



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 6409/1
<b>Permit Holder:</b>	Satterley Property Group Pty Ltd
<b>Duration of Permit:</b>	11 April 2015 – 11 April 2020

### **ADVICE NOTE:**

The funds referred to in condition 7 of this permit are intended for contributing towards the purchase of 1.47 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 0.98 hectares of native vegetation within the area hatched yellow on attached Plan 6409/1.

**4. 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**

**5. 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.

**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) ensure that no *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.

**7. 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 \$21,120 has been transferred to the Department of Environment Regulation for the purpose of establishing or maintaining vegetation.

**DEFINITIONS**

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

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

*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;

*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*

12 March 2015

# Plan 6409/1



## Legend

-  local\_gov\_authority
-  Areas approved to clear
-  Roads
-  Cadastre
- Virtual Mosaic



1:3,000

MGA 94  
Geocentric Datum of Australia 1994

*Matt Warnock* Date: 12/3/15  
Matt Warnock

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



GOVERNMENT OF  
WESTERN AUSTRALIA



## 1. Application details

### 1.1. Permit application details

Permit application No.: 6409/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Satterley Property Group  
Business address: 18 Bowman ST  
SOUTH PERTH WA 6151

### 1.3. Property details

Property: LOT 15450 ON PLAN 40341, JINDALEE  
LOT 3052 ON PLAN 47953, JINDALEE  
Colloquial name: WANNEROO, CITY OF  
Local Government Authority:  
DER Region: Greater Swan  
DPaW District: SWAN COASTAL  
LCDC:  
Localities: JINDALEE

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.98		Mechanical Removal	Road construction or upgrades

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 12 March 2015

## 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
Hedde vegetation complex Quindalup (Qw): 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 <i>Melaleuca lanceolata</i> (Rottnest Teatree) - <i>Callitris preissii</i> (Rottnest Island Pine) and the closed scrub of <i>Acacia rostellifera</i> (Summer-scented Wattle) (Hedde et al., 1980).	The applicant proposes to clear 0.98 hectares of native vegetation for the purpose of constructing a beach access node.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).  To  Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994)	The condition of the vegetation under application was determined by a site inspection undertaken by Department of Environment Regulation staff (DER, 2015).

### 3. Assessment of application against clearing principles

#### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

##### Comments

##### **Proposal is not likely to be at variance to this Principle**

The application is for the proposed clearing of 0.98 hectares of native vegetation within a larger 2.1 hectare envelope for the purpose of developing a formalised beach access node. The proposal is associated with the larger Eden Beach development which is adjacent to the application area.

The vegetation under application forms part of Bush Forever Site No. 397 and is known as 'Coastal strip from Wilbinga to Mindarie'. This reserve is recognised as an area of conservation significance based on the environmental attributes of the site (Department of Planning, 2015).

A site inspection of the application area undertaken by the Department of Environment Regulation (DER) identified that the majority of vegetation proposed for clearing is in a good (Keighery, 1994) condition, with the exception of the vegetation located along the foreshore dune which is dominated by weed species and considered to be in a degraded (Keighery, 1994) condition (DER, 2015).

The vegetation under application is a closed low heath, consisting of an overstorey dominated by *Spyridium glabulosum*, *Oleoria axillaris* and *Melaleuca systena* over a sedgeland of *Lomandra maritima* and *Lepidosperma gladiatum* (DER, 2015).

Two rare flora species have been recorded approximately five kilometres south east of the application area. A site inspection undertaken by DER (2015) did not identify suitable habitat for either species.

There are numerous records of priority flora species mapped within a 10 kilometre radius of the application, the closest being a priority 4 species located approximately 2.8 kilometres north west of the application area. Priority 4 species are considered to have been adequately surveyed and not in need of special protection but could be if circumstances change (DEC, 2012). The clearing as proposed is unlikely to have an impact on the conservation status of this species if it were present within the application area.

Several fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within the local area (10 kilometre radius). The vegetation under application is not likely to provide suitable habitat for these species.

The closest Priority Ecological Community (PEC) to the application area, "Northern Spearwood Shrublands and Woodlands" (priority 3), is located approximately 3.5 kilometres east of the application area. A site inspection undertaken by DER (2015) confirmed that the vegetation under application is not consistent with this PEC.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

##### Methodology

##### References:

- DEC (2012)
- Department of Planning (2015)
- DER (2015)
- Keighery (1994)

##### GIS Datasets:

- SAC Bio Datasets (Accessed February 2015)

#### (b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

##### Comments

##### **Proposal is not likely to be at variance to this Principle**

A number of fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within a 10 kilometre radius including: Carnaby's cockatoo (*Calyptorhynchus latirostris*), Chuditch (*Dasyurus geoffroii*), and Brush-tailed Bettong (*Bettongia penicillata* subsp. *ogilbyi*) (DPaW, 2007-).

