



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6078/3
Permit Holder:	Commissioner of Main Roads Western Australia
Duration of Permit:	1 August 2015 – 31 December 2036

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 the Cape Leveque Road upgrade project.

2. Land on which clearing is to be done

LOT 26 ON PLAN 221072 (DAMPIER PENINSULA 6725)
LOT 259 ON PLAN 220696 (WATERBANK 6725)
LOT 300 ON PLAN 66643 (WATERBANK 6725)
LOT 301 ON PLAN 66643 (WATERBANK 6725)
LOT 302 ON PLAN 75838 (WATERBANK 6725)
LOT 307 ON PLAN 75838 (WATERBANK 6725)
LOT 365 ON PLAN 92336 (WATERBANK 6725)
LOT 850 ON PLAN 66632 (WATERBANK 6725)
LOT 851 ON PLAN 66631 (WATERBANK 6725)
ROAD RESERVE (WATERBANK 6725) (PIN 11731918)
ROAD RESERVE (WATERBANK 6725) (PIN 11731919)
ROAD RESERVE (WATERBANK 6725) (PIN 11731080)
ROAD RESERVE (WATERBANK 6725) (PIN 11731082)
ROAD RESERVE (WATERBANK 6725) (PIN 11731083)
UNALLOCATED CROWN LAND (WATERBANK 6725) (PIN 1188908)

3. Area of Clearing

The Permit Holder shall not clear more than 297 hectares of native vegetation within the areas cross hatched yellow on attached Plan 6078/3a, 6078/3b, 6078/3c, 6078/3d, 6078/3e, 6078/3f, 6078/3g, 6078/3h, 6078/3i and 6078/3j.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 1 January 2025.

5. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation authorised under this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

6. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the purpose described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for that purpose under the *Main Roads Act 1930* or any other written law.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise and reduce the impacts and extent of 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.

9. Fauna management

The Permit Holder must implement and adhere to the document “Main Roads WA – Cape Leveque Road Upgrade – Greater Bilby Management Plan – October 2014 – Rev No. 3” which includes, but is not limited to:

- (a) Prior to clearing, the Permit Holder shall complete a Greater Bilby (*Macrotis lagotis*) survey and staged trapping program that includes:
 - (i) the identification of all Greater Bilby (*Macrotis lagotis*) burrows that occur within, or within 50 metres of, areas to be cleared under this Permit at a time within one week prior to clearing;
 - (ii) trapping at burrows identified under condition 9(a)(i) where Greater Bilby (*Macrotis lagotis*) prints are recorded; and
 - (iii) excavation of burrows identified under condition 9(a)(i) that occur within areas to be cleared.
- (b) The Permit Holder shall relocate all Greater Bilby (*Macrotis lagotis*) individuals captured in accordance with condition 9(a) to *suitable habitat* within one kilometre of the capture site or to an alternative location(s) approved by the *CEO*.
- (c) Prior to opening the upgraded Cape Leveque Road to traffic, the Permit Holder shall install three permanent fauna underpasses that are suitable to allow the movement of Greater Bilby (*Macrotis lagotis*) individuals under the upgraded Cape Leveque Road.
- (d) The fauna underpasses identified under condition 9(c) shall be located within 500 metres of each of the following coordinates unless otherwise approved by the *CEO*:

Underpass Number	Latitude	Longitude
1	-17.5096	122.4242
2	-17.4177	122.5266
3	-17.2040	122.5576

- (e) For the term of this Permit, the Permit Holder shall maintain the fauna underpasses installed in accordance with conditions 9(c) and 9(d) to ensure the underpasses are not obstructed in a manner that would prevent use by Greater Bilby (*Macrotis lagotis*) individuals.
- (f) During the term of the permit, the Permit Holder shall implement a Greater Bilby (*Macrotis lagotis*) monitoring program that includes:

- (i) monitoring of the persistence of Greater Bilby (*Macrotis lagotis*) individuals relocated in accordance with condition 9(b) for a period not less than two weeks commencing from the date(s) of relocation(s); and
- (ii) annual monitoring for a period not less than five years commencing within 12 months of the completion of the fauna underpasses identified under conditions 9(c) and 9(d), to assess the persistence of Greater Bilby (*Macrotis lagotis*) populations within 500 metres of the upgraded Cape Leveque Road, and the level of use and effectiveness of the fauna underpasses for Greater Bilby (*Macrotis lagotis*).

10. Offset – threat management

- (a) Prior to undertaking any clearing authorised under this Permit and no later than 31 December 2016, the Permit Holder shall provide documentary evidence to the *CEO* that funding of \$279,500 has been transferred to the Department of Environment Regulation for the purpose of establishing or maintaining vegetation.
- (b) Prior to 1 July 2019, the Permit Holder shall submit a Threat Management Program to the *CEO* for the *CEO's* approval.
- (c) The Threat Management Program shall not be implemented prior to the *CEO's* approval.
- (d) The Threat Management Program should be developed in consultation with the Department of Biodiversity Conservation and Attractions and must include the following:
 - (i) actions that establish or maintain native vegetation on the Dampier Peninsula to address threats to an identified population(s) of Greater Bilby (*Macrotis lagotis*);
 - (ii) the location of the proposed actions recorded as a map and as a *shapefile*;
 - (iii) timeframes for implementation of the proposed actions over a period not less than three years;
 - (iv) a breakdown of allocation of funds for the proposed actions totalling not less than \$279,500;
 - (v) measurable threat reduction targets; and
 - (vi) a program for reporting actions undertaken including the assessment of achievement of threat reduction targets and reporting of expenditure.
- (e) The Permit Holder shall implement and adhere to the approved Threat Management Program.

