



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8846/1
File Number: DWERVT5506
Duration of Permit: From 24 July 2020 to 24 July 2022

PERMIT HOLDER

City of Swan on behalf of Western Australian Planning Commission

LAND ON WHICH CLEARING IS TO BE DONE

Lot 8737 on Deposited Plan 9435, (Crown Reserve 31421), South Guildford
Lot 41 on Diagram 39301, South Guildford
Lot 7008 on Deposited Plan 7394, (Crown Reserve 25845), South Guildford
Water Feature (PIN 11832806), South Guildford

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.0239 hectares of native vegetation and 2 native trees within the area cross-hatched yellow on attached Plan 8846/1.

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. Dieback and weed 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 *weeds* and *dieback*:

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

3. 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.

4. 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 1 of this Permit; and
- (e) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 2 of this Permit.

5. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 4 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.



Richard Newman
DIRECTOR
NATIVE VEGETATION PROTECTION





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

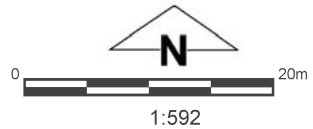
25 June 2020

Plan 8846/1



Legend

-  Imagery
-  Cadastral
-  Clearing Instruments Activities
-  Local Government Authority



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)
Geocentric Datum of Australia 1994

 Date 25 June 2020
Richard Newman

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



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8846/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: City of Swan on behalf of Western Australian Planning Commission
Application received date: 16 March 2020

1.3. Property details

Property: LOT 8737 ON PLAN 9435, SOUTH GUILDFORD
LOT 7008 ON PLAN 7394, SOUTH GUILDFORD
LOT 41 ON DIAGRAM 39301, SOUTH GUILDFORD
Local Government Authority: SWAN, CITY OF
Localities: SOUTH GUILDFORD

1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | Purpose category: |
|--------------------|-----------|--------------------|-------------------|
| 0.0239 | 2 | Mechanical Removal | Miscellaneous |

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 25 June 2020

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 principle (f) and is not likely to be at variance to the remaining principles.

Impacts to wetland dependent vegetation are considered to be minor and short term given the small area proposed to be cleared and the mitigation measures required.

After consideration of this, the Delegated Officer determined that the proposed clearing may increase the spread of weeds and dieback into adjacent vegetation. Weed and dieback management measures will minimise this impact.

The Delegated Officer determined that given the small area of the proposed clearing, it is unlikely to have any significant residual environmental impact and is not likely to lead to an unacceptable risk to the environment.

Given the above, the Delegated Officer decided to grant a clearing permit subject weed and dieback conditions.

2. Site Information

Clearing Description The application is to clear 0.0236 hectares of native vegetation, including two trees within Lot 8737 on Plan 9435, Lot 7008 on Plan 7394 and Lot 41 on Diagram 39301 South Guildford, for the purpose of replacing a boardwalk (figure 1).

Vegetation Description *Beard Vegetation Association*
The application area is mapped as 1009 which is described as medium woodland; marri and river gum (Shepherd et al, 2001).

Swan Coastal Plain vegetation complex:
The application area is mapped as Swan Complex which is described as fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca raphiophylla* (Swamp Paperbark) with localised occurrence of low open forest of *Casuarina obesa* (Swamp Sheoak) and *Melaleuca cuticularis* (Saltwater Paperbark) (Heddl et al, 1980).

Photographs (Figure 2) provided by the applicant indicate that the vegetation under application consists of open forest of *Casuarina obesa* and scattered *Melaleuca raphiophylla* over native sedges in Very Good (Keighery, 1994) condition (City of Swan, 2020).

Vegetation Condition

As indicated by photographs supplied by the applicant, the vegetation within the application area is in Very Good condition described as:

- Vegetation structure altered, obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some more aggressive weeds, dieback, logging and grazing (Keighery, 1994).

Soil type

The application area is mapped as consisting of EnvGeol MS4 Phase soils which is described as sandy silt, light yellow brown, blocky, mottled, some fine to medium-grained sand, soft when moist, variable clay content (Schoknecht *et al.*, 2004).

Local area

The 'local area is defined as a 10 kilometre radius measured from the perimeter of the application area.

