



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 5430/1
<b>Permit Holder:</b>	Western Australian Land Authority TA LandCorp
<b>Duration of Permit:</b>	22 March 2013 - 22 March 2023

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 geotechnical investigations and associated works.

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

Lot 152 on Deposited Plan 220265 (TALANDJI 6710)

**3. Area of Clearing**

The Permit Holder must not clear more than 2 hectares of native vegetation within the area hatched yellow on attached Plan 5430/1.

**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. Period in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 22 March 2018.

**6. 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.

**7. 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**

### **8. 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.

### **9. 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.

### **10. Flora management**

Where *priority flora* have been identified and their written location(s) provided to the CEO, the Permit Holder shall ensure that:

- (a) no clearing of identified *priority flora* occurs, unless first approved by the CEO; and
- (b) no clearing occurs within 10 metres of identified *priority flora*, unless first approved by the CEO.

### **11. 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 topsoil in an area that has already been cleared.
- (b) At an *optimal time* within 12 months following completion of geotechnical investigations, *revegetate* and *rehabilitate* areas not required for future scheduled and approved development, by:
  - (i) ripping the ground on the contour to remove soil compaction; and
  - (ii) laying the vegetative material and topsoil retained under condition 11(a) on the cleared area(s).

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

### **12. 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 area was cleared; and
  - (iv) the size of the area cleared (in hectares).

- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 11 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 or decimal degrees;
  - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
  - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);

### 13. 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 12 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 22 December 2022, the Permit Holder must provide to the CEO a written report of records required under condition 12 of this Permit where these records have not already been provided under condition 13(a) of this Permit.

### DEFINITIONS

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

**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;

**optimal time** means the period from November to December for undertaking *direct seeding*;

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

**priority flora** means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Environment and Conservation's Threatened and Priority Flora List for Western Australia* (as amended);

**regenerate/ed/ion** means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) 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; and

**weed/s** means any plant -

- (a) that is declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*; or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.



