



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 9475/3
Permit Holder:	Commissioner of Main Roads Western Australia
Duration of Permit:	From 26 February 2022 to 26 February 2027

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 road upgrades to Marble Bar Road.

2. Land on which clearing is to be done

Marble Bar Road Reserve	(PIN: 11450438),	Nullagine
Marble Bar Road Reserve	(PIN: 11733777),	Nullagine
Marble Bar Road Reserve	(PIN: 11733778),	Nullagine
Marble Bar Road Reserve	(PIN: 11733779),	Nullagine
Marble Bar Road Reserve	(PIN: 11733780),	Nullagine
Marble Bar Road Reserve	(PIN: 11733781),	Nullagine
Marble Bar Road Reserve	(PIN: 11733782),	Nullagine
Marble Bar Road Reserve	(PIN: 11733783),	Nullagine
Marble Bar Road Reserve	(PIN: 11734470),	Nullagine
Marble Bar Road Reserve	(PIN: 11734863),	Nullagine
Marble Bar Road Reserve	(PIN: 11734864),	Nullagine
Marble Bar Road Reserve	(PIN: 11734865),	Nullagine
Marble Bar Road Reserve	(PIN: 11734866),	Nullagine
Marble Bar Road Reserve	(PIN: 11736120),	Nullagine
Marble Bar Road Reserve	(PIN: 11736121),	Nullagine
Marble Bar Road Reserve	(PIN: 11736122),	Nullagine
Marble Bar Road Reserve	(PIN: 11997700),	Nullagine
Bonney Downs-Hillside Rd	(PIN: 11734448),	Nullagine
Skull Springs Road Reserve	(PIN: 11450436),	Nullagine
Unnamed Road Reserve	(PIN: 11734450),	Nullagine
Lot 120 on Plan 91989		Nullagine
Lot 171 on Plan 213166		Nullagine
Lot 93 on Plan 220468		Nullagine

De Grey Location 8		Nullagine
Crown Reserve	(R 11082),	Nullagine
Crown Reserve	(R 12347),	Nullagine
Crown Reserve	(R 12348),	Nullagine
Crown Reserve	(R 13687),	Nullagine
Crown Reserve	(R 13688),	Nullagine
Crown Reserve	(R 18938),	Nullagine
Crown Reserve	(R 2804),	Nullagine
Crown Reserve	(R 32645),	Nullagine
Crown Reserve	(R 3328),	Nullagine
Crown Reserve	(R 9700),	Nullagine
Pastoral Lease	(LPL N050430),	Nullagine
Unallocated Crown Land	(PIN: 957119),	Nullagine
Unallocated Crown Land	(PIN: 957121),	Nullagine
Unallocated Crown Land	(PIN: 957170),	Nullagine
Unallocated Crown Land	(PIN: 1012676),	Nullagine
Unallocated Crown Land	(PIN: 1114532),	Nullagine

3. Clearing authorised

The permit holder must not clear more than 500 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 to Figure 4 of Schedule 1.

PART II – MANAGEMENT CONDITIONS

4. Avoid, minimise, and reduce 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:

- (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.

5. Weed management

When undertaking any *clearing* authorised under this permit, the permit holder must take the following measures to minimise the risk of 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 known *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.

6. Vegetation management - Watercourse and wetland surface flow

- (a) Where practicable the permit holder shall avoid clearing *riparian vegetation*.
- (b) Where a watercourse or wetland is to be impacted by clearing, the permit holder shall maintain the existing surface flow by use of culverts.

