



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 1525/2

File Number: DEC573

Duration of Permit: From 4 October 2008 to 4 October 2020

PERMIT HOLDER

David and Rosetta Tognela

LAND ON WHICH CLEARING IS TO BE DONE

Lot 15 Richards Road, Waroona

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 15.2 hectares of native vegetation, within the area hatched yellow on attached Plan 1525/2a.

CONDITIONS

1. The Permit Holder shall construct and maintain a fence to exclude all classes of livestock from the area cross hatched red on attached Plan 1525/2b.
2. The Permit Holder shall not clear native vegetation unless actively mining the area to be cleared within six months of clearing.
3. **Weed control**
 - (a) When undertaking any clearing or other activity authorised under 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 or leaving the area to be cleared;
 - (ii) ensure that no *weed*-affected soil, *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.
 - (b) 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 the areas to be cleared under this Permit.
4. **Revegetation of offset area**
 - (a) The Permit Holder shall *revegetate* the area cross hatched red on attached Plan 1525/2a by:
 - (i) 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;
 - (ii) Ensure only local provenance seeds and propagation material from within 20km of the area cleared are used to *revegetate* the area;
 - (b) Within one year of undertaking *revegetation* in accordance with condition 4(a), the Permit Holder shall:

- (i) Determine the species composition, structure and density of the *revegetation* in the area cross hatched red on attached Plan 1525/2a; and
 - (ii) Where, in the opinion of an *environmental specialist*, the composition, structure and density is not similar 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 conditions 4(a) until the *revegetation*, in the opinion of the CEO, results in a similar species composition, structure, density and *condition* to pre-clearing vegetation types in the area.
- (c) The Permit holder shall commence activities required under condition 4(a) by 31 August 2009 and complete activities required under condition 4(a) by January 2015.

5. Records must be kept

The Permit Holder must maintain the following records for activities pursuant to this Permit, in relation to the fencing, *revegetation* and *weed* management pursuant to conditions 1, 3 and 4:

- (a) A description of the fencing, *revegetation* and *weed* management activities undertaken including a list of species used in *revegetation*;
- (b) The location of any fencing, *revegetation* and *weed* management activity recorded using Geocentric Datum Australia 1994.

6. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 5 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 4 July 2020, the permit holder must provide to the CEO a written report of records required under condition 5 where these records have not already been provided under condition 6(a).

Definitions

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

condition means the rating given to native vegetation using the Keighery scale and refers to the degree of change in the structure, density, and species present in the particular vegetation in comparison to undisturbed vegetation of the same type. Keighery scale means the vegetation condition scale described in *Bushland Plant Survey: A Guide to Plant Community Survey for the Community (1994)* as developed by B.J. Keighery and published by the Wildflower Society of WA (Inc). Nedlands, Western Australia;

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

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;

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

invasive weed means *Eragrostis curvula* (African lovegrass), *Ehrharta species* (Veldt grass), *Moraea species* (Cape Tulip) and *Watsonia species*.

local provenance means native vegetation seeds and propagating material from natural sources within 20 kilometres of the area cleared.

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;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

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

weed/s 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 *Agriculture and Related Resources Protection Act 1976*.

