



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose permit number:</b>	CPS 1741/1
<b>Permit holder:</b>	Shire of Dumbleyung
<b>Purpose of clearing:</b>	Road upgrading
<b>Shire:</b>	Shire of Dumbleyung
<b>Duration of permit:</b>	8 July 2007 – 8 July 2011

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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) Candlelight Road, from the intersection with Dumbleyung Lake Grace Road extending south to the intersection with Kukerin Road;
- (b) Carwardine Road, from the intersection with Dumbleyung Lake Grace Road extending south then east then south to the intersection with Candlelight Road;
- (c) Dongolocking Road, from the intersection with Dwelyerdine Road extending west for a total of approximately 7.2 kilometres;
- (d) Flats Road / Mutters Road intersection;
- (e) Fairclough Road, from the intersection with Pepall Road extending east to the intersection with Kelly Road;
- (f) Halden East Road / Hills Road intersection;
- (g) Harrison Road, from the intersection with Springhurst Road extending east to the intersection with Kukerin North Road;
- (h) Kukerin North Road, from the intersection with Harrison Road extending north-east then north for a total of approximately 5.6 kilometres;
- (i) Kukerin South Road, from the intersection with Leo Road extending north-west for a total of approximately 3.7 kilometres;
- (j) Merilup Road, from the intersection with One Twenty Nine Road extending south to the Shire of Dumbleyung boundary;
- (k) Moulyinning South Road, from the intersection with Candlelight Road extending south then south-east then south then west then south to the intersection with Gooding Road;
- (l) Mount Pleasant Road, from the intersection with Wards Road extending south for a total of approximately 2.5 kilometres;
- (m) Nippering North Road, from the intersection with Nippering School Road extending north-west then north-east for a total of approximately 2.8 kilometres;
- (n) Old Lake Grace Road, on the southern side only from the intersection with Willcock Road extending east to the Shire of Dumbleyung boundary;
- (o) One Twenty Five Road, from the intersection with One Twenty Nine Road extending north-east to the intersection with Wishbone Road;
- (p) One Twenty Nine Road, from the intersection with One Twenty Five Road extending east to a point approximately 1 kilometre past the intersection with Jay Road, and then on the southern side only from a point approximately 1 kilometre east of the intersection with Jay Road extending east to the intersection with Rabbit Proof Fence Road;
- (q) Pepall Road, from the intersection with Fairclough Road extending south for a total of approximately 1.3 kilometres;

- (r) Slant Road, from the intersection with Rabbit Proof Fence Road extending south-east for a total of approximately 2.8 kilometres;
- (s) Smiths Road, from the intersection with One Fourteen Road extending north then west for a total of approximately 2 kilometres;
- (t) Springhurst Road, from the intersection with Boundary Road extending south then south-west to the intersection with Harrison Road;
- (u) Tincurrin Road, from the intersection with One Fourteen Road extending south for a total of approximately 7.6 kilometres;
- (v) White Well Road, from the intersection with Mount Pleasant Road extending east for a total of approximately 5.1 kilometres; and
- (w) Wishbone Road, from the intersection with Peterson Road extending south to the intersection with Cantwells Road.

## **2. Area of Clearing**

The permit holder must not clear more than 22.5 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**

In determining the amount of native vegetation to be cleared for the purposes of road upgrades under this Permit 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, 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 under this Permit.

## 7. 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 7(a) and 7(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 7(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 7(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

#### 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 this permit:
- (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 7:
- (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).

#### 9. 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 8 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

#### 10. 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 principles* means the principles for clearing native vegetation set out in Schedule 5 of the *Environmental Protection Act 1986*

*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;

*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;

*direct 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;

*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.

*environmental values* has the same meaning as it is given in section 3 of the *EP Act 1986*;

***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*;

***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;

***offset*** means an offset required to be implemented under Condition 7 of this Permit;

***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 Environment and Conservation (1999), and plants declared under section 37 of the Agricultural and Related Resources Protection Act 1976.



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Department of Environment and Conservation  
Officer delegated under Section 20  
of the Environmental Protection Act 1986

8 June 2007