



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4632/2
Permit Holder:	Shire of Esperance
Duration of Permit:	5 December 2011 to 5 December 2023

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.

2. Land on which clearing is to be done

Lot 1097 on Deposited Plan 211393 (Cascade 6450)
Oldfield Location 1168, Reserve 31750 (Cascade 6450)
Oldfield Location 1250, Reserve 31751 (East Munglinup)
Unallocated Crown land (Cascade 6450)
River Road reserve (Cascade 6450)

3. Area of Clearing

The Permit Holder shall not clear more than 20.15 hectares of native vegetation within the combined areas cross-hatched yellow on attached Plan 4632/2a, Plan 4632/2b, Plan 4632/2c, Plan 4632/2d and Plan 4632/2e.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 5 December 2018.

5. 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.

6. 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.

7. 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

8. 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.

9. Flora management

(a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to inspect the area cross-hatched red on Plan 4632/2f, for the presence of priority flora listed below:

- (i) *Conostephium* sp. Cascade (R. Bruhn 24/899 CAS) (Priority 1)
- (ii) *Astroloma* sp. Grass Patch (Priority 2).

(b) Where *priority flora* are identified in relation to condition 9(a) of this Permit, the Permit Holder shall ensure that:

- (i) no clearing of identified *priority flora* occurs; and
- (ii) no clearing occurs within 10 metres of identified *priority flora*, unless approved by the CEO.

10. 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 completion of extractive activities, *revegetate* and *rehabilitate* the areas cross-hatched yellow on attached Plan 4632/2a, Plan 4632/2b, Plan 4632/2c, Plan 4632/2d and Plan 4632/2e 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 pit floor and contour batters within the extraction site; and
 - (iii) laying the vegetative material and topsoil retained under condition 10(a) on the cleared area(s);
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 10(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 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, *revegetate* the area by 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 ensuring only *local provenance* seeds and propagating material are used;
- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 10(c)(ii) of this permit, the Permit Holder shall repeat condition 10(c)(i) and 10(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation; and

- (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 10(c)(i) and 10(c)(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 10(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 10(c)(ii).

PART III - RECORD KEEPING AND REPORTING

11. 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; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to flora management pursuant to condition 9 of this Permit:
- (i) the location of each *Conostephium sp. Cascade* (R. Bruhn 24/899 CAS) and/or *Astroloma sp. Grass Patch* 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 copy of the botanists flora survey report.
- (c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 10 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*.

12. 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 9 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) Prior to 5 September 2023, 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;

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

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

local provenance means native vegetation seeds and propagating material from natural sources within 20 kilometres of the area cleared.

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;

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 natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

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 *Agriculture and Related Resources Protection Act 1976*.



Emma Bramwell
A/ MANAGER
CLEARING REGULATION




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

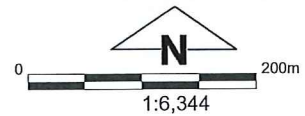
6 September 2017

Plan 4632/2 a



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E Bramwell Date *06/09/17*
E BRAMWELL






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Plan 4632/2b



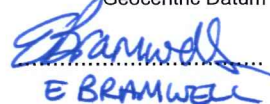
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-  Roads
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-  Clearing Instruments Activities



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Geocentric Datum of Australia 1994

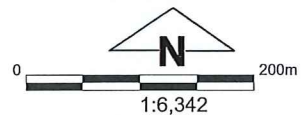
 Date 06/09/17
E BRAMWELL

Plan 4632/2 c



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E Bramwell Date 06/09/17
E BRAMWELL

