



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 6725/1
<b>Permit Holder:</b>	Forrest and Forrest Pty Ltd
<b>Duration of Permit:</b>	From 10 January 2016 to 10 January 2018

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 pivot irrigation.

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

Lot 152 on Deposited Plan 220265, Talandji  
Unnamed Road Reserve (PIN 11730558), Talandji

**3. Area of Clearing**

The Permit Holder must not clear more than 40 hectares of native vegetation within the area hatched yellow on attached Plan 6725/1.

**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.

### PART II – MANAGEMENT CONDITIONS

**6. Period in which clearing is authorised**

The Permit Holder shall not clear native vegetation unless commencing pivot irrigation activities within one month of the clearing being undertaken.

**7. Weed control**

- (a) When undertaking any clearing 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) 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* which are growing within 50 meters outside of the area cross hatched yellow on attached Plan 6725/1.

**DEFINITIONS**

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

*weed/s* mean 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; and
- (d) that is a species permitted for planting under a Pastoral Diversification Permit issued by the Department of Regional Development and Lands.

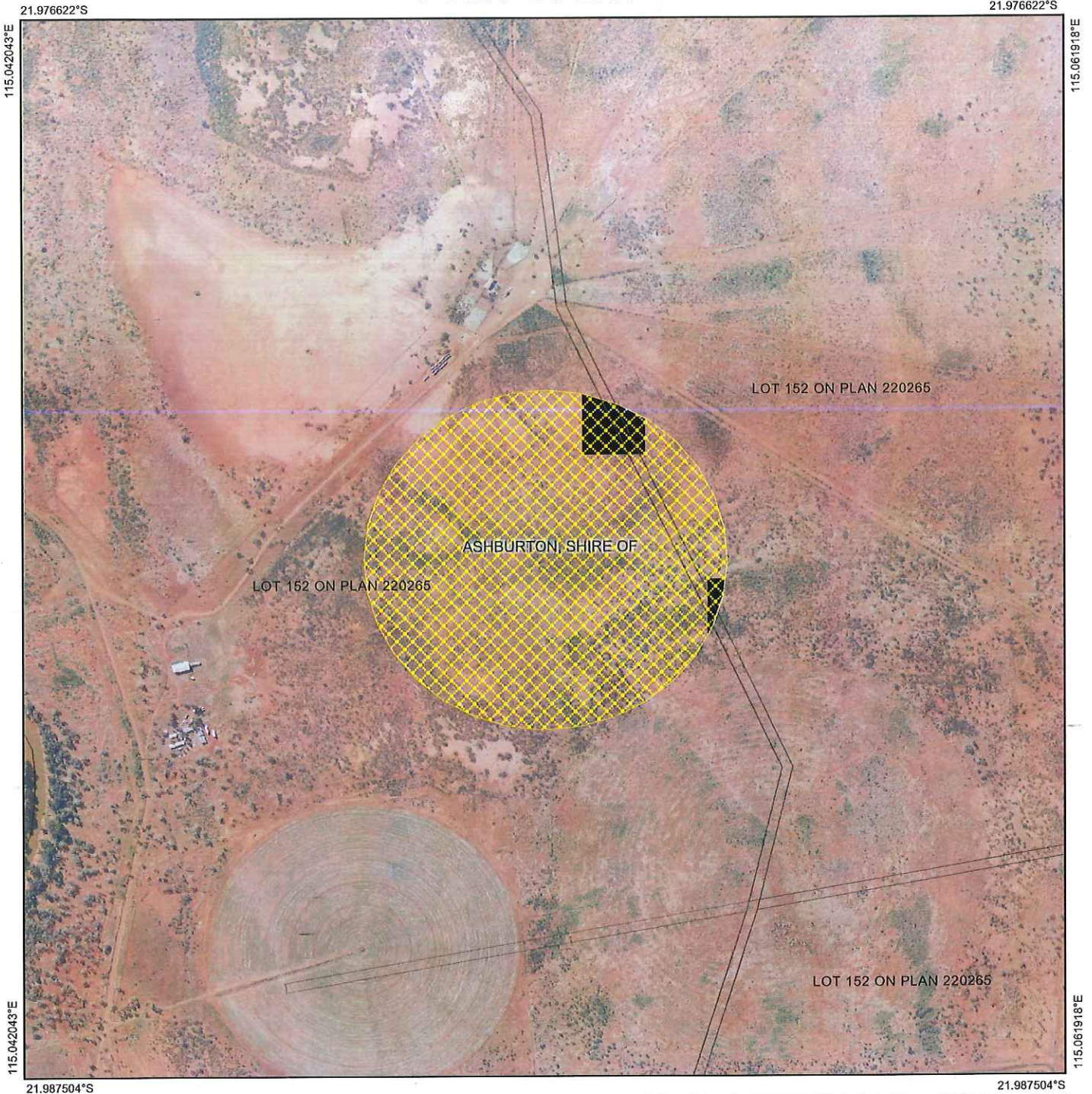


Jane Clarkson  
A/SENIOR MANAGER  
CLEARING REGULATION

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

10 December 2015

# Plan 6725/1



## Legend

-  Localities
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



1:10,876

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

*J Clarkson* Date *10/12/15*  
J Clarkson

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986



## 1. Application details

### 1.1. Permit application details

Permit application No.: 6725/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Forrest & Forrest Pty Ltd

### 1.3. Property details

Property: ROAD RESERVE - 11730558, TALANDJI  
LOT 152 ON PLAN 220265, TALANDJI

Colloquial name:  
Local Government Authority: ASHBURTON, SHIRE OF  
DER Region: North West  
DPaW District: no district  
LCDC: ASHBURTON  
Localities: TALANDJI

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit: Granted  
Application:  
Decision Date: 26 November 2015

