



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 8308/1
<b>Permit Holder:</b>	Public Transport Authority of Western Australia
<b>Duration of Permit:</b>	14 April 2019 to 14 April 2024

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 rail track realignment and the installation of a shared path.

**2. Land on which clearing is to be done**

Lot 1091 on Plan 796, Kelmscott  
Streich Avenue road reserve (PINs 11397058), Kelmscott  
Bray Street road reserve (PIN 11875941), Kelmscott  
Railway Avenue road reserve (PIN 11875944 and 11397059), Kelmscott  
Davis Road reserve (PIN 11397049), Kelmscott

**3. Area of Clearing**

The Permit Holder must not clear more than 1.43 hectares of native vegetation within the area cross hatched yellow on attached Plan 8308/1.

### PART II – MANAGEMENT CONDITIONS

**4. 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:

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

**5. Weed and dieback 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 *dieback* and *weeds*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no *dieback* and *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

### PART III - RECORD KEEPING AND REPORTING

#### 6. 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);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 4 of this Permit; and
- (e) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 5 of this Permit

#### 7. Reporting

The Permit Holder must provide to the CEO the records required under condition 6 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*;


**dieback** means the effect of *Phytophthora* species on native vegetation;

**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;

**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 Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

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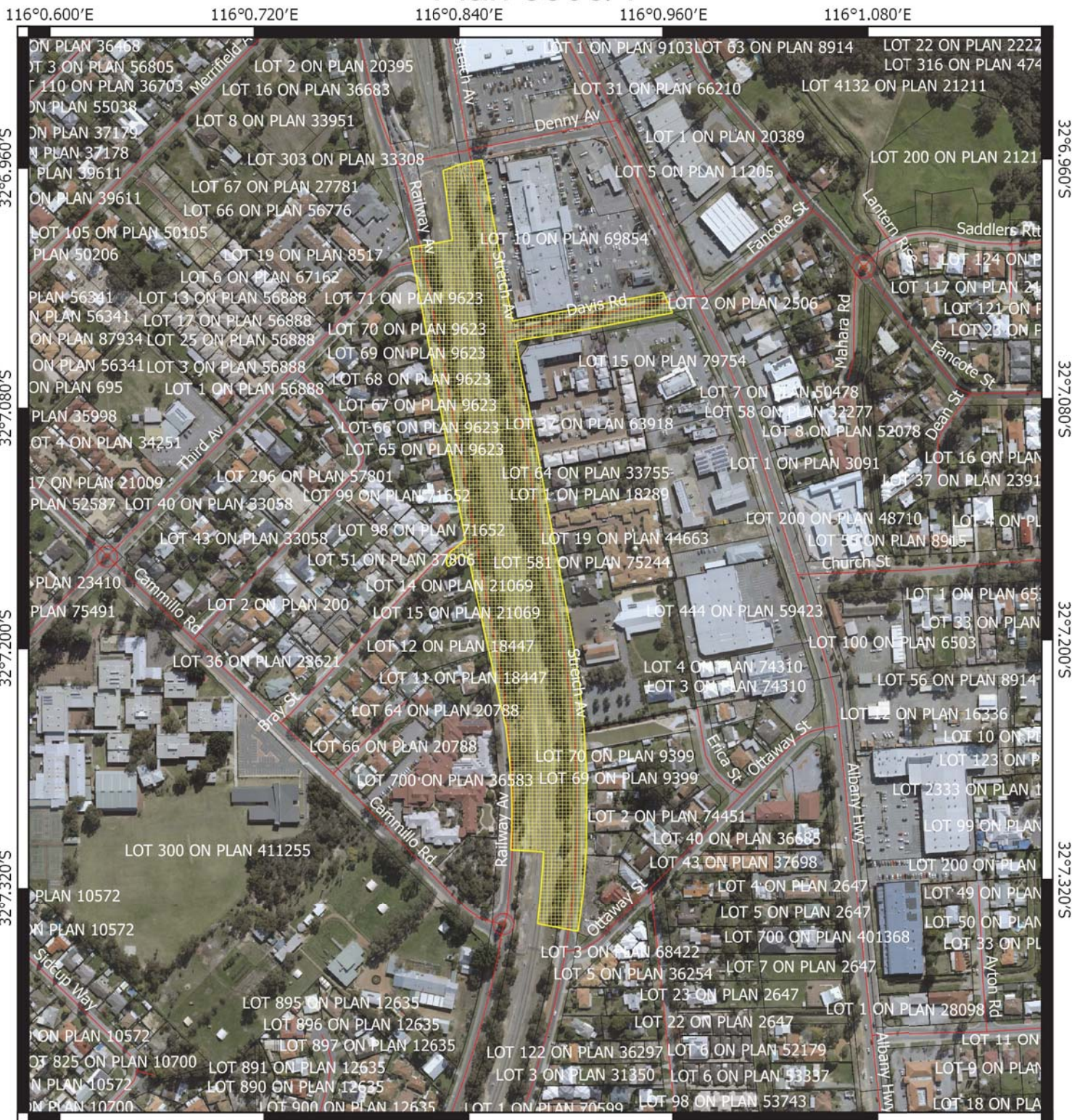
Abbie Crawford  
MANAGER  
CLEARING REGULATION