Plan 4632/2d



Legend

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

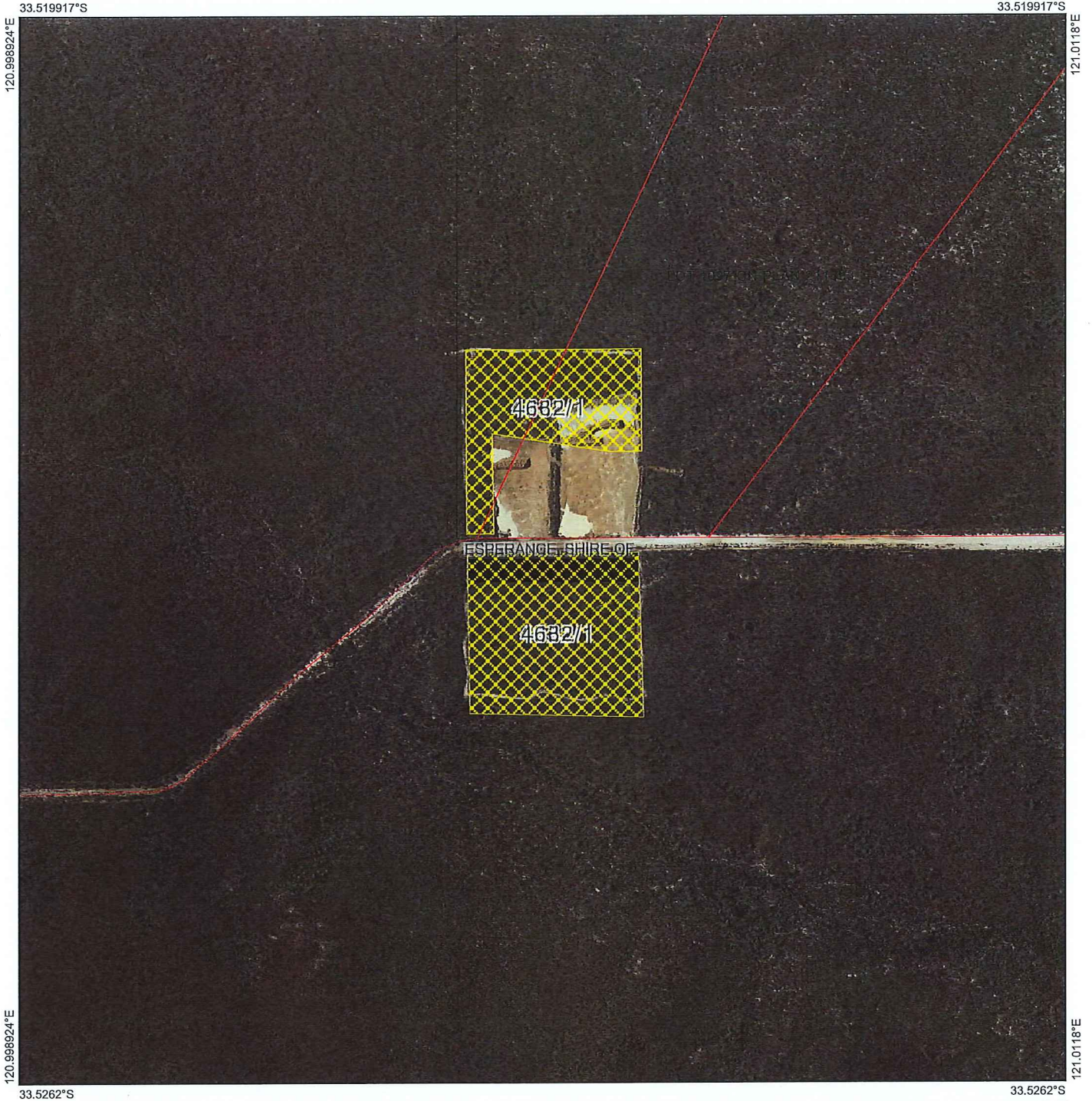


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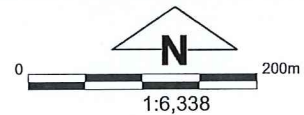
E Bramwell Date *06/09/17*
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Plan 4632/2 e



Legend

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



(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E Bramwell
Date *06/09/17*
E BRAMWELL



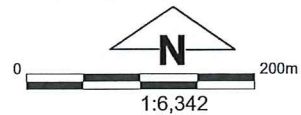
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Plan 4632/2 f



Legend

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



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E Bramwell Date *06/09/17*
E BRAMWELL



1. Permit details

1.1. Permit

Permit no.: 4632/2
Permit Holder: Shire of Esperance
Permit type: Purpose Permit

1.2. Property

Property: OLDFIELD LOCATION 1168 (CASCADE 6450)
UNALLOCATED CROWN LAND (CASCADE 6450)
LOT 1097 ON PLAN 211393 (CASCADE 6450)
OLDFIELD LOCATION 1250 (EAST MUNGLINUP 6450)
ROAD RESERVE (CASCADE 6450)

Local Government Authority: Shire of Esperance
Colloquial name: River Road reserve

1.3. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category
20.15		Mechanical Removal	Extractive Industry

1.4. Decision on application

Decision: Final amendment
Decision Date: 6 September 2017
Reasons for Decision: Clearing Permit CPS 4632/2 has been amended to extend the clearing date to 5 December 2018, and the date of permit expiry to 5 December 2023. The amendment was assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*. The Delegated Officer determined that the assessment has not changed since the assessment of application CPS 4632/1.

2. Site information

Vegetation Description The application area is mapped as the following Beard vegetation associations (Shepherd, 2009):

- 47: Shrublands; tallrack mallee-heath
- 519: Shrublands; mallee scrub, *Eucalyptus eremophila*; and
- 512: Shrublands; mallee scrub, *Eucalyptus eremophila* & Forrest's marlock (*E. forrestiana*).

Clearing Description The Shire of Esperance is proposing to clear 20.15 hectares of native vegetation over six sites within the localities of Cascade and East Munglinup.

Vegetation Condition Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994); to Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994).

Comment The condition of the vegetation was determined via digital imagery (Oldfield 50cm Orthomosaic - Landgate 2007, Northover 50cm Orthomosaic - Landgate 2008 and Lort 1.4m Orthomosaic - Landgate 2003).

Assessment of application

Clearing principles.

Clearing Permit CPS 4632/2 has been amended to extend the clearing date to 5 December 2018. In addition, the date of permit expiry has been extended to 5 December 2023 to facilitate the establishment of revegetation as required by condition 10. The assessment against the clearing principles has not changed since the assessment of application CPS 4632/1 and can be found in the Clearing Permit Decision Report for CPS 4632/1.

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

The assessment against planning instruments and other matters has not changed since the assessment of application CPS 4632/1 and can be found in the Clearing Permit Decision Report for CPS 4632/1.

3. References

- 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. (2009) 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.