



## **CLEARING PERMIT**

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 3741/1
<b>Permit Holder:</b>	Gemma Lee Cripps Helen Margaret Cripps Michael Thomas Cripps Michael Thomas Trant
<b>Duration of Permit:</b>	15 August 2010 – 15 August 2015

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 constructing a fence.

**2. Land on which clearing is to be done**

Lot 11807 on Plan 238187 (YALGOO 6635)

Lot 11816 on Plan 220201 (YALGOO 6635)

**3. Area of Clearing**

The Permit Holder must not clear more than 30 hectares of native vegetation within the area shaded yellow on attached Plans 3741/1a, 3741/1b and 3741/1c.

**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. Fauna management**

(a) Prior to undertaking any clearing authorised under this Permit, the area shall be inspected by a *fauna specialist* who shall identify habitat suitable to be utilised by fauna species listed below:

- (i) Shield-backed Trapdoor Spider (*Idiosoma nigrum*);
- (ii) Malleefowl (*Leipoa ocellata*)

(b) Prior to clearing, any habitat identified by condition 7(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in condition 7(a).

(c) Within one week prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna clearing person* to remove and relocate fauna identified under condition 7(b).

### **8. Flora management**

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to inspect that area for the presence of rare flora listed in the *Wildlife Conservation (Rare Flora) Notice 2010*.

(b) Where rare flora are identified in relation to condition 8(a) of this Permit, the Permit Holder shall ensure that:

- (i) all records of rare flora are submitted to the CEO; and
- (ii) no clearing occurs within 50 metres of identified rare flora, unless approved by the CEO

## **PART III - RECORD KEEPING AND REPORTING**

### **9. Records to be kept**

(a) In relation to fauna management pursuant to condition 7 of this Permit:

- (i) the location of each habitat identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
- (ii) the species name of fauna reasonably likely to utilise, or that have been observed utilising, the habitat; and
- (iii) the location and date where relocated fauna was released, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings.

(b) In relation to flora management pursuant to condition 8 of this Permit:

- (i) the location of each rare flora species listed in the *Wildlife Conservation (Rare Flora) Notice 2010*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
- (ii) the species name of the rare flora identified; and
- (iii) a copy of the botanists flora survey report.

## 10. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
  - (i) of records required under condition 9 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 8 May 2015, 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:

**botanist** means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

**fauna clearing person** means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

**fauna specialist** means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;



Matthew Warnock  
ACTING MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

15 July 2010



# Plan 3741/1a



## LEGEND

### Clearing Instruments

- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear

### Road Centrelines

- Cadastre

Wurarga 1.4m Orthomosaic - Landgate 2003



0 2 km

Scale 1:71213

(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.

*accused* Date 15/7/10

V. Warnock

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 acknowledged by the agency acronym in the legend.



