



## 1. Application details

### 1.1. Permit application details

Permit application No.: 390/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: West Roebuck Produce Pty Ltd

### 1.3. Property details

Property:  
Local Government Area: Shire Of Broome  
Colloquial name: Lot 454 on Plan 217711

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
15		Mechanical Removal	Horticulture

## 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 - Shrublands, pindan; Acacia tumida shrubland with grey box and cabbage gum medium woodland over ribbon grass and curly spinifex.	Past hot fire impacts appear to have damaged vegetation structure. The area is dominated by Acacia eriopoda (Broome pindan wattle) to 6m height with scattered emergent eucalypts to 8m - principally Ochre Bloodwood (Corymbia dampieri) with some Darwin Box (Eucalyptus tectifica). Dominant grasses were Spear Grass (Sorghum plumosum), Ribbon Grass (Chrysopogon pallidus) and some Soft Spinifex (Triodia bitextura). No rare or priority plant species were sighted, nor are any likely to be in this area (T. Willing, 2004).	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	CALM (Broome District) officers undertook a site assessment of the proposed expansion of Skuthorpe Horticultural Estate (October 2004).

## 3. Assessment of application against clearing principles

### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments	Proposal is not likely to be at variance to this Principle
	The area is dominated by Acacia eriopoda (Broome pindan wattle) to 6m height with scattered emergent eucalypts to 8m - principally Corymbia dampieri (Ochre Bloodwood) with some Eucalyptus tectifica (Darwin Box). Dominant grasses are Sorghum plumosum (Spear Grass), Chrysopogon pallidus (Ribbon grass) and some Triodia bitextura (Soft Spinifex).
	Past hot fires appear to have damaged vegetation structure (T. Willing, 2004) thereby reducing the biodiversity value of the site.
<b>Methodology</b>	Willing, T. (2004)

**(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.**

**Comments Proposal is not likely to be at variance to this Principle**

The area proposed to be cleared is a possible habitat for Bilby (*Macrotis lagotis*), S1 (Rare or is likely to become extinct) fauna; Spectacled Hare-wallaby (mainland) (*Lagorchestes conspicillatus leichardti*), Priority 3 fauna; Bush Stonecurlew (*Burhinus grallarius*) and Australian Bustard (*Ardeotis australis*), Priority 4 fauna. A site inspection by officers from the Department of Conservation and Land Management saw no sign of Bilbies in the area proposed for clearing (T. Willing, 2004). A population of Bilbies is known to exist further east of the proposed horticultural estate.

**Methodology** Willing, T. (2004)

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, significant flora.**

**Comments Proposal is not likely to be at variance to this Principle**

CALM's Rare Flora Database indicates that there are no known populations of the Declared Rare and/or Priority Flora species in the local area (local area is defined as a 10 km radius of the proposed clearing) and CALM's Herbarium Specimen Collection Database indicates that there are no known specimens of Declared Rare or Priority Flora collected in the local area.

A broad site assessment reported no rare or priority plant species, nor were any expected in the local area (T. Willing, 2004).

**Methodology** GIS Database: Declared Rare and Priority Flora Lists - CALM 13/08/03; CALM Rare Flora Database; CALM Herbarium Specimen Collection Database; Willing, T. (2004)

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a significant ecological community.**

**Comments Proposal is not at variance to this Principle**

CALM's Threatened Ecological Community Database indicates that there are no known occurrences of Threatened Ecological Communities in the local area.

**Methodology** GIS Database: Threatened Ecological Communities - CALM 15/7/03; CALM Threatened Ecological Community Database

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

**Comments Proposal is not likely to be at variance to this Principle**

The area is part of Vegetation Association 750 (Shrublands, pindan; *Acacia tumida* shrubland with grey box and cabbage gum medium woodland over ribbon grass and curly spinifex) (Hopkins, et al. 2001). Shepherd et al. (2001) indicate that ~100% of the pre-European extent of this vegetation association remains, with some clearing for urban / residential development (Broome), agriculture / horticulture, and infrastructure (road, utilities) having occurred.

**Methodology** Hopkins et al. (2001); Shepherd et al. (2001); GIS Database: Pre-European Extent - DA 01/01

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

**Comments Proposal is not likely to be at variance to this Principle**

There are no waterways or wetlands within the immediate vicinity of the proposed horticultural area (5 kilometre radius).

