GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 11052/1
Permit Holder:	Shire of Derby/West Kimberley
Duration of Permit:	From 03 July 2025 to 03 July 2030

The permit holder is authorised to clear *native vegetation* subject to the following conditions of this permit.

PART I – CLEARING AUTHORISED

1. Clearing authorised (purpose)

The permit holder is authorised to clear *native vegetation* for the purpose of establishing and maintaining a safety buffer around airport tarmac.

2. Land on which clearing is to be done

Lot 50 on Diagram 68256, Derby

Lot 12 on Deposited Plan 226563, Derby

Lot 13 on Deposited Plan 226563, Derby

3. Clearing authorised

The permit holder must not clear more than 2.88 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

PART II – MANAGEMENT CONDITIONS

4. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending order of preference:

(a) avoid the clearing of *native vegetation*;

(b) minimise the amount of *native vegetation* to be cleared; and

(c) reduce the impact of clearing on any environmental value.

5. Weed management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of introduction and spread of *weeds*:

(a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;

(b) ensure that no known *weed*-affected soil, *mulch, fill*, or other material is brought into the area to be cleared; and

(c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

PART III - RECORD KEEPING AND REPORTING

6. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	(a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 4; and (f) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 5.

7. Reporting

The permit holder must provide to the *CEO* the records required under condition 6 of this permit when requested by the *CEO*.

DEFINITIONS

In this permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*.
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.

Term	Definition
department	means the department established under section 35 of the *Public Sector Management Act 1994* (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	*Environmental Protection Act 1986* (WA)
fill	means material used to increase the ground level, or to fill a depression.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
weeds	means any plant – (a) that is a declared pest under section 22 of the *Biosecurity and Agriculture Management Act 2007*; or (b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or (c) not indigenous to the area concerned.

END OF CONDITIONS

C Robertson
09.06.2024
11.27AM

Caron Robertson
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under Section 20
of the Environmental Protection Act 1986

