



Ms Lissa Wypynaszko
Company Secretary
Leeuwin Civil Pty Ltd
995 Gale Road
KALLOORUP WA 6280

via email: lissa@leeuwincivil.com.au

Dear Ms Wypynaszko,

APPLICATION TO CLEAR NATIVE VEGETATION UNDER THE *ENVIRONMENTAL PROTECTION ACT 1986*

I refer to Leeuwin Civil Pty Ltd application for a Purpose Permit under section 51E(1) of the *Environmental Protection Act 1986* (the EP Act), to clear 2.782 hectares of native vegetation within Lot 2 on Diagram 63148 and Lot 3 on Diagram 63148, Chapman Hill, for the purpose of gravel extraction.

I advise that a preliminary assessment of the vegetation against the clearing principles contained in Schedule 5 of the *Environmental Protection Act 1986* (EP Act) has been conducted, taking into account information you have provided and information the Department of Water Environmental Regulation (DWER) has obtained through consultation. Attached is a Preliminary Assessment Report, which provides detail on the assessment of your application.

Please note, based on the preliminary assessment, it is likely that if granted a clearing permit will contain a fauna management condition, a rehabilitation condition as well as a weed and dieback management condition. The rehabilitation condition will required the area cleared to be revegetated with native species in order to minimise the long term impact to black cockatoos.

In considering a clearing matter, the Chief Executive Officer (or Delegated Officer) shall have regard to any planning instrument or other matter considered relevant, in accordance with section 51O(4) of the EP Act. I am of the view that the Planning Approval and Extractive Industry Licence from the City of Busselton are relevant considerations. Therefore I will defer the decision on this application until you are able to provide a copy of these approvals from the City of Busselton.

Please ensure these approvals are provided within three months from the date of this letter. I advise that the Delegated Officer intends to make a decision on the application based on the information available at this time. In the absence of receiving a copy of the Planning Approval and Extractive Industry Licence, it is possible that the application for a clearing permit may be refused, in accordance with section 51E(5)(b) of the EP Act.

Should you not provide the above-requested information within three months of the date of this letter, I advise that a clearing permit may not be granted. In the event that this is the case and in accordance with section 51E(6), I also give you written notice of the intent to refuse to grant a clearing permit under section 51E(5)(b) of the EP Act. If you disagree with DWER's decision on the application, an appeal may be lodged with the Minister for Environment. More information on lodging an appeal is available from the Office of the Appeals Convenor on telephone 6467 7990.

If you have any queries regarding the progress of this application, please contact Senior Environmental Officer Ms Jessica Burton on 6364 7100.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Richard Newman', written over a horizontal line.

Richard Newman
DIRECTOR
NATIVE VEGETATION PROTECTION

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

4 May 2020

Attached: CPS 8746/1 Preliminary Assessment Report



Preliminary Assessment Report

1. Application details

1.1. Permit application details

Permit application No.: 8746/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Leeuwin Civil Pty Ltd
Application received date: 27 November 2019

1.3. Property details

Property: Lot 2 on Diagram 63148
Lot 3 on Diagram 63148
Local Government Authority: City of Busselton
Localities: Chapman Hill

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
2.782		Mechanical Removal	Extractive industry

2. Site Information

Clearing Description The application is for the proposed clearing of 2.782 hectares of native vegetation for the purpose of gravel extraction (Figure 1).

Vegetation Description Two South West Vegetation associations are mapped within the application area (Government of Western Australia, 2018):

- Treeton Tw: Open forest of Eucalyptus patens-Corymbia calophylla-Eucalyptus marginata subsp.marginata on lower slopes and on floors of minor valleys in the perhumid zone; and
- Treeton T: Woodland of Eucalyptus marginata subsp. marginata-Corymbia calophylla with some Allocasuarina fraseriana on mild slopes in the perhumid zone.

A site inspection for a previous clearing application (CPS 7829/1) that occurs over the current application area, was conducted by Department of Water and Environmental Regulation (DWER) officers on the 16 November 2017. The vegetation observed is described as a woodland with paddock trees of Marri (Corymbia calophylla) and Jarrah (Eucalyptus marginata) with Sheoak (Allocasuarina fraseriana) in a completely degraded (Keighery, 1994) condition (DWER, 2017).

Little to no native understorey was identified within the application area during the site inspection undertaken in November 2017 with pasture grasses dominate the understorey. The condition of the understorey is likely due to historic agricultural land uses (DWER, 2017). Given the relatively short time since the previous site inspection and after a review of current aerial imagery, it is considered for the condition of the vegetation to have not changed.

