



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

|                               |                                     |
|-------------------------------|-------------------------------------|
| <b>Purpose permit number:</b> | CPS 866/2                           |
| <b>Permit holder:</b>         | Shire of Nungarin                   |
| <b>Purpose of clearing:</b>   | Road upgrades and gravel extraction |
| <b>Shire:</b>                 | Nungarin                            |
| <b>Duration of permit:</b>    | 21 October 2006 – 21 October 2017   |

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| <b>Purpose permit number:</b> | CPS 866/2                              |
| <b>Permit holder:</b>         | Shire of Nungarin                      |
| <b>Purpose of clearing:</b>   | Road upgrades and extractive industry. |
| <b>Shire:</b>                 | Nungarin                               |
| <b>Duration of permit:</b>    | 21 October 2006 – 21 October 2017      |

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. Clearing authorised**

- (a) Cornish Road Reserve between Nungarin North Road and Chandler-Nungarin Road (6.6ha);
- (b) Knungajin Road Reserve between Chandler-Nungarin Road and Cornish Road (6.1ha);
- (c) Nungarin North Road Reserve between Danberrin Road and Cornish Road (9.1ha);
- (d) Danberrin Road Reserve between Nukarni West Road and Nungarin North Road (6.9ha);
- (e) English Road Reserve between Koorda-Bullfinch Road and Chandler-Nungarin Road (3.8ha);
- (f) Crown Reserve 19584, (2 hectares within area cross-hatched yellow on attached Plan 866/2a);
- (g) Crown Reserve 20405, (2 hectares within area cross-hatched yellow on attached Plan 866/2b);
- (h) Crown Reserve 20449, (2 hectares within area cross-hatched yellow on attached Plan 866/2c);
- (i) Crown Reserve 20163 (2 hectares within area cross-hatched yellow on attached Plan 866/2d).

### **2. 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.

### **3. Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under condition 1 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

### **4. 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.

### **5. Weed control**

- (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 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.
- (b) At least once in each 24 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas *cleared* under this Permit.

### **6. Revegetation**

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing in accordance with this Permit.
- (b) Within one month of the area no longer being required for the purpose of gravel extraction the permit holder must revegetate the area by laying vegetative material and topsoil retained in accordance with condition 6(a) on the area.
- (c) Prior to undertaking works pursuant to condition 6(b) the permit holder shall rip pit floor and contour batters within the gravel extraction site.

### **7. Fauna management**

- (a) Prior to clearing within the areas described in Clearing Authorised above, the areas 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*.
- (b) The Permit Holder shall ensure that any fauna identified in condition 7(a) shall only be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department of Conservation and Land Management.

### **8. Flora Management**

- (a) Prior to undertaking clearing within the areas described in Clearing Authorised above, the areas shall be inspected by a *flora specialist* who shall identify *Rare Flora* and *Priority Flora taxa*.

- (b) Where *Rare Flora* or *Priority Flora* are identified in relation to condition 8(a) the Permit Holder shall ensure that:
- (i) All records of rare *flora* and *priority flora* are submitted to the Department of Environment and Conservation, Species and Communities Branch.
  - (ii) No clearing occurs with 50m of identified *Rare Flora*, unless approved by the *CEO*.
  - (iii) No clearing occurs with 10m of identified *Priority Flora*, unless approved by the *CEO*.

## 9. Offsets

- (a) The Permit Holder shall prepare an offset proposal having regard to:
- (i) the conservation of bushland containing any priority flora species, or comparable conservation values, preferably in the local area;
  - (ii) the revegetation of land to offset the loss of native vegetation that is significant as a remnant in a highly cleared area; or
  - (iii) improved management, the protection or conservation of an area of native vegetation, preferably in the local area.
- (b) The permit holder shall provide the CEO with an offset proposal for the CEO's approval prior to the commencement of clearing under this clearing permit (CPS 866/2) and prior to implementing the offset.
- (c) The permit holder shall implement the offset proposal approved under condition 9(b).

