



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5194/2
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 and 11436151).
Scotsdale Road reserve, Denmark (PIN 11247012).

3. Area of Clearing

The Permit Holder must not clear more than 1.8 hectares of native vegetation within the areas shaded yellow on attached Plan 5194/2.

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 any plant -

- (a) that is declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*; or
- (b) published in the Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.



M Warnock
A/MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

14 February 2013

Plan 5194/2



LEGEND

Local Government Authorities	Clearing Instruments
Cadastre	Areas Approved to Clear
Road Centrelines	
Denmark 50cm Orthomosaic - Landgate 2007	

Scale 1:20000
(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.

M Wainock Date 14/2/13

M Wainock

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.: 5194/2
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: Mount Shadforth Road reserve, Denmark
Scotsdale Road reserve, Scotsdale and Denmark

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 14 February 2013

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 - Tall forest; karri (Eucalyptus diversicolor) (Shepherd et al. 2001).	The application is to clear up to 1.8 hectares of native vegetation within Scotsdale Road reserve, Scotsdale 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 Roadside 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 - Mosaic: Medium forest; jarrah-marri / Low forest; jarrah (Shepherd et al. 2001).		To	
Mattiske vegetation complex: Kb - Mosaic of tall open forest of Eucalyptus guilfoylei-Eucalyptus jacksonii-Eucalyptus diversicolor on slopes of major hills rising above coastal plain with Allocasuarina decussata-Banksia grandis-Agonis flexuosa on slopes in hyper humid and per humid zones and tall open forest of Eucalyptus brevistylis-Eucalyptus marginata subsp. marginata-Corymbia calophylla and the occasional Eucalyptus megacarpa near rock outcrops in hyper humid and per humid zones (Mattiske and Havel 1998).	The vegetation within the road reserves has been identified as Acacia mixed shrubland with dominant Jarrah/Marri/Karri forest. Species include Marri, Jarrah, Karri, Agonis flexuosa, Agonis juniperina, Agonis parviceps, Allocasuarina decussata, Eucalyptus patens, Eucalyptus megacarpa, and Hakea varia (Shire of Denmark 2012).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994).	
Mattiske vegetation complex: Vh3 -Tall open forest of Eucalyptus diversicolor-Eucalyptus guilfoylei on slopes and woodland of Eucalyptus rudis -Banksia littoralis on lower slopes in hyper humid and per humid zones (Mattiske and Havel 1998).			

3. Assessment of application against clearing principles

(Comments)

This application is the result of an amendment to CPS 5194/1. The amendment is to increase the area from one hectare to 1.8 hectares by extending the southern section of the Scotsdale Road reserve application area. The northern section of the Scotsdale Road reserve application area has been removed. The amendment does not affect the Mount Shadforth Road reserve application area. The assessment findings for CPS 5194/1 have been used in this assessment as they are current and relevant.

Road side assessments carried out by the Roadside Conservation Committee (2010) and the Denmark Environment Centre (2012) identified parts of 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 Scotsdale Road application area runs parallel to and within 10 metres of Scotsdale Brook and in the southern section, runs parallel to and within 30 metres of the Denmark River. Several minor, perennial watercourses cross the application area. Riparian vegetation was identified within the application area (Shire of Denmark 2012b).

The Scotsdale Road application area lies adjacent to Scotsdale Nature Reserve (A class) and within 300 metres of another two A class reserves. The clearing of native vegetation adjacent to a reserve may increase the spread of weeds and dieback into the reserve. 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. A site inspection by Department of Environment and Conservation staff identified no habitat trees within the original application area (DEC 2012).

The proposed clearing of 1.8 hectare of native vegetation is at variance to Principle (f), may be at variance to Principle (h) and is not likely to be at variance to the remaining clearing principles.

Methodology

References

- Denmark Environment Centre 2012
- DEC 2012
- Road Side Conservation Committee 2010
- Shire of Denmark 2012a
- Shire of Denmark 2012a
- GIS Databases:
 - Clearing Regulations, Environmentally Sensitive Areas
 - DEC Tenure
 - Denmark 50cm Orthomosaic Landgate 2007
 - Hydrography, Linear
 - Pre European Vegetation
 - Roadside Conservation Values
 - SAC Biodatasets

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 during the original application. 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 is located adjacent to the Denmark River Aboriginal Site 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 Databases
 - Roadside Conservation Values
 - Aboriginal Sites of Significance

4. References

- DEC (2012) 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 (DEC REF: A543814).
- 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 (DEC REF: A540809).
- 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 received from the Shire of Denmark. Shire of Denmark, September 2012 (DEC 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)