



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 185/8
Permit holder:	Water Corporation
Purpose of clearing:	Clearing for <i>project activities</i>
Duration of permit:	20 April 2008 – 20 April 2022

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The permit holder is authorised to clear native vegetation for the above stated purpose, subject to the conditions of this Permit, including as amended or renewed.

PART I - TYPE OF CLEARING AUTHORISED

1. Type of clearing authorised

- (a) In accordance with this Permit, the permit holder may clear native vegetation for *project activities*, which means any one or more of the following:
 - (i) new *water services infrastructure*, including *drains*, pipelines, pump stations, and valve pits;
 - (ii) new infrastructure such as building, fences, gates, posts, boards, scaffolding, hurdles, other erections and structures to support the construction or operation of *water services infrastructure*;
 - (iii) new *temporary works*;
 - (iv) new *camps*;
 - (v) in order to maintain the efficacy of the following new and *existing water services infrastructure*, to the following extents:
 - (A) for a building or structure – 20m from the building or structure;
 - (B) for a *drain* or fence line – 5m from the *drain* or fence line;
 - (C) for a vehicle track used to access new and *existing water services infrastructure* – 5m track width;
 - (vi) *project surveys*, including surveying and geotechnical studies;
 - (vii) *pre-construction activities*; and
 - (viii) native vegetation clearing for the purposes of upgrading any of the above activities where such activities are not exempt from requiring a clearing permit.
- (b) This Permit authorises the permit holder to clear native vegetation for *project activities* to the extent that the permit holder has the power to clear native vegetation for those *project activities* under the *Water Corporation Act 1995* or any other *written law*.

2. Clearing not authorised

- (a) This Permit does not authorise the permit holder to clear native vegetation for *project activities* where:
 - (i) it does not have the power to clear native vegetation for those *project activities* under the *Water Corporation Act 1995* or any other *written law*;
 - (ii) the clearing may be seriously at variance with the *clearing principles*; or
 - (iii) those *project activities* are incorporated in any *proposal* that is referred to and assessed under Part IV of the *EP Act* by the *EPA*.
 - (iv) the clearing may have a significant impact on a *matter of national environmental significance* under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

- (b) If a *proposal* incorporating a *project activity* has been *referred* to the *EPA*, this Permit does not authorise any clearing for that *project activity* until:
 - (i) the *EPA* has given notice under section 39A(3) of the *EP Act* that it has decided not to assess the *proposal*; and
 - (ii) either:
 - (A) the period within which an appeal against the *EPA*'s decision may be lodged has expired without an appeal being lodged; or
 - (B) an appeal has been lodged against the *EPA*'s decision not to assess the *proposal* and the appeal was dismissed.
- (c) If the permit holder intends to clear native vegetation under this Permit for a *project activity* that is incorporated in a *proposal* referred to in condition 2(b), then the permit holder must have regard to any advice or recommendations made by the *EPA* under section 39A(7) of the *EP Act*.

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.

PART II - ASSESSMENT PROCEDURE

4. Avoid, minimise etc clearing

The permit holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any *environmental value*.

5. Assessment of Clearing Impacts

- (a) Once the permit holder has complied with condition 4 of this Permit, if any native vegetation is to be cleared the permit holder must conduct a *desktop study* assessing the clearing to be undertaken against each of the *clearing principles* in accordance with the *Assessment Principles* set out in Part III of this Permit.
- (b) The *desktop study* must be conducted having regard to the permit holder's *Preliminary Environmental Impact Assessment Procedure – Clearing of Native Vegetation* and, subject to condition 5(m), must include production of a *PEIA Report*.
- (c) The *PEIA Report* must set out:
 - (i) the manner in which the permit holder has had regard to the principles set out in condition 4;
 - (ii) the manner in which the permit holder has had regard to the permit holder's *Preliminary Environmental Impact Assessment Procedure – Clearing of Native Vegetation* in conducting a *desktop study*;
 - (iii) the amount (in hectares) and boundaries of clearing required for the *project activity*;
 - (iv) how each of the *clearing principles* has been addressed through the *desktop study*;
 - (v) whether there are likely to be any *impacts* that may be at variance or seriously at variance with the *clearing principles*; and
 - (vi) whether, in accordance with the *Assessment Principles*:
 - (A) *rehabilitation* and *revegetation*, or a *management strategy*, is likely to be required under Part IV of this Permit; and
 - (B) an *offset* is likely to be required under Part V of this Permit.

