



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8760/1
File Number: DWERVT5019
Duration of Permit: From 7 March 2020 to 7 March 2022

PERMIT HOLDER

City of Albany

LAND ON WHICH CLEARING IS TO BE DONE

Lot 7772 on Plan 24315 (Crown Reserve 25551), Torndirrup

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.005 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8760/1.

CONDITIONS

1. Avoid, minimise and reduce the impacts and extent of 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:

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

2. 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.

3. 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.

4. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this Permit:

- (a) the location where the clearing occurred, 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;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 1 of this Permit; and

- (e) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 2 of this Permit.

5. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 4 of this Permit, when requested by the *CEO*.

DEFINITIONS

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

CEO: means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

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

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



Ryan Mincham

2020.02.06

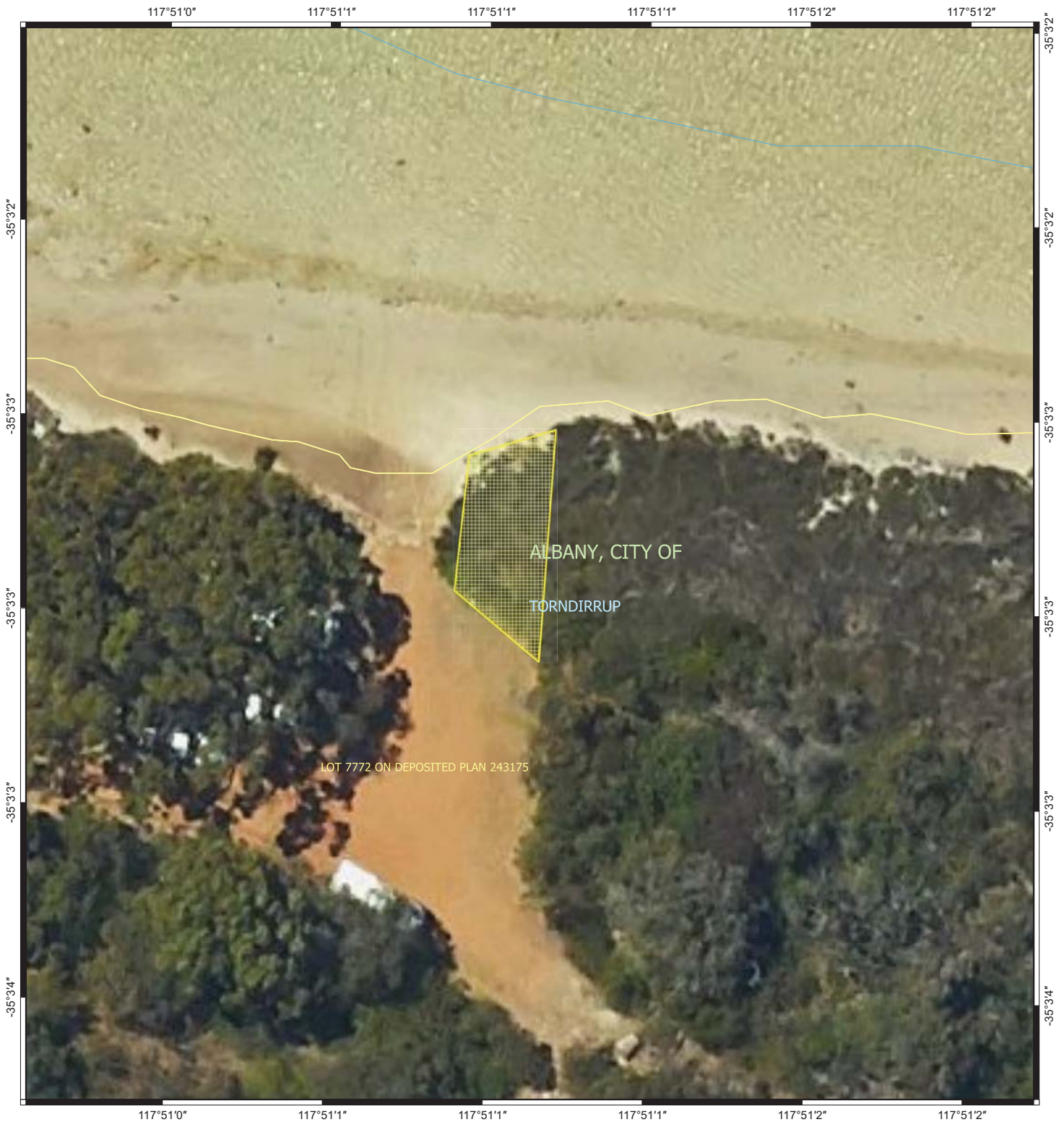
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Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

