



Government of Western Australia  
Department of Water and Environmental Regulation

# New guidelines to preparing revegetation plans for clearing permits

Thursday 6 September 2018





# Legislation

The clearing of native vegetation in Western Australia is regulated under Part V Division II of the *Environmental Protection Act 1986* (EP Act) and the following regulations and notice:

- *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations)
- *Environmental Protection (Environmentally Sensitive Areas) Notice 2005* (ESA Notice)

Clearing of native vegetation must be authorised by a clearing permit unless the clearing is of an exempt kind prescribed in the Clearing Regulations, or set out in Schedule 6 of the EP Act.





# Legislation

- A clearing permit may be granted subject to conditions that the CEO considers necessary or convenient for mitigating environmental harm or offsetting the loss of cleared vegetation.
- Such conditions may include requirements relating to the revegetation of an area (whether onsite or offsite).
- This includes the preparation of a revegetation plan for the establishment and maintenance of vegetation on land (other than land cleared under the permit to offset the loss of the cleared vegetation).





# A Guide to Preparing Revegetation Plans for Clearing Permits

- In March 2018, DWER published 'A Guide to Preparing Revegetation Plans for Clearing Permits'
- The guide sets out DWER's recommended approach to preparing a revegetation plan, where land revegetation is proposed as an offset or required, as a condition of a clearing permit granted under the EP Act.
- It provides general guidance regarding the information that should be provided to DWER to ensure that an assessment of the adequacy of a revegetation plan can be made.
- The Guide was produced with input from other government agencies and private consultants.





# Revegetation Plan

The revegetation plan must include:

- permit holder's revegetation commitments;
- background information about the impact site prior to clearing;
- if offsite revegetation is proposed;
- the revegetation site;
- relevant information collected from reference sites;
- completion criteria; and
- monitoring and management program.

Appendix A within the Guide contains a checklist of the recommended content of a revegetation plan.





# Revegetation Commitments

- The permit holder's overall objectives for the revegetation project should be outlined in the revegetation plan.
- The vision and objectives of a revegetation plan should be consistent with the SMART (specific, measurable, achievable, relevant, time-bound) principles.
- The Environmental Protection Authority's (EPA) *Guidance Statement No. 6 – Rehabilitation of Terrestrial Ecosystems* (2006) provides information on setting effective objectives for rehabilitation and revegetation.





## Background Information

The revegetation plan should include the following information about the impact site prior to clearing and, if offsite revegetation is proposed, the revegetation site:

- ownership, vesting and zoning of the land;
- description of the site's physical and biological features;
- description of the site's history;
- description of disturbances and threats;
- existing site conditions that require remediation;
- evidence of any agreements necessary to access the site; and
- maps, photographs and spatial datasets relating to the site.





## Reference Sites

- Reference sites are an important source of information on the type of vegetation, for example species composition and structure, that is proposed to be revegetated.
- Collecting baseline data using quadrats for the overall site is necessary to develop the completion criteria.
- The methods of collection outlined should be based on site characteristics and justification provided.
- Floristic surveys should be conducted close to the peak flowering period for the majority of species in the vegetation unit.
- Existing floristic datasets can be used to supplement data collected from reference sites.







# Completion Criteria

- Revegetation plans should include quantitative completion criteria.
- Completion criteria are developed based on data collected from a reference site.
- Each completion criterion must be defined by a measurable outcome so that the effectiveness of the revegetation action(s) can be assessed over time.
- Completion criteria must be designed to allow effective reporting and auditing for the duration of the clearing permit.
- Revegetation is generally considered complete once the completion criteria have been met.





# Methodology

The revegetation plan should include the revegetation methodology:

- Revegetation techniques;
- Dieback mapping and site hygiene;
- Ripping;
- Pre-vegetation establishment weed control;
- Fencing;
- Tube stock and direct seeding;
- Topsoil; and
- Mulch.





# Maintenance and Contingency Measures

- The revegetation plan should outline maintenance activities that will be undertaken over the life of the revegetation project.
- Contingency measures should also be included in case monitoring identifies deficiencies in the revegetation.
- Results from the monitoring data may trigger corrective or contingency measures where revegetation is compromised by weeds, feral or stock animals, human activities, fire and drought.
- Timing and contingency measures methods should be documented.





