



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 6409/3
<b>Permit Holder:</b>	Satterley Property Group Pty Ltd
<b>Duration of Permit:</b>	11 April 2015 – 11 April 2025

### ADVICE NOTE:

The funds referred to in condition 8 of this permit are intended for contributing towards the purchase of 3.15 hectares of native vegetation with similar values to the vegetation to be cleared.

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 constructing a beach access node.

**2. Land on which clearing is to be done**

Lot 15450 on Deposited Plan 40341, Jindalee  
Lot 3052 on Deposited Plan 47953, Jindalee

**3. Authorised activity**

The Permit Holder shall not clear more than 2.82 hectares of native vegetation within the area hatched yellow on attached Plan 6409/3a.

**4. Period in which clearing is authorised**

The Permit Holder shall not clear any native vegetation after 11 April 2020.

**5. Application**

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation authorised under this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

### PART II – MANAGEMENT CONDITIONS

**6. Avoid, minimise and reduce the impacts and extent of 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

## 7. 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) 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.

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

Prior to undertaking any clearing authorised under this permit and no later than 11 April 2016, the Permit Holder shall provide documentary evidence to the CEO that funding of \$45,259 has been transferred to the Department of Environment Regulation for the purpose of establishing or maintaining vegetation.

## 9. Revegetation Plan

Within 12 months of the commencement of clearing, the Permit Holder must implement and adhere to the 'CPS 6409/3 - Eden Beach Revegetation Management Plan', dated 13 September 2019, including but not limited to the following actions:

- (a) retain the vegetative material removed by clearing authorised under this Permit and stockpile the vegetative material in an area that has already been cleared;
- (b) commence *revegetating* and *rehabilitating* the areas cross hatched red on Plan 6409/3b by:
  - (i) laying the vegetative material retained under condition 9(a);
  - (ii) deliberately planting native vegetation that will result in similar species composition, structure and density of native vegetation to the surrounding vegetation within Bush Forever site 397; and
  - (iii) ensuring only *local provenance* propagating material are used to *revegetate* and *rehabilitate* the area.
- (c) establishing four 10 x 10 metre quadrat monitoring sites within the *rehabilitated* areas;
- (d) fencing the rehabilitated areas;
- (e) water planted vegetation between November and March during first year following planting;
- (f) implement hygiene protocols by cleaning earth-moving machinery of soil and vegetation prior to entering and leaving the site;
- (g) undertake weed control activities annually;
- (h) achieve the following completion criteria after the five year monitoring period for areas *revegetated* and *rehabilitated* under this Permit;

Criterion	Aspect	Completion targets	Completion criteria	Monitoring
1	Species richness	Species richness of 50 per cent of the species that have been planted.	Species richness and number of plants/m <sup>2</sup> in the <i>rehabilitation</i> area is at least 50 per cent of the species that have been planted.	The species and number of plants/m <sup>2</sup> in the <i>rehabilitation</i> area will be counted bi-annually for five years.
2	Vegetation structure	Vegetation structure to reach shrub land formation (tallest stratum is shrubs 1-2 metres and 10-30 per cent cover)	Structure of the rehabilitation area to consist of a shrub land formation.	Structure to be assessed bi-annually for five years
3	No priority weeds are present.	No priority weed species ( <i>Euphorbia terracina</i> , <i>Pelargonium capitatum</i> ,	Priority weeds are absent from the <i>rehabilitation</i> .	Monitor the <i>rehabilitation</i> site for priority weeds by quadrats bi

		<i>Trachyandra divaricate</i> ).		annually for five years.
4	Survival rate to be achieved.	If after planting a survival rate of at least 50 per cent is not achieved, infill planting must occur.	The <i>rehabilitation</i> area needs to ensure a survival rate of at least 50 per cent of the density planted is achieved after five years.	The number of surviving plants in the <i>revegetation</i> areas will be monitored bi-annually for five years.
5	Stem Density/composition	A total native species stem density of 45 plant/100 m <sup>2</sup>	The <i>rehabilitation</i> area contains - 10 medium shrubs per 100 m <sup>2</sup> - 30 small shrubs per 100 m <sup>2</sup> - 5 herb and/or groundcover per 100 m <sup>2</sup>	Stem density to be assessed bi-annually for five years

- (i) undertake remedial actions for areas *revegetated* and *rehabilitated* where monitoring indicates that revegetation has not met the completion criteria, outlined in 9(h), including;
  - (i) *revegetate* the area by deliberately *planting* native vegetation that will result in the minimum target in 9(h) and ensuring only *local provenance* propagating material are used; and
  - (ii) undertake further weed control activities.
- (j) monitoring is to be undertaken by an *environmental specialist*.

### **PART III – RECORD KEEPING AND REPORTING**

#### **10. Records must be kept**

The Permit Holder must maintain the following records for activities done in 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;
  - (ii) the date that the area was cleared; and
  - (iii) the size of the area cleared (in hectares).
- (b) Actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of this Permit.
- (c) Actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 7 of this Permit.
- (d) In relation to the revegetation of areas pursuant to condition 9 of this Permit:
  - (i) a description of the *rehabilitation* activities undertaken;
  - (ii) the size of the area *rehabilitated* (in hectares); and
  - (iii) the date that the area was *rehabilitated*;
  - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*; and
  - (v) a copy of the *environmental specialist* report and activities undertaken during monitoring.

