



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: CPS 10068/2

File Number: DWERVT11948

Duration of Permit: From 14 December 2023 to 14 December 2042

### ADVICE NOTE

#### Monetary contribution to the Offsets Fund

The monetary contributions to the Offsets Fund referred to in conditions 5 and 6 of this permit are intended to contribute towards the purchase, and conservation in perpetuity of at least 21.30 hectares of native vegetation that comprises the Banksia Woodlands of the Swan Coastal Plain (Banksia Woodlands) Threatened Ecological Community (TEC) in Very Good or better condition and at least 12.72 hectares of native vegetation that is growing in or in association with a wetland containing values that reflect a conservation category wetland in Good to Very Good (Keighery, 1994) condition on the Swan Coastal Plain.

#### Revegetation and rehabilitation offset

The Project Revegetation Plan referred to in condition 7 of this permit is intended to facilitate the *revegetation* and *rehabilitation* of a total of 7.24 hectares of native vegetation within Crown Reserve 46787 (Lot 506 on Deposited Plan 414835), Bibra Lake, that comprises 7.24 hectares of significant foraging habitat for Carnaby's cockatoo (*Zanda latirostris* (previously *Calyptorhynchus latirostris*)), and 6.64 hectares of significant foraging habitat for forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*), on the Swan Coastal Plain.

### PERMIT HOLDER

PSP Properties Pty Ltd as trustee for the Perth Surf Park Property Trust

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 800 on Deposited Plan 50212, Jandakot

Lot 9001 on Deposited Plan 65564, Jandakot

### AUTHORISED ACTIVITY

The permit holder must not clear more than 5.75 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 14 December 2025.

### 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. Fauna management

- (a) For a minimum of four (4) nights prior to the commencement of clearing activities authorised under this permit, within the area cross-hatched yellow on Figure 1 of Schedule 1, the permit holder must engage a *fauna specialist* to undertake a pre-clearance trapping and relocation survey of the permit area to identify native vertebrate fauna, including quenda (*Isoodon fusciventer*).
- (b) The permit holder must engage the *fauna specialist* to trap and relocate native vertebrate fauna, including quenda and any incidentally trapped native fauna, in accordance with a fauna license pursuant to the *Biodiversity Conservation Regulations 2018*.
- (c) The permit holder must also engage a fauna spotter to traverse the area, cross-hatched yellow on Figure 1 of Schedule 1, ahead of clearing machinery immediately prior to, and for the duration of, clearing activities, to identify the presence of any conservation significant fauna.
- (d) Clearing activities must cease in any area where conservation significant fauna, including quenda, are identified under condition 4(c) until the individual(s) has been trapped and relocated in accordance with condition 4(b).
- (e) Within two months of undertaking any clearing authorised under this permit within the area cross-hatched yellow on Figure 1 of Schedule 1, the permit holder

must provide the results of the pre-clearance trapping and relocation survey in a report to the *CEO*.

- (f) The report prepared in accordance with condition 4(e) must include, but not be limited to:
- (i) the methodology used to trap and relocate native vertebrate fauna and conservation significant fauna under conditions 4(b) and 4(d);
  - (ii) the relevant qualifications of the *fauna specialist* and fauna spotter undertaking identification, trapping, and relocation under conditions 4(a), 4(b) and 4(d);
  - (iii) the species name and number of native vertebrate fauna and conservation significant fauna individuals identified under conditions 4(a), 4(b) and 4(d);
  - (iv) the date each native vertebrate fauna and conservation significant fauna individual was identified under conditions 4(a), 4(b) and 4(d);
  - (v) the location where each individual referred to in conditions 4(a)-(d) was identified 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;
  - (vi) the species name and number of conservation significant fauna ~~quenda~~ individuals relocated under conditions 4(b) and 4(d);
  - (vii) the time and date each conservation significant fauna individual referred to under condition 4(b) and 4(d) was relocated;
  - (viii) the species name and number of any other native vertebrate fauna individual(s) relocated;
  - (ix) the location where each conservation significant fauna individual or other native vertebrate fauna individual was relocated to, 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; and
  - (x) details pertaining to the circumstances of any death of, or injury sustained by a native vertebrate fauna or conservation significant fauna individual.