9 June 2025

Schedule 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

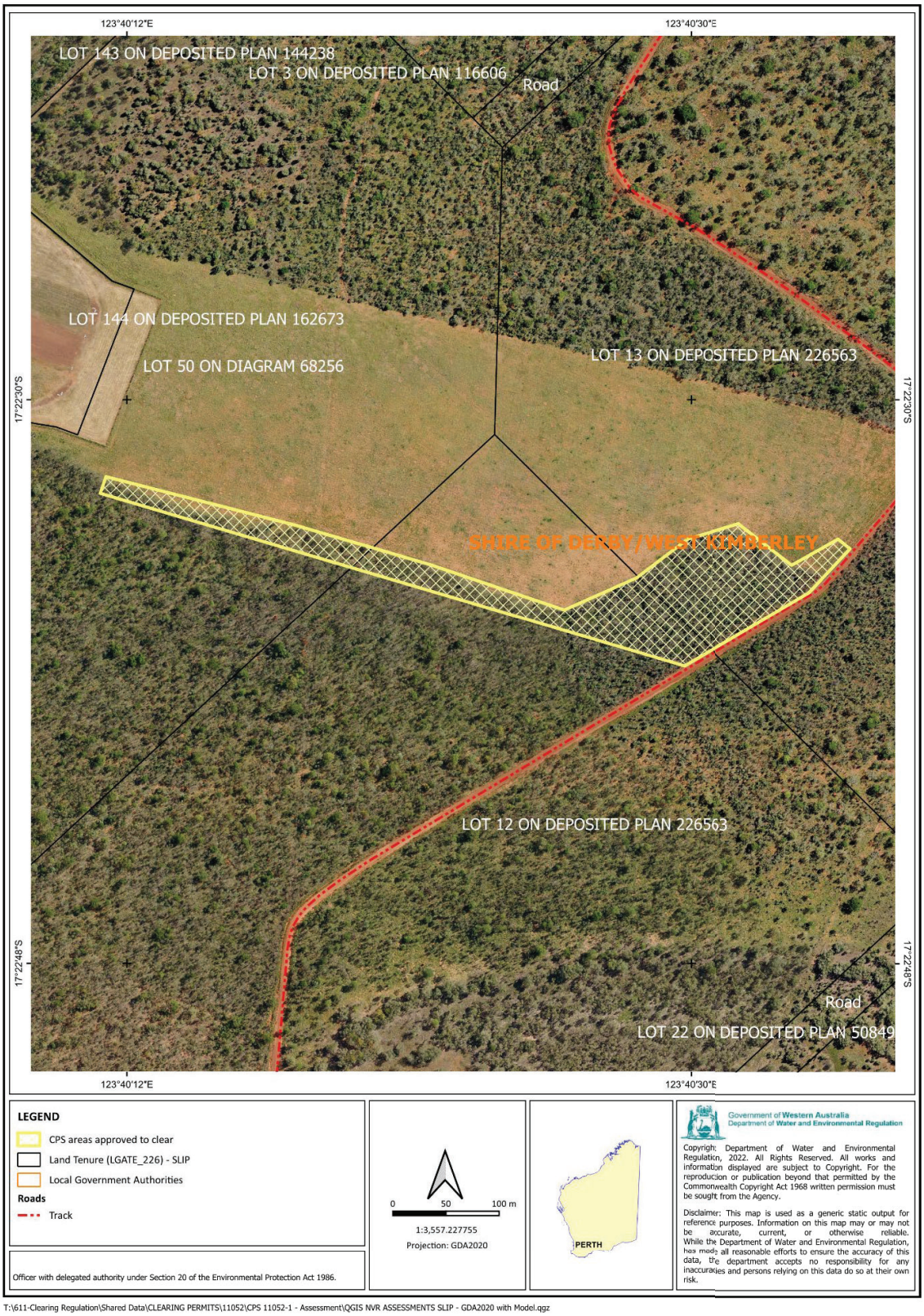

Figure 1: Map of the boundary of the area within which clearing may occur

Government of Western Australia
Department of Water and Environmental Regulation

Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 11052/1
Permit type:	Purpose permit
Applicant name:	Shire of Derby/West Kimberley
Application received:	1 May 2025
Application area:	2.88 hectares of native vegetation
Purpose of clearing:	establishing and maintaining a safety buffer around the airport tarmac
Method of clearing:	Mechanical
Property:	Lot 50 on Diagram 68256 Lot 12 on Deposited Plan 226563 Lot 13 on Deposited Plan 226563
Location (LGA area/s):	Derby/West Kimberley
Localities (suburb/s):	Derby

1.2. Description of clearing activities

The application is to clear a section of native vegetation at the end of the airport runway to ensure safe and compliant operations at the Derby Airport. The area proposed to be cleared is an approximately 600-metre strip with a larger, rectangular section of vegetation at the eastern edge of the application on the southern side of the existing safety buffer.

1.3. Decision on application

Decision:	Granted
Decision date:	9 June 2025
Decision area:	2.88 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer had regard for:

- the site characteristics (see Appendix B),
- relevant datasets (see Appendix F.1),
- photographs of the vegetation (see Appendix E),
- the clearing principles set out in Schedule 5 of the EP Act (see Appendix C), and
- relevant planning instruments and any other matters considered relevant to the assessment (see Section 3).

The Delegated Officer also took into consideration that the proposed clearing is to support ongoing operations at the Derby Airport.

The assessment identified that the proposed clearing will result in:

- the potential introduction and spread of weeds into adjacent vegetation, which could impact on the quality of the adjacent vegetation and its habitat values.

After consideration of the available information, as well as the applicant's minimisation and mitigation measures (see Section 3.1), the Delegated Officer determined the proposed clearing can be minimised and managed to unlikely lead to an unacceptable risk to environmental values.

The Delegated Officer decided to grant a clearing permit subject to conditions to:

- avoid, minimise to reduce the impacts and extent of clearing, and
- take hygiene steps to minimise the risk of the introduction and spread of weeds

