



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4476/1
Permit Holder:	Port Bouvard Pty Ltd
Duration of Permit:	19 December 2011 to 19 December 2016

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 the Point Grey Access Road.

2. Land on which clearing is to be done

Lot 75 on Plan 247162 (Point Grey, 6208)
Lot 1145 on Plan 253035 (Point Grey, 6208)
Lot 293 on Plan 100609 (Point Grey, 6208)
Lot 299 on Plan 100614 (Point Grey, 6208)
Lot 729 on Plan 253041 (Point Grey, 6208)
Lot 1133 on Plan 253036 (Point Grey, 6208)
Carrabungup Road reserve (Nirimba, 6208)
Greenland Road reserve (West Pinjarra, 6208)
Edges Road reserve (Nirimba, 6208)
Un named road reserve (Nirimba, 6208)

3. Area of Clearing

The Permit Holder shall not clear more than 3.51 hectares of native vegetation within the combined areas shaded yellow on attached Plan 4476/1a, 4476/1b, Plan 4476/1c, Plan 4476/1d and Plan 4476/1e.

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.

5. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Land Administration Act 1997* or any other written law.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc 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.

8. Fauna management

(a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* suitable to be utilised by fauna species listed below:

- (i) Forest Red-tailed Black-Cockatoo (*Calyptorhynchus banksii subsp. naso*)
- (ii) Baudin's Cockatoo (*Calyptorhynchus baudinii*)
- (iii) Carnaby's black cockatoo (*Calyptorhynchus latirostris*)

(b) Prior to clearing, any *habitat tree(s)* identified by condition 8(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in condition 8(a).

(c) Within one week prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna clearing person* to remove and relocate fauna identified under condition 8(b).

9. Offsets

The Permit Holder must implement and adhere to;

- (a) Tranen Revegetation System's Access Rd Tree Planting Plan, P455-03-Rev1, June 2011
- (b) Tranen Revegetation System's Vegetation Management Plan (Site 2), P455-01-Rev1, July 2011
- (c) RPS's Offset Strategy, Point Grey Access Road, Report No: L10633, Rev 1, November 2011

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

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;
- (ii) the date that the area was cleared; and
- (iii) the size of the area cleared (in hectares).

(b) In relation to fauna management pursuant to condition 8 of this Permit:

- (i) the location of each habitat/habitat tree identified 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 species name of fauna reasonably likely to utilise, or that have been observed utilising, the habitat/habitat tree(s); and
- (iii) the location and date where relocated fauna was released, 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.

(c) In relation to the offset of areas pursuant to condition 9:

- (i) the location of any area of *offsets* 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) a description of the *offset* activities undertaken; and
- (iii) the size of the *offset* area (in hectares).

11. Reporting

- (a) The Permit Holder must provide to the CEO on or before 31 July of each year, a written report:
- (i) of records required under condition 10 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 July and 30 June of the preceding year.
- (b) Prior to 19 September 2011, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

DEFINITIONS

The following meanings are given to terms used in this Permit:

fauna clearing person means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

habitat tree(s) means trees that have a diameter, at average adult human chest height, of greater than 70cm, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts;

offset/s means an offset required to be implemented under condition 9 of this Permit.

