



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 1762/1
Permit holder:	City of Albany
Purpose of clearing:	Road Realignment and Widening
Shire:	City of Albany
Duration of permit:	17 September 2007 – 17 September 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. Land on which clearing is to be done

- Beaudon Road (SLK 0.00 – 1.17)
- Bond Road (SLK 0.00 – 0.67)
- Chillinup Road (SLK 21.22 – 26.22)
- Curtiss Road (SLK 0.00 – 0.68)
- Dragon Road (SLK 0.00 – 0.26)
- Hunwick South Road (SLK 0.00 – 1.72)
- Mason Road (SLK 0.00 – 0.70)
- McKail Street (SLK 0.00 – 0.27)
- Moncrieff Road (SLK 0.00 – 0.22)
- Moorialup Road (SLK 0.00 – 3.00)
- Norton Road (SLK 3.1 – 5.40)
- Old Boundary Road (SLK 0.00 – 3.00)
- Parker Brook Road (SLK 0.00 – 6.77)
- Sandalwood Road (SLK 5.90 – 10.90)
- Shell Bay Road (SLK 0.00 – 0.75)
- Stockwell Road (SLK 0.00 – 2.00)
- Thomas Road (SLK 0.00 – 4.10)
- Verne Road (SLK 0.00 – 6.44)
- Wilcox Road (SLK 1.3 – 6.64)

2. Area of Clearing

The permit holder must not clear more than 14.9 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 purpose of road upgrades, 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, 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, mulch 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. Flora Management

- (a) Prior to undertaking any clearing within the areas described below, the areas shall be inspected by a *flora specialist* who shall identify rare flora and *priority flora taxa*:

Wilcox Rd (SLK 1.30 – 6.64);
Hunwick South Rd (SLK 0.00 – 1.72);
Thomas Rd (SLK 0.00 – 4.10);
Verne Rd (SLK 0.00 – 6.44);
Parker Brook Road (SLK 0.00 – 6.77);

Mason Rd (SLK 0.00 – 0.70);
Bond Rd (SLK 0.00 – 0.67); and
Curtiss Rd (SLK 0.00 – 0.68)

- (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 and *priority flora taxa* are submitted to the CEO
 - (ii) No clearing occurs within 50m of identified rare flora, unless approved by the CEO
 - (iii) No clearing occurs with 10m of identified *priority flora taxa*, unless approved by the CEO.

8. Fauna Management

- (a) Prior to clearing within the areas described in condition 1, the areas shall be inspected by a *fauna specialist* who shall identify fauna habitat suitable to be utilised by fauna species listed below:
- (i) Western Ringtail Possum *Pseudocheirus occidentalis*
 - (ii) Baudin's Black-Cockatoo *Calyptorhynchus baudinii*
 - (iii) Forest Red-tailed Black-Cockatoo *Calyptorhynchus banksii naso*
 - (iv) Chuditch *Dasyurus geoffroii*
 - (v) Australian Bustard *Ardeotis australis*
 - (vi) Australasian Bittern *Botaurus poicilopotilus*
 - (vii) Eastern Curlew *Numenius madagascariensis*
 - (viii) Brush Tail Phascogale *Phascogale tapoatafa*
 - (ix) Western Brush Wallaby *Macropus irma*
 - (x) Western Whipbird (western mallee subsp.) *Psophodes nigrogularis oberon*
 - (xi) Peregrine Falcon *Falco peregrinus*
 - (xii) Crested Shrike-tit (south-western asubsp.) *Falcunculus frontatus leucogaster*
 - (xiii) Bush Stonecurlew *Burhinus grallarius*
- (b) Prior to clearing, any habitat identified by condition 8(a) and being utilised by fauna species listed above shall be inspected by a *fauna specialist*.
- (c) Prior to clearing the Permit Holder shall ensure that any fauna identified in condition 8(b) shall be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department of Environment and Conservation.

9. 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 9(a) and 9(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 9(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 prior to undertaking any clearing to which the offset relates, and prior to implementing the offset.
 - (iv) Clearing may not commence until the CEO has approved the offset proposal.

- (v) The permit holder shall implement the offset proposal approved under condition 9(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
- (xiii) monitoring of offsets.

PART III – RECORD KEEPING AND REPORTING

10. 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 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.
- (c) In relation to Fauna Management pursuant to condition 8:
 - (i) the location of each habitat tree identified recorded using Geocentric Datum Australia 1994;
 - (ii) the species of each habitat tree identified;

- (iii) the species of fauna reasonably likely to utilise, or that have been observed utilising the habitat trees;
 - (iv) the species and number of each species relocated; and
 - (v) the location and date where relocated fauna was released, using Geocentric Datum Australia 1994.
- (d) In relation to the offsets of areas pursuant to condition 10:
- (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).

11. Reporting

The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 10 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

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;

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;

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

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;

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;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

fauna clearing person means a person who has obtained a licence from the Department of Environment and Conservation, issued pursuant to the *Wildlife Conservation Regulations 1970* (as amended) authorising them to take fauna in order to carry out the approved clearing associated with this permit;

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

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

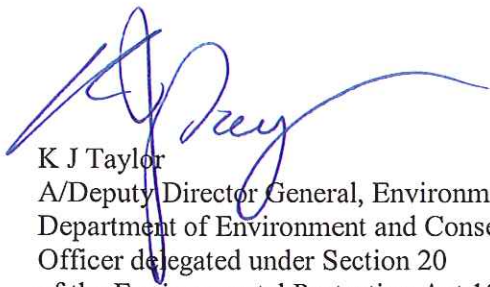
mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

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;

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.



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

17 August 2007