GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number: CPS 1672/2

Permit Holder: Quintin Holdings Pty Ltd

Duration of Permit: 8 July 2007 – 8 July 2012

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

PART I – CLEARING AUTHORISED

1. **Purpose for which clearing may be done**
   Clearing for the purpose of sand extraction.

2. **Land on which clearing is to be done**
   LOT 4710 ON PLAN 207023

3. **Area of Clearing**
   The Permit Holder must not clear more than 8 hectares of native vegetation within the area hatched yellow on attached Plan 1672/2.

4. **Application**
   This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

5. **Compliance with Assessment Sequence and Management Procedures**
   Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. **Avoid, minimise etc clearing**
   In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in 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.

7. **Offsets**
   As the clearing to be done is at variance with clearing principles (b) and (e), the Permit Holder must implement an *offset* in accordance with conditions 7(a) and (b) of this Permit within the areas cross-hatched red on attached Plan 1672/2.

(a) Determination of *offsets*:
   (i) in determining the *offset* to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the Permit Holder must have regard to the *offset* principles contained in condition 7(b) of this Permit;
   (ii) once the Permit Holder has developed an *offset proposal*, the Permit Holder must provide that *offset proposal* to the CEO for the CEO's approval prior to undertaking any clearing to which the *offset* relates, and prior to implementing the *offset*;
   (iii) clearing may not commence until and unless the CEO has approved the *offset proposal* to which the clearing relates;
   (iv) the Permit Holder shall implement the *offset proposal* approved under condition 7(a)(iii); and
   (v) each *offset proposal* shall include a *direct offset*, timing for implementation of the *offset proposal* and may additionally include *contributing offsets*.

(b) For the purpose of this condition, the *offset* principles are as follows:
   (i) *direct offsets* should directly counterbalance the loss of the native vegetation;
   (ii) *contributing offsets* should complement and enhance the *direct offset*;
   (iii) *offsets* are implemented only once all avenues to avoid, minimise, rectify or reduce environmental impacts have been exhausted;
   (iv) the environmental values, habitat, species, *ecological community*, physical area, ecosystem, landscape, and hydrology of the *offset* should be the same as, or better than, that of the area of native vegetation being *offset*;
   (v) a ratio greater than 1:1 should be applied to the size of the area of native vegetation that is offset to compensate for the risk that the *offset* may fail;
   (vi) *offsets* must entail a robust and consistent assessment process;
   (vii) in determining an appropriate *offset*, consideration should be given to ecosystem function, rarity and type of *ecological community*, vegetation *condition*, habitat quality and area of native vegetation cleared;
   (viii) the *offset* should either result in no net loss of native vegetation, or lead to a net gain in native vegetation and improve the *condition* of the natural environment;
   (ix) *offsets* must satisfy all statutory requirements;
   (x) *offsets* must be clearly defined, documented and audited;
   (xi) *offsets* must ensure a long-term (10-30 year) benefit; and
   (xii) an *environmental specialist* must be involved in the design, assessment and monitoring of *offsets*.

8. Retain vegetative material and topsoil, ripping, revegetation and rehabilitation

(a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that is already cleared.

(b) Prior to undertaking works pursuant to conditions 8(c), the Permit Holder shall rip the pit floor and contour batters within the extraction site.

(c) Within twelve months following completion of extraction operations, the Permit Holder must *revegetate* and *rehabilitate* the area cross-hatched yellow on attached Plan 1672/2 by:
   (i) deliberately laying the vegetative material and topsoil retained under condition 8 (a) on the cleared area;
   (ii) deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area; and
   (iii) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.

(d) Within twelve months of undertaking *revegetation* and *rehabilitation* in accordance with condition 8(c) of this Permit, the Permit Holder must:

(i) determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and

(ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 8(d)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 8(c)(ii) and (iii) of this Permit.

PART III - RECORD KEEPING AND REPORTING

9. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

(a) In relation to the clearing of native vegetation authorised under this Permit:
   (i) the species composition, structure and density of the cleared area;
   (ii) 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;
   (iii) the date that the area was cleared; and
   (iv) the size of the area cleared (in hectares).

(b) In relation to the offset of areas pursuant to condition 7 of this Permit:
   (i) the location of any area of *offsets* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
   (ii) a description of the *offset* activities undertaken; and
   (iii) the size of the *offset* area (in hectares).

