



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 7033/1
<b>Permit Holder:</b>	Department of Defence
<b>Duration of Permit:</b>	30 July 2016 to 30 July 2021

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 upgrading a river crossing including constructing a turnaround and laydown area.

**2. Land on which clearing is to be done**

Lot 251 on Deposited Plan 220045, Meda  
Lot 23 on Deposited Plan 220045, Meda  
Kimbolton Road reserve (PIN: 1112978), Meda

**3. Area of Clearing**

The Permit Holder must not clear more than 0.615 hectares of native vegetation within the areas cross hatched yellow on attached Plan 7033/1.

**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 in which clearing is authorised**

The Permit Holder shall not clear any native vegetation between 1 December and 30 June.

### PART II – MANAGEMENT CONDITIONS

**6. 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

**7. Weed control**

When undertaking any clearing pursuant to this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

- Clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- Ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- 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* 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.



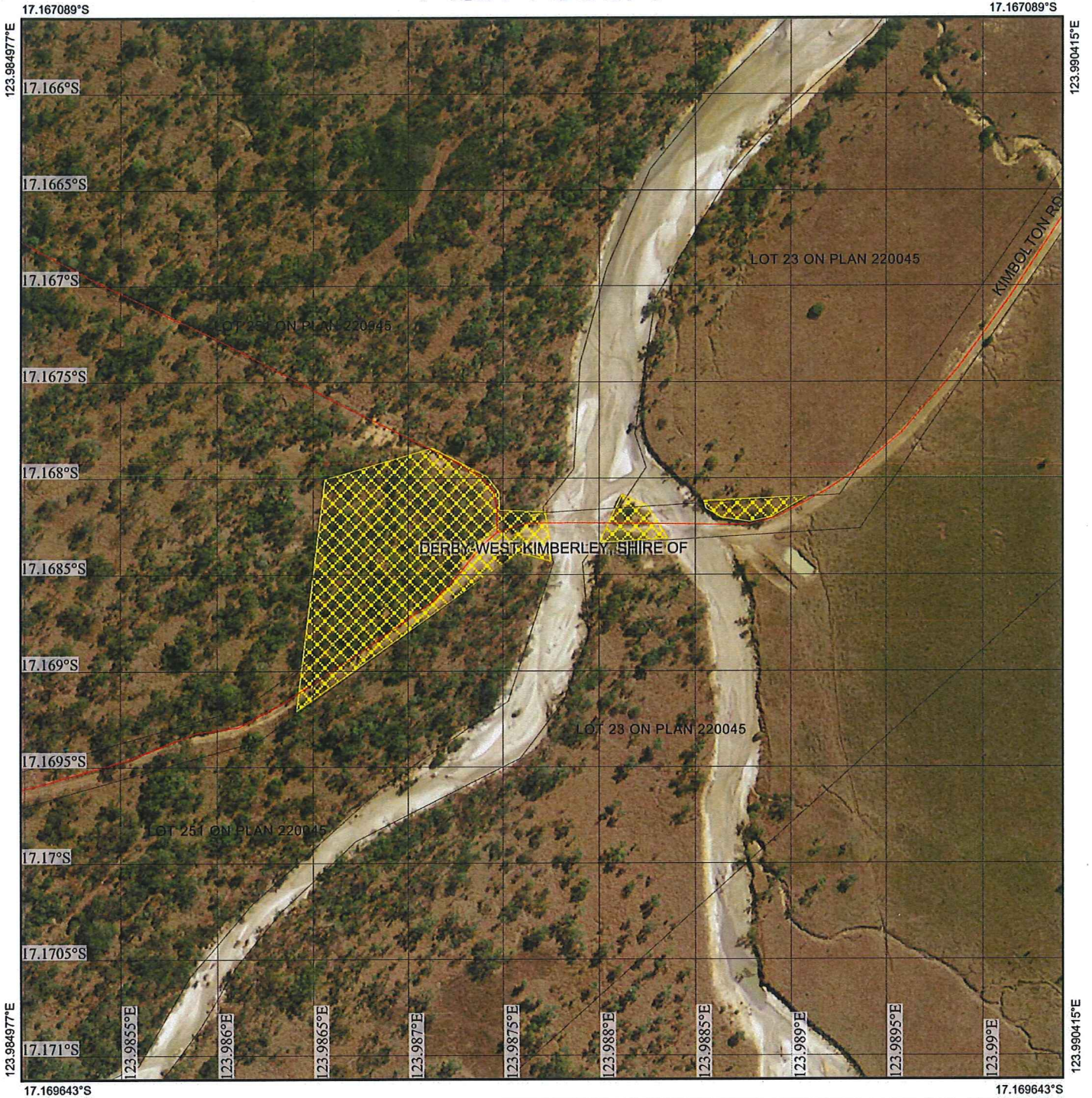
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Simon Weighell  
A/MANAGER  
CLEARING REGULATION

