



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7981/1
Permit Holder:	Pinky's Beach Pty Ltd
Duration of Permit:	26 May 2018 – 26 May 2023

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 fire management.

2. Land on which clearing is to be done

Lot 10976 on Plan 216860, Rottnest Island.

3. Area of Clearing

The Permit Holder must not clear more than 0.8 hectares of native vegetation within the areas cross-hatched yellow on attached Plan 7981/1.

4. Application

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

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the authority to carry out works involving clearing for those activities under the *Rottnest Island Authority Act 1987* or any other written law.

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 *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.

PART III – RECORD KEEPING AND REPORTING

8. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) 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;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 6 of this Permit; and
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 7 of this Permit.

9. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 8 of this Permit, when requested by the *CEO*.

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*;

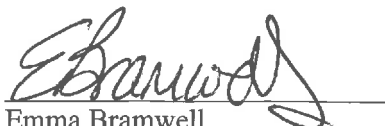
dieback means the effect of *Phytophthora* species on native vegetation;

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 Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Emma Bramwell
A/ MANAGER
CLEARING REGULATION





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

27 April 2018

Plan 7981/1



Legend

-  Imagery
-  Clearing Instruments Activities
-  Cadastral
-  Roads - Local and Others



0 200m

1:3,748

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

E Bramwell Date *27/04/18*
E BRAMWELL

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



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 WESTERN AUSTRALIA
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1. Application details

1.1. Permit application details

Permit application No.: 7981/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Pinky's Beach Pty Ltd
Application received date: 12 February 2018

1.3. Property details

Property: Lot 10976 on Deposited Plan 216860, Rottnest Island
DPaW District: Greater Swan
Localities: Rottnest Island

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.8 (as revised)		Mechanical Removal	Fire management

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 April 2018

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*. It has been concluded that the proposed clearing is not likely to be at variance to the clearing principles.

The Delegated Officer had regard for the applicant's commitment to rehabilitate dune vegetation that is currently in 'Completely Degraded' condition with native species to improve vegetation condition and dune stabilisation. The Delegated Officer noted that the proposed clearing may impact on adjacent vegetation through spread of weeds and dieback, and that these risks can be managed through the implementation of weed and dieback management measures. The Delegated Officer determined that the proposed clearing is unlikely to have any unacceptable environmental impacts. Given the above, the Delegated Officer decided to grant a clearing permit subject to conditions.

2. Site Information

Clearing Description: The revised application is for the proposed clearing of up to 0.8 hectares of native vegetation (within a 3.35 hectare footprint) within Lot 10976 on Plan 216860 (Crown Reserve 16713), Rottnest Island, for the purpose of an asset protection zone (fire management area) associated with development of the proposed Pinky's Beach Eco-resort.

The assessment of clearing impacts has been undertaken for the broader 3.35 hectare footprint.

Vegetation Description: The application area is mapped as Beard vegetation association 15: Low forest; *Callitris preissii* (Rottnest Island/cypress pine) (Shepherd et al. 2001).

Vegetation types within the application area are described as (Strategen 2018a, Strategen 2018b):

- *Eucalyptus gomphocephala* (tuart) to 20 metres over *Melaleuca lanceolata* (Rottnest teatree) to 6 metres over low open heath of *Acanthocarpus preissii* and *Trachyandra divaricata* – approximately 1.49 hectares in the central and eastern portions of the application area, in 'Degraded' (Keighery 1994) condition;
- *Eucalyptus utilis* (coastal moort) – individual trees in the western portion of the application area, in 'Completely Degraded' (Keighery 1994) condition;
- closed low heath dominated by *Spinifex longifolius* (beach spinifex) with *Scaevola crassifolia* (thick-leaved fan-flower) and *Lepidosperma gladiatum* (coast sword-sedge) – approximately 0.05 hectares in the north-western portion of the application area, in 'Very Good to Good' (Keighery 1994) condition;
- heath of *Olearia axillaris* (coastal daisybush), *Rhagodia baccata*, *Lepidosperma gladiatum* and *Scaevola crassifolia* over *Poa poiformis* and *Trachyandra divaricata* – approximately 0.098 hectares in the north-eastern portion of the application area, in 'Good to Degraded' (Keighery 1994) condition;
- low heath of *Scaevola crassifolia*, *Spinifex longifolius*, *Lepidosperma gladiatum* and *Trachyandra divaricata* with occasional *Olearia axillaris* – approximately 0.015 hectares within the northern and north-eastern portion of the application area, in 'Good to Degraded' (Keighery 1994) condition;
- low open heath of *Scaevola crassifolia*, *Olearia axillaris*, *Rhagodia baccata* (berry saltbush) and *Acanthocarpus preissii* over *Trachyandra divaricata* and *Conostylis candicans* subs. *calcicola* – approximately 0.067 hectares in the northern portion of the application area, in 'Good to Degraded' (Keighery 1994) condition;

