



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4460/1
Permit Holder:	Oakajee Port and Rail Pty Ltd
Duration of Permit:	26 September 2011 – 26 September 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 constructing a temporary port construction accommodation camp, a spray irrigation area, access tracks and laydown areas.

2. Land on which clearing is to be done

Lot 11 on Plan 18559 (OAKAJEE 6532)
Lot 12 on Plan 18559 (OAKAJEE 6532)
Lot 13 on Plan 18559 (OAKAJEE 6532)
Lot 14 on Plan 18559 (OAKAJEE 6532)
Lot 15 on Plan 18559 (OAKAJEE 6532)
Lot 16 on Plan 18559 (OAKAJEE 6532)
Lot 2249 on Plan 100569 (OAKAJEE 6532)
Lot 2 on Diagram 35736 (OAKAJEE 6532)
Unnamed road reserve (PIN 1260691) (OAKAJEE 6532)

3. Area of Clearing

The Permit Holder must not clear more than 1.3 hectares of native vegetation within the area cross hatched yellow on attached Plan 4460/1.

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.

PART IV – RECORD KEEPING AND REPORTING

8. Records to 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 or decimal degrees;
 - (iii) the date that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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 or decimal degrees;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).

9 Reporting

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

(b) Prior to 26 June 2016, the Permit Holder must provide to the CEO a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

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*.



M Warnock
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

1 September 2011

Plan 4460/1



LEGEND

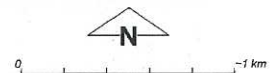
Road Centrelines

Local Government Authorities

Clearing Instruments

Areas Approved to Clear

Geraldton 50cm Orthomosaic - Landgate 2006



Scale 1:33916
(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.

M Warnock Date *1/9/11*
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.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 4460/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Oakajee Port and Rail Pty Ltd

1.3. Property details

Property: LOT 2249 ON PLAN 100569 (OAKAJEE 6532)
LOT 16 ON PLAN 18559 (Lot No. 16 NORTH WEST COASTAL OAKAJEE 6532)
LOT 15 ON PLAN 18559 (Lot No. 15 NORTH WEST COASTAL OAKAJEE 6532)
LOT 14 ON PLAN 18559 (Lot No. 14 NORTH WEST COASTAL OAKAJEE 6532)
LOT 13 ON PLAN 18559 (Lot No. 13 NORTH WEST COASTAL OAKAJEE 6532)
LOT 12 ON PLAN 18559 (Lot No. 12 NORTH WEST COASTAL OAKAJEE 6532)
LOT 11 ON PLAN 18559 (House No. 2017 NORTH WEST COASTAL OAKAJEE 6532)
ROAD RESERVE (OAKAJEE 6532)
LOT 2 ON DIAGRAM 35736 (House No. 2097 NORTH WEST COASTAL OAKAJEE 6532)

Local Government Area: Shire of Chapman Valley

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.3		Mechanical Removal	Building or Structure

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 1 September 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 413 is describes as Shrublands; Acacia neurophylla & A. species thicket	The proposed clearing of 1.3 hectares of native vegetation is for a temporary port construction accommodation camp to house the construction workforce for the development of Oakajee's proposed deepwater port. The vegetation consists primarily of paddock trees and revegetation planting considered to be in mainly 'degraded' (Keighery, 1994) condition.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The description and vegetation condition was determined through aerial imagery (Geraldton 50cm Orthomosaic- Landgate 2006).
Vegetation Association 359 is described as Shrublands; acacia & Banksia scrub.			
Approximately 40ha of the approximately 227ha footprint area consists of a Forest Products Commission (FPC) commercial sandalwood plantation, established in 2008 (DEC, 2011). OPR have advised this is not included in the proposed 1.3ha of native vegetation.			

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 1.3 hectares of native vegetation under application is within a 227km footprint area. It is for the purpose of a temporary port construction accommodation camp to accommodate the construction workforce that will construct the already approved Oakajee' deepwater port (approved by the Minister for the Environment in February 1998). The vegetation consists primarily of paddock trees and mixed Eucalyptus sp. revegetation planting on previously disturbed land considered to be in mainly 'degraded' (Keighery, 1994) condition (Ecologia, 2010).

The local area (10km radius) has been extensively cleared and the majority of the vegetation under application is adjacent to disturbed farmland which has been subject to grazing pressures or is composed of remnant or regrowth vegetation.

There are 65 records of 10 species of rare flora and numerous records of priority flora species recorded in the local area (10 km radius). Due to the degraded nature of the vegetation it is unlikely these species will occur within the application area.

Given the mainly degraded (Keighery, 1994) condition of the native vegetation and the large area of the clearing footprint (227 hectares) it is not likely that the 1.3 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 Ecologia (2010)
OPR (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 (227 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 and is considered to have little value as significant fauna habitat.

Given the above the proposed clearing of 1.3ha is not likely to be at variance to this Principle.

Methodology DEC (2007-)
OPR (2011)

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

Comments Proposal is not likely to be at variance to this Principle

There are 65 records of 10 species of declared rare flora (DRF) recorded in the local area (10 km radius).