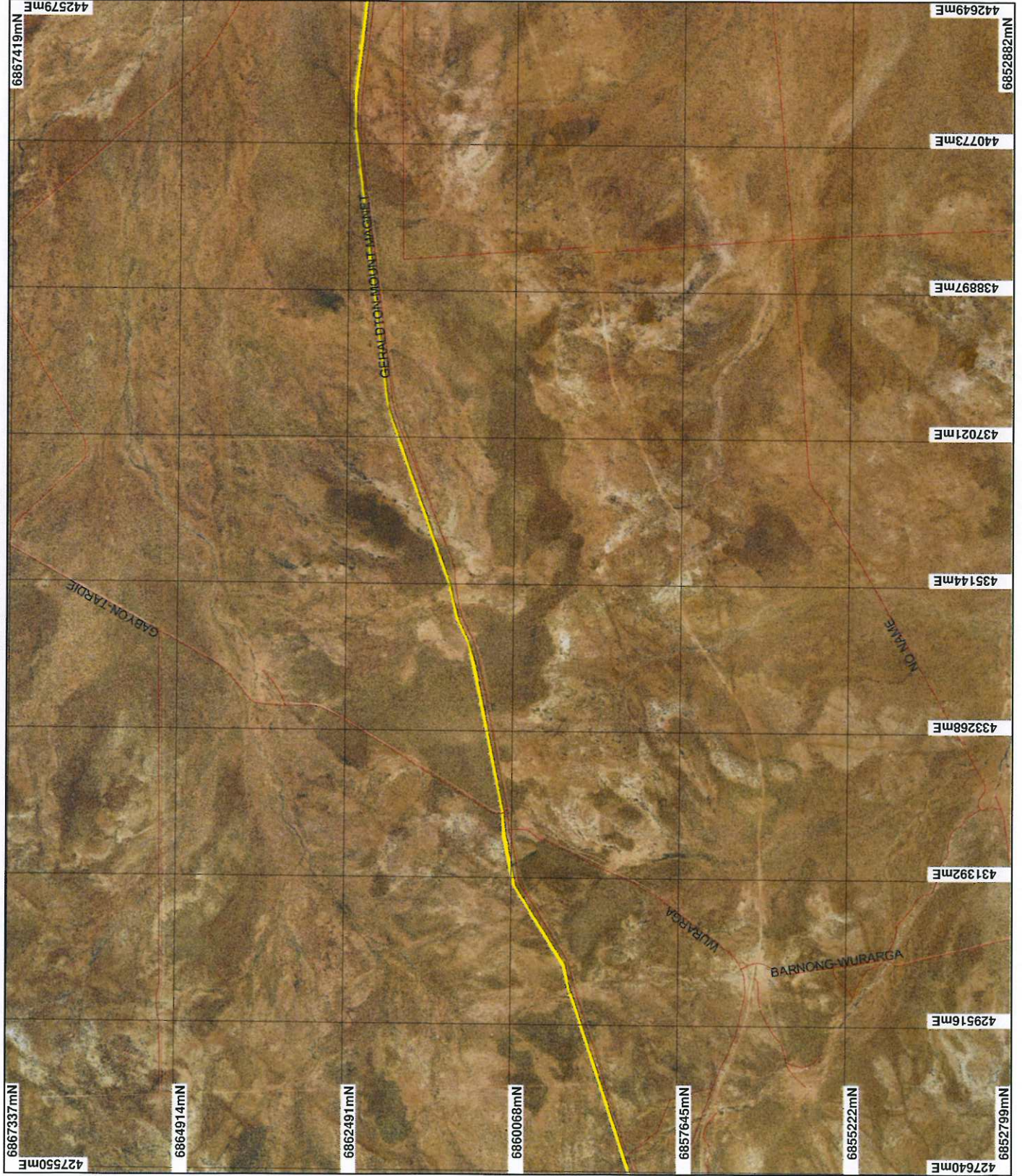
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# Plan 3741/1b



## LEGEND

### Clearing Instruments

- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear

### Road Centrelines

- Cadastre

Wurarga 1.4m Orthomosaic - Landgate 2003



0 2 km

Scale 1:71224

(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.

*approved* 15/7/10 Date

M. Warrack

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 acknowledged by the agency acronym in the legend.



