



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8167/1
Permit Holder:	Aurecon Australasia
Duration of Permit:	16 October 2019 to 16 October 2024

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 construction of telecommunications infrastructure

2. Land on which clearing is to be done

Lot 2306 on Deposited Plan 28841, Bouvard

3. Area of Clearing

The Permit Holder must not clear more than 0.07 hectares of native vegetation within the area cross-hatched yellow on attached Plan 8167/1.

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 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:

- 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.

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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no known *dieback* or *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

7. Fauna management – retain black cockatoo habitat trees

Prior to undertaking any clearing authorised under this Permit, the area cross hatched yellow on attached Plan 8167/1, shall be inspected by a *fauna specialist* who shall identify *black cockatoo habitat tree/s*.

- (a) Where *black cockatoo habitat tree/s* have been identified under condition 7(a), the Permit Holder shall not clear *black cockatoo habitat tree/s*; and
- (b) the Permit Holder shall provide, to the *CEO* the location of each *black cockatoo habitat tree/s*, 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.

PART III – RECORD KEEPING AND REPORTING

8. Record keeping

The Permit Holder must maintain the following records 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(s) 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 5 of this Permit;
- (e) actions taken to minimise the risk of the introduction and spread of *dieback* and *weeds* in accordance with condition 6 of this Permit; and
- (f) actions taken in accordance with condition 7 of this Permit.

9. Reporting

The Permit Holder must produce the records required under condition 8 of this Permit when required by the *CEO*.

DEFINITIONS

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

black cockatoo habitat tree/s: means trees that have a diameter, measured at 1.5 metres from the base of the tree, of 50 centimetres or greater that contain hollows suitable for breeding by Carnaby's cockatoo (*Calyptorhynchus latirostris*), Baudin's black cockatoo (*Calyptorhynchus baudinii*) or forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*);

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;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the *CEO* as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Biodiversity Conservation Act 2016*;

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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Samara Rogers
MANAGER
NATIVE VEGETATION REGULATION

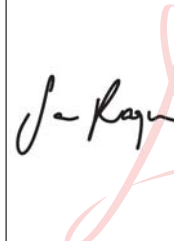
*Officer delegated under Section 20
of the Environmental Protection Act 1986*

20 September 2019



Legend

-  CPS areas approved to clear
-  Roads - Minor Roads
-  Cadastre (LGATE_218) - SLIP


Samara Rogers
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1. Application details

1.1. Permit application details

Permit application No.: 8167/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Aurecon Australasia
Application received date: 30 August 2018

1.3. Property details

Property: Lot 2306 on Plan 28841, Bouvard
Local Government Authority: City of Mandurah
Localities: Bouvard

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.07	0	Mechanical Removal	Building or Structure

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 20 September 2019

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 may be at variance to Principles (b) and (h), and is not likely to be at variance to the remaining clearing principles.

Through the assessment, it was determined that the application area may increase the risk of weeds and dieback into Yalgorup National Park. A weed and dieback management condition has been placed on the clearing permit to minimise the risk of weeds and dieback spreading.

The Delegated Officer had regards for the lease between the Department of Biodiversity and Conservation and Attractions and Axicom Pty Ltd and Development Approval granted by the Western Australian Planning Commission.

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

2. Site Information

Clearing Description The application is to clear 0.07 hectares of native vegetation for installation of a telecommunications tower (Figure 1).

Vegetation Description The vegetation under application has been mapped as Beard vegetation complex 997 which is described as shrublands, melaleuca heath.

The vegetation under application has been mapped within Swan Coastal Plain vegetation association Cottesloe Complex-Central And\South. Described as a 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.

A flora survey of the application area undertaken 10 April 2018 described the vegetation as *Eucalyptus gomphocephala* (Tuart) isolated trees over *Agonis flexuosa* (Peppermint), *Banksia attenuata* (Slender Banksia) and *Allocasuarina fraseriana* (Sheoak) woodland over *Hibbertia hypericoides* and *Macrozamia riedlei* sparse shrubland on yellow/brown sandy soils on a slight rise (Eco Logical Australia Pty Ltd, 2018).

Vegetation Condition Vegetation condition within this assessment has been assessed using the vegetation condition scale developed by Keighery (1994). All references to vegetation condition throughout this assessment therefore, reference this scale.

A flora survey of the application area determined the application area to be in a very good condition. The understorey was sparse with a low species richness recorded (Eco Logical Australia Pty Ltd, 2018).

A site inspection of the application area undertaken by Department of Water and Environmental Regulation officers confirmed the sparse condition of the understorey (DWER, 2018).

Local area

The local area is defined as 10 kilometres from the edge of the application area.



Figure 1: Application area (outlined in blue) within Yalgorup National Park

3. Assessment of application against clearing principles

The applicant has stated, "Compound location selected in a generally cleared area close to an existing access point and firebreak (to be utilised in part for vehicular access)", Aurecon (2018).

The applicant has stated that large trees identified within the application area will be retained (Eco Logical Australia Pty Ltd, 2018).

4. Assessment of application against clearing principles

The vegetation under application has been described as *Eucalyptus gomphocephala* (Tuart) isolated trees over *Agonis flexuosa* (Peppermint), *Banksia attenuata* (Slender Banksia) and *Allocasuarina fraseriana* (Sheoak) woodland over *Hibbertia hypericoides* and *Macrozamia riedlei* sparse shrubland on yellow/brown sandy soils on a slight rise (Eco Logical Australia Pty Ltd, 2018).

