



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Purpose Permit Number: CPS 4324/1
File Number: DEC3086
Duration of Permit: 12 June 2011 – 12 June 2016

PERMIT HOLDER

Kimberleyland Holiday Park Pty Ltd

LAND ON WHICH CLEARING IS TO BE DONE

Lot 3004 on Plan 46759
Unallocated Crown Land adjacent to Lot 3004 on Plan 46759 (PIN 1318636)

PURPOSE FOR WHICH THE CLEARING MAY BE DONE

Clearing for the purpose of removing native vegetation to maintain access to Lily Creek Lagoon.

CONDITIONS

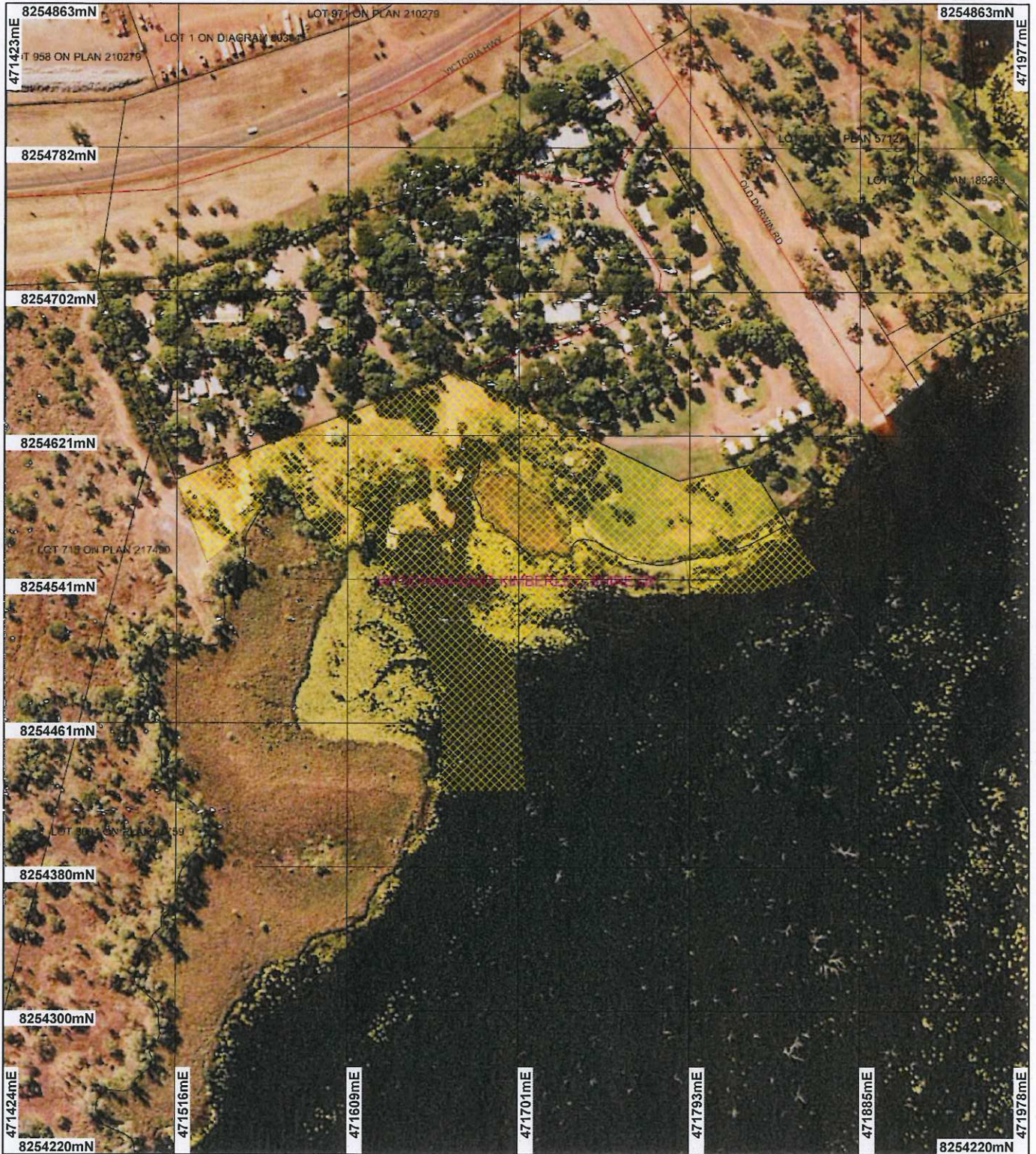
1. The Permit Holder must not clear more than 3 hectares of native vegetation within the area cross hatched yellow on attached Plan 4324/1.

