



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4543/1
Permit Holder:	Shire of Broome
Duration of Permit:	14 September 2011 – 14 September 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 sealed access roads.

2. Land on which clearing is to be done

LOT 78 ON PLAN 28371 (Lot No. 34 WATTLE ROEBUCK 6725)
LOT 35 ON PLAN 28371 (Lot No. 34 WATTLE ROEBUCK 6725)
LOT 34 ON PLAN 28371 (Lot No. 34 WATTLE ROEBUCK 6725)
LOT 82 ON PLAN 180204 (Lot No. 82 BROOME ROEBUCK 6725)
LOT 92 ON PLAN 213861 (ROEBUCK 6725)
BROOME ROAD RESERVE (ROEBUCK 6725)

3. Area of Clearing

The Permit Holder must not clear more than 4 hectares of native vegetation within the area cross hatched yellow on attached Plan 4543/1.

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 *Local Government Act 1995* 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.

2. 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.

4. Watercourse

- (a) Where practicable the Permit Holder shall avoid clearing riparian vegetation.
- (b) Where a watercourse or wetland is to be impacted by clearing, the Permit Holder shall maintain the existing surface flow by use of culverts.

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;

riparian vegetation has the meaning given to it in Regulation 3 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004;

watercourse has the meaning given to it in section 3 of the *Rights in Water and Irrigation Act 1914*;

weed/s 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*.

wetland/s means an area of seasonally, intermittently or permanently waterlogged or inundated land, whether natural or otherwise, and includes a lake, swamp, marsh, spring, dampland, tidal flat or estuary.

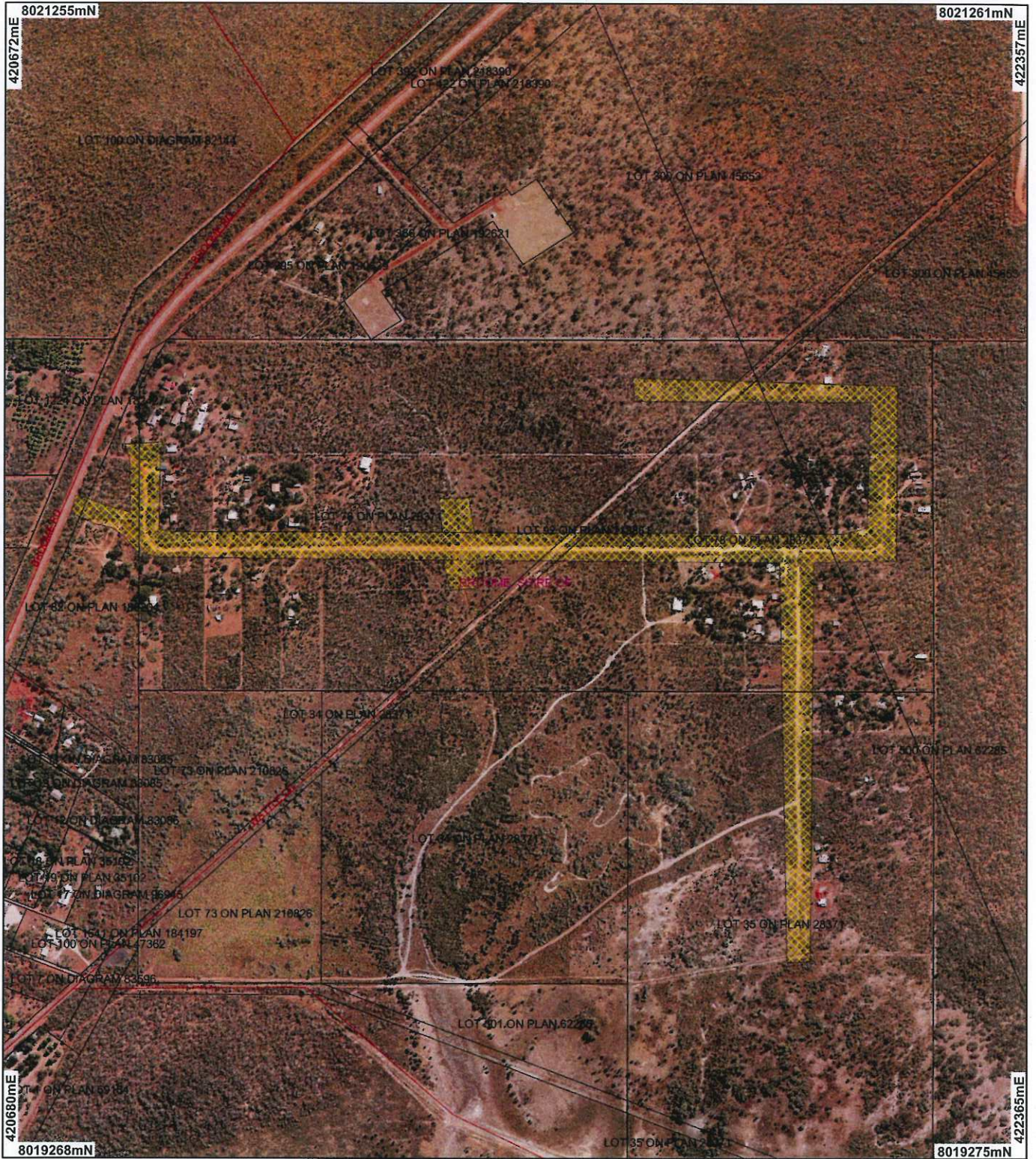


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

14 September 2011

Plan 4543/1



LEGEND

- | | |
|------------------------------|--|
| Clearing Instruments | Broome Townsite 2007 20cm Orthomosaic - Landgate 2007 |
| Areas Approved to Clear | Road Centrelines |
| Road Centrelines | Image Index |
| Image Index | Local Government Authorities |
| Local Government Authorities | Cadastre for labelling |
| Cadastre for labelling | |