6 February 2020

Plan 8760/1



Legend

-  CPS areas approved to clear
-  Local Government Authorities
-  Cadastre - LGATE 218

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Ryan Mincham
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Officer delegated under section 20 of the
Environmental Protection Act 1986



GOVERNMENT OF
WESTERN AUSTRALIA



1. Application details

1.1. Permit application details

Permit application No.: 8760/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: City of Albany
Application received date: 12 December 2019

1.3. Property details

Property: Lot 7772 on Plan 243175 (Crown Reserve 25551), Torndirrup
Local Government Authority: City of Albany
Localities: Torndirrup

1.4. Application

| Clearing Area (ha) | No. Trees | Method of Clearing | Purpose category: |
|--------------------|-----------|--------------------|-------------------|
| 0.005 | | Mechanical | Recreation |

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 6 February 2020
Reasons for Decision: The clearing permit application was received on 12 December 2019 and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*.

Through assessment it has been identified that that proposed clearing includes vegetation growing in an environment associated with a watercourse/wetland. It was determined that no significant impact to the environmental values of the watercourse/wetland are expected due to the small size of the proposed clearing site and limited impacts on fringing vegetation.

The proposed clearing is located within a federally listed Threatened Ecological Community (TEC), namely 'Subtropical and Temperate Coastal Saltmarsh'. However, the small scale of clearing, limited edge effects and minimal-disturbance associated with the boardwalk design and construction techniques will result in limited environmental impacts to the TEC.

It has been concluded that the proposed clearing may be at variance with Principle (a), is at variance with Principle (f) and is not likely to be at variance with any of the remaining clearing principles.

In determining to grant a clearing permit subject to conditions, the Delegated Officer considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description: The application is for the proposed clearing of 0.005 hectares of native vegetation within Lot 7772 on Plan 243175 (Crown Reserve 25551), Torndirrup, for the purpose of constructing a boardwalk over foreshore vegetation for sustainable access to the water by kite surfers.

Vegetation Description The application area is located within the 'Warren' region of the Interim Biogeographic Regionalisation for Australia (IBRA) and is mapped as the following Beard vegetation association: Torndirrup (22): Low woodland; *Agonis flexuosa* (Shepherd et al, 2001).



Figures 1 and 2 - Photographs supplied by the applicant indicate the vegetation within the application area consists of small sedges on the edge of the marine waters (City of Albany, 2019a).

Vegetation Condition

As indicated by photos supplied by the applicant (City of Albany, 2019a), the vegetation condition within the application area is:

Very good: vegetation structure altered, obvious signs of disturbance. For example, disturbance to vegetation structure caused by repeated fires, the presence of some aggressive weeds, dieback, logging and grazing (Keighery, 1994).

Soil Type

The soil type within the application area is mapped as Meerup podzols over calcareous sand Phase: Podzols over calcareous sand; banksia-bulich-yate woodland (242Me) (Schoknecht et al., 2004).

Comments

The local area is defined as a 10 kilometre (km) radius from the application area. A review of available databases has determined that the local area retains approximately 50 per cent of its pre-European clearing extent.