(c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 8 of this Permit:
   (i) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
   (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
   (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
   (iv) the species composition, structure and density of *revegetation* and *rehabilitation*.

10. Reporting

(a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 9 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

(b) Prior to 8 April 2012, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

Definitions

The following meanings are given to terms used in this Permit:

condition means the rating given to native vegetation using the *Keighery scale* and refers to the degree of change in the structure, density and species present in the particular vegetation in comparison to undisturbed vegetation of the same type;

contributing offset/s has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9: Environmental Offsets*, January 2006;

direct offset/s has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9: Environmental Offsets*, January 2006;

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

ecological community/ies means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999);

environmental specialist means 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 an environmental specialist is required to provide under this Permit;

Keighery scale means the vegetation condition scale described in *Bushland Plant Survey: A Guide to Plant Community Survey for the Community (1994)* as developed by B.J. Keighery and published by the Wildflower Society of WA (Inc). Nedlands, Western Australia;

local provenance means native vegetation seeds and propagating material from natural sources within 50 kilometres of the area cleared;

offset/s means an offset required to be implemented under condition 7 of this Permit;

offset proposal means an *offset* determined by the Permit Holder in accordance with condition 7 of this Permit;

planting means the re-establishment of vegetation by creating favourable 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; and

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

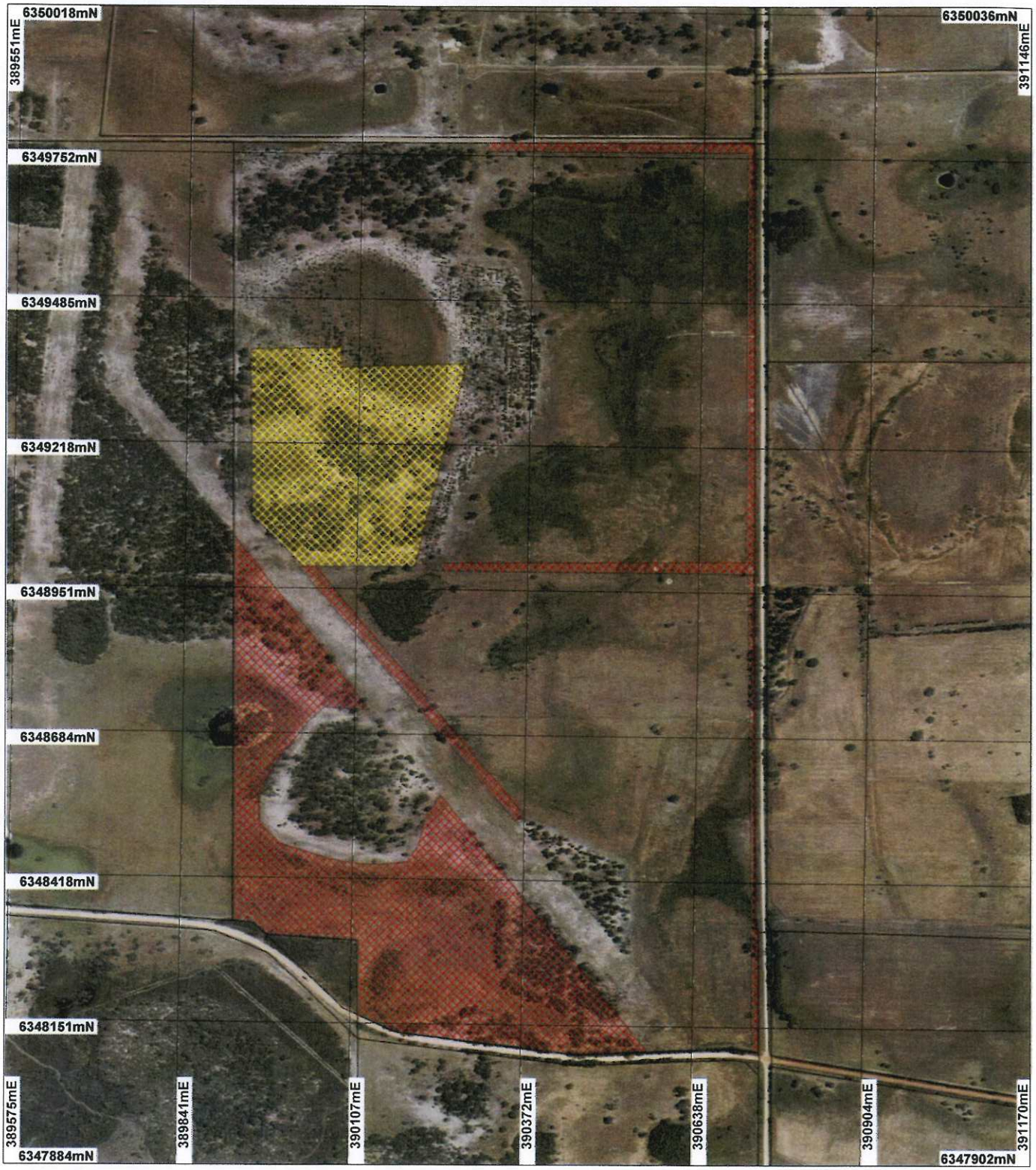


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

Officer delegated under Section 20
of the Environmental Protection Act 1986

24 February 2010

Plan 1672/2



LEGEND

Clearing Instruments
Cadastre

Swan Coastal Plain South
40cm Orthomosaic - Landgate

N

0 ~250 m

Scale 1:9405
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K. Faulkner Date 24/2/10.

Information derived from this map should be confirmed with the data custodian acknowleged by the agency acronym in the legend.

Department of Environment and Conservation

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Department of
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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 1672/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Quintin Holdings Pty Ltd**

1.3. Property details

Property: LOT 4710 ON PLAN 207023 (Lot No. 4710 RIVERDALE COOKERNUP 6220)
Local Government Area: Shire Of Harvey
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
6		Mechanical Removal	Extractive Industry
2		Mechanical Removal	Extractive Industry