Vegetation Condition The condition of the vegetation within the application area was determined to be:

- Completely degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery, 1994).

Comment The local area is defined as a 10 kilometre radius measured from the perimeter of the application area.

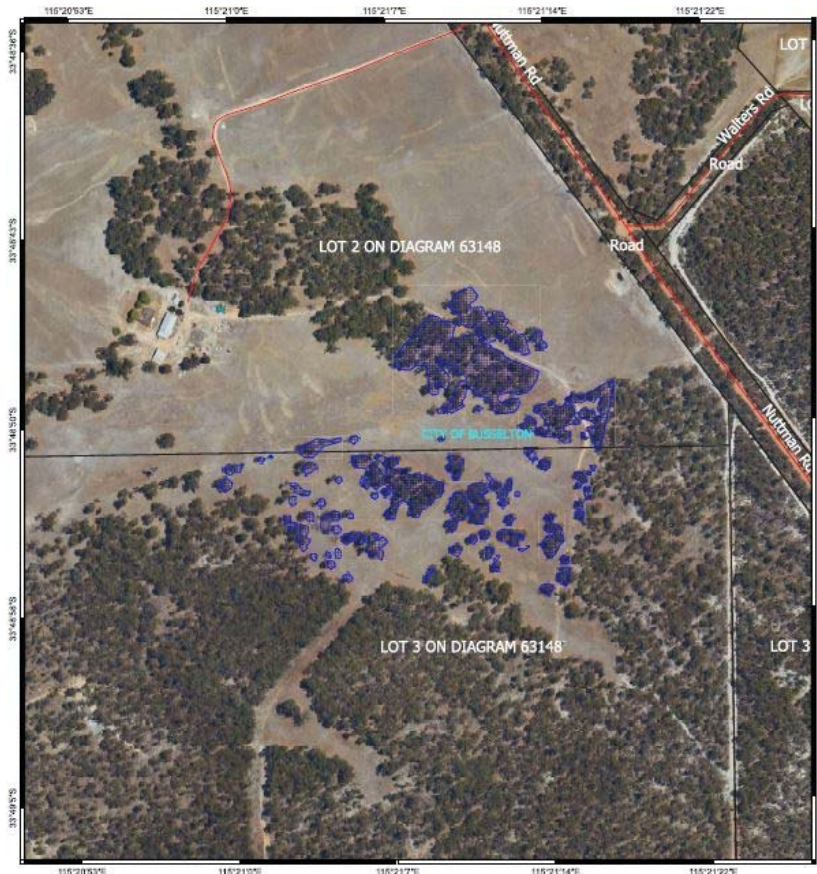


Figure 1: Application area (outlined in blue)

3. Assessment of application against clearing principles, planning instruments and other relevant matters

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

Proposed clearing is not likely to be at variance with this Principle

As assessed within section 2 (site information), the application area is described as a woodland with paddock trees of Marri (*Corymbia calophylla*) and Jarrah (*Eucalyptus marginata*) with Sheoak (*Allocasuarina fraseriana*) in a completely degraded (Keighery, 1994) condition. Little to no native understorey was identified within the application area with pasture grasses dominating due to historic agricultural land use (DWER, 2017).

The Department of Biodiversity, Conservation and Attractions (DBCA) advised that (DBCA, 2018):

- the application area will not support any vegetation or flora species that are considered threatened;
- the application area is likely to provide habitat for threatened black cockatoo species;
- if possible any approval of this application should be conditional on the retention of mapped habitat trees; and
- if granted, a clearing permit should be conditioned to ensure black cockatoos are not impacted by the proposed clearing.

As the application area does not contain any native understorey species, and given the advice received from DBCA, it is not likely to contain priority or rare flora and is not consistent within a priority or threatened ecological community.

As assessed within Principle (b):

- the application area contains 2.782 hectares of threatened black cockatoo foraging habitat;
- the application area contains 39 potential black cockatoo breeding trees;
- eight potential breeding hollows were identified, however it is unlikely that any of the trees within the development footprint provide active black cockatoo breeding habitat; and
- although the application area forms part of a mapped ecological linkage, given the condition of the vegetation and as it will not segregate the linkage or form a barrier to fauna movement, the proposed clearing will not impact on the environmental value of the larger remnant or the ecological linkage of which it is part.

