GOVERNMENT OF
WESTERN AUSTRALIA

# CLEARING PERMIT

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

**PERMIT DETAILS**
Area Permit Number: 6410/1
File Number: DER 2014/003243-1
Duration of Permit: From 6 February 2016 to 6 February 2018

**ADVICE NOTE**
The funds referred to in Condition 1 of this permit are intended for contributing towards the purchase of 0.71 hectares of native vegetation representative of Threatened Ecological Community SCP3a, within the Swan Coastal Plain.

**PERMIT HOLDER**
Juceda Investments Pty Ltd

**LAND ON WHICH CLEARING IS TO BE DONE**
Lot 253 on Plan 3327, Maddington

**AUTHORISED ACTIVITY**
The Permit Holder shall not clear more than 3.06 hectares of native vegetation within the area cross hatched yellow on attached Plan 6410/1.

**CONDITIONS**
**1. Monetary contributions to a fund maintained for the purpose of establishing or maintaining vegetation (offset)**
Prior to undertaking any clearing authorised under this Permit and no later than 7 July 2016, the Permit Holder shall provide documentary evidence to the CEO that funding of $113,600 has been transferred to the Department of Environment Regulation to purchase land for the purpose of establishing or maintaining native vegetation.

Jane Clarkson
A/SENIOR MANAGER
CLEARING REGULATION

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

7 January 2016

# Plan 6410/1


## Legend

- Roads
- Imagery
- Clearing Instruments Activities
- Local Government Authority
- Cadastre

N

0 100m

1:3,405

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

..... Date 7/11/16

Jane Clarkson

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

GOVERNMENT OF WESTERN AUSTRALIA

Government of Western Australia
Department of Environment Regulation

# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

**Permit application No.:** 6410/1
**Permit type:** Area Permit

### 1.2. Proponent details

**Proponent's name:** Juceda Investments Pty Ltd

### 1.3. Property details

**Property:** LOT 253 ON PLAN 3327, MADDINGTON
**Colloquial name:**
**Local Government Authority:** GOSNELLS, CITY OF
**DER Region:** Greater Swan
**DPaW District:** SWAN COASTAL
**LCDC:**
**Localities:** MADDINGTON

### 1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
|---|---|---|---|
| 3.06 | | Mechanical Removal | Establishing industrial and hardstand facilities |

### 1.5. Decision on application

**Decision on Permit Application:** Granted
**Decision Date:** 7 January 2016
**Reason for Decision:** The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing is at variance to clearing principles (d), (e) and (f) and is not likely to be at variance to the remaining clearing principles.

Through assessment it has been determined that the clearing will lead to the loss of 0.36 hectares of native vegetation that contains:
- 0.11 hectares of Threatened Ecological Community (TEC) SCP3a;
- 0.13 hectares of native vegetation necessary for the maintenance of the TEC;
- 0.24 hectares of native vegetation considered to be a signicant remnant of native vegetation in an area that has been extensively cleared; and
- 0.36 hectares of palusplain wetland considered to be commesurate with Conservation category, of this 0.24 hectares is significant as containing TEC SCP3a and vegetation necessary for the maintenance of the TEC.

The native vegetation under application is an isolated remnant within an area zoned for industrial development and is subject to ongoing adjacent development pressures. The condition of the remnant is likely to deteriorate over time due to these pressures. The City of Gosnells has granted planning development approval for the development of a storage and hardstand within the application area. These factors were taken into consideration in the decision to grant a clearing permit.

To mitigate the significant environment impacts identified above, and in accordance with the WA Environmental Offset Policy and Environmental Offsets Guidelines, prior to undertaking any clearing, the Permit Holder is to provide documentary evidence that funds for contribution towards the purchase of 0.71 hectares of remnant vegetation (representative of SCP3a to be secured in conservation estate), have been transferred to the Department of Environment Regulation. The impacts to wetland dependant vegetation are offset only to the extent that the vegetation is TEC SCP3a and necessary for the maintenance of the TEC.

