



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8601/1
Permit Holder:	City of Joondalup
Duration of Permit:	6 November 2019 to 6 November 2024

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 new exercise stairway structure

2. Land on which clearing is to be done

Lot 11176 on Deposited Plan 217295 (Crown reserve 40802), Hillarys

3. Area of Clearing

The Permit Holder must not clear more than 0.035 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8601/1.

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 power to carry out works involving clearing for those activities under the *Local Government Act 1995* 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*:

- 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. Record keeping

The Permit Holder must maintain the following records 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(s) 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 *dieback* and *weeds* in accordance with condition 7 of this Permit.

9. Reporting

The Permit Holder must produce the records required under condition 8 of this Permit when required 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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

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

11 October 2019

Plan 8601/1




Legend

CPS layers

 CPS areas approved to clear

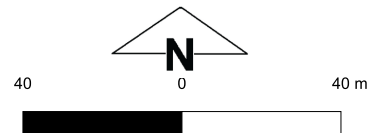
base layers

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Local Government Authorities

Image



MGA 94
Geocentric Datum of Australia 1994

Samara Rogers

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



GOVERNMENT OF
WESTERN AUSTRALIA



Clearing Permit Decision Report

1. Application details

Permit application details

Permit application No.: 8601/1
Permit type: Purpose Permit

Applicant details

Applicant's name: City of Joondalup
Application received date: 28 June 2019

Property details

Property: Lot 11176 on Deposited Plan 217295, Hillarys
Local Government Authority: City of Joondalup
Localities: Hillarys

Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.035		Mechanical Removal	Constructing a new exercise stairway structure

Decision on application

Decision on Permit Application: Grant
Decision Date: 11 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*. It has been concluded that the proposed clearing may be at variance to principle (h), and is not likely to be at variance to the remaining clearing principles.

The application area is located within Bush Forever site 325 and the proposed clearing will indirectly impact this conservation area through the loss of vegetation and the potential spread of weed and dieback. Weed and dieback management practices will assist in managing potential impacts to adjacent vegetation and the proposed clearing is not likely to significantly impact this Bush Forever site.

In determining to grant a clearing permit subject to conditions, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description The application is to clear 0.035 hectares of native vegetation within Lot 11176 on Deposited Plan 217295 (Crown reserve 40802), Hillarys, for the purpose of constructing a new exercise stairway structure (Figure 1).

Vegetation Description The application area has been mapped as Swan Coastal Plain vegetation (previously Heddlé) Quindalup complex, which is described as "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), the closed scrub of *Acacia rostellifera* (Summer-scented Wattle) and the low closed *Agonis flexuosa*" (Peppermint) (Heddlé et al., 1980).

A flora and fungi survey conducted on 1-2 October 2015 identified the application area to consist of the vegetation community ArActOS, described as *Acacia rostellifera* and *Acacia cyclops* tall open shrubland over *Spyridium globulosum* and *Olearia axillaris* shrubland to open shrubland over *Melaleuca systema*, *Rhagodia baccata* subsp. *baccata* and *Acanthocarpus preissii* low shrubland over *Lepidosperma gladiatum* open sedgeland (Eco Logical Australia, 2016).

Vegetation Condition Degraded: Basic vegetation structure severely impacted by disturbance, scope for regeneration but not to a state approaching good condition without intensive management (Keighery, 1994).

To

Very good: Vegetation structure altered, obvious signs of disturbance (Keighery, 1994).

The vegetation condition of the application area was determined via available aerial imagery and applicants supporting information (City of Joondalup, 2019).

