



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8177/1
Permit Holder:	Shire of Coolgardie
Duration of Permit:	24 April 2019 – 24 April 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 road construction and maintenance.

2. Land on which clearing is to be done

Unallocated Crown Land (PIN: 1031401), Londonderry;
Un-named Road Reserve (PIN: 11691679), Widgiemooltha;
Kingswood Street Road Reserve (PIN: 11407919), Widgiemooltha;
Unallocated Crown Land (PIN: 1031425), Widgiemooltha; and
Lot 18 on Deposited Plan 206664 (Unallocated Crown Land PIN: 792653), Widgiemooltha.

3. Area of Clearing

The Permit Holder must not clear more than 1.4015 hectares of native vegetation within the area hatched yellow on attached Plan 8177/1.

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.

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. 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

- (c) restrict the movement of machines and other vehicles to the limits of the area to be cleared.

PART III - RECORD KEEPING AND REPORTING

7. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation 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;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with condition 5 of this Permit; and
- (e) actions taken to minimise the introduction and spread of *weeds* in accordance with condition 6 of this Permit.

8. Reporting

The Permit Holder must provide to the *CEO* the records required under Condition 7 of this Permit, when requested by the *CEO*.

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*;

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.



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

25 March 2019

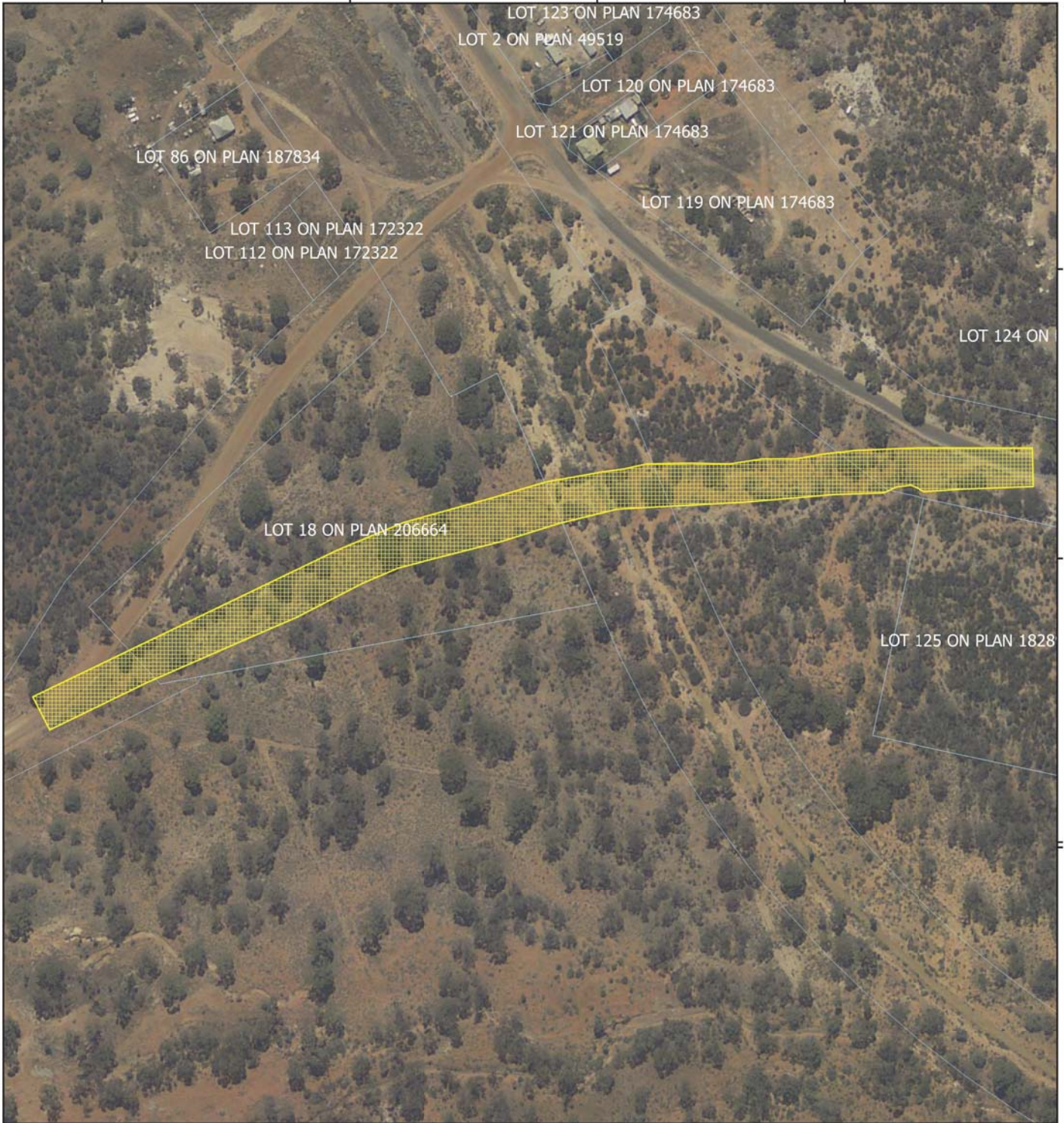
Plan 8177/1

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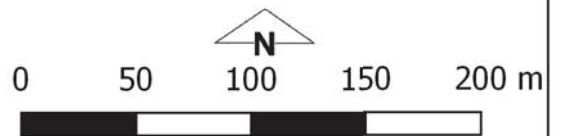


Legend

 CPS areas approved to clear
base layers

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MGA 94
Geocentric Datum of Australia 1994

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 8177/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Coolgardie
Application received date: 23 August 2018

1.3. Property details

Property: Unallocated Crown Land (PIN: 1031401), Londonderry
Un-named Road Reserve (PIN: 11691679), Widgiemooltha
Kingswood Street Road Reserve (PIN: 11407919), Widgiemooltha
Unallocated Crown Land (PIN: 1031425), Widgiemooltha
Lot 18 on Deposited Plan 206664 (Unallocated Crown Land PIN: 792653), Widgiemooltha

Local Government Authority: Shire of Coolgardie
Localities: Londonderry and Widgiemooltha

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
