



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8376/1
Permit Holder:	PGWF Pty Ltd as trustee for PGWF Unit Trust
Duration of Permit:	From 4 September 2019 to 4 September 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 the installation of transmission lines and the construction of an access way and battery storage area for the Port Gregory Wind and Solar Farm Project.

2. Land on which clearing is to be done

Lot 6687 on Plan 226863, Yallabatharra

3. Area of clearing

The Permit Holder must not clear more than 2.8 hectares of native vegetation within the area hatched yellow on attached Plan 8376/1.

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. Dieback and weed management

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* 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
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

7. Flora management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to conduct a *targeted flora survey* of the area hatched yellow on Plan 8376/1 for the presence of *threatened flora* and *priority flora* species;
- (b) Where *threatened flora* and *priority flora* species are identified under condition 7(a) of this Permit, the Permit Holder shall engage a *botanist* to demarcate all *threatened flora* and *priority flora* individuals and their relevant *buffers*, located within the area hatched yellow on Plan 8376/1;
- (c) The Permit Holder shall ensure that no clearing of *threatened flora* and/or *priority flora* and their relevant *buffers* occurs; and
- (d) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *targeted flora survey* in a report to the *CEO*.

PART III - RECORD KEEPING AND REPORTING

8. Records must be kept

The Permit Holder must maintain the following records:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) the species composition, structure and density of the cleared area;
 - (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; and
 - (v) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 6 of this Permit.
- b) In relation to condition 7:
 - (i) the name and location of each *threatened flora* and/or *priority flora* species 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;
 - (ii) actions taken to demarcate each *threatened flora* and/or *priority flora* species recorded and their relevant buffers; and
 - (iii) actions taken to avoid clearing of *threatened flora* and *priority flora* species;

9. 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 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 has been undertaken, a written report confirming that no clearing under this Permit has been undertaken, must be provided to the *CEO* on or before 30 June of each year.
- (c) Prior to 1 July 2024, the Permit Holder must provide to the *CEO* a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

DEFINITIONS

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

Buffer means 50 metres for *threatened flora* and 20 metres for *priority flora*;

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

dieback means the effect of *Phytophthora* species on native vegetation;

botanist means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of 2 years work experience in Western Australian flora identification and undertaking flora surveys native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable environmental specialist for the bioregion, and who holds a valid flora licence issued under the *Biodiversity Conservation Act 2016*.

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;

priority flora means those plant taxa described as priority flora classes 1, 2, 3 or 4 in the *Department of Parks and Wildlife's Threatened and Priority Flora List for Western Australia* (as amended);

targeted flora survey: means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the Permit Area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

threatened flora means those plant taxa listed as threatened flora under the *Biodiversity Conservation Act 2016* within the *Wildlife Conservation (Rare Flora) Notice 2018*;

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.

