



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7931/2
Permit Holder:	Shelamar Leasing Company Pty Ltd
Duration of Permit:	3 June 2018 – 3 June 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 horticulture.

2. Land on which clearing is to be done

Lot 46 on Deposited Plan, 93190, Eighty Mile Beach.

3. Area of Clearing

The Permit Holder must not clear more than 490 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7931/2.

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.

PART II – MANAGEMENT CONDITIONS

5. 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

6. Direction of clearing

The Permit Holder shall conduct clearing in a progressive manner towards remnant vegetation to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

7. Period in which clearing is authorised

The Permit Holder must ensure that the planting of crop species occurs within three months of the authorised clearing being undertaken.

8. Fauna management

- Immediately prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to undertake clearance surveys within the area cross-hatched yellow on attached Plan 7931/2 for the brush-tailed mulgara (*Dasymercus blythi*), including the identification and inspection of burrows, and determination of whether burrows are being utilised by brush-tailed mulgara.
- Immediately prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to undertake clearance surveys using transects spaced at a maximum 100 metres on average within the area cross-hatched yellow on attached Plan 7931/2 for the greater bilby (*Macrotis lagotis*), including the identification and inspection of burrows, and determination of whether burrows are being utilised by greater bilby.

- (c) Where evidence of recent burrow use is identified under condition 8(a) and/or 8(b) of this Permit, the Permit Holder shall;
 - (i) engage a *fauna specialist* to flag the location of the active burrow/s;
 - (ii) not clear within five metres of the flagged burrow/s;
 - (iii) engage a *fauna specialist* to monitor with cameras, the flagged burrow/s for a maximum of five days, or until such time that the fauna referred to under conditions 8(a) and/or 8(b) of this Permit have been observed to independently move on from the burrow/s; and
 - (iv) immediately prior to clearing within five metres of a flagged burrow, engage a *fauna specialist* to re-inspect any flagged burrow/s for the presence of fauna referred to under conditions 8(a) and/or 8(b) of this Permit.
- (d) In the event that fauna are identified utilising any flagged burrow/s under condition 8(c)(iv) of this Permit, the Permit Holder shall engage a *fauna specialist* to remove and relocate the identified fauna, in accordance with a fauna licence pursuant to Regulation 15 of the *Wildlife Conservation Regulations 1970*.
- (e) Where active fauna burrows are identified under condition 8(a) and/or 8(b) of this Permit, and/or fauna are relocated under condition 8(d) of this Permit, the Permit Holder shall include the following in a report submitted to the Department of Water and Environmental Regulation:
 - (i) The location of any active fauna burrows identified, 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 camera monitoring measures undertaken under condition 8(c)(iii) of this Permit;
 - (iii) the date, time, and scientific name of any fauna recorded as independently moving from a flagged burrow;
 - (iv) the scientific name and gender of each fauna captured under condition 8(d) of this Permit;
 - (v) the location of any fauna species, as referred to under condition 8(a) and 8(b) of this Permit, captured 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;
 - (vi) the date, time, vegetation type and weather conditions at each location where a fauna species is captured under condition 8(e)(v) of this Permit;
 - (vii) the scientific name and gender of each fauna relocated under condition 8(d) of this Permit;
 - (viii) the location of any fauna species, as referred to under conditions 8(a) and 8(b) of this Permit, relocated 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;
 - (ix) the date, time, vegetation type and weather conditions at each location where a fauna species is relocated under condition 8(d)(viii) of this Permit;
 - (x) the name of the *fauna specialist* that relocated fauna under condition 8(d) of this Permit; and
 - (xi) a copy of the fauna licence authorising the relocation of fauna under condition 8(d) of this Permit.

9. 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) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and
- (c) within six months of the expiry of this Permit, the Permit Holder must remove or kill any *weeds* or species proposed for cropping which are growing within 50 meters outside of the area hatched yellow on attached Plan 7931/2.

PART III - RECORD KEEPING AND REPORTING

10. 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 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;
 - (ii) the date that the area was cleared;
 - (iii) the size of the area cleared (in hectares);
 - (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 5 of this Permit;
 - (v) actions taken in accordance with conditions 6 and 7 of this Permit; and
 - (vi) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 9 of this Permit.

