



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 10114/2
Permit Holder:	Commonwealth Scientific, Industry and Research Organisation (CSIRO)
Duration of Permit:	From 24 July 2023 to 24 July 2028

The permit holder is authorised to clear *native vegetation* subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear *native vegetation* for the purpose of the construction of the Square Kilometre Array (SKA) low project, including SKA low core, central processing facility, track and trench, cluster areas and AARNET fibre link.

2. Land on which clearing is to be done

Lot 18 on Deposited Plan 220344, South Murchison

Lot 502 on Deposited Plan 55945, South Murchison

Beringarra-Pindar Road Reserve (PINs 11665424, 11665425, 11708250 and 11708252), South Murchison

Boolarly-Kalli Road Reserve (PIN 11708251), South Murchison

Unnamed Road Reserve (PIN 11668859), South Murchison

3. Clearing authorised

The permit holder must not clear more than 578.6 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1(a), 1(b), 1(c) and 1(d) of Schedule 1.

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.

PART II – MANAGEMENT CONDITIONS

5. 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.

6. Weed 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* as per the Environmental Management Plan prepared by AECOM (2023), including but not limited to:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no known *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.

7. Wind erosion management

The permit holder must commence activities related to the purpose of the clearing, no later than three (3) months after undertaking the authorised clearing activities to reduce the potential for wind erosion.

8. Directional clearing

The permit holder must:

- (a) conduct clearing authorised under this permit from one direction to the other towards adjacent *native vegetation*; and
- (b) allow a reasonable time for fauna present within the areas being cleared to move into adjacent *native vegetation* ahead of the clearing activity.

9. Fauna management – western spiny-tailed skink

The permit holder must undertake fauna management measures as per the Environmental Management Plan (AECOM, 2023) and the Environmental Management Plan – *Egernia stokesii* subsp. *badia* (AECOM, 2021), including but not limited to the following:

- (a) Within fourteen (14) days prior to undertaking any clearing authorised under this permit, the permit holder shall engage a *fauna specialist* to undertake pre-clearance surveys within the areas cross-hatched yellow on Figures 1(a), 1(b), 1(c) and 1(d) of Schedule 1 for the western spiny-tailed skink (*E. stokesii* subsp. *badia*).
- (b) Where population(s) of the western spiny-tailed skink are identified under condition 9(a), the permit holder must;
 - (i) demarcate the population and surrounding *habitat*

- (ii) construct temporary fencing around the *habitat*; and
 - (iii) establish a 50-metre buffer around the identified population.
- (c) The permit holder must engage a *fauna specialist* to inspect any new sightings of the western spiny-tailed skink in areas not identified under condition 9(a). Where new population(s) of western spiny-tailed skink are identified, the permit holder must repeat the activities required by condition 9(b).
- (d) Where the western spiny-tailed skink is identified during clearing activities, the permit holder must:
 - (i) cease the activities until individual(s) of the western spiny-tailed skink have moved on from that area to adjoining *habitat*; and
 - (ii) undertake control measures for a suspected environmental incident, as described in section 5.2 of the Environmental Management Plan – *Egernia stokesii* subsp. *badia* (AECOM, 2021).
- (e) Where western spiny-tailed skink individual(s) are identified under condition 9(a), 9(c) and/or 9(d), the permit holder shall include the following in a report submitted to the *CEO* within two months of undertaking any clearing authorised under this permit:
 - (i) the number of individuals identified;
 - (ii) the date each individual was identified;
 - (iii) the location where each individual was identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees
 - (iv) actions taken to avoid the clearing of *habitat*
 - (v) a description of the actions undertaken in accordance with conditions 9(i), (ii) and (iii)
 - (vi) the reasons why the clearing footprint (including track or pad) could not be moved to avoid further impacts on the western spiny-tailed skink in accordance with condition 9(d)(ii); and
 - (vii) details pertaining to the circumstances of any death of, or injury sustained by, an individual.
- (f) Immediately after construction has concluded, the permit holder must;
 - (i) engage a *fauna specialist* to survey the areas demarcated and fenced under 9(a) and 9(c) to determine if the western spiny-tailed skink population is still present
 - (ii) collect information on the numbers of individuals
 - (iii) collect mortality data
 - (iv) remove temporary fencing immediately after the fauna survey required under condition 9(e)(i) has been undertaken; and
 - (v) prepare an annual technical monitoring report.

10. Fauna management – trench design

The permit holder must provide ramps at the ends of trenches open for more than 24 hours to enable fauna to escape before the heat of the day.

PART III - RECORD KEEPING AND REPORTING

11. 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	(a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 5; (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 6; (g) actions taken to minimise the risk of wind erosion in accordance with condition 7; (h) action taken in accordance within condition 8; and (i) the actions taken in accordance with condition 10.
2.	In relation to fauna management pursuant to condition 9	(a) results of the pre-clearance surveys undertaken in accordance with condition 9 of this permit; and (b) a copy of the <i>fauna specialist's</i> report.

12. Reporting

- (a) The permit holder must provide to the *CEO*, on or before 30 June of each calendar year, a written report containing:
 - (i) the records required to be kept under condition 11; and
 - (ii) records of activities done by the permit holder under this permit between 1 January and 31 December of the preceding calendar year.
- (b) If no clearing authorised under this permit has been undertaken, a written report confirming that no clearing under this permit has been undertaken, must be provided to the *CEO* on or before 30 June of each calendar year.
- (c) The permit holder must provide to the *CEO*, no later than 90 calendar days prior to the expiry date of the permit, a written report of records required under condition 11, where these records have not already been provided under condition 12(a).