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Vegetation Association: 1000 - Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca spp.). (Shepherd 2007) Heddle Vegetation Complex: Bassendean Complex - Central and South: Vegetation ranges from woodland of E. marginata - C. fraseriana - Banksia spp. to low woodland of Melaleuca species, and sedgelands on the moister sites. This area includes the transition of E. marginata to E. todtiana in the vicinity of Perth.	The application is for the amendment of an existing clearing permit, CPS 1672/1, to increase the clearing area from 2ha to 8ha. The vegetation ranges from very good to completely degraded condition (Keighery 1994), and the understorey has been disturbed through grazing. Kunzea thickets within the area under application are in very good condition.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The vegetation description and condition was determined from site visit conducted 20 February 2009. TRIM ref DOC77307.
As above	As above.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposal is not likely to be at variance to this Principle

The proposal is to amend clearing permit CPS 1672/1 to include a further 6 hectares of native vegetation for sand extraction. The total area of vegetation under application is 8 hectares. The amended area comprises vegetation in more intact condition to that applied for under CPS 1672/1.

The vegetation under application ranges from very good to completely degraded (Keighery 1994) condition (DEC 2009, Nuts About Natives 2009). The vegetation comprises predominantly Eucalyptus marginata (Jarrah) and Banksia spp., with Corymbia calophylla (Marri) scattered throughout, with many offering habitat trees to fauna in the area. Some areas consist of Kunzea thickets on white/grey sands in very good condition, as well as some Melaleuca and Sheoak individuals. The understorey is minimal within the area, having been historically grazed (DEC 2009). Additionally, part of the northern section under application is partially Land Conservation District funded non-native Eucalyptus revegetation (Wilson 2009).

During a site visit a number of dead and dying Banksias were observed (DEC 2009). The cause of these deaths in unknown but could be dieback related or the result of a history of nearby grazing, or reduced water availability in some areas.

The local area is highly cleared, with approximately 10% native vegetation remaining in a 10km radius, and 38% in the Swan Coastal Plain bioregion. Much of the vegetation within the local area is non-native pine plantation.

The property lies on the south-east side of the Yalgorup /Riverdale Road /Yarloop east-west ecological linkage of the Greater Bunbury Regional Scheme (EPA 2003). The vegetation under application is likely to be contributing to the biological values of this linkage and assisting to maintain ecological processes within the landscape. The vegetation is mapped as a 2c patch, as identified by the Molloy et al. (2009) in the South West Regional Ecological Linkage (SWREL) Technical Report, which is not considered core linkage. The SWREL analysis of the site has shown that no impacts to connectivity to nearby patches of vegetation are likely as a result of the clearing (DEC 2009a).

