



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 10835/2
File Number: DWERVT17130
Duration of Permit: From 17 May 2025 to 27 October 2027

PERMIT HOLDER

Forshaw Pastoral Company Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 502 on Deposited Plan 418821, Eighty Mile Beach
Lot 503 on Deposited Plan 418821, Eighty Mile Beach

AUTHORISED ACTIVITY

The permit holder must not clear more than 214.03 hectares of *native vegetation* within the combined areas cross-hatched yellow on Figure 1 of Schedule 1.

CONDITIONS

1. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

- (a) avoid the clearing of *native vegetation*;
- (b) minimise the amount of *native vegetation* to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

2. Weed 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*:

- (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.

3. Directional clearing

The permit holder must conduct clearing activities in a slow, progressive manner to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

4. Soil erosion management

The Permit Holder must ensure that the planting of crop species occurs within three (3) months of the authorised clearing being undertaken.

5. Fauna management – Greater bilby pre-clearance survey

- (a) Within fourteen (14) days prior to undertaking any clearing authorised under this permit, for the areas cross-hatched yellow in Figure 1 of Schedule 1, the permit holder must engage a *fauna specialist* to:
 - (i) undertake surveys using transects spaced at 100 metres on average to identify evidence of use by the greater bilby (*Macrotis lagotis*); and
 - (ii) where evidence of greater bilby use is identified under *condition* 5(a)(i), undertake surveys using transects spaced at 20 metres on average, to identify evidence of burrows that may be suitable for greater bilby use.
- (b) Where potential greater bilby burrow/s are identified under *condition* 5(a), the permit holder must engage a *fauna specialist* to:
 - (i) flag the location of the burrow/s; and
 - (ii) inspect the burrow/s and determine whether the burrow/s are occupied.
- (c) Where an *occupied* burrow is identified under *condition* 5(b), the permit holder must engage a *fauna specialist* to:
 - (i) monitor the burrow with remote cameras for greater bilby use for a minimum of three (3) consecutive nights;
 - (ii) where no evidence of greater bilby activity is identified under *condition* 5(c)(i), the burrow shall be deemed as un-occupied and the permit holder must engage a fauna specialist to:
 - A. carefully excavate the burrow by hand, and remove and relocate any native vertebrate fauna found within the burrow; and
 - B. collapse and fill the burrow immediately after the fauna specialist has confirmed that no native vertebrate fauna are present within the burrow.
 - (iii) where evidence of greater bilby use is identified under *condition* 5(c)(i), the permit holder must engage a fauna specialist to:

- A. continue to monitor the burrow for greater bilby activity;
 - B. implement displacement techniques such as deliberate disturbance of the burrow entrance, while ensuring the disturbance does not prevent greater bilby from exiting the burrow; and
 - C. once greater bilby displacement from the burrow is confirmed, stop monitoring, and undertake the actions required under condition 5(c)(ii)A and condition 5(c)(ii)B.
- (d) If the greater bilby has not moved on from an *occupied* burrow under *condition 5(c)(iii)*, the permit holder must, no earlier than seven (7) days prior to clearing, engage a *fauna specialist* to remove and relocate the identified greater bilby to an area of *greater bilby suitable habitat*, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*.
- (e) Immediately after the greater bilby has been relocated under *condition 5(d)*, the permit holder must engage a *fauna specialist* to undertake the actions required under *condition 5(c)(ii)A* and *condition 5(c)(ii)B*.
- (f) Within 24 hours prior to undertaking clearing authorised under this permit, the permit holder must engage a *fauna specialist* to re-inspect the flagged burrow/s identified under *condition 5(b)(i)* for evidence of re-excavation by greater bilby.
- (g) Where re-excavated greater bilby burrow/s are identified under *condition 5(f)*, the permit holder must engage a *fauna specialist* to:
 - (i) flag the location of the burrow/s; and
 - (ii) inspect the burrow/s and determine whether the burrow/s are occupied.
- (h) Where an *occupied* burrow is identified under *condition 5(g)(ii)*, the permit holder must engage a *fauna specialist* to:
 - (i) remove and relocate any identified greater bilby from the burrow to an area of suitable habitat, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*; and
 - (ii) immediately after the greater bilby has been relocated under *condition 5(h)(i)*, undertake the actions required under *condition 5(c)(ii)A* and *condition 5(c)(ii)B*.
- (i) Where an *un-occupied* burrow is identified under *condition 5(g)(ii)*, the permit holder must engage a *fauna specialist* to undertake the actions required under *condition 5(c)(ii)A* and *condition 5(c)(ii)B*.
- (j) Where any greater bilby burrows are identified under *condition 5(a)* or *5(f)*, and any greater bilby is relocated under *condition 5(d)* or *5(h)*, the permit holder must include the following in a report to be submitted to the *CEO* within two (2) months of undertaking any clearing authorised under this permit:
 - (i) the location of any burrow identified including a description of whether the burrow was occupied, 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;
 - (ii) a description of the remote camera monitoring actions undertaken under *condition 5(c)*;

