



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 2771/1
Permit holder:	Shire of Capel
Shire:	Shire of Capel
Duration of permit:	6 December 2008 – 6 December 2013

The permit holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of removing trees assessed by the Shire of Capel as being a safety hazard.

2. Land on which clearing is to be done

The Permit holder must not clear more than 50 native trees within the boundaries of the Shire of Capel, on land owned by or vested with the Shire of Capel.

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 native trees to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

7. Dieback and Weed management

- (a) When undertaking any clearing or other activity authorised under 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) shall not move soils in wet conditions;
 - (iii) ensure that no *dieback*-affected material is 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 authorised under 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 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.

8. Fauna Management

- (a) Prior to undertaking any clearing authorised under this Permit, the areas shall be inspected by a *fauna specialist* who shall identify trees that contain hollows suitable to be utilized as habitat by fauna listed in the Wildlife Conservation (Specially Protected Fauna) Notice August 2008;
- (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 August 2008; and
- (c) Prior to clearing, the Permit Holder shall ensure that any fauna identified by condition 8(b) shall be removed and relocated by a *fauna clearing person*, in accordance with a license issued by the Department of Environment and Conservation.

PART III – RECORD KEEPING AND REPORTING

9. Records must be kept

The Permit holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation undertaken pursuant to the purpose of clearing:
- (i) the species of trees cleared;
 - (ii) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (iii) the date that the area was cleared; and
 - (iv) the number of trees cleared.
- (b) In relation to fauna management pursuant to condition 8 of this Permit:
- (i) the location of each habitat tree identified recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (ii) the species of fauna reasonably likely to utilise, or that have been observed utilising, the trees that contain hollows; and
 - (iii) the location and date where relocated fauna was released, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings.

10. 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 9 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 6 September 2013, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

Definitions

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

dieback means the effect of *Phytophthora* species on *native vegetation*;

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, issued pursuant to the Wildlife Conservation Regulations 1970 authorising them to take fauna

weeds 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*.



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

6 November 2008