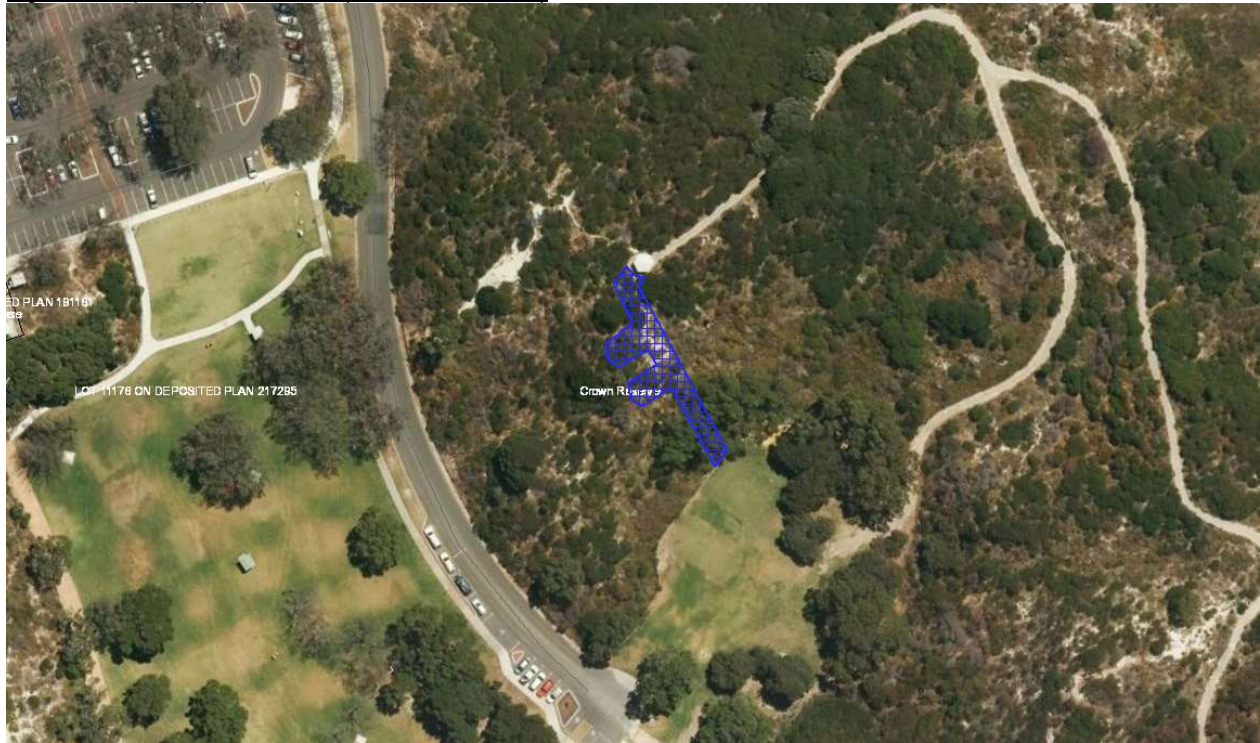
Soil type

The application area has been mapped as the soil subsystem 'Quindalup South youngest dune Phase', which is described as The youngest phase. Irregular dunes with slopes up to 20 per cent. Loose pale brown calcareous sand with no soil profile development (DPIRD, 2017).

Comments

The local area referred to in the assessment of this application is defined as a 10 kilometre radius measured from the perimeter of the application area. The local area contains approximately 68 per cent native vegetation cover.

Figure 1: Map of application area (cross hatched blue)



3. Minimisation and mitigation measures

The applicant has undertaken the following minimisation and mitigation measures:

- Aligned the proposed stairway along an established 'goat track' made by people informally traversing the dune up and down to the lookout;
- Developed the Hillarys-Kallaroo Coastal Foreshore Management Plan;
- Engaged an Arborist to assess and provide advice on two mature tuart trees within the project area and the design of the stairway has considered avoiding posts and footings to encroach on the structural root zones of these trees;
- The stairway has been designed to sit off the ground on posts allowing for vegetation and fauna to pass under it in most instances and the amount of posts required has been reduced by almost half at cost to the project in order to minimise ground impact;
- Engaged revegetation experts to provide and install native, low growing dune species plants across the entire area to be cleared at a rate of four plants per square metre as revegetation after construction completion; and
- The stairway lookout upgrade will include interpretive signage educating visitors on the site's ecological values, including flora and fauna features and responsible behaviours in respect to dune systems (City of Joondalup, 2019).