11. Revegetation – mitigation and offset

The Permit Holder must implement and adhere to the document “Main Roads Western Australia – Cape Leveque Road Upgrade – Revegetation Management Plan – October 2014 – Rev No. 1” which includes, but is not limited to:

- (a) The Permit Holder shall *revegetate* and *rehabilitate* areas cleared for *temporary works* unless those areas are required for the ongoing operation and maintenance of the upgraded Cape Leveque Road.
- (b) To offset the loss of significant Greater Bilby (*Macrotis lagotis*) habitat, the Permit Holder shall *revegetate* and *rehabilitate* an area of at least 38 hectares within the combined areas shaded red on attached Plan 6078/3a, 6078/3b, 6078/3c, 6078/3d, 6078/3e, 6078/3f, 6078/3g, 6078/3h, 6078/3i and 6078/3j.
- (c) *Revegetation* and *rehabilitation* identified under conditions 11(a) and 11(b) shall commence within 12 months of completion of the Cape Leveque Road upgrade and be completed no later than 31 December 2025.
- (d) The Permit Holder shall monitor annually for a period of 10 years areas *revegetated* and *rehabilitated* to determine vegetation cover, density, diversity, structure and weed cover and to assess areas *revegetated* and *rehabilitated* under this Permit against the completion criteria identified at condition 11(e).
- (e) The Permit Holder shall achieve and maintain the following completion criteria for areas *revegetated* and *rehabilitated* under this Permit:

Completion criteria	Value to be achieved
Mean vegetation cover (excluding weeds)	>50%
Mean number of tall shrub/overstorey stems per hectare	>400 stems per hectare
Species diversity	>160 native flora taxa
Structure - overstorey	>20%
Structure - midstorey	>30%
Structure - understorey	>30%
Mean weed foliage cover	<5%

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 vegetation cover, density, diversity, structure and weed cover of the cleared area;
- (ii) the location where the clearing occurred, recorded as a *shapefile*;
- (iii) the date(s) that the area was cleared;
- (iv) the size of the area cleared (in hectares);
- (v) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 7 of this Permit; and
- (vi) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 8 of this Permit.

(b) In relation to fauna management pursuant to condition 9 of this Permit:

- (i) the location of each Greater Bilby (*Macrotis lagotis*) burrow identified 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 each Greater Bilby (*Macrotis lagotis*) burrow was identified;
- (iii) the date each Greater Bilby (*Macrotis lagotis*) burrow was excavated;
- (iv) the location of each Greater Bilby (*Macrotis lagotis*) individual captured recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (v) the date each Greater Bilby (*Macrotis lagotis*) individual was captured;
- (vi) the location of the relocation site for each Greater Bilby (*Macrotis lagotis*) captured recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (vii) the location of each fauna underpass installed recorded using a GPS unit set to GDA94, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (viii) the date each fauna underpass was installed;
- (ix) the date the upgraded Cape Leveque Road was opened to traffic; and
- (x) a copy of a report(s), prepared by an *environmental specialist*, detailing the fauna management activities undertaken including the results of the Greater Bilby (*Macrotis lagotis*) monitoring program undertaken in accordance with condition 9(f).

(c) In relation to threat management pursuant to condition 10 of this Permit:

- (i) a copy of a report(s), prepared by an *environmental specialist*, detailing the Threat Management Program activities undertaken, results and expenditure.

(d) In relation to the revegetation of areas pursuant to condition 11 of this Permit:

- (i) the location of any area *revegetated* and *rehabilitated* recorded as a *shapefile*;
- (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
- (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
- (iv) the date that the area was *revegetated* and *rehabilitated*; and
- (v) a copy of a report(s), prepared by an *environmental specialist*, detailing the *revegetation* and *rehabilitation* activities undertaken and results for the monitoring of vegetation cover, density, diversity, structure and weed cover.

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 30 September 2036, 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:

camp(s) means any facilities required to be established by the Permit Holder at the site of the project such as offices, storerooms, workshops, toilets, washing facilities, accommodation, change rooms, shelter sheds, drying conveniences, mess rooms;

authorised survey has the meaning given to it in section 3 of the *Licensed Surveyors Act 1909*;

CEO means the Chief Executive Officer of the Department;

engineering survey means any inspection or measurement taken by a surveyor engaged by the Permit Holder for the purpose of planning, investigating and designing the project;

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;

extraction sites includes gravel pits, borrow pits, water bores and other sites from which *road building materials* are extracted;

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;

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

geological survey means a survey conducted in order to obtain information about the suitability of the ground for a project activity, and includes geotechnical surveys;

local provenance means native vegetation seeds and propagating material from natural sources within 200 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;

pre-construction activities means establishing storage areas, erecting fences and doing similar activities that are required to be done prior to, and in association with, the carrying out of the project;

project surveys means *authorised surveys, engineering surveys and geological surveys*;

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.

road building materials means rock, gravel, soil, stone, timber, boulders and water;

shapefile means an ESRI shapefile consisting of polygons using the Geocentric Datum of Australia 1994 (GDA94);

suitable habitat means habitat known to be suitable for Greater Bilby (*Macrotis lagotis*) that contains pre-established artificial burrows;

temporary works means access tracks, spoil areas, side tracks, site offices, storage areas, laydown areas, *extraction sites*, *camp*s, *project surveys*, *pre-construction activities* and similar works associated with the project that are temporary in nature;

