



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3104/6
Permit Holder:	Broome Port Authority
Duration of Permit:	24 October 2009 – 31 December 2016

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 commercial development, relocation of utilities corridor and relocation of a Telstra line.

2. Land on which clearing is to be done

LOT 617 ON DEPOSITED PLAN 70861, MINYIRR
LOT 618 ON DEPOSITED PLAN 70861, MINYIRR
LOT 621 ON DEPOSITED PLAN 70861, MINYIRR
LOT 626 ON DEPOSITED PLAN 70861, MINYIRR
LOT 627 ON DEPOSITED PLAN 70861, MINYIRR
LOT 630 ON DEPOSITED PLAN 70861, MINYIRR
LOT 698 ON DEPOSITED PLAN 209491, MINYIRR
PORT DRIVE ROAD RESERVE (PIN 11479514), MINYIRR

3. Area of Clearing

The Permit Holder must not clear more than 21.726 hectares of native vegetation within the area hatched yellow on attached Plan 3104/6.

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.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

5. 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:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

6. 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

7. Records must 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 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 Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
- (c) the date that the area was cleared; and
- (d) the size of the area cleared (in hectares).

8. Reporting

- (a) The Permit Holder must provide to the CEO on or before 30 June of each year, a written report:
 - (i) of records required under condition 7 of this Permit; and
 - (ii) concerning activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 30 June of each year.
- (c) Prior to 31 November 2016, the Permit Holder must provide to the CEO a written report of records required under condition 7 of this Permit where these records have not already been provided under condition 8(a) of this Permit.

DEFINITIONS

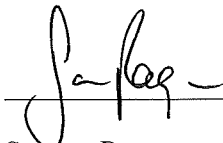
The following meanings are given to terms used in this Permit:

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.