## 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 |
|---|---|---|---|
| The vegetation under application is mapped as: Beard vegetation association | The clearing consists of 3.06 hectares of native vegetation | Completely Degraded: No longer intact; completely/almost completely | The vegetation condition was determined via a site inspection undertaken by |

| | | | |
|---|---|---|---|
| 968: Medium woodland; jarrah, marri & wandoo (Shepherd et al. 2001).<br><br>Heddle vegetation complex: Guildford Complex: Mixture of open forest of Eucalyptus marginata subsp. marginata-Corymbia calophylla with some Eucalyptus patens on slopes to low open forest of Eucalyptus rudis-Melaleuca rhaphiophylla on the valley floors in the humid zone (Heddle et al. 1980). | within Lot 253 on Plan 3327, Maddington, for the purpose of establishing industrial and hardstand facilities. | without native species (Keighery 1994)<br><br>to<br><br>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994). | Department of Environment Regulation Officers (DER 2015). |

## 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**

Application CPS 6410/1 is to clear 3.06 hectares of native vegetation within Lot 253 on Plan 3327, Maddington, for the purpose of establishing industrial and hardstand facilities. Most of the application area consists of vegetation in a completely degraded (Keighery 1994) condition (DER 2015). The majority of Lot 253 was cleared in 2010 (Strategen 2014) and now consists of regrowth. The area that had not been cleared comprises approximately 0.36 hectares in which a grove of Corymbia calophylla exists. This area is located in the south western section of Lot 253 and is in a good (Keighery 1994) condition (DER 2015).

Several of the priority flora species mapped within the local area (five kilometre radius) are within the same vegetation association and soil type as the application area. All of these are Priority 3 or 4 species. Priority 3 species are generally known from collections from several different localities not under imminent threat whilst Priority 4 species are considered to have been adequately surveyed and not in need of special protection but could be if circumstances change (Department of Parks and Wildlife [Parks and Wildlife] 2014). Four of the rare flora species mapped within the local area are within the same vegetation association and soil type as the application area, the closest being approximately 160 metres from the application area. The area under application was the subject of a flora survey in 2005 during which no rare or priority flora species were recorded within the current application area (Cardno 2005, cited in Strategen 2014). However, the presence of a Priority 4 species within the application area was noted recently (Parks and Wildlife 2015a). Given the condition of the vegetation, the proposed clearing is not likely to impact on the conservation status of rare or priority flora species.

Three priority ecological communities are mapped within the local area, the closest of which is approximately 2.5 kilometres from the application area. All three are described as Central Northern Darling Scarp Granite Shrubland Community. Given that the vegetation under application is not representative of these communities and is in a predominantly completely degraded (Keighery 1994) condition, the proposed clearing is not likely to impact on these communities. One threatened ecological community (TEC) known as Eucalyptus calophylla – Kingia australia woodlands on heavy soils, Swan Coastal Plain (SCP3a) exists in the south western section of the application area. This area comprises approximately 0.11 hectares.

To mitigate the impacts to this TEC, the proponent has advised that they will contribute funds towards the purchase of 0.71 hectares of remnant vegetation representative of SCP3a to be secured in conservation estate.

Given the highly disturbed condition of the vegetation under application and lack of large hollow bearing trees on site (DER 2015) the application area is not likely to comprise significant habitat for fauna.

Considering the above, the application area is not likely to comprise a high level of biodiversity, and the proposed clearing is not likely to be at variance to this Principle.

**Methodology**

DER (2015)
Keighery (1994)
Parks and Wildlife (2014)
Parks and Wildlife (2015a)
Strategen (2014)

GIS Dataset:
SAC Biodatasets Accessed January 2015

### (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**

Several fauna species of conservation significance have been recorded within the local area (five kilometre radius), including woylie (Bettongia penicillata subsp. ogilbyi), forest red-tailed black-cockatoo

(Calyptorhynchus banksii subsp. naso), baudin's cockatoo (Calyptorhynchus baudinii), Carnaby's cockatoo (Calyptorhynchus latirostris), chuditch (Dasyurus geoffroii), bee (Leioproctus douglasiellus) and southern brush-tailed phascogale (Phascogale tapoatafa subsp. tapoatafa) (Parks and Wildlife 2007-).

Considering the majority of the vegetation under application is in a completely degraded (Keighery 1994) condition (DER 2015), the application area is not likely to contain significant habitat for ground dwelling fauna. The native bee species is dependent upon Goodenia filiformis and Anthotium junctiforme (DEC 2009). As the application area is dominated by exotic flora species, the application area is not likely to provide significant habitat for this species.