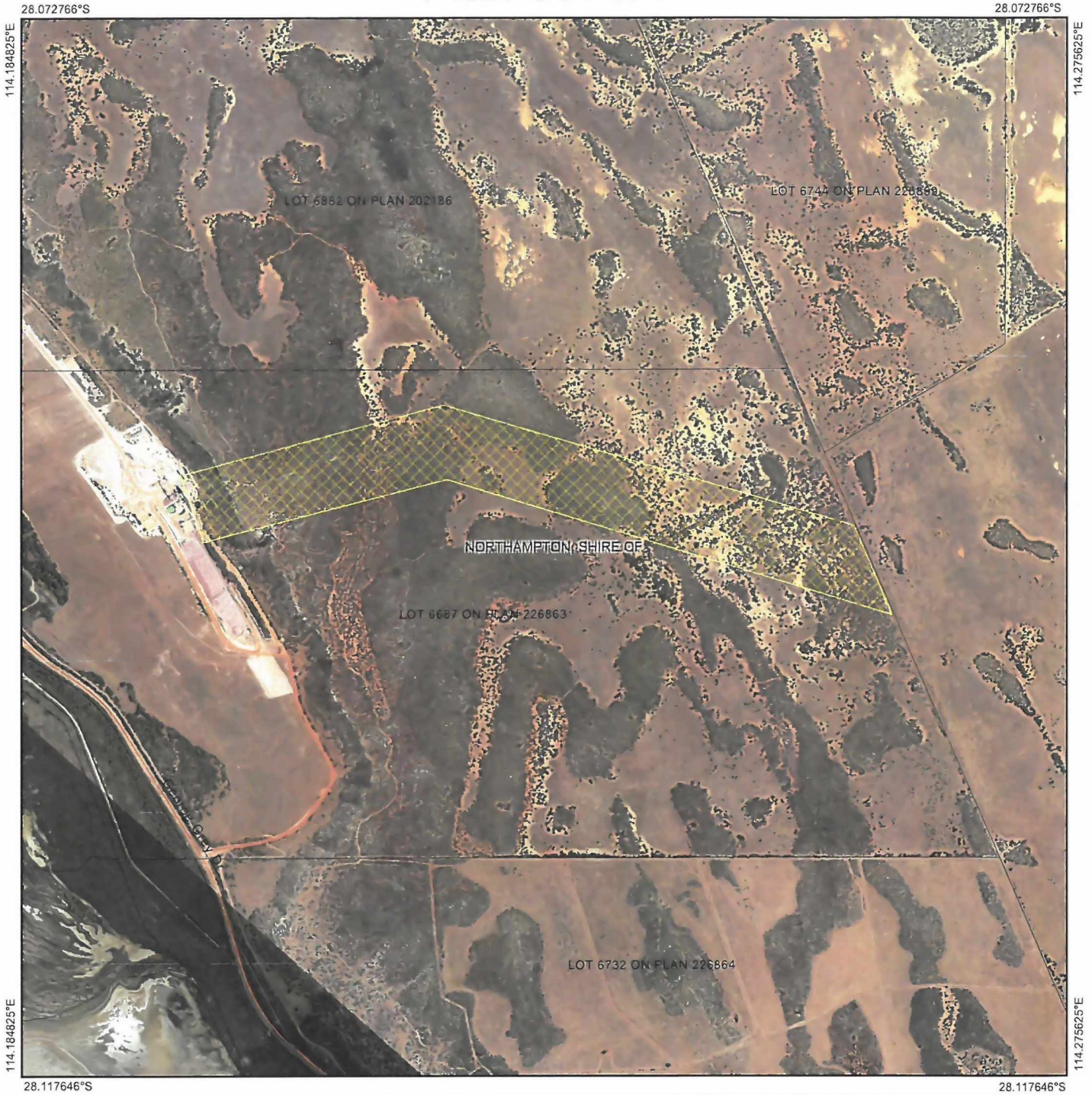


Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

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

9 August 2019

Plan 8376/1



Legend

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



1:20,000

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

S. Ag... Date *9/8/2019*
Samana Reis

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



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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8376/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: PGWF Pty Ltd as trustee for PGWF Unit Trust
Application received date: 20 February 2019

1.3. Property details

Property: LOT 6687 ON PLAN 226863, YALLABATHARRA
Local Government Authority: NORTHAMPTON, SHIRE OF
Localities: YALLABATHARRA

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
2.8		Mechanical Removal	Water/gas/cable/pipeline/power installation

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 9 August 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 may be at variance to principles (a) and (c) is not likely to be at variance to the remaining clearing principles.

Through assessment, it was determined that the application area may support conservation significant flora species. The Delegated Officer determined to place a condition on the Permit requiring the Permit Holder to undertake a targeted flora survey prior to clearing. Where threatened and priority flora have been identified, all individual plants and their relevant buffers are to be demarcated, to ensure that no clearing threatened or priority flora, and their relevant buffers occur.

The Delegated Officer notes that the proposed clearing may indirectly impact on the environmental values of adjacent vegetation through the introduction or spread of weeds and dieback. To address this matter, the clearing permit contains a condition requiring the Permit Holder to implement weed and dieback management measures.

Given the above, the Delegated Officer decided to grant a clearing permit subject to weed management, flora management and Avoidance conditions. The Delegated Officer determined that the proposed clearing is unlikely to lead to any unacceptable risk to the environment.

2. Site Information

Clearing Description The application is to clear 2.8 hectares within a 69.4 hectare footprint area within Lot 6687 on Plan 226863, Yallabatharra, for the purpose of installing transmission lines and for the construction of an access way and battery complex for the Port Gregory Wind and Solar Farm Project.