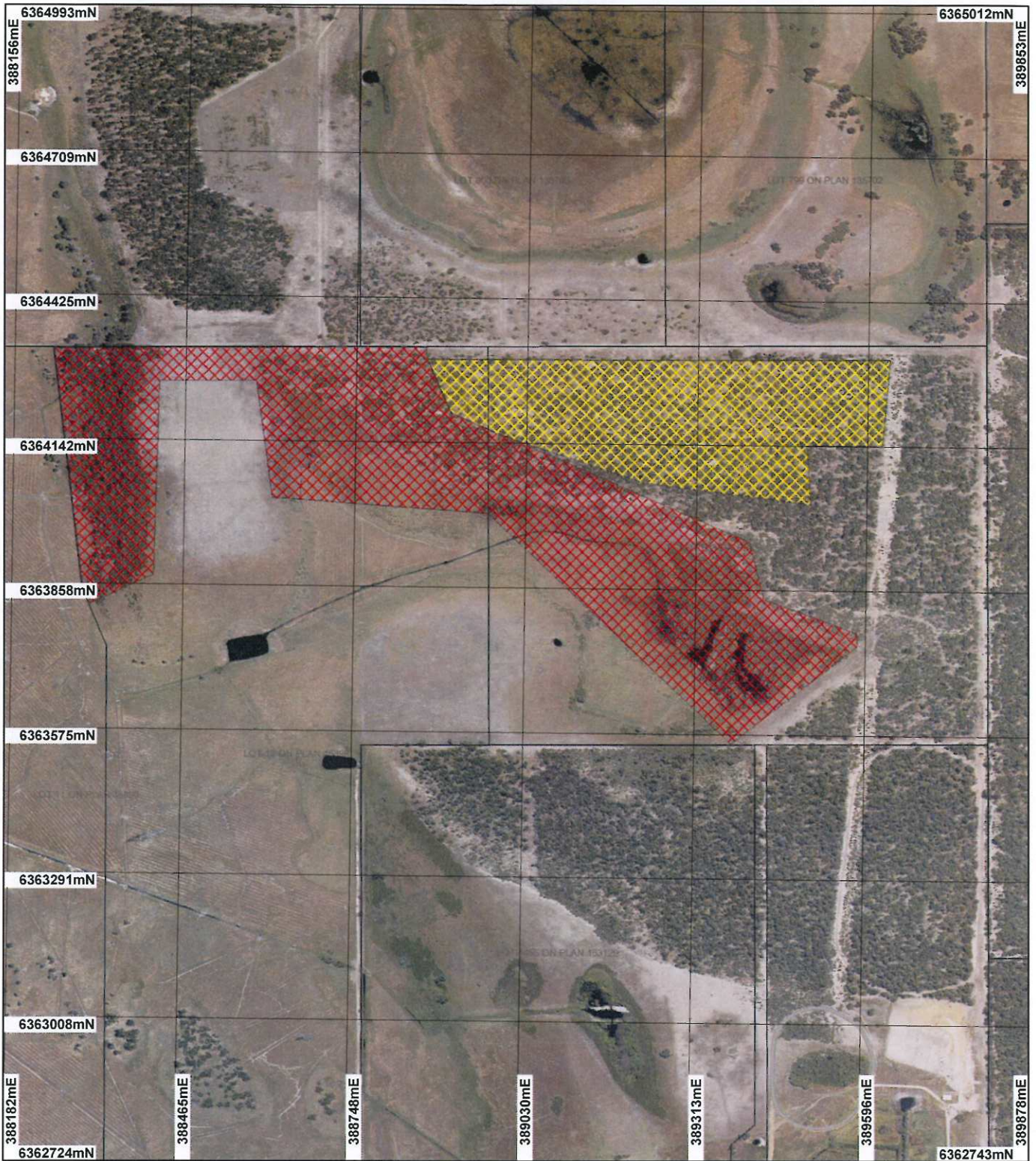


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

30 September 2010

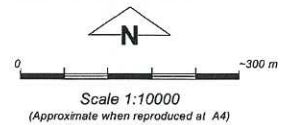
Plan 1525/2a



LEGEND

- Clearing Instruments**
- Areas Subject to Conditions
 - Areas Approved to Clear
 - Cadastre
 - Cadastre for labelling

Swan Coastal Plain South
40cm Orthomosaic - DLI 05



Geocentric Datum Australia 1994

Notes: the data in this map have not been projected. This may result in geometric distortion and measurement inaccuracies.

