



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 476/1
Permit holder:	Shire of Denmark
Purpose of clearing:	Road upgrades
Shire:	Denmark
Duration of permit:	8 October 2006 – 8 October 2011

TABLE OF CONTENTS

1. LAND ON WHICH CLEARING IS TO BE DONE.....	2
2. AREA OF CLEARING	3
3. CLEARING NOT AUTHORISED.....	3
4. APPLICATION	3
5. COMPLIANCE WITH ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES	3
6. AVOID, MINIMISE ETC CLEARING.....	3
7. DIEBACK AND WEED CONTROL.....	4
8. FAUNA MANAGEMENT	4
9. AVOIDANCE OF WATERCOURSES	4
10. AVOIDANCE OF PEAT SWAMPS	4
11. AVOIDANCE OF RIPARIAN VEGETATION	4
12. RECORDS MUST BE KEPT	5
13. REPORTING.....	5
14. DEFINITIONS.....	5

Purpose permit number:	CPS 476/1
Permit holder:	Shire of Denmark
Purpose of clearing:	Road upgrades
Shire:	Denmark
Duration of permit:	8 October 2006 – 8 October 2011

The permit holder is authorised to clear native vegetation for the above stated purposes, subject to the conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Land on which clearing is to be done

- (1) Adams Road (0.01 ha)
- (2) Flay Street (0.01ha)
- (3) Morgan Road (0.01ha)
- (4) Bambrey Street (0.01ha)
- (5) Grant Street (0.01ha)
- (6) Poddysht Place (0.09ha)
- (7) Valley of the Giants Road between western end from South Coast Hwy to junction Hazel Vale road. Also 1km at eastern end. (0.3ha)
- (8) Nornalup-Tindale Rd between South Coast Hwy to 8.3 km north (junction with nameless road) (1ha)
- (9) Scotsdale Road between town to Mt McLeod Road (2ha)
- (10) Harewood Road between Scotsdale Road to Barnes Road (0.1ha)
- (11) Mt Lindsay Rd between Scotsdale Road and Richmond Road (0.5 ha)
- (12) Lights Road between Burke Place and Lights Beach Road (0.1ha)
- (13) Board Road, north of Denmark –Nornalup rail trail for 2.3 km (0.3ha)
- (14) Kordabup Road between South Coast Hwy to start of Fernley Road (0.5ha)
- (15) Turner Road between Mt Shadforth Road and Glenrowan Road (0.5ha)
- (16) Walter Road between Glenrowan Road to Scotsdale Road (0.5ha)
- (17) Glenrowan Road between Roberts Road to Walter Road (0.3ha)
- (18) Roberts Road between Glenrowan Road and Scotsdale Road (0.3ha)

- (19) Nekel Road between Osborne Road and Roberts Road (0.3ha)
- (20) Osborne Road between Roberts Road and McLeod Road (0.3ha)
- (21) Sunnyglen Road - South Coast Hwy north until end 7.5km (0.1ha)
- (22) Parker Road between South Coast Hwy and Scotsdale Road (2ha)
- (23) Fernley Road end of Kordabup Road to River Road (2ha)
- (24) Kernutts Road from Denmark-Mt Barker Road for 2.3 km (0.3ha)
- (25) Mt McLeod Road from South Coastal Hwy to Scotdale Road (1.2ha)
- (26) Mt Shadforth Road between McLeod Road and Turner Road (1.9ha)

2. Area of Clearing

The permit holder must not clear more than 15 hectares of *native vegetation*.

3. Clearing not authorised

The Permit Holder shall not clear:

- *Eucalyptus brevistylis* (Rates Tingle)
- *Eucalyptus guilfoylei* (Yellow Tingle)
- *Eucalyptus jacksonii* (Red Tingle)
- *Eucalyptus virginia* within area 1(26)
- Native vegetation on the south side of Kernutts Road as described under condition 1(24).

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 and 2 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

- (a) In determining the amount of native vegetation to be cleared for the purposes of road upgrades 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.

7. Dieback and weed control

- (a) When undertaking any *clearing*, the Permit Holder must take the following steps to minimise the risk of introduction and spread of *dieback*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) avoid the movement of soil in wet conditions;
 - (iii) ensure that no *dieback*-affected *road building materials*, *mulches* or *fill* are brought into an area that is not affected by *dieback*; and
 - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) When undertaking any *clearing* or other activity pursuant to this Permit the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) ensure that no *weed*-affected *road building materials*, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (c) 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.

8. Fauna management

- (a) Prior to clearing areas described in condition 1(7), (15) and (16), the areas containing mature trees, shall be inspected by a *fauna specialist* who shall identify trees that contain hollows suitable to be utilised as habitat by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice 2005*, including, but not limited to:
 - (i) *Calyptorhynchus latirostris* (Carnaby's Black-Cockatoo); and
 - (ii) *Calyptorhynchus banksii naso* (Forest Red-tailed Black-Cockatoo).
- (b) The Permit Holder shall ensure that any fauna identified in condition 8(a) shall only be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department of Environment and Conservation.

9. Avoidance of Watercourses

The permit holder shall not clear within 30 metres of a *watercourse* for the area described in condition 1(7).

10. Avoidance of Peat Swamps

The permit holder shall not clear within 30 metres of a *peat swamp* for areas described in condition 1(7) and (8).

11. Avoidance of Riparian Vegetation

The permit holder shall not clear within 30 metres of *riparian vegetation* for areas described in condition 1(9), (13), (15), (22), and (23).

PART V – RECORD KEEPING AND REPORTING

12. 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 conditions 1 and 2:
 - (i) the location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).
- (b) in relation to fauna management:
 - (i) the location of each habitat tree identified recorded using Geocentric Datum Australia 1994;
 - (ii) the species of each habitat tree identified;
 - (iii) the species of fauna reasonably likely to utilise, or that have been observed utilising the habitat trees;
 - (iv) the species and number of each species relocated; and
 - (v) the location and date where relocated fauna was released, using Geocentric Datum Australia 1994.

13. Reporting

The Permit Holder must provide to the *CEO*, on or before 30 June of each year, a written report of records requested under condition 12 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

14. Definitions

The following meanings are given to terms used in this Permit:

CEO means the Chief Executive Officer of the Department of Environment;

clearing has the meaning given to it in section 51A of the *Environmental Protection Act 1986*;

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

EP Act means the *Environmental Protection Act 1986*;

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

fauna clearing person means a person who has obtained a licence from the Department of Conservation and Land Management, issued pursuant to the *Wildlife Conservation Regulations 1970* (as amended) authorising them to take fauna in order to carry out the approved clearing associated with 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;

native vegetation has the meaning given to it in sections 3 and 51A of the *Environmental Protection Act 1986* and regulation 4 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*;

peat swamp an area of undrained land which supports wet, spongy vegetation consisting mainly of mosses, sedges, and rushes, and some grasses.

riparian vegetation means the distinctive vegetation associated with a wetland or watercourse;

road building materials means rock, gravel, soil, stone, timber, boulders and water;

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

watercourse has the same meaning as it has in the *Rights in Water and Irrigation Act 1914*.

weed 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.



Fred Tromp

Director, Natural Resource Management, Department of Environment and Conservation.
Officer delegated under Section 20
of the Environmental Protection Act 1986

8 September 2006