



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 7789/1
File Number: DER2017/001721-1
Duration of Permit: 23 December 2017 to 23 December 2019

PERMIT HOLDER

Peet Stratton Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 9002 on Deposited Plan 38522, Stratton

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.075 hectares of native vegetation within the area hatched yellow on attached Plan 7789/1.

CONDITIONS

Nil.

A handwritten signature in blue ink, appearing to be "Mathew Gannaway", written over a horizontal line.

Mathew Gannaway
MANAGER
CLEARING REGULATION

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

27 November 2017

Plan 7789/1



Legend


-  Roads
-  Imagery
-  Clearing Instruments Activities



1:1,628

(Approximate when reproduced at A4)
GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

 Date 27/11/2017

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



GOVERNMENT OF
WESTERN AUSTRALIA
WA Crown Copyright 2017



1. Application details

1.1. Permit application details

Permit application No.: 7789/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Peet Stratton Pty Ltd

1.3. Property details

Property: Lot 9002 on Deposited Plan 38522, Stratton
Local Government Authority: Swan, City of
Localities: Stratton

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 November 2017
Reasons for Decision: The clearing permit application was received on 29 September 2017 and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*. 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.

The Delegated Officer determined that the proposed clearing is unlikely to have any significant environmental impacts.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description Heddle Guildford Complex: Open forest to tall open forest and woodland (Government of Western Australia, 2016).

Clearing Description The applicant proposes to clear 0.075 hectares (ha) of native vegetation within Lot 9002 on Deposited Plan 38522, Stratton, for the purpose of bulk earthworks.

Vegetation Condition 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

Degraded: Basic vegetation structure severely impacted by disturbance. Scope for regeneration but not to a state approaching good condition without intensive management (Keighery, 1994).

Comment The condition and description of the vegetation was determined from information provided by the applicant's environmental consultants (Emerge Associates, 2015a and 2017).

Of the 0.075ha under application, 0.05ha is in a degraded (Keighery, 1994) condition comprising scattered native shrubs with minimal understorey. The remaining 0.025ha is parkland cleared and in a completely degraded (Keighery, 1994) condition (Emerge Associates, 2017).

3. Assessment of application against clearing principles

Comments The application is to clear up to 0.075ha of native vegetation for the purpose for bulk earthworks. A vegetation survey conducted over the application area determined that of the 0.075ha under application, 0.05ha is in a degraded (Keighery, 1994) condition comprising scattered native shrubs with minimal understorey. The remaining 0.025ha is parkland cleared and in a completely degraded (Keighery, 1994) condition (Emerge Associates, 2017). The applicant was granted a clearing permit on 28 January 2016 to clear 5.25ha for bulk earthworks (CPS 6843/1) immediately adjacent to this application area. That vegetation was in a completely degraded to excellent (Keighery, 1994) condition.

No rare or priority flora species or priority or threatened ecological communities were recorded within the application area during the flora and vegetation survey (Emerge Associates, 2015a and 2017).

Forty fauna species of conservation significance have been mapped within the local area (10 kilometre radius) (Department of Biodiversity, Conservation and Attractions, 2007-). Given the completely degraded to degraded (Keighery, 1994) condition of native vegetation and the lack of understorey species present within the application area, the proposed clearing is not likely to provide significant habitat for ground dwelling fauna.

A previous fauna assessment over the larger development area (88ha) observed Carnaby's cockatoo (*Calyptorhynchus latirostris*) flying overhead and Forest red-tailed black-cockatoo (*Calyptorhynchus banksii* subsp. *naso*) adjacent to the application area (Harewood, 2014). The proposed clearing area only contains scattered foraging species that are rarely used by black cockatoo species (i.e. *Eucalyptus rudis*) with no potential habitat trees or trees with hollows present (Emerge Associates, 2017). Little suitable habitat occurs for the migratory and other avian species identified within the local area (Emerge Associates, 2017). Given the above, the proposed clearing is not likely to contain significant habitat for fauna indigenous to Western Australia.

The proposed clearing forms part of the Swan Coastal Plain's (SCP) Guildford vegetation complex (Government of Western Australia, 2016). This complex has been historically and extensively cleared throughout its distribution in the SCP where now less than six percent of its pre-European extent remains (Government of Western Australia, 2016). Noting this extent and the application area's degraded to completely degraded (Keighery, 1994) condition, the vegetation under application is not considered to be representative of the mapped Heddl vegetation complex nor is it considered significant as a remnant in an area that has been extensively cleared.