**5. Offset – monetary contributions to the Offsets Fund (Banksia Woodlands of the Swan Coastal Plain Ecological Community)**

- (a) Prior to undertaking any clearing authorised under this permit and no later than 14 December 2025, the permit holder must provide documentary evidence to the *CEO* that funding of \$8,675.09 has been transferred to the Department of Water and Environmental Regulation for the purpose of establishing or maintaining *native vegetation* as an environmental offset for the clearing activities authorised under this permit.
- (b) If, within one (1) year of the *CEO* receiving documentary evidence of the transfer of funds pursuant to condition 5(a), the *CEO* by notice in writing notifies the permit holder that the *land acquisition* has not been successfully completed, then within three (3) months of the issue date of the *CEO*'s notice to the permit holder, the permit holder must provide documentary evidence to the *CEO* that funding of

an additional \$163,215.91 has been transferred to the Department of Water and Environmental Regulation for the purpose of establishing or maintaining *native vegetation* as an environmental offset for the clearing activities authorised under this permit.

- (c) If, within two (2) years of the *CEO* receiving documentary evidence of the transfer of additional funds pursuant to condition 5(b), the *CEO* by notice in writing notifies the permit holder that the funds provided under conditions 5(a) and 5(b) of \$8,675.09 and \$163,215.91 respectively are insufficient to cover the full cost of establishing or maintaining *native vegetation* as an environmental offset for the clearing activities authorised under this permit:
- (i) within six (6) months of the issue date of the *CEO*'s notice to the permit holder, the permit holder must provide a Project Offset Plan to the *CEO* for approval;
  - (ii) the Project Offset Plan must describe the environmental offsets that will be implemented by the permit holder to adequately address the insufficiency of funds to cover the full cost of establishing and maintaining *native vegetation* as an environmental offset for the clearing activities under this permit identified by the *CEO*;
  - (iii) if the *CEO*, having had regard to conditions 5(c)(i) and 5(c)(ii) of this permit, does not approve the Project Offset Plan, the permit holder must revise and resubmit the Project Offset Plan within one (1) month of the issue date of the *CEO*'s decision not to approve in writing, which may include recommendations for changes to the Project Offset Plan;
  - (iv) If the *CEO*, having had regard to conditions 5(c)(i) and 5(c)(ii) of this permit, does not approve a revised Project Offset Plan submitted by the permit holder in accordance with condition 5(c)(iii) of this permit, the permit holder must again revise and resubmit the Project Offset Plan in accordance with condition 5(c)(iii) of this permit within one (1) year of the issue date of the *CEO*'s decision not to approve in writing, which may include recommendations for changes to the revised Project Offset Plan;
  - (v) The permit holder must obtain the approval of the *CEO*, prior to implementing the Project Offset Plan.
  - (vi) The permit holder must implement the approved Project Offset Plan within one (1) year of the date of approval by the *CEO*.

## 6. Offset – monetary contributions to the Offsets Fund (Wetland)

Prior to undertaking any clearing authorised under this permit and no later than 14 December 2025, the permit holder must provide documentary evidence to the *CEO* that funding of \$102,596.70 has been transferred to the Department of Water and Environmental Regulation for the purpose of establishing or maintaining *native vegetation* as an environmental offset for the clearing activities authorised under this permit.

## 7. Offset – revegetation and rehabilitation requirements

- (a) Within 6 months of the commencement of clearing activities authorised under this permit, the permit holder must submit a Project Revegetation Plan to the *CEO* for

approval for the *revegetation and rehabilitation* of a total of 7.24 hectares, comprising 5.31 hectares within the combined areas cross-hatched red and 1.93 hectares within the combined areas cross-hatched green on Figure 2 of Schedule 1, within Crown Reserve 46787, Bibra Lake. The Project Revegetation Plan must be developed in accordance with *A Guide to Preparing Revegetation Plans for Clearing Permits* (Department of Water and Environmental Regulation, 2018).

