



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 7832/1
File Number: DER2017/001851
Duration of Permit: 20 April 2018 to 20 April 2023

PERMIT HOLDER

Lot 105 Lakelands Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 105 on Deposited Plan 37823, Lakelands

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 5.27 hectares of native vegetation within the area hatched yellow on attached Plan 7832/1.

CONDITIONS

1. Avoid, minimise and reduce the impacts and extent of clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- (a) avoid the clearing of native vegetation;
- (b) minimise the amount of native vegetation to be cleared; and
- (c) reduce the impact of clearing on any environmental value.

2. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, 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) the date that the area was cleared;
- (c) the size of the area cleared (in hectares); and
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit.

3. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 2 of this Permit, when requested by the *CEO*.

DEFINITIONS

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

CEO: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.

A handwritten signature in blue ink, appearing to read "Mathew Gannaway".

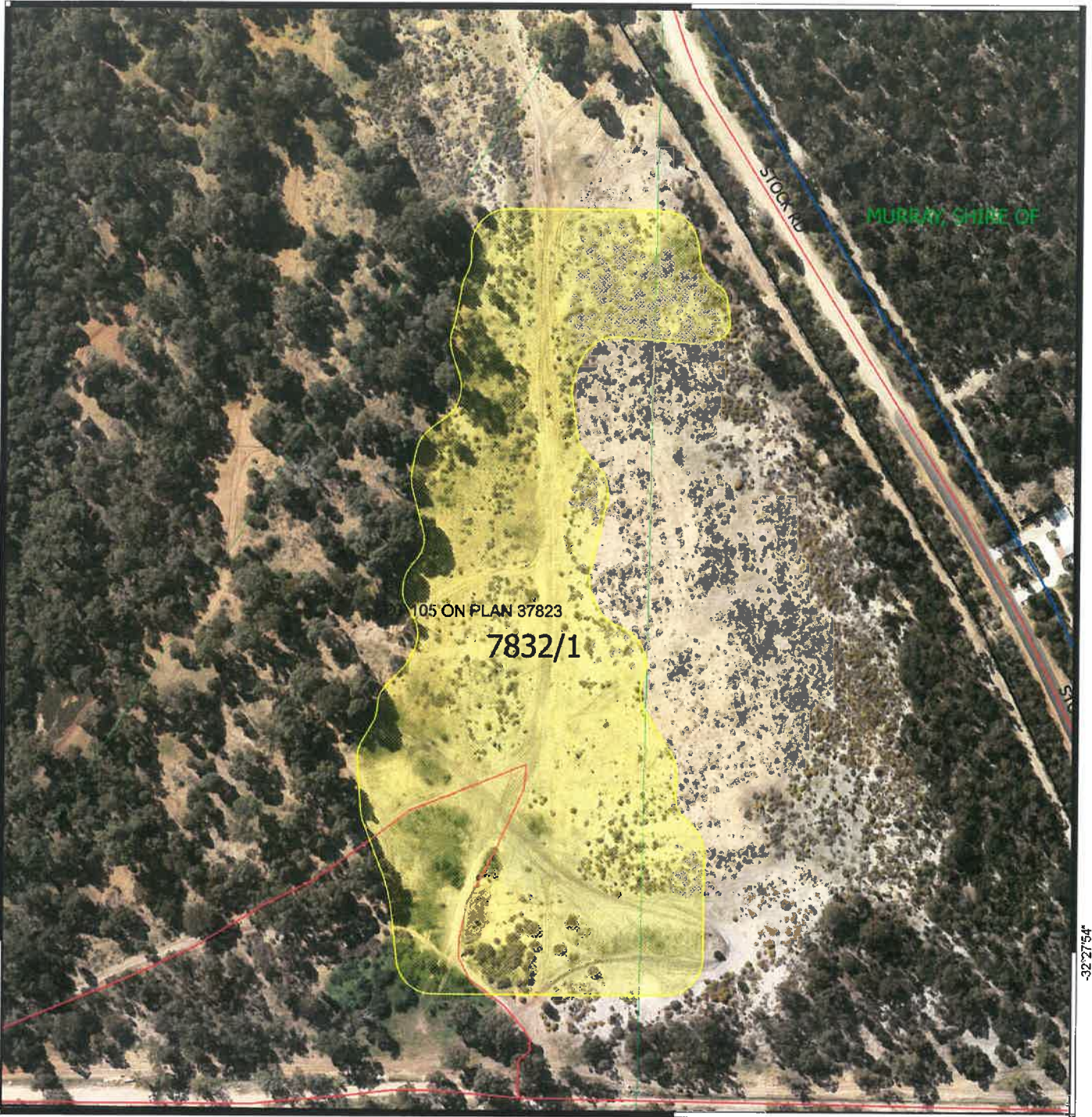
Mathew Gannaway
MANAGER
CLEARING REGULATION

