



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 2949/1
Permit Holder:	B and J Catalano Pty Ltd
Duration of Permit:	19 March 2009 – 12 March 2014

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 gravel extraction

2. Land on which clearing is to be done

LOT 22 ON DIAGRAM 61245 (BULLSBROOK)
LOT 23 ON DIAGRAM 61245 (BULLSBROOK)

3. Area of Clearing

The Permit Holder must not clear more than 2 hectares of native vegetation and 200 trees within the area hatched yellow on attached Plan 2949/1.

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. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

6. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared for the authorised purpose of 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.

7. Revegetation

- (a) The Permit Holder shall retain the vegetation material and topsoil removed by clearing authorised under this Permit.
- (b) Within six months of any area no longer being required for the purpose of this Permit, the Permit Holder must *revegetate* the area by:
 - (i) Laying vegetation material and topsoil retained in accordance with condition 7(a), on the area; and
 - (ii) Deliberately planting and/or seeding native vegetation using local species from within 20km of the area cleared.
- (c) Within one year of the undertaking *revegetation* in accordance with conditions 7 (b), the Permit Holder must where, in the opinion of an *environmental specialist*, *revegetation* area does not provide adequate stabilisation of surface soils, undertake additional planting or seeding of native vegetation in accordance with the requirements of 7(b)(ii).

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, as relevant:

- (a) In relation to the clearing of native vegetation undertaken pursuant to 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) In relation to vegetation management pursuant to condition 7 of this Permit:
 - (i) The commencement date of the *revegetation*;
 - (ii) The location of any area *revegetated* recorded using Geocentric Datum Australia 1994;
 - (iii) A description of the *revegetation* activities undertaken; and
 - (iv) The size of the area *revegetated* (in hectares).

9. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 8 and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 19 December 2013, the Permit Holder must provide to the CEO a written report of records required under condition 8 where these records have not already been provided under condition 9(a) of this Permit.

Definitions

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

environmental specialist means a person who is engaged by the Permit Holder for the purpose of providing environmental advice, 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;

revegetate, revegetated and revegetation means the re-establishment of a cover of native vegetation in an area such that the species composition, structure and density is similar to pre-clearing vegetation type in that area, and can involve regeneration, direct seedling and/or planting.

