



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 4266/1
<b>Permit Holder:</b>	Oakajee Port and Rail Pty Ltd
<b>Duration of Permit:</b>	30 May 2011 – 30 May 2016

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 quarry construction, quarry lay down areas and Port Services Road realignment.

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

LOT 170 ON PLAN 38642 (Lot No. 170 CORONATION BEACH HOWATHARRA 6532)  
LOT 69 ON PLAN 60302 (House No. 44 CORONATION BEACH HOWATHARRA 6532)  
LOT 2249 ON PLAN 100569 (OAKAJEE 6532)  
LOT 538 ON PLAN 231526 (OAKAJEE 6532)  
LOT 170 ON PLAN 38642 (Lot No. 170 CORONATION BEACH HOWATHARRA 6532)  
LOT 3150 ON PLAN 123380 (HOWATHARRA 6532)  
LOT 2914 ON PLAN 113734 (HOWATHARRA 6532)  
LOT 69 ON PLAN 60302 (House No. 44 CORONATION BEACH HOWATHARRA 6532)  
LOT 54 ON DIAGRAM 95408 (HOWATHARRA 6532)  
LOT 400 ON PLAN 53013 (HOWATHARRA 6532)  
LOT 13 ON PLAN 232354 (HOWATHARRA 6532)  
ROAD RESERVE (HOWATHARRA 6532)  
LOT 200 ON PLAN 300729 (HOWATHARRA 6532)  
ROAD RESERVE (HOWATHARRA 6532)  
ROAD RESERVE (HOWATHARRA 6532)  
ROAD RESERVE (HOWATHARRA 6532)

#### 3. Area of Clearing

The Permit Holder must not clear more than 4.5 hectares of native vegetation within the area hatched yellow on attached Plan 4266/1.

#### 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.

#### 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. Dieback and weed control

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* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

### Definitions

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

*dieback* means the effect of *Phytophthora* species on native vegetation;

*dry conditions* means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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

*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;

*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*.

