



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3081/3

File Number: DEC11089

Duration of Permit: From 6 September 2009 to 6 September 2021

PERMIT HOLDER

Carbone Bros Pty Ltd on behalf of Ilario Maiolo

LAND ON WHICH CLEARING IS TO BE DONE

Lot 5397 on Deposited Plan 215971

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 5 hectares of native vegetation and 33 trees, within the areas hatched yellow on attached Plan 3081/3(a).

CONDITIONS

1. Type of clearing authorised

- (a) The Permit Holder shall not clear any native vegetation after 6 September 2016
- (b) The Permit Holder shall not clear native vegetation unless gravel extraction activities are enacted within 6 months of the clearing being undertaken

2. Dieback and weed control

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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) shall not move soils in wet conditions;
- (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

3. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) 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 3 months following the completion of extractive activities, *revegetate* and *rehabilitate* the area(s) hatched red on attached Plan 3081/3(b) by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) ripping the pit floor and contour batters within the extraction site; and
 - (iv) laying the vegetative material and topsoil retained under condition 3(a) on the cleared area(s) that are no longer required for the purpose for which they were cleared under this Permit; and

- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 3(b) of this Permit:
 - (i) engage an *environmental specialist* to 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 3(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 3(b)(v) and (vi) of this Permit.
- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 3(c)(ii) of this permit, the Permit Holder shall repeat condition 3(c)(i) and 3(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 3(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 3(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 3(c)(ii).

4. Vegetation management

Prior to January 2018, the Permit Holder shall construct a fence to exclude all classes of livestock from the *revegetation area*.

5. Records to 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 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 *revegetation* and *rehabilitation* of areas pursuant to condition 3 of this Permit:
 - (i) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
 - (v) a copy of the environmental specialist's report.

6. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
 - (i) of records required under condition 5 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 6 June 2021, the Permit Holder must provide to the CEO a written report of records required under condition 5 of this Permit where these records have not already been provided under condition 6(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;

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;

revegetation area means the area hatched red on attached Plan 3081/3(b)

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

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in the former Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.



James Widenbar
MANAGER
CLEARING REGULATION

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

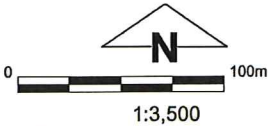
24 August 2017

Plan 3081/3(a)



Legend

- Roads
- Imagery
- Clearing Instruments Activities
- Local Government Authority
- Cadastre



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)
Geocentric Datum of Australia 1994


Twidz Date *24/8/17*

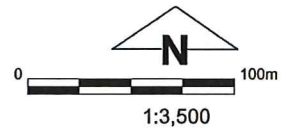
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Plan 3081/3(b)



Legend

-  Roads
-  Imagery
-  Local Government Authority
-  Clearing Instruments Conditions
-  Cadastre



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)
Geocentric Datum of Australia 1994

[Signature] Date 24/8/17

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1. Application details

1.1. Permit application details

Permit application No.: 3081/3
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Carbone Bros Pty Ltd on behalf of Ilario Maiolo

1.3. Property details

Property: LOT 5397 ON PLAN 215971 (UPPER CAPEL 6239)
Local Government: DONNYBROOK-BALINGUP, SHIRE OF
Authority:
DER Region: Greater Swan
DPaW District: BLACKWOOD
Localities: UPPER CAPEL

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
5	33	Mechanical Removal	Extractive industry

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 03 August 2017
Reasons for Decision: This amendment has been made to meet a request by the Permit Holder to allow for 4.47 hectares of the five hectares area required to be revegetated, following gravel extraction, to be used as pasture. The revegetation of the 4.47 hectares area is not required to minimise or abate potential environmental impacts.

Fencing conditions will be required to prevent stock entering and degrading the revegetation area.

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
The application area is mapped as: Beard Vegetation Association 1017 which is described as medium open woodland; jarrah & marri, with low woodland; banksia (Shepherd et al., 2001), Rosa (RO) consisting of woodland to open forest of <i>Corymbia calophylla</i> - <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Xylomelum occidentale</i> on slopes and tall shrubland of <i>Agonis linearifolia</i> in valley floors in the humid zone (Government of Western Australia, 2017), Kingia (KL) consisting of open forest of <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Corymbia calophylla</i> - <i>Allocasuarina fraseriana</i> - <i>Banksia grandis</i> - <i>Xylomelum occidentale</i> on lateritic uplands in perhumid and humid zones (Government of Western Australia, 2017).	The amended application is to allow for 4.47 hectares of the five hectares area required to be revegetated, following gravel extraction, to be used as pasture.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation under application is subject to grazing disturbance which has resulted in no native understorey and limited native mid storey vegetation remaining. The condition of the vegetation was determined through a site inspection (DEC, 2013).

3. Assessment of application against clearing principles

Comments: This amendment has been made to allow for 4.47 hectares of the five hectares area required to be revegetated, following gravel extraction, to be used as pasture.

The assessment against the clearing principles has not changed and can be found in Decision Report CPS 3081/1.

Planning instruments and other relevant matters.

Comments The assessment against planning and other matters has not changed and can be found in Decision Report CPS 3081/1.

4. References

- DEC (2013) Site Inspection Report for Clearing Permit Application CPS 3081/1. Site inspection undertaken 18 April 2013. Department of Environment and Conservation, Western Australia (DEC Ref A623536).
- Government of Western Australia. (2017) South West Vegetation Complex Statistics.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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.