



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 6407/1
Permit Holder:	Western Australian Land Authority TA LandCorp
Duration of Permit:	14 March 2015 – 14 March 2020

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 groundwater bores and storage of surplus landfill.

2. Land on which clearing is to be done

Lot 501 on Deposited Plan 403769 - Reserve 25716, Roebuck

3. Area of Clearing

The Permit Holder must not clear more than 1.93 hectares of native vegetation within the area hatched yellow on attached Plan 6407/1.

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 right to access land under the *Land Administration Act 1997* 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

When undertaking any clearing or other activity pursuant to this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:

- Clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- Ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- Restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

8. Fauna management

- (a) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to conduct a *fauna survey* of the area hatched yellow on attached Plan 6407/1 to identify *critical habitat* being utilised by fauna listed in the *Wildlife Conservation (Specially Protected Fauna) Notice* and *priority fauna*.
- (b) Prior to undertaking any clearing authorised under this Permit, the Permit Holder shall provide the results of the *fauna survey* in a report to the CEO.
- (c) The *fauna survey* report must include the following:
 - (i) the location of the *critical habitat* 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 location of any fauna species, 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;
 - (iii) the name of each fauna species identified;
 - (iv) the methodology, used to survey the Permit Area and to establish the *critical habitat*;
 - (v) the extent of the *critical habitat* of the identified rare or priority fauna shown on a map; and
 - (vi) a description of the *critical habitat* of rare or *priority fauna* found.
- (d) Where fauna are identified under condition 8(a) of this Permit, the Permit Holder shall ensure that:
 - (i) no clearing of *critical habitat* of the identified rare or *priority fauna* occurs, unless first approved by the CEO; and
 - (ii) no taking of identified fauna occurs, unless first approved by the CEO.

PART III – MONITORING, RECORD KEEPING AND REPORTING

9. Records to be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:
In relation to fauna management pursuant to condition 8 of this Permit:

- (a) The location of each fauna identified 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;
- (b) the name of each fauna species identified; and
- (c) a copy of the fauna specialist's report.

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 to 31 December of the preceding calendar year.
- (b) If no clearing authorised under this Permit was undertaken between 1 January to 31 December of the preceding calendar year, a written report confirming that no clearing under this permit has been carried out, must be provided to the CEO on or before 31 December of each year.
- (c) Prior to 15 December 2019, 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:

critical habitat: means any part of the Permit Area comprising the habitat of flora or fauna species and its population, that is critical for the health and long term survival of the flora or fauna and its population;

fauna specialist: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, or who is approved by the CEO as a suitable fauna specialist for the bioregion, and who holds a valid fauna licence issued under the *Wildlife Conservation Act 1950*;

fauna survey: means a field-based investigation, including a review of established literature, of the biodiversity of fauna and/or fauna habitat of the Permit Area. Where conservation significant fauna are identified in the Permit Area, the survey should also include sufficient surrounding areas to place the Permit Area into local context;

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;

priority fauna: means those fauna taxa describes as priority fauna, classes 1, 2, 3, 4 or 5 in the *Department of Parks and Wildlife's Threatened and Priority Fauna Rankings List for Western Australia* (as amended);

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

Wildlife Conservation (Specially Protected Fauna) Notice means those fauna taxa gazetted as rare fauna pursuant to section 14(4)(a) of the *Wildlife Conservation Act 1950* (as amended).