Methodology

DEC 2009
DEC 2009a
EPA 2003
Keighery 1994
Molloy et al 2009
Nuts About Natives 2009
Wilson 2009

GIS databases:
- Swan coastal plain sousth 40cm Orthomosaic - DLI05
- CALM Managed Lands and Waters - CALM 01/06/05
- Heddle Vegetation Complexes - DEP 22/06/95
- Pre European Vegetation - DA 01/01
- Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
- NLWRA, Current Extent of Native Vegetation 20 Jan 2001

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Comments

Proposal is at variance to this Principle

The majority of vegetation consists of groups or clumps of trees plus individual trees and shrubs with no understorey spread over the proposal area and, as such, is considered to be in very good to completely degraded condition (Keighery, 1994).

Six rare and three priority fauna species have been recorded within the local area (10km radius). The local area is highly cleared with approximately 10% native vegetation remaining, and as such available habitat is limited. Despite the condition of the vegetation in some areas under application, the vegetation is likely to be significant for fauna in this highly cleared landscape.

The vegetation under application consists Eucalyptus marginata and Banksia spp, with Corymbia calophylla scattered throughout and as such is considered potential foraging habitat for Calyptorhynchus banksii naso (Forest Red-tailed Black Cockatoo) (DEC 2009b). Although multiple trees throughout the application area contain hollows with the potential to provide habitat to these species (DEC 2009), a survey of the vegetation under application deemed all hollows to be unsuitable for Black Cockatoo nesting due to their inadequate depth (360 Environmental 2009). It was, however, determined that the clearing as proposed will result in loss of feeding habitat for Black Cockatoos (360 Environmental 2009).

The application area is part of the Yalgorup /Riverdale Road /Yarloop east-west ecological linkage as described in the Greater Bunbury Regional Scheme (EPA 2004). The clearing of this vegetation as proposed is likely to weaken this linkage and could affect fauna communities at a large scale through further fragmentation of the landscape. The vegetation is mapped as a 2c patch, as identified by the Molloy et al. (2009) in the SWREL Technical Report, which is not considered core linkage. The SWREL analysis of the site has shown that no impacts to connectivity to nearby patches of vegetation are likely as a result of the clearing (DEC 2009a). Patches mapped as 2c are less than 500m from other patches of native vegetation, a distance known to be traversable by species such as Dasyurus geoffroii (Chuditch), which have been recorded within the local area.

Therefore, whilst the vegetation under application is degraded and considered patchy, it is likely to be providing locally significant foraging habitat for indigenous fauna and as such is at variance to this principle.

Methodology

360 Environmental 2009
DEC 2009
DEC 2009a
DEC 2009b
EPA 2004
Keighery 1994
Molloy et al 2009

GIS Databases:
- CALM Managed Lands and Waters - CALM 1/07/05
- Swan Coastal Plain South 40cm Orthomosaic - Landgate 2005
- SAC Bio Dataset - 28/1/2009

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments

Proposal is not likely to be at variance to this Principle

Three rare and 20 priority flora species have been mapped within the local (10km radius) area of the application. The closest occurrences were Acacia horridula (P3), Acacia semitrullata (P3) and Stylidium trudgenii (P3) 1.7km north west of the applied area.

The habitat type, Banksia attenuata, Banksia ilicifolia and Kunzea thickets on white-grey sands, indicates that there is a high likelihood of Drakaea elastica and Drakaea micrantha, both rare species, occurring within the application area. Both species have been recorded within the local (10km radius) area, and are known to occur in highly disturbed sites.

Additionally, as the area under application is mapped as being seasonally inundated, rare species which inhabit winter-wet depressions may occur, including Diuris drummondii and Diuris purdiei.

Targeted flora surveys conducted during January, July, September and October 2009 failed to record any rare or priority flora species (Nuts About Natives 2009). The clearing as proposed is therefore considered not likely to be at variance to this principle.

Methodology

Nuts About Natives 2009

GIS Database:
- SAC Bio Datasets - 28/1/2009
- Swan coastal plain sousth 40cm Orthomosaic - DLI05
- Hydrography linear - DOW 13/7/06
- Hydrography linear (hierarchy) - DoW 13/7/06
- Mattiske Vegetation (01/03/1998)
- Heddle Vegetation Complexes - DEP 22/06/95

(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.

Comments

Proposal is not likely to be at variance to this Principle

There are nine records of Threatened Ecological Communities (TEC) within the local (10km radius) area of the proposed clearing. The closest is located 6.8km south of the area under application. The TECs are associated with different vegetation complexes than those found at the area under proposal, and the proposed clearing is outside the buffer to these TECs. Therefore, the proposed clearing is unlikely to be at variance to this principle.

