



GOVERNMENT OF
WESTERN AUSTRALIA

CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: CPS 9542/2
File Number: DWERT9327
Duration of Permit: From 26 August 2023 to 26 August 2030

PERMIT HOLDER

Shire of Broome

LAND ON WHICH CLEARING IS TO BE DONE

Lot 550 on Deposited Plan 421448, Waterbank (Crown Reserve 53878)

AUTHORISED ACTIVITY

The permit holder must not clear more than 79.85 hectares of *native vegetation* within the area cross-hatched yellow in Figure 1 of Schedule 1.

CONDITIONS

1. Period during which clearing is authorised (staging)

The permit holder must not clear *native vegetation* unless the construction of the Broome Regional Resource Recovery Park is to commence within five (5) months of the authorised clearing being undertaken.

2. Avoid, minimise, and reduce impacts and extent of clearing

In determining the *native vegetation* authorised to be cleared under this permit, the permit holder must apply the following principles, set out in descending 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.

3. Weed management

When undertaking any clearing authorised under this permit, the permit holder must take the following measures to minimise the risk of 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 known *weed*-affected soil, *mulch*, *fill*, or other material is brought into the area to be cleared;

- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

4. Directional clearing

The permit holder must conduct clearing activities in a slow, progressive manner in a single direction to allow fauna to move into adjacent *native vegetation* ahead of the clearing activity.

5. Fauna management – greater bilby

- (a) Within fourteen (14) days prior to undertaking any clearing authorised under this permit, for the areas cross-hatched yellow in Figure 1 of Schedule 1, the permit holder must engage a *fauna specialist* to:
 - (i) undertake surveys using transects spaced at 100 metres on average to identify evidence of use by the greater bilby (*Macrotis lagotis*); and
 - (ii) where evidence of greater bilby use is identified under condition 5(a)(i), undertake surveys using transects spaced at 20 metres on average, to identify evidence of burrows that may be suitable for greater bilby use.
- (b) Where potential greater bilby burrow/s are identified under condition 5(a), the permit holder must engage a *fauna specialist* to:
 - (i) flag the location of the burrow/s; and
 - (ii) inspect the burrow/s and determine whether the burrow/s are *occupied*.
- (c) Where an *occupied* burrow is identified under condition 5(b), the permit holder must engage a *fauna specialist* to:
 - (i) monitor the burrow with remote cameras for greater bilby use for a minimum of three (3) consecutive nights;
 - (ii) where no evidence of greater bilby activity is identified under condition 5(c)(i), the burrow shall be deemed as *un-occupied* and the permit holder must engage a *fauna specialist* to:
 - A. carefully excavate the burrow by hand, and remove and relocate any native vertebrate fauna found within the burrow; and
 - B. collapse and fill the burrow immediately after the fauna specialist has confirmed that no native vertebrate fauna are present within the burrow.
 - (iii) where evidence of greater bilby use is identified under condition 5(c)(i), the permit holder must engage a *fauna specialist* to:
 - A. continue to monitor the burrow for greater bilby activity;
 - B. implement displacement techniques such as deliberate disturbance of the burrow entrance, while ensuring the disturbance does not prevent greater bilby from exiting the burrow; and
 - C. once greater bilby displacement from the burrow is confirmed, stop monitoring, and undertake the actions required under condition 5(c)(ii)A and condition 5(c)(ii)B.
- (d) If the greater bilby has not moved on from an *occupied* burrow under condition 5(c)(iii), the permit holder must, no earlier than seven (7) days prior to clearing, engage a *fauna specialist* to remove and relocate the identified greater bilby to an area of greater bilby suitable habitat, in accordance with a section 40 authorisation under the *Biodiversity Conservation Act 2016*.
- (e) Immediately after the greater bilby has been relocated under condition 5(d), the permit holder must engage a *fauna specialist* to undertake the actions required under condition 5(c)(ii)A and condition 5(c)(ii)B.