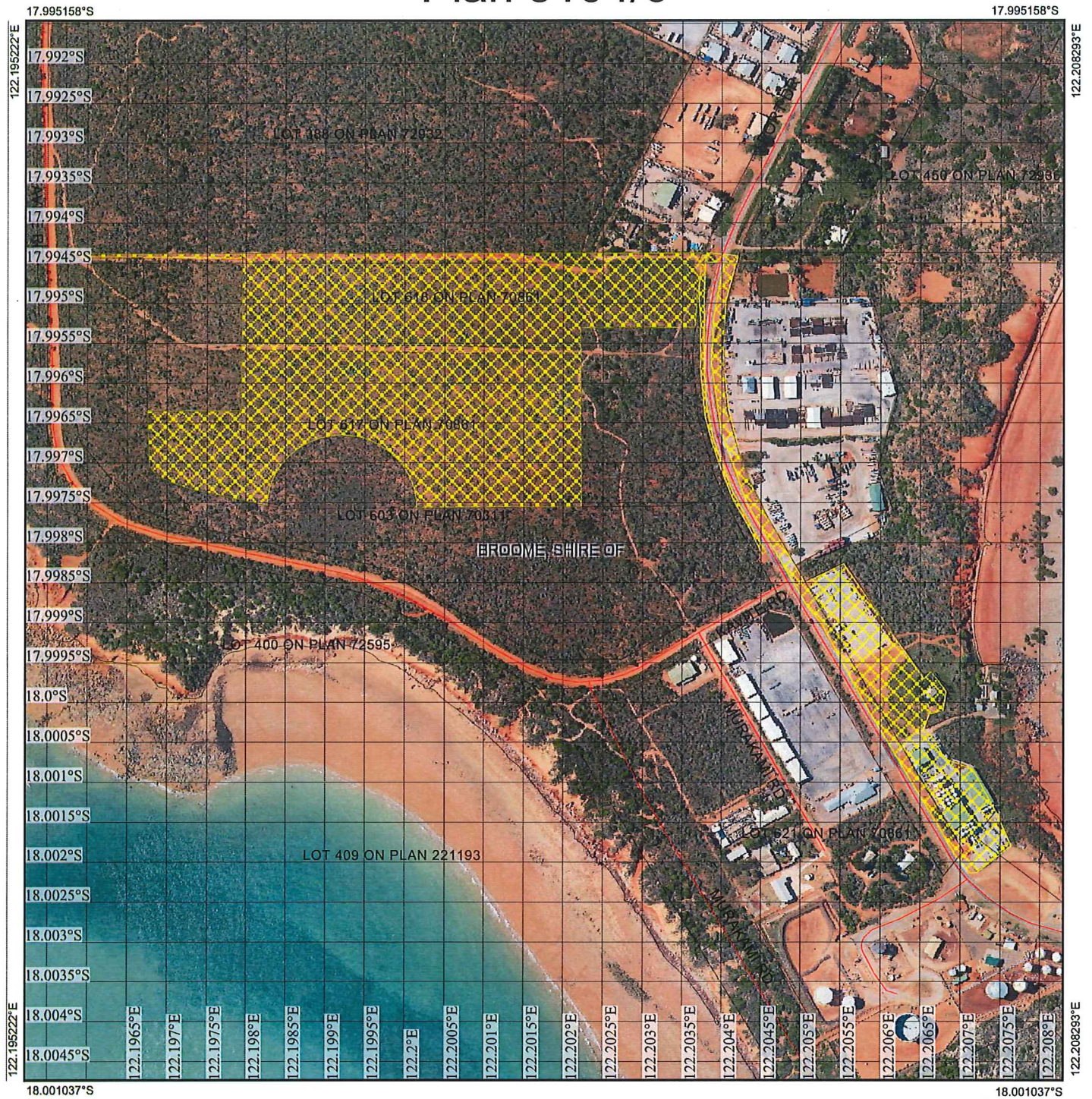


Samara Rogers
A/MANAGER
CLEARING REGULATION

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

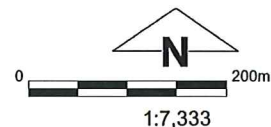
29 September 2016

Plan 3104/6



Legend

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



(Approximate when reproduced at A4)

GDA 94 (Lat/Long)

Geocentric Datum of Australia 1994

J. Rogers Date 29/9/2016
BAMARA ROGERS

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.: 3104/6
Permit type: Purpose Permit

1.2. Applicant details

Applicant's name: Broome Port Authority

1.3. Property details

Property: ROAD RESERVE - 11479514, MINYIRR
LOT 617 ON DEPOSITED PLAN 70861, MINYIRR
LOT 618 ON DEPOSITED PLAN 70861, MINYIRR
LOT 621 ON DEPOSITED PLAN 70861, MINYIRR
LOT 626 ON DEPOSITED PLAN 70861, MINYIRR
LOT 627 ON DEPOSITED PLAN 70861, MINYIRR
LOT 630 ON DEPOSITED PLAN 70861, MINYIRR
LOT 698 ON DEPOSITED PLAN 209491, MINYIRR
Colloquial name: Port Drive Road
Local Government Authority: BROOME, SHIRE OF
DER Region: North West
DPaW District: WEST KIMBERLEY
Localities: MINYIRR

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
21.726		Mechanical Removal	Water/gas/cable/pipeline/power installation

1.5. Decision on application

Decision on Permit Application: Granted
Decision Date: 29 September 2016
Reasons for Decision: The application to amend clearing permit CPS 3104/5 received on 3 August 2016 has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the *Environmental Protection Act 1986*, and has concluded that the findings from the previous assessment for CPS 3104/5 are still relevant.

The Delegated Officer determined that the extension of the timeframe to conduct the clearing and clear an additional 0.07 hectares is unlikely to have any significant environmental impacts. State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

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 750 is described as Shrublands, pindan; <i>Acacia tumida</i> shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex (Shepherd et al., 2001).	The amended application is to clear 21.726 hectares of native vegetation within Lots 617, 618, 621, 626, 627 and 630 on Deposited Plan 70861, and Lot 698 on Deposited Plan 209491, Port Minyirr, for the purposes of commercial development, relocation of a utilities corridor and the installation of an underground telecommunications line.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994) To Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).	The vegetation description and condition was assessed through aerial imagery, a site inspection undertaken by the former Department of Environment and Conservation (2012) and a Level 2 Flora and Vegetation survey undertaken by Woodman Environmental Consulting (2009).

