



## CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

**Purpose Permit number:** CPS 4335/1  
**Permit Holder:** Burrduk Aboriginal Corporation  
**Duration of Permit:** 11 July 2011 – 11 July 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 constructing a driver training facility.

**2. Land on which clearing is to be done**

Lot 361 on Plan 91101 (Part Reserve No. 1012)

**3. Area of Clearing**

The Permit Holder must not clear more than 40.4 hectares of native vegetation within the area shaded yellow on attached Plan 4335/1.

**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 activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Land Administration Act 1997* or any other written law.

**6. Compliance with Assessment Sequence and Management Procedures**

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

### PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

**7. 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:

- (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*:

- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (ii) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (iii) 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:

In relation to the clearing of native vegetation authorised under this Permit:

- (i) the species composition, structure and density of the cleared area;
- (ii) 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;
- (iii) the date that the area was cleared; and
- (iv) the size of the area cleared (in hectares).

### 10. 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 9 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) Prior to 11 April 2016, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(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;

*weeds* means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*.

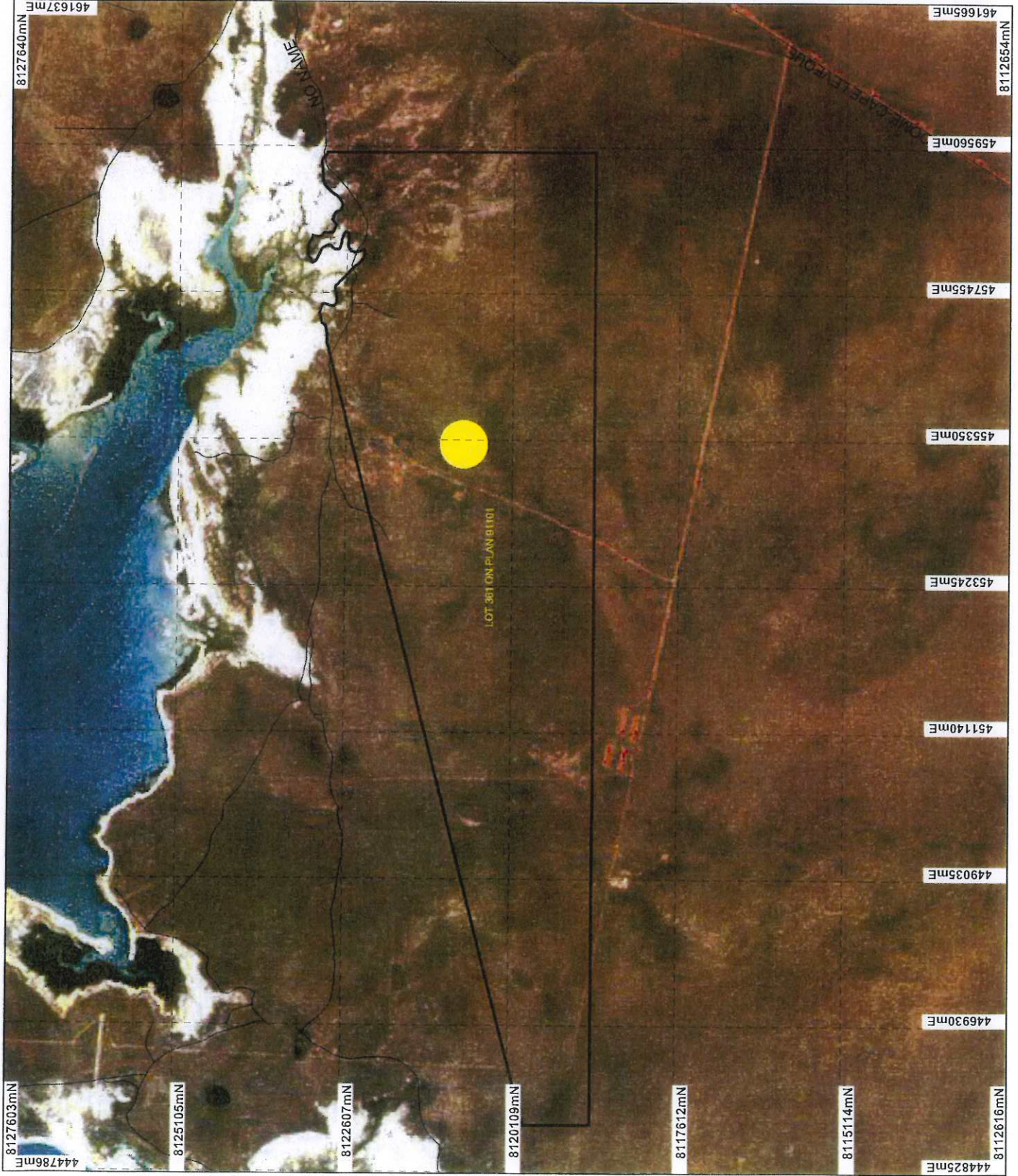


Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

15 June 2011

# Plan 4335/1



## LEGEND

Western Australia ETM 25m 543 - AGO  
2004

- Road Centralines
- Clearing Instruments
- Areas Approved to Clear
- Cadastral for labelling

\* Project Date. This data has not been quality assured. Please contact map author for details.



0 2 km

Scale 1:76830

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

K. Faulkner Date

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

Our environment, our future  
WA Govt, Geograph 2882





## 1. Application details

### 1.1. Permit application details

Permit application No.: 4335/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Burrduk Aboriginal Corporation

### 1.3. Property details

Property: LOT 361 ON PLAN 91101 ( DAMPIER PENINSULA 6725)  
Local Government Area: Shire of Broome  
Colloquial name: Part Reserve No. 1012

### 1.4. Application

|                    |           |                    |                     |
|--------------------|-----------|--------------------|---------------------|
| Clearing Area (ha) | No. Trees | Method of Clearing | For the purpose of: |
