



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: 6037/1  
File Number: DER2014/000689-1  
Duration of Permit: From 19 July 2014 to 19 July 2016

### PERMIT HOLDER

Yeeda Pastoral Company Pty Ltd

### LAND ON WHICH CLEARING IS TO BE DONE

Lot 268 on Deposited Plan 220707 (Willare 6728)

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 64 hectares of native vegetation within the area hatched yellow on attached Plan 6037/1.

### CONDITIONS

#### 1. Weed control

When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the 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 *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.

### DEFINITIONS

The following meanings are given to terms used in this Permit:

**fill** means material used to increase the ground level, or fill a hollow;

**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;

**weed/s** mean 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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned; and
- (d) that is a species permitted for planting under a Pastoral Diversification Permit issued by the Department of Regional Development and Lands.

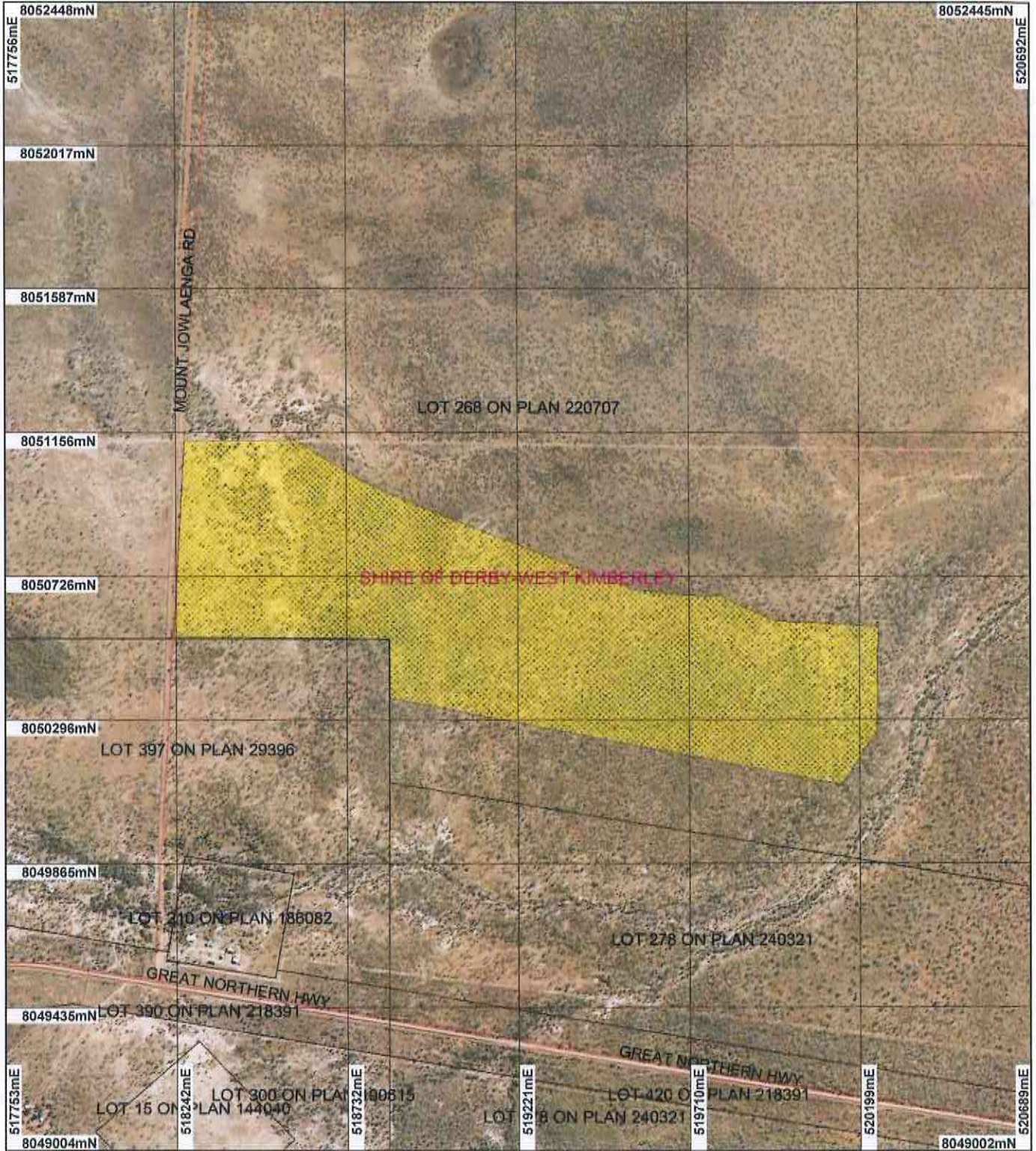
A handwritten signature in black ink, appearing to read "M Warnock", written over a horizontal line.

