

**Our ref: AU213002314.001**

Level 2, 27-31 Troode Street  
West Perth WA 6005  
T +61 8 9211 1111

Date: 23 December 2021

Department of Water and Environmental Regulation  
Native Vegetation Branch  
Locked Bag 10  
Joondalup DC WA 6919

Dear Sir / Madam,

### **Referral of a clearing permit application within the Ashburton North Strategic Industrial Area (ANSIA)**

DevelopmentWA is referring a clearing permit application (to comply with the provisions of the *Environmental Protection Act 1986* and Environmental Protection (Clearing of Native Vegetation) Regulations 2004) within the following areas:

- Lots 600 and 603
- 30 m road reserve linking the lots (partial Lots 561 and 801).

The total clearing area is 233.15 hectares (ha).

The area subject to the clearing application is located within the Ashburton North Strategic Industrial Area's (ANSIA) 'general' industry zoned land. DevelopmentWA requires the clearing permit (and approval) to facilitate the transfer of sand fill from Lot 600 to Lot 603.

## **Background**

The clearing permit area (including Lots 600 and 603 and the access road) within the ANSIA have been subject to a flora and vegetation survey by RPS (2021) for Hastings Technology Metals Ltd (Hastings). In addition, there have been multiple flora and vegetation surveys in the local ANSIA area including ELA (2021), RPS (2018), and ENV (2011). Relevant botanical information from these reports have been included in the clearing application.

Supporting the above purpose permit clearing application, the following figures and documents have been provided:

- Figures A to C, which includes:
  - Clearing area site location
  - Clearing areas
  - Historical flora and vegetation surveys
  - Vegetation unit mapping
  - Vegetation condition mapping
  - Significant flora locations

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- Appendix A: DWER clearing application
- Appendix B: Application for a Clearing Permit (Purpose Permit)
- Appendix C: Deposited Plans / Certificate of Title
- Appendix D: Landholder consent
- Appendix E: Clearing permit fee payment.

## Ashburton North Strategic Industrial Area – clearing application landowner context

The clearing application is located within a ‘general industrial zone’ of the overarching ANSIA. The clearing permit is inclusive of Lots 600, 603 and partial Lots 561 and 801 (road corridor).

The clearing permit area is owned by the state of Western Australia (“the Crown”) and managed by the Department of Planning, Lands and Heritage (DPLH). The Certificate of Titles are provided in Appendix B. The DPLH was consulted regarding the proposed road construction and clearing within Lots 600 and 603 for the purpose of establishing an internal road and two industrial developments. The DPLH provided endorsement for the clearing application.

## ANSIA clearing application area

Figure A shows the areas subject to the clearing application. A summary of the purpose permit clearing application is provided below in Table 1.

**Table 1: Clearing proposal summary**

<b>Location</b>	Lot 600, Lot 603, partial Lots 561 and 801 (road corridor)
<b>Clearing area</b>	233.15 ha
<b>Timing</b>	Clearing is proposed to occur as one action between the 2022 and 2023 calendar years
<b>Clearing method</b>	The native vegetation will be cleared mechanically
<b>Purpose of clearing</b>	To facilitate the creation of sand quarry in Lot 603 and a haul road from there to Lot 600 where the site will be filled using the sand as transported
<b>Vegetation proposed to be cleared</b>	233.15 ha of native vegetation, comprising nine vegetation types (see Table 2)

## Vegetation and flora

### Flora

*Eremophila forrestii* subsp. *viridis* (P3) has been recorded during several surveys in and around the ANSIA (ELA 2021, RPS 2021, RPS 2019, ENV 2012) and the species has been recorded in Lots 600 and 603 (RPS 2021, ENV 2012).

ENV (2012) undertook a Level 2 survey of the ANSIA in 2011. The survey recorded *Eremophila forrestii* subsp. *viridis* in quadrats and in targeted searches. Three hundred and seventy individuals were recorded, some of which were recorded in Lots 600 and 603.

RPS (2019) undertook a reconnaissance survey in July-August 2018, included in which was a targeted survey for conservation significant species. The survey recorded five populations of *Eremophila forrestii* subsp. *viridis* totalling 380 individuals, all of which are outside the current areas of interest in Lots 600 and 603.

RPS (2021) undertook a detailed survey of areas in the ANSIA including Lots 600 and 603 in October 2020. Targeted searches of Lots 600 and 603 located a total of 1102 individuals of *Eremophila forrestii* subsp. *viridis*, although some of these will be part of the total recorded by ENV (2012) as the ENV sites were revisited.

