



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5194/1
Permit Holder:	Shire of Denmark
Duration of Permit:	19 October 2012 – 19 October 2017

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 road widening and construction of road barriers.

2. Land on which clearing is to be done

Mount Shadforth Road reserve, Denmark (PIN 11247018 and 11247020).
Scotsdale Road reserve, Scotsdale (PIN 11746467, 11436151 and 11247012).

3. Area of Clearing

The Permit Holder must not clear more than one hectares of native vegetation within the areas shaded yellow on attached Plan 5194/1.

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 the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. 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) shall only move soils in dry conditions;
- (c) ensure that no dieback or weed-affected soil, mulch, fill or other material is brought into the area to be cleared; and
- (d) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

DEFINITIONS

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

dieback means the effect of *Phytophthora* species on native vegetation;

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

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 a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.

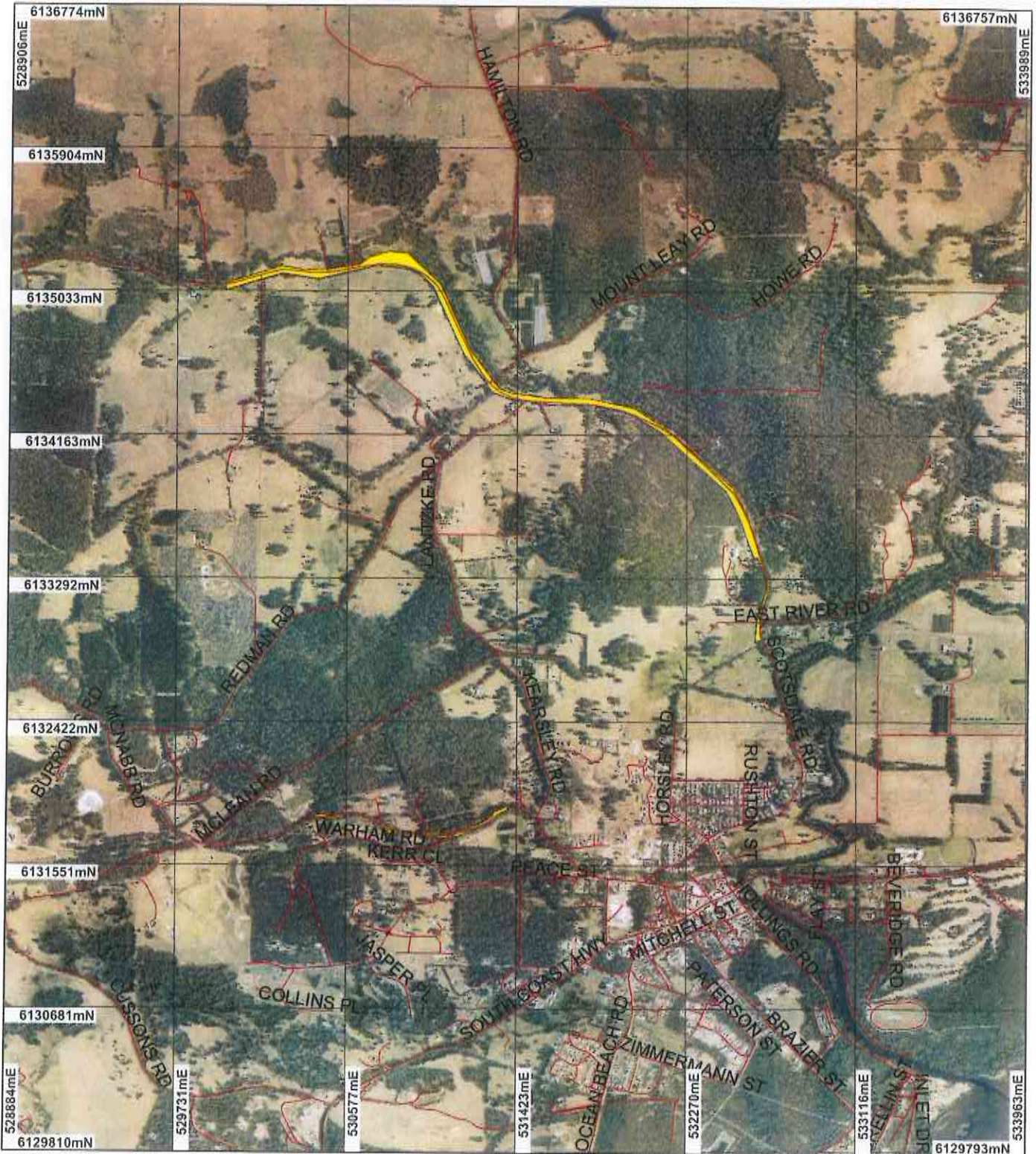


Roxane Shadbolt
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

27 September 2012

CPS 5194\1 - Plan



LEGEND

Clearing Instruments

- Areas Applied to Clear
- Areas Approved to Clear
- Road Centrelines
- Denmark 50cm Orthomosaic - Landgate 2007



0 750 m

Scale 1:30435

(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.

R. Shadbolt Date 27/9/12

Roxane Shadbolt

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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1. Application details

1.1. Permit application details

Permit application No.: 5194/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Denmark

1.3. Property details

Property: ROAD RESERVE (DENMARK 6333)
ROAD RESERVE (SCOTSDALE 6333)
Local Government Area: Shire of Denmark
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 27 September 2012

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
Mapped Beard vegetation association 1 is described as: Tall forest; karri (<i>Eucalyptus diversicolor</i>) (Shepherd et al. 2001).	The application is to clear up to 1 hectare of native vegetation within Scotsdale Road reserve and Mount Shadforth Road reserve, Denmark, for the purpose of road widening.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	Clearing description and vegetation condition were ascertained through a road side conservation committee survey (2010), the Shire of Denmark (2012) declared flora roads Management Plan and aerial imagery (Denmark 50cm Orthomosaic Landgate 2007).
