



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6713/1
Permit Holder:	Shire of Wyndham East Kimberley
Duration of Permit:	2 January 2016 – 2 January 2031

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 extending existing borrow pits, road widening, road drainage reinstatement and construction of a laydown area and work camp site.

2. Land on which clearing is to be done

Lot 17 on Deposited Plan 26267, Drysdale River

3. Area of Clearing

The Permit Holder must not clear more than 12.26 hectares of native vegetation within the combined areas hatched yellow on attached Plan 6713/1a, Plan 6713/1b, Plan 6713/1c, Plan 6713/1d, Plan 6713/1e, Plan 6713/1f, Plan 6713/1g, Plan 6713/1h, Plan 6713/1i, Plan 6713/1j, Plan 6713/1k and Plan 6713/1l.

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.

5. Period of clearing authorised

The Permit Holder shall not clear any native vegetation after 2 January 2021.

6. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

PART II – MANAGEMENT CONDITIONS

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in 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.

8. 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.

9. Retain vegetative material and topsoil, revegetation and rehabilitation

The Permit Holder shall:

- (a) retain the vegetative material and topsoil removed by clearing authorised under this Permit and stockpile the vegetative material and topsoil in an area that has already been cleared.
- (b) at an *optimal time* following clearing authorised under this Permit, *revegetate* and *rehabilitate* the area(s) that are no longer required for the purpose for which they were cleared under this Permit by:
 - (i) re-shaping the surface of the land so that it is consistent with the surrounding 5 metres of uncleared land; and
 - (ii) ripping the ground on the contour to remove soil compaction; and
 - (iii) ripping the pit floor and contour batters within the extraction site; and
 - (iv) laying the vegetative material and topsoil retained under condition 9(a) on the cleared area(s) no longer required for the purpose for which they were cleared.
- (c) within 24 months of laying the vegetative material and topsoil on the cleared area in accordance with condition 9(b) of this Permit:
 - (i) engage an *environmental specialist* to determine the species composition, structure and density of the area *revegetated* and *rehabilitated*; and
 - (ii) where, in the opinion of an *environmental specialist*, the composition structure and density determined under condition 9(c)(i) of this Permit will not result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, *revegetate* the area by deliberately *planting* and/or *direct seeding* native vegetation that will result in a similar species composition, structure and density of native vegetation to pre-clearing vegetation types in that area and ensuring only *local provenance* seeds and propagating material are used.
- (d) Where additional *planting* or *direct seeding* of native vegetation is undertaken in accordance with condition 9(c)(ii) of this permit, the Permit Holder shall repeat condition 9(c)(i) and 9(c)(ii) within 24 months of undertaking the additional *planting* or *direct seeding* of native vegetation.
- (e) Where a determination by an *environmental specialist* that the composition, structure and density within areas *revegetated* and *rehabilitated* will result in a similar species composition, structure and density to that of pre-clearing vegetation types in that area, as determined in condition 9(c)(i) and (ii) of this permit, that determination shall be submitted for the CEO's consideration. If the CEO does not agree with the determination made under condition 9(c)(ii), the CEO may require the Permit Holder to undertake additional *planting* and *direct seeding* in accordance with the requirements under condition 9(c)(ii).

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) the species composition, structure and density of the cleared area;
 - (ii) the location where the clearing occurred, recorded 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 that the area was cleared; and
 - (iv) the size of the area cleared (in hectares).

- (b) In relation to the *revegetation* and *rehabilitation* of areas pursuant to condition 9 of this Permit:
 - (i) the location of any areas *revegetated* and *rehabilitated*, recorded 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;
 - (ii) a description of the *revegetation* and *rehabilitation* activities undertaken;
 - (iii) the size of the area *revegetated* and *rehabilitated* (in hectares);
 - (iv) the species composition, structure and density of *revegetation* and *rehabilitation*, and
 - (v) a copy of the environmental specialist's report.

10. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
 - (i) of records required under condition 10 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit 1 January to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 2 October 2030, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

DEFINITIONS

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

direct seeding means a method of re-establishing vegetation through the establishment of a seed bed and the introduction of seeds of the desired plant species;

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

environmental specialist: means a person who holds a tertiary qualification in environmental science or equivalent, and has experience relevant to the type of environmental advice that an environmental specialist is required to provide under this Permit, or who is approved by the CEO as a suitable environmental specialist.

local provenance means native vegetation seeds and propagating material from natural sources within 50 kilometres and the same Interim Biogeographic Regionalisation for Australia (IBRA) subregion of the area cleared.

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;

optimal time means the period from October to December for undertaking *direct seeding*.

planting means the re-establishment of vegetation by creating favourable soil conditions and planting seedlings of the desired species;

regenerate/ed/ion means re-establishment of vegetation from in situ seed banks and propagating material (such as lignotubers, bulbs, rhizomes) contained either within the topsoil or seed-bearing *mulch*;

rehabilitate/ed/ion means actively managing an area containing native vegetation in order to improve the ecological function of that area;

revegetate/ed/ion means the re-establishment of a cover of *local provenance* native vegetation in an area using methods such as natural *regeneration*, *direct seeding* and/or *planting*, so that the species composition, structure and density is similar to pre-clearing vegetation types in that area.

weed/s 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 Parks and Wildlife Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

