



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3552/1

File Number: DEC14092

Duration of Permit: From 26 March 2010 to 26 March 2012

PERMIT HOLDER

City of Albany

LAND ON WHICH CLEARING IS TO BE DONE

LOT 7457 ON PLAN 12909

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 3 hectares of native vegetation within the hatched yellow on attached Plan 3552/1.

CONDITIONS

1. Dieback and weed control

- (a) 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*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) shall only move soils in *dry conditions*;
 - (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

- (b) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

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

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

25 February 2010

Plan 3552/1



LEGEND

Cladding Instrument
C/2017/116
Albany 50cm Ortho
2007



0 50 m

Scale 1:2004

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been
checked. This may result in geometric
distortion of measurement inaccuracies.

K Faulkner
K Faulkner

Date 25/12/10

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

Information derived from this map should be
confirmed with the data custodian acknowledged
by the agency acronym in the legend.



Department of
Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 3552/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: City of Albany

1.3. Property details

Property: LOT 7457 ON PLAN 12909 (House No. 98 LE GRANDE ORANA 6330)
Local Government Area:
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
3		Mechanical Removal	Drainage

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 Unit: 978: Low forest; jarrah, Eucalyptus staeri & Allocauarina fraseriana (Shepherd, 2007)	The proposal is to clear 3 hectares of native vegetation for the purpose of establishing a drainage basin which will ultimately be used for passive recreation (City of Albany, 2010). A site inspection determined that while the vegetation was over run by Sydney Golden wattle some areas were more open and had healthy ground cover and low shrubs (DEC, 2010).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation condition was determined through a site inspection by DEC staff (DEC, 2010a) and from photos provided with the application (City of Albany, 2010a).

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 may be at variance to this Principle

The proposal is to clear 3 hectares of native vegetation in good (Keighery, 1994; City of Albany, 2010a) condition for the purpose of creating a drainage basin to be later used as a passive public recreation site (City of Albany, 2010b).

The local area (10km radius) retains approximately 30% native vegetation cover and the application area is part of a relatively large remnant within the extensively cleared Albany townsite, the vegetation under application is also a part of an ecological linkage between other areas of remnant vegetation in the local area.

Within the local area 56 priority and 10 rare flora species have been recorded (WA Herbarium 1998). In addition 7 terrestrial threatened or endangered and 5 terrestrial priority fauna have been observed within the local area.

A vegetation survey of the applied area identified that the application area included significant invasion by Sydney Golden Wattle (*Acacia longifolia*) and also included *Watsonia* and *Taylorina* (*Psoralea pinnata*) (City of Albany, 2010a). There are at least 26 plant families represented comprising at least 60 species of native flora (City of Albany, 2010a).

Given the above, the assessment recommendation is that the proposal may be at variance to this principle. In addition the assessment recommendation is that weed and dieback management conditions are placed on the permit to mitigate the potential impacts of clearing on biodiversity within the City of Albany.

Methodology References:
City of Albany (2010a)
City of Albany (2010b)
EPA (2000)
WA Herbarium (1998)
Keighery (1994)

GIS Database:
SAC Bio datasets accessed 28 January 2010

(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 may be at variance to this Principle

There are 11 vulnerable, 3 endangered, 5 priority, 1 extinct and 1 other specially protected fauna records within 10km of the application area.

Of these some are marine species (or predominately marine) species and are highly unlikely to occur within the vegetation under application.

The application area may provide some suitable habitat for the Chuditch (VU), Western Ringtail Possum (VU) and Quenda (Priority 5) as well as potentially providing some habitat value for the Western Brush Wallaby, Bilby, Water-Rat, Quokka and Western Mud Minnow. However, the vegetation under application is highly infested with Sydney Golden Wattle (City of Albany, 2010a; DEC, 2010a) and is no longer characteristic of primarily habitat for these species.

The application area is a relatively large remnant within the extensively cleared area of the Albany townsite, the vegetation area is also a part of an ecological linkage between other areas of remnant vegetation in the local area.

Given the above the assessment recommendation is that the clearing as proposed may be at variance to this principle as the vegetation may be significant fauna habitat as part of an ecological linkage. In addition the assessment recommendation is that weed and dieback management conditions are placed on the permit to mitigate the potential impacts of clearing on biodiversity within the City of Albany.

Methodology References:
City of Albany (2010a)
DEC (2010a)

GIS Database:
SAC Bio datasets accessed 28 January 2010

(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

There are 10 rare flora recorded in the local area (10km radius) of the application area. Of these 2 occur on the same mapped soil and vegetation types as the applied area namely *Chordifex abortivus* and *Drakaea micrantha*.

In addition *Isopogon uncinatus* and *Banksia brownii* are recorded in the same mapped vegetation type but slightly different soil types.