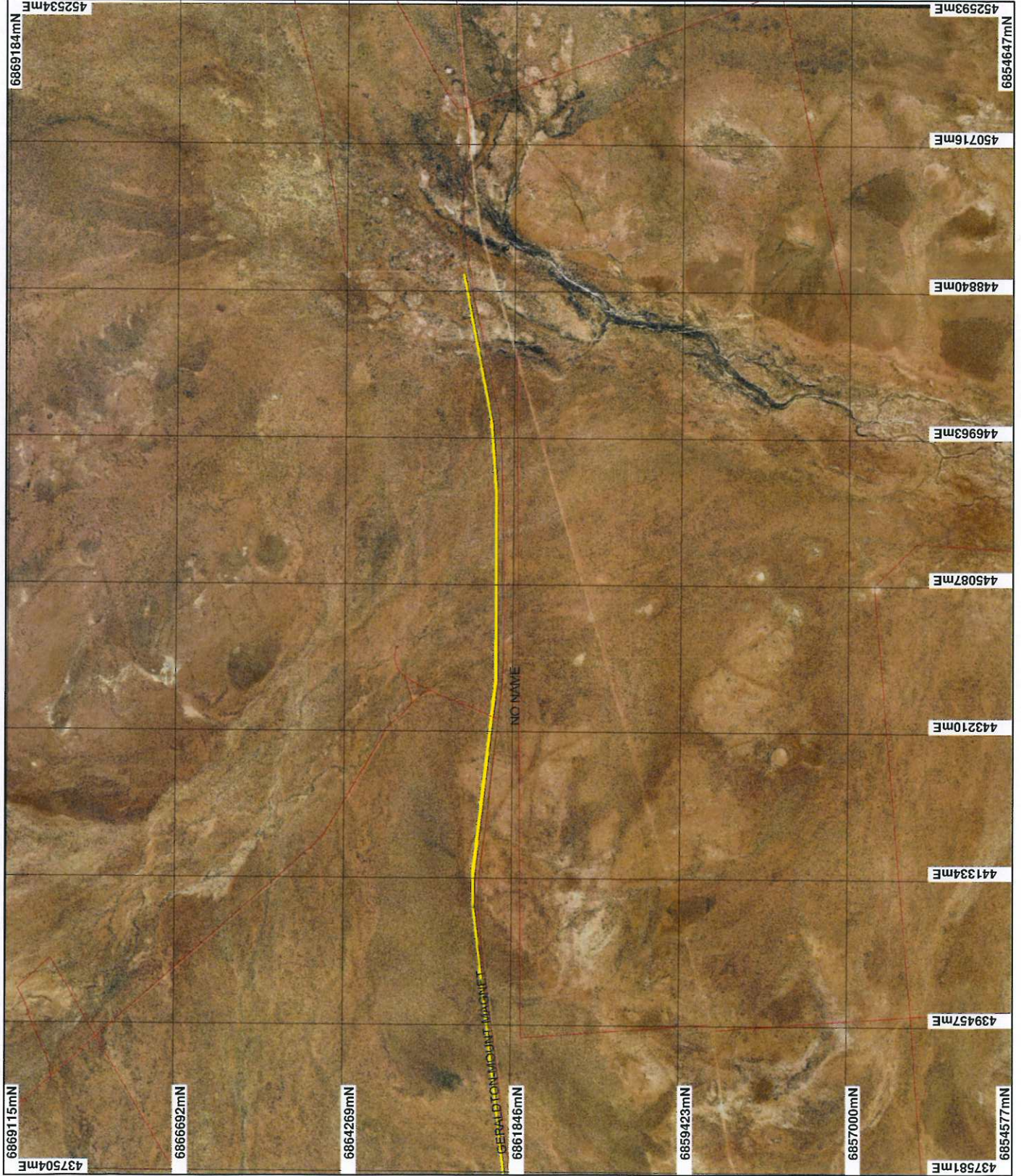
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# Plan 3741/1c



## LEGEND

### Clearing Instruments

- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear

### Road Centrelines

### Cadastral

Wurarga 1.4m Orthomosaic - Landgate 2003



0 2 km

Scale 1:71229

(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.

*audul* 15/7/10

M. Warnock

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 acknowledged by the agency acronym in the legend.



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## 1. Application details

### 1.1. Permit application details

Permit application No.: 3741/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Gemma, Helen and Micheal Cripps and Micheal Trant

### 1.3. Property details

Property: LOT 11807 ON PLAN 238187 (Lot No. 11807 GERALDTON-MOUNT MAGNET YALGOO 6635)  
LOT 11816 ON PLAN 220201 (YALGOO 6635)  
Local Government Area: Shires of Yalgoo and Mullewa

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
30		Mechanical Removal	Fence Line Maintenance
		Mechanical Removal	Fence Line Maintenance

## 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 vegetation association 329 is described as Low woodland over scrub; mulga over bowgada & minnieritchie scrub (Shepherd, 2007)	The proposal is to clear up to 30ha of native vegetation for the purpose of constructing a fence. The area under application is in a degraded to good (Keighery, 1994) condition. Sections of the alignment have been previously cleared for the construction of a gas pipeline (DEC, 2010).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition of the vegetation under application was determined through regional advice (DEC, 2010) and via digital imagery - Wurarga 1.4m Orthomosaic - Landgate 2003.
Association 419 - Shrublands; bowgada, jam and Melaleuca uncinata thicket			
Association 420 - Shrublands; bowgada & jam scrub			
Association 404 - Shrublands; bowgada & Acacia murrayana scrub			

## 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 may be at variance to this Principle

The proposal is to clear up to 30 hectares (approximately 36km in length and 8m wide) of native vegetation for the purpose of constructing a fence. The proposed location of the fence is 50 metres north of Geraldton Mount Magnet Road between Gabyon and ex Barnong station. The area under application is in a degraded to good (Keighery, 1994) condition. Sections of the proposed alignment have been previously cleared for the construction of a gas pipeline (DEC 2010).