M Warnock  
SENIOR MANAGER  
CLEARING REGULATION

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

19 June 2014

# Plan 6037/1



**LEGEND**

- Cadastre for labelling
- Road Centrelines
- Local Government Authorities
- Clearing Instruments

Clarkson 80cm Orthomosaic - Landgate 2007

Scale 1:16000  
(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

*M Warnock* 19/6/14  
Date

M Warnock  
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.

Government of Western Australia  
Department of Environment Regulation  
WA Crown Copyright 2002



## 1. Application details

### 1.1. Permit application details

Permit application No.: 6037/1

Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Yeeda Pastoral Company Pty Ltd

### 1.3. Property details

Property: LOT 268 ON PLAN 220707 (WILLARE 6728)

Local Government Area: Shire of Derby-West Kimberley

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
67		Mechanical Removal	Cropping

### 1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 19 June 2014

## 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
Mapped Beard vegetation association 60 is described as grasslands, tall bunch grass savanna woodland, grey box & cabbage gum over ribbon grass (Shepherd et al 2001).	The clearing of 64 hectares of native vegetation within Lot 268 on Deposited Plan 220707, Willare is for the purpose of irrigation and cropping.	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition and description of the vegetation was determined by a site inspection undertaken by the Department of Parks and Wildlife (Parks and Wildlife 2014).
Mapped Beard vegetation association 750 is described as shrublands, pindan; Acacia tumida shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex (Shepherd et al 2001).			The vegetation community within the application area is low open woodland/shrubland consisting of mostly Acacia sp., Eucalyptus sp., Corymbia sp., Bauhinia cunninghamii overstorey. The under storey contains Sida sp., Ribbon Grass, Curley Spinifex and other unidentified grasses of moderate density. (Parks and Wildlife 2014).

## 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 clearing of 64 hectares of native vegetation within Lot 268 on Deposited Plan 220707, Willare is for the purpose of irrigation and cropping. The applicant has advised that large areas within the proposed clearing area will be left as nature strips and wildlife corridors.

The vegetation under application is in a good (Keighery 1994) condition (Parks and Wildlife 2014). Digital imagery indicates that the local area (10 kilometre radius) surrounding the area under application retains approximately 90 per cent vegetation cover.

One priority flora species has been recorded within the local area (20 kilometre radius). The Priority 3 flora species has been recorded approximately 15 kilometres south west of the area under application. This species has been recorded on red sand or loam (Western Australian Herbarium 1998-).

Priority 3 species is known from several localities not under imminent threat with either large population size or significant remaining areas of apparently suitable habitat. If the Priority flora species is located within the area under application the proposed clearing is not likely to have a significant impact on the conservation status of this species.

One fauna species, Bilby (*Macrotis lagotis*), listed as rare or likely to become extinct has been recorded within the local area (20 kilometre radius) (DEC 2007-). Suitable habitat for this species may be located within the application area, however the local area is highly vegetated with vegetation in the same or better condition to the application area. Therefore no loss of significant habitat for this species is expected.

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

**Methodology**

References:

- DEC (2007-)
- Keighery (1994)
- Parks and Wildlife (2014)
- Western Australian Herbarium (1998-)

GIS Database:

- SAC Bio Datasets - accessed April 2014

**(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**

One fauna species, Bilby (*Macrotis lagotis*), listed as rare or likely to become extinct under the Wildlife Conservation Act 1950 has been recorded within the local area (20 kilometre radius) (DEC 2007-). The Bilby is listed as vulnerable under the Environment Protection and Biodiversity Act 1999 (Parks and Wildlife 2014). Bilby's inhabit three major vegetation types, open tussock grassland on uplands and hills, mulga woodland/shrubland growing on ridges and rises, and hummock grassland in plains and alluvial area.

