



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 7691/1
Permit Holder:	Department of Planning, Lands and Heritage
Duration of Permit:	4 August 2017 – 4 August 2022

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

1. Purpose for which clearing may be done

Clearing for the purpose of conducting a ground penetrating radar survey to identify the location of burial places.

2. Land on which clearing is to be done

Lot 50 on Deposited Plan 172399 (Crown Reserve 29060), Fitzroy Crossing.

3. Area of Clearing

The Permit Holder must not clear more than 1.2 hectares of native vegetation within the area hatched yellow on attached Plan 7691/1.

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.

A handwritten signature in blue ink, appearing to read "Mathew Gannaway", written over a horizontal line.

Mathew Gannaway
MANAGER
CLEARING REGULATION





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

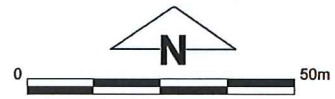
4 August 2017

Plan 7691/1



Legend

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



1:1,350
 (Approximate when reproduced at A4)
 GDA 94 (Lat/Long)
 Geocentric Datum of Australia 1994

Matthew Gannaway Date 04/08/2017

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



1. Application details

1.1. Permit application details

Permit application No.: 7691/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Department of Planning, Land and Heritage

1.3. Property details

Property: Lot 50 on Deposited Plan 172399, Fitzroy Crossing
Colloquial name:
Local Government Authority: Derby-West Kimberley, Shire of
DWER Region: North West
DBCA District: West Kimberley
LCDC:
Localities: Fitzroy Crossing

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.2		Mechanical Removal	Infrastructure maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 4 August 2017
Reasons for Decision: The clearing permit application was received on 11 July 2017 and has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986*. It has been concluded that the proposed clearing maybe at variance to Principle (f) and is not likely to be at variance to the remaining clearing principles.

The Delegated Officer determined that the clearing of 1.2 hectares of native vegetation in a degraded (Keighery, 1994) condition is unlikely to have any significant environmental impacts.

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description	Vegetation Condition	Comment
The vegetation within the application area has been mapped as Beard vegetation association 61 which is described as grasslands, tall bunch grass savanna woodland, coolabah over ribbon grass (<i>Chrysopogon</i> sp.) (Shepherd et al., 2001).	Degraded; Structure severely disturbed; regeneration to good condition requires intensive management (Keighery, 1994).	The vegetation condition was determined by photographs provided by the applicant.

3. Assessment of application against clearing principles

Comments

The application is for the clearing of 1.2 hectares of native vegetation within Lot 50 on Deposited Plan 172399 (Crown Reserve 29060), Fitzroy Crossing, for the purpose of conducting a ground penetrating radar survey to identify the location of burial places.

The application area is located adjacent to Fitzroy River and therefore the vegetation proposed to be cleared maybe considered to be growing in association with a watercourse. The proposed clearing of 1.2 hectares of native vegetation in a degraded (Keighery 1994) condition is not likely to have a significant impact on the environmental values of this watercourse.

Consideration has been given to impacts to biodiversity, significant fauna habitat, rare flora, threatened ecological communities, remnant vegetation values, wetlands, watercourses, land degradation, conservation areas, surface water quality, groundwater quality, and flooding. The assessment has found that the proposed clearing maybe at variance to Principle (f) and is not likely to be at variance to any of the remaining clearing principles.

Methodology

GIS Datasets:
SAC Biodata sets accessed July 2017
Hydrography linear
NLWRA, Current Extent of Native Vegetation
Parks and Wildlife tenure
Soils, statewide

Planning instruments and other relevant matters.

Comments

The application was advertised on the Department of Water and Environmental Regulation's (DWER) website on 31 July 2017 for a seven day public submission period. No submissions have been received.

The application area is mapped within two Aboriginal Sites of Significance 'Pioneer Cemetery' and 'Fitzroy River'. The applicant will be notified of their obligation under the *Aboriginal Heritage Act 1972*.

On 25 July 2017, a DWER Delegated Officer wrote to the Bunuba People #2 native title claimants, providing notice as required by section 24KA of the *Native Title Act 1993*, and providing an opportunity to comment on the application. A representative of the Banuba Dawangarri Aboriginal Coproation (BDAC) advised that the Bunuba Traditional Owners support the proposed works on the basis that there has been extensive community consultation and consultation with the traditional owners for the area where the proposed works are to carried out (Kimberley Land Council, 2017).

The Shire of Derby-West Kimberley has advised that they have no objection to the clearing proceeding as proposed. No further statutory approvals area required from the Shire to carry out the works, however request that the proponent liaise with the Shire prior to the commencement of any works on site (Shire of Derby-West Kimberley, 2017).

Methodology

References:
Kimberley Land Council (2017)
Shire of Derby West Kimberley (2017)

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.
- Kimberley Land Council (2017) Direct Interest Response received on 27 July 2017 in response to Clearing Permit Application CPS 7691/1 (DER Ref A1495445).
- Shire of Derby-West Kimberley (2017) Direct Interest Response received on 25 July 2017 in response to Clearing Permit Application CPS 7691/1 (DER Ref A1495463).
- 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.