GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7758/1
Permit Holder:	Shire of Ashburton
Duration of Permit:	27 November 2017 to 27 November 2027

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 hydrogeological and geotechnical investigations.

2. **Land on which clearing is to be done**
   Lot 150 on Deposited Plan 220207, Onslow
   Lot 278 on Deposited Plan 219235, Onslow
   Lot 515 on Deposited Plan 69201, Onslow
   Onslow Road reserve (PIN: 11730569), Onslow

3. **Area of Clearing**
   The Permit Holder must not clear more than 6.5 hectares of native vegetation within the area hatched yellow on attached Plan 7758/1.

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 27 November 2022.

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.

PART II – MANAGEMENT CONDITIONS

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.

9. Flora management

Where *priority flora* were identified and reported in Phoenix Environmental Sciences, Flora and vegetation survey and terrestrial fauna survey for the Pilbara Regional Waste Management Facility, the Permit Holder shall ensure that:

(a) no clearing occurs within 20 metres of identified *Abutilon* sp. *Pritzelianum*, unless approved by the CEO in writing;
(b) no clearing occurs within 10 metres of identified *Triumfetta echinata*, unless approved by the CEO in writing; and
(c) no clearing of identified *priority flora* occurs unless approved by the CEO in writing.

10. 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* following clearing authorised under this Permit, *revegetate* and *rehabilitate* the area(s) that are not required to remain cleared for the development of the waste management facility
    (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 ground on the contour to remove soil compaction; and
    (iii) laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s).

PART III – MONITORING, RECORD KEEPING AND REPORTING

11. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to the clearing of native vegetation authorised under this Permit:

(a) 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;
(b) the date that the area was cleared; and
(c) the size of the area cleared (in hectares).

12. 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 11 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 27 August 2027, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(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 November to December for undertaking *planting*;

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 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

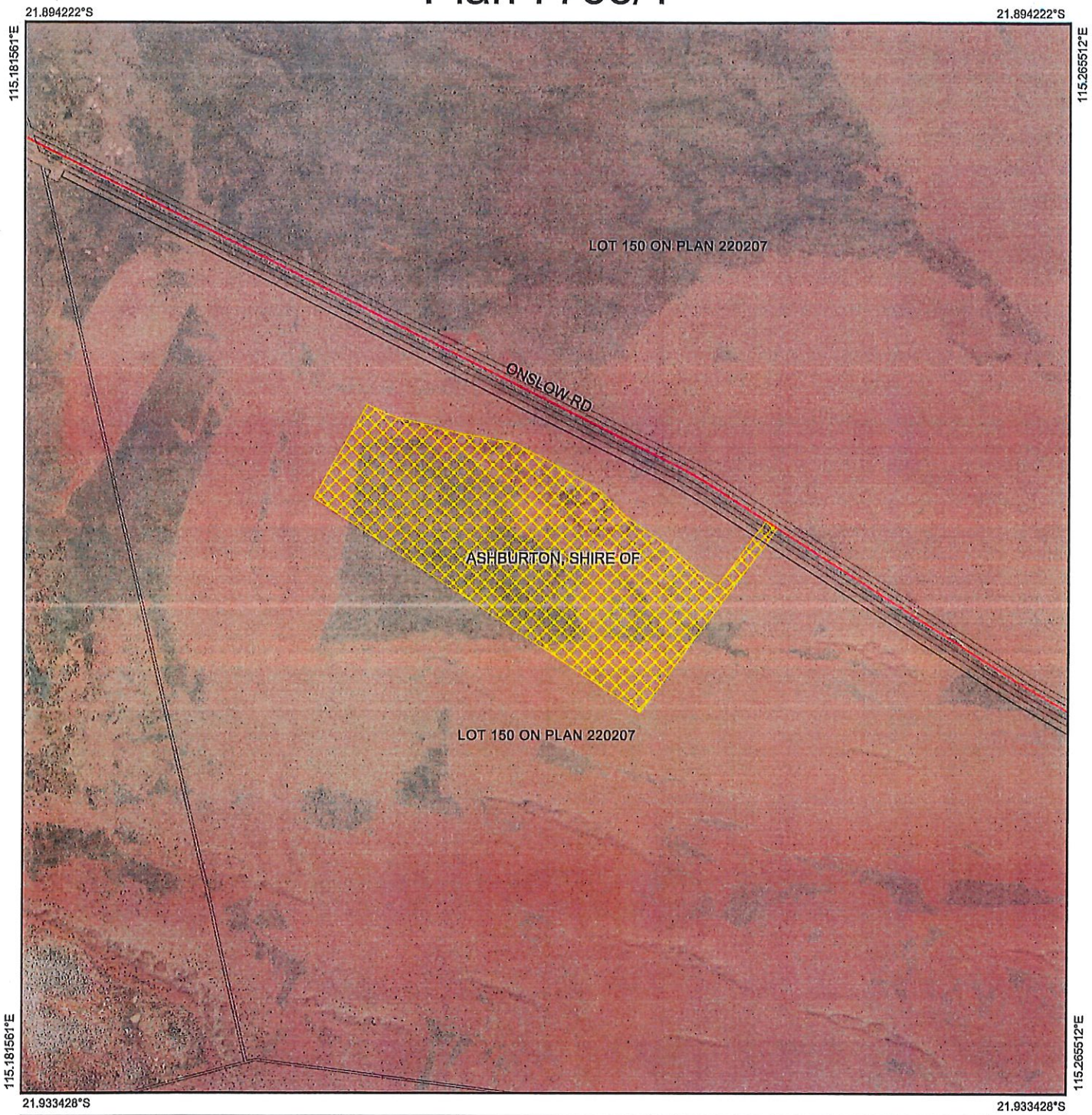
(c) not indigenous to the area concerned.

