



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7756/1
Permit Holder:	Liberty Oil Corporation Pty Ltd
Duration of Permit:	10 February 2018 – 10 February 2023

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 hazard reduction or fire control.

2. Land on which clearing is to be done

Lot 7 on Diagram 3482, Dongara
Lot 8 on Diagram 3482, Dongara
Lot 9 on Diagram 3482, Dongara

3. Area of Clearing

The Permit Holder must not clear more than 0.27 hectares of native vegetation within the area shaded yellow on attached Plan 7756/1.

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

(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*:

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

- (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared;

PART III – RECORD KEEPING AND REPORTING

7. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, 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 that the area was cleared;
- (c) the size of the area cleared (in hectares); and
- (d) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 5 of this Permit.

8. Reporting

The Permit Holder must provide to the CEO the records required under condition 7 of this Permit, when requested by the CEO.

DEFINITIONS

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

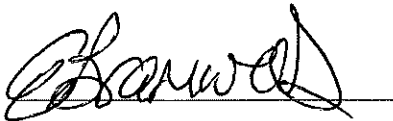
dieback means the effect of *Phytophthora* species on native vegetation;

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;

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.



Emma Bramwell
A/ MANAGER
CLEARING REGULATION

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

12 January 2018

Plan 7756/1



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Cadastre



(Approximate when reproduced at A4)
GDA 94 (Lat/Long)
Geocentric Datum of Australia 1994

E. Bramwell
E. BRAMWELL Date 12/01/18

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



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1. Application details

1.1. Permit application details

Permit application No.: 7756/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Liberty Oil Corporation Pty Ltd
Application received date: 07 September 2017

1.3. Property details

Property: Lot 9 on Diagram 3482, Dongara
Lot 8 on Diagram 3482, Dongara
Lot 7 on Diagram 3482, Dongara
Local Government Authority: Shire of Irwin
Localities: Dongara

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
0.27		Mechanical Removal	Hazard reduction or fire control

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 January 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 at variance to principle (f) and is not likely to be at variance to the remaining principles.

The Delegated Officer noted that the application area includes native vegetation which is growing in association with the Irwin River and that the proposed clearing may impact on the environmental values of adjacent vegetation through the spread of weeds and dieback, however determined that the proposed clearing is not likely to have any significant environmental impacts. The Delegated Officer had regard to the purpose of the proposed clearing in the decision to grant a clearing permit subject to a condition requiring the permit holder to implement weed and dieback management measures to assist in managing potential impacts to adjacent vegetation.

2. Site Information

Clearing Description: A 0.27 hectare area is proposed to be cleared across Lot 7, 8 and 9 on Diagram 3482, Dongara, to facilitate the renovation and refurbishment of an existing service station. The proposed clearing is necessary to reduce the bushfire attack level (BAL) of the application area to an acceptable level.

Vegetation Description: The application area is mapped as Beard vegetation association 352, described as medium woodland; York gum (*Eucalyptus loxophleba*) (Shepherd et al. 2001).

Strategen Environmental Consultants Pty Ltd (Strategen Environmental) conducted a preliminary flora, vegetation and black cockatoo habitat survey of the project area, which included the application area, on 4 July 2017 (flora, vegetation and habitat survey). The flora, vegetation and habitat survey identified two vegetation types within the application area (Strategen Environmental 2017a):

- VT1, described as *Eucalyptus camaldulensis* trees over **Schinus terebinthifolius* and **Arundo donax* over mixed weed species including **Trifolium subterraneum* on steep sandy-loam soil (approximately 0.19 hectares); and
- VT2, described as **Arundo donax* and mixed understorey weed species including **Trifolium subterraneum*, **Sonchus* spp. and **Poaceae* sp. on steep sandy-loam soil (approximately 0.08 hectares).

