



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5394/4
Permit Holder:	Bunbury Harvey Regional Council
Duration of Permit:	16 November 2013 – 16 November 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 daily cover for a rubbish disposal site and rehabilitation.

2. Land on which clearing is to be done

Lot 45 on Plan 17161, Wellesley.

3. Area of Clearing

The Permit Holder must not clear more than 6 hectares of native vegetation within the area cross-hatched yellow on attached Plan 5394/4.

4. Type of clearing authorised

The Permit Holder shall not clear any native vegetation after 16 November 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.

PART II – MANAGEMENT CONDITIONS

6. Native vegetation conservation (conservation covenant)

- (a) In respect to the area cross-hatched red on attached Plan 5394/4, the Permit Holder shall enter into a conservation covenant, agreement to reserve or some other form of binding undertaking to maintain native vegetation.
- (b) The conservation covenant, agreement to reserve or some other form of binding undertaking to maintain native vegetation shall include, but not be limited to, the following conditions:
 - (i) native vegetation in the area subject to the conservation covenant, agreement to reserve or some other form of binding undertaking to maintain native vegetation must not be cleared, other than for clearing required under the *Bush Fires Act 1954*;
 - (ii) the land subject to the conservation covenant, agreement to reserve or some other form of binding undertaking to maintain native vegetation shall not be used for the purpose of cultivation of crops or pasture; and
 - (iii) the conservation covenant, agreement to reserve or some other form of binding undertaking to maintain native vegetation 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, agreement to reserve or some other form of binding undertaking outlined in condition 6(a) of this permit before 30 June 2018.

7. 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;
- (d) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is laid on areas of *comparable soil disease status*; and
- (e) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

8. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the topsoil removed by clearing authorised under this Permit and stockpile the topsoil in an area that has already been cleared.
- (b) within 3 months following completion of the extraction of cover material, *revegetate* and *rehabilitate* the areas that are no longer required for the purpose for which they were cleared under this Permit 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 topsoil retained under condition 8(a) on the cleared area(s).
- (c) within 24 months of laying the topsoil on the cleared area in accordance with condition 8(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 8(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 8(c)(ii) of this permit, the Permit Holder shall repeat condition 8(c)(i) and 8(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 8(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 8(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 8(c)(ii).

PART III – RECORD KEEPING AND REPORTING

9. 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 or decimal degrees;

- (iii) the date that the area was cleared;
- (iv) the size of the area cleared (in hectares); and
- (b) In relation to the revegetation and rehabilitation of areas pursuant to condition 8 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; and
 - (iii) the size of the area revegetated and rehabilitated (in hectares).

10. 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 to 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, 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 2023, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

DEFINITIONS

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

comparable soil disease status means soils types that are either infested, not infested, uninterpretable or not interpreted;

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 20 kilometres and within 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;

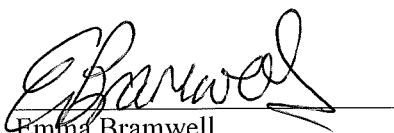
regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

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;

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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Emma Bramwell

