



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 8188/1
File Number: DWERTV1335
Duration of Permit: 4 January 2019 to 4 January 2021

PERMIT HOLDER

Shire of Wyndham – East Kimberley

LAND ON WHICH CLEARING IS TO BE DONE

Lot 1262 on Deposited Plan 170429, Wyndham

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 2.5923 hectares of native vegetation within the area hatched yellow on attached Plan 8188/1.

CONDITIONS

1. Avoid, minimise and reduce the impacts and extent of 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.

2. 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 area to be cleared.

RECORD KEEPING AND REPORTING

3. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit, in relation to the clearing of native vegetation authorised under this permit:

- (a) 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;
- (b) the date that the area was cleared;
- (c) the size of the area cleared (in hectares);
- (d) actions taken to avoid, minimise and reduce the impacts and the extent of clearing in accordance with condition 1 of this Permit; and
- (e) actions taken to minimise the introduction and spread of *weeds* in accordance with condition 2 of this Permit.

4. Reporting

The Permit Holder must provide to the *CEO* the records required under Condition 3 of this Permit, when requested by the *CEO*.

DEFINITIONS

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

CEO means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

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 Biodiversity, Conservation and Attractions Regional Weed Rankings Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



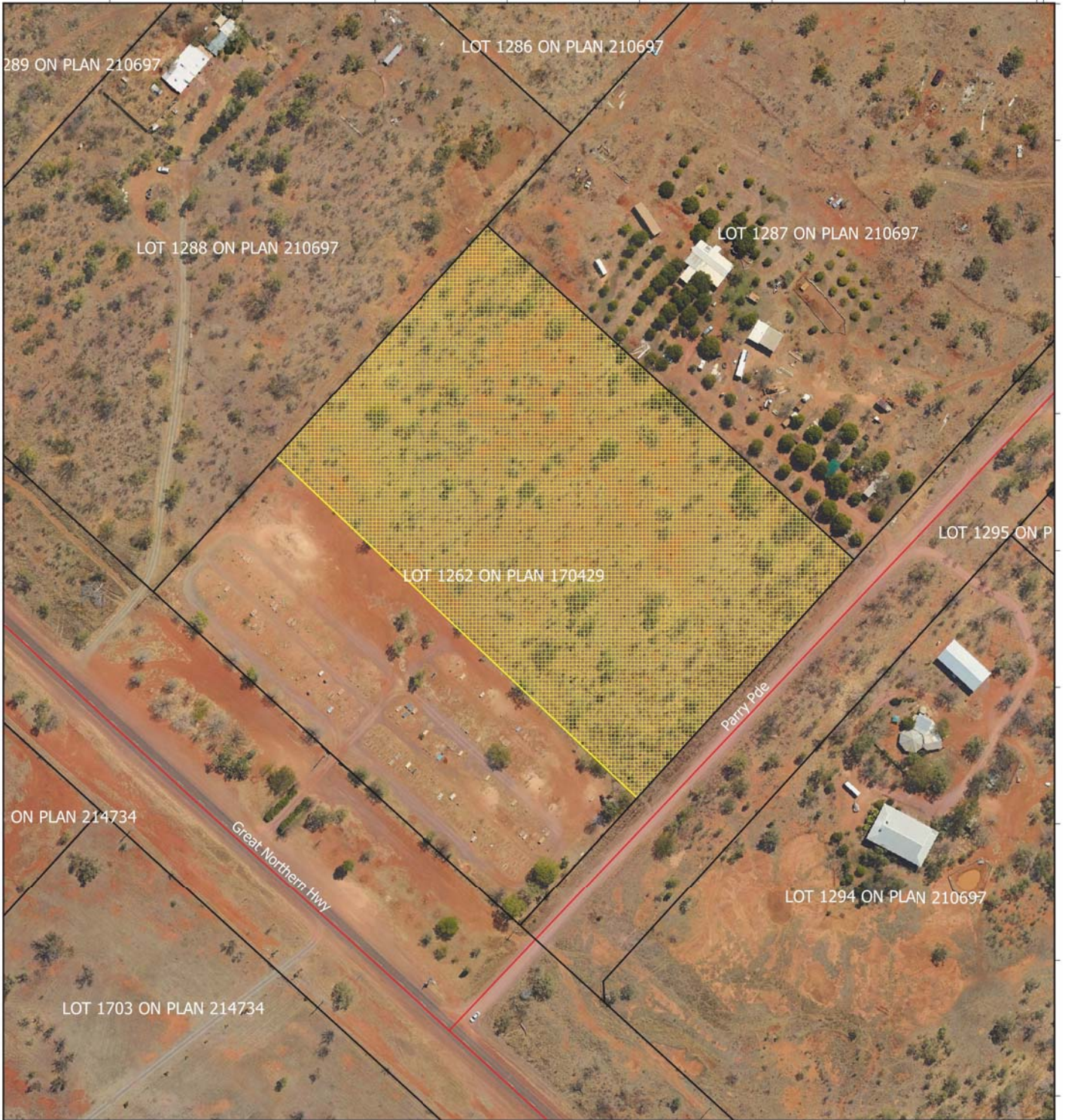
Mathew Gannaway
MANAGER
NATIVE VEGETATION REGULATION