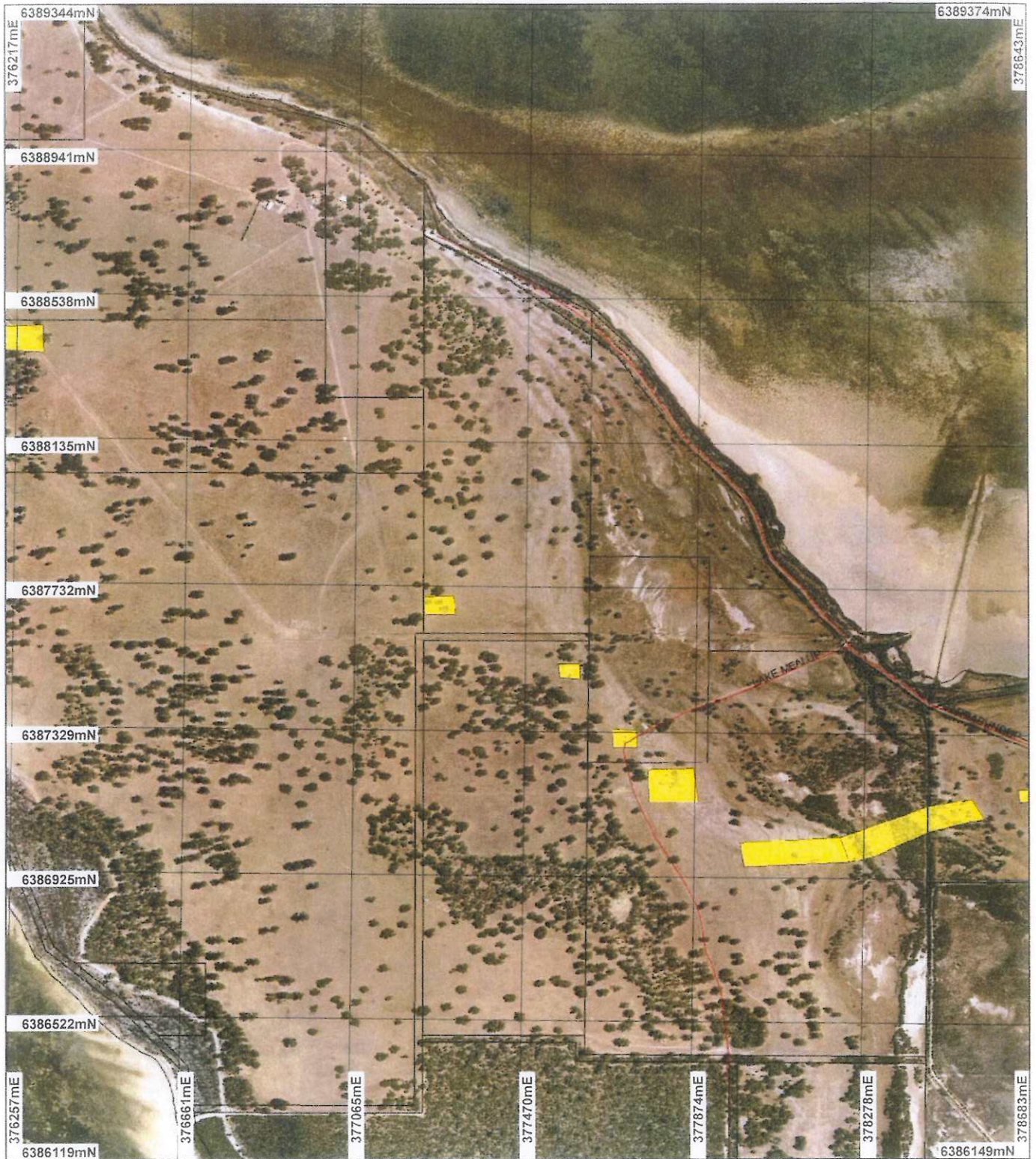


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

24 November 2011

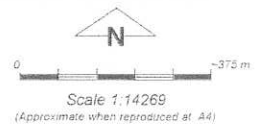
Plan 4476/1a



LEGEND

- Clearing Instruments
- Areas Approved to Clear
 - Road Centrelines
 - Cadastre

Perth Metropolitan Area
South 20cm Orthomosaic -
Landgate 2007



Geocentric Datum Australia 1994

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

[Signature] Date 24/4/14
K. Faulkner

Officer 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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Plan 4476/1b



LEGEND

- Clearing Instruments**
- Areas Approved to Clear
 - Road Centrelines
 - Cadastre

Perth Metropolitan Area
South 20cm Orthomosaic -
Landgate 2007



0 375 m

Scale 1:14269
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

[Signature] Date *24/1/11*

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

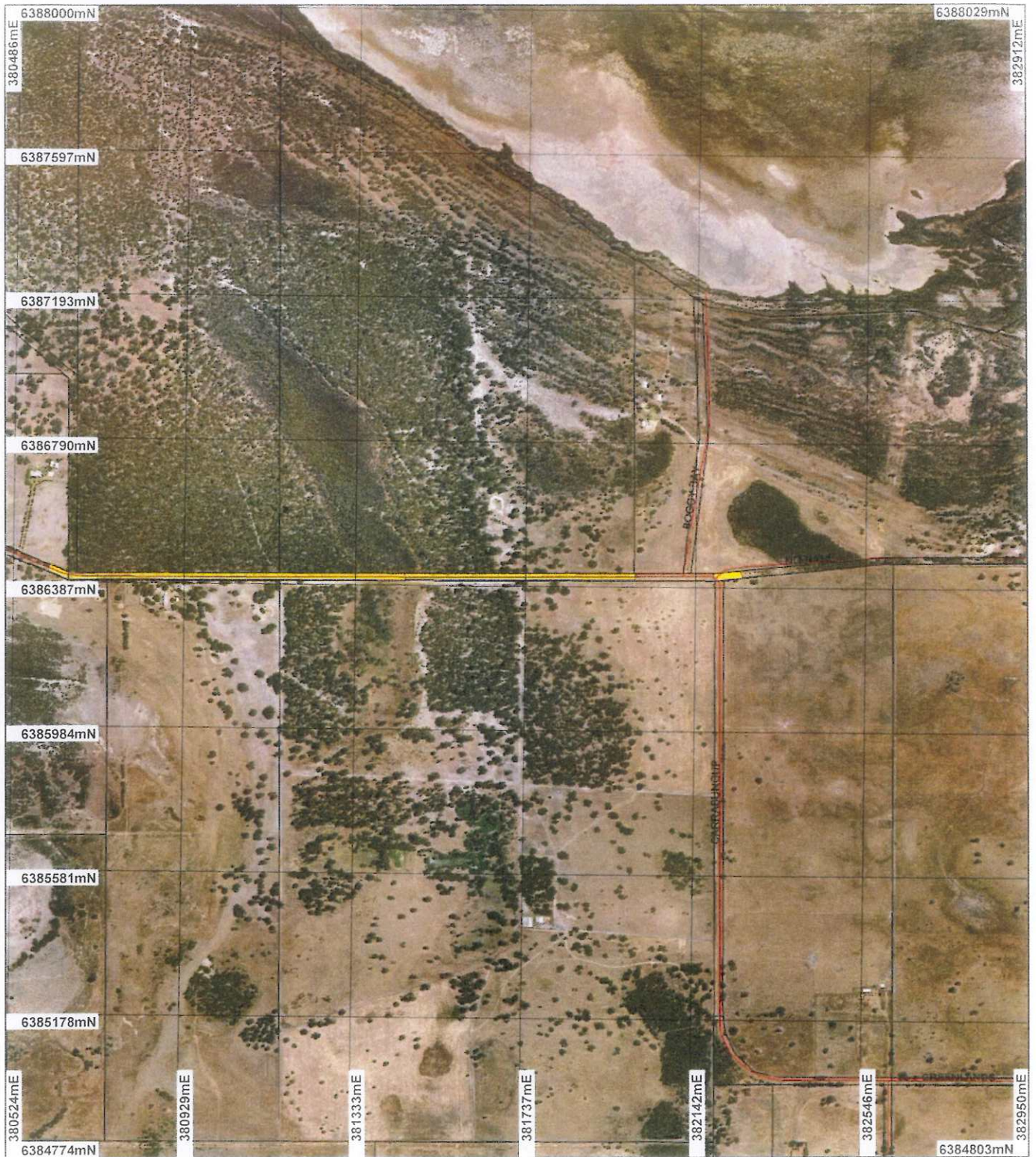
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Plan 4476/1c