Forest red-tailed black cockatoo, Baudin's cockatoo and Carnaby's cockatoo have a preference for foraging habitat that includes Jarrah and Marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as Banksia, Hakea and Grevillea species (Commonwealth of Australia 2012).

Given the type of vegetation present and the known preferences of each species, the site is not considered to be significant habitat for black cockatoo species. Four potential habitat trees were identified on site, however, none of these contained visible hollows and none displayed evidence of roosting or breeding (Strategen 2014). The understorey of the palusplain wetland vegetation in the south of Lot 253 provides suitable habitat for quenda (Tauss and Weston 2010, cited in Parks and Wildlife 2015b). This section of the application area comprises 0.36 hectares, therefore it is not considered to be significant habitat for this species.

Given that the majority of the vegetation under application is in a completely degraded (Keighery 1994) condition (DER 2015) and contains limited foraging habitat for black cockatoo species, the proposed clearing is not likely to contain significant fauna habitat.

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

**Methodology**

Commonwealth of Australia (2012)
DEC (2009)
DER (2015)
Keighery (1994)
Parks and Wildlife (2007 - )
Parks and Wildlife (2015b)
Strategen (2014)

### (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**

Four of the rare flora species mapped within the local area (five kilometre radius) are within the same vegetation association and soil type as the application area, the closest being approximately 160 metres from the application area. The area under application was the subject of a flora survey in September 2005. No rare flora were recorded within the applied area (Cardno 2005, cited in Strategen 2014).

Given that the majority of the vegetation under application is in a completely degraded (Keighery 1994) condition (DER 2015), the application area is not likely to contain rare flora species.

The proposed clearing is therefore not likely to be at variance to this principle.

**Methodology**

DER (2015)
Keighery (1994)
Strategen (2014)

GIS Dataset:
SAC Biodatasets Accessed January 2015

### (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 at variance to this Principle**

A threatened ecological community (TEC), Eucalyptus calophylla – Kingia australia woodlands on heavy soils, Swan Coastal Plain (SCP3a), has been mapped within the south western portion of the application area. This ecological community is protected by State and Federal legislation and is classified as Critically Endangered. On 3 February 2015 representatives from Parks and Wildlife met with the proponent's consultant on site to map the boundaries of this TEC. A portion (0.11 hectares) of the originally mapped TEC was in good (Keighery 1994) condition and is therefore considered extant (Parks and Wildlife 2015a).

There are 21 known locations of this TEC from Ruabon to Bullsbrook, totalling 191 hectares (Parks and Wildlife 2015a). The proposed clearing represents approximately 0.06 per cent of the total known area of this TEC.

Three other TECs are located approximately 100 metres east of the application area. They are described as:

- Banksia attenuata woodland over species rich dense shrublands;

- Eucalyptus calophylla - Eucalyptus marginata woodlands on sandy clay soils of the southern Swan Coastal Plain; and
- Shrublands and woodlands of the eastern side of the Swan Coastal Plain.

The vegetation under application is not representative of these communities and the proposed clearing is not likely to impact on these three communities.

The proposed clearing consists of 0.11 hectares of a TEC and 0.13 hectares of native vegetation necessary for the maintenance of the TEC, therefore the application is at variance to this principle.

To mitigate the significant environment impacts identified above, and in accordance with the WA Environmental Offset Policy and Environmental Offsets Guidelines, prior to undertaking any clearing, the Permit Holder is to provide documentary evidence that funds for contribution towards the purchase of 0.71 hectares of remnant vegetation representative of SCP3a to be secured in conservation estate, have been transferred to the Department of Environment Regulation.

**Methodology** Keighery (1994)
Parks and Wildlife (2015a)

GIS Database:
SAC Biodatasets Accessed January 2015

**(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 at variance to this Principle**

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). Within constrained areas (areas of urban development in cities and major towns) on the Swan Coastal Plain, the target for representation of the pre-clearing extent of a particular native vegetation complex is 10 per cent (EPA 2006).

The City of Gosnells retains approximately 30 per cent pre-European vegetation and the two mapped vegetation types within the application area (Beard vegetation association 968 and Heddle vegetation Guildford complex) retain approximately seven and five per cent pre-European vegetation, respectively (Government of Western Australia 2013). The local area retains approximately 15 per cent native vegetation.