## PART V – RECORD KEEPING AND REPORTING

### 10. 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 condition 1:
- (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 the *revegetation* of areas pursuant to condition 6:
- (i) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
  - (ii) A description of the *revegetation* activities undertaken; and
  - (iii) The size of the area *revegetated* (in hectares).
- (c) In relation to fauna management pursuant to condition 7:
- (i) the location of each tree in accordance with condition 7(a) recorded using Geocentric Datum Australia 1994;
  - (ii) the species of each tree identified in condition 7(a);
  - (iii) the distance from the centre of road to the base of the tree identified in condition 7(a) and to be removed;
  - (iv) the species of fauna reasonably likely to utilise, or that have been observed utilising the trees as habitat;
  - (v) the species and number of each species relocated; and
  - (vi) the location and date where relocated fauna was released, using Geocentric Datum Australia 1994.

- (d) In relation to Flora Management pursuant to condition 8:
- (i) The location of each *Rare Flora* and *Priority Flora* recorded using Geocentric Datum Australia 1994; and
  - (ii) The species of each *Rare Flora* or *Priority Flora* identified.
- (e) In relation to the offsets of areas pursuant to condition 9:
- (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).

## 11. 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 10 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

## 12. 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*;

***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;

***flora specialist*** means a person with a botanical qualification, diploma or degree and at least 5 years prior employment regularly identifying or surveying 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*;

***Priority flora*** 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*;

**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;

A handwritten signature in black ink, appearing to read 'K Faulkner', is written over a horizontal line.

Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

29 September 2011

# Plan 866/2a



## LEGEND

- Cadastre\_1
- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities
- Merredin 50cm Orthomosaic - Landgate 2004



Scale 1:6177  
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

*[Signature]* Date 29/9/11

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

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.








Department of Environment and Conservation

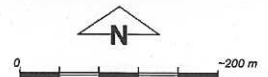
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# Plan 866/2 b



## LEGEND

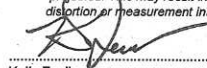
-  Cadastre\_1
-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Local Government Authorities
- Merridin 50cm Orthomosaic - Landgate 2004**



Scale 1:7366  
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

 Date 29/9/11

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

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



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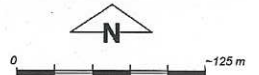


# Plan 866/2 c



## LEGEND

- Cadastre\_1
- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities
- Merridin 50cm Orthomosaic - Landgate 2004



Scale 1:4842  
 (Approximate when reproduced at A4)  
 Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

*Kelly Faulkner* Date 29/9/11

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

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# Plan 866/2 d



## LEGEND

-  Cadastre\_1
-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Local Government Authorities
-  Merredin 50cm Orthomosaic - Landgate 2004



Scale 1:4015  
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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 Date 29/2/11

Kelly Faulkner  
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# Plan 866/2 e



6570216mN  
600505mE  
6569776mN  
639450mE  
6531501mN  
600137mE  
638939mE  
6531058mN

## LEGEND

-  Cadastre\_1
-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Local Government Authorities
-  Merredin 50cm Orthomosaic - Landgate 2004



0 5 km

Scale 1:186846

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

*Kelly Faulkner*  
Date 29/9/11

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

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



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## 1. Application details

### 1.1. Permit application details

Permit application No.: 866/2  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Shire of Nungarin

### 1.3. Property details

Property: AVON LOCATION 28479 (Lot No. 28479 HODGES BURRAN ROCK 6490)  
AVON LOCATION 25145 ( BURRAN ROCK 6490)  
AVON LOCATION 22996 ( NUNGARIN 6490)  
AVON LOCATION 25386 ( NUNGARIN 6490)  
AVON LOCATION 25444 ( CHANDLER 6490)  
AVON LOCATION 25447 ( NUNGARIN 6490)  
AVON LOCATION 27059 ( NUNGARIN 6490)  
ROAD RESERVE ( ELABBIN 6490)  
ROAD RESERVE ( BURRAN ROCK 6490)  
ROAD RESERVE ( NUNGARIN 6490)  
ROAD RESERVE ( TALGOMINE 6490)  
ROAD RESERVE ( CHANDLER 6490)  
Local Government Area: Shire of Nungarin  
Colloquial name:

### 1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of:              |
|--------------------|-----------|--------------------|----------------------------------|
| 8                  | 0         | Mechanical Removal | Extractive Industry              |
| 32.5               | 0         | Mechanical Removal | Road construction or maintenance |