- (f) Within 24 hours prior to undertaking clearing authorised under this permit, the permit holder must engage a *fauna specialist* to re-inspect the flagged burrow/s identified under condition 5(b)(i) for evidence of re-excavation by greater bilby.
- (g) Where re-excavated greater bilby burrow/s are identified under condition 5(f), the permit holder must engage a *fauna specialist* to:
 - (i) flag the location of the burrow/s; and
 - (ii) inspect the burrow/s and determine whether the burrow/s are *occupied*.
- (h) Where an *occupied* burrow is identified under condition 5(g)(ii), the permit holder must engage a *fauna specialist* to:
 - (i) remove and relocate any identified greater bilby from the burrow to an area of suitable habitat, in accordance with a section 40 authorisation under the Biodiversity Conservation Act 2016; and
 - (ii) immediately after the greater bilby has been relocated under condition 5(h)(i), undertake the actions required under condition 5(c)(ii)A and condition 5(c)(ii)B.
- (i) Where an *un-occupied* burrow is identified under condition 5(g)(ii), the permit holder must engage a *fauna specialist* to undertake the actions required under condition 5(c)(ii)A and condition 5(c)(ii)B.
- (j) Where any greater bilby burrows are identified under condition 5(a) or 5(f), and any greater bilby is relocated under condition 5(d) or 5(h), the permit holder must include the following in a report to be submitted to the CEO within two (2) months of undertaking any clearing authorised under this permit:
 - (i) the location of any burrow identified including a description of whether the burrow was *occupied*, using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 2020 (GDA2020), expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ii) a description of the remote camera monitoring actions undertaken under condition 5(c);
 - (iii) the date and time that burrows have been excavated and collapsed under conditions 5(c), 5(e), 5(h) and 5(i);
 - (iv) the date and time greater bilby are recorded as independently moving on from an *occupied* burrow under condition 5(c);
 - (iv) the gender of each greater bilby captured and relocated under condition 5(d) or 5(h);
 - (v) the location of any greater bilby captured under condition 5(d) or 5(h), using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (vi) the date, time and vegetation type at each location where greater bilby are captured under condition 5(d) or 5(h);
 - (vii) the location of any greater bilby relocated under condition 5(d) or 5(h), using a GPS unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings or decimal degrees;
 - (ix) the date, time and vegetation type at each location where greater bilby are relocated under condition 5(d) or 5(h);
 - (x) the name of the *fauna specialist* that relocated greater bilby under condition 5(d) or 5(h); and
 - (xi) a copy of the fauna licence authorising the relocation of greater bilby under condition 5(d) or 5(h).

5. Records that must be kept

The permit holder must maintain records relating to the listed relevant matters in accordance with the specifications detailed in Table 1.

Table 1: Records that must be kept

No.	Relevant matter	Specifications
1.	In relation to the authorised clearing activities generally	<ul style="list-style-type: none">(a) the species composition, structure, and density of the cleared area;(b) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to GDA2020, expressing the geographical coordinates in Eastings and Northings;(c) the date that the area was cleared;(d) the size of the area cleared (in hectares);(e) actions undertaken in accordance with condition 1;(f) actions taken to avoid, minimise, and reduce the impacts and extent of clearing in accordance with condition 2; and(g) actions taken to minimise the risk of the introduction and spread of <i>weeds</i> in accordance with condition 3; and(h) actions undertaken in accordance with condition 4.
2.	In relation to fauna management pursuant to condition 5.	<ul style="list-style-type: none">(a) results of the pre-clearance surveys undertaken in accordance with condition 5, including photographic records demonstrating the method and number of remote camera monitoring nights; and a copy of the <i>fauna specialist's</i> report in accordance with condition 5

6. Reporting

The permit holder must provide to the *CEO* the records required under condition 6 of this permit when requested by the *CEO*.

DEFINITIONS

In this permit, the terms in Table 2 have the meanings defined.

Table 2: Definitions

Term	Definition
CEO	Chief Executive Officer of the department responsible for the administration of the clearing provisions under the <i>Environmental Protection Act 1986</i> .
clearing	has the meaning given under section 3(1) of the EP Act.
condition	a condition to which this clearing permit is subject under section 51H of the EP Act.
department	means the department established under section 35 of the <i>Public Sector Management Act 1994</i> (WA) and designated as responsible for the administration of the EP Act, which includes Part V Division 3.
EP Act	<i>Environmental Protection Act 1986</i> (WA)
fauna specialist	means a person who holds a tertiary qualification specialising 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 <i>Biodiversity Conservation Act 2016</i> .
fill	means material used to increase the ground level, or to fill a depression.
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.
native vegetation	has the meaning given under section 3(1) and section 51A of the EP Act.
suitable habitat	means habitat known to support the greater bilby (<i>Macrotis lagotis</i>), within the known current distribution of the species.
occupied	means currently in use by the greater bilby (<i>Macrotis lagotis</i>).
weeds	means any plant – (a) that is a declared pest under section 22 of the <i>Biosecurity and Agriculture Management Act 2007</i> ; 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.