ELA (2021) was commissioned by Hastings to undertake targeted searches for *Eremophila forrestii* subsp. *viridis* in a selection of seven chosen instances of suitable habitat close to Lots 600 and 603, the closest being across Warrirda Rd adjacent to Lot 600, the furthest being 7 km to the south-west of Lot 603. The survey was undertaken in December 2020, and a total of 2859 individuals were recorded from six populations including eight new individuals within the RPS (2021) survey area.

Therefore, at least 4341 individuals have been recorded in and around Lots 600 and 603. 1110 (1102 RPS plus eight ELA) have been recorded in Lots 600 and 603. None have been recorded in the 30 m road reserve. This clearing permit would impact 25.6% of the known population. None of these populations have been reported to the DBCA and recorded on FloraBase.

Two other Priority species were searched for in Lots 600 and 603. *Triumfetta echinata* (P3), a low shrub of red sand and dunes, has not been recorded in either lot. *Eleocharis papillosa* (P3), a small ephemeral of open clay flats and claypans, was also not recorded during these surveys.

## Vegetation

Nine vegetation types were described by RPS (2021) as occurring within Lots 600 and 603, and the road access. Table 2 defines the vegetation types, vegetation description and the clearing area for each vegetation type.

**Table 2 Vegetation types in the proposed clearing area**

Vegetation type	Description	Total area to be cleared (ha)
AstAteTe	<i>Acacia tetragonophylla</i> and <i>A. stellaticeps</i> mid isolated shrubs over <i>Triodia epactia</i> hummock grassland	18.69
AstTe	<i>Acacia stellaticeps</i> mid open shrubland over <i>Triodia epactia</i> hummock grassland	0.24
AteTe	<i>Acacia tetragonophylla</i> tall to mid isolated shrubs to open shrubland over <i>Triodia epactia</i> hummock grassland	84.88
AteTe.Sm/Et/Eu	<i>Acacia tetragonophylla</i> tall to mid isolated shrubs over <i>Triodia epactia</i> hummock grassland and <i>Sporobolus mitchellii</i> , <i>Eragrostis falcata</i> and <i>Eulalia aurea</i> tussock grassland	43.88
GsTe	<i>Grevillea stenobotrya</i> tall sparse to open shrubland over <i>Triodia epactia</i> open hummock grassland	30.76
HsAstTe	<i>Hakea stenophylla</i> subsp. <i>stenophylla</i> , <i>Acacia stellaticeps</i> mid sparse shrubland over <i>Triodia epactia</i> hummock grassland	36.02
TECSpp	<i>Tecticornia</i> spp. low open samphire shrubland over <i>Lawrenzia viridigrisea</i> and <i>Eragrostis falcata</i> sparse forbland/tussock grassland	3.86
CP	Bare clay pans with only scattered annual grasses and forbs	14.82
		<b>233.15 ha</b>

None of the vegetation types recorded represent a listed Threatened or Priority Ecological Community.

## Assessment against the 10 clearing principles

Table 2 provides an assessment of the proposed clearing activities against the “10 clearing principles” as outlined in Schedule 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 to determine whether the proposed clearing is at variance to the principles.