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 29 September 2011

## 2. Site Information

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

| Vegetation Description  | Clearing Description   | Vegetation Condition   | Comment  |
|---|--|--|--|
| Beard Vegetation Association 8: Medium woodland; salmon gum and gimlet. Beard Vegetation Association 125: Bare areas; salt lakes<br>Beard Vegetation Association 551: Shrublands; Allocasuarina campestris thicket<br>Beard Vegetation Association 1023: Medium Woodland; York gum, wandoo and salmon gum (E. salmonophloia). Beard Vegetation Association 1053: Shrublands; Melaleuca uncinata thicket with scattered York gum.<br>Beard Vegetation Association 1055: Shrublands; York gum and Eucalyptus sheathiana mallee scrub.<br>Beard Vegetation Association 1056: Shrublands; thicket, acacia and Allocasuarina campestris. Beard | The areas under application (roadwork and gravel pits) are located within road reserves and Crown Reserves reserved for gravel/quarry, all vested in the Shire of Nungarin and predominantly adjacent to cleared agricultural land. The proposed clearing of mature trees and associated vegetation is to ensure a lateral clearance area of up to 5m on both sides of the running surface which includes the shoulder and table drains (approximately 3m width) (Information provided by the proponent 2006) (TRIM Ref ED1111). Four gravel pits will be utilised for roadworks, with three of the gravels pits being adjacent to existing pits and one gravel pit in a partially cleared area (TRIM Ref ED1125). The vegetation to | Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994) | The vegetation under application and surrounding roadside vegetation appears to be in a good condition as it has been disturbed from previous maintenance works associated with the existing road. The vegetation under application within the areas of the proposed gravel pits appear to be in a good condition as it is adjacent to existing gravel pits and cleared agricultural land. |

Vegetation Association  
1057: Mosaic: Shrublands;  
Medium woodland; salmon  
gum and gimlet/ York gum  
and Eucalyptus sheathiana  
mallee scrub Beard  
Vegetation Association  
1061: Mosaic: Medium  
sparse woodland; salmon  
gum and yorrell/ Succulent  
steppe; saltbush and  
samphire. Beard  
Vegetation Association  
1413: Shrublands; acacia,  
casuarina and melaleuca  
thicket. (Hopkins et al.  
2001, Shepherd et al.  
2001)

be cleared for the proposed  
roadwork and gravel pit  
includes (mature)  
Eucalyptus spp., Acacia  
spp., Hakea spp.

### 3. Assessment of application against clearing principles

#### Comments

The proponent has applied to extend the duration of the permit CPS 866/1 by 5 years. 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 the Clearing Permit Decision Report CPS 866/1.

#### Methodology

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

#### Comments

The proponent has applied to extend the duration of the permit CPS 866/1 by 5 years.

No submissions from the public have been received.

#### Methodology

### 4. References

- Biodiversity Coordination Section, DEC (2006) Clearing Assessment Unit's biodiversity advice for land clearing application. Advice to Director General, Department of Environment and Conservation (DEC), Western Australia. TRIM Ref ED1128.
- Brown A., Thomson-Dans C. and Marchant N., (1998) Western Australia's Threatened Flora, Department of Conservation and Land Management, Western Australia.
- DAFWA (DAFWA) Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture and Food Western Australia. TRIM Ref CEO1368/05.
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority.
- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Roadside Conservation Committee (2006) Advice from the RCC on clearing application for the Nungarin Shire. TRIM Ref EI6621.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

### 5. Glossary

| Term  | Meaning  |
|-------|--|
| BCS   | Biodiversity Coordination Section of DEC                 |
| CALM  | Department of Conservation and Land Management (now BCS) |
| DAFWA | Department of Agriculture and Food                       |
| DEC   | Department of Environment and Conservation               |
| DEP   | Department of Environmental Protection (now DEC)         |
| DoE   | Department of Environment                                |
| DoIR  | Department of Industry and Resources                     |
| DRF   | Declared Rare Flora                                      |
| EPP   | Environmental Protection Policy                          |

|     |                                       |
|-----|---------------------------------------|
| GIS | Geographical Information System       |
| ha  | Hectare (10,000 square metres)        |
| TEC | Threatened Ecological Community       |
| WRC | Water and Rivers Commission (now DEC) |