- (b) The Project Revegetation Plan must be prepared by an *environmental specialist*.
- (c) The Project Revegetation Plan must include the following:
  - (i) the location/s of the *revegetation and rehabilitation* area/s required under condition 7(a) of this permit, 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;
  - (ii) *site preparation*;
  - (iii) *weed control*;
  - (iv) *regeneration, direct seeding or planting, at an optimal time*;
  - (v) *a vegetation establishment period*;
  - (vi) *revegetation* success completion criteria to achieve high quality foraging habitat for Carnaby's cockatoo (*Zanda latirostris* (previously *Calyptorhynchus latirostris*)) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) based on selected *reference sites*, including but not limited to target weed cover, target species diversity, target vegetation condition, target density, and target structure;
  - (vii) *remedial actions* to be undertaken if completion criteria are not met;
  - (viii) details of ongoing maintenance and monitoring of the area to be *revegetated and rehabilitated* for a minimum of five (5) years;
  - (ix) timeframes for completion of the activities; and
  - (x) management commitments that will be achieved.
- (d) If the *CEO*, having had regard to conditions 7(b) and 7(c) of this permit, does not approve the Project Revegetation Plan, the permit holder must revise and resubmit the Project Revegetation Plan within one (1) month of the date of the *CEO's* decision.
- (e) If the *CEO*, having had regard to conditions 7(b) and 7(c) of this permit, does not approve a revised Project Revegetation Plan submitted in accordance with condition 7(d) of this permit, the permit holder must again revise and resubmit the Project Revegetation Plan in accordance with condition 7(d) of this permit.
- (f) The permit holder must obtain the approval of the *CEO*, prior to implementing the Project Revegetation Plan.
- (g) The permit holder must implement the approved Project Revegetation Plan within 12 months of the date of approval by the *CEO*.

## 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"> <li>(a) the species composition, structure, and density of the cleared area;</li> <li>(b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;</li> <li>(c) the date that the area was cleared;</li> <li>(d) the size of the area cleared (in hectares);</li> <li>(e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 2;</li> <li>(f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> and <i>dieback</i> in accordance with condition 3; and</li> <li>(g) actions taken for fauna management in accordance with condition 4.</li> </ul>
2.	In relation to the <i>revegetation and rehabilitation</i> of areas pursuant to condition 7	<ul style="list-style-type: none"> <li>(a) A description of the <i>revegetation</i> and <i>rehabilitation</i> activities undertaken;</li> <li>(b) The size of the area <i>revegetated</i> and <i>rehabilitated</i>;</li> <li>(c) The date/s on which the <i>revegetation</i> and <i>rehabilitation</i> was undertaken;</li> <li>(d) The boundaries of the area <i>revegetated</i> and <i>rehabilitated</i>, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings; and</li> <li>(e) any other actions taken in accordance with condition 7.</li> </ul>

## 9. Reporting

- (a) The permit holder must provide to the CEO, on or before 30 June of each calendar year, a written report conditioning:
- (i) the records required to be kept under condition 8; and
  - (ii) records of 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 has been undertaken, a written report confirming that no clearing under this permit has been undertaken must be provided to the CEO on or before 30 June of each calendar year.
- (c) The permit holder must provide to the CEO, no later than 90 days prior to the expiry date of the permit, a written report of records required under condition 8, where these records have not already been provided under condition 9(a).

## DEFINITIONS

In this permit, the terms in Table 2 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.
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.
dieback	means the effect of <i>Phytophthora</i> 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.
environmental specialist	means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of two (2) years work 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.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
fauna specialist	means a person who holds a tertiary qualification specialising in environmental science or equivalent, and has a minimum of two (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

Term	Definition
	<i>Biodiversity Conservation Act 2016.</i>
fill	means material used to increase the ground level, or to fill a depression
land acquisition	means the land acquisition north of Perth described on page 23 of the Decision Report dated 22 November 2023 for clearing permit CPS 10068/1
local provenance	means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same 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.
optimal time	means the period from April to July for undertaking <i>planting</i> and <i>direct seeding</i> .
planting	means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species.
Project Offset Plan	means a document describing the environmental offsets that will be implemented by the permit holder to cover the full cost of establishing and maintaining native vegetation that is representative of the Banksia Woodlands TEC as an environmental offset for the clearing activities authorised under this permit.
reference sites	means nearby sites used to provide baseline data for planning a revegetation project. Measurements from fixed reference points or plots where biodiversity components are measured are used to set measurable <i>completion criteria</i> for <i>revegetation projects</i> . The <i>reference sites</i> must contain the following values: <ul style="list-style-type: none"> <li>• suitable foraging habitat for <i>Zanda latirostris</i> (previously <i>Calyptorhynchus latirostris</i>) (Carnaby's cockatoo) and <i>Calyptorhynchus banksii naso</i> (forest red-tailed black cockatoo); and</li> <li>• vegetation in a Very Good (Keighery, 1994) or better condition.</li> </ul>
regenerate / regenerated / regeneration	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 / rehabilitated / rehabilitation	means actively managing an area containing native vegetation in order to improve the ecological function of that area.
remedial action/s	means any activity that is required to ensure successful reestablishment of vegetation to its pre-clearing composition, structure and density, and may include a combination of soil treatments and <i>revegetation</i> .
revegetate /	means the re-establishment of a cover of <i>local provenance</i> native