James Widenbar
A/SENIOR MANAGER
CLEARING REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

3 November 2017

Plan 7758/1



Legend

- Imagery
- Clearing Instruments Activities
- Local Government Authority

N

0 2km

1:45,960

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

..... Date 3/1/17

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

GOVERNMENT OF WESTERN AUSTRALIA

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Government of **Western Australia**
Department of **Environment Regulation**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7758/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Ashburton

1.3. Property details

Property: LOT 150 ON PLAN 220207, TALANDJI
Local Government Authority: ASHBURTON, SHIRE OF
DER Region: North West
Localities: TALANDJI

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
6.5		Mechanical Removal	Waste disposal/management

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 3 November 2017
Reasons for Decision: The clearing permit application received on 8 September 2017 has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*. It has concluded that the proposed clearing may be at variance to Principle (a) and is not likely to be at variance to any of the remaining clearing Principles.

Through assessment it was determined that the application area contains two species of priority flora, being; *Abutilon* sp. Pritzelianum (P1) and *Triumfetta echinata* (P3). To mitigate the potential impact to these species a condition has been placed on the permit requiring the permit holder to retain buffers (10-20 metres) to these species.

The Delegated Officer noted the presence of a species that is rated as a rapidly invasive species with high ecological impact in the Pilbara region and considers that appropriate weed management practices will assist in ensuring that the proposed clearing does not spread this weed into adjacent areas of native vegetation.

The Delegated Officer also determined that given the investigative purpose of the clearing that areas cleared that are not required to remain cleared for the development of the waste management facility will be required to be revegetated.

The Delegated Officer determined as the proposed clearing consists of 6.5 hectares of native vegetation, in narrow linear lines, within a lager footprint area of approximately 435 hectares that it is unlikely to have any significant environmental impacts.

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 application area is mapped as Beard vegetation association 98 which is described as hummock grasslands, shrub steppe; kanji over soft spinifex and *Triodia basedowii* (Shepherd et al, 2001)	The Shire of Ashburton propose to clear 6.5 hectares (within a footprint area of approximately 435 hectares) of native vegetation within Lot 150 on Plan 220207, Onslow, for the purpose of hydrogeological and geotechnical investigations.	Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).	A Level 1 flora and fauna survey of the application area (and larger footprint area) recorded four vegetation types. The majority (86 per cent) of vegetation types comprised a *Triodia basedowii* grassland (with isolated *Corymbia hamersleyana* and/or *C. zygophylla* mallee) on flat plain (Phoenix, 2017).

