



## 1. Application details

### 1.1. Permit application details

Permit application No.: 265/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Bell Springs Aboriginal Corporation

### 1.3. Property details

Property: LOT 718 ON PLAN 189639 ( WYNDHAM-EAST KIMBERLEY (S) 0)  
Local Government Area: Shire Of Wyndham-East Kimberley  
Colloquial name: Bell Springs

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
50		Mechanical Removal	Cropping

## 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
Beard Vegetation Association 65 - Grasslands, tall bunch grass savanna, sparse low tree, terminalia; Mitchell grass ( <i>Astrebla pectinata</i> and spp).	The vegetation on site has been grazed and burnt and a portion has been cleared for the construction of earthen aquaculture ponds. The exotic weed <i>Calotropis procera</i> and the native species <i>Acacia farnesiana</i> are both present at the site, indicating previous disturbance.	Very Good: Vegetation structure altered; obvious signs of disturbance (Keighery 1994)	Site visit undertaken 15 December 2004.

## 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 area to be cleared has been disturbed by grazing and fire and a portion has been partially developed with aquaculture ponds. These disturbances are likely to have had an impact on the biodiversity in the immediate area. It is therefore unlikely that the vegetation represents an area of significant biodiversity.

**Methodology** Site visit (2004); GIS Database: Hydrography, linear - DOE 1/2/04

### (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**  
Previous disturbances at the site (fire, grazing, aquaculture development) have impacted upon the habitat values of the vegetation.

The area to be cleared is within 1-2km of the Ramsar wetland (Lake Kununurra) which is listed for the variety of birds that inhabit the waterway either seasonally or permanently. However, as the proposal will not remove any riparian vegetation, it is unlikely that the clearing will have a negative impact on bird habitat.

**Methodology** GIS Database: RAMSAR, Wetlands - CALM 21/10/02

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

**Comments Proposal is not likely to be at variance to this Principle**

There are no known Declared Rare or Priority Flora species within the area to be cleared.

**Methodology** GIS Database: Declared Rare and Priority Flora Lists - CALM 13/08/03

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

**Comments Proposal is not likely to be at variance to this Principle**

There are no known Threatened Ecological Communities within the area to be cleared.

**Methodology** GIS Database: Threatened Ecological Communities - CALM 15/7/03

**(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 at variance to this Principle**

The vegetation to be cleared is Beard Vegetation Association 65 (Hopkins, et al. 2001) of which there remains ~100% of the pre-European extent (Shepherd, et al. 2001).

**Methodology** Hopkins, et al. (2001); Shepherd et al. (2001); GIS Database: Pre-European Extent - DA 01/01

**(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**

The vegetation to be cleared is not growing within a watercourse or wetland. It is, however, within 1 - 2 km from the Ramsar listed and nationally important wetland (Lake Kununurra).

However, it is unlikely that the clearing will have an impact on the wetland values, and the application of best practice irrigated agriculture design and management will assist with the efficient application of water, and minimise and discharge from the site (DAWA, 2005).

**Methodology** GIS Databases: Hydrography, linear - DOE 1/2/04; RAMSAR, wetlands - CALM 21/10/02; ANCA, wetlands - CALM 08/01; DAWA Advice (2005)

**(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**

Clearing should not lead to soil and land degradation provided that local 'best practice' is applied during development and subsequent management. Advice is available from staff of DAWA on current 'best practices' for irrigated agriculture in the Kununurra region.

**Methodology** DAWA Advice (2005)

**(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 at variance to this Principle**

The area to be cleared is not adjacent to a conservation area, however is within 1-2km of the Ramsar listed wetland, Lake Kununurra.

**Methodology** GIS Databases: CALM Managed Lands and Waters - 1/06/04; RAMSAR, wetlands - CALM 21/10/02

**(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 area to be cleared is part of a large, relatively flat, black soil plain. There is one minor, non-perennial watercourse that drains the site and it is unlikely that clearing the vegetation will degrade surface or ground water quality.

**Methodology** GIS Databases: Topographic Contours, Statewide - DOLA 12/09/02; Hydrography, linear - DOE 1/2/04; Salinity Mapping LM 25m - DOLA 00

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

**Comments Proposal is not likely to be at variance to this Principle**

Flooding of the site is commonly a result of seasonal rainfall in this region. The clearing of the vegetation in the drier months, prior to the sowing of hay species, is unlikely to exacerbate flooding on or off-site.

**Methodology** GIS Database: Rainfall, Mean Annual - BOM 30/09/01

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

**Comments**

The Crown lease for this area is currently for the purposes of grazing. The Department for Planning and Infrastructure have approved a change in lease purpose to reflect the intended land use (hay growing) subject to Shire approvals being granted and approval to clear vegetation and a water licence being issued by the Department of Environment.

A neighbouring land holder (Munthanmar Aboriginal Community) has raised concerns about a potential increase in dust levels, and the resultant health implications, should the proposal be approved (D Thompson, 2005). The area (Bell Springs lease and Munthanmar) is zoned General Rural under the Shire's Town Planning Scheme. The objectives of this zoning are: (a) to permit the continued use of the land for grazing and agricultural purposes: and (b) to prohibit any industrial or urban development or land use which may adversely affect the above. The TPS therefore supports an agricultural proposal of this nature.

The subject land is outside the Miriuwung-Gajerrong Native Title Determination area (Wilcox, North and Weinberg, 2003). Whilst the Kimberley Land Council has raised concerns that the granting of a clearing permit constitutes a future act under the Native Title Act (KLC, 2005), the Department for Planning and Infrastructure (2004) have advised that Native Title has been extinguished over the site.

**Methodology** DPI Advice (2004); Wilcox, North and Weinberg (2003), KLC (2005), Thompson, D (2005)

**4. Assessor's recommendations**

Purpose	Method	Applied area (ha)/ trees	Decision	Comment / recommendation
Cropping	Mechanical Removal	50	Grant	Prior to undertaking the clearing, the applicant is advised to contact the local offices of the Department of Environment and Department of Agriculture to develop a 'best practice' irrigation proposal for the site. This proposal will also feed into the Department of Environment's surface water licensing requirements.

**5. References**

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, BJ (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.

Wilcox, North and Weinberg JJ (2003) Miriuwung and Gajerrong #1 Native Title Determination, Federal Court of Australia.