The local area retains approximately 48 per cent native vegetation. A majority of this vegetation is located within land managed by DBCA to the south of the application area. The application area occurs adjacent to a larger,

approximately 200 hectare, remnant which is connected to the Blackwood State Forest through continuous native vegetation.

Although the application area forms habitat for Black cockatoos, given the completely degraded condition, the extent of adjoining vegetation and reserved vegetation within the local area, it is not likely to contain a high biodiversity. The application area is not likely to be at variance with this Principle.

(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.

Proposed clearing may be at variance with this Principle

Six terrestrial/arboreal fauna species listed under the *Biodiversity Conservation Act 2016* have been recorded within the local area.

- forest red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*);
- Baudin's cockatoo (*Calyptorhynchus baudinii*);
- Carnaby's cockatoo (*Calyptorhynchus latirostris*);
- Chuditch (*Dasyurus geoffroi*);
- Malleefowl (*Leipoa ocellata*); and
- Western Ringtail Possum (*Pseudocheirus occidentalis*).

Black cockatoo's (Baudin's, Carnaby's and forest red-tailed black cockatoo) nest in large hollows of Eucalyptus trees and forage on the seeds, nuts and flowers of a large variety of plants including Proteaceous species (*Banksia*, *Hakea*, *Grevillea*), *Eucalyptus*, *Corymbia* and a range of introduced species (DBCA, 2013; Valentine and Stock, 2008). As assessed within Principle (a), DBCA (2018) has advised that the application area will be providing habitat for threatened black cockatoo species. The Carnaby's cockatoo recovery plan states, "Success in breeding is dependent on the quality and proximity of feeding habitat within 12 kilometres of nesting sites. Along with the trees that provide nest hollows, the protection, management and increase of this feeding habitat that supports the breeding of Carnaby's cockatoo is a critical requirement for the conservation of the species" (DBCA, 2013).

A DWER site inspection undertaken in November 2017 noted that (DWER, 2017):

- Large trees of an age and size suitable as to contain potential black cockatoo breeding hollows are present within the application area;
- Tree hollows suitable for black cockatoos were identified within the application area; and
- Small hollows were present within the application area that may provide habitat for fauna. One of these hollows showed significant wear around the entrance as well as along the trunk of the tree indicating use by fauna.

A black cockatoo habitat assessment of the application area determined that (SW Environmental, 2017):

- Black cockatoo foraging evidence is present across the application area;
- The loss of 2.782 hectares of foraging habitat represents 0.08 per cent of potential foraging habitat within five kilometres of the application area;
- 39 trees with a suitable diameter at breast height (DBH) as to contain black cockatoo nesting hollows are present within the application area;
- 12 of the 39 trees contained hollows of a suitable size for black cockatoos;
- No evidence of black cockatoo roosting was observed;
- Clearing should be undertaken outside of the breeding times for black cockatoos; and
- A fauna specialist should be on site during clearing to reduce potential fauna impacts.

Given the vegetation type identified within section 2, the advice received from DBCA, the DWER site inspection observations and results of the black cockatoo habitat assessment, the application area is likely to contain habitat for Black cockatoo species consisting of:

- 2.782 hectares of foraging habitat;
- 39 potential breeding trees; and
- 12 potential breeding trees with suitable hollows.

To define and minimise potential impacts to black cockatoos, a drone survey of each potential hollow was undertaken (SW Environmental, 2018). This survey determined that although eight potential suitable hollows were identified, it is unlikely that any of the trees within the development footprint provide active black cockatoo breeding habitat (SW Environmental, 2018).

The survey recommends that any clearing should be undertaken outside the key breeding period of April to February to ensure no individuals are present at the time of clearing (SW Environmental, 2018).

Clearing outside of the breeding times for black cockatoos, ensuring no individuals are present at the time of clearing and rehabilitating the entire 9.73 hectare extraction area with species suitable for black cockatoo foraging and breeding will assist in mitigating impacts to black cockatoos.

Chuditch populations occur in varying densities in jarrah forests and woodlands in the south west corner of Western Australia, and in woodlands, mallee shrublands and heaths along the south coast, east to the Ravensthorpe area (Department of Environment and Conservation, 2012). While the vegetation within the application area may contain potential dispersal habitat for this species, based on the extent of native vegetation cover within the local area, lack of large fallen trees forming den sites, the application area is not likely to comprise significant habitat for this species.

