



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 5223/1
<b>Permit Holder:</b>	Department of Regional Development and Lands
<b>Duration of Permit:</b>	18 October 2012 – 18 October 2017

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 flood mitigation levees, borrow pits, associated works and road re-alignment.

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

Section 91 Licence (Lic 00854/1996\_03\_171)  
Lot 170 on Plan 204547, South Plantations  
Lot 135 on Plan 202366, South Plantations  
Andreoli Road reserve (PIN 11739226), South Plantations  
North West Coastal Highway road reserve (PIN 11739231 and PIN 11739232), South Plantations  
Speedway Road reserve (PIN 11475661), Brown Range

**3. Area of Clearing**

The Permit Holder must not clear more than 198 hectares of native vegetation within the areas cross-hatched yellow on attached Plan 5223/1.

**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. Type of clearing authorised**

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the right to access land under the *Land Administration Act 1997* or any other written law.

**6. 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

### **7. 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.

### **8. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *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.

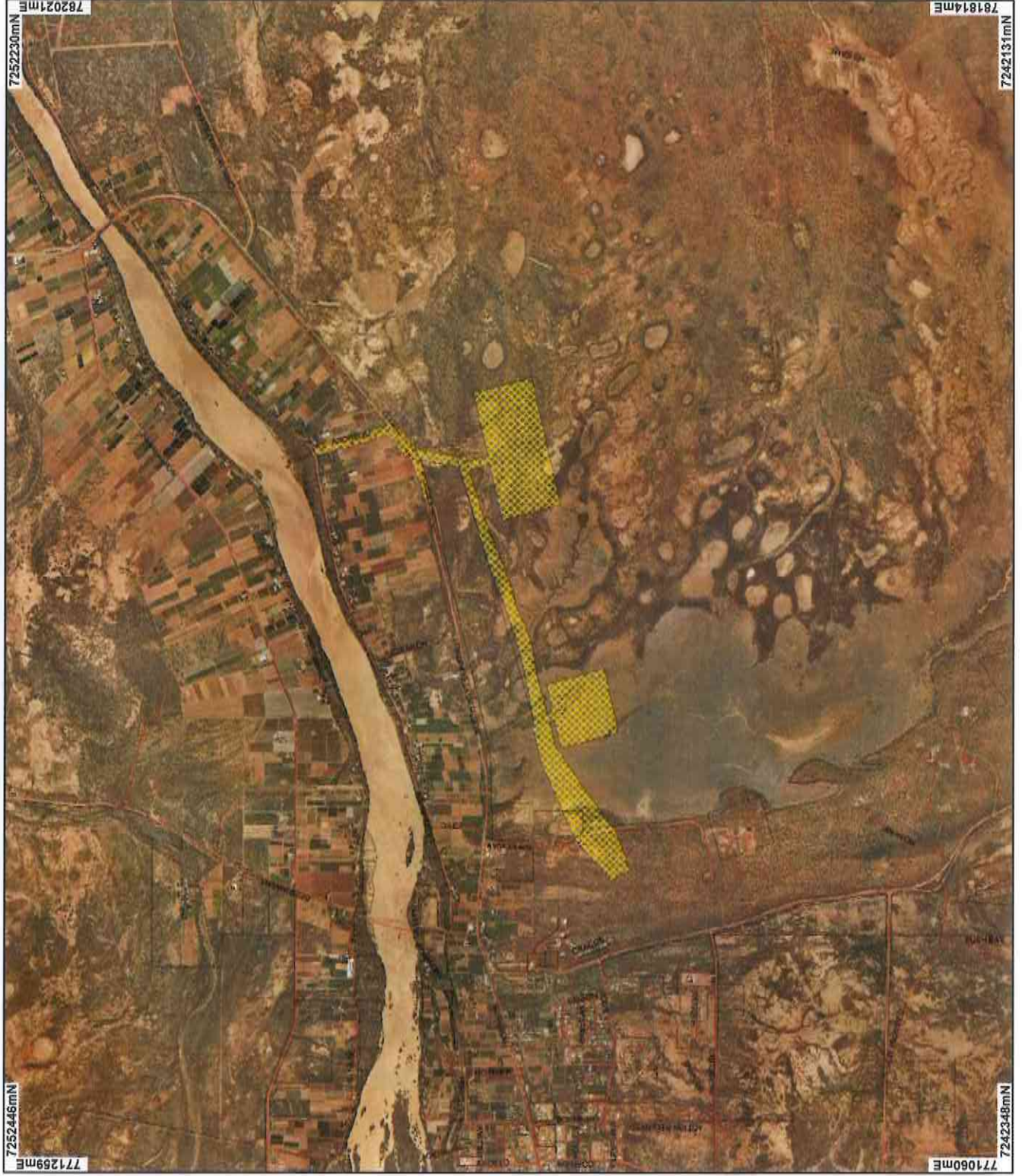
Roxane Shadbolt

Roxane Shadbolt  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

18 October 2012

# Plan 5223/1



## LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling
- Camaroon 1.4m Orthomosaic - Landgate 2002

\* Project Data. This data has not been quality assured. Please contact map author for details.