1.5. Site map

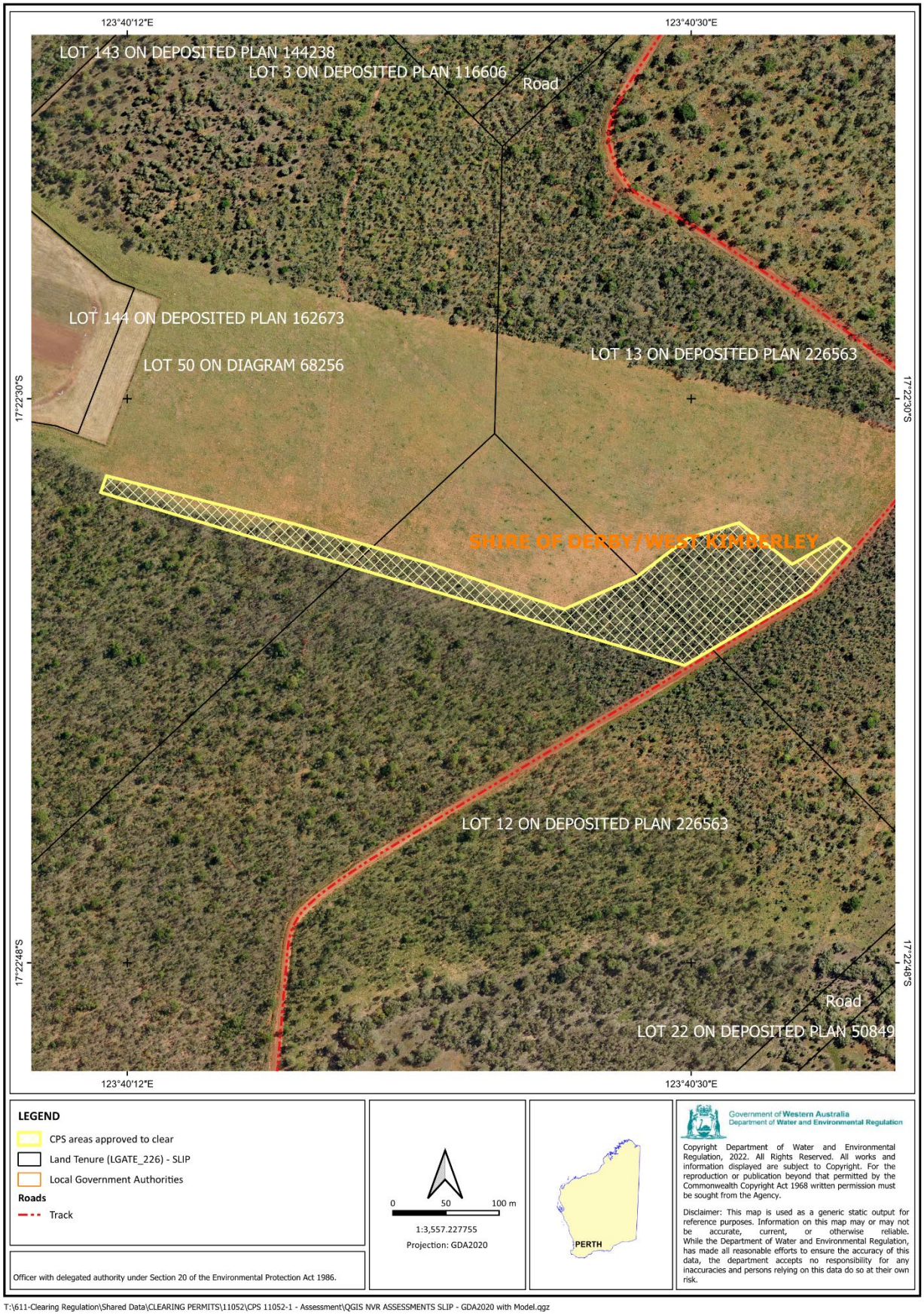

Figure 1. Map of the application area.

The area crosshatched yellow indicates the area authorised to be cleared under the granted clearing permit.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

The applicant advised that given the nature of the proposed clearing and location of existing airport infrastructure, the proposed clearing cannot be avoided. The area identified for clearing has been restricted to the minimum required to address safety risks and operational constraints, ensuring impacts are limited as much as possible (SDWK, 2025b).

The Delegated Officer was satisfied that the applicant has made a reasonable effort to avoid and minimise potential impacts of the proposed clearing on environmental values.

3.2. Assessment of impacts on environmental values

In assessing the application, the Delegated Officer has had regard for the site characteristics (see Appendix B) and the extent to which the impacts of the proposed clearing present a risk to biological, conservation, or land and water resource values.

The assessment against the clearing principles (see Appendix C) identified the impacts of the proposed clearing are limited and able to be managed to be environmentally acceptable with standard avoid, minimise and hygiene management conditions.

3.3. Relevant planning instruments and other matters

Contaminated sites
The proposed clearing area is partially mapped as a potential contaminated site awaiting classification due to the presence of hydrocarbons within the Derby Airport. DWER's Contaminated Sites Branch did not have any objections to proposal, however; recommended that the applicant prepare an appropriate management plan to address the risks associated with potential exposure to contaminated soil and groundwater during earthworks (DWER, 2025).