Term	Definition
vegetated / revegetation	vegetation in an area using methods such as natural <i>regeneration</i> , <i>direct seeding</i> and/or <i>planting</i> , so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.
site preparation	means management of existing site topsoil and preparation of the finished soil surface, for example by ripping or tilling the soil surface and resspreading site topsoil and chipped native vegetation.
vegetation establishment period	means a period of at least two summers after the <i>revegetation</i> during which time replacement and infill <i>revegetation</i> works may be required for areas in which <i>revegetation</i> has been unsuccessful and involves regular inspections of <i>revegetation</i> sites to monitor the success of <i>revegetation</i> .
weeds	means any plant – <ul style="list-style-type: none"> <li>(a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or</li> <li>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</li> <li>(c) not indigenous to the area concerned.</li> </ul>

**END OF CONDITIONS**

**Mike  
Young**

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Mike Young  
SENIOR MANAGER  
NATIVE VEGETATION REGULATION

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

9 April 2024

# SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

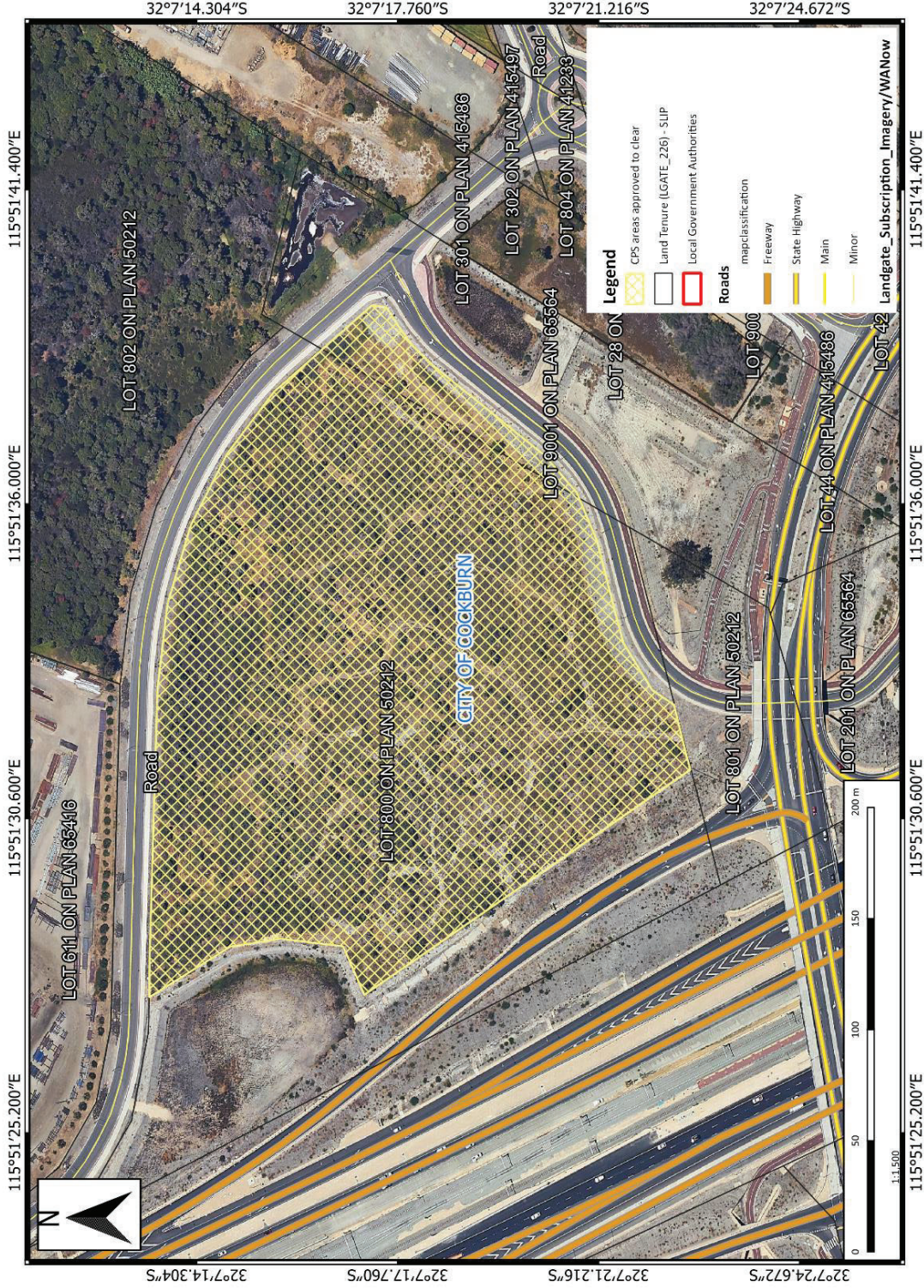


Figure 1: Map of the boundary of the area (cross-hatched yellow) within which clearing may occur

