



19 June 2018

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Registered Members of the IIR

Dear Sir/Madam,

RE: Lot 701 Jandakot Road, Jandakot – Clearing Permit Documentation

On behalf of Schaffer Corporation please find attached a Clearing Permit application to clear 0.28ha of native vegetation on Lot 701 Jandakot Road, Jandakot. Lot 701 is owned by the Schaffer Corporation. The Certificate of Title is provided as Attachment 1.

1 Background

Schaffer Corporation is proposing to clear a small parcel of remnant vegetation adjacent to the newly constructed Pilatus Street. The total clearing of native vegetation will be 0.28ha (Attachment 2).

The proposed area of clearing is zoned Rural – Water Protection under the Metropolitan Region Scheme (MRS) and 'Resource' under the City of Cockburn Local Planning Scheme No. 3 (WAPC, 2002). The site was included in Amendment 112 to the City of Cockburn Town Planning Scheme No. 3 and includes permissible uses such as "Nursery", "Showroom" and "Warehouse". The amendment was assessed by the Environmental Protection Authority under Section 48 of the *Environmental Protection Act 1986* as 'Not Assessed' No Advice Given and was gazetted in June 2013. The site was included in a Local Development Plan (LDP) approved in April 2018 (Attachment 3).

The approved LDP shows retention of additional vegetation within the LDP area. The retained vegetation provides important ecological functions such as buffering Bush Forever Sites 388 and linkage between areas of native vegetation. The LDP does not show the retention of the small area of remnant vegetation. The proposed clearing is in anticipation of development on the site in accordance with the LDP.

2 Site Description

2.1 Historical Land Use

The area proposed to be cleared has not been previously cleared. The adjacent Pilatus Street was constructed in 2017. The small area of vegetation was part of a larger area of bushland until the City of Cockburn constructed Pilatus Street, where much of the vegetation was cleared for the road. The

construction of the road required new fire breaks which decreased the area of vegetation further to the fragment now remaining (Plates 1 and 2).

The remnant vegetation is surrounded by weedy areas and an embankment.

Plate 1: Aerial photography from 15 September 2016



Plate 1: Aerial photography from 23 November 2017



2.2 Topography

The area is at the crest of a dune, approximately 31-36m Australian Height Datum (AHD), sloping up to the north.

2.3 Geomorphology and Soils

The geology of the area is described as basement rocks of the Leeuwin Complex which are granitic with an overlying weathering profile overlain by coastal limestone (DoW, 2012a). The soils on the site are part of the Bassendean Dune System and are very sandy, leached, infertile and mildly acidic.

The soils on the site have been mapped and described as Bassendean B1 Phase (212Bs_B1) which are described as deep bleached grey sands sometimes with a pale yellow B horizon or a weak iron-organic hardpan at depths generally greater than 2m. These soils occur on extremely low to very low relief dunes, undulating sandplain and discrete sand rises (National Map, 2018).

2.4 Hydrology

2.4.1 Groundwater

The Perth Groundwater Atlas shows the top of the groundwater table at 23mAHD which is approximately 8m to 13m below the ground surface. Groundwater is generally flowing to the west (DoW, 2012b). The groundwater around the wetland has geological formations that have been grouped into three distinct aquifers:

- Superficial Jandakot Aquifer (unconfined);
- Leederville Aquifer (confined); and
- Yarragadee (confined) (DoW, 2011)

2.4.2 Surface Water and Wetlands

The area is sandy, free draining and does not contain any surface water features.

2.5 Flora

A flora and vegetation survey undertaken on the site by PGV Environmental included a thorough walkover and sampling from a quadrat within the proposed clearing area (Attachment 4). The survey was part of a wider survey over Lots 701 and 702. Therefore, a stand-alone species list is not available for the 0.28ha area proposed to be cleared. The quadrat data for the flora survey recorded 42 species, of which 7 species are introduced. There were no Threatened (Declared Rare) or Priority species recorded on the site.

