



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 4154/3
File Number: 2011/000059-1
Duration of Permit: From 29 March 2013 to 29 March 2023

PERMIT HOLDER

Carbone Bros. Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 677 on Deposited Plan 250876, Stratham
Lot 679 on Deposited Plan 251576, Stratham

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 5.4 hectares of native vegetation within the area cross hatched yellow on attached Plan 4154/3.

CONDITIONS

1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 29 March 2018.

2. 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.

3. Wind erosion management

The Permit Holder shall not clear native vegetation unless extractive industry activities commence within 3 months of the clearing being undertaken.

4. 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 only move soils in *dry 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.

5. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall identify *habitat trees* that have potential to be utilised by Carnaby's Cockatoo (*Calyptorhynchus latirostris*), Baudin's Cockatoo (*Calyptorhynchus baudinii*), Forest Red-tailed black cockatoo (*Calyptorhynchus banksii naso*) or Western Ringtail Possum (*Pseudocheirus occidentalis*).
- (b) Prior to clearing, any *habitat tree(s)* identified by condition 5(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in condition 5(a).
- (c) Where fauna are identified in relation to condition 5(b) of this Permit, the Permit Holder shall ensure that no taking of identified fauna occurs unless approved by the CEO.

6. Revegetation and Rehabilitation – Mitigation and Offsets

The Permit Holder must implement and adhere to the "Lots 677 and 679 and 679 and 679 Calinup Road, Gelorup: Rehabilitation Plan, v2 September 2012" approved by the CEO on 16 October 2012.

7. Native vegetation conservation (conservation covenant)

- (a) In respect to the area hatched red on attached Plan 4154/3, the Permit Holder shall enter into a conservation covenant to establish and maintain vegetation.
- (b) The conservation covenant to establish and maintain vegetation shall include, but not be limited to, the following conditions:
 - (i) native vegetation in the area subject to the conservation covenant must not be cleared, other than for clearing required under the *Bush Fires Act 1954* and for boundary fence lines;
 - (ii) the land subject to the conservation covenant shall not be used for the purpose of cultivation of crops or pasture, or for the de-pasturing of any stock; and
 - (iii) the conservation covenant is to apply in perpetuity and be registered on the Certificate of Title of the property;
- (c) The Permit Holder is to execute and return the conservation covenant outlined in condition 7(a) of this permit prior to 30 June 2013.

8. 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 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 or decimal degrees;
 - (iii) the date that the area was cleared.
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to the fauna management of areas pursuant to condition 5 of this Permit, the location of any habitat tree, 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.
- (c) In relation to the revegetation and rehabilitation of areas pursuant to condition 6 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;
 - (ii) a description of the revegetation and rehabilitation activities undertaken;
 - (iii) the size of the area revegetated and rehabilitated (in hectares); and
 - (iv) the species composition, structure and density of revegetation and rehabilitation.

9. 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 8 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 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 calendar 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 29 December 2022, 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:

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

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

fauna specialist means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

fill means material used to increase the ground level, or fill a hollow;

habitat tree(s) means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater, that contains or has the potential to develop hollows or roosts suitable for native fauna;

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;

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 a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

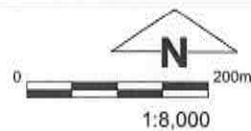
3 September 2015

Plan 4154/3



Legend

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



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

M Warnock Date *3/9/15*
M Warnock

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





1. Application details

1.1. Permit application details

Permit application No.: 4154/3
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Amando and Antonio Carbone Carbone Bros Pty Ltd

1.3. Property details

Property: Lot 679 on Deposited Plan 251576 (Stratham)
Lot 677 on Deposited Plan 250876 (Stratham)
Local Government Area: Shire of Capel

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
5.4		Mechanical Removal	Extractive Industry

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 3 September 2015

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 associations 6 is described as medium woodland; tuart and jarrah (Shepherd et al, 2001).	The application is to clear 5.4 hectares of native vegetation within Lot 679 on Deposited Plan 251576 and Lot 677 on Deposited Plan 250876 for sand extraction.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994).	Vegetation condition was determined from aerial imagery and noted in the applicant's consultant's report (Bennett Environmental Consultancy, 2010).
Hedde vegetation association Karrakatta complex - central and south is comprised of predominantly open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) - Corymbia calophylla (Marri) and woodland of Eucalyptus marginata (Jarrah) - Banksia species (Hedde et al, 1980).		To Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994).	

3. Assessment of application against clearing principles

Comments This amendment has been made in order to correct administrative errors noted in CPS 4154/2, remove redundant conditions and align the permit with current practices.

The assessment against the clearing principles has not changed and can be found in Clearing Permit Decision Report CPS 4154/2.

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments The assessment against planning instruments and other matters has not changed and can be found in Clearing Permit Decision Report CPS 4154/2.

4. References

- Bennett Environmental Consultancy Pty Ltd (2010), Flora and Vegetation of Lots 677 and 679 Calinup road, gelorup Hill for clearing permit application CPS 4154/1
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.

Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.