



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8481/1
Permit Holder:	Golden River Developments Pty Ltd
Duration of Permit:	18 October 2019 – 18 October 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 constructing a Water Corporation water pressure main and distribution main.

2. Land on which clearing is to be done

Lot 202 on Plan 32694, Rivervale
Lot 800 on Plan 31953, Rivervale
Lot 1325 on Plan 37754, Rivervale
Un-named Road Reserve (PIN 1322989), Rivervale

3. Area of Clearing

The Permit Holder must not clear more than 0.036 hectares of native vegetation within the area hatched yellow on attached Plan 8481/1.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

PART II – MANAGEMENT CONDITIONS

5. 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.

6. Dieback and weed control

When undertaking any clearing authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds* and *dieback*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no known *dieback* or *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

7. Record keeping

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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;
 - (ii) the date(s) that the area was cleared;
 - (iii) the size of the area cleared (in hectares);
 - (iv) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 5 of this Permit; and
 - (v) actions taken to minimise the risk of the introduction and spread of *weeds* and *dieback* in accordance with condition 6 of this Permit.

8. Reporting

The Permit Holder must provide to the *CEO* the records required under Condition 7 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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION



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

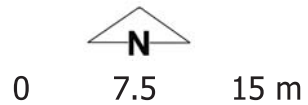
23 September 2019

Plan 8481/1



Legend

-  CPS areas approved to clear
-  Local Government Authorities
-  Roads
- Image



MGA 94
Geocentric Datum of Australia 1994

Samara Rogers

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



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WESTERN AUSTRALIA
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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8481/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Golden River Developments (WA) Pty Ltd
Application received date: 1 May 2019

1.3. Property details

Property: Lot 202 on Plan 32694, Rivervale
Lot 800 on Plan 31953, Rivervale
Lot 1325 on Plan 37754, Rivervale
Un-named Road Reserve (PIN – 1322989), Rivervale
Local Government Authority: City of Belmont

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.036		Mechanical Removal	Waste disposal/management

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 23 September 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 at variance to principles (f), may be at variance to principle (e), and is not likely to be at variance to the remaining principles.

Through assessment it has been determined that the proposed clearing includes vegetation growing in an environment associated with a watercourse. No significant impacts to the environmental values of the watercourse are expected given its highly modified nature and the relatively minimal extent of clearing.

Delegated Officer had regard for the Permit P12453 granted on 9 September by the Department of Biodiversity, Conservation and Attractions.

In determining to grant a clearing permit subject to conditions, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description

The application proposes to clear 0.036 hectares of native vegetation within a 0.087 hectare footprint within Lot 800 on Deposited Plan 31953, Lot 202 on Deposited Plan 32694, Lot 1325 on Deposited Plan 37764 and Unnamed Road reserve (PIN 1322989), Rivervale, for the purpose of constructing a Water Corporation water pressure main and distribution main (Figure 1, Figure 2, Figure 3).

Vegetation Description

The application occurs within the 'Swan Coastal Plain' Interim Biogeographic Regionalisation for Australia (IBRA) bioregion, and is mapped as the following Swan Coastal Plan vegetation association (Hedde et al., 1980):

- Bassendean Complex-Central and South, which is described as Vegetation ranges from woodland of *Eucalyptus marginata* (Jarrah) - *Allocasuarina fraseriana* (Sheoak) - Banksia species to low woodland of Melaleuca species, and sedgelands on the moister sites. This area includes the transition of *Eucalyptus marginata* (Jarrah) to *Eucalyptus tottiana* (Pricklybark) in the vicinity of Perth.

A Flora, Vegetation and Fauna survey conducted in January by Emerge Associates (2019) mapped the application area as comprising the following vegetation communities:

- Er (approximately 40 per cent), described as 'Open forest of *Eucalyptus rudis* over closed sedgeland of *Baumea articulata*, *Lepidosperma longitudinale* and *Centella asiatica*, including planted (revegetated) native species' (Figure 2); and
- Non-native parkland cleared (approximately 60 per cent of the application area) (Figure 3).

Vegetation Condition

The condition of the vegetation within the application area is considered to be:

- Very good (approximately 40 per cent); Vegetation structure altered; obvious signs of disturbance (Keighery 1994); to
- Degraded (approximately 60 per cent); Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).

The vegetation condition was determined by the Flora survey (Emerge Associates, 2019).