**Table 3: Assessment of the proposed clearing against the 10 clearing principles**

Principle	Assessment	Outcome
Native vegetation should not be cleared if it comprises a high level of biological diversity	The Hastings report identified 111 species of flora over 1425.85 ha including approximately 28 ha of bare or sparsely vegetated claypans and mud flats. This does not represent a high level of biological diversity.	The proposal is not at variance with the principle
Native vegetation should not be cleared if it comprises the whole or part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia	The fauna assemblage is not particularly rich because the landscape provides a limited range of habitats in the ANSIA (BCE, 2018). The vegetation and substrate associations used by BCE to assess fauna values are widespread in the greater Onslow region, although the claypans are restricted in extent. Given this, it is unlikely that the vegetation proposed for clearance comprises vegetation necessary for the maintenance of indigenous fauna.	The proposal is not at variance with the principle
Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora	1110 individuals of the P3 species <i>Eremophila forrestii</i> subsp. <i>viridis</i> have been recorded from Lots 600 and 603 (RPS 2021, ELA 2021). A total of 4341 individuals have been recorded in suitable habitat in Lots 600 and 603 and their vicinity (up to 7 km away). If this proposal was to go ahead 25.6% of the recorded individuals in the local area would be impacted. This will not affect the continued existence of the species.	The proposal is unlikely to be at variance with the principle
Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a threatened ecological community	No TECs listed under the BC Act or the EPBC Act were recorded within the proposed works area. No DBCA listed PECs were recorded within the proposed works area.	The proposal is not at variance with the principle
Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared	Aerial photography shows that similar habitat and vegetation types exist in the area and extensive clearing has not been undertaken.	The proposal is not at variance with the principle
Native vegetation should not be cleared if it is growing in or in association with a watercourse or wetland	Lots 600, 603 and the proposed road reserve joining them all contain claypans. These are ephemeral wetlands that fill with rain and are otherwise dry. They are only sparsely vegetated if at all, although the P3 species <i>Eleocharis papillosa</i> is known to occupy the fringes of claypans.	The proposal is at variance with the principle
Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation	If this proposal goes ahead any clearing will be on a scale small enough to be unlikely to cause any appreciable land degradation.	The proposal is not at variance with the principle
Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area	The closest conservation areas are offshore island ESAs (e.g. Locker Island Nature Reserve). The Cane River Conservation Park is approximately 49 km to the SE, and there is an ESA approximately 26 km to the WSW. None of these are 'adjacent' or 'nearby' and therefore unlikely to be affected by any clearing occurring as a result of this proposal.	The proposal is not at variance with the principle
Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water	If this proposal goes ahead any clearing will be on a scale small enough to be unlikely to cause any deterioration in the quality of surface or underground water.	The proposal is not at variance with the principle
Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the intensity of flooding	If this proposal goes ahead any clearing will be on a scale small enough to be unlikely to cause or exacerbate the intensity of any flooding that may occur. Given that the soil is sandy, flooding beyond the claypans is likely to be limited.	The proposal is not at variance with the principle

Table 3 identifies that the proposed clearing is not at variance with eight of the 10 clearing principles and unlikely to be at variance with one:

- Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

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While the area proposed to be cleared does contain vegetation that includes rare flora (*Eremophila forrestii* subsp. *viridis*, P3), searches for this taxon have been undertaken outside the areas subject to the proposal with the result that just over 25% of the known plants in the area would potentially be impacted by the proposal. The proposed clearing is identified as being at variance with the principle:

- Native vegetation should not be cleared if it is growing in or in association with a watercourse or wetland.

Claypans are a feature of both Lots 600 and 603, and the proposed road reserve linking them. Claypans are ephemeral wetlands that are either vegetated sparsely or not at all and dry out between rain events. While the claypans may not be targeted in the quarry operation in Lot 603, the claypans in Lot 600 will be impacted by the filling of the site.

## Concluding remarks

The assessment of the proposal against the 10 Clearing Principles in Table 2 shows that the proposal meets eight of the 10 principles, may not meet one and is at variance with one.

Evidence of the Department of Water and Environmental Regulation payment details is provided in the enclosed.

We trust this information is sufficient for your purposes, however, should you require further details or clarification, please do not hesitate to contact the writer by telephone.