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 Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

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

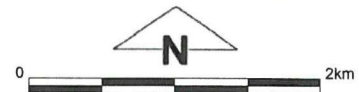
11 January 2019

Plan 6078/3a



Legend

-  Cadastre
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Clearing Instruments Conditions



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UTM Zone 51S

World Geodetic System 1984

Samara Rogers

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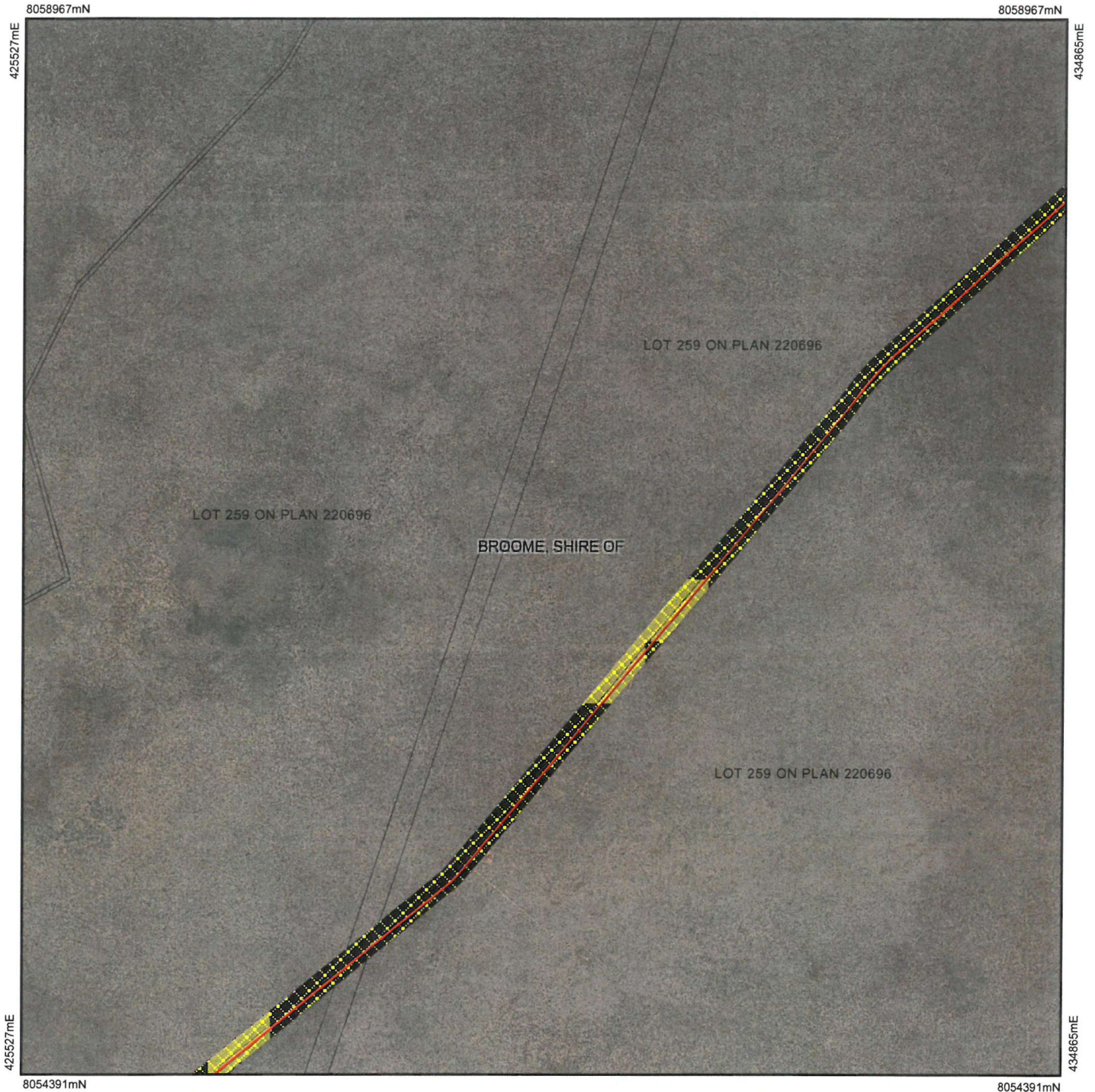
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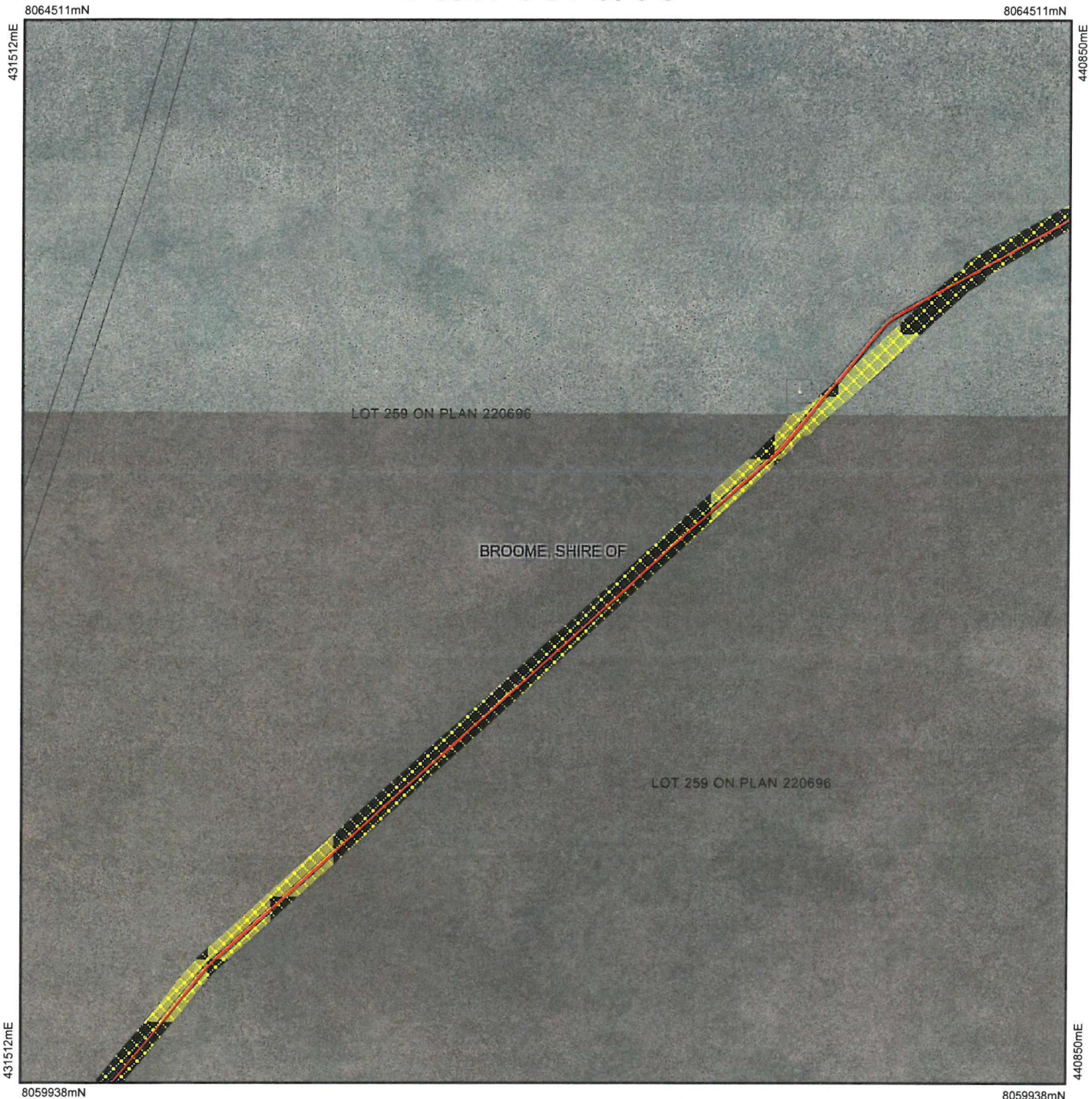
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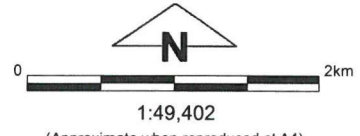
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Legend