Vegetation Description The application area is mapped as Beard vegetation type:

- 17 described as shrublands; *Acacia rostellifera thicket*
- 371 described as low forest; *Acacia rostellifera* (Shepherd et al., 2001).

Vegetation Condition Excellent; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

To

Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994).

The condition of the vegetation was determined through a reconnaissance site survey undertaken by *Ecologia* on 17 October 2017 (Ecologia, 2019).

Soil

The application area transverses two soil types, being:

- Tamala North 2 subsystem: Yellow/brown shallow sand with areas of yellow deep sand
- Tamala North 4 subsystem: Brown calcareous shallow sand and red shallow sand (Department of Primary Industries and Regional Development, 2017).

Comments

The local area is defined as the 20 kilometres surrounding the application area.

3. Assessment of application against the clearing principles

The application is to clear 2.8 hectares within a 69.4 hectare footprint area within Lot 6687 on Plan 226863, Yallabatharra, for the purpose of the installing transmission lines, and to construct an access track and a battery complex for the Port Gregory Wind and Solar Farm Project.

The clearing footprint comprises predominantly agricultural land, and also includes 5.8 hectares of rehabilitated land and 31 hectares of remnant bushland (Ecologia, 2019). The vegetation in the application area is in a degraded to excellent (Keighery, 1994) condition (Ecologia, 2019).

According to available databases, seven fauna species of conservation significance have been recorded within the local area (20 kilometres radius) (DBCA, 2007-), four of which are associated with marine and shore habitats that are not represented in the application area. The conservation fauna species that may utilise the application area includes: Carnaby's cockatoo (*Calyptorhynchus latirostris*) (listed as endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)), and the Shield-backed Trapdoor Spider (*Idiosoma nigrum*) and Chuditch (*Dasyurus geoffroi*) are listed as vulnerable under the EPBC Act.

Carnaby's cockatoo breed in large hollow-bearing trees, generally within woodlands or forests or in isolated trees (Commonwealth of Australia, 2012). These species nest in hollows in live or dead trees of karri, marri, wandoo, tuart, salmon gum, jarrah, flooded gum, York gum and powder bark (Commonwealth of Australia, 2012). Ecologia (2019) note that there is no foraging or breeding habitat within the clearing footprint. Noting the vegetation types present within the clearing footprint, the vegetation is not likely to comprise significant habitat for Carnaby's cockatoos.

In regard to the shield-backed trapdoor spider, this species has a preference for habitat of open eucalyptus woodlands with heavy clay soils (Avon Catchment Council, 2007). As the application area is prominently shrublands of *Acacia rostellifera* thicket (Ecologia, 2019) with sandy or calcareous sandy soils (Department of Primary Industries and Regional Development, 2017) the application area is not likely to comprise of significant habitat for the shield-backed trapdoor spider.

In regard to the chuditch, Ecologica (2019) notes that the chuditch records represent reintroductions to Kalbarri National Park and are therefore unlikely to occur within the application area.

There are six threatened and thirteen priority species have been recorded within the local area. Of these, The Department of Biodiversity, Conservation and Attractions (DBCA) (2019) advised that the application area has suitable habitat to support the following conservation significant flora species:

- *Caladenia bryceana* subsp. *Craecens* (threatened)
- *Melaleuca huttensis* (priority 1)
- *Comesperma rhadinocarpum* (priority 2)
- *Acacia latipes* subsp. *licina* (priority 3)
- *Balladonia aevroides*, (priority 3)
- *Scaevola kallophylla* (priority 4)

A permit condition requiring the Permit Holder to identify conservation significant flora and avoid clearing of any individuals and their buffer, will mitigate any impacts to conservation significant flora.

National Objectives and Targets for Biodiversity Conservation includes a target that does not support the clearing of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia 2001). The application area is located within the Geraldton Sandplains (IBRA) bioregion which retain approximately 45 per cent of its pre-European vegetation extent (Government of Western Australia, 2018a) The application area is also within the mapped Beard vegetation associations 17 (*Acacia rostellifera* thicket) and 371 (*Acacia rostellifera* low forest) which retain approximately 84 and 11 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2018b). Aerial imagery indicates that the local area retains approximately 42 per cent native vegetation cover.

