



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5890/1
Permit Holder:	Donald Brian Whyatt Michele Therese Whyatt
Duration of Permit:	8 February 2014 – 8 February 2024

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 extractive industry.

2. Land on which clearing is to be done

Lot 1412 on Deposited Plan 246731, Yardarino.

3. Area of Clearing

The Permit Holder must not clear more than 7.93 hectares of native vegetation within the area hatched yellow on attached Plan 5890/1.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 8 February 2019.

5. 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.

PART II – MANAGEMENT CONDITIONS

6. 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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

7. 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.
- (b) within six months following the completion of extractive activities, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) ripping the pit floor and contour batters within the extraction site; and
 - (iii) laying the vegetative material and topsoil retained under condition 7(a) on the cleared area(s); and
 - (iv) deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area; and
 - (v) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 7(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 7(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 7(b)(v) and 7(vi) of this Permit.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 7(c)(ii) of this permit, the Permit Holder shall repeat condition 7(c)(i) and 7(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 7(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 7(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 7(c)(ii).

PART III - 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 *revegetation* and *rehabilitation* of areas pursuant to condition 7 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);
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
 - (v) a copy of the environmental specialist's report.

9. 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 8 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, 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 8 November 2023, 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:

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

environmental specialist means a person who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit, or who is approved by the CEO as a suitable environmental specialist.

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

local provenance means native vegetation seeds and propagating material from natural sources within 20 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.

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;

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

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;

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

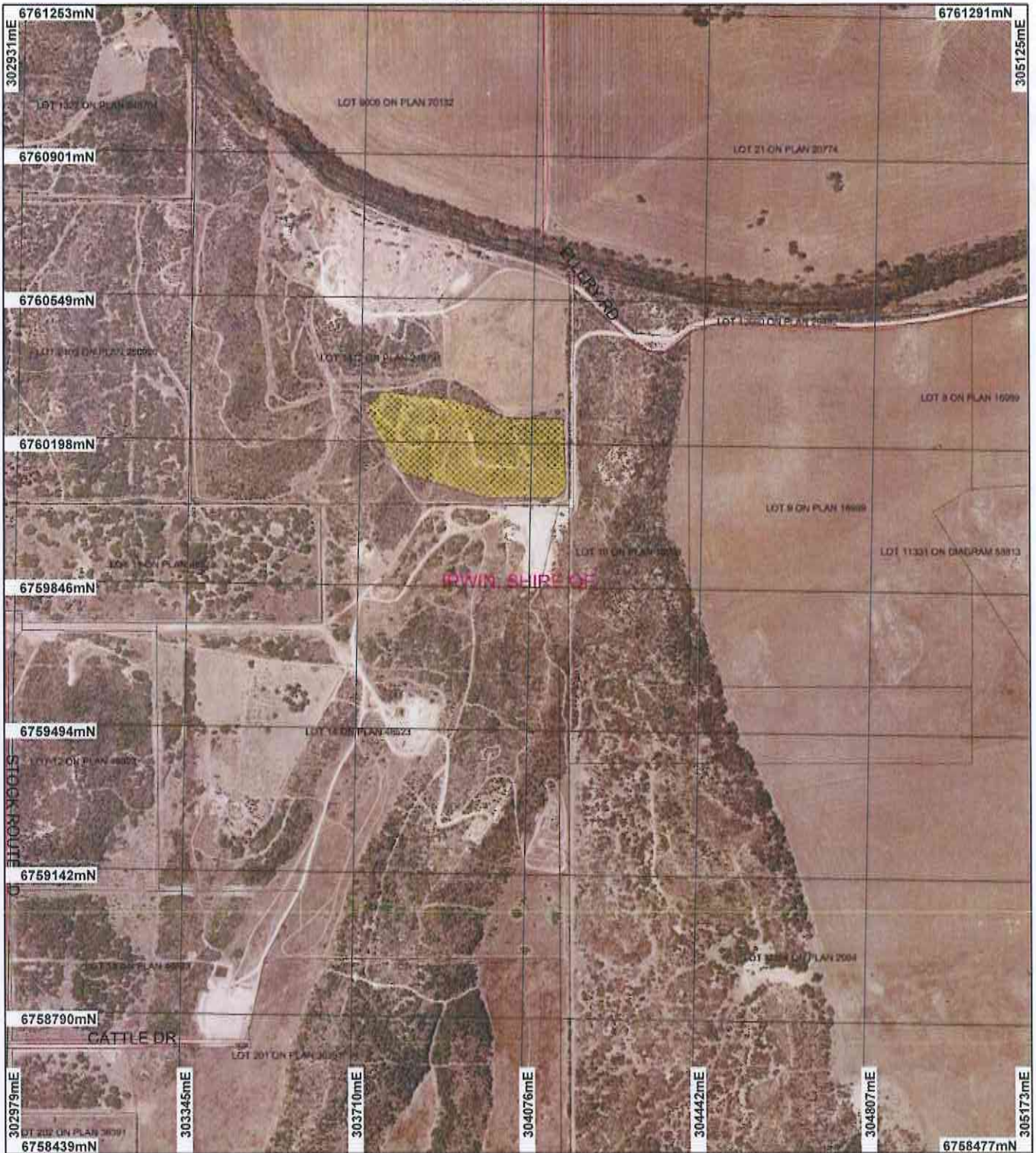


Jane Clarkson
ACTING MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

9 January 2014

Plan 5890/1



LEGEND

- Road Centrelines
- Cadastre
- Local Government Authorities
- Clearing Instruments
- Areas Approved to Clear

Dongara 50cm Orthomosaic -
Landgate 2006



Scale 1:12612
(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.

J. Clarkson Date 9.1.14
J. Clarkson

Officer with delegated authority under Section 20 of
the Environmental Protection Act 1988

Information derived from this map should be
confirmed with the data custodian acknowledged
by the agency acronym in the legend.



