



## CLEARING PERMIT

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

### PERMIT DETAILS

Area Permit Number: 5870/1

File Number: DER2013/001067-1

Duration of Permit: From 18 January 2014 to 18 January 2021

### PERMIT HOLDER

Pilsley Investments Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 2 on Diagram 59421, Upper Swan

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.6 hectares of native vegetation within the area hatched yellow on attached Plan 5870/1a.

### CONDITIONS

#### 1. Period in which clearing is authorised

The Permit Holder shall not clear any native vegetation after 30 June 2017.

#### 2. Retain vegetative material and topsoil, revegetation and rehabilitation

- (a) The Permit Holder shall retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) within 6 months following the completion of extractive activities, *revegetate* and *rehabilitate* the area cross-hatched red on attached Plan 5870/1b in accordance with the following provisions:
  - (i) laying the vegetative material and topsoil retained under condition 2(a) on the cleared area; and
  - (ii) deliberately *planting* and/or *direct seeding* native vegetation that will result in an average species density of 1000 stems per hectare, consisting of overstorey species representative of the local area (50km radius);
- (c) within 18 months of undertaking *revegetation* and *rehabilitation* in accordance with condition 2(b) of this Permit:
  - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
  - (ii) where, in the opinion of an *environmental specialist*, the areas *revegetated* and *rehabilitated* will not result in an average species density of 1000 stems per hectare, consisting of overstorey species representative of the local area (50km radius), the Permit Holder must undertake additional *planting* or *direct seeding* of native vegetation in accordance with the requirements of condition 2(b)(ii) of this Permit.
- (d) where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 2(c)(ii) of this permit, the Permit Holder shall repeat condition 2(c)(i) and 2(c)(ii) within 18 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) where a determination by an *environmental specialist* that the areas *revegetated* and *rehabilitated* will result in an average species density of 1000 stems per hectare, consisting of overstorey species representative of the local area (50km radius), as determined in condition 2(c)(i) and 2(c)(ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 2(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 2(c)(ii).

### 3. Records to be kept

The Permit Holder must maintain the following records in relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 2 of this Permit:

- (a) the location of any areas *revegetated* and *rehabilitated*, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
- (b) a description of the *revegetation* and *rehabilitation* activities undertaken;
- (c) the size of the area *revegetated* and *rehabilitated* (in hectares);
- (d) the species composition and density of *revegetation* and *rehabilitation*, and
- (e) a copy of the environmental specialist's report.

### 4. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
  - (i) of records required under condition 3 of this Permit; and
  - (ii) concerning activities done by the Permit Holder under this Permit between 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 18 October 2020 the Permit Holder must provide to the CEO a written report of records required under condition 3 of this Permit where these records have not already been provided under condition 4(a) of this Permit.

### DEFINITIONS

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

**direct seeding** means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

**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;

**local provenance** means native vegetation seeds and propagating material from natural sources within 10 kilometres of the area cleared;

**planting** means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

**revegetate/ed/ion** means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

**rehabilitation** means actively managing an area containing native vegetation in order to improve the ecological function of that area; and

**revegetation** means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.



M Warnock  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

19 December 2013



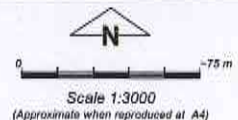
# Plan 5870/1a



## LEGEND

- Cadastre
- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities

Perth Metropolitan Area  
Central 15cm Orthomosaic -  
Landgate 2012



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 19/12/13

M WARNOCK

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.



