



1. Application details

1.1. Permit application details

Permit application No.: 1619/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Whelans (WA) Pty Ltd on behalf of BHP BIO

1.3. Property details

Property: LOT 2350 ON PLAN 220053 (NEWMAN 6753)
Local Government Area: Shire Of East Pilbara
Colloquial name:

1.4. Application

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

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 82: Hummock grasslands, low tree steppe; snappy gum over <i>Triodia wiseana</i> (Hopkins et al., 2001).	The proposal includes clearing of 2.8ha of regrowth that was cleared approximately 20 years ago. The vegetation under application is described as a low open <i>Acacia citrinoviridis</i> and <i>Acacia aneura</i> woodland over a <i>Cenchrus ciliaris</i> grassland (ENV 2007).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Observed from photographic evidence of the site provided by Whelans Town Planning; the majority of the area is severely degraded with tracks cutting through the property. Much of the site is bare with only small grass species and the occasional shrub present. ENV Australia undertook a Rare and Priority Flora Search of the site in February 2007. The vegetation was considered to be in Very Poor condition.
Beard Vegetation Association 18: Low woodland; mulga (<i>Acacia aneura</i>) (Shepherd et al., 2002)		Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	

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 not likely to be at variance to this Principle
The proposed clearing of 2.8ha consists of low open woodland vegetation primarily of *Acacia citrinoviridis* and *Acacia aneura* over a *Cenchrus ciliaris* grassland (ENV Australia, 2007). The vegetation under application is in a degraded state due to clearing for construction and subsequent closure in the 1980s of Hillside accommodation camp that was once established on the site. Disturbance is also apparent due to remaining tracks that extend through the site. The high level of disturbance to the site and low native species density suggests that the original biodiversity has been significantly compromised. The area to be cleared is small and the vegetation associated with the site is highly represented elsewhere in the state. The area under application is not likely to be self-sustaining into the future and therefore not likely to contain a level of high biological diversity.

Methodology ENV 2007
GIS database:
- Pre-European Vegetation - DA 01/01

(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 is not likely to be at variance to this Principle

Fauna species or species habitat of conservation significance known to occur in the local area (10 km radius) include: Bilby, *Macrotis lagotis* (Vulnerable (VU)); Pilbara Leaf-nosed Bat, *Rhinonicteris aurantius* (VU); Pilbara Olive Python, *Morelia olivacea barroni* (VU); Rainbow Bee-eater, *Merops ornatus* and the Oriental Plover, *Charadrius veredus* (DOE 2007). The area proposed to clear has been previously disturbed via clearing in the 1980's following the closure of the Hillside accommodation camp that was once established on the site. Vegetation on the site has been naturally re-established but remains in very poor condition (ENV 2007, Wheelans Town Planning 2007).

Although the area proposed to be cleared may contain habitat for some threatened fauna, the habitat type that supports these species is not limited to the site proposed for clearing and is extensively represented in the local and wider area.

The clearing of 2.8 hectares of vegetation from the proposed area is not likely to significantly impact on the fauna species of the area, priority or otherwise, due to the small area to be cleared.

Therefore, this proposal is not likely to be at variance to this principle.

Methodology ENV 2007

Department of the Environment and Water Resources (2007) Protected Matters Search Tool, EPBC Act Protected Matters Report. <www.environment.gov.au> DEC TRIM Ref: DOC16352
Wheelans Town Planning (b) 2007

(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

ENV consultants conducted a flora survey of the application area in February 2007. According to the survey are no known populations of Declared Rare Flora (DRF) within the clearing permit application area (ENV 2007). The nearest known populations of DRF are six populations of *Lepidium catapycnon*, which occur to the northwest of the application area. The nearest of these populations is located approximately 9.9km outside the boundary of the application area, while the other five populations are located approximately between 10km and 11km outside the boundary of the application area (GIS Database). The clearing of 2.8ha of vegetation is not likely to impact upon the DRF due to the large distances between the two.

There are no Endangered or Vulnerable species, pursuant to Section 178 of the EPBC Act (1999) and no Priority flora species located on the site according to the ENV flora survey results (ENV 2007).