- (d) Where the outcome of the *desktop study* indicates that the clearing may be at variance or seriously at variance with one or more of the *clearing principles*, the permit holder must undertake *EIA* in accordance with this condition, and seek submissions in accordance with condition 6 of this Permit.
- (e) Without limiting condition 5(d), where the information available is insufficient to allow the permit holder to assess the proposed clearing against one or more of the *clearing principles* as part of the *desktop study*, the permit holder must undertake *EIA* in accordance with this condition.
- (f) The permit holder is not required to undertake *EIA* if the CEO advises so in writing.
- (g) Where required pursuant to condition 5(d), the permit holder must conduct an *EIA* addressing those *environmental values* identified in the *desktop study* as likely to be affected by the clearing to an extent that may be at variance or seriously at variance with the *clearing principles*.
- (h) Where required pursuant to condition 5(e), the permit holder must conduct an *EIA* assessing each of those *clearing principles* for which there was insufficient information available to undertake a *desktop study*.
- (i) *EIA* must be conducted having regard to the permit holder's *Preliminary Environmental Impact Assessment Procedure – Clearing of Native Vegetation* and, subject to condition 5(m), must include production of an *EIA Report*.
- (j) *EIA* must include a *biological survey*, and:
 - (i) where the area to be cleared may be affected by *dieback*, a *dieback survey*;
 - (ii) where the clearing may have a detrimental impact on the *environmental values* of a *wetland*, a *wetland field assessment*; and
 - (iii) any additional surveys and field assessments that are required to determine the *impacts* of the clearing on any *environmental value* protected by the *clearing principles*,
 and every such survey or field assessment must be conducted by an *environmental specialist*.
- (k) Any *biological survey* carried out pursuant to condition 5(j) must be conducted having regard to the *EPA's* publications:
 - (i) *Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment – December 2016*; and
 - (ii) *Technical Guidance – Terrestrial Fauna Surveys – December 2016*.
- (l) The *EIA Report* must set out:
 - (i) copies of any submissions received pursuant to condition 6, and a statement addressing each of those submissions;
 - (ii) the manner in which the permit holder has had regard to the permit holder's *Preliminary Environmental Impact Assessment Procedure – Clearing of Native Vegetation* in conducting an *EIA*;
 - (iii) the results of any surveys and field assessments carried out pursuant to conditions 5(i) and 5(j);
 - (iv) any *impacts* likely to occur as a result of the clearing, including a description of those *impacts* that may be at variance or seriously at variance with the *clearing principles*;

- (v) any *rehabilitation, revegetation, management strategy* or other means of rectification that the permit holder will adopt to address the *impacts*; and
 - (vi) any *offsets* developed in accordance with Part V of this Permit that the permit holder will implement to address the *impacts*.
- (m) Where the permit holder conducts a *PEIA* and an *EIA* simultaneously:
- (i) the permit holder may produce one report, to be known as an *Environmental Assessment Report*, which contains all of the information required to be provided by this condition in a *PEIA Report* and an *EIA Report*; and
 - (ii) if the permit holder produces an *Environmental Assessment Report*, there is no need to produce a *PEIA Report* or an *EIA Report* for the proposed clearing.
- (n) Subject to condition 5(o), after undertaking the *EIA* the permit holder must prepare, implement and adhere to an *EMP* to address the *impacts*, in accordance with condition 9 of this Permit.
- (o) Where the results of the *EIA* indicate that clearing for the *project activity* may be seriously at variance with the *clearing principles*, the permit holder must apply to the CEO for a clearing permit in respect of that clearing.

6. Submissions

- (a) The permit holder must invite submissions from the following parties about those *impacts* of the proposed clearing that may be at variance or seriously at variance with the *clearing principles*:
- (i) the *Department's* branch responsible for the administration of clearing permits under the *EP Act*;
 - (ii) the Office of the Commissioner of Soil and Land Conservation in the Department of Agriculture and Food if those *impacts* relate to *clearing principles* (g), (i) or (j);
 - (iii) the Department of Water's Drainage and Waterways Branch if those *impacts* relate to *clearing principles* (f), (i) and (j);
 - (iv) the Conservation Council of Western Australia Inc.;
 - (v) the local government responsible for the area that is to be cleared;
 - (vi) the owner (as defined in section 51A of the *EP Act*), or occupier (as defined in section 3 of the *EP Act*), of any land on which the clearing is proposed to be done;
 - (vii) any other environment or community groups that the permit holder reasonably considers may have an interest in the clearing that is proposed to be done; and
 - (viii) any other party that the permit holder reasonably considers may have an interest in the clearing that is proposed to be done.
- (b) The permit holder is not required to invite submissions if the CEO advises so in writing.
- (c) The permit holder must provide the following information to the parties from whom it invites submissions under condition 6(a):
- (i) a description of the land on which the clearing is to be done;
 - (ii) a description of the *project activities* for which the clearing is to be done;
 - (iii) the size of the area to be cleared (in hectares);
 - (iv) in what manner the permit holder considers that the clearing may be at variance or seriously at variance with the *clearing principles*;
 - (v) an outline of any *rehabilitation, revegetation, management strategy* or *offset* proposed to be implemented in relation to the clearing;
 - (vi) the contact details of the person to whom submissions must be sent; and
 - (vii) the date by which submissions must be made.