Soil type

The application area is mapped as the following land subsystems:

- EnvGeol S7 Phase, which is described as 'Sand - pale and olive yellow, medium to coarse-grained, sub-angular to sub-rounded quartz, trace of feldspar, moderately sorted, of residual origin' (Schoknecht et.al., 2004).

Comments

The local area is considered a 5 kilometre radius from the perimeter of the Application area.

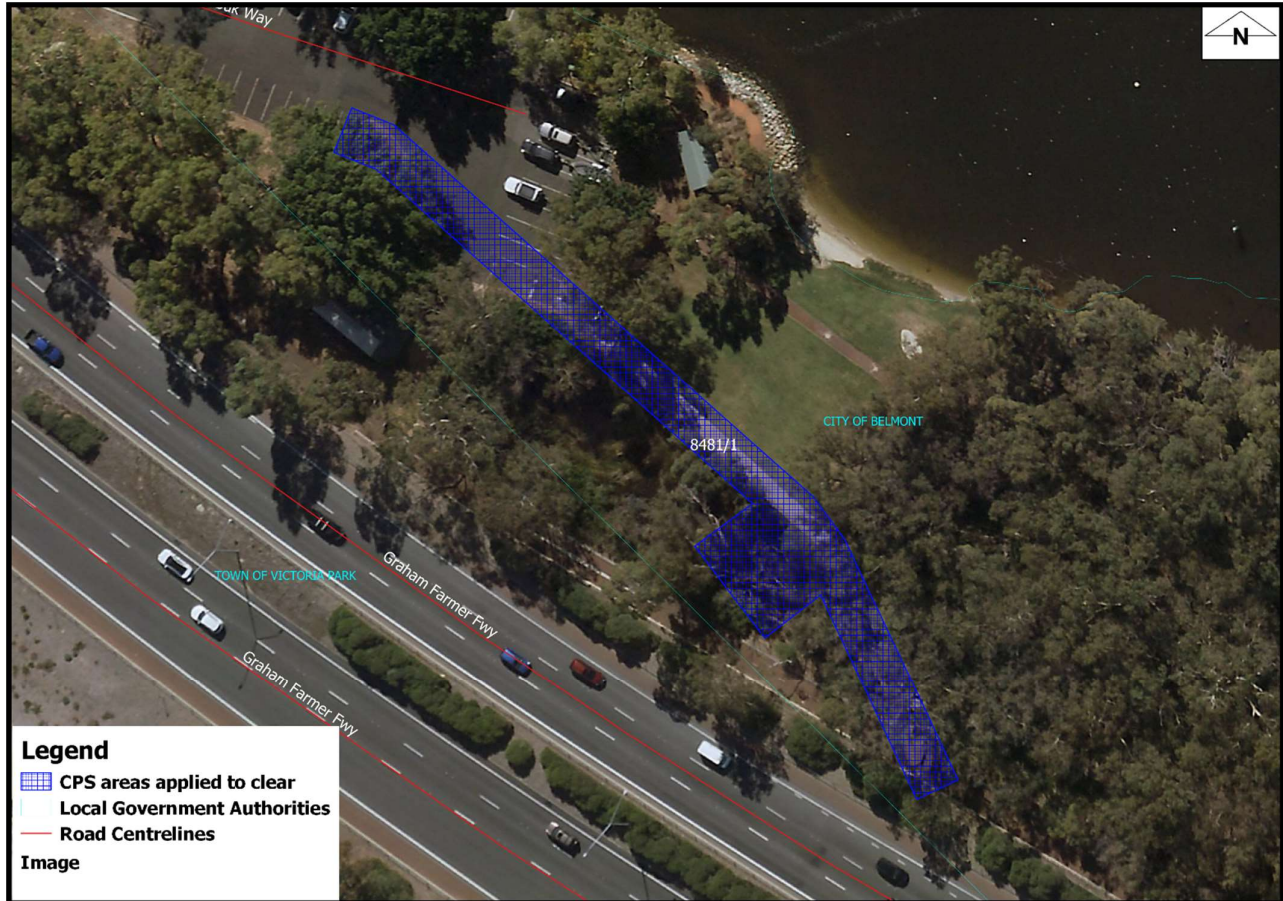


Figure 1 Application area cross hatched blue



Figure 2 Plant Community Er in 'very good' condition (Emerge Associates, 2019).