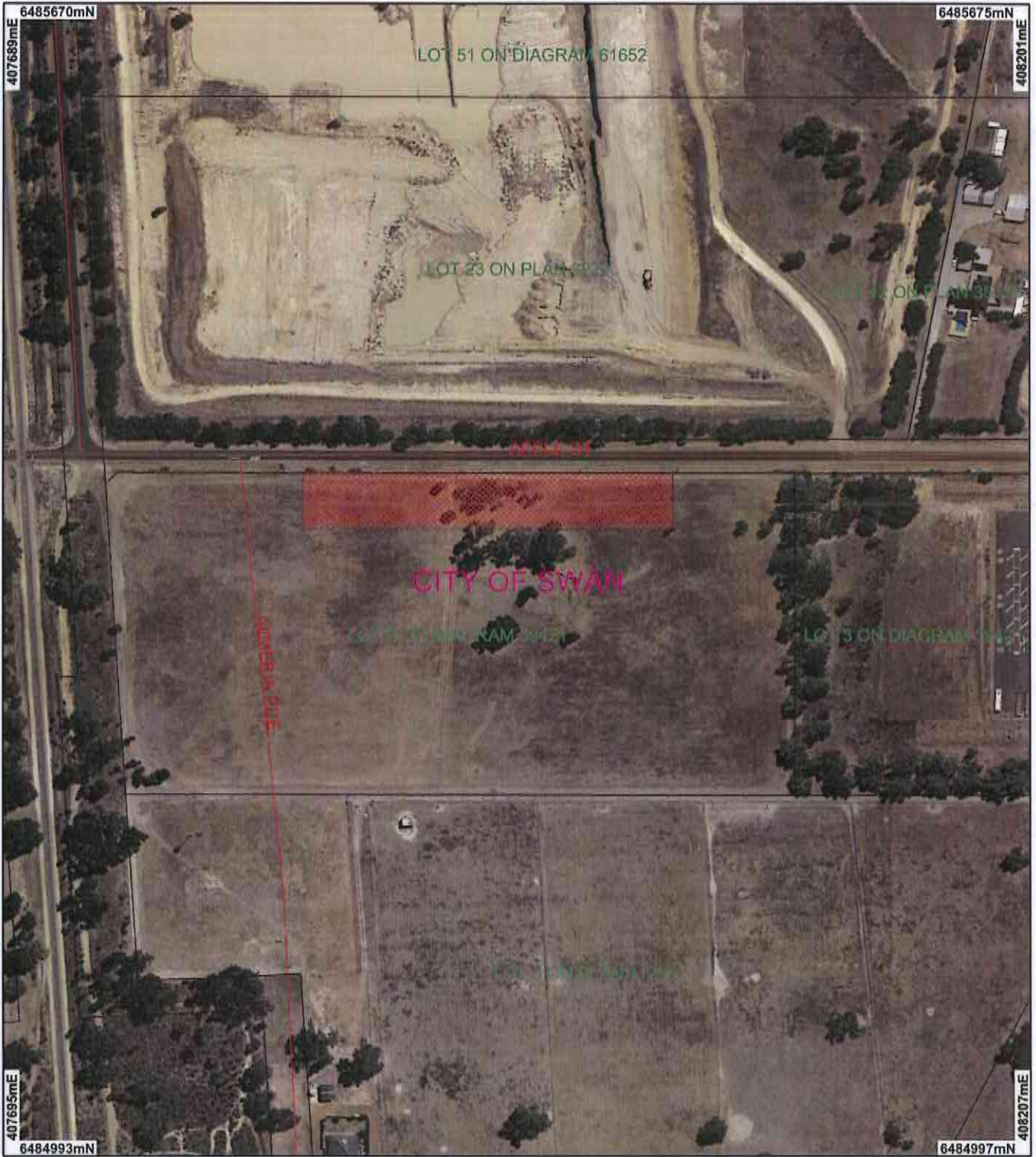
Government of Western Australia  
Department of Environment Regulation

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\* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



# Plan 5870/1b



## LEGEND

- Cadastre
- Road Centrelines
- Clearing Instruments
- Area Subject to Conditions
- Local Government Authorities

Perth Metropolitan Area  
Central 15cm Orthomosaic -  
Landgate 2012



Scale 1:3000

(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 19/12/13

M WARNOCK

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

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Department of Environment Regulation

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 5870/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Pilsley Investments Pty Ltd

### 1.3. Property details

Property: LOT 2 ON DIAGRAM 59421  
Local Government Area: City of Swan  
Colloquial name: Lot 2 Apple Street, Upper Swan

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 19 December 2013

## 2. Site Information

### 2.1. Existing environment and information

#### 2.1.1. Description of the native vegetation under application

Vegetation Description	Vegetation Condition
The area under application has been mapped as Beard Vegetation Association 4 which is described as medium woodland; marri and wandoo (Shepherd et al 2001)	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)

## 3. Assessment of application against clearing principles

### Comments

Consideration has been given to impacts to biodiversity, significant fauna habitat, rare flora, threatened ecological communities, remnant vegetation values, wetlands, watercourses, land degradation, surface water quality, groundwater quality, and flooding. The assessment has found that the clearing under application is not likely to be at variance to all clearing principles.

The clearing under application is located within the special control area outlined in the *Environmental Protection (Western Swamp Tortoise Habitat) Policy 2011*. As such, advice was sought from the Environmental Protection Authority. The proposed clearing will take place within Precinct D of the special control area, therefore consideration must be given to protecting the superficial groundwater aquifer on the site (OEPA, DEC and DoW, 2013). Excavation licences approved by the City of Swan and the WA Planning Commission contain provisions to ensure that groundwater is not impacted.

The clearing is for the purpose of clay extraction. No submissions have been received.

### Methodology

GIS Datasets:	References:
- Hydrology, linear	Shepherd et al (2001)
- IBRA Australia	Keighery (1994)
- Aboriginal Sites of Significance	OEPA, DEC and DoW (2013)
- DEC Tenure	
- Metropolitan Regional Scheme	
- Town Planning Scheme Zones	
- CAWSA Part IIA Clearing Controls Catchment	
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain	
- ANCA, Wetlands	
- RAMSAR, Wetlands	
- Groundwater salinity, statewide	
- Topographic Contours, statewide	

- Soils, statewide
- Environmental Protection (Western Swamp Tortoise Habitat) Policy 2011
- RIWI Act, Areas
- Bushforever\_1
- Pre-European Vegetation
- SAC Biodatasets Accessed 3 December 2013
- Perth Metropolitan Area Central 15cm Orthomosaic - Landgate 2012

#### **4. References**

- 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.
- OEPA, DEC and DoW (2013). Advice to City of Swan and Department of Planning on recommended measures for the protection of the Western Swap Tortoise habitat within the City of Swan for incorporation into the Local Planning Scheme. Office of the Environmental Protection Authority, Department of Environment and Conservation (now Department of Parks and Wildlife) and Department of Water. Perth, Western Australia.