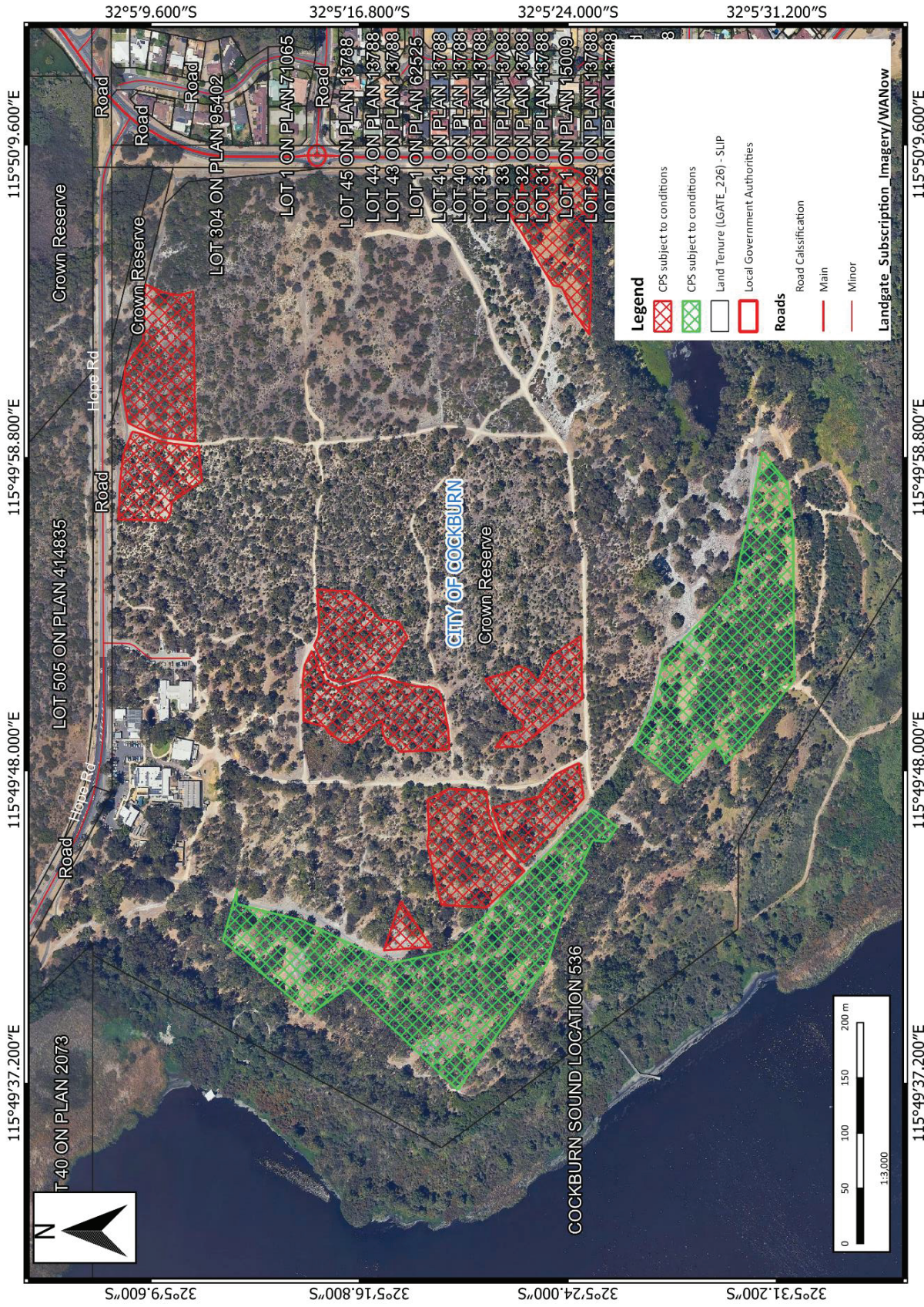


Figure 2: Map of the boundary of the areas (cross-hatched red and green) within which condition 6 applies.