- (iii) the date and time that burrows have been excavated and collapsed under conditions 5(c), 5(e), 5(h) and 5(i);
- (iv) the date and time greater bilby are recorded as independently moving on from an occupied burrow under condition 5(c);
- (v) the gender of each greater bilby captured and relocated under condition 5(d) or 5(h);
- (vi) the location of any greater bilby captured under condition 5(d) or 5(h), using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (vii) the date, time and vegetation type at each location where greater bilby are captured under condition 5(d) or 5(h);
- (viii) the location of any greater bilby relocated under condition 5(d) or 5(h), using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (ix) the date, time and vegetation type at each location where greater bilby are relocated under condition 5(d) or 5(h);
- (x) the name of the fauna specialist that relocated greater bilby under condition 5(d) or 5(h); and
- (xi) a copy of the fauna licence authorising the relocation of greater bilby under condition 5(d) or 5(h).

6. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> (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 1; and (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 2.

7. Reporting

The permit holder must provide to the *CEO* the records required under condition 6 of this permit when requested by the *CEO*.

DEFINITIONS

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

Table 2: Definitions

Term	Definition
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.
fauna specialist	means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the <i>CEO</i> as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .
fill	means material used to increase the ground level, or to fill a depression.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
mulch	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
occupied	means currently occupied, or where uncertainty exists, potentially occupied, by the greater bilby (<i>Macrotis lagotis</i>).
weeds	means any plant – <ul 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.

END OF CONDITIONS



C Robertson
30.07.2025
1.47PM

Caron Robertson
MANAGER
NATIVE VEGETATION REGULATION
*Officer delegated under Section 20
of the Environmental Protection Act 1986*

