



CLEARING PERMIT

Granted under section 51E of the Environmental Protection Act 1986

PERMIT DETAILS

Area Permit Number: 5009/1
File Number: 2010/007689-1
Duration of Permit: From 22 June 2012 to 22 June 2014

PERMIT HOLDER

Mr Rex Boland

LAND ON WHICH CLEARING IS TO BE DONE

Lot 273 on Deposited Plan 64754, Kununurra

AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 1.65 hectares of native vegetation within the area hatched yellow on attached Plan 5009/1.

CONDITIONS

1. 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) ensure that no *weed*-affected soil, *mulch*, *fill* or other material is brought into the area to be cleared; and
 - (iii) restrict the movement of machines and other vehicles to the limits of the areas to be cleared.

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*.

A handwritten signature in blue ink, appearing to read "Kelly Faulkner", written over a horizontal line.

Kelly Faulkner
MANAGER
NATIVE VEGETATION CONSERVATION BRANCH

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

31 May 2012

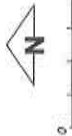
Plan 5009/1



LEGEND

- Cadastral**
- Freehold
 - Crown Reserve
 - State Forest / Timber Res
 - Marine Park
 - Green Lease
 - Lease / Reserve
 - Lease on State Forest / Tr
 - Public Roads
 - Unallocated Crown Land
 - Water
- Road Centrelines**
- Road Centrelines
- Clearing Instrument**
- Areas Approved to Clear
 - Kurnamurrum 50cm Or 2005

* Project Data. This data has not been quality assured. Please contact map auditor for details.



Scale 1:3266
(Approximate when reproduced at A4)

Geocentric Datum Australia: 1994

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

Kelly Faulkner
31/5/12
Date

Kelly Faulkner

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



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1. Application details

1.1. Permit application details

Permit application No.: 5009/1
Permit type: Area Permit

1.2. Proponent details

Proponent's name: Rex Boland

1.3. Property details

Property: LOT 273 ON PLAN 64754 (Lot No. 273 PACKSADDLE KUNUNURRA 6743)
Local Government Area: Shire of Wyndham-East Kimberley

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1.65		Mechanical Removal	Access tracks, fire control and horticulture.

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 31 May 2012

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
Mapped Beard vegetation association 65 is described as Grasslands, tall bunch grass savanna, sparse low tree and terminalia; mitchell grass (<i>Astrebala pectinata</i> & spp.) (Shepherd, 2009).	Open woodland south of the power line, levee vegetation to the north is dense woodland (DEC, 2010). Ground cover comprises of perennial grasses and some cane grass. Vegetation consists of Eucalypt trees, Rain trees and <i>Lysiphyllum</i> (<i>Bauhinia</i>) (DEC 2010).	Good: Structure significantly altered by multiple disturbance; retains basic structure/ability to regenerate (Keighery 1994).	The vegetation condition was assessed through aerial photography (Kununurra 50cm Orthomosaic - Landgate 2005) and a site inspection (DEC, 2010).

3. Assessment of application against clearing principles

Comments

The proposed clearing of 1.65ha of native vegetation is for the purpose of creating access tracks, fire control and the possibility of horticulture in the future. The clearing is to occur on Lot 273 on Deposited Plan 64754, Shire of Wyndham - East Kimberley. The vegetation is in a good condition (Keighery 1994).

The application area is 130m west of the riverbank of the Ord River (Lake Kununurra). The Ord River is classified as a RAMSAR wetland and is therefore a sensitive water source. A minimum buffer of 100m is required to ensure excess sediment and nutrients do not enter the wetland (DoW, 2010). Given the levee slope into the Ord River, the clearing of native vegetation may lead to incremental sedimentation. However as the proposed clearing falls outside of the 100m buffer it is not likely the clearing will be at variance to principle (i). The area under application occurring south of the power line is classified as flat relic flood plain (DEC, 2010).

There are no declared rare flora species or threatened ecological communities in the vicinity of the project. The vegetation association within the applied area is well represented elsewhere in the bioregion with greater than 98% remaining, and the local area (50km radius) has not been extensively cleared (Government of Western Australia, 2011). In addition, the area under application, with its grass type groundcover and scattered (and minimal) low trees, is unlikely to be suitable habitat to support avian or mammalian fauna species.

There were 12 priority flora species recorded within the local area whereby the closest occurred 2.7km from the application area. Given the previous disturbances and the good condition of the surrounding vegetation (Keighery 1994), it is unlikely that the vegetation under application is significant flora habitat.

Given the above information, the proposal is not likely to be at variance to any of the clearing principles.

Methodology References
-DEC (2010)
-DoW (2010)
-Government of Western Australia (2011)
-Keighery (1994)
-Kununurra 50cm Orthomosaic - Landgate 2005

GIS Databases
-SAC Biodatasets - accessed May 14
-Pre-European Vegetation
-NLWRA, Current Extent of Native Vegetation
-Interim Biogeographic Regionalisation of Australia

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

Comments

The area of proposed clearing falls within the area zoned special foreshore under the town planning scheme. The Shire has advised they have no objection to the proposed clearing for the purpose of access and weed and fire management subject to there being no intensive horticulture occurring within this area (Shire of Wyndham - East Kimberley, 2012).. Mr Boland has advised that horticulture may be undertaken in the future, whereby he will have to seek formal approval from the shire if he wishes to undertake any such activity

Regional advice has recommended the use of machinery is done with caution due to the potential for erosion. It is recommended that the root structure of weed trees be left in situ post being killed with poison to prevent soil erosion. Further recommendations suggest retaining established trees occurring on the east portion of the application area (DEC, 2012).

There are 5 sites of Aboriginal significance within the area proposed to clear. It is the proponent's responsibility to comply with the Aboriginal Heritage Act 1972 and ensure that no Aboriginal Sites of Significance are damaged through the clearing process.

Methodology References
-DEC (2012)
-Shire of Wyndham - East Kimberley (2012)

GIS Databases
- Aboriginal Sites of Significance

4. References

DEC (2010) Regional Advice Report - CPS 3993/1 - 05/11/2010. DEC ref: A347649
Department of Water (2010) Application to Clear Native Vegetation - Lot 550 on Plan 214769 & Lot 3003 on Plan 44914 - CPS 3993/1. DEC ref: A345932
Government of Western Australia. (2011). 2011 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). WA Department of Environment and Conservation, Perth.
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., Beeston, G.R., and Hopkins, A.J.M. (2001), Native Vegetation in Western Australia. Technical Report 249 Department of Agriculture Western Australia, South Perth.
Sac Bio Datasets (May 2012). Department of Environment and Conservation, Sac Bio Datasets, Kensington, Western Australia
Shire of Wyndham - East Kimberley (2012) Response to Application 5009/1 to Clear Native Vegetation DEC ref: A508113

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)