Clearing habitat for grazing and competition with live stock are listed as major threats to this species (DSEWPaC, 2012). As this species has a large foraging range and is known to move up to five kilometres between burrows on consecutive days, the application area may form habitat for this species.

Two bird species area also known to occur within the local area (20 kilometre radius), Rainbow Bee-eater (*Merops ornatus*) and Little Curlew (*Numenius minutus*) (Parks and Wildlife 2014).

Digital imagery indicates that the local area (20 kilometre radius) surrounding the area under application retains approximately 90 per cent vegetation cover.

Given the large size of the application (64 hectares) in a good (Keighery 1994) condition the application area may represent fauna habitat for the above fauna species. However, the applicant intends to retain native vegetation buffers between the cleared areas around edges of irrigation and dryland cropping areas which will help facilitate fauna movement between remnant vegetation surrounding the application area.

The habitat for the above fauna species is well represented within the local area (20 kilometre radius) and no loss of significant habitat for fauna indigenous to Western Australia is expected.

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

**Methodology**

References:

- Parks and Wildlife (2014)
- Department of the Environment (2014)

GIS Database:

- SAC Bio Datasets - accessed April 2014

**(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 rare flora species recorded within the local area (20 kilometre radius). Therefore it is not likely the vegetation proposed to be cleared contains or is necessary for the continued existence of rare flora.

**Methodology**

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

GIS Database:

- SAC Bio Datasets - accessed April 2014

**(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**

No threatened ecological communities (TEC) have been recorded within the local area (20 kilometre radius). The closest record of a TEC is 'Roebuck Bay Mudflats' located approximately 84 kilometres south west of the application area.

Given the distance to the closest TEC, the vegetation proposed to be cleared is not likely to be necessary for the maintenance of a TEC.

The clearing proposed is not likely to be at variance to this principle.

**Methodology** GIS Database:  
- SAC Bio Datasets - accessed April 2014

**(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**

The area under application is located within the Dampierland Interim Biogeographic Regionalisation of Australia (IBRA) bioregion. This IBRA bioregion has approximately 99 per cent of its Pre European vegetation extent remaining (Government of Western Australia 2013).

The vegetation under application is mapped as Beard Vegetation Associations 60 and 750 which have approximately 100 and 99 per cent of their Pre-European extent remaining in the Dampierland bioregion respectively (Government of Western Australia 2013).

The national objectives and targets for biodiversity conservation in Australia has a target to prevent clearance of ecological communities with an extent below 30 per cent of that present pre-1750, below which species loss appears to accelerate exponentially at an ecosystem level (Commonwealth of Australia, 2001).

Digital imagery indicates that the local area (20 kilometre radius) surrounding the area under application retains approximately 90 per cent vegetation cover.

Given the vegetation representations outlined above, the area under application is not likely to be a significant remnant in an extensively cleared area.

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

Pre-European	Current Extent (ha)	Remaining Extent in DEC Managed Lands (ha)	(%)	(%)
IBRA Bioregion* Dampierland	8,343,939	8,319,872	99	1
Shire* Shire of Derby-West Kimberley	11,956,421	11,898,517	99	4
Beard Vegetation Association in Bioregion* 60	39,405	39,405	100	0
750	1,229,182	1,225,280	99	2

\*Government of Western Australia (2013)

**Methodology** References:  
-Commonwealth of Australia (2001)  
-Government of Western Australia (2013)  
-Keighery (1994)

GIS Databases:  
-NLWRA, Current Extent of Vegetation Remaining

**(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**

A minor watercourse is located approximately 100 metres north of the application area. This minor watercourse is a tributary of Little Logue River. Little Logue River also occurs 100 metres southeast of the proposed clearing area (Parks and Wildlife 2014).

Given the 100 metre distance to the two watercourses the clearing as proposed is not likely to be growing in association with a watercourse. The applicant will inspect areas surrounding the application area to ensure weeds have not spread into adjacent remnant vegetation and impact upon the watercourses.