Within the South Coast, the western ringtail possum is found in coastal heath, jarrah/marri woodland and forest, myrtaceous heaths and shrublands with *Agonis flexuosa* (peppermint willow) forming a key habitat requirement. As the application area does not contain *Agonis flexuosa* and based on the completely degraded nature of the vegetation, the species is not likely to be impacted by the proposed clearing.

Mallee fowl occur in shrub lands and low woodlands that are dominated by mallee vegetation, and require a sandy substrate and abundance of leaf litter to build mounds for roosting purposes (DotEE, 2015). As the application area occurs adjacent to a large remnant of native vegetation, is in a completely degraded condition and does not contain mallee vegetation, the proposed clearing is not likely to comprise significant habitat for this species.

The application area occurs within the area assessed within the South West Regional Ecological Linkage Report (SWREL) (Molloy et al, 2007). The application occurs within an area classified as 1A under this report as it is connected to a main axis line through unbroken native vegetation. The application area occurs adjacent to a larger (approximately 200 hectares) remnant of native vegetation that contributes to this ecological linkage. As the application area predominantly contains isolated paddock trees and is on the edge of this large remnant, the proposed clearing is not considered likely to segregate the linkage or form a barrier to fauna movement.

Given this, although it occurs along a SWREL linkage, the proposed clearing is not likely to impact on the movement of fauna through the landscape. A condition on the permit requiring the applicant to rehabilitate the clearing area post gravel extraction will mitigate against any potential long term impacts to the linkage.

As the application area contains suitable habitat for black cockatoos, the proposed clearing may be at variance with this Principle.

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

Proposed clearing is not likely to be at variance with this Principle

Fifteen threatened flora species have been recorded within the local area. All of these species are understorey or groundcover species.

DBCA has previously advised that the application area is unlikely to support any flora and/or vegetation currently considered threatened given the completely degraded condition of the vegetation (DBCA, 2018).

Given the advice received from DBCA and as all threatened flora recorded within the local area are understorey species, the proposed clearing is not likely to impact on habitat for threatened flora. The proposed clearing is not likely to be at variance with this Principle.

(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.

Proposed clearing is not likely to be at variance with this Principle

The closest mapped threatened ecological community (TEC) is SCP10b – Shrublands on southern swan coastal plain ironstones, located five kilometres west of the application area.

DBCA has previously advised that the application area is unlikely to support any flora and/or vegetation that is currently considered threatened (DBCA, 2018). Vegetation consistent with a TEC was not identified during a site inspection undertaken by DWER officers (DWER, 2017). The proposed clearing is not considered likely to be at variance with 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.

Proposed clearing is not likely to be at variance with this Principle

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 percent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

As indicated in Table 1, the native vegetation extents within the Interim Biogeographic Regionalisation for Australia (IBRA), and mapped South West vegetation associations are above the 30 per cent threshold (Government of Western Australia, 2018a, 2018b). It is noted that given its completely degraded (Keighery, 1994) condition, the application area is not representative of the mapped vegetation types.

The local area retains approximately 48.2 per cent native vegetation.

As assessed within Principle (b), the application area occurs on the outer edge of an ecological linkage. However, given the condition of the application area, its location on the edge of a significantly larger remnant and as the proposed clearing will not impact on the viability of the linkage, the application area is not likely to be significant as a remnant within the local area.

The proposed clearing is not likely to be at variance with this Principle.

Table 1: Vegetation extent statistics

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Current extent in all DBCA managed lands (ha)	Extent remaining in all DBCA managed lands (proportion of Pre-European extent) (%)
IBRA Bioregion*					
Jarrah Forest	4,506,660.3	2,399,838.1	53.3	1,673,614.3	39.4
South West Vegetation Complex **					
TW	8,676.1	2,926.6	33.7	1,747.4	20.1
T	27,420.4	12,798.1	46.7	7,641.0	27.9
Local Area					
10 kilometre radius	32,641.06	15,706.94	48.12	-	-

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

Proposed clearing is not likely to be at variance with this Principle

No watercourses or wetlands have been mapped within the application area. A site inspection undertaken by DWER officers did not identify riparian vegetation within the application area (DWER, 2017).

The proposed clearing is not likely to be at variance with this Principle.

