



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 3191/ 1

File Number: DEC11856

Duration of Permit: From 13 September 2009 to 13 September 2011

PERMIT HOLDER

Shire of Derby/West Kimberley

LAND ON WHICH CLEARING IS TO BE DONE

Lot 723 on Plan 212056

AUTHORISED ACTIVITY

Clearing of up to 5.26 hectares within the area cross-hatched yellow on attached Plan 3191/1.

CONDITIONS

Nil

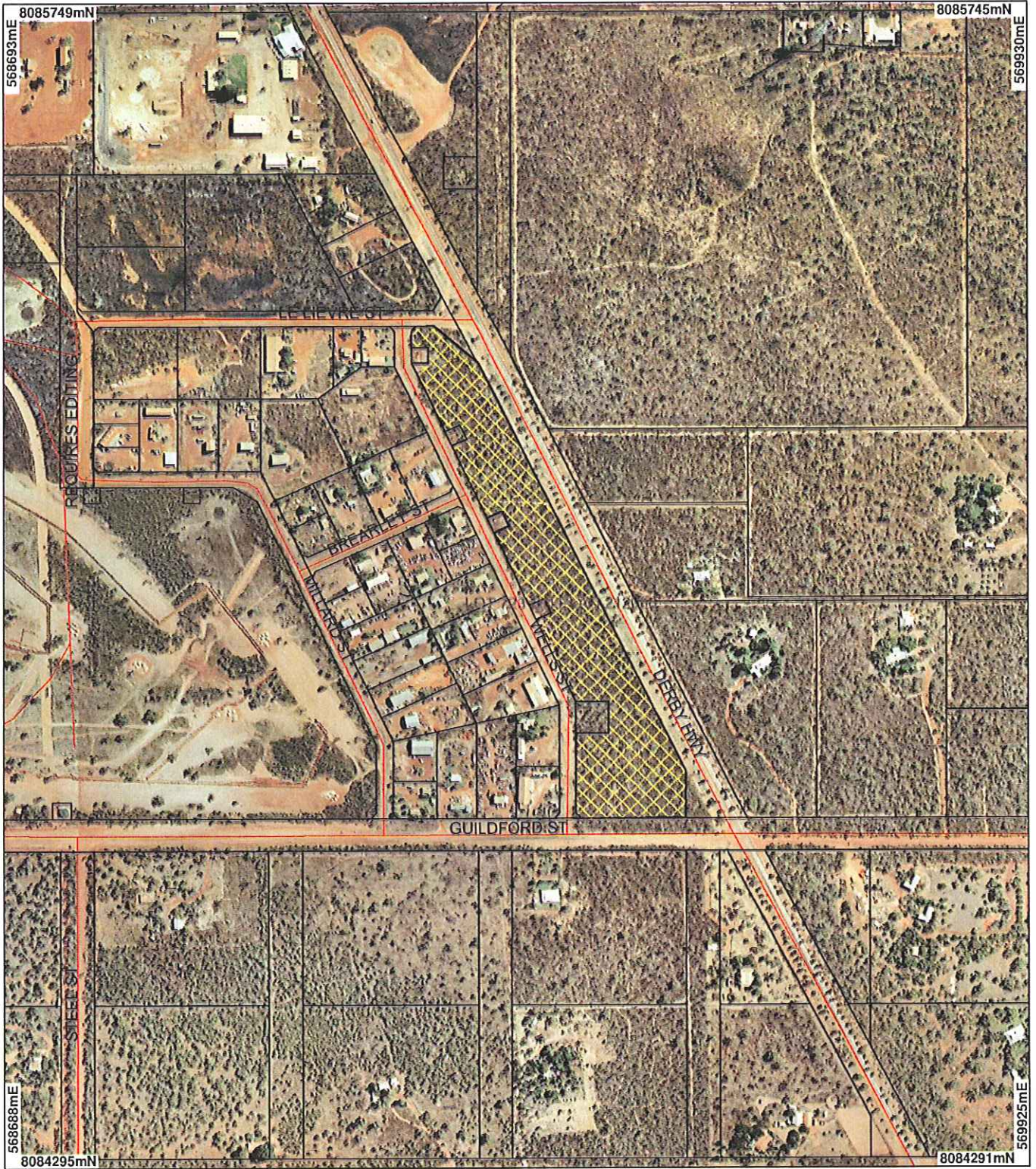
A handwritten signature in black ink, appearing to read "K Faulkner", written over a horizontal line.

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

13 August 2009

Plan 3191/1



LEGEND

Clearing Instruments

- Areas Applied to Clear
- Areas Subject to Conditions
- Areas Approved to Clear

Road Centrelines

- Cadastre
- Cadastre for labelling
- Derby Townsite 20cm Orthomosaic - Landgate 2001



Scale 1:6740

(Approximate when reproduced at A1)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K Faulkner Date 13/3/07

K Faulkner

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.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 3191/1
 Permit type: Area Permit

1.2. Proponent details

Proponent's name: Shire of Derby / West Kimberley

1.3. Property details

Property: LOT 723 ON PLAN 212056 (WELLS DERBY 6728)
 Local Government Area:
 Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
5.26		Mechanical Removal	Amenity and Fire Hazard Reduction

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 Unit: 764 - Shrublands, pindan; Acacia eriopoda & A. tumida shrubland with scattered low bloodwood & Eucalyptus setosa over ribbon & curly spinifex. (Shepherd, 2007)	The proposal is to clear 5.26 hectares of native vegetation in good to very good condition for the purpose of amenity and fire hazard reduction.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition of the vegetation was determined using site photos provided by the applicant and aerial imagery of the applied area. (Shire of Derby/West Kimberley Site Photo's 2009, GIS Database: Derby - Townsite Orthomosaic 2001)

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 proposal is to clear 5.26 hectares of native vegetation in good to very good condition for the purpose of amenity and fire hazard reduction.

