Department of Environment
Government of Western Australia

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 784/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: **City of Albany**

1.3. Property details

Property: LOT 2755 ON PLAN 138506 (ELLEKER 6330)
LOT 659 ON PLAN 100639 (MARBELUP 6330)
Local Government Area: City Of Albany
Colloquial name: South Coast Highway - Reserve 21510

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
6		Mechanical Removal	Extractive Industry

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 Association 978 - Low Forest; jarrah, Eucalyptus staeri & Allocasuarina fraseriana (Hopkins et al., 2001; Shepherd et al., 2002). Connell & ATA Environmental describe the vegetation as Eucalyptus-Casuarina Low Forest F; Low Eucalyptus marginata/E. decipiens & Allocasuarina fraseriana forest on low yellow sand-plains (<15m elevation). Species include Nuytsia floribunda, Banksia attenuata, Banksia ilicifolia, Beaufortia sparsa (Connell and ATA Environmental, 2001).	The area contained jarrah/marri woodlands with Banksia and Sheoak species (DoE Site Visit, TRIM ref AD207).	Pristine: No obvious signs of disturbance (Keighery, 1994).	The site visit showed that the vegetation was in a pristine condition, it was intact with no signs of disturbance or degradation (DoE Site Visit, TRIM ref AD207).

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 is not likely to be at variance to this Principle

The area under application appears to contain a high level of biological diversity and the vegetation proposed to be cleared is in near pristine condition (DoE Site Visit), which would suggest that the proposed clearing is at variance to this Principle. However, the City of Albany has developed a rehabilitation plan for the site, which will be implemented as soon as the gravel has been extracted and the area to be cleared is relatively small (6ha) when compared to the remaining intact vegetation in the reserve 21510. One side of the proposed area to be cleared adjoins existing gravel pits and within 3km of the proposed site there are over 150ha of vegetation in reserve which are likely to contain a similar level of biodiversity. Given these factors it is considered that this proposal is not likely to be at variance to this Principle.

Methodology DoE Site Visit (TRIM ref AD207)
GIS Database:
- Albany 1.4m Orthomosaic - DLI March 03

(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 not likely to be at variance to this Principle

The vegetation at the site to be cleared is likely to provide habitat for fauna (DoE Site Visit) given the good quality of the vegetation present. The Marbelup Hill Reserve is a suitable habitat for species such as Quenda, and a known habitat for the western ringtail possum (Spatial Information Surveys, 2003). However, this habitat is unlikely to be significant with respect to the local area as there is over 150ha of vegetation within reserves close to the site. The applicant is retaining significant areas of vegetation on the reserve and within three years of the clearing the area will be rehabilitated with local native flora species and the topsoil and vegetative material will be returned to provide habitat and aid revegetation. Given these considerations the proposal is not likely to be at variance to this Principle.

Methodology

DoE Site Visit (TRIM ref AD207), Spatial Information Surveys (2003)
GIS Database:
- Albany 1.4m Orthomosaic - DLI March 03

(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

A flora survey indicated that there were a number of Priority 4 (Stylidium plantagineum) populations recorded around the reserve, however none were seen in the area proposed to be cleared (Spatial Information Surveys, 2003). The nearest Declared Rare Flora (DRF) is Baeckea arbuscula, 1.5km to the northeast. There is another DRF and twelve Priority species located within an 8km radius of the area under application. None of these species were identified at the site during the flora survey carried out in November 2003 (Spatial Information Surveys, 2003). Based on the flora survey and the DoE Site Visit it is considered that this proposal will not impact any Priority or Rare Flora species and as such is unlikely to be at variance to this Principle.

Methodology

Spatial Information Surveys (2003), DoE Site Visit (TRIM ref AD207)
GIS Database:
-Declared and Priority Flora List - CALM 01/07/05

(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 closest recorded Threatened Ecological Community (TEC) to the site is 41km to the west (ML207, ML208.1) and 44km to the northeast (Knights East; a low-lying ironstone community). The area under application is not likely to be a TEC given that the one vegetation association present at the site is common and typical of the Albany system (Spatial Information Surveys, 2003). Therefore it is considered that the proposal is not likely to be at variance with this Clearing Principle.

Methodology

Spatial Information Surveys (2003)
GIS Database:
-Threatened Ecological Communities - CALM 12/04/05

(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 at variance to this Principle

There has been a moderate level of clearing in the Jarrah Forest Bioregion (58.7% remaining) which places it in the category of 'least concern' for conservation (AGPS, 2001; Department of Natural Resources and Environment, 2002). Beard vegetation association 978 is depleted with only 39.1% remaining (Hopkins et al., 2001; Shepherd et al., 2002; Department of Natural Resources and Environment, 2002) and with 14% in reserve this vegetation association is 1% below the benchmark for representation in conservation reserves (JANIS, 1997). Within the City of Albany vegetation is depleted with 38.9% remaining (Shepherd et al., 2002 and Department of Natural Resources and Environment, 2002). For the Albany Hinterland the vegetation complex is well represented with 62.7% remaining which is of least concern for conservation (Connell and ATA Environmental, 2001 and Department of Natural Resources and Environment, 2002), although it has only 2.3% in reserve. The National Objective and Targets for Biodiversity Conservation 2001-2005 (AGPS, 2001) recognises that the retention of 30% or more of the pre-clearing extent of each ecological community is the target. With respect to this, the application is not at variance to this Clearing Principle.

