



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 7256/1
<b>Permit Holder:</b>	Kimberley Ports Authority
<b>Duration of Permit:</b>	From 10 December 2016 to 10 December 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 purposes of road maintenance, carpark extension and the construction of a powerline, water pipeline, slipway and truck turnaround area.

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

Lot 621 Deposited Plan 70861, Lot 698 on Deposited Plan 209491, Kavite Road reserve (PIN 11479513) and Port Road reserve (PIN 11479514), Minyirr.

#### 3. Area of Clearing

The Permit Holder must not clear more than 2.4 hectares of native vegetation within the areas cross hatched yellow on attached Plan 7256/1.

#### 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. Drainage management

The Permit Holder shall not cause or allow the discharge of sediments, from within the areas permitted to be cleared under this permit, into 'Roebuck Bay mudflats' or 'Vine thickets on coastal sand dunes of the Dampier Peninsula' communities.

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

*Anne Matthews*

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SENIOR MANAGER  
CLEARING REGULATION

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






10 November 2016

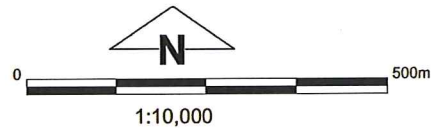


# Plan CPS 7256/1



## Legend

-  Cadastre
-  Roads
-  Imagery
-  Clearing Instruments Activities
-  Local Government Authority



(Approximate when reproduced at A4)  
GDA 94 (Lat/Long)  
Geocentric Datum of Australia 1994

*Anne Mathews* Date *10/11/2016*  
**ANNE MATHEWS**

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986



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## 1. Application details

### 1.1. Permit application details

Permit application No.: 7256/1  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Kimberley Ports Authority

### 1.3. Property details

Property: LOT 698 ON PLAN 209491, MINYIRR  
LOT 621 ON PLAN 70861, MINYIRR  
ROAD RESERVE - 11479514, MINYIRR  
ROAD RESERVE - 11479513, MINYIRR  
BROOME, SHIRE OF

Local Government Authority:  
DER Region: North West  
DPaW District: WEST KIMBERLEY  
Localities: MINYIRR

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.4	-	Mechanical Removal	Road maintenance, carpark extension and construction of a powerline, water pipeline, slipway and truck turnaround area

### 1.5. Decision on application

Decision on Permit Application: Granted

Decision Date: 10 November 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 it has been concluded that the proposed clearing may be at variance to principles (d) and (g) and is not likely to be at variance to the remaining clearing principles.

The Delegated Officer determined that the proposed clearing may impact the environmental values of the adjacent Threatened Ecological Communities through increased sedimentation in stormwater runoff. Drainage management measures will help to minimise this impact.

State policies and other relevant policies have been taken into consideration in the decision to grant a clearing permit.

## 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
The applied area is mapped as 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 clearing of 2.4 hectares of native vegetation within Lot 621 Deposited Plan 70861, Lot 698 on Deposited Plan 209491, Kavite Road reserve (PIN 11479513) and Port Road reserve (PIN 11479514), Minyirr, for the purposes of road maintenance, carpark extension and the construction of a powerline, water pipeline, slipway and truck turnaround area.	Good; Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994).	The condition of the vegetation was determined via aerial photography and site inspection (Department Parks and Wildlife, 2016b).

### 3. Assessment of application against clearing principles

**Comments** The applicant has applied to clear up to 2.14 hectares of native vegetation for the purpose of road maintenance, carpark extension and the construction of a powerline, water pipeline, slipway and truck turnaround area.

Numerous priority flora and one rare flora species have been recorded within the local area (10 kilometre radius). A targeted flora survey undertaken by Coffey Environments Australia Pty Ltd (2013) and a flora and vegetation survey undertaken by Woodman (2008) did not identify any rare or priority flora within the application area. Therefore the proposed clearing is not likely to impact upon rare or priority flora species.

Two threatened ecological communities (TEC) 'Roebuck Bay mudflats' and 'Vine thickets on coastal sand dunes of the Dampier Peninsula' are located approximately eight metres and 50 metres respectively from the area under application. The proposed clearing may indirectly impact the TECs located within close proximity to the application area through generation of dust during the clearing or construction activities, or through increase sedimentation should drainage not be managed (Department Parks and Wildlife, 2016a and 2016b).

Given the relatively small size of the application area, it is considered that the proposed clearing is unlikely to impact conservation reserves within the local area or significant fauna habitat. Further, it is considered that the application area is unlikely to be a significant remnant within a highly cleared landscape.

According to available databases, no wetlands or watercourses are mapped within the application area. The coastline is three metres from the application area, it is considered that the proposed clearing is unlikely to cause a deterioration of the quality of ground water or exacerbate flooding.

On this basis, it is considered that the proposed clearing is unlikely to have any significant environmental impacts.

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

**Methodology** References:

- Keighery (1994)
- Weighell (2016)
- Coffey (2013)
- Woodman (2008).
- Parks and Wildlife (2016a)
- Parks and Wildlife (2016a)

GIS Databases:

- SAC Bio Datasets accessed September 2016
- Hydrography linear
- NLWRA, Current Extent of Native Vegetation
- Pre-European vegetation
- Soils, Statewide

### Planning instruments and other relevant matters.

**Comments** The applicant has applied to clear up to 2.14 hectares of native vegetation for the purpose of road maintenance, carpark extension and the construction of a powerline, water pipeline, slipway and truck turnaround area.

One Aboriginal Site of Significance 'Entrance Point/Yinara' is mapped within the area under application. It is the applicant's responsibility to ensure compliance with any obligations under the *Aboriginal Heritage Act 1972*.

The Shire of Broome (2016) advises that the development is consistent with the purpose of the Port Reserve and does not require development approval. The Shire notes that impacts associated with stormwater runoff need to be considered.

The Department of Water (2016) advises that not all the applied clearing and purposes are consistent with the Kimberley Port Authority's conceptual Storm Water Management Plan, referred to their Department in October 2014. The Department of Water recommends that the Port update the concept plan to justify this inconsistency.

The clearing permit application was advertised in *The West Australian* newspaper on 22 September 2016 for a seven day submission period. No public submissions have been received in relation to this application.

**Methodology** References:

- Shire of Broome (2016)
- Department of Water (2016)

GIS Databases:

- Aboriginal Sites of Significance

#### 4. References

- Coffey (2013) Pre-Clearance Flora and Vegetation Surveys for Numerous Port Managed Lease Holding. Western Australia. DER Ref:A1157445
- Department of Water (2016) Advice for Clearing Permit Application CPS 7256/1 (DER Ref: A1188444)
- 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) Planning Advice for Clearing Permit Application CPS 7256/1 (DER Ref: A1188444)
- Woodman (2008). Fauna Assessment of the Broome Port. Woodman Environmental Consulting Pty Ltd. 31st July 2008. DER Ref: A1157445
- Department of Parks and Wildlife (2016a) Threatened Ecological Community Advice for Clearing Permit Application CPS 7256/1. Department of Parks and Wildlife. Species and Communities Branch. DER Ref: A1189792
- Department of Parks and Wildlife (2016b) Site Inspection Report for Clearing Permit Application CPS 7256/1 (DER Ref: 1189403)