A1077720

GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6632/1
Permit Holder:	Axicom Pty Ltd
Duration of Permit:	2 January 2016 to 2 January 2018

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 constructing a telecommunications facility.

2. **Land on which clearing is to be done**
   Lot 301 on Deposited Plan 49920, Yallingup

3. **Area of Clearing**
   The Permit Holder must not clear more than 0.03 hectares of native vegetation within the area hatched yellow on attached Plan 6632/1.

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.

PART II – MANAGEMENT CONDITIONS

5. **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:
   (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.

6. **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.

DEFINITIONS

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

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; and

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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
(c) not indigenous to the area concerned.

Jane Clarkson
A/SENIOR MANAGER
CLEARING REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

3 December 2015

Plan 6632/1

Legend

- Cadastre
- Areas approved to clear
- Roads

Virtual Mosaic (LGATE-V001)

- LGA

N

1:2,000

MGA 94
Geocentric Datum of Australia 1994

Jane Clarkson Date 3/12/15

Officer with delegated authority under Section 20
of the Environmental Protection Act 1986

GOVERNMENT OF
WESTERN AUSTRALIA

Government of Western Australia
Department of Environment Regulation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6632/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Axicom Pty Ltd

1.3. Property details

Property: LOT 301 ON PLAN 49920, YALLINGUP
Colloquial name:
Local Government Authority: BUSSELTON, CITY OF
DER Region: Greater Swan
DPaW District: BLACKWOOD
LCDC: YALLINGUP
Localities: YALLINGUP

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.03		Mechanical Removal	Building or structure

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 3 December 2015

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 1180 is described as *Shrublands; Calothamnus quadrifidis* and *Hakea trifircata* (Cape Naturaliste) (Shepherd et al, 2001). Mattiske Vegetation GE Complex consists of closed heath of *Olearia axillaris-Rhagodia baccata-Agonis flexuosa* on seaward slopes in hyperhumid to humid zones (Mattiske and Havel, 1998). Mattiske Vegetation Kr Complex consists of tall shrubland of *Agonis flexuosa-Acacia saligna* on leeside of calcareous dunes in hyperhumid to humid zones (Mattiske and Havel, 1998).	The proposed clearing of 0.03 hectares of native vegetation is for the purpose of constructing a telecommunications facility.	Good; Vegetation structure significantly altered by very obvious signs of multiple disturbance (Keighery, 1994).	The vegetation condition was determined via a Flora and Vegetation survey undertaken by Ecoedge Environmental Pty Ltd (2015).

3. Assessment of application against clearing principles

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

Comments

Proposed clearing is not likely to be at variance to this Principle

The application is to clear 0.03 hectares of native vegetation within Lot 301 on Deposited Plan 49920 (Reserve 8428), Yallingup, for the purpose of constructing a telecommunications facility.

Three plants of the Priority 4 species known as '*Banksia sessilis var.cordata*' were identified within the application area during a Level 1 Flora and Vegetation Survey undertaken by Ecoedge Environmental Pty Ltd (2015). Priority 4 species are considered to have been adequately surveyed and not in need of special protection but could be if circumstances change (Parks and Wildlife, 2014). Therefore the relatively small area of clearing proposed is unlikely to have an impact on the conservation status of this species.

Fifteen occurrences of a Priority 2 ecological community (PEC) known as the '*Melaleuca lanceolata* forests, Leeuwin Naturaliste Ridge' occur within the local area (10 kilometre radius). A Level 1 Flora and Vegetation Survey undertaken by Ecoedge Environmental Pty Ltd (2015) determined that the vegetation under application is not consistent with this PEC. The survey identified an occurrence of this PEC situated approximately 100 metres west of the application area, however this would not be impacted by the proposed land use and associated clearing.

The application area may provide suitable habitat for conservation significant fauna including the forest red-tailed black-cockatoo (*Calyptorhynchus banksii subsp. naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*), carnaby's cockatoo (*Calyptorhynchus latirostris*), chuditch (*Dasyurus geoffroii*), southern brush-tailed phascogale (Phascogale tapoatafa subsp. tapoatafa) and western ringtail possum (*Pseudocheirus occidentalis*) (Parks and Wildlife, 2007-). Given the relatively small size of the proposed clearing (0.03 hectares), it is unlikely that the vegetation under application provides significant habitat for fauna indigenous to Western Australia.

The relatively small amount of clearing proposed (0.03 hectares) occurs within the Leeuwin-Naturaliste National Park (A class reserve). Although the application area occurs within Leeuwin-Naturaliste National Park, the proposed clearing is unlikely to significantly impact upon the biodiversity values of this reserve, given the extensive remnant vegetation surrounding the application area.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology

References:
- Ecoedge Environmental Pty Ltd (2015)
- Parks and Wildlife (2014)
- Parks and Wildlife (2007-)

GIS Databases:
- NLWRA, Current Extent of Native Vegetation
- SAC Bio Datasets (Accessed November 2015)
- Parks and Wildlife Tenure

(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

Proposed clearing is not likely to be at variance to this Principle

The vegetation under application may provide suitable habitat for six conservation significant fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950, namely the forest red-tailed black-cockatoo (*Calyptorhynchus banksii subsp. naso*), Baudin's cockatoo (*Calyptorhynchus baudinii*), Carnaby's cockatoo (*Calyptorhynchus latirostris*), chuditch (*Dasyurus geoffroii*), southern brush-tailed phascogale (*Phascogale tapoatafa subsp. tapoatafa*) and western ringtail possum (*Pseudocheirus Occidentalis*) (Parks and Wildlife, 2007-).

