



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 2402 / 1  
File Number: DEC6916  
Duration of Permit: From 15 June 2008 to 15 June 2010

### PERMIT HOLDER

Midland Brick Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 10 On Plan 10872 (Lot No. 10 Toodyay Red Hill 6056)

### AUTHORISED ACTIVITY

Clearing of up to 1.9 hectares of native vegetation within the area cross-hatched yellow on attached Plan 2402/1.

### CONDITIONS

#### 1. Fauna Management

- (a) Prior to clearing within the areas described in Clearing Authorised above, the areas 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 2008*.
- (b) Prior to clearing, any trees identified by condition 1(a) that contain hollows suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2008* shall be inspected by a *fauna specialist*.
- (c) Prior to clearing the Permit Holder shall ensure that any fauna identified in condition 1(b) shall be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department of Environment and Conservation.

#### 2. Revegetation

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing authorised under this Permit.
- (b) Within six months of the area no longer being required for the purpose of clay extraction the Permit Holder must *revegetate* the area permitted to be cleared on attached Plan CPS 2402/1 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;
  - (iii) Laying vegetative material and topsoil retained in accordance with condition 2(a) on the area.
- (c) Within one year of undertaking *revegetation* in accordance with condition 2(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 2(c)(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 2(b)(i) and (ii).

### 3 Dieback and Weed control

- (a) When undertaking any clearing and *revegetation*, 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*, *fill* or other materials 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 and *revegetation*, 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 *mulch* or *fill* are 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.

### 4. Records to be kept

- (a) The Permit Holder must maintain the following records for activities done pursuant to this Permit in relation to the *revegetation* of areas pursuant to condition 2.
  - (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.

### 5. 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 4 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

## DEFINITIONS

*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 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;

*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;

*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.



Sarah McEvoy  
Manager  
Native Vegetation Conservation Branch

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

15 May 2008