END OF CONDITIONS



Meenu Vitarana
MANAGER
NATIVE VEGETATION REGULATION

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

24 June 2025

Schedule 1

The boundary of the area authorised to be cleared is shown in the map below (Figure 1).

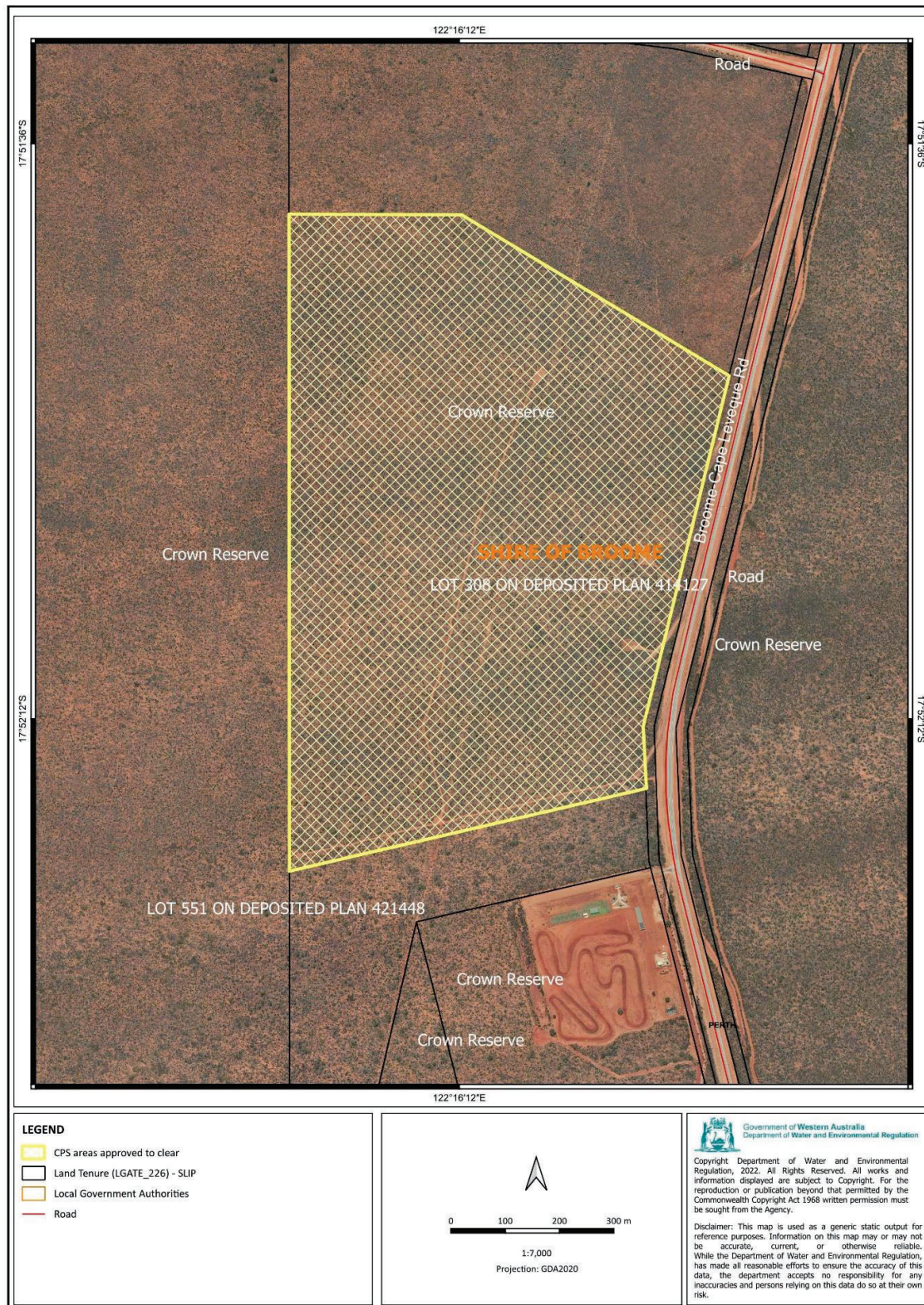


Figure 1: Map of the boundary of the area within which clearing may occur.