Yours sincerely,  
for RPS AAP Consulting Pty Ltd



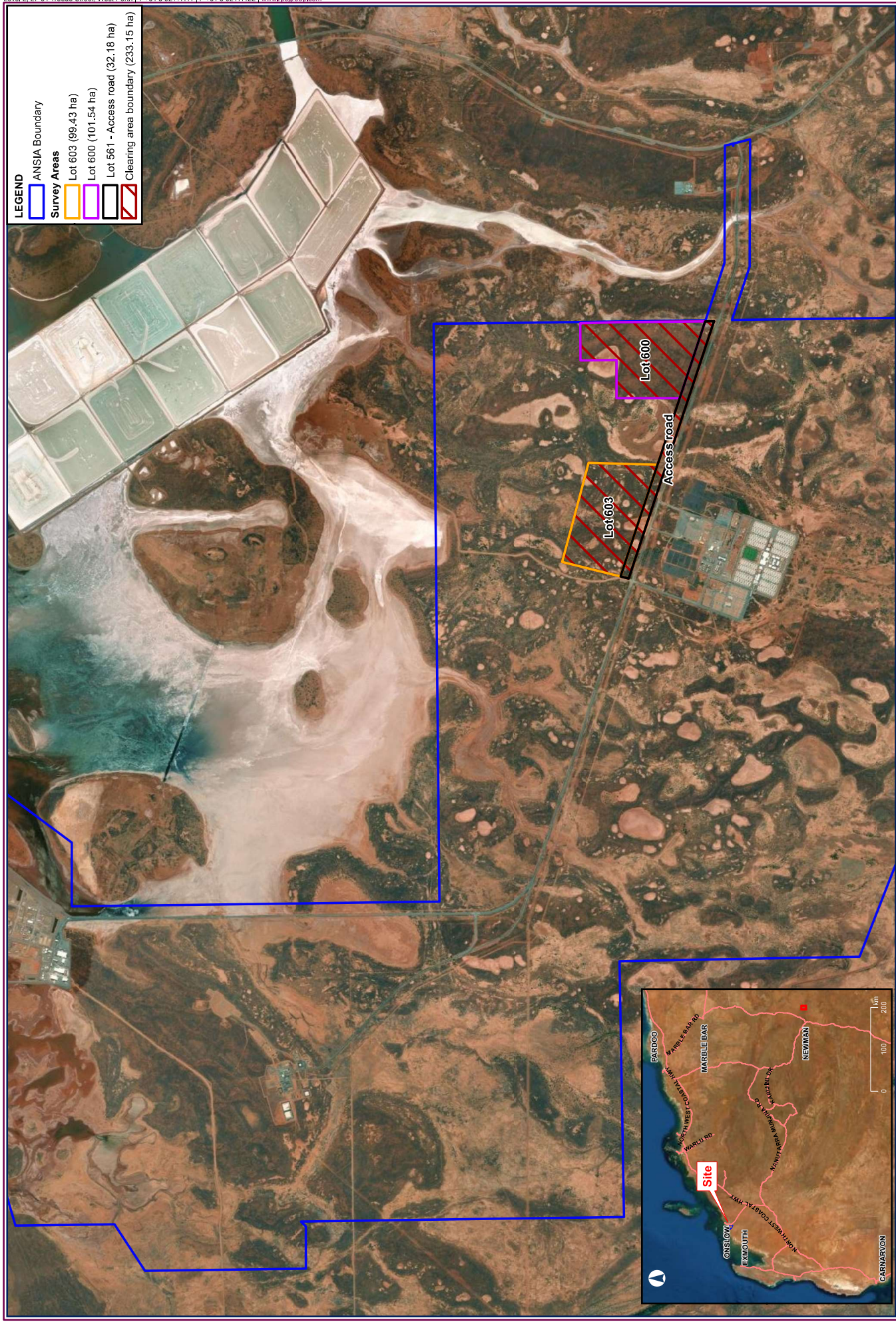
**Martin Henson**  
Managing Scientist  
martin.henson@rpsgroup.com.au  
+61 8 9211 3533

enc:                    Figures:  
                          Appendix A: Detailed flora and vegetation assessment (RPS 2021)  
                          Appendix B: Deposited Plans of Lots 600 and 603  
                          Appendix C: Department of Planning, Lands and Heritage consent  
                          Appendix D: Evidence of clearing permit fee payment

cc:                     Tom Engelbrecht – Senior Development Manager, DevelopmentWA

## Figures





- LEGEND**
- ANSIA Boundary
  - Survey Areas
  - Lot 603 (99.43 ha)
  - Lot 600 (101.54 ha)
  - Lot 561 - Access road (32.18 ha)
  - Clearing area boundary (233.15 ha)

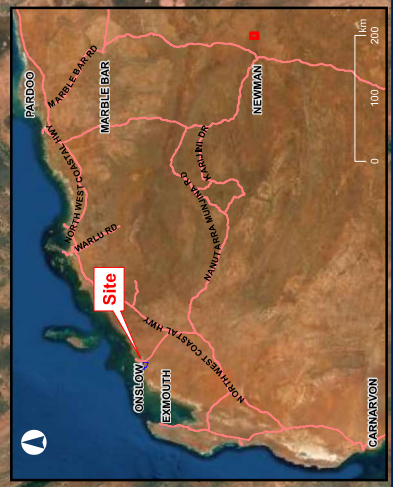


Figure A

Site location and survey areas





**LEGEND**  
**Survey Areas**  
Lot 603 (99.43 ha)  
Lot 600 (101.54 ha)  
Lot 561 - Access road (32.18 ha)  
Clearing area boundary (233.15 ha)  
Cadastral