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

The application is to clear 0.035 hectares of native vegetation within Lot 11176 on Deposited Plan 217295 (Crown reserve 40802), Hillarys, for the purpose of constructing a new exercise stairway structure (Figure 1). Majority of the application area is in very good condition, with areas covered by access tracks (approximately 25 per cent of the application area) in degraded condition (figure 1).

According to databases, one Threatened flora species and 13 priority flora species have been recorded within the local area. However, a flora and fungi survey undertaken in October 2015 did not identify any Threatened or priority flora species within the application area (Eco Logical Australia, 2016).

A fauna survey undertaken in September and October 2018 identified several conservation significant fauna species within the local area, including the rainbow bee-eater (*Merops ornatus*) and osprey (*Pandion haliaetus*), and noted the presence of suitable habitat for quenda / Southern Brown Bandicoot (*Isodon obesulus* subsp. *fusciventer*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) (Eco Logical Australia, 2016). The application area is mapped as potential feeding habitat for Carnaby's cockatoo.

Carnaby's cockatoo is listed as endangered under the *Environmental Protection and Biodiversity Act 1999* (EPBC Act). One Carnaby's cockatoo was seen flying over the application area (AECOM, 2018). This species nests in hollows in live or dead trees of karri, marri, wandoo, tuart, salmon gum, jarrah, flooded gum, powder bark, bullich and blackbutt (Commonwealth of Australia, 2012). Black cockatoos have a preference for foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia sp.*, *Hakea sp.*, and *Grevillea sp.* (Commonwealth of Australia, 2012).

Quenda is listed as a Priority 4 species under the *Biodiversity Conservation Act 2016*. This species prefers dense scrubby vegetation such as coastal heath for nesting. Noting there is substantial remnant native vegetation surrounding the application area that comprises similar fauna habitat surrounding the application area, the application area is not likely to contain significant habitat for the fauna species discussed above.

According to the available databases two threatened ecological communities (TEC) and three priority ecological communities (PEC) occurs within the local area. The Commonwealth listed TEC "Banksia Dominated Woodlands of the Swan Coastal Plain IBRA region" (Banksia Woodlands TEC) (listed as endangered) occurs approximately 3700 metres east to the application area. Noting the species composition of this TEC and the vegetation type within the application area, the application area is not likely to consist of this TEC. The application area is not likely to comprise the whole or part of, or is necessary for the maintenance of a TEC.

According to the flora survey, the vegetation community identified within the application area represents the Priority 3 PEC 'Acacia shrublands on taller dunes, southern Swan Coastal Plain'. Noting the size of the proposed clearing and given the relatively large areas of PEC identified within the larger survey area, the proposed clearing is not likely to significantly impact on this PEC.

The National Objectives and Targets for Biodiversity Conservation include a target to prevent the clearance of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia, 2001). The application area falls within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and is mapped as the Swan Coastal plain (previously Heddlie) Quindalup complex, retaining 38.62 per cent and 60.49 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2018a; Government of Western Australia, 2018b). Given these extents are above 30 per cent, the application area is not considered a significant remnant in an area that has been extensively cleared.

The application area falls within Bush Forever site 325 "Coastal strip from Burns Beach to Hillary's (Urn Park)". The proposed clearing will impact on the environmental values of this BF site through the direct removal of vegetation and through the potential introduction/spread of weeds. Weed and dieback management practices will assist in minimising these impacts and therefore the proposed clearing is not likely to significantly impact this Bush Forever site and the proposed clearing may be at variance to principle (h).

There are no wetlands or watercourses mapped within the application area. Subsequently, it is considered that the proposed clearing is unlikely to impact on vegetation growing in association with a wetland or watercourse, deteriorate the water quality of groundwater or surface water or cause, or exacerbate, the incidence or intensity of flooding.