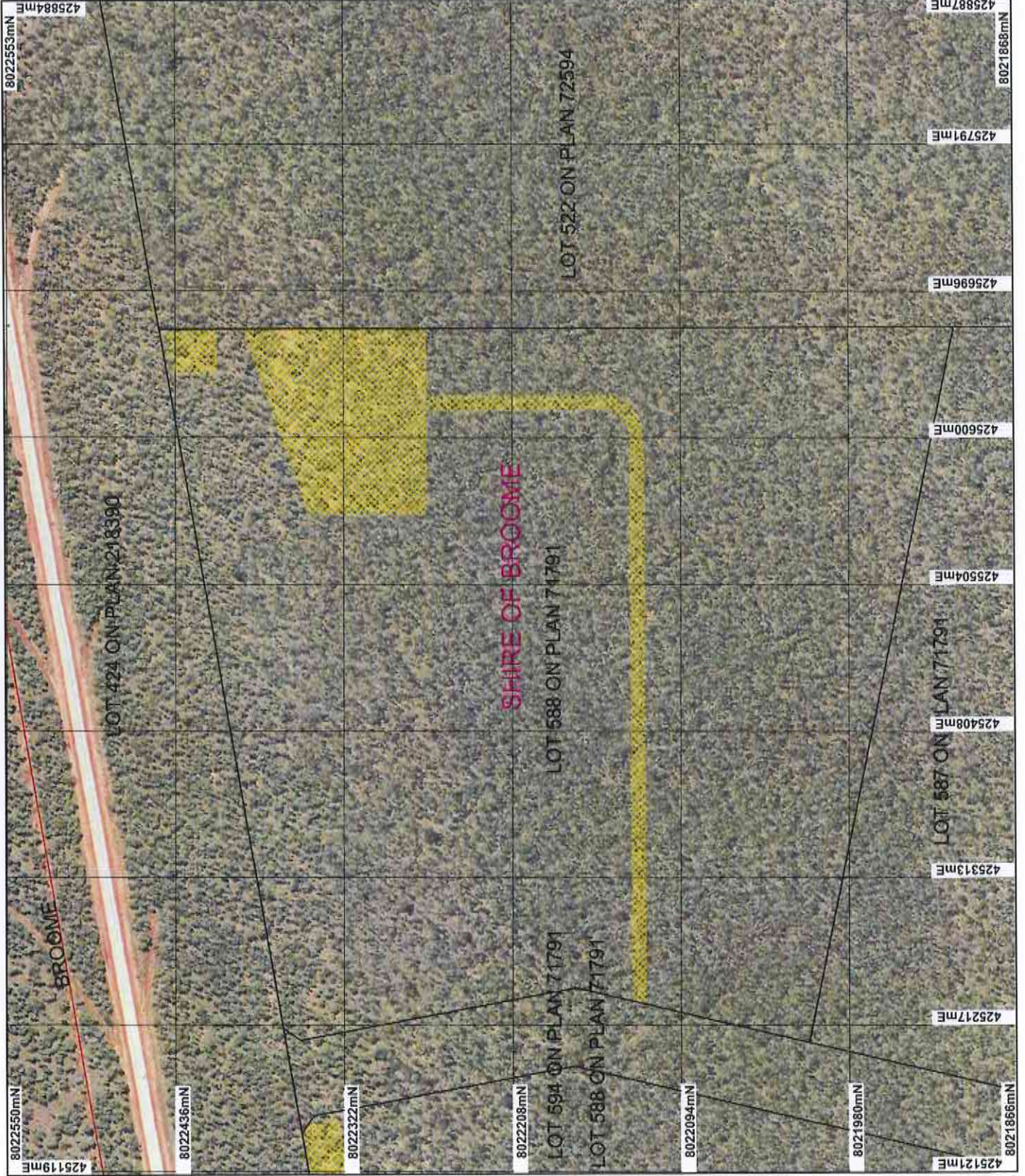


M Warnock
SENIOR MANAGER
CLEARING REGULATION

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

12 February 2015

Plan 6407/1



LEGEND

- Road Centrelines
- Clearing Instruments
- Areas Approved to Clear
- Cadastral
- Local Government Authorities
- Broome 50cm Orthomosaic - Landgate 2007



0 100 m

Scale 1:3500

(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.

M. Wilcock Date 12/2/15

M. Wilcock

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.



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Department of Environment Regulation
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Clearing Permit Decision Report

Government of Western Australia
Department of Environment Regulation

1. Application details

1.1. Permit application details

Permit application No.: 6407/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Western Australian Land Authority TA Landcorp

1.3. Property details

Property: LOT 501 ON DEPOSITED PLAN 403769 – RESERVE 25716 (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:
1.93		Mechanical Removal	Bore construction

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 12 February 2015

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 application is to clear 1.93 hectares of native vegetation within Lot 501 on Deposited Plan 403769 (Reserve 25716), Roebuck, for the purposes of creating groundwater bores and storage of landfill.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The condition and description of the vegetation was determined via a Preliminary Environmental Impact Assessment and Biological Survey (GHD 2010). The vegetation under application consists of Pindan Woodland which comprises low open forest of Acacia plectocarpa subsp. plectocarpa, Bauhinia cunninghamii and Eucalypt spp. over open shrubland of Waltheria indica, Melhania oblongifolia and Corchorus sidioides subsp. sidioides and open tussock grassland of Triodia schinzii, Sorghum plumosum and Yakirra australiensis over scattered sedges of Scleria brownii (complex) and Fimbristylis oxystachya (GHD 2010).

3. Assessment of application against clearing principles

Comments

The application is for the proposed clearing of 1.93 hectares of native vegetation within Lot 501 on Deposited Plan 403769 (Reserve 25716), Roebuck, for the purposes of creating groundwater bores and storage of landfill.