LEGEND

- Clearing Instruments**
- Areas Approved to Clear
 - Road Centrelines
 - Cadastre

Perth Metropolitan Area
South 20cm Orthomosaic -
Landgate 2007



0 375 m

Scale 1:14268

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

Date: 26/09/14

K. Faulkner

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Plan 4476/1d



LEGEND

Clearing Instruments

- Areas Approved to Clear
- Road Centrelines
- Cadastre

Perth Metropolitan Area
South 20cm Orthomosaic -
Landgate 2007



0 375 m

Scale 1:14268

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

 Date 24/11/14
K. Faulkner

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

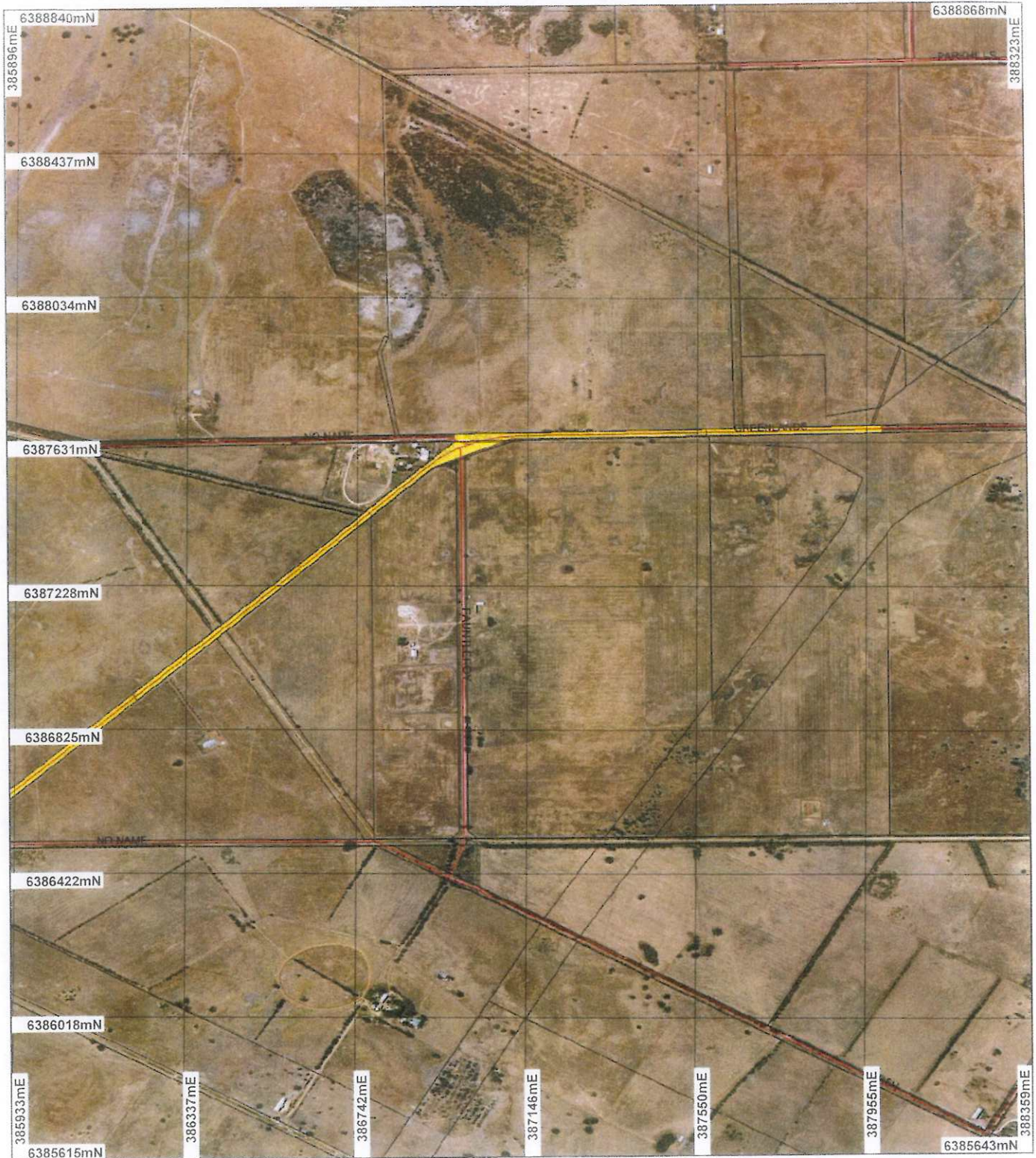
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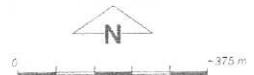
Plan 4476/1e