2.6 Vegetation

2.6.1 Vegetation Complexes

The remnant native vegetation is mapped as the Bassendean Complex-Central and South which is described below:

Bassendean Complex-Central and South - Vegetation ranges from woodland of Jarrah (*Eucalyptus marginata*) – Sheoak (*Allocasuarina fraseriana*) – Banksia (*Banksia* spp.) to low woodland of Paperbark (*Melaleuca* spp.), and sedgelands on moister sites.

There is approximately 10,919ha (24%) of the pre-European extent of the Bassendean Complex-Central and South remaining on the Swan Coastal Plain portion of the Perth Metropolitan Region (WALGA, 2013). PGV Environmental considers the native vegetation on the site as fitting the description of the complex (Attachment 4).

2.6.2 Vegetation Types

The vegetation on the site was described as:

BaBm *Banksia attenuata*/*B. menziesii* Low Woodland over *Hibbertia hypericoides*/*Eremaea pauciflora* Open Heath

The Banksia trees are up to 5m high. *Nuytsia floribunda* (WA Christmas Tree) and *Eucalyptus tottiana* are occasional trees. Common species in the understorey include *Hibbertia hypericoides*, *Eremaea pauciflora*, *Beaufortia squarrosa*, *Stirlingia latifolia*, *Acacia pulchella*, *Conostephium pendulum*, *Hypocalymma robustum*, *Burchardia congesta*, *Lyginia barbata*, *Amphipogon turbinatus* and *Calytrix fraseri*.

2.6.3 Vegetation Condition

The condition of the vegetation was assessed according to the system devised by Keighery and described in Bush Forever (Government of Western Australia, 2000). The site was assessed as being in Excellent condition.

2.6.4 Conservation Significant Vegetation

The majority of the remnant native vegetation is likely to be representative of Floristic Community Type 23a which is not a Threatened or Priority Ecological Community. The vegetation is not considered to be the Banksia Woodland of the Swan Coastal Plain Threatened Ecological Community which is listed as Endangered under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as the patch size does not meet the 0.5ha threshold for Excellent condition vegetation.

The Local Development Plan identified areas of bushland in addition to Bush Forever Site 388 for retention including a buffer to existing rural development (Attachment 3) and to the Bush Forever site. The vegetation on Lot 702 does not provide any buffering to other areas of bushland and is not integral to any linkage.

2.7 Fauna

2.7.1 Fauna Habitat

The fauna habitat was considered Good Fauna Habitat in the Environmental Assessment. The fauna habitat on the proposed clearing area has been isolated due to the clearing undertaken by the City of Cockburn for the road works and, although the vegetation is in Excellent condition, the habitat is now considered to be Disturbed fauna habitat due to the lack of connectivity.

2.7.2 Conservation Significant Species

There is habitat on the site for Carnaby's Black-Cockatoos as the Banksia Woodland is foraging habitat, however the clearing of 0.28ha is highly unlikely to significantly impact on this species.

There was potential evidence of bandicoots being present in the surrounding area recorded in 2012 with cone like diggings, however none were observed in the vegetation.

The site may be suitable habitat for the Black-striped Snake however clearing is highly unlikely to cause a significant impact on the Black-striped Snake due to the large amount of suitable native vegetation remaining in the Jandakot area. A fauna relocation program prior to clearing would mitigate the impact on this species if present.

3 Ten Clearing Principles

The Ten Clearing Principles have been addressed below to determine the environmental impact that the removal of the native vegetation on the site would have.

Principle 1: Vegetation should not be cleared if it comprises a high level of biological diversity.

The small area of vegetation contains Excellent native vegetation but is surrounded by road and weedy areas. The quadrat data for the flora survey recorded 35 native species. This is a moderate level of biodiversity for a Banksia Woodland and therefore the proposed clearing is not at variance to this principle.

Principle 2: 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.