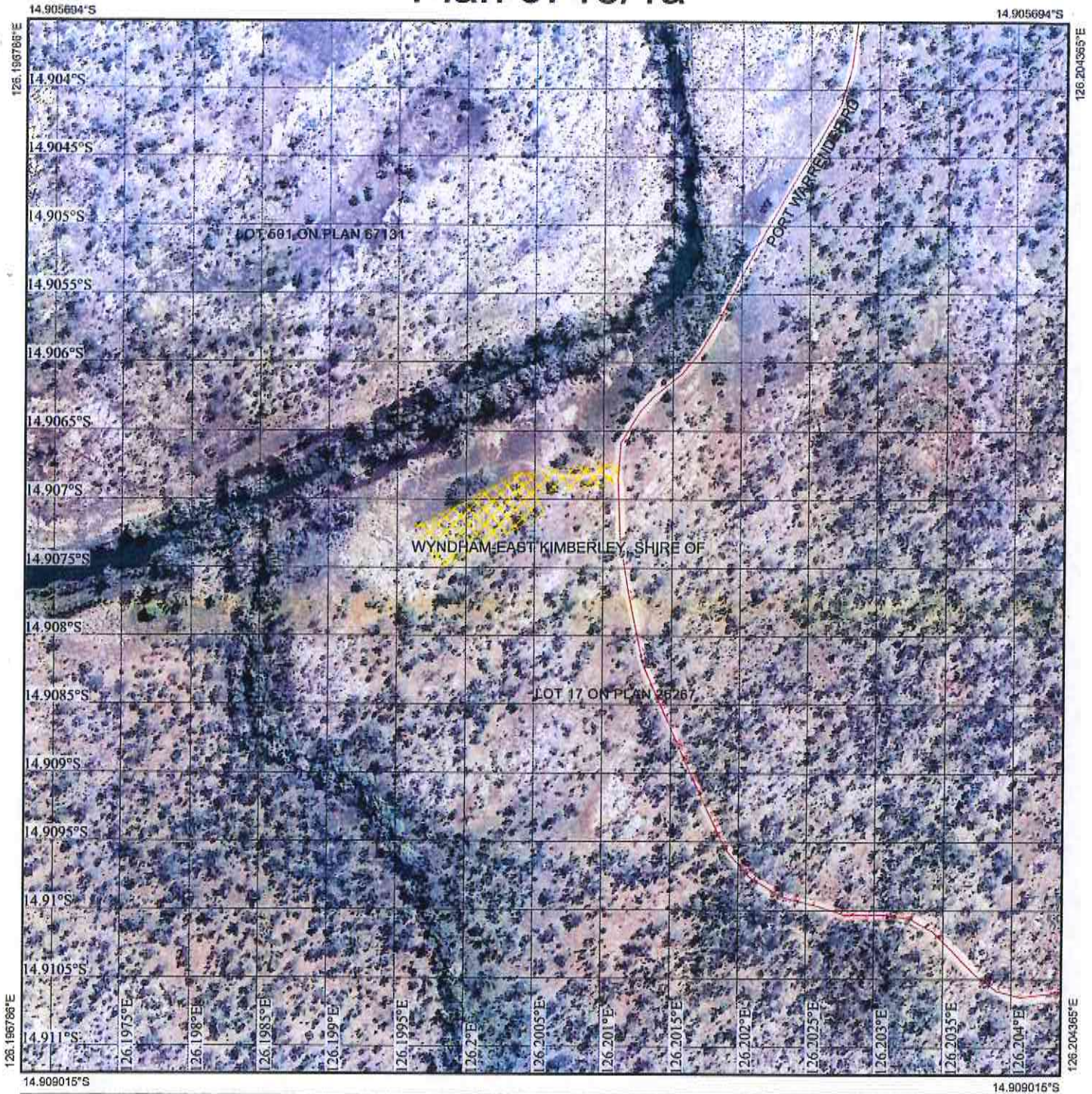


Jane Clarkson
A/SENIOR MANAGER
CLEARING REGULATION

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

3 December 2015

Plan 6713/1a



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority
-  Cadastre



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Geocentric Datum of Australia 1994

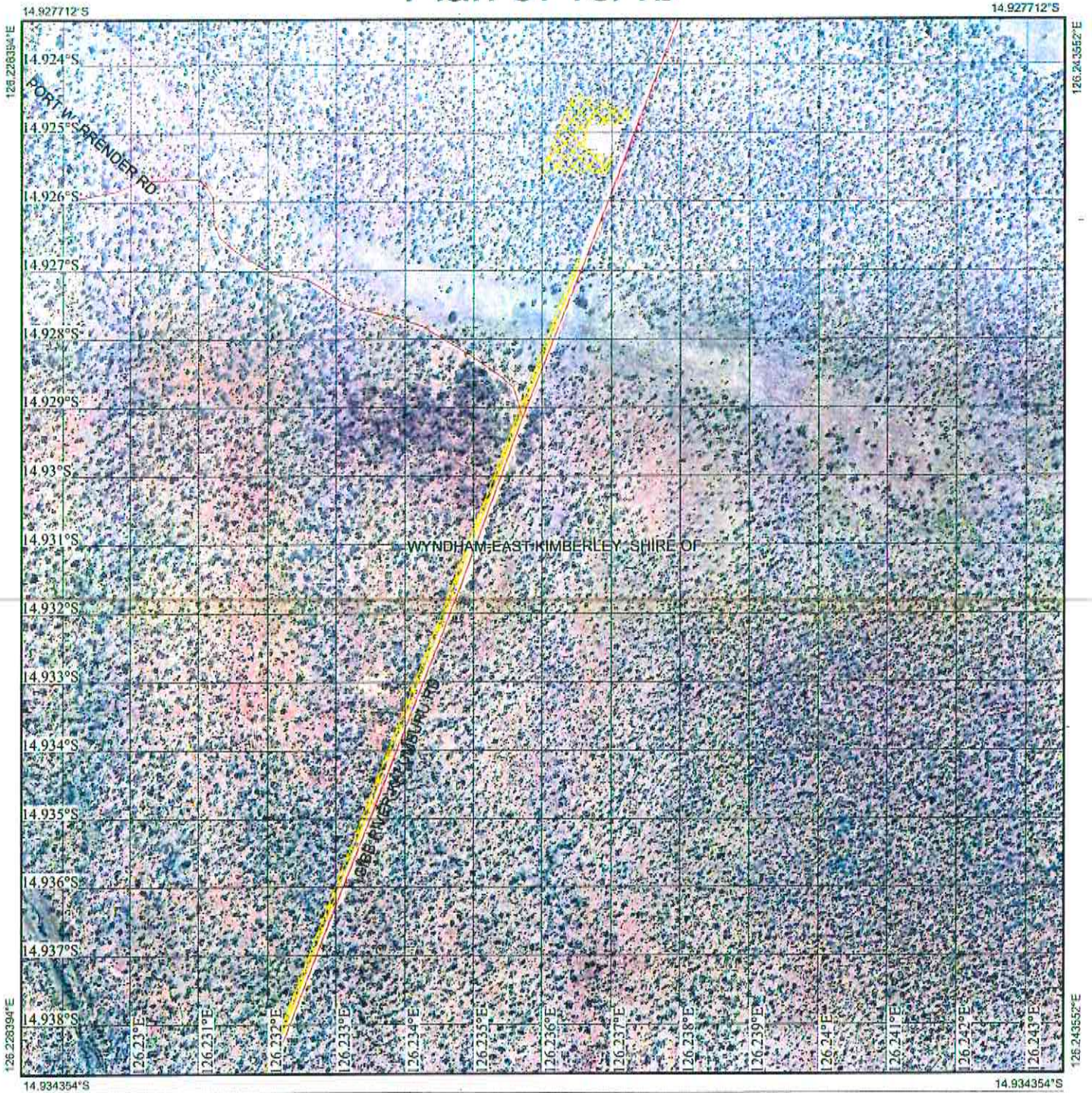
J Clarkson Date 3/12/15
J Clarkson

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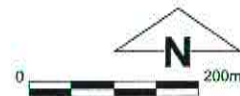
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Plan 6713/1b



Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



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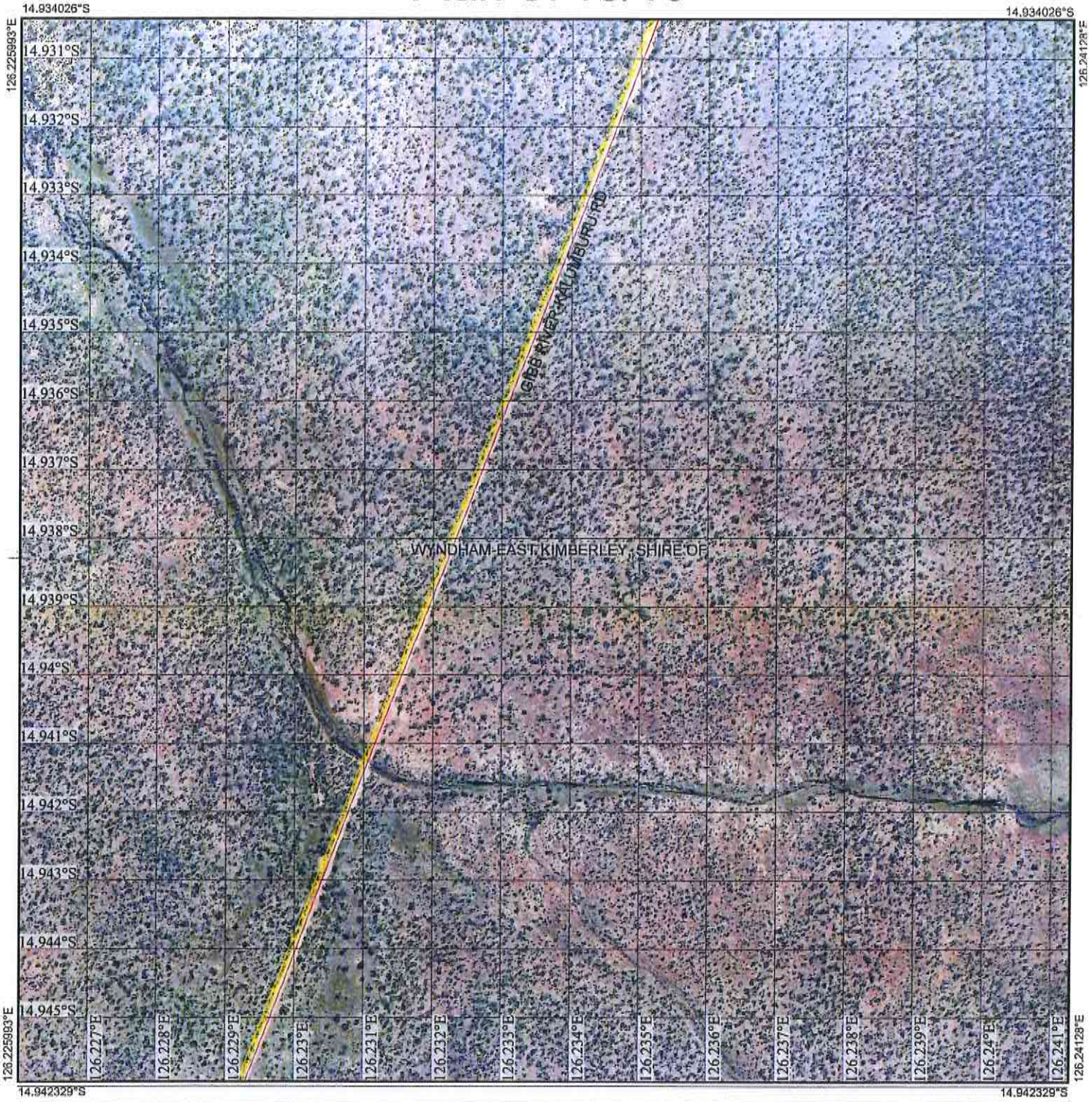
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


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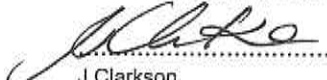
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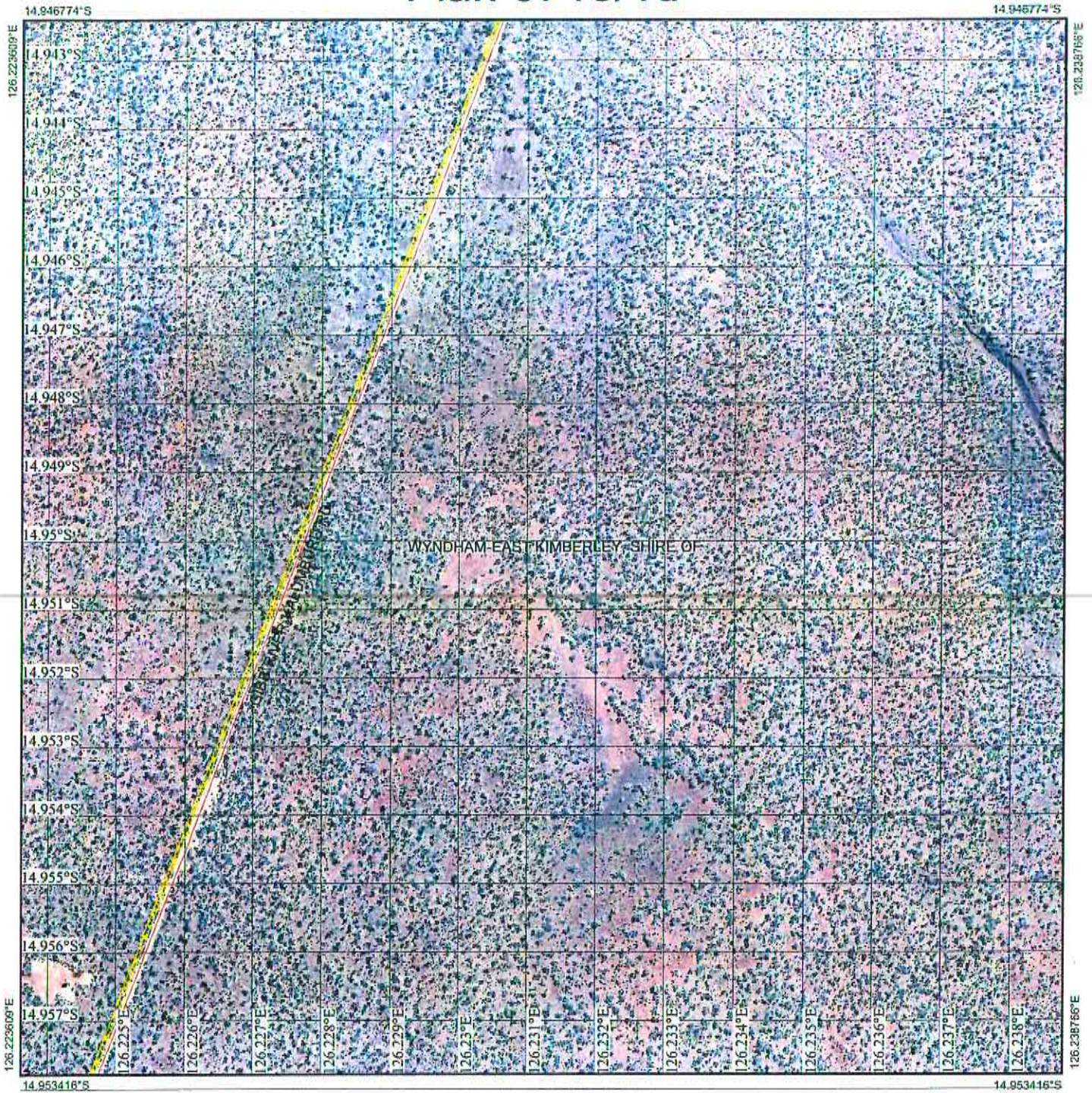
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 Date 3/12/15
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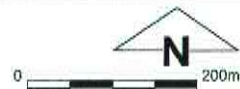
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Legend

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-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