Methodology

Hopkins et al. (2001), Shepherd et al. (2001), Department of Natural Resources and Environment (2002), Connell and ATA Environmental (2001), AGPS (2001) and JANIS (1997).

(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 not at variance to this Principle

There are no watercourses located on the property. However the Marbellup Flats are located 1km to the east, Powell Lake is located 2.8km to the southeast and Seven Mile Creek located 5.5km to the east, all of which are classified as South Coast Significant Wetlands and Lake Powell is also on the Register of National Estate. Given that there is a vegetated buffer between 70 and 500m wide between the clearing and the edge of the reserve and the distance between these waterbodies and the site is 1km at the closest, they are unlikely to be impacted by this proposed clearing.

Methodology

GIS Databases:
-Hydrography, linear - DoE 01/02/04
-South Coast Significant Wetlands - DoE 04/08/03

(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

Clearing at this site is unlikely to cause appreciable land degradation provided appropriate rehabilitation is undertaken following extraction (DAWA, 2005). There is no recorded risk of waterlogging or salinity.

Methodology

DoE Site Visit (TRIM ref AD207), DAWA (2005)
GIS Database:
-Salinity Monitoring LM 50m - DOLA 00

(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 not likely to be at variance to this Principle

The nearest conservation area is the Marbelup Nature Reserve located 1.5km to the east. Lake Powell nature reserve is located 3km southeast. The small area proposed to be cleared is surrounded by a vegetated buffer and will be rehabilitated after the gravel has been extracted, it is unlikely that granting this permit will have a negative impact on the environmental values of the nearby conservation areas.

Methodology

GIS Databases:
-CALM Managed Lands and Water - CALM 01/07/05

(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 area proposed to be cleared lies within the Gazetted Marbelup Water Reserve. However the reserve has not yet had priority areas assigned through a Drinking Water Source Protection Plan. Given that the area is relatively small (6ha), will be rehabilitated after use and is buffered by native vegetation on all sides, it is unlikely to detrimentally impact the quality of surface or ground water in the area.

Methodology

GIS Databases:
-Public Drinking Water Source Areas (PDWSAs) - DOE 09/08/05
-Hydrographic Catchments-Subcatchments-23/03/2005

(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 at variance to this Principle

The topography of the Reserve consists of undulating uplands with elongated crests and gentle slopes (DoE Site Visit). The gradient ranges from 60-50m (ADH) at the site and due to the small area to be cleared (6ha) relative to the size of the surrounding vegetated forest, the proposed clearing will not impact peak flood height or duration.

Methodology

DoS Site Visit (TRIM ref AD207)
GIS Database:
-Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

No objections have been raised for this proposed clearing activity. There is no other RIWI Act Licence, Works Approval or EP Act Licence that will affect the area that has been applied to clear. The area under application is within Crown Reserve 21510, reserved for the purpose of "Gravel, Conservation and Protection of Flora". It is the CEO of the Department's view that the grant of a clearing permit in this case constitutes a secondary

approval that removes the Environmental Protection Act's prohibition on the applicant exercising its statutory powers. Accordingly, the CEO is not required to comply with future act procedures under the Native Title Act 1993.

Methodology GIS Databases:
-Cadastre - DLI 1/05/05
-Native Title Calims - DLI 07/11/05

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Extractive Industry	Mechanical Removal	6	**Grant**	It is recommended that the application to clear 6ha of native vegetation for the purpose of gravel extraction be granted as the proposal is not at variance with Clearing Principles d, e, f, g, h, i and j and not likely to be at variance with Clearing Principles a, b and c. It is recommended that rehabilitation of the site after the gravel has been extracted be made a condition of this permit so as to mitigate any environmental harm caused by the clearing.

5. References

AGPS (2001) The national objective and targets for biodiversity conservation 2001-2005. Commonwealth of Australia, Canberra.

Connell and ATA Environmental (2001) Vegetation survey of the Albany Hinterland. Unpublished. City of Albany and Natural Heritage Trust.

DAWA (2005) Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture Western Australia. DoE TRIM ref AI827.

Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales ; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

JANIS Forests Criteria (1997) Nationally agreed criteria for the establishment of a comprehensive, Adequate and Representative reserve System for Forests in Australia. A report by the Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-committee. Regional Forests Agreement process. Commonwealth of Australia, Canberra.

Keighery, BJ (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.

Spatial Information Surveys (2003) Marbellup Hill Gravel Reserve 21510 Preliminary Flora Survey. Mount Barker, Western Australia.

6. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management
DAWA	Department of Agriculture
DEP	Department of Environmental Protection (now DoE)
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 DoE)