| 40.4               |           | Mechanical Removal | Miscellaneous       |

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 15 June 2011

## 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 (Shepherd, 2009). | The natural vegetation consists of open ribbon grass grassland. The upper story is almost absent with only the occasional <i>Corymbia damperia</i> with most trees being less than six metres tall and at a density of less than 10 trees per hectare. The mid story is around 3-4 metres tall and consists of <i>Acacia eriopoda</i> (Broome wattle) <i>Erythrophleum chlorostachys</i> (Ironwood) and <i>Dolichandrone heterophylla</i> (lemonwood). Shrubs included species such as <i>Distichostemon hispidulus</i> , and <i>Acacia adoxa</i> . The perennial grasses which consist mainly of <i>Chrysopogon fallax</i> (Ribbon grass), <i>Aristida holathera</i> (Erect kerosene grass), and <i>Eriachne obtusa</i> (Wiregrass) are typical of the region. | Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994) | Vegetation condition obtained from DEC site inspection report (DEC, 2011). |
|  | The vegetation condition is rated as very good (Keighery 1994) having suffered moderate losses of palatable perennials and/or there has been an increase in unpalatable shrubs and grasses through changes in fire regime. This area has very little grazing but is subject   |   |  |

to regular dry season fires (CSLC, 2011). Area has been recently burnt.

### 3. Assessment of application against clearing principles

#### Comments

The proposal to clear up to 40.4 hectares of Beard vegetation association 750 for the purpose of developing a driver training facility is not likely to have any significant environmental impacts. This vegetation association is sufficiently represented in the local area (30km radius) (Shepherd, 2009). The site is considered to be in a very good (Keighery 1994) condition having only suffered moderate losses of palatable perennials or that there has been an increase in unpalatable shrubs and grasses through either grazing or changed fire regime or both (CSLC, 2011). A site visit of the site observed that the area has been recently burnt (DEC, 2011).

Clearing 40.4ha of vegetation will not significantly reduce the remaining extent of this vegetation association. As the vegetation to be cleared is well represented in the local area, it is not considered significant habitat for native fauna and the loss of such would not have a detrimental impact on local fauna.

Six species of priority listed flora (P1, P3 and P4 categories) occur within 30km of the area under application, either on the same soil or vegetation types. It is possible these species may have once persisted, or may be present onsite, however the changed fire regime may impact the species long term survival within the area under application. All of these priority listed flora are distributed widely over the Kimberley Region, (Western Australian Herbarium, 2011). As such the proposed clearing is not likely to impact on their conservation status.

