



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 9779/1
File Number: DER2019/000044~3
Duration of Permit: From 3 August 2024 to 3 August 2031

ADVICE NOTE

Allocation of offset site

In relation to condition 7 of this permit, a total area of 4.36 hectares of Lot 1 on Deposited Plan 65474, Newdegate, will be attributed to the *offset* for conservation in perpetuity for the *native vegetation* clearing authorised under this permit.

PERMIT HOLDER

Shire of Lake Grace

LAND ON WHICH CLEARING IS TO BE DONE

Lot 1 on Deposited Plan 65474, Newdegate

AUTHORISED ACTIVITY

The permit holder must not clear more than 1.08 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Period during which clearing is authorised

The permit holder must not clear any *native vegetation* after 3 August 2026.

2. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

- (a) avoid the clearing of *native vegetation*;
- (b) minimise the amount of *native vegetation* to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

3. Weed and dieback management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of 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) ensure that no known dieback or weed-affected soil, *mulch*, *fill*, or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4. Directional clearing

The permit holder shall conduct clearing in a slow progressive manner from one direction to the other (west to east) to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

5. Land degradation – erosion management

The permit holder shall not clear *native vegetation* under condition 1 on this Permit unless development of the landfill cell begins within three months of the clearing being undertaken.

6. Revegetation and Rehabilitation

Within 12 months of the commencement of clearing, the permit holder must implement and adhere to the *Revegetation Plan*, including but not limited to the following actions:

- (a) Retain the vegetative material and topsoil removed by clearing authorised under this permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) Commence *revegetation* and *rehabilitation* of 1.01 hectares, within the area cross-hatched red in Figure 1 of Schedule 1 by way of:
 - (i) laying the vegetative material and topsoil retained under condition 6(a);
 - (ii) ripping the soil prior to *planting* to remove any areas of compaction or other obstruction that could prevent root penetration of seedlings;
 - (iii) deliberately *planting* tube stock, and spreading of seeds and salvaged *native vegetation* that will result in similar species composition, structure and density of *native vegetation* of the *reference site*; and
 - (iv) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) Undertake *weed* control activities prior to *planting* and/or *direct seeding* and annually thereafter for five years or until the completion criteria, as listed in Table 1 of Schedule 2, have been met.

- (d) Fencing of the area hatched red on Figure 1 of Schedule 1 prior to *revegetation/rehabilitation* activities commencing and undertake regular monitoring of the fence for the entire duration of this permit.
- (e) Conduct *pest animal* control.
- (f) Remove rubbish from the *revegetation/rehabilitation* area at least one month prior to the commencement of *revegetation/rehabilitation* activities.
- (g) Establish a minimum of four 10 x 10 metre quadrat monitoring sites.
- (h) Implement hygiene protocols by cleaning earth-moving machinery of soil and vegetation prior to entering and leaving the site.
- (i) Achieve the completion criteria specified in Table 1 of Schedule 2 after the five-year monitoring period for areas *revegetated* and *rehabilitated* under this permit.
- (j) Undertake *remedial actions* for areas *revegetated* and *rehabilitated* where monitoring indicates that *revegetation* and *rehabilitation* has not met the completion criteria, specified in Table 1 of Schedule 2 including:
 - (i) *revegetate* the area by deliberately planting *native vegetation* that will result in the minimum completion criteria in Table 1 of Schedule 2 and ensuring only *local provenance* seeds and propagating material are used;
 - (ii) undertake further *weed* control activities; and
 - (iii) annual monitoring of each *revegetated* and *rehabilitated* site, until the completion criteria, outline in Table 1 of Schedule 2 are met.

7. Offset – Conservation covenant.

Within 6 months of commencing clearing authorised under this permit, and no later than 3 February 2025, the permit holder must provide to the CEO a copy of a conservation covenant under section 30B of the *Soil and Land Conservation Act 1945*, for the protection and management of vegetation in perpetuity over the areas cross-hatched red in Figure 2 of Schedule 1.

8. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> (a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares);

No.	Relevant matter	Specifications
		(e) the direction of the area cleared; (f) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 2; and (g) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 3.
2.	In relation to the <i>revegetation</i> and <i>rehabilitation</i> areas pursuant to condition 6 of this permit	(a) the location of any areas <i>revegetated</i> and <i>rehabilitated</i> , recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees; (b) a description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken; (c) <i>weed</i> control measures undertaken; (d) the date the <i>revegetation</i> and <i>rehabilitation</i> area was fenced; (e) the size of the area <i>revegetated</i> and <i>rehabilitated</i> (in hectares); (f) the species composition, structure and density of <i>revegetation</i> and <i>rehabilitation</i> areas; (g) the assessment of the <i>revegetation</i> and <i>rehabilitation</i> against criterion outlined in Table 1 of Schedule 2; and (h) any remedial actions undertaken in accordance with condition 6(j).

