



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

Purpose Permit number:	CPS 3667/1
Permit Holder:	Shire of Wyndham - East Kimberley
Duration of Permit:	3 July 2010 – 3 July 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 community sports oval and associated infrastructure.
- 2. Land on which clearing is to be done**
Lot 300 on Plan 44064 (Lot No. 300 VICTORIA HWY, KUNUNURRA 6743)
- 3. Area of Clearing**
The Permit Holder must not clear more than 5 hectares of native vegetation within the area hatched yellow on attached Plan 3667/1.
- 4. 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.
- 5. Type of clearing authorised**
This Permit authorises the Permit Holder to clear native vegetation for activities to the extent that the Permit Holder has the power to clear native vegetation for those activities under the *Local Government Act 1995* or any other written law.
- 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:
 - (a) avoid the clearing of native vegetation;
 - (b) minimise the amount of native vegetation to be cleared; and
 - (c) reduce the impact of clearing on any environmental value.
- 8. Vegetation management**
The Permit Holder shall retain a 20 metre vegetated buffer within the area cross-hatched red on attached Plan 3667/1.

9. Weed control

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*:

- (a) clean earth-moving machinery of soil and vegetation prior to entering and leaving the area to be cleared;
- (b) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
- (c) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

PART III - RECORD KEEPING AND REPORTING

10. Records must be kept

- (a) The Permit Holder must maintain the following records for activities done pursuant to this Permit 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).
- (b) In relation to the retention of a buffer of areas pursuant to condition 8 of this Permit:
 - (i) the commencement date of buffer retention;
 - (ii) the location of any area buffered recorded using a Global Positioning System (GPS) unit set to Geocentric Datum Australia 1994 (GDA94), expressing the geographical coordinates in Eastings and Northings;
 - (iii) a description of the buffering activities undertaken;
 - (iv) the size of the area buffered (in hectares); and

11. 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 10 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 3 April 2015, the Permit Holder must provide to the CEO a written report of records required under condition 10 of this Permit where these records have not already been provided under condition 11(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;

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*.