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

21 March 2018

Plan 7832/1

115°47'6"



-32°27'54"

-32°27'54"

115°47'6"


Legend

-  Areas approved to clear
 -  Roads
 -  Local Government Authority cadastre
 -  Cadastre
- WANow_Imagery



0 50 100 m

MGA 94
Geocentric Datum of Australia 1994

 Date: 21/03/2018

Mat Gannaway

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



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 7832/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Lot 105 Lakelands Pty Ltd
Application received date: 24 October 2017

1.3. Property details

Property: Lot 105 on Deposited Plan 37823, Lakelands
Local Government Authority: Mandurah, City of
Localities: Lakelands

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
5.27		Mechanical Removal	sand extraction and bulk earthworks for residential development

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 21 March 2018
Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

Based on the assessment of the application area, the Delegated determined that given the degraded to completely degraded (Keighery, 1994) condition of the vegetation and the dominance of weeds within the application area, the proposed clearing is not likely to have any significant environmental impacts.

The Delegated Officer also took into consideration the Development Approval granted by the City of Mandurah and that the applicant has avoided and minimised impacts by reducing the application area from 8.81 hectares to 5.27 hectares..

In determining to grant a clearing permit subject to an avoid and minimise condition, the Delegated Officer found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description	The applicant proposes to clear 5.27 hectares of native vegetation within Lot 105 on Deposited Plan 37823, Lakelands, for the purpose of sand extraction and bulk earthworks for residential development.
Vegetation Description	The application area is mapped as Swan Coastal Plain Vegetation Complex - Yoongarillup Complex, which is described as woodland to tall woodland of <i>Eucalyptus gomphocephala</i> (Tuart) with <i>Agonis flexuosa</i> in the second storey. Less consistently an open forest of <i>Eucalyptus gomphocephala</i> (Tuart) - <i>Eucalyptus marginata</i> (Jarrah) - <i>Corymbia calophylla</i> (Marri). South of Bunbury is characterized by <i>Eucalyptus rudis</i> (Flooded Gum)-Melaleuca species open forests (Government of Western Australia, 2018).
Vegetation Condition	Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994). To Completely Degraded: No longer intact; completely /almost completely without native species (Keighery, 1994).
Comments	The condition and description of the vegetation was determined via a site inspection undertaken by Department of Water and Environmental Regulation (DWER) officers (DWER 2017a) and a detailed spring flora a vegetation assessment undertaken by Emerge Associates in 2016 (Emerge Associates, 2017).

3. Minimisation and mitigation measures

The original application was for 8.81 hectares of native vegetation. The application area was reduced to 5.27 hectares to align with the development approval granted by the City of Mandurah (City of Mandurah, 2018).

4. Assessment of application against clearing principles

The clearing permit application is to clear 5.27 hectares of native vegetation within Lot 105, Stock Road, Lakelands, for the purpose of sand extraction and bulk earthworks for residential development.

The vegetation within the application area comprises of an open shrubland of *Acacia pulchella* var. *glaberrima* over weeds (Emerge Associates, 2017; DWER, 2017a). It appears that the vegetation community has been altered through historical disturbances from previous grazing and sand extraction. The vegetation is in a degraded to completely degraded (Keighery 1994) condition (Emerge Associates, 2017; DWER, 2017a).