11. 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 and 10 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 3 March 2023, the Permit Holder must provide to the *CEO* a written report of records required under condition 8 and 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

DEFINITIONS

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

CEO means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*.

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;

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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Abbie Crawford
MANAGER
NATIVE VEGETATION REGULATION

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

6 September 2018

Plan 7931/2



Legend

-  Local Government Authorities
-  CPS areas approved to clear
-  Roads
-  Cadastre



MGA 84
Geocentric Datum of Australia 1994

Clayford Date 6/09/18
 Officer with delegated authority under Section 20
 of the Environmental Protection Act 1986



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WESTERN AUSTRALIA

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1. Application details

1.1. Permit application details

Permit application No.: 7931/2
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shelamar Leasing Company Pty Ltd

1.3. Property details

Property: Lot 46 on Deposited Plan 93190
Local Government Authority: Shire of Broome
Localities: Eighty Mile Beach

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
490		Mechanical Removal	Pastoral diversification

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 6 September 2018
Reasons for Decision: This clearing permit amendment gives effect to the determination of the Minister for Environment (Minister) to partly allow appeal C009 of 2018 to the extent that the Minister has requested the Department of Water and Environmental Regulation to amend Clearing Permit CPS 7931/1, in respect to fauna management conditions.

The clearing impact assessment for this clearing permit amendment is consistent with the assessment undertaken for clearing permit application CPS 7931/1.

2. Site Information

Clearing Description

The application is to clear 490 hectares of native vegetation (within a 1,371.7 hectare footprint) within Lot 46 on Deposited Plan 93190, Eighty Mile Beach, for the expansion of horticultural operations, including the installation of additional pivot-irrigated and drip-irrigated vegetable plots (see figure 1).

Vegetation Description

The applicant commissioned Emerge Associates to conduct a flora and vegetation assessment of the application area (herein referred to as the Flora Assessment), between 24 and 28 July 2017. The Flora Assessment incorporated a study area of approximately 3052.68 hectares, which encompassed the application area.

The Flora Assessment identified two native vegetation communities within the application area (see figure 2) (Emerge Associates, 2017a; Emerge Associates, 2017b):

- Vegetation community CzT comprises low open woodland of *Corymbia zygomorpha* with occasional other *Corymbia* sp. and *Terminalia* sp., over open shrubland of *Acacia monticola* over forbland of *Ptilotus calostachyus* and *Triodia schinzii* (comprised approximately 242.8 hectares of the application area); and
- Vegetation community AmT comprises open and closed forms:
 - The open form is described as open shrubland of *Acacia monticola* over open herbland of *Trianthema pilosum* over hummock grassland of *Triodia schinzii* (comprised approximately 268.9 hectares of the application area); and
 - The closed form is described as tall closed shrubland of *Acacia monticola* over hummock grassland of *Triodia schinzii* over open herbland comprising *Halgania solanacea* (comprised approximately 751.1 hectares of the application area).

The remainder of the application area comprises completely degraded areas devoid of vegetation (approximately 38 hectares) and historically cleared horticultural plots (approximately 70.2 hectares).

The application area is mapped as Beard vegetation association 699, which is described as 'shrublands, pindan; *Acacia eriopoda* shrubland with scattered low bloodwood (*Corymbia dichromorpha*) and *Eucalyptus* sp. over soft and curly spinifex on sandplain' (Shepherd et al., 2001).

Vegetation Condition

The Flora Assessments identified the vegetation under application as being in the following condition (see Figure 3) (Emerge Associates, 2017a; Emerge Associates, 2017b):

- Very good condition (approximately 1256.6 hectares);
- Good condition (approximately 6.2 hectares); and
- Completely degraded condition (approximately 108.2 hectares).

Planning instruments and other relevant matters.

The clearing permit amendment was assessed against planning instruments and other relevant matters. The assessment against planning and other matters has not changed and can be found in the Clearing Permit Decision Report CPS 7931/1.

4. References

- Emerge Associates (2017a) Targeted Flora and Vegetation Assessment, Shelamar Station. Additional Information for Clearing Permit Application CPS 7931/1. DWER Ref A1584035.
- Emerge Associates (2017b) Additional Information to support Clearing Permit Application CPS 7931/1. DWER Ref A1584035.
- Keighery, B.J. (1994) Bushland Plant Survey. A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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.