No. 8* (LPS 8) and the *Greater Bunbury Region Scheme* (GBRS). The subject site is located within the 'Special Control Area – Strategic Minerals and Basic Raw Materials' under LPS 8. The proposed extractive industry is a permitted land use within this zone, subject to development approval from the Shire of Capel, which has been granted.

The planned end use of the pit is to restore a natural soil profile and return the area to pasture, ensuring that there is no net loss of agricultural land.

SW Environmental undertook a diurnal targeted fauna survey on 3 March 2025, and two non-consecutive nocturnal surveys were undertaken on 10 and 19 March 2025. Surveys were undertaken to determine the onsite environmental characteristics.

The subject site has undergone historic disturbance and is currently comprised of cleared pastoral paddock and remnant native vegetation in a 'Completely Degraded' condition. Remnant native vegetation consists predominantly of Jarrah (*Eucalyptus marginata*) and Marri (*Corymbia calophylla*) paddock trees over Peppermint (*Agonis flexuosa*), Woody Pear (*Xylomelum occidentale*) and *Nuytsia floribunda* woodland over open shrubland (SW Environmental 2025). The vegetation provides habitat for conservation-significant fauna. To enable the progression of the project, a clearing permit pursuant to the *Environmental Protection Act 1986* is required. A description of the trees subject to clearing to enable the progression of the project is provided below.

The clearing footprint comprises a total area of 0.52 hectares (ha), which includes 11 Jarrah trees. The 11 Jarrah trees represent potential habitat trees with a diameter at breast height (DBH) over 50 cm; however, they do not contain any hollows (refer to **Figure 2**). Forest Red-tailed Black-Cockatoo (FRTBC) foraging evidence was observed widely across the subject site and the broader area, including chewing on Marri, Jarrah and Woody Pear residue (SW Environmental 2025). While it is likely that black cockatoos may forage within the subject site, it is unlikely that the species will utilise the subject site for breeding or roosting purposes (SW Environmental 2025).

During the two nocturnal surveys undertaken within the subject site, one WRP was identified in the southern extent. No dreys or evidence of WRPs utilising any other vegetation within the subject site was observed (SW Environmental 2025). This is likely attributable to the absence of canopy connectivity and limited midstorey and understorey vegetation within the subject site.

Avoidance and Mitigation Measures

SW Environmental undertook a targeted fauna assessment of the property prior to determining a suitable location for the proposal. This included a visual assessment of vegetation and fauna spotting. Vegetation in the western extent of the property is in Good condition and comprises quality habitat for WRPs and black cockatoos. While this area contains a valuable sand resource, it has been excluded from the footprint to protect the onsite environmental values. Additionally, potential habitat trees with hollows identified to the north of the subject site have been intentionally excluded from the clearing footprint. It is considered that no other reasonable and practicable avoidance measures can be implemented within the clearing footprint, given that the most degraded area of the property has been targeted.

Furthermore, to avoid any direct impact to native fauna during vegetation clearing, the following management measures will be implemented:

- Prior to clearing commencing, the trees to be cleared and clearing footprint will be clearly demarcated with flagging tape;
- During clearing, a qualified fauna expert will be present to direct clearing operators, particularly when clearing trees occupied by fauna, to ensure that these are cleared in a way that allows animals to safely mobilise to adjacent areas. In addition, the fauna expert will supervise any animal handling and the rescue of injured animals, should this be required;
- No stockpiling of topsoil or other material is to occur outside of the clearing boundary.

To replace the potential habitat proposed for clearing, approximately 3.67 ha of vegetation will be retained and protected, while 1.0 ha will be revegetated with preferred foraging species (refer to **Figure 3**). Species for revegetation will include *Agonis flexuosa, Eucalyptus marginata, Corymbia calophylla, Banksia attenuata* and *Banksia ilicifolia*. The planting density will be 2,000 stems per hectare, and tubestock will be sourced from a NATA-accredited nursery.

Impact Assessment

Any clearing of native vegetation requires a permit in accordance with Part V of the *Environmental Protection Act 1986* (EP Act), except where an exemption applies under Schedule 6 of the Act or is prescribed by regulation in the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.

