



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number:1538 / 1

File Number:DEC820

Duration of Permit: From 30 April 2007 to 30 April 2012

PERMIT HOLDER

City of Swan

LAND ON WHICH CLEARING IS TO BE DONE

Jenkins Road Reserve

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

1. Clearing for the purpose of road construction and maintenance.

CONDITIONS

1. The Permit Holder shall not clear more than 0.71 hectares of native vegetation within the area cross hatched yellow on attached Plan 1538/1.

2. Avoid, minimise etc clearing

- (a) In determining the amount of native vegetation to be cleared for the purposes of road construction and maintenance 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.

3. 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 and immediately adjacent to areas *cleared* under this Permit.

4. Protection of Bush Forever sites

(a) The Permit Holder shall:

- (i) ensure that no vegetation, *road building materials, mulches, fill*, or any other debris is deposited within the boundary of Bush Forever sites 80, 82 and 87 on Lot 1 of Diagram 24040.
- (ii) ensure that no vegetation, *road building materials, mulches, fill*, or any other debris is deposited within the boundary of Bush Forever Site 87 on Lot 9 of Diagram 53858.

5. Offsets

(a) Determination of offsets:

- (i) The permit holder must implement an offset in accordance with conditions 5 (a) and 5 (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 5 (b).
- (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 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 5 (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 1:2 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.

6. 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 offsets of areas pursuant to condition 5:

- (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).

7. Reporting

The Permit Holder must provide to the *CEO*, on or before 30 August of each year, a written report of records requested under condition 6 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

8. 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*;

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;

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;

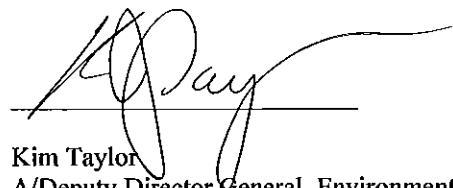
native vegetation has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986* and regulation 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

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;

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

30 March 2007