A review of available databases has determined that the local area retains approximately 16.67 per cent of its pre-European clearing extent.



Figure 1: Application area hatched blue.



Figure 2: Photographs of the vegetation within the application area.

3. Avoidance and minimisation measures

The application area occurs within the Swan and Canning River Special Development Zone as authorised under the *Swan Canning River Regulations 1997*. The applicant is required under a permit issued under the *Swan Canning River Regulations 1997* by Department of Biodiversity, Conservation and Attractions (DBCA), to undertake revegetation at a ratio of 3 to 1 of the clearing considered in this application. Revegetation is required to be of local provenance species representing the Swan Vegetation Complex.

The applicant is required to develop a Construction Management Plan and a Revegetation Plan to the satisfaction of DBCA prior to commencement of works (DBCA, 2020).

The DBCA permit also requires the applicant to take appropriate preventative measures during the works to ensure that all construction material, soil, runoff or deleterious matter generated by the construction activities is confined to the construction site and not allowed to enter any surrounding waterway/wetland areas (DBCA, 2020).

4. Assessment of application against clearing principles

The application is to clear up to 0.023 hectares of native vegetation and two native trees for the purpose of replacing a boardwalk and is unlikely to have any significant environmental impacts. The vegetation within the application area consists of *Casuarina obesa* and *Melaleuca raphiophylla* over native sedges and is considered to be in Very Good (Keighery, 1994) condition.

The proposed clearing is not likely to impact significant habitat for fauna recorded within the local area, given the relatively small size of the proposed clearing, lack of hollow bearing trees and that the application area occurs within a larger remnant of similar condition vegetation that stretches along the banks of the Swan River.

No threatened ecological communities (TECs) or priority ecological communities (PECs) have been mapped in or within close proximity to the application area. The closest PEC, Banksia Dominated Woodlands of the Swan Coastal Plain IBRA Region which is listed as 'Endangered' under the *Environmental Protection and Biodiversity Conservation Act 1998* (EPBC Act) and Priority 3 under the *Biodiversity Conservation Act 2016*, is located approximately 400 metres from the application area. The closest TEC is 'Banksia attenuata and/or Eucalyptus marginata woodlands of the eastern side of the Swan Coastal Plain (floristic community type 20b) located 2.1 kilometres from the application area. The descriptions of these communities do not align with the vegetation present within the application area. Given this and the distance to the mapped TEC and PEC, the proposed clearing is not considered likely to comprise of or be necessary for the maintenance of a TEC or PEC.

According to available databases no Threatened or Priority flora taxa have been recorded within the application area, or within one kilometre of the application area. The closest Priority flora taxa, the Priority 4 *Verticordia lindleyi subsp. Lindleyi*, has been recorded approximately 1.7 kilometres from the application area, and the closest Threatened flora taxa, *Macarthuria keigheryi*, is located approximately 1.8 kilometres east. Due to the lack of preferred habitat for these species and the distance to known flora species of conservation significance, Threatened and Priority flora are unlikely to occur within the application area.

Given the lack of Priority and Threatened flora, TECs and PECs recorded within and in the vicinity of the application area, and the limited significance of the application area as fauna habitat, it is unlikely that the application area comprises a high level of biodiversity.

The local area surrounding the application retains approximately 16.67 per cent native vegetation. The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 percent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001). 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 10 per cent of their pre-European extent (EPA 2008). The area under application is mapped as Beard vegetation association 1009 and Heddle vegetation complex Swan Complex which retain 16 and 13 per cent of their respective pre-European extents (Government of Western Australia 2019). Although the local area is highly cleared, the application area occurs within the Perth Metropolitan Region and the mapped vegetation association and complex is above the recommended 10 per cent threshold. Given this and the lack of habitat for Threatened and Priority flora and fauna, the application area is not considered a significant remnant in an area that has been extensively cleared.

The closest conservation area is Bush Forever site 214 (Ashfield Flats, Bassendean/Ashfield) located 400 metres west of the application area. Due to the small scale of clearing required, the lack of adjacent or nearby conservation areas, and the distances to known conservation areas, the proposed clearing is not likely to impact environmental values of a conservation area. However, native vegetation occurs adjacent to the application area and the proposed clearing may indirectly impact on the values of this vegetation by the spread of weeds and/or dieback. The implementation of hygiene conditions for weed and dieback management would mitigate this risk.