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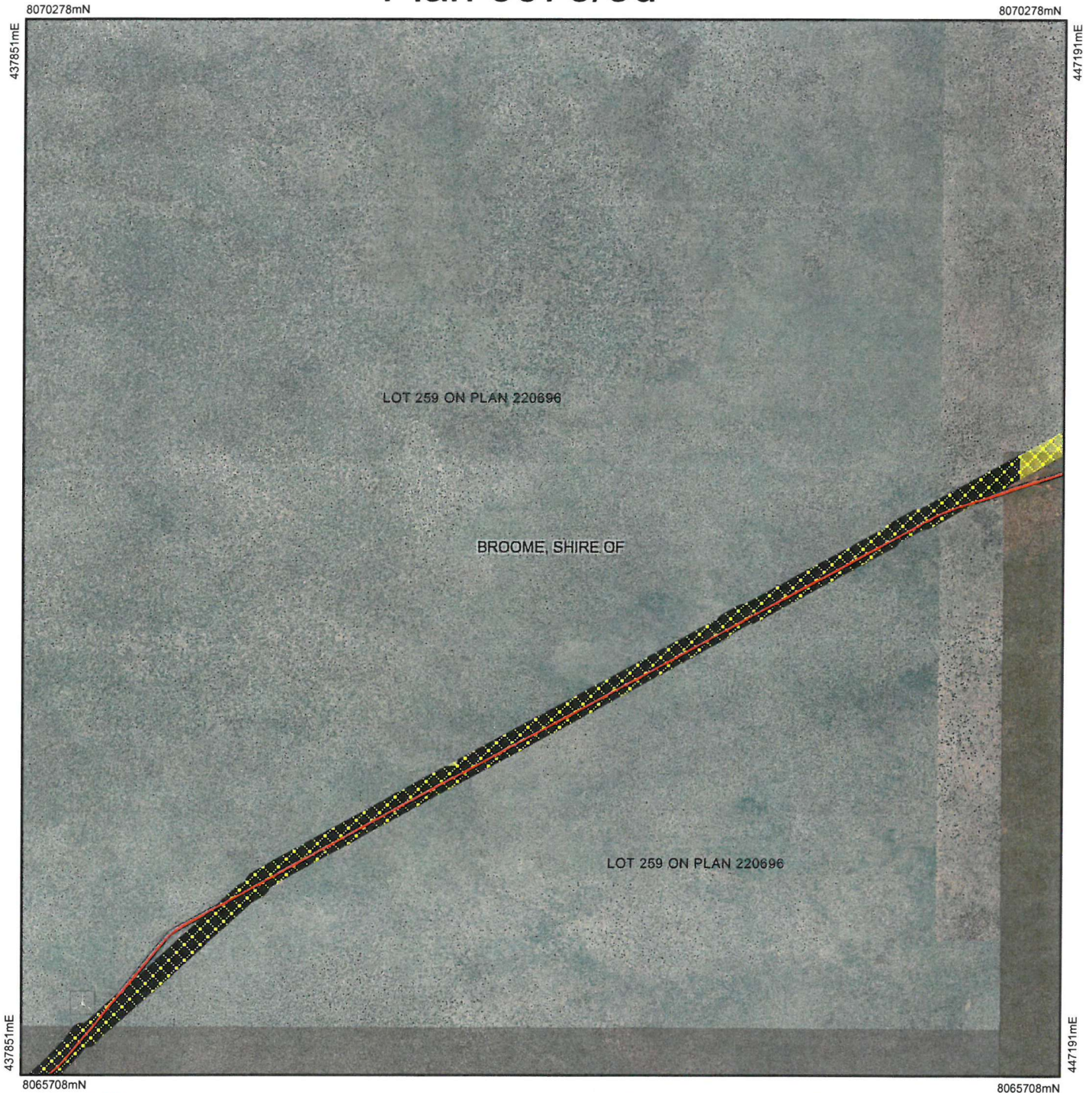
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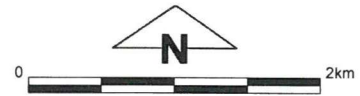