DEFINITIONS

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

Table 2: Definitions

Term	Definition
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.
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 2.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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 CEO 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.
habitat	means habitat known to support western spiny-tailed skink (<i>Egernia stokesii</i> subsp. <i>badia</i>) within the known current distribution of the species, typically characterised by rock crevices in large, isolated rocky outcrops, typically granite.
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.
weeds	means any plant – <ol style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

REFERENCES

- AECOM. (2021). *Environmental Management Plan – Egernia stokesii subsp. badia*. Prepared on 22 December 2021 for Department of Industry, Science, Energy and Resources. Received by the department on 28 April 2023 (ref: DWERDT771218). Available at [Index of /permit/10114 \(dwer.wa.gov.au\)](https://www.dwer.wa.gov.au/index-of/permit/10114).
- AECOM. (2023). *Native Vegetation Clearing Permit Application – Supporting document*. Prepared on 10 March 2023 for Wajarri Enterprises Limited. Received by the department on 28 April 2023 (ref: DWERDT771218). Available at [Index of /permit/10114 \(dwer.wa.gov.au\)](https://www.dwer.wa.gov.au/index-of/permit/10114).

END OF CONDITIONS



Meenu Vitarana
MANAGER
NATIVE VEGETATION REGULATION

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

22 September 2023

Schedule 1

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

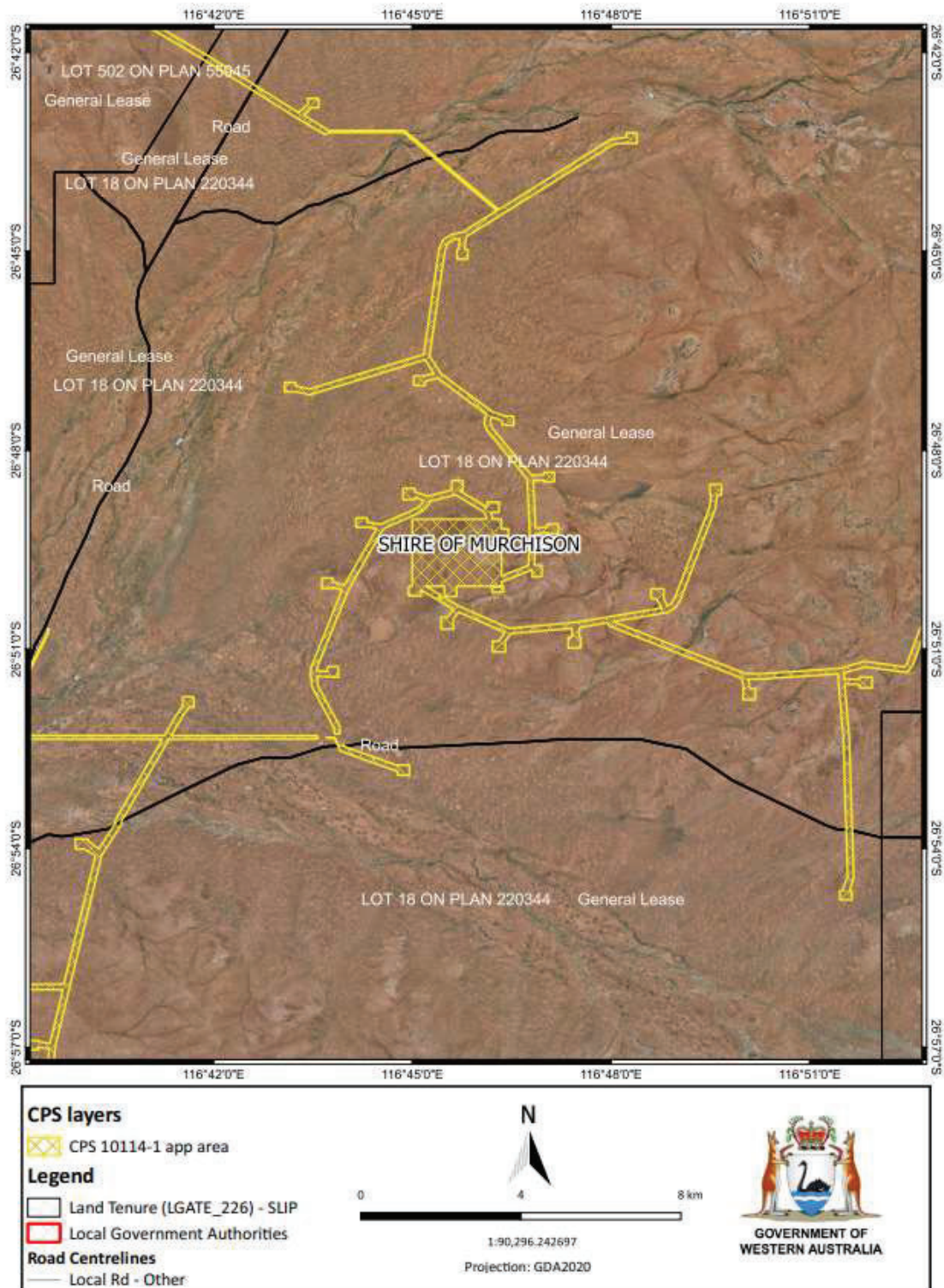


Figure 1a: Map of the boundary of the area within which clearing may occur

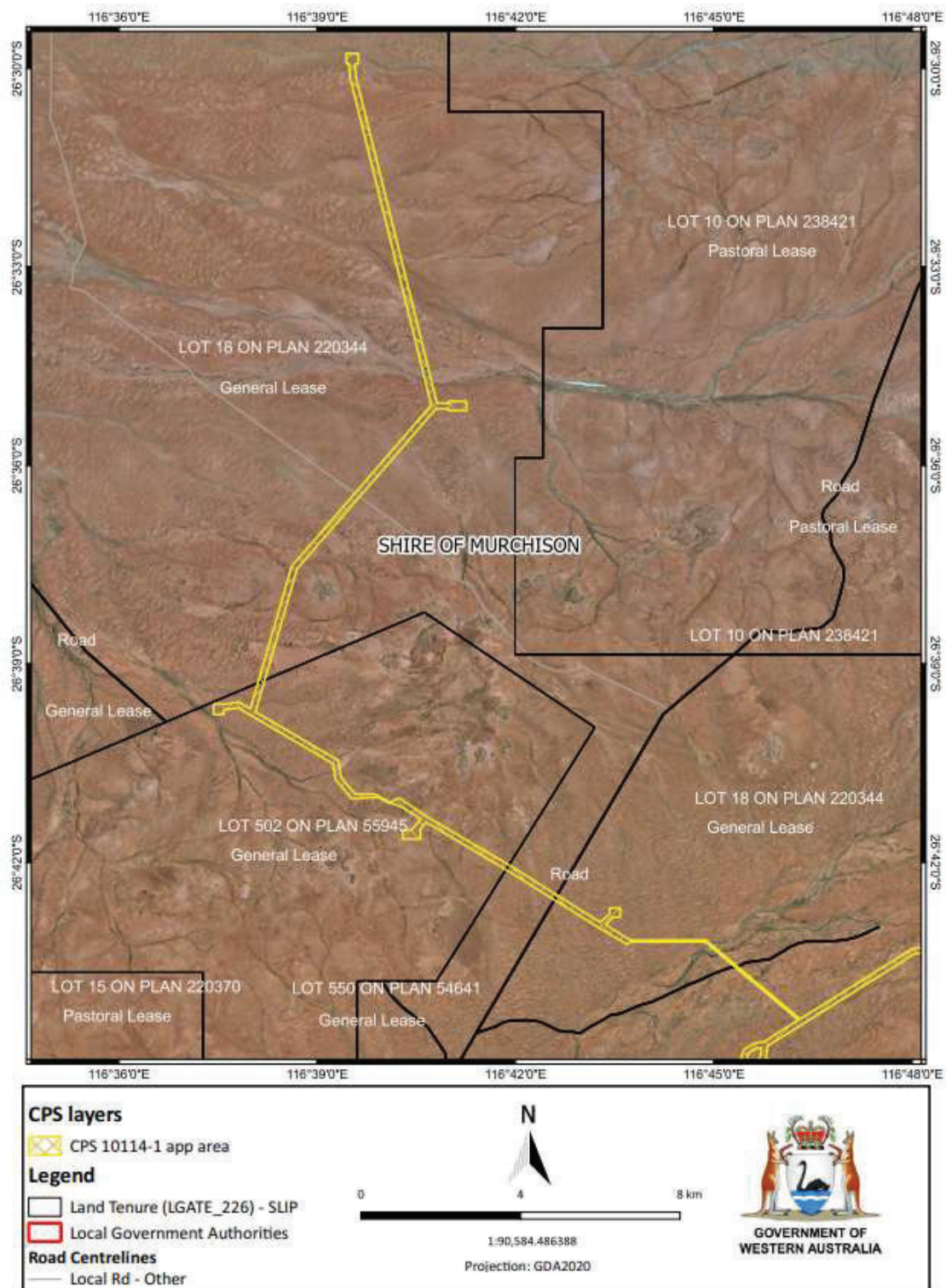


Figure 1b: Map of the boundary of the area within which clearing may occur

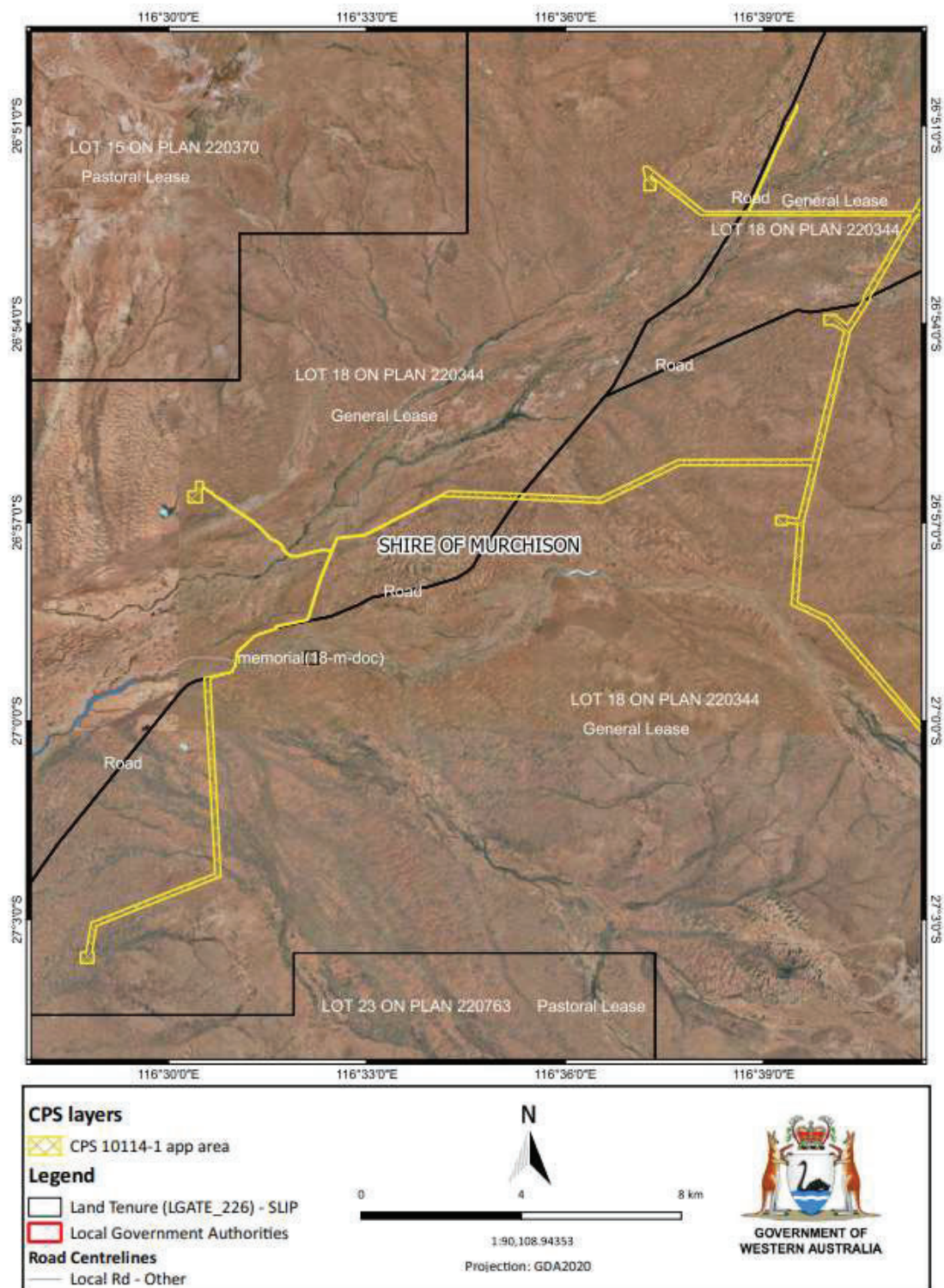


Figure 1c: Map of the boundary of the area within which clearing may occur

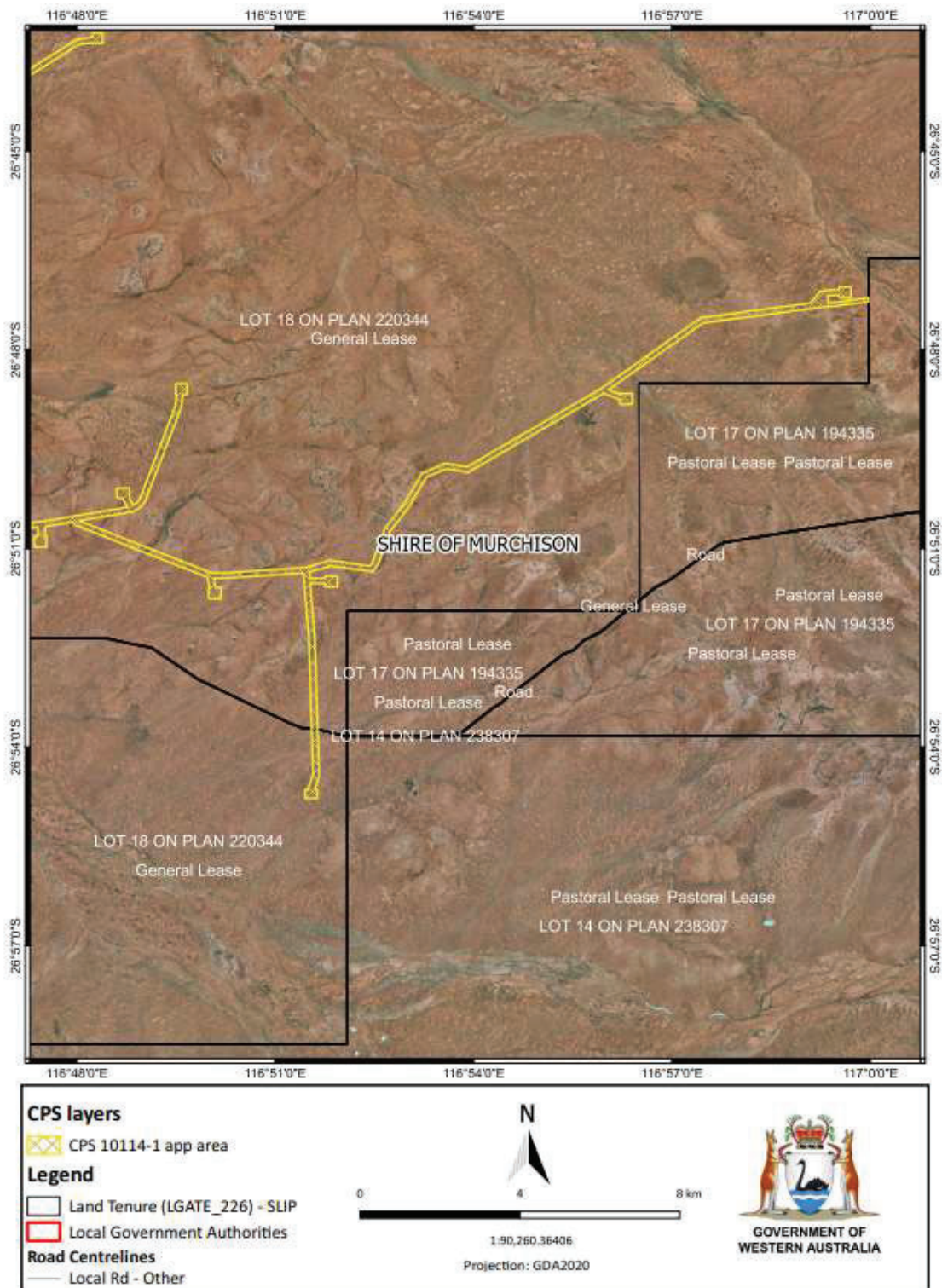


Figure 1d: Map of the boundary of the area within which clearing may occur



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 10114/2
Permit type:	Purpose permit
Applicant name:	Commonwealth Scientific, Industry and Research Organisation (CSIRO)
Application received:	30 August 2023
Application area:	578.6 hectares of native vegetation within a 3132.9 hectare clearing footprint
Purpose of clearing:	Construction of the SKA Low project, including SKA low core, central processing facility, track and trench, cluster areas and AARNET fibre link
Method of clearing:	Mechanical
Property:	Lot 18 on Deposited Plan 220344 Lot 502 on Deposited Plan 55945 Beringarra-Pindar Road Reserve (PINs 11665424, 11665425, 11708250, 1708252) Boolardy-Kalli Road Reserve (PIN 11708251) Unnamed Road Reserve (PIN 11668859)
Location (LGA area/s):	Shire of Murchison
Localities (suburb/s):	South Murchison

1.2. Description of clearing activities

This amendment is to amend Condition 9(a) of clearing permit CPS 10114/1 to increase the time between pre-clearance surveys to 14 days. CPS 10114/1 allowed clearing for the Commonwealth Scientific, Industry and Research Organisation's (CSIRO) Square Kilometre Array (SKA) project. To allow flexibility in project timeframes, the permit holder has requested additional time between completing the fauna surveys and undertaking clearing within the area authorised under the permit CPS 10114/1.