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

5 December 2018

Plan 8188/1

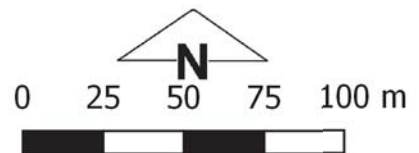
128°10'8.4"E 128°10'10.2"E 128°10'12.0"E 128°10'13.8"E 128°10'15.6"E 128°10'17.4"E 128°10'19.2"E 128°10'21.0"E



15°30'27.0"S
15°30'28.8"S
15°30'30.6"S
15°30'32.4"S
15°30'34.2"S
15°30'36.0"S
15°30'37.8"S
15°30'39.6"S
15°30'41.4"S

Legend

-  cadastre
-  Areas approved to clear base layers
-  Roads
- Image



MGA 94
Geocentric Datum of Australia 1994
.....*MG*.....Date 5/12/2018
Mathew Gannaway

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.: 8188/1
Permit type: Area Permit

1.2. Applicant details

Applicant's name: Shire of Wyndham - East Kimberley
Application received date: 11 September 2018

1.3. Property details

Property: Lot 1262 on Deposited Plan 170429
Local Government Authority: Shire of Wyndham – East Kimberley
Localities: Wyndham

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
2.5923		Mechanical Removal	Infrastructure maintenance

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 5 December 2018
Reasons for Decision: The clearing permit application has been assessed against the clearing principles, planning instruments and other matters in accordance with section 51O of the *Environmental Protection Act 1986* (EP Act). It has been concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

In determining to grant a clearing permit subject to conditions, the Delegated Officer found that the proposed clearing is unlikely to lead to an unacceptable risk to the environment.

The Delegated Officer determined that the proposed clearing may increase the spread of weeds into adjacent vegetation. To minimise this risk, a condition has been placed on the permit requiring the implementation of weed management measures.

2. Site Information

Clearing Description This application is for the clearing of up to 2.5923 hectares of native vegetation within Lot 1262 on Deposited Plan 170429, for the purposes of expanding the Wyndham cemetery.

Vegetation Description The application area is situated within mapped vegetation complex 914: Bloodwood, Stringybark (*Eucalyptus tetradonta*) over curly spinifex and Annual Sorghum (*Sorghum stipoides*), *Corymbia dichromophloia*, Stringybark (*Eucalyptus tetradonta*) over *Triodia bitextura*, *Sorghum* sp. (Shepherd et al. 2001).

Vegetation Condition A review of aerial photography of the application area determined the vegetation in the application area ranges in condition from (Trudgen 1988):

Good: More obvious signs of damage caused by human activity since European settlement, including some obvious impact on the vegetation structure such as that caused by low levels of grazing or slightly aggressive weeds;

To

Degraded: Severely impacted by grazing, very frequent fires, clearing or a combination of these activities. Scope for some regeneration but not to a state approaching good condition without intensive management. Usually with a number of weed species present, including very aggressive species.