**Methodology** Given the above the clearing as proposed is not likely to be at variance to this principle.  
References:  
- Parks and Wildlife (2014)

GIS Databases:  
- Hydrography, linear

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments Proposal may be at variance to this Principle**

The area under application contains grey-brown sandy soils (Parks and Wildlife 2014).

Given the sandy soils present within the proposed clearing area wind erosion may occur. The risk of wind erosion is increased during the initial clearing and development phases when the protective native vegetation is cleared (DAFWA 2014).

The application area is subject to overland flow after heavy rain. The sandy soils within the application area are erodible. A site inspection undertaken by the Department of Agriculture and Food Western Australia (DAFWA 2014) observed evidence of water erosion within the application area where overland flow has been concentrated along vehicle tracks where there is low vegetative cover.

The purpose of the proposed clearing includes irrigated production of Rhodes grass which will maintain a high level of ground cover and thus protect the soil from wind and water erosion. Periods of heavy rain producing overland flow are most likely to occur during the wet season when Sorghum has greater groundcover to protect the soil from water erosion. However, the areas proposed to be planted with Sorghum will have minimal groundcover to protect the soil from wind erosion during the establishment phase of each year and low groundcover for a short period after each cut. The establishment of annual crops during wet conditions can be problematic due the unpredictable climate which could leave the site with low groundcover for an extended period.

If planted areas are to be grazed, wind erosion could occur if crop residual is reduced to less than 50 per cent ground cover.

The proposed clearing may cause land degradation in form of soil erosion. Therefore the clearing as proposed may be at variance to this principle.

The applicant has advised they will use best practice management techniques to prevent any soil erosion (Yeeda Pastoral Station Company Pty Ltd 2014). The area under application has minimal slope and by maintaining soil cover the likelihood of erosion is negligible (Yeeda Pastoral Station Company Pty Ltd). A cover crop will be planted on all cleared areas to prevent erosion during the wet season.

To prevent wind erosion the applicant has advised that reasonably sized trees will be retained on each side of the areas to be cleared. In addition the cleared areas will have a cover of crop or crop residue which will help mitigate wind erosion.

**Methodology** References:  
- DAFWA (2014)  
- Parks and Wildlife (2014)  
- Northcote et al (1960 - 1968)  
- Yeeda Pastoral Company Pty Ltd (2014)

GIS Databases:  
- Hydrology, linear

**(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**

Coulomb Point Nature Reserve and an Un-named Reserve vested for conservation and recreation purposes are located approximately nine kilometres from the area under application.

Given the distance to the closest conservation area the clearing as proposed is not likely to have an impact on the environmental values of a conservation area.

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

**Methodology** GIS Databases:  
- Parks and Wildlife, Tenure

**(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 may be at variance to this Principle**

A minor watercourse is located approximately 100 metres north of the application area. This minor watercourse is a tributary of Little Logue River. Little Logue River occurs 100 metres southeast of the proposed clearing area (Parks and Wildlife 2014).

The application area is located 100 metres from the two watercourses, however given the large area to be cleared (67 hectares) the the clearing proposed may impact upon surface water quality. The applicant has reduced the size of the application area from 130 hectares to 67 hectares to provide a 100 metre buffer to the two watercourses. The clearing of 67 hectares occurs within a larger footprint (103 hectares) and the applicant has advised they intend to retain native vegetation buffers between the cleared areas around edges of irrigation and dryland cropping areas.

The close proximity of Little Logue River will increase the risk of erosion and spread of weeds into downstream water bodies (Parks and Wildlife 2014). However, the applicant has advised they will inspect areas surrounding the application area to ensure weeds have not spread into adjacent remnant vegetation and impact upon the watercourses. Weed management practices will help mitigate this risk.

Groundwater salinity is mapped between 1000-3000 milligrams per litre of Total Dissolved Solids (TDS) which is considered to be brackish to moderately saline. The local area (20 kilometres) is high vegetated and therefore the proposed clearing of 64 hectares is not likely to cause deterioration in the quality of underground water.

Given the above the clearing as proposed may be at variance to this principle.

The applicant has advised they will use best practice management techniques to prevent any soil erosion. The area under application has minimal slope and by maintaining soil cover the likelihood of erosion is negligible. A cover crop will be planted on all cleared areas to prevent erosion during the wet season.