Given the presence of a threatened ecological community (TEC), the application area is considered to be a significant remnant in a highly cleared landscape. This significance applies to the area containing the TEC and not to the remainder of the application area given its completely degraded (Keighery 1994) condition (DER 2015).

Given the above, the proposed clearing is at variance to this principle.

To mitigate the significant environment impacts identified above, and in accordance with the WA Environmental Offset Policy and Environmental Offsets Guidelines, prior to undertaking any clearing, the Permit Holder is to provide documentary evidence that funds for contribution towards the purchase of 0.71 hectares of remnant vegetation representative of SCP3a to be secured in conservation estate, have been transferred to the Department of Environment Regulation.

| | Pre-European (ha) | Current Extent (ha) | Remaining Extent in DPaW Managed Lands (%) | (%) |
|---|---|---|---|---|
| **IBRA Bioregion*** | | | | |
| Swan Coastal Plain | 1,501,222 | 586,975 | 39 | 36 |
| **Shire*** | | | | |
| City of Gosnells | 12,716 | 3,672 | 28 | 16 |
| **Beard Vegetation Association in Bioregion*** | | | | |
| 968 | 136,188 | 9,795 | 7 | 16 |
| **Heddle Vegetation Complex in Bioregion**** | | | | |
| Guildford Complex | 92,497 | 4,963 | 5 | 0 |

**Methodology** Commonwealth of Australia (2001)
DER (2015)
EPA (2006)
*Government of Western Australia (2014)
Keighery (1994)
**Parks and Wildlife (2015c)

GIS Database:

**(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 at variance to this Principle**

No watercourses are mapped within, or in close proximity to, the application area.

The area of remnant palusplain vegetation (0.36 hectares) within the application area has been recognised as retaining high conservation value and it has been recommended that the management category for this area be modified to conservation category in the Geomorphic Wetlands Swan Coastal Plain Dataset (Tauss and Weston 201), cited in Parks and Wildlife 2015). Conservation category wetlands are highest priority wetlands, which are considered to support a high level of ecological attributes and functions (Water and Rivers Commission 2001). Threatened Ecological Community (TEC) SCP3a is located within this palusplain.

Lot 253 is located within the Mungala consanguineous suite (natural wetland group) and only 4.1 per cent of the palusplain within the suite remains identified as conservation category. In consideration of the vegetation condition (i.e. good) of the remnant palusplain vegetation within Lot 253, this area is likely to retain representative aspects of palusplain within the Mungala suite (Parks and Wildlife 2015b).

The proposed clearing will result in the direct loss of 0.36 hectares of vegetation that is considered to be commensurate with Conservation category, of this 0.24 hectares is significant as containing TEC SCP3a and vegetation necessary for the maintenance of the TEC. Therefore, the proposed clearing is at variance to this principle.

To mitigate the significant environment impacts identified above, and in accordance with the WA Environmental Offset Policy and Environmental Offsets Guidelines, prior to undertaking any clearing, the Permit Holder is to provide documentary evidence that funds for contribution towards the purchase of 0.71 hectares of remnant vegetation representative of SCP3a to be secured in conservation estate have been transferred to the Department of Environment Regulation. The impacts to wetland dependant vegetation are offset only to the extent that the vegetation is TEC SCP3a and necessary for the maintenance of the TEC.

**Methodology**

DER (2015)
Keighery (1994)
Parks and Wildlife (2015b)
Water and Rivers Commission (2001)

GIS Databases:
Geomorphic Wetlands, (Mgt Categories)
Hydrology, linear

**(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**

No watercourses are mapped within, or in close proximity to, the application area. However, the southern corner of the application area encroaches upon a palusplain wetland (i.e. seasonally waterlogged flat). Land degradation due to water erosion is not likely given the predominance of sandy soils and topography of the site (DER 2015).

The clearing of 3.06 hectares of vegetation on predominantly sandy soils may increase the risk of land degradation due to wind erosion. This is expected to be short term and minimal considering the relatively small area of proposed clearing, sparsely vegetated site and assuming the timely progress in the redevelopment of the application area.

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

**Methodology**

DER (2015)

GIS Databases:
Soils, statewide
Hydrology, linear
Geomorphic Wetlands, (Mgt Categories)

**(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 Bush Forever Site is located approximately 100 metres east of the application area, incorporating three threatened ecological communities. Banyowla Regional Park is located approximately two kilometres east of the application area.