The site has been previously cleared and the vegetation that has re-established is considered to be in very poor condition (ENV 2007).

Based on the above, the proposed clearing is not likely to be at variance to this principle

Methodology ENV 2007

GIS Database: Declared Rare and Priority Flora List - CALM 01/07/05

(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 at variance to this Principle

There are no known Threatened Ecological Communities (TEC's) within a 10km radius of the area applied to clear (GIS Database). The nearest known TEC is the Ethel Gorge aquifer stygobiont community which is located approximately 12 km north east of the northern application area (GIS Database). Due to the distance from the application area, these ecosystems are unlikely to be affected by the proposed clearing and therefore this proposal is not at variance to this principle.

Methodology GIS Database: Threatened Ecological Communities - CALM 15/7/03.

(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 not likely to be at variance to this Principle

The State Government is committed to the national Objectives and Targets for Biodiversity Conservation, which includes a target that prevents clearance of ecological communities with an extent below 30% of that present pre-European settlement (Department of Natural Resources and Environment, 2002).

The vegetation of the area applied to clear comprises components of Beard Vegetation associations 18 and 82

(Hopkins et al 2001).

There is approximately 24,659,110 hectares of Association 18 remaining, approximately 99.9% of the pre-European extent (Shepherd et al. 2002), which indicates that it is well represented in the natural environment. There is approximately 2% of this Association located within ICUN Class I-IV Reserves (Shepherd et al. 2002), and 2.5% is located in pastoral leases managed by CALM (Shepherd et al. 2002).

There is approximately 2,920,910 hectares of Association 82 remaining, approximately 99.9% of the pre-European extent (Shepherd et al. 2002), which indicates that it is well represented in the natural environment. There is approximately 8.9% of Association 82 located within ICUN Class I-IV Reserves (Shepherd et al. 2002), and 1% is located in pastoral leases managed by CALM (Shepherd et al. 2002).

Clearing of 2.8 hectares of vegetation will not significantly reduce the remaining extent of Vegetation Associations 18 and 82. Therefore these Vegetation Associations are of 'least concern' for biodiversity conservation (Department of Natural Resources and Environment 2002) and the proposal is not likely to be at variance to this principle.

Methodology Shepherd et al. (2002)
Hopkins et al. (2001)
Department of Natural Resources and Environment (2002)
GIS database:
- Pre-European Vegetation - DA 01/01
- Interim Biogeographic Regionalisation of Australia - EA 18/10/00

(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 likely to be at variance to this Principle**
There are no permanent watercourses or wetlands within the areas proposed to be cleared (GIS Database). There are several minor non-perennial creeklines adjacent to the application area (GIS Database). There are two minor watercourses within 500m of the proposed clearing that run off Whaleback Creek (GIS Database). The proposed clearing is for a small area and is unlikely to have any significant impact on any watercourse or wetland. Therefore the proposed clearing is not likely to be at variance to this principle.

Methodology Wheelans Town Planning (a) 2007
GIS Database:
~ Hydrology, linear - DOE 1/02/04;
~ Lakes 250K - GA;
~ Rivers 250K - GA;

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

Comments **Proposal is not likely to be at variance to this Principle**
The application area lies within the Newman, Rocklea and Elimunna Land Systems. Both systems are inherently resistant to erosion (Dept. Agriculture 2004). Provided appropriate erosion control measures are implemented, the proposed clearing is unlikely to cause appreciable land degradation.

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

Methodology Department of Agriculture Technical Bulletin 2004.
GIS Database:
~ Soils, Statewide - DA 11/99;
~ Groundwater Salinity, Statewide - 22/02/00.

(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 is not at variance to this Principle**
There are no conservation areas in the vicinity of the application area. The nearest DEC managed lands are the Collier National Park, approximately 119km south/southwest of the application area; and the Karijini National Park, approximately 122km west/northwest of the application area (GIS Database). This proposal is unlikely to have any impact on any conservation area, based on the large distance to the nearest conservation reserve (DEC, 2006). Therefore, the proposed clearing is not likely to be at variance to this principle.