The small fragment of vegetation is Disturbed Fauna Habitat and there are much larger areas of quality habitat for Conservation Significant species nearby. The proposed clearing is not at variance to this principle.

Principle 3: Vegetation should not be cleared if it includes or is necessary for the continued existence of rare flora.

There are no rare flora present on the site and the proposed clearing is not at variance to this principle.

Principle 4: 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.

The vegetation on the site is not representative of a Threatened Ecological Community and the proposed clearing is not at variance to this principle.

Principle 5: Vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

The site is not a significant remnant of vegetation as it is too small. Bush Forever Site 388 'Jandakot Airport, Jandakot' to the north is a large area of quality native vegetation that is retained. Therefore, clearing is not at variance to this principle.

Principle 6: Vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

There is no watercourse or wetland associated with this area. Therefore, clearing is not at variance to this principle.

Principle 7: Vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Clearing the vegetation on the site will not result in land degradation. Therefore, clearing is not at variance to this principle.

Principle 8: 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.

The small remnant of vegetation is not connected to any reserves or Conservation Areas and will not impact on the environmental values any reserves or Conservation Areas.

Principle 9: Vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Clearing the small area will not impact on groundwater, therefore, clearing is not at variance to this principle.

Principle 10: Vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding.

The clearing of the vegetation will not increase the incidence of flooding therefore, clearing is not at variance to this principle.

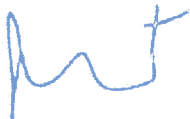
Applying the Ten Clearing Principles to the site indicates that the clearing of the 0.28ha of vegetation will not have a significant impact on the environment and on this basis, we would ask consideration of the Clearing Permit Application.

4 Conclusion

The information contained in this letter and the attached Environmental Assessment for the larger Additional Use Area is provided as part of the Clearing Permit Application to clear 0.28ha of native vegetation for the purpose of preparing the site for future development.

Please contact me if you would like any further information or if you would like some assistance on site during a site inspection.

Yours sincerely



Jackie Cabot
Environmental Consultant

Attachments

Clearing Permit Application Form
Form C3 Credit Card Payment

Attachment 1: Certificate of Title
Attachment 2: Proposed Clearing Area
Attachment 3: Approved Local Development Plan
Attachment 4: Environmental Assessment Report

ATTACHMENT 2
Proposed Clearing Area

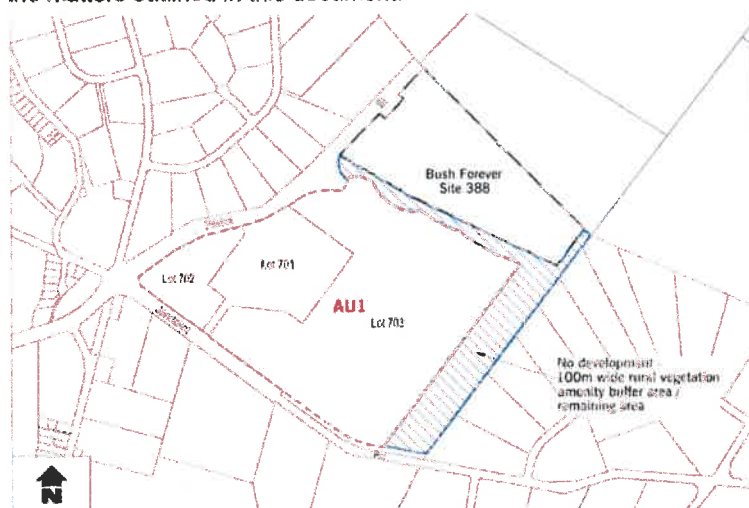


ATTACHMENT 3
Approved Local Development Plan

LOCAL DEVELOPMENT PLAN ('LDP') FOR TPS NO. 3 ADDITIONAL USE 1 ('AU1') OVER LOTS 701, 702 AND 703 JANDAKOT ROAD, JANDAKOT

STATUTORY EFFECT OF THIS LOCAL DEVELOPMENT PLAN:

1. This LDP has been prepared and adopted pursuant to the outcome of Scheme Amendment No. 112 which resolved to delete the columns headed "Additional Use" and "Conditions" from AU1 and replacing those columns with new provisions as well as expanding the AU1 (land) area. State Planning Policies; SPP 2.3, SPP 2.5, SPP 4.1 and SPP 5.3; and "*Environmental Protection Authority Guidance for the Assessment of Environmental Factors (in accordance with the Environmental Protection Act 1986) Separation Distances between Industrial and Sensitive Land Uses No. 3 – June 2005*" were of particular relevance to Amendment No. 112. On this basis this LDP supports those points under the State planning framework and provides complimentary guidance which should therefore be followed as part of any development applications for the AU1 area.
2. Contrary to Clause 56 (1) of Schedule 2 Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; there is no statutory discretion for the purposes of reducing the 100m rural "amenity" buffer (noise, gaseous, dust, odour, risk and visual) as described under AU1 Condition 1(e) of Town Planning Scheme No. 3 ('TPS 3'); and where this LDP is consistent or elaborates on Conditions 1 to 8 of AU1 of TPS3.
3. Contrary to Clause 57 (1) of Schedule 2 Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* this LDP is given statutory effect in perpetuity so long as AU1 applies to TPS 3. The duration of approval is therefore extended beyond the details entrenched within Clause 57(1) of Schedule 2 Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. Notwithstanding, the City of Cockburn may amend or revoke this LDP so long as those amendments are consistent with proper and orderly planning, considers the protection of the adjacent rural property owners amenity and has due regard to the State Planning Framework and Councils adoption of Scheme Amendment No. 112.
4. Any development application in relation to AU1 is to be determined consistent with the matters outlined in this document.



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LOCAL DEVELOPMENT PLAN ('LDP') FOR TPS NO. 3 ADDITIONAL USE 1 ('AU1') OVER LOTS 701, 702 AND 703 JANDAKOT ROAD, JANDAKOT

PROTECTION OF GROUNDWATER:

5. Any Development Application on land within AU1 is to be assessed, and determined so that the protection of the below ground public drinking water source is forefront of every planning decision.
6. No bulk storage of green- waste, compost or 'Toxic and Hazardous Substances' ('THS') are permitted above 25 litres in total volume, excluding fuel within vehicle fuel tanks. THS includes pesticides, herbicides, fuel (storage), explosives, flammable liquids, cleaners, alcohols, fertilisers (other than on lot 702 under current development approvals), medical or veterinary chemicals, pool chemicals and corrosive substances; inclusive of the substances listed in the Poisons Act 1964 (Appendix B). These substances may only be stored in volumes above 25 litres if contained within domestic sized packages ready for end-use in domestic situations.
7. No below ground storage is permitted.
8. Development of any Warehouse, Showroom, or Storage land use must be connected to reticulated sewer.
9. Development Approval on land within AU1 is to have a 'Site Chemical Risk Assessment Report' prepared, implemented and regularly updated, including annual reporting to the Local Government and the Department of Mines and Petroleum where considered appropriate.
10. Stormwater from roofs and clean paved areas should be directed away from potentially contaminated areas where THS (below 25 litres in total volume) are stored or handled. Stormwater from carpark areas is to be managed as recommended in the Stormwater Management Manual for Western Australia (reference 8d) or relevant equivalent.

VEHICLE ACCESS AND EGRESS ARRANGEMENTS:

11. Vehicle access is to be provided in accordance with "Figure 3 Stage 1 Access Strategy" and "Figure 5 Full Development Access Strategy" of the Scheme Amendment No. 112 Traffic Report – June 2017.