The area under application is situated in a landscape which has been extensively cleared for rural and urban development and has been isolated from local conservation areas. Given the distance and lack of connectivity to these reserves, it is not likely that the proposed clearing would impact on the environmental values of these conservation areas.

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

**Methodology** GIS Databases:
Parks and Wildlife Tenure
Bush Forever Sites
Geomorphic Wetlands, (Mgt Categories)

### (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**

No watercourses are mapped within, or in close proximity to, the application area. However, the southern corner of the application area encroaches upon a palusplain wetland. No surface water was evident at the time of the inspection undertaken by Department of Environment Regulation officers (DER 2015).

Given the predominately well-draining sandy soils of the application area and the seasonal nature of the wetland, the proposed clearing is not likely to degrade the quality of surface water. Groundwater salinity is mapped at 500-1000 Total Dissolved Solids (milligrams per litre). The proposed clearing of vegetation that is predominantly in a completely degraded (Keighery 1994) condition (DER 2015) is not likely to deteriorate the quality of groundwater.

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

**Methodology** DER (2015)
Keighery (1994)

GIS Databases:
Geomorphic Wetlands, (Mgt Categories)
Groundwater Salinity, Statewide

### (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**

Given the absence of watercourses, the relatively flat profile of the local landscape and the predominance of well drained sandy soils, the proposed clearing is not likely to cause, or exacerbate, the incidence or intensity of flooding.

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

**Methodology** GIS Databases:
Soils, statewide
Hydrology, linear
Geomorphic Wetlands, (Mgt Categories)

### Planning instruments and other relevant matters.

**Comments** The original application included Lot 252 on Plan 3327, adjacent to Lot 253. Lot 252 was subsequently excluded from the application to be the subject of a separate clearing permit application (CPS 6501/1).

The application area is within Precinct 1 which is zoned Industrial under the Metropolitan Region Scheme and Business Development.

Planning Development approval has been granted by the City of Gosnells (2015).

A monetary contribution of $113,600 will be provided by the applicant as an offset for the impacts to 0.11 hectares of threatened ecological community SCP3a and 0.13 hectares of supporting native vegetation.

There are no mapped Aboriginal Sites of Significance within the application area.

No public submissions have been received.

**Methodology** City of Gosnells (2015)
Parks and Wildlife (2015a)
Parks and Wildlife (2015b)

## 4. References


City of Gosnells (2015) Planning Development Approval: Lot 253 Clifford Street Maddington WA 6109, received 13 July 2015 DER Ref: A1028977).

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

Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species, Canberra.

DEC (2009) Threatened and Priority Fauna. Database and fauna species files. WA Department of Environment and Conservation, Kensington, Perth.

DER (2014) Site visit report for clearing permit application CPS 6410/1, 7 January 2015. Department of Environment Regulation, Western Australia (DER Ref: A769903).

EPA (2006) Guidance for the Assessment of Environmental Factors - Level of Assessment for Proposals Affecting Natural Areas Within the System 6 Region and Swan Coastal Plain Portion of the System 1 Region. Guidance Statement No 10. Environmental Protection Authority, Western Australia.

Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, Perth.

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.

Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: http://naturemap.dec.wa.gov.au/. Accessed January 2015.

Parks and Wildlife (2014) Threatened and Priority Flora List for Western Australia. WA Department of Environment and Conservation, Perth.

Parks and Wildlife (2015b) Advice received in relation to clearing permit application CPS 6410/1, received 25 February 2015. Department of Parks and Wildlife, Western Australia (DER Ref: A872534).

Parks and Wildlife (2015c) 2015 South West Forest and Swan Coastal Plain Vegetation Complex Statistics: a report prepared for the Department of Environment Regulation. Current as of March 2015. Department of Parks and Wildlife, Perth, 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.

Strategen (2014) Clifford Street, Orange Grove Vegetation Assessment. (DER Ref: A866970).

Strategen (2015) Correspondence received in relation to clearing permit application CPS 6410/1 received 8 May 2015 (DER Ref: A910001).

Water and Rivers Commission (2001) Water and Rivers Commission Position Statement: Wetlands. Western Australia.