Aboriginal heritage
One Aboriginal site of significance has been mapped within the application area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

Appendix A. Additional information provided by applicant

Summary of comments	Consideration of comment
Photographs of the application area (SDWK, 2025b)	See Appendix E Photographs of the vegetation.

Appendix B. Site characteristics

B.1. Site characteristics

Characteristic	Details
Local context	The area proposed to be cleared is part of an expansive tract of native vegetation in the extensive land use zone of Western Australia. It is adjacent to the existing cleared runway safety zone and remnant native vegetation. The proposed clearing area is part of a large area of vegetation. Aerial imagery indicates the local area (50-kilometre radius from the centre of the area proposed to be cleared) retains approximately 90 per cent of the original native vegetation cover.
Ecological linkage	The proposed clearing area is not mapped within any formal ecological linkages.
Conservation areas	The proposed clearing is not mapped within a conservation area and there are no conservation areas within the local area (50 km radius).
Vegetation description	Photographs supplied by the applicant indicate the vegetation within the proposed clearing area consists of a thicket over grassland. Representative photos are available in Appendix E. This is broadly consistent with the mapped vegetation type(s): • Beard 764, which is described as Acacia thicket with scattered low trees over spinifex *Acacia eriopoda*, *Corymbia dichromophloia*, *Triodia pungens*, *T. bitextura* (Shepherd et al, 2001) The mapped vegetation type retains approximately 97 per cent of the original extent (Government of Western Australia, 2019).
Vegetation condition	Photographs supplied by the applicant indicate the vegetation within the proposed clearing area ranges from poor to very good (Trudgen, 1991) condition. The full Trudgen (1991) condition rating scale is provided in Appendix D. Representative photos are available in Appendix E.
Climate and landform	The Kimberley has a tropical monsoon climate, with most of the rainfall occurring from November to April. Landform of the proposed clearing is described as sandplain and dunefields with through-going drainage.
Soil description	The soil is mapped as the Wanganut system, described as sandplains and linear dunes supporting pindan woodlands with acacias and bloodwoods and curly spinifex- ribbon grass, and broad low-lying swales supporting bloodwood-grey box woodlands with curly spinifex-ribbon grass.
Land degradation risk	The proposed clearing area is not mapped as high risk for land degradation.
Waterbodies	The desktop assessment, aerial imagery and photographs provided by the applicant indicated that no watercourses transect the area proposed to be cleared. The nearest waterbody is a non-perennial swamp associated with King Sound, located approximately 0.5 km from the proposed clearing.
Hydrogeography	The proposed clearing is mapped within the Canning-Kimberley Groundwater Area. The mapped soils are not at high risk of water erosion, waterlogging or flooding.
Flora	According to available databases, there are 24 records across 10 species of conservation significant flora in the local area (50 km radius). None of the species recorded are listed as threatened under the BC Act, with all records being listed as Priority by DBCA. None of the species were recorded within the proposed clearing area or within one kilometre of the application.
Ecological communities	The proposed clearing is not mapped within any threatened or priority ecological communities. Four priority ecological communities are recorded within the local area (50

Characteristic	Details
	km radius), the nearest being the Gogo Land System (P3), located 20 km from the proposed clearing.
Fauna	According to available databases, there are 1439 records of 58 species of conservation significant fauna in the local area (50 km radius), composed of 47 birds, four fish, five mammals and two reptiles. One species, the Gouldian finch (*Chloebia gouldiae*) (P4) has previously been recorded within one kilometre of the proposed clearing.