0 1 2 3 4 5 6 7 8 9 10 km

Scale 1:50228

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been processed. This may result in geometric distortion or measurement inaccuracies.

R. Shadbolt 18/10/12

R Shadbolt

Date 18/10/12

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.: 5223/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Main Roads WA on behalf of Department of Regional Development and Lands

### 1.3. Property details

LOT 415 ON PLAN 220782 (House No. 415 NORTH WEST COASTAL INGGARDA 6701)  
LOT 287 ON PLAN 210981 ( BROWN RANGE 6701)  
LOT 1296 ON PLAN 217743 (House No. 100 SPEEDWAY BROWN RANGE 6701)  
LOT 1297 ON PLAN 217743 (House No. 59 SPEEDWAY BROWN RANGE 6701)  
ROAD RESERVE (BROWN RANGE 6701)  
LOT 454 ON PLAN 218099 (Lot No. 454 NORTH WEST COASTAL INGGARDA 6701)  
ROAD RESERVE (SOUTH PLANTATIONS 6701)  
LOT 135 ON PLAN 202366 (House No. 472 SOUTH RIVER SOUTH PLANTATIONS 6701)  
LOT 170 ON PLAN 204547 (House No. 472 SOUTH RIVER SOUTH PLANTATIONS 6701)  
LOT 134 ON PLAN 202366 (House No. 450 SOUTH RIVER SOUTH PLANTATIONS 6701)  
LOT 171 ON PLAN 204547 (House No. 450 SOUTH RIVER SOUTH PLANTATIONS 6701)  
Shire Of Carnarvon

Local Government Area:  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
198		Mechanical Removal	Drainage

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 18 October 2012

## 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
The vegetation under application is mapped as: Beard Vegetation Association 1271 - Bare areas; claypans Beard Vegetation Association 205 - Shrublands; Acacia sclerosperma & bowgada scrub Beard Vegetation Association 308 - Mosaic: Shrublands; Acacia sclerosperma sparse scrub / Succulent steppe; saltbush & bluebush. (Shepherd et al, 2001)	The application to clear up to 198ha of native vegetation is for the purpose of constructing flood mitigation levees and associated works. The vegetation under application is typical of floodplain and claypan habitats.  The project area is predominantly associated with Beard Vegetation Association 1271 and 308. The vegetation condition ranges from good to very good (Keighery, 1994) and shows disturbances caused by existing road infrastructure and un-controlled access and impacts related to past and current agricultural activities.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)  Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition and description of the vegetation under application was determined via the use of aerial imagery (Carnarvon 1.4m Orthomosaic - Landgate 2002) and GHD consultants report (GHD, 2012).

### 3. Assessment of application against clearing principles

The proposed clearing of 198 hectares of native vegetation is for the Nickol Bay flood mitigation levee and borrow pits as part of the Carnarvon Flood Mitigation Project. This project aims to minimise damage to the horticultural industry infrastructure posed by flood events. Approximately 55% of the proposed clearing will occur within land under the control of the Department of Regional development and Lands containing the McNeill Claypan wetland, an ANCA wetland cited in the 'A Directory of Important Wetlands in Australia' (Environment Australia, 2001).

Approximately, 35ha (32%) of these proposed works will occur within non-vegetated areas on the claypan for the establishment of a borrow pit. The remainder of the clearing, including a second borrow pit, will occur amongst several, small ephemeral pools of the outer margin of the McNeill Claypan System, and within Shire of Carnarvon and Main Roads WA road reserves and Department of Water vested properties.