30 July 2025

SCHEDULE 1

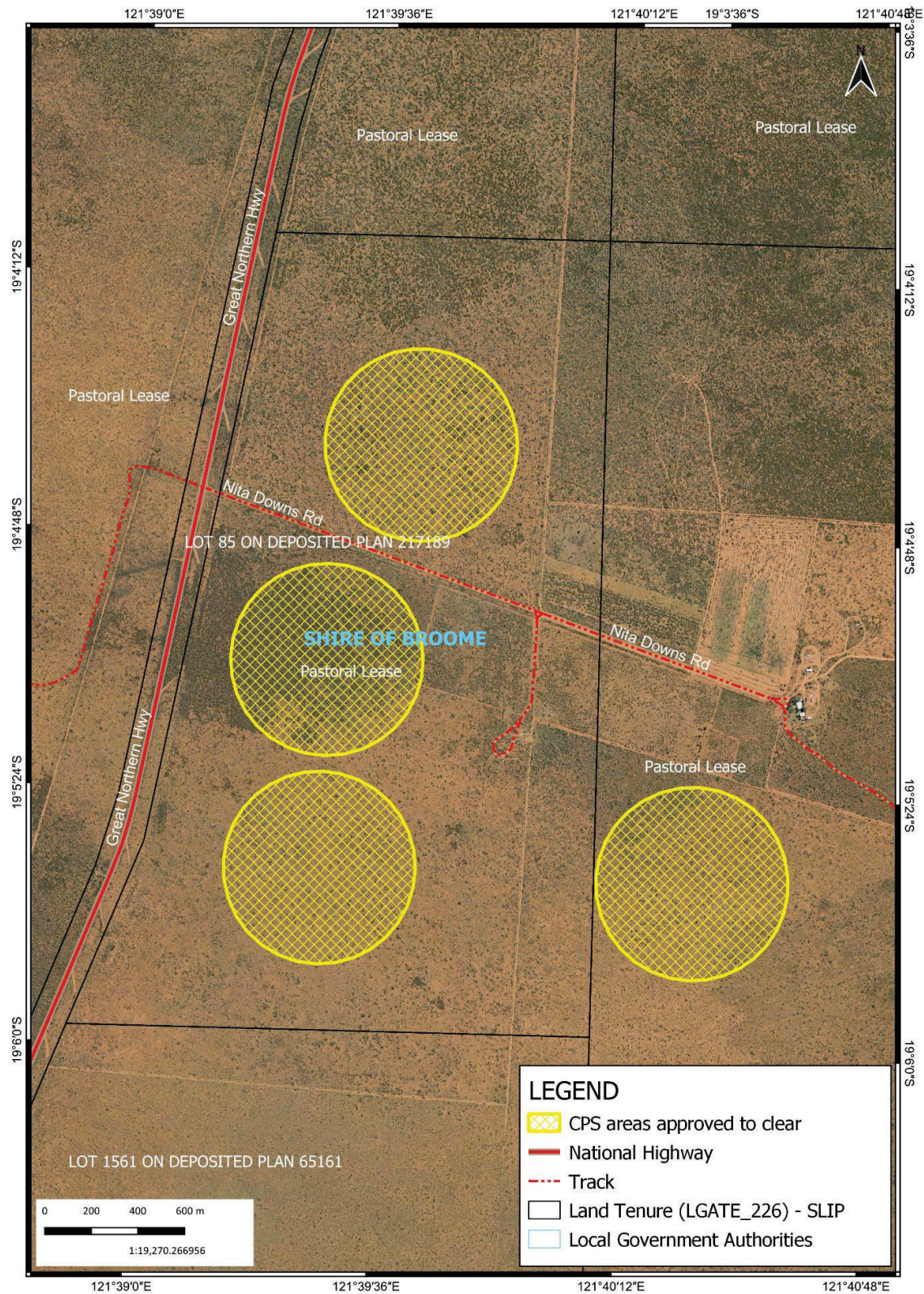


Figure 1: Map of the boundary of the area within which clearing may occur



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 10835/2
Permit type:	Area permit
Applicant name:	Forshaw Pastoral Company Pty Ltd
Application received:	12 November 2024
Application area:	214.03 hectares of native vegetation
Purpose of clearing:	Irrigated agriculture
Method of clearing:	Mechanical
Property:	Lot 502 on Deposited Plan 418831 Lot 503 on Deposited Plan 418831
Location (LGA area/s):	Shire of Broome
Localities (suburb/s):	Eighty Mile Beach

1.2. Description of clearing activities

The vegetation proposed to be cleared is contained within four circular areas within Lot 502 and Lot 503 on Deposited Plan 418831, Eighty Mile Beach (see Figure 1, Section 1.5). The clearing is proposed is to create four centre pivot irrigation areas, named Pivot A1, A2, A3 and A4, to provide fodder for stock.

On 26 October 2022, the Department of Water and Environmental Regulation (DWER) granted a clearing permit (reference CPS 7342/2) over the same area applied for under the current application (reference CPS 10835/1). The applicant has now applied for CPS 10835/1 as an Area Permit to allow for a future permit transfer, noting that Purpose Permits are unable to be transferred. Clearing has already taken place in most of the 50-hectare northernmost proposed clearing area (Pivot A1) under CPS 7342/2.

1.3. Decision on application

Decision:	Granted
Decision date:	30 July 2025
Decision area:	214.03 hectares of native vegetation as depicted in Section 1.5 below

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 21 days and 1 submission was received. Consideration of matters raised in the public submission is summarised in Appendix A.

In making this decision, the Delegated Officer had regard for the site characteristics (see Appendix B), relevant datasets (see Appendix F.1), the findings of flora and fauna surveys and a site inspection (see Appendix E), the

clearing principles set out in Schedule 5 of the EP Act (see Appendix C Appendix C), relevant planning instruments and any other matters considered relevant to the assessment (see Section 3).

The assessment identified that the proposed clearing:

- will remove habitat for greater bilby, Dampierland plain slider and spectacled hare-wallaby, although impacts to these species are unlikely to be significant;
- may result in some temporary wind erosion, however, under the proposed land use the wind erosion risk is likely to be low.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (see Section 3.1), the Delegated Officer determined the impacts of the proposed clearing can be minimised and managed to unlikely lead to an unacceptable risk to environmental values, and the applicant has suitably demonstrated avoidance and minimisation measures.

The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid, minimise to reduce the impacts and extent of clearing;
- take hygiene steps to minimise the risk of the introduction and spread of weeds;
- conduct staged clearing to minimise wind erosion;
- undertake slow, progressive one-directional clearing to allow terrestrial fauna to move into adjacent habitat ahead of the clearing activity;
- Conduct pre-clearance surveys to identify greater bilby burrows within the application area, and implement displacement techniques or relocate greater bilby individuals as appropriate to minimise impacts to bilby individuals.

