



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3413/1
Permit Holder:	Western Australian Land Authority trading as LandCorp
Duration of Permit:	30 January 2010 – 30 January 2015

The Permit Holder is authorised to clear native vegetation subject to the following conditions of this Permit.

PART I – CLEARING AUTHORISED

1. Purpose for which clearing may be done

Clearing for the purpose of constructing a workers accommodation camp.

2. Land on which clearing is to be done

Lot 2484 on Plan 40679, Kununurra

3. Area of Clearing

The Permit Holder must not clear more than 13 hectares of native vegetation within the area shaded yellow on attached Plan 3413/1.

4. Staged Clearing

The Permit Holder shall not clear native vegetation unless actively building within the area to be cleared within three months of the clearing.

5. Application

This Permit allows the Permit Holder to authorise persons, including employees, contractors and agents of the Permit Holder, to clear native vegetation for the purposes of this Permit subject to compliance with the conditions of this Permit and approval from the Permit Holder.

6. Compliance with Assessment Sequence and Management Procedures

Prior to clearing any native vegetation under conditions 1, 2 and 3 of this Permit, the Permit Holder must comply with the Assessment Sequence and the Management Procedures set out in Part II of this Permit.

PART II – ASSESSMENT SEQUENCE AND MANAGEMENT PROCEDURES

7. Avoid, minimise etc clearing

In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:

- avoid the clearing of native vegetation;
- minimise the amount of native vegetation to be cleared; and
- reduce the impact of clearing on any environmental value.

8. Weed control

- (a) When undertaking any clearing or other activity authorised under this Permit, the Permit Holder must take the following steps to minimise the risk of the introduction and spread of *weeds*:
- (i) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
 - (ii) shall not move soils in wet conditions;
 - (iii) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iv) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.
- (b) At least once in each 12 month period for the *term* of this Permit, the Permit Holder must remove or kill any *weeds* growing within areas cleared under this Permit.

PART III - RECORD KEEPING AND REPORTING

9. Records must be kept

The Permit Holder must maintain the following records for activities done pursuant to this Permit:

- (a) In relation to the clearing of native vegetation authorised under this Permit:
- (i) the location where the clearing occurred, recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (ii) the date that the area was cleared; and
 - (iii) the size of the area cleared (in hectares).

10. Reporting

- (a) The Permit Holder must provide to the CEO, on or before 30 June of each year, a written report of records required under condition 9 of this Permit and activities done by the Permit Holder under this Permit between 1 January and 31 December of the preceding year.
- (b) Prior to 30 September 2014, the Permit Holder must provide to the CEO a written report of records required under condition 9 of this Permit where these records have not already been provided under condition 10(a) of this Permit.

Definitions

The following meanings are given to terms used in this Permit:

fill means material used to increase the ground level, or fill a hollow;

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;

term means the duration of this Permit, including as amended or renewed; and

weed/s means a species listed in Appendix 3 of the "Environmental Weed Strategy" published by the Department of Conservation and Land Management (1999), and plants declared under section 37 of the *Agriculture and Related Resources Protection Act 1976*



Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

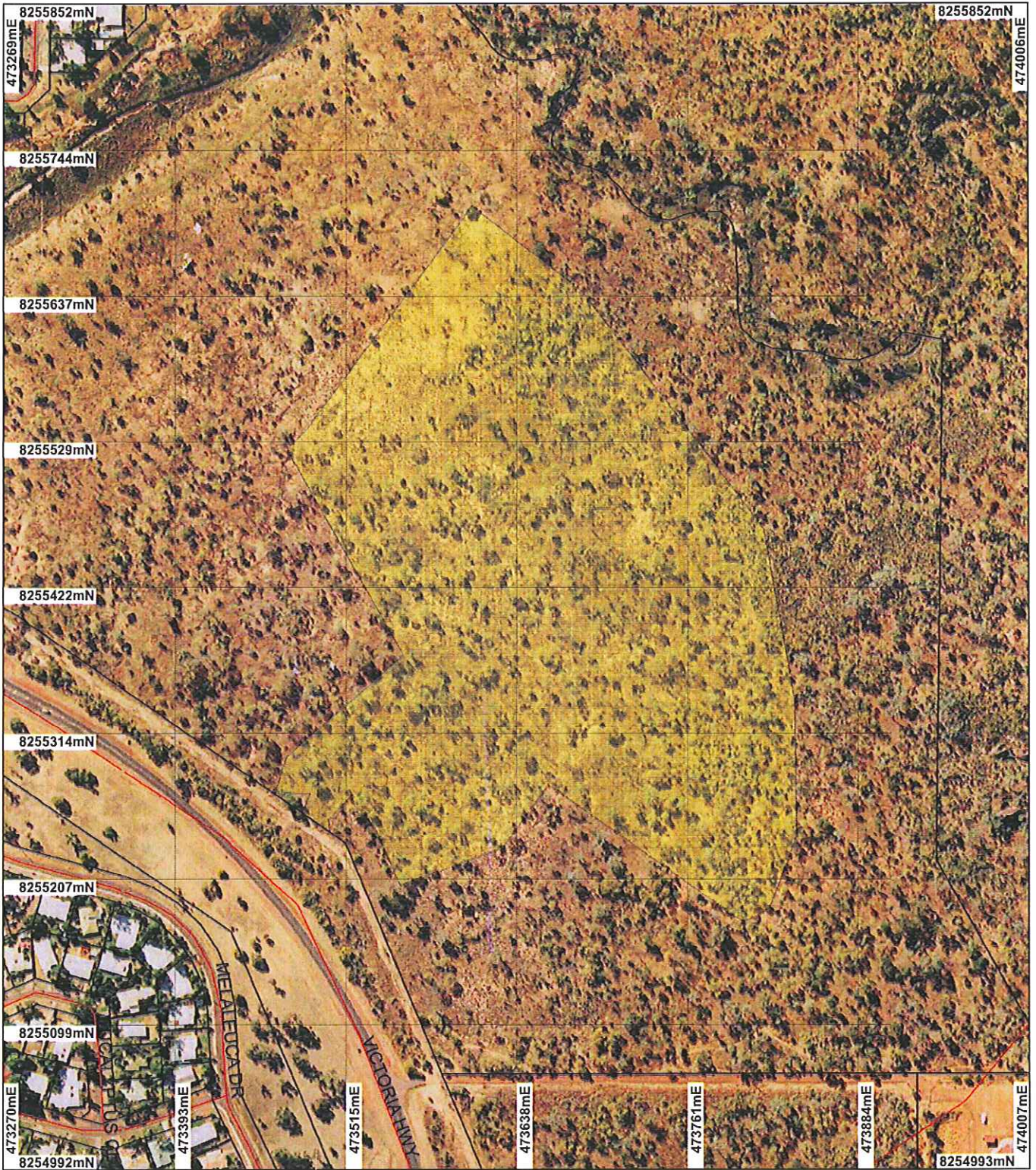
*Officer delegated under Section 20
of the Environmental Protection Act 1986*

30 December 2009

CPS 3413/1, 30 December 2009

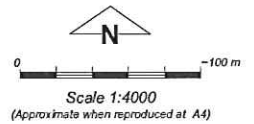
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Plan 3413/1



LEGEND

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| <ul style="list-style-type: none"> Clearing Instruments <input type="checkbox"/> Areas Approved to Clear <input checked="" type="checkbox"/> Road Centrelines <input type="checkbox"/> Cadastre | <p>Kununurra 50cm Orthomosaic
 * Landgate 2009</p> |
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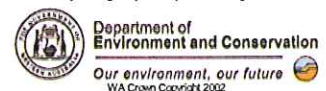


Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

[Signature] Date 30/12/09
 K Faulkner

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



* Project Data is denoted by asterisk. This data has not been quality assured. Please contact map author for details.



1. Application details

1.1. Permit application details

Permit application No.: 3413/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Western Australian Land Authority t/a LandCorp

1.3. Property details

Property: LOT 2484 ON PLAN 40679 (KUNUNURRA 6743)

Local Government Area:

Colloquial name:

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
13		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
Beard vegetation type: 909: Grasslands, high grass savanna woodland; bloodwood, stringybark & woolybult over upland tall grass & curly spinifex on sandplain (SAC Bio Datasets 21/012/2009; Shepherd, 2007)	The area under application (13 ha) is located within Lot 2484 (a 512 ha property). The proposed clearing is for constructing a workers accommodation camp as part of the Ord East Kimberley Development Plan. The area under application have been described as three vegetation habitat types (3.4 ha of the northern area under application was not surveyed): - Vegetation community 2: Open Acacia woodland (7.2 ha), - Vegetation community 5: Mixed Open woodland (2 ha) and - Vegetation community 4: Mixed Open woodland (Strategen, Undated).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994)	The condition of the native vegetation under application was sourced from a flora and vegetation survey report (Strategen, Undated).

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 proposed clearing of 13 hectares within Lot 2484 is for the purpose of constructing a workers accommodation camp. The vegetation under application has been identified as predominantly Open Acacia woodland and was considered to be in good (Keighery, 1994) condition due to evidence of frequent fires and the occurrence of numerous tree deaths (Strategen, Undated). This vegetation is considered to retain limited habitat value for native fauna such as the Little Bittern that have been recorded in the local area.

Nine priority flora species have been recorded within the local area (10 km radius) with the nearest record being *Platysace saxatilis* (P2), located ~350 m south-west of the area under application. A flora and vegetation assessment (Strategen, Undated) undertaken in September 2009 within Lot 2484 identified 51 native flora

species; no priority or rare flora was recorded during the survey.

