



1. Application details

1.1. Permit application details

Permit application No.: 581/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Water Corporation

1.3. Property details

Property: PART LOT 88 ON PLAN 238605 (MOUNT MAGNET 6638)
Local Government Area: Shire Of Mount Magnet
Colloquial name: Waramboo Location 88, Crown Land Record No. 318/1990

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
3.2		Mechanical Removal	Bore construction

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 18: Low woodland; mulga (Acacia aneura).	The Mt Magnet area has historically been used for pastoral and mining purposes with the proposed area in particular relatively degraded, suffering the influence of extensive pastoralism (Ecologia, 2004). The proponent has also provided photographs of the exploration bores for HY-Brazil Pastoral Station showing representative vegetation (TRIM Ref: IN21109). Evidence provided suggests that the previous use of land (through extensive pastoralism and human activity) has significantly degraded the area and reduced species richness and density.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The description of the vegetation under application was obtained from the Consultant's report (Ecologia, 2004) and through photographs provided by the proponent (DoE TRIM No. IN21109).
Beard vegetation association 202: Shrublands; mulga and Acacia quadrimarginea scrub.			
Beard vegetation association 312: Succulent steppe with very open shrubs; very sparse mulga and Acacia sclerosperma over saltbush and bluebush.			
Beard vegetation association 415: Succulent steppe with open scrub; scattered mulga and other wattle over saltbush and bluebush.			
(Hopkins et al. 2001, Shepherd et al. 2001).	The Mt Magnet area consists of Granite Outcrops and Granite Breakaway Country (Acacia aneura, A. victoriae, A. longispinea, Eremophila sp., Atriplex quadrivalvata and Maireana sp.), Mulga Woodlands and Washplains (Acacia craspedocarpa, A. eremaea, Cassia desolata, C. helmsii and Arista contorta) and Ironstone and Laterite Hills (Acacia aneura, Cassia sp. Eremophila sp. Thryptomene sp. and Ptilotus sp.). (Ecologia,2004)		

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 area under application falls within the Murchison Bioregion; a region not recognised for its biodiversity. The Mt Magnet area has historically been used for pastoral and mining purposes with the proposed area in particular relatively degraded, suffering the influence of extensive pastoralism (Ecologia, 2004). The proponent has also provided photographs of the exploration bores for HY-Brazil Pastoral Station showing representative vegetation (TRIM Ref: IN21109). Evidence provided suggests that the previous use of land (through extensive pastoralism and human activity) has significantly degraded the area and reduced species richness and density and is not likely to be at variance to this Principle.

Methodology Ecologia, 2004.
GIS Databases: Interim Biogeographic Regionalisation of Australia-EA 18/10/00.

(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**

No fauna survey was conducted. In discussion with CALM, Geraldton Office, it was found the area was fairly degraded and consisted of mainly reptiles, marsupials and bird species. Of the species recorded, none have been declared rare or priority under the Wildlife Conservation Act. The condition of the vegetation is likely to limit the habitat value of the site and therefore the proposal is not likely to be at variance to this Principle.

Methodology CALM, 2005.
CALM's Threatened and Priority Fauna Database [The comprehensiveness of the database is dependent on the amount of survey carried out in the area and does not necessarily represent a comprehensive listing (CALM, 2005)].

(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**

Ecologia Environmental Consultants underwent a flora survey of Yoweragabbie, Hy-Brazil and Boogardie lease areas as part of the greater Mt Magnet Flora Survey.

Flora recorded in the Mt Magnet area includes 25 families and 94 species: Amaranthaceae [12], Primulaceae [1], Brassicaceae [2], Polygonaceae [2], Poaceae [8], Pappilionaceae [2], Malvaceae [2], Mimosaceae [7], Asteraceae [12], Chenopodiaceae [21], Portulacaceae [1], Phormiaceae [1], Myoporaceae [5], Euphorbiaceae [1], Frankeniaceae [1], Goodeniaceae [5], Proteaceae [2], Solanaceae [2], Pittosporaceae [1], Plantaginaceae [1], Sterculiaceae [1], Caesalpinaceae [1], Aizoaceae [1], Apiaceae [1], Zygophyllaceae [1] (Ecologia, 2004).

No Declared Rare or Priority Flora species were surveyed within the project area and the vegetation has been substantially degraded limiting its potential conservation value. It is unlikely that the proposed clearing will impact on significant flora and therefore unlikely to be at variance with this Principle.

Methodology Ecologia, 2004.
GIS Databases: Declared Rare and Priority Flora list - CALM 13/08/03.

(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**

The Threatened Ecological Community (TEC) database did not highlight any TEC areas within the Project area and therefore the proposal is not at variance to this Principle.