Mapped Beard vegetation association 969 is described as: Mosaic: Medium forest; jarrah-marri / Low forest; jarrah (Shepherd et al. 2001).	The vegetation within the reserve has been identified as Acacia mixed shrubland with dominant Jarrah/Marri/Karri forest. Species include Marri, Jarrah, Karri, <i>Agonis flexuosa</i> , <i>Agonis juniperina</i> , <i>Agonis parviceps</i> , <i>Allocasuarina decussata</i> , <i>Eucalyptus patens</i> , <i>Eucalyptus megacarpa</i> , and <i>Hakea varia</i> (Shire of Denmark 2012).	To Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	
Mattiske vegetation complex Kb is described as: Mosaic of tall open forest of <i>Eucalyptus guilfoylei</i> - <i>Eucalyptus jacksonii</i> - <i>Eucalyptus diversicolor</i> on slopes of major hills rising above coastal plain with <i>Allocasuarina decussata</i> - <i>Banksia grandis</i> - <i>Agonis flexuosa</i> on slopes in hyper humid and per humid zones and tall open forest of <i>Eucalyptus brevistylis</i> - <i>Eucalyptus marginata</i> subsp. <i>marginata</i> - <i>Corymbia calophylla</i> and the occasional <i>Eucalyptus megacarpa</i> near rock outcrops in hyper humid and per humid zones (Mattiske and Havel 1998).			
Mattiske vegetation complex Vh3 is described as: Tall open forest of <i>Eucalyptus diversicolor</i> - <i>Eucalyptus guilfoylei</i> on slopes and woodland of <i>Eucalyptus rudis</i> - <i>Banksia littoralis</i> on lower slopes in hyper humid and per humid zones (Mattiske and Havel 1998).			

3. Assessment of application against clearing principles

Comments

The application is to clear 1 hectares of native vegetation within Scotsdale Road reserve and Mount Shadforth Road reserve, Denmark, for the purpose of road widening. Part of the application area runs through State Forest and has been registered as a State Flora Road. The works at Mount Shadforth Road will involve the

installation of steel barriers around hazardous corners while the works on Shadforth Road will involve widening the road by two meters.

Road side assessments carried out by the Roadside Conservation Committee (2010) and the Denmark Environment Centre (Shire of Denmark 2012) identified Scotsdale Road reserve as having high flora conservation values which has led to part of the application area being listed as a State Flora Road. The Shire of Denmark has stated that the proposed works will be confined to the existing road shoulders and the clearing application is to account for any incidental clearing associated with the use of machinery (Shire of Denmark 2012a).