- (d) The permit holder must allow a period of 21 days for submissions to be made.
- (e) Any submissions received by the permit holder under this condition 6 must be addressed in the *EIA Report* in accordance with condition 5(l) of this Permit.

PART III - ASSESSMENT PRINCIPLES

7. Assessment against the Clearing Principles

- (a) In complying with condition 5 of this Permit, the permit holder must have regard to the *Department's A guide to the assessment of applications to clear native vegetation under Part V Division 2 of the Environmental Protection Act 1986*, contained in Annexure 6 to this Permit, when conducting an assessment of the proposed clearing against the *clearing principles*.
- (b) If part or all of the clearing to be done may be seriously at variance with one or more of the *clearing principles* then condition 5(o) applies.
- (c) If part or all of the clearing to be done is or is likely to be at variance with one or more of the *clearing principles*, then the permit holder must implement an *offset* in accordance with Part V of this Permit with respect to that clearing, unless written advice to the contrary is provided by the CEO.
- (d) If part or all of the clearing to be done is or is likely to be at variance with one or more of *clearing principles* (g), (i) or (j), the permit holder must implement a *management strategy*, approved by the CEO in accordance with condition 10 of this Permit, with respect to that clearing, unless written advice to the contrary is provided by the CEO.
- (e) In making a determination under condition 7(b) as to whether part or all of the clearing to be done may be seriously at variance, or under conditions 7(c) and 7(d) as to whether part or all of the clearing to be done is or is likely to be at variance, with one or more of the *clearing principles*, the permit holder must obtain and have regard to the advice of an *environmental specialist*.

8. Other

In assessing the clearing for the *project activity* against the *clearing principles*, the permit holder must have regard to any approved policy (as defined in section 3 of the *EP Act*) and any planning instrument (as defined in section 51O of the *EP Act*), that applies to the area of native vegetation to be cleared.

PART IV – MANAGEMENT

9. Environmental management plan

- (a) The permit holder must prepare, implement and adhere to an *EMP* if required by condition 5(n) of this Permit unless written advice to the contrary is provided by the CEO.
- (b) The *EMP* must have regard to the permit holder's *Drafting and Implementing Environmental Management Plans* and include:
 - (i) a plan for managing the *impacts*;
 - (ii) a table setting out the permit holder's commitments to the *EMP's* requirements;
 - (iii) a program for monitoring compliance with the permit holder's commitments;
 - (iv) a copy of the *Revegetation Plan*, where required under condition 11 of this Permit.

10. Management strategy

- (a) Where the permit holder is required under this Permit to comply with this condition 10, the permit holder must prepare, implement and adhere to a strategy designed by an *environmental specialist*, in consultation with the Commissioner of Soil and Land Conservation, to avoid, mitigate or manage the *land degradation, water quality deterioration*, or flooding that triggered the permit holder's obligation to comply with this condition.
- (b) Once the permit holder has developed a *management strategy*, the permit holder must provide that *management strategy* to the CEO for the CEO's approval prior to undertaking any clearing of an area to which the *management strategy* is related, and prior to implementing the *management strategy*.

