



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8180/2
Permit Holder:	Mamabulanjin Aboriginal Corporation
Duration of Permit:	18 October 2019 – 18 October 2025

The permit holder is authorised to clear *native vegetation* subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear *native vegetation* for the purpose of a native tree orchard.

2. Land on which clearing is to be done

Lot 350 on Deposited Plan 75852, Waterbank

3. Clearing authorised

The permit holder must not clear more than 30 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

4. Period during which clearing is authorised

The permit holder must not clear any native vegetation after 18 October 2024.

5. 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

6. Avoid, minimise and reduce the impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending 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.

7. Weed and dieback management

When undertaking any *clearing* authorised under this permit, the permit holder must take the following measures to minimise the risk of the introduction and spread of *weeds* and *dieback*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no known *dieback* or *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.

8. Directional clearing

The permit holder must conduct clearing activities in a slow, progressive manner towards remnant vegetation to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

9. Fauna management

- (a) Within two weeks of 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 200 metres within the areas cross-hatched yellow in Figure 1 of Schedule 1 for any signs of greater bilby (*Macrotis lagotis*), including tracks, scats, diggings, burrows, etc. If any signs of the greater bilby is identified during the initial 200 metre transects, the Permit Holder shall undertake more intensive searches with transects spaced at a maximum of 20 metres.
- (b) Where a potential greater bilby burrow is identified under condition 8(a) of this permit, the permit holder shall engage a *fauna specialist* to undertake the following measures:
 - (i) flag the location of any burrow/s;
 - (ii) determine whether the burrow/s is an *active burrow*;
 - (iii) fill in any visibly *inactive burrow/s* to prevent future use; and
 - (iv) monitor all *active burrows* with remote cameras for a minimum of three consecutive nights.
- (c) Where monitoring under condition 8(b)(iv) does not identify any greater bilby activity, the permit holder shall ensure that a *fauna specialist* excavates the *inactive burrow* in accordance with Appendix 1 of Schedule 2 to confirm absence of greater bilby, and immediately fills in the *inactive burrow* to prevent future use.
- (d) Where monitoring under condition 8(b)(iv) identifies greater bilby activity, the permit holder shall engage a *fauna specialist* to:
 - (i) Avoid clearing of burrows, if possible and only if not possible;
 - (ii) partially excavate the *active burrow*, to encourage greater bilby *displacement*;
 - (iii) continually monitor with remote cameras any *active burrow/s* for a maximum period of three consecutive days or until such time that greater bilby has been *displaced* from the *active burrow/s*;
 - (iv) fill in the *active burrow* to prevent future use where greater bilby is observed to have been *displaced*.
- (e) Should greater bilby not be *displaced* under condition 8(d) of this permit, the permit holder shall engage a *fauna specialist* to undertake the following measures:
 - (i) capture greater bilby utilising the *active burrow* via cage traps or yard traps (refer to Appendix 1 of Schedule 2), to be deployed for a maximum of three consecutive days; and
 - (ii) relocate any captured greater bilby within 14 hours at a pre-selected release site more than five kilometres from the boundary of the area hatched yellow in Figure 1 of Schedule 1 in *suitable habitat*, in accordance with a Ministerial Authorisation to take or disturb threatened species under Section 40 of the *Biodiversity Conservation Act 2016*.
- (f) Where greater bilby have been relocated under condition 8(e)(ii), the permit holder shall ensure that the *active burrow* from which the greater bilby was relocated is filled in to prevent future use.
- (g) Within two days of undertaking any clearing authorised under this permit, the permit holder shall engage a *fauna specialist* to undertake a walk-through of the area cross-hatched yellow in Figure 1 of Schedule 1 to inspect previously filled burrows and ensure that greater bilby has not recolonised filled burrows, and no new burrows have been constructed.

