



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3053/1
Permit Holder:	Mindarie Regional Council
Duration of Permit:	30 May 2009 – 30 May 2011

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 storing scrap metal.

2. Land on which clearing is to be done

Lot 9504 on Plan 52070

3. Area of Clearing

The Permit Holder must not clear more than 0.4 hectares of native vegetation within the area shaded yellow on attached Plan 3053/1.

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. 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

6. 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:

- (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 this clearing permit:
 - (i) the species composition, structure and density of the cleared area
 - (ii) the location where the clearing occurred, recorded using a Global Positional 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 *offsets* of areas pursuant to condition 7:
- (i) the location of any area of *offsets* recorded using a Global Positional System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Nothings;
 - (ii) a description of the *offset* activities undertaken; and
 - (iii) the size of the *offset* area (in hectares).

9. 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 8 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 23 February 2011, the Permit Holder must provide to the CEO a written report of records required under condition 8 of this Permit where these records have not already been provided under condition 9(a) of this Permit.

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;

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;

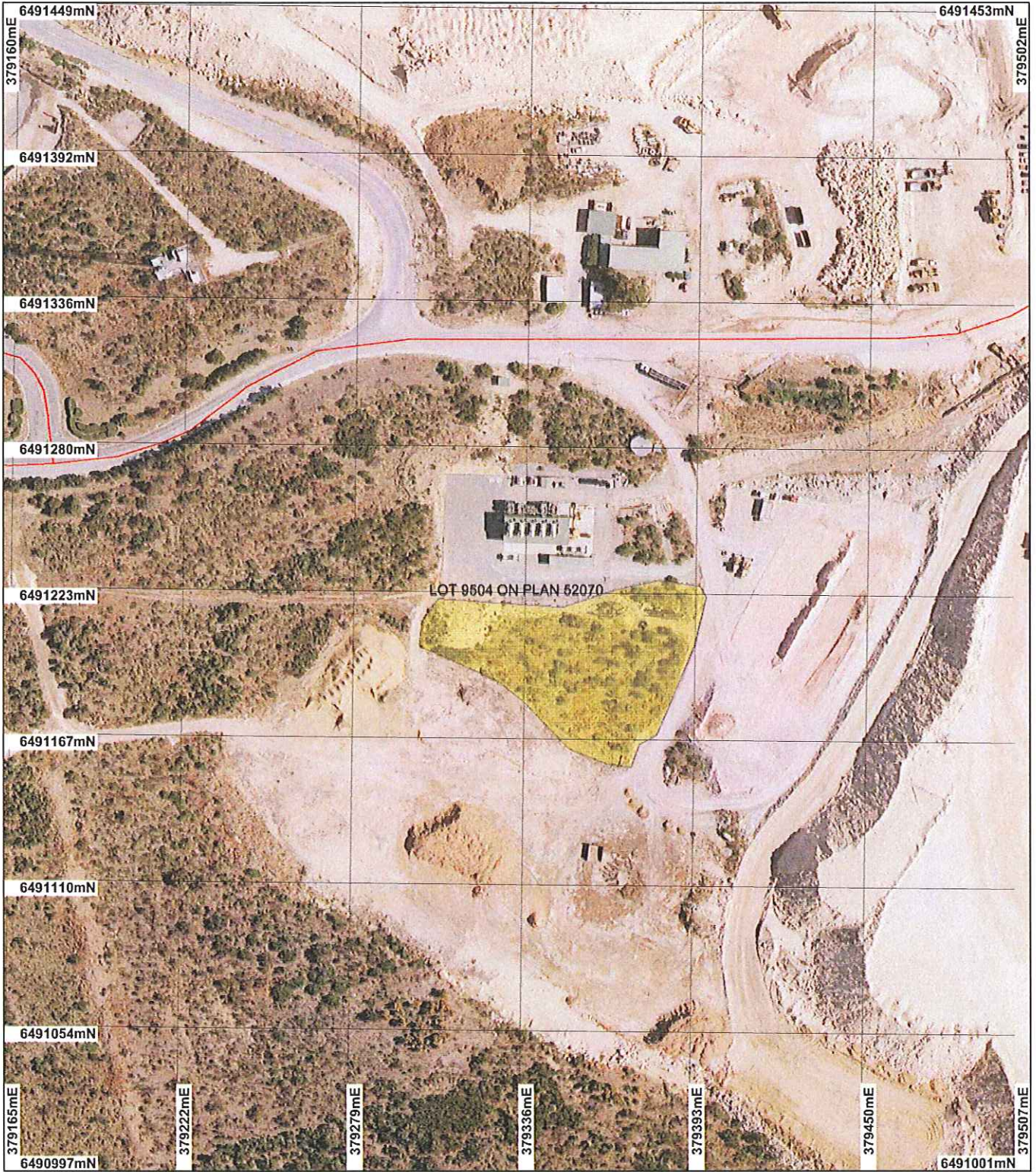


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

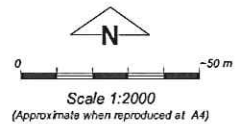
30 April 2009

Plan 3053/1



LEGEND

- Clearing Instruments
 - Cadastre for labelling
 - Areas Approved to Clear
 - Road Centrelines
- Swan Coastal Plain North
20cm Orthomosaic - Landgate
2006



Geocentric Datum Australia 1994

Note: the data in this map have not been protected. This may result in geometric distortion or measurement inaccuracies.

Date 30/4/09

K Faulkner
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 3053/1
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Mindarie Regional Council

1.3. Property details

Property: LOT 9504 ON PLAN 52070 (MARMION TAMALA PARK 6030)
 Local Government Area: City Of Wanneroo
 Colloquial name: Tamala Park Waste Disposal Facility

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.4		Mechanical Removal	Stockpile

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard Vegetation Association 949: Low woodland; banksia; 1007: Mosaic: Shrublands; Acacia lasiocarpa & Melaleuca acerosa heath / Shrublands; Acacia rostellifera & Acacia cyclops thicket (Shepherd 2007; SAC Bio Datasets 8/04/2009)	The proposal is to clear 0.4 ha of native vegetation within the Tamala Park waste disposal facility for the storage of scrap metal. The vegetation under application is described as woodland of Banksia attenuata-Banksia menziesii over Acacia species (Mindarie Regional Council, 2009).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition of the native vegetation under application was determined from aerial imagery, from a site visit conducted on the 22 April 2009 and from information provided with the application (Mindarie Regional Council, 2009).
