

Appendix 3
Clearing Permit 1773/1



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose permit number:	CPS 1773/1
Permit holder:	Department of Health
Purpose of clearing:	Development of the Fiona Stanley Hospital and Health Precinct
Shire:	City of Melville
Duration of permit:	26 August 2007 – 26 August 2022

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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

Within the area hatched yellow on attached Plan 1773/1 on the following properties:

COCKBURN SOUND LOCATION 3059
 LOT 4254 ON PLAN 219341
 LOT 300 ON PLAN 45110
 LOT 4994 ON PLAN 40291
 LOT 4378 ON PLAN 193548
 LOT 2 ON PLAN 19489
 LOT 4718 ON PLAN 26841
 LOT 4083 ON PLAN 192736

2. Area of Clearing

The permit holder must not clear more than 30 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 purposes of development of the Fiona Stanley Hospital and Health Precinct 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, the Permit Holder must take the following steps to minimise the risk of introduction and/or 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 the area; 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 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.

7. Fauna management

- (a) Prior to clearing within the area described in Condition 1 above, the area shall be inspected by a *fauna specialist* who shall identify the presence of *Isoodon obesulus fusciventer* (Quenda).
- (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 Environment and Conservation.

8. Offsets

- (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 8(a) and 8(b) 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 8(b) 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 prior to undertaking any clearing to which the *offset* relates, and prior to implementing the *offset*.
- (iv) Clearing may not commence until the CEO has approved the *offset* proposal.
- (v) The permit holder shall implement the *offset* proposal approved under condition 8(a)(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.

9. Records to 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 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) The Permit Holder must maintain the following records in relation to Fauna Management pursuant to condition 7:
 - (i) The number of the species identified, and that have been observed utilising the area;
 - (ii) The number of each species relocated; and
 - (iii) The location and date where relocated fauna was released, using Geocentric Datum Australia 1994.

- (c) In relation to the offsets of areas pursuant to condition 8:
- (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).

10. Reporting

The permit holder must provide to the CEO, on or before 30 June of each year, a written report of the records required under condition 9 for activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.

11. Definitions

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

condition means the rating given to native vegetation using the Keighery scale and refers to the degree of change in the structure, density and species present in the particular vegetation in comparison to undisturbed vegetation of the same type;

contributing offsets has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9 Environmental Offsets*, January 2006;

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

direct offsets has the same meaning as is given to that term in the Environmental Protection Authority's *Position Statement No.9 Environmental Offsets*, January 2006;

ecological community means a naturally occurring biological assemblage that occurs in a particular type of habitat (English and Blythe, 1997; 1999). The scale at which ecological communities are defined will depend on the level of detail in the information source, therefore no particular scale is specified.

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*;

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 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.

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

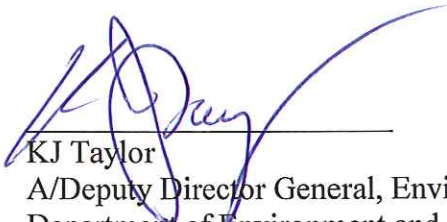
mulch means the use of organic matter, wood chips or rocks to slow the movement of water across the soil surface and to reduce evaporation;

offset means an offset required to be implemented under Condition 8 of this Permit;

road building materials 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 Environment and Conservation (1999), and plants declared under section 37 of the *Agricultural and Related Resources Protection Act 1976*.



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

26 July 2007