



Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 8107/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Southern Slope Soarers, on the behalf of the Albany Model Aero Club Incorporated
Application received date: 20 June 2018

1.3. Property details

Property: Lot 501 on Deposited Plan 60582 (Reserve 13773)
Local Government Authority: City of Albany
Localities: Sandpatch

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.00457		Mechanical Removal	Building or structure

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 29 October 2018
Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

The Delegated Officer determined that the proposed clearing may increase the spread of weeds and pathogens into adjacent vegetation. To minimise this impact, a condition has been placed on the permit requiring the implementation of weed and pathogen management measures.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description This application is for the maintenance of a previously cleared area, 0.00457 hectares in size within Lot 501 on Deposited Plan 60582, utilised as a spectator area during the recreational flying of model aircraft. The application area was previously cleared without a clearing permit.

Vegetation Description The application area is situated within mapped vegetation complex 49, defined as 'Shrublands; mixed heath' (Shepherd et al. 2001).

A review of a photograph of the application area provided by the applicant determined the undisturbed vegetation surrounding the application area is low coastal heath.

Vegetation Condition The review of a photograph of the application area provided by the applicant found that the vegetation within the application area is in 'Completely Degraded' (Keighery 1994) condition. This condition ranking is defined as 'the structure of the vegetation is no longer intact and the area is completely or almost completely without native species' (Keighery 1994).

The review of the aforementioned photograph found the vegetation surrounding the application area is in 'Excellent' (Keighery 1994) condition. This condition ranking is defined as 'vegetation structure intact, disturbance affecting individual species and weeds are non-aggressive species' (Keighery 1994).

Soil type The application area is mapped as occurring within the Meerup System, defined as coastal dunefields, on the southern edge of the Albany Sandplain Zone, with calcareous sand (mostly deep) and pale deep sand (Department of Primary Industry and Regional Development 2017). Peppermint scrub, mallee scrub and coastal heath (Department of Primary Industry and Regional Development 2017).

Comments The local area referred to in the below assessment is defined as the area within a 10 kilometre radius of the application area.