11. Revegetation and Rehabilitation

- (a) The permit holder must *revegetate* and *rehabilitate* the following areas once those areas are no longer required for the following purpose for which they were cleared under this Permit:
 - (i) *temporary works*;
 - (ii) *extraction sites*;
 - (iii) *camps*;
 - (iv) *project surveys*;
 - (v) *pre-construction activities*; or
 - (vi) other *project activities* where part or all of the area cleared is no longer required to be used for the purpose for which it was cleared.
- (b) The permit holder need not *revegetate* and *rehabilitate* an area specified in condition 11(a) if:
 - (i) the CEO advises so in writing; or
 - (ii) the permit holder intends to use that cleared area for another *project activity* within 24 months of that area no longer being required for the purpose for which it was originally cleared under this Permit.
- (c) The *revegetation* and *rehabilitation* of an area pursuant to this condition 11:
 - (i) must be carried out as soon as possible once the permit holder no longer requires that area for a *project activity*, in accordance with conditions 11(a) and 11(b); and
 - (ii) must be undertaken according to a *Revegetation Plan* that the permit holder must provide to the CEO prior to clearing native vegetation from the area that is to be *revegetated* and *rehabilitated*.
- (d) The permit holder need not comply with condition 11(c)(ii) if:
 - (i) the CEO advises so in writing; or
 - (ii) the area to be *revegetated* and *rehabilitated* is:
 - (A) less than 0.5 hectares; and
 - (B) not located in an *ESA*; and
 - (C) an area where the proposed clearing that triggers the obligation to *revegetate* and *rehabilitate* is not or is not likely to be at variance with all of the *clearing principles*.

- (e) A *Revegetation Plan* must be developed having regard to the permit holder's *Revegetation Guideline – Techniques and Monitoring* and must involve the following steps:
- (i) *site preparation*;
 - (ii) *weed control*;
 - (iii) *regeneration, direct seeding or planting, at an optimal time*;
 - (iv) *a vegetation establishment period*; and
 - (v) *ongoing maintenance and monitoring*.
- (f) Any area of native vegetation that does not form part of the area to be cleared for the *project activity* and that has been damaged as a result of the clearing by the permit holder must be *revegetated* and *rehabilitated* in accordance with conditions 11(c) and 11(d).

12. Dieback, other pathogen and weed control

- (a) When undertaking any clearing, *revegetation* and *rehabilitation*, or other activity pursuant to this Permit in any part of a *region* that has an average annual rainfall of greater than 400 millimetres and is south of the 26th parallel of latitude, 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) if movement of soil in wet conditions is necessary, the permit holder must prepare, implement and adhere to a *dieback* management plan developed in consultation with the *Department* for minimising the spread of *dieback*, unless written advice to the contrary is provided by the CEO;
 - (iv) ensure that no *dieback*-affected *road building materials, mulches* or *fill* are brought into an area that is not affected by *dieback*; and
 - (v) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) Where the permit holder considers, having regard to the advice of an *environmental specialist*, that the area to be cleared may be susceptible to a pathogen other than *dieback*, the permit holder must take appropriate steps to minimise the risk of the introduction and spread of that pathogen.
- (c) 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.
- (d) 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, *revegetated* and *rehabilitated*, or the subject of an *offset* implemented by the permit holder under this Permit where those *weeds* are likely, having regard to the advice of an *environmental specialist*, to spread to and result in *environmental harm* to adjacent areas of native vegetation that are in *good or better condition*.

PART V – OFFSETS

13. Determination of offsets

- (a) In developing an *offset proposal* to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the permit holder must comply with the principles in the Government of Western Australia, WA Environmental Offsets Policy, September 2011 and have regard to the WA Environmental Offsets Guidelines, August 2014.
- (b) 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* related, and prior to implementing the *offset*.

14. Duration of offsets

- (a) The permit holder must ensure that an *offset* implemented under this Permit continues to be implemented for the *term* of this Permit.
- (b) If for any reason an *offset* is not continually implemented for the *term* of this Permit, the permit holder must:
 - (vi) implement the *offset* again within 12 months of becoming aware that the *offset* is not being maintained; and
 - (vii) if necessary, modify the *offset* in a manner that increases the likelihood that the *offset* will be implemented for the *term* of this Permit.

PART VI – MONITORING, REPORTING & AUDITING

15. Monitoring

- (a) The permit holder must monitor:
 - (i) areas *revegetated* and *rehabilitated* under this Permit to determine compliance with the relevant *Revegetation Plan* and the conditions of this Permit; and
 - (ii) areas the subject of an *offset* implemented under this Permit to determine compliance with the relevant *offset proposal* and the conditions of this Permit.
- (b) Monitoring pursuant to this condition 15 must be done having regard to the permit holder's *Revegetation Guideline – Techniques and Monitoring*.