**Methodology** References:  
- Parks and Wildlife (2014)  
- DAFWA (2014)

GIS Databases:  
- Groundwater Salinity  
- Hydrology, linear

**(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**

Natural flood events may occur in the Kimberley region following cyclonic activity. However, the proposed clearing is not expected to increase the incidence or intensity of flooding.

The proposed clearing is not likely to be at variance to this principle.

**Methodology**

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

**Comments**

The Department of Water (DoW 2014a) has advised they have no objection to granting a clearing permit. DoW notes the clearing application is for the purpose of irrigating cattle fodder and will be irrigated by wastewater from a nearby abattoir. The proposed works area located within the Canning-Kimberley groundwater area which is proclaimed under the Rights in Water and Irrigation Act 1914 (RIWI Act). The proponent holds a current groundwater licence for water use at the abattoir and is planning to utilise wastewater as well as bore water to irrigate the proposal area. DoW (2014b) has advised they only license the primary take of water, not any secondary uses. Therefore the use of waste water is not required to be licensed under the RIWI Act.

The applicant has applied for a licence from the Department of Environment Regulation's Industry Regulation for a Category 61 Liquid Waste Prescribed activity.

Department of Lands (2014) has advised they have no objection to the proposal. The Department notes that the Pastoral Lands Board requires the native vegetation clearing permit to be granted prior to issuing associated permits under Division 5 of the Land Administration Act 1997.

The applicant has submitted an application for a diversification permit for irrigated cultivation of sorghum (*Sorghum bicolor*, *Sorghum bicolor* hybrids) and Rhode grass (*Chloris gayana*) and dryland production sorghum over an area of up to 200 hectares. The site and proposed species to be planted have been assessed as being suitable for the proposed development (DAFWA 2014).

The Kimberley Land Council (KLC 2014) has advised the Nyikina Mangala native title claimants object to the grant of this clearing application and raised concerns including lack of detailed information, environmental concerns, impact on native title rights, impact on aboriginal heritage and lack of consultation. KLC (2014) has advised that the application should provide sufficient detailed information, undertake a proper heritage clearance survey and consult with Nyikina Mangala.

The Shire of Derby- West Kimberley (2014) has advised that the Shire is aware of the current development underway to establish an abattoir on the property and assumes the subject area would be used in conjunction with that operation. The Shire is not aware of the presence of any particular vegetation in these two areas that would preclude the clearing permit being issued.

#### Methodology

#### References:

- DAFWA (2014)
- Department of Lands (2014)
- DoW (2014a)
- DoW (2014b)
- KLC (2014)
- Shire of Derby- West Kimberley (2014)

#### 4. References

- Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
- DAFWA (2014) Clearing Permit Assessment CPS 6037/1 - Yeeda Pastoral Lease 3114/1198. Department of Agriculture and Food, Western Australia. DER Ref: A762526.
- DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed April 2014
- Department of Lands (2014) Native Vegetation Clearing Permit Application CPS 6037/1 Yeeda Station, Pastoral Lease 3114/1198, Crown Lease H649773. Western Australia DER Ref: A750895
- Department of the Environment (2014). Macroctis lagotis in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed May 2014
- DoW (2014a) Advice for Clearing Permit CPS 6037/1. Department of Water, Western Australia. DER Ref: A755286
- DoW (2014b) Advice for Clearing Permit CPS 6037/1. Department of Water, Western Australia. DER Ref: A770615
- Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, 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.
- KLC (2014) Submission by Native Title Party: Nyikina Mangala Native Title Claimants (Nyikina Mangala). Kimberley Land Council. Western Australia. DER Ref: A752602
- 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.
- Parks and Wildlife (2014) Site Inspection Report for Clearing Permit Application CPS 6037/1, Lot 268 on Plan 220707, Great Northern Highway, Deby. Site inspection undertaken 7 May 2014. Department of Parks and Wildlife, Western Australia (DER Ref: A762994).
- 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.
- Shire of Derby – West Kimberley (2014) Submission for Clearing Permit Application CPS 6037/21. Western Australia (DER Ref: A768328)
- Yeeda Pastoral Company Pty Ltd (2014) Information for Clearing Permit CPS 6037/1. Western Australia. DER Ref: A770614