



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 1477/1
Permit holder:	Water Corporation
Purpose of clearing:	Geotechnical Investigations for the South West Yarragadee Water Supply Proposal
Shires:	Dardanup, Harvey, Capel, Donnybrook – Balingup, Busselton, Augusta-Margaret River and Nannup
Duration of permit:	10 December 2006 – 10 December 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

Major watercourses within the Shires of Dardanup, Harvey, Capel, Donnybrook – Balingup Busselton, Augusta-Margaret River and Nannup.

2. Area of Clearing

Clearing of up to 0.25 hectares of *native vegetation* within the proposed Yarragadee pipe line project area.

3. Compliance with Assessment Sequence and Management Procedures

Prior to *clearing* any native vegetation under condition 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

4. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared for the purposes of geotechnical investigations for the South West Yarragadee Water Supply Proposal 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.

5. Dieback and weed control

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* and *weeds*:

- (i) remove soil and vegetation from earth-moving machinery 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 materials are brought into an area; and
- (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

6. Revegetation

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by *clearing* in accordance with this Permit.
- (b) Within 12 months of the area no longer being required for the purpose of geotechnical investigation or state infrastructure, the permit holder must *revegetate* the area by mulching and or shredding vegetative material and laying topsoil retained in accordance with condition 6(a) on the area.
- (c) Within 24 months of undertaking revegetation in accordance with condition 6(b), the Permit Holder must:
 - (i) Determine the species composition, structure and density of the area revegetated; and
 - (ii) Where, in the opinion of an *flora specialist*, the composition, structure and density determined under condition 6(c)(i) will not result in a similar species composition, structure and density to pre-clearing vegetation types in that area the Permit Holder must undertake planting or seeding of *native vegetation* in accordance with the following requirements:
 - a. 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;
 - b. Ensuring only local provenance seeds and propagating material from within 50km of the area cleared are used to revegetate the area;

7. Flora Management

- (a) Prior to undertaking *clearing* within the areas described in Clearing Authorised above, 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 7(a) the Permit Holder shall ensure that:
 - (i) All records of *Rare Flora* or *Priority Flora taxa* are submitted to the *CEO*.
 - (ii) No clearing occurs with 50m of identified *Rare Flora*, unless approved by the *CEO*.
 - (iii) No clearing occurs with 10m of identified *Priority Flora*, unless approved by the *CEO*.

PART III – RECORD KEEPING AND REPORTING

8. 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 metres squared).
- (b) In relation to the *revegetation* of areas pursuant to condition 6:
 - (i) The commencement date of *revegetation*;
 - (ii) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
 - (iii) A description of the revegetation activities undertaken;
 - (iv) The size of the area revegetated (in metres squared); and
 - (v) The species, structure and composition of revegetation measured.
- (c) In relation to Flora Management pursuant to condition 7:
 - (i) The location of each *Rare Flora* and *Priority Flora taxa* recorded using Geocentric Datum Australia 1994; and
 - (ii) The species of each *Rare Flora* or *Priority Flora taxa* identified.

9. Reporting

The Permit Holder must provide to the *CEO* on or before both 7 November 2007 and 7 November 2009, a written report of records requested under conditions 8 and activities done by the Permit Holder under this Permit.

10. Severance

It is the intent of these conditions that they shall operate so that, if a condition or part of a condition is beyond my power to impose, or is otherwise ultra vires or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within my power to impose and are not otherwise ultra vires or invalid.

11. 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*;

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

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

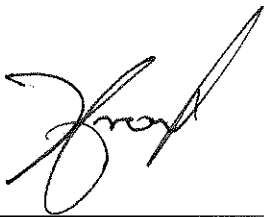
native vegetation has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986* and regulation 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

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;

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*.



Fred Tromp

Director, Natural Resource Management, Department of Environment and Conservation.
Officer delegated under Section 20
of the *Environmental Protection Act 1986*

10 November 2006