Plan 6078/3d



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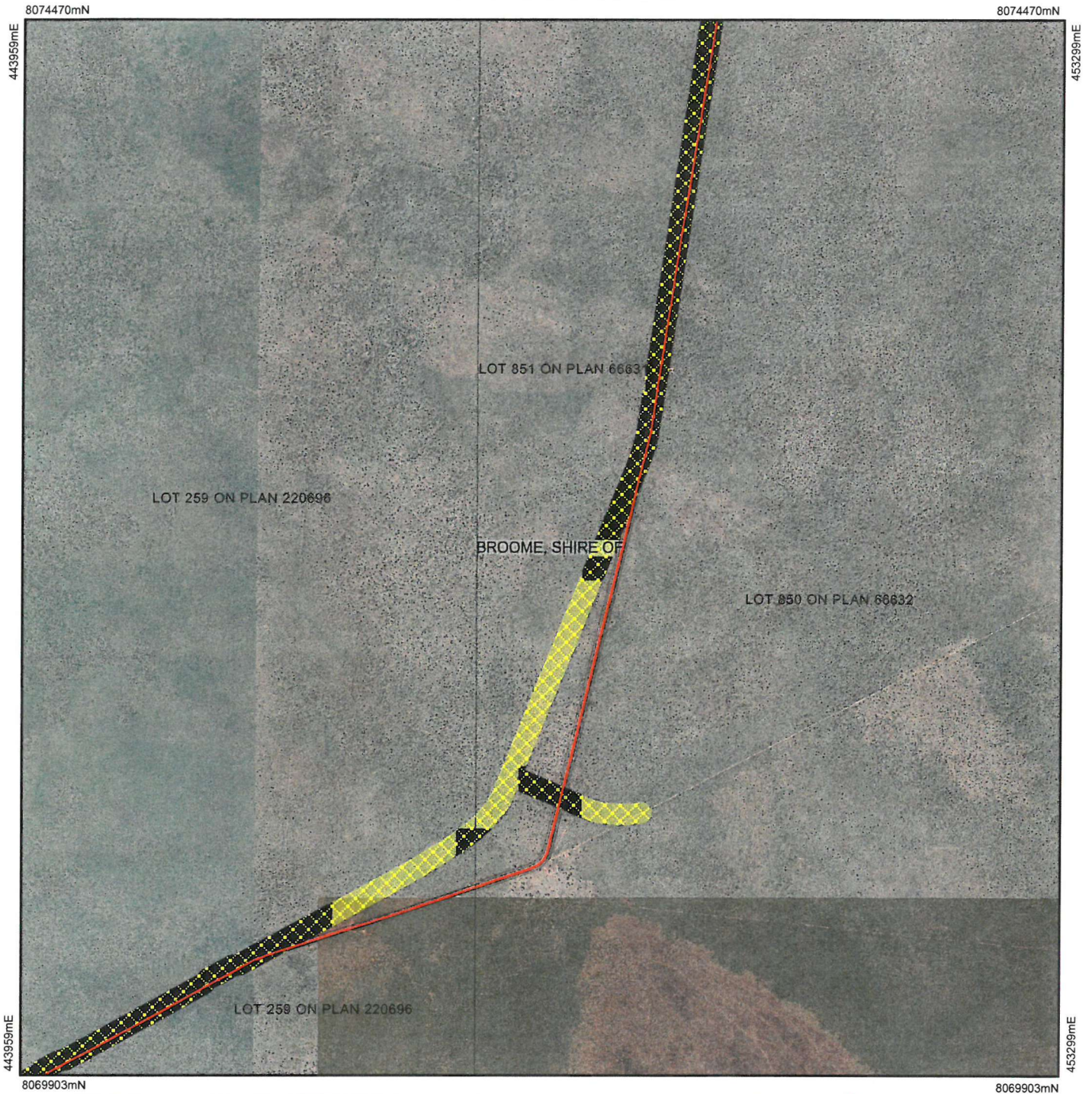
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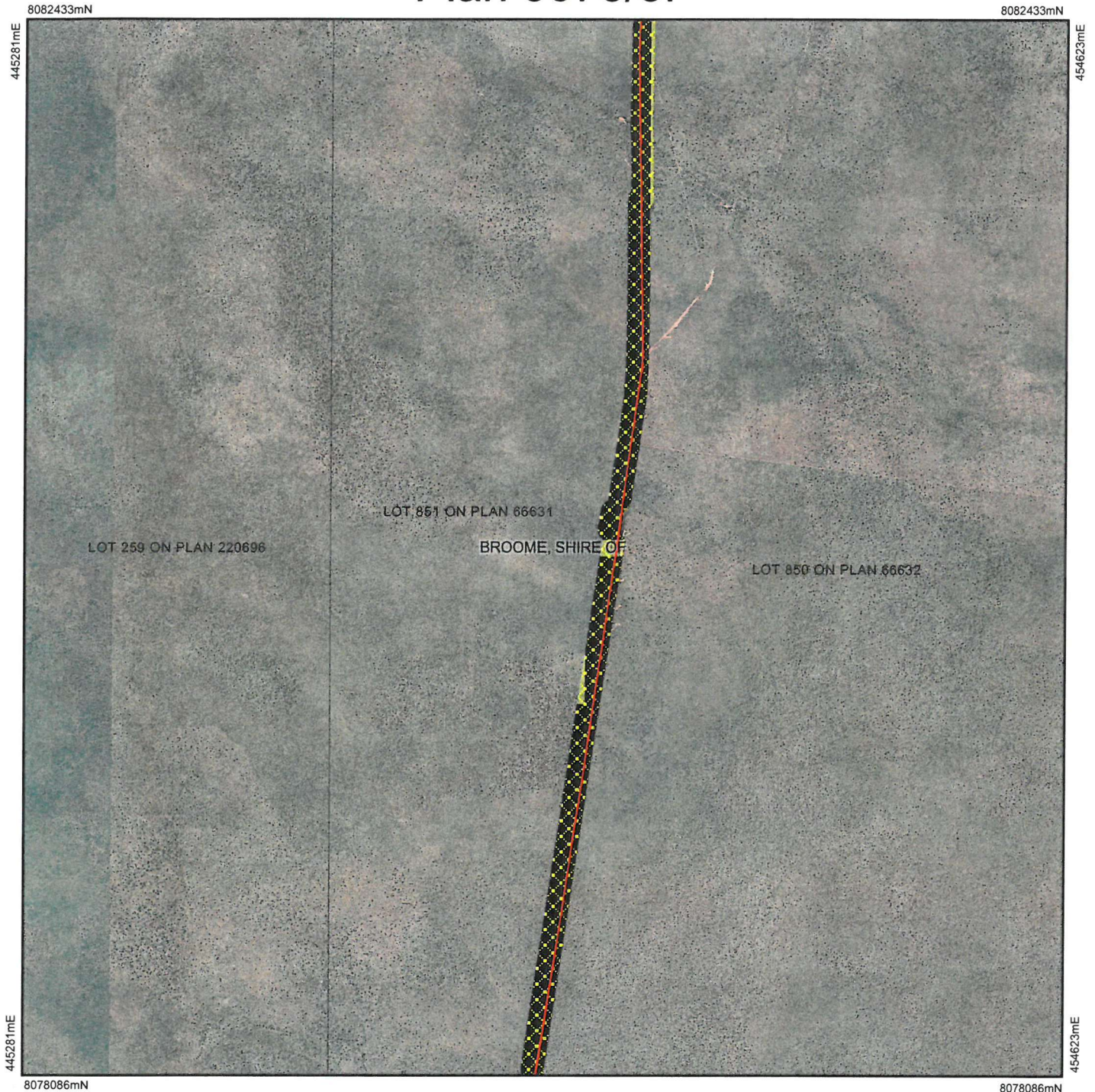
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