1.4015		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 25 March 2019

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

The Delegated Officer determined that the proposed clearing may increase the spread of weeds into adjacent vegetation. To minimise this risk, a condition has been placed on the permit requiring the implementation of weed management practices.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description This application is for the clearing of up to 1.4015 hectares of native vegetation within Unallocated Crown Land (PIN: 1031401), Londonderry, and Lot 18 on Deposited Plan 206664 (Unallocated Crown Land PIN: 792653), Un-named Road Reserve (PIN: 11691679), Unallocated Crown Land (PIN: 1031425) and Kingswood Street Road Reserve (PIN: 11407919), Widgiemooltha, to facilitate the realignment of an existing road (Figure 1).

Vegetation Description The application area is situated within mapped vegetation complex 9, defined as medium woodland; Coral Gum (*Eucalyptus torquata*) and Goldfields Blackbutt (*Eucalyptus lesouefii*), (Shepherd et al 2001).

Botanica Consulting (2017) was commissioned by Mincor Resources NL to undertake a Level 2 flora survey and Level 1 fauna survey of the Widgiemooltha Project, which covers an area of approximately 836 hectares. The primary flora survey was conducted on 27 - 28 October 2016, in which thirty 20 metre by 20 metre quadrats were established, with these quadrats revisited on 6 - 7 May 2017 during a supplementary flora survey (Botanica 2017). The flora assessment was undertaken in accordance with the Environmental Protection Authority of Western Australia's (EPA) *Technical Guide – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment – December 2015*, *EPA Guidance Statement 51: Flora and Vegetation Surveys* and *EPA Position Statement No.3: Terrestrial Biological Surveys as an element of Biodiversity Protection* (Botanica Consulting 2017). This survey area covered the western half of the application area.

The flora and vegetation survey undertaken by Botanica Consulting (2017) identified that the surveyed extent of the application area is situated within open low woodland of *Eucalyptus salmonophloia* (Salmon Gum) over low scrub of *Eremophila scoparia* (Broom Bush) / *Exocarpos*

aphyllus (Leafless Ballarat) and dwarf scrub of *Atriplex vesicaria* (Bladder Saltbush) on a clay-loam plain. A review of the application area using aerial photography determined the vegetation in the portion of the application area which is not covered by the abovementioned survey is consistent with that found in the survey.