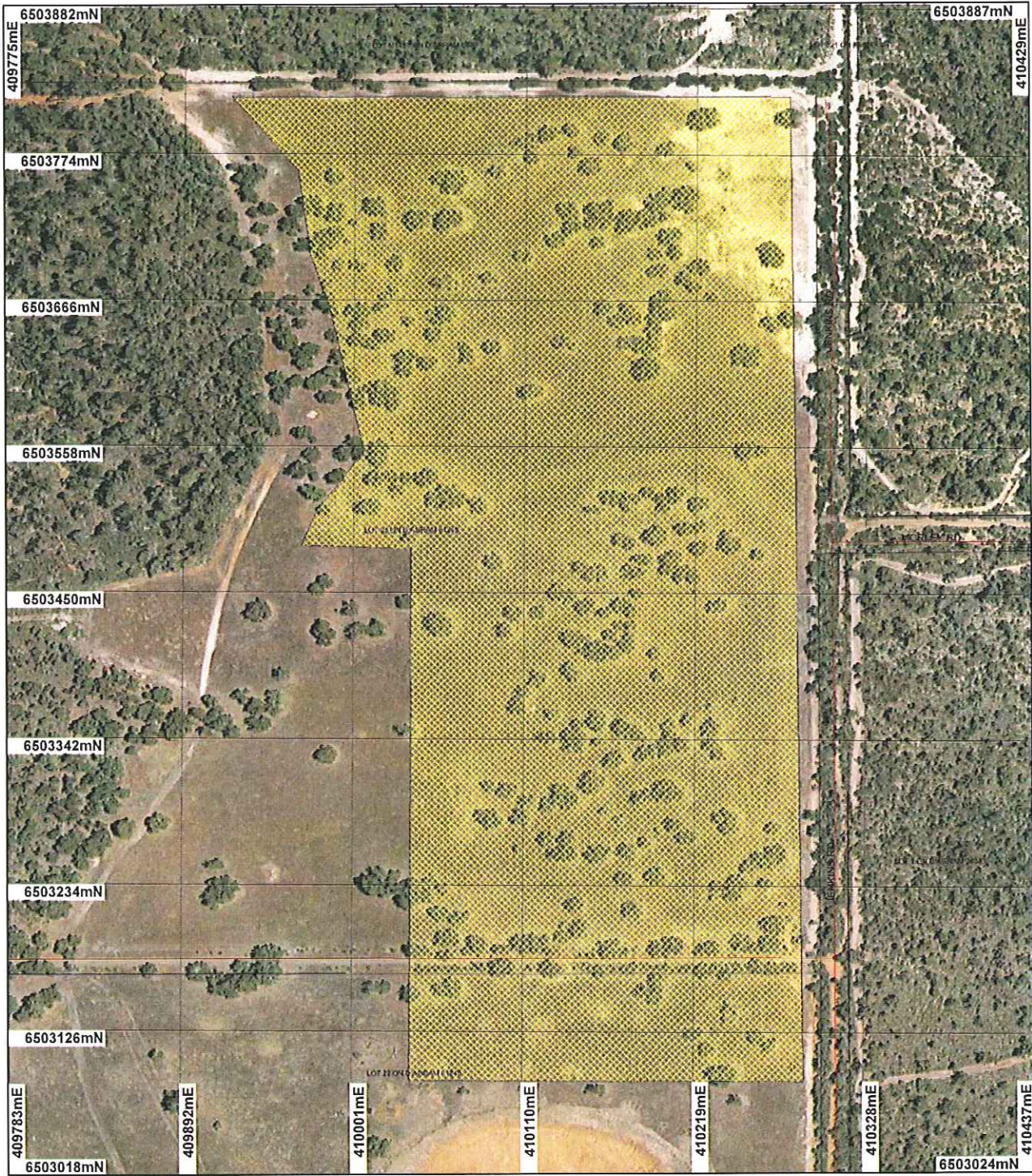


Keith Claymore
A/ ASSISTANT DIRECTOR
NATURE CONSERVATION DIVISION

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

19 February 2009

Plan 2949/1

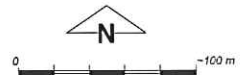


LEGEND

Clearing Instruments

- ☐ Areas Approved to Clear
- ☒ Road Centrelines
- ☐ Cadastre for labelling

Swan Coastal Plain North
40cm Orthomosaic -
Landgate 2005



Scale 1:4000

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K. Claymore

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

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.

Department of
Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 2949/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: B and J Catalano

1.3. Property details

Property: LOT 22 ON DIAGRAM 61245 (Lot No. 22 JENKINS BULLSBROOK 6084)
LOT 23 ON DIAGRAM 61245 (House No. 495 JENKINS BULLSBROOK 6084)
Local Government Area: City Of Swan
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2	200	Mechanical Removal	Extractive Industry

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
Beard vegetation associations: 3 - Medium forest; jarrah-marri. 1020 - Mosaic: Medium forest; jarrah-marri/Medium woodland; marri-wandoo. (SAC BIO Datasets 13/02/2009; Shepherd, 2007).	The area under application (2ha of vegetation and 200 trees within a total 20.5ha area) is located within Lot 23, a 109ha property (zoned rural) and within Lot 22, a 83ha property (zoned rural). The proposed clearing is for gravel extraction.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The condition of the native vegetation under application was sourced from aerial orthomosaics mapping; and information and photos provided by the applicant (B and J. Catalano).
Heddl Vegetation Complexes: Mogumber Complex- South; Open woodland (Heddl et al. 1980). Mattiske Vegetation Complex - Mogumber (Mb) Open woodland of <i>Corymbia calophylla</i> with some mixture of <i>Eucalyptus marginata</i> subsp. <i>thalassica</i> and a second storey of <i>Eucalyptus tottiana</i> - <i>Banksia attenuata</i> - <i>Banksia menziesii</i> - <i>Banksia ilicifolia</i> on sandy - gravels on the uplands in arid and perarid zones. (Mattiske Consulting, 1998).	The vegetation under application comprises scattered trees over non-native pasture grasses.		

3. Assessment of application against clearing principles

Comments

The area under application includes approximately 2ha of native vegetation and 220 trees within a 20.5ha total area. The area under application has previously been parkland cleared with no native understorey species present; therefore the applied area is not considered likely to comprise a high level of biological diversity or to provide significant habitat for fauna.

