



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 5327/1
Permit Holder:	Western Australian Land Authority TA LandCorp
Duration of Permit:	14 December 2013 – 14 December 2018

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 new road to service the Mulataga subdivision in Karratha.

2. Land on which clearing is to be done

Lot 1933 on Deposited Plan 214062 (Reserve 35053), Mulataga.
Lot 1138 on Deposited Plan 180190, Mulataga.
Millstream Road reserve (PIN 11440761 and 118596), Mulataga.
Unallocated Crown Land (PIN 705652), Mulataga.
Maitland Road reserve (PIN 11440730), Bulgarra.

3. Area of Clearing

The Permit Holder must not clear more than 9.7 hectares of native vegetation within the area shaded yellow on attached Plan 5327/1.

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.

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.

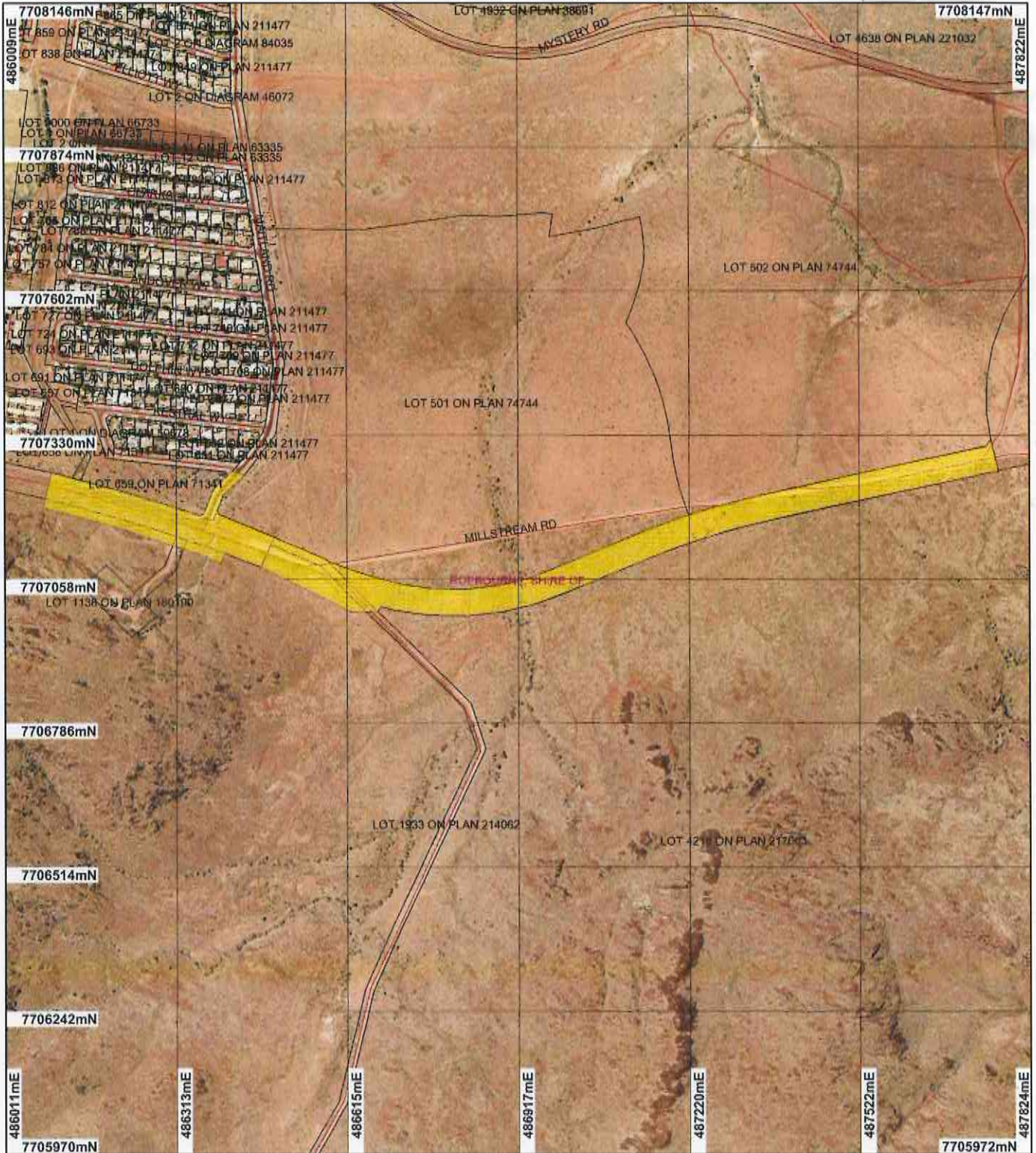


M Warnock
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

14 November 2013

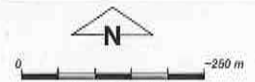
Plan 5327/1



LEGEND

- Cadastre
- Local Government Authorities
- Road Centrelines

- Clearing Instruments**
- Areas Approved to Clear
 - Dampier and Extensions 50cm Orthomosaic - Landgate 2008**



Scale 1:10000
(Approximate when reproduced at A4)

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 14/11/13
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 Environmental Regulation

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1. Application details

1.1. Permit application details

Permit application No.: 5327/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Western Australian Land Authority TA LandCorp

1.3. Property details

Property: ROAD RESERVE (MULATAGA 6714)
ROAD RESERVE (BULGARRA 6714)
LOT 1933 ON PLAN 214062 (MULATAGA 6714)
UNALLOCATED CROWN LAND (MULATAGA 6714)
LOT 1138 ON PLAN 180190 (Lot No. 1138 MILLSTREAM MULATAGA 6714)

Local Government Area: Shire of Roebourne

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
9.7		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 14 November 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