Appendix C. Assessment against the clearing principles

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: biological values		
Principle (a): *"Native vegetation should not be cleared if it comprises a high level of biodiversity."* Assessment: The area proposed to be cleared does not contain significant flora, fauna, habitats, or assemblages of plants. Portions of the vegetation appear to be in very good (Trudgen, 1991) condition, however the proximity of the proposal to the existing safety buffer and road, in addition to its location adjacent to extensive vegetation located away from disturbances, are such that the proposed clearing is not likely to result in the loss of significant vegetation.	Not likely to be at variance	No
Principle (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."* Assessment: The area proposed to be cleared does not contain critical habitat for conservation significant fauna. Additionally, most species recorded in the local area are aquatic or are migratory birds which are associated with nearby mudflats islands and open ocean and are not likely to rely on the application area for habitat. It is noted that the Gouldian finch (*Chloebia gouldiae*) (P4) has previously been recorded in close proximity to the proposal. However, given the proposal's proximity to existing disturbances such as the road and airport, in addition to the extensive availability of suitable habitat in surrounding vegetation away from disturbances, the proposed clearing is not likely to result in the loss of critical habitat for this species.	Not likely to be at variance	No
Principle (c): *"Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, threatened flora."* Assessment: The area proposed to be cleared is unlikely to contain individuals of or habitat for flora species listed under the BC Act. The desktop assessment did not identify any threatened flora in the local area.	Not likely to be at variance	No
Principle (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."* Assessment: The proposed clearing is not mapped as a threatened ecological community and the desktop assessment did not identify any communities listed as threatened under the BC Act or EPBC Act in the local area.	Not likely to be at variance	No

Assessment against the clearing principles	Variance level	Is further consideration required?
Environmental value: significant remnant vegetation and conservation areas		
Principle (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."* Assessment: The extent of the mapped vegetation type and native vegetation in the local area is consistent with the national objectives and targets for biodiversity conservation in Australia. The vegetation proposed to be cleared is not considered to be part of a significant ecological linkage in the local area.	Not likely to be at variance	No
Principle (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."* Assessment: Given no conservation areas are recorded within 50 km, the proposed clearing is not likely to have an impact on the environmental values of conservation areas.	Not likely to be at variance	No
Environmental value: land and water resources		
Principle (f): *"Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland."* Assessment: Given no water courses or wetlands are recorded within the application area, the proposed clearing is unlikely to impact on- or off-site hydrology and water quality.	Not likely to be at variance	No
Principle (g): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation."* Assessment: The mapped soils are not susceptible to land degradation. Noting the extent and location of the application area, the proposed clearing is not likely to have an appreciable impact on land degradation.	Not likely to be at variance	No
Principle (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."* Assessment: Given no water courses, wetlands or Public Drinking Water Sources Areas are recorded within the application area, the proposed clearing is unlikely to impact surface or ground water quality.	Not likely to be at variance	No
Principle (j): *"Native vegetation should not be cleared if the clearing of the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding."* Assessment: The mapped soils and topographic contours in the surrounding area do not indicate the proposed clearing is likely to contribute to increased incidence or intensity of flooding. Given no waterbodies are recorded within the application area, the proposed clearing is unlikely to contribute to waterlogging.	Not likely to be at variance	No

Appendix D. Vegetation condition rating scale

Vegetation condition is a rating given to a defined area of vegetation to categorise and rank disturbance related to human activities. The rating refers to the degree of change in the vegetation structure, density and species present

in relation to undisturbed vegetation of the same type. The degree of disturbance impacts upon the vegetation's ability to regenerate. Disturbance at a site can be a cumulative effect from a number of interacting disturbance types.

Considering its location, the scale below was used to measure the condition of the vegetation proposed to be cleared. This scale has been extracted from Trudgen, M.E. (1991) *Vegetation condition scale* in National Trust (WA) 1993 Urban Bushland Policy. National Trust of Australia (WA), Wildflower Society of WA (Inc.), and the Tree Society (Inc.), Perth.

Measuring vegetation condition for the Eremaean and Northern Botanical Provinces (Trudgen, 1991)

Condition	Description
Excellent	Pristine or nearly so, no obvious signs of damage caused by human activities since European settlement.
Very good	Some relatively slight signs of damage caused by human activities since European settlement. For example, some signs of damage to tree trunks caused by repeated fire, the presence of some relatively non-aggressive weeds, or occasional vehicle tracks.
Good	More obvious signs of damage caused by human activity since European settlement, including some obvious impact on the vegetation structure such as that caused by low levels of grazing or slightly aggressive weeds.
Poor	Still retains basic vegetation structure or ability to regenerate it after very obvious impacts of human activities since European settlement, such as grazing, partial clearing, frequent fires or aggressive weeds.
Very poor	Severely impacted by grazing, very frequent fires, clearing or a combination of these activities. Scope for some regeneration but not to a state approaching good condition without intensive management. Usually with a number of weed species present including very aggressive species.
Completely degraded	Areas that are completely or almost completely without native species in the structure of their vegetation; i.e. areas that are cleared or 'parkland cleared' with their flora comprising weed or crop species with isolated native trees or shrubs.