The clearing of native vegetation for the purpose of extractive industry is subject to a clearing application. Clearing applications are assessed against the Ten Clearing Principles outlined in Schedule 5 of the EP Act. These principles aim to ensure that all potential impacts resulting from the removal of native vegetation are assessed in an integrated manner.

An examination of the Ten Clearing Principles based upon a site survey and desktop information is provided below.

Table 1: Assessment against the Ten Clearing Principles

Principle	Assessment	Conclusion
a) Native vegetation should not be cleared if it comprises a high level of biological diversity.	Vegetation mapping (Heddle *et al.* 1980) indicates that the original vegetation complexes within the clearing area would have included: • Southern River Complex – dominated by open woodland of *Corymbia calophylla* (Marri) - *Eucalyptus marginata* (Jarrah) - Banksia species with fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca rhaphiophylla* (Swamp Paperbark) along creek beds. Vegetation Complex statistics for the Swan Coastal Plain indicate the vegetation extent remaining of the Southern River Complex is 18.8% (Webb *et al.* 2016). The clearing area is considered to be in a Completely Degraded (Keighery 1994) condition due to a history of anthropogenic impacts, which has resulted in an altered vegetation structure (i.e. limited understorey and midstorey). The clearing area contains limited floristic characteristics associated with the abovementioned vegetation complex due to its Completely Degraded condition. Notwithstanding this, the removal of approximately 0.52 ha of remnant vegetation will have a negligible impact on the remaining extent of the Southern River Complex on a local and regional scale. Additionally, the proponent proposes to retain and protect 3.67 ha of native vegetation and plant 1.0 ha to offset the clearing (refer to **Figure 3**). A fauna survey (SW Environmental 2025) was undertaken which described the subject site as cleared pastoral paddock area in a 'Completely Degraded' condition. Based on the survey results, the subject site contains areas of vegetation described as follows: • Predominantly Peppermint woodland and paddock trees; or • Jarrah or Marri trees. The condition of the subject site, absence of key indicator species (i.e. Banksia or Tuart) and history of anthropogenic disturbance indicate that the subject site would not contain any Priority or Threatened Ecological Communities (PECs or TECs).	Based on the minor loss of marginal quality habitat for WRPs and black cockatoos, the proposed clearing is at variance to this Principle.

Principle	Assessment	Conclusion
	As discussed under Principle (b), the removal of 0.52 ha of vegetation will marginally reduce the local extent of habitat for WRP, however the impact is not expected to be significant given that the high quality habitat will be retained and additional onsite revegetation is proposed. The clearing will also result in the removal of 11 potential habitat trees for black cockatoos. However, none of these trees contain hollows. Feeding residue was limited to FRTBC; therefore, the clearing will result in the removal of approximately 0.09 ha of potential habitat, which is a minor reduction in onsite habitat. This loss will be mitigated through the retention of habitat in better condition and onsite revegetation. The proposal is at variance to this Principle given the minor reduction in habitat for WRPs and black cockatoos, although this can be reasonably mitigated through revegetation and onsite vegetation retention.	
b) Native vegetation should not be cleared if it comprises the whole or part of, or is necessary for the maintenance of, significant habitat for fauna indigenous to Western Australia.	During the targeted fauna assessment, one WRP was identified in the south of the subject site (SW Environmental 2025). WRPs were more frequently identified to the north of the subject site due to the increased number of Peppermint trees and greater canopy connectivity, which is largely absent in the subject site. This indicates that the vegetation within the subject site is less preferred by WRPs and is likely to result in an increased risk of predation. According to Shedley and Williams (2014) and DBCA mapping, the subject site is mapped as 'medium' quality habitat for the species, which equates to 2–5 WRP/ha. The WRP density within the subject site is 0.25 WRP/ha, which aligns with the 'very low' habitat suitability class. This is likely attributable to the absence of understorey and canopy connectivity within the subject site. Available mapping indicates that there is approximately 612.25 ha of medium to low suitability WRP habitat within a 2 km radius of the subject site. On this basis, the removal of 0.52 ha of 'very low' quality habitat will constitute a 0.08% reduction within a 2 km radius of the subject site. The loss of 0.52 ha of 'very low' quality habitat for WRPs represents a minor loss of onsite habitat; however, this can be readily mitigated through	Removal of vegetation within the subject site is considered to be at variance to this Principle; however, with the onsite protection of vegetation in better condition and proposed revegetation, the impact can be suitably addressed.