One record of *Acacia prismofolia* (extinct) was also recorded approximately 1.3km south east of the applied area on the same vegetation type but different soil type.

The vegetation is in good (Keighery, 1994) condition however given the intensity of weeds within much of the applied area it is unlikely that any conservation significant flora occur within the applied area (DEC, 2010a; DEC, 2010b) and given the records of rare flora in close proximity to the applied area the assessment recommendation is that the vegetation under application may be habitat for rare flora.

A flora survey of the applied area identified 26 plant families comprising of at least 60 species none of which are noted as being rare or priority flora (City of Albany, 2010a) however this survey was undertaken in November and December which is outside of the flowering period of many rare flora.

Given the above the assessment recommendation is that the proposal is not likely to be at variance to this principle

Methodology References:
 City of Albany (2010a)
 DEC (2010a)
 DEC (2010b)
 Keighery (1994)

GIS Database:
 SAC Bio datasets accessed 28 January 2010

(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 likely to be at variance to this Principle

There are no known occurrences of threatened ecological communities (TECs) within the local area (10km radius).

The vegetation under application is not characteristic of any known TEC.

Given the above the assessment recommendation is that the clearing as proposed is not likely to be at variance with this principle.

Methodology GIS Database:
 SAC Bio datasets accessed 28 January 2010

(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 likely to be at variance to this Principle

	Pre-European (ha)	Current extent (ha)	Remaining (%)	% In reserves DEC Managed Land
IBRA Bioregions*				
Jarrah Forest^	4,671,007	2,601,026	55.68	71.15
Shire*				
Albany	431,549	163,977	38.00	23.58
Beard Vegetation Association*				
978	53,126	20,779	39.11	22.82
Beard Vegetation Association with Bioregion*				
978	53,016	20,676	39.00	22.84

* (Shepherd, 2007)

^ Area within Intensive Land Use Zone

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001, EPA 2000). The vegetation under application, as noted in the table above, does not fall below this 30% threshold level.

The local area has been extensively cleared and retains approximately 30% native vegetation cover in the local area (10km radius).

The application area is part of a large remnant within the extensively cleared Albany townsite, the vegetation under application is also a part of an ecological linkage between other areas of remnant vegetation in the local area.

A vegetation survey of the applied area identified that the application area included significant invasion by Sydney Golden Wattle (*Acacia longifolia*) and also included *Watsonia* and *Taylorina* (*Psoralea pinnata*) (City of Albany, 2010a; DEC, 2010a). There are at least 26 plant families represented comprising at least 60 species of native flora (City of Albany, 2010a).

Given the above the assessment recommendation is that the proposal is not likely to be at variance to this principle as the vegetation under application is not likely to be significant in the extensively cleared Albany townsite.

Methodology References:
City of Albany (2010a)
Commonwealth of Australia (2001)
DEC (2010a)
EPA (2000)
Shepherd (2007)

(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 at variance to this Principle**
There is one minor, non-perennial watercourse and one minor drain within the application area

The removal of approximately 75% (DEC, 2010a) of the native vegetation within Lot 7457 will significantly alter the surface water hydrology of this watercourse and drain.

Given the above the assessment recommendation is that the proposal is at variance to this principle.

Methodology References:
DEC (2010a)

GIS Database:
ANCA wetlands - Environment Australia 26/3/99
CALM Managed Lands and Waters - CALM 01/06/05
EPP, Wetlands 2004 (DRAFT) - EPA 21/7/04
Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain DEC 11/04/07
Hydrography linear - DOW 13/7/06
Ramsar wetlands - DEC 03
South Coast Significant Wetlands - WRC 10/06/2003

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

Comments **Proposal may be at variance to this Principle**
Most of the area under application is mapped as having poor draining soils with smaller areas of sandy soils (City of Albany, 2010a).

The removal of approximately 75% of deep rooted perennial native vegetation from Lot 7457 will likely increase waterlogging on the property.

Wind erosion may also be a risk through expose of smaller areas of sandy soils on the boundary of the application area given the proximity of the application area to the WA coastline.

Given the above the assessment recommendation is that the proposal may be at variance to this principle.

Methodology References:
City of Albany (2010a)

GIS Database:
Acid Sulfate Soil Risk Map, Swan coastal Plain - DEC 07/08/06
Average Annual Rainfall Isohyets - WRC 29/09/98
Annual Evaporation Contours (Isopleths) - WRC 29/09/98
Hydrogeology, statewide DOW 13/07/06
Hydrographic catchments, catchments - DoW 01/06/07
Hydrography, linear - DOW 13/7/06
Salinity Risk LM 25m - DOLA 00
Soils, Statewide DA 11/99
Topographic contours statewide - DOLA and ARMY 12/09/02

(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 at variance to this Principle**
The application area is part of a relatively large remnant within the extensively cleared area of the Albany townsite, the vegetation under application is also a part of an ecological linkage between other areas of remnant

vegetation in the local area.