Two low open shrublands over *Triodia basedowii* and *T. epactia* grassland (with isolated tall *Grevillea stenobotrya* shrubs) and an open *Corymbia zygophylla* mallee woodland was found on a longitudinal inland sand dune top within small swales (Phoenix, 2017).

3. Assessment of application against clearing principles

Comments

The Shire of Ashburton propose to clear 6.5 hectares (within a footprint area of approximately 435 hectares) of native vegetation within Lot 150 on Plan 220207, Onslow, for the purpose of hydrogeological and geotechnical investigations. The site investigations are required to determine the suitability of the site for the development of a waste management facility.

In September 2017, Phoenix Environmental Sciences Pty Ltd (Phoenix) was commissioned by Talis Consultants, on behalf of the Shire of Ashburton to undertake an ecological survey of the larger footprint area (the Study Area). A total of 45 flora species and sup-species were recorded during the survey (Phoenix, 2017).

No Commonwealth or State listed Threatened flora were recorded in the Study Area, however two Priority flora species were identified (Phoenix, 2017). The two identified Priority flora species were; *Abutilon* sp. Pritzelianum (P1) and *Triumfetta echinata* (P3). Based on habitats present an additional three Priority flora species were noted to potentially occur within the application, being; *Abutilon* sp. Onslow (F. Smith s.n. 10/9/61), *Eremophila forrestii* subsp. *viridis* and *Goodenia nuda* (Phoenix, 2017).

The Department of Biodiversity, Conservation and Attractions (DBCA) has advised that the taxonomy of *Abutilon* sp. Pritzelianum is currently under review. Advice for the WA Herbarium is that there are likely to be three forms of this taxon – Port Hedland, Onslow and Carnarvon. The Onslow form is the closest to the application area. There are only two confirmed records of this form, one located approximately 27 kilometres north-west and the other located approximately 100 kilometres south-south-east of the application area (DBCA, 2017). As there are few confirmed records of the Onslow form of this taxon, any occurrence is potentially significant (DBCA, 2017). The requirement to retain a 20 metre buffer to the identified occurrences of this species will ensure that the two identified populations are not disturbed by the proposed clearing.

Triumfetta echinata is known to occur over a range of approximately 42 kilometres north-south and 34 kilometres east-west with approximately 9 populations (DBCA, 2017). The application area is in the known range of this species. It has been advised that risks to the conservation of this species appears to be relatively low, however the known population should be demarcated and avoided where possible (DBCA, 2017). The requirement to retain a 10 metre buffer to this species will ensure that it is not disturbed by the proposed clearing.

One introduced flora species**Cenchrus ciliaris* was recorded within the application area (Phoenix, 2017). This species is rated as a rapidly invasive species with high ecological impact in the Pilbara region (DBCA, 2017). Appropriate weed management practices will assist in ensuring that the proposed clearing does not spread this weed into adjacent areas of native vegetation.

The Phoenix survey recorded 17 vertebrate fauna species including one state-listed migratory species (rainbow bee-eater), and identified eight conservation significant species which may occur within the application area including *Pezoporus occidentalis* (night parrot), *Leggadenia lakedownensis* (short-tailed mouse) and *Pseudomys chapmani* (western pebble-mound mouse). The rainbow bee-eater is common and widespread and is therefore unlikely to be significantly impacted by the proposed clearing.

Advice from DBCA states that neither the short-tailed mouse or the western pebble-mound mouse are likely to be significantly impact by the proposed clearing. However, it is noted that further survey work maybe required for the larger project.