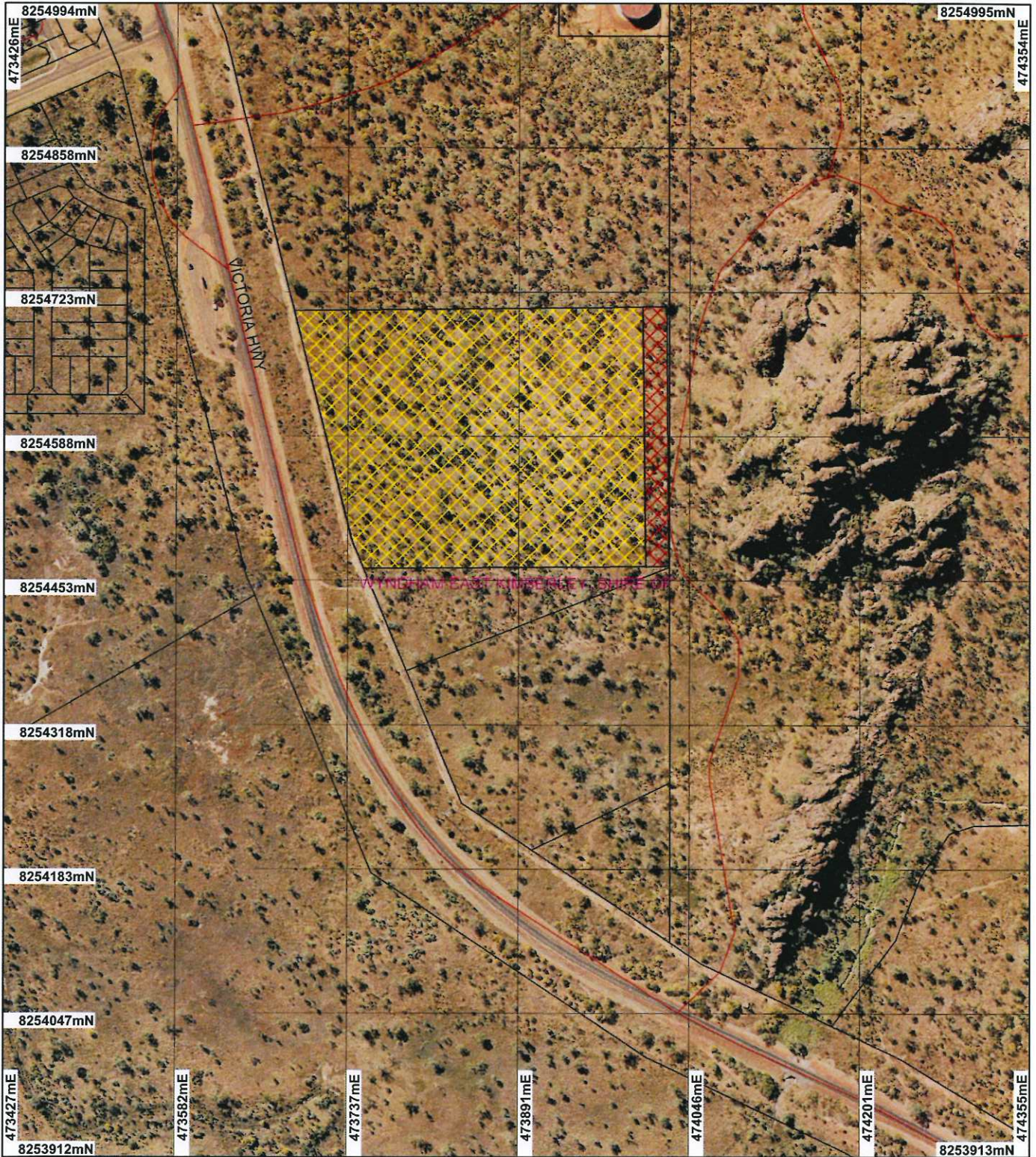


Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

3 June 2010

Plan 3667/1



LEGEND

- | | |
|-----------------------------|---|
| Clearing Instruments | Kununurra 50cm Orthomosaic - Landgate 2005 |
| Areas Subject to Conditions | Local Government Authorities |
| Areas Approved to Clear | |
| Road Centrelines | |
| Cadastre | |



0 ————— 150 m

Scale 1:5031

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

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

Date 3/6/10

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.



Department of Environment and Conservation

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1. Application details

1.1. Permit application details

Permit application No.: 3667/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Shire of Wyndham - East Kimberley

1.3. Property details

Property: LOT 300 ON PLAN 44064 (Lot No. 300 VICTORIA KUNUNURRA 6743)
Local Government Area:
Colloquial name:

1.4. Application

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

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
<p>The vegetation under application is mapped as be composed of 2 Beard vegetation associations:</p> <p>- Beard 909 : Grasslands, high grass savanna woodland; bloodwood, stringybark & woollybutt over upland tall grass & curly spinifex on sandplain ~ 70% of vegetation is mapped as this Beard type.</p> <p>- Beard 800: Grasslands, high grass savanna woodland; stringybark & woollybutt over (upland) tall grass & curly spinifex ~30% of the applied area on the eastern side of the application area is composed of this vegetation type.</p> <p>(Shepherd, 2007)</p>	<p>The dominant vegetation types or the application area are:</p> <p>- Open acacia woodland, many dead with occasional Eucalyptus miniata and Erythrophleum chlorostachys. Overstorey is dominated by Erythrophleum chlorostachys and Eucalyptus miniata, mid storey by Crotalaria cunninghamii, Grevillia agrifolia, and Acacia tumida and lower storey by Sorghum stipoideum, Spermacoca gibba (weed) and a Triodia species. Relatively low diversity compared to other area of the East Kimberley (Shire of Wyndham East Kimberley, 2010).</p> <p>The vegetation is considered to range from degraded to good (Keighery, 1994) condition. There is evidence that successive hot fires have disturbed the area as several mature Eucalypts were struggling to recover and many acacia were dead (Shire of Wyndham East Kimberley, 2010).</p>	<p>Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)</p>	<p>The description and condition of the vegetation under application was determined via the use of aerial imagery and information supplied by the applicant (Shire of Wyndham East Kimberley, 2010).</p>
As above	As above	Good: Structure significantly altered by multiple disturbance; retains basic	As above

3. Assessment of application against clearing principles

Comments

The proposed clearing of 5ha of native vegetation is for the purpose of provision of a community sports oval and associated infrastructure such as a car park, change rooms, kiosk etc. Individual trees will be kept for amenity and shade.

