



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5573/1
Permit Holder:	LPG Shelf No.4 Pty Ltd
Duration of Permit:	16 November 2013 to 16 November 2018

ADVICE NOTE:

This Permit does not confer upon the Permit Holder authorisation to access the land to which the Permit relates.

The funds referred to in condition 6 of this permit are intended for contributing towards the purchase of 31 hectares of native vegetation within the Shire of Wongan - Ballidu.

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 transport depot.

2. Land on which clearing is to be done

Wubin Townsite Lot 72 (Reserve 17931) (Wubin 6612)

3. Area of Clearing

The Permit Holder must not clear more than 3.72 hectares of native vegetation within the area hatched yellow on attached Plan 5573/1.

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. 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*:

- clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- ensure that no *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.

6. Monetary contributions to a fund maintained for the purpose of establishing or maintaining vegetation (offset)

Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall contribute documentary evidence to the CEO that funding of \$9765 has been transferred to the Department of Environment Regulation to purchase land for the purpose of establishing or maintaining vegetation.

DEFINITIONS

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

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 the former Department of Environment and Conservation Regional Weed Assessments, regardless of ranking; or
- (c) not indigenous to the area concerned.

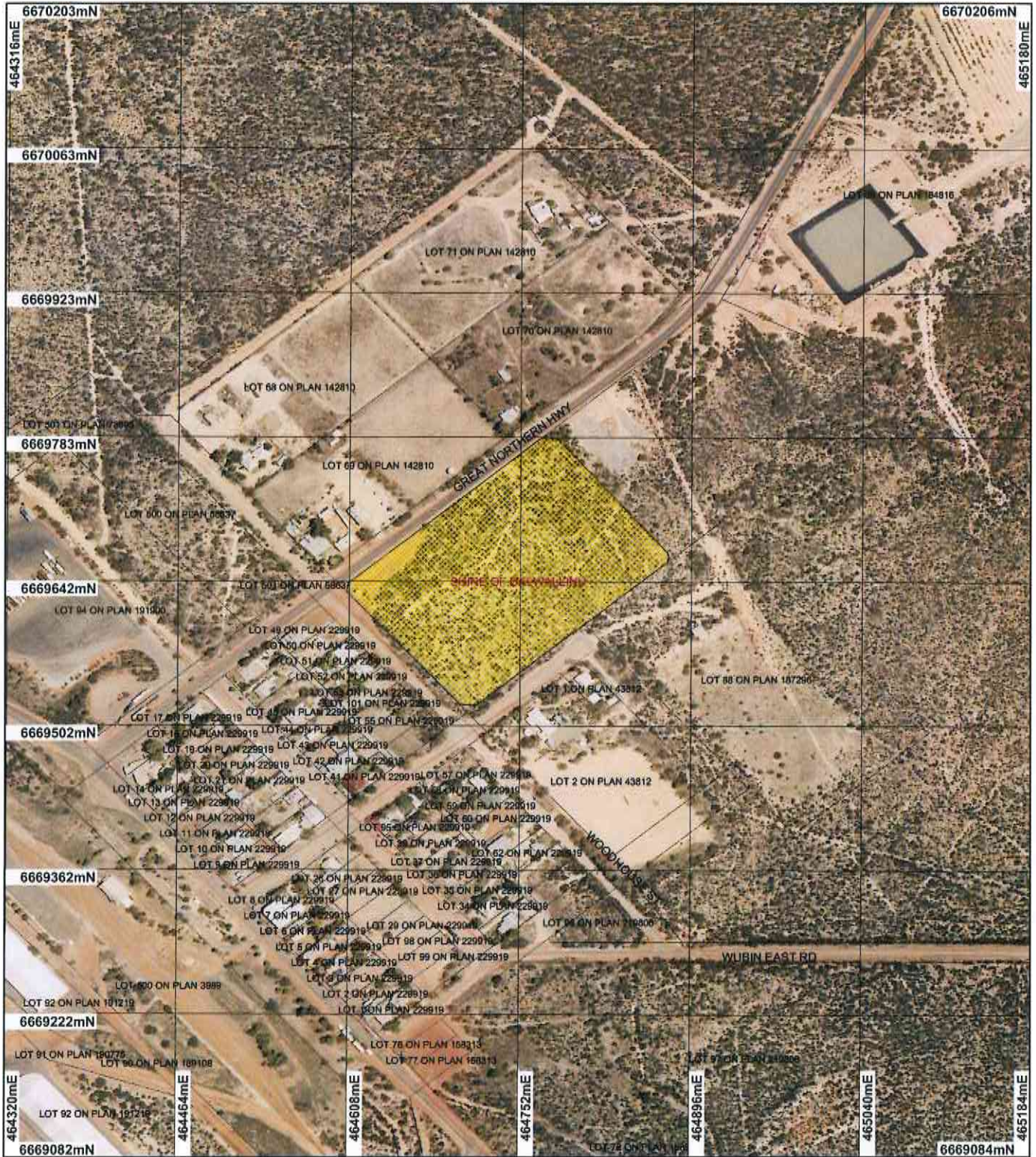


M Warnock
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

17 October 2013

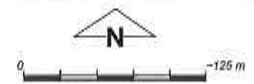
Plan 5573/1



LEGEND

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

Dalwallinu 50cm Orthomosaic
Landgate 2006



Geocentric Datum Australia 1994

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

M Warnock Date *17/10/13*

M Warnock

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

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



Government of Western Australia
Department of Environment Regulation

WA Crown Copyright 2002

* Project Data. This data has not been quality assured. Please contact map author for details.



1. Application details

1.1. Permit application details

Permit application No.: 5573/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: LPG Shelf No. 4 Pty Ltd

1.3. Property details

Property: WUBIN TOWNSITE LOT 72 (Lot No. 72 WOODHOUSE WUBIN 6612)
Local Government Area: Shire of Dalwallinu
Colloquial name:

1.4. Application

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

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 17 October 2013

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
Mapped Beard vegetation association within the application area is Jibberding (435), which is described as: Shrublands; Acacia neurophylla, A. beauverdiana and A. resinomarginea thicket (Shepherd et al 2001).	The application proposes to clear up to 3.72 hectares of native vegetation for the purpose of constructing a transport depot (comprising hardstand area, site office, amenities and fuelling station).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	<p>The condition of the native vegetation under application was determined by digital imagery (Dalwallinu 50cm Orthomosaic - Landgate 2006) and target flora survey and fauna habitat assessment undertaken by GHD (2013).</p> <p>The vegetation within the study area is largely uniform within one vegetation association, Allocasuarina shrubland. This shrubland is dominated by Allocasuarina and Acacia taxa over lower shrub layers dominated by Proteaceous and Myrtaceous taxa over mixed sedges or sedge like taxa and scattered herbs (GHD 2013).</p> <p>The majority of the vegetation within the application area was rated as Very Good (Keighery 1994). The area has previously been cleared but comprises mature regrowth (GHD 2013).</p>