Given the vegetation under application comprises low species diversity and low habitat value for fauna; the areas under application is not likely to comprise a high level of biological diversity.

Methodology References:
- Keighery (1994)
- Strategen (Undated)
GIS Database:
- SAC Bio Datasets 21/12/2009

(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

Four fauna species of conservation significance have been recorded within the local area (10 km radius) with the nearest record being the Water Rat, located ~1.2 km west north-west of the area under application.

A flora and vegetation assessment (Strategen, Undated) undertaken in September 2009 within Lot 2484 identified the vegetation under application as predominantly Open Acacia woodland and was considered to be in good (Keighery, 1994) condition due to evidence of frequent fires and the occurrence of numerous tree deaths (Strategen, Undated). This vegetation is considered to retain limited habitat value for native fauna such as the Little Bittern that have been recorded in the local area.

Given the relatively small size of the vegetation proposed to be cleared (13 ha) and that the native vegetation is in good (Keighery, 1994) condition, which retains limited habitat value for native fauna; it is considered that the vegetation under application is not likely to be at variance to this Principle.

Methodology References:
- Keighery (1994)
- Strategen (Undated)
GIS Database:
- SAC Bio Datasets 21/12/2009

(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 rare flora species recorded within the local area (10 km radius). The nearest recorded rare flora species is Eucalyptus ceracea, located ~190 km north-west of the area under application.

A flora and vegetation survey (Strategen, Undated) undertaken in September 2009 did not identify any rare flora species within Lot 2484. Therefore, it is not considered that the vegetation under application is likely to be at variance to this Principle.

Methodology Reference:
- Stategen (Undated)
GIS Database:
- SAC Bio Datasets 22/12/2009

(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 known Threatened Ecological Communities (TEC) recorded within the local area (10 km radius). The nearest recorded TEC is Black spring organic mound spring community (Endangered), located ~250 km west of the area under application.

Given the distance to the nearest TEC and that the vegetation under application has been identified as two main habitat types, Open Acacia woodland and Mixed Open woodland (Stategen, Undated), it is considered that the vegetation under application is not likely to comprise a TEC.

Methodology Reference:
- Stategen (Undated)
GIS Database:
- SAC Bio Datasets 22/12/2009

(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 vegetation within the areas under application is identified as a component of Beard vegetation type 909, of which there is 99.6% of Pre-European extent remaining within the Bioregion (Shepherd, 2007).

The Environmental Protection Authority (EPA) supports a 30% threshold level as recommended in the National Objectives Targets for Biodiversity Conservation; below which species loss appears to accelerate exponentially at an ecosystem level (EPA, 2000). The vegetation type under application retains more than this 30% threshold level.

Given the extent of vegetation remaining in the Shire (99.9%), the current representation level of the Beard type, it is not considered likely that the vegetation under application is located in an area that has been extensively cleared.

	Pre-European (ha)	Current extent (ha)	Remaining (%)	In secure tenure (%)
IBRA Bioregion*				
Victoria Bonaparte (VB)	1,871,372	1,848,351	99.7	
Shire of Wyndham-East Kimberley*				
	11,716,470	11,699,072	99.9	
Beard vegetation types*				
909 (within VB Bioregion)	281,415	280,441	99.6	1.1

* (Shepherd, 2007)

Methodology

References:

- EPA (2000)
- Shepherd (2007)

GIS Databases:

- Interim Biogeographic Regionalisation of Australia
- SAC Bio Datasets 21/12/2009

(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

A minor watercourse is mapped within the area under application; however, a site inspection of the area confirmed that this mapped watercourse does not exist (Strategen, 2009). The nearest watercourse is Lily Creek located ~80m north, at the closest point, of the area under application. This creek drains into Lake Kununurra. In addition, no riparian vegetation was identified during the flora and vegetation survey (Strategen, Undated).

Given the distance to nearest watercourse and that riparian vegetation was not identified within the area under application, the proposal is not likely to be at variance to this Principle.

Methodology

References:

- Strategen (Undated)
- Strategen (2009)

GIS Databases:

- Hydrography, linear

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

Comments Proposal may be at variance to this Principle

The terrain is described as predominantly flat with the chief soils being loamy sand; these sandy soils are considered to be at risk of wind and water erosion (DAFWA, 2009). DAFWA (2009) advised that the removal of vegetation cover will leave the soil exposed to wind and water erosion; water erosion from wet season rainfall events will be a concern for exposed soils, especially sandy soils which are more erodible due to their lower organic matter content.

Given the identified sandy soils, it is considered that the proposed clearing may cause appreciable land degradation in the form of wind and water erosion. Therefore, it is considered that the clearing as proposed may be at variance to this Principle.