3. Assessment of application against clearing principles and planning instruments and other matters

The application proposes the clearing of 0.005 hectares of native vegetation on the edge of marine coastline in Princess Royal Harbour, Albany.

The applicant has avoided and minimised the impacts of the proposed clearing by digging a maximum 6 x 400mm holes and designing the boardwalk in such a way to allow some sunlight through, thereby promoting vegetation growth beneath the structure. The final land use will act to limit foot traffic on the local vegetation. This application area was selected based upon recommendations from the Black Swan Point Management Plan 2015-2015 (City of Albany, 2019b).

According to the available databases, the vegetation within the application area is mapped as the federally listed Threatened Ecological Community (TEC) 'Subtropical and Temperate Coastal Saltmarsh', which is listed as 'Vulnerable' by the Department of Environment and Energy under the *Environment Protection and Biodiversity and Conservation Act 1999* (EPBC Act) and as a 'Priority 3' Priority Ecological Community (PEC) by the Department of Biodiversity, Conservation and Attractions. This TEC can include *Austrostipa stipoides* (spear grass), *Gahnia filum* (clumped sedge), *Juncus kraussii* (sea rush), or *Samolus repens* (creeping brookweed, water pimpernel) (Department of Sustainability, Environment, Water, Population and Communities, 2013). The mapped patch of the Subtropical and Temperate Coastal Saltmarsh is approximately 10.7 hectares, ranging from good to very good condition (Keighery, 1994), and covers approximately 5 km of the intertidal area of the Princess Royal Harbour in Albany (Penn, 1995). Although the vegetation within the clearing area meets the key diagnostic characteristics of the 'Subtropical and Temperate Coastal Saltmarsh' TEC (Department of Sustainability, Environment, Water, Population and Communities, 2013), the relatively small scale of applied clearing does not meet the required minimum patch size (> 0.1ha of isolated coastal saltmarsh or an aggregate total of > 0.1ha of individual patches <30m apart). The applied area borders an already cleared track used by pedestrians to access the coastal shore, limiting the disturbance impacts to small edge effects on the TEC patch.

The applicant has also committed to using machinery designed to avoid vegetation disturbance during the construction phase, limiting the overall clearing by only digging a maximum 6 x 400mm holes and designing the boardwalk in such a way to allow some sunlight through, promoting the vegetation to grow under the structure (City of Albany, 2019b). Disturbances caused by the proposed clearing may also impact the 'Subtropical and Temperate Coastal Saltmarsh' TEC through an increase in weed abundance, however, weed management practices will assist in mitigating this risk. Therefore, the proposed clearing may be at variance to Principle (a), however the small scale of clearing, limited edge effects and small-disturbance design and construction features will result in minimal environmental impacts.

After reviewing DWER available databases, one federal and three state listed conservation significant fauna species were identified as possibly occurring within, or adjacent to the proposed clearing. Under the *Biodiversity Conservation Act 2016* the Main's Assassin Spider (*Zephyrarchaea maina*) is listed as Vulnerable, the Woollybush Bee (*Hylaeus globuliferus*) is listed as Priority 3 and the Water Rat/Rakali (*Hydromys chrysogaster*) is listed as Priority 4. The Banksia Brownii Plant-Louse (*Trioza barrettae*) listed as Endangered under both the *Biodiversity Conservation Act 2016* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). None of the above species are likely to occur in the clearing vegetation type, based on the Subtropical and Temperate Coastal Saltmarsh Threatened Ecological Community approved conservation advice (Department of Sustainability, Environment, Water, Population and Communities, 2013). Also, based on the vegetation structure and composition within the application area, the clearing is unlikely contain significant foraging or breeding habitat for other conservation significant fauna.

Available databases identified nine threatened flora species and 15 priority flora species within the local area (10km radius). Given the vegetation identified in the application area, the relatively small scale of the clearing and the intertidal nature of the vegetation, the clearing is not likely to impact any Threatened or Priority flora species that are known to occur within the local area.