3. Assessment of application against clearing principles

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

Comments

Proposal is at variance to this Principle

The application proposes to clear up to 3.72 hectares of native vegetation for the purpose of constructing a transport depot (comprising hardstand area, site office, amenities and fuelling station).

Fifteen priority flora and five rare flora species have been recorded within the local area on similar vegetation and soil type as the area under application. Suitable habitat may be located within the application area for numerous rare and priority flora.

A targeted flora survey undertaken by GHD (2013) on 4 September 2013 identified three Priority 3 flora species within the application area. The three priority flora species identified are widely distributed throughout Western Australia. A number of populations of two of the priority flora species have been recorded within 15 kilometres

of the application area. The closest record of the third species is located approximately 55 kilometres north west of the application area, therefore the population recorded within the application area is likely to be a range extension, and may be a significant population (DPaW 2013).

Although the three species have been recorded at a number of locations, many of the records are quite old, with some recorded more than 20 years ago. Therefore it is unknown if these populations are still extant or what the current size and health of these populations are (DPaW 2013).

Without recent survey efforts for the other known populations of the priority flora to put the proposed clearing into context, the area proposed to be cleared could be considered a significant piece of vegetation containing populations and suitable habitat for three priority species. It is likely the three priority flora species identified within the application area are represented elsewhere within the local area (10 kilometre radius) however further surveying would be required to confirm this (DPaW 2013).

Two fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within the local area (10 kilometre radius) being *Egernia stokesii* subsp. *badia* (Western Spiny-tailed Skink) and *Leipoa ocellata* (Malleefowl) (DPaW 2007-). The vegetation within the application area is not likely to provide significant habitat for the Malleefowl or the Western Spiny-tailed Skink. However given the extensively cleared and highly fragmented nature of native vegetation within the landscape, it is considered that any remaining remnant vegetation in the local area is important as fauna habitat.

A fauna assessment was undertaken by GHD (2013) within the area under application and one fauna habitat type, *Allocasuarina* shrubland, was identified. The shrubland is mostly open, with moderately dense mid- and low-storey shrubs within minimal ground cover (GHD 2013). This habitat type would provide good foraging opportunities for small to medium bird species and may provide habitat for small reptiles and ground dwelling mammals (GHD 2013). GHD (2013) advised there are six conservation significant fauna species that may potentially use this shrubland habitat including, *Aspidites ramsayi* (Woma), *Falco peregrinus* (Peregrine Falcon), *Merops ornatus* (Rainbow Bee-eater) and *Ninox connivens connivens* (Barking Owl).

