Department of Environment
Government of Western Australia

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 1067/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shire of Shark Bay

1.3. Property details

Property: LOT 118 ON PLAN 28788 (FRANCOIS PERON NATIONAL PARK 6537)
Local Government Area: Shire Of Shark Bay
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.07		Mechanical Removal	Road construction or maintenance

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Clearing Description	Vegetation Condition	Comment
Beard vegetation association 1101: Shrublands; Acacia ligulata x rostellifera thicket. (Hopkins et al. 2001, Shepherd et al. 2001).	The area under application consists of 0.07ha of roadside vegetation in a linear tract along the road verge. The vegetation is dominated by Acacia ligulata x rostellifera thicket (Shepherd et al, 2001). There was little or no weed invasion within the area under application from the photographs provided (DoE TRIM No. GI112).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The description of the vegetation under application was obtained from photographs provided by the proponent as supporting documentation (DoE TRIM No. GI112) and from a consultant's report conducted on the Denham Townsite (ATA Environmental).

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposal is not likely to be at variance to this Principle

The vegetation under application is 0.07ha of roadside vegetation. There is little or no weed invasion within the area under application (DoE TRIM No. GI112). The vegetation under application is dominated by Acacia rostellifera (Shepherd et al, 2001) and is surrounded by Unallocated Crown Land, which is all remnant bushland. It is therefore unlikely that the roadside vegetation is of higher biodiversity significance than the vegetation in the local area. This proposal is therefore not likely to be at variance with this Principle.

Methodology

Shepherd et al (2001)
Site photographs (DoE TRIM No. GI112)
GIS Databases:
- Interim Biogeographic Regionalisation of Australia - EA 18/10/00.

(b) Native 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.

Comments

Proposal is not likely to be at variance to this Principle

The area under application consists of 0.07ha of degraded roadside vegetation dominated by Acacia rostellifera in a linear tract. Given the level of disturbance within the roadside vegetation and the pristine habitat provided by the adjacent Unallocated Crown Land, it is unlikely that the area under application provides a significant habitat for fauna. The proposed clearing is therefore unlikely to be at variance with this Principle.

Methodology

Site photographs (DoE TRIM No. GI112)

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments

Proposal is not likely to be at variance to this Principle

No Declared Rare or Priority Flora species were identified within a 10km radius of the area under application. In addition the roadside vegetation has been substantially degraded limiting its potential conservation value. It is unlikely that the proposed clearing will impact on significant flora and is therefore not likely to be at variance with this Principle.

Methodology

Site photographs (DoE TRIM No. GI112)
GIS Databases:
- Declared Rare and Priority Flora list - CALM 01/07/05
- Clearing Regulations - Environmentally Sensitive Areas - DoE 30/05/05

(d) Native 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.

Comments

Proposal is not at variance to this Principle

The Threatened Ecological Community (TEC) database did not highlight any TEC's within the area under application or within 10km of the proposal. Therefore, this proposal is not at variance with this Principle.

Methodology

GIS Databases:
- Threatened Ecological Communities - CALM 12/04/05

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Comments

Proposal is not at variance to this Principle

The Carnarvon Bioregion and Beard Vegetation Association 1101 both have greater than 50% of native vegetation remaining, making them of least concern by conservation status standards. The proposed clearing is therefore not at variance to this Principle.

Methodology

GIS Databases:
- Interim Biogeographic Regionalisation of Australia - EA 18/10/00
- Pre-European Vegetation - DA 01/01
Shepherd et al, 2001.
Department of Natural Resources and Environment, 2002

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments

Proposal is not at variance to this Principle

No watercourses exist within the area under application. The proposed clearing is therefore, not at variance to this Principle.

Methodology

GIS Databases:
- Hydrography, linear - DoE 01/02/04
- Hydrographic Catchments - Catchments - DoE 23/03/05

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments

Proposal is not at variance to this Principle

The vegetation proposed to be cleared consists of a small area (0.07 hectares) that experiences average rainfall of 300mm and does not occur within a salinity risk or acid sulphate soil risk area. The soils within the area under application consist of coastal calcareous sands, which are porous and allow good infiltration. The sandy soil may be susceptible to wind erosion, however given the small area under application it is unlikely that this proposal will cause appreciable land degradation and is therefore not at variance with this Principle.

