



## **CLEARING PERMIT**

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

### **PERMIT DETAILS**

Area Permit Number: 6787/1

File Number: DER2015/002245-1

Duration of Permit: 20 February 2016 to 20 February 2018

### **PERMIT HOLDER**

Kevin Stephen Brockhurst

### **LAND ON WHICH CLEARING IS TO BE DONE**

Lot 66 on Deposited Plan 220404, Mueller Ranges

### **AUTHORISED ACTIVITY**

The Permit Holder shall not clear more than 6.98 hectares of native vegetation within the area hatched yellow on attached Plan 6787/1.

### **CONDITIONS**

Nil.

A handwritten signature in blue ink, appearing to read "James Widenbar".

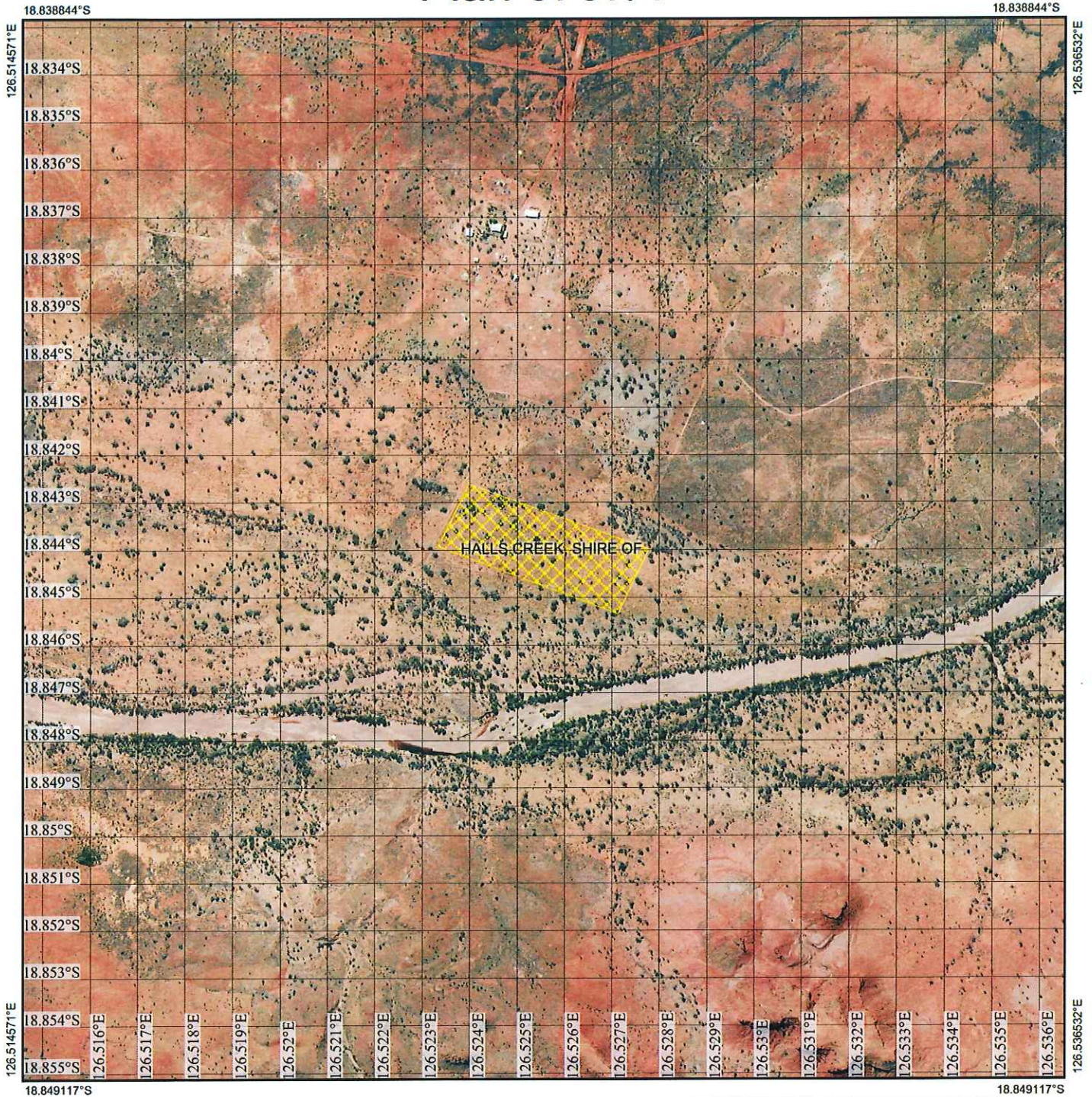
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James Widenbar  
MANAGER  
CLEARING REGULATION