7. Directional clearing

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

8. Fauna management – Pre-clearance surveys

- (a) *Immediately prior* to undertaking any clearing authorised under this permit, the permit holder shall engage a *fauna specialist* to undertake clearance surveys within the areas cross-hatched red on Figure 1 to Figure 3 of Schedule 2 for the Greater Bilby (*Macrotis lagotis*) and Brush-tailed Mulgara (*Dasycercus blythi*), including the identification and inspection of burrows, and determination of whether burrows are being utilised.
- (b) Where evidence of recent burrow use is identified under condition 8(a) of this permit, the permit holder shall;
 - (i) engage a *fauna specialist* to flag the location of the burrow/s showing signs of recent use;
 - (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 Greater Bilbies or Brush-tailed Mulgara have been observed to independently move on from the burrow/s; and
 - (iv) prior to clearing, engage a *fauna specialist* to re-inspect any flagged burrow/s for the presence of Greater Bilbies or Brush-tailed Mulgara.
- (c) If Greater Bilbies or Brush-tailed Mulgara are identified utilising any flagged burrow/s under condition 8(b)(iv) of this permit and cannot be avoided in accordance with *condition 4* of this permit, the permit holder shall engage a *fauna specialist* to remove and relocate the identified Greater Bilbies or Brush-tailed Mulgara to an area of suitable habitat, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*.
- (d) Where active Greater Bilby or Brush-tailed Mulgara burrows are identified under condition 8(a) of this permit, and/or Greater Bilbies or Brush-tailed Mulgara are relocated under condition 8(c) of this permit, the permit holder shall include the following in a report submitted to the *CEO* within two months of undertaking any *clearing* authorised under this permit:
 - (i) The location of any active Greater Bilby or Brush-tailed Mulgara 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(b)(iii) of this Permit;
 - (iii) the date and time of Greater Bilbies or Brush-tailed Mulgara are recorded as independently moving from a flagged burrow;
 - (iv) the gender of each Greater Bilby captured under condition 8(c) of this Permit;
 - (v) the location of any Greater Bilbies or Brush-tailed Mulgara, as referred to under condition 8(a) 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 Greater Bilbies or Brush-tailed Mulgara are captured under condition 8(d)(v) of this permit;
- (vii) the location of any Greater Bilbies or Brush-tailed Mulgara, identified in accordance with condition 8(a) 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;
- (viii) the date, time, vegetation type and weather conditions at each location where Greater Bilbies or Brush-tailed Mulgara are relocated under condition 8(c) of this permit;
- (ix) the name of the *fauna specialist* that relocated fauna under condition 8(c) of this permit; and
- (x) a copy of the fauna licence authorising the relocation of fauna under condition 8(c) of this permit.

PART III - RECORD KEEPING AND REPORTING

9. 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 <i>clearing</i> activities generally	<ul style="list-style-type: none"> (a) the species composition, structure, and density of the cleared area; (b) the location where the <i>clearing</i> occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), 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 <i>clearing</i> in accordance with <i>condition 4</i> of this permit; (f) the locations, species, and numbers of <i>priority flora</i> taxa within the cleared area; and (g) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with <i>condition 5</i> of this permit.
2.	In relation to fauna management pursuant to <i>condition 8</i>	<ul style="list-style-type: none"> (a) results of the pre-clearance surveys undertaken in accordance with <i>condition 8</i> of this permit; and (b) a copy of the <i>fauna specialist's</i> report.

10. 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 9 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 26 November 2026, the permit holder must provide to the *CEO* a written report of records required under condition 9 of this permit where these records have not already been provided under condition 10(a) of this permit.

DEFINITIONS

In this permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
<i>CEO</i>	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
<i>clearing</i>	has the meaning given under section 3(1) of the EP Act.
<i>condition</i>	a condition to which this clearing permit is subject under section 51H of the EP Act.
<i>fauna specialist</i>	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 <i>CEO</i> as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the <i>Biodiversity Conservation Act 2016</i> .
<i>fill</i>	means material used to increase the ground level, or to fill a depression.
<i>department</i>	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.
<i>EP Act</i>	<i>Environmental Protection Act 1986</i> (WA)
<i>immediately prior</i>	Means the pre-clearance surveys must be undertaken within seven (7) days prior to <i>clearing</i> by a qualified <i>fauna specialist</i>
<i>mulch</i>	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation.
<i>native vegetation</i>	has the meaning given under section 3(1) and section 51A of the EP Act.
<i>priority flora</i>	means those plant taxa described as priority flora classes 1, 2, 3, or 4 in the Department of Biodiversity, Conservation and Attractions Threatened and Priority Flora List for Western Australia (as amended from time to time).
<i>riparian vegetation</i>	has the meaning given to it in Regulation 3 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> ;

Term	Definition
<i>suitable habitat</i>	means habitat known to support the Greater Bilby (<i>Macrotis lagotis</i>) and Brush-tailed Mulgara (<i>Dasyercus blythi</i>) within the known current distribution of the species.
<i>watercourse</i>	has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</i> .
<i>weeds</i>	means any plant – (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.

