



**CLEARING PERMIT**  
**Granted under section 51E of the Environmental Protection Act 1986**

<b>Purpose permit number:</b>	CPS 1045/2
<b>Permit holder:</b>	Shire of Tambellup
<b>Purpose of clearing:</b>	Road upgrades and gravel extraction.
<b>Shire:</b>	Tambellup
<b>Duration of permit:</b>	7 October 2006 – 7 October 2011

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The permit holder is authorised to clear native vegetation for the above stated purposes, subject to the conditions of this Permit.

### **PART I – CLEARING AUTHORISED**

#### **1 Land on which clearing is to be done**

Areas hatched yellow on attached Plan 1045/2a, Plan 1045/2b, Plan 1045/2c.

#### **2 Area of clearing**

Clearing of up to 0.75 hectares of native vegetation.

#### **3 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.

#### **4 Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under conditions 1 and 2 of this Permit, the permit holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

### **PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES**

#### **5 Avoid, minimise etc clearing**

- a) In determining the amount of native vegetation to be cleared for the purposes of road upgrades the Permit Holder must have regard to the following principles, set out in order of preference:
  - i) avoid the clearing of native vegetation;
  - ii) minimise the amount of native vegetation to be cleared; and
  - iii) reduce the impact of clearing on any environmental value.

#### **6 Dieback and weed control**

- a) When undertaking any *clearing, revegetation* and *rehabilitation*, the Permit Holder must take the following steps to minimise the risk of introduction and spread of *dieback*:
  - i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;

- ii) avoid the movement of soil in wet conditions;
  - iii) ensure that no *dieback*-affected *road building materials, mulches* or *fill* are brought into an area that is not affected by *dieback*; and
  - iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- b) When undertaking any *clearing, revegetation* and *rehabilitation*, or other activity pursuant to this Permit the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:
- i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - ii) ensure that no *weed*-affected *road building materials, mulch, fill* or other material is brought into the area to be cleared; and
  - iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- c) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas *cleared, revegetated* or *rehabilitated* under this Permit.

## 7 Flora Management

- a) Prior to undertaking clearing within the area hatched red on Plan 1045/1c above, the area shall be inspected by a *flora specialist* who shall identify *Declared Rare Flora (DRF)* and *Priority flora taxa*.
- b) Where *Declared Rare Flora* and *Priority Flora* are identified in relation to condition 7(a) the Permit Holder shall ensure that:
- i) All records of *DRF* and *Priority Flora* are submitted to the Department of Environment and Conservation, Species and Communities Branch.
  - ii) No clearing occurs with 50m of identified *DRF*, unless approved by the *CEO*.
  - iii) No clearing occurs with 10m of identified *Priority Flora*, unless approved by the *CEO*.

## 8 Revegetation

- a) The Permit Holder shall stockpile the vegetative material and topsoil removed at the gravel extraction site and use in rehabilitation under condition 8(b).
- b) Within one month of the area no longer being required for the purpose of gravel extraction the permit holder must revegetate the area by:
- i) Deep ripping the soil to a depth of between 50cm and 100cm along the contour;
  - ii) Laying vegetative material and topsoil retained in accordance with condition 8(a) on the area;
  - iii) Deliberately planting and/or seeding native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area; and
  - iv) Ensuring only local provenance seeds and propagating material from within 10km of the area cleared are used to revegetate the area.

- c) Within one year of undertaking revegetation in accordance with condition 8(b), the Permit Holder must:
  - (i) Determine the species composition, structure and density of the area revegetated in accordance with condition 8(b); and
  - (ii) Where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 8(c)(i) does not result in a similar species composition, structure and density to pre-clearing vegetation types in that area, the Permit Holder must undertake additional planting or seeding of *native vegetation* in accordance with the requirements of condition 8(b).