Heddle Vegetation Complex Quindalup Complex: Coastal dune complex consisting mainly of two alliances - the strand and fore-dune alliance and the mobile and stable dune alliance. Local variations include the low closed forest of M. lanceolata - Callitris preissii and the closed scrub of Acacia rostellifera. (Heddle et al, 1980)			

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

The proposed clearing of 0.4 hectares of native vegetation is within Bush Forever Site 323 (Link from Burns Beach Bushland to Neerabup National Park) and will directly impact the conservation area through removal of native vegetation. The vegetation under application includes Banksia spp over Acacia sp in good condition, which would provide limited habitat value; and there are no waterbodies within the local area (2km radius). The assessment considered that the proposed clearing is not likely to impact any biodiversity, land degradation, or environmental water values within the local or regional context.

As the proposed clearing occurs within Bush Forever Site 323, it is considered the proposed clearing is at variance to Principle H. Given the relatively small scale of the proposed clearing and the location of the area under application immediately adjacent to infrastructure within the Tamala Park Waste Disposal Facility, the proposed clearing is not considered likely to be at variance to any other of the clearing principles. An offset condition will be placed on the permit to offset the direct loss of native vegetation within Bush Forever Site 323.

There is no RIWI Act Licence, Works Approval or EP Act Licence that affects the area under application.

Department of Planning and Infrastructure (DPI, 2009) advised that the area under application is within Bush Forever area 323 and recommends that an offset is proposed to minimise impacts on this Bush Forever site.

Development approval from WA Planning Commission is outstanding for this proposal.

City of Wanneroo (2009) advised that the City has no objections for the proposed clearing of 0.4 hectares.

The area under application is located within Lot 9504, which is freehold land; and is zoned Public Purposes (Special Uses) under the Metropolitan Regional Scheme.

Methodology References:
- DPI (2009)
- City of Wanneroo (2009)
GIS databases:
- Cadastre
- Clearing Regulations - Environmentally Sensitive Areas
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain
- Swan Coastal Plain North 20cm Orthomosaic - Landgate 2006
- SAC Bio Datasets 2/04/09
- Metropolitan Regional Scheme

4. Assessor's comments

Comment

The assessable criteria have been addressed and the proposed clearing may be at variance to Principle H.

5. References

City of Wanneroo (2009) Direct interest submission, City of Wanneroo. TRIM Ref DOC82421

DPI (2009) Direct interest submission, Department of Planning and Infrastructure. Trim Ref DOC81917

Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Mindarie Regional Council (2009) Further information provided, Draft Management Procedures 22/03/2009, including information on vegetation quality survey undertaken in October 2007. TRIM Ref DOC81031

Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)