- (h) Should any new or recolonised burrows be identified under condition 8(g) of this permit, the permit holder shall undertake measures in accordance with 8(e) of this permit to remove and relocate greater bilby utilising the new or recolonised burrows.
- (i) Where greater bilby burrows are identified under condition 8(a), 8(b) and/or 8(g) of this permit, and/or greater bilby are *displaced* or are relocated under conditions 8(d), 8(e) and 8(h) 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 burrows* and/or *inactive 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) the date, time and location, 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 of any *active burrows* and/or *inactive burrows* identified that were filled in, in accordance with condition 8(b)(iii) and/or 8(d)(iii);
 - (iii) a description of the camera monitoring measures undertaken under condition 8(b)(iv) of this permit, including photographic records demonstrating the method and the number of monitoring nights;
 - (iv) the date, time and location 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, of any greater bilby recorded as being displaced from an *active burrow*;
 - (v) the gender of each greater bilby captured under conditions 8(e) and/or 8(h) of this Permit;
 - (vi) the location of any greater bilby 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;
 - (vii) the date, time, vegetation type and weather conditions at each location where greater bilby is captured under condition 8(i)(v) of this Permit;
 - (viii) the gender of each greater bilby relocated under conditions 8(e) and/or 8(h) of this Permit;
 - (ix) the location of any greater bilby 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;
 - (x) the date, time, vegetation type and weather conditions at each location where greater bilby is relocated under condition 8(i)(viii) of this Permit;
 - (xi) the name of the *fauna specialist* that relocated greater bilby under condition 8(e) and/or 8(h) of this Permit; and
 - (xii) a copy of the fauna licence authorising the relocation of greater bilby under conditions 8(e) and/or 8(h) of this Permit.

PART III - RECORD KEEPING AND REPORTING

10. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	(a) the species composition, structure, and density of the cleared area;

No.	Relevant matter	Specifications
		(b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 6; (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 7; and (g) actions taken in accordance with condition 8.
2.	In relation to fauna management pursuant to condition 9.	(a) records required under condition 8, and (b) the date the report is submitted to the Department of Water and Environmental Regulation.

11. Reporting


- (a) At least 48 hours prior to commencing clearing authorised under this permit, the permit holder shall advise the *CEO* in writing of the date that clearing is scheduled to commence.
- (b) On or before 30 June of each year following the commencement of clearing authorised under this permit, the permit holder must provide to the *CEO* a written report of records required under condition 10 of this permit.
- (c) The permit holder must produce the records required under condition 10 of this permit when requested by the *CEO*.

DEFINITIONS

In this permit, the terms in Table have the meanings defined.

Table 2: Definitions

Term	Definition
active burrow	means a burrow that is currently being utilised by greater bilby.
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
displaced / displacement	means a greater bilby departing a burrow of its own volition and/or self-relocating.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
fauna specialist	means a person who holds a tertiary qualification specialising 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, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .
fill	means material used to increase the ground level, or to fill a depression.
inactive burrow	means a burrow that is not currently being utilised by greater bilby.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
suitable habitat	means habitat that is suitable for use by greater bilby (<i>Macrotis lagotis</i>).
weeds	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; 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.


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Temika Mathieson
 A/MANAGER
 NATIVE VEGETATION REGULATION