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

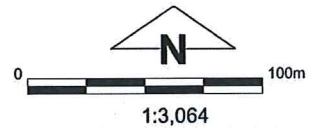
30 June 2016

# Plan 7033/1



## Legend

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



(Approximate when reproduced at A4)  
GDA 94 (Lat/Long)  
Geocentric Datum of Australia 1994

*S. Weighell* Date *30/6/16*  
Simon Weighell

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



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## 1. Application details

### 1.1. Permit application details

Permit application No.: 7033/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Department of Defence

### 1.3. Property details

Property: LOT 251 ON PLAN 220045, MEDA  
LOT 23 ON PLAN 220045, MEDA  
ROAD RESERVE - 1112978, MEDA  
DERBY-WEST KIMBERLEY, SHIRE OF  
Local Government Authority: North West  
DER Region: WEST KIMBERLEY  
DPaW District: MEDA  
Localities: MEDA

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 30 June 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 has concluded that the proposed clearing is at variance to Principle (f), may be at variance to Principle (i) and is not likely to be at variance to any of the remaining clearing principles.

Through assessment it has been determined that the proposed clearing will impact on vegetation growing in association with the Meda River. While the proposed clearing may initially cause some increased sedimentation of the watercourse, given the relatively small area under application, impacts to the watercourse are likely to be short term and minimal. To reduce the severity of sedimentation, the applicant will be required to undertake clearing between July and November, when river flows are likely to be at their lowest.

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 vegetation association 706 is described as grasslands, tall bunch grass savanna, mitchell & ribbon/blue grass (Shepherd et al., 2001).	The Department of Defence proposes to clear 0.615 hectares of native vegetation within Lot 251 on Deposited Plan 220045, Lot 23 on Deposited Plan 220045 and Kimbolton Road reserve (PIN: 1112978), Meda, for the purpose of upgrading the Meda River crossing and constructing a turnaround and laydown area.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).  To  Completely Degraded: No longer intact; completely /almost completely without native species (Keighery 1994)	The vegetation condition and description was determined via supporting information provided by Opus International Consultants (Opus, 2016).  The application area comprises three sections, the eastern bank, central area and western bank.  The eastern bank comprises Eucalyptus sp. over mixed grasses.  The central area comprises young Eucalyptus sp. on the south side and various native midstorey bushes on north side of Kimbolton road.  The western bank towards the laydown area comprises mixed low woodland of Eucalyptus sp. and Allocasuarina sp. (Opus, 2016).

### 3. Assessment of application against clearing principles

**Comments** This application is for the purpose of upgrading the existing Meda River crossing, which is currently an unprotected floodway over a seasonal river, at the confluence of two streams that form part of the greater Meda River system (Opus, 2016). The Department of Defence proposes to upgrade the Meda River crossing to a permanent floodway as there is currently no erosion protection and the crossing erodes during each wet season (December to March). Upgrading the crossing to a permanent floodway is intended to avoid reoccurring erosion and annual reconstruction (Opus, 2016). In addition to the river crossing, a vehicle turning circle is proposed, set back approximately 30 metres from the western bank of the Meda River.

There are 16 species of priority flora recorded within the local area (50 kilometre radius of the application area). Given the relatively small size of the application area and presence of extensive surrounding undisturbed vegetation, it is considered unlikely that the proposed clearing will significantly impact on any priority flora species.

There are no rare flora species or priority ecological communities recorded within the local area.

There is one threatened ecological community (TEC) recorded within the local area. This TEC is known as 'Assemblages of Big Springs organic mound springs'. The closest occurrence of this TEC is located approximately 21 kilometres north of the application area, and based on the distance between the application area and this TEC, the proposed clearing is not likely to impact on this community.