Principle	Assessment	Conclusion
	the protection of better quality habitat onsite and revegetation to provide canopy connectivity and ecological linkages. The subject site contains 11 Jarrah trees identified as potential habitat trees, none of which contain hollows (SW Environmental 2025). FRTBC foraging evidence was observed widely across the subject site and the broader area, including chewing on Marri, Jarrah and Woody Pear residue (SW Environmental 2025). While it is likely that black cockatoos may forage within the subject site, it is unlikely that the species will utilise the subject site for breeding or roosting purposes (SW Environmental 2025). The proposed clearing will result in a reduction of 0.09 ha of foraging habitat for black cockatoos. In the context of regionally available habitat for black cockatoos, this constitutes a loss of 0.00014% of habitat in a 2km radius of the subject site. While the clearing may result in a minor loss of marginal quality habitat for WRPs and black cockatoos, the loss can be readily mitigated through the protection of vegetation in better condition and onsite revegetation.	
c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.	The DBCA's threatened (Declared Rare and Priority) flora databases and the EPBC Act Protected Matters database indicate the following conservation-significant flora may be present within a 1 km radius of the subject site: • Acacia flagelliformis; • *Acacia semitrullata;* • *Andersonia gracilis;* • *Austrostipa bronweniae;* • *Banksia mimica;* • *Caladenia huegeli;* • *Diuris drummondii;* • *Diuris micrantha;*	Removal of vegetation within the subject site is not considered to be at variance with this Principle, given that it is considered unlikely that any flora of conservation significance will occur within the subject site.

Principle	Assessment	Conclusion
	• *Diuris purdiei;* • *Drakaea elastica;* • *Drakaea micrantha;* • *Drosera paleacea;* • *Eleocharis keigheryi;* • *Leptomeria furtiva;* • *Morelotia australiensis;* • *Synaphea sp. Fairbridge Farm;* • *Synaphea sp. Serpentine;* • *Thelymitra variegata; and* • *Verticordia attenuata.* In consideration of the habitat requirements for the identified conservation-significant species and the historical and ongoing anthropogenic disturbance (i.e. livestock grazing), it is considered unlikely that any flora species of conservation significance will occur within the subject site. Accordingly, no impacts to flora of conservation significance are anticipated.	
d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community.	The DBCA defines an ecological community as "a naturally occurring assemblage that occurs in a particular type of habitat" (PWS 2015). A TEC is one that has declined in area or was originally limited in distribution. Uncommon ecological communities that do not strictly meet the TEC defined criteria, or are inadequately defined, are listed by the DBCA as PECs. As well as protection under State legislation, selected ecological communities are also afforded statutory protection at a Federal level pursuant to the EPBC Act. The EPBC Act	Clearing of 0.52 ha of vegetation is not considered to be at variance to this Principle as vegetation consistent with the mapped TEC/PEC is not present within the clearing area.

Principle	Assessment	Conclusion
	provides for the protection of TECs, which are listed under section 181 of the Act, and are defined as “Critically Endangered”, “Endangered” or “Vulnerable” under Section 182. A search of the DBCA and EPBC databases found four TECs endorsed under State and Commonwealth legislation and policy recorded within proximity to the subject site. These included the Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region ecological community, the Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain ecological community, the Clay Pans of the Swan Coastal Plain ecological community and the Empodisma peatlands of southwestern Australia. Based on the information provided from the fauna survey (SW Environmental 2025), none of the vegetation within the subject site appears to be representative of these TECs due to the absence of clay soils, and the absence or limited numbers of key indicator species such as Banksia and *Eucalyptus gomphocephala*. On this basis, the subject site is not likely to comprise or be necessary for the maintenance of a TEC and, therefore, the proposed clearing is not at variance to this Principle.	
e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.	Vegetation within the clearing area has previously been cleared and subjected to a history of anthropogenic disturbance. While it is mapped as the Southern River Complex, it is not representative of this vegetation complex due to the absence of midstorey and understorey vegetation. The vegetation is in a Completely Degraded condition, and it is proposed to retain vegetation in better condition and undertake onsite revegetation. Accordingly, the loss can be reasonably mitigated. Furthermore, the subject site does not comprise high biological diversity, provides only marginal quality habitat for fauna indigenous to Western Australia, and is not likely to comprise priority or threatened flora, or a PEC or TEC. On this basis, the subject site is not considered to be a significant remnant within an extensively cleared landscape. The proposed clearing is not at variance to this Principle.	The clearing is not considered to be at variance to this Principle as the vegetation is not considered significant as a remnant of native vegetation.