The extent of the clearing footprint sought under CPS 10114/2 is unchanged from the previous application. The applicant advised that no clearing has been undertaken under CPS 10114/1 since the commencement of the permit in July 2023.

1.3. Decision on application

Decision:	Granted
Decision date:	22 September 2023
Decision area:	578.6 hectares of native vegetation within a 3132.9 hectare clearing footprint, as depicted in Section 1.5, below.

1.4. Reasons for decision

On 30 June 2023, the Department of Water and Environmental Regulation (the department) determined to grant CSIRO's Clearing Permit CPS 10114/1 for the clearing of 578.6 hectares of native vegetation within a 3,132.9 hectare

clearing footprint within multiple properties within South Murchison, for the purpose of construction of the SKA Low project, including SKA low core, central processing facility, track and trench, cluster areas and AARNET fibre link.

To allow flexibility in project timeframes, the permit holder has requested additional time between completing pre-clearance fauna surveys and undertaking clearing within the area authorised under the permit CPS 10114/1.

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

In making this decision, the Delegated Officer took into consideration that the previous assessment was undertaken in June 2023. The Delegated Officer determined that extending the time between undertaking pre-clearance surveys and conducting clearing (as authorised under the permit) from seven days to 14 days is unlikely to affect the ability of the permit holder to identify and avoid impacts to western spiny-tailed skinks if present within the application area (see section 3.2), noting the species limited dispersal ability. The Delegated Officer determined that it was unlikely that a skink population would disperse past an established habitat buffer within 14 days of being identified during a pre-clearance survey and as such extending the time for undertaking the pre-clearance survey is not likely to lead to an unexpectable risk to the western spiny-tailed skink.

The assessment against the clearing principles outlined in Schedule 5 of the EP Act is considered not to have changed since the assessment for CPS 10114/1.

The Delegated Office had taken the above into consideration and decided to grant an amended clearing permit.

