



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 5873/1
<b>Permit Holder:</b>	Broome Port Authority
<b>Duration of Permit:</b>	22 February 2014 – 22 February 2019

### PART I – CLEARING AUTHORISED

**1. Purpose for which clearing may be done**

Clearing for the purpose of installing underground power lines.

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

Lot 621 on Deposited Plan 70861, Reserve 28650 (Minyirr 6725)

Port Drive road reserve, PIN: 11479514 (Minyirr 6725)

**3. Area of Clearing**

The Permit Holder must not clear more than 0.16 hectares of native vegetation within the areas hatched yellow on attached Plan 5873/1.

**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.

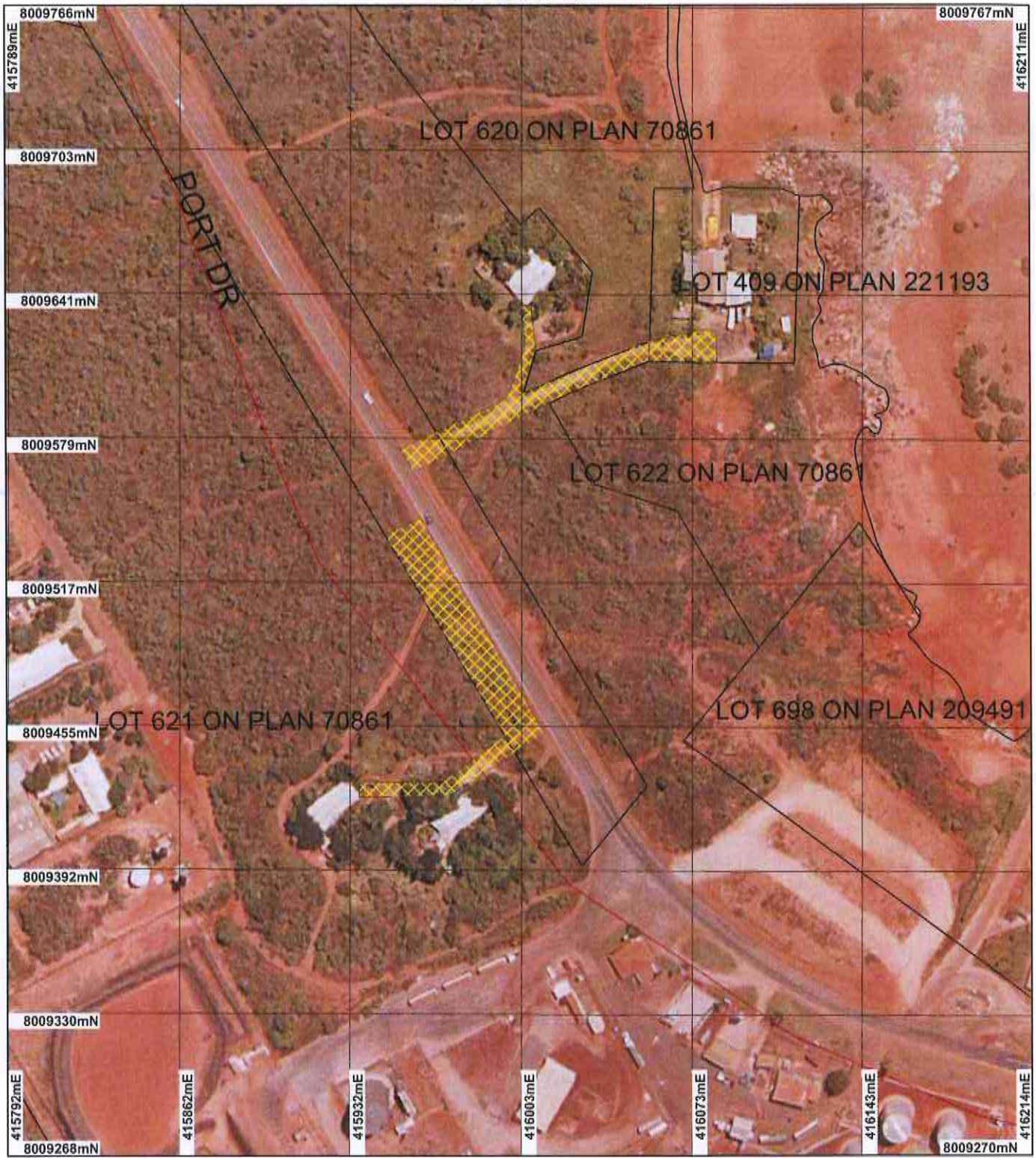
A handwritten signature in blue ink, appearing to read "Jane Clarkson", written over a horizontal line.

Jane Clarkson  
ACTING MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

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

23 January 2014

# Plan 5873/1



**LEGEND**

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

Broome 50cm Orthomosaic - Landgate 2007

Scale 1:2304  
(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.

*Jane Clarkson* 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.

Government of Western Australia  
Department of Environment Regulation  
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\* Project Data. This data has not been quality assured. Please contact map author for details.



