GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5843/2
Permit Holder:	Jonathon James Dwyer
Duration of Permit:	From 1 February 2014 to 1 February 2024

ADVICE NOTE:
This Permit does not confer upon the Permit Holder authorisation to access the land to which the Permit relates.

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. **Purpose for which clearing may be done**
   Clearing for the purpose of gravel extraction.

2. **Land on which clearing is to be done**
   Lot 7 on Plan 7148, Bindoon

3. **Area of Clearing**
   The Permit Holder must not clear more than 7.2 hectares of native vegetation within the area hatched yellow on attached Plan 5843/2a.

4. **Period in which clearing is authorised**
   The Permit Holder shall not clear any native vegetation after 1 February 2019.

5. **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.

PART II – MANAGEMENT CONDITIONS

6. **Dieback and weed control**
   When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the 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) shall only move soils in *dry conditions*;
   (c) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
   (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

7. **Fauna management**
   (a) Prior to undertaking any clearing authorised under this Permit outside the period 1 March to 31 May, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the Permit Area to identify *black cockatoo habitat tree/s* being utilised by *Calyptorhynchus latirostris* (Carnaby's cockatoo).

(b) Where fauna are identified under condition 7(a) of this Permit, the Permit Holder shall engage a *fauna specialist* to map *black cockatoo habitat tree/s* within the Permit Area.

(c) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the CEO.

(d) The *fauna survey* report must include the following;
   (i) the location of the *black cockatoo habitat tree/s* recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
   (ii) the location of any fauna species, listed in condition 7(a) if identified, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees; and
   (iii) the name and amount of each fauna species identified;
   (iv) the methodology, used to survey the Permit Area; and
   (v) a description of the *black cockatoo habitat tree/s* identified.

(e) where fauna are identified under condition 7(a) of this Permit, the Permit Holder shall ensure that:
   (i) no clearing within 10 metres of *black cockatoo habitat tree/s* of the identified fauna occurs, unless first approved by the CEO; and
   (ii) no taking of identified fauna occurs, unless first approved by the CEO.

8. Retain vegetative material and topsoil, revegetation and rehabilitation

(a) The Permit Holder shall 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) within 6 months following the completion of extractive activities, *revegetate* and *rehabilitate* the area cross-hatched red on attached Plan 5843/2b in accordance with the following provisions:
   (i) laying the vegetative material and topsoil retained under condition 8(a) on the cleared area; and
   (ii) deliberately *planting* and/or *direct seeding* native vegetation that will result in an average species density of 1000 stems per hectare, consisting of overstorey species representative of the local area (50km radius);

(c) within 18 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 8(b) of this Permit:
   (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
   (ii) where, in the opinion of an *environmental specialist*, the areas *revegetated* and *rehabilitated* will not result in an average species density of 1000 stems per hectare, consisting of overstorey species representative of the local area (50km radius), the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 8(b)(ii) of this Permit.

(d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 8(c)(ii) of this permit, the Permit Holder shall repeat condition 2(c)(i) and 8(c)(ii) within 18 months of undertaking the additional *planting* or *direct seeding* of native vegetation.

(e) where a determination by an *environmental specialist* that the areas *revegetated* and *rehabilitated* will result in an average species density of 1000 stems per hectare, consisting of overstorey species representative of the local area (50km radius), as determined in condition 8(c)(i) and 8(c)(ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 8(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 8(c)(ii).

9. Records to be kept

The Permit Holder must maintain the following records in relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 8 of this Permit:

(a) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
(b) a description of the *revegetation* and *rehabilitation* activities undertaken;
(c) the size of the area *revegetated* and *rehabilitated* (in hectares);
(d) the species composition, structure and density of *revegetation* and *rehabilitation*, and
(e) a copy of the environmental specialist's report.

10. Reporting

(a) The Permit Holder must provide to the CEO on or before 1 July of each year, a written report:
  (i) of records required under condition 9 of this Permit; and
  (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 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 1 July of each year.

(c) Prior to 1 November 2023, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

DEFINITIONS

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

black cockatoo habitat tree/s: means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater;

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

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950;*

***fauna survey*:** means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

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

local provenance means native vegetation seeds and propagating material from natural sources within 50 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;

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area;

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an 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; and