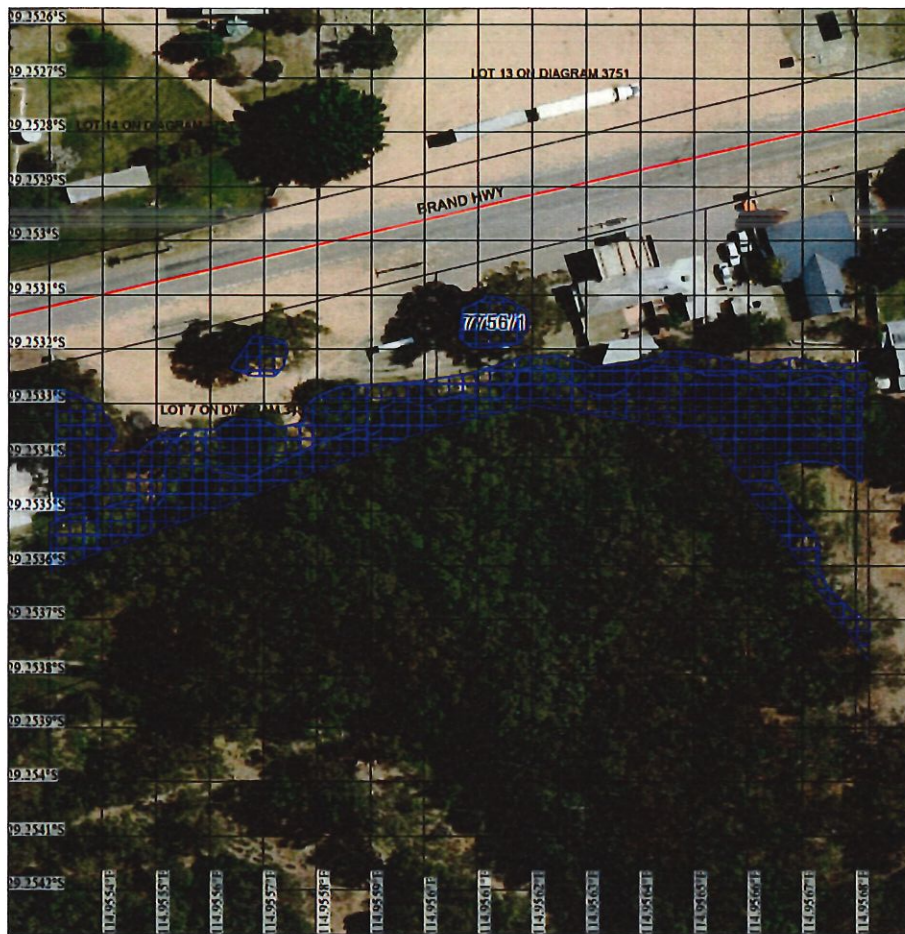
*Denotes an introduced species.

Vegetation Condition: All vegetation in the application area is in completely degraded in condition, as measured using the Keighery (1994) condition scale (Strategen Environmental 2017a).

Soil / Landform Type: The application area is situated within the mapped Greenough Alluvium Irwin Phase 2 subsystem, which is described as consisting of level alluvial flats with sandy and loamy duplex soils (Department of Primary Industries and Regional Development 2017a).

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

Figure 1: Map of the application area:



3. Assessment of application against clearing principles

The flora, vegetation and habitat survey identified that the application area is dominated by introduced flora species, with nine introduced and five native flora species recorded (Strategen Environmental 2017a). None of the identified introduced flora species comprise a Declared Plant Species listed under Section 22 of the *Biodiversity and Agriculture Management Act 2007* (Department of Primary Industries and Regional Development 2017b).

As indicated in Figure 1, the environment surrounding the application area includes large tracts of similar habitats, including the adjacent Irwin River which provides a continuous vegetation corridor leading to the coast.

A review of the NatureMap database identified that eight conservation significant flora species have been recorded within the local area (Department of Biodiversity, Conservation and Attractions 2007). A review of the Western Australian Herbarium database determined that the closest recorded occurrence of a conservation significant flora species is an occurrence of *Acacia telmica* recorded approximately 2.6 kilometres from the application area (Western Australian Herbarium 1998-). The flora, vegetation and habitat survey did not identify any flora species of conservation significance within the application area (Strategen Environmental 2017a). Noting the extent of the proposed clearing and the condition of the vegetation within the application area, the application area is considered unlikely to support a high level of biodiversity or comprise habitat for conservation significant flora species.

A review of the NatureMap database identified that four conservation-significant fauna species occur within the local area (Department of Biodiversity, Conservation and Attractions 2007). The flora, vegetation and habitat survey identified that the preferred habitats of these species do not occur within the application area (Strategen Environmental 2017a). Noting the extent of the proposed clearing and the condition of the vegetation within the application area, and that the application area is adjacent to an area of remnant vegetation, the application area is considered unlikely to comprise significant habitat for indigenous fauna, including species of conservation significance.

According to available datasets, the closest priority ecological community (PEC) is the Priority 3 'Subtropical and temperate coastal saltmarsh' community, which is also listed as a Vulnerable threatened ecological community (TEC) under the Environment Protection and Biodiversity Conservation Act 1999, located approximately three kilometres east of the application area. The Priority 1 'Coastal sands dominated by *Acacia rostellifera*, *Eucalyptus oraria* and *Eucalyptus obtusiflora* PEC also occurs in the local area, approximately 5.5 kilometres northwest of the application area. Noting the distance to these PECs, no adverse impacts to these communities are expected to result from the proposed clearing. Noting the condition of the vegetation within the application area, the application area is not likely to comprise or be necessary for the maintenance of a TEC.

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 mapped vegetation association within the Geraldton Sandplains bioregion retains more than the 30 per cent threshold (Government of Western Australia, 2016). The Shire of Irwin retains approximately 50 percent of its pre-European vegetation coverage (Government of Western Australia 2016). On this basis the application area is not likely to be significant as a remnant of native vegetation in an extensively cleared area.

The application area includes native vegetation which is growing in association with the Irwin River. On this basis, the proposed clearing is at variance to Principle (f). The application area includes a man-made embankment along its southern perimeter, which, along with the remnant vegetation surrounding the Irwin River, is expected to provide a buffer between the river and the proposed clearing. Noting this, it is unlikely the proposed clearing will directly impact on the Irwin River's ecological values.

