



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 9534/2

File Number: DWERVT9275

Duration of Permit: From 03 December 2022 to 03 December 2027

PERMIT HOLDER

Commissioner of Main Roads Western Australia

LAND ON WHICH CLEARING IS TO BE DONE

Lot 279 on Deposited Plan 219235, Peedamulla

Lot 281 on Deposited Plan 219235, Peedamulla

Onslow Road reserve (PIN 11730566), Peedamulla

Onslow Road reserve (PIN 12185014), Peedamulla

Lot 280 on Deposited Plan 219235, Talandji

Lot 531 on Deposited Plan 69198, Talandji

Lot 535 on Deposited Plan 69198, Talandji

Lot 536 on Deposited Plan 69198, Talandji

Lot 564 on Deposited Plan 71346, Talandji

Lot 574 on Deposited Plan 71345, Talandji

Lot 606 on Deposited Plan 402524, Talandji

Lot 801 on Deposited Plan 413048, Talandji

Onslow Road reserve (PIN 11730565), Talandji

AUTHORISED ACTIVITY

The permit holder must not clear more than 231.31 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. 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.

2. 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.

3. Directional clearing

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

4. 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 or diversions.

5. Flora management – Priority flora

- (a) The permit holder must ensure that:
 - (i) the boundaries of the area to be cleared are identified and demarcated using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994/2020 (GDA94/20), expressing the geographical coordinates in Eastings and Northings or decimal degrees
 - (ii) *recorded priority flora* are identified within the clearing boundary using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994/2020 (GDA94/20), expressing the geographical coordinates in Eastings and Northings or decimal degrees

- (b) When undertaking any clearing authorised under this permit, the permit holder must not cause or allow the clearing of more than the *recorded priority flora* within the clearing boundary.

6. 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	<ul style="list-style-type: none"> (a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994/2020 (GDA94/20), 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 1; (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 2; (g) actions taken to conduct directional clearing in accordance with condition 3; and (h) actions taken to avoid clearing <i>riparian vegetation</i> and maintain existing surface flow in accordance with condition 4.

2.	In relation to flora management pursuant to condition 5	<p>(a) the date <i>recorded priority flora</i> species were cleared;</p> <p>(b) the <i>recorded priority flora</i> taxa and number of individuals cleared;</p> <p>(c) the location of <i>recorded priority flora</i> taxa cleared, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994/2020 (GDA94/20), expressing the geographical coordinates in Eastings and Northings; and</p> <p>(d) actions taken to avoid the clearing of <i>recorded priority flora</i> species, where practicable.</p>
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7. 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 6 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 03 August 2027, the permit holder must provide to the *CEO* a written report of records required under condition 6 of this permit where these records have not already been provided under condition 7(a) of this permit.

DEFINITIONS


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

Table 2: Definitions

Term	Definition
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.
fill	means material used to increase the ground level, or to fill a depression.
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.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
priority flora	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).
riparian vegetation	has the meaning given to it in Regulation 3 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> ;
watercourse	has the meaning given to it in section 3 of the <i>Rights in Water and Irrigation Act 1914</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.

