



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 926/2
Permit holder:	Shire of Narrogin
Purpose of clearing:	Road widening and gravel extraction
Shire:	Narrogin
Duration of permit:	22 October 2006 – 22 October 2011

TABLE OF CONTENTS

1. LAND ON WHICH CLEARING IS TO BE DONE.....	2
2. AREA OF CLEARING.....	3
3. APPLICATION.....	3
4. COMPLIANCE WITH ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES.....	4
5. AVOID, MINIMISE ETC CLEARING.....	4
6. AVOIDANCE OF RIPARIAN VEGETATION.....	4
7. DIEBACK AND WEED CONTROL.....	4
8. FAUNA MANAGEMENT.....	5
9. FLORA MANAGEMENT.....	5
10. THREATENED ECOLOGICAL COMMUNITY MANAGEMENT.....	5
11. REVEGETATION.....	6
12. OFFSET CONDITIONS.....	6
13. RECORDS MUST BE KEPT.....	7
14. REPORTING.....	8
15. DEFINITIONS.....	8

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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

- (a) Armstrong Road reserve between Williams-Kulin Road and Lange Road;
- (b) Birdwhistle Road reserve between Narrogin-Harrismith Road and O’dea Road;
- (c) Blight Road reserve between Northam-Cranbrook Road and Narrakine South Road;
- (d) Boundain North Road reserve between Narrogin-Harrismith Road and Dongolocking Road;
- (e) Boxsell Road reserve between Northam Cranbrook Road and Location 1393;
- (f) Cannell Road reserve between Taylor Street and Narrogin-Harrismith Road;
- (g) Chomley Road reserve between Tarwonga Road and Highbury West Road;
- (h) Clayton Road reserve between Williams Shire Boundary and Wandering-Narrogin Road;
- (i) Comini Road reserve between Mokine Road and End Road;
- (j) Condon Road reserve between Graham Road and McDougalls Road;
- (k) Congelin-Narrogin Road reserve between White Road and Cuballing Shire Boundary;
- (l) Cooraminning Road reserve between Clayton Road and Highbury West Road;
- (m) Cowcher Road reserve between Williams-Kondinin Road and Clayton Road;
- (n) Crooked Pool Road reserve between Dongolocking Road and Lange Road;
- (o) Narrogin-Dongolocking Road reserve between;
- (p) Dwelyerdine Road reserve between Wagin-Wickepin Road and Wagin/Wickepin Shire Boundary;
- (q) Flavel Road reserve between Manaring Road and Woods Road;
- (r) Graham Road reserve between Tarwonga Road and Williams Shire Boundary;
- (s) Halls Road reserve between Whinbin Rock Road and Wagin Shire Boundary;
- (t) Higham Road reserve between Clayton Road and Wandering-Narrogin Road;
- (u) Highbury East Road reserve between Rushy Pool Road and Great Southern Highway;
- (v) Highbury South Road reserve between Great Southern Highway and Yarrabee Road;
- (w) Highbury West Road reserve between Great Southern Highway and Manaring Road;
- (x) Katta Road reserve between Cooraminning Road and Mokine Road;
- (y) Kenny Road reserve between Narrakine Road South and Cooraminning Road;
- (z) Lange Road reserve between Birdwhistle Road and Wickepin Shire Boundary;
- (aa) Manaring Road reserve between Williams-Kulin Road and NE corner Location 8539;

- (bb) McDougalls Road reserve between Narrogin-Harrismith Road and Narrogin Valley Road;
- (cc) McKenzie Road reserve between Higham Road and Clayton Road;
- (dd) Michael Brown Road reserve between Williams-Kondinin Road and Narrogin-Harrismith Road;
- (ee) Mokine Road reserve between Narrogin Town South Boundary and Katta Road;
- (ff) Narrakine South Road reserve between Narrogin Town Boundary and Highbury West Road;
- (gg) Narrogin Valley Road reserve between Mellons Road and Pethybridge Road;
- (hh) O’Dea Road reserve between Nomans Lake Siding Road and Birdwhistle Road;
- (ii) O’Neil Road reserve between Highbury West Road and Chomley Road;
- (jj) Pethybridge Road reserve between Birdwhistle Road and Narrogin Valley Road;
- (kk) Piesseville-Tawonga Road reserve between West Arthur Shire Boundary and Williams Shire Boundary;
- (ll) Quarry Road reserve between Clayton Road and Williams-Kondinin Road;
- (mm) Quartermaine Road reserve between Narrogin-Harrismith Road and Location 5046;
- (nn) Rosedale Road reserve between Clayton Road and Cuballing Shire Boundary;
- (oo) Rushy Pool Road reserve between Narrogin Valley Road and Whinbin Rock Road;
- (pp) Simmons Road reserve between Great Southern Highway and Narrogin Valley Road;
- (qq) Tarwonga Road reserve between Williams-Kulin Road and Piesseville-Tarwonga Road;
- (rr) Wagin-Wickepin Road reserve between Narrogin-Harrismith Road and Wagin Shire Boundary;
- (ss) Wandering-Narrogin Road reserve between Cuballing Shire Boundary and Fleay Road;
- (tt) Wangeling Gully Road reserve between Tarwonga Road and Williams Shire Boundary;
- (uu) Whinbin Rock Road reserve between Northam-Cranbrook Road and Wagin-Wickepin Road;
- (vv) Wickepin-Harrismith Road reserve between Wickepin Shire Boundary and Giles Road;
- (ww) Yarrabee Road reserve between Chomley Road and Wagin Shire Boundary;
- (xx) Narrogin Valley Road Gravel Pit Reserve 21317;
- (yy) Contine Road Gravel Pit Reserve 32818;
- (zz) Narrakine Sth Road – Contine Road Reserve 20020;
- (aaa) Narrakine Sth Road – Contine Road Reserve 11658;
- (bbb) Birdwhistle Road Gravel Pit Reserve 13343;
- (ccc) Bird Whistle Road Gravel Pit Reserve 21066;
- (ddd) Bird Whistle Road Gravel Pit Reserve 29907; and
- (eee) Graham Road Gravel Pit Reserve 11615.

