



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 2259/1
Permit holder:	Shire of Broomehill
Purpose of clearing:	Road Construction
Shire:	Broomehill
Duration of permit:	11 May 2008 – 11 May 2013

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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

LOT 1 ON DIAGRAM 80128 (BROOMEHILL WEST 6318)
WANDOO ROAD RESERVE (BROOMEHILL WEST 6318)
RAILWAY RESERVE (BROOMEHILL WEST 6318)
LOT 761 ON PLAN 227511 (BROOMEHILL WEST 6318)

2. Area of Clearing

The Permit Holder must not clear more than 2.2 hectares of native vegetation within the area cross-hatched yellow on attached Plan 2259/1.

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. Type of clearing authorised

This Permit authorises the permit holder to clear native vegetation for activities to the extent that the permit holder has the power to clear native vegetation for those activities under the *Local Government Act 1995* or any other written law.

5. 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

6. 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:

- (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.

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, 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 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 *offsets* 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 required 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:

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 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;

keighery scale has the same meaning as is given to that in Keighery, B.J. (1994) *Bushland Plant Survey: A Guide to Plant Community Survey for the Community*. Wildflower Society of WA (Inc). Nedlands, Western Australia.

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

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.



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

10 April 2008