GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS
Purpose Permit Number: 3558/1
File Number: DEC407
Duration of Permit: From 11 April 2010 to 11 April 2012

PERMIT HOLDER
Shire of Northampton

LAND ON WHICH CLEARING IS TO BE DONE
Lot 12928 on Plan 41490 (KALBARRI 6539)

AUTHORISED ACTIVITY
The Permit Holder shall not clear more than 1 hectare of native vegetation, within the area hatched yellow on attached Plan 3558/1.

CONDITIONS

1. **Retain vegetative material and topsoil, revegetation and rehabilitation**

The Permit Holder shall:

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

(b) within 12 months following the completion of sand extraction, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit

(i) ripping the pit floor and contour batters within the extraction site
(ii) laying the vegetative material and topsoil retained under condition 1(a) on the cleared area(s)
(iii) 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
(iv) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.

(c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 1(b) of this Permit:

(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 1(c)(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 1(b)(iii) of this Permit..

2. **Weed control**

(a) When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

(i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
(ii) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
(iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

(b) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

3. **Records must 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 clearing commenced
(iv) the date the extraction operations ceased; and
(v) the size of the area cleared (in hectares).

(b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 1 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*.

4. **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 3 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 11 January 2012, the permit holder must provide to the CEO a written report of records required under condition 3 of this Permit where these records have not already been provided under condition 4(a) of this Permit.

Definitions

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

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;

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;

fill means material used to increase the ground level, or fill a hollow;

local provenance means native vegetation seeds and propagating material from natural sources within 30 kilometres of the area cleared.

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;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

regenerate/ed/ion means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area;

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.

term means the duration of this Permit, including as amended or renewed;

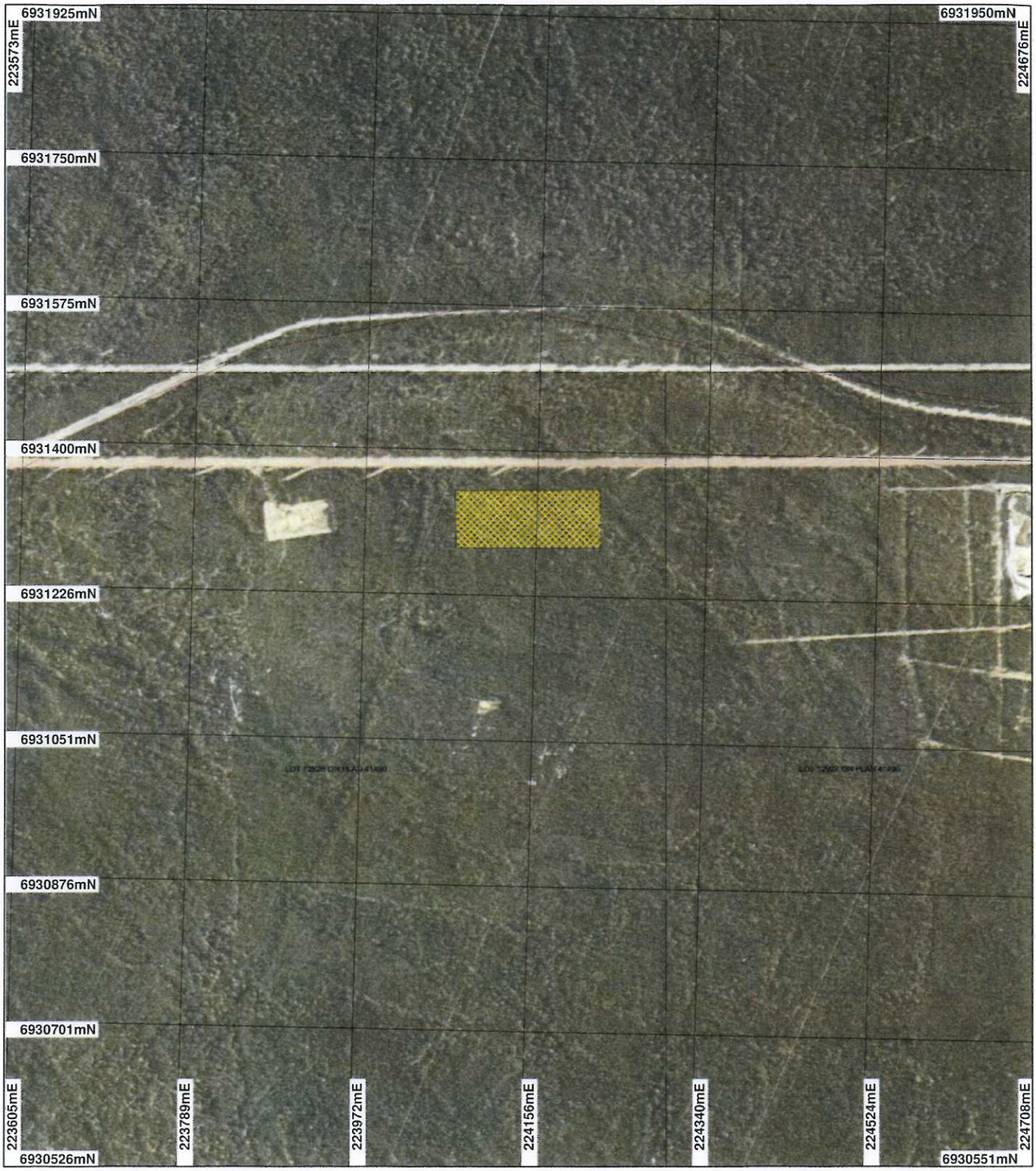
weed/s means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

Officer delegated under Section 20
of the Environmental Protection Act 1986

11 March 2010

Plan 3558/1



LEGEND

- Cadastre
- Road Centrelines
  Clearing Instruments
- Areas Approved to Clear

Kalbarri 80cm Orthomosaic - Landgate 2002

N

0 ~150 m

Scale 1:6284
(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 11/3/10.