END OF CONDITIONS

Mathew Gannaway
 MANAGER
 NATIVE VEGETATION REGULATION

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

3 March 2023

Schedule 1

The boundary of the areas cross-hatched yellow authorised to be cleared are shown in the maps below (Figure 1 to Figure 4).

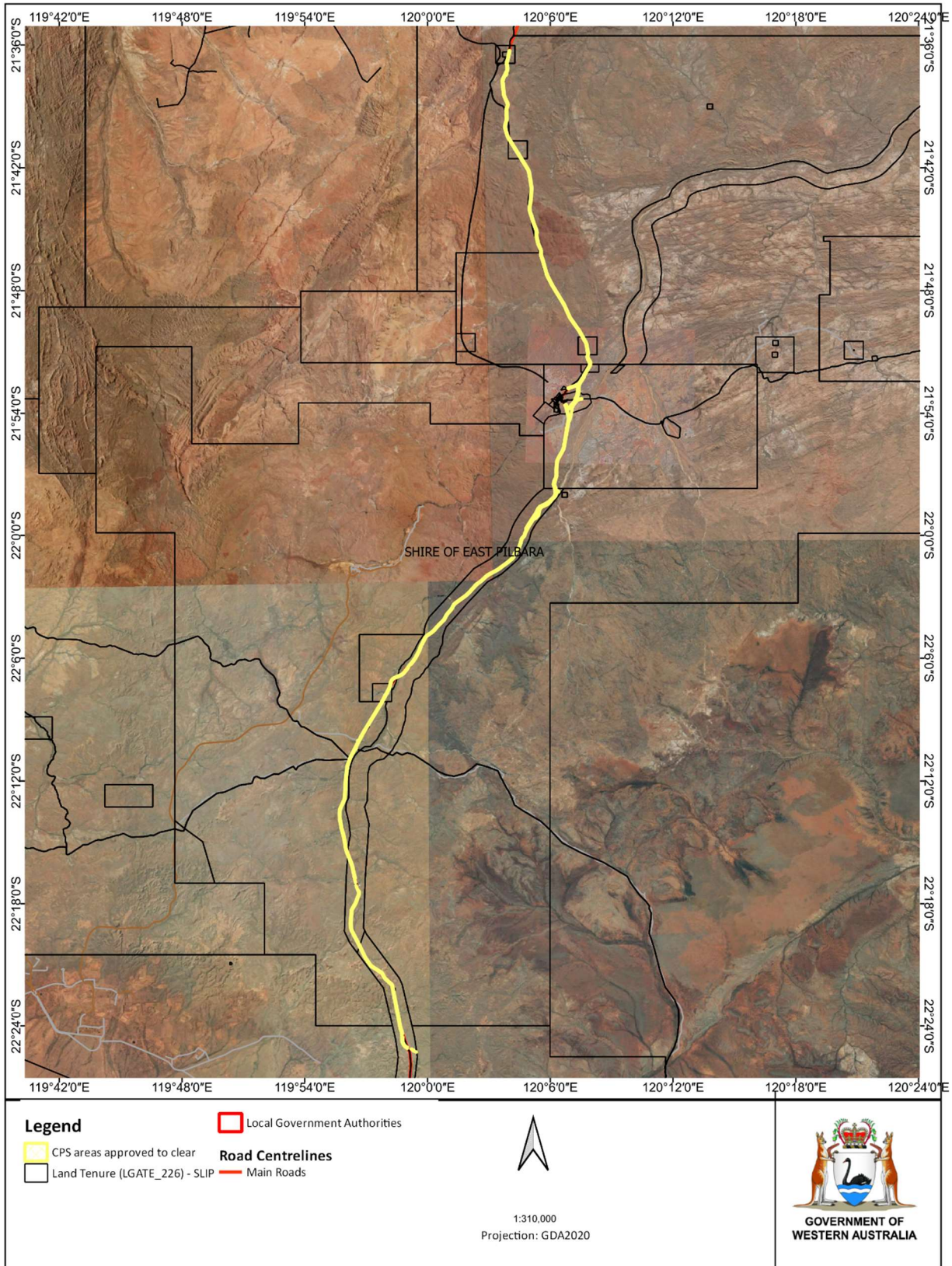


Figure 1: Map (total) of the boundary of the areas within which *clearing* may occur