Methodology

GIS Database:
- SAC Bio Datasets 28/1/2009
- Swan coastal plain south 40cm Orthomosaic - DLI05
- Mattiske Vegetation (01/03/1998)
- Pre European Vegetation - DA 01/01
- Soils, Statewide DA 11/99

(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.

Comments

Proposal is at variance to this Principle

The area under application is located in the Swan Coastal Plain Bioregion, within which 38.84% of the pre-European vegetation remains (Shepherd 2007). The proposal also falls within the Shire of Harvey, of which there is 53.96% remaining of pre-European vegetation (Shepherd 2007).

The Beard Vegetation Association and Heddle Vegetation Complex of the areas under application retain 26.8% and 27% of the remaining pre-European vegetation within the Swan Coastal Plain Bioregion (Hopkins et al. 2001, Heddle et al 1980).

This area is within the Greater Bunbury Region Scheme (EPA 2000) however it doesn't fall within a constrained area thus the objective is to retain at least 30% of the pre-clearing extent and therefore this clearing is at variance to the principle.

The local area is highly cleared, with approximately 10% native vegetation remaining in a 10km radius.

Additionally, the vegetation under application is mapped as being part of the Yalgorup /Riverdale Road /Yarloop east-west ecological linkage as described in the Greater Bunbury Region Scheme (EPA 2000), and the clearing as proposed is likely to impact this linkage and further fragment the landscape.

The vegetation is mapped as a 2c patch, as identified by the Molloy et al. (2009) in the SWREL Technical Report, which is not considered core linkage. The SWREL analysis of the site has shown that no impacts to connectivity to nearby patches of vegetation are likely as a result of the clearing (DEC 2009a).

Due to the highly cleared local area native vegetation remaining is significant as a remnant. Therefore, the proposed clearing is at variance to this Principle.

Methodology

Heddle et al 1980
Keighery 1994
DEC 2009a
EPA 2000
Molloy et al 2009
Shepherd 2007
Hopkins et al 2001

GIS Database:
- Pre-European Vegetation - DA 10/01
- Interim Biogeographic Regionalisation of Australia - EA 18/10/00
- Heddle Vegetation Complexes - DEP 22/06/95
- Local Government Authorities - DLI 8/07/04

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments

Proposal is at variance to this Principle

Within the local area (10km radius) of the area under application there are EPP Lakes, Ramsar Wetlands (Peel Yalgorup System) and ANCA wetlands.

The area proposed to be cleared is within the Peel Harvey Catchment EPP Area and within an area that is subject to inundation classified for management purposes as a multiple use wetland. Multiple use wetlands are considered to have few ecological attributes and functions remaining (WRC Position Statement).

As the vegetation under application is a large part of a mapped wetland the proposed clearing is at variance to this principle.

Methodology

GIS Databases:
- Hydrography, Linear - DOE 1/2/04
- ANCA Wetlands - CALM 06/95
- EPP Area - DEP 06/95
- EPP Lakes - DEP 1/12/92
- RAMSAR, Wetlands - CALM 14/02/03

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments

Proposal is not likely to be at variance to this Principle

DAFWA Land Degradation Assessment Report (2009) raises no potential land degradation issues for this proposal. The risk of salinity, eutrophication, wind erosion and water erosion causing land degradation are considered to be low. Therefore the area under application is considered to be not likely to be at variance to this principle.

Methodology

DAFWA 2009

GIS database:
- Acid Sulfate Soil Risk Map, Swan coastal Plain - DEC 07/08/06
- Average Annual Rainfall Isohyets - WRC 29/09/98
- Annual Evaporation Contours (Isopleths) - WRC 29/09/98
- Hydrogeology, statewide - DOW 13/07/06
- Hydrography, linear - DOW 13/7/06
- Salinity Risk LM 25m - DOLA 00
- Soils, Statewide DA 11/99
- Topographic contours statewide - DOLA and ARMY 12/09/02
- Hydrogeology, Statewide 05 Feb 2002

(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.

