



**CLEARING PERMIT**  
Granted under section 51E of the Environmental Protection Act 1986

<b>Purpose permit number:</b>	CPS 1919/1
<b>Permit holder:</b>	B & J Catalano Pty Ltd
<b>Purpose of clearing:</b>	Extraction of Gravel
<b>Shire:</b>	City of Swan
<b>Duration of permit:</b>	4 November 2007 – 4 November 2012

**TABLE OF CONTENTS**

1. LAND ON WHICH CLEARING IS TO BE DONE.....	2
2. AREA OF CLEARING .....	2
3. APPLICATION .....	2
4. COMPLIANCE WITH ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES .....	2
5. AVOID, MINIMISE ETC CLEARING.....	2
6. DIEBACK AND WEED CONTROL.....	3
7. FAUNA MANAGEMENT .....	3
8. REVEGETATION AND REHABILITATION.....	3
9. RECORDS MUST BE KEPT .....	4
10. REPORTING .....	4
11. DEFINITIONS.....	4

<b>Purpose permit number:</b>	CPS 1919/1
<b>Permit holder:</b>	B & J Catalano Pty Ltd
<b>Purpose of clearing:</b>	Extraction of Gravel
<b>Shire:</b>	City of Swan
<b>Duration of permit:</b>	4 November 2007 – 4 November 2012

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**

Lot 191 On Diagram 13038

##### **2. Area of Clearing**

The Permit Holder must not clear more than 15.3 hectares of native vegetation within the area cross-hatched yellow on the attached Plan 1919/1.

##### **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 construction 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.

## 7. 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 *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 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 *mulch* or *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.

## 8. Fauna management

- (a) Prior to clearing within the area described in Clearing Authorised above, the area shall be inspected by a *fauna specialist* who shall identify trees that contain hollows suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2005*.
- (b) Prior to clearing, any habitat identified by condition 8(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2005*.
- (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. Revegetation and rehabilitation

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing in accordance with this Permit.
- (b) Within six month of the area no longer being required for the purpose of gravel extraction the permit holder must *revegetate* the area by:
  - (i) deliberately planting and/or seeding native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area;
  - (ii) ensuring only local provenance seeds and propagating material from within 10km of the area cleared are used to *revegetate* the area; and
  - (iii) lay vegetative material and topsoil retained in accordance with condition 9(a) on the area.

- (c) Prior to undertaking works pursuant to condition 9(b)(iii) the permit holder shall rip pit floor and contour batters within the gravel extraction site.
- (d) Within one year of undertaking *revegetation* in accordance with condition 9(b), the Permit Holder must:
  - (i) determine the species composition, structure and density of the area *revegetated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 9(d)(i) will not result in a similar species composition, structure and density to pre-clearing vegetation types in that area the Permit Holder must undertake additional planting or seeding of native vegetation in accordance with the requirements of condition 9(b)(i) and 9b(ii).

### 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 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.
- (c) In relation to the revegetation of areas pursuant to condition 9:
  - (i) the commencement date of *revegetation*;
  - (ii) the location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
  - (iii) a description of the *revegetation* activities undertaken;
  - (iv) the size of the area *revegetated* (in hectares); and
  - (v) the species, structure and composition of *revegetation* measured.

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

#### 12. Definitions

The following meanings are given to terms used in this Permit:

*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;

*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 Conservation and Land Management, 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;

*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;

*revegetate, revegetated and 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;;

*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.



Keith Claymore

A/Director  
Nature Conservation Division  
Department of Environment and Conservation  
Officer delegated under Section 20  
of the Environmental Protection Act 1986

4 October 2007