



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 4763/1
Permit Holder:	Shire of Broome
Duration of Permit:	22 February 2014 to 22 February 2019

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 green waste facility.

2. Land on which clearing is to be done

Lot 400 on Deposited Plan 72930 (Bilingurr 6725)

3. Area of Clearing

The Permit Holder must not clear more than 10.4 hectares of native vegetation within the area hatched yellow on attached Plan 4763/1.

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 the activities described in condition 1 of this Permit to the extent that the Permit Holder has the power to carry out works involving clearing for those activities under the *Local Government Act 1995* or any other written law.

PART II – MANAGEMENT CONDITIONS

6. 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.

7. Weed control

- (a) 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.

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 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 Summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

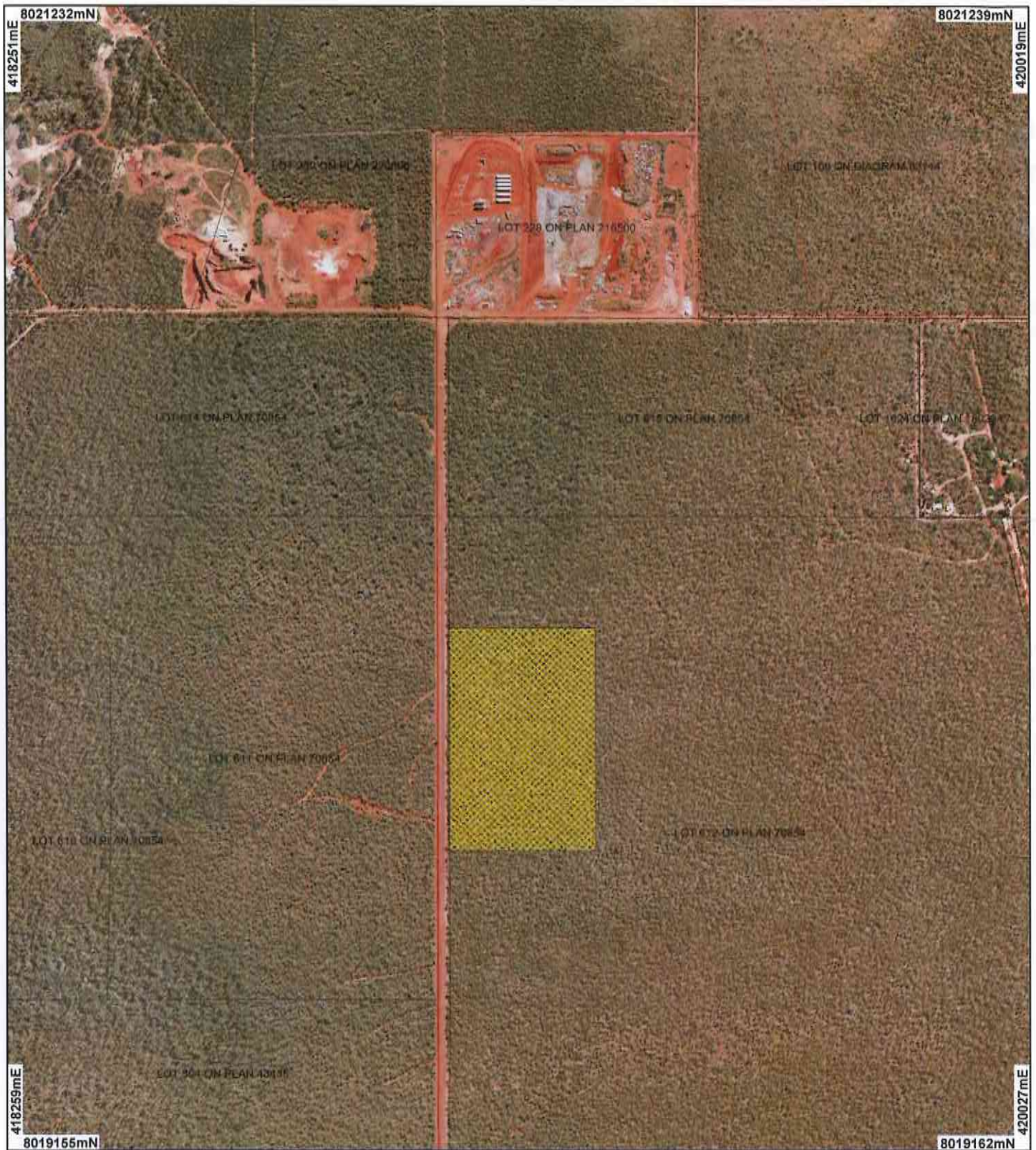


Jane Clarkson
ACTING MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

23 January 2014

Plan 4763/1



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastre for labelling

Broome Townsite 2007 20cm
Orthomosaic - Landgate
2007



0 ————— 250 m

Scale 1:9644

(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.