The proposed clearing is located within the Swan River and Tributaries Surface Water Area, proclaimed under the *Rights in Water and Irrigation Act 1914* (RIWI Act). There is one historically mapped, minor non-perennial watercourse (Blackadder Creek) that crosses the application area. This watercourse has been intersected by Roe Highway to the west and Farrell Road to the east. Existing road side infrastructure, such as drains and culverts, are in place at those sites to minimise any water flow issues.

A Biophysical Assessment undertaken by Emerge Associates determined that Blackadder Creek and its tributary no longer have any hydrological or ecological values as a watercourse (Emerge Associates, 2017). From aerial imagery it appears that the section of the watercourse within the application area has minimal native vegetation. Given the existing residential development that has already taken place within and surrounding the application area, this section of the watercourse is in a completely degraded (Keighery, 1994) condition. Given the presence of *Eucalyptus rudis* and *Melaleuca raphiophylla* within the application area, the proposed clearing is at variance to principle (f). However, the proposed clearing is not likely to cause any further impacts to surface water quality within this watercourse.

Given the condition of native vegetation and size of the application area, the proposed clearing is not likely to cause appreciable land degradation, cause deterioration in the quality of groundwater, or cause or exacerbate the incidence or intensity of flooding. The applicant has previously advised that watering and hydromulching will reduce any land degradation risk (Emerge Associates, 2015c).

No mapped regional ecological linkages occur within the application area with the nearest reserve located greater than 500 metres to the east. The proposed clearing is not likely to impact on this conservation area.

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

Methodology

References:

Department of Biodiversity, Conservation and Attractions (2007-)
Emerge Associates (2015a)
Emerge Associates (2015c)
Emerge Associates (2017)
Government of Western Australia (2016)
Keighery (1994)

GIS Databases:

- DBCA Tenure
- Geomorphic Wetlands (Classification), Swan Coastal Plain
- Hydrography, Linear
- Pre-European Vegetation
- RIWI Act, Groundwater Areas
- RIWI Act, Surface Water Areas
- SAC Bio datasets accessed October 2017
- Virtual Mosaic Landgate

Planning instruments and other relevant matters.

Comments There are two Aboriginal Sites of Significance mapped within the application area. It is Peet Stratton Pty Ltd's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

The proposed clearing is zoned residential development under the City of Swan Local Planning Scheme No 17 and urban under the Metropolitan Region Scheme. The City of Swan previously granted development approval for clearing of native vegetation and bulk earthworks within the adjoining application area (refer CPS 6843/1) which also encompasses the current clearing permit application.

As discussed above, Blackadder Creek is mapped within the proposed clearing area and is located within the proclaimed Swan River and Tributaries Surface Water Area under the RIWI Act. A permit may be required for works that interfere with the bed and banks of this watercourse under the RIWI Act (Department of Water and Environmental Regulation [DWER], 2017). Peet Stratton Pty Ltd's previous bed and banks permit expired on 30 August 2017. Peet Stratton Pty Ltd have made an application to renew this permit.

The clearing permit application was advertised on DWER's website on 19 October 2017, with a 14 day submission period. No public submissions have been received in relation to this application.

Methodology References:
DWER (2017)
Keighery (1994)

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

4. References

- Department of Biodiversity, Conservation and Attractions (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>.
- Department of Water and Environmental Regulation (2017) Department of Water and Environmental Regulation – Land Use Planning – Swan Avon Region. Advice concerning requirement for permit for works that interfere with the bed and banks (DWER Ref: A1567116)
- Emerge Associates (2015a) Flora, vegetation and wetland assessment - various allotments, Midvale and Stratton. DER REF: A1008829.
- Emerge Associates (2015c) Supporting letter provided with Clearing Permit application CPS 6843/1. DER REF: A1008829.
- Emerge Associates (2017) Application for clearing permit on behalf of Peet Stratton Pty Ltd, portion of Lot 9002 Farrall Road Stratton (DWER Ref: A1533651)
- Government of Western Australia (2016). 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2016. 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.
- Shepherd, D.P. (2009) Adapted from: 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.