



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 8326/1
Permit Holder:	Shire of Derby-West Kimberley
Duration of Permit:	27 March 2019 – 27 March 2024

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 cemetery expansion.

2. Land on which clearing is to be done

Lot 537 on Plan 166633, Derby.

3. Area of Clearing

The Permit Holder must not clear more than 1.419 hectares of native vegetation within the area hatched yellow on attached Plan 8326/1.

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.

6. Type of clearing authorised

This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the right to access land under the *Land Administration Act 1997* or any other written law.

PART II – MANAGEMENT CONDITIONS

7. 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.

8. 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 areas to be cleared.

PART III - RECORD KEEPING AND REPORTING

9. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
 - (i) 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;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).

10. Reporting

The Permit Holder must provide to the *CEO* the records required under condition 9 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 species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.



Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

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

25 February 2019

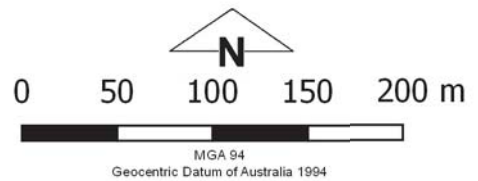
Plan 8326/1



Legend

-  CPS areas approved to clear
-  Local Government Authorities
-  Cadastre
-  Roads

Image



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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.: 8326/1
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Shire of Derby-West Kimberley
Application received date: 11 January 2019

1.3. Property details

Property: Lot 537 on Plan 166633, DERBY
Local Government Authority: Shire of Derby-West Kimberley
Localities: Derby

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
1.419	0	Mechanical Removal	Cemetery expansion

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 25 February 2019
Reasons for Decision: The clearing permit application was received on 11 January 2019 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 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 considered that the proposed clearing is not likely to lead to an unacceptable risk to the environment.

2. Site Information

Clearing Description: The application is for the proposed clearing of up to 1.419 hectares of native vegetation within Lot 537 on Deposited Plan 166633, Derby, within the Shire of Derby-West Kimberley for the purpose of extending the cemetery. The application area is indicated in Figure 1.

Vegetation Description The vegetation within the application area is mapped as Beard vegetation association 764, which is described as 'Shrublands, pindan; *Acacia eriopoda* and *A. tumida* shrubland with scattered low bloodwood and *Eucalyptus setosa* over ribbon and curly spinifex' (Shepherd et al., 2001).

Vegetation Condition Excellent: Vegetation structure intact, disturbance affecting individual species and weeds are non-aggressive species;

to

Completely Degraded: No longer intact, completely/almost completely without native species (Keighery, 1994).

Soil/Landform Type Majority of the application area is mapped within the Wanganut land system, described as low-lying sand plain with dunes; deep red sands and yellowish sandy soils; pindan vegetation and grassy woodlands with ribbon grass (Payne and Schoknecht, 2011). A small area in the northern portion of the application area is mapped within the Carpentaria land system, described as coastal country, bare mud flats and saline soils with halophytic vegetation (Payne and Schoknecht, 2011).

Comments The local area referred to in the assessment of this application is defined as a 50 kilometre radius measured from the perimeter of the application area.

A review of available databases has determined that the application area falls within the Dampierland Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and

mapped as Fitzroy Sandplains, retaining approximately 97% of its pre-European vegetation extent (Government of Western Australia, 2018).