While Beard vegetation associations 371 (*Acacia rostellifera* low forest) has been extensively cleared, it is mapped only within a small proportion of the western side of the footprint area. DBCA (2019) advised that the vegetation within this area is generally shrubland and thickets, rather than low forest and Beard vegetation associations 371 is more likely to grow lower in the landscape than within the application area. Given the vegetation is not likely to be representative of Beard vegetation association 371, the vegetation is not likely to comprise a significant remnant in an extensively cleared area.

There are no threatened ecological communities or priority ecological communities mapped within the clearing footprint area. The closest community is mapped 9000 metres away being the Kalbarri ironstone community (priority 1). The vegetation under application is not representative of this community.

There are no drainage channels, watercourses or wetlands within the clearing footprint (Ecologia, 2019), the closest being the Hutt Lagoon, a wetland located approximately 2500 south of the application area. Considering this, and given the relative small size (2.8 hectares) and linear nature (2600 metres in length) of the clearing area, the proposed clearing is not likely to impact on riparian vegetation, contribute to or cause land degradation, deteriorate the quality of ground water or surface water and is not likely to cause or exacerbate flooding.

The closest conservation reserves is the Utcha Well Nature Reserve which is located 1200 metres of the application area. Given the small size of the application area (2.8 hectares) and its distance to the reserve, the proposed clearing is not likely to impact upon these environmental values of this reserve.

The proposed clearing may impact upon adjacent native vegetation by increasing edge effects such as increased light and the spread of weeds and dieback. Weed and dieback mitigation measures will assist in minimising this risk.

Given the application area may provide habitat for priority and threatened flora, the proposed clearing may be at variance to principles (a) and (c) is not likely to be at variance to the remaining clearing principles.

Planning instruments and other relevant matters.

The transmission lines, access track, and battery complex are to be constructed to serve a 3 Megawatt wind and solar farm. The solar farm has been designed to supply almost 70 per cent of the Port Gregory garnet mine energy requirement (Ecologia, 2019).

The application area is zoned 'general rural' under the Town Planning Scheme, and the main land use in the surrounding area includes grazing and cropping (Ecologia, 2019).

The Shire of Northampton (2019) has informed that the clearing permit application is consistent with Development Approval D/A 2017-104, which the Shire has granted for this site. The Development approval is subject to the following condition:

"8. The applicant is to undertake a flora survey of the clearing envelope so as to identify any DRF and/or priority flora, and if identified within the clearing envelope, then alterations to the powerline alignment and location of the battery storage unit may be negotiated with the Department of Biodiversity, Conservation and Attractions and the Local Government"

With regards to the flora survey, the Shire advised that the applicant submitted a pre-construction flora and fauna assessment, which identified that no impacts to flora, fauna or vegetation. The Shire advised that the Applicant has satisfied the requirements and conditions of the planning department and there are no objections in relation to the road infrastructure requirements (Shire of Northampton, 2019).

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

The clearing permit application was advertised on the DWER website on 26 March 2019 with a 21 day submission period. No public submissions have been received in relation to this application.

4. References

- Avon Catchment Council (2007) Shield - backed Trapdoor Spider (*Idiosoma nigrum*) Conservation Plan 2008-2013
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra
- Commonwealth of Australia (2012) EPBC Act Referral guidelines for three threatened black cockatoo species: Carnaby's cockatoo, Baudin's cockatoo and Forest red-tailed black cockatoo. Commonwealth of Australia
- Department of Biodiversity, Conservation and Attractions (DBCA) (2019) Regional advice for Clearing Permit CPS 8376/1. Western Australia (DWER Ref: A1799082)
- Department of Biodiversity, Conservation and Attractions (DBCA) (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed 14 May 2019
- Department of Primary Industries and Regional Development (2017). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed 14 May 2019).
- Ecologia Environment (2019) Advanced Energy Resources – Port Gregory Wind and Solar Farm Project - Clearing Permit Application (DWER Ref: A1766918)
- Government of Western Australia. (2018a) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>
- Government of Western Australia. (2018b) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions. <https://catalogue.data.wa.gov.au/dataset/dbca>
- 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.
- Shire of Northampton (2019) Planning advice for clearing permit application CPS 8376/1 (DWER ref: A1780733)