9. 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 8 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 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 year, 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 3 August 2031, the permit holder must provide to the CEO a written report of records required under condition 8 of this Permit, where these records have not already been provided under condition 9(a) of this Permit.

DEFINITIONS

In this permit, the terms in Table 2 below have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
fill	means material used to increase the ground level, or to fill a depression.
dieback	means the effect of <i>Phytophthora</i> species on native vegetation.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
direct seeding	means a method of re-establishing vegetation through establishment of a seed bed and the introduction of seeds of the desired plant species.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
local provenance	means native vegetation seeds and propagating material from natural sources within 100 kilometres and 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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
offset	means a direct offset as described in the Government of Western Australia, <i>WA Environmental Offsets Policy, September 2011</i> .
pest	Animals that are known to impact the survival of revegetation/rehabilitation i.e. rabbits.
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
reference site	Means: Vegetation as outlined in the “Revegetation Plan for CPS 9349/1 - Reserves 27185 & 17394, Mount Barker, Version 2.0, 20 June 2024”.
rehabilitate, rehabilitated and rehabilitation	means actively managing an area containing native vegetation in order to improve the ecological function of that 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.
revegetation plan	Means plan developed by Natural Area Consulting on behalf of the permit holder for the revegetation and rehabilitation within Lot 1 on Deposited Plan 65474, Newdegate in accordance with condition 7 of this Permit:

Term	Definition
	‘Newdegate waste management facility Revegetation Plan, Version 3.0, 20 June 2024’.
weeds	means any plant – <ul style="list-style-type: none"> (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; 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.

END OF CONDITIONS

J. Burton

 Jessica Burton
 A/MANAGER

NATIVE VEGETATION REGULATION

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

9 July 2024

SCHEDULE 1

The boundary of the area authorised to be cleared and is subject to revegetation and rehabilitation conditions is shown in the map below (Figure 1).



Figure 1: Map of the boundary of the area within which clearing may occur (cross hatched yellow), and the boundary within which *revegetation* and *rehabilitation* conditions apply (cross hatched red).



Figure 2: Map of the boundary within which offset conditions (conservation covenant) apply.

SCHEDULE 2

Table 1: Completion targets and criteria

Aspect	Completion criteria	Potential issues	Contingency actions	Monitoring actions
Vegetation condition	Vegetation in <i>good</i> condition (Keighery scale).	Vegetation condition degraded/completely degraded	Determine factors reducing condition rating (species richness, weed coverage etc) and implement control measures.	<p>Once in autumn and spring for a period of five consecutive years after the initial planting, by an <i>environmental specialist</i> through:</p> <ul style="list-style-type: none"> • photo monitoring • establishing quadrats
Species richness	Minimum of 23 native species across the revegetation site	Species richness is below 23 native species across the revegetation site.	<p>Conduct investigation into the likely cause:</p> <ul style="list-style-type: none"> • Assess species selected and review infill planting lists. • Consider implementing infill planting. • Implement remedial actions such as: <ul style="list-style-type: none"> ○ Additional watering ○ Additional soil/landfill gas investigations ○ Integrated pest management ○ Installation of tree guards to plants ○ Infill planting with less palatable species 	
Vegetation coverage	More than 65 per cent vegetation coverage, on average across the revegetation site.	Vegetation cover less than 65 per cent		
Species density and structure	<p>Achieve a similar structure to the vegetation structure of the surrounding bushland.</p> <p>Achieve a vegetation structure of a 1 canopy species; 2 mid story species; 2 ground/lower story species ratio (1:2:2) across the revegetation site.</p> <p>Achieve a species density of 1 native species per m²</p>	<p>Vegetation structure does not achieve the 1:2:2 ratio.</p> <p>Less than one plant per m²</p>		

Weed coverage	Less than 10 per cent weed cover	More than 10 per cent weed cover Adverse weather does not allow for weed control to occur	Implement additional weed control	Once in autumn and spring for a period of five consecutive years after the initial planting, by a botanist for weed coverage.
WoNS or declared pests	No WoNS or declared pests present on site	WoNS or declared pests present	Conduct targeted weed control activities	Once in autumn and spring for a period of five consecutive years for the presence of WoNS.
Rubbish	No rubbish present within revegetation areas	Rubbish present	Undertake rubbish removal. Check fence condition.	Undertake rubbish collection on an as-needed basis.
Erosion	No erosion present within revegetation areas	Erosion present	Undertake erosion control measures: <ul style="list-style-type: none"> • Matting and/or coir log installation • Surface water diversion • Installation of habitat logs to slow down and divert water Consider implementing surface water management plan and/or design.	Monitor for the presence of erosion on an as-needed basis.