



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 7215/1
<b>Permit Holder:</b>	National Indigenous Pastoral Enterprises Pty Ltd
<b>Duration of Permit:</b>	From 19 November 2016 to 19 November 2021

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 installing a stormwater retention pond.

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

Lot 382 on Deposited Plan 193561, Roebuck.

**3. Area of Clearing**

The Permit Holder must not clear more than 8.7 hectares of native vegetation within the area cross hatched yellow on attached Plan 7215/1.

**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.

### PART II – MANAGEMENT CONDITIONS

**5. 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.

**6. 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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

## 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.



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Dr Anne Mathews  
SENIOR MANAGER  
CLEARING REGULATION

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

20 October 2016









## 1. Application details

### 1.1. Permit application details

Permit application No.: 7215/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: National Indigenous Pastoral Enterprise Pty Ltd

### 1.3. Property details

Property: LOT 382 ON PLAN 193561, ROEBUCK  
Local Government Authority: BROOME, SHIRE OF  
DER Region: North West  
DPaW District: WEST KIMBERLEY  
Localities: ROEBUCK

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
8.7		Mechanical Removal	Waste disposal/management

### 1.5. Decision on application

Decision on Permit Application: Granted  
Decision Date: 20 October 2016  
Reasons for Decision: The clearing permit 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.

The Delegated Officer determined that the clearing is unlikely to have any significant environmental impacts.

The applicant holds a Works Approval Licence (L8344/2009/2), issued by the Department of Environment Regulation (DER) for a live cattle export depot which exists within Lot 382. A condition of this Licence requires the applicant to install a stormwater retention pond and drainage infrastructure by 15 August 2016. The clearing permit will therefore allow for the applicant to undertake the necessary works for the installation of the stormwater retention pond and comply with the Licence condition.

The applicant has obtained Planning Approval from the Shire of Broome for the installation of the stormwater retention pond. This factor, along with other relevant state policies, has been taken into consideration in the decision to grant a clearing permit.

To mitigate the impacts to surrounding native vegetation, the clearing permit will include a condition for weed management.

## 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 is described as shrublands, pindan; <i>Acacia tumida</i> shrubland with grey box & cabbage gum medium woodland over ribbon grass & curly spinifex (Shepherd et al., 2001).	The applicant proposes to clear 8.7 hectares of native vegetation within Lot 382 on Deposited Plan 193561, Roebuck, for the purpose of installing a stormwater retention pond.	Very Good; Vegetation structure altered; obvious signs of disturbance (Keighery, 1994).	The condition of the application area was determined via aerial imagery.

## 3. Assessment of application against clearing principles

Comments: The applicant proposes to clear 8.7 hectares of native vegetation within Lot 382 on Deposited Plan 193561, Roebuck, for the purpose of installing a stormwater retention pond. A review of aerial imagery indicates that the application area is in a very good (Keighery, 1994) condition.

The local area (20 kilometre radius surrounding the application area) is extensively vegetated and retains approximately 99 per cent native vegetation cover. The application area is located within the Dampierland Interim Biogeographic Regionalisation of Australia (IBRA) bioregion and the Shire of Broome, both of which retain greater than 99 per cent of their pre-European vegetation extents (Government of Western Australia, 2015).

According to available datasets there are no threatened flora or priority ecological communities mapped within the local area.

According to available datasets, there is one threatened ecological community (TEC) located within the local area. This TEC is known as the 'Species-rich faunal community of the intertidal mudflats of Roebuck Bay' and is mapped approximately 9.5 kilometres south west of the application area. Given the distance between this TEC and the application area, the proposed clearing is not likely to impact on this community.

The Department of Parks and Wildlife (Parks and Wildlife) advised that "a desktop review of previous priority flora records of the region combined with local knowledge of preferred habitat types suggest the following priority flora species have the potential to occur:

- *Jacquemontia* sp. Broome (Priority 1);
- *Tephrosia andrewii* (Priority 1);
- *Bonamia oblongifolia* (Priority 1);
- *Glycine pindanica* (Priority 3);
- *Pterocaulon intermedium* (Priority 3); and
- *Phyllanthus eremicus* (Priority 3)"

Parks and Wildlife (2016)

Aerial imagery indicates that the vegetation communities within the application area are likely to be representative of the local area (which retains approximately 99 per cent native vegetation cover), and it is unlikely that there are any rare or unique communities or habitat restricted to the application site. Given this, and that the application area is adjacent to largely cleared areas associated with a live cattle export depot, it is considered unlikely that the proposed clearing will significantly impact on priority flora species.