## 9 Offset Conditions

- a). Determination of offsets
  - i). If part or all of the clearing to be done is or may be at variance with one or more of the clearing principles, then the permit holder must implement an offset in accordance with Conditions (9a and 9b) of this Permit with respect to that native vegetation.
  - ii). In determining the offset to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the permit holder must have regard to the offset principles contained in condition 9b of this Permit.
  - iii). Once the permit holder has developed an offset proposal, the permit holder must provide that offset proposal to the CEO for the CEO's approval in accordance, prior to undertaking any clearing to which the offset relates, and prior to implementing the offset.
  - iv). Clearing may not commence until and unless the CEO has approved the offset proposal.
  - v). The permit holder shall implement the offset proposal approved under condition (9a(iii)).
  - vi). Each offset proposal shall include a direct offset, timing for implementation of the offset proposal and may additionally include contributing offsets.

### b). Offset principles

For the purpose of this Part, the offset principles are as follows:

- i). direct offsets should directly counterbalance the loss of the native vegetation;
- ii). contributing offsets should complement and enhance the direct offset;
- iii). offsets are implemented only once all avenues to avoid, minimise, rectify or reduce environmental impacts have been exhausted;
- iv). the environmental values, habitat, species, ecological community, physical area, ecosystem, landscape, and hydrology of the offset should be the same as, or better than, that of the area of native vegetation being offset;
- v). a ratio greater than 1:1 should be applied to the size of the area of native vegetation that is offset to compensate for the risk that the offset may fail;
- vi). offsets must entail a robust and consistent assessment process;
- vii). in determining an appropriate offset, consideration should be given to ecosystem function, rarity and type of ecological community, vegetation condition, habitat quality and area of native vegetation cleared;
- viii). the offset should either result in no net loss of native vegetation, or lead to a net gain in native vegetation and improve the condition of the natural environment;
- ix). offsets must satisfy all statutory requirements;
- x). offsets must be clearly defined, documented and audited;
- xi). offsets must ensure a long-term (10-30 year) benefit; and
- xii). an environmental specialist must be involved in the design, assessment and monitoring of offsets.

## **Part III – Record Keeping And Reporting**

### **10 Records must be kept**

The Permit Holder must maintain the following records for activities done pursuant to this Permit, as relevant:

- a) In relation to the *clearing of native vegetation* undertaken pursuant to the purpose of clearing:
  - i.) The species composition, structure and density of the cleared area;
  - ii.) The location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
  - iii.) The date that the area was cleared; and
  - iv.) The size of the area cleared (in hectares).
- b) In relation to the *revegetation* of areas pursuant to condition 8:
  - i.) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
  - ii.) A description of the *revegetation* activities undertaken;
  - iii.) The size of the area *revegetated* (in hectares); and
  - iv.) The commencement date of *revegetation*
  - v.) The species, structure and composition of revegetation measured.
- c) In relation to Flora Management pursuant to condition 7:
  - i) The location of each DRF and *Priority Flora* recorded using Geocentric Datum Australia 1994; and
  - ii) The species of each DRF and *Priority Flora* identified.
- d) In relation to the offsets of areas pursuant to condition 9:
  - i) The location of any area of offsets recorded using Geocentric Datum Australia 1994;
  - ii) A description of the offset activities undertaken; and
  - iii) The size of the offset area (in hectares).

### **11 Reporting**

The Permit Holder must provide to the *CEO*, on or before 30 June of each year, a written report of records requested under condition 9.

## Definitions

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

**CEO** means the Chief Executive Officer of the Department of Environment;

**clearing** has the meaning given to it in section 51A of the *Environmental Protection Act 1986*;

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

**EP Act** means the *Environmental Protection Act 1986*;

**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;

**native vegetation** has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986*;

**priority flora taxa** means those plant taxa that described as priority flora classes 1, 2, 3 or 4 in the *Declared Rare and Priority Flora List for Western Australia*, Department of Conservation and Land Management, as amended.

**rare flora** means flora that is declared to be rare flora under section 23F of the *Wildlife Conservation Act 1950*;


**rehabilitation** means actively managing an area containing native vegetation in order to improve the ecological function of that area;

**revegetation** means the re-establishment of a cover of *native vegetation* in an area such that the species composition, structure and density is similar to pre-clearing vegetation types in that area, and can involve regeneration, direct seeding and/or planting;

**road building materials** means rock, gravel, soil, stone, timber, boulders and water;

**term** means the duration of this Permit, including as amended or renewed; and

**weed** means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agricultural and Related Resources Protection Act 1976*.



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

30 March 2007