



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4924/2
Permit Holder:	Oakford Land Company Pty Ltd
Duration of Permit:	14 December 2012 – 14 December 2022

ADVICE NOTE:

The funds referred to in condition 11 of this permit are intended for the purchase of 95 hectares of Carnaby's cockatoo foraging habitat within the Shire of Gingin.

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 an extractive industry.

2. Land on which clearing is to be done

Lot 8 on Diagram 53380 (Nowergup)

3. Area of Clearing

The Permit Holder must not clear more than 15.54 hectares of native vegetation within the area hatched yellow on attached Plan 4924/2.

4. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 14 December 2017.

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.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 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

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in 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.

8. 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.

9. Wind erosion management

The Permit Holder shall not clear native vegetation unless extractive activities begin within three months of the clearing being undertaken.

10. Rehabilitation of area outside application

Objectives

- (a) The Permit Holder must undertake rehabilitation of the area hatched red on Plan 4924/2 in the first May following clearing permitted under this permit to establish an ecologically diverse and stable vegetation community that has similar structure and composition to the original native vegetation of the Neerabup area, including:
 - (i) establishment of *Xanthorrhoea preissii* understorey and *Banksia attenuata* overstorey; and
 - (ii) establishment of vegetation with similar floristic composition to Floristic Community Type 26a where appropriate conditions exist to reflect the adjacent threatened ecological community.

Targets and indicators

- (b) In determining whether the *rehabilitation* has similar structure and composition to the original native vegetation of the Neerabup area as required under condition 10(a), the Permit Holder shall engage an *environmental specialist* to make an assessment against the completion criteria contained in Appendix 1 of this Permit according to the monitoring program required under condition 10(e).

Seeding and planting

- (c) Seeding and *planting* shall be undertaken using *local provenance* seed and propagating material where practicable.

Monitoring

- (d) Monitoring of *rehabilitation* shall be undertaken by an *environmental specialist* in Spring and commencing within six months of initial *rehabilitation* activities in accordance with the monitoring program in Table 4.
- (e) Annual monitoring shall continue for five years or until completion criteria in Appendix 1 are met.
- (f) Transects shall be established within the *rehabilitation* area hatched red on Plan 4924/2 and within adjacent *analogue sites*.
- (g) Monitoring, including visual assessments and where necessary counts to determine the success of the *rehabilitation* and restoration within the area hatched red on Plan 4924/2, shall be undertaken of plant density, species composition, growth habit of each species, health of *revegetation*, plant deaths, *weed* infestation, areas of erosion and *dieback* presence.

Table 4 Monitoring program for the Rehabilitation area

Objective	Parameter	Frequency/Duration	Location	Purpose
Establishment of an ecologically diverse and stable vegetation community that has similar structure and composition to the original native vegetation of the Neerabup area.	Native flora <ul style="list-style-type: none"> • density • species composition • growth habit • health of revegetation • deaths. 	During spring and within six months from initial rehabilitation with subsequent monitoring undertaken annually for five years or until completion criteria are met.	Establish monitoring sites within Rehabilitation area and analogue sites in adjacent remnant vegetation.	Monitor establishment of vegetation and compare progress to performance indicators and completion criteria.
	Weed infestation.	Establish analogue sites in adjacent remnant vegetation and compare annually in autumn (prior to winter rains) for five years or until completion criteria are met.	Establish monitoring sites within Rehabilitation area and analogue sites in adjacent remnant vegetation.	To monitor and compare presence and distribution of weeds.
	Areas of erosion	During Spring and within six months from initial rehabilitation with subsequent monitoring undertaken annually for five years or until completion criteria are met.	Susceptible areas within Rehabilitation area.	To monitor occurrence and extent of erosion.
	Dieback presence.	Opportunistically.	Susceptible species within Rehabilitation area.	To monitor presence and distribution of dieback in revegetation areas.

11. Monetary contributions to a fund maintained for the purpose of establishing or maintaining vegetation (offset)

Prior to undertaking any clearing authorised under this permit, the Permit Holder shall contribute documentary evidence to the CEO that funding of \$100,000 has been transferred to the Department of Environment and Conservation to purchase land for the purpose of establishing or maintaining vegetation.

12. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (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) within six months following completion of the clearing authorised under this Permit *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) reshaping the surface of the land so that it is consistent with the surrounding 20 metres of uncleared land; and
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) ripping the pit floor and contour batters within the extraction site; and
 - (iv) laying the vegetative material and topsoil retained under condition 12(a) on the cleared area(s); and
 - (v) deliberately *planting* and/or *direct 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; and
 - (vi) ensuring only *local provenance* seeds and propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) within 24 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 12(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 composition structure and density determined under condition 12(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 12(b)(v) and (vi) of this Permit.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 12(c)(ii) of this Permit, the Permit Holder shall repeat condition 12(c)(i) and 12(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 12(c)(i) and (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 12(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 12(c)(ii).

