



## CLEARING PERMIT

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

<b>Purpose Permit number:</b>	CPS 7953/2
<b>Permit Holder:</b>	Nyamba Buru Yawuru Ltd
<b>Duration of Permit:</b>	14 July 2018 – 14 July 2023

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 hydrological investigations, horticulture and associated infrastructure.

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

Lot 1544 on Deposited Plan 75840, Roebuck

**3. Area of Clearing**

The Permit Holder must not clear more than 422 hectares of native vegetation within the area hatched yellow on attached Plan 7953/2.

**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 and reduce the impacts and extent of 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.

**6. Direction of clearing**

The Permit Holder shall conduct clearing in a progressive manner from one direction to the other (e.g. west to east) to allow fauna to move into adjacent native vegetation ahead of the clearing activity.

**7. Period in which clearing is authorised**

The Permit Holder must ensure that the planting of crop species and construction of associated infrastructure occurs within three months of the authorised clearing being undertaken.

## 8. Fauna management

- (a) Immediately prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to undertake clearance surveys using transects spaced at a maximum 100 metres on average including the identification and inspection of burrows within the areas cross-hatched yellow on attached Plan 7953/2 for the greater bilby (*Macrotis lagotis*).
- (b) Immediately prior to undertaking any clearing authorised under this Permit, the Permit Holder shall engage a *fauna specialist* to relocate any fauna found under condition 8(a) of this Permit, in accordance with a fauna licence pursuant to Regulation 15 of the *Wildlife Conservation Regulations 1970*.
- (c) Where fauna are identified and relocated under condition 8(a) and 8(b) of this Permit, the Permit Holder shall include the following in a report submitted to the Department of Water and Environmental Regulation:
  - (i) the scientific name and gender of each fauna captured under condition 8(a) and 8(b);
  - (ii) the location of any fauna species, as listed in condition 8(a) and 8(b); captured 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 date, time, vegetation type and weather conditions at each location where a fauna species is captured under condition 8(c)(ii);
  - (iv) the scientific name and gender of each fauna relocated under condition 8(b);
  - (v) the location of any fauna species, as listed in condition 8(b), relocated 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;
  - (vi) the date, time, vegetation type and weather conditions at each location where a fauna species is relocated under condition 8(c)(v);
  - (vii) the name of the fauna specialist that relocated fauna under condition 8(b); and
  - (viii) a copy of the fauna licence authorising the relocation of fauna under condition 8(b).

## 9. 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) restrict the movement of machines and other vehicles to the limits of the areas to be cleared; and
- (c) within six months of the expiry of this Permit, the Permit Holder must remove or kill any *weeds* or species proposed for cropping which are growing within 50 meters outside of the area hatched yellow on attached Plan 7953/2.

## **PART III - RECORD KEEPING AND REPORTING**

### 10. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
  - (i) the species composition, structure and density of the cleared area;
  - (ii) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
  - (iii) the date that the area was cleared;
  - (iv) the size of the area cleared (in hectares);
  - (v) actions taken to avoid, minimise and reduce the impacts and extent of clearing in accordance with condition 5 of this Permit
  - (vi) actions taken in accordance with conditions 6 and 7 of this Permit; and
  - (vii) actions taken to minimise the risk of the introduction and spread of *weeds* in accordance with condition 9 of this Permit.

## 11. 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 8 and 10 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 30 June of each year.
- (c) Prior to 6 June 2023, the Permit Holder must provide to the *CEO* a written report of records required under condition 8 and 10 of this Permit where these records have not already been provided under condition 11(a) of this Permit.

## DEFINITIONS

The following meanings are given to terms used in this Permit:

***CEO*** means the Chief Executive Officer of the Department responsible for the administration of the clearing provisions under the *Environmental Protection Act 1986*;

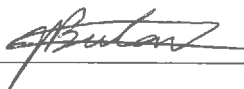
***fauna specialist***: means a person who holds a tertiary qualification specializing in environmental science or equivalent, and has a minimum of 2 years work experience in fauna identification and surveys of fauna native to the region being inspected or surveyed, and who holds a valid fauna licence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

***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 Biodiversity, Conservation and Attractions species-led ecological impact and invasiveness ranking summary, regardless of ranking; or
- (c) not indigenous to the area concerned.