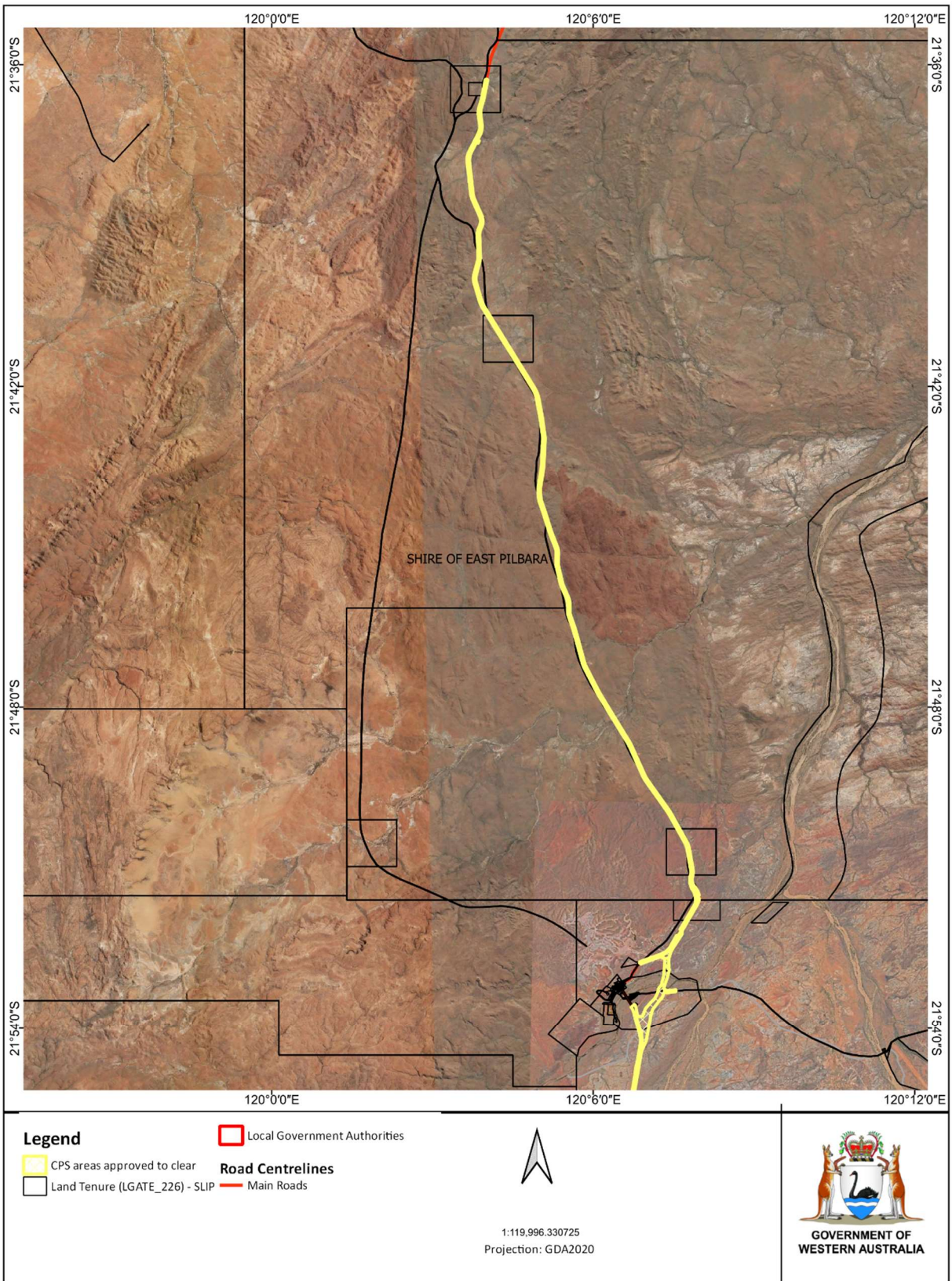


Figure 2: Map (A) of the boundary of the areas within which *clearing* may occur

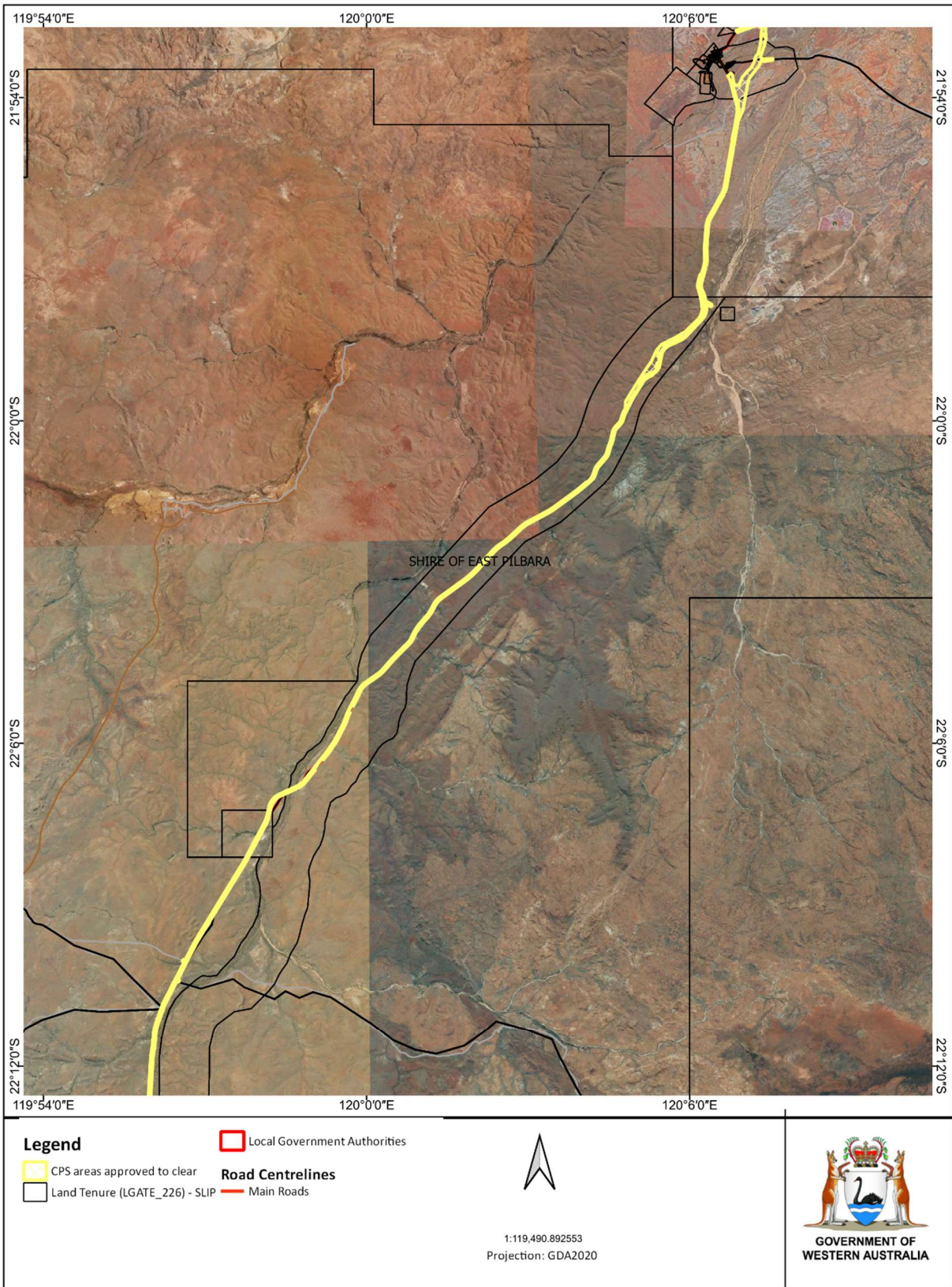