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

Schedule 1

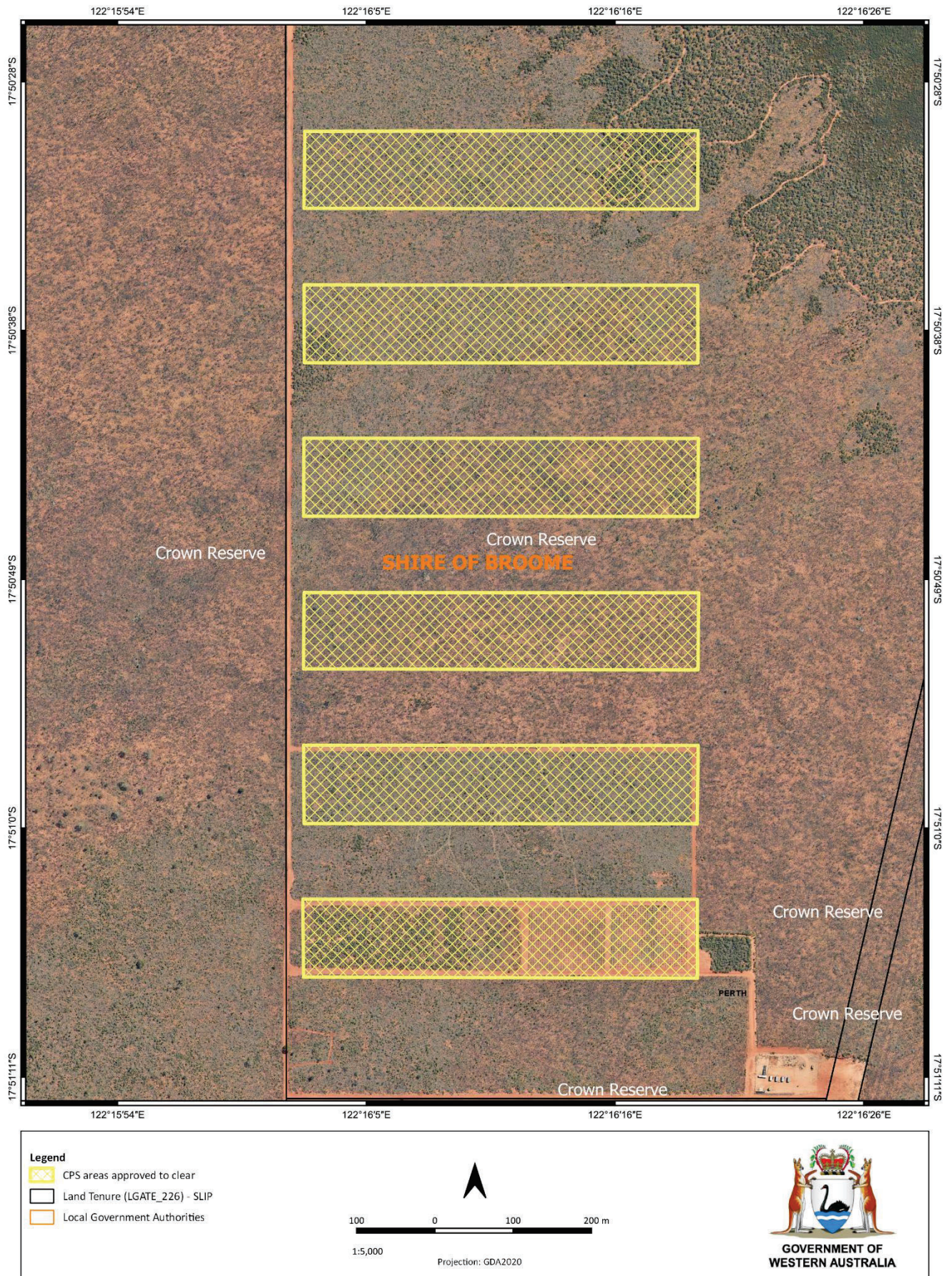


Figure 1: Map of the boundary of the area within which clearing may occur

Schedule 2

Appendix 1: burrow excavation

The following procedures should be followed when excavating burrows:

- Burrow excavation requires two people, each with a blunt-nosed shovel and/or garden trowels. It may take up to several hours to excavate a greater bilby burrow, depending on its length and other characteristics.
- To maintain sight of the burrow, place the shovel handle down the burrow entrance as far as possible.
- Slice away the ceiling with the second shovel or trowel, removing the sides and surrounding soils as required.
- Continue to slide the first shovel down into the burrow chamber so the burrow is not lost during excavation.
- Remove the soil with the second shovel or trowel as excavation proceeds and repeat.
- Excavate the burrow slowly and carefully, and stop often to see if a greater bilby is within reach or the end of the burrow is visible (a torch may be required). Be aware that other fauna species may be utilising the burrow.
- Do not collapse the burrow ahead of the shovel or trowel inside the burrow. Feel the shovel contact the other shovel with each stroke to avoid striking a greater bilby.
- Always excavate the burrow to its absolute end – be aware of forks, branches and plugged chambers and ensure all are excavated and inspected.
- If any fauna is observed, it may be either displaced or captured. Note that venomous species may be present in burrows.
- If a juvenile greater bilby is captured, then reunite with mother if possible by direct insertion into the pouch and taping.
- After excavating the burrow, fill in the remaining hole.

Appendix 2: greater bilby trapping

Burrow traps

Cage traps with internal-opening doors (spring closing) are required. Hessian should cover the top and sides of the trap but not the end, to enable a bilby to see through the trap. The wire mesh base should be lightly covered with sand. The sides of the burrow need to be carefully dug out using a small shovel to enable the trap to fit snugly inside the burrow, and deep enough so the treadle is just inside the burrow entrance (McGregor and Moseby 2014). Bait is unnecessary. Having no hessian on the base enables sand to obscure the wire mesh. However, the treadle needs to remain free and protected from sand build-up from below. The treadle can be camouflaged by spraying water over the treadle, and then sprinkling sand on top to affix.

Yard traps

A yard is built around a potentially active burrow using 3-4 m panels of 25x25 mm square mesh (or finer), 900 mm tall with a hinged 300-400 mm footing (Southgate *et al.* 1995). The hinged footing can be attached with ring fasteners. A rod through ring fasteners attached to the end of each panel can be used to join additional panels. The panels need to encircle the burrow, leaving about 1 m or more from the entrance. The footing needs to face inward toward the burrow entrance and can be cut to enable overlap and panels to curve around the burrow. The footing should be flat with the ground and covered with sand. At least three internally opening (spring closing) cage traps should be set inside the yard trap against the side of a panel and the wire mesh on the base obscured with sand. The top and sides of the traps should be covered with hessian but absent from the end. Bait may be used in traps.



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.:	8180/2
Permit type:	Purpose Permit
Application date:	26 June 2024

1.2. Applicant details

Applicant's name:	Mamabulanjin Aboriginal Corporation
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1.3. Property details

Property:	Lot 350 on Deposited Plan 75852
Local Government Authority:	Shire of Broome
Localities:	Waterbank

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
30		Mechanical Removal	Horticulture

1.5. Decision on application

Decision on Permit Application:	Granted
Decision Date:	17 October 2024
Reasons for Decision:	This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the <i>Environmental Protection Act 1986</i> (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 7 days and no public submissions were received.

This amendment is to extend the permit duration by 12 months to ensure that the permit remains valid. Condition 4 of CPS 8180/2 prevents the clearing of native vegetation after 18 October 2024. No changes to management conditions or the alignment of the clearing footprint have occurred under this amendment. The Delegated Officer considered that, given the administrative nature of the proposed amendment and that it does not change the ability for clearing activities to occur, the extent of impacts has not changed since the assessment of CPS 8180/1.

2. Site Information

Clearing Description	This amendment is to extend the permit duration by 12 months to ensure that the permit remains valid. The area approved to be cleared remains unchanged (see Figure 1, Section 2).
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CPS 8180/1 allowed for the clearing of no more than 30 hectares of native vegetation at Lot 350 on Deposited Plan 75852, Waterbank, for the purpose of a native tree orchard.