M Warnock  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

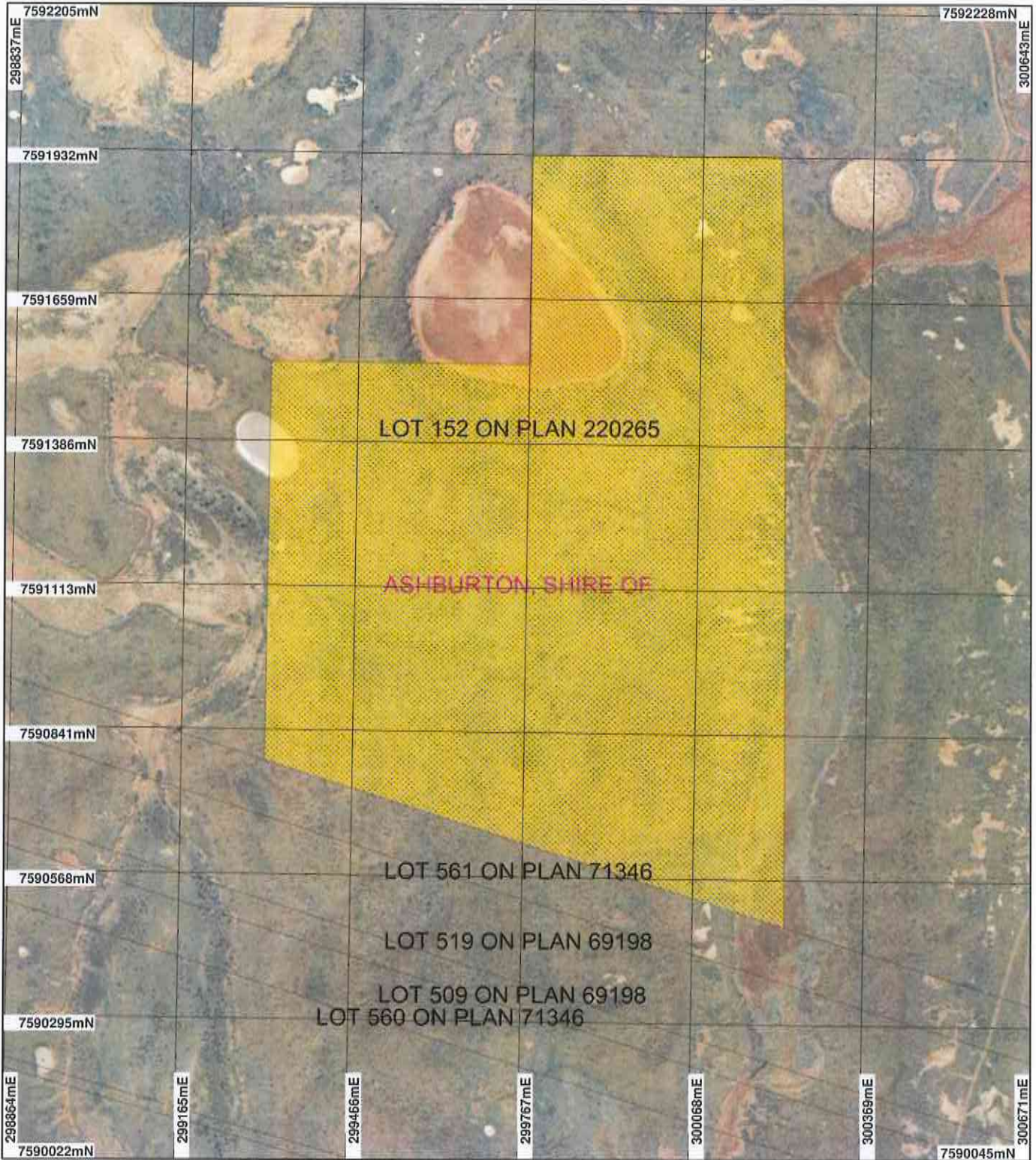
28 February 2013

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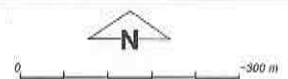


# Plan 5430/1



## LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastral
- Local Government Authorities
- Onslow 1.4m Orthomosaic - Landgate 2001



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* 28/2/13  
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.: 5430/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Western Australian Land Authority TA LandCorp

### 1.3. Property details

Property: LOT 152 ON PLAN 220265 ( TALANDJI 6710)  
Local Government Area: Shire of Ashburton  
Colloquial name: Onslow General Industrial Area

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2		Mechanical Removal	Geotechnical investigations

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 28 February 2013

## 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: 670 - Hummock grasslands, shrub steppe; scattered shrubs over <i>Triodia basedowii</i>  (Shepherd et al., 2001)	The application is to clear 2 hectares of native vegetation from a 101 hectare clearing footprint for the purpose of feasibility investigations including geotechnical testing and cadastral survey works for the development of a general industrial area.  The application area is approximately 15 kilometres south -southwest of Onslow.  ENV (2012) conducted a flora and vegetation assessment that included the application area. ENV described the majority of the application area as association 5 'open shrubland of <i>Grevillea stenobotrya</i> , <i>Hakea stenophylla</i> subsp <i>stenophylla</i> , <i>Acacia sericophylla</i> , <i>Acacia stellaticeps</i> , and <i>Grevillea eriostachya</i> over low scattered shrubs of <i>Tephrosia roea</i> var <i>clementii</i> , <i>Scaevola sericophylla</i> and <i>Bonamia rosea</i> over Open Hummock Grassland of <i>Triodia epactia</i> ' (ENV, 2012a).  The vegetation within the clearing footprint is reported to be in excellent (Keighery, 1994) condition and is the least affected by disturbance out of the four areas assessed (ENV, 2012a). Disturbance to vegetation is reported to include the presence of introduced species, tracks and roads, rubbish dumping as well as cattle grazing and trampling (ENV, 2012a).	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994)	The vegetation condition was determined through aerial photography (Onslow 1.4m orthomosaic - Landgate 2001) and from ENV's flora and vegetation assessment that included the clearing area (ENV, 2012a).

## 3. Assessment of application against clearing principles

### Comments

The application is to clear 2 hectares of native vegetation within a 101 hectare footprint area for feasibility investigations including geotechnical testing and cadastral survey works for the development of a general industrial area.



The area proposed to be cleared is in a highly vegetated area and comprises a mapped vegetation association with approximately 100 percent of the Pre-European extent remaining (Government of Western Australia, 2011).

There are records of three priority flora species in the local area (20 kilometre radius) two of which have been recorded from the same mapped vegetation and soil types as the application area. A flora and vegetation assessment that included the footprint area was conducted in May and July 2011, recording numerous occurrences of a Priority 3 (P3) flora species within the clearing footprint (ENV, 2012a). This species was recorded in the sand dune communities 3, 4 and 5, described by ENV and was recorded in the three other areas surveyed in the assessment (ENV, 2012a). The proponent has advised that it is unlikely any priority flora will be cleared during the geotechnical works, as this will be a condition of the contract and the flora report will be provided to the appointed geotechnical consultant, for identification of the locations of priority flora.

The footprint area includes several non-perennial claypan lakes and a tidal flat area subject to inundation, associated with an estuarine river, occurs 500 metres east of the footprint area. The proponent has advised that some geotechnical testing in the claypan lakes may be required to determine whether the areas would be suitable for development, therefore the proposed clearing is likely to include riparian vegetation.