## 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 589 is described as Mosaic: Short bunch grassland - savanna / grass plain (Pilbara) / Hummock grasslands, grass steppe; soft spinifex (Shepherd et al. 2001).	The proposed clearing of 40 hectares within Lot 152 on Plan 220265 and unnamed road reserve (PIN 11730558) Talandji is for the purpose of pivot irrigation.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).  To  Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The condition of the vegetation was established through aerial photography.

## 3. Assessment of application against clearing principles

### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

**Comments** **Proposed clearing is not likely to be at variance to this Principle**  
The application to clear is for 40 hectares of native vegetation for the purpose of pivot irrigation for cattle fodder crops of sorghum, oats, Lucerne, corn, Rhodes grass, Japanese millet, Cavalcade and Mung bean.

Two records of priority flora species, *Eremophila forrestii* subsp. *Viridis* (P3) and *Triumfetta echinata* (P3) (P1) have been recorded within a 20 kilometre radius of the application area, both being recorded over 16 kilometres from the application area on different soil and Beard vegetation association types as the application area. No rare flora has been mapped within 60 kilometres of the proposed clearing. Given the distance to the nearest mapped priority and rare flora species and the different recorded vegetation type of the vegetation under application, it is not likely for the application area to contain priority or rare flora habitat.

The local area (20 kilometre radius) surrounding the application is highly vegetated, retaining approximately 99 percent native vegetation cover. Given this and as the area is likely to be impacted by cattle grazing. The proposed clearing is not considered likely to impact on significant habitat for local conservation significant fauna species.

The proposed clearing is not considered to impact on Threatened or Priority Ecological Communities as there are no records within 65 kilometres of the proposed clearing.

Given that the application area does not contain significant habitat for conservation significant flora or fauna species and is surrounded by a highly vegetated area which is likely to contain higher biodiversity than the application area, it is not considered likely for the proposed clearing to be at variance to this Principle

**Methodology** GIS Databases:  
- SAC Bio datasets (October 2015)

**(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** **Proposed clearing is not likely to be at variance to this Principle**  
The local area (20 kilometre radius) surrounding the application is highly vegetated, retaining approximately 99 percent native vegetation cover.