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

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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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 3558/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Shire of Northampton**

1.3. Property details

Property: LOT 12928 ON PLAN 41490 (KALBARRI 6536)
Local Government Area:
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1		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
Mapped Beard (1980) vegetation association 383 is described as Shrublands; Acacia rostellifera scrub-heath (Shepherd, 2007)	The area under application is a block of one hectare that is immediately adjacent to an existing sand extraction pit. The vegetation of the area is best described as scrub-heath, forming a rather dense coverage approximately 1.5m high which is dominated by Allocasuarina campestris. Other flora that would be affected by the proposal includes acacia and grevillea species. The area falls within a well vegetated landscape, occurring within a reserve that lies adjacent to the Kalbarri National Park. Apart from the existing excavation there is no evidence of disturbance and the vegetation is considered to be in ?pristine? (Keighery, 1994) condition (DEC, 2006).	Pristine: No obvious signs of disturbance (Keighery 1994)	The condition of the vegetation was determined from orthomosaic imagery and DEC site visit taken on 26 September 2006 for the adjacent permit CPS1501/1 (DEC, 2006).

3. Assessment of application against clearing principles

Comments

The proposal to clear up to 1 hectare of native vegetation for the purpose of sand extraction is unlikely to have any significant environmental impacts. There are no declared rare flora species or threatened ecological communities in the vicinity of the project. The vegetation to be cleared is well represented in the local area (10km radius) and no watercourse or wetlands occur within the vicinity of the area under application.

There are 6 recorded occurrences of Malleefowl (*Leipoa ocellata*) within a 3.5km radius of the area under application. DEC advises that Malleefowl can be sedentary with pairs using the same nest site each season, over successive years. They can be found in eucalypt dominated woodlands and in some shrublands dominated by acacia. They require a sandy substrate and an abundance of leaf litter for the construction of their nests. Given the area has a sandy substrate, supports acacia shrubland and is in pristine (Keighery, 1994) condition the area under application may be suitable Malleefowl habitat (DEC, 2010). A site visit was undertaken by DEC officers on 9 March 2010 and no Malleefowl mounds were observed to be within the area

under application (DEC, 2010a). Given the above it is unlikely that the area under application is considered significant Malleefowl habitat.

Kalbarri National Park surrounds the area under application to the North, South and East and occurs within 150m to the north. Given the small size of the proposed clearing and the distance to the Nation Park it is unlikely that the proposed clearing will have any impact on the environmental values of the National Park.

Given the small area of native vegetation to be cleared is within a highly vegetated landscape, the proposed clearing is considered unlikely to cause land degradation in terms of salinity, wind and water erosion, waterlogging or flooding (Commissioner of Soil and Land Conservation, 2006).

Given the above, the proposal is not likely to be at variance with any of the clearing principles.

Methodology

Commissioner of Soil and Land Conservation 2006
DEC 2010
DEC 2010a
Keighery 1994
GIS database:
- SAC Biodatasets - accessed 3 Feb 2010
- Hydrography linear - DOW 13/7/06
- Soils, Statewide DA 11/99
- Pre European Vegetation - DA 01/01
- Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
- NLWRA, Current Extent of Native Vegetation 20 Jan 2001

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

Comments

No submissions from the public have been received.

The Department of Water (DOW) has advised that Lot 12928 on Plan 41940 lies within the revised Kalbarri Water Reserve and is a Priority 1 (P1) water reserve. The proposed extractive industry is designated as a compatible land use within P1 water reserves, with conditions. DOW advise that potential water quality risks include the method of fuel management and storage, on-site wastewater treatment systems, the location being within a P1 water reserve, access roads, security fencing to prevent uncontrolled access and stormwater and surface water management (DOW, 2010). The proponent is advised to contact the Department of Water to identify best management practices within the revised Kalbarri P1 Water Reserve.

Methodology

DOW 2010
GIS database:
- Cadastre - Landgate Dec 07
- Town Planning Scheme Zones - MFP 31/08/98
- Public Drinking Water Source Areas (PDWSAs) – 07/02/06

4. Assessment 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 assessment recommendation is that the proposed clearing may be at variance to principle (b) and is not likely to be at variance with the remaining clearing principles.

5. References

Commissioner of Soil and Land Conservation (2006) Advice. Department of Agriculture and Food. DEC TRIM Ref: DOC5997.

DEC (2006) Site Inspection Report for Clearing Permit Application CPS 1501/1, Lot 12928 on Plan 41490, Northampton. Site inspection undertaken 26/09/2006. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC14283).

DEC (2010) Mid West Regional Advice. Department of Environment and Conservation Trim Ref DOC121496.

DEC (2010a) Mid West Regional Advice. Department of Environment and Conservation Trim Ref DOC122276.

Department of Water (2010). Public Drinking Water Source Area Advice. DEC TRIM Ref: DOC120963.

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

Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

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)