The dominant vegetation types of the application area are open acacia woodland (with many dead trees) with occasional Eucalyptus miniata and Erythrophleum chlorostachys. Overstorey is dominated by Erythrophleum chlorostachys and Eucalyptus miniata, mid storey by Crotalaria cunninghamii, Grevillea agrifolia, and Acacia tumida and lower storey by Sorghum stipoideum, Spermacoca gibba (weed) and a Triodia species. Relatively low diversity compared to other areas of the East Kimberley (Shire of Wyndham East Kimberley, 2010).

The vegetation is considered to range from degraded to good (Keighery, 1994) condition. There is evidence that successive hot fires have disturbed the area as several mature Eucalypts were struggling to recover and many acacia's were dead (Shire of Wyndham East Kimberley, 2010).

There are several minor non-perennial watercourses located within the vicinity of application area; one such watercourse dissects the applied area on the eastern side, therefore the proposed clearing is at variance to principle (f), however it is not anticipated that any significant impacts to riparian vegetation will result from clearing activities.

Mirima National Park lies adjacent to the application area, sharing the eastern boundary of Lot 300, therefore the proposed clearing has the potential to impact on the adjacent conservation area and may be at variance to principle (h). To reduce the potential impacts to the adjacent National Park, it is recommended that a vegetated buffer remain between the proposed sporting oval complex and the Mirima National Park and weed control conditions be placed on the permit to ensure the integrity of the National Park is maintained.

Given the condition, relatively small size of the applied area and large amount of vegetation remaining within the local area (approximately 90 - 95% remaining in a 50km radius), the proposed clearing is not likely to present any significant impacts to rare or priority flora, local fauna species or vegetation communities within the local area.

Methodology

References:

- Keighery (1994)
- Shire of Wyndham East Kimberley (2010)
- GIS Databases:
 - Kununurra 50cm Orthomosaic - Landgate 2005
 - DEC Tenure - CALM 01/06/05
 - SAC Biodatasets - accessed May 2010
 - Declared Rare and Priority Flora List - CALM 13/08/03
 - Pre European Vegetation - DA 01/01
 - Mattiske Vegetation Complexes (01/03/1998)
 - Clearing Regulations, Environmentally Sensitive Areas 30 May 2005
 - NLWRA, Current Extent of Native Vegetation 20 Jan 2001
 - Hydrography linear - DOW 13/7/06
 - Hydrography linear (hierarchy) - DoW 13/7/06
 - Soils, Statewide DA 11/99

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

Comments

Lot 300 is currently zoned for Conservation/Environmental Protection and the purpose of the proposed clearing is for a community sports oval. Correspondence from the applicant has stated that the land is to be rezoned to "Community Purpose/Recreation" designation, or similar. It is expected that this process will be finalised by December 2011 (Dec Ref: A301908).

The Department of Regional Development and Lands has no objection to the clearing on unallocated Crown land (Trim Ref: DOC124110).

Three registered Indigenous Heritage Sites exist over the applied area.

Methodology

GIS Databases:

- Town Planning Scheme Zones - MFP 31/08/98
- Aboriginal Sites of Significance 26 April 2007

4. References

- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- 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.
- Shire of Wyndham East Kimberley (2010) Application for a Clearing Permit, Supporting Information. Trim Ref: DOC124110

5. Glossary

Term	Meaning
CALM	Department of Conservation and Land Management (now DEC)
DAFWA	Department of Agriculture and Food
DEC	Department of Environment and Conservation
DEP	Department of Environmental Protection (now DEC)
DoE	Department of Environment (now DEC)
DoW	Department of Water
DMP	Department of Mines and Petroleum (ex DoIR)
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)