



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7126/1
Permit Holder:	City of Albany
Duration of Permit:	10 September 2016 – 10 September 2021

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 a demonstration mountain bike trail.

2. Land on which clearing is to be done

Lot 502 on Deposited Plan 57368, Mount Clarence
Lot 508 on Deposited Plan 64941, Mount Clarence
Lot 1189 on Deposited Plan 210517, Mount Clarence

3. Area of Clearing

The Permit Holder must not clear more than 0.12 hectares of native vegetation within the area hatched yellow on attached Plan 7126/1.

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.

PART II – MANAGEMENT CONDITIONS

6. 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.

7. 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) ensure that no dieback or weed-affected soil, mulch, fill or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

8. Flora management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *botanist* to conduct a *targeted flora survey* of the Permit Area for the presence of rare flora listed in the *Wildlife Conservation (Rare Flora) Notice* and *priority flora* in accordance with *Guidance Statement No. 51*.
- (b) Where rare or *priority* flora are identified under condition 8(a) of this Permit, the Permit Holder shall engage a *botanist* to map the *critical habitat* of the identified rare or *priority* flora within the Permit Area.
- (c) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *targeted flora survey* in a report to the CEO.
- (d) If rare or *priority* flora are identified within the Permit Area, the *targeted flora survey* report must include the following:
 - (i) the location of each rare, *priority*, either as the location of individual plants, or where this is not practical, the areal extent of the population and an estimate of the number of plants, 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; and
 - (ii) the species name of each rare, *priority*, identified; and
 - (iii) the methodology, used to survey the Permit Area and to establish the *critical habitat* of flora; and
 - (iv) the extent of the *critical habitat* of the identified rare or *priority* flora shown on a map; and
 - (v) a site description of the *critical habitat* of rare or *priority* flora found.
- (e) Where rare or *priority* flora are identified under condition 8(a) of this Permit, the Permit Holder shall ensure that no clearing of *critical habitat* of the identified rare or *priority* flora occurs, unless first approved by the CEO.

DEFINITIONS

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

botanist: means a person who holds a tertiary qualification in environmental science or equivalent, and has a minimum of 2 years work experience in identification and surveys of flora native to the bioregion being inspected or surveyed, or who is approved by the CEO as a suitable botanist for the bioregion;

critical habitat: means any part of the Permit Area comprising of the habitat of flora or fauna species and its population, that is critical for the health and long term survival of the flora or fauna species and its population;

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

fill means material used to increase the ground level, or fill a hollow;

Guidance Statement No. 51 means the Environmental Protection Authority Guidance Statement No 51, Guidance for the Assessment of Environmental Factors - Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia (2004);

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;

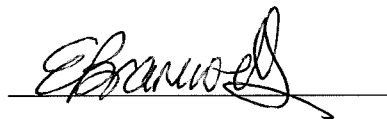
priority flora means those plant taxa described as priority flora classes 1, 2, 3, 4 or 5 in the *Department of Parks and Wildlife's Threatened and Priority Flora List for Western Australia* (as amended);

targeted flora survey: means a field-based investigation, including a review of established literature, of the biodiversity of flora and vegetation of the Permit Area, focusing on habitat suitable for flora species that are being targeted and carried out during the optimal time to identify those species. Where target flora are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

weed/s means any plant -

- (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or
- (b) published in a Department of Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

Wildlife Conservation (Rare Flora) Notice means those plant taxa gazetted as rare flora pursuant to section 23F(2) of the *Wildlife Conservation Act 1950* (as amended).



Emma Bramwell
A/ MANAGER
CLEARING REGULATION

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

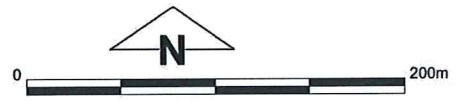
11 August 2016

Plan 7126/1



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Cadastre



1:3,817

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

Emma Bramwell Date *11/08/16*
 Emma Bramwell

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



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 WESTERN AUSTRALIA
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1. Application details

1.1. Permit application details

Permit application No.: 7126/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: City of Albany

1.3. Property details

Property: Lot 502 on Plan 57368
Lot 508 on Plan 64941
Lot 1189 on Plan 210517

Local Government Authority: City of Albany
DER Region: South Coast
DPaW District: Albany
Localities: Mount Clarence

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 11 August 2016

Reasons for Decision: The clearing application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*, and it has been concluded that the proposed clearing may be at variance to Principles (a) and (c) and is unlikely to be at variance to the remaining principles.

