



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

| | |
|-------------------------------|-------------------------------|
| Purpose Permit number: | CPS 5055/1 |
| Permit Holder: | Nilsen (WA) Pty Ltd |
| Duration of Permit: | 3 August 2012 – 3 August 2017 |

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 installing an Optus optic fibre cable.

2. Land on which clearing is to be done

Old Coast Road reserve, Herron (PIN: 1375714)

3. Area of Clearing

The Permit Holder must not clear more than 0.24 hectares of native vegetation within the area hatched yellow on attached Plan 5055/1.

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. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. 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.

8. Dieback and weed control

- (a) 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*:
 - (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) shall only move soils in *dry conditions*;
 - (iii) ensure that no *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

9. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the area(s) shall be inspected by a *fauna specialist* who shall identify *habitat tree(s)* suitable to be utilised by fauna species listed below:
 - (ii) Forest Red-tailed Black-Cockatoo (*Calyptorhynchus banksii* subsp. *naso*)
 - (iii) Baudin's Cockatoo (*Calyptorhynchus baudinii*)
 - (iv) Carnaby's Cockatoo (*Calyptorhynchus latirostris*)
 - (v) Western Ringtail Possum (*Pseudocheirus occidentalis*)
- (b) Prior to clearing, any *habitat tree(s)* identified by condition 9(a) shall be inspected by a *fauna specialist* for the presence of fauna listed in condition 9(a).
- (c) Within one week prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna clearing person* to remove and relocate fauna identified under condition 9(a)(ii).

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).
- (b) In relation to fauna management pursuant to condition 9 of this Permit:
 - (i) the location of each tree that contains hollows, 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;
 - (ii) the species name of fauna reasonably likely to utilise, or that have been observed utilising, the trees that contain hollows;
 - (iii) the location and date where relocated fauna was released, 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.

11. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
- (i) of records required under condition 10 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 4 May 2012, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

DEFINITIONS

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

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

dry conditions means when soils (not dust) do not freely adhere to rubber tyres, tracks, vehicle chassis or wheel arches;

fauna clearing person means a person who has obtained a licence from the Department, issued pursuant to the *Wildlife Conservation Regulations 1970* authorising them to take fauna;

fauna specialist means a person with training and specific work experience in fauna identification or faunal assemblage surveys of Western Australian fauna;

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

habitat tree(s) means trees that have a diameter, measured at 1.5m above the ground, of 50cm or greater, healthy but with dead limbs and broken crowns that are likely to contain hollows and roosts suitable for native fauna, or where these are not present then healthy but with the potential to contain hollows and roosts;

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;



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

12 July 2012

Plan 5055/1



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling

Perth Metropolitan South
15cm Orthomosaic - Landgate
2011



Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

Date 12/5/12
K Faulkner

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of
Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 5055/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Nilsen (WA) Pty Ltd

1.3. Property details

Property: ROAD RESERVE (HERRON 6211)
Local Government Area: Shire of Mandurah
Colloquial name: Old Coast Road

1.4. Application

| | | | |
|--------------------|-----------|--------------------|---|
| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
| 0.24 | | Mechanical Removal | Water/gas/cable/pipeline/power installation |

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 July 2012

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 area under application is mapped as Beard Vegetation Association 998: Medium woodland; tuart (Shepherd et al, 2001). | The proposed clearing of 0.24 hectares of native vegetation within Old Coast Road Reserve is for the purpose of installing an Optus optic fibre cable. | Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994) | The vegetation condition and description was determined from aerial imagery (Perth Metropolitan 20cm Orthomosaic-landgate 2009) and a site inspection undertaken by the Department of Environment and Conservation (DEC 2012) |
| The area under application is mapped as Heddle Vegetation Complex Karrakatta Complex Central and South, consisting of predominantly open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) - Corymbia calophylla (Marri) and woodland of Eucalyptus marginata (Jarrah) - Banksia species (Heddle et al, 1980). | The area under application is considered to be Good to Completely Degraded condition (Keighery 1994). However, the majority of the area under application is considered degraded to completely degraded (Keighery 1994). | Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994) | |
| Heddle Vegetation Complex: Cottesloe Complex Central and South: Mosaic of woodland of Eucalyptus gomphocephala (Tuart) and open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) - Corymbia calophylla (Marri); closed heath on the Limestone outcrops (Heddle et al, 1980). | The area under application is very open, with the majority of the application being parkland cleared. There was little to no ground cover and no distinct middle storey present through most of the application area (DEC, 2012). Towards the southern end of the application area the vegetation was denser with a distinct middle storey, however the understorey consisted of predominately weeds (DEC, 2012). | Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994) | |
| | The vegetation within the application primarily consists of Eucalyptus sp. Corymbia Calophylla and Agonis flexuosa (DEC, 2012). | | |

3. Assessment of application against clearing principles

Comments

The proposed clearing of 0.24 hectares is for the purpose of installing an Optus fibre optic cable and is unlikely to have any significant environmental impacts.