Appendix E. Photographs of the vegetation






Appendix F. Sources of information

F.1. GIS databases

Publicly available GIS Databases used (sourced from www.data.wa.gov.au):

- 10 Metre Contours (DPIRD-073)
- Aboriginal Heritage Places (DPLH-001)
- Cadastre (LGATE-218)
- Cadastre Address (LGATE-002)
- Contours (DPIRD-073)
- DBCA – Lands of Interest (DBCA-012)
- DBCA Legislated Lands and Waters (DBCA-011)
- Directory of Important Wetlands in Australia – Western Australia (DBCA-045)
- Environmentally Sensitive Areas (DWER-046)
- Flood Risk (DPIRD-007)
- Groundwater Salinity Statewide (DWER-026)
- Hydrography – Inland Waters – Waterlines
- Hydrological Zones of Western Australia (DPIRD-069)
- IBRA Vegetation Statistics
- Imagery
- Local Planning Scheme – Zones and Reserves (DPLH-071)
- Native Title (ILUA) (LGATE-067)
- Offsets Register – Offsets (DWER-078)
- Pre-European Vegetation Statistics
- Public Drinking Water Source Areas (DWER-033)
- Ramsar Sites (DBCA-010)

- Regional Parks (DBCA-026)
- Remnant Vegetation, All Areas
- RIWI Act, Groundwater Areas (DWER-034)
- RIWI Act, Surface Water Areas and Irrigation Districts (DWER-037)
- Soil Landscape Land Quality – Flood Risk (DPIRD-007)
- Soil Landscape Land Quality – Phosphorus Export Risk (DPIRD-010)
- Soil Landscape Land Quality – Subsurface Acidification Risk (DPIRD-011)
- Soil Landscape Land Quality – Water Erosion Risk (DPIRD-013)
- Soil Landscape Land Quality – Water Repellence Risk (DPIRD-014)
- Soil Landscape Land Quality – Waterlogging Risk (DPIRD-015)
- Soil Landscape Land Quality – Wind Erosion Risk (DPIRD-016)
- Soil Landscape Mapping – Best Available
- Soil Landscape Mapping – Systems

Restricted GIS Databases used:

- ICMS (Incident Complaints Management System) – Points and Polygons
- Threatened Flora (TPFL)
- Threatened Flora (WAHerb)
- Threatened Fauna
- Threatened Ecological Communities and Priority Ecological Communities
- Threatened Ecological Communities and Priority Ecological Communities (Buffers)

F.2. References

Commonwealth of Australia (2001) *National Objectives and Targets for Biodiversity Conservation 2001-2005*, Canberra.

Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.

Department of Primary Industries and Regional Development (DPIRD) (2019). *NRInfo Digital Mapping. Department of Primary Industries and Regional Development.* Government of Western Australia. URL: https://maps.agric.wa.gov.au/nrm-info/.

Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.

Department of Water and Environmental Regulation (DWER) (Contaminated Sites) (2025) *Contaminated sites advice for clearing permit application CPS 11052/1*, received 20 May 2025 (DWER Ref: DWERDT1122360).

Government of Western Australia. (2019) *2018 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of March 2019.* WA Department of Biodiversity, Conservation and Attractions. https://catalogue.data.wa.gov.au/dataset/dbca-statewide-vegetation-statistics

Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68) *Atlas of Australian Soils*, Sheets 1 to 10, with explanatory data. CSIRO and Melbourne University Press: Melbourne.

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.

Shire of Derby/West Kimberley (SDWK) (2025a) *Clearing permit application CPS 11052/1*, received 1 May 2025 (DWER Ref: DWERDT1112228).

Shire of Derby/West Kimberley (SDWK) (2025b) *Supporting information for clearing permit application CPS 11052/1 - Photographs,* received 19 May and 26 May 2025 (DWER Ref: DWERDT1122357, DWERDT1124369).

Trudgen, M.E. (1991) *Vegetation condition scale* in National Trust (WA) 1993 Urban Bushland Policy. National Trust of Australia (WA), Wildflower Society of WA (Inc.), and the Tree Society (Inc.), Perth.

Western Australian Herbarium (1998-). *FloraBase - the Western Australian Flora*. Department of Biodiversity, Conservation and Attractions, Western Australia. https://florabase.dpaw.wa.gov.au/