**Methodology** GIS Database: Hydrography, linear - DOE 1/2/04

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments Proposal is not likely to be at variance to this Principle**

Soils are red pindan loams with occasional termite mounds, developed over a gently undulating, rather uniform, sandplain (T. Willing, 2004). The potential for land degradation to result from the clearing is minimal, however, cultivation should be undertaken on the contour and care taken to ensure that weeds are not transported into the area by machinery used for clearing (DAWA, 2005).

**Methodology** Willing, T. (2004); DAWA advice (2005)

**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments Proposal is not at variance to this Principle**

A CALM reserve is located about 5 km to the west of the proposed clearing. It should be noted that the western part of the Roebuck Plains Station, south of the proposed clearing, is likely to be placed under CALM management as part of the 2015 lease excision process.

Roebuck Bay, a wetland listed on the Ramsar Convention on Wetlands is some 12 kilometres south-west of the area. Impacts from clearing are unlikely to affect the value of the wetlands.

**Methodology** GIS Databases: CALM Managed Lands and Waters - 1/06/04; RAMSAR, wetlands - CALM 21/10/02

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments Proposal is not likely to be at variance to this Principle**

The clearing of native vegetation from the area is unlikely to affect the quality of surface water in the area. Groundwater abstraction for horticultural purposes will be managed through Rights in Water and Irrigation Act 1914 licensing arrangements.

**Methodology** Dept of Environment (2004)

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence of flooding.**

**Comments Proposal is not likely to be at variance to this Principle**

The vegetation in this area is frequently subjected to fires, including occasional late season, hot fires which appear to have damaged the structure of the vegetation (T. Willing, 2004). It is therefore unlikely that the removal of the vegetation and subsequent replacement with horticultural crops would either cause or exacerbate the incidence of flooding significantly more than the removal of vegetation through the current fire regime or highly seasonal local rainfall events.

**Methodology** Willing, T. (2004)

**Planning instrument, Native Title, Previous EPA decision or other matter.**

**Comments**

Lot 454 is currently the subject of an amendment to the Broome Town Planning Scheme (No. 4). The intent of this amendment is to change the zoning from 'Public Purpose Reserve Water Supply' to 'Rural Agriculture'. The EPA assessed this amendment as 'Scheme Not Assessed - Advice Given' and noted that vegetation was a deferred management factor and all landholders were required to apply for a clearing permit. The proposed development is consistent with the amended Town Planning Scheme.

The Department for Planning and Infrastructure is currently preparing a lease agreement for Lot 454. Therefore, only an undertaking to grant a permit can be provided at this stage.

Lot 454 will be leased to the proponent as a 'dry' block. This means that any water required for irrigation activities must be sourced from the allocation attached to the adjacent freehold lot (Lot 281). This is consistent with the policy approach adopted by the Broome Groundwater Advisory Committee on which the Department of Environment is represented. The applicant is aware of this policy and is liaising with the Department.

The Kimberley Land Council has identified concerns that the grant of a clearing permit may constitute a future act under the Native Title Act 1993. A clearing permit can not be granted until such time as the applicant holds a valid lease over the area. With the grant of a valid lease, the clearing permit will not constitute a future act.

Mrs R McElroy objected to the granting of a clearing permit on the basis that a trade off between an existing cleared area and this uncleared block should be sought. The planning and development of Crown lease blocks at Skuthorpe Horticultural Estate included the identification of an Environmental Cultural Corridor Reserve. There has been a very limited release of land for horticulture / intensive agriculture over the last few years whilst Native Title claims have been undergoing resolution. This objection can not, therefore, be easily accommodated (there is very little cleared, available land), and planning and management strategies have been developed to ensure the impact from the Estate's further development will be minimal.

**Methodology** DPI correspondence (2005); KLC Submission (2005)

**4. Assessor's recommendations**

Purpose	Method Applied	Decision	Comment / recommendation
Horticulture	Mechanic area (ha)/ trees 15	Grant	Cultivation should be undertaken on the contour and care taken to ensure that weeds

## 5. References

- DAWA (2004) Land degradation assessment report. Office of the Commissioner for Soil and Land Conservation, Department of Agriculture Western Australia. DoE TRIM ref KNI591.
- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
- Keighery, BJ (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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Willing, T. (2004) personal communication.