1.5. Site map

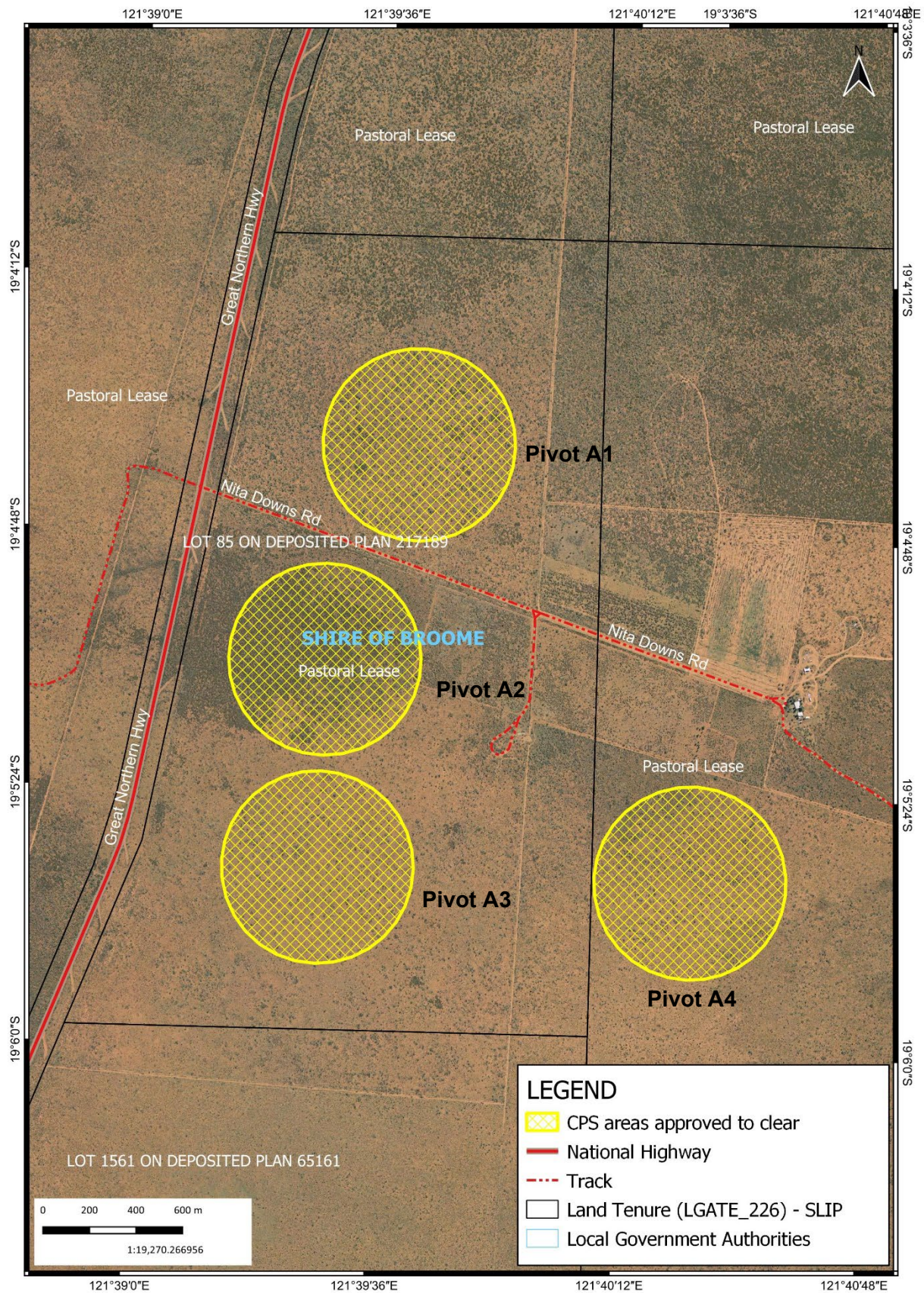


Figure 1. Map of the application area. The areas cross-hatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

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 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)

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 2019b)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2020)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

As this amendment is administrative in nature, the avoidance and mitigation measures implemented by the Permit Holder are unchanged and can be found in the decision report prepared for CPS 10835/1. The Delegated Officer was satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

3.2. Assessment of impacts on environmental values

As this amendment is administrative in nature, the Delegated Officer has had regard for the site characteristics (see Appendix B) and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values unchanged from the previous assessment of the permit and can be found in the Decision Report prepared for Clearing Permit CPS 10835/1.

3.3. Relevant planning instruments and other matters

As this amendment is administrative in nature, the assessment against planning instruments and other matters is unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 10835/1.

End