



1. Application details

1.1. Permit application details

Permit application No.: 1875/1
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Whelans (WA) Pty Ltd

1.3. Property details

Property: ROAD RESERVE (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:
1.75		Mechanical Removal	Drainage

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 1.75ha in a road reserve.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation under application is disturbed by multiple vehicular tracks (GIS dataset -Newman 1.4m orthomosaic mapping). The area identified to be cleared is consistent with existing disturbed paths which contain little or no trees or shrubs.
Beard Vegetation Association 18: Low woodland; mulga (<i>Acacia aneura</i>) (Shepherd et al., 2002)	The proposal includes clearing of 1.75ha in a road reserve.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The vegetation under application is disturbed by multiple vehicular tracks (GIS dataset -Newman 1.4m orthomosaic mapping). The area identified to be cleared is consistent with existing disturbed paths which contain little or no trees or shrubs.

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 vegetation of the area applied to clear comprises components of Beard Vegetation associations 18 and 82 (Hopkins et al 2001). There is approximately 99.9% of the pre-European extent of these associations remaining (Shepherd et al. 2002), which indicates that they are well represented in the natural environment and therefore clearing of 1.75ha of these associations is not likely to significantly reduce the biodiversity of the local or wider region.

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.

There are no known Declared Rare or Priority Flora or Threatened Ecological Communities within 10km of the area applied to be cleared.

The clearing of 1.75 hectares of vegetation from the proposed area is not likely to significantly impact on the flora, fauna and associated communities 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 Shepherd et al. (2002)
Hopkins et al. (2001)

- RAMSAR, Wetlands - DEC 02/03/07
- ANCA, wetlands - DEC 02/03/07
- Hydrography, Linear (hierarchy) - DOW
- Topographic contours - DEC
- Declared Rare and Priority Flora List - CALM 01/07/05
- Threatened Ecological Communities - CALM 15/7/03.
- SAC Biodatasets 110607

(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).

A number of priority species have also been recorded within a 20 km radius of the area applied to be cleared (SAC Biodatasets 110607).

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 1.75 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 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
Sac Biodatasets (110607)

(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

There are no known DRF within 10km of the area applied to be cleared. 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 11.5km outside the boundary of the application area, while the other five populations are located approximately between 12km and 13km outside the boundary of the application area (GIS Database). The clearing of 1.75ha of vegetation is not likely to impact upon the DRF due to the large distances between the two.

The vegetation to be cleared is highly represented in the local and wider regions and as such clearing of the 1.75ha of vegetation under this application is unlikely to be at variance to this principle.

Methodology GIS Database: Declared Rare and Priority Flora List - CALM 01/07/05
SAC Biodatasets 110607

(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

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 1.75 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 area proposed to be cleared (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 GIS Database:
- RAMSAR, Wetlands - DEC 02/03/07
- ANCA, wetlands - DEC 02/03/07
- Hydrography, Linear (hierarchy) - DOW
- Hydrography, Linear - DEC - Topographic contours - DEC

(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 likely to be 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). There is also Roy Hill Station approximately 68km from the application area which is a Proposed Reserve under the CALM/DEC 2015 Pastoral Lease Exclusions. 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 Dataset
- CALM proposed 2015 pastoral lease exclusions
- Ramsar wetlands (CALM February 2003)

- System 1-5 and 7-12 Areas (DOE June 1995)
- CALM Managed Lands and Waters (CALM July 2005)
- Clearing Regulations - Environmentally Sensitive Areas (DOE May 2005)
- Covenant sites (DEC 2007)
- Land for Wildlife sites (DEC 2007)

(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 (1.75 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)
 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 (1.75ha) 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
 ~Topographic Contours, Statewide - DOLA 12/09/02

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

Comments

No objections have been raised by the Shire of East Pilbara, Department of Conservation and Environment, or by the Department of Water to the proposed clearing.

There are no other relevant approvals or planning instruments that affect this proposal.

The area under application lies within one Native Title Claim. The Nyiyaparli claim was registered with the National Native Title Tribunal (WC99-004) and the status has been finalised. No objection has been raised with regard to Native Title for the proposed clearing.

No sites listed on the Register of Heritage Places or Aboriginal Sites of Significance are located within or in the vicinity of the area under application.

Methodology 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 comments

Purpose	Method Applied	area (ha)/ trees	Comment
Drainage	Mechanical Removal	1.75	Assessable criteria have been addressed and no objections were made. The application was found not likely to be at variance to all principles.

5. References

- 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.
- DoE (2007) Department of Environment and Water Resources Protected Matters Search Tool, EPBC Act, <www.environment.gov.au> DEC TRIM REF: DOC16352
- DoW (2007) Direct Interest Submission TRIM REF : DOC25801
- 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.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
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 (now DEC)
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 DEC)

