



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6084/5
Permit Holder:	Mowanjum Aboriginal Corporation
Duration of Permit:	16 August 2014 – 16 August 2019

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of pivot irrigation and dryland cultivation of fodder crops.

2. Land on which clearing is to be done

Lot 253 on Deposited Plan 238348 (Meda 6728)

3. Area of Clearing

The Permit Holder must not clear more than 116 hectares of native vegetation within the area cross-hatched yellow on attached Plan 6084/5.

4. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

PART II – MANAGEMENT CONDITIONS

5. Vegetation management

The Permit Holder shall not clear native vegetation within 100 metres of the riparian vegetation of any watercourse or wetland within and/or adjacent to the area cross-hatched yellow on Plan 6084/5.

6. Direction of clearing

The permit holder shall conduct clearing in a progressive manner in a single direction (e.g. west to east) to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

7. Fauna management

- Immediately prior to undertaking, and during, any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to undertake clearance surveys using transects spaced at a maximum 100 metres on average within the area cross-hatched yellow on attached Plan 6084/5 and of surrounding areas for the fauna species greater bilby (*Macrotis lagotis*).
- Immediately prior to undertaking, and during, any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to relocate any fauna found under condition 7(a) of this permit, in accordance with a fauna licence pursuant to Regulation 15 of the *Wildlife Conservation Regulations 1970*.

- (c) Where fauna are identified and relocated under condition 7(a) and 7(b) of this Permit, the Permit Holder shall include the following in a report submitted to the Department of Water and Environmental Regulation:
- (i) the gender of each fauna captured under condition 7(a);
 - (ii) the location of any fauna species, as listed in condition 7(a), captured using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (iii) the date, time, vegetation type and weather conditions at each location where a fauna species is captured under condition 7(c)(ii);
 - (iv) the gender of each fauna relocated under condition 7(b);
 - (v) the location of any fauna species, as listed in condition 7(a), relocated using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (vi) the date, time, vegetation type and weather conditions at each location where a fauna species is relocated under condition 7(c)(v);
 - (vii) the name of the *fauna specialist* that relocated fauna under condition 7(b); and
 - (viii) a copy of the fauna licence authorising the relocation of fauna under condition 7(b).

DEFINITIONS

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

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

riparian vegetation has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

wetland/s means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.