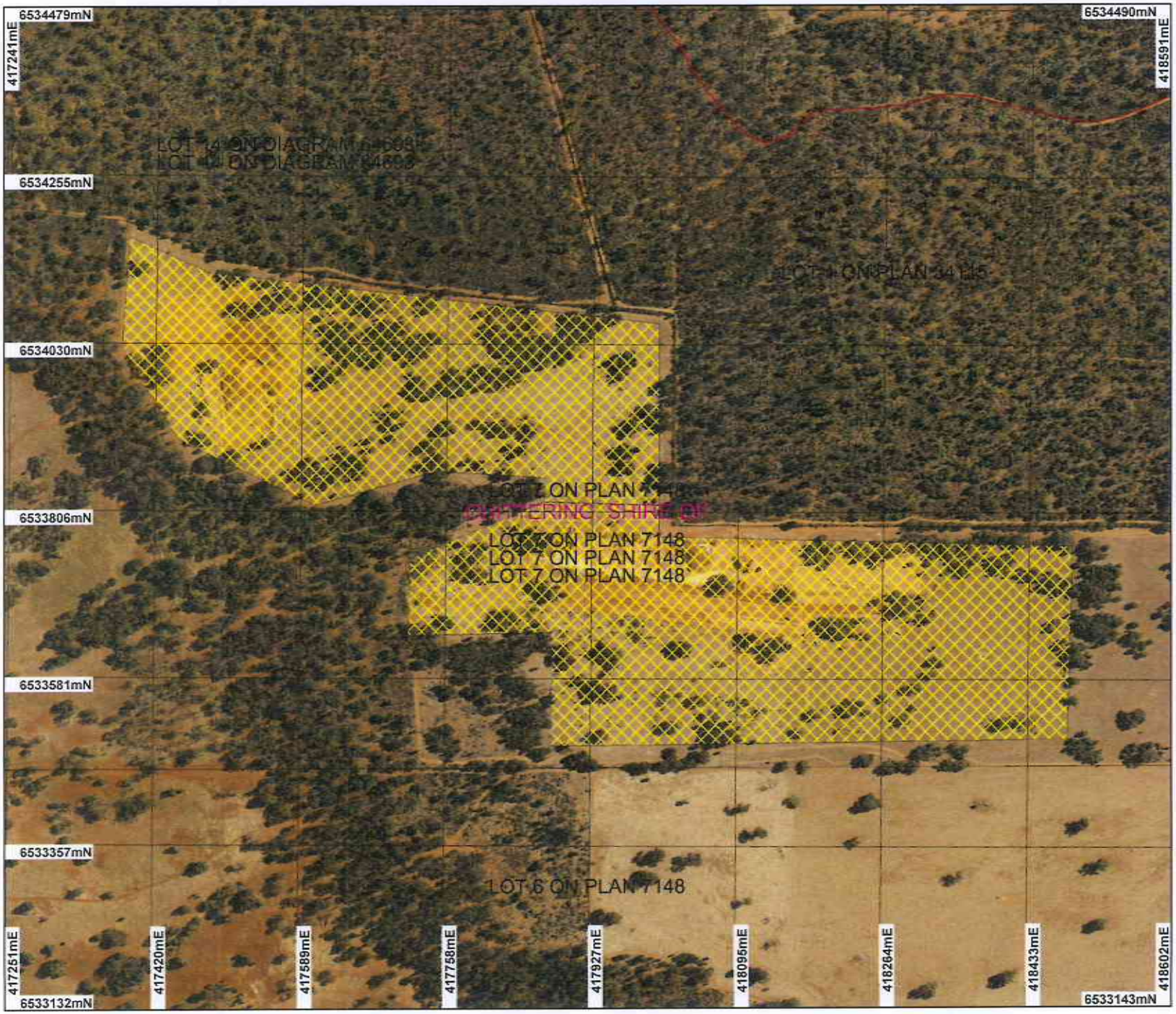
weed/s means any plant:
(a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
(b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
(c) not indigenous to the area concerned.

M Warnock
SENIOR MANAGER
CLEARING REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

14 August 2014

Plan 5843/2a



LEGEND

Road Centrelines
Cadastre
Local Government Authorities_1
Perth Metropolitan Area North 15cm Orthomosaic - Landgate 2012
Clearing Instruments
Areas Approved to Clear