LEGEND

- Clearing Instruments
- Areas Approved to Clear
 - Road Centrelines
 - Cadastre

Perth Metropolitan Area
South 20cm Orthomosaic -
Landgate 2007



Scale 1:14269
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: The data on this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

[Signature] Date 24/11/11

K. Faulkner

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1. Application details

1.1. Permit application details

Permit application No.: 4476/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Port Bouvard Limited

1.3. Property details

Property:
 LOT 293 ON PLAN 100609 (POINT GREY 6208)
 LOT 1145 ON PLAN 253035 (POINT GREY 6208)
 LOT 75 ON PLAN 247162 (POINT GREY 6208)
 LOT 299 ON PLAN 100614 (POINT GREY 6208)
 ROAD RESERVE (POINT GREY 6208)
 ROAD RESERVE (NIRIMBA 6208)
 ROAD RESERVE (NIRIMBA 6208)
 ROAD RESERVE (WEST PINJARRA 6208)
 ROAD RESERVE (WEST PINJARRA 6208)
 LOT 729 ON PLAN 253041 (POINT GREY 6208)
 LOT 1133 ON PLAN 253036 (POINT GREY 6208)

Local Government Area: Shire of Murray
 Colloquial name: Point Grey Access Road

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
 Decision Date: 24 November 2011

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
The area under application has been mapped as the following vegetation types: 968 - Medium woodland; jarrah, marri & wandoo (Shepherd, 2009).	This application proposes to clear 3.51 hectares of native vegetation for the purpose of constructing the Point Grey access road.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition of the vegetation was determined via a site inspection (DEC, 2011a).
27 - Low woodland; paperbark (Melaleuca sp.) (Shepherd, 2009)	The area under application is within road reserves is dominated by large, mature Eucalyptus trees (Tuart, Marri and Jarrah) with the occasional Banksia (DEC, 2011a).	To	
Cannington Complex : Mosaic of vegetation from adjacent vegetation complexes of Bassendean, Karrakatta, Southern River and Vasse (Heddle et al, 1980).	A portion of the area under application is associated with a wetland area associated with the Robert Bay Wetland and is dominated by Melaleuca spp. and Jacksonia spp. (DEC, 2011a).	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	
Southern River Complex : Open woodland of Corymbia calophylla (Marri) - Eucalyptus marginata (Jarrah) - Banksia species with fringing woodland of Eucalyptus rudis (Flooded Gum) - Melaleuca raphiophylla (Swamp Paperbark) along creek beds (Heddle et al, 1980).			
Vasse Complex : Mixture of the closed scrub of Melaleuca species fringing woodland of Eucalyptus rudis (Flooded Gum) - Melaleuca species and open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) - Corymbia calophylla (Marri) (Heddle et al, 1980).			

Cottesloe Complex - Central and South: Mosaic of woodland of *Eucalyptus gomphocephala* (Tuart) and open forest of *Eucalyptus gomphocephala* (Tuart) - *Eucalyptus marginata* (Jarrah) - *Corymbia calophylla* (Marri); closed heath on the Limestone outcrops (Hedde et al, 1980).

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

This application proposes to clear 3.51 hectares of native vegetation for the purpose to constructing an access road into the proposed Point Grey residential development.

The proposed access road extends from Forrest Highway through to Point Grey peninsular.

The alignment of the access road has been designed to minimise the necessity to clear remnant trees and shrubs with disturbance largely restricted to the existing cleared road reserves and cleared agricultural land (RPS, 2011a).

The condition of the vegetation under application ranges in condition from degraded to completely degraded (Keighery, 1994)(DEC, 2011). The structure of the vegetation has been significantly altered through past clearing, grazing and weed infestation.

RPS was commissioned by Port Bouvard Limited to conduct a Level 1 Flora and Vegetation Survey over the proposed Point Grey access road. This survey recorded seventy-six plant taxa across the survey area, twenty-six of which were weeds (RPS, 2011b). No rare or priority flora were identified within the surveyed area (RPS, 2011b).

The area under application contains potential foraging and breeding habitat for three black cockatoo species; Carnaby's black cockatoo (*Calyptorhynchus latirostris*) (Endangered under the Wildlife Conservation Act 1950 and Endangered under the Environment Protection and Biodiversity Conservation Act 1999), the Forest Red-tailed black cockatoo (*Calyptorhynchus banksii* subsp. *naso*) (Vulnerable under the EPBC Act 1999 and a 'Threatened' species under the WC Act 1950), and Baudin's black cockatoo (*Calyptorhynchus baudinii*) (Endangered under the Wildlife Conservation Act 1950 and Vulnerable under the Environment Protection and Biodiversity Conservation Act 1999).

