



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 9422/1

File Number: DWERVT8601

Duration of Permit: From 23 February 2022 to 23 February 2024

PERMIT HOLDER

Bagher Jawid

Habibullah Mohammadi

LAND ON WHICH CLEARING IS TO BE DONE

Lot 317 on Deposited Plan 63655, Forrestdale

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2 native trees within the area cross-hatched yellow in Figure 1 of Schedule 1.

A handwritten signature in black ink, appearing to read "Meenu Vitarana", written over a horizontal line.

Meenu Vitarana

A/MANAGER

NATIVE VEGETATION REGULATION

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

31 January 2022

SCHEDULE 1

Plan of authorised clearing area



Figure 1: Plan of the area authorised to be cleared



Clearing Permit Decision Report

1. Application details and outcome

1.1. Permit application details

| | |
|------------------------|--|
| Permit number: | CPS 9422/1 |
| Permit type: | Area permit |
| Applicant name: | Bagher Jawid & Habibullah Mohammadi |
| Purpose of clearing: | Construction of a shed |
| Property: | Lot 317 on Deposited Plan 63655, Forrestdale |
| Location (LGA area/s): | City of Armadale |

1.2. Description of clearing activities

The application is for the proposed clearing of two trees to facilitate the construction of a shed within Lot 317 on Plan 63655. The application area occurs within the Forrestdale Business Park, a highly developed area, and retains two *Eucalyptus tottiana* (Prickly bark) trees as the only remaining native vegetation within the proposed construction site.

1.3. Decision on application and key considerations

| | |
|----------------|------------------|
| Decision: | Granted |
| Decision date: | 31 January 2022 |
| Decision area: | Two native trees |

1.4. Reasons for decision

This clearing permit application was made in accordance with section 51E of the *Environmental Protection Act 1986* (EP Act) and was received by the Department of Water and Environmental Regulation (DWER) on 7 September 2021. DWER advertised the application for public comment for a period of 14 days, and no submissions were received.

In undertaking the assessment, the Delegated Officer had regard for the site characteristics, relevant datasets, photographs of the vegetation, the clearing principles set out in Schedule 5 of the EP Act, and any other matters considered relevant to the assessment. The assessment identified that the proposed clearing will have negligible impact on habitat for flora, fauna and ecological communities, conservation areas or wetlands.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures, the Delegated Officer determined that the proposed clearing is not likely to lead to an unacceptable risk to the environment. The Delegated Officer decided to grant a clearing permit with no management conditions.

2. Assessment of application

2.1. Avoidance and mitigation measures

While no evidence of avoidance or mitigation measures was provided to support the application, noting the small scale and low impact of the clearing it was deemed that no further consideration is required to minimise impacts on environmental values.

2.2. Assessment

The assessment against the ten clearing principles identified that the native vegetation proposed to be cleared is not likely to provide habitat for conservation significant flora and fauna; does not contain or form a part of a threatened or priority ecological community; or impact on any riparian vegetation. The application is located within an Environmentally Sensitive Area as it falls within a five kilometre buffer to a mapped Geomorphic Wetland.

The vegetation proposed to be cleared consists of two *Eucalyptus tottiana* (prickly bark), one of which is deceased (Bagher Jawid & Habibullah Mohammadi, 2021a). Photographs and aerial imagery suggest there is no other native vegetation present within the construction site. Given there is no surrounding vegetation and the highly modified landscape in the vicinity of the two trees, the two trees provide very little habitat value. There were no hollows, which may provide breeding sites, detected in either of the two trees. The vegetation proposed to be cleared is isolated and unlikely to provide habitat linkages for fauna species present in the broader area.

At the bioregion (Swan Coastal Plain) and local scale (10 kilometre radius from the perimeter of the application area), over 23 per cent of the pre-European vegetation extent remains. The nearest conservation area, Bush Forever Site 342 (Anstey/Keane Dampland and adjacent bushland) is located over one kilometre from the application area, separated by development and roads. The two trees intersect a geomorphic wetland, Armadale Palusplain, and its 50 metre buffer. The application area does not retain any features of a wetland, due to the extensive development within its vicinity, with just two trees retained, of which one is diseased. Noting the proposed clearing is separated to the mapped geomorphic wetland by cleared industrial land, and the highly modified nature of the surrounding area, the proposed clearing is not likely to impact on the environmental values of this mapped wetland. The proposed clearing is not likely to lead to appreciable land degradation or impacts surface water quality, groundwater quality or lead to increase in flooding.

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

The applicant must consider other relevant authorisations required for the proposed land use including any approval required by the relevant Local Government Authority and/or under the *Planning and Development Act 2005*. The applicant provided approval to undertake the development by the Metropolitan Redevelopment Authority to undertake the proposed development (Bagher Jawid & Habibullah Mohammadi, 2022).

The application area is mapped within an area classified as 'remediated for restricted use' under the *Contaminated Sites Act 2003*. A report prepared by the Contaminated Sites branch of DWER state "Asbestos Containing Materials may be present in natural soils below the yellow sand fill horizon and/or existing foundation slabs and hardstandings. The excavation and disturbance of natural or reworked soils below the yellow sand fill horizon and/or existing concrete foundations and hardstandings is restricted except when carried out in accordance with an appropriate occupational health and safety plan for the management of asbestos" (DWER, 2010). The applicant is advised to ensure compliance with the *Contaminated Sites Act 2003* prior to commencing the proposed development work.

No Aboriginal Heritage places intersect with the proposed clearing area, however several have been mapped within the vicinity of the proposed clearing. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

Appendix A - References and databases

1. GIS datasets

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- Aboriginal Heritage Places (DPLH-001)
- Cadastre Address (LGATE-002)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Regional Parks (DBCA-026)
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)

- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

2. References

Bagher Jawid & Habibullah Mohammadi (2021a). *Additional information to support clearing permit – Arboricultural report* (DWER Ref: A2049756)

Bagher Jawid & Habibullah Mohammadi (2021b). *Area permit application form and supporting information for Clearing Permit Application CPS 9422/1* (DWER Ref: DWERDT500901)

Bagher Jawid & Habibullah Mohammadi (2022). *Provision of a copy of the development approval for the proposed works under Clearing Permit Application CPS 9422/1* (DWER Ref: DWERDT552642)

Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: [Key document template - Guideline \(der.wa.gov.au\)](https://www.der.wa.gov.au)

Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: [Department of Water and Environmental Regulation \(www.wa.gov.au\)](https://www.wa.gov.au)