## Schedule and Budget

A schedule of actions should be included in a revegetation plan, including:

- dates for the start of activities (site preparation, vegetation establishment, monitoring regime, maintenance and contingency, reporting);
- an estimated budget (see Appendix E of the Guide for examples); and
- funding sources.

The schedule and budget must also take into consideration the requirements of the clearing permit where applicable.





# Monitoring

- Clearing permit conditions may include a requirement to monitor revegetation and measure the progress of revegetation activities undertaken to determine if maintenance and contingency actions are required.
- A range of monitoring methods can be used (quadrat, transect, photopoint). It is important to choose the correct method for the data you are wanting to capture.
- The frequency of monitoring can vary.
- The duration of monitoring is until the completion criteria have been met.





## Resources

The Guide provides a list of useful resources in revegetation, such as:

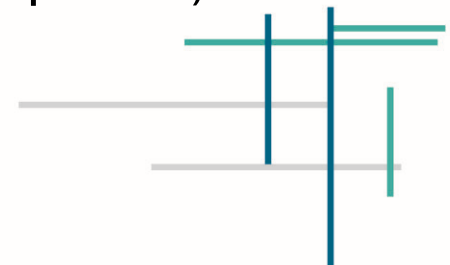
- General guides on revegetation;
- Photo monitoring;
- Plants and seeds;
- Vertebrate pests, weeds and disease;
- Restoration/Rehabilitation; and
- Western Australian vegetation reference data.





# Reporting Requirements

- Under section 51I(2)(d) of the EP Act, a permit holder may be required to monitor operations and environmental harm, conduct analysis of monitoring data, and provide reports of monitoring data and analysis to the CEO.
- Monitoring reports and the evaluation of monitoring data must be provided to the CEO before the date specified on the clearing permit.
- Reporting must continue until the expiry of the clearing permit or until the CEO or delegate agrees that the conditions of the clearing permit and the revegetation completion criteria are met (provided that this is prior to the expiry of the permit).





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# Submission of reports

- Send reports electronically to [info@dwer.wa.gov.au](mailto:info@dwer.wa.gov.au)
- Submission of hard copy reports not required







# Compliance program

- DWER undertakes a range of proactive compliance initiatives, programs and activities to protect the State's environment and water resources.
- Clearing permit related compliance monitoring and enforcement activities involve inspections of clearing activities and monitoring of sites using satellite imagery as part of an annual compliance program.





# Clearing offences

- Contravention of clearing permit conditions – maximum \$125,000 penalty
- Unlawful clearing – maximum \$500,000 penalty
- Serious environmental harm – maximum \$1,000,000 penalty or 5 years imprisonment or both
- DWER's Compliance and Enforcement Policy provides guidance in undertaking its compliance and enforcement functions. This policy is available via DWER's website.





# Enforcement

- DWER's Compliance and Enforcement Policy provides guidance in undertaking its compliance and enforcement functions. This policy is available via DWER's website.
- Responses available include:
  - Warning;
  - Vegetation Conservation Notice;
  - Prosecution;
  - Clearing Injunction; and
  - Revocation or suspension of clearing permit.





# Improvements for effective rehabilitation reporting to DWER

- DWER currently receives a variety of styles of reports on rehabilitation. The Guide can be used to inform the content required within annual reports for consistency.
- Ensure the report aligns with the conditions of the Clearing Permit.
- Condition scale to align with locality of rehab (South West and Interzone vs. Eremaean and Northern Botanical Provinces).
- Photos are extremely useful, in addition to quadrat data.
- Ensure rehabilitation species density/richness calculations are compared with baseline/completion criteria.





# Guidance materials

## Guidelines:

- A guide to the exemptions and regulations for clearing native vegetation.
- A guide to the exemption for clearing native vegetation for maintenance in existing transport corridors.
- A guide to the assessment of applications to clear native vegetation.
- A guide to preparing revegetation plans for clearing permits.
- Clearing of native vegetation offsets procedure.





# Guidance materials

Fact sheets:

- Information for maintaining existing transport corridors.
- Environmentally sensitive areas.
- How to apply for a permit to clear.
- Complying with your permit to clear native vegetation.
- Information for purpose permit holders.
- Risk-based assessment of clearing permit applications.





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## Contact details

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# Thank you for your attention