- *Melaleuca lanceolata* – approximately 0.0086 hectares (individual trees) in the northern portion of the application area, in ‘Completely Degraded’ (Keighery 1994) condition;
- *Poa poiformis* (coastal poa) and **Trachyandra divaricata* – approximately 0.34 hectares in the northern portion of the application area, in ‘Completely Degraded’ (Keighery 1994) condition;
- tall, closed shrubland of *Callitris preissii* – approximately 0.42 hectares in the south-western portion of the application area, in ‘Good’ (Keighery 1994) condition;
- **Ficus* sp.;
- **Trachyandra divaricata*;
- dune blow-out; and
- cleared.

(* denotes planted individuals or introduced species)

Vegetation Condition:

Vegetation condition within the application is described as (Keighery 1994):

- Very Good: Vegetation structure altered; obvious signs of disturbance; to
- Completely Degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species.

The majority of the vegetation condition within the application area is in ‘Degraded’ (Keighery 1994) or ‘Completely Degraded’ (Keighery 1994) condition (Strategen 2018a, Strategen 2018b).

Soil/Landform Type:

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).

Comments:

The local area considered in the assessment of this application is a 10 kilometre radius measured from the perimeter of the application area.

Vegetation description and condition was obtained from supporting documentation provided by the applicant (Strategen 2018a, Strategen 2018b).

Figure 1: Application area (cross-hatched in blue)



3. Minimisation and mitigation measures

The applicant advised that careful consideration had gone into the development design to minimise impacts (Strategen 2018a, Strategen 2018b). The applicant advised that the footprint of the proposed development and fire management area has been largely aligned with vegetation in 'Degraded' (Keighery 1994) and 'Completely Degraded' (Keighery 1994) condition, and that where possible undeveloped areas will be rehabilitated or landscaped to improve the condition and environmental value of the vegetation (Strategen 2018a, Strategen 2018b).

The applicant advised that as much as possible of the remnant vegetation within the fire management area will be retained, and that the proposed clearing will be minimised to areas required for fire management (Strategen 2018b).

The applicant also advised that a Vegetation Retention Management Plan and a Wildlife Management Plan, which detail the management of flora, fauna and terrestrial environment, including rehabilitation with native species for replanting and weed and dieback hygiene measures, will be implemented (Strategen 2018b). Other plans prepared for the proposed development include Construction Management Plan, Landscape Plan, Bushfire Management Plan, Bushfire Emergency Evacuation Plan, Pest Bird Management Plan and Waste Management Plan (Strategen 2018b).

4. Assessment of application against clearing principles, planning instruments and other matters

According to available databases, three flora species of conservation significance have been recorded within the local area. Based on the mapped soil and vegetation types within application area, two Priority 4 species could potentially occur within the application area. No rare or priority flora species were recorded during a flora and vegetation assessment undertaken within the application area (Strategen 2018). Noting the condition of the vegetation within the application area, the proposed clearing is unlikely to impact on rare or priority flora. The application area is not likely to include, or be necessary for the continued existence of, rare flora.

The application area may contain suitable habitat for the following conservation significant species (Strategen 2018a, Strategen 2018b):

- Quokka (*Setonix brachyurus*) listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* (WC Act) and Vulnerable under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);
- Rottneest Island bobtail (*Tiliqua rugosa* subsp. *konowi*) listed as rare or likely to become extinct under the WC Act and as vulnerable under the EPBC Act;
- Rottneest Island dugite (*Pseudonaja affinis* subsp. *exilis*) listed as Priority 4 under the WC Act and as vulnerable under the EPBC Act;
- Bridled tern (*Sterna anaethetus*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act;
- Caspian tern (*Sterna caspia*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act;
- Crested tern (*Sterna bergii*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act;
- Fairy tern (*Sterna nereis*) listed as migratory birds under international agreement under the WC Act and as vulnerable under the EPBC Act;
- Roseate tern (*Sterna dougallii*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act;
- Eastern reef egret (*Egretta sacra*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act;
- Rainbow Bee-eater (*Merops ornatus*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act; and
- Wedge-tailed shearwater (*Puffinus pacificus*) listed as migratory birds under international agreement under the WC Act and under the EPBC Act.

