

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 7712/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: DBNGP (WA) Nominees Pty Ltd

1.3. Property details

Property: Dampier to Bunbury Pipeline Act 1997, Crown Reserve 38616, Reserve Document G741547 XE, Lot 176 on Deposited Plan 185971
Local Government Area: City of Karratha
Colloquial name: Karratha Borrow Pit

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
34.85		Mechanical Removal	Borrow Pit

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 28 September 2017

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Beard vegetation associations have been mapped for the whole of Western Australia and are useful to look at vegetation in a regional context. The following vegetation association has been mapped within the permit area (GIS Database): 117: Hummock grasslands, grass steppe; soft spinifex. Mattiske Consulting Pty Ltd (Mattiske) conducted a flora and vegetation survey over the application area in July 2009. One vegetation type was identified: Scrub of <i>Acacia ampliceps</i>, <i>Acacia bivenosa</i>, <i>Acacia stellaticeps</i> and <i>Senna artemisioides</i> subsp. <i>oligophylla</i> over mixed herbs over <i>Triodia epactia</i> and <i>Cenchrus ciliaris</i> on red sandy loam on flats (Mattiske, 2011).
Clearing Description	Karratha Borrow Pit. DBNGP (WA) Nominees Pty Ltd proposes to clear up to 34.85 hectares of native vegetation within a boundary of approximately 36 hectares, for the purpose of a borrow pit. The project is located approximately 3 kilometres south-east of Dampier, within the City of Karratha.
Vegetation Condition	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery, 1994). to Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).
Comment	The majority of the permit area was previously cleared under clearing permit CPS 4551/1 was granted the clearing of 34.85 hectares and was valid from 29 October 2011 to 30 September 2016. The vegetation condition was determined from the vegetation survey undertaken by Mattiske (2011) and by the assessing officer using aerial imagery.

3. Assessment of application against clearing principles

Comments

The majority of the vegetation within the permit area has been previously cleared and the only vegetation present is the regrowth of sparse grasses and weed species (DBP, 2017). According to available databases, there are no records of any Threatened or Priority Ecological Communities within the permit area (GIS Database). None of the previous vegetation was identified as a Threatened or Priority Ecological Community (Mattiske, 2011). The vegetation of the permit area is common and well represented throughout the bioregion (Government of Western Australia, 2016; GIS Database).

According to available databases, there are no records of Threatened or Priority flora species within the permit area (Department of Parks and Wildlife, 2017; GIS Database). The previous flora survey of the permit area did not record any Threatened or Priority flora species (Mattiske, 2011).

No fauna surveys have been conducted over the application area. There are numerous conservation significant fauna species that have been recorded within the local area (20 kilometre radius), however, these are almost entirely comprised of migratory bird species and marine fauna (DPaW, 2017; GIS Database). Exceptions to this include the Northern Quoll (*Dasyurus hallucatus*), Ghost Bat (*Macroderma gigas*), Pilbara Olive Python (*Liasis olivaceus* subsp. *barroni*) and Peregrine Falcon (*Falco peregrinus*). Given the permit area has almost entirely been previously cleared, it is not likely to represent significant habitat for any native fauna species.

There are no watercourses within the permit area and the vegetation present is not riparian vegetation (GIS Database). The proposed clearing of 34.85 hectares of vegetation will not impact on the quality of surface and groundwater in the local area and will not cause an increase in the incidence or intensity of flooding.

The permit area is mapped as comprising the Granitic and Cheerawarra land systems (GIS Database). The Granitic land system is not prone to erosion (Van Vreeswyk et al., 2004). Most of the Cheerawarra land system is highly susceptible to wind erosion if vegetative cover is depleted (Van Vreeswyk et al., 2004). Potential impacts from wind erosion may be minimised by a staged clearing condition.

A broad scale map of acid sulfate soil (ASS) risk for the Pilbara coast indicates a small part of the application area is located within an ASS risk area (GIS Database). DBP has conducted their own desktop study of the area and it indicates that there are no actual or potential ASS within the application area (DBP, 2017).

The application area has been assessed against the clearing principles, planning instruments and other matters in accordance with s.51O of the *Environmental Protection Act 1986*, and the proposed clearing may be at variance to Principle (g), is not likely to be at variance to Principles (a), (b), (c), (d), (h), (i) and (j) and is not at variance to Principles (e) and (f).