Figure 3 Non-native parkland cleared in 'completely degraded' condition (Emerge Associates, 2019).

3. Minimisation and mitigation measures

In relation to whether alternatives have been considered that would avoid or minimise the need for clearing, the applicant has advised: "The proposed alignment has been engineered to combine the water pressure main & distribution alignments together

where possible to reduce the clearing footprint. In conjunction with the use of horizontal drilling where possible, this has resulted in avoiding the clearance of a larger area of native vegetation.” (Applicant, 2019a)

4. Assessment of application against clearing principles

Total of 18 native and nine non-native species were recorded within the application area during the Flora survey (Emerge Associates, 2019). No threatened or priority flora species were found to occur within the application area. Noting that majority of the vegetation under the application is in completely degraded (Keighery, 1994) condition, species identified within the application area, and its small size, the application area is not likely to contain any threatened or priority flora species.

According to available databases, forty-two fauna species listed as being of conservation significance under the *Biodiversity Conservation Act 2016* (BC Act) within the *Wildlife Conservation (Specially Protected Fauna) Notice 2018* have been recorded within the local area. Of these species, the forest red-tailed black cockatoo (*Calyptorhynchus banksii subsp. Naso*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) have been identified to likely occur within the application area.

Forest red-tailed cockatoo and Carnaby's cockatoo are listed as endangered under the *Environmental Protection Biodiversity Conservation Act 1999* (EPBC Act). 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). 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). Emerge Associates (2019) advised that vegetation within the application area does not represent habitat for conservation significant fauna species. Noting the vegetation within the application area, the vegetation is not likely comprise the whole or is a part of, or is necessary for the maintenance of, a significant habitat for fauna.

According to available databases, the Commonwealth-listed threatened ecological community (TEC) 'Banksia Dominated Woodlands of the Swan Coastal Plain IBRA region' (Banksia Woodland TEC) listed as endangered is mapped within the application area. The Flora and Vegetation survey (Emerge Associates, 2019) has confirmed that there is no vegetation present within or adjacent to the application representative of Banksia Woodland TEC. Given this, the application area is unlikely to comprise the whole or a part of, or be necessary for the maintenance of a priority ecological community (PEC) or TEC.

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 IBRA bioregion and is mapped as the Swan Coastal Plain (previously Heddle) Bassendean Complex-Central and South, retaining 38.62 per cent and 26.87 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2019a; Government of Western Australia 2019b). Noting the mapped vegetation complex retains 26.87 per cent of native vegetation, the application area is considered to be within an extensively cleared area. Noting that the flora and vegetation survey (Emerge Associates, 2019) identified no threatened, priority flora, TEC or PEC or fauna within the application area, the vegetation is not considered a significant remnant. Given this, the proposed clearing may be at variance to Principle (e).

It is noted that the Environmental Protection Authority (EPA) recognises the Perth Metropolitan Region to be a constrained area, within which a minimum 10 per cent representation threshold for ecological communities is recommended (EPA, 2016). The application area is located within the mapped extent of the Perth Metropolitan Region Scheme. Noting that the EPA considers a constrained area to be an area where there is an expectation that development will proceed, and that the cleared area is zoned 'Urban' in the Perth Metropolitan Region Scheme, the 10 per cent threshold applies in this instance. Noting this, the proposed clearing is not likely to cause significant residual impact to the environment.

The application area is adjacent to the Swan River, and therefore the vegetation within the application area is associated with a watercourse. The proposed clearing is at variance to principle (f). Noting the size of the application area, the proposed clearing is not likely to cause significant environmental impact to the vegetation growing in, or in association with, an environment associated with a watercourse or wetland.

Noting the extent of the proposed clearing and the condition of the vegetation within the application area, the proposed clearing is not likely to exacerbate or contribute to further land degradation, deteriorate the quality of ground water, cause or exacerbate flooding than that which is currently present.

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

Planning instruments and other relevant matters.

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

In email dated 4 June 2019 Department of Biodiversity, Conservation and Attractions (DBCA), Rivers and Estuaries Branch advised that the application is located within the Swan Canning Development Control Area, and therefore, the proposed clearing of native vegetation for the purpose of constructing Water Corporation water pressure main and distribution main will require a permit from the DBCA in accordance with Regulation 21 (Protection of Vegetation) of the *Swan and Canning Rivers Management Regulations 2007* (DBCA, 2019a). On 9 September 2019 DBCA (2019b) the applicant was granted Permit P12453 for the Construction of sewer and water reticulation infrastructure and the provision of an interim emergency wastewater overflow path for the Belmont park development under the Swan and Canning Rivers Management Regulations 2007.