Noting the size of the application area and the condition of the vegetation, and noting the extent of native vegetation in the (terrestrial) local area, the application area is not likely to comprise a significant habitat for indigenous fauna including species of conservation significance.

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). The application area is located within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia bioregion, which retains approximately 37.8 per cent of the pre-European vegetation extent, and the mapped Beard vegetation association retains approximately 79.15 per cent of its pre-European extent within the bioregion (Government of Western Australia, 2018). Noting this the application area is not likely to be significant as a remnant of native vegetation in an area that has been extensively cleared.

According to available databases, no wetlands or watercourses have been mapped within the application area. The nearest wetland is located approximately 680 metres south-west of the application area (Strategen 2018a, Strategen 2018b). The proposed clearing is not likely to impact on vegetation growing in association with a wetland or watercourse.

Rottneest Island is an A-class Nature Reserve. Noting the size of the application area and the condition of the vegetation, and noting the extent of native vegetation in the (terrestrial) local area, the proposed clearing is not likely to have an impact on the environmental values of this conservation area. Notwithstanding, the proposed clearing may impact on adjacent vegetation through spread of weeds and dieback. The implementation of weed and dieback management measures will assist in reducing this risk.

The application area is located approximately 30 metres from the Priority 1 priority ecological community (PEC) 'Microbialites and microbial mats of coastal hypersaline lakes'. Noting the absence of wetlands and watercourses within the application area, the proposed clearing is not likely to impact on this PEC.

Two occurrence of the threatened ecological community (TEC) '*Callitris preissii* (or *Melaleuca lanceolata*) forests and woodlands, Swan Coastal Plain' (SCP 30a) are mapped on Rottnest Island, located approximately 756 metres and 1.5 kilometres from the application area respectively. The Interim Recovery Plan for this TEC states that the typical and common native plant taxa associated with the TEC are *Callitris preissii*, *Melaleuca lanceolata*, *Spyridium globulosum* (basket bush), *Acanthocarpus preissii*, *Rhagodia baccata*, *Austrostipa flavescens* and *Trachymene pilosa* (native parsnip) (Department of Parks and Wildlife 2014).

As outlined in Section 2, the vegetation types recorded within the application area contain components of this TEC, including *Callitris preissii*, *Melaleuca lanceolata*, *Acanthocarpus preissii* and *Rhagodia baccata*. Two of these vegetation types, being 'tall, closed shrubland of *Callitris preissii*' and '*Melaleuca lanceolata*', could potentially represent this TEC (Strategen 2018). As indicated in Section 2, the vegetation type 'tall, closed shrubland of *Callitris preissii*' is in 'Good' (Keighery 1994) condition and comprises approximately 0.42 hectares of the application area, and the vegetation type '*Melaleuca lanceolata*' is in 'Completely Degraded' (Keighery 1994) condition and comprises approximately 0.0086 hectares of the application area.

The Interim Recovery Plan for this TEC states "All of the occurrences of the community have been mapped by Parks and Wildlife, and data stored on the corporate TEC database" (Department of Parks and Wildlife 2014). The Department of Biodiversity, Conservation and Attractions advised that while known occurrences of the TEC have been mapped, native vegetation in 'Good' (Keighery 1994) condition or better on Rottnest Island that contains the key component *Callitris preissii* is likely to align with the TEC (Department of Biodiversity, Conservation and Attractions 2018).

The Department of Biodiversity, Conservation and Attractions advised that the presence of *Callitris preissii* within the application area and the condition of any associated native vegetation needs to be clarified (Department of Biodiversity, Conservation and Attractions 2018). The Department of Biodiversity, Conservation and Attractions advised that due to the lack of mature *Callitris preissii* trees present on Rottnest Island within intact native vegetation, avoidance of woodlands of *Callitris preissii* is recommended to preserve occurrences of the TEC and to maintain genetic diversity of *Callitris preissii* on Rottnest Island (Department of Biodiversity, Conservation and Attractions 2018).

The applicant advised that the vegetation type 'tall, closed shrubland of *Callitris preissii*' within the application area comprises a mono-culture of *Callitris preissii* which have been planted in a row as a visual buffer around the adjacent waste water treatment plant (Strategen 2018c). On this basis, noting that typical and common native plant taxa associated with the TEC were not recorded for the vegetation type 'tall, closed shrubland of *Callitris preissii*' within the application area, and noting the distance to the nearest recorded occurrence of this TEC, the application are is not likely to comprise or be necessary for the maintenance of this TEC.