The local area (+10km radius) is approximately 80-90% vegetated. Aerial imagery of the application area indicates the vegetation is typical of the Gascoyne River floodplain and associated mapped vegetation units (Shepherd et al, 2001) and ranges from being in a good to very good (Keighery, 1994) condition (Carnarvon 1.4m Orthomosaic; GDH, 2012). The vegetation types proposed to be cleared are well represented and there are no records of declared rare flora or threatened ecological communities within the application area. Three Priority One and one Priority Two flora species (herb/annual species) have been recorded within the local area on the same clay habitat and soil type that occurs within the application area; each are known from three historical Herbarium records. These species were not located during recent surveys (GHD, 2012). Given the nature of annuals (die-off/disappear after flowering and set seed in a very short period) no visible evidence of the species exists once the flowering period and seed set is complete. Each of these flora species have a sufficiently wide distribution [WA Herbarium (1998-); SAC, 2012] and it is likely that they also occur in similar habitat across their current range. As a large proportion of the claypan habitat will remain uncleared it is unlikely the proposed clearing will have a detrimental impact on the conservation status of these species (DEC, 2012).

The McNeill Claypan wetland is known to support a small range of migratory water birds during long periods of inundation following heavy rains, or as a result of Gascoyne River flood events. However, the vegetation under application is not considered to comprise significant habitat for fauna and the proposed clearing is not expected to result in any detrimental impacts to fauna habitat and/or fauna corridors. It is considered the water bodies of the nearby coastal marshes and Lake MacLeod, approximately 50km to the north, provide better habitat (GHD, 2012).

The Australian Natural Resource Atlas (cited by GHD, 2012) has listed the McNeill Claypan wetland in 'fair condition' but rapidly declining due to threatening processes such as grazing, fragmentation, loss of remnant vegetation, uncontrolled vehicular access and rubbish dumping. Such condition is expected given the areas close proximity to human habitation. Sections of the proposed levee and second borrow pit will impact a mapped, non-perennial minor watercourse which drains into the wetland system. The clearing as proposed is at variance to principle (f).

The clearing of vegetation and soil disturbance, and the changes to the natural surface hydrology may cause or lead to localised, moderate levels of land degradation and water quality issues in the short term. Soil disturbance and movement also has the potential to contribute to weed dispersal. The clearing as proposed may be at variance to clearing principles (g) and (i). Weed management activities will assist to mitigate these impacts.

Given the above the proposed clearing is at variance to principle (f), may be at variance to principles (g) and (i), and is not likely to be at variance to the remaining principles.

#### Methodology

#### References

- DEC (2012)
- Environment Australia (2001).
- GHD (2012)
- Keighery (1994)
- Shepherd et al (2001)

#### GIS database:

- Carnarvon 1.4m Orthomosaic
- Interim Biogeographic Regionalisation of Australia
- DEC Tenure
- SAC Biodatasets (accessed Sept 2012)
- Soils, Statewide
- Pre European Vegetation
- Hydrography linear

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Officer

John Riley

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

The Department of Water (DoW) led an inter-agency working group to develop flood mitigation planning advice for the Shire of Carnarvon and Department of Regional Development and Lands (DRDL). The proposed levees will alter the flood flows across the Gascoyne River floodplain to protect the horticultural and plantation areas of Carnarvon. Main Roads WA will manage the design and construction phase of the flood mitigation project on behalf of DRDL, DoW and the Shire.

Authority to access allocated and un-allocated Crown land parcels upon which the works will be undertaken is contained in a DRDL Licence to Occupy Crown Land - Section 91 of the Land Administration Act 1997 (Lic 00854/1996\_03\_171). The Shire of Carnarvon and DoW have provided written consent to allow access to and clearing upon their respective managed reserves and freehold land parcels.

The borrow pits will be excavated up to a depth of 3 metres and contoured to a 1:6 slope post excavation.

The proposal was referred to the Environmental Protection Authority, who advised that a formal assessment was not required.

The proposal has been referred to Department of Sustainability, Environment, Water, Population and Communities, who ruled that the proposal was not deemed to be a 'controlled action' and as such set no conditions.

The Gnulli Native Title claimants and the Yamatji Marlpa Aboriginal Corporation have been notified of the proposed clearing.

Methodology

Officer

John Riley

#### **4. Assessor's recommendations**

##### **Comment / recommendation**

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986. The proposed clearing is at variance to principle (f), may be at variance to Principles (g) and (i) and is not likely to be at variance to the remaining clearing Principles.

#### **5. References**

- DEC (2012) Species and Communities Branch advice received for clearing permit application CPS 5223/1 concerning priority flora (DEC Ref: A558145)
- Environment Australia (2001), A Directory of Important Wetlands in Australia Third Edition, (available at <http://www.environment.gov.au/water/publications/environmental/wetlands/pubs/directory-ch12.pdf>)
- GHD (2012) - Report for Main Roads WA - Carnarvon Flood Mitigation Works Nicol Bay, Nicol Bay Borrow Areas 1 and 2 (DEC Ref: A538115)
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- 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., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.