Government of Western Australia
Department of Environment Regulation

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1. Application details

1.1. Permit application details

Permit application No.: 5890/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Donald Brian and Michele Therese Whyatt

1.3. Property details

Property: LOT 1412 ON PLAN 246731 (House No. 199 ELLERY YARDARINO 6525)
Local Government Area: Shire of Irwin

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 9 January 2014

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 17 is described as shrublands comprised of Acacia rostellifera thicket (Shepherd et al, 2001).	This proposed clearing consists of 7.93 hectares of native vegetation within Lot 1412 on Deposited Plan 246731, Yardarino, for the purpose of extracting lime sand.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994) To Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The condition and description of the vegetation was determined via aerial imagery (Dongara 50cm Orthomosaic - Landgate 2006).

3. Assessment of application against clearing principles

Comments

The proposed clearing consists of 7.93 hectares of native vegetation within Lot 1412 on Deposited Plan 246731, Yardarino, for the purpose of extracting lime sand. The vegetation ranges from very good to completely degraded (Keighery, 1994) condition, with the completely degraded areas associated with several large tracks that dissect the application area.

Several priority flora species have been recorded in the local area (10 kilometre radius). The closest of these is a priority 4 species which is mapped approximately 1.5 kilometres north east of the application area. Priority 4 species are considered to have been adequately surveyed and not in need of special protection, but could be if circumstances change. Given the extensively vegetated local area (approximately 50 per cent native vegetation remaining) and that there is approximately 84 per cent of Beard Vegetation Association 17 remaining in the Geraldton Sandplains Bioregion, it is unlikely that the proposed clearing will impact on the conservation status of the abovementioned species.

There are two priority 2 flora species mapped within the local area (10 kilometre radius). One priority 2 species has a preference for open Eucalypt woodland and the other grows in clay loam soils over granite (Western Australian Herbarium, 1998-). These preferred habitats are not consistent with the application area, which is mapped as siliceous sands with smaller areas of brown sands and leached sands (Northcote, 1960-1968) and shrublands comprised of Acacia rostellifera (Shepherd et al, 2001). Therefore these species are unlikely to occur within the area of proposed clearing.

There are no threatened or priority ecological communities or rare flora mapped within the local area (10 kilometre radius).

Three species of fauna classified as 'rare or likely to become extinct' under the Wildlife Conservation Act 1950 have been recorded within the local area (10 kilometre radius). These are, *Anous tenuirostris* subsp. *Melanops* (Australian Lesser Noddy), *Calyptorhynchus latirostris* (Carnaby's Cockatoo) and *Dasyurus geoffroii* (Chuditch) (DEC, 2007-). The mapped vegetation on site is not representative of habitat suitable to be utilised by the abovementioned species, and given that the local area is well vegetated (approximately 50 per cent native vegetation remaining), it is unlikely that the vegetation under application provides significant habitat for indigenous fauna.

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). The Shire of Irwin retains approximately 49 per cent pre-European vegetation and Beard Vegetation Association 17 retains approximately 84 per cent pre-European vegetation in the Bioregion. These figures are above the 30 per cent threshold, therefore the application area is not likely to represent a significant remnant in an extensively cleared area.

The closest wetland or watercourse to the application area is the Irwin River, located approximately 400 metres north. Given the distance to this watercourse, the proposed clearing is unlikely to cause appreciable land degradation, impact water quality, consist of riparian vegetation or cause or exacerbate the intensity of flooding.

The closest conservation reserve to the application area is Beekeepers Nature Reserve which occurs approximately 3.9 kilometres south west. Given the distance to this conservation area, and that there are no linkage values between conservation reserves and the application area, it is unlikely that the proposed clearing will impact on the environmental values of any conservation reserves.

The proposed clearing will increase the risk of weeds spreading into adjacent vegetated areas. Weed management practices will assist in mitigating this risk.

Given the above, the proposed clearing is not likely to be at variance to any of the clearing Principles.

Methodology

References:

- Shepherd et al (2001)
- Northcote (1960-1968)
- Keighery (1994)
- DEC (2007-)
- Western Australian Herbarium (1998-)
- Commonwealth of Australia (2001)

GIS Databases:

- Hydrography, linear
- Hydrography, hierachy
- SAC Bio Datasets (Accessed December 2013)
- DEC Tenure

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

Comments

The proposed clearing consists of 7.93 hectares of native vegetation within Lot 1412 on Deposited Plan 246731, Yardarino, for the purpose of extracting lime sand. The proponent has obtained an Extractive Industry Licence from the Shire of Irwin, subject to several conditions. The licence is approved until 31 December 2014.

The application area is zoned 'rural small holdings' under the town planning scheme.

The application area falls within the Irwin River Aboriginal Site of Significance. 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 application area falls within the Arrowsmith Groundwater Area proclaimed under the Rights in Water and Irrigation Act 1914. The Department of Water (DoW, 2013) advise that there is no current licence to take groundwater within Lot 1412. It is advised that a groundwater licence should be applied for if the bore located on the property is to be used for dust suppression or other activities associated with sand mining.

Methodology

References:

- Shire of Irwin (2013)
- DoW (2013)

GIS Databases:

- Town Planning Scheme Zones
- Aboriginal Sites of Significance

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed January 2014.
- DoW (2013) Direct Interest Submission for CPS 5890/1, Arrowsmith Groundwater Area. Department of Water, Perth. DER Ref A710197.
- Government of Western Australia (2013) 2013 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2013. 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.
- 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., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Shire of Irwin (2013) Determination on Application for Planning Approval. Additional information for Clearing Permit Application CPS 5890/1. DER Ref A695614.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed December 2013).