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

15 March 2019



# Plan 8308/1



## Legend

-  CPS areas approved to clear base layers
-  Local Government Authorities
-  Road Centrelines
-  Cadastre
-  Image

0 75 150 225 300 m

MGA 94  
Geocentric Datum of Australia 1994

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



GOVERNMENT OF  
WESTERN AUSTRALIA





# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 8308/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Public Transport Authority  
Application received date: 21 December 2018

### 1.3. Property details

Property: Lot 1091 on Plan 796, Kelmscott  
Road Reserve – 11875944, Kelmscott  
Road Reserve – 11397058, Kelmscott  
Road Reserve – 11397049, Kelmscott  
Road Reserve – 11875941, Kelmscott  
Road Reserve – 11397059, Kelmscott

Local Government Authority: ARMADALE, CITY OF  
Localities: KELMSCOTT

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
1.43		Mechanical Removal	Road construction or upgrades

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 15 March 2019

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 the clearing principles.

The proposed clearing may increase the risk of weeds and dieback spreading into adjacent vegetated areas. A weed and dieback management condition has been placed on the permit to mitigate the impact of spreading weeds and dieback into adjacent vegetation.

In determining to grant a clearing permit subject to conditions, the Delegated Officer determined that the proposed clearing is unlikely to lead to any unacceptable risk to the environment.

## 2. Site Information

**Clearing Description** The application is to clear 1.43 hectares, within a footprint area of 5.3 hectares, of native vegetation within Lot 1091 on Plan 796, Streich Avenue road reserve (PIN 11397058), Bray Street road reserve (PIN 11875941), Davis road reserve (PIN 11397049), Railway Avenue road reserve (PINs 11397059 and 11875944), Kelmscott, for the purpose of rail track realignment and the installation of a shared path.

**Vegetation Description** The application area is mapped as Swan Coastal Plain (previously Heddle) Forrestfield vegetation Complex, which is described as "Vegetation ranges from open forest of *Corymbia calophylla* (Marri) - *Eucalyptus wandoo* (Wandoo) - *Eucalyptus marginata* (Jarrah) to open forest of *Eucalyptus marginata* (Jarrah) - *Corymbia calophylla* (Marri) - *Allocasuarina fraseriana* (Sheoak) - Banksia species (Heddle et al., 1980).

A flora survey undertaken in September 2018 (PGV Environmental, 2018) identified five vegetation types within the survey area;

- *Eucalyptus marginata* (Jarrah)/*Banksia attenuata*/*B. menziesii*/*Xylomelum occidentale* low open woodland over *Xanthorrhoea preissii*/*Acacia pulchella*/*Allocasuarina humilis* Shrubland;
- *Eucalyptus marginata* (Jarrah)/*Corymbia calophylla* (Marri) woodland over *Xylomelum occidentale* low open woodland;

- *Corymbia calophylla* (Marri) and mixed exotics;
- *Eucalyptus rudis* (Flooded Gum), likely planted; and
- Exotic plants.