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

19 May 2011

Plan 4324/1



LEGEND

- Road Centrelines
- Kununurra 50cm Orthomosaic Landgate 2005
- Local Government Authorities
- Cadastre for labelling
- Clearing Instruments**
- Areas Approved to Clear



0 -75 m

Scale 1:3000
(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 19/5/00

K Fulkner
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.: 4324/1
 Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: Kimberleyland Holiday Park Pty Ltd

1.3. Property details

Property: LOT 3004 ON PLAN 46759 (KUNUNURRA 6743)
 WATER FEATURE (KUNUNURRA 6743)
 Local Government Area: SHIRE OF WYNDHAM- EAST KIMBERLEY

1.4. Application

Clearing Area (ha)	Method of Clearing	For the purpose of:
3	Mechanical Removal	Miscellaneous

1.5. Decision on application

Decision on Permit Application: Grant
 Decision Date: 19 May 2011

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 area under application consists of aquatic and terrestrial environments. The aquatic environment consists of a variety of plants including <i>Nymphoides indica</i> (Water snowflake), <i>Cyperus difformis</i> (Rice sedge) <i>Typha</i> spp. (Cumbungi), <i>Chara</i> spp. (Stonewort), <i>Najas graminea</i> and <i>Sesbania formosa</i> (white dragon tree), Kimberley fern and an unidentified algae (Kenneally et al, 1996; Sainty and Jacobs, 1988). The terrestrial environment at the jetty consists of <i>Sesbania formosa</i>, <i>Eucalypt</i> spp and <i>Pandanus spiralis</i> (Pandanus palm). An unidentified grass species dominates the parkland area.</p> <p>Weeds identified throughout the application area include <i>Passiflora foetida</i> (Wild passionfruit), <i>Azadirachta indica</i> (Neem tree), <i>Tribulus cistoides</i> (Caltrop) and <i>Cyperus involucreatus</i> (sedge) (Kenneally et al, 1996; Sainty and Jacobs, 1988).</p>	<p>The clearing is for the purpose of maintaining small boat access to the Lily Creek Lagoon.</p> <p>The area has previously been disturbed by historical removal of terrestrial and aquatic vegetation from the riparian zone and foreshore area, and in-filling activities near the jetty.</p> <p>The current application is to annually remove up to 3ha of aquatic vegetation (mainly <i>Typha</i> spp) from within the lagoon, over the Wet season from September to April.</p> <p>The aquatic environment retains a structure that is generally in good condition consisting primarily of Cumbungi (<i>Typha</i> spp) (DEC, 2011).</p>	<p>Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery, 1994)</p>	<p>The description of the vegetation to be cleared was obtained during a DEC site visit on 6 May 2011 (DEC, 2011).</p>
<p>As above.</p>	<p>The terrestrial environment along the entire foreshore of the caravan park is completely degraded (Keighery 1994) and no longer contains a riparian zone (DEC, 2011).</p>	<p>Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994)</p>	<p>As above.</p>

3. Assessment of application against clearing principles

Comments

The proposed clearing is located within the water body and along the banks of Lily Creek Lagoon, part of a wetland system that is classified under the Ramsar Convention and listed on the Directory of Important Wetlands in Australia.

Lake Argyle and Lake Kununurra cover 150,000 hectares (Environment Australia, 2001). Given the small size of the application area in comparison, the clearing of up to 3 hectares of aquatic vegetation is not likely to impact upon the Ramsar values of the lake system.

There are no recorded occurrences of threatened or priority fauna within the area proposed to be cleared, however a number occur within the local area (10km radius) including the Water Rat, Burdekin Duck and Little Bittern. Given the small size and disturbed surrounding area, it is unlikely that the Water Rat, Burdekin Duck and Little Bittern and other threatened or priority fauna in the local area would depend on the application area has significant habitat.

The proposed clearing of 3 hectares is not likely to influence the incidence or intensity of any flooding in the lake.

A buffer area to protect the remnant vegetation on Reserve 41812 was agreed upon by the Department of Water, the Shire of Wyndham East Kimberley and Kimberleyland (DOC51984) for the previous two year clearing permit that was granted in July 2008 for the same area and size. This permit expired in July 2010 forcing the proponent to make a new application. This same buffer area on Reserve 41812 should be maintained again by the proponent in this new application. Furthermore, The Kununurra and Lily Creek Lagoon Vegetation Management Plan (2008), recommends that Kimberleyland Caravan Park remove cumbungi where access and views are needed, reduce weeds infestations and replant the banks of Lily Creek Lagoon with smaller native sedges. This would help reduce the effect of water and wave erosion.