PART III - RECORD KEEPING AND REPORTING

13. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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 or decimal degrees;
 - (ii) the date that the clearing commenced;
 - (iii) the date the extraction operations ceased; and
 - (iv) the size of the area cleared (in hectares).
- (b) In relation to monetary contribution pursuant to condition 11 of this Permit, the date funds were transferred.
- (c) In relation to the *revegetation* and *rehabilitation* of areas pursuant to conditions 10 and 12 of this Permit:
 - (i) 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;
 - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares); and
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*

14. 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 13 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 July to 30 June of the preceding financial year.
- (b) Prior to 14 September 2022, the Permit Holder must provide to the CEO a written report of records required under condition 13 of this Permit where these records have not already been provided under condition 14(a) of this Permit.

DEFINITIONS

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

analogue site means a site used to compare the vegetation structure and composition with *rehabilitation* areas.

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 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;

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

floristic community type means a vegetation community as described in Gibson, N, Keighery, B, Keighery, G, Burbidge, A and Lyons, M (1994). *A Floristic Survey of the Swan Coastal Plain*. Unpublished report for the Australian Heritage Commission.

local provenance means native vegetation seeds and propagating material from natural sources within 20 kilometres 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 declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*;
or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking;
- (c) or not indigenous to the area concerned.



Stuart Cowie
A/DEPUTY DIRECTOR GENERAL, ENVIRONMENT

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

31 January 2013

APPENDIX 1 COMPLETION CRITERIA

Completion criteria have been determined to provide clear targets that must be met before related rehabilitation activities can cease. Completion criteria for the Rehabilitation area are:

- *Xanthorrhoea preissii* understorey and *Banksia attenuata* overstorey established at a similar density to analogue sites.
- vegetation with similar floristic composition to FCT 26a established where appropriate conditions exist.
- after three years vegetation within Rehabilitation area to achieve:
 - * minimum density of 1 native plant per square metre when averaged over the Rehabilitation area
 - * percentage foliage cover of native species indigenous to each vegetation unit to be greater than or equal to 80 per cent foliage cover compared to vegetation in analogue sites
 - * vegetation structure comprising percentages of overstorey, midstorey and understorey comparable to vegetation structure in analogue sites
 - * species richness of greater than or equal to 80 per cent compared to vegetation in analogue sites
 - * weed species density and diversity similar to or less than analogue site
- revegetated landscape stable with minimal erosion.



1. Application details

1.1. Permit application details

Permit application No.: 4924/2
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Oakford Land Company Pty Ltd

1.3. Property details

Property: LOT 8 ON DIAGRAM 53380 (House No. 259 WATTLE NOWERGUP 6032)
Local Government Area: City Of Wanneroo
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 31 January 2013

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
<p>Beard Vegetation Associations:</p> <ul style="list-style-type: none"> - 949: Low woodland; banksia - 998: Medium woodland, tuart (Shepherd et al, 2001). 	<p>The application is to clear 15.54 hectares of native vegetation for the purpose of limestone and sand extraction. The vegetation under application is considered to be in an excellent (Keighery, 1994) condition (DEC, 2012)</p>	<p>Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)</p>	<p>The condition of the vegetation was established through a site inspection of the application area by Department of Environment and Conservation (DEC) officers on the 4 April 2012 (DEC 2012).</p>
<p>Hedde Vegetation Complex:</p> <ul style="list-style-type: none"> - Cottesloe Complex Central and South: Mosaic of woodland of E. gomphocephala and open forest of E. gomphocephala-E. marginata- C. calophylla; closed heath on the Limestone outcrops (Hedde et al. 1980). 	<p>The vegetation under application comprises of two communities, a Xanthorrhoea preissii and Banksia sessilis closed heath over limestone ridge and a Banksia woodland consisting of Banksia grandis and Banksia attenuata over Xanthorrhoea preissii on lower slopes of the ridge. Both recorded communities have dense shrub layers, with the vegetation including Calothamnus sp, Hibbertia sp and Acacia sp (DEC, 2012). Scattered Eucalyptus species were also recorded in the application area.</p>		

3. Assessment of application against clearing principles

Comments

The Department of Environment and Conservation initiated an administrative amendment to CPS 4924/1 relating to permit conditions 10 and 11 on 3 January 2013.

A review of current environmental information reveals no new additional information. Therefore the assessment

against the clearing principles has not changed and can be found in the Clearing Permit Decision Report for CPS 4924/1.

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

Administrative changes to permit conditions have been made to bring the conditions in line with current Department of Environment and Conservation practice.

4. References

- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 4924/1, Lot 8 Wattle Drive, Nowergup. Site inspection undertaken 4/04/2012. Department of Environment and Conservation, Western Australia (DEC Ref A594084)
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- Heddle, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

5. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)