Figure 3: Map (B) of the boundary of the areas within which *clearing* may occur

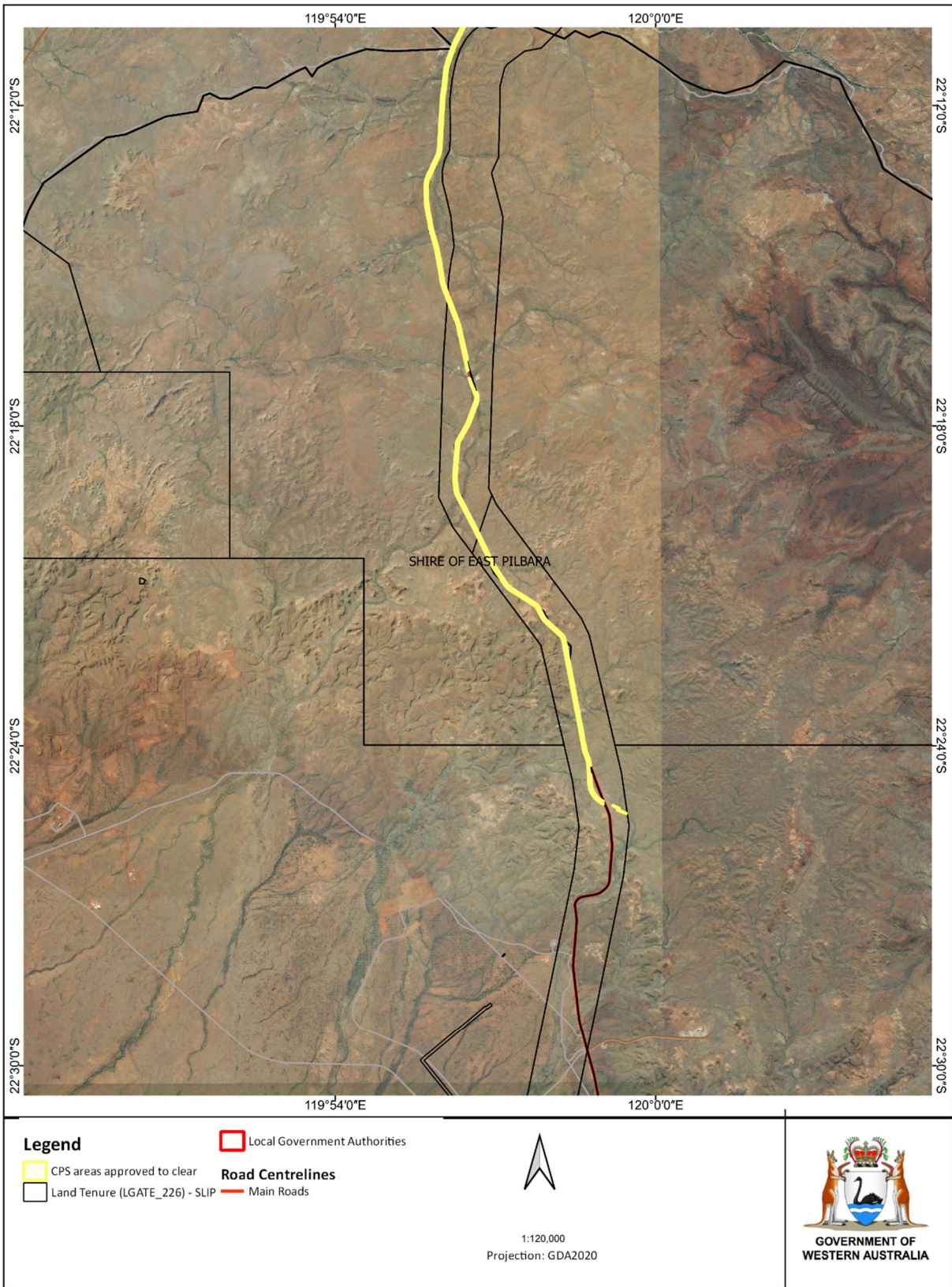


Figure 4: Map (C) of the boundary of the areas within which *clearing* may occur

Schedule 2

The boundaries of the areas cross-hatched red where permit *conditions* apply are shown in the maps below (Figure 1 to Figure 3).