16. Records of assessment and clearing

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:
 - (i) a copy of any *PEIA Report*, *EIA Report* and *Environmental Assessment Report* produced in accordance with condition 5;
 - (ii) a copy of the *EMP* produced in accordance with conditions 5 and 9;
 - (iii) for a cleared area greater than 0.5 hectares, a map showing the location where the clearing occurred, recorded in an *ESRI Shapefile*;
 - (iv) for a cleared area of 0.5 hectares or less, a co-ordinate of the location where the clearing occurred;
 - (v) the size of the area cleared (in hectares); and
 - (vi) the dates on which the clearing was done;

- (b) in relation to the *revegetation* and *rehabilitation* of areas:
 - (i) a copy of each *Revegetation Plan* provided to the CEO in accordance with condition 11(c);
 - (ii) a map showing the location of any area *revegetated* and *rehabilitated* in accordance with condition 11, recorded in an *ESRI Shapefile*;
 - (iii) a description of the *revegetation* and *rehabilitation* activities undertaken pursuant to condition 11; and
 - (iv) the size of the area *revegetated* and *rehabilitated* (in hectares);
- (c) in relation to each *offset* implemented:
 - (i) a copy of each *offset proposal* approved by the CEO in accordance with condition 13(b);
 - (ii) a map showing the location of any *offset* implemented pursuant to condition 13, recorded in an *ESRI Shapefile*;
 - (iii) a description of the *offset* activities undertaken pursuant to condition 13; and
 - (iv) the size of the area of the *offset* (in hectares);
- (d) in relation to each *management strategy* implemented:
 - (i) a copy of each *management strategy* approved by the CEO in accordance with condition 10(b);
 - (ii) a map showing the location of any area to which a *management strategy* has been applied in accordance with condition 10, recorded in an *ESRI Shapefile*;
 - (iii) a description of the *management strategy* activities undertaken pursuant to condition 10; and
 - (iv) the size of the area to which the *management strategy* was applied (in hectares);
- (e) in relation to the control of *weeds*, *dieback* and other pathogens:
 - (i) a copy of any management plan prepared in accordance with condition 12(a)(iii); and
 - (ii) for any pathogen other than *dieback*, the appropriate steps taken in accordance with condition 12(b).

17. Reporting

- (a) The permit holder must provide to the CEO, on or before 30 June of each year, a written report of activities done by the permit holder under this Permit between 1 January and 31 December of the preceding year.
- (b) The report must set out the records required to be maintained pursuant to condition 16 of this Permit, except for those records relating to cleared areas of less than 0.5 hectares that:
 - (i) are not located in an *ESA*;
 - (ii) do not require an *offset* to be implemented; and
 - (iii) are not at variance with the *clearing principles*.

18. Internal auditing

- (a) The permit holder must conduct *internal environmental audits* for areas specified in condition 18(c) to determine the permit holder's compliance with the conditions of this Permit, with particular emphasis on:
 - (i) the location and extent of native vegetation cleared;
 - (ii) the implementation status of any *offsets* imposed;
 - (iii) the effectiveness of any *management strategies* implemented; and
 - (iv) the implementation status of any *revegetation* or *rehabilitation* undertaken.

- (b) The permit holder must conduct its first *internal environmental audit* within 6 months of the date of this Permit. Subsequent *internal environmental audits* must be conducted annually.
- (c) The areas to be audited under condition 18(a) must be selected by the auditor using a structured and documented risk-based selection framework, and must include at least one cleared area in each *region* in which clearing has been done under this Permit within the previous 12 months.
- (d) The permit holder must provide written reports of the *internal environmental audits* conducted pursuant to this condition 18 to the CEO on or before 30 December of each year for the *term* of this Permit, which reports must include details of steps taken by the permit holder to address any non-compliance with conditions of this Permit.

19. External auditing

- (a) The permit holder must engage an external accredited *lead environmental auditor* to undertake environmental audits of the permit holder's compliance with the conditions of this Permit for each of the *regions* in which clearing is done under this Permit.
- (b) The *external environmental audits* must be done on or before 20 October 2017, 20 October 2019 and 20 October 2021 and/or as otherwise required by the CEO.
- (c) The permit holder must provide the *lead environmental auditor's* written reports of the *external environmental audits* to the CEO on or before 30 December in each year that an *external environmental audit* is conducted and/or as otherwise required by the CEO.

PART VII – INTERPRETATION & DEFINITIONS

20. Interpretation

The following rules of interpretation apply to this Permit:

- (a) a reference to any *written law* includes a reference to that *written law* as amended, repealed or replaced from time to time;
- (b) if a word or phrase is defined, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.