<b>Vegetation Condition</b>	Completely Degraded: The structure of the vegetation is no longer intact and the area is completely or almost completely without native species (Keighery, 1994).
<b>Soil Type</b>	The application area is mapped as Pinjarra, Phase Gf2, which is described as "Very gently undulating plain with imperfectly drained mottled yellow duplex soils with sand to sandy loam topsoil. Low woodland of <i>E. wandoo</i> . <i>E. rudis</i> along streams. <i>C. Obesa</i> on salt affected land" (Schoknecht et al., 2004).
<b>Comments</b>	<p>The local area considered in the assessment of this application is defined as a 10 kilometre radius measured from the centre of the application area.</p> <p>A flora survey observed a high percentage of weed species and flora species not naturally occurring within the application area. This is likely due to the long history of human use, disturbance and street planting and landscaping (PGV Environmental, 2018).</p>

### 3. Minimisation and mitigation measures

The Public Transport Authority (PTA) advised that a number of alternatives have been considered to allow the removal of Denny Avenue level crossing, including closing the crossing without providing additional east/west linkages at the Kelmscott location (Public Transport Authority, 2018).

### 4. Assessment of application against clearing principles

According to available databases, 10 threatened flora species and 44 priority flora species have been mapped within the local area. None of these flora species have been mapped within similar soil and vegetation types as the application area. A flora survey undertaken in September 2018 (PGV Environmental, 2018) did not identify any threatened or priority flora, listed under the *Biodiversity Conservation Act 2016* (BC Act) within the *Wildlife Conservation (Rare Flora) Notice 2018*, within the application area.

According to available databases, 14 conservation significant fauna species have been recorded within the local area. These are brush-tailed bettong (*Bettongia penicillata subsp. ogilbyi*), Australasian bittern (*Botaurus poiciloptilus*), curlew sandpiper (*Calidris ferruginea*), forest red-tailed black cockatoo (*Calyptorhynchus banksii subsp. naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*), Carnaby's cockatoo (*Calyptorhynchus latirostris*), greater sand plover (*Charadrius leschenaultii*), chuditch (*Dasyurus geoffroyi*), a short tongued bee (*Leioproctus douglasiellus* and *Neopasiphae simplicior*), numbat (*Myrmecobius fasciatus*), quokka (*Setonix brachyurus*) and carter's freshwater mussel (*Westralunio carteri*). A fauna survey undertaken in September 2018, (Harewood, 2018) observed potential black cockatoo habitat within the application area.

Carnaby's cockatoo and Baudin's cockatoo are listed as endangered and forest red-tailed cockatoo is listed as vulnerable under the *Environmental Protection Biodiversity Conservation Act 1999* (EPBC Act). Black cockatoos breed in large hollow-bearing trees, generally within woodlands or forests or in isolated trees (Commonwealth of Australia, 2012). These species nest in hollows in live or dead trees of karri, marri, wandoo, tuart, salmon gum, jarrah, flooded gum, York gum, powder bark, bullich and blackbutt (Commonwealth of Australia, 2012). The fauna survey identified 38 marri trees (*Corymbia calophylla*), two jarrah trees (*Eucalyptus marginata*), one flooded gum (*Eucalyptus rudis*) and five unknown non-endemic Eucalyptus trees with a diameter at breast height (DBH) >50 centimetres. No hollows were observed in any of these trees (Figure 1). Given the above, the application area does not contain significant breeding habitat for black cockatoos.

Black cockatoos have a preference for foraging habitat that includes jarrah and marri woodlands and forest heathland and woodland dominated by proteaceous plant species such as *Banksia sp.*, *Hakea sp.*, and *Grevillea sp.* (Commonwealth of Australia, 2012). The fauna survey identified black cockatoos utilising the application area via the chewed marri and jarrah fruits and Banksia cones identified (Harewood, 2018). However, given the completely degraded (Keighery, 1994) condition and the relatively small size of the proposed clearing, the application area is not considered significant foraging habitat for black cockatoos.

Given that the application is in completely degraded (Keighery, 1994) condition, it is unlikely that vegetation within the application area will support the remaining fauna species listed above. No evidence of any of the conservation significant fauna species listed above were observed during the fauna survey (Harewood, 2018).

According to available databases, six threatened ecological communities (TEC) and two priority ecological communities (PEC) have been mapped within the local area. The Commonwealth-listed TEC "Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region" (listed as endangered) occurs approximately 305 metres south west from the application area. The remaining TECs and PECs occur more than 1500 metres from the application area. The flora survey undertaken did not identify any vegetation associated with these TECs or PECs. Given this, and noting the vegetation types mapped within the application area, the application area does not comprise the whole or part of, or is necessary for the maintenance of a threatened ecological community.