JANDAKOT ROAD AND LAND REQUIREMENTS:

12. Land within AU1 may be required for the upgrade of Jandakot Road.
13. As part of any future application for subdivision and/or development, land identified for the upgrade of Jandakot Road is to be ceded free of cost and constructed by the Applicant as follows:

LOCAL DEVELOPMENT PLAN ('LDP') FOR TPS NO. 3 ADDITIONAL USE 1 ('AU1') OVER LOTS 701, 702 AND 703 JANDAKOT ROAD, JANDAKOT

- a. The amount of land to be ceded from the Additional Use No. 1 area is to form a single carriage way as depicted on this approved Local Development Plan; and
- b. The Applicant is required to construct the ceded land as one additional carriage way to Jandakot Road.

ADJACENT RURAL RESIDENTIAL PROPERTIES AMENITY PROTECTION:

14. The area identified in the LDP map as a "No development - 100m wide rural vegetation amenity buffer area/ remaining area" is not to be developed or cleared for the purposes of any 'vehicle access way', 'Nursery', 'Masonry Production', 'Warehouse', 'Showroom' or 'Storage'. This land is to be retained as typically rural land described as being limited to native vegetation in perpetuity.

This land is considered to be a 'rural amenity buffer' (noise, gaseous, dust, odour, risk and visual) to protect, by way of separation and visual screening, the rural amenity of the adjacent 'Resource' zoned lots. Accordingly, its embellishment (planting and maintenance of native flora) should be proportionally reflective of the scale of the proposed development outside the buffer within the AU1 area. This may be determined where appropriate on a case by case basis with regards to any development application within the AU1 area.

The rural amenity buffer as described within this LDP is given statutory effect as an extension of TPS No. 3 AU1 Clause 1(e). Therefore Clause 56 (1) and 57(1) of Schedule 2 Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015* does not bind or provide any statutory discretion for the purposes of the rural amenity buffer. This buffer is therefore to be maintained in perpetuity as a no development or subdivision area for the benefit of the adjacent rural residential 'Resource' zoned lots.

15. Noise mitigation measures pursuant to the details of an acoustic report as follows;
 - a. With regard to any application for 'Warehouse', 'Showroom' or 'Storage', the preparation and lodgement of a report prepared by a suitably qualified acoustic consultant detailing the potential noise impact on noise sensitive land uses. The report shall demonstrate how the proposed development has been acoustically assessed and designed for the purposes of minimising the effects of noise intrusion and/or noise emissions. The report must demonstrate the measures required to address noise to the City of Cockburn's satisfaction and be implemented and maintained as part of the development of the land.
 - b. The requirements for an acoustic report are at the discretion of the City of Cockburn.
16. Building design, internal vehicle access ways and location shall minimise the visual impact of the development from surrounding residents inclusive of

LOCAL DEVELOPMENT PLAN ('LDP') FOR TPS NO. 3 ADDITIONAL USE 1 ('AU1') OVER LOTS 701, 702 AND 703 JANDAKOT ROAD, JANDAKOT

appropriate buffers (noise, gaseous, dust, odour, risk and visual), noise bunds and vegetation (light and visual) screening. Building materials and colours must be clad or coloured to complement the surroundings, and/or adjoining developments in which it is located, and shall use non-reflective materials and colours. Regard shall be had to the screening of product storage.

17. A Development Application on land within AU1 is to include Lodgement of a Dust Management Plan for approval by the Local Government and ongoing compliance by the property owner/(s) where considered necessary.
18. Where relevant, the operator must prepare a "Complaints Handling Procedure" to ensure that there is a process for administering any complaints including the recording, investigation and response to any concern regarding the operation.

JANDAKOT AIRPORT CONSIDERATIONS:

19. Development of any 'Nursery', 'Masonry Production', 'Warehouse', 'Showroom' or 'Storage' must;
 - a. Consider and determine (where appropriate) the control of obstructive outdoor lighting with regards to potential impact on civil aviation.
 - b. Consider and determine (where appropriate) the control of 'obstacle limitation surfaces' with regards to potential impact on civil aviation.
20. Consultation is recommended with Jandakot Airport Holdings. Due regard is to be given to the Jandakot Airport Masterplan.