The application area is within the Dampierland Bioregion and Shire of Derby-West Kimberley which retain approximately 99 per cent of their pre-European vegetation extents respectively (Government of Western Australia, 2015). Given the presence of extensive surrounding undisturbed vegetation, it is considered unlikely that the application area contains significant habitat for fauna.

There are no conservation areas within the local area, however the proposed clearing will increase the risk of weeds spreading into adjacent vegetated areas. Weed management measures will help to mitigate this risk.

Given the relatively small size of the application area, the proposed clearing is not likely to lead to appreciable land degradation via water or wind erosion or exacerbate flooding.

The proposed clearing will impact on vegetation that is growing in association with the Meda River (perennial), and may result in increased short term sedimentation of the river, particularly if rainfall occurs immediately post clearing. To minimise the impact of sedimentation the applicant has advised that clearing would be undertaken during the regions driest months between July and October, when the portion of the Meda River associated with the application area is dry. Furthermore, the applicant has advised that the proposed crossing will be constructed just above the river bed level, which will help to maintain natural flow.

Given the above, the proposed clearing is at variance to Principle (f), may be at variance to Principle (i) and is not likely to be at variance to any of the remaining clearing principles.

**Methodology** References:  
Government of Western Australia (2015)  
Opus (2016)

GIS Databases:  
SAC Bio Datasets (Accessed June 2016)  
Parks and Wildlife Tenure  
Hydrography, Linear  
Hydrography, Hierarchy

#### Planning instruments and other relevant matters.

**Comments** The application was advertised on 16 May 2016 for a 7 day public submission period. No public submissions have been received.

A direct interest submission has been received from the Warrwa People native title claimants. It is advised that the Warrwa People do not object to the proposed clearing provided that the permit holder engages two Warrwa Monitors during clearing to ensure no subsurface cultural material is uncovered and if it is, then such material is dealt with under the supervision of the Warrwa Monitors in a culturally acceptable manner (Hopgood Ganim Lawyers, 2016). It is recommended that the applicant contacts the Warrwa People native title claimants prior to clearing.

The Department of Defence commissioned Anthropos Australia (2016) to undertake an Aboriginal Heritage Survey of the application area. The survey identified that:

- No surface Aboriginal archaeological or ethnographic sites were recorded within the application area;
- There is the potential for subsurface Aboriginal archaeological material to be present in the banks of the Meda River;
- The Meda River is of cultural significance to the Warrwa People who wish to continue to assert their native title rights and interests over the land and water;
- Warrwa Heritage Monitors should be engaged by the applicant to ensure that any subsurface Aboriginal archaeological material uncovered during the initial ground disturbing activity is dealt with in a culturally appropriate manner.

- An Aboriginal Heritage Stop Works Procedure should be developed prior to the works being undertaken

The Department of Water (DoW) advises that the application area is located within the Canning-Kimberley Groundwater Area which is proclaimed under the Rights in Water and Irrigation Act 1914. It is advised that if groundwater is required for construction activities a Licence to take Groundwater would be required. The DoW advises that the applicant has applied for a section 21A permit to interfere with the bed and banks of the Meda River (DoW, 2016).

**Methodology**    References:  
 Anthropos Australia (2016)  
 DoW (2016)  
 Hopgood Ganim Lawyers (2016)

#### **4. References**

- Anthropos Australia (2016) The Report of the Aboriginal Heritage Survey of the Proposed Meda River Floodway Upgrade for the Kimbolton Road, Meda Pastoral Lease, West Kimberley Region, Western Australia. DER Ref A1107213.
- DoW (2016) Direct Interest Advice for Clearing Permit Application CPS 7033/1. DER Ref A1110345.
- Government of Western Australia (2015) 2015 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2015. WA Department of Parks and Wildlife, Perth.
- Hopgood Ganim Lawyers (2016) Direct Interest submission on behalf of the Warrwa People native title claimants. DER Ref A1117060.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Opus (2016) Clearing Permit – Supporting Information. Upgrade to Meda River Crossing Kimbolton Road, Shire of Derby/West Kimberley. Opus International Consultants (Australia) Pty Ltd. DER Ref A1058520.
- 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.