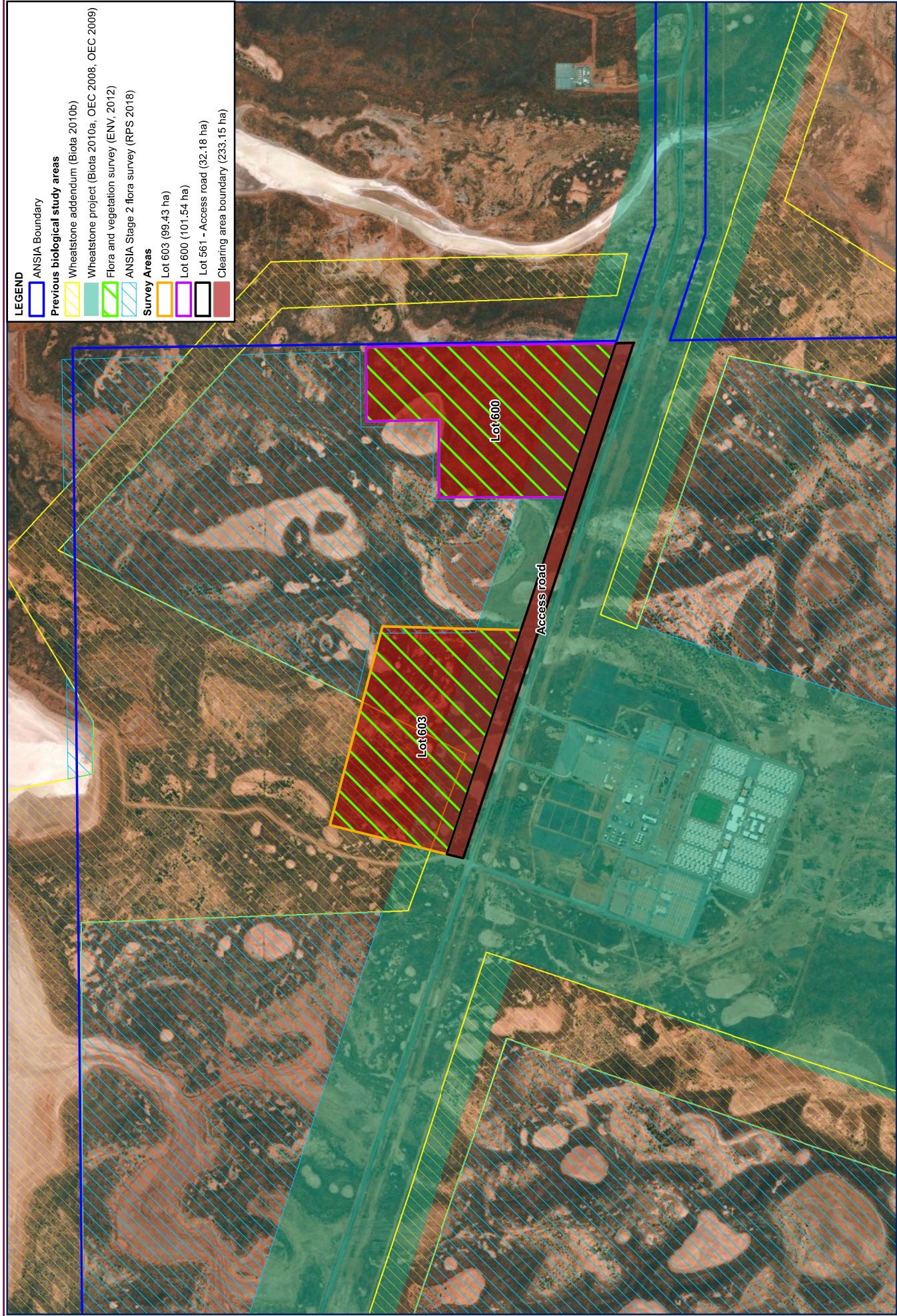
**Figure B**  
**Clearing Areas**

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Doc Number: F0A  
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Created by: RAF  
Source: Orthophoto - Esri - World Imagery

GDA 1994 MGA Zone 50  
0 125 250 500 m

**RPS**





**Figure C**  
**Historical terrestrial flora and vegetation surveys undertaken within and adjacent to the survey area in recent years**

**LEGEND**

- Floristic quadrats (RPS, 2020)
- Historical floristic sites (RPS, 2018)
- Historical floristic sites (ENV, 2012 and Biota, 2010)
- ANSIA Boundary

