GOVERNMENT OF
WESTERN AUSTRALIA

# CLEARING PERMIT

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

**PERMIT DETAILS**
Area Permit Number: 3997/1
File Number: DEC4515
Duration of Permit: From 4 December 2010 to 4 December 2015

**PERMIT HOLDER**
Minister for Education

**LAND ON WHICH CLEARING IS TO BE DONE**
Lot 2004 on Deposited Plan 49282 (BUTLER 6036)

**AUTHORISED ACTIVITY**
The Permit Holder shall not clear more than 9.5 hectares of native vegetation within the area cross hatched yellow on attached Plan 3997/1.

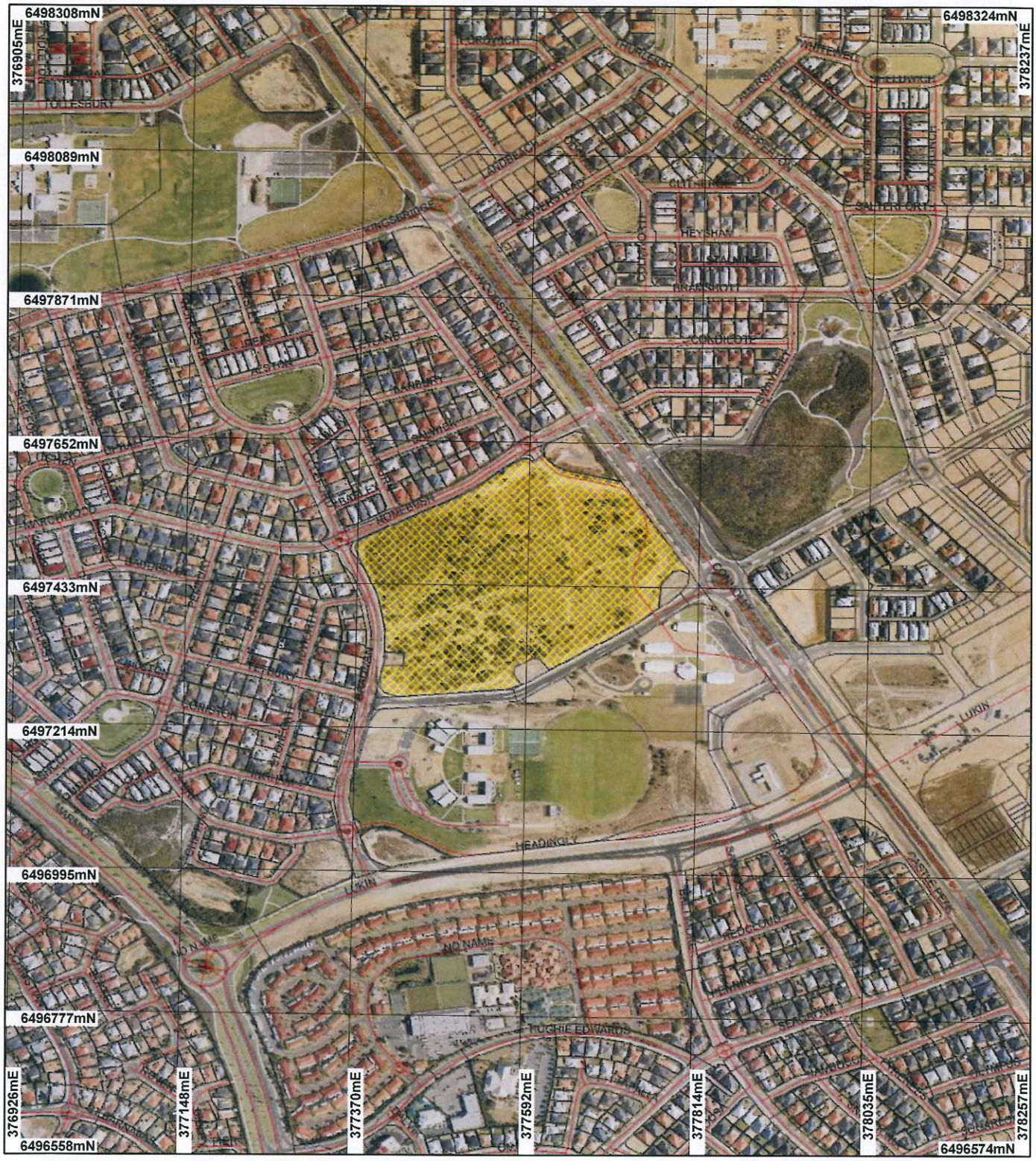
**CONDITIONS**
Nil.