The long linear area under application provides wildlife corridor between isolated patches of remnant vegetation. Although the proposed clearing will reduce the value of this link it will not totally severing it as clearing is only proposed on one side of the road.

Although the vegetation under application is in a degraded condition it may contain some biodiversity value as it contains habitat for conservation significant fauna (black cockatoos) and forms part of an ecological link between remnant patches of vegetation in fragmented landscape. Therefore, the proposed clearing may be at variance to this principle.

It is noted that the applicant proposes to offset the clearing of 2.55 hectares of potential foraging and breeding habitat for black cockatoos. RPS (2011) states that prior to the construction of the entrance road the proponent will develop an appropriate offset in consultation with DEC.

Methodology

References:
Keighery (1994)
RPS (2011a)
RPS (2011b)

GIS Database:
- SAC Biodatasets - Accessed 15 August 2011
- Pre European Vegetation

(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 at variance to this Principle

The majority of the area under application is in a degraded to completely degraded (Keighery, 1994) condition due to historical clearing for agriculture.

Three species of black cockatoos have been recorded within the local area (20km radius); *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed Black-Cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo) and *Calyptorhynchus latirostris* (Carnaby's black ockatoo) (DEC, 2007-).

A Black Cockatoo Habitat Assessment was undertaken within the proposed access road alignment. Foraging evidence of black cockatoos was recorded adjacent to the survey area, particularly north of the access road within the Austin Bay Reserves (RPS, 2011c). The evidence was in the form of Marri fruits and Allocasuarina nuts. The project area contains 124 trees that are considered to have black cockatoo breeding potential (Diameter at Breast Height greater than 50cm). This total includes 96 Marri trees, 18 Jarrah, four Tuart and six dead stags (RPS, 2011c).

Fauna management conditions will mitigate impacts to black cockatoos during the clearing process.

The survey area provides a wildlife corridor which connects other bushland remnants that fringe the Peel Inlet and Harvey Estuary (RPS, 2011b). The applicant is only proposing to clear on one side of the road. The majority of the clearing is proposed to take place on the southern side of the road where the vegetation is in a more degraded condition. This clearing strategy will minimise the impact this proposal will have on fauna dispersal.

The majority of the area under application is lacking ground cover and is therefore, not likely to be significant habitat for any ground dwelling fauna.

Given the application area contains black cockatoo habitat and forms part of a wildlife corridor, the proposed clearing is at variance to this principle.

It is noted that the applicant proposes to offset the clearing of 2.55 hectares of potential foraging and breeding habitat for black cockatoos. RPS (2011) states that prior to the construction of the entrance road the proponent will develop an appropriate offset in consultation with DEC.

Methodology

References:

DEC (2007-)
RPS (2011a)
RPS (2011b)
RPS (2011c)

GIS Database:

- SAC Biodatasets - Accessed 15 August 2011
- Pre European Vegetation

(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

Within the local area (10km radius) eight rare flora species have been identified; Caladenia huegelii, Diuris drummondii, Diuris purdiei, Diuris micrantha, Drakaea micrantha, Drakaea elastica, Synaphea sp. Fairbridge Farm (D. Papenfus 696) and Synaphea stenoloba.

RPS (2011b) was commissioned by Port Bouvard to undertake a Level 1 Flora and Vegetation Survey. The 6km surveyed section extends from Edges Road (1km east of Boggy Bay Road) to the entry point of the proposed Point Grey Development (RPS, 2011b). Since this survey was conducted the access road alignment has slightly changed, therefore the most western section (where the road intersects Roberts Bay Wetland) of the proposed road has not been surveyed.

RPS (2011b) did not identify any rare flora within the surveyed area.

The unsurveyed area of Roberts Bay Wetland is in a degraded (Keighery, 1994) condition as it has been previously cleared and is currently grazed by cattle. Therefore, this area is unlikely to support rare flora.

The most eastern end of the proposed access road, between Forest Highway and Edges Road reserve has not been surveyed. This section of the proposed alignment follows the current road alignment extending 10 meters into previously cleared private property. This area is in a degraded to completely degraded (Keighery, 1994) condition and is therefore unlikely to support rare flora.

Given the above, the proposed clearing is not likely to be at variance to this principle.

Methodology

References:

RPS (2011b)
Keighery (1994)

GIS Database:

- SAC Biodatasets - Accessed 15 August 2011

(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

The entire area under application falls within the buffer zone of the Clifton - microbialite (Critically Endangered) Threatened Ecological Community (TEC). The boundary of this TEC is approximately 9km south west of the application area. Given the distance between the proposed clearing and the boundary of this site it is unlikely that the proposed clearing will be necessary for the maintenance of this TEC.

TEC SCP15 (Forests and woodlands of deep seasonal wetlands) has been recorded 1.4km north of the application area in Austin Bay Nature Reserve.