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

21 January 2016

# Plan 6787/1



## Legend

-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



1:12,269

(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

*James Widenbar* Date *21/1/2016*  
 James Widenbar

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



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 WESTERN AUSTRALIA  
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## 1. Application details

### 1.1. Permit application details

Permit application No.: 6787/1  
Permit type: Area Permit

### 1.2. Applicant details

Applicant's name: Mr Kevin Brockhurst

### 1.3. Property details

Property: LOT 66 ON PLAN 220404, MUELLER RANGES  
Colloquial name:  
Local Government Authority: HALLS CREEK, SHIRE OF  
DER Region: North West  
DPaW District: EAST KIMBERLEY  
LCDC: DERBY WEST KIMBERLEY  
Localities: MUELLER RANGES

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
6.98		Mechanical Removal	Grazing & pasture

### 1.5. Decision on application

Decision on Permit: Granted

#### Application:

Decision Date: 21 January 2016

#### Reasons for Decision:

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

Through assessment it has been determined that the clearing is unlikely to have any significant environmental impacts. State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

## 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 association 875 is described as Mosaic: Hummock grasslands, open low tree steppe; snappy gum over soft spinifex soft spinifex / Hummock grasslands, grass steppe; hard spinifex, <i>Triodia intermedia</i> on laterite (Shepherd et al, 2001).	The application is to clear 6.98 hectares of native vegetation within Lot 66 on Deposited Plan 220404, Mueller Ranges, for the purpose of cropping.	Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The condition and structure of the vegetation under application was obtained via aerial imagery.

## 3. Assessment of application against clearing principles

Comments: The applicant proposes to clear up to 6.98 hectares of native vegetation within Lot 66 on Deposited Plan 220404, Mueller Ranges, for the purpose of planting and cropping Rhodes grass.

A site inspection undertaken by the Department of Agriculture and Food Western Australia (DAFWA) identified the vegetation under application to be inconsistent to mapped Beard vegetation association 875 (Commissioner of Soil and Land Conservation, 2015). The vegetation on site consists of low woodland of *Carrissa lanceolata* and *Corymbia opaca* over *Triodia pungens*, *heteropogon contortus* and *Chrysopogon fallax* (Commissioner of Soil and Land Conservation, 2015).

One priority one flora species (*Triumfetta hapala*) has been recorded within the local area located approximately 15 kilometres north west of the application area. This species prefers shallow, sandy soils on granite outcrops and low hills (Western Australian Herbarium, 1998-). It is not likely the application area would provide suitable habitat for this species, given the soils under application have been mapped by the DAFWA as the Bohemia Land System Unit which comprise of brownish loamy alluvial soils (Commissioner of Soil and Land Conservation, 2015).

One fauna species of conservation significance, namely the Rainbow Bee-eater (*Merops ornatus*), has been recorded within the local area (20 kilometre radius). This species is known to occur in numerous habitats including open forests and woodlands, shrublands, in cleared or semi-cleared habitats such as areas of human habitation and farmland. It prefers open, cleared or lightly-timbered areas that are often, but not always in close proximity to permanent water (Department of the Environment, 2015). The area under application may provide suitable habitat for this species given the vegetation type and its close proximity to a watercourse. However, the proposed clearing is unlikely to significantly impact upon the conservation status of this species given its highly mobile nature and that the local area being extensively vegetated. There are no priority ecological communities, threatened ecological communities, or rare flora taxa mapped within the local area (20 kilometre radius).

