



1. Application details

1.1. Permit application details

Permit application No.: 6910/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Mr Frank Edwards

1.3. Property details

Property: Lot 5212 on Plan 214767, Pippingarra
Local Government: Town of Port Hedland
Authority:
DER Region: North West
DPaW District: no district
Localities: Pippingarra

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
3.8954		Mechanical Removal	Carpark and campground

1.5. Decision on application

Decision on Permit Application: Refuse

Decision Date: 23 September 2016

Reasons for Decision: On 19 January 2016 the applicant applied to clear 3.8954 hectares of native vegetation.

The clearing application has been assessed against the clearing principles in Schedule 5 of the *Environmental Protection Act 1986*. In accordance with section 51O, the Delegated Officer has also had regard to planning instruments and other matters considered relevant.

The Delegated Officer determined that the proposed clearing is not likely to be at variance to any of the clearing principles.

In determining to refuse to grant a clearing permit, the Delegated Officer has had regard to the advice of the Department of Lands that a Section 91 licence has not been obtained for the clearing and subsequent land use of a carpark and campground.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description

Beard vegetation association 647 is described as hummock grasslands, dwarf-shrub steppe; *Acacia translucens* over soft spinifex (Shepherd et al., 2001).

Vegetation Condition

Very good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).

3. Assessment of application against clearing principles

Comments Mr Frank Edwards has applied to clear up to 3.895 hectares of native vegetation within Lot 5212 on Deposited Plan 214767, Pippingarra, for the purpose of a carpark and campground.

The application area is adjacent to native vegetation and a previously cleared area. The implementation of weed management practices will ensure weeds are not introduced by clearing equipment and spread into adjacent areas of native vegetation.

Consideration has been given to impacts to biodiversity, significant fauna habitat, rare flora, threatened ecological communities, remnant vegetation values, watercourses, land degradation, surface water quality, groundwater quality, and flooding. The assessment has found that the clearing under application is not likely to be at variance to any of the clearing principles.

- Methodology** GIS Databases:
- Parks and Wildlife tenure
 - Hydrology, linear
 - Groundwater salinity, statewide
 - Pre-European Vegetation
 - SAC Biodatasets (Accessed February 2016)
 - Soils, statewide

Planning instruments and other relevant matters.

Comments There are no registered Aboriginal Sites of Significance mapped within the area applied to clear. The applicant has advised that the Yamatji Marlpa Aboriginal Corporation are awaiting confirmation from Marapikurrinya Pty Ltd stating that there are no outstanding heritage issues concerning Lot 5212 on Deposited Plan 214767 prior to consenting to the proposed activities on behalf of the Kariyarra people (Edwards, 2016).

The Town of Port Hedland has provided in-principle support for the proposed land use (Town of Port Hedland, 2016).

The applicant has applied for a Section 91 licence from the Department of Lands under the *Land Administration Act 1997*.

A Delegated Officer from the Department of Environment Regulation (DER) wrote to the applicant on 3 March 2016 requesting that the relevant approvals be provided to DER by 3 June 2016 (DER ref. 1060585).

On 17 May 2016, the applicant emailed DER to request a six month extension to provide the Section 91 licence (DER ref. 1102479).

On 27 June 2016, a Delegated Officer of DER wrote to the applicant requesting that a Section 91 licence be provided by 27 September 2016 (DER ref. 1120675). The applicant was advised that under section 51O(4) of the EP Act, the Delegated Officer is required to have regard to any planning instrument or other matter considered relevant. The lack of a Section 91 licence is a relevant consideration. The applicant was advised that a decision would be made on the application in three months of the date of the letter. The letter advised that in the absence of receiving a copy of the Section 91 licence, it is likely that the application would be refused. At the date of this decision, no Section 91 licence has been obtained for access to Lot 5212 on Plan 214767, Pippingarra.

The clearing permit application was advertised on 1 February 2016 in *The West Australian* for a seven day public submission period. No submissions were received.

- Methodology** References:
- Edwards (2016)
 - Town of Port Hedland (2016)
- GIS Database:
- Aboriginal Sites Register System

4. References

- Edwards (2016) Information provided by the applicant on 19 January 2016. DER REF: A1038381.
- 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*. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Town of Port Hedland (2016) Officer level advice provided in relation to clearing permit application CPS 6910/1. Advice received 21 March 2016. DER REF: A1068146.