There are 5 species of rare flora and 15 species of priority flora found within the local area (~10km radius). Of the identified rare flora and priority flora, only *Acacia anomala* and *Baeckea* sp. Chittering are respectively found within the same vegetation complex and soil type as that found within the applied area. Given that the vegetation has previously been parkland cleared; and comprises individual trees with no native understorey species present, the vegetation to be cleared is not considered likely to include or be necessary for the continued existence of rare flora.

As the proposed clearing is limited to 2ha and 200 trees within a 20.5ha total area and is in completely

degraded condition, the vegetation under application is not considered likely to represent a Threatened Ecological Community or be considered significant as a remnant of native vegetation.

There are no wetlands or watercourses mapped within the area under application, with the closest water bodies being a Resource Enhancement Wetland and a major tributary of Marbling Brook which are respectively located approximately 1.8km west and 2.4km northeast of the applied area. Given the distance to the nearest watercourse, and wetland, it is not considered likely that the vegetation under application is growing in, or in association with a watercourse or wetland.

The chief soils mapped within the area under application are ironstone gravels with sandy and earthy matrices (Northcote et al, 1960) which generally have a low risk of wind erosion and water logging. The main land degradation risk associated with the identified soil type is water erosion. Given that the area under application is located in the upper slopes in the landscape at an elevation of between 205 - 220 metres, the proposed clearing may result in an increase in surface water run-off causing erosion gullies and rills, however is not considered to result in significant land degradation.

There are eighteen areas reserved for conservation purposes within a 10km radius of the area under application, the closest Bush Forever site 79 has a 50m buffer to the applied area. Given that WAPC require a 50 metre buffer, it is not considered likely that the proposed clearing would have an impact on the environmental values of the conservation area.

Given the vegetation under application is limited to 2ha and 220 individual trees within a 20.5ha total area and is in a completely degraded condition, it is not considered likely that the proposed removal of vegetation would impact on peak flood height or duration.

Methodology

References:

- Brown et al (1998)
- Northcote et al (1960-68)

GIS Databases:

- Bushforever
- CALM Managed Lands and Waters
- CALM Regional Parks_1
- Geomorphic Wetlands (Classification), Swan Coastal Plain
- Hydrography, linear (hierarchy)
- Soils, Statewide
- Topographic Contours, Statewide
- SAC BIO Datasets accessed 13/02/2009
- Submission (2009)

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

The area under application is located within an Aboriginal site of significance (id. S02516) which has been listed on the Permanent Register. Given the applied area is located within this Aboriginal site, it is considered that consultation should be considered for the area under application.

The Western Australian Planning Commission (WAPC, 2007) has given approval to commence development to HPPL Pastoral Properties Pty Ltd for the excavation and processing of gravel for Lot 22 and Lot 23 Jenkins Road, Bullsbrook, which expires 8 August 2012.

In a submission the City of Swan advice that the applicant does not have a current Extractive Industry Licence for the area under application and that the City would not be imposing any additional conditions to those imposed by the WAPC conditions of approval (TRIM DOC 7663).

In a submission The Department for Planning and Infrastructure (Bush Forever) advised that a 50 metre buffer was required to Bush Forever Site 79, as per Condition 19 of WAPC Development Approval (TRIM DOC 76800).

Methodology

References:

- Submission (2009a)
- Submission (2009b)
- WAPC (2007)

GIS databases:

- Aboriginal Sites of Significance

4. Assessor's comments

Comment

The assessable criteria have been addressed and the clearing as proposed is not likely to be at variance to the Principles.

5. References

Brown A., Thomson-Dans C. and Marchant N.(1998). Western Australia's Threatened Flora, Department of Conservation and Land Management, Western Australia.

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.

Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment 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. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

Submission (2009a) Direct Interest Submissions received for Lot 22 and Lot 23 Jenkins Road, Bullsbrook. TRIM REF DOC76634.

Submission (2009b) Direct Interest Submissions received for Lot 22 and Lot 23 Jenkins Road, Bullsbrook. TRIM REF DOC76800.

Western Australian Planning Commission (2007) Approval to Commence Development For Lot 22 and Lot 23 Jenkins Road, Bullsbrook.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)