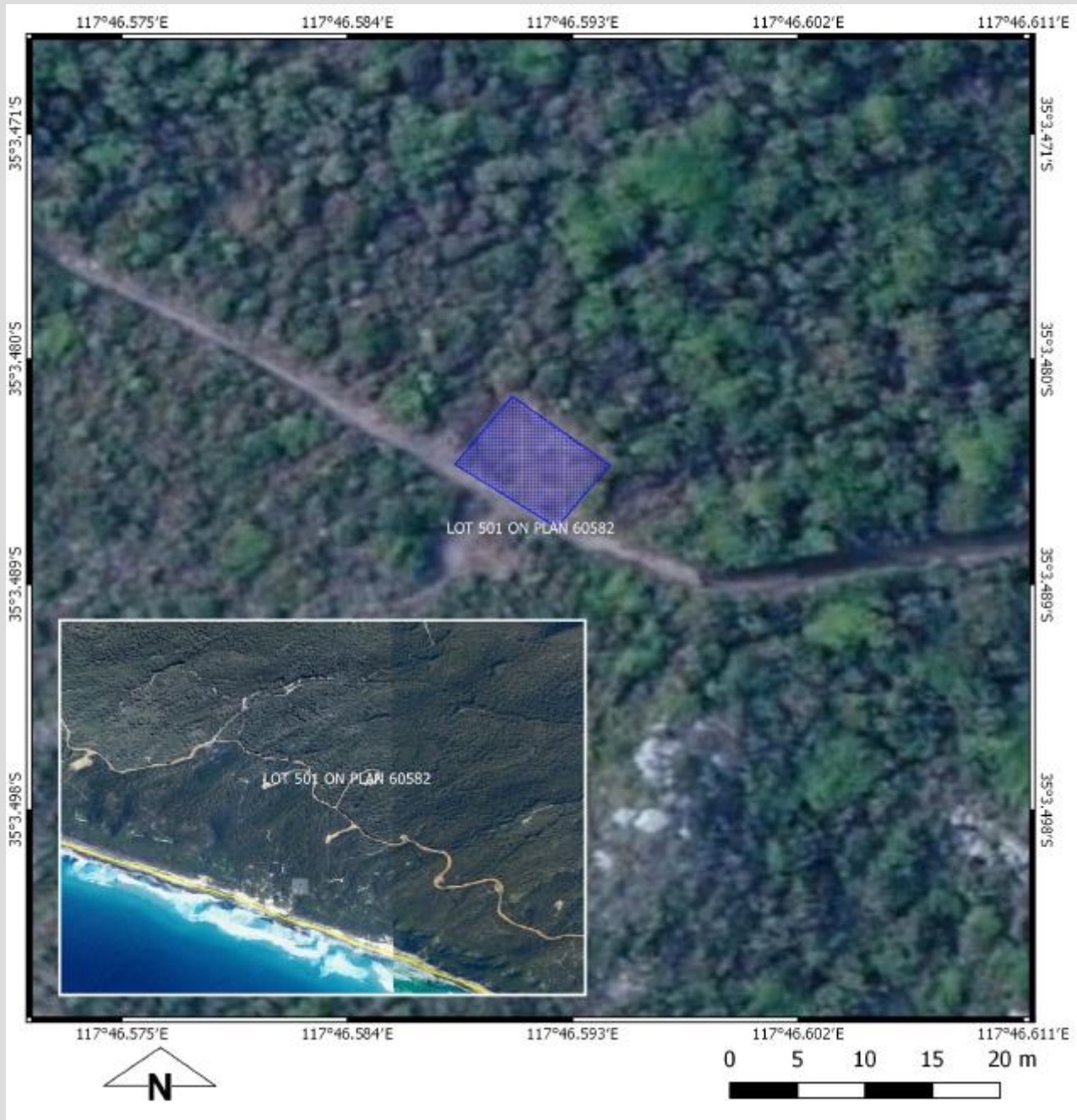


Figure 1: The application area (shown in blue) depicted alongside local lot boundaries (shown in yellow). The application area is inside the white shaded area in the map insert.

3. Assessment of application against clearing principles

The area under application was previously cleared to establish a spectator area for the flying of model aircraft. The application area is accessible using pre-existing tracks and is situated within Lot 501, which is vested with the City of Albany for the purposes of conservation, recreation, water supply and the generation of wind and wave energy.

A review of available databases determined that 32 flora species of conservation significance have been recorded in the local area, comprising four Priority 1 species, six Priority 2 species, five Priority 3 species, eleven Priority 4 species and six Threatened species. When the habitats in the application area are considered alongside the habitat requirements of these species, seven flora species of conservation significance comprising two Priority 3 species, two Priority 4 species and three Threatened species could have occurred in the application area prior to clearing. A review of all recorded occurrences of the above flora species over a distance of 50 kilometres from the application area, overlaid with managed conservation reserves, found that these flora species all have representation within the conservation estate. Managed conservation reserves experience significant protection from human development and consequently represent crucial assets for the protection of species of conservation significance. In addition, a review of available databases determined that the local area and Lot 501 retain over 47 per cent and 98 per cent of their

pre-European vegetation extent, respectively. When consideration is given to the limited extent of the cleared area, the extent of remnant vegetation remaining in the local area and Lot 501 and the knowledge that the flora species of conservation significance which could have occurred in the application area are represented in the conservation estate, the clearing activities are not anticipated to have adversely impacted either the extent of occurrence or significance of any flora species of conservation significance, or to have adversely impacted significant habitat for any conservation significant flora species.

A review of available databases has determined that 57 fauna species of conservation significance have been recorded within the local area (Department of Biodiversity, Conservation and Attractions 2007-). When marine species, migratory species and species whose habitats requirements are not met by low coastal heath communities are accounted for, the application area may have comprised suitable habitat for four fauna species of conservation significance. When consideration is given to the extent of the clearing area and the extent of remnant vegetation in the local area and Lot 501, the application area is unlikely to have comprised significant habitat for any fauna species of conservation significance. Additional clearing to maintain the spectator area could adversely impact adjacent fauna habitat through the spread of weeds and pathogens. Weed and pathogen management measures will assist in managing potential impacts to the adjacent vegetation.