END OF CONDITIONS



Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

17 May 2023

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

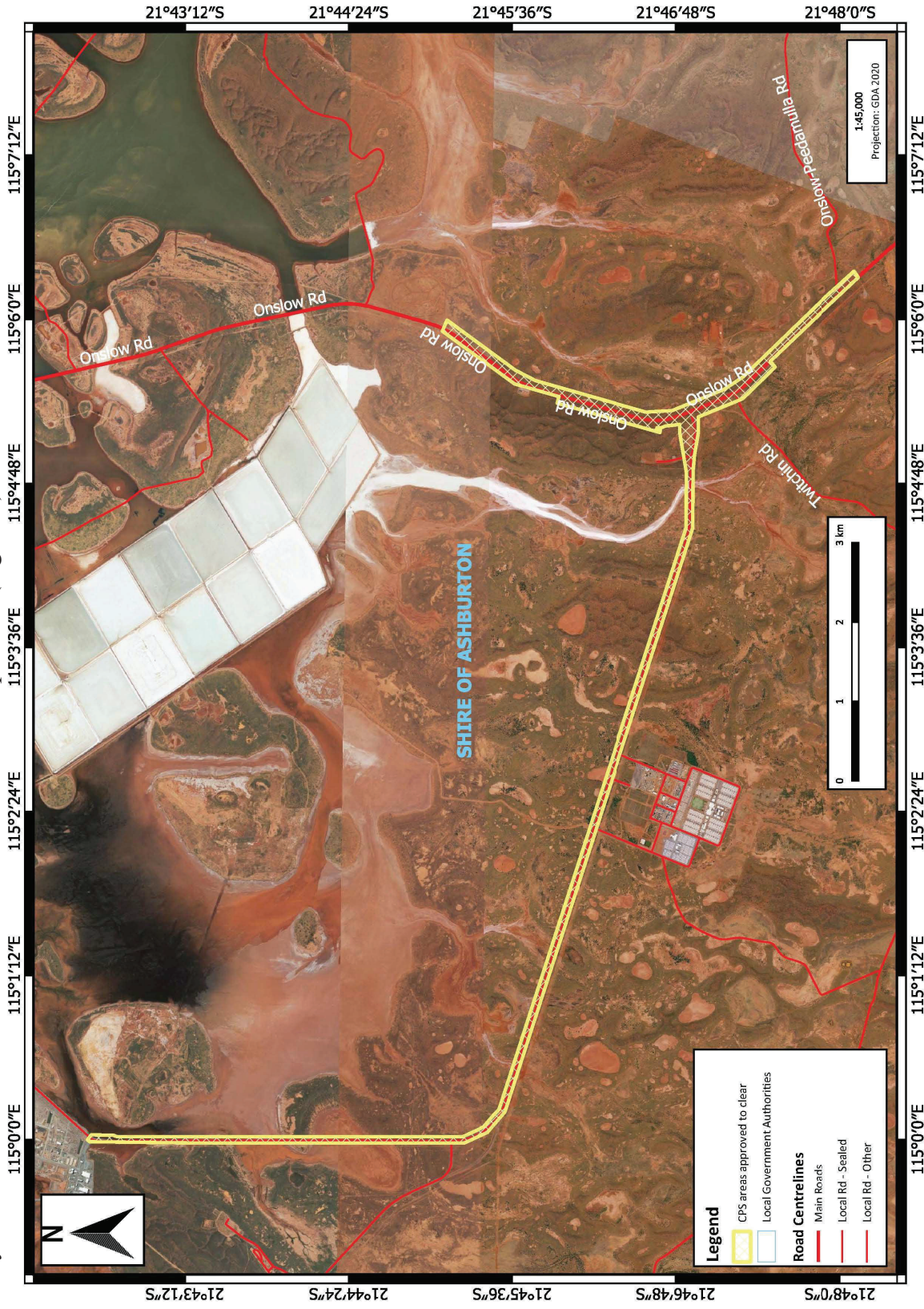


Figure 1: Map of the boundary of the area within which clearing may occur



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 9534/2
Permit type:	Area permit
Applicant name:	Commissioner of Main Roads Western Australia
Application received:	20 April 2023
Application area:	231.31 hectares of native vegetation
Purpose of clearing:	Road construction and upgrades
Method of clearing:	Mechanical
Property:	Lot 279 on Deposited Plan 219235 Lot 281 on Deposited Plan 219235 Onslow Road reserve (PIN 11730566) Onslow Road reserve (PIN 12185014) Lot 280 on Deposited Plan 219235 Lot 531 on Deposited Plan 69198 Lot 535 on Deposited Plan 69198 Lot 536 on Deposited Plan 69198 Lot 564 on Deposited Pan 71346 Lot 574 on Deposited Plan 71345 Lot 606 on Deposited Plan 402524 Lot 801 on Deposited Plan 413048 Onslow Road reserve (PIN 11730565)
Location (LGA area/s):	Shire of Ashburton
Localities (suburb/s):	Peedamulla Talandji

1.2. Description of clearing activities

This amendment is to reduce the total size of the clearing area by 3.13 hectares and remove 22 land parcels from within the proposed clearing area (see Figure 1, Section 1.5) (Main Roads, 2023). The entire clearing permit footprint sought under CPS 9534/2 is 231.31 hectares.

1.3. Decision on application

Decision:	Granted
Decision date:	17 May 2023
Decision area:	231.31 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 7 days and no submissions were received.

This amendment is to reduce the clearing footprint and remove parcels of land where clearing is not proposed to occur. The Delegated Officer considered that, given the administrative nature of the proposed amendment that reduces the overall clearing footprint, the assessment has not changed since the assessment for CPS 9534/1 (DWER, 2023). The management conditions under CPS 9534/1 are unchanged and are sufficient to limit the impacts of the proposed clearing.

