



GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number: 2541/1
File Number: DEC7973
Duration of Permit: From 28 September 2008 to 28 September 2013

PERMIT HOLDER

Midland Brick Company Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 3 on Diagram 38894, Morangup Road, Morangup

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

Clearing for the purposes of extractive industry

CONDITIONS

1. The Permit Holder must not clear more than 1 hectare of native vegetation, within the area cross-hatched yellow on attached Plan 2541/1.
2. **Avoid, minimise etc clearing**

In determining the amount of native vegetation to be cleared for the purpose of this Permit, 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.

3. Flora Management

- (a) Prior to undertaking any clearing in accordance with this permit, the area cross-hatched yellow on attached Plan 2541/1 shall be inspected by a *flora specialist* who shall identify rare flora and *priority flora taxa*.
- (b) Where rare flora or *priority flora taxa* is 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; and
 - (iii) No clearing occurs within 10m of identified *priority flora taxa*, unless approved by the CEO.

4. 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 extractive industry the Permit Holder must *revegetate* the area permitted to be cleared on attached Plan CPS 2541/1 by:
 - (i) Laying vegetative material and topsoil retained in accordance with condition 4(a) on the area;
 - (ii) 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; and
 - (iii) Ensuring only local provenance seeds and propagating material from within 10km of the area cleared are used to *revegetate* the area.
- (c) Within one year of undertaking *revegetation* in accordance with condition 4(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 4(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 4(b)(ii) and (iii).

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 conditions 1:
 - (i) The location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
 - (ii) The date that the area was cleared; and
 - (iii) 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 name of each rare flora and *priority flora taxa* identified.
- (c) In relation to the *revegetation* of areas pursuant to condition 4.
 - (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.

6 Reporting

- (a) 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.
- (b) Prior to 28 June 2013, the permit holder must provide to the CEO a written report of records required under condition 4 where these records have not already been provided under condition 5(a).

DEFINITIONS

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

flora specialist means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora.

priority flora taxa means those plant taxa listed as Priority flora classes 1, 2, 3 or 4 in the *Declared Rare and Priority flora List for Western Australia*, Department of Environment and Conservation, as amended.

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.



Marc Wohling
A/ASSISTANT DIRECTOR
NATURE CONSERVATION DIVISION

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

28 August 2008