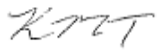
Principle	Assessment	Conclusion
f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.	There are no wetlands mapped within the subject site. A Multiple Use (MU) wetland (UFI 949) is located to the north of the subject site. Six Resource Enhancement (RE) wetlands (UFI 1337, 1338, 1093, 1247, 1442 and 1265) are located within 1 km of the subject site. The closest RE wetland (UFI 1337) is located approximately 240 m south of the subject site, beyond Ducane Road. A buffer of at least 50 m will be maintained to all wetlands at all times. There are no mapped watercourses on the subject site. The proposed clearing is not at variance to this Principle.	Clearing within the subject site is not considered to be at variance with this Principle as no riparian vegetation will be impacted.
g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.	The Department of Primary Industry and Regional Development's (DPIRD's) *Natural Resource Information* Portal (NRInfo) places the vegetation subject to clearing within the Bassendean B1b soil phase consisting of "very low relief dunes of undulating sand plain with deep bleached grey sandy A2 horizons and pale yellow B horizons" (NRInfo). These phases are typically associated with a low risk of wind and water erosion. Furthermore, given the limited amount of vegetation subject to clearing it is very unlikely to cause appreciable land degradation in the form of wind or water erosion. The proposed clearing is not likely to be at variance to this Principle.	Clearing of the subject site is not considered to be at variance to this Principle given the nature of the site and the proposed works.
h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.	The proposed clearing will not result in any impacts to the environmental values of any adjacent or nearby conservation areas, as there are none in proximity to the clearing area. In consideration of the above, the clearing is not at variance to this Principle.	The proposed clearing is not considered to be at variance to this Principle as there will be no direct or indirect impacts to conservation areas in proximity to the subject site.
i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause	Clearing within the subject site will not impact surface water with the gradients of the cells being constructed to ensure that no surface water runoff occurs. The project will not result in any groundwater interactions.	The clearing is not considered to be at variance to this Principle, as it is unlikely that the clearing will alter natural surface

Principle	Assessment	Conclusion
deterioration in the quality of surface or underground water.	The proposed clearing is not likely to be at variance to this Principle.	water flows or involve groundwater interactions.
j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.	The subject site does not contain a watercourse. The limited clearing within a previously disturbed area is highly unlikely to substantially increase runoff and therefore the incidence or intensity of flooding. The proposed clearing is not likely to be at variance to this Principle.	Clearing within the subject site is not considered to be at variance to this Principle, as it is unlikely to increase runoff and therefore the intensity or incidence of flooding.

Summary

Based on the assessment above, the proposed clearing will result in the removal of 0.52 ha of native vegetation comprising 0.09 ha of Jarrah trees, 0.35 ha of other tree species and 0.08 ha of understorey. The clearing area is in a Completely Degraded condition and contains marginal-quality fauna habitat; however, the proposal is at variance with Principles (a) and (b) due to the potential reduction in habitat available for western ringtail possums and black cockatoos. These impacts are proposed to be addressed through avoidance of better quality habitat, protection of retained vegetation, fauna management during clearing, and onsite revegetation to improve canopy connectivity and ecological linkage values.