Several priority flora species are mapped within the local area (10 kilometres radius), three of which are located within the same vegetation association and soil type as the application area. Two of these are Priority 3 species, the closest of which is approximately 330 metres from the application area; the other is a Priority 1. Three Priority 3 species were identified within a larger footprint area encompassing the application area in a Biological Survey undertaken by GHD (2010). Priority 3 species are generally known from collections from several different localities not under imminent threat (DEC 2012). Advice from the Department of Parks and Wildlife (2015) states that the small extent of the clearing is not likely to impact on the conservation status of the Priority 1 or 3 species. No rare flora species are mapped within the local area.

No Priority Ecological Communities are mapped within the local area. Two Threatened Ecological Communities are located approximately six and eight kilometres, respectively, from the application area. The first is described as 'Roebuck Bay mudflats', the second as 'Vine thickets on coastal sand dunes of Dampier Peninsular'. Given these distances, the proposed clearing is not likely to impact on these communities.

Given the above, and that the vegetation proposed to be cleared is well represented in the local area (90 per cent), the application area is not likely to consist of an area of high biodiversity and is not considered to be a significant remnant of native vegetation. However, the application area provides suitable habitat for bilby (pindan acacia woodland (GHD 2010)) and two potential bilby burrows were observed within a larger area encompassing the application area during a Biological Survey (GHD 2010). This species is classified as rare or likely to become extinct and declared to be in need of special protection under Wildlife Conservation (Specially Protected Fauna) Notice 2014. The application area is situated within close proximity to significant roosting habitat for migratory birds and may therefore also provide habitat for these species. The proponent will be required to engage a fauna specialist to survey the application area for the presence of significant fauna prior to any clearing being undertaken.

No wetlands or watercourses are mapped within the application area. The application area is at least five kilometres from the nearest area mapped as being 'subject to inundation'. The clearing is therefore not likely to contain riparian vegetation, cause or exacerbate the incidence of flooding or cause deterioration in the quality of surface or underground water.

The nearest reserve is approximately nine kilometres west of the application area. Given this distance and the small extent of the application area, the proposed clearing is not likely to impact on the environmental values of any conservation areas.

The proposed clearing will increase the risk of weeds spreading into adjacent vegetated areas. Weed management practices will assist in mitigating this risk.

Considering the above, the application may be at variance to Principle (b) and is not likely to be at variance to any of the remaining clearing principles.

Methodology

References:

- DEC (2012)
- Department of Parks and Wildlife (2015)
- GHD (2010)

GIS Databases:

- Hydrology, linear
- IBRA Australia
- DPaW Tenure
- NLWRA
- Soils, statewide
- RIWI
- PDWSA
- Pre-European Vegetation
- SAC Biodatasets Accessed January 2015

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

Comments

The application area is zoned 'Industry' under the Shire of Broome Town Planning Scheme No 4 and is proposed to be zoned 'Industry' under the soon to be gazetted Local Planning Scheme No 6. The installation of the groundwater monitoring bore and the production bore, in addition to the storage of fill generated by subdivision works, will be undertaken in association with the subdivision approval 150440. As such, no planning approval is required for these activities (Shire of Broome 2015).

The Water Corporation has granted authority for LandCorp to undertake the activities associated with this application (LandCorp 2014a).

A licence to Construct or Alter Well and a Licence to Take Water have been issued by the Department of Water in relation to the proposed land use (LandCorp 2014b).

The Kimberley Land Council has been invited to comment on the impact of the grant of this clearing permit on native title rights and interests. No comment has been received.

There are no Aboriginal Sites of Significance mapped within the application area.

Methodology

References:

- Landcorp (2014a)
- LandCorp (2014b)
- Shire of Broome (2015)

GIS Dataset:

- Aboriginal Sites of Significance

4. References

- DEC (2012) Threatened and Priority Flora List for Western Australia. Department of Environment and Conservation, Perth.
- Department of Parks and Wildlife (2015) Advice received in relation to clearing permit application CPS 6407/1, received 13 January 2015. Department of Parks and Wildlife, Western Australia (DER Ref: A852803).
- GHD (2010) Preliminary Environmental Impact Assessment and Biological Survey. Additional Information for Clearing Permit Application CPS 6340/1.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- LandCorp (2014a) Application for clearing permit CPS 6407/1 (DER Ref: A847200).
- LandCorp (2014b) Advice received in relation to clearing permit application CPS 6407/1 received 30 January 2015. (DER Ref: A860474).
- 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 (2015) Advice received in relation to clearing permit application CPS 6407/1 received 19 January 2015. Shire of Broome (DER Ref: A854741).