To mitigate any impacts from the proposed clearing, a staged clearing condition will be imposed on the clearing permit.

Methodology Reference:
- DAFWA (2009)

(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 may be at variance to this Principle**

Mirima National Park (also known as Hidden Valley National Park) is located immediately adjacent (north and east) to Lot 2484, and approximately 70 m at the closest point to the area under application. Given the distance to the nearest conservation area, the proposed clearing may impact the conservation values of any conservation area.

To mitigate any impacts from the proposed clearing, a weed control condition will be imposed on this permit.

Methodology GIS database:
- 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 may be at variance to this Principle**

A minor watercourse is mapped within the area under application; however, a site inspection of the area confirmed that this mapped watercourse does not exist (Strategen, 2009). The nearest watercourse is Lily Creek located ~80m north, at the closest point, of the area under application. This creek drains into Lake Kununurra.

DAFWA (2009) advised that the removal of vegetation cover will leave the soil exposed to wind and water erosion; water erosion from wet season rainfall events will be a concern for exposed soils, especially sandy soils which are more erodible due to their lower organic matter content.

The area under application is not mapped within a Public Drinking Water Source Area and there is a low salinity risk.

Given the potential risk of water erosion, it is considered that the proposed clearing will cause short term deterioration in the quality of surface water.

To mitigate any impacts from the proposed clearing, a staged clearing condition will be imposed on the clearing permit.

Methodology References:
- DAFWA (2009)
- Strategen (2009)
GIS Databases:
- Hydrography, linear
- Public Drinking Water Source Areas (PDWSAs)
- Soils, Statewide

(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 likely to be at variance to this Principle**

The terrain is described as predominantly flat with the chief soils being loamy sand; these sandy soils are considered to be at risk of wind and water erosion (DAFWA, 2009). Given the identified sandy soils that the have the capacity for high infiltration rates, the proposed clearing is not likely to cause or increase the flooding in the local area.

Methodology Reference:
- DAFWA (2009)

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

Comments

The area under application is located within the RIWI Irrigation District of Ord District and RIWI Groundwater Area of Canning-Kimberley. The proposal is for construction of accommodation camp and is therefore not related to irrigation or groundwater extraction.

There is no other RIWI Act Licence, Works Approval or EP Act Licence that affects the area under application.

There is a Native Title claim over the local area, which includes the area under application. The claimants have been notified. No response has been received.

The Shire of Wyndham-East Kimberley (2009) supports the application to clear for the purposes of establishing a workers camp and requests that:

- a 30 m buffer area is maintained around drainage lines
- clearing occurs in stages as required
- stormwater runoff entering Lily Creek lagoon is not further decreased in quality
- the Shire has the opportunity to salvage native vegetation (seedlings) prior to clearing

The Shire confirmed that an application for Planning Approval has been received, but has not been granted as yet (Shire of Wyndham-East Kimberley, 2009a).

Team Leader for State Lands Kimberley/Pilbara Region (RDL, 2009) advised that LandCorp has approval from State Land Services to enter upon Lot 2484 for the purposes of clearing the 13 hectare site.

Lot 2484 is unallocated crown land and is zoned rural residential development under the local Town Planning Scheme.

Methodology

References:

- RDL (2009)
- Shire of Wyndham-East Kimberley (2009)
- Shire of Wyndham-East Kimberley (2009a)

GIS databases:

- Cadastre
- RIWI Act, Irrigation Districts
- Town Planning Scheme Zones

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 clearing as proposed may be at variance to Principles (g), (h) and (i).

5. References

DAFWA (2009) Land Degradation Advice received from Department of Agriculture and Food. TRIM Ref DOC112486

EPA (2002) Terrestrial Biological Surveys as an element of biodiversity protection. Position Statement No. 3. March 2002. Environmental Protection Authority, Western Australia.

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

RDL (2009) Approval to enter and clear within Lot 2484 from State Land Services, Department of Regional Development and Lands (Email). TRIM Ref DOC107971

Shepherd, D.P. (2007). Adapted from: Shepherd, D.P., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249. Department of Agriculture Western Australia, South Perth. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.

Shire of Wyndham-East Kimberley (2009) Submission from Shire (Email). TRIM Ref DOC112731

Shire of Wyndham-East Kimberley (2009a) Additional advice regarding planning approval from Shire (Email). TRIM Ref DOC112884

Strategen (2009) Email from Ben Smith forwarding advice from the Department of Water. Strategen, Leederville, Western Australia. TRIM Ref DOC111832

Strategen (Undated) Clearing Permit for Lot 2484 Camp Area - Compliance with the Ten Clearing Principles. Strategen, Leederville, Western Australia. TRIM Ref DOC104108

6. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management (now DEC)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
TEC	Threatened Ecological Community