The broad habitat requirements of night parrots include areas of old-growth spinifex (Triodia) for roosting and nesting, together with foraging habitats (Parks and Wildlife, 2017). Potential habitat for this night parrot is present but the species was not detected in acoustic call recording conducted during the survey (Phoenix, 2017). Mapping produced by the former Department of Parks and Wildlife indicate that the application area is located within an area that is of 'Medium priority area for survey'. DBCA advises that the survey efforts for this species were insufficient as only one night of survey was undertaken during unknown conditions and that only one acoustic devise was placed in suitable night parrot habitat. Although suitable habitat for the night parrot was identified within the application area, given the nature of the proposed clearing (primarily linear tracks) and the extensive amount of similar habitat in the local area (40 kilometre radius), the 6.5 hectare application area is not likely to be significant habitat for this species. It is noted that DBCA recommend further survey work for the larger project.

No threatened or priority ecological communities were identified within the study area (Phoenix, 2017).

The Carnarvon IBRA Bioregion, Shire of Ashburton and Beard vegetation association, in which the application area is located, all retain approximately 100 per cent of the pre-European vegetation extent. Therefore the

application area is not located within an area that has been extensively cleared.

No major water bodies or drainage lines were observed within the study area (Phoenix, 2017). Therefore the proposed clearing is not likely to impact on surface water quality or increase the incidence or intensity of flooding.

The Department of Primary Industries and Regional Development has mapped the application area as containing two main soil types, being; Giralia System and Uaroo System. Both of these Systems predominately consist of sandy plains which are susceptible to wind erosion. Given that the proposed clearing consists of linear lines for access tracks and test pits, the proposed clearing is not likely to cause appreciable land degradation in the form of wind erosion.

The application area is located approximately 26 kilometres north-west of the current boundary of the Cane River Conservation Park. The application area is located within the former Mount Minnie pastoral lease. This former pastoral lease is managed by DBCA and is proposed for future addition to Cane River Conservation Park. In 2014, the former Department of Parks and Wildlife provided written support for the location of the proposed waste facility at this site.

Given the above, the proposed clearing may be at variance to Principle (a) and is not likely to be at variance to any of the remaining clearing Principles.

Methodology

References:
DBCA (2017)
Parks and Wildlife (2017)
Phoenix (2017)

GIS Datasets:
Sac Bio Datasets – accessed September 2017
Pre-European vegetation
Hydrography, linear
DBCA Tenure

Planning instruments and other relevant matters.

Comments

The application area is located within unallocated Crown land. The applicant's consultant has advised that the Shire of Ashburton has applied for a Section 91 Licence under the *Land Administration Act 1997* as means of legally accessing the land.

The application area is located within the Pilbara Groundwater and Surface Water areas which are proclaimed areas under the *Right in Water and Irrigation Act 1914*. If the proposed clearing activity required any groundwater for construction purposes i.e. dust suppression, then a 5C Licence to take Groundwater and a 26D Licence to Construct or Alter a Well would be required for any groundwater supply bores (DWER, 2017). If any disturbance to the bed and banks of any waterway is proposed then a permit will be required from DWER (DWER, 2017).

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 25 September 2017, inviting submissions from the public within a 14 day period. No submissions were received.

No Aboriginal Sites of Significance have been recorded within the application area.

Methodology

References:
DWER (2017)

GIS Datasets:
Aboriginal Sites of Significance
RIWI, Groundwater Areas
RIWI, Surface Water Areas

4. References

Department of Biodiversity, Conservation and Attractions (DBCA) (2017) Flora and fauna advice for Clearing Permit Application CPS 7758/1 (DWER Ref: A1541872).

Department of Parks and Wildlife (Parks and Wildlife) (2017) Interim guideline for preliminary surveys of night parrot (*Pezoporus occidentalis*) in Western Australia. May 2017.

Department of Water and Environmental Regulation (DWER) (2017) Water Licensing Advice for Clearing Permit Application CPS 7758/1 (DWER Ref: A1554027).

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Phoenix Environmental Sciences (2017) Flora and vegetation survey and terrestrial fauna survey for the Pilbara Regional Waste Management Facility. Prepared for Talis Consultants. September 2017 (DWER Ref: A1551445).

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.