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

Proposed clearing is not likely to be at variance with this Principle

The application area is mapped within the following land systems (Department of Primary Industries and Regional Development (DPIRD), 2018):

- Treeton sandy slopes Phase, which is described as slopes (with gradients generally 5-10% but ranging from 2-15%) with deep bleached sands; and
- Treeton hillslopes Phase, which is described as slopes with gradients generally ranging from 2-15% and gravelly duplex (Forest Grove) and pale grey mottled (Munglfe) soils.

Groundwater salinity within the application area is mapped as <500 milligrams per litre total dissolved solids which is considered fresh.

As assessed under Principle (f), no watercourses or wetlands are present within the application area. Considering this and the land degradation risk identified within Table 2, the proposed clearing is not likely to cause land degradation through water erosion, increased salinity, waterlogging or phosphorus export.

Mapped land unit Treeton sandy slopes Phase has been mapped with a high risk of wind erosion. As assessed within section 2, the application area is in a completely degraded condition and is composed predominantly of isolated trees. Given this and as the area is proposed to be maintained as an extraction site and rehabilitated following extraction activities, the proposed clearing is not likely to increase the risk of wind erosion above that which is already present.

Given the above, the proposed clearing is not likely to be at variance with this Principle

Table 2: Land degradation risk categories (DPIRD, 2018).

Risk categories	Treeton sandy slopes Phase	Treeton hillslopes Phase
Wind erosion	>70% of map unit has a high to extreme wind erosion risk	10-30% of map unit has a high to extreme wind erosion risk
Water erosion	3-10% of map unit has a high to extreme water erosion risk	3-10% of map unit has a high to extreme water erosion risk
Salinity	30-50% of map unit has a moderate to high salinity risk or is presently saline	30-50% of map unit has a moderate to high salinity risk or is presently saline
Water logging	10-30% of map unit has a moderate to very high waterlogging risk	10-30% of map unit has a moderate to very high waterlogging risk
Phosphorus export risk	3-10% of map unit has a high to extreme phosphorus export risk	3-10% of map unit has a high to extreme phosphorus export risk
Flood risk	<3% of the map unit has a moderate to high flood risk	<3% of the map unit has a moderate to high flood risk

(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.

Proposed clearing is not likely to be at variance with this Principle

The application area is mapped approximately one kilometre north of the Blackwood State Forest. The application occurs adjacent to a larger, approximately 200 hectare, remnant which is connected to the Blackwood State Forest through unbroken native vegetation. However, as assessed within Principle (b), the proposed clearing is not likely to impact on the environmental values of this remnant through fragmentation of an ecological linkage.

As a one kilometre buffer exists between the application area and conservation estate, the risk of the proposed clearing introducing or spreading dieback and weeds into the conservation areas is considered low.

The proposed clearing is not likely to be at variance with this Principle.

(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.

Proposed clearing is not likely to be at variance with this Principle

No watercourses or wetlands have been mapped within the application area. Groundwater salinity within the application area is mapped as <500 milligrams per litre total dissolved solids. This level of groundwater salinity is considered fresh.

As assessed within Principle (g), the mapped land unit has a low risk of water erosion, salinisation, waterlogging or phosphorus export. The application area adjoins a larger remnant of native vegetation and large reserves occur in close proximity to the application area, lowering the risk of groundwater quality deterioration.

The proposed clearing is not likely to impact on the quality of surface water or groundwater and is not likely to be at variance with this Principle

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

Proposed clearing is not likely to be at variance with this Principle

No watercourses or wetlands occur within the application area, and the mapped soils are well drained (DPIRD, 2018).

Given the mapped flood risk (Table 2), size of the application area and soil types present, the proposed clearing is not likely to exacerbate the incidence or intensity of flooding.

The proposed clearing is not likely to be at variance with this Principle

Planning instruments and other relevant matters.

The application area occurs within the 'Busselton Capel Groundwater Area' as proclaimed under the *Rights in Water and Irrigation Act 1914*. The applicant has advised that groundwater will not be abstracted for this proposal and that a dry crushing plant will be used. It is not anticipated for groundwater to be intercepted through gravel extraction.

The City of Busselton (2020) has advised that it is currently assessing a development application to extract gravel within the application area.

The proposed clearing has been referred under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) to the Commonwealth Department of Environment and Energy in 2017 (EPBC Ref: 2017/8086). A decision on the proposed clearing of 'not a controlled action' was made on 6 September 2018.

A works approval application is currently being assessed for the screening and crushing activities associated with the extractive industry proposed within the application area.

There are no Aboriginal sites of significance mapped within the application area.

