



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: 801 / 1

File Number: 21362

Duration of Permit: From 20 May 2007 to 20 May 2009

### PERMIT HOLDER

Shire of Waroona

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 982 on Plan 89333 (WAROONA 6215)

Lot 505 on Plan 302681 (WAROONA 6215)

Lot 100 on Diagram 91796 (WAROONA 6215)

Murray Location 1619 (WAROONA 6215)

### AUTHORISED ACTIVITY

1. Clearing of up to 1.5 hectares of native vegetation within the shaded yellow on attached Plan 801/1.

### CONDITIONS

#### 1. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared for the purposes of road and bridge upgrades and extractive industry 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.

#### 2. Offsets

(b) Determination of offsets:

- (i) If part or all of the clearing to be done is, or may be, at variance with one or more of the clearing principles, then the permit holder must implement an offset in accordance with conditions 2(a) and 2(b) of this Permit with respect to that native vegetation.
- (ii) In determining the offset to be implemented with respect to a particular area of native vegetation proposed to be cleared under this Permit, the permit holder must have regard to the offset principles contained in condition 2(b).
- (iii) Once the permit holder has developed an offset proposal, the permit holder must provide that offset proposal to the CEO for the CEO's approval prior to undertaking any clearing to which the offset relates, and prior to implementing the offset.
- (iv) Clearing may not commence until and unless the CEO has approved the offset proposal.
- (v) The permit holder shall implement the offset proposal approved under condition 2(a)(iii).
- (vi) Each offset proposal shall include a direct offset, timing for implementation of the offset proposal, and may additionally include contributing offsets.

(c) Offset principles

For the purpose of this Part, the offset principles are as follows:

- (i) direct offsets should directly counterbalance the loss of the native vegetation;
- (ii) contributing offsets should complement and enhance the direct offset;
- (iii) offsets are implemented only once all avenues to avoid, minimise, rectify or reduce environmental impacts have been exhausted;
- (iv) the environmental values, habitat, species, ecological community, physical area, ecosystem, landscape, and hydrology of the offset should be the same as, or better than, that of the area of native vegetation being offset;

- (v) a ratio greater than 1:1 should be applied to the size of the area of native vegetation that is offset to compensate for the risk that the offset may fail;
- (vi) offsets must entail a robust and consistent assessment process;
- (vii) in determining an appropriate offset, consideration should be given to ecosystem function, rarity and type of ecological community, vegetation condition, habitat quality and area of native vegetation cleared;
- (viii) the offset should either result in no net loss of native vegetation, or lead to a net gain in native vegetation and improve the condition of the natural environment;
- (ix) offsets must satisfy all statutory requirements;
- (x) offsets must be clearly defined, documented and audited;
- (xi) offsets must ensure a long-term (10-30 year) benefit; and
- (xii) an environmental specialist must be involved in the design, assessment and monitoring of offsets.

### 3. Drainage and Wetland Management Plan

- (a) The permit holder must develop drainage and wetland management plan, having regard to:
  - (i) management of drainage patterns to ensure hydrological function is maintained to prevent indirect vegetation loss;
  - (ii) management and monitoring of turbidity during road construction works;
  - (iii) management of indirect causes of turbidity and change in nutrient levels to prevent deterioration of water quality.
- (b) Once the permit holder has developed a drainage and wetland management plan, the permit holder must provide the management plan to the CEO for the CEO's approval prior to undertaking any clearing to which the management plan relates, and prior to implementing the management plan.
- (c) Clearing may not commence until and unless the CEO has approved the Drainage and Wetland Management Plan.
- (d) The permit holder shall implement the actions outlined within the Drainage and Wetland Management Plan approved under condition 3(b)

### 4. Dieback and weed management

- (a) When undertaking any *clearing* and *revegetation*, or other activity pursuant to this Permit 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* and *revegetation*, 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 the area shaded red on attached Plan 801/1b.

### 5. Records

The Permit Holder must maintain the following records for activities done pursuant to this Permit, as relevant:

- (a) In relation to the offsets of areas pursuant to condition 2:
  - (i) The location of any area of offsets recorded using Geocentric Datum Australia 1994;
  - (ii) A description of the offset activities undertaken; and
  - (iii) The size of the offset area (in hectares).

### 6. Reporting

The Permit Holder must provide to the CEO, on or before 30 August of each year, a written report of records requested under condition 5 between 1 January and 31 December of the preceding year.

## Definitions

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

*CEO* means the Chief Executive Officer of the Department of Environment and Conservation;

*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*;

*environmental specialist* means a person who is engaged by the permit holder for the purpose of providing environmental advice, 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;

*EP Act* means the *Environmental Protection Act 1986*;

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

*flora specialist* means a person with specific training and/or experience in the ecology and taxonomy of Western Australian flora;

*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*;

*Priority flora taxa* means those plant taxa that described as priority flora classes 1, 2, 3 or 4 in the *Declared Rare and Priority Flora List for Western Australia*, Department of Conservation and Land Management, as amended;

*Rare Flora* means flora that is declared to be rare flora under section 23F of the *Wildlife Conservation Act 1950*;

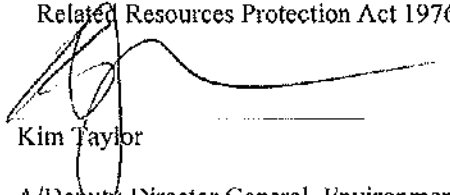
*rehabilitation* means actively managing an area containing native vegetation in order to improve the ecological function of that area;

*revegetation* means the re-establishment of a cover of *native vegetation* in an area such that the species composition, structure and density is similar to *pre-clearing* vegetation types in that area, and can involve regeneration, direct seeding and/or planting;

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

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

*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.



Kim Taylor

A/Deputy Director General, Environment  
Department of Environment and Conservation  
Officer Delegated under Section 20  
Of the Environmental Protection Act 1986.

20 April 2007