Clearing Permit Decision Report

1 Application details and outcome

1.1. Permit application details

Permit number:	CPS 9542/2
Permit type:	Area permit
Applicant name:	Shire of Broome
Application received:	17 March 2025
Application area:	79.85 hectares of native vegetation (unchanged)
Purpose of clearing:	Constructing a community recycling centre
Method of clearing:	Mechanical removal
Property:	Lot 550 on Plan 421448 (Crown Reserve 53878)
Location (LGA area/s):	Shire of Broome
Localities (suburb/s):	Waterbank

1.2. Description of clearing activities

This amendment is to extend the duration of the clearing permit by five (5) years. The clearing footprint and amount of clearing remains unchanged from that authorised under clearing permit CPS 9542/1. The clearing consists of 79.85 hectares of native vegetation within a single contiguous area (see Figure 1, Section 1.5); this is unchanged from CPS 9542/1. The application area is situated on a Crown Reserve on Lot 550 on Deposited Plan 421448, Waterbank, which is under management order for waste management, transfer and landfill facility, pindan extractions and pound.

The applicant requested to extend the duration of the permit due to the time lost during an appeal against CPS 9542/1. The Shire of Broome (the Shire) advised no clearing had occurred to date under CPS 9542/1.

1.3. Decision on application

Decision:	Granted
Decision date:	24 June 2025
Decision area:	79.85 hectares of native vegetation, as depicted in Section 1.5, below.

1.4. Reasons for decision

This clearing permit amendment application was submitted, accepted, assessed and determined in accordance with sections 51E and 51O of the *Environmental Protection Act 1986* (EP Act). The Department of Water and Environmental Regulation (DWER) advertised the application for 21 days and no submissions were received.

In making this decision, the Delegated Officer took into consideration that the previous assessment was undertaken in August 2023. The Delegated officer determined that extending the duration of the permit by five (5) years from 26 August 2025 to 26 August 2030 is unlikely to affect the previous environmental considerations of CPS 9542/1.

The assessment against the clearing principles outlined in Schedule 5 of the EP Act is considered not to have changed since the assessment for CPS 9542/1. The Delegated Office had taken the above into consideration and

decided to grant an amended clearing permit with the permit duration extended until August 2030 and with a revised fauna management condition to align with current departmental practices.