The National Objectives and Targets for Biodiversity Conservation include a target to prevent the clearance of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia, 2001). The application area falls within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and is mapped as the Swan Coastal Plain (previously Heddle) Forrestfield vegetation complex, retaining 38.57 per cent and 12.3 per

cent respectively (Government of Western Australia, 2018a, Government of Western Australia, 2018b). The Environmental Protection Authority (EPA) recognises the Perth Metropolitan Region as a constrained area, which provides for the reduction of vegetation complexes to a minimum of ten per cent of the pre-European Extent (EPA, 2006). The mapped vegetation complex is above the ten per cent level. Therefore, the application area is not considered a significant remnant in an area that has been extensively cleared.

According to available databases, the closest conservation area is an un-named river reserve located approximately 608 metres from the application area. Given that there are multiple roads between the application area and the conservation reserve, the application area is unlikely to impact on the environmental values of any nearby conservation areas.

There are no wetlands or watercourses mapped within the application area. Subsequently, it is considered that the application area is unlikely to impact on vegetation growing in association with a wetland or watercourse, deteriorate the quality of underground water or surface water or cause or exacerbate, the incidence or intensity of flooding. Soils have been mapped as exhibiting a high water logging risk (>70% of map unit has a moderate to very high waterlogging risk). Given the relatively small size of the application area, the application area being surrounded by an extensively cleared landscape, and is located in an urban environment where soils and infiltration have been immensely altered, the application area is not likely to cause appreciable land degradation.

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



Figure 1: Black cockatoo habitat trees within the application area (hatched blue). All habitat trees within the application area do not contain hollows.

### Planning instruments and other relevant matters

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

The application area is mapped within the Native Title boundaries of Single Noongar Claim (Area 1) Claimants, Swan River People 2 Claimants, and the Whadjuk People.

The City of Armadale advised that the majority of the land is located either within the Metropolitan Redevelopment Authority Area or is designated as Railway reservation in the Metropolitan Region Scheme. Therefore the City's Town Planning Scheme does not apply. They also advised that the section of road verge on Railway Avenue and Streich Avenue are also unzoned in the City's Town Planning Scheme. Therefore, the proposal does not require any planning approval from the City of Armadale (City of Armadale, 2019).

Additionally, the City of Armadale recognise the loss of environmental value and amenity from the proposed clearing. The City will work with the applicant to ensure these values are replaced through appropriate landscaping treatments and revegetation that is



consistent with the City's policy and guidelines. The City of Armadale will discuss these further with the applicant to ensure that these measures are incorporated into the final project (City of Armadale, 2019).

The applicant has submitted a referral to the Commonwealth Department of the Environment and Energy for an assessment of the impacts of the proposed clearing on black cockatoos.

The clearing permit application was advertised on the DWER website on 31 January 2019 with a 21 day submission period. No public submissions have been received in relation to this application.

## 5. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2006, Canberra.
- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.
- City of Armadale (2019) Advice and response to clearing permit application, City of Armadale, Western Australia DWER DWERDT137683.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2007) NatureMap Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed November 2019
- EPA (2006) Guidance for the Assessment of Environmental Factors – Level of Assessment for Proposals Affecting Natural Areas within the System 6 Region and Swan Coastal Plain Portion of the System 1 Region. Guidance Statement No. 10.
- Harewood, G (2018) Fauna Habitat Assessment Deny Avenue Level Crossing Removal Project – Kelmscott. Unpublished report for the Public Transport Authority, Perth, Western Australia
- Public Transport Authority (2018) Application Form Excerpt, Public Transport Authority, Perth, Western Australia (DWER A1754169).
- PGV Environmental (2018) Metronet Denny Avenue Level Crossing and Vegetation Survey Report 2018-400, Prepared for the Public Transport Authority, Perth Western Australia
- Government of Western Australia (2018a) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of February 2018. WA Department of Parks and Wildlife, Perth.
- Government of Western Australia (2018b) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Parks and Wildlife, Perth.
- 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.
- Schoknecht et al. (2004) Soil-landscape mapping in south-Western Australia: an overview of methodology and outputs, Department of Agriculture and Food, Perth.