The clearing as proposed may impact on significant habitat for the Shield-backed Trapdoor Spider and Malleefowl. A fauna management condition has been placed on the permit to identify potential habitat for these two fauna species.

The closest known records of priority flora species on the same vegetation and soil types were; *Persoonia pentasticha* (P3, recorded 750m North of the application area), *Chamelaucium* sp. Yalgoo (P1, recorded 3km South of the application area), *Acacia speckii* (P3, recorded 2.4km North of the application area) and *Rhodanthe collina* (P1, recorded 2kms South of the application area). Although it is possible for these priority species to be present within the application area, the proposed clearing is not likely to significantly impact known populations.

Declared Rare Flora species *Eremophila viscida* has been recorded in close proximity (1.2km south) to the area under application. It is possible that this species will occur within the application area as it has been recorded on the same vegetation and soil types.

The long linear application area is not likely to sever any ecological corridors nor is it likely to impact ground or surface water quality.

Therefore, as the application area may contain DRF and fauna habitat, the area proposed to be cleared may be at variance to this principle.

**Methodology**

**References:**

DEC (2010)

Keighery (1994)

**GIS Database:**

- Clearing Regulations - Environmentally Sensitive Areas - 30 May 2005
- DEC Tenure
- Pre European Vegetation - DA 01/01
- Pastoral Leases
- SAC Biodatasets - accessed 6 June 2010
- Wunarga 1.4m Orthomosaic - Landgate 2003

**(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 may be at variance to this Principle**

Recorded within the local area (30km radius):

- Shield-backed Trapdoor Spider (*Idiosoma nigrum*)(Vulnerable)
- Australian Bustard (*Ardeotis australis*)(P4)
- Malleefowl (*Leipoa ocellata*)(Vulnerable)
- Major Mitchell's Cockatoo (*Cacatua leadbeateri*) (Other Specially Protected Fauna)

It is possible that the Australian Bustard and Major Mitchell's Cockatoo will be present in the area under application however, the vegetation under application is not likely to be significant habitat for these species (DEC, 2010).

Six Shield-backed Trapdoor Spider's were recorded in the local area and the closest one was recorded 15km to the south of the application area. Much of this spider's habitat has been modified through land clearing. These spiders are also quite vulnerable to disturbance, as they are sedentary creatures, with poor dispersal ability (DEC, 2009). Given this, it is possible that this spider may occur within the application area (DEC, 2010).

The Malleefowl is an endangered species and is protected under Western Australia's Wildlife Conservation Act 1950 as well as the Environment Protection and Biodiversity Conservation Act 1999. A survey needs to be conducted to identify any Malleefowl nest mounds within the application area (DEC, 2010).

A fauna management condition has been placed on the permit to identify potential habitat for the Shield-backed Trapdoor Spider and Malleefowl.

Given the above information the proposal may be at variance to this principle.

**Methodology**

**References:**

DEC (2009)

DEC (2010)

**GIS Database:**

- SAC Biodatasets - accessed 6 June 2010

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

**Comments**

**Proposal may be at variance to this Principle**

Declared Rare Flora species *Eremophila viscida* has been recorded in close proximity (1.2km south) to the area under application and recorded on the same Beard vegetation association and same soil type. Numerous populations of this species have been identified within Bamong Station (DEC, 2010).

To ensure that this species is not disturbed a flora management condition has been placed on the permit.

Given the above the proposal may be at variance to this principle.



**Methodology** References:  
DEC (2010)

GIS Database:  
- Pre European Vegetation - DA 01/01  
- SAC Biodatasets - accessed 19 May 2010

**(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 no known records of threatened ecological communities within a 30km radius of the area under application.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology** GIS Database:  
- SAC Biodatasets - accessed 6 June 2010

**(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 not likely to be at variance to this Principle**

	Pre-European (ha)	Current extent (ha)	Remaining (%)
IBRA Bioregions*			
Yalgoo	5 057 316.82	5 001 943.66	98.91
Shire*			
Yalgoo	2 794 606.74	2 974 102.64	99.98
Mullewa	811 106.66	367 782.65	45.34
Beard Vegetation Association*			
326	1 034 327.46	1 034 327.46	100
419	313 225.64	296 895.99	94.79
420	859 632.65	829 286.11	96.47
404	206 553.92	202 466.45	98.02
Beard Vegetation Association with Bioregion*			
326	539 810.67	539 810.67	100
419	302 707.91	290 636.82	96.01
420	621 395.85	621 395.85	98.02
404	151 772.30	147 860.66	97.42