Given the relatively small size of the proposed clearing area (0.03 hectares), it is unlikely that the vegetation under application provides significant fauna habitat. The application area is surrounded by a large remnant of vegetation that is in very good condition that provides greater quality fauna habitat.

The proposed clearing is not likely to be at variance to this Principle.

Methodology

References:
- Parks and Wildlife (2007-)

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

Comments

Proposed clearing is not likely to be at variance to this Principle

The closest record of rare flora is located 500 metres south east of the area under application. This species occupies deep sandy soils amongst dense, low shrubs in banksia, jarrah and marri woodlands (Brown et al, 1998). This vegetation type is not mapped within the application area, therefore suitable habitat for this species is not likely to occur within the application area. In addition, a Level 1 Flora and Vegetation Survey undertaken by Ecoedge Environmental Pty Ltd (2015) did not identify any rare flora species within the application area.

Given the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology

References:
- Brown et al (1998)
- Ecoedge Environmental Pty Ltd (2015)

GIS Databases:
- SAC Bio Datasets (Accessed November 2015)

(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

Proposed clearing is not likely to be at variance to this Principle

The closest Threatened Ecological Community (TEC) is situated approximately eight kilometres west of the application area and is described as 'Dense shrublands on clay flats'.

Given the distance of this mapped TEC to the application area, it is not likely that the vegetation under application comprises or is necessary for the maintenance of this TEC. In addition, a Level 1 Flora and Vegetation Survey undertaken by Ecoedge Environmental Pty Ltd (2015) determined that the vegetation under application is not representative of this TEC.

The proposed clearing is not likely to be at variance to this Principle.

Methodology

References:
- Ecoedge Environmental Pty Ltd (2015)

GIS Databases:
-SAC Bio Datasets (Accessed November 2015)

(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

Proposed clearing is not likely to be at variance to this Principle

The area under application is located within the Jarrah Forest Interim Biogeographic Regionalisation of Australia (IBRA) bioregion. This IBRA bioregion has approximately 54 per cent of its pre-European vegetation extent remaining (Government of Western Australia, 2014).

The vegetation under application comprises Beard vegetation association 1180 and Mattiske Vegetation Complexes 'Kilcarnup (Kr)' and 'Gracetown (GE)' which have approximately 43, 86 and 95 per cent of their pre-European vegetation extent remaining within the Jarrah Forest Bioregion respectively (Government of Western Australia, 2014 and Parks and Wildlife, 2015).

The area under application is located within the City of Busselton, within which there is approximately 41 per cent pre-European vegetation remaining (Government of Western Australia, 2014).

The local area (10 kilometre radius) retains approximately 60 per cent native vegetation.

Given the relatively small size of the proposed clearing (0.03 hectares) and that the vegetation under application is well represented locally and regionally, it is not considered to be a significant remnant in an extensively cleared area.

Therefore, the proposed clearing is not likely to be at variance to this Principle.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in Parks and Wildlife Managed Lands (%)
IBRA Bioregion*				
Jarrah Forest	4,506,660	2,425,551	54	69
Shire*				
City of Busselton	146,478	60,212	41	69
Beard Vegetation Association in Bioregion*				
1180	11,128	4,738	43	70
Mattiske Vegetation Complex**				
Kr	2,554	2,197	86	70
Mattiske Vegetation Complex**				
GE	5,064	4,795	95	83

Methodology

References:
- *Government of Western Australia (2014)
- **Parks and Wildlife (2015)

GIS Databases:
- NLWRA, Current Extent of Native Vegetation
- Pre-European Vegetation

(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

Proposed clearing is not likely to be at variance to this Principle

The closest watercourse is a significant stream known as 'Yallingup Brook' located 400 metres north east of the application area. The closest wetland mapped within the local area (10 kilometre radius) is a palusplain of multiple use status and a sumpland of conservation status, both recorded approximately nine kilometres west of the application area.

Given the distance from the application area to these waterbodies, it is not likely that the vegetation proposed for clearing contains riparian vegetation.

Therefore, the proposed clearing is not likely to be at variance to this Principle.

Methodology

GIS Databases:
- Hydrology, linear

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

Comments

Proposed clearing is not likely to be at variance to this Principle

The application area is mapped within soil type A14, which is described as coastal dunes. Chief soils are calcareous sands on the strongly undulating slopes of the dunes. Associated are small areas of other soils including on limestone and on gneissic outcrops (Northcote et al 1960 – 68).