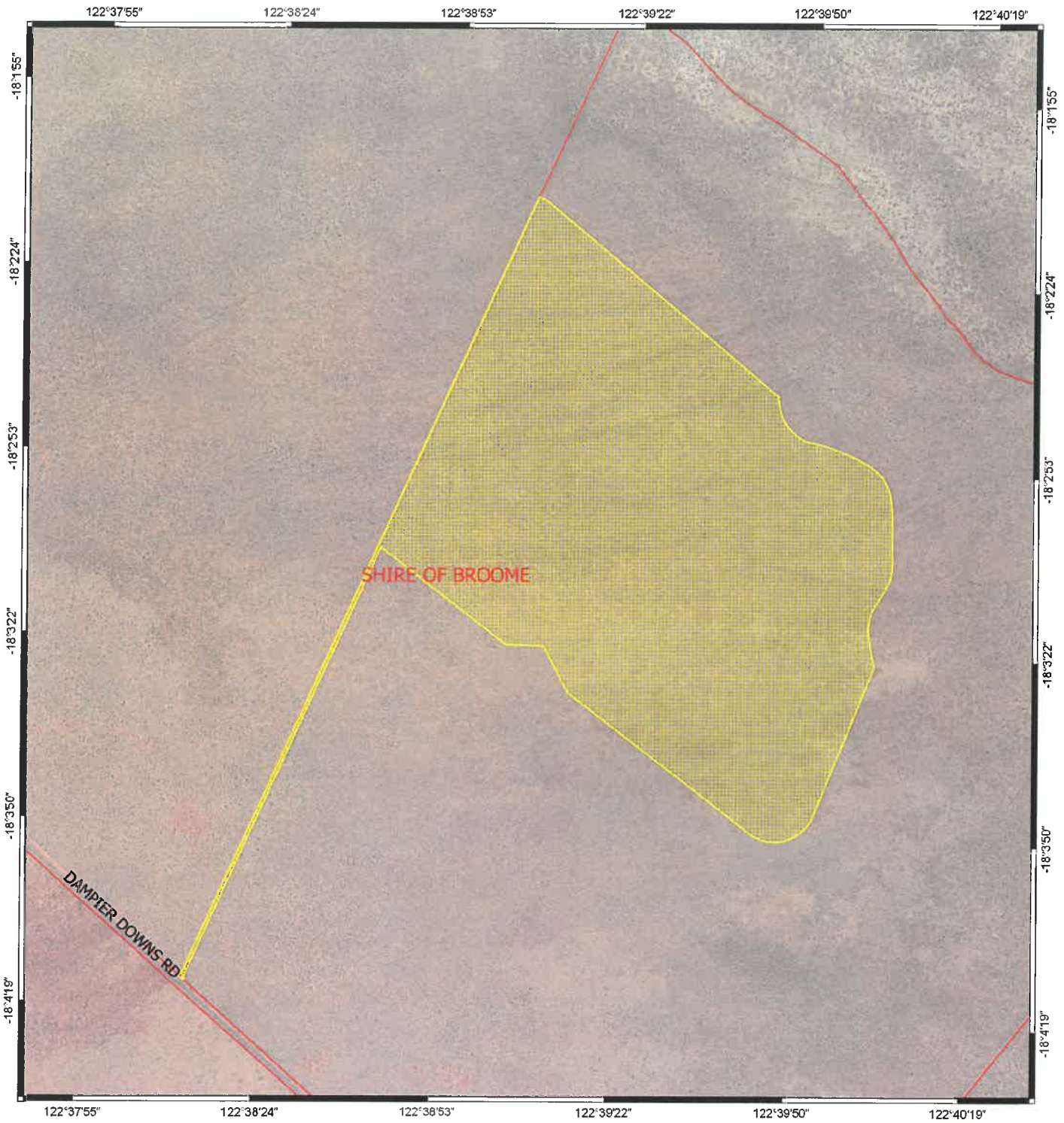


Jessica Burton  
MANAGER  
NATIVE VEGETATION REGULATION

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

17 July 2018

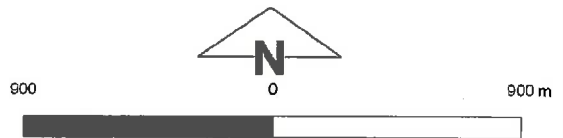
# Plan 7953/2



## Legend

-  Areas approved to clear
-  Local Government Authority
-  roads
-  Cadastre

Virtual Mosaic - WA Now



MGA 94  
Geocentric Datum of Australia 1994

*Robertson* Date 17-07-2018

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



GOVERNMENT OF  
WESTERN AUSTRALIA



# Clearing Permit Decision Report

## 1. Application details

### 1.1. Permit application details

Permit application No.: 7953/2  
Permit type: Purpose Permit

### 1.2. Applicant details

Applicant's name: Nyamba Buru Yawuru Ltd

### 1.3. Property details

Property: Lot 1544 on Plan 75840, Roebuck  
Local Government Authority: Shire of Broome  
Localities: ROEBUCK

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	Purpose category:
422		Mechanical Removal	Horticulture

### 1.5. Decision on application

Decision on Permit Application: Final amendment

Decision Date: 17 July 2018

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 findings from the previous assessment for CPS 7953/1 are still relevant.

This amendment has been made to correct an error at Condition 2 and amend the land on which clearing is to be done to Lot 1544 on Deposited Plan 75840, Roebuck.

## 2. Site Information

**Clearing Description** The application is to clear 422 hectares of native vegetation within Lot 1544 on Plan 75840, Roebuck, for the purpose of pivot irrigation, hydrological investigations and associated infrastructure (figure 1).

**Vegetation Description** The application commissioned Ecoscape (2017) to conduct a flora and fauna survey of the application, between 27 April 2017 and 12 May 2017.

The flora and fauna survey incorporated a study area of approximately 960.67 hectares, which encompassed the application area.