Date 23.1.14
Jane Clarkson

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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Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 4763/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Broome

1.3. Property details

Property: LOT 400 ON PLAN 72930 (Lot No. 400 BUCKLEYS BILINGURR 6725)
Local Government Area: Shire of Broome
Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
10.4		Mechanical Removal	Stockpile / Bulk earthworks

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 23 January 2014

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 750 is described as Shrublands, pindan; Acacia tumida shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex (Shepherd et al, 2001)	The proposed clearing of 10.39 hectares within Lot 400 on Deposited Plan 72930, Shire of Broome, is for the purpose of a green waste facility.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	<p>The vegetation under application consists of low open woodland dominated with Acacia eriopoda with Bauhinia cunninghamii, Gyrocarpus americanus, Acacia dampieri, Grevillia spp, Hakea spp., Ficus opposita and Pouteria sericea over grassland on pindan soils (DEC 2012). The area under application is in a very good (Keighery 1994) condition (DEC 2012). There is evidence of the area being historically grazed (DEC 2012).</p> <p>Some weeds occur along the western boundary of the application area along the roadside (DEC 2012).</p> <p>The condition of the vegetation was established through a site visit conducted by the former Department of Environment and Conservation Officers on the 9 January 2012 (DEC 2012).</p>

3. Assessment of application against clearing principles

Comments

The proposed clearing of 10.39 hectares is for the purpose of a green waste facility. The vegetation under application consists of low open woodland dominated with Acacia eriopoda with Bauhinia cunninghamii, Gyrocarpus americanus, Acacia dampieri, Grevillia spp, Hakea spp., Ficus opposita and Pouteria sericea over grassland on pindan soils (DEC 2012). The area under application is in a very good (Keighery 1994) condition (DEC 2012). There is evidence of the area being historically grazed and some weeds occur along the western boundary of the application area along the roadside (DEC 2012).

No wetlands or watercourses occur within the application area and there are no conservation areas recorded within the local area (10 kilometre radius) therefore the proposed clearing is not likely to impact on surface or groundwater, cause flooding or impact on a conservation area.

The application area falls within mapped Beard vegetation association 750 which has approximately 100 per cent (being 1,229 175 hectares) of its pre-clearing extent remaining within the Dampier Land Bioregion (Shepherd et al, 2001).

Numerous fauna species of conservation significance were recorded within the local area (10 kilometre radius). A site visit of the application area identified evidence of the area being used by wallabies and common goanna species (DEC 2012). Given this and that the area occurs in very good (Keighery 1994) condition, it may contain suitable habitat for local fauna including fauna of conservation significance. However given the availability of suitable habitat in the local area the area under application is not considered to be significant habitat for fauna indigenous to Western Australia.

One rare and several priority listed flora species, including five Priority 1 species, are recorded within a 10 kilometre radius of the application area occurring on the same Beard vegetation type and soil type as the area under application. A May 2013 flora survey did not identify any such species in the application area (Coterra, 2013).

There are two Threatened Ecological Communities (TEC) located within the local area namely, Vine thickets and Roebuck Bay Mudflats both of which have buffers which extend into the application area. A site visit of the application area has identified Acacia open woodland occurring within the area proposed to be cleared which does not match habitat that supports the known TECs. In addition, it was noted during the May 2013 flora survey that the vegetation under application does not represent these TECs (Coterra, 2013). Therefore, it is unlikely that the proposed clearing will impact on either TEC.

The proposed clearing of 10.39 hectares occurs on red earthy pindan sands (DEC 2012, Northcote et al 1960-68) and therefore is susceptible to wind erosion. The clearing of 10.39 hectares on sandy soil may cause appreciable land degradation in the form of wind erosion given the relatively large size of the proposed clearing. A staged clearing approach would mitigate this impact.

Given the above, the proposed clearing may be at variance with clearing principles (g) and is not at, or not likely to be at variance, with the remaining principles.

Methodology

References

- Coterra (2013)
- DEC (2012)
- Keighery (1994)
- Shepherd et al (2001)

GIS Datasets

- SAC Bio dataset (16/12/2011)
- NatureMap
- Pre-European vegetation
- Soils, statewide
- Broome Townsite 2007 20cm Orthomosaic - Landgate 2007

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

Comments

The proposed clearing of 10.39ha is for the purpose of a green waste facility as part of the Shire of Broome's Waste Management Strategy. The facility will be utilised for 5 years as the management order for Lot 400 will expire on 31 March 2017, after which Lot 400 will be returned to Department of Lands for future development.

Four aboriginal sites of significance occur within the application area. It is the proponents responsibility to ensure that no Aboriginal Sites are damaged and it is recommended that they liaise with the Department of Aboriginal Affairs regarding obligations under the Aboriginal heritage Act 1972.

The Yawuru Native Title Holders (Yawuru, 2012) advised Lot 400 exists within a registered Aboriginal site that is of high significance to the Yawuru Native Title Holders. They requested that the applicant relocates Lot 400 south along Buckleys Rd to ensure it sits wholly outside the Restricted Development Zone as set out by Landcorp. They further advised that no clearing should be undertaken until the applicant has consulted with the Yawuru Native Title Holders. The applicant has now moved the clearing area 200 metres south along Buckleys Rd from the original proposal.

A Department of Environment Regulation Works Approval licence has been applied for but is yet to be finalised.

Methodology

Reference

- Shire of Broome (2011)
- Yawuru (2012)
- GIS Databases
- Aboriginal Sites of Significance

4. References

- Coterra (2013) Coterra Environment, Botanical Assessment of Lot 400 Buckleys Road Broome, May2013 for Clearing permit application CPS 4763/1 Lot 400 Buckleys Road, Billingurr. DEC Ref: A711117
- DEC (2012) Site Inspection Report and regional advice for Clearing Permit Application CPS 4763/1, Lot 612 Beckley's Road, Broome. Site inspection undertaken 9 /01/2012. Department of Environment and Conservation, Western Australia (DEC ref A465993).
- Government of Western Australia (2013) 2012 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of October 2012. WA Department of Environment and Conservation, Perth.
- 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 (2011) Clearing permit Application and additional information for Lot 612 Buckleys Road, Billingurr (CPS 4763/1). DEC ref A456811
- Yawuru (2012) Application to Clear Native Vegetation under the EP Act CPS 4763/1 Comment by Native Title Party: Yawuru Registered Native Title Body Corporate (Yawuru RNTBC). DEC ref: A471641.