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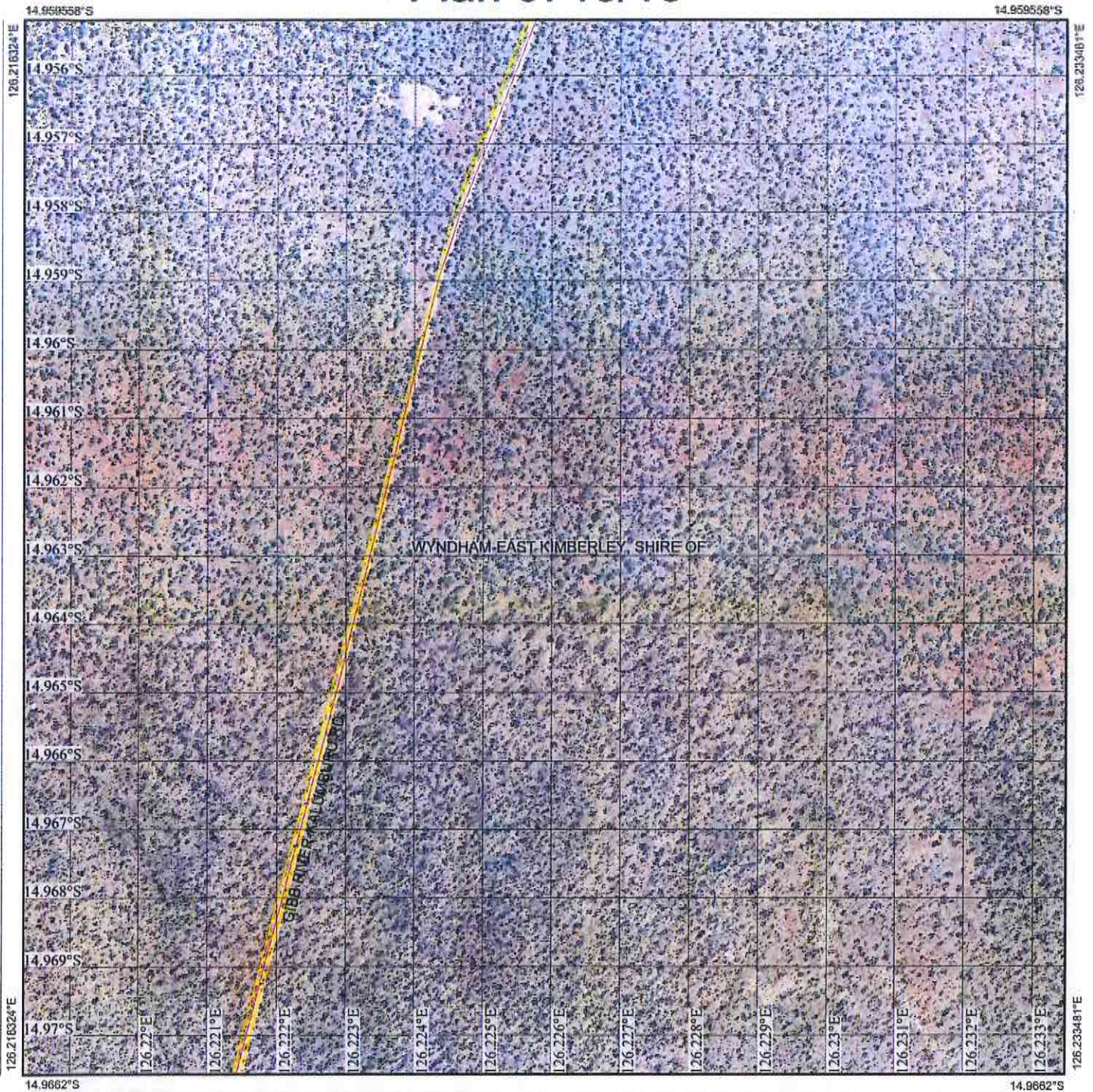
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-  Local Government Authority



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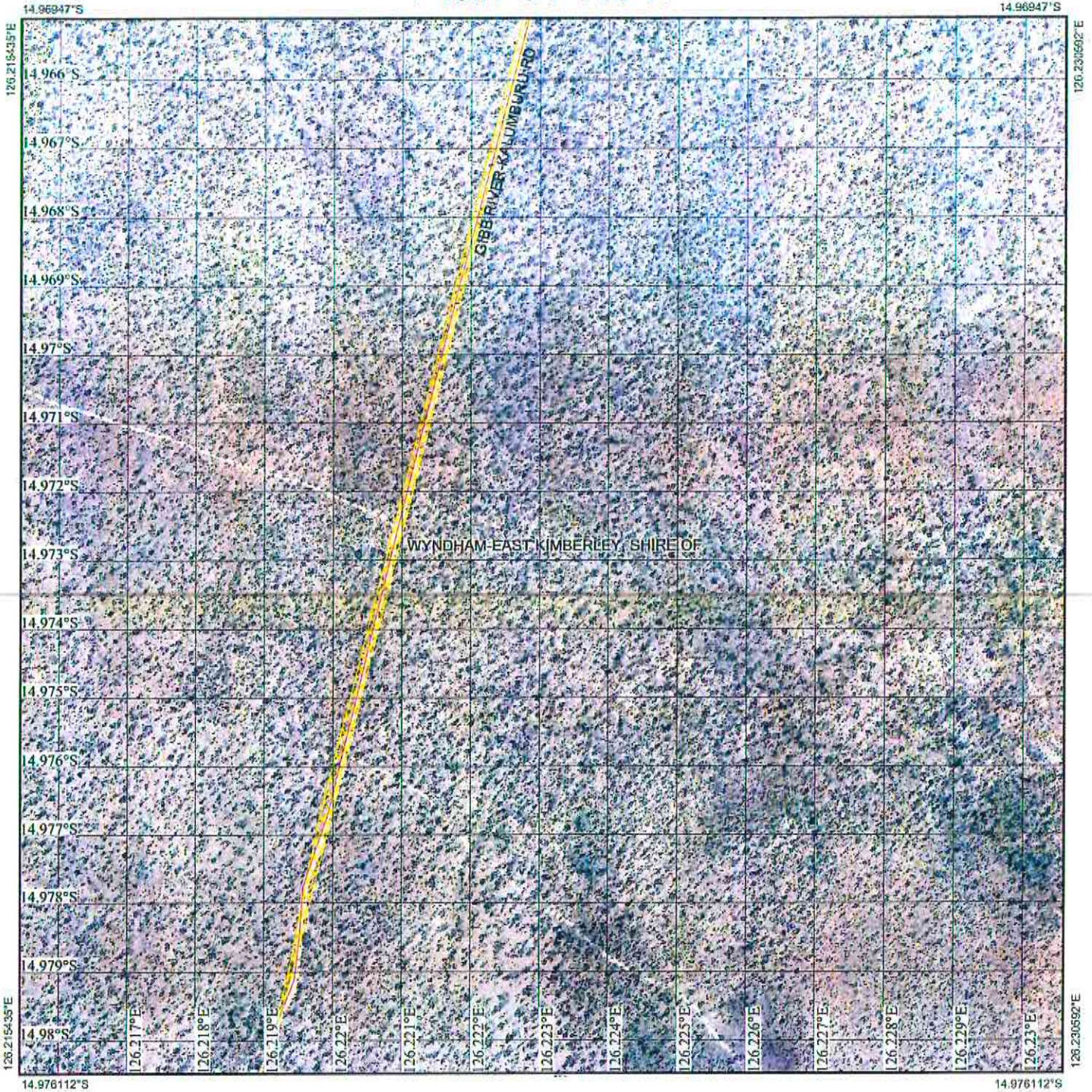
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-  Clearing Instruments Activities
-  Local Government Authority