M G Warnock
A/ MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

4 November 2010

# Plan 3997/1




## LEGEND

**Clearing Instruments**

- Areas Approved to Clear
- Road Centrelines
- Cadastre

Perth Metropolitan Area
North 20cm Orthomosaic - Landgate 2007

N

0 ~200 m

Scale 1:7775
(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.*

M. Warnock Date 4/11/10

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 acknowleged by the agency acronym in the legend.

Department of Environment and Conservation

*Our environment, our future*

Department of Environment and Conservation

# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

**Permit application No.:** 3997/1
**Permit type:** Area Permit

### 1.2. Proponent details

**Proponent's name:** **Minister for Education**

### 1.3. Property details

**Property:** LOT 2004 ON PLAN 49282 (House No. 38 BRADMAN BUTLER 6036)
**Local Government Area:** City of Wanneroo
**Colloquial name:**

### 1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
|---|---|---|---|
| 9.5 | | Mechanical Removal | Building or Structure |

### 1.5. Decision on application

**Decision on Permit Application:** Grant
**Decision Date:** 04 November 2010

## 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 |
|---|---|---|---|
| Mapped vegetation association 949 is described as low woodland; banksia (Shepherd, 2009) | The proposed clearing area comprises an area of 9.5 hectares for the purpose of 'Butler High School' in the City of Wanneroo. | Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994) | The condition of the vegetation under application was determined through a site inspection conducted by Department of Environment and Conservation (2007) and via digital imagery - Perth Metropolitan Area North 20cm Orthomosaic - Landgate 2007. |
| Heddle Vegetation Complex - Cottesloe Complex, Central and South is described as mosaic of woodland of E. gomphocephala and open forest of E. gomphocephala - E. marginata - E. calophylla; closed heath on the Limestone outcrops. | The vegetation within the investigation site has been described as low coastal scrub of Melaleuca huegelii and Melaleuca systena with Acacia pulchella and Acacia rostellifera over Calothamnus quadrifidus, Dryandra lindleyana and grassy weeds (GDH, 2007). | | |
| As above. | The south eastern portion of the application site is considered to be completely degraded and can be described as parkland cleared. | Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994) | As above. |
| As above. | A portion of the application site (northwest corner) is in a good to degraded condition. However, this area is also experiencing disturbances such as aggressive weeds and edge effects associated with the surrounding urban development. | Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994) | As above. |

## 3. Assessment of application against clearing principles

### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

**Comments**

**Proposal is not likely to be at variance to this Principle**

The proposal is to clear 9.5 hectares within Lot 2004 on Plan 49282, Butler, for the purpose of constructing Butler Senior High School.

The majority of the proposed school site is in a degraded (Keighery, 1994) condition as it has experienced considerable disturbance and is subject to edge effects resulting from a high level of urban development surrounding the application area.

The closest recorded priority flora species was Leucopogon sp Yanchep (P3). This priority 3 species was recorded 600 meters north of the project area on the same vegetation and soil type. Although the area under application contains similar environmental conditions to where this species was recorded, a flora survey was conducted by GDH (2007) and did not identify any priority or rare flora within the application area.

Two recorded occurrences of the priority five fauna species Isoodon obesulus fusciventer (Quenda) were recorded within the local area (10km radius). The closest occurrence was approximately 910m north of the applied area. Given the surrounding landscape (urban) and condition of vegetation it is not likely this site provides significant habitat for this species or other native fauna.

Given the degraded nature of the area under application, the absence of water courses and high level of surrounding urban development, the project area is not likely to support a high level of biodiversity.

**Methodology** References:
Keighery (1994)

GIS Database:
SAC Biodatsets - accessed 27/10/10

**(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.**

**Comments** **Proposal is not likely to be at variance to this Principle**
There are thirty nine records of conservation significant fauna within a ten (10) kilometre radius of the application site.