Date 30/9/10
K Faulkner

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

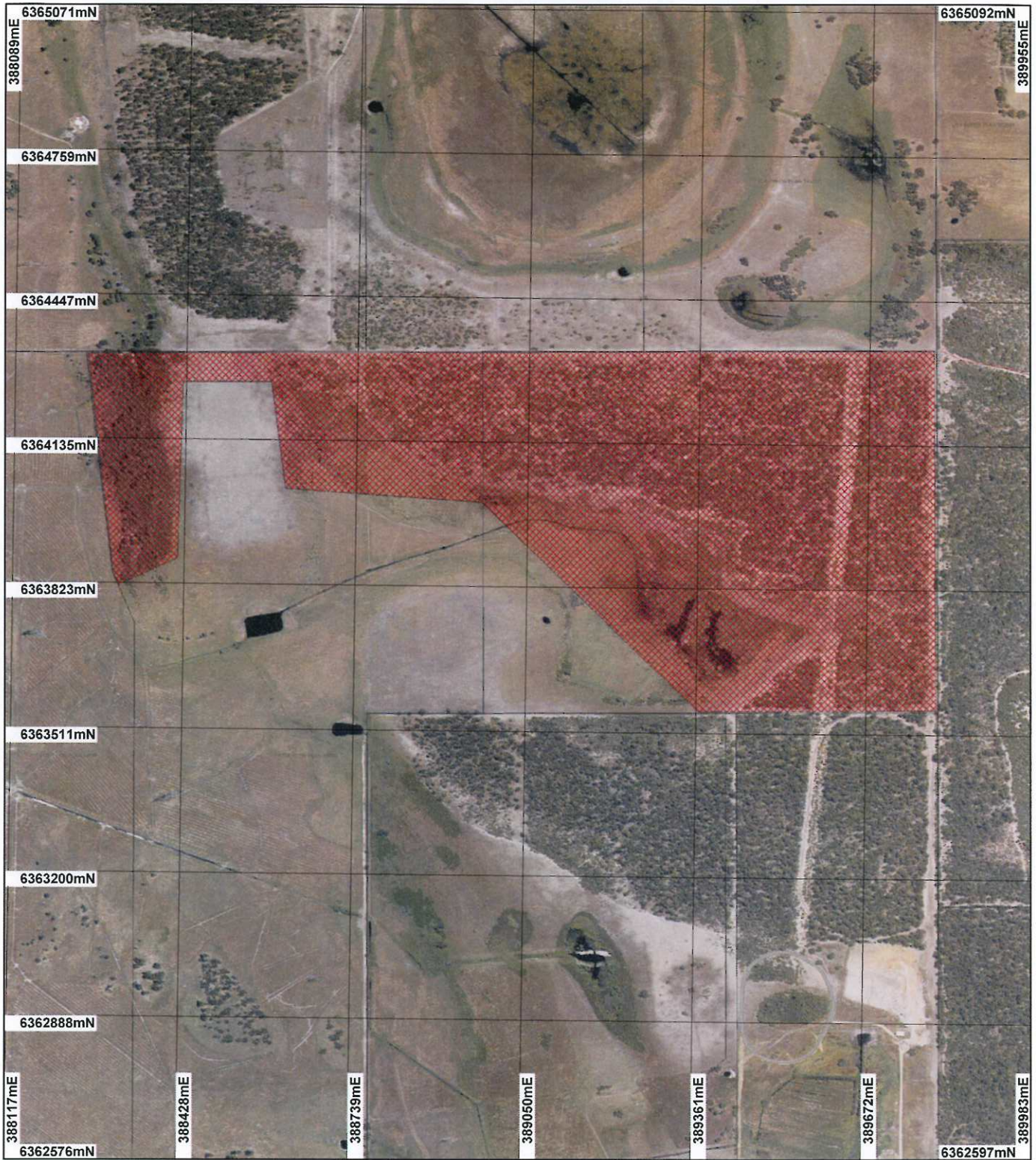
Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.






Department of Environment and Conservation

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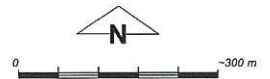
Plan 1525/2b



LEGEND

- Clearing Instruments**
-  Areas Subject to Conditions
 -  Road Centrelines
 -  Cadastre for labelling

Swan Coastal Plain South
40cm Orthomosaic - Landgate
2005



Scale 1:11000
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K Faulkner
K Faulkner Date 30/9/10

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1. Application details

1.1. Permit application details

Permit application No.: 1525/2
Permit type: Area Permit

1.2. Proponent details

Proponent's name: David John & Rosetta Tognela

1.3. Property details

Property: LOT 15 ON PLAN 59265 (WAROONA 6215)

Local Government Area:

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
15.2		Mechanical Removal	Extractive Industry

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Association: 1000 - Mosaic: Medium forest; jarrah-marri / Low woodland; banksia / Low forest; teatree (Melaleuca spp).	The proposal includes the clearing of 4.5ha of native vegetation for the purpose of an extension of an existing sand excavation pit.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Vegetation clearing description based on two site inspections conducted by DEC officers on 10 November 2006 and 14 March 2007, and a spring flora survey conducted by Bennett Environmental Consulting Pty Ltd (2003). The majority of the area to be cleared is degraded, with 1ha in good condition.
126 - Bare areas; freshwater lakes (Shepherd, 2009).	A flora survey was conducted of all vegetation on Lot 688 on Plan 126809 (now Lot 15 on Plan 59265) for clearing permit 255/1 by Bennett Environmental Consulting (2003). This survey identified the vegetation as Low Woodland of Banksia attenuata, Eucalyptus marginata subsp. marginata and Allocasuarina fraseriana over a Low Open Shrubland dominated by Hibbertia hypericoides and Grassland of introduced species in sandy soil. The current vegetation under application is located within the same study area, however, the vegetation under application within Lot 12 on Plan 46899, (approximately 1 ha), was not assessed as part of the previous flora study.		
Hedde Complex: Southern River Complex - Open woodland of Corymbia calophylla (Marri) - Eucalyptus marginata (Jarrah) - Banksia species with fringing woodland of Eucalyptus rudis (Flooded Gum) - Melaleuca raphiophylla (Swamp Paperbark) along creek beds (Hedde et al. 1980).			
			A site inspection by DEC officers on 10 November 2006 found the 1ha within Lot 12 was similar to that found within the surveyed area and had also previously been open to grazing. The understorey

vegetation is largely limited to Hibbertia spp and the overstorey consists of banksia woodland and Sheoaks.