The preferred foraging habitat for Carnaby's Cockatoo includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia* sp. *Hakea* sp. and *Grevillea* sp.

The Chuditch has a preference for jarrah (*Eucalyptus marginata*) forests, woodlands, mallee shrublands and heaths. They require adequate den resources and large natural areas and home sizes that are not fragmented in order for survival (DEC, 2012a).

The Brush-tailed Bettong (Woylie) has a preference for open forest and woodland with a low understorey of tussock grasses or woody scrub (DEC, 2012b).

Given the different vegetation type of the application area compared to the preferred habitat for these species, it is not likely the site will provide significant habitat for these species.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

**Methodology**   References:  
 - DEC (2012a)  
 - DEC (2012b)  
 - DPaW (2007- )

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

**Comments**    **Proposal is not likely to be at variance to this Principle**  
 Two records of rare flora have been mapped approximately five kilometres south east of the application area.

The first species inhabits slopes or gullies of limestone ridges and outcrops (Western Australian Herbarium, 1998- ). It is unlikely that this species will be present given the different soil type within the application area.

The second species prefers white sand over limestone in areas of low coastal cliffs (Western Australian Herbarium, 1998- ). No suitable habitat for this species was observed during a site inspection undertaken by DER (2015), therefore it is unlikely this species would be present at this site.

The proposed clearing is not likely to be at variance to this Principle.

**Methodology**   References:  
 - DER (2015)  
 - Western Australian Herbarium (1998- )

GIS Datasets:  
 - SAC Bio Datasets (Accessed February 2015)

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.**

**Comments**    **Proposal is not likely to be at variance to this Principle**  
 The closest Threatened Ecological Community (TEC) to the application area is located three kilometres south east of the application area and is described as "*Melaleuca huegeli* – *Melaleuca acerosa* shrublands on limestone ridges" (endangered). A site inspection undertaken by DER (2015) determined that the vegetation under application is not consistent with the taxa or habitat elements of this TEC.

The proposed clearing is not likely to be at variance to this Principle.

**Methodology**   References:  
 - DER (2015)

GIS Datasets:  
 - SAC Biodatasets (Accessed February 2015)

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

**Comments**    **Proposal is not likely to be at variance to this Principle**  
 The area under application is located within the City of Wanneroo, within which there is approximately 46 per cent pre-European extent remaining (Government of Western Australia, 2013).

The vegetation under application has been identified as Mapped Heddle vegetation complex Quindalup (Qw) of which there is 61 per cent of its pre-European extent remaining.

	Pre-European Extent (ha)	Current Extent (ha)	Remaining (%)	Extent in DPaW Managed Land (%)
<b>IBRA Bioregion</b>				
Swan Coastal Plain	1,501,222	586,975	39	36
<b>LGA</b>				
City of Wanneroo	67,517	31,429	46	51
<b>Heddle vegetation complex</b>				
Quindalup (Qw)	49,028	30,129	61	6

The local area has approximately 40 per cent native vegetation remaining within a 10 kilometre radius.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

Given the well represented vegetation complex under application, the area is not considered to be a significant remnant in an extensively cleared area.

Therefore, this proposal is not likely to be at variance to this Principle.

**Methodology** References:  
- Commonwealth of Australia (2001)  
- Government of Western Australia (2013)

GIS Datasets:  
- NLWRA, Current Extent of Native Vegetation

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

**Comments** **Proposal is not likely to be at variance to this Principle**  
A site inspection undertaken by DER (2015) did not identify wetlands or watercourses within or adjacent to the application area. Therefore, it is not likely there is any vegetation proposed to be cleared that is growing in association with a wetland or watercourse.

The proposed clearing is not likely to be at variance to this Principle.

**Methodology** References:  
- DER (2015)

GIS Datasets:  
- Hydrography linear

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments** **Proposal may be at variance to this Principle**  
The application area is mapped within soil type A13. A13 soils are described as coastal dune formations backed by the low-lying deposits of inlets and estuaries. Chief soils are calcareous sands on the dunes (Northcote et al. 1960–68).

A site inspection undertaken by DER (2015) identified the area under application comprises of soils and a topography that is particularly susceptible to dune erosion. The proposed clearing extends up to the foreshore dune. Therefore the proposed clearing may cause appreciable land degradation in the form of wind erosion.

The applicant has advised that earthwork gradients will be restricted to less than 1:6, and vegetative 'brushing' material will be applied to bare areas to address erosion risks (Strategen, 2015). Engineering drawings and specifications for the proposed car parking areas, access road, turning areas, batters/retaining walls and paths are required to be submitted to and approved by the City of Wanneroo prior to the commencement of the development (WAPC, 2014).

The proposed clearing may be at variance to this Principle.