Paganoni Swamp conservation category wetland is located 225 metres west of the application area. No vegetation associated with a wetland was observed in the application area during the site inspection or flora survey (Emerge Associates, 2017; DWER, 2017a).

The closest conservation area to the application area is Bush Forever site 395, which is located 660 metres north of the application area. This site is Rockingham Lakes Regional Park and managed by Department of Biodiversity, Conservation and Attractions (DBCA). The proposed clearing is not likely to impact on the values of this conservation area.

One Priority two flora species (*Acacia benthamii*) is recorded approximately 230 meters from the application area. One rare flora is also located approximately 810 metres from the application area. A search of State and Commonwealth listed threatened (rare) and priority flora databases was completed as part of the flora and vegetation survey (Emerge Associates, 2017). Based on the results of this search and in consideration of the existing environment of the site, no threatened (rare) or priority flora species were identified as potentially occurring within the application area. Furthermore, Emerge Associates site surveys within the application area did not record any threatened or priority flora species. Given the vegetation mainly comprises of *Acacia pulchella* var. *glaberrima* in a degraded to completely degraded (Keighery, 1994) condition, the proposed clearing is not likely to impact upon any rare or priority flora species and is not likely to comprise of threatened or priority ecological communities.

A number of conservation significant fauna species are known to occur within the local area. A level 1 fauna assessment of Lot 105 was undertaken. Due to historical disturbance within the application area, the fauna habitat values and fauna diversity is considered to be low (Emerge Associates, 2017). The proposed clearing is not likely to impact on any conservation significant species or their preferred habitat (Emerge Associates, 2017).

Consideration has been given to impacts to biodiversity, significant fauna habitat, rare flora, threatened ecological communities, remnant vegetation values, wetlands, watercourses, land degradation, impacts to conservation areas, surface water quality, groundwater quality, and flooding.

Given the degraded to completely degraded (Keighery, 1994) condition of the vegetation and the dominance of weeds, the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of ground water, cause or exacerbate flooding or be considered a significant remnant within an extensively cleared area.

Given the above, the proposed clearing is not likely to be at variance to any of the clearing principles.

Planning instruments and other relevant matters

No Aboriginal sites of significance have been mapped within the application area.

The City of Mandurah granted Development Approval for Earthworks to Lot 105, Stock Road, Parklands, on 8 February 2018 (City of Mandurah, 2018).

The application area is located within the South West Coastal Groundwater Area, Mandurah subarea, which is a proclaimed groundwater area under the *Rights in Water and Irrigation Act 1914 (RIWI Act)*. The DWER's Regulatory Services (Water) advised that an application has been received in accordance with the RIWI Act to construct two bores and to take groundwater for public open space (DWER, 2017b). DWER's Regulatory Services (Water) further advised that the Department intends to grant a groundwater license for long term Public Open Space requirements (DWER, 2018).

The clearing permit application was advertised on DWER's website on 13 November 2017, inviting submissions from the public within a 21 day period. No submissions were received in relation to this application.

5. References

- City of Mandurah (2018). Development Approval for Lot 105 Stock Road Lakelands. DWER Ref: A1626288).
- DWER (2017a) Site Inspection report for CPS 7832/1. Lot 105 Stock Rd, Lakelands. Site inspection undertaken 15 December 2017. Department of Water and Environmental Regulation, Western Australia (DWER Ref: A1631877).
- DWER (2017b) Native Vegetation Clearing Permit application CPS 7832/1, Lot 105 Lakelands Suburb on Deposited Plan 37823. (DWER Ref: A1565883).
- DWER (2018) Native Vegetation Clearing Permit CPS 7832/1. Water licensing. (DWER Ref: A1635220).
- Emerge Associates (2017) Clearing Permit (Area Permit) application for part Lot 105 Stock road, Lakelands. 24 October 2017

(DWER Ref: A1550663).

Government of Western Australia (2018) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.