The proposed clearing on sandy soils may increase the risk of wind erosion, however given the limited size of the clearing and proposed end land use, the risk of appreciable land degradation is minimal.

Therefore, the proposed clearing is not likely to be at variance to this Principle.

Methodology

References:
- Northcote et al (1960 – 1968)

GIS Databases:
- Soils, statewide

(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

Proposed clearing may be at variance to this Principle

The application area occurs within the Leeuwin-Naturaliste National Park (A class) within the Department of Parks and Wildlife Managed Lands.

Given the relatively small size of the application area (0.03 hectares) and that the local area surrounding application area is the extensive nearby remnant vegetation surrounding the application area, it is not likely the proposed clearing will significantly impact upon the environmental values of this reserve.

The disturbance caused by the proposed clearing, will increase the risk of weeds and dieback being spread into this reserve. Weed and dieback management practices will assist in mitigating this risk.

Given the above, the proposed clearing may be at variance to this Principle.

Methodology

GIS Databases:
- Parks and Wildlife, Tenure

(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

Proposed clearing is not likely to be at variance to this Principle

Given that there are no waterbodies mapped within the application area and the relatively small size of the area proposed for clearing, it is not likely the proposed clearing will impact upon surface or groundwater quality.

Therefore, the proposed clearing is not likely to be at variance to this Principle.

Methodology

GIS Databases:
- Hydrology, linear

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

Comments

Proposed clearing is not likely to be at variance to this Principle

The removal of 0.03 hectares of remnant vegetation is not expected to contribute to flooding, particularly given the highly permeable sandy soils mapped on site.

Therefore the clearing as proposed is not likely to be at variance to this Principle.

Methodology

GIS Datasets:
- Hydrography linear

Planning instruments and other relevant matters.

Comments

The application occurs within the Leeuwin-Naturaliste National Park (A class) which is managed by the Department of Parks and Wildlife (Parks and Wildlife). Parks and Wildlife (2015b) has advised that ministerial approval (delegated) for the granting of a Conservation and Land Management Act 1984 (CALM Act) lease to the applicant has been received and they are in the final stages of negotiating the terms of the lease with Axicom Pty Ltd. Parks and Wildlife (2015a) had advised the applicant to undertake a flora survey to determine whether the vegetation under application was consistent with a PEC. A Level 1 Flora and Vegetation survey was undertaken by Ecoedge Environmental Pty Ltd (2015) on behalf of the applicant which identified that the vegetation was not representative of a PEC. This finding was accepted by Parks and Wildlife (2015b).

The application area falls within a Native Title Claimant area. The claimants, the Single Noongar Claim (Area 2) and South West Boojarah #2 people, and their representing body, Clayton Utz Lawyers and the South West Aboriginal Land and Sea Council, have been notified. A response was received from the South West Aboriginal Land and Sea Council, on behalf of the South West Boorjarah #2 Working Party advising that they were unable to provide comments within the specified timeframe and that comments will be made at the nearest practicable opportunity. To date, no comments have been received.

The City of Busselton (2015) has been notified of the application and advises that development approval has been granted for the telecommunications facility and as a result has no objections to the proposed clearing.

Methodology

References:
- Ecoedge Environmental Pty Ltd (2015)
- Parks and Wildlife (2015a)
- Parks and Wildlife (2015b)
- City of Busselton (2015)

4. References

Brown A., Thomson-Dans C. and Marchant N.(1998). Western Australia's Threatened Flora, Department of Conservation and Land Management, Western Australia.

City of Busselton (2015) Advice for Clearing Permit CPS 6632/1. Western Australia. (DER Ref: A941658).

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.

Ecoedge Environmental Pty Ltd (2015) Level 1 Flora and Vegetation Survey – Lot 301 Yallingup Beach Road. Bunbury, Western Australia. (DER Ref: A1006274).

Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, Perth.

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, E.M. and Havel, J.J. (1998) Vegetation Complexes of the South-west Forest Region of Western Australia. Maps and report prepared as part of the Regional Forest Agreement, Western Australia for the Department of Conservation and Land Management and Environment Australia.

Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.

Parks and Wildlife (2007-) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: http://naturemap.dpaw.wa.gov.au/. Accessed 18/10/2015

Parks and Wildlife (2014) Conservation Codes for Western Australia Flora and Fauna. Department of Parks and Wildlife. Western Australia.

Parks and Wildlife (2015) 2015 South West Forest and Swan Coastal Plain Vegetation Complex Statistics: a report prepared for the Department of Environment Regulation. Current as of March 2015. Department of Parks and Wildlife, Perth, Western Australia.

Parks and Wildlife (2015a) Advice for Clearing Permit Application CPS 6632/1. Department of Parks and Wildlife. Western Australia (DER Ref:A968968).

Parks and Wildlife (2015b) Letter of Authority provided with Clearing Permit Application CPS 6632/1. Department of Parks and Wildlife. Western Australia (DER Ref: A926890).

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.