** Project Data is denoted by asterisk.*
This data has not been quality assured.
Please contact map author for details.

N

0 150 m

Scale 1:6500
(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 14/8/14

M. Warnock

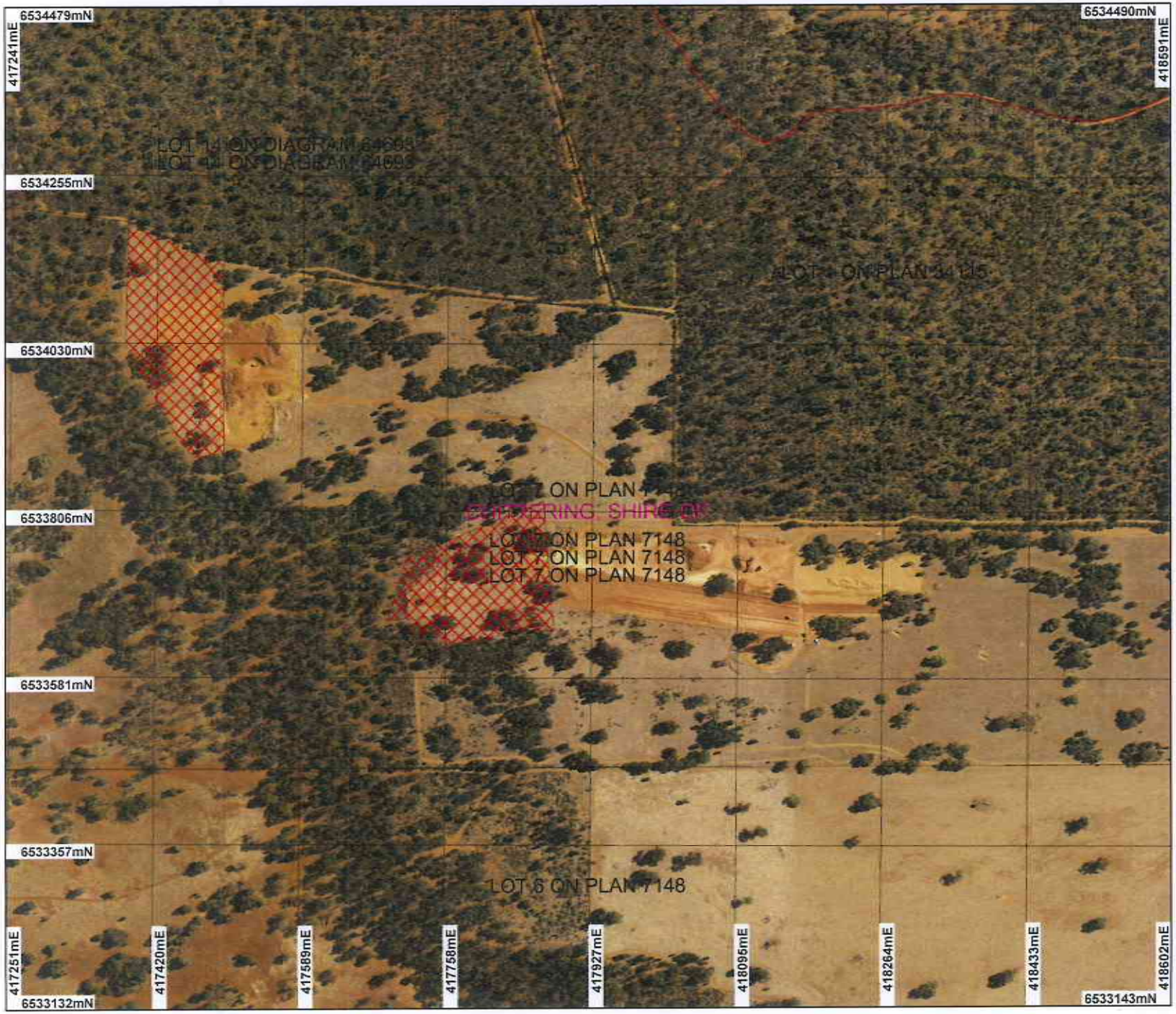
Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

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

Government of Western Australia
Department of Environment Regulation

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Plan 5843/2b



LEGEND

- Road Centrelines
- Cadastre
- Local Government Authorities_1
- Perth Metropolitan Area North 15cm Orthomosaic - Landgate 2012
- Clearing Instruments
- Areas Subject to Conditions

** Project Data is denoted by asterisk.*
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0 150 m

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Department of Environment Regulation

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GOVERNMENT OF WESTERN AUSTRALIA

Clearing Permit Decision Report

Government of Western Australia
Department of Environment Regulation

1. Application details

1.1. Permit application details

Permit application No.: 5843/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Jonathon James Dwyer

1.3. Property details

Property: LOT 7 ON PLAN 7148 (House No. 75 TOY BINDOON 6502)
Local Government Area: Shire of Chittering

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
7.2		Mechanical Removal	Extractive Industry

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 14 August 2014

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
The vegetation under application is mapped as: Beard vegetation association's (Shepherd et al, 2001): • 4 (20 percent of application area). Medium woodland; marri and wandoo. • 968 (80 percent of application area): Medium woodland; jarrah, marri and wandoo. Heddle / Mattiske vegetation complex's (Mattiske et al 1998): • Yalanbee Y6 (90 percent of application area). Woodland of Eucalyptus wandoo-Eucalyptus accedens, less consistently open forest of Eucalyptus marginata fs24 subsp. thalassica-Corymbia calophylla on lateritic uplands and breakaway landscapes in arid and perarid zones. • Bindoon Bi (10 percent of application area): Woodland of Eucalyptus loxophleba on the slopes, flanked by woodlands of Eucalyptus wandoo-Eucalyptus accedens on the breakaways and upper slopes in the perarid zone.	The clearing consists of 10 hectares of native vegetation within Lot 7 on plan 7148, Bindoon, for the purpose of gravel extraction.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994).	The condition of the vegetation under application was determined via a site inspection undertaken by Department of Environment Regulation staff on the 21 November 2013 (DER, 2013) and a flora assessment of the property during the development of an Excavation-Rehabilitation Management Plan (Dwyer, 2013).

3. Assessment of application against clearing principles

Comments This amendment is a result of an appeal determination made by the Minister for Environment on the conditions placed on clearing permit CPS 5843/1. The assessment against the clearing principles as well as planning and other matters has not changed and can be found in clearing permit decision report CPS 5843/1.

4. References

DER (2013) Site Inspection Report for Clearing Permit Application CPS 5843/1, Lot 7 on Plan 7148, Bindoon. Site inspection undertaken 21/10/2013. Department of Environment Regulation, Western Australia (DER Ref A700469).

Dwyer, J.J. (2013) Information submitted in support of clearing permit application CPS 5843/1. Received 9 October 2013 (DER Ref A682723).

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.

Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.