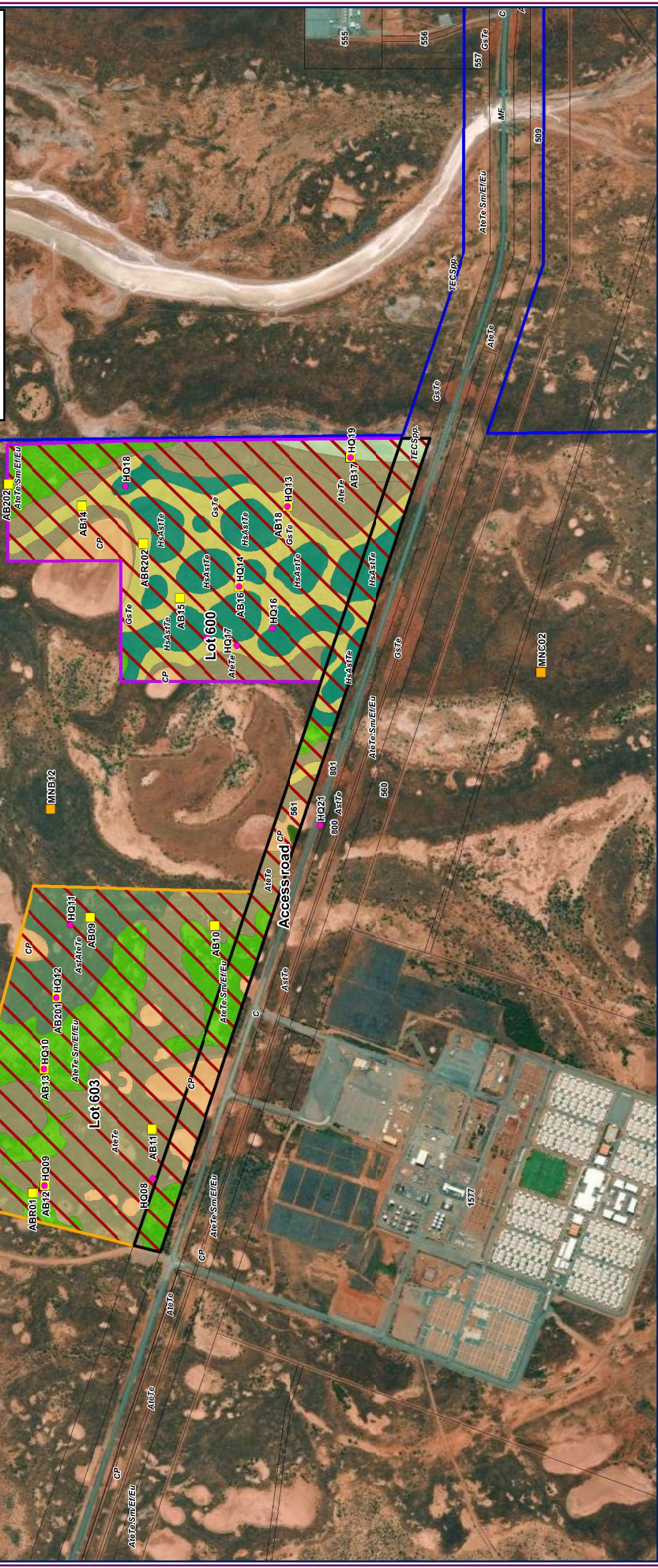
**Survey Areas**

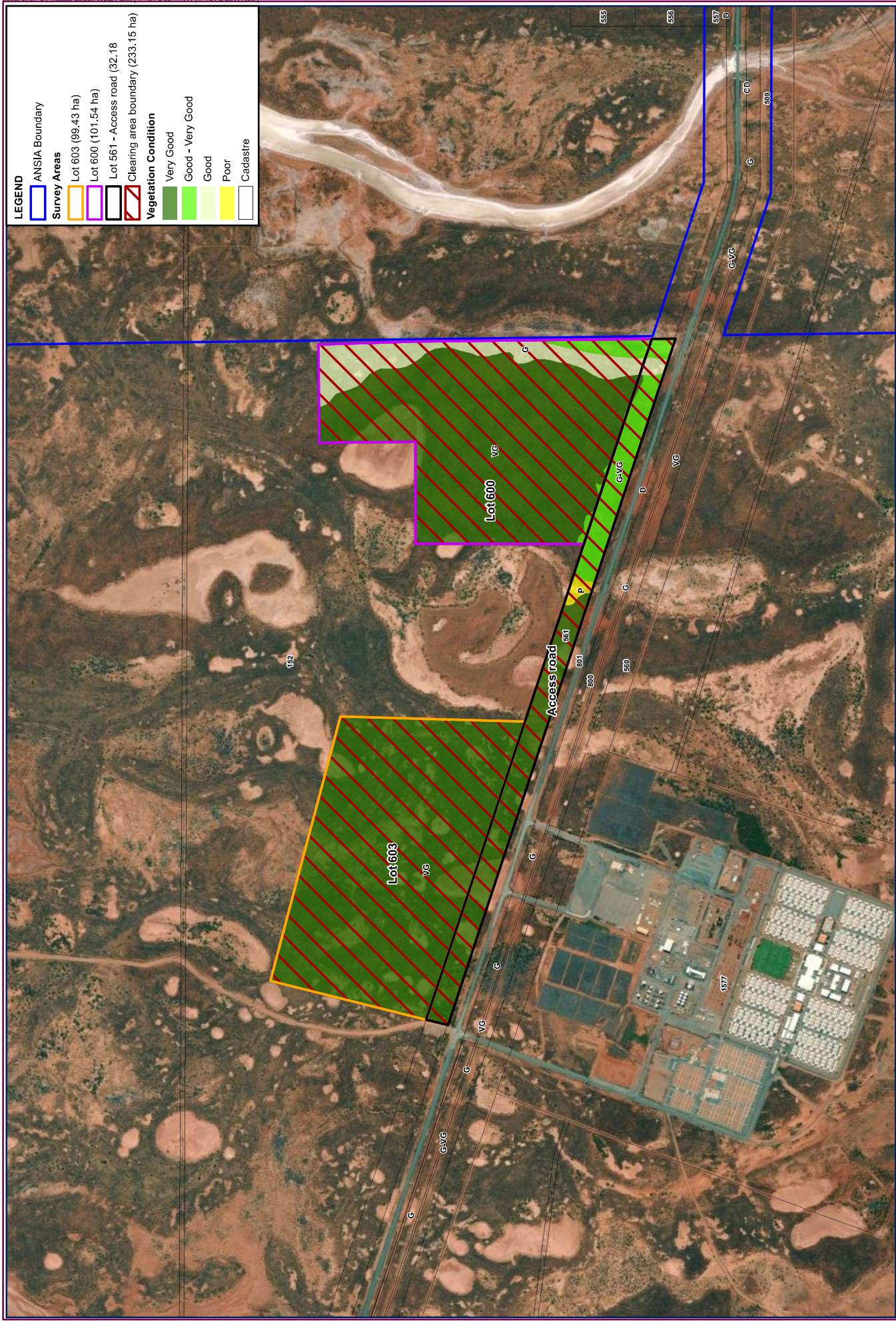
- Lot 603 (99.43 ha)
- Lot 600 (101.54 ha)
- Lot 561 - Access road (32.18 ha)
- Clearing area boundary (233.15 ha)
- Cadastral

**LEGEND**

**Vegetation Units**

- AsTe - *Acacia stellaticeps* Mid Open Shrubland over *Triodia epactia* Hummock Grassland
- AtTeSmfEteU - *Acacia tetragonophylla* Tall to Mid Isolated Shrubs over *Triodia epactia* Hummock Grassland and *Sporobolus mitchellii*, *Eragrostis falcata* and *Eulalia aurea* Tussock Grassland
- AtTe - *Acacia tetragonophylla* Tall to Mid Isolated Shrubs to Open Shrubland over *Triodia epactia* Hummock Grassland
- AsAtTe - *Acacia tetragonophylla* and *A. stellaticeps* Mid Isolated Shrubs over *Triodia epactia* Hummock Grassland
- CP - Bare clay pans with only scattered annual grasses and forbs
- GsTe - *Grevillea stenobotrya* Tall Sparse to Open Shrubland over *Triodia epactia* Open Hummock Grassland
- HsAsTe - *Hakea stenophylla* subsp. *stenophylla* Mid Starse and *Acacia stellaticeps* Mid Sparse Shrubland over *Triodia epactia* Hummock Grassland
- TECSpp - *Tecticornia* spp. Low Open Samphire Shrubland over *Lawrenca viridigrisea* and *Eragrostis falcata* Sparse Forbland / Tussock Grassland