Two occurrences of the TEC SCP07 (Herbrich Saline Shrublands in Claypans) have been recorded within 1.5km of the application area. The proposed clearing does not intersect the buffer zones for either of these communities.

The Flora and Vegetation Survey (RPS, 2011b) states that the wetland area east of Boggy Bay Road is likely to represent TEC SCP07. The initial road alignment presented to the DEC traversed this area. The applicant has since realigned the road through private property to avoid clearing this inferred TEC.

Considering the above the proposed clearing is not likely to be at variance to this principle.

Methodology Reference:
RPS (2011b)

GIS Database:
- SAC Biodatasets - Accessed 15 August 2011

(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 may be at variance to this Principle

The area under application is located within the Swan Coastal Plain Interim Biogeographic Regionalisation of Australia (IBRA) bioregion. This IBRA bioregion has approximately 39 per cent of its Pre European vegetation extent remaining (Shepherd, 2009).

The majority of the vegetation under application (approximately 95 per cent) is mapped as Beard Vegetation Association 968 which has approximately 7 percent of its Pre European extent remaining in the Swan Coastal Plain bioregion (Shepherd, 2009).

Heddele et al (1998) has mapped the area under application as comprising of Cannington Complex, Southern River Complex, Vasses Complex and Cottesloe Complex - Central and South. The majority of the proposed access road is mapped as Cannington Complex and Southern River Complex. These vegetation complexes retain approximately 10 and 20 per cent vegetation respectively.

Digital imagery (Perth Metropolitan Area South 20cm Orthomosaic - Landgate 2007) indicates that the local area (10km radius) retains approximately 20 per cent vegetation cover.

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).

The vegetation under application is consistent with the description of these vegetation types and contains significant habitat for Carnaby's balck cockatoo's, however the condition is predominately degraded. Therefore the vegetation under application may be a significant remnant in an area which has been extensively cleared.

The proposed clearing may be variance to this principle.

	Pre-European (ha)	Current Extent Remaining (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion*				
Swan Coastal Plain	1 501 209	587 889	39	
Shire*				
Shire of Murray	170 577	93 361	55	
Beard Vegetation Association in Bioregion*				
968 (95 per cent)	136 188	9 850	7	15
27 (5 per cent)(Peel-Harvey Estuary)		5 836	1 772	30

Hedde Vegetation Complexes **			
Cannington Complex (Veg No. 40)(45 per cent)	16 661	1 659	10
Southern River Complex (Veg No. 42)(40 per cent)	57 979	11 501	20
Vasse Complex (Veg No. 56)(10 per cent) 11 190	3 287	29	.
Cottesloe Complex - Central and South (Veg No. 52)(5%)	44 995	18 474	41
*Shepherd (2009)			
** Hedde et al (1998)			

Methodology

References:

Commonwealth of Australia (2001)
Hedde et al (1998)
Shepherd (2009)

GIS Database:

- SAC Biodatasets - Accessed 15 August 2011
- Perth Metropolitan Area South 20cm Orthomosaic - Landgate 2007
- Pre European Vegetation

(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

The proposed road alignment east of Boggy Bay Road (approximately half the application area) falls within a Multiple Use wetland.

Multiple Use Wetlands are said to have few remaining important attributes and functions (EPA, 2008).

The access road falls within 20 meters of the Ramsar listed Peel Yalgorup System. Ramsar sites are wetlands of international significance. The Peel Yalgorup System is a large system of shallow estuary and saline, brackish and freshwater lakes. Many tens of thousands of waterbirds, including large numbers of migrant shorebirds from the northern hemisphere, use the estuary and lakes each year (CALM, 1990). This Ramsar site is also mapped as a Conservation Category wetland (CCW), Robert Bay Wetland.

The proposed clearing intersect the boundary of this CCW (Robert Bay Wetland).

CCWs support a high level of ecological attributes and functions and are the highest priority wetlands (EPA, 2005). The management objective for CCWs is to preserve and enhance the existing conservation values of the wetlands through various mechanisms including:

- Reservation in national parks, crown reserves and State owned land,
- Protection under Environmental Protection Policies, and
- Wetland covenanting by landowners.

No development or clearing is considered appropriate. These are the most valuable wetlands and any activity that may lead to further loss or degradation is inappropriate (EPA, 2008).

The proponent has aligned the access road so that it crosses Robert Bay Wetland at its narrowest point. The proposed clearing at this point will see the removal of mature Melaleuca sp. and Jacksonia sp. as well as submerged aquatic vegetation and pockets of sedges (DEC, 2011b).

The applicant has re routed the access road to avoid clearing native vegetation growing in association with a Resource Enhancement wetland (REW) which is located north of Edges Road reserve.

REWs are considered priority wetlands which may have been partially modified but still support substantial ecological attributes and functions. The ultimate objective is to manage, restore and protect towards improving their conservation role. These wetlands have the potential to be restored to conservation category. This can be achieved by restoring wetland function, structure and biodiversity (EPA, 2008).

This application proposes to clear vegetation which is growing in association with a wetland. Therefore, the proposed clearing is at variance to this principle.

The applicant has provided a Vegetation Management Plan which outlines their commitment to rehabilitating areas of the Point Grey Peninsular as an offset for the removal of vegetation associated with Robert Bay Wetland.