0 250 m

Scale 1:9197

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

Date 14/9/11

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

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1. Application details

1.1. Permit application details

Permit application No.: 4543/1

Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Broome

1.3. Property details

Property:
 LOT 78 ON PLAN 28371 (Lot No. 34 WATTLE ROEBUCK 6725)
 LOT 35 ON PLAN 28371 (Lot No. 34 WATTLE ROEBUCK 6725)
 LOT 34 ON PLAN 28371 (Lot No. 34 WATTLE ROEBUCK 6725)
 LOT 82 ON PLAN 180204 (Lot No. 82 BROOME ROEBUCK 6725)
 ROAD RESERVE (ROEBUCK 6725)
 LOT 92 ON PLAN 213861 (ROEBUCK 6725)

Local Government Area: Shire of Broome

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
4		Mechanical Removal	Road construction or maintenance

1.5. Decision on application

Decision on Permit Application: Grant

Decision Date: 14 September 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
The vegetation under application is mapped as: Beard vegetation association: 750 shrublands, panda, Acacia tumida shrublands with grey box and cabbage gum medium woodland over ribbon grass and curly Spinifex (Shepherd 2009).	The application is to clear up to 4 hectares of native vegetation within Lots 34, 35 and 78 on Plan 28371, Lot 82 on Plan 180204 and within the Broome Highway road reserve, Shire of Broome for the purpose of constructing sealed access roads to Morrell Park Settlement.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The condition and description of the vegetation was assessed during a site visit (DEC 2011).
Beard vegetation association: 73 grasslands short brunch savanna, grass; salt water grassland (Shepherd 2009).	The vegetation under application in the northern section consists of an open Acacia tumida, Bauhinia cunninghamii, Corymbia sp. scrubland with scattered Melaleuca sp. over grassland and the southern section consists of a Melaleuca sp. forest with freshwater couch (DEC 2011).		

3. Assessment of application against clearing principles

The application is to clear up to 4 hectares of native vegetation within Lots 34, 35 and 78 on Plan 28371, Lot 82 on Plan 180204 and within the Broome Highway road reserve, Shire of Broome for the purpose of constructing a sealed access road to Morrell Park Settlement.

The area under application is mapped as Beard vegetation associations (Shepherd, 2009) 750 and 73. These vegetation associations are described in the site investigation as Acacia tumida, Bauhinia cunninghamii, Corymbia sp. scrubland with scattered Melaleuca sp. over grassland and, a Melaleuca sp. forest with freshwater couch (DEC 2011). These vegetation associations are well represented with 99% and 98% remaining in the Dampierland bioregion (Shepherd 2009).

The application area crosses a waterway and is within an area likely to be hydrologically connected to Roebuck Bay wetland/estuary 1.2km south. Roebuck Bay is a wetland of national and international significance identified in the Directory of Important Wetlands in Australia and in the Ramsar Convention. Due to the association of the watercourse and wetland, the clearing is at variance with principle (f).

As the application area is within a waterway, should clearing occur, the water quality of these surface water

features may be affected downstream in the form of sedimentation. In addition, the incidence or intensity of flooding may be an issue as the riparian vegetation to buffer the flooding would be removed. The application notes that a culvert will be established but other mechanisms to control water quality or flooding are not outlined. The application therefore may be at variance to principle (i) and (j).

The site investigation also notes that the vegetation is in a degraded (Keighery 1994) condition, no DRF or TECs were mapped within the application area (DEC 2011). Numerous black hawks were observed, no other fauna were noted (DEC 2011).

With reference to the above information the proposed clearing is at variance with principle (f), may be at variance to principles (i) and (j) and is not likely to be at variance with the remaining clearing principles.

Methodology

References:

DEC (2011)
Keighery (1994)
Shepherd (2009)

GIS databases:

-Pre-European vegetation
-ANCA
-Ramsar Wetlands
-SAC Biodatasets (Accessed August 2011).

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

The application is to clear up to 4 hectares of native vegetation within Lots 34, 35 and 78 on Plan 28371 (also known as Crown Reserve 38518), Lot 82 on Plan 180204 and within the Broome Highway road reserve, Shire of Broome. The purpose of the clearing is to construct sealed access roads to Morrell Park Settlement. The clearing will be undertaken by the Shire of Broome who has a private works project to construct access roads on Aboriginal Lands Trust land as authorised by the Office of Native Title.

The application is within the Rights in Water and Irrigation Act 1914 (RIWI) proclaimed Broome Groundwater area.

No public submissions were received.

Methodology

GIS databases

-Cadastre
-RIWI Groundwater Area

4. References

- DEC (2011) Site Inspection Report for Clearing Permit Application CPS 4543/1, Lots 34, 35 and 78 on Plan 28371 (also known as Crown Reserve 38518), Lot 82 on Plan 180204 and within the Broome Highway road reserve. Site inspection undertaken 1/09/2011. Department of Environment and Conservation, Western Australia.
- 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.

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)