

**LEGISLATIVE COUNCIL**  
**Question on notice**

**Tuesday, 10 March 2015**

2742. Hon Robin Chappie to the Minister for Mental Health representing the Minister for Environment.

Regarding the alleged unauthorised clearing of native vegetation in relation to CPS 3104-5 by the Kimberley Port Authority (KPA) in Broome, I ask:

- (a) why was a permit to clear native vegetation (CPS 6098/1) granted to the KPA while investigations into unauthorised clearing of native vegetation in relation to CPS 3104-5 are ongoing;
- (b) does the Minister agree that it would be better practice for the Department of Environment (DOE) to suspend all applications and permits to clear native vegetation pertaining to the KPA while investigations into alleged unauthorised clearing are proceeding;
- (c) if no to (b), what assurance will the Minister give to the public regarding the rigorous implementation of the DOE regulations and enforcement capacity in regard to CPS 3104-5 and CPS 6098/1; and
- (d) will the Minister rescind permit CPS 6098/1 in light of evidence that clearing in this sensitive area will have detrimental impacts on a nearby declared World Heritage property, an area included in the Register of the National Estate and a threatened ecological community and, if not, why not?

---

**Answer**

- (a) The Department of Environment Regulation (DER) granted clearing permit CPS 6098/1 on 22 January 2015 authorising the clearing of 1.84 hectares of native vegetation at Lot 621 on Deposited Plan 70861. In light of the proponent's management commitments, DER's assessment against the clearing principles in Schedule 5 of the *Environmental Protection Act 1986* determined that the environmental impacts associated with this clearing were acceptable.
- (b) No. At the time of the application, and to date, no evidence had been obtained identifying Kimberley Port Authority as the culpable party.
- (c) Compliance with the permits will be monitored as part of DER's 2015-16 Native Vegetation Compliance Program.
- (d) No, see (a).

AJ