The vegetation under application is mapped as Beard Vegetation Association 453 which has approximately 12 per cent of its Pre European extent remaining in the Avon Wheatbelt Bioregion (Government of Western Australia 2013). The Shire of Dalwallinu retains approximately 23 per cent of its pre European vegetation. Given the degraded to very good (Keighery 1994) condition of the vegetation under application, the application is considered to represent this highly cleared vegetation community.

The application area consists of vegetation in a degraded to very good (Keighery 1994) condition and occurs within an extensively cleared landscape. Given the vegetation under application is a type that is under represented within the bioregion, contains three priority three flora species and may contain significant habitat for fauna, the application area is considered to comprise of a high level of biological diversity. Therefore the proposed clearing is at variance to this principle.

To address the environmental impacts identified in this assessment, the applicant has advised they are willing to provide an offset package which comprises of contributing funds towards the purchase of 31 hectares of a larger remnant within the Shire of Wongan-Ballidu to offset the loss of the 3.72 hectares proposed to be cleared under this application.

Methodology

References:

- Keighery (1994)
- DPaW (2007-)
- DPaW (2013)
- Government of Western Australia (2013)

GIS Databases:

- Dalwallinu 50cm Orthomosaic - Landgate 2006
- SAC Biodatasets - Accessed May 2013

(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

Proposal may be at variance to this Principle

Two fauna species listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 have been recorded within the local area (10 kilometre radius) being *Egernia stokesii* subsp. *badia* (Western Spiny-tailed Skink) and *Leipoa ocellata* (Malleefowl) (DPaW 2007-).

The Western Spiny-tailed Skink (brown form) is found in York Gum, Gimlet and Salmon gum woodlands. They utilise a range of habitats including hollow logs, abandoned farmhouses, sheds and woodpiles. The Black form of the Western Spiny-tailed Skink has been located on granite formations, ranging in size from hills to low rises (Department of Environment 2013a).

The Malleefowl occurs in semi-arid and arid zones of temperate Australia, where it occupies shrublands and low woodlands that are dominated by mallee vegetation. It also occurs in other habitat types including eucalypt or native pine *Callitris* woodlands, acacia shrublands, Broombush *Melaleuca uncinata* vegetation or coastal heathlands (Department of Environment 2013b).

The vegetation under application consists of *Acacia* low shrublands in a very good (Keighery 1994) condition. Therefore it is unlikely the vegetation proposed to be cleared will contain significant habitat for the Malleefowl or Western Spiny-tailed Skink.

A fauna assessment was undertaken by GHD (2013) within the area under application and one fauna habitat type, *Allocasuarina* shrubland, was identified. The shrubland is mostly open, with moderately dense mid- and low-storey shrubs with minimal ground cover. This habitat type provides good foraging opportunities for small to medium bird species and may provide habitat for small reptiles and ground dwelling mammals (GHD 2013). GHD (2013) advised there are six conservation significant fauna species that may potentially use this shrubland habitat including, *Aspidites ramsayi* (Woma), *Falco peregrinus* (Peregrine Falcon), *Merops ornatus* (Rainbow Bee-eater) and *Ninox connivens* (Barking Owl).

The area under application is located within an extensively cleared landscape with 10 per cent remaining in the local area (10 kilometre radius), the vegetation under application is part of a larger remnant (approximately 500 hectares) of vegetation that acts as a stepping stone for fauna across the landscape. The proposed clearing will contribute to the degradation and fragmentation to this stepping stone and reduce fauna movement across the landscape. The proposed clearing may indirectly impact adjacent remnant vegetation through the introduction or spread of weeds. Weed management practices will help mitigate this risk.

Given the extensively cleared and highly fragmented nature of native vegetation within the landscape it is considered that any remaining remnant vegetation in the local area is important as fauna habitat.

Given the degraded to very good (Keighery 1994) condition of the application area, the vegetation proposed to be cleared may be significant habitat for local fauna populations. Therefore the clearing as proposed may be at variance to this principle.

To address the environmental impacts identified in this assessment, the applicant has advised they are willing to provide an offset package which comprises of contributing funds towards the purchase of 31 hectares of a larger remnant within the Shire of Wongan-Ballidu to offset the loss of the 3.72 hectares proposed to be cleared under this application.