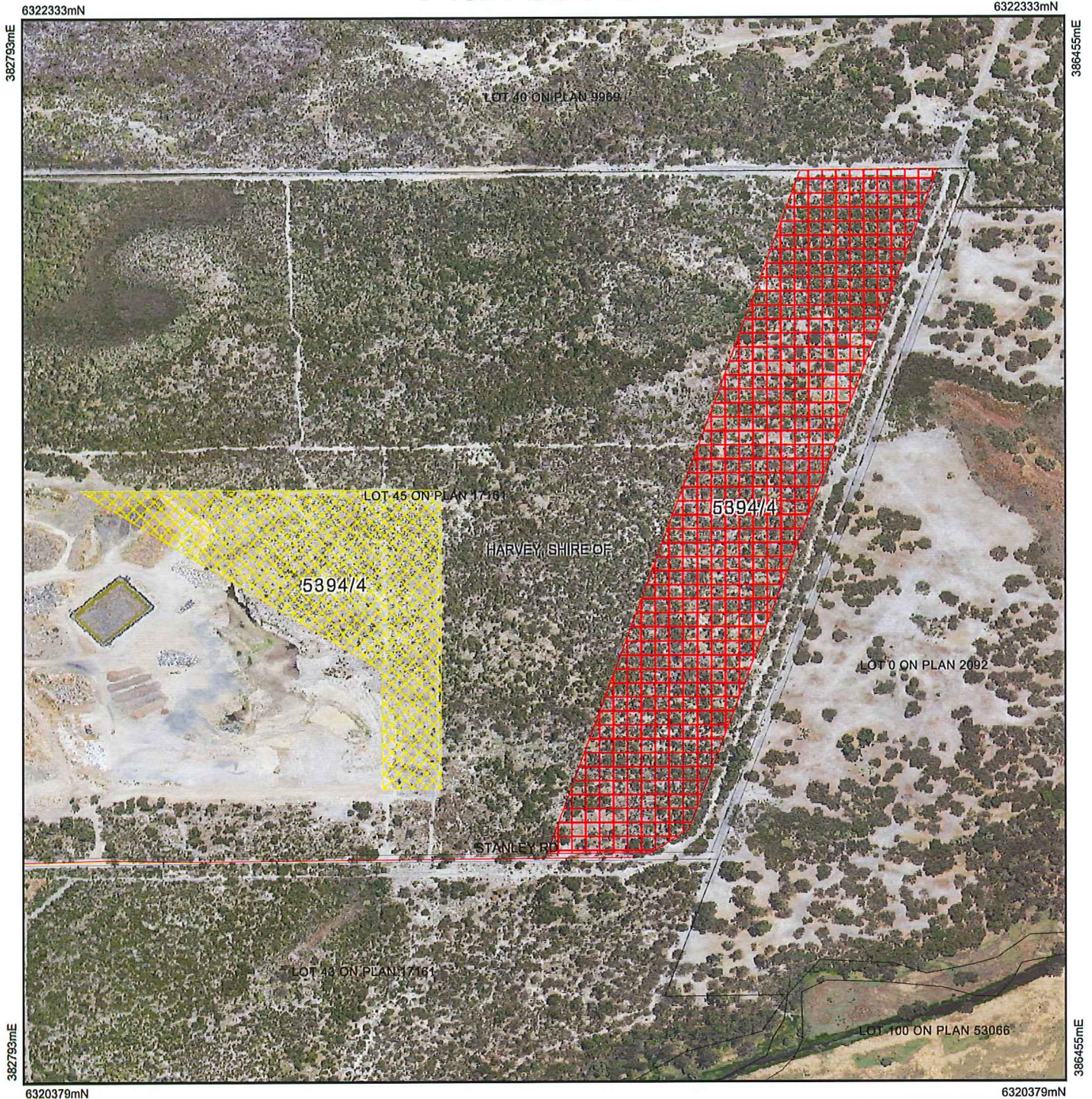
A/ MANAGER

CLEARING REGULATION






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

27 November 2017

Plan 5394/4



Legend

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



1:7,000

(Approximate when reproduced at A4)

UTM Zone 50S

World Geodetic System 1984

E. Bramwell Date *27/11/17*
E BRAMWELL

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



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 WESTERN AUSTRALIA
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1. Permit details

1.1. Permit

Permit no.: 5394/4
Permit Holder: Bunbury Harvey Regional Council
Permit type: Purpose Permit

1.2. Property

Property: LOT 45 ON PLAN 17161 WELLESLEY
Local Government Authority: Shire of Harvey
Colloquial name: Stanley Road landfill

1.3. Application

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

1.4. Decision on application

Decision: Final amendment
Decision Date: 27 November 2017
Reasons for Decision: Clearing Permit CPS 5394/3 has been amended to extend the date by which the requirement of condition 6(c) is to be met to 30 June 2018, to enable a conservation covenant to be registered. 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 5394/1.

2. Site information

Vegetation Description Heddle Vegetation Complex: Bassendean (Central and South) - Vegetation ranges from woodland of *Eucalyptus marginata* (jarrah) - *Allocasuarina fraseriana* (sheoak) - *Banksia* species to low woodland of *Melaleuca* species, and sedgelands on the moister sites. This area includes the transition of jarrah to *Eucalyptus totdtiana* (pricklybark) in the vicinity of Perth (Heddle et al. 1980).

Clearing Description Clearing of up to six hectares of native vegetation for the purpose of daily cover for rubbish disposal and rehabilitation.

Vegetation Condition Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994).
To
Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).

Comment Vegetation condition was determined through aerial imagery and a site inspection (DEC 2013).

The vegetation within the application area consists of a *Eucalyptus marginata* and *Corymbia calophylla* overstorey with *Banksia attenuata*, *B. ilicifolia* and in some areas *Xylomelum occidentale* and *Agonis flexuosa* (DEC 2013).

The dominant understorey species is *Kunzea glabrescens*, with groundcover species including *Xanthorrhoea brunonis*, *Leucopogon nutans*, *Macrozamia riedlei*, *Dasyogon bromeliifolius*, *Hibbertia hypericoides*, *Stirlingia latifolia* and *Calytrix flavescens* (DEC 2013).

Assessment of application

Clearing principles.

Comments Clearing Permit CPS 5394/3 has been amended to extend the date by which the requirement of condition 6(c) is to be met to 30 June 2018. This date has been extended to enable a conservation covenant to be registered at the same time as another conservation covenant required for an adjacent area under Licence L8949/2016/1 (application CPS 7259/2).

The assessment against the clearing principles has not changed since the assessment of application CPS 5394/1 and can be found in the Clearing Permit Decision Report for CPS 5394/1.

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

Comments The assessment against planning instruments and other matters has not changed since the assessment of application CPS 5394/1 and can be found in the Clearing Permit Decision Report for CPS 5394/1.

3. References

- Department of Environment and Conservation (DEC) (2013) Site Inspection Report for Clearing Permit Application CPS 5394/1. Received 16/01/2013. Department of Environment and Conservation, Western Australia. DEC REF: A590482.
- 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.