



CLEARING PERMIT
Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 934/1
Permit holder:	Shire of Donnybrook-Balingup
Purpose of clearing:	Road Construction and Upgrades and Extractive Industry
Shire:	Donnybrook-Balingup
Duration of permit:	12 August 2007 – 12 August 2012

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Purpose of clearing: Road Construction and Upgrades and Extractive Industry

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Duration of permit: 12 August 2007 – 12 August 2012

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

Jayes Road Reserve between SLK 0.27 to SLK 7.14, with SLK 0.27 commencing 500 metres east of the intersection of Jayes Road and the South Western Highway;
Jayes Road Reserve between SLK 7.14 to SLK 8.33, with SLK 7.14 commencing 400 metres east of the intersection of Jayes Road and Prowse Road;
Marmion Street Road Reserve between SLK 0.84 to SLK 1.16, with SLK 0.84 commencing at the intersection of Marmion Street and Mead Street;
Lot 349 on Plan 116096 within the area cross-hatched yellow on attached Plan 934/1(a);
Lot 363 Preston Agricultural Area within the area cross-hatched yellow on attached Plan 934/1(b); and
Lot 392 Preston Agricultural Area within the area cross-hatched yellow on attached Plan 934/1(b).

2. Area of Clearing

The Permit Holder must not clear more than 26.9 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

In determining the amount of native vegetation to be cleared for the purpose 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. 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 or other activity pursuant to this Permit the Permit Holder must take the following steps to minimise the risk of 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 or 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 under this Permit.

7. Revegetation

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing within the areas cross-hatched yellow on attached plans 934/1(a) and 934/1(b) in accordance with this Permit.
- (b) Within one month of the areas cross-hatched yellow on attached plans 934/1(a) and 934/1(b) no longer being required for the purpose of gravel/sand 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; and
 - (iii) lay vegetative material and topsoil retained in accordance with condition 7(a) on the area.
- (c) Within one year of undertaking revegetation in accordance with condition 7(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 environmental specialist, the composition structure and density determined under condition 7(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 7(b)(i) and (ii).

8. Fauna management

- (a) Prior to clearing within the areas described in condition 1, the areas shall be inspected by a *fauna specialist* who shall identify fauna habitat suitable to be utilised by fauna species listed below:
 - (i) Chuditch *Dasyurus geoffroi*
- (b) Prior to clearing, any habitat identified by condition 8(a) and being utilised by fauna species listed above shall be inspected by a *fauna specialist*.
- (c) Prior to clearing, the Permit Holder shall ensure that any fauna identified in condition 8(b) shall be removed and relocated by a *fauna clearing person*, in accordance with a licence issued by the Department of Environment and Conservation.

9. Flora management

- (a) Prior to undertaking any clearing within the areas cross-hatched yellow on attached plan 934/1(b), 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) no clearing occurs within 50m of identified DRF, unless approved by the CEO; and
 - (ii) no clearing occurs with 10m of identified *Priority Flora taxa*, unless approved by the CEO.

PART III – 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 the purpose of clearing:
 - (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 *revegetation* of areas pursuant to condition 7:
 - (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.

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

11. Reporting

The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required 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:

dieback means the effect of *Phytophthora* species on *native vegetation*;

fauna clearing person means a person who has obtained a licence from the Department of Environment and Conservation, 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;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

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;

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;

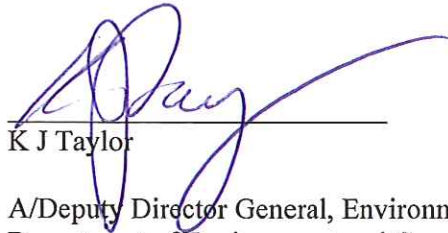
Rare Flora means flora that is declared to be rare flora under section 23F of the *Wildlife Conservation Act 1950*;

revegetate, revegetated and 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 material 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.



K J Taylor

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

12 July 2007