



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5258/2

File Number: 2011/006844-1

Duration of Permit: From 16 November 2012 to 16 November 2025

PERMIT HOLDER

Shire of Esperance

LAND ON WHICH CLEARING IS TO BE DONE

Lot 74 on Plan 207405 (Reserve 26324), Neridup.

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 4.04 hectares of native vegetation within the area cross-hatched yellow on attached Plan 5258/2.

CONDITIONS

1. Period in which clearing is authorised

- (a) The Permit Holder shall not clear more than 2 hectares of native vegetation within a 12 month period.
- (b) The Permit Holder shall not clear native vegetation unless actively mining within 3 months of the authorised clearing being undertaken.
- (c) The Permit Holder shall not clear any native vegetation after 16 November 2020.

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. 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) 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.

4. Flora management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to inspect that area for the presence of *priority flora*.
- (b) Where *priority flora* are identified in relation to condition 4(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing of identified *priority flora* occurs, unless approved by the CEO; and
 - (ii) no clearing occurs within 20 metres of identified *priority flora*, unless approved by the CEO.

5. 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 area shaded yellow on attached Plan 5258/2 by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) laying the vegetative material and topsoil retained under condition 5(a) on the cleared area.
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 5(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 5(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 5(c)(ii) of this permit, the Permit Holder shall repeat condition 5(c)(i) and 5(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 5(c)(i) and 5(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 5(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 5(c)(ii).

PART III - RECORD KEEPING AND REPORTING

6. 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;
 - (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 4 of this Permit:
 - (i) the location of each *priority flora* 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) the species name of each *priority flora* identified; and
 - (iii) a copy of the botanists flora survey report.
- (c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 5 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.

7. 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 6 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding calendar 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 16 August 2025, the Permit Holder must provide to the CEO a written report of records required under condition 6 of this Permit where these records have not already been provided under condition 7(a) of this Permit.

DEFINITIONS

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

botanist: means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable botanist for the bioregion;

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;

environmental specialist: means a person 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, or who is approved by the CEO as a suitable environmental specialist;

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 30 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion 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;

priority flora means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Parks and Wildlife's Threatened and Priority Flora List for Western Australia* (as amended);

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) 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 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; 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 a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Simon Weighell
A/SENIOR MANAGER
CLEARING REGULATION

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

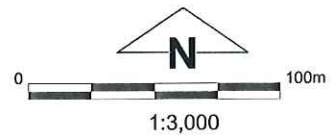
13 June 2016

Plan 5258/2



Legend

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



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

Geocentric Datum of Australia 1994

S. Weighell Date *13/6/16*
Simon Weighell

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



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1. Application details

1.1. Permit application details

Permit application No.: 5258/2
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Shire of Esperance

1.3. Property details

Property: LOT 74 ON PLAN 207405 (RESERVE 26324), NERIDUP
Local Government Authority: ESPERANCE, SHIRE OF
DER Region: GOLDFIELDS
DPaW District: ESPERANCE
Localities: NERIDUP

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 13 June 2016

2. Site Information

2.1. Existing environment and information

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Mapped Beard vegetation association 6048 is described as shrublands; banksia scrub-heath on Sandplain in the Esperance Plains Region (Shepherd et al. 2001).	Clearing of 4.04 hectares of native vegetation within Lot 74 on Plan 207405 (Reserve 26324), Neridup, for the purpose of base course material extraction.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery 1994). To Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).	The vegetation description and condition were determined through aerial imagery.

3. Assessment of application against clearing principles

Comments The applicant has applied to amend Clearing Permit CPS 5258/1, requesting to extend the clearing period until November 2020. A review of current environmental information reveals no new additional information. Therefore the assessment against the clearing principles has not changed and can be found in Clearing Permit Decision Report CPS 5258/1.

Planning instruments and other relevant matters.

Comments The assessment against planning and other matters has not changed and can be found in Clearing Permit Decision Report CPS 5258/1.

4. 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., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.