Vegetation Condition The flora and vegetation survey undertaken by Botanica Consulting (2017) determined the vegetation community to be in a Good (Keighery 1994) condition. This condition ranking is defined as vegetation structure significantly altered by very obvious signs of multiple disturbances, retains basic vegetation structure or ability to regenerate it (Keighery 1994).

Soil type The application area is mapped as occurring within the following mapped land systems (Department of Primary Industries and Regional Development 2017).

- Graves Land System: Basalt and greenstone rises and low hills supporting eucalypt woodlands with prominent saltbush and bluebush understoreys; and
- Moriarty Land System: Low greenstone rises and stony plains supporting chenopod shrublands with patchy eucalypt overstoreys.

Comments The local area referred to in the below assessment is defined as the area within a 20 kilometre radius of the application area.

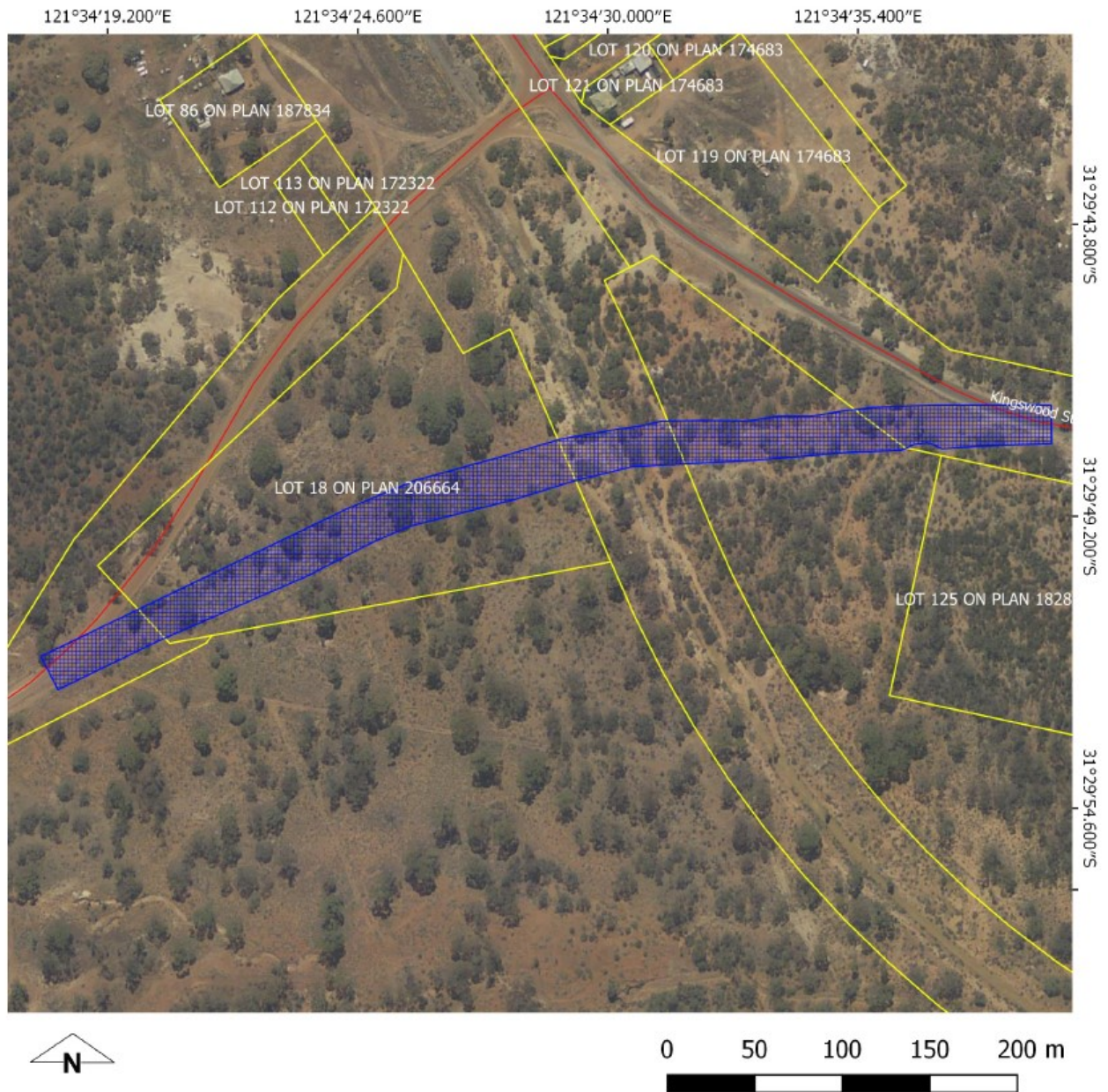


Figure 1: The application area (shown in blue), in the context of the lot boundaries (shown in yellow) and road centrelines (shown in red).

3. Assessment of application against clearing principles

A review of available databases determined that 15 flora species of conservation significance have been recorded in the local area, comprising seven Priority 1 flora species, two Priority 2 flora species and six Priority 3 flora species. No occurrences of the above species have been recorded within the application area. The flora survey undertaken by Botanica Consulting (2017) identified 24 plant families, 45 genera and 88 taxa (including 12 annual taxa) within the survey area. This flora survey also identified three flora species of conservation significance within the survey area, comprising the Priority 1 flora species *Philothea apiculata*, the Priority 3 flora species *Austrostipa blackii* and the Priority 1 flora species *Austrostipa* sp. Carlingup Road (S. Kern & R. Jasper LCH 18459) (Botanica Consulting 2017). An occurrence of the Priority 1 flora species *Philothea apiculata*, situated approximately 1.3 kilometres from the application area, was identified during the flora survey (Botanica Consulting 2017). Two introduced flora species were identified during the flora and vegetation survey, *Carrichtera annua* (Wards Weed) and *Centaurea melitensis* (Maltese Cockspur) (Botanica Consulting 2017). Neither of these species is listed as a declared pest under the *Biosecurity and Agriculture Management Act 2007* (Department of Primary Industries and Regional Development 2019).