Yours sincerely,

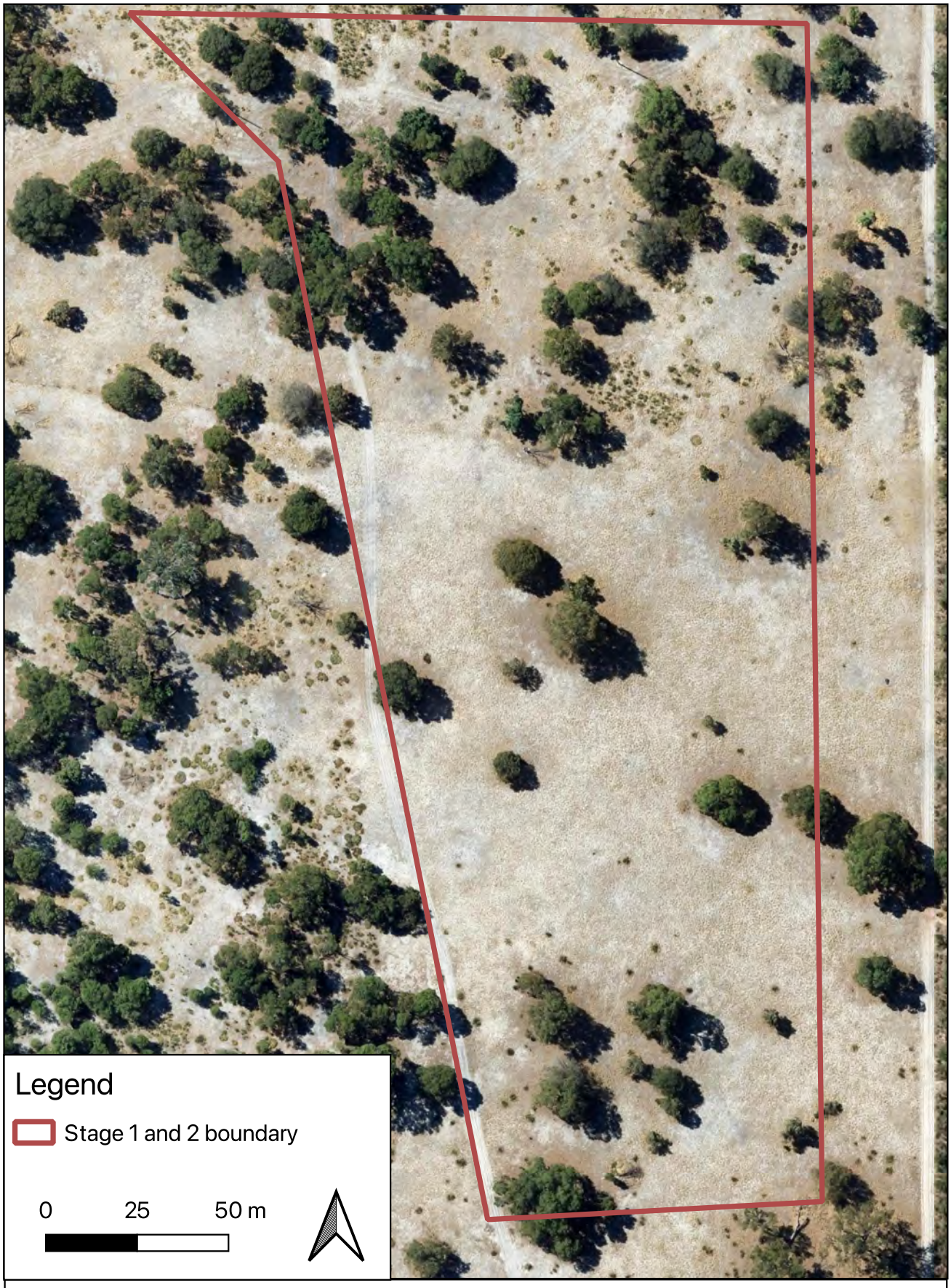


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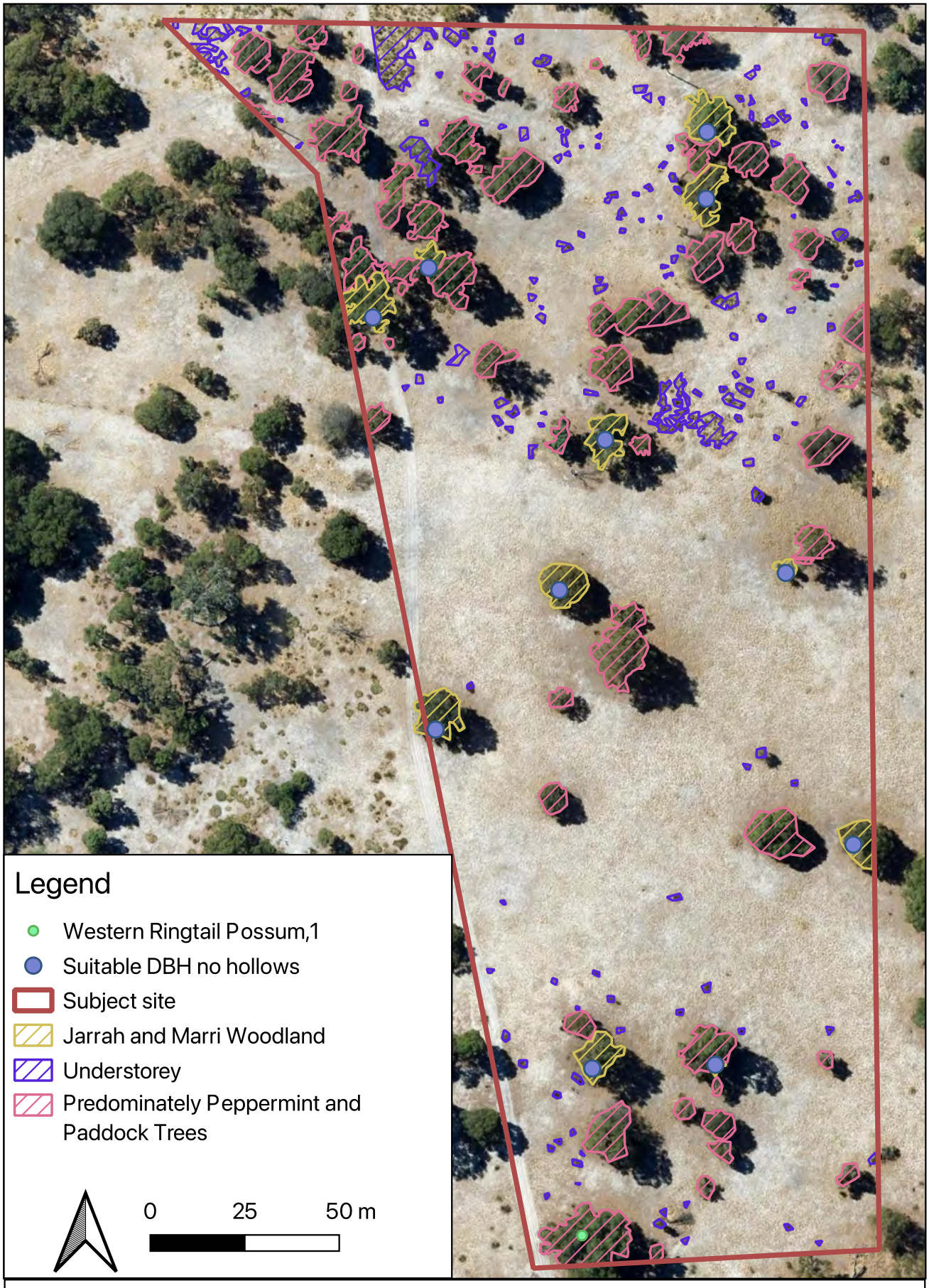
FIGURES



PROJECT	Lot 262 (220) Queelup Rd, North Boyanup	Project Number	Drawing Number	Revision
		2660	Figure 1	A
DRAWING TITLE	Figure 1- Site extent	Designed NC Drawn PN	Checked Approved	
CLIENT	JW Cross Maintenance Pty Ltd	Date	04/05/2026	
		Local Authority	Shire of Capel	
		Sheet 1 of 1		

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PROJECT	Lot 262 (220) Queelup Rd, North Boyanup	Project Number	Drawing Number	Revision
		2660	Figure 2	A
DRAWING TITLE	Figure 2- Vegetation	Designed NC Drawn PN	Checked Approved	
CLIENT	JW Cross Maintenance Pty Ltd	Date	04/06/2026	
		Local Authority	Shire of Capel	
		Sheet 1 of 1		

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PROJECT	Lot 262 (220) Queelup Rd, North Boyanup	Project Number	Drawing Number	Revision
		2660	Figure 3	A
DRAWING TITLE	Figure 3- Revegetation	Designed NC Drawn PN	Checked Approved	
CLIENT	JW Cross Maintenance Pty Ltd	Date	04/05/2026	
		Local Authority	Shire of Capel	
		Sheet 1 of 1		

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ATTACHMENT A – DEVELOPMENT APPROVAL