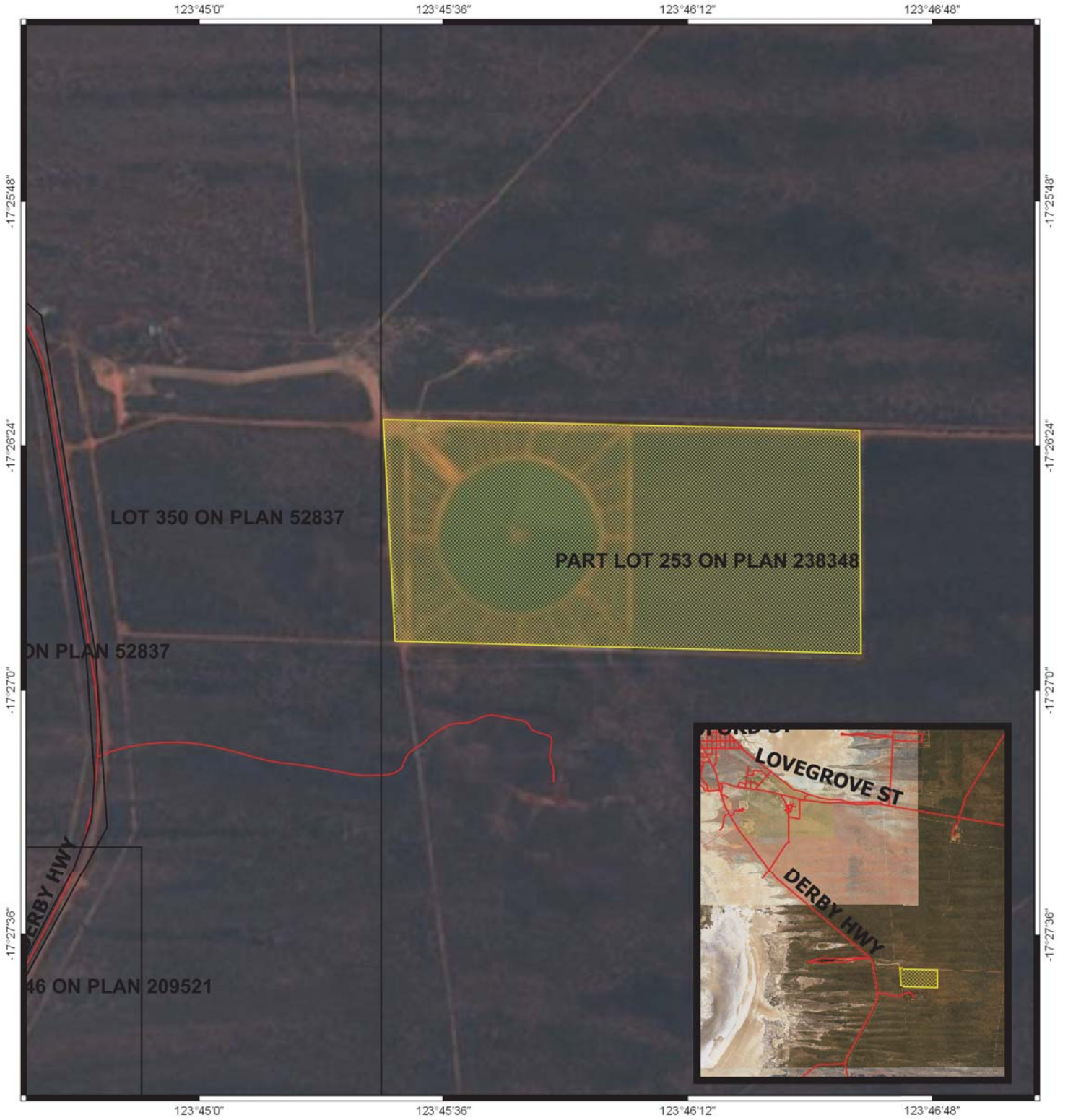


Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

9 August 2019

Plan 6084/5



Legend

-  Areas approved to clear
 -  Cadastre
 -  Roads
 -  LGA
- Copernicus Sentinel data 2017



1:20,000
MGA 94
Geocentric Datum of Australia 1994

Date: 9 August 2019

Mathew Gannaway
Officer with delegated authority under Section 20
of the Environmental Protection Act 1986



**GOVERNMENT OF
WESTERN AUSTRALIA**



1. Application details

1.1. Permit application details

Permit application No.: 6084/5
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Mowanjum Aboriginal Corporation

1.3. Property details

Property: Lot 253 on Deposited Plan 238348, Meda
Local Government Authority: Shire of Derby-West Kimberley
Localities: Meda

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
116	-	Mechanical Removal	Agriculture

1.5. Decision on application

Decision on Application: Amended

Decision Date: 9 August 2019

Reasons for Decision: This clearing permit amendment gives effect to the determination of the Minister for Environment (Minister) to partly allow appeals C002 to C003 of 2017 to the extent that the Minister has requested the Department of Water and Environmental Regulation to amend Clearing Permit CPS 6804/4 in respect to pre-clearance surveys and relocation of the greater bilby and mulgara.

The precise wording of the amendment was determined by the Delegated Officer with consideration given to the applicant's greater bilby and mulgara management plan.

The clearing impact assessment for this clearing permit amendment is consistent with the assessment undertaken for application CPS 6084/4.

2. Site Information

Clearing Description The clearing permit amendment relates to the proposed clearing of 116 hectares of native vegetation (within a 205.86 hectare footprint), for the purpose of pivot irrigation and dryland cropping.

Vegetation Description Beard vegetation association 764 is mapped within the application area, being Shrublands, pindan; *Acacia eriopoda* and *A. tumida* shrubland with scattered low bloodwood and *Eucalyptus setosa* over ribbon and curly spinifex (Shepherd et al., 2001).

A site inspection undertaken by the former Department of Parks and Wildlife (Parks and Wildlife) on 7 May 2014 identified the vegetation within the application area as medium open woodland/shrubland of *Acacia* sp., *Eucalyptus* sp., *Corymbia* sp. and *Bauhinia cunninghamii* over *Sida* sp., curly spinifex and other unidentified grasses of moderate density (Parks and Wildlife, 2014).

A flora and fauna survey covering an area of 208,566 hectares, including the application area, mapped the application area as *Corymbia greeniana* low closed woodland over *Acacia tumida* var. *tumida* and *Grevillea pyramidalis* tall sparse shrubland over *Sorghum timorense* and *Chrysopogon pallidus* low closed tussock grassland (Ecologia, 2015).

Vegetation Condition Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).

Vegetation condition was determined during a site inspection of the project footprint, undertaken by Parks and Wildlife on 7 May 2014 (Parks and Wildlife, 2014).

Soil/Landform Type

The application area is mapped within the Camelgooda and Waganut land systems (DAFWA, 2014):

- the Camelgooda land system is described as extensive dune fields, pindan and other low woodlands, and occurs within the eastern portion of the application area (the location of the additional 40 hectares of proposed clearing); and
- the Waganut land system is described as low lying sandplains and dune fields with through going drainage supporting pindan acacia shrublands with emergent eucalypt trees, and occurs within the western portion of the application area.

Comments

The local area considered in the assessment of this application is a 20 kilometre radius around the application area.

Figure 1: Application Area**3. Assessment of application against clearing principles**

The clearing permit amendment was assessed against the 10 clearing principles outlined in Schedule 6 of the *Environmental Protection Act 1986*. The assessment has not changed since the assessment of application CPS 6084/4, and can be found in the Decision Report for application CPS 6084/4.

Planning instruments and other relevant matters.

The clearing permit amendment was assessed against planning instruments and other relevant matters. The assessment has not changed since the assessment of application CPS 6084/4, and can be found in the Decision Report for application CPS 6084/4.

4. References

- Department of Agriculture and Food Western Australia (DAFWA) (2014) Advice received on 5 June 2014 in relation to clearing permit application CPS 6084/1. DER ref: A766578.
- Department of Parks and Wildlife (Parks and Wildlife) (2014) Site Inspection Report for Clearing Permit Application CPS 6084/1, Lot 253 Gibb River Road, Derby. Site inspection undertaken 7 May 2014. Department of Parks and Wildlife, Western Australia. DER ref: A774099.
- Ecologia (2015) Oil Basin Limited Derby Block 2D Seismic survey Level 1 flora, vegetation and fauna survey. March 2015.
- 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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.