Methodology

References:

CALM (1990)
DEC (2011b)
EPA (2008)

- GIS Database:
- ANCA wetlands
 - Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain
 - Hydrography linear
 - Hydrography linear (hierarchy)
 - Ramsar wetlands

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

Comments Proposal is not likely to be at variance to this Principle

Northcote et al (1960-68) has mapped three soil types within the application area;

YA26 - Very gently undulating with calcareous mounds or rises: chief soils are sandy alkaline yellow mottled soils.

B24 - Sand plain and low sandy plateaux with some drainage-ways; rock outcrop common on residuals: chief soils are gravelly red earthy sands and gravelly yellow earths.

Cb38 - Flat to very gently undulating coastal plain less than 25 ft above sea level: chief soils seem to be leached sands.

As discussed in principle f, the proposed clearing traverses Multiple Use Wetland and Conservation Class Wetland (Robert Bay Wetland). The proposed clearing of vegetation within these wetland areas is likely to increase water logging. As the proposed clearing is for a road the applicant will be using culverts and drains to help maintain natural drainage.

Given the long linear nature of the proposed clearing, appreciable land degradation is not likely to occur.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology Reference:

Northcote et al (1960-68)

GIS Database:

- Mean Annual Rainfall Isohytes
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain
- SAC Biodatasets - Accessed 15 August 2011
- Topographic Contours, Statewide

(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 may be at variance to this Principle

Austin Bay Nature Reserve is located within 20 meters of the proposed road alignment.

The road verge vegetation under application provides a wildlife corridor between Austin Bay Nature Reserve and other remnant vegetation patches located east and west. The applicant is proposing to clear the majority of the vegetation on the southern (more degraded) side of the road. This clearing strategy will ensure that this wildlife corridor is not completely severed.

The disturbance resulting from the proposed clearing will increase the risk of weeds spreading into Austin Bay Nature Reserve. Weed management practices will assist in mitigating this risk.

The proposed clearing may be at variance to this principle.

Methodology GIS Database:

- DEC Tenure

(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 at variance to this Principle

The proposed access road has been designed so that it traverses the narrowest part of Robert Bay Wetland. The proposed clearing footprint within this area will be approximately 250 meters in length and 30 meter in width. Clearing this section of vegetation will increase sediment levels in the surface water of Robert Bay Wetland which may in turn flow out into the Peel Yalgorup Ramsar area.

Clearing within this wetland area also has the potential to increase nutrient levels in surface water. Currently the wetland vegetation acts as a filter between nutrient rich water associated with the farming practices on private property and the Peel Yalgorup Ramsar site.

The groundwater salinity within the application area is 500-1000 milligrams per litre of Total Dissolved Solids (TDS). This level of groundwater salinity is considered to be marginal. The clearing of 3.51 hectares of completely degraded vegetation within a footprint area of 33 hectares is not likely to have a significant impact on the quality of groundwater in the local area.

The proposed clearing will increase sediment levels in surface water and also has the potential to increase nutrient levels. Therefore, the proposed clearing is at variance to this clearing principle.

It is noted, that in regards to the end land use (access road) RPS, on behalf of the applicant, has developed a detailed Management Plan proposing strategies to manage the potential impacts to the Robert Bay wetland (part of the Peel Yalgorup System) (RPS, 2011a). This management plan outlines the measures that will be taken to manage surface and groundwater.

Methodology References:
RPS (2011a)

GIS Database:
- ANCA wetlands
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain
- Groundwater Salinity Statewide
- Ramsar wetlands

(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**

Clearing is proposed within Multiple Use and Conservation Category wetlands and therefore it is likely that some short term waterlogging may occur, however it is not expected to increase the incidence or intensity of flooding.

The proposed clearing is not likely to be at variance to this principle.

Methodology GIS Database:
- Mean Annual Rainfall Isohytes
- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain

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

Comments

In 1997, the Shire of Murray initiated Amendment 104 to Town Planning Scheme (TPS) No. 104 to rezone approximately 1 159 hectares of land at Point Grey from 'Rural' to 'Special Development'. The Shire of Murray referred Amendment No. 104 to the Environmental Protection Authority (EPA) for assessment under the Environmental Protection Act 1986. The EPA discussed this amendment with the Department of Environment and Conservation (DEC), Department of Water (DoW), the Shire of Murray and Port Bouvard Limited. An outcome was that the updated Amendment No 104 included a scheme provision that required the finalisation of an access road management plan for the portion of the road that traverses Robert Bay Wetland.

In September 2010 representatives from the EPA, DEC, DoW and RPS met on site to discuss the proposed road alignment. The main objective of the meeting was to ensure that the proposed road was aligned inland to minimise the potential impacts to the foreshore, waterbird roosting/foraging areas and the Robert Bay Wetland. Further to this meeting all parties agreed on a preferred alignment.

As requested by the EPA, RPS has developed an Access Road and Robert Bay Management Plan (RPS, 2011a). This Management Plan address such issues as; Hydrology and drainage management, fauna management, erosion and sedimentation management, acid sulphate soils management, flora and vegetation management, dust management and proposed offsets.

