



## 1. Application details

### 1.1. Permit application details

Permit application No.: 6929/1  
Permit type: Area Permit

### 1.2. Applicants details

Applicant's name: Parsons Management Group Pty Ltd

### 1.3. Property details

Property: LOT 4 ON PLAN 13486, CHAMPION LAKES  
LOT 5 ON PLAN 13486, CHAMPION LAKES  
Local Government Authority: ARMADALE, CITY OF

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.2	-	Mechanical Removal	Bulk earthworks

### 1.5. Decision on application

Decision on Permit Application: Refused  
Decision Date: 20 October 2016  
Reasons for Decision: The clearing permit application is to clear 1.2 hectares of native vegetation for bulk earthworks to facilitate a future lifestyle village development. The application was received on 03 February 2016.

The application was assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*. It was concluded that the proposed clearing may be at variance to Principle (f) and is not likely to be at variance to any of the remaining clearing principles.

The assessment found that the proposed clearing may include vegetation growing in association with a watercourse. The Delegated Officer determined that impacts to riparian vegetation are not considered to be significant, given the size and degraded to completely degraded (Keighery, 1994) condition of the application area.

On 02 May 2016, the Delegated Officer provided the applicant with the preliminary assessment and invited the applicant to provide evidence that planning approval had been obtained from the City of Armadale by 02 August 2016. On 13 June 2016 the applicant provided a local structure plan. On 08 July 2016, the Delegated Officer wrote to the applicant advising that the Local Development Plan provided does not constitute planning approval from the City of Armadale and provided a further 30 days to provided a copy of the planning approval. At the date of the decision planning approval from the City of Armadale has not been received.

In making the decision to refuse the application, the Delegated Officer had regard to the outstanding planning approval for the purpose of the proposed clearing required from the City of Armadale.

## 2. Background

### 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 968 which is described as medium woodland; jarrah, marri and wandoo (Shepherd et al, 2001).	The application is to clear 1.2 hectares of native vegetation for bulk earthworks to facilitate a future lifestyle village development.	Completely Degraded: No longer intact; completely / almost completely without native species (Keighery 1994). To	The condition of the vegetation under application was determined via a Department of Environment Regulation (DER) site inspection undertaken 3 March 2016 (DER, 2016).

The vegetation under application is mapped as Heddle vegetation complex Southern River Complex which is described as an open woodland of *Corymbia calophylla* (Marri) - *Eucalyptus marginata* (Jarrah) - Banksia species with fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca raphiophylla* (Swamp Paperbark) along creek beds (Heddle et. al.,1980).

Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).

### 3. Assessment of application against clearing principles

**Comments** The application is to clear up to 1.2 hectares of native vegetation for the purpose of earthworks to facilitate a future lifestyle village development. The vegetation is in a degraded to completely degraded (Keighery, 1994) condition with little to no native understorey present and an over storey of immature regenerating eucalypts (DER, 2016). The vegetation under application has been significantly disturbed by livestock grazing and activities associated with adjoining infrastructure. No trees of an age and size as to be potential black cockatoo nesting sites are present within the application area (DER, 2016).

Given the degraded to completely degraded (Keighery, 1994) condition of the vegetation, lack of understorey species, and lack of hollow bearing trees (DER, 2016), the proposed clearing is not likely to impact on rare or priority flora, priority or threatened ecological communities, conservation reserves, significant fauna habitat, or a significant remnant of vegetation within a highly cleared landscape.

A multiple use palusplain wetland has been mapped as extending into the eastern portion of the application area. The vegetation at this location is dominated by introduced grasses and is in a completely degraded (Keighery, 1994) condition (DER, 2016). Given this, it is considered that the native vegetation remaining is of minimal value to the wetland function and therefore the proposed clearing is not likely to impact on significant wetland vegetation, cause appreciable land degradation, deteriorate the quality of ground or surface water, or cause or exacerbate flooding.

Given the above, the proposed clearing may be at variance to principle (f) and is not likely to be at variance to the remaining clearing principles.

**Methodology** References:  
DER (2016)  
Keighery (1994)

GIS datasets:  
SAC Bio datasets (accessed April 2016)  
Hydrography linear  
Parks and Wildlife tenure

### Planning instruments and other relevant matters.

**Comments** Two separate clearing permit applications were originally submitted for the proposed clearing, CPS 6929/1 and CPS 6930/1. The clearing permit area covered by CPS 6930/1 was amalgamated into CPS 6929/1 in order to simplify the process. CPS 6930/1 was withdrawn on 16 February 2016.

The City of Armadale has advised that while a Local Development Plan has been approved for the site and development can be contemplated, the City has not yet issued any planning approvals for the development. A bulk earthworks development application is still under consideration. The City has advised that vegetation retention will be considered through the Planning Approval assessment and, therefore, the proposed clearing is not supported at this time (City of Armadale, 2016a; City of Armadale, 2016b). The City of Armadale has advised that vegetation within the property may be required to be retained (City of Armadale, 2016b).

DER's delegated officer wrote to the applicant on 2 May 2016, advising that while the assessment of the application has been undertaken, under section 51O(4) of the *Environmental Protection Act 1986*, the Chief Executive Officer is also required to have regard to any planning instrument or other matter considered relevant to the application. The Delegated Officer advised that a copy of the planning approval from the City of Armadale has not been provided and invited the applicant to provide further advice in respect to this matter by 2 August 2016.

On 13 June 2016, the applicant provided a copy of the Local Development Plan for the project. DER's Delegated Officer wrote to the applicant on 8 July 2016, advising that the Local Development Plan provided does not constitute planning approval from the City of Armadale.

On 16 August 2016, DER's delegated officer wrote to Parsons Management Group Pty Ltd requesting a copy of the planning approval be provided prior to 15 September 2016 and in the absence of receiving the approval advised that a decision would be made on the application.

An Aboriginal Site of Significance has been mapped within the application area, the applicant is advised to contact the Department of Aboriginal Affairs in relation to their obligations under the *Aboriginal Heritage Act 1972*.

The application was advertised in *The West Australian* newspaper on 29 February 2016 for a seven day public submission period. No public submissions have been received in relation to this application.

**Methodology**   References:  
City of Armadale (2016)

GIS datasets:  
Aboriginal Sites of Significance

#### **4. References**

- City of Armadale (2016a) Advice received in relation to Clearing Permit Application CPS 6929/1. Received 24 June 2016 (DER ref: A1121972).
- City of Armadale (2016b) Advice received in relation to Clearing Permit Application CPS 6929/1. Received 14 October 2016 (DER ref: A1179937).
- Department of Environment Regulation (DER)(2016) Site Inspection Report for Clearing Permit Application CPS 6929/1. Site inspection undertaken 3 March 2016. Department of Environment Regulation, Western Australia (DER ref: A1060360).
- 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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.