Good: Structure Two additional site inspections conducted by DEC significantly altered by officers on 27 July 2009 and 6 August 2010 observed multiple disturbance; good regeneration of understorey species as the result of retains basic structure/ability to regenerate (Keighery 1994) removing livestock from the property (DEC, 2010).

3. Assessment of application against clearing principles

Comments

The proponent has applied to extend the duration of the permit CPS1525/1 by 20 years and to amend the purpose of the permit to incorporate a Class 1 Landfill facility and administration offices.

Within Permit 1525/1 condition 4 Revegetation of approved area required the Permit Holder to revegetate the site after the area no longer being required for the purpose of material extraction. This condition was imposed as the land use is temporary. Given the intended change in end use to a landfill facility, the revegetation condition cannot be met as deep rooted vegetation will rupture the clay cap on the landfill site.

Given that the site cannot be revegetated in the near or long term future, the revegetation condition will need to be removed from Permit 1525/2.

Methodology

References:

- DEC (2010)

GIS Databases:

- Bushforever

- CALM Regional Parks

- Clearing Regulations, Environmentally Sensitive Areas - 28/8/09

- DEC Tenure

- EPP, Lakes

- Geomorphic Wetlands (Classification), Swan Coastal Plain

- Hydrography, linear (hierarchy)

- SAC Bio datasets (accessed on 5 August 2010)

- Salinity Risk LM 25m - DOLA 00

- Soils, Statewide DA 11/99

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The proponent has applied to extend the duration of the permit CPS1525/1 by 20 years and to amend the purpose of the permit to incorporate a Class 1 Landfill facility and administration offices.

Administrative changes to the permit conditions have been made to bring the conditions in line with current Department of Environment and Conservation practice.

The applicant requires Works Approval and a Licence for the proposed Class 1 - Inert Landfill from the Department of Environment and Conservation (DEC).

The Shire of Waroona, pursuant to Clause 8.2 of the Shire's Town Planning Scheme No 7. to grant conditional approval for the proposed Class 1 - Inert Landfill on Lot 15 Richards Road, Waroona, subject to the following conditions:

- The development hereby approved shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without prior written approval of the Council;
- Measures to be implemented to the satisfaction of the Shire of Waroona for the control of dust and noise on site;
- No landfill operation shall take place within 35 metres of any boundaries of Lot 15;
- Fencing, with a minimum height of 2 metres above ground surface level shall be provided and maintained at all times around the operational area of the landfill site;
- Preparation and implementation of a Landfill Management Plan to the specification and satisfaction of the

Shire of Waroona prior to the commencement of any landfill activities on site;

- Preparation and implementation of a Hydrocarbon and Vehicle Washdown Plan to the specification and satisfaction of the Shire of Waroona;
- Preparation and implementation of a Rehabilitation Plan to the specification and satisfaction of the Shire of Waroona;
- An attenuation zone of not less than 1.5 metres in thickness, containing clay or other suitable material, shall be maintained above the highest known groundwater level and any landfill;
- Hours of operation shall be 7:00am to 4:00pm, Monday to Friday inclusive and 7:00am to 2:00pm Saturday; and
- This approval shall expire if the development hereby approval is not completed within 2 years of the completion of the Extractive Industry approved for the subject land, or any extension of time which upon written application to Council (made at least 60 days prior to the expiry of the approval) is granted by it in writing.

No submissions from the public have been received.

Methodology

References:

- Shire of Waroona

GIS Database:

- Cadastre - Landgate Dec 07

- Native Title Claims - LA 2/5/07

- Aboriginal Sites of Significance 26 April 2007

4. References

DEC (2007) Department of Environment and Conservation Site Inspection Report (DEC TRIM ref: DOC40152).

DEC (2010) Department of Environment and Conservation Site Inspection Report (DEC ref: A326572).

Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Shepherd, D.P. (2009) Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.

Shire of Waroona (2010) Direct interest submission for CPS 1525/2 - David and Rosetta Tognela. (DEC ref A326404).

Tognela, D. (2010) Letter to waiver the 28 day notification period (DEC ref: A334799).

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)