The flora and fauna survey identified one native vegetation community within the application area 'BdCzLOW' which is described as *Brachychiton diversifolius* subsp. *diversifolius* and *Corymbia zygophylla* low open woodland over *Acacia eriopoda* tall open shrubland over *Chrysopogon fallax*, *Sorghum plumosum* and *Aristida holathera* var. *latifolia* mid tussock grassland (Ecoscape, 2017).

The application area is mapped as Beard vegetation association 699, which is described as 'shrublands, pindan; *Acacia eriopoda* shrubland with scattered low bloodwood (*Corymbia dichromophloia*) and *Eucalyptus* sp. over soft and curly spinifex on sandplain' (Shepherd et al., 2001).

**Vegetation Condition** The flora and fauna survey identified the application as being in an excellent to good (Keighery, 1994) condition. The majority being in an excellent (Keighery, 1994).

## 3. Assessment of application against clearing principles

This amendment has been made to correct an error at Condition 2 and amend the land on which clearing is to be done to Lot 1544 on Deposited Plan 75840, Roebuck.

The clearing permit amendment was assessed against the 10 clearing principles outlined in Schedule 6 of the *Environmental Protection Act 1986*. The assessment has not changed since the assessment of application CPS 7953/1, and can be found in the Decision Report for application CPS 7953/1.

## Planning instruments and other relevant matters

The clearing permit amendment was assessed against planning instruments and other relevant matters. The assessment has not changed since the assessment of application CPS 7953/1, and can be found in the Decision Report for application CPS 7953/1

## 4. References

Ecoscope (2017) Nyamba Buru Yawuru Flora and Fauna Survey. DWER Ref: A1686191.

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.