The local area (20km radius) is well vegetated retaining approximately 90% native vegetation. Most of the surrounding vegetation is in a similar or better condition than the applied area.

Given the above the area under application is not likely to have a high level of biodiversity in a local context and therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
 Keighery (1994)

GIS Database:
 Pre European Vegetation - DA 01/01
 SAC Bio Datasets accessed 17 July 2009

(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**
 The following fauna species are known to occur in the local area (20km radius):
 - Purple Crowned Fairy Wren (Malurus coronatus coronatus) Priority 4
 - Australian Painted Snipe (Rostratula australis) Vulnerable.

The local area (20 km radius) is well vegetated (approximately 90% native vegetation retained) with most of the surrounding vegetation in a similar or better condition than the vegetation under application.

Given the extent of vegetation in similar or better condition the vegetation under application is not likely to be significant habitat for native fauna.

Methodology GIS Database:
SAC Bio Datasets accessed 17 July 2009

(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**
There are no known records of rare flora occurring within the local area (20km radius).

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
SAC Bio Datasets accessed 17 July 2009

(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 likely to be at variance to this Principle**
There are no known records of Threatened Ecological Communities (TECs) within the local area (20km radius).

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
SAC Bio Datasets accessed on 17 July 2009

(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 likely to be at variance to this Principle**

	Pre-European (ha)	Current extent (ha)	Remaining (%)	% In reserves DEC Managed Land
IBRA Bioregions* Dampier land^	8,845,180	8,316,459	99.66	N/A
Shire* Derby/ West Kimberley	11,956,106	11,899,459	99.53	N/A
Beard Vegetation Association* 764	53,248	53,248	100	
Beard Vegetation Association with Bioregion* 764	53,248	53,248	100	

* (Shepherd et al. 2007)

Given that the local area is well vegetated (approximately 90% vegetation retained) the vegetation under application is not considered to be significant in an extensively cleared landscape.

Methodology References:
Shepherd (2007)

GIS Database:
Interim Biogeographic Regionalisation of Australia - EA 18/10/00
Local Government Authorities - DLI 8/07/04
Pre European Vegetation - DA 01/01

(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 likely to be at variance to this Principle

The applied area does not include any wetlands or watercourses.

As the applied area is not in close proximity to a wetland or watercourse the vegetation under application is not likely to be growing in, or in association with, a wetland or watercourse. Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
Hydrography linear - DOW 13/7/06

(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 soils within the applied area are mapped as chiefly red earthy soils which can be associated with dunes and hummocks of red sands (Northcote et al. 1968) and the local area (20km) is well vegetated (approximately 90% native vegetation retained).

Given that the area under application lies within the Derby Townsite with associated drainage infrastructure the clearing as proposed is not likely to be at variance to this principle.

Methodology References:
Northcote et al. (1968)

GIS Database:
Hydrogeology, Statewide 05 Feb 2002
Soils, Statewide DA 11/99
Topographic contours statewide - DOLA and ARMY 12/09/02

(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 likely to be at variance to this Principle

There is one area of conservation significance within the local area (20km radius), namely Derby Laprosarium (an indigenous Register of National Estate site) approximately 9.2km north east of the applied area.

Given the distance between the closest area of conservation significance and the applied area the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
CALM Managed Lands and Waters - CALM 01/06/05
Register of National Estate - Environment Australia, Australian and world heritage division 12 Mar 02
System 1 to 5 and 7 to 12 areas DEC 11/7/06

(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 does not include any wetlands or watercourses and does not include vegetation growing in association with these areas.

Given that the vegetation under application is not associated with surface water expression the clearing as proposed is not likely to cause deterioration in the quality of surface and/or underground water in the local area.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
Hydrography linear - DOW 13/7/06

(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 likely to be at variance to this Principle

Given that the vegetation in the applied area is located within the Derby townsite with associated drainage infrastructure the clearing as proposed is not likely to result in an increase in the incidence or intensity of flooding.

Therefore the clearing as proposed is not likely to be at variance to this principle.

Methodology GIS Database:
Hydrography linear - DOA 13/07/06

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

Comments

The area under application is within a Rights in Water Irrigation (RIWI) area, Pilbara groundwater area (approved Plan). The proponent is not proposing to take any groundwater, therefore, no RIWI licences are required.

The purpose of clearing for amenity and fire hazard reduction is in accordance with the vested purpose of the reserve as recreation.

Methodology References:
GIS Database:
RIWI Act, Groundwater Areas - DoW 13/07/06

4. Assessor's comments

Comment

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is not likely to be at variance to any clearing Principles.

5. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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. (2007). Adapted from: 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. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
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 DEC)