



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6843/1
Permit Holder:	Peet Stratton Pty Ltd
Duration of Permit:	27 February 2016 to 27 February 2021

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 bulk earthworks.

2. Land on which clearing is to be done

Lot 427 on Deposited Plan 33015, Stratton

Lot 50 on Diagram 4631, Midvale

Farrall Road reserve (PIN 1135998, PIN 11993319 and PIN 1328493), Midvale

3. Area of Clearing

The Permit Holder must not clear more than 5.25 hectares of native vegetation within the area cross hatched yellow on attached Plan 6843/1.

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.

PART II – MANAGEMENT CONDITIONS

5. 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*:

- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (ii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared;
- (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared;
- (iv) only move soils in *dry conditions*; and
- (v) where *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is to be removed from the area to be cleared, ensure it is transferred to areas of comparable *soil disease status*.

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;

soil disease status means soil types either infested, not infested, uninterpretable or not interpreted with a pathogen.

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

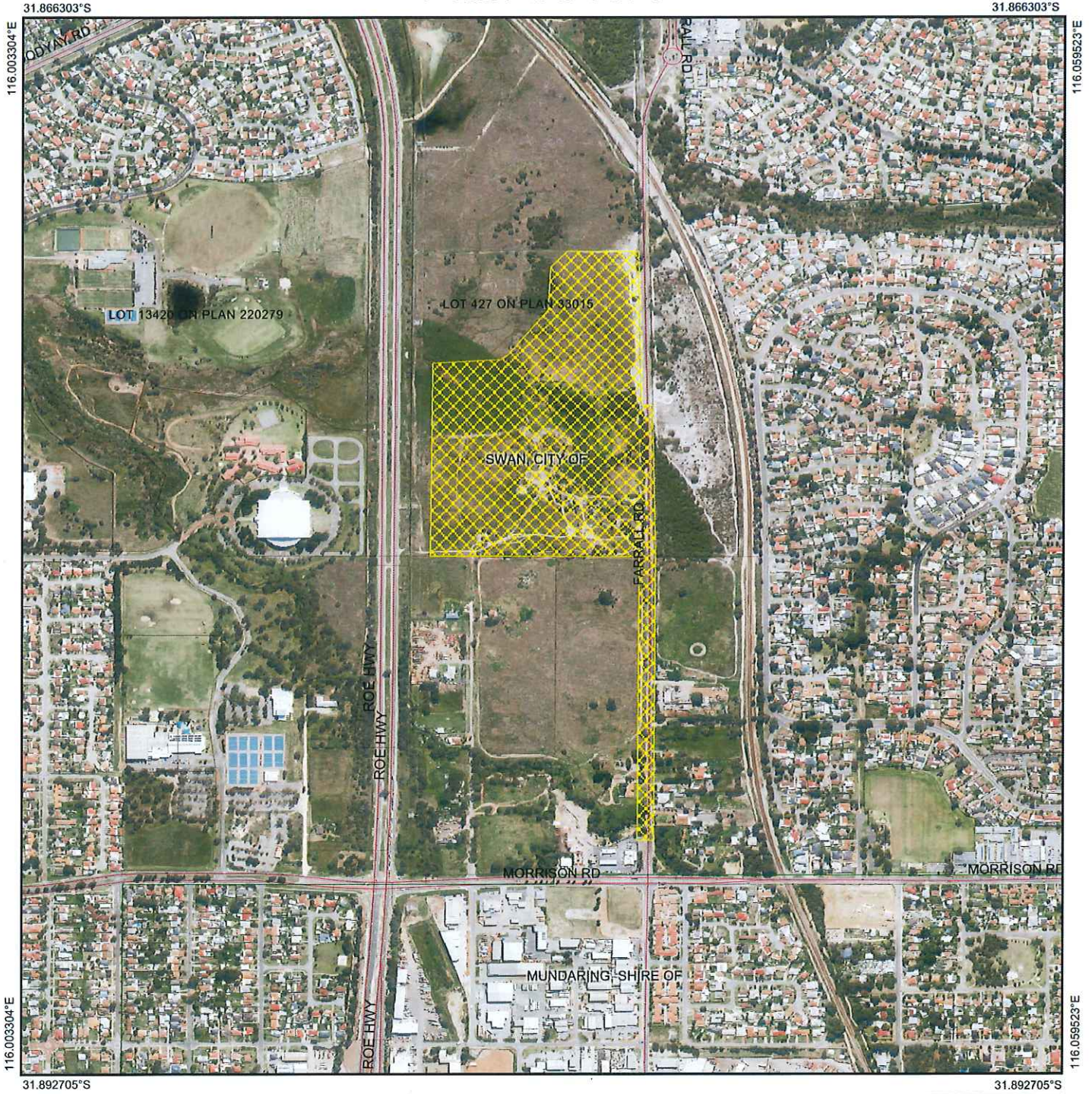


James Widenbar
MANAGER
CLEARING REGULATION

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

28 January 2016

Plan 6843/1



Legend

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



0 500m

1:10,000

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

James Widenbar

Date *28/1/2016*

James Widenbar

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



GOVERNMENT OF
WESTERN AUSTRALIA
WA Crown Copyright 2016



1. Application details

1.1. Permit application details

Permit application No.: 6843/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Peet Stratton Pty Ltd

1.3. Property details

Property: FARRALL ROAD RESERVE (PIN 1135998), MIDVALE
FARRALL ROAD RESERVE (PIN 1328493), MIDVALE
FARRALL ROAD RESERVE (PIN 11993319), MIDVALE
LOT 427 ON DEPOSITED PLAN 33015, STRATTON
LOT 50 ON DIAGRAM 4631, MIDVALE

Local Government Authority: SWAN, CITY OF
DER Region: GREATER SWAN
DPaW District: PERTH HILLS
Localities: MIDVALE and STRATTON

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
5.25		Mechanical Removal	Stockpile/bulk earthworks

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 28 January 2016

Reasons 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 Principle (f) and is not likely to be at variance to any of the remaining clearing principles.

Through assessment it has been determined that the proposed clearing may impact the environmental values of an adjacent Bush Forever site (309) through the spread of weed and dieback. Weed and dieback management measures will minimise impacts to this Bush Forever site.

A fauna assessment conducted over the larger development area (88 hectares) determined that there was approximately 1.7 hectares of foraging habitat suitable for the black cockatoos within the survey area (Harewood 2014). Within the application area, there is less than one hectare of black cockatoo foraging habitat that is in completely degraded to degraded (Keighery 1994) condition.