Comments

Proposal is not likely to be at variance to this Principle

The areas proposed to be cleared do not lie within or adjacent to conservation areas. Whilst the application area ranges in condition from very good to degraded (Keighery 1994), the vegetation under application forms part of the Yalgorup/Riverdale Road/Yarloop east-west Ecological Linkage as described in the Greater Bunbury Regional Scheme (EPA 2003). This provides a link between Dwellingup State Forest in the east and System 6 Conservation reserves west of the application. However, the SWREL analysis of the site has shown that no impacts to connectivity to nearby patches of vegetation are likely as a result of the clearing (DEC 2009a).

The clearing as proposed is therefore not likely to be at variance to this principle.

Methodology

EPA 2003
Keighery 1994
DEC 2009a

GIS Database:
- CALM Managed Lands and Waters - CALM 1/07/05

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Comments

Proposal is not likely to be at variance to this Principle

The proposed clearing is within the Harvey Estuary-Harvey River Hydrographic Catchment area. Given the condition of much of the vegetation within the application area, the proposed removal of native vegetation is unlikely to significantly degrade water quality within the area (DAFWA 2009). Therefore, the proposal is not likely to be at variance to this principle.

Methodology

DAFWA 2009

GIS Database:
- Hydrographic Catchments - Catchments - DOE 23/03/05
- Rainfall, Mean Annual - BOM 30/09/01
- Groundwater Salinity, Statewide - 22/02/00
- Evapotranspiration Areal Actual - BOM 30/09/01

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments

Proposal is not at variance to this Principle

The proposed clearing is not likely to increase the risk of waterlogging due to the soil types present (DAFWA 2009). Therefore, the proposed clearing is not likely to be at variance to this principle.

Methodology

DAFWA 2009

GIS Database:
- Topographic Contours, Statewide - DOLA 12/09/02

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The area under application is located within the Environmental Protection (Peel Inlet-Harvey Estuary) Policy 1992, an approved policy that aims to limit nutrient loads entering the Peel Harvey Estuary via changes in land use within the catchment. The current proposal for sand extraction would not be considered a change in land use as this currently occurs on site and furthermore the proposed clearing is not considered likely to result in any significant increase in nutrient export. The clearing of native vegetation is not explicitly protected within the EPP and it is not considered that the proposal will result in a significant increase in nutrient export from the site. When considering this proposal the CEO would not be making a decision inconsistent with an approved policy

and therefore would not be restricted by Section 51P.(2) of the Environmental Protection Act 1986.

The application covers partially Land Conservation District Committee funded revegetation areas. The Harvey River LCDC has no objection to the proposal (DOC109821).

The application is to amend the area proposed to be cleared from 2 ha of degraded native vegetation (CPS 1672/1) to 8 ha of very good to completely degraded (Keighery 1994) native vegetation (current application).

The applicant has provided further information to address the issues identified by DEC in a letter dated 12 March 2009. This information included a detailed revegetation plan for the site and additional areas. Further information clarifying the proposed revegetation plan was provided by the applicant on 28 January 2010 (DOC117031).

Methodology

The Shire of Harvey has approved the development for extractive industry - sand with conditions.
Shire of Harvey Approval TRIM ref DOC24830
Keighery 1994

GIS Database:
-RIWI Act, Areas - DOW
-RIWI Act, Groundwater Areas - DOW

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is at variance to Principles (b), (e) and (f) and is not likely to be at variance to the remaining clearing Principles.

5. References

360 Environmental (2009) Assessment of Habitat values for Black Cockatoo's, Cookernup, conducted by 360 Environmental consultants on behalf of Quintin Holdings Pty Ltd, DOC102918.

DEC (2009) Site Inspection Report for Clearing Permit Application CPS 1672/2, Lot 4710 on Plan 207023 Riverdale Rd, Cookernup. Site inspection undertaken 20/2/2009. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC77307).

DEC (2009a) Ecological Linkage Advice. Department of Environment and Conservation Trim Ref DOC104180.

DEC (2009b) Black Cockatoo Habitat Advice. Department of Environment and Conservation Trim Ref DOC104272.

Department of Agriculture and Food (2009) Advice. Commissioner of Soil and Land Conservation. DEC TRIM Ref: DOC77699.

EPA (2003) Greater Bunbury Region Scheme. Bulletin 1108. Environmental Protection Authority, Western Australia.

Heddle, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

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

Molloy, S., Wood, J., Hall, S., Wallrodt, S. and Whisson, G. (2009) South West Regional Ecological Linkages Technical Report. Western Australian Local Government Association and Department of Environment and Conservation, Perth.

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6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment (now DEC)
DMP	Department of Mines and Petroleum (ex DoIR)
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)