The application area is moderately susceptible to land degradation impacts, including subsurface compaction and acidification, and to a lesser extent water erosion (Department of Primary Industry and Regional Development 2017a). The application area and its surrounding environment have a low to moderate risk of flooding (Department of Primary Industry and Regional Development 2017a). The applicant advised that stormwater management measures will be implemented (Strategen Environmental 2017a). Noting the mapped soil type, the extent of the proposed clearing and the condition of the vegetation within the application area, the proposed clearing is unlikely to cause appreciable land degradation, or cause deterioration to the quality of surface water or groundwater resources in the local area, or cause or exacerbate the incidence or intensity of flooding.

There are two conservation reserves in the local area, the Dongara Nature Reserve and the Beekeepers Nature reserve. These conservation reserves are situated approximately 4.1 kilometres to the northwest and 5.3 kilometres to the south of the application area, respectively. Neither of these areas is expected to be adversely impacted by the proposed clearing activities.

Given the above, the proposed clearing is at variance to Principle (f) and is not likely to be at variance to the remaining clearing principles.

Planning instruments and other relevant matters.

The Shire of Irwin advised that the proposed clearing would remove trees of importance to the visual amenity of the local area, with no benefit to the BAL for the proposed future redevelopment of the site, and that it does not support the proposed clearing of all of the trees (Shire of Irwin 2017a). The Shire of Irwin advised that it and the applicant are currently working through the planning approvals process, which considers (among other things) the impact of proposed developments on the amenity of the local area (Shire of Irwin 2017b).

The Shire of Irwin's comments were provided to the applicant for consideration. In response, the applicant provided the following advice (Strategen Environmental 2017b):

- The mature trees in the laydown area can be retained. A setback of 27 metres from the southern cadastral boundary would be required to achieve an Asset Protection Zone (APZ) standard in accordance with the applicable *State Planning Policy 3.7: Planning in Bushfire Prone Areas* and their associated guidelines. These guidelines indicate that trees at maturity can be retained, provided canopy cover is less than 15 per cent and the fine fuel load is maintained at an average of two tonnes per hectare (Western Australian Planning Commission 2017). There is the potential for *Eucalyptus camaldulensis* trees within the application area to be retained with thinning of the understorey, subject to compliance with the APZ standard. The clearing application was designed to give the applicant flexibility in achieving compliance with the aforementioned State Planning Policy;
- A Bushfire Management Plan has been prepared for the site and submitted to the Shire of Irwin in support of the applicants Development Approval Application; and
- The applicant has advised Strategen Environmental that the mature trees within the existing cleared area are proposed to be removed to accommodate the development in question.

The applicant is encouraged to liaise with the Shire of Irwin in relation to the above matters.

The application area is within the registered Irwin River Aboriginal Heritage Site (SC04). It is the responsibility of the applicant to ensure that no Aboriginal Sites of Significance are damaged through the clearing process. The applicant is encouraged to liaise with The Department of Planning, Lands and Heritage regarding any obligations under the *Aboriginal Heritage Act 1972*.

The application was advertised on the Department of Water and Environmental Regulation website for a 14-day public submission period. No public submissions were received regarding this application.

4. References

- 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 November 2017.
- Department of Primary Industry and Regional Development (2017a). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/> (accessed November 2017).
- Department of Primary Industries and Regional Development (2017b) Western Australian Organism List; <https://www.agric.wa.gov.au/organisms>. Accessed November 2017.
- Government of Western Australia (2016) 2016 State wide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2016. 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.
- 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.

Shire of Irwin (2017a) CPS 7756/1 – Application to Clear Native Vegetation. Prepared by the Shire of Irwin.
Shire of Irwin (2017b) Record of phone conversation regarding clearing permit CPS 7756/1. Prepared by the Department of Water and Environmental Regulation.
Strategen Environmental Consultants Pty Ltd (Strategen Environmental) (2017a) Native Vegetation Clearing Permit Application (Purpose Permit) – Supporting Documentation. Lot 7, 8 and 9 Brand Highway. Prepared for Liberty Oil Corporation Pty Ltd C/o Planning Solutions. September 2017.
Strategen Environmental Consultants Pty Ltd (Strategen Environmental) (2017b) CPS 7756/1 Clearing Permit Dongara Service Station response to DWER letter. Prepared by Katrina Cooper from Strategen Environmental.
Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Biodiversity, Conservation and Attractions. <http://florabase.dpaw.wa.gov.au/> (Accessed November 2017).
Western Australian Planning Commission (2017) Guidelines for Planning in Bushfire Prone Areas; Version 1.3 December 2017. Prepared by the Western Australian Planning Commission. Accessed at: <https://www.planning.wa.gov.au/8194.aspx> (January 2018).

GIS Databases:

- Aboriginal Sites of Significance
- Department of Biodiversity Conservation and Attractions, Tenure
- Groundwater salinity
- Hydrography, linear
- Hydrography, Hierarchy
- Remnant vegetation
- SAC bio datasets
- Soils, Statewide
- Topographic contours