1.5. Site maps

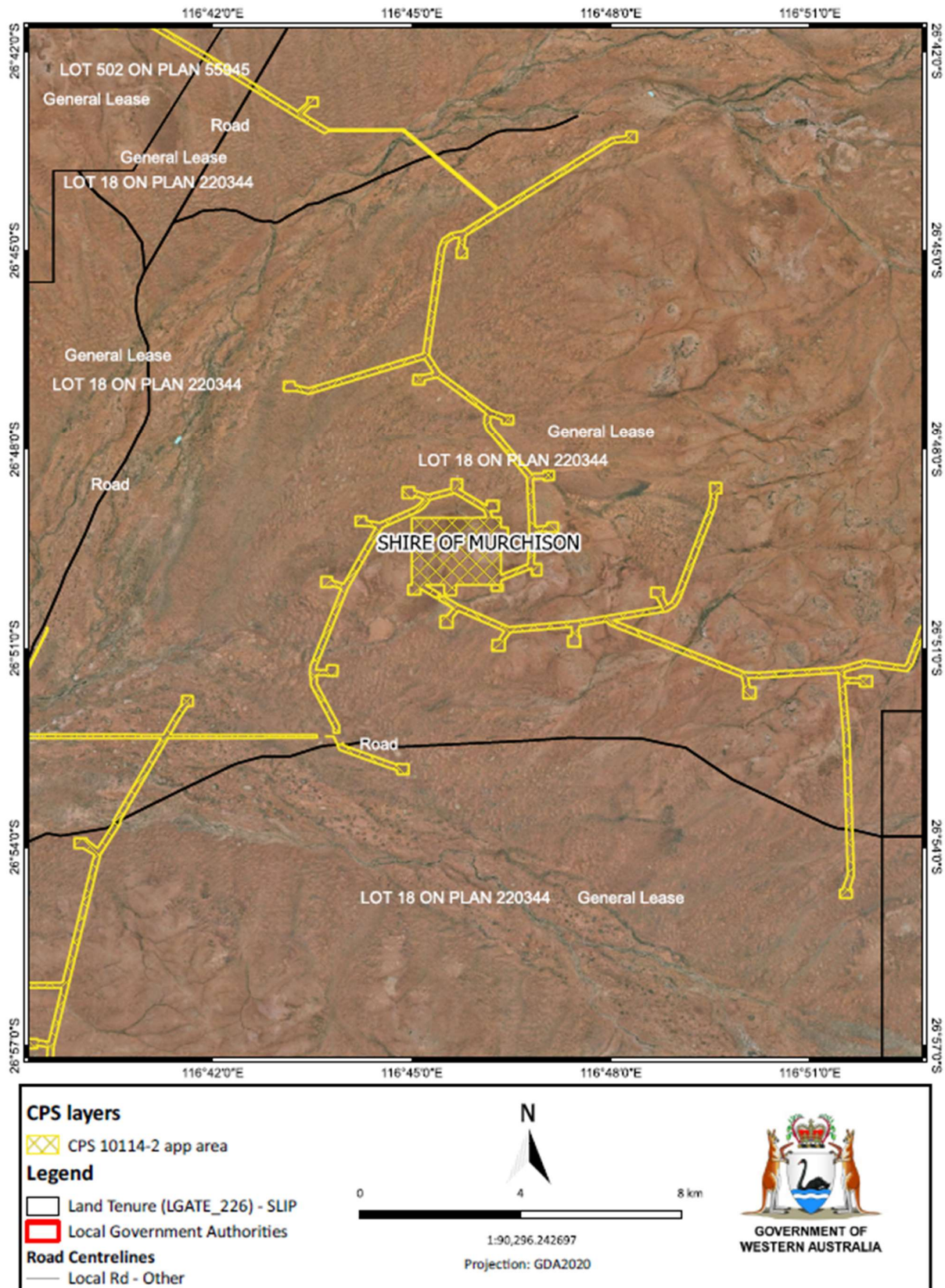
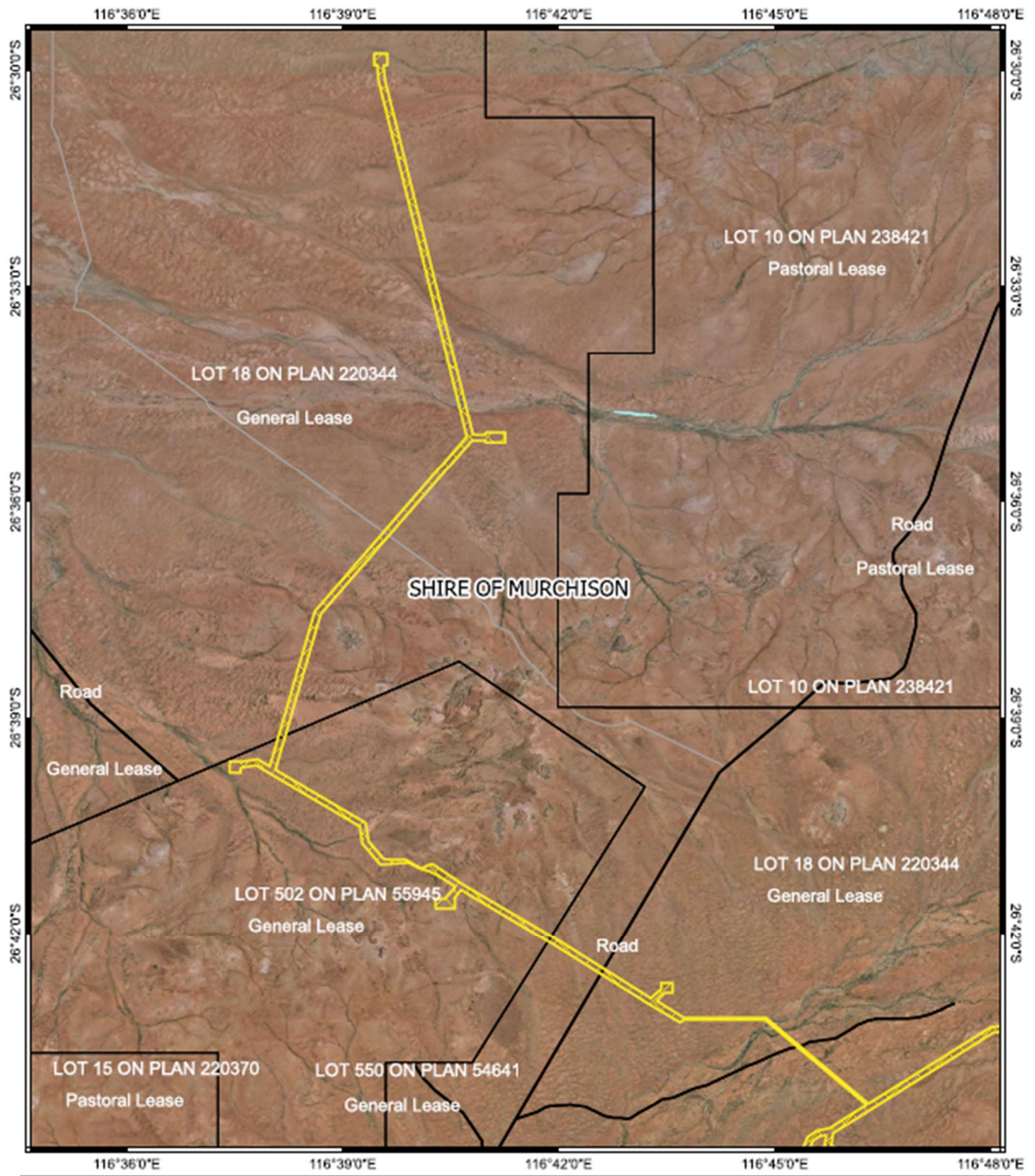


Figure 1a Map of the application area

The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.



