



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

### PERMIT DETAILS

Area Permit Number:2137 / 1

File Number:DEC2475

Duration of Permit: From 29 December 2007 to 29 December 2008

### PERMIT HOLDER

Shire of Gnowangerup

### LAND ON WHICH CLEARING IS TO BE DONE

Hart Road and Gnowangerup-Jerramungup Road Intersection, Toompup

Mindarabin Road and Gnowangerup-Jerramungup Road Intersection, Toompup

### AUTHORISED ACTIVITY

1. Clearing of up to 1.8 hectares of native vegetation within the areas hatched yellow on attached Plan 2137/1.

### CONDITIONS

1. 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) avoid the movement of soil in wet conditions;
    - (ii) ensure that no *dieback*-affected *road building materials, mulch, fill* or other material is brought into an area that is not affected by *dieback*; and
    - (iii) 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.
2. Wind Erosion control
  - (a) The Permit Holder shall retain the vegetative material removed by clearing in accordance with this Permit.
  - (b) Within one month of the completion of the road widening and associated infrastructure works the Permit Holder shall lay the vegetative material retained under condition 2(a) on exposed soil within areas cross-hatched yellow on the attached Plan 2137/1.
3. Flora Management
  - (a) Prior to undertaking any clearing within the areas in accordance with this permit the areas shall be inspected by a *flora specialist* who shall identify *Rare Flora* and *Priority Flora taxa*;
  - (b) Where *Rare Flora* or *Priority Flora taxa* are identified in relation to condition 3(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.

#### 4. 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 4(a) and 4(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 4(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 and unless the CEO has approved the *offset* proposal.
- (v) The permit holder shall implement the *offset* proposal approved under condition 4(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*.

#### 5. 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 authorised activity:
  - (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 3:
  - (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 the offsets of areas pursuant to condition 4:
  - (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).

## 6. 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 5 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

## DEFINITIONS

*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;

*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;

*offset* means an offset required to be implemented under Condition 4 of this Permit;

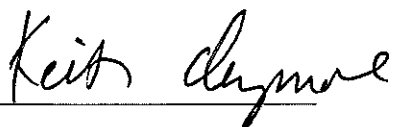
*Priority Flora taxa* means those plant taxa that described as priority flora classes 1, 2, 3 or 4 in the *Declared Rare and Priority Flora List for Western Australia*, Department of Conservation and Land Management, as amended;

*Rare Flora* means flora that is declared to be rare flora under section 23F of the *Wildlife Conservation Act 1950*;

*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*.



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

29 November 2007