



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7057/1
Permit Holder:	Shire of Derby/West Kimberley
Duration of Permit:	13 July 2016 to 13 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 expanding an existing landfill site.

2. Land on which clearing is to be done

Lot 1140 on Deposited Plan 215322, Derby

3. Area of Clearing

The Permit Holder must not clear more than 0.28 hectares of native vegetation within the area hatched yellow on attached Plan 7057/1.

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. 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

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:

- (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.

7. Dieback and 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* and *dieback*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *dieback* or *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:

dieback means the effect of *Phytophthora* species on native vegetation;

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; and

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.



Emma Bramwell
A/ MANAGER
CLEARING REGULATION

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

13 June 2016

Plan 7057/1




Legend

-  Areas approved to clear
-  Roads
-  LGA
-  Cadastre
- Virtual Mosaic



1:1,933

MGA 94
Geocentric Datum of Australia 1994

 Date 13/06/16
Emma Bramwell

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.: 7057/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Derby/West Kimberley

1.3. Property details

Property: LOT 1140 ON PLAN 215322, DERBY
Colloquial name:
Local Government Authority: DERBY/WEST KIMBERLEY, SHIRE OF
DER Region: North West
DPaW District: WEST KIMBERLEY
LCDC:
Localities: DERBY

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.28		Mechanical Removal	Waste disposal/management

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 13 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.

The Delegated Officer considered that the proposed clearing is not likely to be at variance to any of the clearing principles. The Delegated Officer considered that the proposed clearing is unlikely to result in significant residual impacts.

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 764 is described as shrublands, pindan; <i>Acacia eriopoda</i> & <i>A. tumida</i> shrubland with scattered low bloodwood & <i>Eucalyptus setosa</i> over ribbon & curly spinifex (Shepherd et al., 2001).	The clearing of 0.28 hectares of native vegetation is for the purpose of expanding an existing an existing landfill site.	Completely Degraded; No longer intact, completely/almost completely without native species (Keighery, 1994). To Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).	The vegetation description and condition was determined via photographs provided by the applicant (Shire of Derby/West Kimberley, 2016).

3. Assessment of application against clearing principles

Comments The applicant proposes to clear up to 0.28 hectares of native vegetation within Lot 1140 on Deposited Plan 215322, Derby, for the purpose of expanding the Derby Waste Management Facility. The expansion of the facility is required for the future excavation of asbestos and clinical waste materials as current waste disposal cells are approaching full capacity (Shire of Derby/West Kimberley, 2016).

The vegetation under application consists of regrowth vegetation that is approximately 8-9 years old, that ranges from a completely degraded (Keighery, 1994) to good (Keighery, 1994) condition, with the majority of vegetation considered to be in a degraded (Keighery, 1994) condition. The vegetation under application has been subject to disturbance from the existing landfill facility, whereby cleared roadways for providing traffic movements around the facility occur within the application area.

In assessing this application, consideration has been given to the impacts of the proposed clearing in respect to biological diversity, significant habitat for indigenous fauna, rare flora, threatened ecological communities, significant remnant in an extensively cleared area, wetlands and watercourses, appreciable land degradation, environmental values of nearby conservation areas, deterioration in the quality of surface and underground water quality, and the intensity and incidence of flooding.

The assessment has found that the proposed clearing is not likely to be at variance to any of the clearing principles.

Methodology References:
Keighery (1994)
Shire of Derby/West Kimberley (2016)

GIS Databases:
- SAC Bio Datasets accessed June 2016
- Geomorphic Wetlands, (Mgt Categories), Swan Coastal Plain
- Hydrography linear
- NLWRA, Current Extent of Native Vegetation
- Parks and Wildlife tenure
- Pre-European vegetation
- Soils, statewide

Planning instruments and other relevant matters.

Comments The application area is located within Derby Groundwater Area, which is proclaimed under the *Rights in Water and Irrigation Act 1914*. The Department of Water (DoW) advised that if the applicant intends to use groundwater for the proposed clearing, a section 26D licence to construct a well and a section 5C licence to take water is required under this legislation (DoW, 2016). The applicant is advised to liaise with the DoW regarding licencing matters prior to clearing.

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

The application was advertised in *The West Australian* newspaper on 23 May 2016 for a 7-day submission period. No public submissions have been received.

Methodology References:
DoW (2016)

GIS Databases:
- Aboriginal Sites of Significance

4. References

- Department of Water (2016) Advice for Clearing Permit CPS 7057/1. Department of Water. Western Australia. (DER Ref: A1104745).
- 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.
- Shire of Derby/West Kimberley (2016) Clearing Permit Application – Derby Waste Management Facility (DER Ref: A1091715).