1.5. Site map

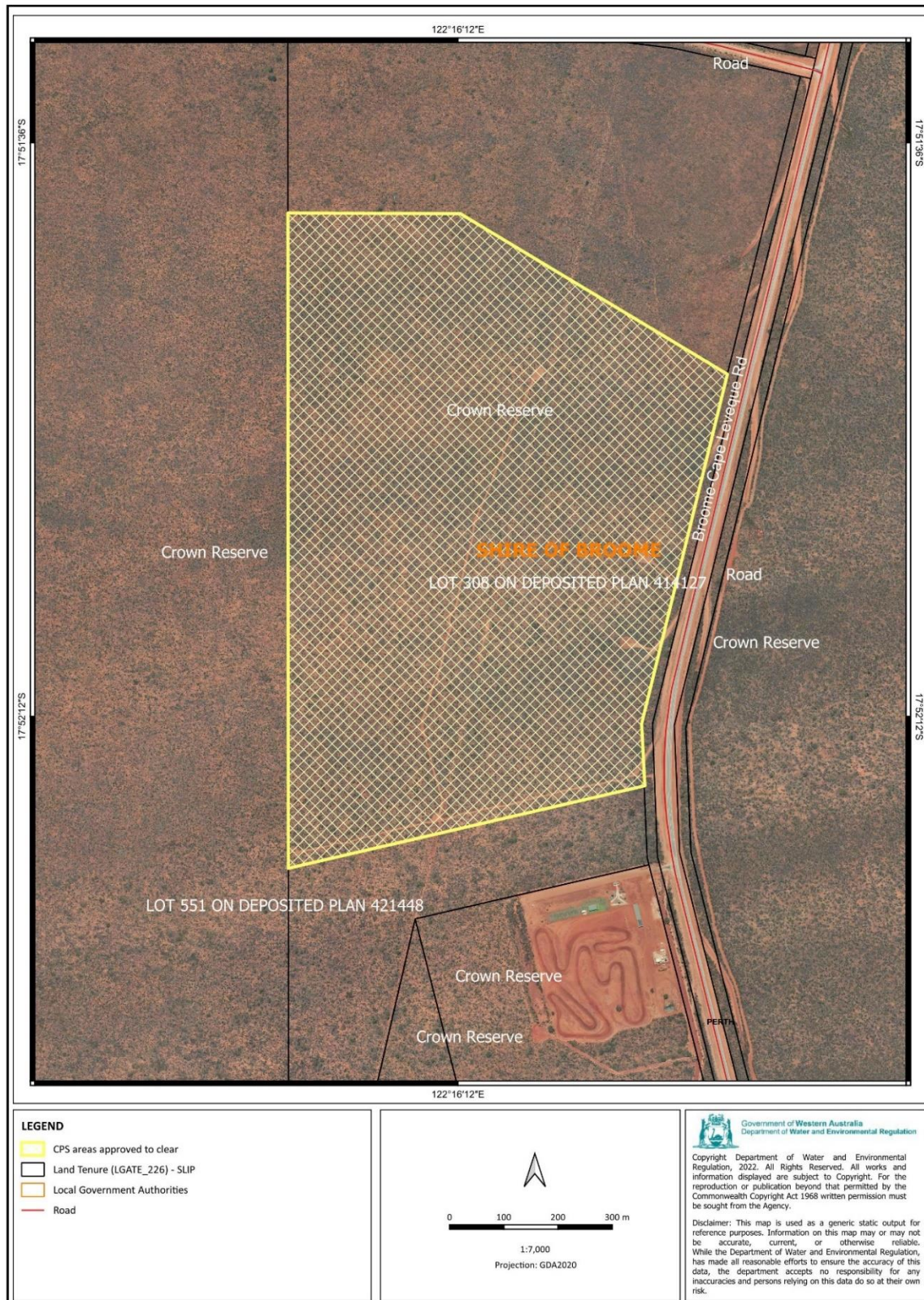


Figure 1 Map of the application area

The area crosshatched yellow indicates the area authorised to be cleared under the granted clearing permit.
Legislative context

The clearing of native vegetation in Western Australia is regulated under the EP Act and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* (Clearing Regulations).

In addition to the matters considered in accordance with section 51O of the EP Act (see Section 1.4), the Delegated Officer has also had regard to the objects and principles under section 4A of the EP Act, particularly:

- the precautionary principle
- the principle of intergenerational equity
- the principle of the conservation of biological diversity and ecological integrity.

The key guidance documents which inform this assessment are:

- *A guide to the assessment of applications to clear native vegetation* (DER, December 2013)
- *Procedure: Native vegetation clearing permits* (DWER, October 2019)

2 Detailed assessment of application

2.1. Avoidance and mitigation measures

The avoidance and mitigation measures implemented by the permit holder are unchanged and can be found in the Decision Report prepared for Clearing Permit CPS 9542/1. Noting that no clearing is proposed under the amendment application in addition to that authorised under CPS 9542/1, no additional avoidance and mitigation measures were considered necessary.

2.2. Assessment of impacts on environmental values

This amendment is the result of the Shire of Broome requesting to extend the duration of the permit by five (5) years. The assessment against impacts on environmental values remains unchanged and can be found in the decision report prepared for clearing permit CPS 9542/1.

To align with the Department of Biodiversity, Conservation and Attractions (DBCA) advice received for a recent appeal against a permit that was likely to impact the greater bilby, DWER have revised the bilby condition associated with the permit to align with this advice and ensure more favourable outcomes for the greater bilby (please refer to condition 5 of the permit).

2.3. Relevant planning instruments and other matters

The assessment against planning instruments and other matters is unchanged and can be found in the clearing permit decision report CPS 9542/1.

No Aboriginal sites of significance have been mapped within the application area. It is the permit holder's responsibility to comply with the *Aboriginal Heritage Act 1972* (WA) and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

End

A.1. References

- Department of Environment Regulation (DER) (2013). *A guide to the assessment of applications to clear native vegetation*. Perth. Available from: https://www.der.wa.gov.au/images/documents/your-environment/native-vegetation/Guidelines/Guide2_assessment_native_veg.pdf.
- Department of Water and Environmental Regulation (DWER) (2019). *Procedure: Native vegetation clearing permits*. Joondalup. Available from: https://dwer.wa.gov.au/sites/default/files/Procedure_Native_vegetation_clearing_permits_v1.PDF.
- Department of Water and Environmental Regulation (DWER) (2023) Area permit and decision report: CPS 9542/1. Available from: [index of permit/9542](#)
- Shire of Broome (2025) *Clearing permit application CPS 9542/21*, received 17 March 2025 (DWER Ref: DWERDT1115395).