



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5001/1
Permit Holder:	Criterion Developments Pty Ltd
Duration of Permit:	13 July 2012 – 13 July 2017

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 retaining wall.
- 2. Land on which clearing is to be done**
Lot 17 on Plan 2188, Cannington
Lot 3010 on Deposited Plan 50221, Cannington.
- 3. Area of Clearing**
The Permit Holder must not clear more than 0.03 hectares of native vegetation within the area hatched yellow on attached Plan 5001/1.
- 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 authorised under 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. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) shall only move soils in *dry conditions*;
- (c) ensure that no *dieback* or *weed* affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared

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;

weed/s 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*.



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

21 June 2012

Plan 5001/1



LEGEND

- Cadastral**
- Fineshed
 - Crown Reserve
 - State Forest / Timber Res
 - Marine Park
 - Crown Lease
 - Lease / Reserve
 - Lease on State Forest / Tr
 - Public Road
 - Unallocated Crown Land
 - Water
- Road Centrelines
- Clearing Instrument
- Areas Approved to Clear
- Perth Metropolitan + Orthomosaic - Linc

* Project Data. This data has not been quality assured. Please contact map author for details.



Scale 1:838
 (Approximate when projected 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.

Kelly Faulkner
 Date 21/6/12

Kelly Faulkner

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



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1. Application details

1.1. Permit application details

Permit application No.: 5001/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Criterion Developments Pty Ltd

1.3. Property details

Property: LOT 17 ON PLAN 2188 (House No. 31 WOODLOES CANNINGTON 6107)
LOT 3010 ON PLAN 50221 (CANNINGTON 6107)

Local Government Area: City of Canning

Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 21 June 2012

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 Beard vegetation association 968 is described as Medium woodland; jarrah, marri & wandoo (Shepherd, 2001).	Approximately 0.03ha of native vegetation is being cleared for the purpose of the construction of a retaining wall.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	Vegetation condition established through photographs supplied by the applicant and Aerial Imagery (Perth Metropolitan Central 15cm Orthosmaic, Landgate 2011).
Hedde vegetation swan complex is described as Fringing woodland of Eucalyptus rudis (Flooded Gum) - Melaleuca raphiophylla (Swamp Paperbark) with localised occurrence of low open forest of Casuarina obesa (Swamp Sheoak) and Melaleuca cuticularis (Saltwater Paperbark) (Hedde, 1980).	The area under application includes 3 large Eucalyptus rudis (Flooded Gum).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	

3. Assessment of application against clearing principles

Comments

The application is for the proposed clearing of 0.03ha of native vegetation within Lot 17 on Deposited Plan 2188 and Lot 3010 on Deposited Plan 50221, Cannington, for the purpose of constructing a retaining wall.

The proposed clearing falls within 25m of a Conservation Category Wetland (Shelly Bridge Floodplain). Three Eucalyptus rudis (Flooded Gum) occur within the application area. This species is considered riparian (WA Herbarium, 1998-). Therefore the clearing may be at variance to principle (f).

The proposed clearing falls within the Canning River and Regional Park and Adjacent Bushland, Riverton to Langford, Bush Forever site 224. The disturbance resulting from the proposed clearing will increase the risk of weeds and dieback spreading into the Bush Forever site. Weed and dieback management practices will assist in mitigating this risk.

Given the above the proposed clearing may be at variance to principles (f) and (h), and is not likely to be at variance to any of the other principles.

Methodology References:
WA Herbarium, 1998-
GIS databases:
- Clearing Regulations - Environmentally Sensitive Areas
- Hydrography, linear
- Management Category Wetlands
- SAC Biodatasets (Accessed May 2012)

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

Comments

The proposed clearing partially occurs within Lot 3010 which is managed by the Conservation Commission of Western Australia to be used for the designated purpose of Conservation Park only. Authority has been given to access this Lot by Department of Environment and Conservation's Swan Coastal District.

The City of Canning has granted developmental approval to Criterion Developments Pty Ltd subject to the following conditions (City of Canning, 2010):

- Uniform fencing be maintained or erected along the rear property boundary of the development site and Bush Forever Area 224 (Lot 3010).
- No development, including fill, construction materials, rubbish or any other deleterious matter shall be deposited in the Bush Forever area.
- No clearing or damage of remnant native vegetation is to occur in the Bush Forever area (condition 4).
- Prior to the issue of a Building Licence a geotechnical report is required.

The City of Canning has made the following comment in regards to condition 4 of the Development Approval; the proposed clearing of 0.03 hectares of native vegetation is not subject to this condition (City of Canning, 2012).

The Department of Planning has advised they object to any clearing of Bush Forever vegetation within Lot 3010 as it contradicts the intent of the Regional Park. It has been suggested that the retaining wall be modified to avoid the need for clearing in Lot 3010. It is advised that if a permit is granted an offset package be prepared prior to any clearing and no more than 0.03ha of native vegetation be cleared (Department of Planning, 2012).

Methodology References:
-Department of Planning (2012)
-City of Canning (2010)
-City of Canning (2012)

4. References

- City of Canning (2010) Approval Subject to Conditions. Supporting documentation Received 26/04/2012. DEC Ref: A497249
- City of Canning (2012) Letter regarding Development approval condition 4. Supporting documentation Received 26/04/2012. DEC Ref: A497249
- Department of Planning (2012) Bush Forever advice for Clearing Permit Application CPS 5001/1. Department of Planning, Western Australia DEC Ref: A506371.
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, 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.
- 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.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed May 2012).

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)