A review of available databases has found that the application area is situated the following distances from the below conservation significant ecological communities:

- Approximately 5.3 kilometres south east of the nearest recorded occurrence of the Priority 1 '*Banksia cookie* Shrubland / *Eucalyptus staeri* / Sheoak Open Woodland (Community 14a - Sandiford & Barrett 2010) (all/or portion in EPBC listed Kwongkan community)' priority ecological community (PEC). This community is also listed as an Endangered threatened ecological community (TEC) under the *Environment Protection And Biodiversity Conservation Act 1999* (EPBC Act);
- Approximately 6.4 kilometres west of the nearest recorded occurrence of the Priority 1 '*Banksia littoralis* woodland / *Melaleuca incana* Shrubland' PEC;
- Approximately 6.5 kilometres south west of the nearest recorded occurrence of the Priority 1 '*Astartea scoparia* Swamp Thicket' PEC;
- Approximately 6.5 kilometres west south west of the nearest recorded occurrence of the Priority 3 'Subtropical and Temperate Coastal Saltmarsh' PEC. This community is also listed as a Vulnerable TEC under the EPBC Act;
- Approximately 7.1 kilometres west of the Priority 1 '*Coastal Melaleuca incana* / *Taxandria juniperina* Shrubland/Closed Forest' PEC; and
- Approximately 8.7 kilometres east of the Priority 1 '*Banksia occidentalis* / *Kunzea clavata* shrubland' PEC.

When consideration is given to the separation distances between the above ecological communities and the application area, no adverse impacts to these ecological communities are anticipated to have resulted from the clearing activities. When consideration is given to the extent of the application area and the extent of native vegetation remaining in the local area and Lot 501, no adverse impacts to any ecological linkages, promoting species diversity and recruitment within the above ecological communities, are anticipated to have resulted from the clearing activities.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia 2001). The application area forms part of the Warren IBRA region. This IBRA region retains approximately 79 per cent of its pre-European clearing extent (Government of Western Australia 2017). Vegetation complex 49 currently retains approximately 50 per cent of its pre-European clearing extent (Government of Western Australia 2018). Based on the above, and the extent of remnant vegetation in the local area and Lot 501, the application area does not occur within an extensively cleared landscape.

A review of available databases and aerial photography of the application area and its surrounds has not identified any watercourses or wetlands in this area. No vegetation growing in association with watercourses or wetlands has been impacted by the clearing activities.

A review of a photograph of the application area provided by the applicant and aerial photography of the application area and its surrounds determined that no land degradation impacts have resulted from the clearing activities. Due to the limited extent of the application area and the extent of remnant vegetation remaining in the local area and Lot 501, no land degradation impacts are expected to occur over time as a result of the clearing of this area. No impacts to the quality of local surface water or ground water resources, or the incidence or intensity of flooding, are expected to have resulted from the clearing of this area.

The application area is situated approximately 4.1 kilometres west of Torndirrup National Park, 4.6 kilometres south east of the Lake Powell Nature Reserve, 7.3 kilometres south west of the Gledhow Nature Reserve, approximately 8.1 kilometres south east of the Marbelup Nature Reserve and approximately nine kilometres south east of the Down Road Nature Reserve. When consideration is given to the separation distances between the application area and these conservation reserves and the extent of remnant vegetation remaining in the local area and Lot 501, no impacts to the environmental values of these conservation reserves, or any ecological linkages promoting species diversity and recruitment within these conservation reserves are anticipated to have resulted from the clearing activities.

Given the above, the proposed clearing is not likely to be at variance to any of the clearing principles.

Planning instruments and other relevant matters

An investigation into the unauthorised clearing which led to the establishment of the application area was undertaken by the Department of Environment Regulation (now Department of Water and Environmental Regulation (DWER)). This investigation was concluded on 21 January 2016.

