Department of Environment and Conservation

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 2347/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: **Capricorn Land Holdings Pty Ltd**

1.3. Property details

Property: LOT 605 ON PLAN 215941 (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:
21.6		Mechanical Removal	Plantation

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 vegetation of the area is open Eucalypt woodland containing a wide variety of herbaceous and woody species of plants (DEC, 2007). Species include an overstorey of Acacia holosericea, Adansonia gregorii, Bauhinia cunninghamii, Brachychiton diversifolius, Corymbia bella, Corymbia polycarpa, Eucalyptus camaldulensis, Eucalyptus tectifica, Grevillea sp., Gyrocarpus americanus, Melaleuca viridiflora, Owenia vernicosa, Pandanus spiralis and Tinospora smilacina, a midstorey of Brachychiton diversifolius, Calotropis procera, Cochlospermum fraseri, Crotalaria aff. crispata, Crotalaria medicaginea, Crotalaria cunninghamii, Crotalaira trifoliastrum, Ficus opposita, Petalostigma quadriloculare and Planchonia careya and an understorey of Platyzoma microphyllum, Sorghum sp., Themeda sp. (DEC, 2007).	The clearing application is for 21.6 hectares for the purpose of a sandalwood plantation. The area proposed to be cleared is relatively intact but has experienced historical cattle grazing and fire regimes. A defunct irrigated fodder operation is located in the center of the area under application.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	The description of the vegetation to be cleared was obtained from a site visit by DEC staff on an adjacent property (DEC TRIM Ref: DOC16929).

3. Assessment of application against clearing principles

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

Comments

Proposal is not likely to be at variance to this Principle

The vegetation within the proposal area is comprised of a single, relatively uniform community represented by Beard Vegetation Association 909 (Hopkins et al, 2001). The vegetation on-site visit is open Eucalypt woodland containing a wide variety of herbaceous and woody plant species (DEC, 2007). This vegetation type occurs

throughout the immediate vicinity of the local area and no specific vegetation association unique to this area was identified (DEC, 2007). The area under application has experienced degradation from cattle grazing and fire regimes.

The application area surrounds a defunct irrigated fodder operation. The application area contains a high level of biological diversity in comparison, even though it is likely that fodder crop/weeds have entered from the adjoining land uses. Areas to the north and east have experienced similar degradation and contain similar species composition. The application area contains a similar level of biological diversity.

Given the extensive range of similar habitat within the surrounding area as that under application, the proposed clearing of 21.6 hectares of vegetation is unlikely to have a significant impact on the biodiversity of the area.

Therefore, the proposal is not likely to be at variance to this principle.

Methodology DEC (2007);
Hopkins et al (2001);
GIS Database
- Pre-European Vegetation

(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 **Proposal is not likely to be at variance to this Principle**
There are no recorded occurrences of threatened or priority fauna within the area proposed to be cleared.

One Threatened Fauna species, the Orange Leaf-nosed Bat (Rhinonicteris aurantius) has been recorded within the local area (10km radius); it prefers humid caves and tree hollows (Menkhorst and Knight, 2004).

The area proposed to be cleared does not contain habitat suitable for this species.

The area proposed to be cleared is not considered to be significant habitat for fauna as this habitat type is not limited to the site proposed for clearing and is extensively represented in the local and wider area.

Therefore, the proposal is not likely to be at variance to this principle.

Methodology Wildlife Conservation (Specially Protected Fauna) Notice 2008;
Menkhorst and Knight (2004);
SAC Bio Datasets 020508

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

Comments **Proposal is not likely to be at variance to this Principle**
There are no recorded occurrences of threatened or priority flora within the local area (10km radius).

Therefore, the proposal is not likely to be at variance to this principle.

Methodology SAC Bio Datasets 020508

(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 **Proposal is not likely to be at variance to this Principle**
There are no recorded occurrences of threatened or priority ecological communities within the local area (10km radius).

Therefore, the proposal is not likely to be at variance to this principle.

Methodology SAC Bio Datasets 020508

(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 **Proposal is not likely to be at variance to this Principle**
The area under application is a component of Beard Vegetation Association 909 (Hopkins et. al, 2001). Approximately 1% of this Association is located within the IUCN Class I-IV and DEC managed reserves (Shepherd et al, 2001). There is 280,626ha of this Association remaining, approximately 99.6% of the pre-European extent (Shepherd et al, 2001). As this Association is well represented in the natural environment, it is of least concern for biodiversity conservation.