3. Assessment of application against clearing principles

Comments This clearing permit application amendment has been made to increase the footprint area covered by Clearing Permit CPS 3104/5 and to extend the permit duration until December 2016. The proposed amendment would allow the applicant to clear an additional 0.07 hectares of native vegetation within the south eastern corner of Lot 617 on Deposited Plan 70861, Minyirr.

The application area consists of one floristic community type which has been mapped and described during a flora and vegetation survey by Woodman Environmental Consulting Pty Ltd (2009) as an open woodland of mixed *Corymbia* spp. *Hakea macrocarpa* and *Persoonia falcata* over shrubland dominated by *Acacia colei* var. *colei* and other species such as *Ehretia saligna* var. *saligna* and *Waltheria indica* over grassland dominated by *Triodia pungens* and *Triodia acutispicula* on orange to red pindan soils on lower to upperslope positions.

One rare flora species has been recorded 77 metres south and 91 metres south-east from the south-east corner of the additional clearing area (Parks and Wildlife, 2016). Given the close proximity of the additional area to these records, it is likely that suitable habitat is present for this species. A site inspection by the Department of Parks and Wildlife (Parks and Wildlife) West Kimberley District on 20 September 2016 of the additional 0.07 hectares was conducted to confirm the absence or presence of this species. Parks and Wildlife (2016) advised that they did not observe any additional plants within the additional 0.07 hectares proposed for clearing during this inspection. Given the proximity of the application area to population boundaries and existing records, and no plants were recorded within the 0.07 hectare area, it is unlikely the proposed clearing will significantly impact on the conservation status of this species (Parks and Wildlife, 2016). However, Parks and Wildlife (2016) has advised that the applicant should strictly stick to the confinements of the clearing boundary to prevent any direct impacts to surrounding rare flora populations. The proposed clearing may indirectly impact the rare flora population through increased edge effects through the introduction and spread of weeds. Weed management practices will ensure that the potential impacts to existing records of rare flora are minimised.

The assessment against the clearing principles has not changed, the findings from the previous assessment are still relevant and can be found in Clearing Permit Decision Report CPS 3104/5.

Methodology References:
Parks and Wildlife (2016)
Woodman Environmental Consulting Pty Ltd (2008)

GIS Databases
Parks and Wildlife tenure
Hydrography, linear DOW
NWLRA, Extent of Native Vegetation
Pre-European vegetation
SAC Biodatasets - accessed September 2016

Planning instruments and other relevant matters.

Comments The assessment against Planning and Other Matters has not changed and can be found in Decision Report CPS 3104/5.

The Shire of Broome (the Shire) advised that the area subject to the proposed amendment is identified as a 'Local Scheme Reserve-Port' under Local Planning Scheme 6 (Shire of Broome 2016). The Shire advised that the clearing and future use of the land is consistent with the purpose of the Port Reserve. Development approval is not required given the works are being undertaken by the applicant who are the proprietors of the land (Shire of Broome 2016).

The application was advertised in *The West Australian newspaper* for a seven-day submission period on 19 September 2016. No submissions have been received in the relation to this application.

Methodology References:
Shire of Broome (2016)

4. References

- DEC (2012) Regional Advice for Clearing Permit Application CPS 3104/4 . Department of Environment and Conservation. Kimberley Region, Western Australia (DER Ref: A517683).
- Department of Parks and Wildlife (Parks and Wildlife) (2016) Regional advice received in relation to clearing permit application CPS 3104/6, received 23 September 2016. Department of Parks and Wildlife, Western Australia (DER Ref: A1169048).
- 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. Technical Report 249. Department of Agriculture Western Australia, South Perth.
- Shire of Broome (2016) Request for comment – Application to clear native vegetation – Lot 617, 618, 621, 626, 627 and 360 Port Drive – Kimberley Port Authority. Shire of Broome, Western Australia (DER Ref: A1171078).
- Woodman Environmental Consulting Pty Ltd (2008) Level 2 Flora and Vegetation Survey. Broome Port Authority – Floristic Community Types of the Broome Peninsula. Western Australia (DER Ref: A1142813).