21. Severance

It is the intent of these conditions that they shall operate so that, if a condition or part of a condition is beyond the CEO's power to impose, or is otherwise ultra vires or invalid, that condition or part of a condition shall be severed and the remainder of these conditions shall nevertheless be valid to the extent that they are within the CEO's power to impose and are not otherwise ultra vires or invalid.

22. Inconsistency

- (a) The *EP Act* prevails to the extent of any inconsistency between its provisions and the conditions of this Permit.
- (b) Subject to condition 22(a), this Permit prevails to the extent of any inconsistency between its conditions (including its Schedules), and the provisions of any other document referred to in this Permit.

23. Definitions

The following meanings are given to terms used in this Permit and the attached Advice:

<i>Assessment Principles</i>	means the assessment principles set out in Part III of this Permit;
<i>Assessment Procedure</i>	means the assessment procedure set out in Part II of this Permit;
<i>authorised survey/s</i>	has the meaning given to it in section 3 of the <i>Licensed Surveyors Act 1909</i> ;
<i>biological survey</i>	means a site visit undertaken by an <i>environmental specialist</i> to: (a) verify <i>desktop study</i> information; (b) delineate key flora, fauna, soil, and groundwater and surface water values and potential sensitivity to impact; (c) undertake <i>vegetation condition mapping</i> ; and (d) undertake vegetation mapping by delineating on a map the <i>ecological communities</i> formed within a given area, and the nature and extent of each combination, within the area to be cleared at the scale of the best available mapping information;
<i>bioregion</i>	has the meaning given to it in regulation 3 of the <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i> ;
<i>camp/s</i>	means any facilities required to be established by the permit holder at the site of a project activity such as offices, storerooms, workshops, toilets, washing facilities, accommodation, change rooms, shelter sheds, drying conveniences, mess rooms;
<i>clearing principle/s</i>	means the principles for clearing native vegetation set out in Schedule 5 of the <i>Environmental Protection Act 1986</i> ;
<i>condition</i>	means the rating given to native vegetation using the <i>Keighery scale</i> 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;
<i>defined wetland</i>	has the meaning given to it in clause 3 of the <i>Environmental Protection (Environmentally Sensitive Areas) Notice 2005</i> ;
<i>Department</i>	means the Department of Environment Regulation (Western Australia);
<i>desktop study</i>	means a literature review, including a map-based information search of all current and relevant literature sources and databases;

<i>dieback</i>	means the effect of <i>Phytophthora</i> species on native vegetation;
<i>Dieback Management Guideline</i>	means the permit holder's corporate procedure for providing guidance on <i>dieback</i> management, Document ID xxxxx-v1, dated 18 February 2008, contained in Annexure 5 to this Permit or a subsequent version approved by the CEO of the <i>Department</i> ;
<i>dieback survey</i>	means a site visit undertaken by an <i>environmental specialist</i> to: (a) verify <i>desktop study</i> information; (b) identify indicator species; and (c) carry out soil sampling in areas significantly affected by <i>dieback</i> ;
<i>direct seeding</i>	means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;
<i>Drafting and Implementing Environmental Management Plans</i>	means the permit holder's corporate procedure for preparing an environmental management plan, Document ID 425448 Version 17 January 2007, contained in Annexure 3 to this Permit or a subsequent version approved by the CEO of the <i>Department</i> ;
<i>drain</i>	means a conduit on or under any land; or channel provided it is wholly constructed, which was or is used or intended to be used to carry surplus water, and includes any part of such conduit or channel but does not include a watercourse as defined in the <i>Rights in Water and Irrigation Act 1914</i> ;
<i>ecological community/ies</i>	means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999);
<i>EIA</i>	means environmental impact assessment, as described in condition 5 of this Permit;
<i>EIA Report</i>	means the document produced as an outcome of conducting an <i>EIA</i> in accordance with condition 5 of this Permit;
<i>EMP</i>	means environmental management plan;
<i>engineering survey/s</i>	means any inspection or measurement taken by a surveyor engaged by the Permit Holder for the purpose of planning, investigating and design for a <i>project activity</i> ;
<i>Environmental Assessment Report</i>	has the meaning given to that term in condition 5(m) of this Permit;