As discussed under Section 2, the application area's Western Extent is covered by the area surveyed by Botanica Consulting (2017). A review of the application area using aerial photography determined the application area's eastern extent is consistent with the western extent of the application area in terms of vegetation condition, vegetation structure and flora habitat. When consideration is given to the extent of the proposed clearing and that the local area retains approximately 99 per cent of its pre-European clearing extent, the application area is not likely to comprise of significant flora habitat for any flora species of conservation significance. The proposed clearing is not likely to result in adverse impacts to the conservation status, or distribution, of any flora species of conservation significance.

A review of available databases determined that two fauna species of conservation significance have been recorded within the local area (Department of Biodiversity, Conservation and Attractions 2007). These species are listed below:

- *Falco peregrinus* (Peregrine Falcon) (Listed as 'other specially protected fauna' under the *Biodiversity Conservation Act 2016* (BC Act)); and
- *Leipoa ocellata* (Malleefowl) (Listed as 'vulnerable' under the BC Act and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)).

A fauna survey was undertaken on 19 November 2016, in accordance with the requirements of a Level 1 and Level 2 terrestrial fauna survey as defined in the EPA's *Guidance Statement No. 56 – Terrestrial fauna surveys for environmental impact assessment in Western Australia, EPA Position Statement No. 3: Terrestrial Biological Surveys as an Element of Biodiversity Protection and Technical Guide – Terrestrial Vertebrate Fauna Surveys for Environmental Impact Assessments* (Botanica Consulting 2017). Vegetation and landform units identified during the flora and vegetation survey were used to define broad fauna habitat types across the survey area (Botanica Consulting 2017). The broad scale terrestrial fauna habitats identified within the survey area have been identified as clay-loam plains, rocky hillslopes and existing cleared areas (Botanica Consulting 2017). These habitat types are common and widespread in the surrounding area (Botanica Consulting 2017). The application area is situated within the Coolgardie Interim Biogeographic Regionalisation of Australia (IBRA) Region and mapped Beard vegetation association 9. The Coolgardie IBRA region and vegetation association 9 maintain over 97 per cent of their pre-European clearing extents, respectively. No fauna species of conservation significance were observed in the survey area during the fauna survey undertaken by Botanica Consulting (2017).

