



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 3545/1

File Number: DEC13908

Duration of Permit: From 26 March 2010 to 26 March 2012

### PERMIT HOLDER

Macmahon Contractors Pty Ltd on behalf of Midland Brick Co Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 103 on Plan 54208 Great Northern Hwy, Middle Swan

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.05 hectares of native vegetation, within the area cross-hatched yellow on attached Plan 3545/1.

### CONDITIONS

#### 1. Dieback and weed control

- (a) 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*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
  - (ii) shall only move soils in *dry conditions*;
  - (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
  - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
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- (b) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

### Definitions

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

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

*dry conditions* means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

*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;

*term* means the duration of this Permit, including as amended or renewed; and

*weed* means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.



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Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

25 February 2010

# Plan 3545/1



## LEGEND

- Cadastre for labelling
- Road Centrelines
- N FW
- N HY
- N LRG (cont)

- N LRS
- N MR
- N SE
- N TR

Perth Metropolitan Area  
North 20cm Orthosaic -  
Landgate 2007

### Clearing Instruments:

- Areas Approved to Clear



0 30 m

Scale 1:1177

(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.

*[Signature]* Date 25/2/10

K. Faulkner

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.: 3545/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Macmahon Contractors Pty Ltd on behalf of Midland

### 1.3. Property details

Property: LOT 103 ON PLAN 54208 (House No. 321 GREAT NORTHERN MIDDLE SWAN 6056)  
Local Government Area:  
Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.05		Mechanical Removal	Water/gas pipeline installation

## 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 Complex: 1009: Medium woodland; marri & river gum	The proposal is to clear 0.05 ha for the purpose of re-aligning an existing stormwater drain.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Vegetation clearing description obtained from aerial photography and additional information received with application (Macmahon 2010).
Mattiske Vegetation Complex Gu: Mosaic of open forest of Corymbia calophylla-Eucalyptus wandoo-Eucalyptus marginata subsp. marginata and woodland of Eucalyptus wandoo.	The vegetation is described as Eucalyptus rudis over weeds in a degraded condition.		
Hedde Vegetation Complex: Swan Complex: Fringing woodland of E. rudis - M. raphiophylla with localised occurrence of low open forest of Casuarina obesa and M. cuticularis.			

## 3. Assessment of application against clearing principle

### Comments

The vegetation under application is considered to be consistent with the Beard vegetation complex 1009: Medium woodland; marri & river gum and consists of Eucalyptus rudis over weeds in a degraded (Keighery 1994) condition (Macmahon Contractors, 2010). Given this, the vegetation is considered to comprise limited biodiversity values.

The assessment considers that the proposed clearing is not likely to impact biodiversity, land degradation, wetland or environmental water values within the local or regional context, given its small size (0.05ha) and degraded (Keighery 1994) condition.

However, 0.014ha of the applied area occurs within Bush Forever site 302 (Swan River and Jane Brook, Ashfield to Upper Swan) and is considered to be riparian vegetation as it occurs ~30m west of the Swan River. A dieback and weed condition is to be placed on the permit to mitigate this impact.

In addition, the area under application consists of Beard vegetation complex 1009 which has only 4.5% remaining in the City of Swan and occurs within an extensively cleared area with only 12.2% pre-European vegetation extent remaining in the local area. However, the area under application is not considered a significant remnant given its size and degraded (Keighery 1994) condition.

- Keighery (1994)
- Macmahon Contractors (2010)
- GIS databases:
  - Bush Forever
  - DEC tenure
  - Geomorphic Wetlands (Mgt Categories, Swan Coastal Plain)
  - Hydrography, linear
  - NLWRA, Current Extent of Native Vegetation
  - Soils, statewide
  - SAC Bio Datasets 27/01/2010

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

**Comments**

The proposal is to clear 0.05 ha for the purpose of re-aligning an existing stormwater drain. This drain is required to be realignment due to works involved with the Reid Highway extension.

The area under application is zoned industrial under the Perth Metropolitan Regional Scheme.

A stormwater Drainage management Plan has been approved by the Department of Water and the Swan River Trust (Macmahon Contractors 2010). The new drain will consist of a detention basin, piped drainage, open drainage, culvert, gross pollution trap and a silt trap. It is believed that the additional management measures established as part of the new realignment will improve the stormwater discharge quality.

There is a high risk of Acid Sulphate Soils in the applied area. However, a ASS management plan has been developed and will be implemented (Macmahon Contractors, 2010 )

The proposal has been referred to the Office of Environmental Protection Authority (OEPA) and given a decision on the 23 December 2009 of -Not Assessed - Managed under Part V of the EP Act (Clearing) (EPA 2009).

WAPC development approval has been applied for and is currently being assessed.

An amendment to a Bed and Banks permit from the Department of Water has been granted on the 11 February 2010.

Department of Planning's (DoP) State Strategic Policy Directorate's comments on the proposed clearing within a Bush Forever site have been received. DoP has no objections to the clearing if an offset proposal is developed and implemented to mitigate the clearing within a bush forever site.

**Methodology**

References

- Macmahon Contractors (2010)
- EPA (2009)
- GIS Databases
  - Metropolitan Regional Scheme Zones
  - Acid Sulphate Soil Risk

**4. Assessor's recommendations**

**Comment / recommendation**

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, the assessment recommendation is that the proposed clearing is at variance to Principle (h) and (f).

**5. References**

EPA (2009) Decision on Reid Highway Extension - Stormwater Drain Realignment at Midland Brick. Environmental Protection Authority. TRIM ref DOC117900

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Macmahon Contractors (2010) Clearing permit application and additional information CPS 3545/1. TRIM Ref DOC13908

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.

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.

## 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 (now DEC)
DMP	Department of Mines and Petroleum (ex DoIR)
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)