Soil type The application area is mapped as occurring within the Frayne Land system (Department of Primary Industry and Regional Development (DPIRD) 2017). This landsystem is described as undulating plains with *Eucalypt* woodlands and mixed grasses (DPIRD 2017). Many small patches scattered throughout the area of undulating to low hilly basalt country with predominantly red soils (DPIRD 2017).

Comments The local area referred to in the below assessment is defined as the area within a 20 kilometre radius of the application area.



Figure 1: The application area (shown in blue), in the context of the lot boundaries (shown in yellow).

3. Assessment of application against clearing principles

The proposed clearing activities on Lot 1262 on Deposited Plan 170429 will allow the existing Wyndham Cemetery to be expanded. The expansion of this cemetery is necessary as available burial plots are anticipated to be exhausted within 12 – 24 months. The applicant advises that alternate cemetery sites have been considered, however all of the alternative sites would have required clearing and Lot 1262 is already zoned for cemetery use.

A review of available databases determined that 11 flora species of conservation significance have been recorded in the local area, comprising nine Priority 1 flora species, one Priority 2 flora species and one Priority 3 flora species. No occurrences of the above species have been recorded within the application area. After reviewing the habitat requirements of the above species, the application area was considered to potentially provide suitable habitat for *Goodenia brachypoda* (Priority 1). The nearest recorded occurrence of this species is situated approximately 13.8 kilometres from the application area. A review of known locations of *Goodenia brachypoda* within 50 kilometres of the application area, overlaid with conservation reserves, found that this species is well represented within the conservation estate. Conservation reserves are protected from human development and consequently are an important asset for the protection of species of conservation significance. When the above is considered alongside the extent of the proposed clearing and that vegetation community 914 maintains over 99 per cent of its pre-European vegetation extent, the proposed clearing activities are not anticipated to result in the loss of significant habitat for

any conservation significant flora species. Therefore, the clearing activities are not anticipated to result in adverse impacts to either the extent of occurrence, or conservation status, of any conservation significant flora species.

A review of available databases determined that 40 fauna species of conservation significance have been recorded within the local area (Department of Biodiversity, Conservation and Attractions 2007-). When species whose habitat requirements are not met by the habitats found in the application area and marine and migratory species are accounted for, the application area may provide suitable habitat for:

- Gouldian Finch (*Erythrura gouldiae*) (Priority 4);
- Lakeland Downs Mouse (*Leggadina lakedownensis*) (Priority 4);
- Letter-winged Kite (*Elanus scriptus*) (Priority 4);
- Northern Quoll (*Dasyurus hallucatus*) (Endangered under the *Wildlife Conservation Act 1950* (WC Act), Endangered under the *Environment Protection and Biodiversity Conservation Act 1999*); and
- Peregrine Falcon (*Falco peregrinus*) (Other specially protected fauna under the WC Act).

The application area is situated within the Victoria Bonaparte Interim Biogeographic Regionalisation of Australia (IBRA) Region. The Victoria Bonaparte IBRA region and vegetation association 914 maintain over 98 per cent and 99 per cent of their pre-European vegetation extents, respectively. In addition, a review of aerial photography of the application areas surrounds found that similar habitat to that found in the application area is widespread in the surrounding environment. When the above is considered alongside the extent of the proposed clearing, the clearing under application may result in the loss of suitable habitat for fauna species of conservation significance, but it is not considered to be significant. Given the knowledge that the Victoria Bonaparte IBRA Region maintains over 98 per cent of its pre-European vegetation extent, the clearing under application is unlikely to adversely impact any ecological linkages promoting species diversity and recruitment within the local area.

Noting the abovementioned vegetation remnant extents, the area under application does not represent a remnant of native vegetation within an extensively cleared area.

The proposed clearing has the potential to introduce weed species into the surrounding vegetation, potentially degrading habitat for flora and fauna species. Weed management measures should mitigate this potential impact.