#### **11. 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 10 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 30 June of each year.
- (c) Prior to 11 January 2025, the Permit Holder must provide to the *CEO* a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

## DEFINITIONS

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

**CEO** means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

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

**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;

**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 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;

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

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

**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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Mathew Gannaway  
MANAGER  
NATIVE VEGETATION REGULATION

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

2 October 2019



# Plan 6409/3a



## Legend

- Imagery
- Clearing Instruments Activities
- Local Government Authority
- Roads



(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Date 2 October 2019  
Mathew Gannaway

Officer delegated under Section 20  
of the Environmental Protection Act 1986





# Plan 6409/3b



## Legend

- Imagery
- Local Government Authority
- Roads
- Clearing Instruments Offets



(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Date 2 October 2019  
Mathew Gannaway

Officer delegated under Section 20  
of the Environmental Protection Act 1986





## 1. Application details

### 1.1. Permit application details

Permit application No.: 6409/3  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Satterley Property Group Pty Ltd  
Application received date: 05 April 2019

### 1.3. Property details

Property: Lot 3052 on Plan 47953, Jindalee  
Lot 15450 on Plan 40341, Jindalee  
Local Government Authority: Wanneroo, City of  
Localities: Jindalee

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
2.82		Mechanical Removal	Building or structure

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 2 October 2019

Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is at variance to principle (h), may be at variance to principle (i), and is not likely to be at variance to the remaining principles.

This amendment has been made to increase the clearing size by 0.72 hectares for the purpose of constructing a beach access node and access road. The applicant has mitigated the additional residual impacts to Bush Forever through the rehabilitation of 0.79 hectares in accordance with an approved rehabilitation management plan.

Given the above, the Delegated Officer decided to grant a clearing permit subject to avoid and minimise, weed management, revegetation and offset conditions.

## 2. Site Information

### Clearing Description

The application to amend is to clear 2.82 hectares for the purpose of constructing a beach access node and access road.

This amendment has been made to increase the clearing size by 0.72 hectares for the purpose of constructing a beach access node and access road.

### Vegetation Description

The application area is mapped as the Quindalup (Qw) vegetation complex, which is described as a coastal dune complex consisting mainly of two alliances - the strand and fore-dune alliance and the mobile and stable dune alliance. Local variations include the low closed forest of *Melaleuca lanceolata* (Rottnest Teatree) - *Callitris preissii* (Rottnest Island Pine) and the closed scrub of *Acacia rostellifera* (Summer-scented Wattle) (Hedde et al., 1980).

The following vegetation communities were mapped within the application area during flora surveys undertaken by RPS Environment in 2004, 2005 and 2006 (PGV Environmental, 2019a):

- AsLSg - *Acacia saligna*, *Spyridium globulosum*, *Olearia axillaris*, Shrubland/Open Shrubland over *Pelargonium capitatum*, *Melaleuca systena*, *Acacia lasiocarpa* Open Low Heath over *Lomandra maritima* Sedgeland; and
- Sg - *Spyridium globulosum*, (*Olearia axillaris*) Closed/Open Heath over *Trachyandra divaricata*, *Trachymene pilosa*, *Conostylis pauciflora* subsp.? Herbland.

### Vegetation Condition

The application area is determined to be in a Very Good to Degraded condition (PGV Environmental, 2019a), described as:

- Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery 1994); to

- Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

**Comment**

The condition of the vegetation under application was determined by a site visit undertaken by PGV Environmental in February 2019 (PGV Environmental 2019a).

**3. Minimisation, mitigation measures and offsets**

The applicant has advised that there are no alternatives to the proposed clearing and that a retaining wall was not considered due to the nature of the dunal landscape and public safety risk.

The applicant has proposed to rehabilitate 0.79 hectares of native vegetation in accordance with the 'Eden Beach CPS 6409/3 – Revegetation Management Plan 13 September 2019' (PGV Environmental (2019b)) within Bush Forever site 397 to mitigate the impacts of the additional proposed clearing within the Bush Forever site.

**4. Assessment of application against clearing principles**

This amendment has been made to increase the clearing size by 0.72 hectares for the purpose of constructing a beach access node and access road.

A review of current environmental values of the application area and of the previous assessment against the clearing principles have found that the assessment has not changed and the findings can be found in Clearing Permit Decision Report CPS 6409/1.

To account for an additional 0.69 hectares of native vegetation to be cleared within Bush Forever site No.397, the Department of Water and Environment Regulation has approved the applicant's proposed mitigation which comprises the rehabilitation of 0.79 hectares within the Bush Forever site post clearing.

**Planning instruments and other relevant matters**

The assessment against Planning and Other Matters has not changed and can be found in Decision Report CPS 6409/1. No submissions have been received.

No Aboriginal sites of significance have been mapped within the application area.

The Department of Planning, Lands and Heritage (2019) advised that as the proposed clearing is within a Bush Forever site then an offset package should be provided for a net environmental gain.

The clearing permit application was advertised on the DWER website on 06 June 2019 with a 7 day submission period. No public submissions have been received in relation to this application.

**5. References**

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- DPLH (2019) Bush Forever advice for clearing application CPS 6409/3. DWER ref A1810602 and A1796022
- PGV Environmental (2019a) Clearing permit application and supporting documentation for amendment to clearing permit CPS 6409/2, Satterley Property Group Pty Ltd. DWER ref A1778979
- PGV Environmental (2019b) Eden Beach Revegetation Management Plan CPS 6409/3. Prepared for Satterley Property Group Pty Ltd. DWER ref A1823106