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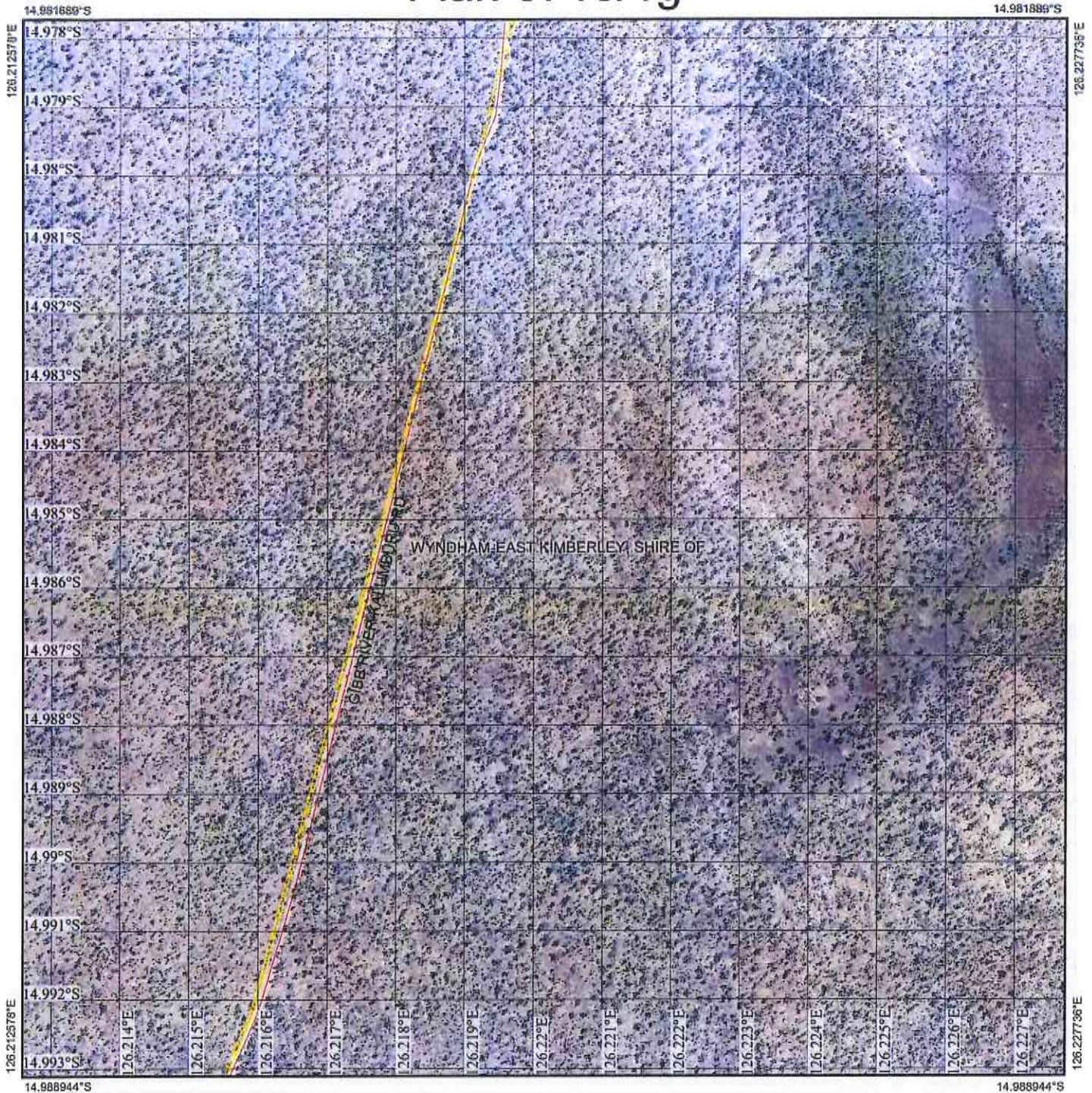
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-  Clearing Instruments Activities
-  Local Government Authority



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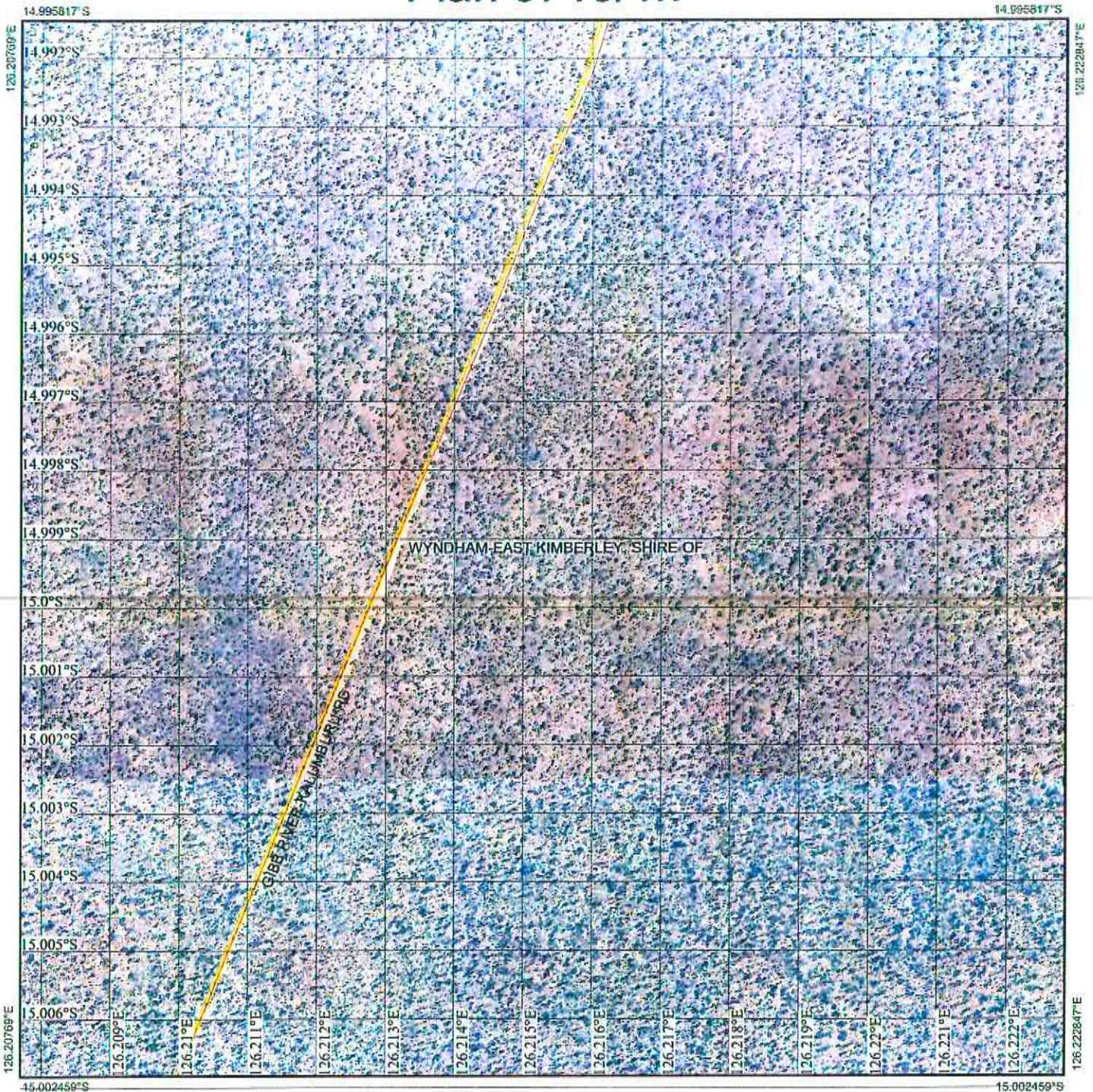
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Legend