Methodology GIS Databases: Threatened Ecological Communities - CALM 15/07/03

(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 at variance to this Principle**

The area under application contains Beard Vegetation Associations 18, 202, 312 and 415, which have 99.9%, 98.1%, 100% and 96.1% respectively of native vegetation remaining (Shepherd et al, 2001). Given that they all have more than 50% of native vegetation remaining, they are of least concern by conservation status standards (Department of Natural Resources and Environment, 2002). In addition, the Murchison Bioregion has 100% of native vegetation remaining. The proposed clearing is therefore not at variance with this Principle.

Methodology GIS Databases:
- Interim Biogeographic Regionalisation of Australia - EA 18/10/00

- Pre-European Vegetation - DA 01/01
- Local Government Authorities - DLI 08/07/04.
Shepherd et al, 2001.
Department of Natural Resources and Environment, 2002

(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

No watercourse or wetland exists within the area under application. The proposed clearing is therefore, not at variance to this Principle.

Methodology GIS Databases: Hydrography, linear - DoE 01/02/04

(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 vegetation proposed to be cleared is a small area (3.2 hectares) that experiences low to average rainfall of 300mm and does not fall within the salinity risk or acid sulphate soil risk area. Due to the small area proposed to be cleared, it is unlikely that this proposal will cause appreciable land degradation issues on or off site and is therefore not likely to be at variance with this Principle.

Methodology GIS Databases:
- Rainfall, Mean Annual - BOM 30/09/01
- Salinity Risk LM 25m - DOLA 00
- Acid Sulphate Soil risk map, SCP DoE 01/02/04.

(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

No conservation areas have been identified within or near the proposal. The Beard Vegetation Associations 18, 202, 312 and 415 are not well represented within conservation estate, however they have 99.9%, 98.1%, 100% and 96.1% respectively of native vegetation remaining. This proposal is therefore not at variance with this Principle.

Methodology GIS Databases:
- CALM Regional Parks - CALM 12/04/02
- WRC Estate - WRC 05/99
- CALM Managed Lands & Waters - CALM 01/06/04
- Proposed National Parks FMP-CALM 19/03/03
- Register of National Estate - EA 28/01/03

(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 area under application falls within the Yarramonger catchment. The proposed bore construction is a relatively low impact activity and the area of vegetation is small, therefore the proposal is not likely to cause deterioration in the quality of surface or underground water (Midwest Gascoyne Hydro Unit, 2005).

Methodology GIS Databases:
- Current WIN data sets
- PDWSA Protection Zones - DOE 07/01/04
- Public Drinking Water Sources (PDWSAs) - DOE 29/11/04
- Hydrographic Catchments - Catchments - DOE 03/04/03.
Midwest Gascoyne Hydro Unit, 2005.

(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 area under application is characterised by a Mediterranean-Desert climate with a highly variable average rainfall of 300mm. The proposal is not in a low-lying area or near a watercourse and the proposed clearing is over a small area. It is therefore unlikely that this proposal will lead to an incremental increase in peak flood height or duration.

Methodology GIS Databases - Rainfall, Mean Annual - BOM 30/09/01

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

Comments

The Shire of Mount Magnet has not indicated that there are any planning requirements or approvals that would affect the clearing.

The Department of Environment received a submission from the Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation (YMBBMAC) Yamatji Land and Sea Council Pilbara Native Title Service representing the Badimia people whose traditional land is affected by this proposal. YMBBMAC claim that the rights granted pursuant to a Native Vegetation clearing permit constitute a future act, and as such, the Badimia people have the right to be notified and compensated.

Two sites of Aboriginal Significance have been identified within the area under application. In granting this permit, the proponent must ensure they liaise with the Department of Indigenous Affairs regarding obligations under the Aboriginal Heritage Act 1972.

In constructing these bores the Water Corporation will be exercising its power under section 83(1) of the Water Agencies (Powers) Act 1984, which states that the Water Corporation has an express power to clear in order to construct a bore for the purpose of obtaining a supply of underground water. Legal advice received from the State Solicitor's Office confirms that granting this permit is a secondary approval necessary to allow the underlying right to be exercised and therefore will not constitute future acts under the Native Title Act 1993.

The Water Corporation has been issued with a Licence, CAW 160526, to construct or alter wells under the Rights in Water and Irrigation Act 1914 for the area under application.

There is no further requirement for a Works Approval or EP Act Licence for the area under application.

A written consent has been obtained from the Pastoral Leaseholder, Mrs Heather Moses. The Water Corporation will become the owner of the land, or acquire an easement, reserve or other legal interest in the land, if the exploration drilling program defines suitable groundwater resources and if all approvals are obtained in accordance with the Water Agencies (Powers) Act 1984.

Methodology Yamatji Marlpa Barna Baba Maaja Aboriginal Corporation submission

4. Assessor's recommendations

Purpose	Method Applied	area (ha)/ trees	Decision	Comment / recommendation
Bore construction	Mechanical Removal	3.2	Grant	The assessable criteria have been addressed and no objections were raised. The assessing officer therefore recommends that the permit should be granted.

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.
- Ecologia, 2004, Mt Magnet Flora Survey - Boogardie Lease area, Ecologica Environmental Consultants, Western Australia.
- 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.

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)