**Methodology** References:  
- DER (2015)  
- Northcote et al. (1960-68)  
- Strategen (2015)  
- WAPC (2014)

GIS Datasets:  
- Soils, statewide

**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments** **Proposal is at variance to this Principle**  
The vegetation under application forms part of Bush Forever Site No. 397 and is known as 'Coastal strip from Wilbinga to Mindarie'. This reserve is recognised as an area of conservation significance based on the environmental attributes of the site (Department of Planning, 2015).

The proposed clearing will result in the direct loss of 0.98 hectares of this conservation area. Indirect impacts may also occur due to the introduction or spread of weeds and dieback.

Given the above the proposed clearing is at variance to this Principle.

To mitigate the impacts to this Bush Forever Site, the proponent has advised that they will contribute funds towards the purchase of 1.47 hectares of remnant vegetation to be secured in conservation estate.

**Methodology** References:  
- Department of Planning (2015)

GIS Datasets:  
- Bush Forever

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments** **Proposal is not likely to be at variance to this Principle**  
No wetlands or watercourses have been mapped within close proximity to the application area. Given this, and the porous nature of the soil under application, the proposed clearing is not likely to impact upon surface water.

The groundwater salinity within the application area is mapped between 500-1000 milligrams per litre of Total Dissolved Solids. This level of groundwater salinity is classified as marginal. The proposed clearing is not likely to increase groundwater salinity.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

**Methodology** GIS Datasets:  
- Groundwater Salinity, Statewide  
- Hydrography, linear

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments** **Proposal is not likely to be at variance to this Principle**  
Given the sandy nature of the soils within the application area, the proposed clearing is not likely to cause or exacerbate the incidence or intensity of flooding.

Therefore the proposed clearing is not likely to be at variance to this Principle.

**Methodology** GIS Datasets:  
- Hydrography linear

**Planning instruments and other relevant matters.**

**Comments** The proposed clearing is associated with the larger Eden Beach housing development which is adjacent to the application area. The housing development was approved by the Western Australian Planning Commission (WAPC) on 6 December 2012.

The Department of Planning has advised that the application area is reserved as Parks and Recreation under the Metropolitan Region Scheme and has the Bush Forever implementation category of Bush Forever (existing or proposed) (Department of Planning, 2015). State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region, section 5.1.2.1 outlines specific policy measures for Bush Forever reserves, namely that there is a general presumption against the clearing of regionally significant bushland. Part(i)(e) provides for an exception where the proposal is consistent with the overall purpose... or can be reasonably justified with regard to wider environmental, social, economic or recreation needs,... and reasonable offset strategies are secured to offset any loss of regionally significant bushland, where appropriate and practicable (Department of Planning, 2015). In line with this policy the Department of Planning has advised that an offset at a 1.5:1 ratio would be recommended for this project.

To mitigate the environmental harm identified in this assessment, the Department of Environment Regulation has approved the applicant's proposed offset which comprises contributing funds towards the purchase of 1.47 hectares of remnant vegetation to be secured in conservation estate.

The City of Wanneroo is the primary interest holder over the land on which clearing is proposed. The City has advised that it permits the applicant to access the reserve for the purposes of undertaking native vegetation clearing and civil works (City of Wanneroo, 2015a). The City of Wanneroo has advised that it supports the removal of native vegetation provided that clearing is undertaken in accordance with the approved development application (City of Wanneroo, 2015b).

**Methodology** References:  
- City of Wanneroo (2015a)  
- City of Wanneroo (2015b)  
- Department of Planning (2015)



#### 4. References

- City of Wanneroo (2015b) Planning advice for Clearing Permit Application CPS 6409/1 (DER Ref: A856349).
- City of Wanneroo (2015a) Consent to access Reserves 48306 and 20561 (DER Ref: A856048).
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DEC (2012) Threatened and Priority Flora List for Western Australia. WA Department of Environment and Conservation, Perth
- DEC (2012a) Chuditch (*Dasyurus geoffroi*). Department of Environment and Conservation, Perth, Western Australia.
- DEC (2012b) National Recovery Plan for the Woylie *Bettongia penicillata ogilbyi*. Department of Environment and Conservation, Perth, Western Australia.
- Department of Planning (2015) Advice for Clearing Permit Application CPS 6409/1 (DER Ref: A867736).
- DER (2015) Site Inspection Report for Clearing Permit Application CPS 6409/1. Site inspection undertaken 5 February 2015. Department of Environment Regulation, Western Australia (DER Ref: A880032).
- DPaW (2007- ) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/> (Accessed 23/01/2015).
- Government of Western Australia (2013) 2013 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2013. WA Department of Parks and Wildlife, Perth.
- Hedde, 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.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- Stratgen (2015) Reply to Department of Environment Regulation letter of 20 February 2015. Received by the Department of Environment Regulation on 25 February 2015 (DER Ref: A874672).
- WAPC (2014) Approval to Commence Development, 18 November 2014. Western Australian Planning Commission (DER Ref: A866488).
- Western Australian Herbarium (1998- ) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed 23/01/2015).