**Figure E**

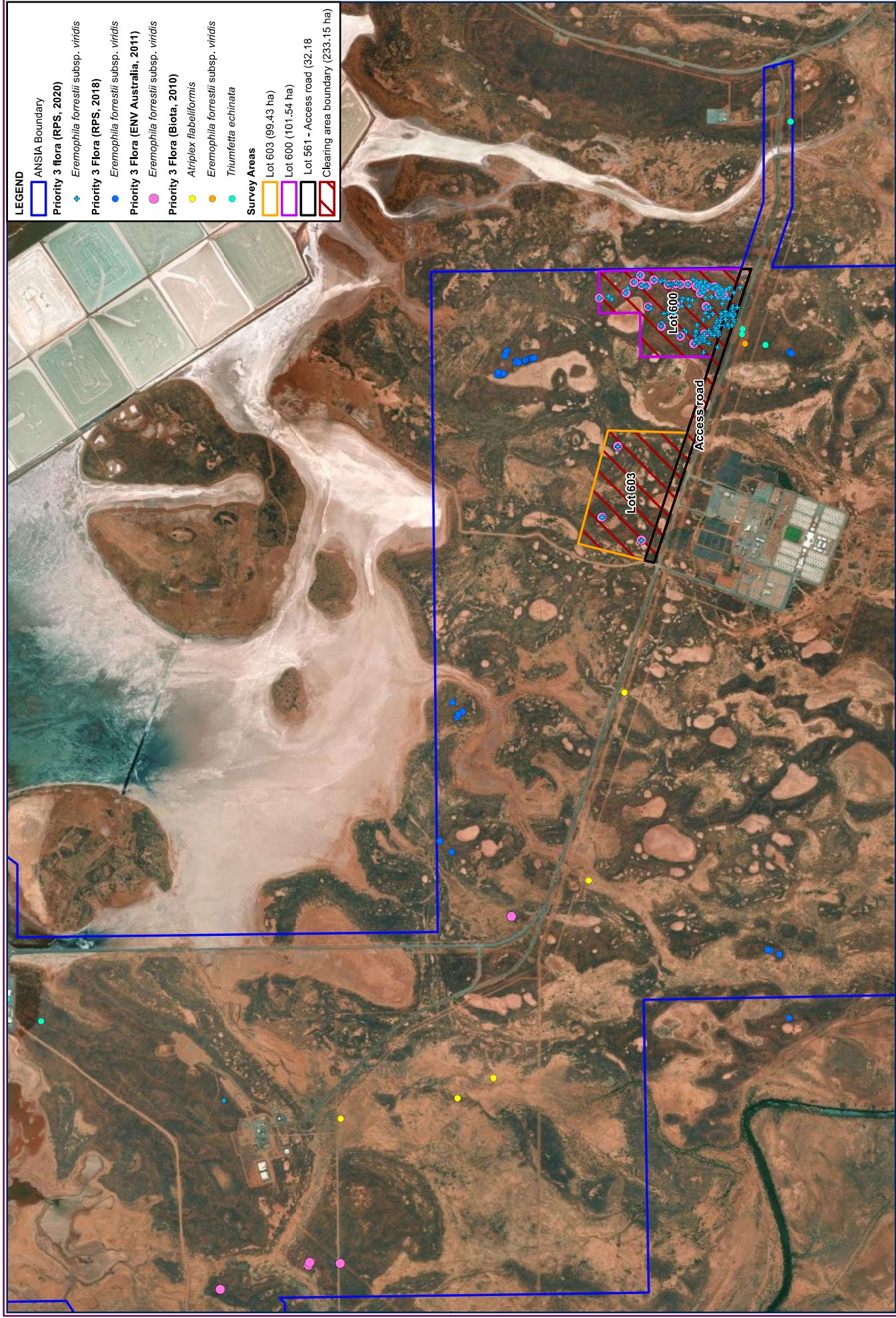
**Vegetation condition mapping**

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GDA 1984 MGA Zone 50

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Created by: RAF  
Source: Orthophoto - Esri - World Imagery



- LEGEND**
- ANSIA Boundary
  - + Priority 3 flora (RPS, 2020)
  - + *Eremophila forrestii* subsp. *viridis*
  - Priority 3 Flora (RPS, 2018)
  - *Eremophila forrestii* subsp. *viridis*
  - Priority 3 Flora (ENV Australia, 2011)
  - *Eremophila forrestii* subsp. *viridis*
  - Priority 3 Flora (Biota, 2010)
  - *Atriplex flabelliformis*
  - *Eremophila forrestii* subsp. *viridis*
  - *Triumphetta echinata*
- Survey Areas**
- Lot 603 (99.43 ha)
  - Lot 600 (101.54 ha)
  - Lot 561 - Access road (32.18 ha)
  - Clearing area boundary (233.15 ha)

Figure F

Conservation significant flora locations

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