-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



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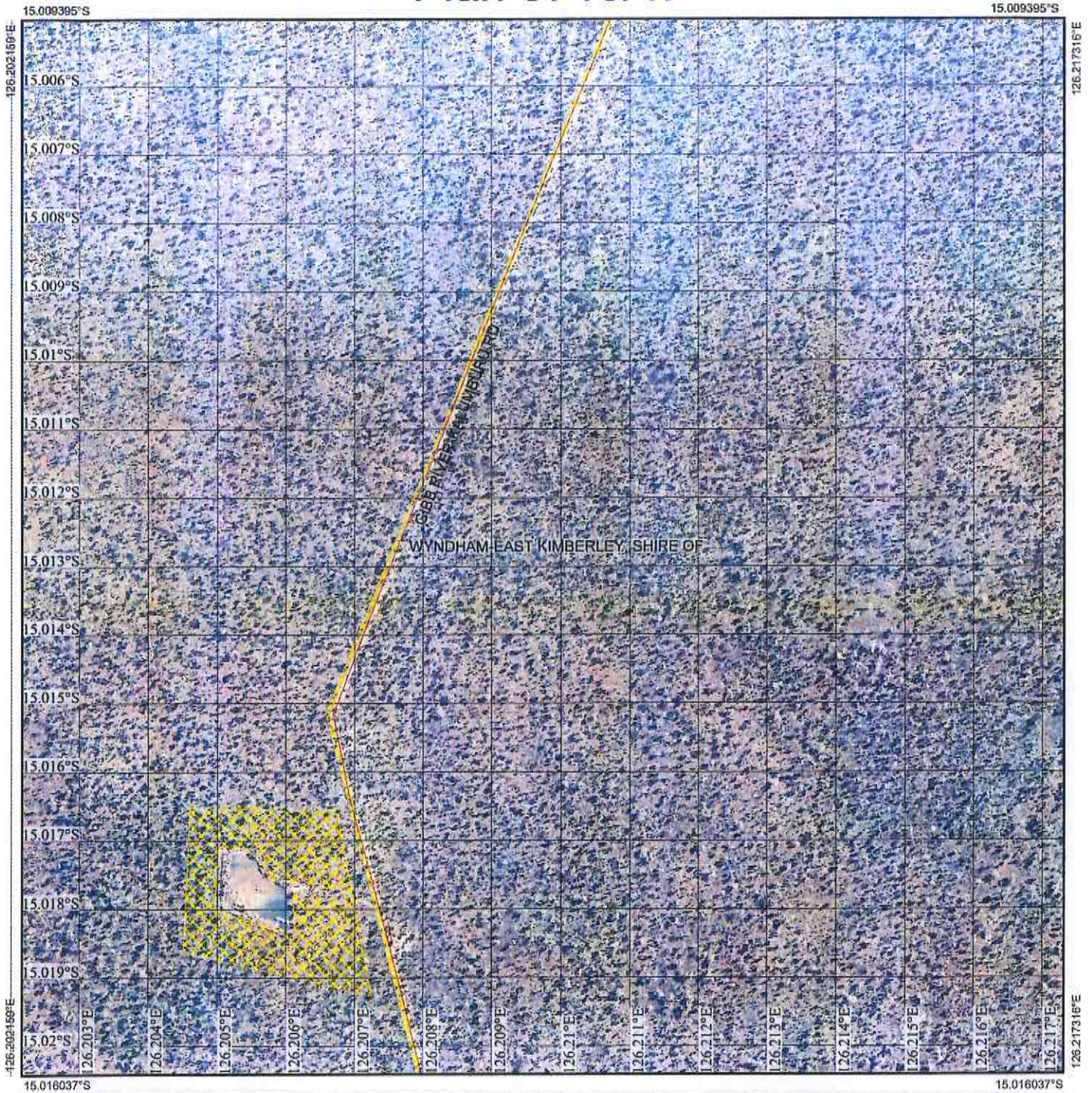
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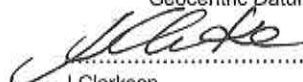
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-  Clearing Instruments Activities
-  Local Government Authority



