



**1. Application details**

**1.1. Permit application details**

Permit application No.: 2287/1  
 Permit type: Purpose Permit

**1.2. Proponent details**

Proponent's name: Shire of Wyndham-East Kimberley

**1.3. Property details**

Property: UNALLOCATED CROWN LAND ( KUNUNURRA 6743)  
 Local Government Area: Shire Of Wyndham-East Kimberley  
 Colloquial name:

**1.4. Application**

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.05		Mechanical Removal	Building or Structure

**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 area under application consists of an aquatic zone. The vegetation on site consists of a large stand of Typha spp. The terrestrial vegetation adjacent is a parkland of introduced grasses and isolated trees.	The proposed clearing is for the purpose of constructing a building to be used as an interpretive and educational shelter. It involves excavating the lagoon bed.  The area has not experienced many direct impacts, however is adjacent to a jetty and park so experiences low levels of disturbance from boat activities, maintenance of the park and occasional fires.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery 1994)	The description of the vegetation to be cleared was obtained during a site visit by DEC staff on 16 October 2007 (DEC TRIM Ref: DOC47736).

**3. Assessment of application against clearing principles**

**(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.**

**Comments**

The proposal to clear 0.05 hectares of vegetation is unlikely to have any significant environmental impacts. There are no recorded occurrences of declared rare or priority flora or threatened ecological communities in the vicinity of the proposed clearing.

The vegetation to be cleared is well represented in the local area, and given the very small area proposed to be cleared, it is not likely to be significant habitat for native fauna. Additionally, the clearing of this small area will not significantly exacerbate the level of current clearing experienced on the northern side of Lily Creek Lagoon.

The proposed clearing is not located within any watercourses, however is within the water body of Lily Creek Lagoon wetland. Given the very small area to be cleared, the clearing is not likely to effect the values of the wetland.

The Public Drinking Water Source (PDWS) area, consisting of a P1 protection zone, is located 1km east of the proposal area. However the direction of groundwater flow into the PDWS area is from Lake Kununurra in the south, moving northwards (Department of Environment, 2003), therefore the proposed clearing will in effect be 'downstream' of the PDWS area and is not likely to impact upon the quality of the groundwater.

The area proposed to be cleared is located in close proximity to a public boat ramp and is exposed to southerly

winds, therefore at times the water could be subject to high water flow velocities from boat activities and wind action. Given the very small area to be cleared, that the building is to be suspended over the water and that the proponent intends on permitting the aquatic vegetation to regrow upon completion of the building, any suspension of sediments that occurs during clearing will be of short duration, therefore will not significantly effect surface water quality nor increase land degradation.

Lake Argyle and Lake Kununurra are classified under the Ramsar Convention and listed on the Directory of Important Wetlands in Australia, and extend over 150,000 hectares (Environment Australia, 2001). Given the extremely small size of the application area in comparison, the clearing is not likely to impact upon the Ramsar values of the lake system.

Mirima National Park is located 1km north-east of the proposed clearing. The park is upstream of the lagoon therefore the proposed clearing is not likely to impact upon the conservation reserve.

**Methodology** Environment Australia (2001);  
SAC Biodatasets (050308);  
GIS Databases:  
- RAMSAR, Wetlands - DEC 03  
- ANCA, Wetlands - Environment Australia 26/3/99  
- CALM Managed Lands and Waters - CALM 01/06/05  
- Public Drinking Water Source Areas (PDWSAs) - 07/02/06

**(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.**

**Comments**  
To be assessed.

**Methodology**

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

**Comments**  
To be assessed.

**Methodology**

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.**

**Comments**  
To be assessed.

**Methodology**

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

**Comments**  
To be assessed.

**Methodology**

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

**Comments**  
To be assessed.

**Methodology**

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments**  
To be assessed.

**Methodology**



**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments**

To be assessed.

**Methodology**

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments**

To be assessed.

**Methodology**

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments**

To be assessed.

**Methodology**

**Planning instrument, Native Title, Previous EPA decision or other matter.**

**Comments**

The clearing is for 0.05 hectares of vegetation for the purpose of construction of a building and maintaining the cleared area after construction. The proposal to construct the building would have been exempt from requiring a clearing permit under Item 1, and subsequently to maintain the cleared area under Item 15, however the area is classified as a Ramsar wetland therefore is an environmentally sensitive area.

The Department for Planning and Infrastructure gives permission for the proponent to access the land, however would like further consultation over the specifics of the proposed building. Additionally, the portion of land may need to be rezoned to be incorporated into the adjacent reserve 41812 at a later date.

The area under assessment has been subject to three previous referrals to the Environmental Protection Authority. None of these referrals are related to the proposal under assessment.

A Bed and Banks Permit is required for the proposed works from Department of Water.

Planning approval is required for the proposed works from the Shire of Wyndham East Kimberley.

The proposed works are not listed as Prescribed Premises under the Environmental Protection Regulations 1987, therefore no licences or works approvals are required.

Native title has been resolved for the Miriung Gajerrong peoples during negotiations for the Ord Stage II horticultural initiative.

The proposed clearing occurs in an area that is covered by one Registered Indigenous Heritage Site: Gunanurreng - Ord River (ID 15153). It is the proponent's responsibility to comply with the Aboriginal Heritage Act 1972 and ensure that no Sites of Aboriginal Significance are damaged through the proposed works.

**Methodology**

GIS Databases:

- Native Title Claims - LA 2/5/07
- Aboriginal Sites of Significance 26 April 2007
- Environmental Impact Assessments EPA 22/2/07

#### **4. Assessor's comments**

**Comment**

The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is at variance to Principles (f) and (h) and is not likely to be at variance to the remaining clearing Principles.

#### **5. References**

- Department of Environment (2003) Kununurra Water Reserve - Drinking Water Source Protection Plan. Kununurra Town Water Supply. Water Resource Protection Series No WRP 51.
- Department of Environment and Conservation (2008) Site Inspection Report. Native Vegetation Conservation CPS 2287/1.

## 6. Glossary

Term	Meaning
BCS	Biodiversity Coordination Section of DEC
CALM	Department of Conservation and Land Management (now BCS)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment
DoIR	Department of Industry and Resources
DRF	Declared Rare Flora
EPP	Environmental Protection Policy
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community
WRC	Water and Rivers Commission (now DEC)