# Clearing Permit Decision Report

## 1 Application details and outcome

### 1.1. Permit application details

<b>Permit number:</b>	CPS 10068/2
<b>Permit type:</b>	Area permit
<b>Applicant name:</b>	PSP Properties Pty Ltd as trustee for the Perth Surf Park Property Trust (PSP Properties)
<b>Application received:</b>	20 March 2024
<b>Application area:</b>	5.75 hectares of native vegetation
<b>Purpose of clearing:</b>	Construction of Perth Surf Park
<b>Method of clearing:</b>	Mechanical clearing
<b>Property:</b>	Lot 800 on Deposited Plan 50212 Lot 9001 on Deposited Plan 65564
<b>Location (LGA area/s):</b>	City of Cockburn
<b>Localities (suburb/s):</b>	Jandakot

### 1.2. Description of clearing activities

This amendment to Clearing Permit CPS 10068/1 is to give effect to the determination made by the Minister for Environment; Climate Action (the Minister) in relation to 68 appeals received against the grant of the permit. The total extent of clearing proposed under this amendment (CPS 10068/2) remains not more than 5.75 hectares of native vegetation within Lot 800 on Deposited Plan 50212 and Lot 9001 on Deposited Plan 65564, Jandakot, for the purpose of constructing the Perth Surf Park development.

The vegetation proposed to be cleared is contained within a single contiguous area of remnant native vegetation within the Cockburn Central East Local Structure Plan Area (see Figure 1, Section 1.5). The proposed clearing is to facilitate the construction of Perth Surf Park including a 2.2-hectare open water wave lagoon, the import of fill to create the wave lagoon, and the construction of roads, carparking, ancillary amenity buildings, and associated facilities (Coterra, 2023).

### 1.3. Decision on application

<b>Decision:</b>	Grant
<b>Decision date:</b>	9 April 2024
<b>Decision area:</b>	5.75 hectares of native vegetation, as depicted in Section 1.5, below.

### 1.4. Reasons for decision

On 22 November 2023, the Department of Water and Environmental Regulation (DWER) determined to grant Clearing Permit CPS 10068/1 to authorise PSP Properties to clear no more than 5.75 hectares of native vegetation within Lot 800 on Deposited Plan 50212 and Lot 9001 on Deposited Plan 65564, Jandakot, for the purpose of constructing the Perth Surf Park development. 68 appeals were lodged, which objected to the grant of Clearing Permit CPS 10068/1 and included 20 grounds of appeal.

This clearing permit amendment gives effect to the Minister’s determination to partly allow the appeal (Appeal number: 050 of 2023). The Minister determined that DWER’s decision to grant the clearing permit was generally appropriate, but that the permit conditions should be strengthened to ensure the impacts to environmental values are minimised and offset with a high level of confidence. The amendments required by the Minister’s determination are outlined in Section 2.2.

Given the above, the Delegated Officer determined to grant an amended clearing permit in accordance with the Minister’s determination. The Delegated Officer determined to make the following amendments to the clearing permit conditions:

- The duration of the clearing permit is extended to 14 December 2042.
- Condition 4 is amended to refer to vertebrate fauna generally and fauna spotting during clearing activities is extended to refer to any conservation significant fauna, including quenda.
- Condition 5 is amended to:
  - relate only to the monetary contribution to the Part V Offsets Fund to counterbalance impacts to Banksia Woodlands TEC; and
  - include contingencies requiring the Permit Holder to fund the full cost of acquiring alternative land as an offset for impacts to the Banksia Woodlands TEC, if the anticipated land acquisition north of Perth does not proceed.
- Condition 6 is added to the permit to reflect the monetary contribution to the Part V Offsets Fund to counterbalance impacts to wetland values with a required contribution of \$102,596.70.
- Reference to 14 June 2026 is removed from condition 7(a).
- Minor updates to clearing permit condition numbers and definitions have been conducted to reflect the above.

In initiating this amendment, the Delegated Officer reviewed the information available at the time of the amendment and noted that the site characteristics and assessment against the clearing principles, as well as planning and other matters, have not changed from the Clearing Permit Decision Report for CPS 10068/1.