Two fauna species have been recorded within the local area (20 kilometre radius) of the area under application being the fork-tailed swift (*Apus pacificus*) and the rainbow bee-eater (*Merops ornatus*) (Parks and Wildlife, 2007-).

The fork-tailed swift is almost exclusively aerial, flying from less than 1 to 300 metres above ground and occurs over inland plains but sometimes above foothills or in coastal areas (Department of Environment, 2015a). The rainbow bee-eater occurs mainly in open forests and woodlands, shrublands and in various cleared or semi-cleared habitats, including farmland and areas of human habitation (Department of Environment, 2015b).

Given that these two avian species are mobile, that the application area occurs within a degraded to good (Keighery, 1994) condition and that the application area is surrounded by a highly vegetated landscape containing similar habitat, it is not considered for the application area to contain significant fauna habitat.

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

**Methodology** References:  
-Parks and Wildlife (2007-)  
-Keighery (1994)  
-Department of Environment (2015a)  
-Department of Environment (2015b)

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

**Comments** **Proposed clearing is not likely to be at variance to this Principle**  
The nearest record of rare flora is over 60 kilometres from the proposed clearing, on a different mapped vegetation and soil type to the application area.

Therefore, the vegetation under application is unlikely to support rare flora and the proposed clearing is not likely to be at variance to this Principle.

**Methodology** GIS Databases:  
- SAC Bio datasets (October 2015)

**(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** **Proposed clearing is not likely to be at variance to this Principle**  
No Threatened Ecological Communities (TEC) occurs within a 50 kilometre radius of the proposed clearing.

Given the distance to the nearest TEC, the proposed clearing is not likely to be at variance to this Principle.

**Methodology** GIS Databases:  
- SAC Bio datasets (October 2015)

**(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**      **Proposed clearing is not likely to be at variance to this Principle**  
 The local area (20 kilometre radius) retains approximately 99 per cent native vegetation. The vegetation has been mapped as Beard vegetation association 589 of which there is approximately 99 per cent pre-European extent remaining (Government of Western Australia, 2014).

The application area comprises 40 hectares of native vegetation that is not considered an area of high biodiversity due to it being under grazing pressure and extent of vegetation within the local area.

The vegetation under application is unlikely to be significant as a remnant of native vegetation and the application is not likely to be at variance to this clearing Principle.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in Parks and Wildlife Managed Lands (%)
IBRA Bioregion* Carnarvon	8,382,890	8,360,801	99	11
Shire* Shire of Ashburton	10,086,652	10,059,95	99	16
Beard Vegetation Association in Bioregion* 589	78,101	77,835	99	0

**Methodology**      References:  
 -Government of Western Australia (2014)\*  
 GIS Databases:  
 - Interim Biogeographic Regionalisation of Australia  
 - Pre-European Vegetation  
 - SAC Bio datasets (October 2015)

**(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**      **Proposed clearing is not likely to be at variance to this Principle**  
 The nearest watercourse is Ashburton River occurring 700 metres west of the proposed clearing. An area of non-perennial inundation occurs adjacent to the application area to the north.

The non-perennial inundation area to the north is considered to be in a degraded (Keighery, 1994) condition and the majority of this area is separated from the area under application by a road, sheds and other infrastructure. Given this it is not considered for the application area to be growing in association with this wetland.

Given the distance to the nearest watercourse, the Ashburton River, it is not considered for the application area to be growing in or in association of this watercourse.