In correspondence dated 10 August 2018, the DWER Water Team advised that the application area was situated within the South Coast Water Reserve Public Drinking Water Source Area (PDWSA) and the Limeburner's Creek Catchment Area, constituted under the *Country Areas Water Supply Act 1947* in 1968 (boundary amended in 2002). Given the purpose and location of the clearing, this clearing permit application is subject to assessment in accordance with DWER's *Operational Policy 13 – Recreation in public drinking water source areas on Crown Land*. The intent of this Policy is to limit recreation within PDWSAs at 2012 levels and to allow the improvement of recreational facilities, provided these improvements do not increase the capacity of the facility beyond 2012 levels. Under this Policy, approved recreation facilities or events that were existing as at September 2012 are given

prior recognition. This allows for existing approved recreation to continue as well as for associated facilities to be maintained and upgraded, provided the capacity of these facilities is not increased.

DWER's Water Team are aware that this clearing application is retrospective, and that the land use will not increase the capacity of associated recreational activities. Proposals which increase the capacity of recreational facilities in PDWSAs need to be submitted for further assessment under the above Policy, with supported variations requiring notification by the Minister for Water.

Although the history of the use of the site is unknown, the Albany Model Aero Club Incorporated (the club) have been operating at the site for some time and as this land use has been previously authorised by the City of Albany (the City), this has been taken into consideration. It is recommended that any future clearing applications should be referred to DWER's Regional Services Branch for determining consistency with the above Policy.

Please note that an updated draft version of Policy 13 is available for public comment. The above advice is based on the existing version of this Policy, published in 2012. The updated draft policy proposes recognising the lower risks posed by activities in groundwater PDWSA's, such as the South Coast Water Reserve and Limeburner's Creek Catchment Area, when DWER assesses proposals for new recreation activities within such areas.

In correspondence dated 21 September 2017, the City provided written permission to Southern Slope Soarers (who submitted this application on the behalf of the club) to seek a clearing permit to clear and maintain a 0.0042 hectare area of native vegetation within Reserve 13773. The purpose of the clearing articulated in this correspondence was to allow the club an area off Bibbulmun Track to set up on, and spectate from, during club events. The City advised that they were aware that the site had already been cleared and that this clearing had been reported to DWER. Verbal liaison between DWER and the City indicated that the club now needs to apply for a clearing permit to allow the cleared area to be maintained legally into the future.

In correspondence dated 21 September 2017, the City also provided permission to fly radio controlled model gliders and drones in the area south of Turbine 10 of the Albany Wind Farm, subject to conditions contained in this correspondence, including that this authorisation is current until 24 October 2022.

On 22 August 2018 the South West Aboriginal Land and Sea Council provided correspondence advising that at a working party meeting on 26 July 2018, the Wagyl Kaip and Southern Noongar working party requested that monitors are present onsite during the clearing of vegetation. The applicant is advised to contact the Department of Planning, Lands and Heritage regarding any requirements pertaining to the clearing under application under the *Aboriginal Heritage Act 1972*. No Aboriginal sites of significance have been mapped within the application area.

The clearing permit application was advertised on the DWER website on 16 July 2018 with a 14 day submission period. No public submissions have been received in relation to this application.

4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- Department of Biodiversity, Conservation and Attractions (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed September / October 2018.
- Department of Primary Industry and Regional Development (2017). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/>. Accessed September / October 2018.
- Government of Western Australia (2018) 2017 State-wide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of December 2017. WA Department of Biodiversity, Conservation and Attractions.
- 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.

GIS Databases:

- Aboriginal Sites of Significance
- Beard vegetation with stats 2017
- Department of Biodiversity, Conservation and Attractions, Managed Tenure
- Geomorphic Wetlands – Various Datasets
- Hydrography Linear – Hierachy
- Hydrography Linear – Linear
- Hydrograhpy WA 250K – Surface Water Lines
- Hydrography WA 250K – Surface Waterbodies
- Remnant Vegetation all Regions
- SAC bio datasets
- TPFL Data August 2018
- WAHerb Data August 2018
- WA TEC PEC Boundaries