**1.5. Site map**

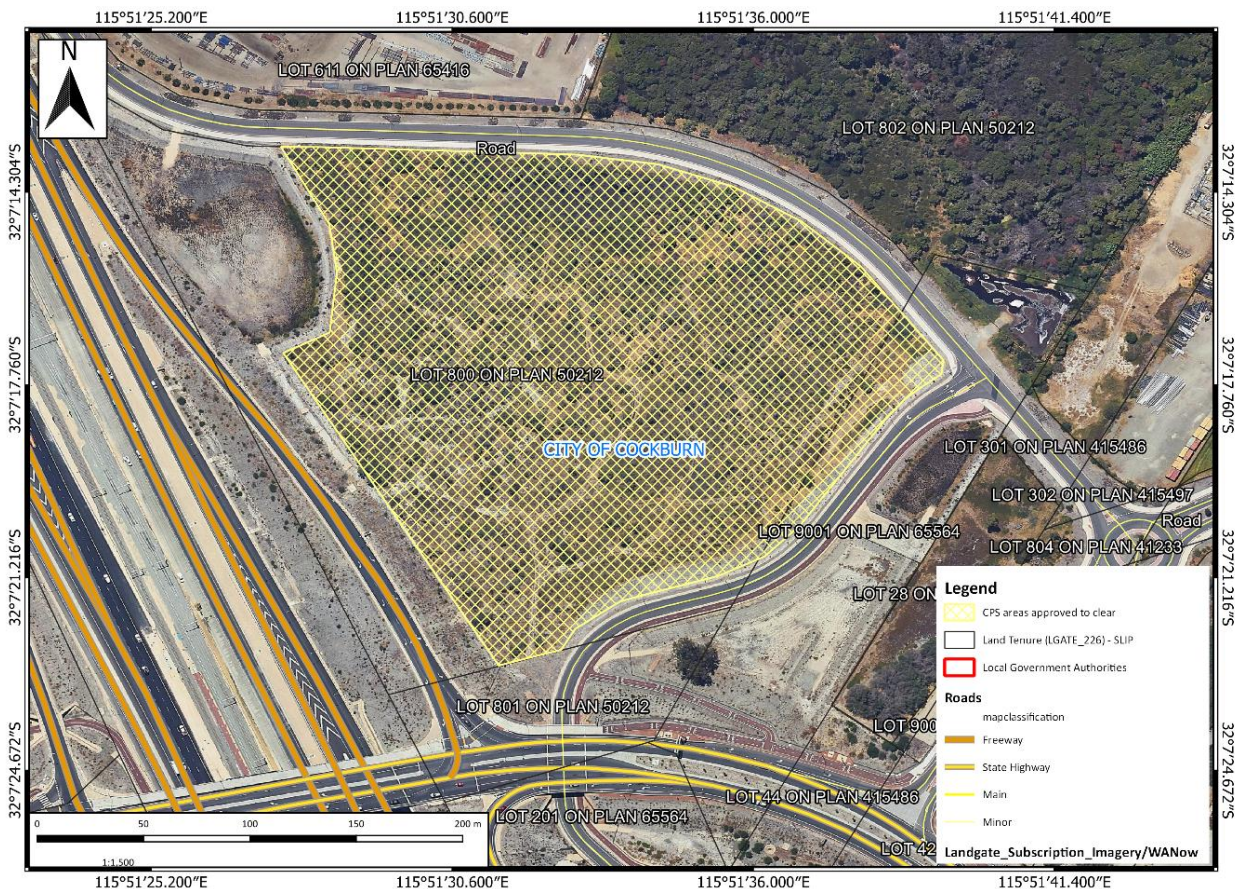


Figure 1: The area cross-hatched yellow indicates the area authorised to be cleared under the granted clearing permit.

## 2 Detailed assessment of application

### 2.1. Avoidance and mitigation measures

Given this amendment is not applicant-initiated and is the result of an appeal determination made by the Minister in relation to the grant of Clearing Permit CPS 10068/1, the avoidance and mitigation measures proposed by the Permit Holder remain unchanged from the previous assessment of the permit and can be found in the Decision Report prepared for Clearing Permit CPS 10068/1.

### 2.2. Assessment of impacts on environmental values

This amendment is the result of an appeal determination made by the Minister regarding the conditions of Clearing Permit CPS 10068/1. The assessment of the impacts of the proposed clearing on environmental values is unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 10068/1.

The Minister determined that, on balance, the social and economic benefits of the surf park outweigh the significant environmental values of the application area, noting the impacts to these values can be counterbalanced through a suitable environmental offset as determined by DWER.