The clearing of 21.6 hectares of vegetation is not likely to significantly reduce the remaining extent of this vegetation association, therefore the proposal is not likely to be at variance to this principle.

Methodology Hopkins et.al (2001);
Shepherd et. al (2001);
GIS Database
- Pre European Vegetation

(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 **Proposal is not likely to be at variance to this Principle**
There are no wetlands within the area proposed for clearing.

A minor, ephemeral drainage line passes in close proximity to the area proposed to be cleared. The vegetation is not riparian, and the drainage line does not possess watercourse-like characteristics, therefore the proposal is not likely to be at variance to this principle.

Methodology GIS Database:
- RAMSAR, Wetlands - DEC 02/03/07
- ANCA, wetlands - DEC 02/03/07
- Hydrography, Linear (hierarchy) - DOW 02/03/07
- Hydrography, Linear - DEC 02/03/07

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

Comments **Proposal is not likely to be at variance to this Principle**
The area proposed for clearing has a gentle slope of 0.8% to 1% (DAFWA, 2007). Soils occurring within the application area are the Lateritic complex and Steeple Peak. The Lateritic complex soils consist of course sand over a gravel layer contained within a sand or sandy clay matrix (DAFWA, 2007). Steeple Peak soils are shallow earthy sand over weathering sandstone (DAFWA, 2007). The area has been subject to disturbance from cattle grazing and fires. It is not likely that the proposed clearing will exacerbate the level of erosion currently experienced within the application area.

Therefore, the proposal is not likely to be at variance to this principle.

Methodology DAFWA (2007);
GIS Database:
- Soils, Statewide

(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 **Proposal is not likely to be at variance to this Principle**
The area proposed to be cleared is approximately 13km north of Mirima National Park. Due to this large distance, the clearing is not likely to have an impact on the conservation values of this area.

Therefore, the proposal is not likely to be at variance to this principle.

Methodology GIS Databse:
- DEC Managed Lands and Waters

(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 **Proposal is not likely to be at variance to this Principle**
The proposed area is located within the Canning Kimberley groundwater sub-area, proclaimed under the Rights in Water and Irrigation Act 1914. The Public Drinking Water Source Area, consisting of a P1 protection zone, is located 19 km south west of the area proposed to be cleared. Due to this large distance, the clearing is not likely to cause deterioration in the quality of the groundwater.

A minor, ephemeral drainage line passes in close proximity to the area proposed to be cleared. The vegetation is not riparian, and the drainage line does not possess watercourse-like characteristics, therefore the proposal is not likely to be at variance to this principle.

Methodology GIS Database:
- Public Drinking Water Source Areas (PDWSA) - DoW 2007

- Hydrography, Linear (hierarchy) - DOW 02/03/07
- Hydrography, Linear - DEC 02/03/07

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

Comments

Proposal is not at variance to this Principle

The proposed clearing of 21.6 hectares is not likely to influence the incidence or intensity of any flooding in the area.

Therefore, the proposal is not at variance to this principle.

Methodology

GIS Database:
- Rainfall, Mean Annual - BOM 02/03/07

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

Comments

The area proposed for clearing is located on freehold land.

No submissions have been received for this application.

Water is required for the plantation activities proposed on the property. Water requirements within the Ord River Irrigation Area are managed by the Ord Irrigation Co-operative Inc. The proponent holds a current water allocation with the Ord Irrigation Co-operative Inc. in Kununurra, which is sufficient for the purpose of the sandalwood plantation.

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, however one is in relation to the Kununurra-Wyndham Area Development Strategy (CRN 136082). The proposal is not at variance to this strategy.

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

Due to the freehold nature of the property, native title is extinguished.

There are no recorded Aboriginal Sites of Significance present within the area proposed to be cleared.

Methodology

GIS Database:
- Native Title Claims
- Aboriginal Sites of Significance
- Environmental Impact Assessments

4. Assessor's comments

Comment

The proposal was found not at variance to principle (j), and not likely to be at variance to all other principles.

5. References

DAFWA Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture and Food Western Australia. DEC TRIM Ref: DOC24583

Department of Environment and Conservation (2007) Site Inspection Report. Native Vegetation Conservation CPS 1723/1. DEC TRIM Ref: DOC16929

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

Menkhorst, P. and Knight, F. (2004) A Field Guide to the Mammals of Australia. 2nd Edition. Oxford University Press.

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.

Wildlife Conservation (Specially Protected Fauna) Notice 2008

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)