The local area surrounding the application area is extensively vegetated with approximately 99.9 per cent of its pre-European vegetation remaining. The application area occurs within the Shire of Halls Creek and Beard vegetation association 875 of which 99 and 100 per cent of their pre-European extent are remaining respectively (Government of Western Australia, 2014). Given the well represented vegetation types under application and the highly vegetated local landscape, the area under application is not considered to be a significant remnant in an extensively cleared area.

The application area occurs approximately 50 metres north of Christmas Creek and its riparian and floodplain zone (DoW, 2015). The proposed clearing is not likely to impact upon vegetation growing in association with this watercourse given the distance from the application area. The Department of Water (DoW, 2015) recommends a minimum waterway buffer of 30 metres to minimise the risk of soil erosion and sedimentation.

The Commissioner of Soil and Land Conservation (2015) advised that due to the high intensity storm rains experienced in the region and the combination of soil and land slopes present there is some risk of soil erosion occurring in some parts of the application area post-clearing and prior to the establishment of the proposed Rhodes grass crop. However, this risk can be managed by minimising cultivation and the period of bare ground between clearing and sowing (Commissioner of Soil and Land Conservation, 2015).

There are no conservation areas mapped within the local area (20 kilometre radius).

As the proposed clearing occurs 50 metres from Christmas Creek and there is a vegetated buffer protecting this watercourse, it is not likely the proposed clearing will impact surface water or groundwater quality.

The Commissioner of Soil and Land Conservation (2015) has advised that the application area is not generally flood prone. Therefore, the proposed clearing is not expected to contribute to flooding.

Given the above, clearing the vegetation under application is not likely to be at variance to the clearing Principles.

## Methodology

References:  
Commissioner of Soil and Land Conservation (2015)  
Department of the Environment (2015)  
DoW (2015)  
Government of Western Australia (2014)  
Western Australian Herbarium (1998-)

GIS Databases:  
SAC Biodatasets accessed January 2015  
Hydrography, linear  
Geomorphic Wetlands (Classification), Swan Coastal Plain  
Parks and Wildlife tenure

## Planning instruments and other relevant matters.

**Comments** The application area is located within the Larrawa station pastoral lease. The applicant is required to apply for a diversification permit under section 119 or 120 under the *Land Administration Act 1997* in order to carry out this activity. The applicant is advised to submit an application to diversify to the Department of Lands for assessment.

The area under application falls within the Canning-Kimberley Groundwater Area and Fitzroy River and Tributaries Surface Water Area proclaimed under the *Rights in Water and Irrigation Act 1914* which means that any surface or groundwater use and well construction would require a licence from the Department of Water. DoW (2015). DoW has advised that there is an expired groundwater licence (GWL171609) approximately 400 metres to the north east of the application area which was held by Larrawa station. If the applicant intends to use groundwater from this existing bore or use surface water for the proposed clearing, a 5C licence application will need to be submitted to DoW.

The application area falls within a Native Title Claimant area. The claimants, the Gooniyandi Combined 2 people, and their representing body, the Kimberley Land Council Aboriginal Corporation, have been notified of this application. To date no response has been received.

The clearing permit application was advertised on 9 November 2015 by the Department of Environment Regulation inviting submissions from the public. No submissions from the public were received.

No Aboriginal Sites of Significance are mapped within the application area.

**Methodology** References:  
DoW (2015)

GIS Databases:  
Aboriginal Sites of Significance

## 4. References

- Commissioner of Soil and Land Conservation (2015); Land Degradation Advice for clearing permit application CPS 6787/1 received 14 January 2016; Department of Agriculture and Food Western Australia (DER Ref: A1035267).  
Department of the Environment (2015) *Merops ornatus* in Species Profile and Threats Database, Department of the Environment, Canberra.  
DoW (2015) Advice for Clearing Permit CPS 6787/1. Department of Water. Western Australia (DER Ref: A1024913).  
Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2014. WA Department of Parks and Wildlife, 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.  
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.  
Western Australian Herbarium (1998- ) *FloraBase - The Western Australian Flora*. Department of Parks and Wildlife. <http://florabase.dpaw.wa.gov.au/> (Accessed 18/01/2016).