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

**Methodology**      References  
 -Keighery (1994)  
 GIS Databases:  
 -Hydrography, linear

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments**      **Proposed clearing may be at variance to this Principle**  
 Chief soils within the application area consist of hard alkaline red soils (Northcote et al. 1960-68). The Commissioner of Soil and Land Conservation (CSLC) has advised that the application area lies within an area of alluvial flood plain land unit of the Nanyarra land system. The soils of this land unit are described as being reddish brown loams or clay typically more than 1 metre in depth. If the protective native vegetation is lost than these soils are prone to erode and suffer surface sealing (CSLC, 2015).

The application area avoids the mapped areas of severely degraded and eroded country in the local area and it is adjacent to two existing pivots. However, it is likely for the application area to be subject to regular inundation

when the Ashburton River (located 700 metres west) floods and therefore there is a risk of soil erosion and potentially eutrophication caused by fertilizer use, of the nearby Ashburton River (CSLC, 2015). The risk of soil erosion can be minimised by maintaining adequate vegetative cover such as stubble after clearing (CSLC, 2015).

The applicant has advised that as the application area is in a degraded condition it is likely that an established crop will provide more protective vegetative cover than what currently exists. The applicant advised that clearing within the application area will occur prior to the beginning of the rain season so that a crop will be established prior to increased rainfall, preventing water erosion of the site.

Given the above, the proposed clearing may be at variance to this Principle.

**Methodology**    **References:**  
-CSLC (2015)  
-Keighery (1994)  
-Northcote et al. (1960-68)  
GIS Databases  
-Soils, statewide  
-Hydrography linear

**(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**    **Proposed clearing is not likely to be at variance to this Principle**  
The nearest conservation area, ex Mt Minnie lease area, occurs over 11 kilometres from the application area. Given the distance to this conservation area, it is not considered for the proposed clearing to impact on the environmental values of nearby conservation areas.

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

**Methodology**    GIS Databases:  
-Parks and Wildlife Managed Lands

**(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**    **Proposed clearing is not likely to be at variance to this Principle**  
The nearest watercourse is Ashburton River occurring 700 metres west of the proposed clearing. An area of non-perennial inundation occurs adjacent to the application area to the north.

The non-perennial inundation area to the north is considered to be in a degraded (Keighery 1994) condition and the majority of this area is separated from the area under application by a road, sheds and other infrastructure.

Given this, and that the local area is 99 per cent vegetated, it is not considered for the proposed clearing of 40 hectares to cause deterioration in the quality of surface water of this inundation area.

The Commissioner of Soil and Land Conservation (CSLC) has advised that the application area lies within an area of alluvial flood plain land unit of the Nanyarra land system. The soils of this land unit are described as being reddish brown loams or clay typically more than one metre in depth. If the protective native vegetation is lost then these soils are prone to erode and suffer surface sealing (CSLC, 2015).

The application area avoids the mapped areas of severely degraded and eroded country in the local area and it is adjacent to two existing pivots. However, it is likely for the application area to be subject to regular inundation when the Ashburton River (located 700 metres west) floods and therefore there is a risk of soil erosion and potentially eutrophication caused by fertilizer use, of the nearby Ashburton River (CSLC, 2015). The risk of soil erosion and potential sedimentation and eutrophication of the surface water of Ashburton River can be minimised by maintaining adequate vegetative cover such as stubble after clearing (CSLC, 2015).

The applicant has advised that as the application area is in a degraded (Keighery, 1994) condition it is likely that an established crop will provide more protective vegetative cover than what currently exists. The applicant advised that clearing within the application area will occur prior to the beginning of the rain season so that a crop will be established prior to increased rainfall, preventing water erosion of the site.

Given this and that a vegetated buffer of 700 metres exists between Ashburton River and the proposed clearing, it is not likely for the proposed clearing to cause deterioration in surface water quality.

The groundwater salinity mapped within the application area is 7000 to 14000 milligrams per litre. The vegetation under application is considered to be in a degraded to good (Keighery, 1994) condition and the clearing of 40 hectares within a highly vegetation (99 per cent) local area (20 kilometre radius) is not considered likely to increase groundwater salinity.