Two recorded occurrences of the priority five fauna species Isoodon obesulus fusciventer (Quenda) were recorded within the local area (10km radius). The closest occurrence was approximately 910m north of the applied area. The Carnaby's black cockatoo (Calyptorhynchus latirostris) (listed as endangered under the EPBC Act), was recorded approximately 2km from the proposed site

Given that only a small portion of the application area consists of mature trees and the condition of the vegetation under application is predominately degraded, it is unlikely to comprise or be necessary for the maintenance of significant habitat for fuana indigenous to Western Australia.

**Methodology** GIS Database:
- SAC Biodatasets - accessed 28 October 2010

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

**Comments** **Proposal is not likely to be at variance to this Principle**
Within the local area (10km radius) two records of the Declared Rare Flora (DRF) species Eucalyptus argutifolia were found. The closest of these records was located 3.3km south of the application area on the same soil and vegetation type to that of the application area.

The proponent has provided supporting documentation regarding two flora surveys that were conducted on 28th October 2006 and 21st February 2007. These flora surveys did not identify any DRF species (GHD, 2007).

Therefore, this proposal is not likely to be at variance to this clearing principle.

**Methodology** References:
GDH (2007)

GIS Database:
- Pre European Vegetation - DA 01/01
- SAC Biodatasets - accessed 28/10/10

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.**

**Comments** **Proposal is not likely to be at variance to this Principle**
There are 14 records of Threatened Ecological Communities (TECs) within a 2km radius of the proposed clearing area.

The closest TEC record is for SCP26a (approximately 200 metres East of the application site) identified as 'Melaleuca huegelii - Melaleuca acerosa (currently M. systena) Shrublands on limestone ridges' (Gibson et al. 1994).

TEC26a is in the same Beard vegetation association as the proposed clearing area (low woodland; banksia on limestone) and the same Heddle vegetation complex (Cottesloe Complex - Central and South).

TEC26a is also in the same soil type as the application site (chief soils are siliceous sands).

The proponent's supporting documentation and flora surveys indicate that vegetation within the top NW corner has some similarities with TEC26a (GHD, 2007). However, it appears to be closer to SCP community type 24 (GHD, 2007).

A DEC (2007) site inspection confirmed that the north western corner of the proposed clearing area is in good to degraded (Keighery, 1994) condition. The presence of aggressive weeds, dying shrubs, and urban rubbish is evident in this portion of the application area (DEC, 2007).

Given the condition of the vegetation and the urban modification surrounding this area, it is unlikely to comprise the whole or a part of, or be necessary for the maintenance of a threatened ecological community.

Therefore, this application is not likely to be at variance to this principle.

**Methodology**

References:
DEC (2007)
Gibson et al. (1994)
GHD (2007)

GIS Database:
-SAC Bio Datasets - accessed October 2010

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

**Comments**

**Proposal is not likely to be at variance to this Principle**

The proposed clearing area is located within the City of Wanneroo and within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) region.

The Swan Coastal Plain IBRA region has 39.16 per cent of its pre-European vegetation extent remaining.

The vegetation proposed to be cleared is a component of Beard vegetation association 949 (low woodland; banksia) of which 58.14 per cent of the pre-European extent remains within the Swan Coastal Plain bioregion (Shepherd, 2009).

The area under application is also within the Heddle Cottesloe Complex - Central and South of which 41 per cent of its pre-European extent remains (Heddle, 1980).

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 figures mentioned above are well above the recommended threshold of 30 per cent..

Furthermore, the Pre- European extent remaining within the City of Wanneroo is 47.40 per cent.

Accordingly, the Pre-European extent remaining in a local context suggests that native vegetation within the application site is unlikely to be significant as a remnant in an area that has been extensively cleared.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology**

References:
Commonwealth of Australia (2001)
Heddle (1980)
Shepherd (2009)

GIS Database:
- Heddle Vegetation Complexes - DEP 21/06/95
- Perth Metropolitan Area North 20cm Orthomosaic - Landgate 2007
- Pre European Vegetation - DA 01/01
- SAC biodatasets - accessed october 2007

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

**Comments**

**Proposal is not at variance to this Principle**

As aerial photography suggests and a DEC site visit confirmed, native vegetation in the proposed clearing area is not growing in, or in association with, an environment associated with a watercourse or wetland.

