



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 10871/2
File Number: DWERVT17306
Duration of Permit: From 27 June 2025 to 27 June 2027

PERMIT HOLDER

Kimberley Ports Authority

LAND ON WHICH CLEARING IS TO BE DONE

Lot 619 on Deposited Plan 70861, Minyirr
Lot 621 on Deposited Plan 70861, Minyirr

AUTHORISED ACTIVITY

The permit holder must not clear more than 0.44 hectares of *native vegetation* within the combined areas cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

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

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending 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 management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of 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 known *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.

3. Directional clearing

The permit holder must:

- (a) conduct *clearing* activities in a slow, progressive manner towards adjacent *native vegetation*; and
- (b) allow a reasonable time for fauna present within the area being cleared to move into adjacent *native vegetation* ahead of the *clearing* activity.

4. Erosion management

When undertaking any *clearing* authorised under this permit, the permit holder must take the following measures to minimise the risk of wind and water erosion:

- (a) Commence construction activities no later than two (2) months after undertaking *clearing* activities to reduce the potential for wind and water erosion;
- (b) Undertake *clearing* activities during dry season (the period of May to October).

5. Flora management – avoidance of Priority flora

- (a) Prior to undertaking any *clearing* authorised under this permit, the permit holder must demarcate the *clearing* area; and
- (b) The permit holder must not clear any occurrences of the *Priority flora* species, *Corymbia paractia*.

6. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none"> (a) the species composition, structure, and density of the cleared area; (b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings; (c) the date that the area was cleared; (d) the size of the area cleared (in hectares); (e) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 1; (f) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in

No.	Relevant matter	Specifications
		<p>accordance with condition 2;</p> <p>(g) actions taken to minimise wind and water erosion in accordance with condition 4; and</p> <p>(h) actions taken to avoid the clearing of <i>priority flora</i> species in accordance with condition 5.</p>

7. Reporting

The permit holder must provide, to the *CEO*, the records required under condition 6 of this permit when requested by the *CEO*.

DEFINITIONS

In this permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
fill	means material used to increase the ground level, or to fill a depression.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
Priority flora	means those plant taxa described as priority flora classes 1, 2, 3, or 4 in the Department of Biodiversity, Conservation and Attractions Threatened and Priority Flora List for Western Australia (as amended from time to time).
weeds	means any plant –

Term	Definition
	<p>(a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i>; or</p> <p>(b) published in a Department of Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or</p> <p>(c) not indigenous to the area concerned.</p>

END OF CONDITIONS


 Jessica Burton

MANAGER

NATIVE VEGETATION REGULATION

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

16 September 2025

SCHEDULE 1

The boundary of the area authorised to be cleared is shown in the map below (Error! Reference source not found.).



Figure 1: Map of the boundary of the area within which clearing may occur



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 10871/2
Permit type:	Area permit
Applicant name:	Kimberley Ports Authority
Application received:	28 August 2025
Application area:	0.44 hectares of native vegetation
Purpose of clearing:	Installation of underground water supply lines, fencing, hazard reduction and preventing flooding
Method of clearing:	Mechanical
Property:	Lot 619 on Deposited Plan 70861, Minyirr Lot 621 on Deposited Plan 70861, Minyirr
Location (LGA area/s):	Shire of Broome
Localities (suburb/s):	Minyirr

1.2. Description of clearing activities

This amendment of 10871/1 is to redescribe the boundary of the clearing area to allow for installation of the underground pipes (see Figure 1, Section 1.5). The current approved clearing area consists over two separate sites. The approved clearing area located at Site 1 (southwest site) does not provide enough space for contractors to install the water pipes and is required to shift to the west by 4 metres. The clearing area for Site 1 will remain at 0.28 hectares, with the clearing at site 2 (northeast site) to remain at 0.16 hectares. The total clearing is remaining at 0.44 hectares over the two sites (Kimberley Ports Authority, 2025).

The applicant advised that no clearing has been undertaken under CPS 10871/1, since the commencement of the permit in June 2025.

1.3. Decision on application

Decision:	Granted
Decision date:	16 September 2025
Decision area:	0.44 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

On the 6 June 2025, the Department of Water and Environmental Regulation (the Department) determined to grant Kimberley Ports Authority (KPA) Clearing Permit CPS 10871/1 for the clearing of 0.44 hectares of native vegetation within the Shire of Broome for the purpose of installation of underground water supply lines, fencing, hazard reduction and flood prevention.

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 7 days and no submissions were received.

In making this decision, the Delegated Officer took into consideration the site characteristics, relevant datasets, the findings of a flora and vegetation survey (see Decision report for CPS 10871/1) and the clearing principles set out in Schedule 5 of the EP Act. The Delegated Officer also took into consideration that the previous assessment was undertaken in May 2025 and that the proposed amendment was a change in clearing boundary only and no additional native vegetation is proposed to be cleared.

After consideration of current available information, the Delegated Officer determined that the proposed redescribed boundary for the clearing is not likely to lead to an unacceptable risk to the environment and the assessment against the clearing principles did not changed significantly from the assessment outlined in Clearing Permit Decision Report CPS 10871/1.

The Delegated Officer has taken the above matters into consideration and decided to grant an amended clearing permit with no change to permit conditions.

1.5. Site map



Figure 1 Map of the application area

The areas crosshatched yellow indicate the areas authorised to be cleared under the granted clearing permit.

2 Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

Other legislation of relevance for this assessment include:

- *Biodiversity Conservation Act 2016* (WA) (BC Act)
- *Port Authorities Act 1999*
- *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act)
- *Planning and Development Act 2005* (WA) (P&D Act)

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)
- Technical guidance – *Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016)
- Technical guidance – *Terrestrial Fauna Surveys for Environmental Impact Assessment* (EPA, 2016)

3 Detailed assessment of application

3.1. Avoidance and mitigation measures

The avoidance and minimisation measures proposed by the applicant have not changed and can be found in the Decision Report for CPS 10871/1.

3.2. Assessment of impacts on environmental values

A review of current environmental information reveals that the assessment against the clearing principles has not changed significantly from the Clearing Permit Decision Report CPS 10871/1.

The proposed change in the clearing boundary will reduce the buffer to one individual of the priority flora species *Corymbia paracitica* (P2), by 4 metres. Given this small amendment to the clearing boundary and the avoidance and mitigation measures proposed by the applicant and as conditioned on the permit, the reduction in the buffer is not considered to result in additional impacts to this priority flora species.

The proposed amendment is considered to have similar impacts as the clearing assessed and approved under CPS 10871/1. Therefore, the assessment against the clearing principles have not changes and no additional conditions are required to manage any additional impacts.

3.3. Relevant planning instruments and other matters

The assessment against planning instruments and other matters is unchanged and can be found in the clearing permit decision report CPS 10871/1 (DWER, 2025).

Several Aboriginal sites of significance have been mapped within the local area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

Appendix A. References

- Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.
- Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.
- Department of Water and Environmental Regulation (DWER) (2025). Area permit and decision report: CPS 10871/1. Available from [Index of /permit/10871](#)
- Kimberley Ports Authority (2025) *Clearing permit application CPS 10871/2*, received 28 August 2025 (DWER Ref: DWERTV17306).