



## CLEARING PERMIT

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

<b>Purpose permit number:</b>	CPS 2852/1
<b>Permit holder:</b>	City of Albany
<b>Duration of permit:</b>	31 January 2009 – 31 January 2014

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 gravel extraction and road upgrading

**2. Land on which clearing is to be done**

LOT 4795 ON PLAN 157139 (House No. 134 WILCOX REDMOND 6327)  
LOT 4795 ON PLAN 157139 (House No. 134 WILCOX REDMOND 6327)  
WILCOX ROAD RESERVE (REDMOND 6327)  
LOT 4 ON DIAGRAM 90014 (House No. 1091 TAKENUP NAPIER 6330)  
WARRIUP ROAD RESERVE (GREEN RANGE 6328)

**3. Area of Clearing**

The permit holder must not clear more than 6.6 hectares of native vegetation within the areas hatched yellow on attached Plans 2852/1a, 2852/1b & 2852/1c.

**4. 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.

**5. 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.

**6. Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under conditions 1, 2 and 3 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

**7. Avoid, minimise etc clearing**

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

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

## 8. Fauna management – site inspection

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall identify tree(s) that contain hollows suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2008(2)*.
- (b) Prior to clearing, any habitat tree(s) 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 2008(2)*.
- (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 licence issued by the Department.

## 9. Dieback and weed control

- (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 the introduction and spread of *weeds* and *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* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
  - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) 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.

## 10. Retention, and revegetation and rehabilitation

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) Within six months of any area no longer being required for the purpose of this Permit, the Permit Holder must *revegetate* the areas by:
  - (i) deliberately laying the vegetative material and topsoil retained under condition 10(a) on the cleared area;
  - (ii) deliberately *planting* and/or *direct 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 sourced from within 30 kilometres of the area cleared are used to *revegetate* and *rehabilitate* the area.
- (c) Within twelve months of undertaking *revegetation* in accordance with condition 10(b) of this Permit, the Permit Holder must:
  - (i) determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 10(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 10(b)(ii) and (iii) of this Permit.

## **PART III - RECORD KEEPING AND REPORTING**

### **11. Records must be kept**

- (a) The Permit Holder must maintain the following records for activities done pursuant to this Permit in relation to the clearing of native vegetation authorised under this Permit:
- (i) the species composition, structure and density of the cleared area;
  - (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 size of the area cleared (in hectares).
- (b) In relation to the fauna management of areas pursuant to condition 8:
- (i) the species of fauna reasonably likely to utilise, or that have been observed utilising, the habitat/habitat tree(s); and
  - (ii) 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.
- (c) In relation to the *revegetation* of areas pursuant to condition 10:
- (i) the location of any area *revegetated* recorded using Geocentric Datum Australia 1994
  - (ii) description of the *revegetation* activities undertaken; and the size of the area *revegetated* (in hectares).

### **12. 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 11 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 31 November 2013, the Permit Holder must provide to the CEO a written report of records required under condition 11 of this Permit where these records have not already been provided under condition 12(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;

*direct seeding* means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

*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 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;

*fauna specialist* means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

*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;

***planting*** means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

***regenerate/ed/ion*** means *revegetation* that can be established from in situ seed banks contained either within the topsoil or seed-bearing *mulch*;

***rehabilitate/ed/ion*** means actively managing an area containing native vegetation in order to improve the ecological function of that area;

***revegetate/ed/ion*** means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area;

***riparian vegetation*** has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

***term*** means the duration of this Permit, including as amended or renewed;

***watercourse*** has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

***weed/s*** 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*.

***wetland/s*** means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.



Robert Atkins  
A/DEPUTY DIRECTOR GENERAL, ENVIRONMENT

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

31 December 2008