Given the above, the proposed clearing is unlikely to impact on significant habitat for indigenous fauna, or be necessary for the continued existence of threatened flora or the maintenance of a state listed TEC.

The National Objectives and Targets for Biodiversity Conservation include a target to prevent the clearance of ecological communities with an extent below 30 per cent of that present pre-European settlement (Commonwealth of Australia, 2001). The application area falls within the Warren IBRA bioregion and is mapped as the Torndirrup (22) system (Shepherd et al, 2001), which state-wide retain approximately 79.07 per cent and 84.60 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2019a; Government of Western Australia 2019b). On this basis, and noting the scale of the proposed clearing, extent of native vegetation remaining within the local area, and that the application area is not likely to impact on flora or ecological communities of conservation significance or comprise significant habitat for indigenous fauna, the application area is unlikely to be significant as a remnant of native vegetation in an area that has been extensively cleared.

The application area sits in the intertidal zone of the Princess Royal Harbour, and therefore the vegetation within the application area is associated with a watercourse/wetland. Noting the small size of the clearing area (0.005 hectares), the proposed clearing is unlikely to cause significant environmental impact to the vegetation growing in, or in association with, an environment associated with a watercourse or wetland.

Noting the small scale and location of the application area, the proposed clearing is unlikely to impact on the environmental values of any adjacent or nearby conservation areas, exacerbate or contribute to further land degradation, deteriorate the quality of groundwater or cause or exacerbate the intensity of flooding.

Given the above, the proposed clearing may be at variance to Principle (a), is at variance to Principle (f) and not likely to be at variance to the remaining clearing principles.

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 9 January 2020, inviting submissions from the public within a 14 day period. No submissions were received in relation to this application.

No Aboriginal Sites of Significance have been mapped within the application area.

4. References

- City of Albany (2019a). Application documents in relation to clearing permit application CPS 8760/1/1. Received on 12 December 2019. DWER Ref: A1852639.
- City of Albany (2019b). Application documents in relation to clearing permit application CPS 8760/1/1. Received on 12 December 2019. DWER Ref: A1852635.
- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Primary Industries and Regional Development (DPIRD) (2019). NRInfo Digital Mapping. Department of Primary Industries and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed January 2020).
- Department of Sustainability, Environment, Water, Population and Communities. (2013). (former department) *Conservation Advice for SUBTROPICAL AND TEMPERATE COASTAL SALTMARSH*. Canberra: Department of Sustainability, Environment, Water, Population and Communities.
- Government of Western Australia. (2018) 2017 South West Vegetation Complex Statistics. Current as of October 2017. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Government of Western Australia. (2019a). 2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth.
- Government of Western Australia. (2019b). 2018 South West Vegetation Complex Statistics. Current as of March 2019. WA Department of Biodiversity, Conservation and Attractions, Perth, <https://catalogue.data.wa.gov.au/dataset/dbca>.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Penn, L. (1995). Fringing estuarine vegetation of Princess Royal Harbour 1992, Report to the Albany Waterways Management Authority, Waterways Commission. Report No. 55
- Schoknecht et al. (2004) Soil-landscape mapping in south-Western Australia: an overview of methodology and outputs, Department of Agriculture and Food, Perth.
- 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.

GIS Databases:

- Soil and Landscape Mapping – Best Available
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Geomorphic Wetlands, Swan Coastal Plain (DBCA-019)
- IBRA Vegetation Statistics
- Carnaby's Cockatoo Areas requiring investigation as feeding habitat in the Swan Coastal Plain (SCP) IBRA Region (DBCA-057)
- Remnant Vegetation
- Groundwater Salinity Statewide (DWER-026)
- Contours (DPIRD-073)
- Flood Risk (DPIRD-007)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Regional Parks (DBCA-026)
- Aboriginal Heritage Places (DPLH-001)
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- TECs and PECs
- Black Cockatoo roost sites
- SCP Vegetation Complex Statistics