Methodology

DBP (2017)
Department of Parks and Wildlife (2017)
Government of Western Australia (2016)
Mattiske (2011)
Van Vreeswyk et al. (2004)

GIS Database:

- DPaW Tenure
- Hydrography, Linear
- Imagery
- Landsystem Rangelands
- Pre-European Vegetation
- Threatened and Priority Flora
- Threatened and Priority Ecological Communities boundaries
- Threatened and Priority Ecological Communities buffered
- Threatened Fauna

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

Comments

There is one native title claim over the area under application (WC1999/014) (Department of Planning, Lands and Heritage, 2017). However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There are no registered Aboriginal Sites of Significance within the application area (Department of Planning, Lands and Heritage, 2017). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

It is the proponent's responsibility to liaise with the Department of Water and Environmental Regulation and the Department of Biodiversity Conservation and Attractions, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

The application was advertised on 14 August 2017 by the Department of Mines, Industry Regulation and Safety inviting submissions from the public. There was one submission received stating no objections to the proposed clearing.

Methodology Department of Planning, Lands and Heritage (2017)

4. References

- DBP (2017) Karratha Borrow Pit. Supporting information for clearing permit application CPS 7712/1. Prepared by DBP, July 2017.
- Department of Parks and Wildlife (2017) NatureMap, Department of Parks and Wildlife (now Department of Biodiversity Conservation and Attractions) <<http://naturemap.dpaw.wa.gov.au>> Accessed 26 September 2017.
- Department of Planning, Lands and Heritage (2017) Aboriginal Heritage Enquiry System. Department of Planning, Lands and Heritage. <http://maps.daa.wa.gov.au/AHIS/> (Accessed 26 September 2017).
- Government of Western Australia (2016) 2016 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2016. WA Department of Parks and Wildlife, 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.
- Mattiske (2011) Flora and Vegetation Survey of the Proposed Borrow Pits Within the Burrup Peninsula. Report Prepared by Mattiske Consulting Pty Ltd for DBP, June 2011.
- Van Vreeswyk, A.M.E.; Payne, A.L.; Leighton, K.A.; Hennig, P. (2004) An inventory and condition survey of the Pilbara Region, Western Australia, Technical Bulletin No. 92 Department of Agriculture Western Australia, South Perth.
- Western Australian Herbarium (2017) FloraBase - The Western Australian Flora. Department of Biodiversity Conservation and Attractions. <http://florabase.dpaw.wa.gov.au/> (Accessed 26 September 2017).

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia (now DPLH)
DAFWA	Department of Agriculture and Food, Western Australia (now DPIRD)
DBCA	Department of Biodiversity Conservation and Attractions, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DBCA and DWER)
DEE	Department of the Environment and Energy, Australian Government
DER	Department of Environment Regulation, Western Australia (now DWER)
DMIRS	Department of Mines, Industry Regulation and Safety, Western Australia
DMP	Department of Mines and Petroleum, Western Australia (now DMIRS)
DPIRD	Department of Primary Industries and Regional Development, Western Australia
DPLH	Department of Planning, Lands and Heritage, Western Australia
DRF	Declared Rare Flora
DoE	Department of the Environment, Australian Government (now DEE)
DoW	Department of Water, Western Australia (now DWER)
DPaW	Department of Parks and Wildlife, Western Australia (now DBCA)
DSEWPac	Department of Sustainability, Environment, Water, Population and Communities (now DEE)
DWER	Department of Water and Environmental Regulation, Western Australia
EPA	Environmental Protection Authority, Western Australia
EP Act	<i>Environmental Protection Act 1986</i> , Western Australia
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Federal Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i> , Western Australia
TEC	Threatened Ecological Community

Definitions:

{DPaW (2017) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

T	Threatened species: Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora). Threatened fauna is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the Wildlife Conservation Act. Threatened flora is flora that has been declared to be 'likely to become extinct or is rare, or otherwise in need of special protection', pursuant to section 23F(2) of the Wildlife Conservation Act. The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.
CR	Critically endangered species Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
EN	Endangered species Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
VU	Vulnerable species Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.
EX	Presumed extinct species Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.
IA	Migratory birds protected under an international agreement Birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and the Bonn Convention, relating to the protection of migratory birds. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.
CD	Conservation dependent fauna Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.
OS	Other specially protected fauna Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the <i>Wildlife Conservation Act 1950</i>, in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.
P	Priority species Species which are poorly known; or Species that are adequately known, are rare but not threatened, and require regular monitoring. Assessment of Priority codes is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.
P1	Priority One - Poorly-known species: Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements

and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.

P2 Priority Two - Poorly-known species:

Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.

P3 Priority Three - Poorly-known species:

Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat. Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.

P4 Priority Four - Rare, Near Threatened and other species in need of monitoring:

(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection, but could be if present circumstances change. These species are usually represented on conservation lands.

(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for Vulnerable, but are not listed as Conservation Dependent.

(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

Principles for clearing native vegetation:

- (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.
- (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.
- (c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.
- (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.
- (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.
- (f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.
- (g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.
- (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.
- (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.
- (j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.