<i>environmental specialist</i>	means a person 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, or who is approved by the CEO as a suitable environmental specialist.
<i>EP Act</i>	means the <i>Environmental Protection Act 1986</i> ;
<i>EPA</i>	means the Western Australian Environmental Protection Authority;
<i>ESA</i>	means an environmentally sensitive area, as declared in the <i>Environmental Protection (Environmentally Sensitive Areas) Notice 2005</i> under section 51B of the <i>Environmental Protection Act 1986</i> ;
<i>ESRI Shapefile</i>	means an ESRI Shapefile with the following properties: <ul style="list-style-type: none"> (a) Geometry type: polygon; (b) Geographic Coordinate System: Geocentric Datum of Australia 1994; (c) Datum: Geocentric Datum of Australia 1994;
<i>existing water services infrastructure</i>	means infrastructure necessary for the provision of water supply, sewerage, drainage (to the extent that these are consistent with the definition of drain) or irrigation services as provided for under the <i>Water Corporation Act 1995</i> and any other written laws, that is in existence at the time clearing is sought to be carried out under this Permit;
<i>external environmental audit</i>	means an audit conducted by a <i>lead environmental auditor</i> in accordance with condition 19 of this Permit;
<i>extraction sites</i>	includes gravel pits, borrow pits, water bores and other sites from which <i>road building materials</i> are extracted;
<i>fill</i>	means material used to increase the ground level, or fill a hollow;
<i>firebreak/s</i>	means a firebreak established in accordance with the <i>Bush Fires Act 1954</i> ;
<i>geological survey/s</i>	means a survey conducted in order to obtain information about the suitability of the ground for a <i>project activity</i> , and includes geotechnical surveys;
<i>good or better condition</i>	means that the vegetation is in either pristine, excellent, very good or good condition according to <i>Keighery scale</i> ;
<i>impacts</i>	means any impact of clearing on <i>environmental values</i> ;

<i>internal environmental audit</i>	means an audit conducted by the permit holder in accordance with condition 18 of this Permit;
<i>Keighery scale</i>	means the vegetation condition scale described in <i>Bushland Plant Survey: A Guide to Plant Community Survey for the Community (1994)</i> as developed by B.J. Keighery and published by the Wildflower Society of WA (Inc). Nedlands, Western Australia;
<i>land degradation</i>	includes salinity, erosion, soil acidity and waterlogging;
<i>lead environmental auditor</i>	means an individual certified as a lead environmental auditor by either: (a) RABQSA International; or (b) an organisation accredited to ISO/IEC 17024 by, or by a body recognised by, the Joint Accreditation System of Australia and New Zealand);
<i>management strategy / management strategies</i>	means any activity, method or approach implemented pursuant to condition 10 of this Permit;
<i>matter of national environmental significance</i>	A matter of national environmental significance is any of the following: (i) a declared World Heritage property (ii) a national Heritage place (iii) a declared Ramsar site (iv) a listed threatened species or endangered community (v) a listed migratory species (vi) the marine environment These terms have the same meaning as they do in the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth).
<i>mulch/es</i>	means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;
<i>offset/s</i>	means an offset required to be implemented under Part V of this Permit;
<i>offset proposal</i>	means an offset developed by the Permit Holder in accordance with condition 13(a);
<i>optimal time</i>	means the optimal time for undertaking <i>direct seeding</i> and <i>planting</i> as set out in the table in Schedule 1 of this Permit;
<i>PEIA</i>	means preliminary environmental impact assessment, as described in condition 5 of this Permit;
<i>PEIA Report</i>	means the document produced as an outcome of conducting a preliminary environmental impact assessment in accordance with conditions 5(a) and (c) of this Permit;

<i>planting</i>	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;
<i>pre-construction activities</i>	means establishing storage areas, erecting fences and doing similar activities that are required to be done prior to, and in association with, the carrying out of a project activity;
<i>Preliminary Environmental Impact Assessment Procedure – Clearing of Native Vegetation</i>	means the permit holder’s corporate procedure for undertaking preliminary environmental impact assessment, Document ID 592094-v2E, dated 16 November 2009, contained in Annexure 1 to this Permit or a subsequent version approved by the CEO of the <i>Department</i> ;
<i>project activity/ies</i>	means those activities described in condition 1(a) of this Permit;
<i>project surveys</i>	means <i>authorised surveys, engineering surveys and geological surveys</i> ;
<i>proposal</i>	has the meaning given to it in section 3 of the <i>Environmental Protection Act 1986</i> ;
<i>referred</i>	means referred to the Environmental Protection Authority under Part IV of the <i>Environmental Protection Act 1986</i> ;
<i>regeneration</i>	means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing <i>mulch</i> ;
<i>region/s</i>	means the Perth Metropolitan region and those regions established as part of the <i>Regional Development Commissions Act 1993</i> including: <ul style="list-style-type: none"> (a) Gascoyne; (b) Goldfields-Esperance; (c) Great Southern; (d) Kimberley; (e) Mid West; (f) Peel; (g) Pilbara; (h) South West; and (i) Wheatbelt;
<i>rehabilitate/ed/ion</i>	means actively managing an area containing native vegetation in order to improve the ecological function of that area;
<i>revegetate/ed/ion</i>	means the re-establishment of a cover of <i>local provenance</i> native vegetation in an area using methods such as natural <i>regeneration, direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