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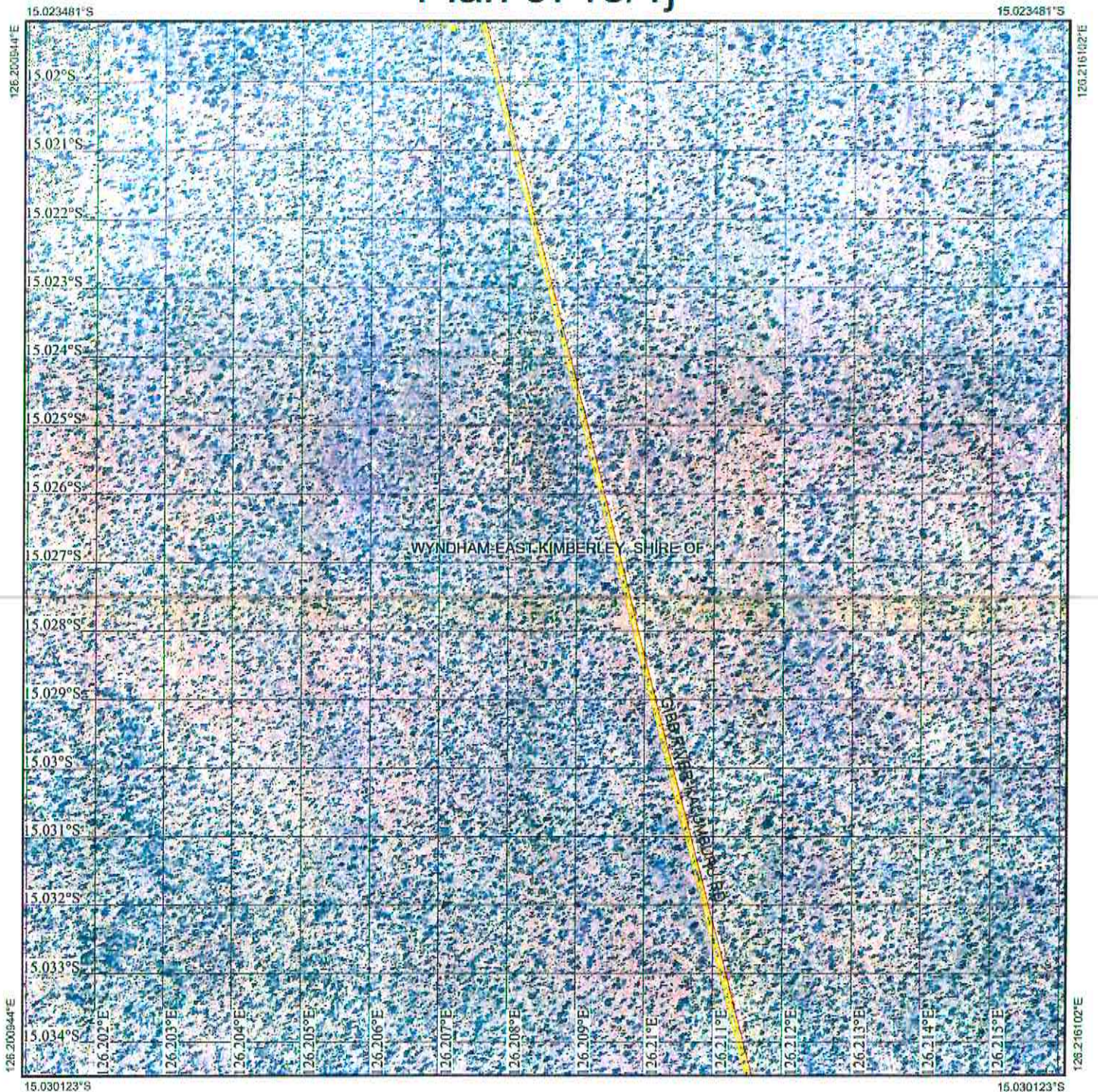
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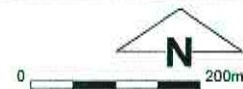
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Legend

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-  Clearing Instruments Activities
-  Local Government Authority

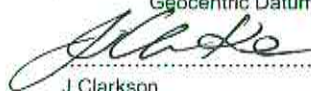


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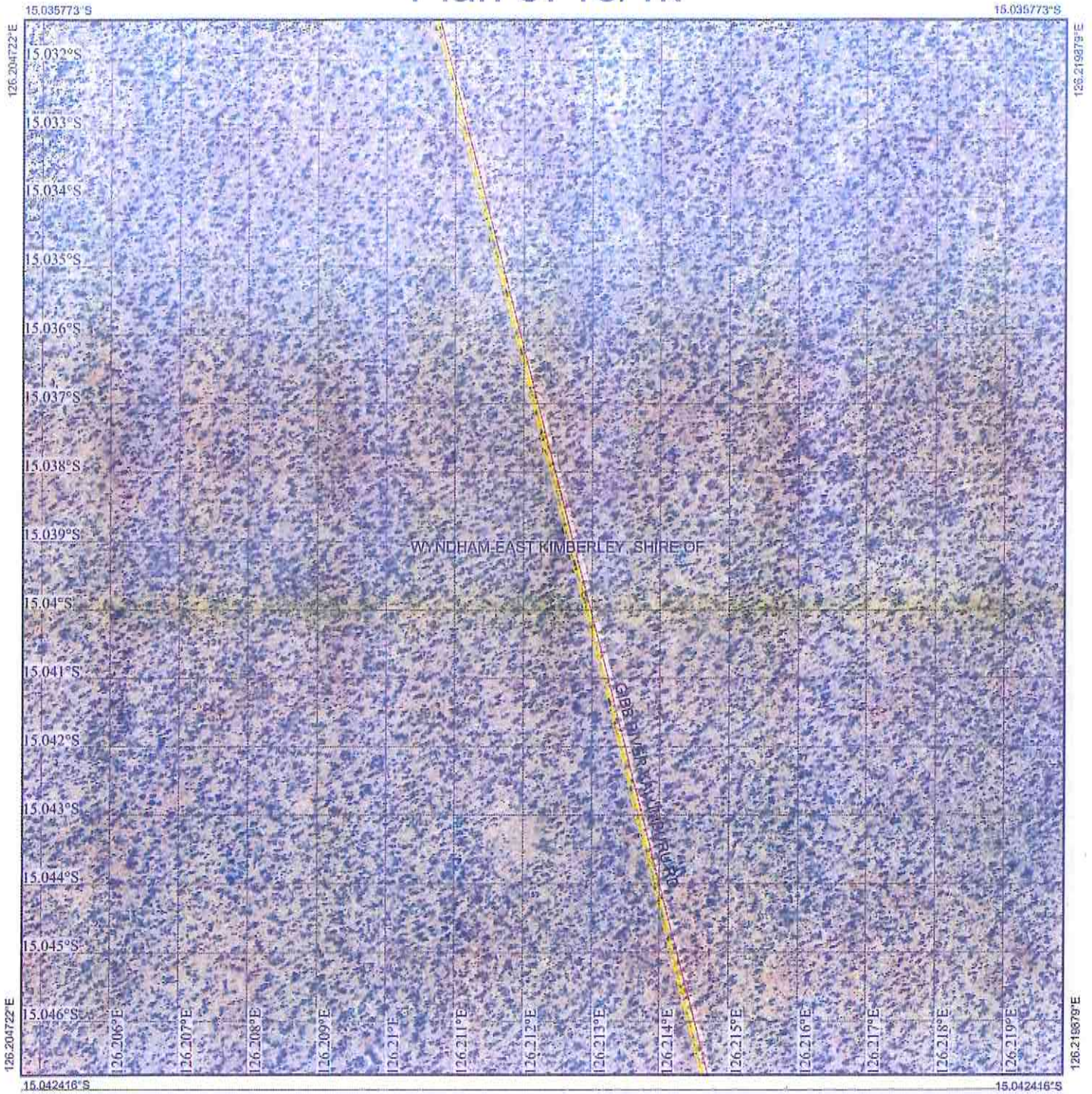
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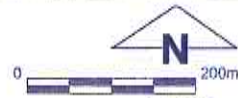
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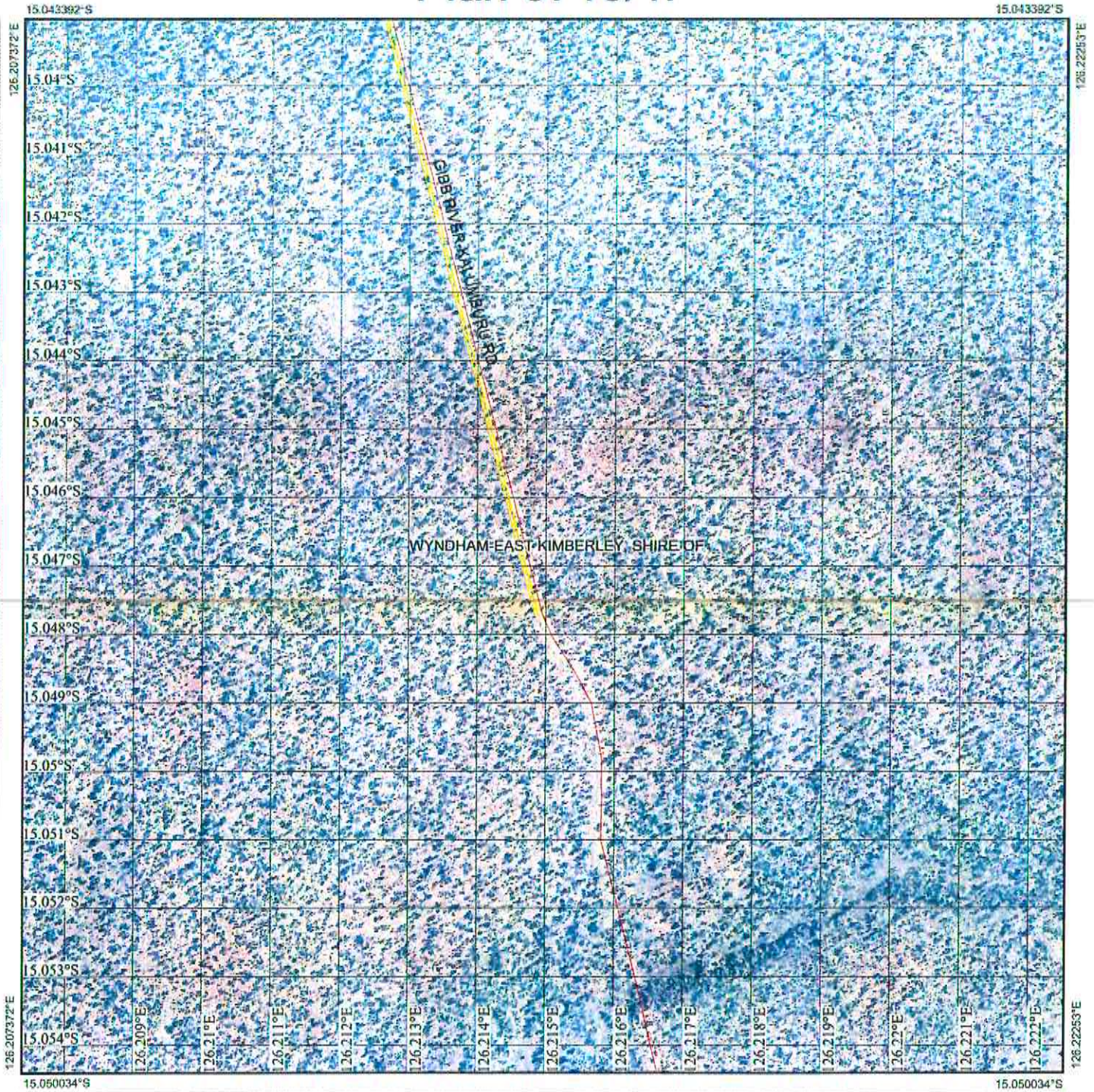
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1. Application details