Methodology GIS Database: CALM Managed Land and Waters - 1/06/04;

(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 likely to be at variance to this Principle

The application area is located within the Newman Water Reserve, a Public Drinking Water Source Area (PDWSA) (GIS Database). Department of Water has advised that given the application is in an area to be approved as a residential area, they have no objection to the proposed clearing (DoW 2007).

Creeklines and gullies adjacent to the application area feed into Whaleback Creek, which feeds into the Fortescue River. Creeklines are non-perennial (GIS Database) and only flow after heavy rainfall events. The proposed clearing is for a relatively small area (2.8 ha) and is unlikely to cause deterioration in the quality of any surface or underground water. Therefore the proposed clearing is not likely to be at variance to this principle.

Methodology DoW (2007) Advice for CPS1619 and CPS1640 TRIM REF; DOC17789
GIS Database:
~ Public Drinking Water source Areas (PDWSA's) -DOE 29/11/04;
~ Hydrography, linear (hierachy) - DOE 13/4/05.

(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 likely to be at variance to this Principle

The area proposed to be cleared is relatively small (2.8 ha) and flat and is not associated with a permanent waterbody or watercourse (GIS Database). The area potential evapotranspiration of 1600 mm/annum is four times the mean annual rainfall of 400mm (GIS database). The proposed clearing is not likely to cause or exacerbate the incidence or intensity of flooding. Therefore the proposed clearing is not likely to be at variance to this principle.

Methodology GIS Database:
~ Rainfall, Mean Annual - BOM 30/09/01

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

Comments

The area to be cleared is currently zoned for rural land use (GIS database). Town Planning Scheme 4 Amendment 4 (CRN220773) for the rezoning of this land for special use - single persons accommodation has been forwarded to the EPA for possible assessment (TRIM REF DEC1858). Rezoning of Lot 2350 Gun Club Road Newman from Rural land use to Special single person accommodation is currently awaiting EPA approval.

No advice was received in response to Direct Interest Invite Letters sent to the Shire of East Pilbara.

The proposed works are not listed as a Prescribed Premises under the Environmental Protection Act 1986, therefore no licences are required.

There is one Native Title Claim relating to the area under application. The claim has been registered with the National Native Title Tribunal (WC99-004) and the status has been finalised. A direct Interest Invite was sent to Yamatji Marpla Land and Sea Council for the proposal but no response was received.

Methodology TRIM File Ref DEC1858
GIS Themes:
~ Register of Heritage Places - DPI 14/7/03;
~ Register of National Estate - EA 28/01/03;
~ Aboriginal Sites of Significance - DIA 28/02/03;
~ Native Title Claims - DLI 7/11/05

4. Assessor's recommendations

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Building or Structure	Mechanical Removal	2.8		Assessable criteria have been addressed and no objections were made. The application was found not at variance to Principles (d) and (h) and not likely to be at variance to all other principles.

5. References

- Department of the Environment and Water Resources (2007) Protected Matters Search Tool, EPBC Act Protected Matters Report. <www.environment.gov.au> DEC TRIM Ref: DOC17135
- Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.
- Department of Water (2007) Advice for CPS1619 and CPS1640. TRIM Ref: DOC17789
- ENV Australia (2007) Newman Eco Village Lot 2350 Gun Club Road Declared Rare and Priority Flora. DEC TRIM Ref DOC16826
- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
- 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.
- Van Vreeswyk, A.M.E., A.L. Payne, K.A. Leighton and P. Hennig (2004) An Inventory and Condition Survey of the Pilbara Region, Western Australia, Technical Bulletin No. 92, Department of Agriculture Government of Western Australia.
- Wheelans Town Planning (a) (2007) Aerial Photograph of Site Proposed to Clear, DEC TRIM Ref DOC8857
- Wheelans Town Planning (b) (2007) Photographs of Site and Vegetation on site, DEC TRIM Ref DOC16041

6. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management
DAWA	Department of Agriculture
DEP	Department of Environmental Protection (now DoE)
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 DoE)