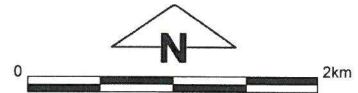
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-  Local Government Authority
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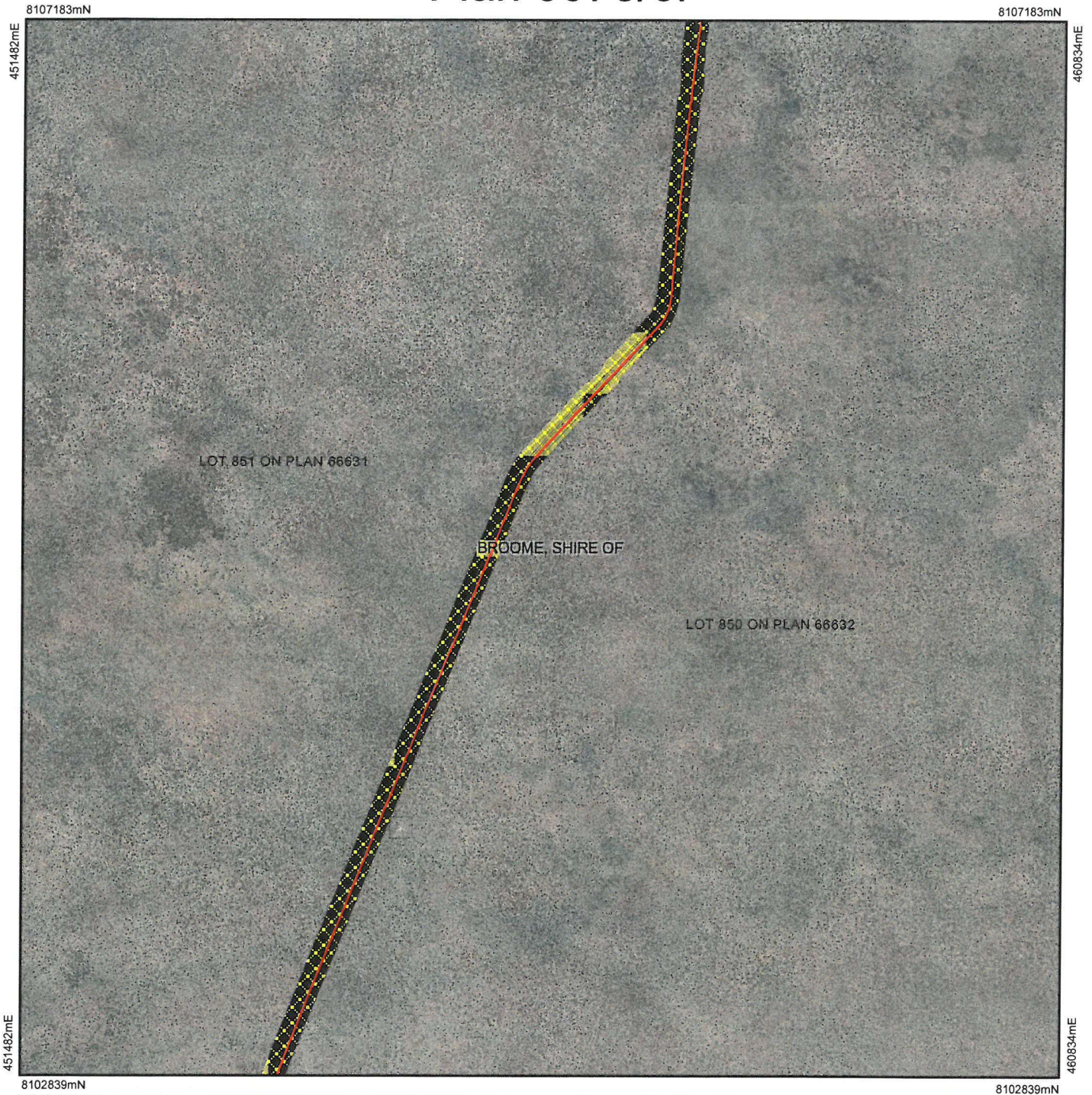