The clearing permit application was advertised on the DWER website on 25 December 2019 with a 21 day submission period. No public submissions have been received in relation to this application.

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- City of Busselton (2020) Advice received in relation to Clearing Permit application CPS 8746/1. Received 10 January 2020 (DWER ref: A1857720).
- Department of Biodiversity Conservation and Attractions (DBCA) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed April 2020.
- Department of Biodiversity Conservation and Attractions (DBCA) (2013) Carnaby's cockatoo (*Calyptorhynchus latirostris*) Recovery Plan. Department of Parks and Wildlife, Perth, Western Australia.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2018) Regional advice for Clearing Permit Application CPS 7829/1. South West Region. Western Australia Received 22 February 2018 (DWER Ref: A1622807).
- Department of Environment and Conservation (DEC) (2012) Chuditch (*Dasyurus geoffroii*) Recovery Plan. Wildlife Management Program No. 54. Department of Environment and Conservation, Perth, Western Australia.
- Department of Primary Industry and Regional Development (DPIRD) (2018) NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed April 2020).
- Department of the Environment and Energy (DotEE) (2015) *Leipoa ocellata* in Species Profile and Threats Database. Department of the Environment and Energy, Canberra. Available from: www.environment.gov.au/sprat.
- Department of Water and Environmental Regulation (DWER) (2017) Site Inspection Report for Clearing Permit Application CPS 7829/1. Site inspection undertaken 16 November 2017 (DWER Ref: A1623866).
- *Government of Western Australia (2018a) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2018. WA Department of Parks and Wildlife, Perth.
- **Government of Western Australia (2018a) 2018 South West Vegetation Complex Statistics. Current as of December 2018. WA Department of Parks and Wildlife, Perth
- 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 Western Regional Ecological Linkages Technical report, Western Australian Local Government Association and Department of Environment and Conservation, Perth.
- SW Environmental (2017) Black Cockatoo Habitat Assessment. Lot 2 and 3 Nuttman Road, Chapman Hill. May 2017. (DWER ref: A1575862).
- Valentine, L.E. and Stock, W. (2008) Food Resources of Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) in the Gngangara Sustainability Strategy Study Area. Edith Cowan University and Department of Environment and Conservation. December 2008.



Mr Brian Baker
PO Box 728
BUSSELTON WA 6280

Dear Mr Baker

**Decision on referral
Nuttman Road, Busselton Gravel Extraction, Western Australia (EPBC 2017/8086)**

Thank you for submitting a referral under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This is to advise you of my decision about the proposed action to clear 2.8 ha of native vegetation to enable the excavation of gravel material at Lots 2 and 3 Nuttman Road, Chapman Hill, Western Australia.

As a delegate of the Minister for the Environment and Energy, I have decided that the proposed action is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed.

A copy of the document recording this decision is enclosed. This document will be published on the Department's website.

Please note that this decision relates only to the specific matters protected under Chapter 2 of the EPBC Act.

This decision does not affect any requirement for separate state or local government environment assessment and approvals of the proposed action.

The Department has an active audit program for proposals that have been referred under the EPBC Act. The audit program aims to ensure that proposals are implemented as planned. Please note that your project may be selected for audit by the Department at any time and all related records and documents may be subject to scrutiny. Information about the Department's compliance monitoring and auditing program is enclosed.

I have written separately to the Western Australian Department of Water and Environmental Regulation advising them of this decision.

If you have any questions about the referral process or this decision, please contact the project manager, Rhiannon Agutter, by email to rhiannon.agutter@environment.gov.au, or telephone (02) 6274 1536 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'G. Manning', with a long horizontal stroke extending to the right.

Gregory Manning
Assistant Secretary
Assessments (WA, SA, NT) and Post Approvals Branch

6 September 2018



**Notification of
REFERRAL DECISION – not controlled action
Nuttman Road, Busselton Gravel Extraction, Western Australia (EPBC 2017/8086)**

This decision is made under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Proposed action

Person proposing to take the action Mr Brian Kenneth Baker

proposed action Clearing of 2.8 ha of native vegetation to enable the excavation of gravel material at Lots 2 and 3 Nuttman Road, Chapman Hill, Western Australia [See EPBC Act referral 2017/8086].

Referral decision: Not a controlled action

status of proposed action The proposed action is not a controlled action.

Person authorised to make decision

Name and position Gregory Manning
Assistant Secretary
Assessments (WA, SA, NT) and Post Approvals Branch

Signature

date of decision 6 September 2018