The site is located on the Yeeda land system which is common in the region. The soils are commonly reddish sands (commonly referred to as Pindan) to yellowish loamy soils, with little clay.

Land degradation in the form of water erosion and salinity is unlikely given the porous nature of the sandy soils present and low relief of the gentle undulating land. The site is located on flat country that generally has a slope of less than 0.5%. There is very little overland flow due to the porous nature of the soils and the flat topography. Any run-off from the clearing that may occur (such as during heavy rainfall events) would remain relatively on-site (CSLC, 2011).

Wind erosion is likely if the area under application is left bare after clearing with dust problems (CSLC, 2011), but would be manageable using dust suppression techniques such as watering.

As the vegetation to be cleared is well represented in the local area, it is not considered significant habitat for native fauna and the loss of such would not have a detrimental impact on local fauna.

Given the above, the clearing proposal is not likely to be at variance to the clearing principles.

#### Methodology References:

- CSLC, 2011
- DEC, 2011
- Keighery, 1994
- Shepherd, 2009
- Western Australian Herbarium, 2011

#### GIS Databases:

- Accessed May 2011

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

#### Comments

The area under application is Crown Land vested in the Aboriginal Lands Trust and leased to the Burrjuk Aboriginal Corporation. The end landuse is to benefit the people of Burrjuk Aboriginal Corporation.

There is one native title claim over the area under application by the Djabera-Djabera peoples. However as the purpose of the clearing permit is consistent with the purpose of the lease to Burrjuk community, that is, for the use and benefit of Aboriginal inhabitants, the issuing of the clearing permit does not constitute a future act under the Native Title Act 1993.

Commissioner of Soil and Land Conservation (CSLC) advises the 40.4 ha of land is considered suitable for use as a driver training facility. There is a risk of soil erosion as the land is to be totally cleared. Using water trucks to suppress dust during the use of this site would reduce the problem. CSLC also recommends the area be rehabilitated when the area is no longer required as a driver training facility (CSLC, 2011). The proponent has also advised that such suppression measures will also be factored in during the construction phase.

At the time of the DEC site inspection (DEC, 2011), the area under application had recently been burnt. This is a common traditional practice, also noted in the advice provided by the Commissioner of Soil and Land Conservation (CSLC, 2011), which can impact the original vegetation structure and long term survival of local species.

**Methodology**    References:  
- CSLC, 2011  
- DEC, 2011

#### 4. References

- CSLC (2011) - Commissioner of Soil and Land Conservation; Land Degradation Advice and Assessment Report for clearing permit application CPS 4335/1 received 25/5/2011; Department of Agriculture and Food Western Australia (DEC Ref. A398755).
- DEC (2011) - Site Inspection Report for Clearing Permit Application CPS 4335/1, Lot 361 on Deposited Plan 91101. Site inspection undertaken 1/6/2011. Department of Environment and Conservation, Western Australia (DEC Ref. A403073 and A403074).
- 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. (2009) Adapted from: 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.
- Western Australian Herbarium (1998-) FloraBase - The Western Australian Flora. Department of Environment and Conservation. <http://florabase.dec.wa.gov.au/> (Accessed June 2011).

#### 5. Glossary

| Term  | Meaning  |
|-------|--|
| BCS   | Biodiversity Coordination Section of DEC                 |
| CALM  | Department of Conservation and Land Management (now BCS) |
| DAFWA | Department of Agriculture and Food                       |
| DEC   | Department of Environment and Conservation               |
| DEP   | Department of Environmental Protection (now DEC)         |
| DoE   | Department of Environment                                |
| DoIR  | Department of Industry and Resources                     |
| DRF   | Declared Rare Flora                                      |
| EPP   | Environmental Protection Policy                          |
| GIS   | Geographical Information System                          |
| ha    | Hectare (10,000 square metres)                           |
| TEC   | Threatened Ecological Community                          |
| WRC   | Water and Rivers Commission (now DEC)                    |