In letter dated 10 July 2019 the City of Belmont advised: "While the City of Belmont does not object to the proposed clearing, Council Policy *NB5 Urban Forest Policy* includes a requirement for any City trees removed (including non-native trees) to be replaced at a minimum ratio of 1: 3 (removed : replaced).

In order for the City to consider replacement planting requirements, it would be appreciated if advice could be provided on:

- total number of trees to be removed (native and non-native) and the GPS centroids of each tree
- any conditions proposed should the application to clear be approved, requiring replacement planting of trees or reinstatement of other vegetation by the Applicant.

In addition, it is requested that the following tree protection requirements from Clause 2.3 of the City's Urban Forest Policy are applied, for trees (including non-native species) located within or adjacent to the works area but not proposed for removal.

Where works, including development, are likely to have a significant impact on a City Tree, the applicant shall:

- (a) Have tree protection methods in place as recommended within AS 4970-2009 Protection of Trees on Development Sites and to the satisfaction of the Manager Parks and Environment, and
- (b) Where works are undertaken within a Tree Protection Zone, an Arborist Method Statement will be required, and
- (c) Demonstrate that tree protection methods have been put in place prior to commencement and for the duration of works.

If there is an opportunity for vegetation (particularly sedges or small shrubs) to be salvaged the City can transplant these in a nearby foreshore area." (City of Belmont, 2019)

In email dated 5 September Whadjuk Working Party (WWP) requested through the South West Aboriginal Land & Sea Council to address the following questions (Whadjuk Working Party, 2019):

1. Whether the water main can be aligned with the pathway within the clearing vicinity thereby limited clearing of vegetation;
2. Because of the location near a waterway, have monitor onsite during ground disturbing activity; and
3. Query whether a section 18 application is required depending on location of registered Aboriginal heritage sites.

In email dated 12 September 2019 in relation to the WWP's concerns the Applicant (2019b) advised:

1. The pressure main alignment has been designed to extend along / beneath the concrete pathway as much as possible to limit clearing of vegetation. The clearing is only anticipated to facilitate entry / exit locations for drilling;
2. Environmental monitoring will be a requirement included in the Construction Environmental Management Plan (CEMP) currently being prepared by the contractor; and
3. Development of the Belmont Peninsula is subject to an existing s18 approval ref. 34-31836 dated 3 April 2014. This approval includes consideration of Registered Site #15916 Burswood Island and Registered Site #3536 Swan River, both of which are located in close proximity to the proposed works for which the clearing permit is sought.

The clearing permit application was advertised on the Department of Water and Environmental Regulation website on 27 June 2019 with a 14 day submission period. No public submissions have been received in relation to this application.

5. Applicant's References

- Applicant. (2019a). Application documents in relation to clearing permit application CPS 8481/1. Received on 1 May 2019. DWER Ref: A1785033.
- Applicant. (2019). Additional information in relation to clearing permit application CPS 8481/1. DWER Ref: A1823231.
- City of Belmont. (2019). Advice received in relation to clearing permit application CPS 8481/1. DWER Ref: A1804807.
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Commonwealth of Australia (2012) EPBC Act referral guidelines for three threatened black cockatoo species. Department of Sustainability, Environment, Water, Populations and Communities, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA). Rivers and Estuaries Branch. (2019a). Advice received in relation to clearing permit application CPS 8481/1. DWER Ref: A1799706.
- Department of Biodiversity, Conservation and Attractions (DBCA). Rivers and Estuaries Branch. (2019b). Advice received in relation to clearing permit application CPS 8481/1. DWER Ref: A1823237.
- 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 September 2019.
- Emerge Associates. (2019). Supporting documents in relation to clearing permit application CPS 8481/1. DWER Ref: A1785037.
- Environmental Protection Authority (EPA) (2016) 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. Environmental Protection Authority, Western Australia.
- Government of Western Australia. (2019). 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Government of Western Australia. (2019). 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>.
- 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.
- Whadjuk Working Party. (2019). Comments received in relation to clearing permit application CPS 8481/1. DWER Ref: A1821019.