



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 1651/1
Permit holder:	Yarra Yarra Catchment Management Group Inc.
Purpose of clearing:	Drainage
Shire:	Morawa
Duration of permit:	30 April 2007 – 30 April 2012

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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. Clearing authorised

- (a) Lot 5522 on Plan 226724, within the area shaded in yellow on Plan 1651/1a
- (b) Lot 5521 on Plan 226724, within the area shaded in yellow on Plan 1651/1a
- (c) Lot 5520 on Plan 226724, within the area shaded in yellow on Plan 1651/1a
- (d) Lot 5512 on Plan 226724, within the area shaded in yellow on Plan 1651/1a
- (e) Lot 5508 on Plan 226665, within the area shaded in yellow on Plan 1651/1a
- (f) Lot 6537 on Plan 232559, within the area shaded in yellow on Plan 1651/1b
- (g) Lot 6536 on Plan 232559, within the area shaded in yellow on Plan 1651/1b
- (h) Lot 3884 on Plan 232416, within the area shaded in yellow on Plan 1651/1c
- (i) Lot 9389 on Plan 232416, within the area shaded in yellow on Plan 1651/1c
- (j) Lot 7575 on Plan 232559, within the area shaded in yellow on Plan 1651/1c
- (k) Lot 3922 on Plan 232416, within the area shaded in yellow on Plan 1651/1d
- (l) Lot 11 on Plan 14557, within the area shaded in yellow on Plan 1651/1e
- (m) Lot 6314 on Plan 226642, within the area shaded in yellow on Plan 1651/1f

2. Area of clearing

Clearing of up to 51.5 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 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 drainage 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. Offsets

(a) Determination of offsets

- (i) Where 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 6(a) and 6(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 6(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 6(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 V – RECORD KEEPING AND REPORTING

7. 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 2:
 - (i) the location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).
- (b) in relation to the offsets of areas pursuant to condition 6:
 - (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).

8. 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 7 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

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*;

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*;



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