BUSH FOREVER AREA 388 PROTECTION:

21. Interface controls and/ or measures with regard to Bush Forever Area 388, including, but not limited to; a hard road edge within the AU1 area abutting the Bush Forever area and/or bushland identified for protection; Bushfire mitigation measures being provided outside the Bush Forever area within the AU1 area; an appropriate wetland buffer, if considered relevant by the assessing authority, and; drainage to be contained within the AU1 area.
22. As part of the first application for subdivision and/or development, the Applicant shall cede land within the Bush Forever Site free of cost to the Crown.

SUBDIVISION CONSIDERATIONS:

23. Notwithstanding any subdivision provisions in the Scheme, the minimum lot size for subdivision is 2 hectares.
 - a. Subdivision and development application lot size requirements and leasehold lot size requirements are as per the above which is derived from *State Planning Policy 2.3 (Jandakot Groundwater Protection)* minimum lot size requirements and included under Condition 8 of AU1.

**LOCAL DEVELOPMENT PLAN ('LDP') FOR TPS NO. 3 ADDITIONAL USE 1
('AU1') OVER LOTS 701, 702 AND 703 JANDAKOT ROAD, JANDAKOT**

24. The contemplation of subdivision is to be as per *State Planning Policy 2.3 (Jandakot Groundwater Protection)*.

AIRCRAFT NOISE CONSIDERATIONS:

25. The subject site is likely to be affected by aircraft noise as the 20, 25 and 30 Australian Noise Exposure Forecast ('ANEF') contours falls within the AU1 area. Acceptable land use and building types should be compliant with regard to State Planning Policy 5.3 (Land Use Planning in the Vicinity of Jandakot Airport) and the Building site acceptability table from AS2021.

ATTACHMENT 4
Environmental Assessment Report

LOTS 101,103 AND 104 JANDAKOT ROAD, JANDAKOT

ENVIRONMENTAL ASSESSMENT

Prepared for: Schaffer Corporation

Report Date: 26 August 2016

Version: 4

Report No. 2016-267

The logo for PGV Environmental is located in the bottom right corner of the page. It features the letters 'pgv' in a large, bold, white sans-serif font, with the word 'ENVIRONMENTAL' in a smaller, all-caps, white sans-serif font to its right. The background of the logo area is a vibrant orange with a subtle, wavy, textured pattern.

pgv ENVIRONMENTAL

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Table 2:	Likelihood of Identified Significant Flora Species occurring on the Site
Table 3:	Vegetation Condition Rating Scale
Table 4:	Conservation Significant Fauna Species Possibly Occurring in the Region
Table 5:	Likelihood of Conservation Significant species being present on the site

Plates

Plate 1:	1981 – The site is fully vegetated
Plate 2:	1985 – The site has been cleared in the northern half
Plate 3:	2011 – The previously cleared eastern area has been replanted.
Plate 4:	Wetland Mapping on the site
Plate 5:	<i>Eucalyptus camaldulensis</i> planted east of the Urban Stone lay down area.
Plate 6:	Replanted vegetation
Plate 7:	Remnant <i>Banksia</i> Woodland in the Triangular Stand
Plate 8:	<i>Banksia</i> Woodland with <i>Eucalyptus tottiana</i>
Plate 9:	Buffer vegetation
Plate 10:	Replanted woodland/shrubland Habitat
Plate 11:	<i>Banksia</i> Woodland Habitat in Very Good Condition
Plate 12:	<i>Banksia</i> Woodland Habitat in Degraded Condition

Appendices

Appendix 1:	Proposed Rezoning Footprint
Appendix 2:	DPaW Flora Database Searches
Appendix 3:	Protected Matters Search Tool Report
Appendix 4:	Naturemap Report
Appendix 5:	Conservation Codes
Appendix 6:	Native species recorded on the site

Appendix 7: DPaW Fauna Database Search