Three Land for Wildlife sites are located within 10km of the applied area (700m NE, 1km NE and 2.2km SW) and the Gledhow Nature Reserve and Conservation Park is located approximately 1.8km south west of the applied area.

The vegetation under application forms part of a linkage between the above conservation areas and DEC Offset sites and DAFWA Heritage sites (also conservation areas).

Given the above the assessment recommendation is that the proposal may reduce connectivity between these conservation areas and indirectly degrade the environmental values of these areas. Therefore the assessment recommendation is that the proposal is at variance to this principle.

In addition the assessment recommendation is that weed and dieback management conditions are placed on the permit to mitigate the potential impacts of clearing on conservation areas within the City of Albany area.

Methodology GIS Database:
CALM Managed Lands and Waters - DEC Sept 08
Hydrography, linear - DOW 13/7/06
Register of National Estate - Environment Australia, Australian and world heritage division 12 Mar 02
System 1 to 5 and 7 to 12 areas DEC 11/7/06

(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 likely to be at variance to this Principle

The applied area includes one minor, non-perennial watercourse and one minor drain and the predominant soils of the applied area are poorly draining.

It is unlikely, given the bounding of the property by roadway on the northern and west edges and dense vegetation cover on the eastern and southern edges that any changes to surface water quality as a result of clearing will extend beyond the boundary of Lot 7457.

Given the above, the assessment recommendation is that the proposal is not likely to be at variance to this principle.

Methodology GIS Database:
Evapotranspiration Isopleths - WRC 29/09/98
Groundwater Salinity Statewide DoW 13/07/06
Hydrographic catchments, catchments - DoW 01/06/07
Hydrography, linear - DOW 13/7/06
Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
Salinity Risk LM 25m - DOLA 00
Topographic Contours, Statewide - DOLA 12/09/02

(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 likely to be at variance to this Principle

The removal of approximately 75% of deep rooted perennial native vegetation from Lot 7457 will likely increase waterlogging on the property.

However it is unlikely, given the bounding of the property by roadway on the northern and west edges and dense vegetation cover on the eastern and southern edges that any increase in water held on the property will extend beyond the boundary of Lot 7457.

Given the above the assessment recommendation is that the proposal is not likely to be at variance to this principle.

Methodology GIS Database:
Evapotranspiration Isopleths - WRC 29/09/98
Groundwater Salinity Statewide DoW 13/07/06
Hydrography, linear - DOW 13/7/06
Mean Annual Rainfall Isohytes (1975 - 2003) - DEC 02/08/05
Salinity Risk LM 25m - DOLA 00
Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

Lot 7457 is zoned as Public Use and Recreation, the proposal is for the creation of a drainage basin to include passive recreation activities (City of Albany, 2010b). Therefore the proposal is consistent with the vesting of this land.

The plans submitted in the clearing permit application do not take into account Water Corporation plans to construct a Pump Station within Lot 7457 (DEC, 2010a). The City of Albany advise that this is because the pump station is not scheduled to be included in the reserve for another 50 years.

Methodology

References:

DEC (2010a)

City of Albany (2010b)

GIS Database:

Cadastre - Landgate Dec 07

Town Planning Scheme Zones - MFP 31/08/98

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is at variance to Principles (f) and (h), may be at variance to Principles (a), (b) and (g) and is not likely to be at variance to the remaining clearing Principles.

5. References

- City of Albany (2010a) Vegetation Survey and Environmental Assessment, Lot 7457, Le Granve Ave, Albany, undertaken by Mr Peter Stewart December 2007 (Trim Ref DOC116149).
- City of Albany (2010b) Advice to Assessing Officer on CPS 3552/1, City of Albany, Comments from A Nicoll City of Albany (Trim Ref DOC117545).
- DEC (2010a) Site Inspection Report for Clearing Permit Application CPS 3552/1, Lot 7457 on Plan 12909, Albany. Site inspection undertaken 05/02/2010. Department of Environment and Conservation, Western Australia (TRIM Ref. DOC118986).
- DEC (2010b) Regional Advice for clearing permit application CPS 3552/1, Lot 7457 on Plan 12909, Albany, Department of Environment and Conservation, Western Australia (TRIM Ref. DOC120555)
- 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. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.
- WA Herbarium (1998) Species profile information supplied by WA Herbarium through www.florabase.com.au accessed on 28 January 2010.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment (now DEC)
DMP	Department of Mines and Petroleum (ex DoIR)
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 DEC)