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

**Methodology** References:  
-CSLC (2015)  
-Keighery (1994)  
GIS Databases:  
-Groundwater Salinity  
-Hydrography, linear

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments Proposed clearing is not likely to be at variance to this Principle**

The nearest watercourse is Ashburton River occurring 700 metres west of the proposed clearing. An area of non-perennial inundation occurs adjacent to the application area to the north.

The non-perennial inundation area to the north is considered to be in a degraded (Keighery, 1994) condition and the majority of this area is separated from the area under application by a road, sheds and other infrastructure.

Given this, the degraded to good (Keighery, 1994) condition of the vegetation under application and that the local area is 99 per cent vegetated, it is not considered for the proposed clearing of 40 hectares to cause or exacerbate the incidence or intensity of flooding.

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

**Methodology** References:  
-Keighery (1994)  
GIS Databases:  
-Hydrography, linear

**Planning instruments and other relevant matters.**

**Comments** The application to clear is for 40 hectares of native vegetation for the purpose of pivot irrigation for crops of sorghum, oats, Lucerne, corn, Rhodes grass, Japanese millet, Cavalcade and Mung bean. Two existing 40 hectares pivots occur within the vicinity of the application area.

A previous clearing permit (CPS855/1) granted in October 2006 for pivot irrigation with no conditions exists over a portion of the application area. The permit expired in August 2008.

An application for a permit to diversify has been received by the Department of Regional Development and Lands in August 2015 and is currently under assessment.

The applicant holds a Pastoral Lease over the area under application granted 1 July 2015.

One Aboriginal Sites of Significance is mapped within the application area. It is the applicant's responsibility to ensure that their responsibilities under the Aboriginal Heritage Act (1972) have been fulfilled.

Native title notification of this application was sent to the Buurabalayji Thalanyji Aboriginal Corporation and Thalanyji Native Title claimants. On behalf of the native title holders, Buurabalayji Thalanyji Aboriginal Corporation objects to the clearing application as the activities proposed are likely to impact upon determined native title and heritage right and interests (Buurabalayji Thalanyji Aboriginal Corporation, 2015). The applicant has been advised to contact the Buurabalayji Thalanyji Aboriginal Corporation regarding their concerns.

The application area occurs within the Pilbara Groundwater Area as proclaimed under the *Rights in Water and Irrigation Act* 1914. Any groundwater abstraction on this area is subject to licencing by Department of Water. The Department of Water has approved a groundwater licensed allocation for this site (GWL168145(3)) (Department of Water, 2015).

The Shire of Ashburton (2015) advised that they have no objections to the clearing of vegetation or the location of the pivot within the application area.

The area under application is zoned rural and road reserve.

**Methodology** References:  
-Shire of Ashburton (2015)  
-Department of Water (2015)  
- Buurabalayji Thalanyji Aboriginal Corporation (2015)  
GIS Databases:  
-Town Planning Scheme Zones  
-Aboriginal Sites of Significance  
-RIWI Areas



#### 4. References

- Buurabalayji Thalanyji Aboriginal Corporation (2015) Native Title response for clearing application CPS 6725/1. DER A988388
- CSLC (2015) Land degradation advice for clearing application CPS 6725/1 - Forrest and Forrest Pty Ltd. Commissioner of Soil and Land Conservation. DER ref A1001855
- Department of the Environment (2015a). *Merops ornatus* in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed Wed, 11 Nov 2015 18:58:26 +1100.
- Department of the Environment (2015b). *Apus pacificus* in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed Wed, 11 Nov 2015 19:01:42 +1100.
- Department of Water (2015) Direct Interest advice for clearing application CPS 6725/1 - Forrest and Forrest Pty Ltd. DER ref A980211
- Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, 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.
- Parks and Wildlife (2007- ) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Shire of Ashburton(2015) Direct Interest Response for clearing application CPS 6725/1 - Forrest and Forrest Pty Ltd. DER ref A980037