Methodology DEC (2007)
Boulton and Brock (1999)

GIS Databases;
-Kununurra 50cm Orthomosaic
- Hydrography, linear
- RAMSAR, Wetlands
-SAC Bio Datasets (Accessed 28/04/2011)

Planning instruments, Native Title, Previous EPA decisions or other matters.

Comments

As per the previous clearing permit (CPS 1882/1) this proposed clearing is for the purpose of mosquito control, visual aesthetics and maintaining small boat access to Lily Creek Lagoon. It involves the slashing of 1.8ha of grass from the park and the removal of 1.2ha aquatic vegetation from the lagoon.

The area proposed to be cleared is located on Lot 3004 on Deposited Plan 46759 and adjacent unallocated Crown land (PIN 1318636). Lot 3004 is located on a portion of Reserve 41812 and is jointly managed by the Department of Water (DoW) and the Shire of Wyndham- East Kimberley (SWEK). The unallocated Crown land is vested with the Water Corporation and managed by the Department for Planning and Infrastructure.

The proponent holds a lease over a portion of Reserve 41812 for Kimberleyland Holiday Park with joint lessors Water and Rivers Commission (now Department of Water) and the Shire of Wyndham- East Kimberley for the purpose of 'camping, boat launching and mooring and other ancillary uses associated with the operation of a Holiday Park and consistent with the designated purpose for which the Reserve is reserved under s.41 of the Land Administration Act 1997'. This lease expires on 31 December 2012.

This lease contains the following condition:

'3.7 (e) Foreshore Vegetation

Not to remove any vegetation from the land EXCEPT:

(i) in accordance with a foreshore management / rehabilitation plan approved by the Lessor;

The Lessee must ensure that all areas from which vegetation is removed shall be promptly rehabilitated and revegetated with local, native species in order to minimise soil erosion and run-off.'

In 2008 a Protection Buffer area to protect the remnant vegetation on Reserve 41812 was agreed upon by the Department of Water, the Shire of Wyndham East Kimberley and Kimberleyland Holiday Park (DOC51984) for the previous clearing permit that was granted in July 2008 (CPS 1882/1). In this area clearing of vegetation and alteration of bed and banks of the lagoon is prohibited. In addition, a 20m section of foreshore was agreed to be maintained for habitat preservation, in line with the SWEK Vegetation Management Plan. This permit expired in July 2010 forcing the proponent to make a new application. This same Protection Buffer area and 20m section of foreshore on Reserve 41812 should be maintained again by Kimberleyland Holiday Park in this new

application.

The Shire of Wyndham East Kimberley has also released a new Lake Kununurra Foreshore Plan which is currently out for public comments, which includes the proposal area. Once this Plan is finalised the proponent will need to ensure they abide by the regulations outlined in the Shire document.

The proposed works requires a Bed and Banks Permit under the Rights in Water and Irrigation Act 1914 from the Department of Water. The proponent currently holds this permit which expires 31 Dec 2012, the same date as the Lease. The Bed and Banks Permit and the Lease need to be renewed before clearing is undertaken after this time.

Methodology DEC (2011)

4. References

- Boulton, A.J. and Brock, M.A. (1999) Australian Freshwater Ecology: Processes and Management. Cooperative Research Centre for Freshwater Ecology. Gleneagles Publishing, Australia.
- DEC (2007) NatureMap: Mapping Western Australia's Biodiversity. Department of Environment and Conservation. URL: <http://naturemap.dec.wa.gov.au/>. Accessed 28/04/2011
- DEC (2011) Site Inspection Report for Clearing Permit Application CPS 4324/1, Lot 3004 on Deposited Plan 46759, Kununurra. Site inspection undertaken 06/05/2011. Department of Environment and Conservation, Western Australia (TRIM Ref. DOCA395825).
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Kenneally K.F., Edinger D.C. and Willing T. (1996) Broome and Beyond: Plants and People of the Dampier Peninsula, Kimberley, Western Australia. Department of Conservation and Land Management.
- Sainty, G.R. and Jacobs S.W.L. (1988) Waterplants in Australia. Royal Botanic Gardens Sydney, Australian Water Resources Council, National Coordinating Committee on Aquatic Weeds.
- Shepherd, D.P. (2009) 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.

5. 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)