The native vegetation under application is an isolated remnant within an area zoned for residential development under the City of Swan Local Planning Scheme No 17 and urban under the Metropolitan Region Scheme 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 Swan has granted development approval for the purpose of bulk earthworks within the application area. These factors were taken into consideration in the decision to grant a clearing permit.

Through assessment it has been determined that the clearing is unlikely to have any other significant environmental impacts. State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

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 1009 is described as medium woodland; marri & river gum (Shepherd et al. 2001).	The clearing of 5.25 hectares of native vegetation within a 22.8 hectare footprint within Lot 427 on Deposited Plan 33015, Midvale, Lot 50 on Diagram 4631, and Farrall Road reserve (PIN 1135998, PIN 11993319 and PIN 1328493), Midvale, for the purpose of bulk earthworks.	Completely degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery 1994). To Excellent; Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).	The condition and description of the vegetation was determined by a site inspection undertaken by Department of Environment Regulation officers (DER 2016) and a vegetation survey report provided by the applicant (Emerge Associates 2015a). The application area is mapped as: <ul style="list-style-type: none"> • 1.72 hectares of sparse woodland to woodland of <i>Eucalyptus rudis</i> (flooded gum) over sparse shrubland to shrubland of <i>Melaleuca raphiophylla</i> over closed forb/grassland of pasture weeds • 1.61 hectares of sparse native and planted exotic trees over closed forb/grassland of pasture weeds • 0.83 hectares of sparse woodland to open forest of <i>Eucalyptus rudis</i> over closed forb/grassland of pasture weeds • 0.62 hectares of shrubland to closed shrubland of <i>Melaleuca raphiophylla</i> over forb/grassland of pasture weeds • 0.26 hectares of open woodland of <i>Corymbia calophylla</i> (marri) and <i>Eucalyptus rudis</i> over patches of tall shrubland of <i>Taxandria linearifolia</i> and <i>Acacia longifolia</i> over sparse low shrubland of <i>Astartea scoparia</i> and <i>Hypocalymma angustifolium</i> over sparse sedgeland of <i>Hypolaena exsulca</i> and <i>Dielsia stenostachya</i> over closed forb/grassland of pasture weeds • 0.13 hectares of woodland of <i>Corymbia calophylla</i> with occasional <i>Melaleuca preissiana</i> trees over shrubland of <i>Melaleuca raphiophylla</i> over closed forb/grassland of pasture weeds • 0.04 hectares of woodland to low open forest of <i>Melaleuca preissiana</i>, with emergent <i>Corymbia calophylla</i> over sparse shrubland of <i>Astartea scoparia</i>, <i>Marianthus</i> sp., <i>Xanthorrhoea preissii</i> and <i>Acacia pulchella</i> over sedgeland to closed sedgeland of <i>Dielsia stenostachya</i> and Cyperaceae sp. and open forbland of <i>Corynotheca micrantha</i> subsp. <i>micrantha</i>, <i>Drosera</i> spp. and <i>Burchardia congesta</i>. Understorey layers largely absent in degraded areas and replaced by a closed grass/forbland of pasture weeds • 0.04 hectares of thicket of <i>Viminaria juncea</i> over sedgeland of <i>Dielsia stenostachya</i> and grassland of pasture weeds (Emerge Associates 2015a).