Since the September 2010 meeting the section of the road which traverses Robert Bay Wetland has been realigned as the owner of a heritage listed cottage was not happy with the road crossing in front of the cottage.

On 14 August 2011, a DEC officer revisited the site to assess the proposed new alignment of the road through Robert Bay Wetland. From this site inspection it was concluded that a similar amount of aquatic vegetation will be removed in both alignment proposals, although the current alignment crosses a less degraded section of the Robert Bay wetland and will therefore have a slightly higher impact on the wetland function (DEC, 2011b).

The revised road alignment was referred to the EPA and a level of assessment was set at 'Not Assessed' recommended proposal be dealt with under Part V Division 2 of the Act (Clearing of Native Vegetation) (EPA, 2011).

The Department of Planning has granted subdivision approval for the section of the Point Grey Access Road which is covered by this clearing application (DoP, 2011). This conditional approval covers Lots 75, 293, 299, 729, 738, 1133 and 1145 Carrabung Road.

Subdivision approval has also been granted for Stage 1 of the Point Grey development (DoP, 2011)

The Shire of Murray has advised that they have no objection to the proposed clearing subject to the area indicated for clearing being consistent with the approved access road alignment to the Point Grey subdivision area (Shire of Murray, 2011).

The application area falls within the boundaries of the Environmental Protection (Peel Inlet - Harvey Estuary) Policy 1992 area.

The area under application falls within the Murray Groundwater Area, which is an area proclaimed under the Rights in Water and Irrigation Act 1914.

No Aboriginal Sites of Significance are located within the application area.

Offsets:

The applicant, Port Bouvard Limited, has undergone extensive consultation with DEC in order to provide a suitable offset for the to the proposed clearing of up to 2.55 hectares of potential foraging and breeding habitat for black cockatoos. A suitable offset site has been located within the Shire of Serpentine-Jarrahdale which consists of banksia woodland in very good to excellent condition. The applicant has stated that prior to the construction of the entrance road they will provide documentary evidence that they have provided funds to DEC for the purchase of 15.2 hectares of offset land.

In addition to the direct offset outlined above, Port Bouvard has committed to the supplementary planting of 1000 trees within the road reserve. Tranen Revegetation Systems (2011a), on behalf of the applicant, have prepared a report (Access Rd Tree Planting Plan) outlining the specifics of the proposed tree planting

The development of the access road as well as the the Point Grey marina and subdivision will result in the removal of wetland vegetation. To address this issue, Tranen Revegetation Systems (2011b) has been commissioned by Port Bouvard Limited to prepare a Vegetation Management Plan. The Vegetation Management Plan outlines five sites across the Point Grey Peninsular which the applicant will rehabilitate as an offset for the removal of wetland vegetation. The total area proposed to be rehabilitated is 34 hectares. Site 2 outlined in the Vegetation Management Plan will be used to offset the Point Grey Entry road. Site 2 refers to the section of the foreshore on the east side of the peninsula from the current end of Carrabung Road extending southeast to Robert Bay.

Methodology

References:

DEC (2011b)
EPA (2011)
RPS (2011a)
Shire of Murray (2011)
Tranen Revegetation Systems (2011a)
Tranen Revegetation Systems (2011b)

GIS database:

- RIWI Act, Groundwater Areas
- Town Planning Scheme Zones
- Aboriginal Sites of Significance

4. References

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- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
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- DEC (2011a) Site Inspection Report for Clearing Permit Application CPS 4476/1, Port Grey Access Road. Site inspection undertaken 18 August 2011. Department of Environment and Conservation, Western Australia (DEC Ref: A431997).
- DEC (2011b) Wetland advice from Wetlands Section, Species and Communities Branch. Department of Environment and Conservation, Western Australia (DEC Ref: A421900).
- DoP (2011) Approval Subject to Condition(s), Freehold (Green Title) Subdivision - Point Grey Access Road and Stage 1 of the Point Grey Development. Department of Planning, Western Australian Planning Commission (DEC Ref: A446438).
- EPA (2008) Environmental Guidance for Planning and Development. Guidance Statement No. 33. Environmental Protection Authority, Western Australia.
- EPA (2011) Advice in response to the road realignment referral. Environmental Protection Authority, Western Australia (DEC Ref: A445743).
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- RPS (2011a) Access Road and Robert Bay Management Plan, Point Grey. Prepared by RPS for Port Bouvard Limited. April 2011 (DEC Ref: A410333).
- RPS (2011b) Level 1 Flora and Vegetation Survey, Carrabungup Road, Point Grey. Prepared by RPS for Port Bouvard Limited (DEC Ref: A410333).
- RPS (2011c) Offset Strategy, Point Grey Access Road. Prepared by RPS for Port Bouvard Limited. April 2011 (DEC Ref: A410340).
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- Shire of Murray (2011) Advice for Clearing Permit Application CPS 4476/1 (DEC Ref: A432127).
- Tranen Revegetation Systems (2011a) Access Rd Tree Planting Plan, June 2011. Prepared for RPS and Port Bouvard Ltd (DEC Ref: A447479).
- Tranen Revegetation Systems (2011b) Point Grey, Vegetation Management Plan. July 2011. Prepared for RPS and Port Bouvard Ltd (DEC Ref: A442780).

5. 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
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 DEC)