Therefore, this proposal is not at variance to this clearing principle.

**Methodology**

GIS Database:
- Geomorphic Wetlands (Mt Categories), Swan Coastal Plain - 11/04/07
- Hydrography linear - DOW 13/7/06
- Perth Metropolitan Area North 20cm Orthomosaic - Landgate 2007

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments**

**Proposal is not likely to be at variance to this Principle**

The proposed clearing area is characterised by a low relief elevation of 25m AHD (Australian Height Data) with siliceous sands as chief soils and the mean annual rainfall in the area is 800mm.

The application site is situated in an area that has been identified as 'Class 3' with no known Acid Sulphate Soil (ASS) risk and groundwater salinity in the application site has been mapped for 500-1,000 mg/L Total Dissolved Solids (TDS).

The areas surrounding the application site have been highly modified by urban development and approximately 60% of native vegetation remains within the local area (10km radius).

Therefore, the clearing of native vegetation within the application site is not likely to cause appreciable land degradation.

Given the above, this proposal is not likely to be at variance to this clearing principle.

**Methodology**

GIS Database:
-Acid Sulphate Soil Risk Map - Swan Coastal Plain DEC
-Groundwater Salinity Statewide DOW
-Rainfall, Mean Annual - BOM 30/09/01
-Topographic contours, Statewide DOLA 12/09/02

**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments**

**Proposal is not likely to be at variance to this Principle**

A System 6 Conservation Reserve is located within a 5km radius of the application site. The portion of this conservation area that is closest to the proposed clearing area (at approximately 200 metres East of the application site) has been highly modified by urban development.

This System 6 Conservation Reserve also includes Bushforever site 383 and the Neerabup National Park.

Bushforever site 383 is situated at approximately 880 metres east of the proposed clearing area and extends into the Neerabup National Park which is 1 kilometre east of the application site.

The portion of Neerabup National Park closest to the proposed clearing area is mapped as comprising the same Beard vegetation association as the proposed clearing area (low woodland; Banksia).

Neerabup National Park is also in same Heddle vegetation complex (Cottesloe Complex - Central and South) and within the same soil type (chief soils are siliceous sands) as the application site. Aerial photography suggests that there are no evident ecological linkages between these conservation areas and the proposed clearing site, as the surrounding area has been highly modified by urban development.

Accordingly, the clearing of native vegetation in the application site is unlikely to have an impact on the environmental values of any adjacent or nearby conservation area.

Therefore, the clearing as proposed is not likely to be at variance to this principle.

**Methodology** GIS Database:
- Bushforever } MFP 07/01
- CALM Managed Lands and Waters - CALM 01/07/05
- Perth Metropolitan Area North 20cm Orthomosaic - Landgate 2007
-System 6 Conservation Reserve DEP 06/95

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments**

**Proposal is not likely to be at variance to this Principle**

The proposed clearing area is not associated with any known watercourses or wetlands.

The application site is within the Perth Coastal Underground Water Pollution Control Area, protected as a 'Priority 3' Public Drinking Water Source Area (PDWSA).

Groundwater salinity in the application site has been mapped for 500-1,000 mg/L Total Dissolved Solids (TDS).

The Department of Water (DoW, 2007) advised that since the clearing area is zoned for public use - high school and there are no watercourses or wetlands associated with the proposed site, the DoW does not object to a clearing permit being granted.

Given the above, the clearing of native vegetation in the application site is unlikely to cause deterioration in the quality of surface or underground water.

Therefore, this proposal is not likely to be at variance to this principle.

**Methodology** References:
DoW (2007)

GIS Database:
- Groundwater Salinity Statewide DOW
- Hydrography, linear - DoW 13/7/06
- Public Drinking Water Source Areas (PDWSAs) - DOW

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments**

**Proposal is not likely to be at variance to this Principle**

The proposed clearing area is characterised by a low relief elevation of 25m AHD (Australian Height Data) with siliceous sands as chief soils. The mean annual rainfall in the area is 800mm.

Considering the condition of the vegetation under application, the modified surroundings, and the highly permeable soil type (GHD, 2007), the clearing of native vegetation is unlikely to cause, or exacerbate, the incidence or intensity of flooding in the local area.