## 1. Application details

### 1.1. Permit application details

Permit application No.: 5873/1  
Permit type: Purpose Permit

### 1.2. Proponent details

Proponent's name: Broome Port Authority

### 1.3. Property details

Property: ROAD RESERVE (MINYIRR 6725)  
LOT 621 ON PLAN 70861 (MINYIRR 6725)  
Local Government Area: Shire of Broome  
Colloquial name: Port Drive Road reserve

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.16		Mechanical Removal	Water/gas/cable/pipeline/power installation

### 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
Beard Vegetation Association 750; Shrublands, pindan; Acacia tumida shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex (Shepherd et al, 2001)	The application is to clear up to 0.16 hectares of native vegetation within Lot 621 on Deposited Plan 70861 (Reserve 28650) and Port Drive road reserve, Minyirr, for the purpose of installing underground power lines.	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	The vegetation within the application area is described as 'open woodland of mixed Corymbia spp. Hakea macrocarpa and Persoonia falcata over shrubland dominated by Acacia colei var. colei and other species such as Ehretia saligna var. saligna and Waltheria indica over grassland dominated by Triodia pungens and Triodia acutispicula on orange to red pindan soils on lower to upslope positions' (Coffey 2013).

#### Comments

The application is to clear up to 0.16 hectares of native vegetation for the purpose of installing underground power lines. The vegetation is considered to be in a degraded (Keighery 1994) condition.

A number of records of rare and priority flora species have been recorded within the local area (10 kilometre radius). The closest being a rare flora species recorded approximately 300 metres north of the application area (Coffey 2013). A targeted flora survey undertaken in July 2013 (within the species flowering time) by Coffey (2013) did not identify any rare or priority flora within the area under application. A previous survey undertaken by Woodman Environmental Consulting (2008) within the area under application did not record any rare flora species within the area under application.

Two threatened ecological communities (TEC) 'Roebuck Bay mudflats' and 'Vine thickets' have been recorded approximately 0.7 and 3.5 kilometres respectively from the application area. In addition a priority ecological community (PEC) 'Mangarr community on relict dune systems' exists nearby (DPaW 2014). Targeted surveys were undertaken for the two TEC's and PEC in 2008 and 2013 and no TEC's or PEC's were identified within the area under application (Coffey 2013 and Woodman Environmental Consulting 2008). Given the small size (0.16 hectares) and degraded (Keighery 1994) condition of the vegetation under application it is not likely to be necessary for the maintenance of a TEC or PEC.

The application area is located approximately 100 metres from the coastal waterline. The flora surveys undertaken by Coffey (2013) and Woodman (2010) did not identify riparian vegetation within the area under application.

## Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

**Comments** A number of Aboriginal Sites of Significance are located within the application area. A submission has been received from the Nyamba Buru Yawuru Ltd (2013) and they have advised that the applicant must consult with the Yawuru native title holders prior to any land clearing. In addition they have advised that the applicant may be required to enter into an appropriate heritage protection agreement covering the permit area and conduct a heritage survey. The applicant will be advised to liaise with the Department of Aboriginal Affairs regarding their obligations under the Aboriginal Heritage Act 1972.

Two public submissions have been received in relation to this application which raised concerns regarding impacts to a TEC, PEC, land degradation, surface water quality, impacts to vegetation containing a high biological diversity, significant habitat for fauna and the purpose of cruise liner terminal and other planning matters (Submission 2013a, Submission 2013b). Since receiving the above mentioned submissions the application area has been amended from clearing 4.25 hectares for the purpose consolidated port administration facilities, site office, car park, passenger terminal, laydown area, expansion of fuel tank farm and relocation of services easement to the clearing of 0.16 hectares for the purpose of installing underground power lines. The above concerns have been addressed in the assessment above.

Main Roads Western Australia (2014) has authorised Broome Port Authority to undertake clearing and the installation of underground power lines within Port Drive Road reserve.

**Methodology** References:  
- Main Roads Western Australia (2014)  
- Nyamba Buru Yawuru Ltd (2013)  
- Submission (2013a)  
- Submission (2013b)

GIS Databases:  
- Aboriginal Site of Significance

**Officer** Clare Ryan

## 5. Assessor's recommendations

### Comment / recommendation

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and has concluded that the proposed clearing is not likely to be at variance to any of the clearing principles.

## 6. References

- Coffey (2013) Targeted Flora and Vegetation Survey of Application Area – Broome Port Authority. Western Australia. DER Ref:A689973.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Main Roads Western Australia. Authority to undertake clearing and install underground power lines within Port Drive Road reserve. Western Australia. DER Ref:A717589.
- Nyamba Buru Yawuru Ltd (2013). Submission for Clearing Permit CPS 5783/1. Western Australia. DER Ref: A702626
- 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.
- Submission (2013a) Submission for Clearing Permit CPS 5783/1. Western Australia. DER Ref: A717388
- Submission (2013b) Submission for Clearing Permit CPS 5783/1. Western Australia. DER Ref: A702626
- Woodman Environmental Consulting (2008) Floristic Community Types of the Broome Peninsula – Level 2 Flora Survey. Western Australia. DER Ref: A689973.