The Delegated Officer determined that the application area contains suitable habitat for rare and priority flora, and that the proposed clearing may indirectly impact adjacent native vegetation through the spread of weeds and dieback.

The clearing permit includes a condition for flora management requiring the Permit Holder to conduct a targeted flora survey for rare and priority flora and to avoid clearing critical habitat of any rare and priority flora identified, and a condition for dieback and weed control.

State and other relevant policies have been taken into consideration in the decision to refuse to grant a clearing permit.

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 application area is mapped as: <ul style="list-style-type: none"> Beard vegetation association 128 which is described as bare areas; rock outcrops, and Beard vegetation association 3 which is described as medium forest; jarrah-marri (Shepherd et al., 2001). 	The application is to clear 0.12 hectares of native vegetation within Lot 502 on Deposited Plan 57368, Lot 508 on Deposited Plan 64941 and Lot 1189 on Deposited Plan 210517, Mount Clarence, for the purpose of recreation.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).	The condition of the vegetation under application was determined by aerial photography and supporting information provided by Great Southern Bio Logic (2016).

3. Assessment of application against clearing principles

Comments The application is to clear 0.12 hectares of native vegetation within Lot 502 on Deposited Plan 57368, Lot 508 on Deposited Plan 64941 and Lot 1189 on Deposited Plan 210517, Mount Clarence, for the purpose of constructing a demonstration mountain bike trail (recreation).

Ten rare and 51 priority (P) flora species have been recorded within the local area (10 kilometre radius). A P1 flora species and a rare flora species have been recorded approximately 200 metres and 750 metres, respectively, from the application area. A flora survey was undertaken within the application area in May 2016 and no rare or priority flora were identified (Bio Diverse Solutions, 2016). The flora survey was undertaken

outside the flowering period of many of the rare or priority flora species known from the local area, and therefore these species may not have been identifiable during the survey. It is considered that rare and priority flora may occur within the application area. A targeted flora survey undertaken by a suitably-qualified botanist would be required to determine whether the proposed clearing is likely to impact on rare or priority flora.

Thirty two fauna listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within the local area (Parks and Wildlife 2007-). Noting the relatively small size (0.12 hectares) and linear shape of the application area, and that the application area part of a larger remnant of vegetation, it is considered that the application area is unlikely to comprise significant habitat for fauna indigenous.

According to available databases, no threatened or priority ecological communities, conservation areas, wetlands or watercourses have been recorded within close proximity to the application area.

The application area is part of a larger remnant of approximately 250 hectares, and the proposed clearing may indirectly impact adjacent native vegetation through the spread of weeds and dieback. Weed and dieback management practices will assist in mitigating this risk.

The local area retains approximately 30 per cent native vegetation cover. Noting the relatively small size (0.12 hectares) and linear shape of the application area, and that the application area part of a larger remnant of vegetation, it is considered that the application area is unlikely to be significant as a remnant within an extensively cleared area. It is also considered that the proposed clearing is unlikely to cause appreciable land degradation, cause deterioration in the quality of water, or cause or exacerbate flooding.

Given the above, it is considered that the proposed clearing may be at variance to principles (a) and (c), and is not likely to be at variance to the remaining principles.

Methodology

References:

Bio Diverse Solutions (2016)
Keighery (1994)
Parks and Wildlife (2007-)

GIS Databases:

- SAC Bio Datasets (accessed July 2016)
- Hydrography linear
- NLWRA, Current Extent of Native Vegetation
- Parks and Wildlife tenure
- Geomorphic Wetlands (Classification), Swan Coastal Plain
- Soils, statewide

Planning instruments and other relevant matters.

Comments

On 18 July 2016 the application was advertised in *The West Australian* newspaper for a seven day submission period. No public submissions were received.

A dieback report prepared by Great Southern Bio Logic (2016) identified that dieback occurs throughout the Mount Clarence reserve. Two samples collected within the application area were positive for dieback infestation. The report indicated that there were no areas within the Mount Clarence reserve that could be protected from dieback. Dieback hygiene measures including the cleaning of all machinery and equipment entering the site should be implemented to ensure that dieback is not spread elsewhere outside of the reserve.

Methodology

References:

Great Southern Bio Logic (2016)

4. References

- Bio Diverse Solutions (2016) Targeted Threatened Flora Survey Proposed Mountain Bike Trail Mount Clarence. Western Australia. (DER ref. A1114958)
- Department of Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. (Accessed July 2016)
- Great Southern Bio Logic (2016) *Phytophthora* dieback hygiene survey of the proposed Mt Clarence/Corndarup and Mt Adelaide/Irrerup mountain bike trails area. Western Australia.
- 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.