Nine fauna species listed as rare or likely to become extinct under the *Wildlife Conservation Act 1950* have been recorded within the local area (Parks and Wildlife, 2007- ). Seven of these species are migratory birds, and given their large home ranges and highly mobile nature, the proposed clearing is not likely to impact on these species. The two other species are the golden bandicoot (*Isoodon auratus* subsp. *auratus*) (one historical record within the local area) and greater bilby (*Macrotis lagotis*) (nine records within the local area).

Parks and Wildlife advised that "the application site has the potential to support one threatened species; the greater bilby *Macrotis lagotis* (listed as Threatened under State legislation and Vulnerable under Federal legislation) and two priority species; the spectacled hare-wallaby *Lagorchestes conspicillatus* (listed by Department of Parks and Wildlife as Priority 3 species) and the Dampier Peninsula goanna *Varanus sparnus* (listed by Department of Parks and Wildlife as Priority 1 species)" (Parks and Wildlife, 2016). Despite the lack of nearby records, the application area is considered to occur within the known range of both the Dampier Peninsula goanna and spectacled hare-wallaby.

The application area is surrounded by a five strand barb wire fence and given the adjacent area of disturbance associated with the live cattle export depot, and extent of clearing proposed in the context of the extensively vegetated surrounding area, the application area is considered unlikely to provide significant habitat for the above mentioned fauna species.

The closest conservation area to the application area is the Roebuck Bay Ramsar site which is located approximately 16 kilometres south west. Given the distance between the Ramsar site and the application area, the proposed clearing is not likely to impact on this conservation area.

Given that no wetlands or watercourses are mapped within the application area and considering the extent of vegetation surrounding the application area, the proposed clearing is not likely to impact on riparian vegetation, contribute to or cause land degradation, deteriorate the quality of groundwater or surface water or cause or exacerbate flooding.

Given the above, the proposed clearing is not likely to be at variance to any of the clearing principles.

## Methodology

References:  
Government of Western Australia (2015)  
Keighery (1994)  
Parks and Wildlife (2007- )  
Parks and Wildlife (2016)

GIS Databases:  
Hydrography, Linear  
Hydrography, Hierarchy  
NLWRA, Current Extent of Native Vegetation  
Ramsar Sites  
SAC Bio Datasets (Accessed October 2016)

## Planning instruments and other relevant matters.

**Comments** The applicant proposes to clear 8.7 hectares of native vegetation within Lot 382 on Deposited Plan 193561, Roebuck, for the purpose of installing a stormwater retention pond.

The applicant holds a Works Approval Licence (L8344/2009/2), issued by the Department of Environment Regulation (DER) for a live cattle export depot which exists within Lot 382. The proposed stormwater retention pond is required by a condition of the Licence, to reduce the risk of potential discharge of nutrient rich stormwater to nearby soil and groundwater. The required date of completion for the stormwater retention pond was 15 August 2016. The clearing permit would allow for the applicant to undertake the necessary works and comply with the Licence condition.

The applicant advised that the construction works and installation of the stormwater retention pond need to occur before the onset of the Kimberley's wet season, which begins in November/December.

The Shire of Broome has issued the applicant with Development Approval for the stormwater retention pond (Shire of Broome, 2016).

The clearing permit application was advertised in *The West Australian* newspaper on 22 August 2016 for a 7 day submission period. No public submissions have been received.

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

The Department of Water (DoW) advised that "the proposed clearing is located within the Canning-Kimberley Groundwater Area, which is proclaimed under the *Rights in Water and Irrigation Act 1914*. In this area a 5C Licence to Take Groundwater and a 26D Licence to Construct or Alter a Well are required for any groundwater supply bores. The proponent holds an existing licence (GWL153700) for 70000 kL for the purposes of processing wash down and stock watering adjacent to the proposed clearing area. The area is not a proclaimed surface water area so any use of the captured stormwater would not require a licence" (DoW, 2016).

**Methodology** References:  
DoW (2016)  
Shire of Broome (2016)

GIS Databases:  
Aboriginal Sites of Significance

## 4. References

- Department of Parks and Wildlife (Parks and Wildlife) (2007- ) NatureMap: Mapping Western Australia's Biodiversity. Department of Parks and Wildlife. URL: <http://naturemap.dpaw.wa.gov.au/>. Accessed October 2016.
- Department of Parks and Wildlife (Parks and Wildlife) (2016) Regional Advice Received for Clearing Permit Application CPS 7215/1. DER Ref A1177100.
- Department of Water (DoW) (2016) Direct Interest Response Received for Clearing Permit Application CPS 7215/1. DER Ref A1160881.
- Government of Western Australia (2015). 2015 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Current as of June 2015. WA Department of Parks and Wildlife, 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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.
- Shire of Broome (2016) Development Approval. Additional Information for Clearing Permit Application CPS 7215/1. DER Ref A1177228.