CPS layers

- CPS 10114-2 app area

Legend

- Land Tenure (LGATE_226) - SLIP
- Local Government Authorities

Road Centrelines

- Local Rd - Other

0 4 8 km

1:90,584,486388

Projection: GDA2020

GOVERNMENT OF WESTERN AUSTRALIA

Figure 1b Map of the application area

The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

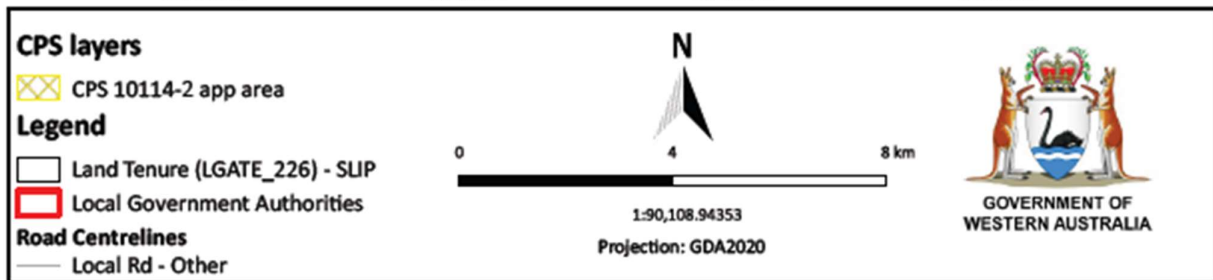
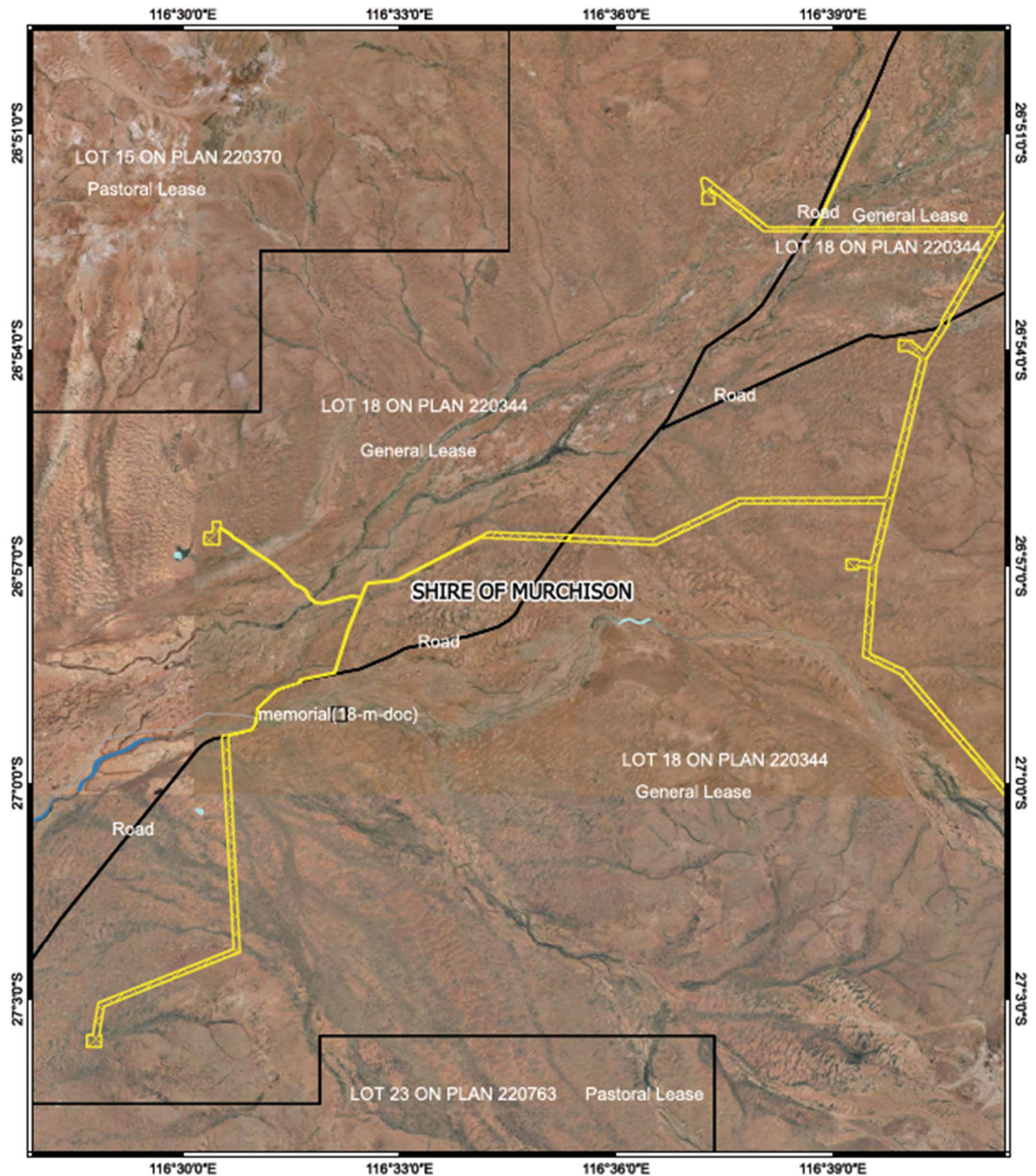


Figure 1c Map of the application area
 The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