Methodology

References:

DPaW (2007-)
Department of Environment (2013a)
Department of Environment(2013b)
GHD (2013)

GIS Databases:

- SAC Biodata sets - accessed May 2013

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

Comments

Proposal is not likely to be at variance to this Principle

Four species of rare flora have been recorded within the local area (10 kilometre radius), the closest record is located approximately one kilometre south of the application area.

The area under application occurs in a degraded to very good (Keighery 1994) condition and consists of *Acacia* low shrublands. The soil type under application consists generally of sandy yellow earths and yellow earthy sands dominant (Northcote et al. 1960 - 1968).

All four rare flora species have been recorded on similar soil and vegetation types to the application area.

A targeted flora survey was undertaken by GHD (2013) on 4 September 2013 and did not identify any rare flora within the application area.

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

Methodology

References:

- GHD (2013)
- Keighery (1994)
- Northcote et al (1960-1968)

GIS Databases:
- SAC Biodata sets - accessed May 2013

(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 **Proposal is not likely to be at variance to this Principle**
No threatened ecological communities (TEC's) have been recorded within the local area (10 kilometre radius).

The closest TEC is 'Herbaceous plant assemblages on bentonite lakes' located approximately 63 kilometres west of the application area. Given the distance to the closest TEC the vegetation proposed to be clearing is not likely to be necessary for the maintenance of a TEC.

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

Methodology GIS Databases:
- SAC Biodata sets - accessed May 2013

(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 **Proposal is at variance to this Principle**
The area under application is located within the Avon Wheatbelt Interim Biogeographic Regionalisation of Australia (IBRA) region. This IBRA bioregion has approximately 19 per cent of its Pre European vegetation extent remaining (Government of Western Australia 2013).

The vegetation under application is mapped as Beard Vegetation Association 453 which has approximately 12 per cent of its Pre European extent remaining in the Avon Wheatbelt Bioregion (Government of Western Australia 2013). The Shire of Dalwallinu is extensively cleared with approximately 23 per cent of the pre-European extent of vegetation remaining (Government of Western Australia 2013).

Digital imagery (Dalwallinu 50cm Orthomosaic - Landgate 2006) indicates that the local area (10 kilometre radius) retains approximately 10 percent vegetation cover.

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30% of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

The area under application comprises a high level of biological diversity as it contains very good condition vegetation, is representative of a highly cleared vegetation community and contains three priority flora species. Therefore the area under application is considered to be a significant remnant. Given the highly cleared local area (10 per cent of pre-European vegetation remaining), it is considered for the application area to be a significant remnant in an area that has been extensively cleared.

Given the above, the proposed clearing is at variance to this principle.

To address the environmental impacts identified in this assessment, the applicant has advised they are willing to provide an offset package which comprises of contributing funds towards the purchase of 31 hectares of a larger remnant within the Shire of Wongan-Ballidu to offset the loss of the 3.72 hectares proposed to be cleared under this application.

	Pre-European (ha)	Current Extent (ha)	Remaining (%)	Extent in DEC Managed Lands (%)
IBRA Bioregion Avon Wheatbelt	9 517 110	1 778 407	19	10
Shire Shire of Dalwallinu	722 663	167 910	23	5
Beard Vegetation Association in Bioregion Jibberding (435)	255 984	29 716	12	17

* Government of Western Australia (2013)

Methodology References:
- Commonwealth of Australia (2001)
- Government of Western Australia (2013)

- GIS Databases:
- Dalwallinu 50cm Orthomosaic - Landgate 2006
- Local Government Authorities - Landgate
- 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 Proposal is not at variance to this Principle

There are numerous watercourses located within the local area (10 kilometre radius). The closest watercourse (minor, non perennial) is located approximately 800 metres east of the application area. A water reservoir and associated main drain is located approximately 300 metres north east of the application area.

Given the distance to the closest watercourse the vegetation proposed to be cleared is not likely to be growing in association with a watercourse or wetland.

Therefore the clearing as proposed is not 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 Proposal is not at variance to this Principle

The soil type mapped within the application area is Ms9, which Northcote et al. (1960 - 1968) describes as: Undulating terrain of a succession of plateau areas and relatively narrow valley side slopes: generally sandy yellow earths and yellow earthy sands seem to be dominant.

The sandy nature of the soil within the application area may be prone to wind erosion. However the impacts are expected to be minimal and short term and therefore the clearing as proposed is not likely to cause appreciable land degradation.

Given the above, the clearing as proposed is not at variance to this principle.

- Methodology** References:
- Northcote et al (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 Proposal may be at variance to this Principle

Numerous conservation areas are located within the local area. The closest being Buntine Nature Reserve located approximately 8.9 kilometres north of the application area.