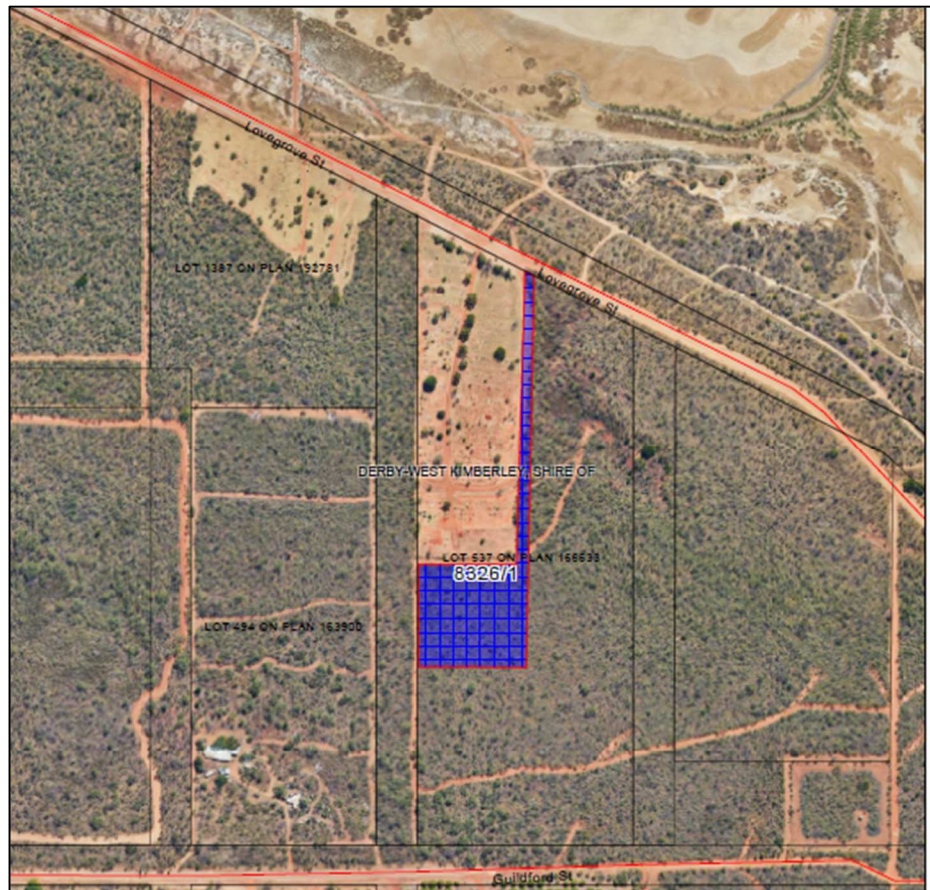


Figure 1: Application area

3. Assessment of application against clearing principles and planning instruments and other matters

A review of the available databases identified nine priority flora species and no Threatened flora species within the local area. None of the recorded occurrences of the priority flora species are derived from the application area (Western Australian Herbarium 1998-). Of these species, two Priority 3 species have been identified as having the potential to occur within the application area: *Gomphrena cucullata* and *Goodenia sepalosa* var. *glandulosa*. These species are known to occur in red sand and pindan woodland, which is characteristic of the application area. However, due to the relatively small size of the application area and the vegetation being well represented in the local area, the proposed clearing is not likely to impact on the conservation status of any Threatened or priority flora species.

According to available databases, nine threatened fauna species, 33 species protected under international agreement, one fauna species classified as specially protected fauna, two Priority 2 and two Priority 4 fauna species have been recorded within the local area (Department of Biodiversity, Conservation and Attractions, 2007). Of these species, the Northern Quoll (*Dasyurus hallucatus*) and several bird species have been identified as being likely to occur within the application area. Due to the high mobility of these species and the small size of the application area, it is unlikely that these species are dependent on the application area therefore the proposed clearing is unlikely to significantly impact their habitat.

The Northern Quoll is listed as endangered under the *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). The species' preferred habitat consists of rocky escarpment, open forest and open woodland (Commonwealth of Australia, 2005). Given the small size of the application area, the proposed clearing is unlikely to significantly impact Northern Quoll habitat.

There are no Threatened or Priority Ecological Communities (TEC/PEC) mapped within the application area. According to the available databases, the closest TEC to the application area is the 'Assemblages of Big Springs organic mound springs' which is approximately 48 kilometres northeast of the application area. The application area is not likely to comprise the whole or part of, or is necessary for the maintenance of a TEC.

The application area falls within the Dampierland Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and is mapped as Beard vegetation association 764, retaining 97.57 per cent of its pre-European vegetation extent (Government of Western Australia, 2018). The small scale of proposed clearing (1.419 hectares), is unlikely to significantly impact the vegetation association. Therefore, the application area is not considered a significant remnant in an area that has been extensively cleared.

There are no watercourses or wetlands mapped within the application area, therefore the native vegetation is not considered to be growing in, or in association with, an environment associated with a watercourse or wetland.

No conservation areas are recorded within the application area. Given the relatively small size of the application area, the proposed clearing is not likely to contribute to or cause land degradation, deteriorate the quality of surface or ground water and cause or exacerbate flooding.

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

The area under application is located within the Irrigation-Derby Town Water Supply area covered by the *Rights in Water and Irrigation Act 1914* (RIWI Act). The proposed clearing and subsequent land use do not require water. Therefore, a licence under the RIWI Act is not required.

The clearing permit application was advertised on the Department of Water and Environmental Regulation's website on 30 January 2019, inviting submissions from the public within a 14 day period. No submissions were received in relation to this application.

No Aboriginal Sites of Significance have been mapped within the application area.

4. References

- Commonwealth of Australia (2005) Conservation advice for Northern Quoll (*Dasyurus hallucatus*). Department of the Environment and Energy, Canberra.
- Department of Biodiversity, Conservation and Attractions (DBCA) (2007) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed February 2019.
- Government of Western Australia (2018) 2017 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of February 2018. 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.
- Payne, A. and Schoknecht, N. (2011) Land systems of the Kimberley Region, Western Australia, Technical Bulletin No. 98. Department of Agriculture and Food, Perth.
- 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 Biodiversity, Conservation and Attractions. <http://florabase.dpaw.wa.gov.au/> (accessed February 2019).

5. GIS databases

- Aboriginal sites of significance
- Department of Biodiversity, Conservation and Attractions
- Hydrography, Linear
- Sac bio datasets (accessed February 2019)