The closest record of DRF is *Drummondita ericoides* recorded 0.25km east of the eastern border of the application area, and is found on the same soil and vegetation types as the application area. But due to the degraded nature of the vegetation and lack of understory it is unlikely this species will occur within the application area.

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

Methodology GIS Databases
-SAC Bio Datasets (Accessed 29 August 2011)

(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 (10km 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 29 August 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	Current Extent (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion*				
Geraldton Sandplains	3,136,025	1,410,755	45	40
Shire*				
Shire of Chapman Valley*	398,022	135,289	34	42
Beard Vegetation Association in Bioregion*				
359 (~95% of application area)		44,417	11,082	25
413 (~5% of application area)	1,748	369	21	0.00
* Ref: 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 1.3 hectares of isolated paddock trees and 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 Department of Planning (2010)
Keighery (1994)

GIS Databases:

- Interim Biogeographic Regionalisation of Australia
- Pre European Vegetation
- SAC Biodatasets (Accessed 29 August 2011)
- NLWRA, Current Extent of Native Vegetation

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

The area under application is situated 0.18km to the west of the Buller River.

There are no environments associated with a watercourse or wetland within the application area.

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

Methodology GIS Databases:
- Hydrography linear
- Rivers

(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 landscape can be generally described as undulating dune landscape with chief soils being yellow earthy sands, but some siliceous sands may be associated (Northcote et al, 1960-68).

The proposed clearing is up to 1.3 hectares of isolated paddock trees and regeneration native vegetation in a predominately 'degraded' (Keighery, 1994) condition within an area that has already been extensively cleared for agricultural activities.

Localised erosion may occur as a result of the clearing however it is noted that OPR will ensure erosion impacts are minimised by the use of standard stormwater controls such as culverts, bunds and sumps (OPR, 2011).

It is noted that OPR will prepare and implement a Rehabilitation Management Plan to rehabilitate cleared areas that are no longer required and minimise land degradation in the form of wind and water erosion (OPR, 2011).

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

Methodology Keighery (1994)
Northcote et al. (1960-68)
OPR (2011)

GIS Databases
-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 mapped nature reserve is the Oakajee Nature Reserve located approximately 2.8km to the east of the application area.

Given the distance and small size of the proposed clearing it is considered unlikely to impact on nearby conservation areas. Therefore the proposal is considered not likely to be at variance to this Principle.

Methodology OPR (2011)

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 is situated 0.18km to the west of the Buller River. 1km from the coast and is within the Gascoyne Groundwater RIWI Zone.

It is noted that OPR will prepare and implement a Surface Water a Groundwater Management Plan to ensure minimal impact to surface and groundwater quality (OPR, 2011).

Given the above, the proposed clearing of 1.3ha is not likely to be at variance to this Principle.

Methodology OPR (2011)

GID Databases:
- RIWI, Grundwater Areas
- Rivers

(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 1.3 hectares within a larger footprint area (227 hectares) that has been historically cleared, the proposed clearing is unlikely to cause or exacerbate the incidence or intensity of flooding of the area.

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

Methodology Northcote et al. (1960-68)

Planning instruments, Native Title, Previous EPA decisions or other matters.

Comments

The application area is zoned as 'Oakajee Industrial Zone' which is divided into three Special Control Areas; A- General Industry, B- Coastal and C- Strategic Industry, in which the temporary accommodation camp 'for workers prior to the establishment of the first industry' is permitted within Zone C (strategic industry) (OPR, 2011).

The application area falls within the Gascoyne Groundwater RIWI Zone.

The applicant is not the landowner and requires a lease agreement with LandCorp (the landowners) prior to accessing the land for clearing purposes.

There is one recorded Aboriginal Site of Significance within the 227 hectare footprint area. Is it noted that OPR

will avoid Aboriginal heritage sites that may be identified during pre-construction inspections (OPR, 2011).

This area is the subject of a draft Structure plan for the Oakajee Industrial Estate (DEC, 2011)

Approximately 40ha of the 227ha footprint area consists of a Forest Products Commission (FPC) commercial sandalwood plantation, established in 2008 (DEC, 2011). OPR have advised this is not included in the proposed 1.3ha of native vegetation under application. The Gngarra FPC office has requested a copy of the final decision (DEC, 2011).

This application was referred to the EPA by the applicant and the EPA set the level of assessment as 'Not assessed - Managed under Part V of the *Environmental Protection Act 1986*.'

Methodology DEC (2011)
OPR (2011)

GIS databases:

- Cadastre
- RIWI Act, Groundwater Areas
- Town Planning Scheme Zones
- Aboriginal Sites of Significance

4. References

- DEC (2011) Mid West Regional Advice. Department of Environment and Conservation (DEC REF: A402751).
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.
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.
Oakajee Port and Rail (OPR, 2011) Oakajee Port Accommodation Camp- Native Vegetation Clearing Permit, June 2011. Prepared by WorleyParsons, 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)