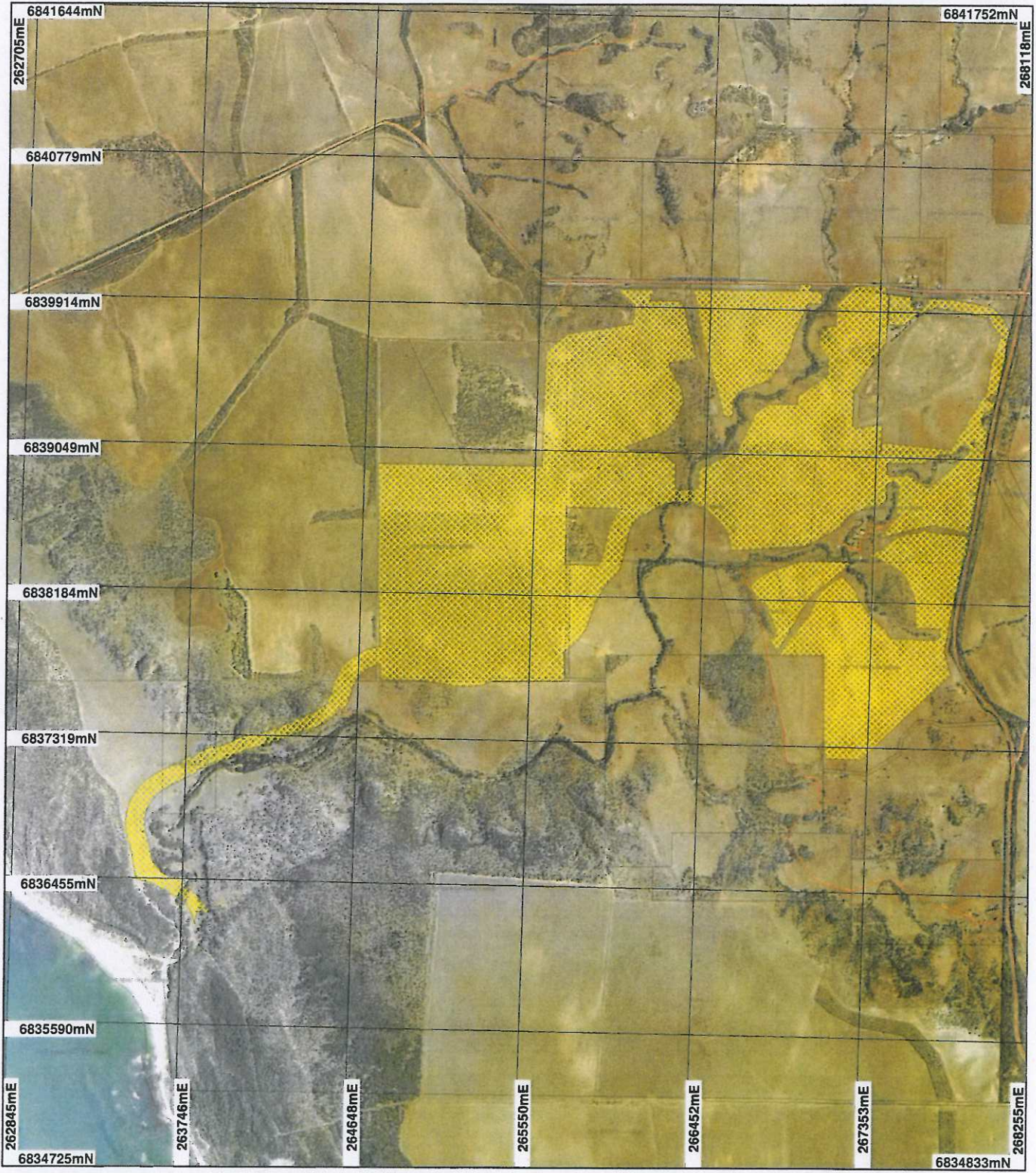


Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

5 May 2011

# Plan 4266/1



## LEGEND

- Cadastre for labelling
- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Geraldton 50cm Orthomosaic - Landsat 2006



0 ————— 750 m

Scale 1:31000  
(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.

Date 5/5/11  
K Faulkner

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.



Department of  
Environment and Conservation

Our environment. our future.  
WA Crown Copyright 2002



## 1. Application details

### 1.1. Permit application details

Permit application No.: 4266/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Oakajee Port and Rail Pty Ltd

### 1.3. Property details

Property: LOT 170 ON PLAN 38642 (Lot No. 170 CORONATION BEACH HOWATHARRA 6532)  
LOT 69 ON PLAN 60302 (House No. 44 CORONATION BEACH HOWATHARRA 6532)  
LOT 2249 ON PLAN 100569 ( OAKAJEE 6532)  
LOT 538 ON PLAN 231526 ( OAKAJEE 6532)  
LOT 170 ON PLAN 38642 (Lot No. 170 CORONATION BEACH HOWATHARRA 6532)  
LOT 3150 ON PLAN 123380 ( HOWATHARRA 6532)  
LOT 2914 ON PLAN 113734 ( HOWATHARRA 6532)  
LOT 69 ON PLAN 60302 (House No. 44 CORONATION BEACH HOWATHARRA 6532)  
LOT 54 ON DIAGRAM 95408 ( HOWATHARRA 6532)  
LOT 400 ON PLAN 53013 ( HOWATHARRA 6532)  
LOT 13 ON PLAN 232354 ( HOWATHARRA 6532)  
ROAD RESERVE ( HOWATHARRA 6532)  
LOT 200 ON PLAN 300729 ( HOWATHARRA 6532)  
ROAD RESERVE ( HOWATHARRA 6532)  
ROAD RESERVE ( HOWATHARRA 6532)  
ROAD RESERVE ( HOWATHARRA 6532)

Local Government Area:

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
4.5		Mechanical Removal	Extractive Industry

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 5 May 2011

## 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
Beard Vegetation Association 35 is described as - Shrublands; jam scrub with scattered York gum.	The proposed clearing for extractive industries is to clear 4.5 hectares of native vegetation. The vegetation consists of approximately 1.6 hectares of isolated paddock trees and 2.9 hectares of native vegetation considered to be in mainly 'degraded' (Keighery, 1994) condition.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994)	Vegetation condition determined through satellite imagery.
Vegetation Association 359 is described as - Shrublands; acacia & Banksia scrub.			
Vegetation Association 440 is described as - Shrublands; acacia & Banksia scrub (Shepherd, 2009).			