In coming to this view, the Minister considered that the permit conditions should be strengthened to ensure the impacts to environmental values are minimised and offset with a high level of confidence. The Minister determined to allow the appeals to the extent that:

- reference to 14 June 2026 is removed from condition 6(a) to clarify that the Project Revegetation Plan is to be submitted to DWER within six months of the commencement of clearing;
- a contingency is applied to require the Permit Holder to pay the full cost of acquiring alternative land as an offset for impacts to the Banksia Woodlands TEC, if the anticipated land acquisition north of Perth does not proceed;
- condition 5 is amended to increase the monetary contribution for the wetland offset to \$102,596.70;
- any discrepancy between the 2019 land valuations and current valuations are the subject of further discussions and negotiations between the State (as the owner of the land) and Permit Holder;
- the duration of the permit is extended by 10 years to account for the 17-year 'time until ecological benefit' and ensure that the revegetation/rehabilitation offset achieves a significant foraging resource for black cockatoos;
- conditions 4(a) and (b) are amended to refer to vertebrate fauna generally, including quenda; and
- conditions 4(c) and (d) are amended to refer to any conservation significant fauna spotted during clearing activities, including quenda.

To give effect to the Minister's determination, the Delegated Officer determined to make the following amendments to the clearing permit conditions:

- The duration of the clearing permit is extended to 14 December 2042.
- Condition 4 is amended to the extent that:
  - Conditions 4(a) and (b) requires pre-clearance trapping and relocation to target native vertebrate fauna, including quenda; and
  - Conditions 4(c) and (d) require a fauna spotter to traverse the clearing area to identify the presence of conservation significant fauna immediately prior to, and for the duration of, clearing and cease clearing to trap and relocate any individuals identified.
  - Condition 4(f) requires reporting of any native vertebrate fauna and conservation significant fauna identified under conditions 4(a) to (d).
- Condition 5 is amended to the extent that:
  - This condition now only relates to the monetary contribution to the Part V Offsets Fund to counterbalance impacts to Banksia Woodlands TEC.
  - The monetary contribution to the Part V Offsets Fund to counterbalance impacts to Banksia Woodlands TEC is amended to \$8,675.09, to reflect the value of an anticipated land acquisition of a known property north of Perth containing vegetation that is representative of the Banksia Woodlands TEC.
  - Condition 5(b) is added to the permit, requiring the Permit Holder to provide an additional monetary contribution to the Part V Offsets Fund of \$163,215.91, where the funds supplied under condition 5(a) are insufficient to fund the full cost of the required offset. This monetary contribution has been calculated based on the 50-hectare unimproved land values for the likely Shire of interest (Shire of Murray) for purchasing vegetation representative of the Banksia Woodlands TEC on the southern Swan Coastal Plain.
  - Condition 5(c) is added to the permit, requiring the Permit Holder to submit a Project Offset Plan for

CEO approval, where the funds supplied under conditions 5(a) and (b) are insufficient to fund the full cost of the required offset. The Project Offset Plan must describe how the Permit Holder will implement additional offsets to adequately address the insufficiency of funds to adequately cover the full cost of establishing and maintaining native vegetation that is representative of the Banksia Woodlands TEC as an environmental offset for the proposal.

- Condition 6 is added to the permit to reflect the monetary contribution to the Part V Offsets Fund to counterbalance impacts to wetland values with a required contribution of \$102,596.70.
- Reference to 14 June 2026 is removed from condition 7(a) (previously condition 6(a)).
- Minor updates to clearing permit condition numbers and definitions to allow for the above.

The Delegated Officer acknowledged the Minister's direction that, in relation to the monetary contribution for the wetland offset, discrepancies between the 2019 land valuations and current valuations should be the subject of further discussions and negotiations between the State (as the owner of the land) and Permit Holder. The Delegated Officer notes that, if determined to be necessary in future, such discussions can be held between all interested parties at the time of a land acquisition that utilises the funds required under condition 6 of the amended clearing permit. Having consulted with the Chair of the Appeals Committee on this matter, the Delegated Officer formed a view that DWER, as the administrator of the Part V Offsets Fund and a facilitator of land acquisitions from the fund, is able to give effect to this direction from the Minister without requiring any specific amendment to the conditions of the clearing permit.

### 2.3. Relevant planning instruments and other matters

The assessment against planning instruments and other matters is unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 10068/1.

**End**

### References

Department of Water and Environmental Regulation (DWER) (2023) *Purpose permit and decision report: CPS 10068/1*. Available from: <https://ftp.dwer.wa.gov.au/permit/10068/Permit/>.

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