3. Assessment of application against clearing principles

Comments
The application is to clear up to 5.25 hectares of native vegetation within a 22.8 hectare footprint for the purpose of bulk earthworks. A vegetation survey conducted over the application area determined that 5.21 hectares of the vegetation to be cleared (99 per cent) is in degraded to completely degraded (Keighery 1994) condition whilst 0.04 hectares (one per cent) is in excellent (Keighery 1994) condition (Emerge Associates 2015a). The vegetation within the application area is predominately scattered <i>Eucalyptus rudis</i> , <i>Corymbia calophylla</i> , and <i>Melaleuca raphiophylla</i> over non-native grassland (DER 2016; Emerge Associates 2015a). No rare or priority flora species or priority or threatened ecological communities were recorded within the application area during the flora and vegetation survey or the DER site inspection (DER 2016; Emerge Associates 2015a).

Forty fauna species of conservation significance have been mapped within the local area (10 kilometre radius) (Parks and Wildlife 2007-). Given the predominately completely degraded to degraded (Keighery 1994) condition and lack of understorey of the vegetation under application, it is not likely to provide significant habitat for ground dwelling fauna. A fauna assessment over the larger development area (88 hectares) observed Carnaby's cockatoo (*Calyptorhynchus latirostris*) flying overhead and forest red-tailed black-cockatoo (*Calyptorhynchus banksii* subsp. *naso*) adjacent to the survey area (Harewood 2014). These species are listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950*. The fauna assessment determined that there was approximately 1.7 hectares of foraging habitat suitable for the black cockatoos within the greater survey area (Harewood 2014).

Within the application area, potential foraging habitat for these species is limited to small groves of vegetation and isolated trees (Harewood 2014). Given the condition of the vegetation to be cleared and relatively small amount of *Corymbia calophylla*, a preferred food source for the cockatoos, within the application area, the vegetation is not likely to contain significant foraging habitat for these species. Twelve potential black cockatoo habitat trees (suitable species over 500 mm diameter) were recorded within the application area. Only one tree contained a hollow, which was determined to be unsuitable for black cockatoo nesting (Harewood 2014). There are numerous nature reserves, national parks, and Bush Forever sites within 10 kilometres of the application area. The application area is approximately one kilometre from the Darling Scarp, which is highly vegetated and provides important habitat for black cockatoos. Given the presence of higher quality foraging and nesting habitat within the local area (10 kilometre radius), the vegetation under application is not likely to provide significant habitat for the black cockatoos.

The local area (10 kilometre radius) around the application has approximately 30 per cent vegetation remaining. The vegetation under application is mapped as Beard vegetation association 1009 of which there is approximately 16 per cent of pre-European extent remaining within the Swan Coastal Plain bioregion (Government of Western Australia 2014). 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 defined constrained areas on the Swan Coastal Plain, the Environmental Protection Authority has set a threshold for retention of 10 per cent of the pre-clearing extent of each native vegetation complex (EPA 2008). The area under application has been classified as a constrained area. In addition, given the degraded to completely degraded (Keighery 1994) condition of the vegetation on site, it is not considered representative of the mapped vegetation association.