As outlined in Section 2, the chief soils within the application area are calcareous sands on the dunes (Northcote et al. 1960-68). Sandy soils may be subject to wind erosion if left exposed. Supporting documentation provided by the applicant states that the proposed clearing will be selective, and that cleared vegetation will be mulched and reused throughout the development (Strategen 2018a, Strategen 2018b). The supporting information also indicates that revegetation of five areas will assist in reducing erosion on the existing dune blowout (Strategen 2018a, Strategen 2018b). Noting the size of the application area, the sandy soil type, the absence of wetlands and watercourses, and the applicant's commitment to revegetate areas, the proposed clearing is not likely to cause appreciable land degradation, or cause deterioration in the quality of surface or underground water, and is not likely to cause or exacerbate the incidence or intensity of flooding.

Given the above, the assessment has found that the proposed clearing is not likely to be at variance to the clearing principles.

Planning instruments and other relevant matters

The original application was for the proposed clearing of native vegetation within Lot 10976 on Plan 216860 (Crown Reserve 16713), Rottnest Island:

- 1.8 hectares for the construction of the Pinky's Beach Eco-resort, located on Strue Road south of Pinky's Beach and immediately north of the Waste Water Treatment Plant; and
- 0.27 hectares for the construction of the Pinky's Beach staff accommodation, located at the corner of Kelly Street and Mapleson Road.

The applicant subsequently determined that the construction of the accommodation and ancillary buildings was exempt from the requirement for a clearing permit under an exemption provided by Regulation 5, item 1 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*, and revised the application to 0.8 hectares for an asset protection zone (fire management area).

The revised application was advertised on the Department of Water and Environmental Regulation website on 27 February 2018 for a seven day submission period. No public submissions relating to this application have been received.

The proposed clearing is within an Aboriginal Site of Significance. It is the applicant's responsibility to comply with the *Aboriginal Heritage Act 1972* and to ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

Rottnest Island operates as a major tourist destination, managed by the Rottnest Island Authority. On 21 September 2017, the Rottnest Island Authority Board approved a development application for the Pinky Beach Eco Retreat in accordance with the *Rottnest Island Authority Act 1987*, Rottnest Island Regulations and Development Planning Policy and Guidelines. Planning approval for the proposed development is not required from the City of Cockburn, as Rottnest Island is not subject to the provisions of the *Planning and Development Act 2005* (City of Cockburn 2017).

The City of Cockburn advised that no planning approvals are required, and that there may be risks associated with stabilising dunes in the northern portion of the application area and to fauna habitats (City of Cockburn 2018). These matters were considered during the assessment of the application.

5. References

- City of Cockburn (2017) Planning advice received in relation to clearing permit application CPS 7759/1 (as relevant to clearing permit application CPS 7981/1) (DWER ref. A1539973).
- City of Cockburn (2018) Planning advice received in relation to clearing permit application CPS 7981/1 (DWER ref. A1626779).
- Department of Biodiversity, Conservation and Attractions (2018) Threatened ecological community advice received in relation to clearing permit application CPS 7981/1 (DWER ref. A1659434).
- Department of Parks and Wildlife (2014) *Callitris preissii* (or *Melaleuca lanceolata*) forests and woodlands (Swan Coastal Plain community type 30a – Gibson *et al.* 1994) – Interim Recovery Plan 2014-2019. Interim Recovery Plan No.340. Department of Parks and Wildlife, Perth. Available from: https://www.dpaw.wa.gov.au/images/documents/plants-animals/threatened-species/recovery_plans/Approved_interim_recovery_plans_/IRP340_Callitris_preissii_forest_and_woodlands_SCP30a_2014.pdf
- Government of Western Australia (2018) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.
- 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.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Strategen (2018a) Native Vegetation Clearing Permit – Supporting Documentation – Pinky's Beach Eco-Retreat. Supporting information provided for clearing permit application CPS 7981/1 (DWER ref A1618648).
- Strategen (2018b) Native Vegetation Clearing Permit – Supporting Documentation – Pinky's Beach Eco-Retreat. Revised supporting information provided for clearing permit application CPS 7981/1 (DWER ref A1648544).
- Strategen (2018c) Additional vegetation advice provided in relation to clearing permit application CPS 7981/1 (DWER ref. A1663112).

GIS Databases:

- Aboriginal Sites of Significance
- Department of Biodiversity, Conservation and Attractions Estate
- Groundwater salinity
- Hydrography, linear
- SAC bio datasets (accessed February 2018)
- Soils, Statewide
- Wetlands