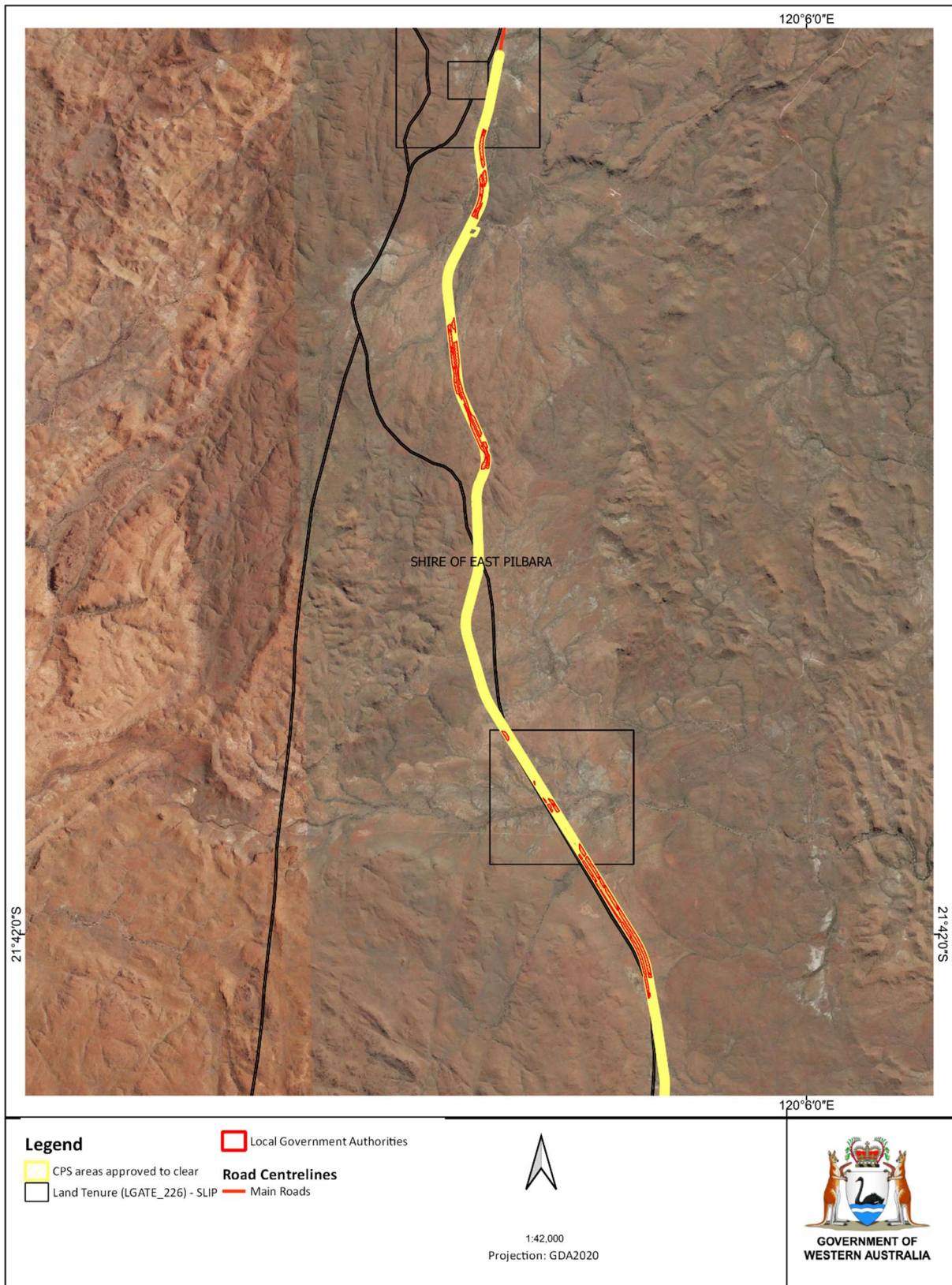


Figure 1: Map (A) of the boundary of the areas where permit *conditions* apply

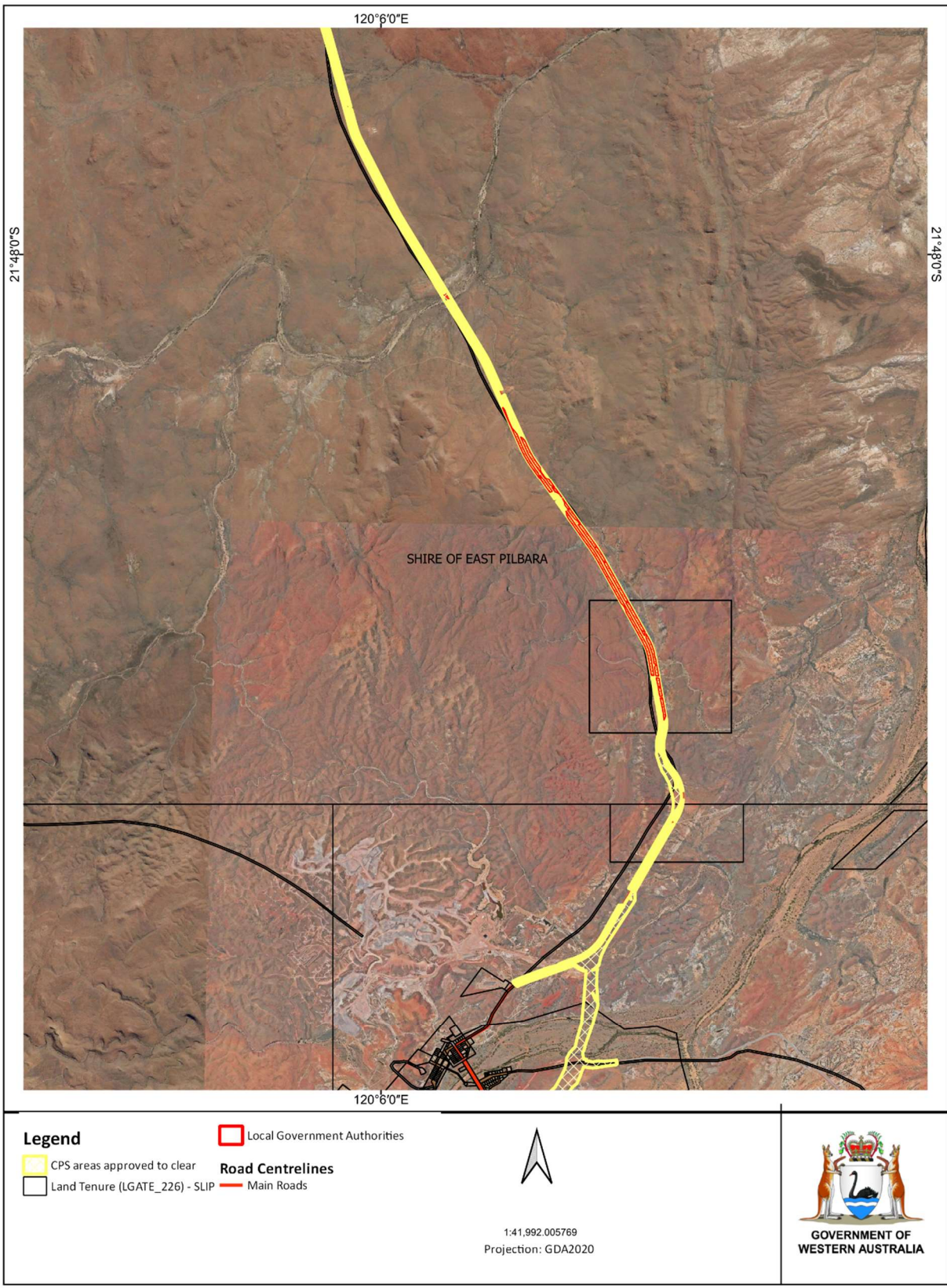


Figure 2: Map (B) of the boundary of the areas where permit *conditions* apply



Figure 3: Map (C) of the boundary of the areas where permit *conditions* apply