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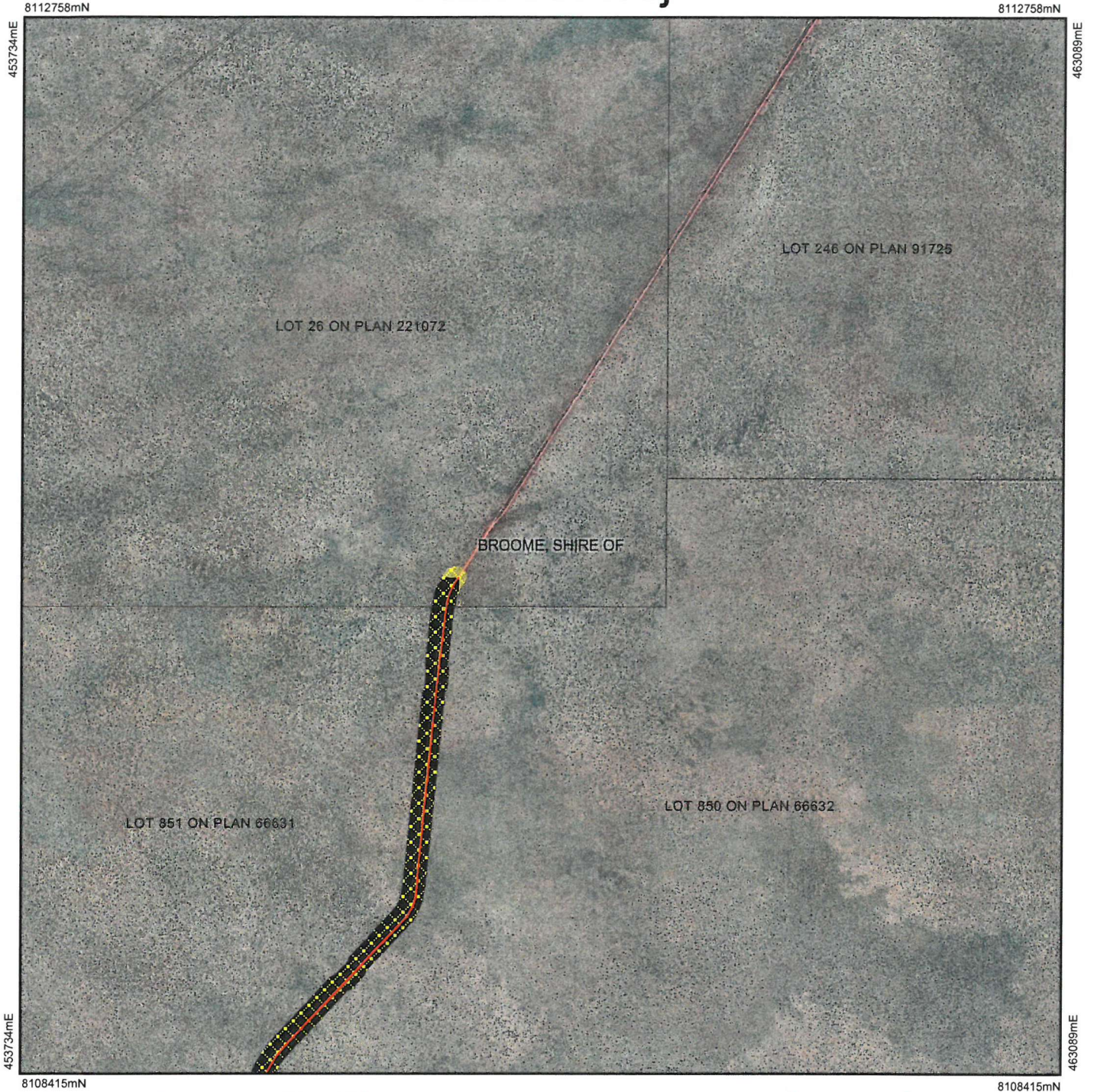
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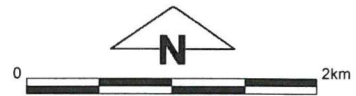
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UTM Zone 51S