The application area occurs 45 metres from the Swan River, a major perennial watercourse. A minor perennial watercourse, a tributary of the Swan River, traverses through the application area. According to available databases, the application area is also mapped as a conservation category floodplain. Photographs confirm that the application area comprises riparian vegetation. Therefore the proposed clearing is at variance to Principle (f). Given the relatively small area proposed to be cleared and the mitigation measures required to be implemented under the DBCA permit as detailed in section 3 of this report, impacts to the mapped wetland and watercourse are considered to be minor and short term.

The mapped soil type within the application area has a high to extreme risk of water erosion, flooding and water logging (DPIRD, 2017). The proposed clearing may cause minimal, short term sedimentation to surface water of the mapped watercourse and floodplain. As detailed under section 3 of this report, the DBCA permit requires the applicant to take appropriate preventative measures during the works to ensure that all, soil and runoff generated by the construction activities is confined to the

construction site and not allowed to enter any surrounding waterway/wetland areas (DBCA, 2020). Given this and the relatively small size (0.028 hectares) of the application area, the proposed clearing is not likely to contribute to or cause appreciable land degradation, significantly impact surface water and groundwater quality or cause or exacerbate the risk of flooding.

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

Planning instruments and other relevant matters.

No Aboriginal sites of significance have been recorded within the application area. It is the applicant'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 application area is zoned 'Parks and recreation' under the Metropolitan Regional Scheme. The purpose of the proposed clearing is consistent with this zoning.

The application area occurs within the Swan and Canning River Special Development Zone as authorised under the Swan Canning River Regulations 1997. The applicant was granted a permit by Department of Biodiversity, Conservation and Attractions (DBCA) on 29 May 2020, authorising the construction of a boardwalk and clearing of native vegetation. Under this permit, the applicant is to develop a Construction Management Plan and a Revegetation Plan to the satisfaction of DBCA prior to commencement of works (DBCA, 2020). Revegetation must be at a 3 to 1 ratio using local provenance species suitable to that soil type and representing the Swan Vegetation Complex. The DBCA permit also requires the applicant to take appropriate preventative measures during the works to ensure that all construction material, soil, runoff or deleterious matter generated by the construction activities is confined to the construction site and not allowed to enter any surrounding waterway/wetland areas (DBCA, 2020).

The application area is classed as a contaminated site under the *Contaminated Sites Act 2003* and is associated with perfluoroalkyl substances (PFAS) contamination of the surface water of a drain that occurs within the application area. There is no concern in relation to potential disturbance of soil within the application area and there is no unacceptable risk to human health.

The clearing permit application was advertised on the DWER website on 21 April 2020 with a 14 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 2001-2005, Canberra.
- City of Swan (2020) Clearing application and supporting documentation for clearing of native vegetation for the reconstruction of the boardwalk at Beverley Terrace, South Guildford. DWER ref A1876860
- DBCA (2020) Advise regarding clearing within Swan and Canning Rivers Management Regulations 2007 for clearing application CPS 8846-1. DWER ref A1902280 and A1897643
- Department of Primary Industries and Regional Development (DPIRD) (2017). NRInfo Digital Mapping. Accessed at <https://maps.agric.wa.gov.au/nrm-info/> Accessed April 2020. Department of Primary Industries and Regional Development. Government of Western Australia.
- Environmental Protection Authority (EPA) (2008) Environmental Guidance for Planning and Development Guidance Statement No 33. Environmental Protection Authority, Western Australia.
- 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, N., Tille, P. and Purdie, B. (2004) Soil-landscape mapping in South-Western Australia – Overview of Methodology and outputs' Resource Management Technical Report No. 280. Department of Agriculture.
- Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

6. GIS databases

- Aboriginal sites of significance
- DBCA Species & Communities datasets accessed April 2020
- DBCA estate
- Hydrography linear
- Land degradation risk categories
- Remnant vegetation
- Cadastre

- Geomorphic Wetlands, Swan Coastal Plain
- Groundwater salinity, statewide
- Soils, statewide
- Town Planning Scheme Zones