The area under application is located within an extensively cleared landscape, the vegetation under application is part of a remnant of vegetation that acts as a stepping stone for fauna moving across the landscape. The proposed clearing will contribute to the degradation of this stepping stone and therefore may impact on the environmental values of nearby conservation areas by reducing fauna movement across the landscape.

The proposed clearing may indirectly impact adjacent remnant vegetation through the introduction or spread of weeds. Weed management practices will help mitigate this risk.

Therefore, the clearing as proposed may be at variance to this principle.

- Methodology** GIS Databases:
- DEC 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 Proposal is not at variance to this Principle

There are numerous watercourses located within the local area (10 kilometre radius). The closest watercourse (minor, non perennial) is located approximately 800 metres east of the application area. A water reservoir and associated main drain is located approximately 300 metres north east of the application area.

Given the distance to the closest watercourse the clearing as proposed is not likely to cause deterioration in the quality of surface or underground water.

Groundwater salinity is mapped as 14 000 - 35 000 mg/L Total Dissolved Solids which is considered to be highly saline. The proposed clearing of 3.72 hectares is not expected to cause deterioration in the quality of underground water.

Therefore the clearing as proposed is not at variance to this principle.

Methodology GIS Database:
- Hydrology, linear
- Salinity, risk

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

Comments Proposal is not at variance to this Principle

The soil type mapped within the application area is Ms9, which Northcote et al. (1960 - 1968) describe as: Undulating terrain of a succession of plateau areas and relatively narrow valley side slopes: generally sandy yellow earths and yellow earthy sands seem to be dominant.

Given the small area under application and the high porosity of sand the clearing as proposed is not likely to exacerbate the incidence or intensity of flooding. Therefore the clearing as proposed is not at variance to this principle.

Methodology References:
- Northcote et al (1968)

GIS Databases:
- Soils, statewide

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

Comments

The applicant proposes to clear up to 3.72 hectares of native vegetation for the purpose of constructing a transport depot (comprising hardstand area, site office, amenities and fuelling station).

The Shire of Dalwallinu (2013) is fully supportive of the application from LPG Shelf No.4 Pty Ltd to clearing 3.72 hectares of native vegetation within Reserve 17931, Lot 72 Woodhouse Street, Wubin, for the purpose of construction a transport depot. The Shire of Dalwallinu granted planning approval for a Transport Depot on 27 February 2012.

No Submissions have been received.

No Aboriginal Sites of Significance are located within the application area.

The application area is zoned as 'Townsite' under the local town planning scheme.

Reserve 17931 is currently vested with the Department for Planning and Infrastructure for the purpose of Recreation and Caravan Park. The applicant currently has an application with the Department of Lands (DL) to acquire a lease within Reserve 17931 for the purpose of a transport depot. The former Department of Regional Development and Lands has no objection in principle to the applicant lodging a clearing permit application with DER to facilitate the processing of the application. The former Department of Regional Development and Lands (RDL) advised that 'notwithstanding any approval, (including any conditions) by DER to clear any portion of Lot 71, no development works of any kind, including any clearing of vegetation cannot commence on Lot 72 until a lease is registered at Landgate between RDL and Linfox.'

To address the environmental impacts identified in this assessment, the applicant has advised they are willing to provide an offset package which comprises contributing funds towards the purchase of 31 hectares of a larger remnant within the Shire of Wongan-Ballidu to offset the loss of the 3.72 hectares proposed to be cleared under this application.

Methodology **References:**
- Shire of Dalwallinu (2013)

GIS Databases:
- Aboriginal sites fo significance

4. References

- GHD (2013). Targeted Flora Survey and Fauna Habitat Assessment – Lot 72 Woodhouse Street (Reserve 17931), Wubin. Western Australia. (DER Ref:A678720).
- DPaW (2007 -) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed May 2013
- Department of Environment (2013a). *Egernia stokesii badia* in Species Profile and Threats Database, Department of Sustainability, Environment, Water, Population and Communities, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed May 2013
- Department of Environment (2013b). *Leipoa ocellata* in Species Profile and Threats Database, Department of Sustainability, Environment, Water, Population and Communities, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed May 2013
- DPaW (2013). Species and Communities Advice – Impact Priority Flora. Department of Parks and Wildlife. Western Australia. DER Ref: A681889.
- Government of Western Australia. (2013). 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, 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.
- 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.
- 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 Dalwallinu (2013) Application to Clear Reserve 17931 (Lot 72 Woodhouse St Wubin). Western Australia. (DEC Ref: A628989)

5. Glossary

Term	Meaning
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
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