<i>Revegetation Guideline – Techniques and Monitoring</i>	means the permit holder's corporate procedure for providing guidance on undertaking revegetation, Document ID 592092-v2, dated 21 May 2009, contained in Annexure 2 to this Permit or a subsequent version approved by the CEO of the <i>Department</i> ;
<i>Revegetation Plan</i>	means a plan developed by the Permit Holder for the <i>revegetation</i> and <i>rehabilitation</i> of a site in accordance with condition 11 of this Permit;
<i>road building materials</i>	means rock, gravel, soil, stone, timber, boulders and water;
<i>site preparation</i>	means management of existing site topsoil and preparation of the finished soil surface, for example by ripping or tilling the soil surface and resspreading site topsoil and chipped native vegetation;
<i>temporary works</i>	means access tracks, spoil areas, side tracks, site offices, storage areas, laydown areas and similar works associated with a project activity that are temporary in nature;
<i>term</i>	means the duration of this Permit, including as amended or renewed;
<i>vegetation condition mapping</i>	means to delineate on a map the condition attributes of vegetation within an area, according to the <i>Keighery scale</i> ;
<i>vegetation establishment period</i>	means a period of at least two summers after the <i>revegetation</i> during which time replacement and infill <i>revegetation</i> works may be required for areas in which revegetation has been unsuccessful, and involves regular inspections of <i>revegetation</i> sites to monitor the success of <i>revegetation</i> ;
<i>water quality deterioration</i>	includes sedimentation, turbidity, eutrophication, salinity, or alteration of pH affecting surface water or groundwater;
<i>water services infrastructure</i>	means infrastructure necessary for the provision of water supply, sewerage, drainage or irrigation services as provided for under the <i>Water Corporation Act 1995</i> ;
<i>Weed Management Guideline</i>	means the permit holder's corporate procedure for providing guidance on <i>weed</i> management, Document ID 592093-v2, dated 22 June 2009, contained in Annexure 4 to this Permit or a subsequent version approved by the CEO of the <i>Department</i> ;
<i>weed/s</i>	means any plant - <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or (b) published in a Department of Parks and Wildlife Regional Weed Summary, regardless of ranking; or (c) not indigenous to the area concerned.

- wetland field assessment** means a site visit by an *environmental specialist* to:
- (a) verify *desktop study* information; and
 - (b) delineate key flora and fauna values of *defined wetlands* and their potential sensitivity to impact, in accordance with the permit holder's *Environmental Guideline: Supplementary Guidance on Environmental Impact Assessment*;
- wetland/s** means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary; and
- written law** has the same meaning as it is given in section 5 of the *Interpretation Act 1984*.



James Widenbar
A/SENIOR MANAGER
CLEARING REGULATION

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

20 April 2017

SCHEDULE 1

Optimal Timing for Seeding and Planting

Region	Optimal Timing	
	Seeding	Planting
Gascoyne	May in south of <i>region</i> ; November-December in north of <i>region</i> .	No <i>planting</i> without irrigation.
Goldfields – Esperance	April-May. Earlier in south than in north.	No <i>planting</i> without irrigation.
Great Southern	April-May throughout <i>region</i> . Seeding during September-October within 30km of the coast can also be successful due to warm temperatures and spring coastal showers.	May-June.
Kimberley	October-December, preferably just before rain.	No <i>planting</i> without irrigation.
Metropolitan & Peel	April-June.	May-July.
Mid West	April-May in south of <i>region</i> ; November-December in extreme north of <i>region</i> .	May-June in southern part of <i>region</i> only.
Pilbara	November-December but preferably just before rain.	No <i>planting</i> without irrigation.
South West	April-June.	May-June.
Wheatbelt	April-June.	May-July.