Beard Vegetation Association: 157 - Hummock grasslands, grass steppe with hard Spinifex, <i>Triodia wiseana</i> (Shepherd et al. 2001).	The clearing consists of 9.7 hectares of native vegetation within Lot 1933 on Deposited Plan 214062, Lot 1138 on Plan 180190, Millstream Road reserve and unallocated Crown land, Mulataga, and Maitland Road reserve, Bulgarra, for the purpose of constructing a new road to service the Mulataga subdivision within the Shire of Roebourne.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994). To Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation condition and description were determined from aerial imagery (Karratha Townsite 20cm Orthomosaic - Landgate 2008) and supporting information provided by the applicant (RPS 2012).

3. Assessment of application against clearing principles

Comments

The application is to clear up to 9.7 hectares of native vegetation from Lot 1933 on Deposited Plan 214062, Lot 1138 on Plan 180190, Millstream Road reserve and unallocated Crown land, Mulataga, and Maitland Road reserve, Bulgarra, for the purpose of constructing a new road to service the Mulataga subdivision in Karratha. The application area is to the east of the existing Karratha townsite and is a continuation of the Millstream Road.

The vegetation ranges from good to degraded (Keighery 1994) condition, with the majority of the vegetation under application in good condition (RPS 2012).

A priority three flora species occurring on the same soil and vegetation type as the application area has been recorded in the local area (10 kilometre radius). The species has been recorded approximately two kilometres from the application area. RPS Environment and Planning (RPS 2012) advised that Coffey Environments conducted a flora and vegetation survey of the wider Mulataga development site in 2011, which included the application area, in accordance with the Environmental Protection Authority's (EPA) Guidance Statement No. 51. No rare or priority flora, or threatened ecological communities were identified within the application area (RPS 2012).

Coffey Environments (2011) recorded four weed species within the wider survey area. Weed management practices will assist in mitigating potential impacts to native vegetation and prevent further weed infestation.

Given the local area (10 kilometre radius) is highly vegetated (90 percent), it is unlikely the proposed clearing contains significant fauna habitat, or will cause or exacerbate land degradation or flooding.