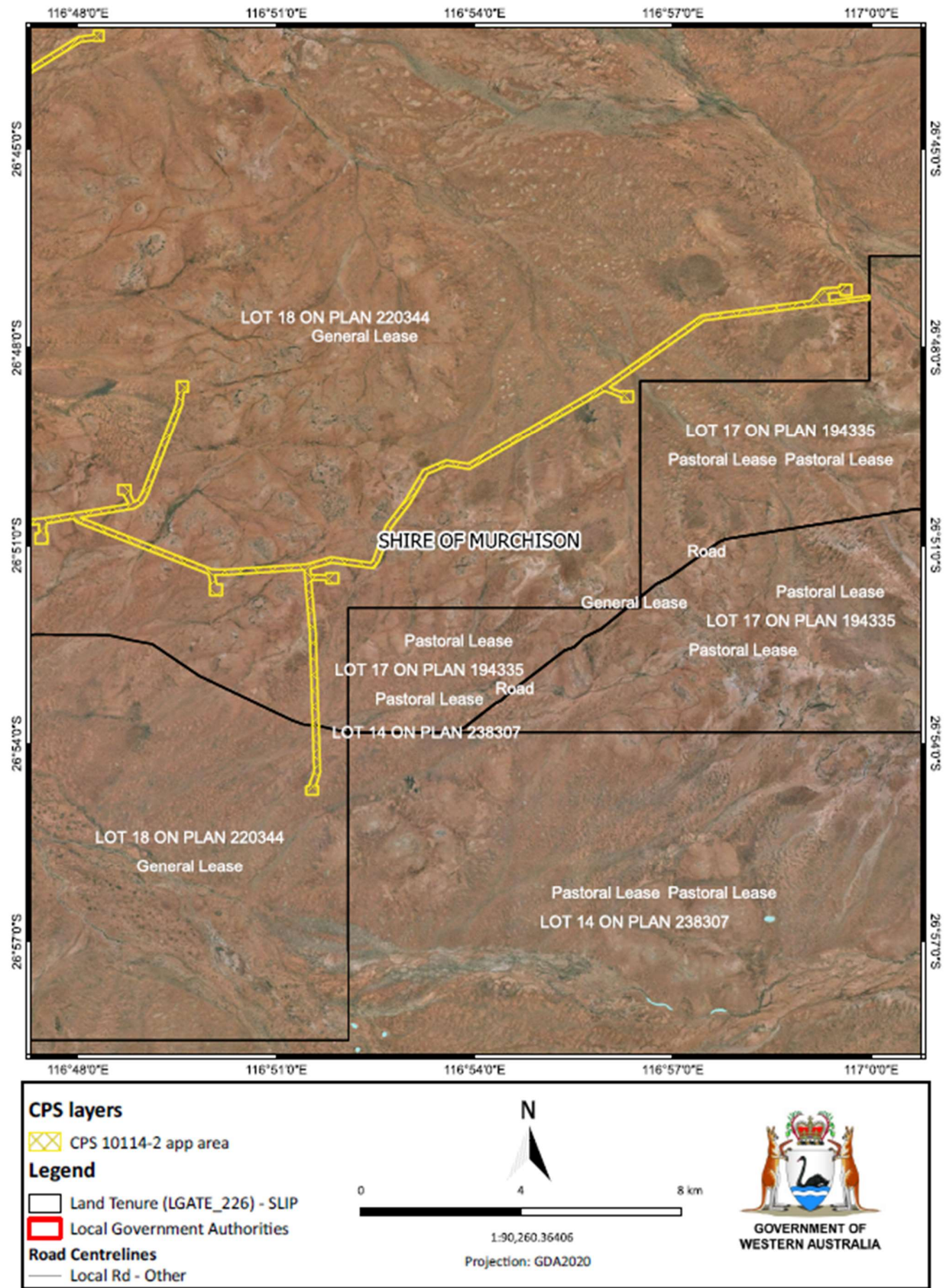


Figure 1d Map of the application area

The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

2 Legislative context

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

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

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

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Soil and Land Conservation Act 1945* (WA)
- *Rights in Water and Irrigation Act 1914* (RIWI Act)
- *Aboriginal Heritage Act 1972* (AH Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

The avoidance and minimisation measures proposed by the applicant have not changed and can be found in the Decision Report for CPS 10114/1.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values.

The purpose of the application is to amend Condition 9(a) of the permit CPS 10114/1 to increase the time between pre-clearance surveys from seven days to 14 days. Condition 9(a) of CPS 10114/1 requires the permit holder to engage a fauna specialist to undertake pre-clearance surveys within the permit area seven (7) days prior to undertaking any clearing authorised under the permit. The purpose of this condition is to confirm the absence (or presence) of the western spiny-tailed skink (*Egernia stokesii badia*) within the authorised clearing areas (see Decision Report for CPS 10114/1 for further information).

Other conditions were imposed on the permit CPS 10114/1, in line with the Environmental Management Plan – *Egernia stokesii* subsp. *badia* (AECOM, 2021). This includes establishing a 50-metre buffer around a population if identified in a pre-clearance survey. These conditions are not proposed to change under the amendment application.

According to the western spiny-tailed skink recovery plan (DEC, 2012), *E. stokesii* live in family groups with small home ranges. The Decision Report for CPS 10114/1 states, “across the application area, rocky breakaways and granite outcrops are considered to provide suitable habitat for the western spiny-tailed skink. These areas represent 3.57 hectares, 0.12 per cent of the total clearing area” (DWER, 2023). Given the extent of suitable habitat for *E. stokesii* within the application area and the species limited dispersal ability, it is unlikely that a skink population would disperse past an established habitat buffer within 14 days of being identified during a pre-clearance survey.

Given this, the additional *E. stokesii* conditions imposed on the permit and the management measures detailed in the Environmental Management Plan (AECOM, 2021), extending the time between undertaking pre-clearance surveys and conducting clearing (as authorised under the permit) from seven days to 14 days is unlikely to affect the ability of the permit holder to identify and avoid impacts to western spiny-tailed skinks if present within the application area.

The assessment against the clearing principles outlined in Schedule 5 of the EP Act remain unchanged and can be found in the Decision Report prepared for Clearing Permits CPS 10114/1.

3.3. Relevant planning instruments and other matters

The assessment against planning instruments and other relevant matters is unchanged and can be found in the Clearing Permit Decision Report CPS 10114/1 (DWER, 2023).

End

H.1. References

AECOM. (2021). *Environmental Management Plan* – *Egernia stokesii* subsp. *badia*. Prepared on 22 December 2021 for Department of Industry, Science, Energy and Resources. Received by the department on 28 April 2023 (ref: DWERDT771218). Available at Index of /permit/10114 (dwer.wa.gov.au).

Commonwealth Scientific, Industry and Research Organisation (CSIRO) (2023) *Clearing permit application CPS 10114/2*, received 30 August 2023 (DWER Ref: DWERDT828680).

Department of Environment and Conservation (DEC) (2012) *Western Spiny-tailed Skink (Egernia stokesii) Recovery Plan*. Bentley. Available from: Western Spiny-tailed Skink (*Egernia stokesii*) National Recovery Plan (dcceew.gov.au)

Department of Water and Environmental Regulation (DWER) (2023) CPS 10114/1 *Decision Report*. (DWER Ref DWERDT788712). Available from: <https://ftp.dwer.wa.gov.au/permit/10114/Permit/>