Methodology

GIS Databases:
- Rainfall, Mean Annual - BOM 30/09/01
- Salinity Risk LM 25m - DOLA 00
- Acid Sulphate Soil risk map, SCP DOE 04/11/04
- Soils, Statewide - DA 11/99

(h) Native 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.

Comments

Proposal is not likely to be at variance to this Principle

The area under application lies within the Peron-Nanga area and the Shark Bay area, which is registered as National Estate with the Department of Environment and Heritage. The Shark Bay Marine Park is also located 700m east of the area under application. In addition Beard Vegetation Type 1101 is well represented on conservation reserves, with 92.7% in secure tenure (Shepherd et al, 2001). Given the small area under application and the little, if any, impact this proposal will have on the surrounding conservation areas, this proposal is not likely to be at variance with this Principle.

Methodology

Shepherd et al, 2001.
GIS Databases:
- CALM Regional Parks - CALM 12/04/02
- CALM Managed Lands & Waters - CALM 01/07/05
- Proposed National Parks FMP-CALM 19/03/03
- Register of National Estate - EA 28/01/03

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Comments

Proposal is not at variance to this Principle

The area under application has an average annual rainfall of 300mm and the soils consist of coastal calcareous sands. Given the low average rainfall and the small area (0.07ha) under application it is unlikely that this proposal will cause deterioration in the quality of surface or underground water. This proposal is therefore not at variance with this Principle.

Methodology

GIS Databases:
- Current WIN data sets
- PDWSA Protection Zones - DOE 07/01/04
- Public Drinking Water Sources (PDWSAs) - DOE 09/08/05
- Hydrographic Catchments - Catchments - DOE 23/03/05
- Hydrography, linear - DoE 01/02/04
- Rainfall, Mean Annual - BOM 30/09/01

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments

Proposal is not at variance to this Principle

The area under application consists of coastal calcareous sands. Given the small size of the area under application and the transmissive nature of the sands at the site, clearing is unlikely to cause or exacerbate the incidence of flooding. This proposal is therefore not at variance with this principle.

Methodology

GIS Databases:
- Rainfall, Mean Annual - BOM 30/09/01
- Topographic Contours, Statewide - DOLA 12/09/02
- Soils, Statewide - DA 11/99

Planning instrument, Native Title, Previous EPA decision or other matter.

Comments

k) The Shire of Shark Bay has not indicated that there are any planning requirements or approvals that would affect the clearing.

There is no further requirement for a RIWI Act Licence, Works Approval or EP Act Licence for the area under application.

The proposed clearing is within a road that is not vested with the Shire of Shark Bay, however the Department for Planning and Infrastructure has provided consent for the Shire to undertake the works. The Department of Planning and Infrastructure have advised that Odene Road is a dedicated road document number 1243646, registered on 23 September 2002, on Deposited Plan 28788 Crown Land Title Volume 3125 Folio 679 as lot 118. As the Shire has authorisation and are exercising their power under Section 3.52 of the Local Government Act 1995 to undertake these works, the granting of a clearing permit constitutes a secondary approval and is not a future act under the Native Title Act 1993.

An Environmental Impact Assessment (EIA) was conducted over the area under application as part of the Shire of Shark Bay Town Planning Scheme No 3. The Scheme was not assessed with the level of assessment set on the 12 May 2005 and therefore does not have any impact on this proposal.

The area under application consists of 0.07ha of roadside vegetation in a linear tract and is required in order to

maintain the line of sight on a dangerous section of road.

Methodology

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Road construction o maintenance	Mechanical Removal	0.07	Grant	The assessable criteria have been addressed and no objections were raised. The assessing officer therefore recommends that the permit should be granted.

5. References

ATA Environmental (2005) Denham residential subdivision flora and vegetation survey. DoE TRIM ref WRD 208.

Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

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. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management
DAWA	Department of Agriculture
DEP	Department of Environmental Protection (now DoE)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DoE)