



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

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| Purpose permit number: | CPS 1158/1 |
| Permit holder: | Shire of Cunderdin |
| Purpose of clearing: | Road construction and maintenance |
| Shire: | Cunderdin |
| Duration of permit: | 11 June 2007 – 11 June 2010 |

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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

- (a) Road construction within the Doodenanning Road Reserve from SLK 0.00 – SLK 1.2 (0.36 ha).
- (b) Road construction within the Doodenanning Road Reserve from SLK 5.00 – SLK 11.0 (1.84 ha).
- (c) Road maintenance within the area cross hatched yellow on attached Plan 1158/1 (0.1 ha).
- (d) Road maintenance within the Quellington Road Reserve between the intersection of Moore Road and the Shire of York boundary (1.2 ha).
- (e) Road maintenance within the Cunderdin Quairading Road Reserve from Great Eastern Highway to the Shire of Quairading boundary (20 trees).

2. Area of Clearing

Clearing of up to 20 trees and 3.5 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 3 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

In determining the amount of native vegetation to be cleared for the purposes of road and bridge upgrades and extractive industry 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* and *revegetation*, or other activity pursuant to this Permit 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* and *revegetation*, 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* and *revegetated* under this Permit.

7. Fauna management

- (a) Prior to clearing within the areas described in Clearing Authorised above, the areas shall be inspected by a *fauna specialist* who shall identify trees that contain hollows suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2005*.
- (b) Prior to clearing, any trees identified by condition 7(a) that contain hollows suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2005* shall be inspected by a *fauna specialist*.
- (c) Prior to clearing the Permit Holder shall ensure that any fauna identified in condition 7(b) shall be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department of Environment and Conservation.

8. Flora Management

- (a) Prior to undertaking clearing within the areas described in conditions 1(a), 1(b) and 1(d), the areas shall be inspected by a *flora specialist* who shall identify *Rare Flora* and *Priority flora taxa*.
- (b) Where *Rare Flora* or *Priority Flora taxa* are identified in relation to condition 8(a) the Permit Holder shall ensure that:
- (i) All records of DRF and priority flora are submitted to the *CEO*
 - (ii) No clearing occurs within 50m of identified DRF, unless approved by the *CEO*
 - (iii) No clearing occurs with 25m of identified *Priority Flora*, unless approved by the *CEO*.

9. Offsets

(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 9(a) and 9(b) 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 9(b) 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 9(a)(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 conditions 1 and 3:
 - (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 Fauna Management pursuant to condition 7:
 - (i) The location of each habitat tree identified recorded using Geocentric Datum Australia 1994;
 - (ii) The species of each habitat tree identified;
 - (iii) The species of fauna reasonably likely to utilise, or that have been observed utilising the habitat trees;
 - (iv) The species and number of each species relocated; and
 - (v) The location and date where relocated fauna was released, using Geocentric Datum Australia 1994.

- (c) In relation to Flora Management pursuant to condition 8:
 - (i) The location of each Rare Flora and Priority Flora recorded using Geocentric Datum Australia 1994; and
 - (ii) The species of each Rare Flora or 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, for the *term* of this permit, a written report of records requested under condition 10 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

12. Definitions

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

CEO means the Chief Executive Officer of the Department of Environment and Conservation;

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

contributing offsets has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9 Environmental Offsets*, January 2006;

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

direct offset has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9 Environmental Offsets*, January 2006

Environmental Specialist means a person who is engaged by the permit holder for the purpose of providing environmental advice, who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit;

EP Act means the *Environmental Protection Act 1986*;

EPA means the *Environmental Protection Authority*;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

fauna clearing person means a person who has obtained a licence from the Department of Conservation and Land Management, issued pursuant to the *Wildlife Conservation Regulations 1970* (as amended) authorising them to take fauna in order to carry out the approved clearing associated with this permit.

fill means material used to increase the ground level, or fill a hollow;

flora specialist means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora.

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*;

offset means an offset required to be implemented under Condition 13 of this Permit;

Ecological Community means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999). The scale at which ecological communities are defined will depend on the level of detail in the information source, therefore no particular scale is specified. An ecological community is a naturally occurring biological assemblage that occurs in a particular type of habitat.

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*;

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;

riparian vegetation means the distinctive vegetation associated with a wetland or watercourse;

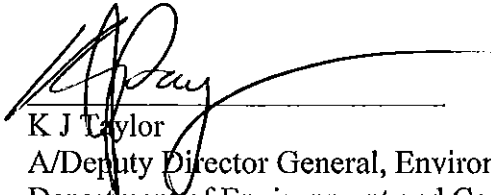
road building materials means rock, gravel, soil, stone, timber, boulders and water;

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

priority ecological community

watercourse is a river, stream or creek in which water flows in a natural channel, whether permanently or intermittently.

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.



K J Taylor
A/Deputy Director General, Environment
Department of Environment and Conservation.
Officer delegated under Section 20
of the Environmental Protection Act 1986

11 May 2007