## 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 is not likely to be at variance to this Principle**

The vegetation under application consists of approximately 1.6 hectares of isolated paddock trees and 2.9 hectares of native vegetation considered to be in mainly 'degraded' (Keighery, 1994) condition. There are five records of rare flora and numerous records of priority flora species recorded in the local area (20 km radius). Of these 3 rare and 14 priority species occur within the same vegetation complex and soil types as the area under application. The proponent advises that one priority 3 species, *Acanthocarpus parviflorus*, was identified within the application area and its location recorded by GPS. The proponent advises that a 5 x 5 meter fenced buffer

will be placed around this occurrence of the priority 3 species (OPR, 2011).

Given the mainly 'degraded' (Keighery, 1994) condition of the native vegetation and the large area the clearing covers (455 hectares) it is not likely that the 4.5 hectares proposed to be cleared is significant fauna habitat. There are no known threatened ecological communities within the local area and the local area is highly fragmented with approximately 10% of vegetation remaining.

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

**Methodology** References:  
OPR (2011)  
Keighery (1994)  
GIS Databases  
-SAC Bio Datasets – accessed 6 April 2011

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

The area under application is mainly in 'degraded' (Keighery, 1994) condition and is scattered across a large area (455 hectares). The impacts of grazing have degraded the structure of the vegetation under application and the clearing is predominately of isolated paddock trees or small pockets of native vegetation within an area that has already been extensively cleared for agricultural activities. Carnaby's black cockatoo is known to utilise the general area for feeding and roosting but given that the clearing is only for 1.6 hectares of isolated paddock trees and 2.9 hectares of native vegetation considered to be in mainly 'degraded' (Keighery, 1994) condition within a larger 455 hectare area the proposed clearing is not considered to be significant habitat for Carnaby's black cockatoo (DEC, 2011).

Given the above it is not likely to be at variance to this Principle.

**Methodology** References:  
DEC (2011)  
Keighery (1994)  
GIS Databases  
-SAC Bio Datasets – accessed 6 April 2011  
-Pre European Vegetation (DA 2001)

**(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**

There are five records of rare flora species recorded in the local area (20 km radius). Of these five species three occur within the same vegetation complex and soil types as the area under application.

The proponent commissioned Ecologia Environment to survey a wider area that included the current application area and the survey did not record and found any occurrences of rare flora within the survey area (OPR, 2011).

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

**Methodology** References:  
OPR (2011)  
GIS Databases  
-SAC Bio Datasets - accessed 6 April 2011  
-Soils, Statewide DA 11/99  
-Pre European Vegetation (DA 2001)

**(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 were no records of threatened ecological communities recorded within the local area (20km radius) of the area under application.

Given this the proposal is not likely to be at variance to this principle.

**Methodology** GIS Databases  
-SAC Bio Datasets – accessed 6 April 2011

**(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 (%)	% In reserves DEC Managed Land
IBRA Bioregion				
Geraldton Sandplains*	3,136,025	1,410,755	45	40 (561,943ha)
Shire of Chapman Valley*	398,022	135,289	34	42 (56,338ha)
Beard Vegetation Association within Bioregion*				
440 (western 1km)	3,750	2,617	70	7.56 (198ha)
359 (central ~1/3)	44,417	11,082	25	0.01 (1.86ha)
35 (eastern ~1/2)	184,502	31,395	17	2.44 (766ha)

\* (Shepherd, 2009)

The area under application falls within the Geraldton Regional Flora and Vegetation Survey (GRFVS) area. The GRFVS found that there is approximately 15% of the original extent of native vegetation within the survey area and that the landscape is highly fragmented and that much of the vegetation in good or better condition in the survey area will be considered important for conservation (Department of Planning, 2010).

Given the above it is considered that the proposed clearing is for 1.6 hectares of isolated paddock trees and 2.9 hectares of native vegetation in considered to be in mainly 'degraded' (Keighery, 1994) condition, the proposed clearing is not likely to be at variance to this principle.

**Methodology**

**References:**

Department of Planning (2010)  
Keighery (1994)

**GIS Databases:**

- Interim Biogeographic Regionalisation of Australia - EA 18/10/00
- Local Government Authorities - DLI 8/07/04
- Pre European Vegetation - DA 01/01
- SAC Biodatasets - accessed 6 April 2011
- NLWRA, Current Extent of Native Vegetation 20 Jan 2001

**(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 is at variance to this Principle**

The area under application crosses the Oakajee River in four separate locations and covers areas of several minor non-perennial watercourses. The proponent has advised that approximately 0.9 hectares of riparian vegetation is to be cleared to allow the construction of the river crossings. The proponent has minimised the amount of vegetation impacted by selecting sites to avoid as much vegetation as possible and to build the crossing to the appropriate standard. The proponent has also committed to revegetating degraded areas of native revegetation adjacent to the river crossings and is working with Landcorp and Geraldton Port Authority to identify appropriate areas of native vegetation that can be revegetated on Oakajee River. However given the commitments and management of the 0.9 hectares effected the clearing is not likely to have a significant environmental impact.