1.5. Site map

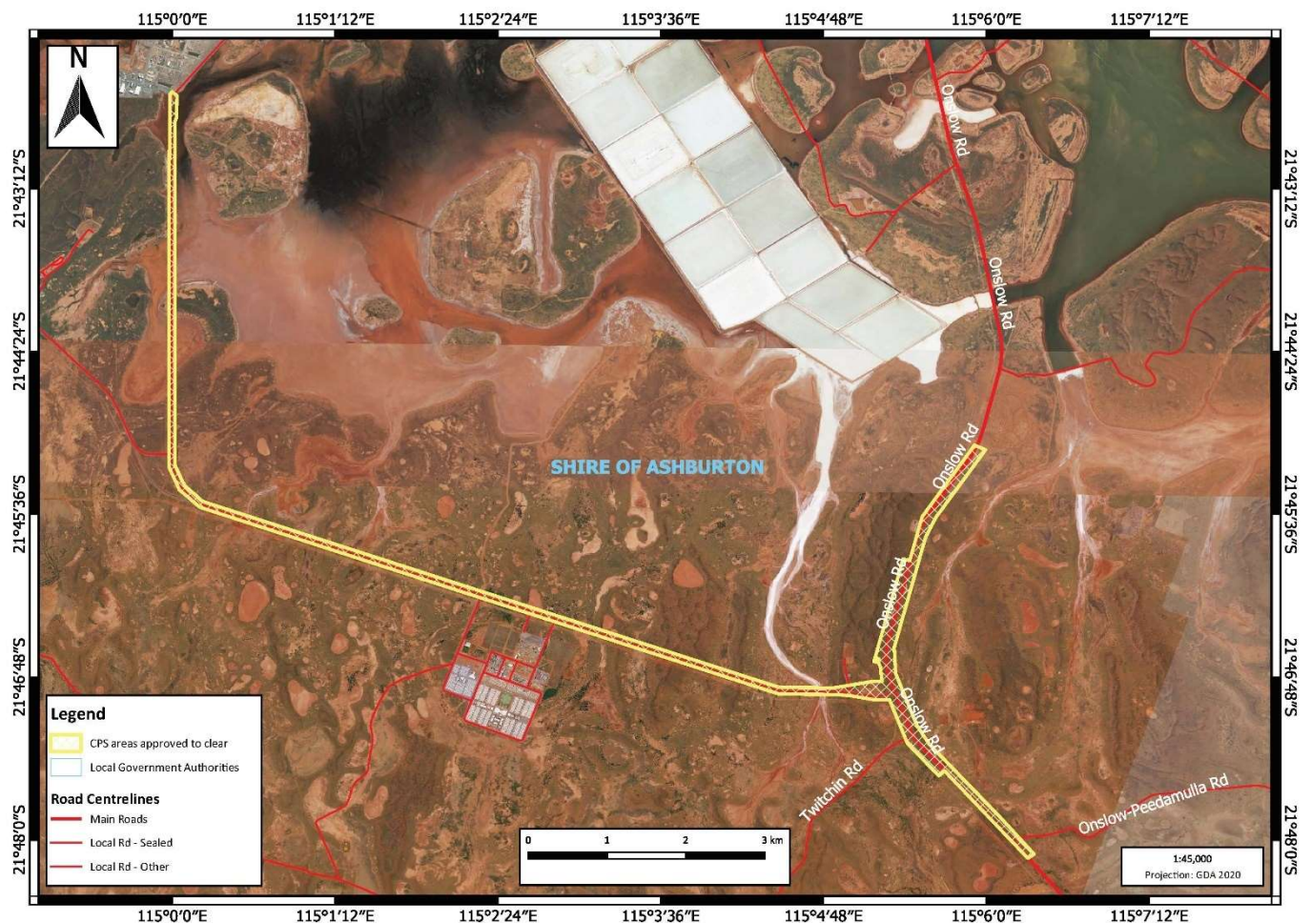


Figure 1. The area crosshatched yellow indicates the area authorised to be cleared under the granted clearing permit.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the polluter pays principle
- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Contaminated Sites Act 2003* (WA) (CS Act)
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Rights in Water and Irrigation Act 1914* (WA) (RIWI Ac)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016)

3 Detailed assessment of application

Given the nature of the proposed amendment, the Delegate Officer determined that the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values remains unchanged from the previous assessment of the permit and can be found in the Decision Report prepared for Clearing Permit CPS 9534/1 (DWER, 2023).

3.1. Relevant planning instruments and other matters

Relevant planning instruments and other matters have not changed and can be found in the decision report for CPS 9534/1 (DWER, 2023).

The Shire of Ashburton were also contacted to provide comment on the proposed amendment. The Shire did not have any objections to the proposed clearing, however noted the application area falls within the Ashburton North Strategic Industrial Area, administered by the Department of Planning, Lands and Heritage (DPLH). As the applicant are not creating a new road reserve, referral to the DPLH and the Western Australian Planning Commission (WAPC) is not required (Shire of Ashburton, 2023).

End

Appendix A. Sources of information

Commissioner of Main Roads Western Australia (MRWA) (2023) *Clearing permit application CPS 9534/2 and supporting information*, received 20 April 2023 (DWER Ref: DWERDT767316).

Department of Water and Environmental Regulation (DWER) (2023) *Decision Report and Permit with plan for Clearing Permit CPS 9534/1*, granted 09 November 2022. Available from: <https://ftp.dwer.wa.gov.au/permit/9534/Permit/> .

Shire of Ashburton (2023) *Advice for clearing permit application CPS 9534/2*, received 09 May 2023 (DWER Ref: DWERDT771176).