Two minor non-perennial watercourses and one major drain intersect the application area. The riparian vegetation is in good (Keighery 1994) condition along the minor watercourses and is in good to degraded (Keighery 1994) condition along the drain (RPS 2012). Avoiding and minimising the clearing of riparian vegetation will assist in mitigating potential impacts to these watercourses.

The proposed clearing may cause some short term water quality issues in terms of localised surface water sedimentation during clearing, however these issues should be minimal given the linear nature of the proposed clearing.

The assessment of the application identified that the clearing is at variance to Principle (f), may be at variance to Principle (i) and is not likely to be at variance to the remaining clearing principles.

Methodology

References:

Coffey Environments 2011
Government of Western Australia 2013
Keighery 1994
RPS 2012
GIS Databases:
- SAC Biodatasets
- Pre European Vegetation
- Hydrography, Linear

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

Comments

The application area is within the Pilbara Groundwater and Surface Water proclaimed area under the Rights in Water and Irrigation Act 1914. Any taking or diversion of surface water and abstraction of groundwater is subject to licensing by the Department of Water (DoW). The applicant has applied for a permit from the Department of Water to interfere with bed and banks.

The Shire of Roebourne (2012) advised that it does not object to the proposed clearing, however as this is a gateway site, the extent of vegetation removal should be minimised. The shire advised that to achieve this aim, the vegetation outside the clearance area and road should be protected from the construction activities associated with the road and be suitably protected from damage. In addition, tree protection zones should be established and the area along the roadside should be suitably landscaped post construction (Shire of Roebourne 2012).

The application area is located within a Native Title claim area determined by the Federal Court. The claimants (Ngarluma People) were given the opportunity to make comment on the application under s24KA of the Native Title Act 1993. On behalf of the claimants and their representatives, the Ngarluma Aboriginal Corporation (NAC), Land Equity Legal advised that the proposed clearing will have a significant impact on the native title rights and interests of the NAC. The NAC expressed concerns that the granting of the permit will destroy native vegetation and ethnographic and/or archaeological Aboriginal sites and areas of significance. Prior to any clearing of native vegetation, the NAC seeks an agreement with LandCorp to participate in flora and fauna and cultural heritage surveys (Land Equity Legal 2012). The applicant was notified of this objection on 13 December 2012.

The application area occurs within land parcels vested with the Shire of Roebourne and the Department of Lands. Authority to access land has been received from both the Shire of Roebourne and the Department of Lands.

Development approval for the subdivision for which the proposed road will service was granted by the Western Australian Planning Commission on 20 September 2013 (WAPC 2013).

Methodology

References:

DoW 2012
Land Equity Legal 2012
Shire of Roebourne 2012
WAPC 2013
GIS Databases:
- Aboriginal Sites of Significance
- Town Planning Scheme Zones
- RIWI Areas
- Native Title Claims Determined by the Federal Court

4. References

- Coffey Environments (2012) Flora, Vegetation and Fauna Assessment of the Mulatage Project Site. DEC REF: A559528.
- DoW (2012) Advice for clearing permit application CPS 5327/1. Received 16/11/2012, Department of Water, Western Australia. DEC REF: A569039.
- 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.
- Land Equity Legal (2012) Response to Direct Interest Letter for clearing permit application CPS 5327/1. Received 27/11/2012. DEC REF: A576764.
- RPS (2012) Environmental Assessment Report - Mulatage Residential Project, Karratha. DEC REF: A559528.
- 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 Roebourne (2012) Response to Direct Interest Letter for clearing permit application CPS 5327/1. Received 7/11/2012. DEC REF: A565333.
- WAPC (2013) Approval Subject to Condition(s) - Freehold (Green Title) Subdivision. Approved 20/09/2013. Western Australian Planning Commission, Western Australia.

5. Glossary

Term	Meaning
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community