1.1. Permit application details

Permit application No.: 6713/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Wyndham East Kimberley

1.3. Property details

Property: LOT 17 ON PLAN 26267, DRYSDALE RIVER
Colloquial name:
Local Government Authority: Shire of Wyndham East Kimberley
DER Region: Kimberley
DPaW District: East Kimberley

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
12.26		Mechanical Removal	Road construction or upgrades

1.5. Decision on application

Decision on Permit: Granted
Application:
Decision Date: 3 December 2015

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 associations (Shepherd et al 2001):	Clearing of 12.26 hectares of native vegetation within Lot 17 on Deposited Plan 26267, Drysdale River is for the purpose of extending existing borrow pits, road widening, road drainage reinstatement, construction of a laydown area and work <u>camp</u> site.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).	The condition of the vegetation under application was determined by digital aerial imagery.
901 (Site 1): grasslands, high grass savanna woodland; stringybark and woollybutt over upland tall grass and curly spinifex.		To	
53 (Site 2): mosaic of grasslands / pindan; medium woodland with mixed tree scrub over tall upland grass and <i>Triodia</i> .		Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994)	

3. Assessment of application against clearing principles

Comments The application is to clear up to 12.26 hectares of native vegetation for the purpose of road reconstruction and associated works is unlikely to have any significant environmental impacts.

The vegetation under application contains vegetation in a very good to completely degraded (Keighery 1994) condition. The majority of the proposed clearing occurs along previously cleared areas (existing access tracks and borrow pits). The local area (20 kilometre radius) is highly vegetated (approximately 95 per cent).

Seventeen priority flora species have been recorded within the local area (20 kilometre radius), with five priority flora species being recorded on the same vegetation and soil type as the application area. No rare flora species have been recorded within the local area (20 kilometre radius). There may be potential for priority flora species to be located within the areas under application, however given the clearing is proposed within previously cleared and degraded areas and that the areas proposed for clearing are relatively small in the context of the broader extent of intact habitat in these locations, there is a low likelihood of the proposal resulting in significant impacts to the conservation status of these species (Parks and Wildlife, 2015).

The most northern area under application is located approximately 50 metres south of King Edward River. Given the distance to this watercourse the clearing proposed is not likely to impact upon riparian vegetation associated with this watercourse and or cause deterioration in the quality of surface water.

As the local area (20 kilometre radius) is highly vegetated and the majority of the areas under application occur within or are adjacent to previously cleared areas, the clearing as proposed is not likely to, contribute to or cause land degradation, deteriorate the quality of ground water and is not likely to cause or exacerbate flooding.

No priority ecological communities, threatened ecological communities or conservation areas have been recorded within the local area (20 kilometre radius). The vegetation under application may provide habitat for fauna recorded within the local area (20 kilometre radius), however given the highly vegetated local area, suitable habitat is located within surrounding vegetation, no loss of significant fauna habitat is expected.

The area under application is located adjacent to remnant vegetation. The clearing as proposed may impact upon this vegetation through the spread of weeds. Weed management practices will help mitigate this risk.

Given the above, the application is not likely to be at variance to any of the clearing Principles.

Methodology

References:

Keighery, (1994)
Parks and Wildlife (2015)

GIS Databases:

- Parks and Wildlife Tenure
- Groundwater salinity
- Hydrography, linear
- Soils, statewide
- SAC Bio datasets (accessed November 2015)

Planning instruments and other relevant matters.

Comments

The applicant has amended the application area to allow for a 50 metre buffer between the most northern area under application and the King Edward River.

Five Aboriginal Sites of Significance have been recorded within the areas under application. The applicant will be notified of their obligations under the Aboriginal Heritage Act 1972.

No submissions have been received in relation to this application.

Methodology

References:

GIS Databases:
- Aboriginal Sites of Significance

4. 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.
- Parks and Wildlife (2015) Species and Communities Flora Advice for Clearing Permit Application CPS 6713/1. Department of Parks and Wildlife. Western Australia. DER Ref: A988797
- 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.