Of the 22.8 hectare clearing footprint, 21 hectares is mapped as a multiple use wetland, of which 5.25 hectares is proposed to be cleared. The vegetation within this area is in completely degraded to degraded (Keighery 1994) condition. Multiple use wetlands are classified as having few important ecological attributes and functions remaining (Water and Rivers Commission 2001), therefore the proposed clearing is not likely to have a significant impact on the values of this wetland. The dominant vegetation on site was *Melaleuca rhapsiophylla*, which grow in association with swamps and watercourses (Western Australian Herbarium 1998).

There are two minor non-perennial watercourses within the property under application. One watercourse intersects Farrall Road and therefore there is likely to be existing road side infrastructure, such as drains and culverts, already in place to minimise impacts to this watercourse. A biophysical assessment determined that there were no remaining hydrological or ecological values associated with the other watercourse, Blackadder Creek (Emerge Associates 2015b). Within the application area, a thicket of *Typha* sp. was observed growing in a wet depression (DER 2016). Therefore, the proposed clearing will impact riparian vegetation but is not likely to significantly impact the watercourses or wetlands or to deteriorate the quality of groundwater or surface water.

A relatively small section on the eastern side application area occurs adjacent to Bush Forever site 309. The disturbance caused by the proposed clearing may increase the risk of weeds and dieback spreading into the adjacent vegetation including the Bush Forever site, which is already heavily impacted by weeds. Weed and dieback management conditions will assist in mitigating this impact.

Given the already sparse vegetation and the relatively flat topography of the application area, the proposed clearing is not likely to lead to land degradation in the form of wind or water erosion. The applicant has advised that watering and hydromulching will reduce any land degradation risk (Emerge Associates 2015c). The proposed clearing is not likely to lead to an increase in the incidence or intensity of flooding.

The assessment of the application identified that the clearing is at variance to Principle (f), and is not likely to be at variance to any of the remaining principles.

Methodology

References:

- Commonwealth of Australia (2001)
- DER (2016)
- Emerge Associates (2015a)
- Emerge Associates (2015b)
- Emerge Associates (2015c)
- EPA (2008)
- Government of Western Australia (2014)
- Harewood (2014)
- Keighery (1994)
- Parks and Wildlife (2007-)

- Water and Rivers Commission (2001)
- Western Australian Herbarium (1998-)
- GIS Databases:
 - Bush Forever sites
 - DPaW Tenure
 - Geomorphic Wetlands (Classification), Swan Coastal Plain
 - Hydrography, Linear
 - NLWRA, Current Extent of Native Vegetation
 - Pre-European Vegetation
 - SAC Biodatasets accessed January 2016
 - Virtual Mosaic

Planning instruments and other relevant matters.

Comments There are two Aboriginal Sites of Significance mapped within the application area. The applicant will be notified of their responsibilities under the *Aboriginal Heritage Act 1972*.

The City of Swan provided authority for Peet Stratton Pty Ltd to access and clear vegetation within Farrall Road reserve and granted development approval for clearing of native vegetation and bulk earthworks within the application area.

The application area is within the Perth Groundwater Area and Swan River System Surface Water Area, proclaimed under the *Rights in Water and Irrigation Act 1914*. The Department of Water were notified of the proposed clearing and requested to comment. No comments were received.

The proposed clearing is zoned residential development under the City of Swan Local Planning Scheme No 17 and urban under the Metropolitan Region Scheme.

No public submissions have been received in relation to this application.

Methodology GIS Databases:
 - Aboriginal Sites Register System
 - Metropolitan Region Scheme – Zones and Reserves
 - RIWI Act, Groundwater Areas
 - RIWI Act, Surface Water Areas
 - Town Planning Scheme Zones

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DER (2016) Site inspection report for Clearing Permit application CPS 6843/1. Site inspection conducted 15 January 2016. Department of Environment Regulation, Perth. DER REF: A1036476.
- Emerge Associates (2015a) Flora, vegetation and wetland assessment - various allotments, Midvale and Stratton. DER REF: A1008829.
- Emerge Associates (2015b) Biophysical assessment of Blackadder Creek and Woodbridge Creek. DER REF: A1008829.
- Emerge Associates (2015c) Supporting letter provided with Clearing Permit application CPS 6843/1. DER REF: A1008829.
- EPA (2008) Environmental Guidance for Planning and Development. Guidance Statement No. 33. 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.
- Harewood, G. (2014) Fauna Assessment - Miscellaneous Lots Farrall Road/Orchard Avenue Midvale.
- 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 Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Water and Rivers Commission (2001) Position Statement: Wetlands, Water and Rivers Commission, Perth.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/>.