No evidence of Malleefowl occupation was identified within the survey area, with available evidence suggesting this area is frequented by transient non-breeding individuals only (Botanica Consulting 2017). The application area may comprise suitable habitat for the Peregrine Falcon (Department of the Environment and Energy 2019). The fauna survey undertaken by Botanica Consulting (2017) also identified that the Priority 3 Central Long-eared Bat (*Nyctophilus major* subsp. *tor*) could occur in the survey area. The Rainbow Bee-eater (*Merops ornatus*), listed as Marine under the EPBC Act, was identified within the survey area during the fauna survey (Botanica Consulting 2017). When the above is considered alongside the proposed extent of the clearing area, the proposed clearing may result in the loss of suitable habitat for fauna species of conservation significance. However it is not anticipated that significant fauna habitat be lost as a result of the clearing activities.

The proposed clearing has the potential to introduce weed species into the surrounding vegetation, potentially degrading habitat for flora and fauna species of conservation significance. Weed management measures should mitigate this potential impact.

The flora and vegetation survey determined that none of the floristic communities identified within the survey area were threatened ecological communities or priority ecological communities (PEC) (Botanica Consulting 2017). A review of available databases determined the application area is situated approximately 68 kilometres southwest of the 'Mount Belches *Acacia quadrimarginea* / *Ptilotus obovatus* (banded ironstone formation)' Priority 1 PEC. When consideration is given to the separation distance between the application area and the above PEC, no adverse impacts to this PEC are expected to result from the proposed clearing. Given the Coolgardie IBRA Region maintains over 97 per cent of its pre-European clearing extent, the proposed clearing application is not likely to impact any ecological linkages.

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 application area forms part of the 'Coolgardie' IBRA region. This IBRA region retains over 97 per cent of its pre-European clearing extent (Government of Western Australia 2018). Vegetation association 9 also currently retains over 97 per cent of its pre-European clearing extent (Government of

Western Australia 2018). Given the above, the application area does not represent a significant remnant of native vegetation within an extensively cleared area.

A review of available databases and aerial photography of the application area has determined that no watercourses or wetlands exist in the application area. Given the above, no vegetation growing in association with surface water features will be impacted by the proposed clearing.

Given the size of the proposed clearing and pre-European vegetation extent, no land degradation impacts are expected to result from the proposed clearing activities. No impacts to the quality of local surface water or ground water resources, or the incidence or intensity of flooding, are expected to result from the clearing activities.

The application area is situated approximately 9.9 kilometres north of the Dordie Rocks Nature Reserve. The nearest conservation reserve to the application area after the Dordie Rocks Nature Reserve, is the Binaronca Nature Reserve situated approximately 24 kilometres south of the application area. Given the separation distances between the application area and the above conservation reserves, no impacts to these conservation reserves are anticipated to result from the clearing activities.

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

Planning instruments and other relevant matters.

No Aboriginal sites of significance have been mapped within the application area.

The clearing permit application was advertised on the DWER website on 15 October 2018 with a 21 day submission period. Two submissions were received and raised the following concerns:

- local residents have not been consulted by staff from the Shire of Coolgardie regarding the proposal;
- the proposal is unnecessary with numerous roads and tracks already traversing the local area;
- alternative engineering methods can be used to meet Main Roads Western Australia (MRWA) engineering standards for turning vehicles with little to no clearing to achieve compliance with these standards;
- risks associated with the clearing to fauna and flora species of conservation significance is not adequately addressed by the flora and fauna survey provided with the application;
- impacts to malleefowl; and
- impacts to a watercourse needs to be assessed.