\* (Shepherd et al. 2007)

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

Given the vegetation is represented well above recommended threshold levels the proposed clearing area is not considered to be a remnant in an area that has been extensively cleared.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology** References:  
Commonwealth of Australia (2001)  
Shepherd et al. (2007)

GIS Database:  
- Wunarga 1.4m Orthomosaic - Landgate 2003  
- Local Government Authorities - DLI 8/07/04  
- Pre European Vegetation - DA 01/01  
- SAC Biodatasets - accessed 6 June 2010

**(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 may be at variance to this Principle**

Within a 30km radius of the area under application there were no recorded wetlands.

Numerous minor, non perennial watercourses were recorded within the application area. Based on this information it is likely that parts of the project area maybe growing in or be associated with a seasonal watercourse.

Therefore, this application may be at variance to this principle.

**Methodology      GIS Database:**

- Hydrogeology, Linear - DOC13/07/06
- Hydrogeology, Statewide - DOC13/07/06
- SAC Biodatasets - accessed 6 June 2010

**(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**

Given the linear nature of the application area, it is unlikely that the proposed clearing of native vegetation would cause appreciable land degradation.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology      GIS Database:**

- SAC Biodatasets - accessed 6 June 2010

**(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**

This application proposes to clear an eight metre strip of vegetation to erect a fence between Gabyon Station and ex Barnong Station. Barnong Station is now being managed by Department of Environment and Conservation. There are no other conservation reserves recorded in a 30km radius of the application area.

The majority of ex Barnong Station is situated on the opposite side of Geraldton Mount Magnet Road. This physical separation between the DEC land and Gabyon Station is likely to impede weed encroachment into the conservation reserve.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology      GIS Database:**

- DEC Tenure
- Pastoral Leases

**(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 may cause some short term water quality issues in terms of localised surface water sedimentation during works. However, these impacts will be minimal and are not expected to have any lasting impact on water quality.

Due to the linear nature of the areas proposed to be cleared, it is unlikely that the clearing of native vegetation will cause significant deterioration in the quality of surface water or groundwater within the local area.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology      GIS Database:**

- Hydrogeology, Linear - DOC13/07/06
- Hydrogeology, Statewide - DOC13/07/06
- RIWI Act, Groundwater Areas - DoW 13/07/06



**(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 likely to be at variance to this Principle**

It is not considered likely that the clearing as proposed will cause, or exacerbate, the incidence or intensity of flooding.

Therefore, this application is not likely to be at variance to this principle.

**Methodology GIS Database:**

- Geomorphic Wetlands (Mt Categories), Swan Coastal Plain - 11/04/07
- Hydrogeology, Linear - DOC13/07/06
- Hydrogeology, Statewide - DOC13/07/06
- SAC Biodatasets - accessed 6 June 2010

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

**Comments**

Lot 11816 on Plan 220201 is registered as Unallocated Crown Land. This property is currently UCL waiting on inclusion into the DEC Estate.

The application area falls within an area proclaimed under the Rights in Water and Irrigation Act 1914. No advice has been received from the Department of Water.

By a letter dated 9 June 2010, DEC notified the Mullewa Wadjari Community native title claimants and the Yamatji Marpa Aboriginal Corporation, pursuant to section 24MC of the NT Act, of this application to clear native vegetation. DEC invited the Claimants and their representatives to comment on the impact of the grant of this application may have on their native title rights and interests (DEC Ref: A309727). No comment has been received.

**Methodology**

**4. References**

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2009) Fact Sheet - Threatened Trapdoor Spiders of the Avon. Department of Environment and Conservation, Western Australia.
- DEC (2010) Regional Advice for Clearing Permit Application CPS 3741/1. Department of Environment and Conservation, Western Australia. DEC Ref: A314742.
- DoW (2010). Rights in Water and Irrigation Advice for Clearing Permit Application CPS 3689/1. Department of Water, Western Australia. DEC Ref: A302854.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- 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.

**5. Glossary**

Term	Meaning
CALM	Department of Conservation and Land Management (now DEC)
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)
DoW	Department of Water
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)