A review of available databases determined that the application area is situated approximately 15 kilometres northwest of a recorded occurrence of the Priority 3 'Kimberley Vegetation Association 838' priority ecological community (PEC). The application areas vegetation is not considered to be representative of this PEC (Department of Biodiversity, Conservation and Attractions 2017). When consideration is given to the separation distance between the application area and the above PEC, no adverse impacts to this PEC are expected to result from the proposed clearing.

A review of available databases and aerial photography of the application area has determined that no watercourses or wetlands exist in the application area. Given the above, no vegetation growing in association with surface water features will be impacted by the proposed clearing.

Given the proposed clearing extent, and the remnant native vegetation within the local area, no land degradation impacts are expected to result from the clearing activities. No impacts to the quality of local surface water or ground water resources, or the incidence or intensity of flooding, are expected to result from the clearing activities.

The application area is situated approximately 3.7 kilometres and 11.9 kilometres west of the Parry Lagoons Nature Reserve and Ord River Nature Reserve, respectively. The application area is also situated approximately 11.1 kilometres northeast of an unnamed conservation reserve and approximately 12.2 kilometres northwest of another unnamed conservation reserve. Given the separation distances between the application area and the above conservation reserves, no impacts to these conservation reserves, or any ecological linkages promoting species diversity and recruitment within these conservation reserves, are anticipated to result from the clearing activities.

Given the above, the proposed clearing is not likely to be at variance to any of the clearing principles.

Planning instruments and other relevant matters.

No Aboriginal sites of significance have been mapped within the application area. In correspondence dated 21 November 2018, the Kimberley Land Council advised that they wished for the Department of Water and Environmental Regulation (DWER) to refrain from issuing the clearing permit until the Balangarra Aboriginal Corporation (BAC), the relevant Registered Native Title Body Corporate, has had the opportunity to consider the permit application and make any comments and to undertake a comprehensive heritage clearance to ensure compliance with heritage legislation. The Kimberley Land Council advised that the BAC's next board meeting is scheduled for March 2019. The applicant is advised to ensure that they comply with all relevant provisions under the *Aboriginal Heritage Act 1972*.

The clearing permit application was advertised on the DWER website on 1 November 2018 with a 14 day submission period. No public submissions have been received in relation to this application.

4. References

Commonwealth of Australia (2001) National Objectives and Targets for Biodiversity Conservation 2001-2005, Canberra.
Department of Biodiversity, Conservation and Attractions (2007-) NatureMap: Mapping Western Australia's Biodiversity.
Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed November 2018.

Department of Biodiversity, Conservation and Attractions (2017) Priority Ecological Communities for Western Australia Version 27, Species and Communities Branch, Department of Biodiversity, Conservation and Attractions. Available from: https://www.dpaw.wa.gov.au/images/documents/plants-animals/threatened-species/Listings/priority_ecological_communities_list.pdf.

Department of Primary Industry and Regional Development (2017). NRInfo Digital Mapping. Department of Primary Industry and Regional Development. Government of Western Australia. URL: <https://maps.agric.wa.gov.au/nrm-info/>. Accessed November 2018.

Government of Western Australia (2017) 2017 Statewide Vegetation Statistics (formerly the CAR Reserve Analysis) – Full Report. Current as of December 2017 (based on most recent date of input datasets). Prepared by the Department of Biodiversity, Conservation and Attractions (DBCA), Perth. Published February 2018.

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.

Trudgen, M.E. (1988). A report on the flora and vegetation of the Port Kennedy Area. Unpublished report for Bowman Bishaw Associates, West Perth.

Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Biodiversity, Conservation and Attractions. <http://florabase.dpaw.wa.gov.au/> (accessed November 2018).

GIS Databases:

- Aboriginal Sites of Significance
- Department of Biodiversity, Conservation and Attractions, Managed Tenure
- Geomorphic Wetlands Management Category
- Hydrography Linear – Linear
- Hydrography WA 250K – Surface Water Lines
- SAC bio datasets
- TPFL October 2018
- Vegetation Complexes; pre – European Vegetation
- WA Herb Data October 2018
- WA TEC PEC Boundaries