Three species of Declared Rare Flora (DRF) and six priority flora species have been recorded within the local area (10km radius). The closest being *Caladenia huegelii* located approximately 2 km east of the application area. Given the degraded (Keighery, 1994) condition and the small area under application it is unlikely the vegetation proposed to be cleared will have a significant impact on the conservation value of priority flora species. The vegetation and soil types are not consistent with the preferred habitats of DRF recorded within the local area, therefore it is unlikely the application will be necessary for the continued existence of DRF.

Nine fauna species classified as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within 20 km. Given the degraded (Keighery, 1994) condition of the vegetation under application and the lack of understory present the clearing as proposed is unlikely to provide significant habitat for ground dwelling fauna. A number of mature trees with hollows and the potential to develop hollows are located within the application area and therefore suitable habitat for *Calyptorhynchus banksii* subsp. *naso* (Forest Red-tailed Black-Cockatoo), *Calyptorhynchus baudinii* (Baudin's Cockatoo), *Calyptorhynchus latirostris* (Carnaby's Cockatoo) (DEC 2012). The presence of peppermint trees within the application area may also provide suitable habitat for *Pseudocheirus occidentalis* (Western Ringtail Possum). Fauna management practices will help mitigate the impact of the proposed clearing.

A conservation category wetland, "Lake Clifton" is located approximately 800m west of the application area. Within this wetland is a Threatened Ecological Community (TEC) 'Stromatolite like freshwater microbialite community of coastal brackish lakes.' Given the small size of the application area and the degraded (Keighery, 1994) condition of the vegetation (DEC, 2012) it is unlikely the clearing as proposed will have a significant impact on the environmental value of this wetland or TEC.

Due to the small amount of clearing (0.24ha) and its degraded (Keighery 1994) condition, it is unlikely that the proposed clearing will impact on biodiversity or water quality, nor will it cause appreciable land degradation in the local area. The clearing as proposed has the potential to spread weed and dieback into adjacent native vegetation. Weed and dieback management practices will help mitigate this impact on the vegetation adjacent to the application area.

The applicant has advised that large trees will be avoided where possible (DEC, 2012).

The assessment of the application identified that the clearing may be at variance to principle (b) and is not likely to be at variance to any of the remaining clearing principles.

Methodology

References

- DEC (2012)
- Keighery (1994)

GIS Databases

- SAC Bio datasets (Accessed 6 June 2012)
- Hydrography, linear
- DEC Managed Lands
- Perth Metropolitan 20cm Orthomosaic-Landgate 2009
- Pre-European Vegetation
- Mattiske Vegetation Mapping

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

Comments

The area under application is mapped within an Aboriginal Site of Significance. The applicant will be notified of their responsibility to liaise with the Department of Indigenous Affairs regarding their obligations under the Aboriginal Heritage Act 1972.

The area under application is mapped within the South West Coastal Ground Water Area which is a proclaimed area under the Rights In Water and Irrigation Act 1914.

The City of Mandurah (2012) raised concerns regarding fauna habitat, wetlands and TEC's.

The City of Mandurah has also advised that the application falls within the Dawesville to Binningup Strategic Assessment Area (Environmental Protection Authority) which recommends that:

"All existing vegetation on the eastern side of Lake Clifton must be retained, and where degraded, rehabilitated"

And

"Any existing infrastructure, including roads within the study area, should be utilise existing cleared areas and be sited to avoid any further fragmentation".

The Department of Environment and Conservation has taken into account these concerns and have been addressed within the appropriate clearing principles.

Methodology **References:**
City of Mandurah (2012)
GIS Databases
-RIWI Groundwater Areas
-Aboriginal Sites of Significance
-Clearing Regulations (ESA)

4. References

- DEC (2012) Site Inspection Report for Clearing Permit Application CPS 5055/1, Old Coast Road reserve, Herron. Site inspection undertaken 25 June 2012. Department of Environment and Conservation, Western Australia (DEC Ref: A522954).
- 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.
- Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Shire of Mandurah (2012) Advice for Clearing Permit Application CPS 5055/1. Western Australia. (DEC Ref: A512786)

5. 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) |