Give the above the clearing is considered to be at variance to this Principle.

**Methodology**

**GIS Databases:**

- CALM Managed Lands and Waters - CALM 01/06/05
- Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
- Hydrography linear - DOW 13/7/06

**(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**

The mapped soils are described as B26 (western ¼) - Undulating dune landscape underlain by aeolianite which is exposed in places: chief soils are siliceous sands with some shallow grey-brown sandy soils.

AC8 (NW corner) - Undulating dune landscape: chief soils are yellow earthy sands, but some siliceous sands may be associated.

Pb29 (eastern 2/3) - Generally rolling but sometimes undulating or hilly terrain on granulite; some rock outcrops; some mesas and buttes, chief soils are hard acidic red soils and neutral red soils (Northcote, 1960-68).

The proposed clearing is up to 1.6 hectares of isolated paddock trees and 2.9 hectares of native vegetation in a predominately 'degraded' (Keighery, 1994) condition within an area that has already been extensively cleared for agricultural activities. The area has a gently undulating landscape with a low relief.

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

**Methodology** References:  
Keighery (1994)  
Northcote et al. (1960-68)  
GIS Databases  
-Topographic Contours, Statewide - DOLA 12/09/02  
-Soils, statewide

**(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**  
The closest nature reserve is located approximately 1.4km to the east of the application area. Given the distance and small size of the proposed clearing it is considered unlikely to impact on the nearby conservation areas. Therefore the proposal is considered not likely to be at variance to this Principle.

**Methodology** GIS Databases  
-DEC Tenure

**(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 area under application crosses the Oakajee River in four separate locations and covers areas of several minor non-perennial watercourses. The proponent has advised that approximately 0.9 hectares of riparian vegetation is to be cleared to allow the construction of the river crossings. There is a slight risk of salinity around the watercourses. The soil type is predominately sandy and the clearing for the river crossings may cause some localised soil erosion. However the proponent has advised that all road construction will be done with standard stormwater controls, culverts, sumps and bunds.

Given the above, small clearing proposed nearby watercourses and that the area is already predominately cleared, the clearing of an additional 4.5 hectares is unlikely to be at variance to this Principle.

**Methodology** GIS database:  
-Hydrography linear,  
-Topographic Contours, Statewide - DOLA 12/09/02  
-Hydrographic catchments, catchments - DoW 01/06/07  
-Groundwater Salinity

**(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**  
Given the soil type is predominately sandy and that the clearing is of 4.5 hectares within a much larger area (455 hectares), the proposed clearing is unlikely to cause or exacerbate flooding of the area. Given this the proposed clearing is not likely to be at variance to this Principle.

**Methodology** GIS database:  
-Soils, statewide  
-Topographic Contours, Statewide - DOLA 12/09/02

## Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

### Comments

The application area is zoned for General Farming and falls within the Gascoyne Groundwater RIWI Zone.

There are 42 Aboriginal Sites of Significance within the application areas 455 hectare footprint.

The applicant is not the landowner and requires a lease agreement with Western Australian Land Authority (the landowners) prior to being allowing to access the land to conduct the clearing activities.

### Methodology

GIS database:

- Cadastre - Landgate Dec 07
- RIWI Act, Groundwater Areas - DoW 13/07/06
- Town Planning Scheme Zones - MFP 31/08/98
- Aboriginal Sites of Significance 26 April 2007

## 4. References

- DEC (2011) Mid West Regional Advice. Department of Environment and Conservation DEC Ref: A392916.
- Department of Planning (2010) Geraldton Regional Flora and Vegetation Survey (March 2010), Department of Planning and supported by Ecoscape (Australia) Pty Ltd. Western Australian Planning Commission, Perth, Western Australia.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Oakajee Port and Rail (OPR, 2011) Quarry and Port Services Road ? Native Vegetation Clearing Permit Supporting Report, March 2011. Prepared by Preston Consulting, West Perth, Western Australia.
- Shepherd, D.P. (2009) 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
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
DoIR	Department of Industry and Resources
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)