The application runs parallel to and within 1m of Scotsdale Brook, a significant stream feeding into the Denmark River and minor watercourses also cross the application area. Riparian vegetation was also identified within the application area (Shire of Denmark 2012b). Given this close proximity and presence of riparian vegetation, the vegetation under application is growing in association with a watercourse and therefore, is at variance to principle (f).

The application area lies adjacent to Scotsdale Nature Reserve (A class) and within 600 metres of a further three A class reserves. The clearing of native vegetation adjacent to a reserve may increase the spread of weeds and dieback into the reserve and therefore, the proposal may be at variance to principle (h). Weed and dieback management practices will limit this risk.

Given the relatively small area proposed to be cleared, it is not likely the proposed clearing will cause appreciable land degradation, impact water quality, is necessary for the existence of rare flora, provide significant habitat for fauna or cause or exacerbate the intensity of flooding. All mapped vegetation communities are well represented and a site inspection by DEC staff identified no habitat trees within the application area (DEC 2012).

The proposed clearing of one hectare of native vegetation is at variance to principle (f), may be at variance to principles (h) and is not likely to be at variance to the remaining clearing principles.

Methodology

References

Keighery (1994)
Mattiske (1998)
Shepherd et al (2001)
Road Side Conservation Committee (2010)
Shire of Denmark (2012)
DEC (2012)

GIS Data Sets

- Denmark 50cm Orthomosaic Landgate (2007)
- SAC Biodatasets (accessed Aug 2012)
- Hydrography, Linear (2004)
- Existing DEC Managed Lands and Waters (2011)
- Clearing Regulations, Environmentally Sensitive Areas (2009)
- Pre European Vegetation (DA 2001)
- Roadside Conservation Values (2011)

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

Comments

The application area falls within a State Flora Road, as it holds high flora conservation values and forms part of a tourist drive.

A public submission was received from the Denmark environment Centre. The concerns raised have been addressed through further information received from the applicant (Shire of Denmark 2012a).

The application is located within the Scotsdale Brook Public Drinking Water Source Area. Department of Water advice states that they are currently removing the gazettal of the application and as such have no objections to the proposal (Department of Water 2012).

The application area falls within 200m of the Denmark River aboriginal sites of significance. The proponent is advised to contact the Department of Indigenous Affairs to seek advice on responsibilities under the Aboriginal Heritage Act 1972.

In April of this year the Shire of Denmark accepted a declared Flora Roads Management Plan with specific management requirements for Scotsdale Road (Shire of Denmark 2012b). The objectives of the management plan include enhancing the biodiversity values of the road and encouraging best management practice. The applicant has stated that the work crew are aware of the guidelines for working within a Flora Road (Shire of Denmark 2012a).

Methodology

References

- Shire of Denmark (2012a)
- Shire of Denmark (2012b)
- Department of Water (2012)

GIS Data Sets

- Roadside Conservation Values (2011)

4. References

- DEC (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 21/08/2012
- DEC (Year) Site Inspection Report for Clearing Permit Application CPS 5194/1, Scotsdale and Mount Shadforth Road, Denmark. Site inspection undertaken 7/09/2012. Department of Environment and Conservation, Western Australia (TRIM Ref. A53814).
- Denmark Environment Centre (2012) Comments received by Department of Environment and Conservation for CPS 5194/1, 3 September 2012. Denmark Environment Centre.
- Department of Water (2012) Advice received from the Department of Water for Clearing Permit Application CPS 5194/1, Scotsdale Road reserve and Mount Shadforth Road reserve, Denmark (TRIM Ref. A540809).
- Government of Western Australia (2011); 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.
- Road Side Conservation Committee (2010), Flora Road Nomination Form and Flora road Assessment Form, Scotsdale Road Denmark. Roadside Conservation Committee
- 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.
- Shire of Denmark (2012a), Project advice recieved from the Shire of Denmark, . Shire of Denmark, September 2012 (TRIM Ref. A548450).
- Shire of Denmark (2012b), Shire of Denmark, Declared FLora Roads Management Plan. Shire of Denmark, April 2012

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)