Therefore, the clearing as proposed is not likely to be at variance to this principle

**Methodology** GIS Database:
-Topographic contours, Statewide DOLA 12/09/02
-Rainfall, Mean Annual - BOM 30/09/01

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

**Comments**

The Department of Education was granted a permit over this area in the past (CPS2083/1) however, it expired on 3 February 2010.

The City of Wanneroo (2010) has advised that it supports the application to remove native vegetation from Lot 2004 Bradman Drive, Butler, as planning in the area supports the development of a high school at this location.

The application site is within the Perth Coastal Underground Water Pollution Control Area, protected as a 'Priority 3' Public Drinking Water Source Area (PDWSA).

The Department of Water (DoW, 2007) advised the following: "As the proposed site at Butler is in a P3 area at Butler, DOW would have no objection to the site clearing subject to the following:
a) the site is zoned for a school site by the City of Wanneroo in their local planning scheme.
b) the school amenities are connected to deep sewerage.
c) the Water Corporation confirms that nearby shallow bore QW10 is not a public water supply production bore. If the bore is used for public water supplies, we would be seeking to negotiate a 300 metre buffer to any

facilities on the school site that may pose a groundwater contamination risk".

The Water Corporation (2007) confirmed the following: 'There is a proposed site for a future Water Corporation production bore to the bottom left of the blue hatched area (protected catchment) called Q160 or QN10. The bore referred to as QW10 is an existing production bore (aka Q170) located between Marmion Ave and Masthead Cl.'

In light of the information received from the Water Corporation (2007), the Department of Water (DoW, 2007) gave the following advice: "The Department of Water (DoW) has assessed the application and notes the clearing area is zoned for public use - high school and is located within the Perth Coastal Underground Water Pollution Control Area. The DoW notes there are no watercourses or wetlands mapped on the lot and therefore given the zoning the DoW does not object to the clearing permit but notes the following for consideration:

- The clearing area is managed for Priority 3 (P3) source protection. P3 source protection areas are defined to manage the risk of pollution to the water source. P3 areas are declared over land where water supply sources need to co-exist with other land uses such as residential, commercial and light industrial developments. Protection of P3 areas is achieved through management guidelines for land use activities. An educational establishment is considered acceptable in a P3 areas under the Land Use Compatibility Table with the following conditions:
- The Lot is to be connected to deep sewerage, except where exemptions apply under State Government Sewerage Policy.
- The DoW also notes the clearing area is located adjacent to a Water Corporation water supply production bore and the DoW recommends:
- A 300 metre buffer to any facilities on the school site that are likely to impact on water quality. These could include ovals and playing fields given the potential for fertiliser and pesticide use."

The area under application is not located within a Native Title Claim area. Therefore, the clearing as proposed should not fall under future act procedures under the Native Title Act 1993.

**Methodology**

References:
City of Wanneroo (2010)
DoW (2007)
Water Corporation (2007)

GIS Database:
- Native Title Claims - LA 2/5/07
- Public Drinking Water Source Areas (PDWSAs) - 07/02/06
- Town Planning Scheme Zones - MFP 31/08/98

## 4. References


City of Wanneroo (2010) Advice for Clearing Permit Application CPS 3997/1 (DEC Ref: A342879).

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

DEC (2007) Site Inspection Report for Clearing Permit Application CPS 2083/1, Lot 2004 on Plan 49282, Butler. Site inspection undertaken 15 October 2007. Department of Environment and Conservation, Western Australia (DEC Ref: A180976).

DoW (2007) Advice for Clearing Permit Application CPS 2083/1. Department of Water. Western Australia (TRIM Ref: DOC39571).

GHD (2007) Department of Housing and Works: Butler High School, Clearing Permit Application, June 2007 (TRIM Ref: DOC32795).

Gibson N., Keighery B., Keighery G., Burbidge A. and Lyons M. (1994) A Floristic Survey of the Southern Swan Coastal Plain. Western Australian Department of Conservation and Land Management and the Western Australian Conservation Council.

Heddle, 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.

Shepherd, D.P. (2009) 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.

Water Corporation (2007) Advice for Clearing Permit Application CPS 2083/1 (DEC Ref: A180027).

## 5. 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) |