



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

<b>Purpose Permit number:</b>	CPS 4717/1
<b>Permit Holder:</b>	Kimberley Connection Pty Ltd
<b>Duration of Permit:</b>	19 March 2012 – 31 October 2014

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 aerial landing ground

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

Section 48 Licence LIC 11761-1904\_02\_121

**3. Area of Clearing**

The Permit Holder must not clear more than 15 hectares of native vegetation within the area hatched yellow on attached Plan 4717/1.

**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:

- 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.

**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.
- (b) At least once in each 12 month period for the term of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

### **PART III - RECORD KEEPING AND REPORTING**

#### **9. Records to be kept**

The Permit Holder must maintain the following records in relation to the clearing of native vegetation authorised under this Permit:

- (i) 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 or decimal degrees;
- (ii) the date that the area was cleared; and
- (iii) 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 31 July 2014, 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;

*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*.



Kelly Faulkner  
MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

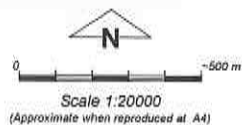
20 February 2012

# Plan 4717/1



## LEGEND

-  Road Centrelines
-  Clearing Instruments
-  Areas Approved to Clear
-  Cadastre for labelling
-  Villaret 50cm Orthomosaic - Landgate 2004



Geocentric Datum Australia 1994  
 Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

 Date 20/2/12  
 K Faulkner

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.: 4717/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: The Kimberley Connection Pty Ltd

### 1.3. Property details

Property: LOT 278 ON PLAN 240321 (House No. 278 GREAT NORTHERN LAGRANGE 6725)  
Local Government Area: Shire of Broome  
Colloquial name: Section 48 License Lic 11761-1904\_02\_121

### 1.4. Application

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

### 1.5. Decision on application

Decision on Permit Application: Grant  
Decision Date: 20 February 2012

## 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
Mapped Beard vegetation association 699 is described as Shrublands, pindan; Acacia eripoda shrubland with scattered low bloodwood ( <i>Eucalyptus dicromophloia</i> ) & <i>E. setosa</i> over soft & curly spinifex on sandplain (Shepherd 2009).	The application proposes to clear up to 15 hectares of native vegetation within Licence Lic 11761-1904_02_121 for the purpose of an airstrip. The vegetation is in very good (Keighery 1994) condition.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition of the vegetation was determined through aerial imagery (Villaret 50cm Orthomosaic - Landgate 2004).

## 3. Assessment of application against clearing principles

The application proposes to clear up to 15 hectares of native vegetation within Section 48 Licence Lic 11761-1904\_02\_121, (Reserve 9697), Lagrange, for the purpose of constructing an airstrip. The vegetation is considered to be in very good (Keighery 1994) condition.

The area under application is within an Environmentally Sensitive Area, as it lies within the Roebuck Bay area including Roebuck Plains and Lake Eda, which is on the Register of National Estate. Therefore the application may be at variance to principle (h). The application area is within close proximity to Roebuck Bay priority ecological community. The heavy rains of the wet season may potentially cause run-off with nutrients and iron into Roebuck Bay which may fuel algal blooms. Therefore the application may be at variance to principle (g).

Within the local area (20km radius) 3 fauna species of conservation significance have been recorded. The closest record is the Bush Stone Curlew (*Burhinus grallarius*), (Priority 4 under the Wildlife Conservation (WC) Act 1950), which is recorded 6.5km east from the application area (DEC 2007-) and the Major Mitchell's cockatoo (*Cacatua leadbeateri*) (Specially Protected under the WC Act 1950) and the Eastern Curlew (*Numenius madagascariensis*) (Migratory bird under the WC Act 1950). It is noted that the area under application is surrounded by large tracts of crown land, which are likely to provide similar habitat. Therefore the vegetation under application is not considered to represent significant habitat for indigenous fauna.

The assessment determined that the proposed clearing is not likely to significantly impact any biodiversity, habitat or environmental values or cause appreciable land degradation within the local or regional context. Given the above, the proposal may be at variance to principles (g) and (h) and is not likely to be at variance to the remaining clearing principles.

**Methodology**    **References**  
DEC (2007-)  
Keighery (1994)  
Shire fo Broome (2012)

GIS Databases:

- Villaret 50cm Orthomosaic - Landgate 2004
- Register of National Estate

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

### Comments

The application proposes to clear up to 15 hectares of native vegetation within Licence Lic 11761-1904\_02\_121, (Reserve 9697), Lagrange, for the purpose of an airstrip.

The area under application is within an Environmentally Sensitive Area, as it lies within the Roebuck Bay area including Roebuck Plains and Lake Eda, which is one the register of national estate.

The area under application falls within the Canning-Kimberley groundwater area which is an area proclaimed under the Rights in Water and Irrigation Act 1914.

Planning approval has been granted by the Shire of Broome (Shire of Broome 2012). This Planning approval is subject to a condition that the airstrip should be surfaced with erosion resistant materials (Shire of Broome 2012).

The Yawuru Registered Native Title Body Corporate (RNTBC) on behalf of the native title holders? object to the granting of the permit at this time and request that if the permit is granted the CEO should prohibit any clearing until the following conditions have been met:

- The applicant provides a detailed report covering the matters set out in paragraph 11 of the submission (Environmental Concerns), and allow Yawuru RNTBC to make further submissions if requested;
- A Heritage Clearance survey is undertaken and a report provided by the applicant; and
- The Applicant consults with the Yawuru RNTBC.  
(Yawuru 2012)

Environmental impacts have been considered through the assessment of clearing principles above. Heritage clearance surveys are administered through the Aboriginal Heritage Act 1972, the applicant will be advised of their obligations under other local, state and commonwealth law and of RNTBC objection to the proposed clearing.

### Methodology

#### References

- Yawuru (2012)
- Shire of Broome (2012)
- GIS Databases:
  - Environmentally Sensistive Areas
  - RIWI Act, Groundwater Areas

## 4. References

- DEC (2007 - ) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 8/12/2011.
- 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.
- Shire of Broome (2012) Planning approval - Airstrip - Lot 323 Great Northern Highway, Dampier - LA Grange 6725. DEC ref: A476374
- Yawuru (2012) Submission by Native Title Party: Yawuru Registered Native Title Body Corporate (Yawuru RNTBC). DEC ref: A463665

## 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)