Vegetation Description	<p>The application area is mapped in the 'Dampierland' region of the Interim Biogeographic Regionalisation for Australia (IBRA), and is mapped as the following Beard vegetation association (Shepherd, 2001):</p> <ul style="list-style-type: none"> 750 described as 'Shrublands, pindan; <i>Acacia tumida</i> shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex'.
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A flora and vegetation survey (the Flora survey) conducted in May 2019 by GHD (2019) mapped the application area as comprising of *Acacia plectocarpa* subsp. *plectocarpa*, *Acacia tumida* var. *kulparn* and *Hakea macrocarpa* shrubland with scattered emergent *Corymbia zygophylla* and *Corymbia greeniana* trees over *Dolichandrone occidentalis*, *Bauhinia cunninghamii* and *Gardenia pyriformis* subsp. *keartlandii* sparse shrubland over *Corchorus sidoides* subsp. *sidoides* sparse shrubland over *Sorghum plumosum* and

Eriachne obtusa tussock grassland over *Triodia caelestialis* hummock grassland.

Vegetation Condition

The condition of the vegetation within the Application area is considered to be:

- Excellent: Vegetation structure intact, disturbance affecting individual species and weeds are non-aggressive species (Keighery, 1994).

The vegetation condition was determined by the Flora survey (GHD, 2019).

Soil type

The application area is mapped as the following land subsystem:

- Yeeda System, which is described as red sandplains supporting pindan vegetation (Department of Primary Industries and Regional Development (DPIRD), 2018).

Comments

The local area is considered a 20-kilometre radius of the Application area (excluding ocean).



Figure 1: Application area



Figure 2: Context map



Figure 3. Vegetation observed during the Flora survey (GHD, 2019).



Figure 4. Sign of Bilby activity observed in close proximity to the application area (GHD, 2019).

3. Minimisation and mitigation measures

Given the amendment relates only to extending the permit duration by 12 months to ensure that the permit remains valid and that no clearing is authorised after 18 October 2024, the avoidance, minimisation and mitigation measures employed by the permit holder have not changed and can be found in the Decision Report for Clearing Permit CPS 8180/1.

4. Detailed assessment of application

On 26 June 2024, the permit holder submitted an application to amend Clearing Permit CPS 8180/1, to extend the duration of the clearing permit and amend the size of the area permitted to be cleared to include an additional area of clearing. Given CPS 8180/1 expires on 18 October 2024, DWER determined that there is insufficient time to assess

all of the amendments proposed by the permit holder, in particular the additional area of proposed clearing. The extension of the permit by 12 months is to ensure that the permit remains valid whilst DWER considers the environmental impacts of the additional area of proposed clearing, any environmental values that may have changes from the original assessment, and if any modifications to the permit conditions are required to align the clearing permit with current departmental policy and practices under a future amendment.

Condition 4 of CPS 8180/2 prevents the clearing of native vegetation after 18 October 2024. Noting this, the extension of the permit by 12 months does not authorise clearing activities to occur. DWER understands that the permit holder will seek another amendment to the permit conditions, including to further extend the duration of the clearing permit and amend the size of the area permitted to be cleared. DWER will consider the impacts to environmental values, including any values that may have changed from the original assessment, at that time.

Given the nature of the proposed amendment, the Delegated Officer determined that the extent of impacts remains unchanged from the previous assessment of the permit and can be found in the Decision Report prepared for Clearing Permit CPS 8180/1.

Planning instruments and other relevant matters.

Given the amendment relates only to extending the permit duration by 12 months to ensure that the permit remains valid and that no clearing is authorised after 18 October 2024, the relevant planning instruments and other matters have not changed and can be found in the Decision Report for Clearing Permit CPS 8180/1.

5. References

Department of Primary Industries and Regional Development (DPIRD) (2018). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrinfo/> (accessed 14 December 2018).

GHD. (2019). Mamabalanjin Orchard Flora and Fauna surveys. Supporting document in relation to clearing permit application CPS 8180/1. DWER Ref: A1807038.

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.

Geographic Information System (GIS) datasets:

- Cadastre, Land Tenure
- Groundwater salinity, statewide
- Hydrography, linear
- Interim Biogeographic Regionalisation of Australia (IBRA)
- Landgate Imagery
- Native Vegetation Current Extent
- Pre-European Vegetation
- Species and Communities Bio Datasets (accessed 14 December 2018)