A site inspection of the application area undertaken by DWER officers on 25 September 2018 noted a sparse understorey with no orchid species at the time of inspection (DWER, 2018). A flora survey of the application area did not record rare or priority flora within the application area (Eco Logical Australia Pty Ltd, 2018). Although the survey was not timed to coincide with the flowering time of all annual species recorded within the local area, given the small area applied to clear, lack of annual species identified during the DWER site inspection and sparse understorey, conservation significant annual species are not likely to be impacted by the proposed clearing.

The application area occurs within, and is surrounded by, Yalgorup National Park. Given the small size of the proposed clearing in relation to the adjoining vegetation, the vegetation under application is not likely to form significant habitat for terrestrial fauna species. The method of clearing as stated on the application form (mechanical hand held clearing and slashing) is likely to ensure that fauna present at the time of clearing move into adjoining vegetation.

Baudin's cockatoo (*Calyptorhynchus baudinii*), forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) and Carnaby's cockatoo (*Calyptorhynchus latirostris*) have been recorded within the local area. These species are listed as rare or likely to become extinct under the *Biodiversity Conservation Act 2016* and are commonly referred to as black cockatoos. Black cockatoos nest in the large hollows of eucalyptus trees and forages on the seeds and flowers of the Proteaceae family including *Banksia*, *Hakea*, and *Grevillea* as well as species from *Allocasuarina* and *Eucalyptus* (Valentine and Stock, 2008).

Although the small application area does not represent significant foraging habitat, two *Eucalyptus gomphocephala* (Tuart) trees were recorded within the study area which meet the criteria of potential habitat trees for Threatened Black Cockatoos, as defined by the Department of the Environment and Energy (DotEE) referral guidelines (DotEE, 2013). Although the applicant has stated that these trees will be retained, a clearing permit would authorise their removal. Conditioning a clearing permit to retain these trees would alleviate this risk.

Banksia species or saltmarsh communities consistent with a Threatened Ecological Community (TEC) are not present within the application area (DWER, 2018). The flora survey of the application area did not identify vegetation consistent with a TEC or Priority Ecological Community (PEC). Given this the proposed clearing is not likely to impact on a TEC or PEC.

No watercourses or wetlands are present within the application area. Given this, the small area proposed to be cleared and as the area will remain surrounded by native vegetation; the proposed clearing is not likely to impact on riparian vegetation, cause land degradation, impact on the quality of surface water or groundwater and is not likely to cause or exacerbate flooding.

The application area occurs within Yalgorup National Park. Given the size of the reserve in relation to the application area, the condition of the understory, location in relation to disturbance and lack of identified significant environmental value, impacts to the reserve are not likely to be significant. The Department of Biodiversity Conservation and Attractions (DBCA) has advised that they have completed an internal assessment and all necessary internal approvals are in place.

Given the above, the proposed clearing may be at variance to Principles (b) and (h) and is not likely to be at variance to the remaining clearing Principles.

Planning instruments and other relevant matters.

DBCA has advised that they have completed an internal assessment and all necessary internal approvals are in place. The finalized lease between Aurecon and DBCA has been provided to DWER.

The Western Australian Planning Commission (WAPC) granted Approval to Commence Development on 16 April 2019.

No aboriginal sites of significance are mapped within the application area.

The clearing permit application was advertised on the DWER website on 3 November 2018 with a 14 day submission period. No public submissions have been received in relation to this application.

5. References

- Aurecon (2018) Application for a Purpose Clearing Permit for Lot 2306 on Plan 28841, Bouvard. Received 30 August 2018. DWER ref: A1724928.
- City of Mandurah (2018) Advice received in relation to clearing permit application CPS 8167/1. Received 22 October 2018. DWER ref: A1732954.
- Department of the Environment and Energy (DotEE) (2013) Environment Protection and Biodiversity Conservation Act 1999 referral guidelines for three threatened black cockatoo species: Carnaby's cockatoo (endangered) *Calyptorhynchus latirostri*, Baudin's cockatoo (vulnerable) *Calyptorhynchus baudinii*, Forest red-tailed black cockatoo (vulnerable) *Calyptorhynchus banksii naso*. DotEE, Canberra.
- Department of Water and Environmental Regulation (2018) Site inspection report for CPS 8167/1. Site inspection undertaken 25 September 2018. DWER ref: A1733024
- Eco Logical Australia Pty Ltd (2018) Targeted rare flora survey and tree/shrub assessment conducted by Eco Logical Australia at the proposed NBN facility in Bouvard, Western Australia. DWER ref: A1724930.
- Huxtable, L. (2018) Report of an ethnographic aboriginal heritage survey for The Bouvard telecommunications facility in the City of Mandurah, Western Australia. A report prepared for Aurecon Group. Brad Goode & Associates Pty Ltd. Dunsborough.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Valentine, L.E. and Stock, W. (2008) Food Resources of Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) in the Gngangara Sustainability Strategy Study Area. Edith Cowan University and Department of Environment and Conservation. December 2008.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Biodiversity Conservation and Attractions. <http://florabase.dbca.wa.gov.au/> (Accessed September 2018).

GIS Databases:

- Aboriginal Sites of Significance
- Department of Biodiversity, Conservation and Attractions, Tenure
- Conservation managed reserves
- Hydrography, linear
- Hydrography, Wetlands
- Land degradation risk categories
- Pre-European vegetation
- SAC bio-datasets