2. Area of clearing

Clearing of up to 10 hectares of native vegetation.

3. 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.

4. 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

5. 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.

6. Avoidance of Riparian Vegetation

The permit holder shall not clear within 50 metres of *riparian vegetation* for the area described in condition 1(bbb).

7. Dieback and 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 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 areas *cleared* and *revegetated* under this Permit.

8. 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 fauna and 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 banksii naso* (Forest Red-tailed Black-Cockatoo);
 - (ii) *Leipoa ocellata* (Malleefowl);
 - (iii) *Myrmecobius fasciatus* (Numbat);
 - (iv) *Phascogale calura* (Red-tailed Phascogale);
 - (v) *Platycercus icterotis xanthogenys* (Wester Rosella – inland spp); and
 - (vi) *Calyptorhynchus sp* (White-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 Conservation and Land Management.

9. 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 taxa* are identified in relation to condition 9(a) the Permit Holder shall ensure that:
- (i) All records of DRF and priority flora are submitted to the Department of Environment and Conservation, Species and Communities Branch.
 - (ii) No clearing occurs with 50m of identified DRF, unless approved by the *CEO*.

10. Threatened Ecological Community Management

- (a) Prior to undertaking clearing within the areas depicted on Plan 926/1a and Plan 926/1b, the areas shall be inspected by a *flora specialist* who shall identify *Threatened Ecological Communities*.
- (b) Where *Threatened Ecological Communities* are identified in relation to condition 9(a) the Permit Holder shall ensure that:
- (i) All records of *Rare Flora* and *Priority flora taxa* are submitted to the Department of Environment and Conservation, Species and Communities Branch.
 - (ii) No clearing occurs with 50m of identified *Threatened Ecological Communities*, unless approved by the *CEO*.

11. Revegetation

The Permit Holder must revegetate all areas cleared for the purpose of gravel extraction in accordance with the following:

- (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:
 - (i) Deliberately planting and/or 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;
 - (ii) Ensuring only local provenance seeds and propagating material from within 10km of the area cleared are used to revegetate the area;
 - (iii) Lay vegetative material and topsoil retained in accordance with condition 11(a) on the area.
- (c) Within one year of undertaking revegetation in accordance with condition 11(b), the Permit Holder must:
 - (i) Determine the species composition, structure and density of the area revegetated; and
 - (ii) Where, in the opinion of an *flora specialist*, the composition structure and density determined under condition 11(c)(i) will not result in a similar species composition, structure and density to pre-clearing vegetation types in that area the Permit Holder must undertake additional planting or seeding of *native vegetation* in accordance with the requirements of condition 11(b)(i) and (ii).

12. Offset Conditions

- (a) 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 (12a and 12b) 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 12b of this Permit.
 - (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 in accordance, 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 (12a(iii)).
 - (vi) Each offset proposal shall include a direct offset, timing for implementation of the offset proposal and may additionally include contributing offsets.
- (b) 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*.

PART III – RECORD KEEPING AND REPORTING

13. 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 species composition, structure and density of the cleared area;
 - (ii) The location where the clearing occurred, recorded using Geocentric Datum Australia 1994;
 - (iii) The date that the area was cleared; and
 - (iv) The size of the area cleared (in hectares).
- (b) In relation to Fauna Management pursuant to condition 8:
 - (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.
- (c) In relation to Flora Management pursuant to condition 9:
 - (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.
- (d) In relation to Threatened Ecological Community Management pursuant to condition 10:
 - (i) The location of each *Threatened Ecological Communities* recorded using Geocentric Datum Australia 1994; and
 - (ii) The species composition of each *Threatened Ecological Communities* identified.

(e) In relation to the Revegetation of areas pursuant to condition 11:

- (i) The commencement date of *revegetation*;
- (ii) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
- (iii) A description of the revegetation activities undertaken;
- (iv) The size of the area revegetated (in hectares);and
- (v) The species, structure and composition of revegetation measured.

(f) In relation to the offsets of areas pursuant to condition 12:

- (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).

14. Reporting

The Permit Holder must provide to the *CEO* on or before 30 June of each year, for the *term* of this permit, 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.

15. 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*;

EPA means the *Environmental Protection Authority*;

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 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*;

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*;

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;

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;

threatened ecological community has the meaning given in section 3 of the *Environmental Protection (Environmentally Sensitive Areas) Notice 2005*.

watercourse is a river, stream or creek in which water flows in a natural channel, whether permanently or intermittently.

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

30 March 2007