Soils within the application area are described as loose pale brown calcareous sand and are considered to have a high to extreme risk of wind erosion (>70% of map unit has a high to extreme wind erosion risk) (Gool, Tille & Moore, 2005), suggesting that clearing may contribute to further wind erosion. However, given there is substantial vegetation located east of the application area, the risk of wind erosion will be minimal. Therefore, it is not considered likely for the proposed clearing to cause appreciable land degradation.

Given the above, the proposed clearing may be at variance to principle (h) and is not likely to be at variance to the remaining clearing principles.

Planning instruments and other relevant matters.

As outlined above, the application area is within Bush Forever site 325. The Department of Planning, Lands and Heritage (DPLH) has advised that an offset package should be prepared and approved by DWER, on advice from the Department of Biodiversity, Conservation and Attractions, prior to the clearing of any native vegetation, in accordance with WA Environmental Offsets Policy (2011) and guidelines and, with guidance from Appendix 4 of SPP 2.8. DPLH also recommends that there should be no disturbance to Bush Forever vegetation other than the proposed clearing and that re-vegetation at a rate of four plants per square metre should be sourced from an accredited nursery to avoid the introduction of disease or weeds and informal access to Bush Forever should be discouraged through signage and fencing if appropriate (DPLH, 2019).

Under Clause 5.1.2.1 (i) (e) of SPP 2.8, proposals should support a general presumption against the clearing of regionally significant bushland or other degrading activities, except where a proposal or decision is consistent with the overall purpose and intent of the existing Crown reserve or can be reasonably justified with regard to wider environmental, social, economic or recreational needs, and all reasonable alternatives have been considered in order to avoid or minimise any direct loss of regionally significant bushland, and reasonable offset strategies are secured to offset any loss of regionally significant bushland,

where appropriate and practical (WAPC, 2010). The Delegated Officer had regard for the extent of the proposed clearing and the avoid and minimisation measures proposed by the applicant (as outlined above) and determined that the proposed clearing of 0.035 hectares of native vegetation (of which approximately 25 per cent is in degraded condition) is not likely to have a significant environmental impact on Bush Forever site 325, and that an offset is not required in this instance.

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

The clearing permit application was advertised on the DWER website on 27 July 2019 with a 14 day submission period. No submissions have been received in relation to this application.

5. References

- City of Joondalup. Application form and supporting information for CPS 8601/1. Received by DWER on 28 June 2019 (DWER Ref: DWERDT174123).
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.
- Department of Planning, Lands and Heritage (DPLH) (2019) Bush Forever advice for clearing permit application CPS 8601/1, Received by DWER on 8 August 2019 (DWER Ref: A1830195).
- Eco Logical Australia (2016). Whitfords Nodes Foreshore Flora, Fauna and Fungi Survey. Prepared for City of Joondalup. February 2016.
- Government of Western Australia (2019a) 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Government of Western Australia (2019b) 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Gool D, Tille P, Moore GA. (2005) DAFWA Technical Report No. 298 'Land Evaluation Standards for Land Resource Mapping'. Department of Primary Industries and Regional Development, 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.
- Western Australia Planning Commission (WAPC) (2010). Planning and Development Act 2005. State Planning Policy 2.8. Bushland Policy for the Perth Metropolitan Region. Government Gazette, WA. 22 June 2010. Available from https://www.dplh.wa.gov.au/DepartmentofPlanningLandsHeritage/media/Policies/SPP/SPP_2-8_bushland_policy_perth_metro.pdf

6. GIS Datasets

- Aboriginal Sites of Significance
- Bush Forever
- Clearing Regulations - Environmentally Sensitive Areas
- Carnaby's cockatoo: breeding, roosting, feeding
- Department of Biodiversity Conservation and Attractions, Tenure
- Geomorphic Wetlands, Swan Coastal Plain
- Groundwater salinity, statewide
- Hydrology, linear
- IBRA Australia
- Land for Wildlife
- PDWSA, CAWSA, RIWI Act Areas
- Remnant vegetation
- SAC Biodatasets (accessed October 2019)
- Soils, statewide
- South coast significant wetlands
- Swan coastal plain vegetation complexes
- Town Planning Scheme Zones