ENV's flora and vegetation assessment recorded 2 weed species within the footprint area, 1 of which is Mesquite (*Prosopis pallida*), which is listed as a weed of national significance by the Commonwealth of Australia (ENV, 2012a) and is regarded as one of the worst weeds in Australia because of its invasiveness, potential for spread, and economic and environmental impacts (CRC for Australian Weed Management, 2003). Mesquite is also listed as a declared weed under the Agriculture and Related Resources Protection Act 1976 (ARRP Act) under categories P1 and P2. P1 indicates movement or introduction of the plant is prohibited, and P2 indicates that any known infestations should be eradicated. The Department of Agriculture and Food WA (DAFWA) conducted aerial surveys for Mesquite across the Pilbara in 2010 and the survey results show significant infestations of Mesquite within the application area. The proponent is legally obliged under the ARRP Act to report all occurrences of declared plants to the regional DAFWA office. The applicant should take steps to eradicate the declared weeds from the property. During clearing and the geotechnical investigations the proponent should adhere to strict weed hygiene and management procedures to ensure that weeds are not spread as a result of the proposed clearing.

There are no records of ecological communities of conservation significance or rare flora within 20 kilometres of the footprint area and the fauna habitats within the proposed area to be cleared are well represented elsewhere within the local and regional area. ENV's fauna assessment of the 4 potential development areas recorded two species of conservation significance (Australian bustard and rainbow bee-eater). These species are reported to be highly mobile and unlikely to be significantly impacted by the proposed clearing (ENV, 2012b).

Considering the small amount (2 hectares within a footprint of 101 hectares), temporary nature of the clearing proposed and the extensively vegetated surrounding landscape, the proposed clearing is unlikely to result in appreciable land degradation or increase the risk of flooding. The Department of Water (DoW) advised that the proposed clearing is unlikely to have an impact on the quantity or quality of groundwater, provided clearing is conducted in accordance with its guidelines and advice (DoW, 2013).

Appropriate weed hygiene and management, flora management, and rehabilitation of temporarily cleared areas will minimise the impacts of the proposed clearing.

#### Methodology

##### References:

CRC for Australian Weed Management (2003)

DoW (2013)

ENV (2012a)

ENV (2012b)

Government of Western Australia (2011)

Keighery (1994)

GIS Datasets:

- Hydrography, linear

- Onslow 1.4m orthomosaic - Landgate 2001

- Pre-European Vegetation

- SAC Biodatasets - 10/01/2013

- Soils, statewide

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

#### Comments

The applicant has advised an application has been made to the Department of Regional Development and Lands (DRDL) for a licence to access the Crown land for investigative works, under Section 182 of the Land Administration Act 1997 (LandCorp, 2013). The Department of Regional Development and Lands has advised that it is aware of the nature and extent of vegetation clearing anticipated by LandCorp and has no objection to an application for a clearing permit being made (DRDL, 2012).

There is one Aboriginal Site of Significance mapped within the application area. It is the proponent's responsibility to comply with the Aboriginal Heritage Act 1972 and ensure that no Aboriginal Sites of Significance are damaged through the clearing process. The proponent is advised to contact the Department of Indigenous Affairs regarding its responsibilities.

The clearing footprint area is within the Thalanyji People's native title claim area. Pursuant to the Native Title Act 1993, the Department of Environment and Conservation notified the Thalanyji People and their representatives of the proposed clearing on 10 January 2013. No response has been received.

The proposed area lies within The Pilbara River and Tributaries Area as proclaimed under the Rights in Water and Irrigation Act 1914. The Department of Water (DoW) has advised that any groundwater extraction and/or taking or diversion of surface water for the purposes other than domestic and/or stock watering is subject to licence by the DoW (DoW, 2013). Interference with the bed and banks of a watercourse in this proclaimed area also requires a permit from the DoW (DoW, 2013).

**Methodology**    References:  
DoW (2013)  
DRDL (2012)  
LandCorp (2013)  
GIS Layers:  
- Aboriginal sites of significance  
- Native Title Claims  
- RIWI Act Areas

#### 4. References

- CRC for Australian Weed Management (2003) Weeds of National Significance Weed Management Guide - Mesquite Prosopis species. Retrieved 26/02/2013 from <http://www.environment.gov.au/biodiversity/invasive/weeds/publications/guidelines/wons/pubs/prosopis.pdf>
- DoW (2013) Advice - Clearing Permit Application CPS 5430/1. Received 22/01/2013. Department of Water, Western Australia. DEC Ref: A591936
- DRDL (2013) Land Manager Consent for Native Vegetation Clearing Permit, Dated 18/12/2012. Department of Regional Development and Lands, Western Australia. DEC Ref: A585989
- ENV (2012a) Ashburton North Strategic Industrial Area Flora and Vegetation Assessment. Prepared for The Planning Group. ENV Australia Pty Ltd, January 2012. DEC Ref: A585710
- ENV (2012b) Ashburton North Strategic Industrial Area Fauna Assessment. Prepared for The Planning Group. ENV Australia Pty Ltd, January 2012. DEC Ref: A585710
- 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.
- LandCorp (2013) Application for Clearing Permit CPS 5430/1 and supporting information. DEC Ref: A585989; A604457
- 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)