Both submissions disagree with the need for the road to be constructed and its proposed alignment. The document *A Guide to the Assessment of Applications to Clear Native Vegetation under Part V of the Environmental Protection Act 1986* (December 2014) outlines the Department's considerations in undertaking an assessment of a clearing permit application in more detail. The Department's role is to conduct an assessment of the proposed clearing area, identify the environmental values and potential impacts from clearing, and impose conditions to mitigate and limit these impacts. The need for the establishment of road infrastructure is not a relevant consideration in assessing a clearing permit application. It is the responsibility of the applicant to contemplate such matters when considering new developments.

In response to the contention that the road is too distant from the Coolgardie - Esperance Highway to serve its intended function and is unnecessary, the application area's eastern end is situated approximately 174 metres from the intersection between Kingswood Street and the Coolgardie-Esperance Highway. The application area would allow vehicles travelling towards the Coolgardie - Esperance Highway to avoid the tight intersection between Kingswood Street and the un-named road, before approaching the intersection between Kingswood Street and the Coolgardie - Esperance Highway.

Regarding the impact of the clearing on watercourses, as discussed under principle (f), a review of available databases and aerial photography of the application area determined that the application area is devoid of watercourses and wetlands. A review of aerial photography of the application area and its surrounds has determined that the 'watercourse' referred to by the submitter as travelling through the application area, is not a watercourse. As can be seen in Figure 2, this feature has no origin point north of the un-named road immediately to the north of the application area and ends at a rest-stop associated with the Coolgardie - Esperance highway, situated approximately 1.2 kilometres south east of the application area. Close examination of the aerial photography of this feature has determined that it appears to be a series of interlinked historical access tracks with vehicle movements present.

Concerns regarding the flora and fauna survey, as well as the potential impact of the clearing on flora and fauna species of conservation significance, have been addressed in Section 2 and under principle (a) and (b) of this report. This assessment included the potential impact of this clearing on habitat associated with the Malleefowl. Adequate information was available to assess the proposed clearing against the 'ten clearing principles' contained within the *Environmental Protection Act 1986*.

The Department's Water Licencing Team advised that there are currently no existing licences to take water in support of the proposed clearing and its associated activities. The proposed clearing is situated within the Goldfields Groundwater Area, proclaimed under the *Rights in Water and Irrigation Act 1914*, where a requirement may exist to obtain a licence to construct or alter a well and for the taking and use of groundwater for construction activities. The applicant is encouraged to contact the Department's Swan Avon Region to discuss water management options.



Figure 2: The clearing area (shown in blue), shown in comparison to the existing road centrelines (depicted in red). Defined surface water features are also shown (depicted by the blue lines).

4. References

- Botanica Consulting (2017) Flora and Fauna Assessment, Widgeemooltha Project. For Mincor Resources NL. Prepared by: Botanica Consulting, PO Box 2027, Boulder WA 6432.
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Biodiversity, Conservation and Attractions (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed March 2019.
- Department of the Environment and Energy (2019) The Peregrine Falcon (*Falco peregrinus*). Available from: <https://www.environment.gov.au/resource/peregrine-falcon-falco-peregrinus>. Accessed March 2019.
- Department of Primary Industries and Regional Development (2017). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/>. Accessed March 2019.
- Department of Primary Industries and Regional Development (2019) Western Australian Organisms List (WAOL). Available from: <https://www.agric.wa.gov.au/bam/western-australian-organism-list-waol>. Accessed March 2019.
- Government of Western Australia (2018) 2017 Statewide Vegetation Statistics (formerly the CAR Reserve Analysis) – Full Report. Current as of December 2017 (based on most recent date of input datasets). Remote Sensing and Spatial Analysis Section. Geographic Information Services and Corporate Records Branch. Department of Biodiversity, Conservation and Attractions. February 2018.
- 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.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Biodiversity, Conservation and Attractions. <http://florabase.dpaw.wa.gov.au/> (accessed March 2019).

GIS Databases:

- Aboriginal Sites of Significance
- Department of Biodiversity, Conservation and Attractions, Managed Tenure
- Geomorphic Wetlands Management Category
- Hydrography Linear – Linear
- Hydrography WA 250K – Surface Water Lines
- SAC bio datasets
- TPFL December 2018
- Vegetation Complexes; pre – European Vegetation
- WA Herb Data December 2018
- WA TEC PEC Boundaries