World Geodetic System 1984

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1. Application details

1.1. Permit application details

Permit application No.: 6078/3
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Commissioner of Main Roads WA
Application received date: 20 December 2018

1.3. Property details

Property:
 LOT 851 ON PLAN 66631, WATERBANK
 LOT 850 ON PLAN 66632, WATERBANK
 LOT 365 ON PLAN 92336, WATERBANK
 LOT 307 ON PLAN 75838, WATERBANK
 LOT 302 ON PLAN 75838, WATERBANK
 LOT 301 ON PLAN 66643, WATERBANK
 LOT 300 ON PLAN 66643, WATERBANK
 LOT 26 ON PLAN 221072, DAMPIER PENINSULA
 LOT 259 ON PLAN 220696, WATERBANK
 UNALLOCATED CROWN LAND, WATERBANK
 ROAD RESERVE - 11731082, WATERBANK
 ROAD RESERVE - 11731083, WATERBANK
 ROAD RESERVE - 11731080, WATERBANK
 ROAD RESERVE - 11731918, WATERBANK
 ROAD RESERVE - 11731919, WATERBANK
 BROOME, SHIRE OF
 WATERBANK and DAMPIER PENINSULA

Local Government Authority:
Localities:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
297		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit Application: Granted
 Decision Date: 11 January 2019
 Reasons for Decision: This amendment has been made to amend condition 10(b) which requires a Threat Management Program (TMP) to be submitted to Department of Water and Environmental Regulation (DWER) for approval by 30 December 2018. Due to the requirement of condition 10(d), requiring the TMP to be developed with the Department of Biodiversity, Conservation and Attractions (DBCA), as part of the Dampier Peninsula Bilby Project, the Commissioner of Main Roads has requested an extension until 1 July 2019.

The clearing permit application was assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act) in the previous assessment. The assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 6078/1.

Given the above, the Delegated Officer decided to grant a clearing permit with an amended condition 10(b). Condition 12 has also been amended, requiring the Permit holder to maintain records in relation to Weed control and avoidance and minimisation conditions.

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 (Shepherd et al. 2001): 750 - Shrublands, pindan; <i>Acacia tumida</i> shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex.	The application is to clear up to 297 hectares of native vegetation within various properties for the purpose of upgrading a 77.6 kilometre section (SLK 25 to SLK 102.6) of Cape Leveque Road to a sealed standard. The application	Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).	The vegetation condition of the application area was determined by a flora and vegetation survey undertaken by GHD (GHD 2013).

Vegetation units as identified by GHD (GHD 2013):
Pindan woodland - *Corymbia greeniana*, *Eucalyptus tectifica*, *Brachychiton diversifolius* and occasionally *E. jensenii* low woodland over *Acacia ancistrocarpa*, *Dodonaea hispidula* and *A. hippuroides* mixed shrubland over *Sorghum plumosa*, *S. stipoides* tall tussock grassland over *Glycine tomentella*, *Galactia tenuiflora* and *Gossypium rotundifolium* low sparse vineland.

includes clearing for construction of a new road formation (generally located parallel to the existing alignment), the upgrade of approximately two kilometres of a side road, 36 borrow pits, offshoot drains, access tracks, and contingency amounts for associated works. The works are proposed to take place during the dry season (May to October) from 2015-2019.

To
Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)

Vegetation condition is predominantly excellent (Keighery, 1994) except for approximately three per cent of the application area which is completely degraded (Keighery, 1994) due to the presence of tracks and other previously cleared areas.

3. Assessment of application against clearing principles

The Commissioner of Main Roads has applied to amend condition 10(b), to extend the submission date of the TMP to DWER for the approval of the Chief Operating Officer, from 30 December 2018 to 1 July 2019.

A review of current environmental information reveals no new additional information. Therefore the assessment against the clearing principles has not changed and can be found in the Clearing Permit Decision Report CPS 6078/1.

Planning instruments and other relevant matters

This application to amend was advertised on DWER's website on 3 January 2019 with a seven day submission period. No public submissions have been received in relation to this application to amend.

4. References

- GHD (2013) Main Roads Western Australia Cape Leveque Road Stage 3 Environmental Impact Assessment and Environmental Management Plan, August 2013. GHD. DER Ref A751508.
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