



1. Application details

1.1. Permit application details

Permit application No.: 817/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Commissioner of Main Roads WA

1.3. Property details

Property: DOLA_LAND_DESCRIPTION
Local Government Area: LGA
Colloquial name: COLLOQUIAL_NAME

1.4. Application

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

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
	Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. The proposed clearing of native vegetation is likely to impact on many vegetation associations in varied condition.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	

3. Assessment of application against clearing principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that some areas proposed to be cleared for these activities will comprise a high level of biological diversity.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as comprising a high level of biological diversity, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

If the proposed clearing is at variance to this principle, MRWA will be required to offset the area cleared in accordance with Part V of the clearing permit. If the proposed clearing may be seriously at variance with this principle, MRWA must submit a separate clearing permit application to the CEO.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(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

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that some areas proposed to be cleared for these activities will comprise the whole or part of, or be necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as comprising the whole or part of, or being necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that some areas proposed to be cleared for these activities will include, or be necessary for the continued existence of, rare flora.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as including, or being necessary for the continued existence of, rare flora, , then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(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

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that some areas proposed to be cleared for these activities will comprise the whole or part of, or be necessary for the maintenance of, a threatened ecological community.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as comprising the whole or part of, or being necessary for the maintenance of, a threatened ecological community, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(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

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that some areas proposed to be cleared for these activities will contain native vegetation that is significant as a remnant of native vegetation in an area that has been extensively cleared.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as containing native vegetation that is significant as a remnant of native vegetation in an area that has been extensively cleared, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(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

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that some areas proposed to be cleared for these activities will comprise native vegetation that is growing in, or in association with, an environment associated with a watercourse or wetland.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as comprising native vegetation that is growing in, or in association with, an environment associated with a watercourse or wetland, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

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

Comments

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that the clearing of native vegetation in some areas proposed to be cleared for these activities will be likely to cause appreciable land degradation.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as likely to cause appreciable land degradation, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(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

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. The proposed clearing of native vegetation in some areas will be likely to have an impact on the environmental values of an adjacent or nearby conservation area.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as likely to have an impact on the environmental values of an adjacent or nearby conservation area, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and

where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(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

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. It is likely that the clearing of native vegetation in some areas proposed to be cleared for these activities will be likely to cause deterioration in the quality of surface or underground water.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as likely to cause deterioration in the quality of surface or underground water, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments

Clearing for project activities in unplanned events, and prevention of imminent danger to human health, including within ESAs, will occur statewide. The clearing of native vegetation in some areas proposed to be cleared for these activities will be likely to cause, or exacerbate, the incidence or intensity of flooding.

Where areas proposed to be cleared are identified by MRWA's environmental specialist as likely to cause, or exacerbate, the incidence or intensity of flooding, then the assessment process set out in Part II of the clearing permit will apply to require MRWA to:

- undertake preliminary environmental impact assessment; and
- implement a revegetation and rehabilitation to address the impacts of the clearing.

Justification of all clearing is required and where clearing can not be done in accordance with CPS 818/4. Where clearing is to occur conditions have been set out to minimise the clearing of native vegetation, and where clearing is to occur the areas must be revegetated.

Methodology Refer to Parts II, III and IV of the clearing permit.

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

Comments

A submission was received from the native title representative body on 15 August 2005 alleging that grant of this permit will constitute a future act pursuant to section 24GE(1)(e) of the Native Title Act 1993, namely a right to cut and remove timber. The native title representative body believes that this Department is required to comply with provisions of the affording registered native title claimants "significant procedural rights", and requests the this Department provide written advice accompanied by a statement of reasons if not intending to comply with Native Title Act 1993 provisions. The obligation to comply with the Native Title Act 1993 future act processes rests with the proponent.

A submission was received on 5 September 2005 opposing the grant of this permit on the following grounds:

- regional limits for clearing per annum is 'grossly excessive';
- proponent's internal EIA procedures are 'demonstrably inadequate';
- results of proponent's internal EIA procedures not open to public scrutiny;
- permit will apply to incidental and unexpected activities, not those activities listed in permit application;
- Ministerial conditions to minimise clearing not imposed for this permit; and
- a purpose permit is not warranted, assessment of application should be expedited for this proponent.

Methodology

4. Assessor's comments

Purpose	Method	Applied	Comment
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area (ha)/ trees

5. References

- AGPS (2001) The national objective and targets for biodiversity conservation 2001-2005. Commonwealth of Australia, Canberra.
- DEP (2002) Remnant vegetation of the Swan Coastal Plain Bioregion within the System 6 and System 1. Department of Environmental Protection, Perth.
- 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.
- EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority.
- Government of Western Australia (1997) Wetlands Conservation Policy for Western Australia, Department of Conservation and Land Management and the Water and Rivers Commission, Perth WA.
- Government of Western Australia (2000) Bush Forever Volumes 1 and 2. Western Australian Planning Commission, Perth WA.
- Havel, J.J. and Mattiske Consulting Pty Ltd (2002) Review of management options for poorly represented vegetation complexes, Conservation Commission.
- Hedde, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, 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.
- Mattiske Consulting (1998) Mapping of vegetation complexes in the South West forest region of Western Australia, CALM.
- Schoknecht N. (2002) Soil Groups of Western Australia. A simple guide to the main soils of Western Australia. Resource Management Technical Report 246. Edition 3
- 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.

6. 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)