



A1341347
DER2016002462

Application for a clearing permit (purpose permit)

Environmental Protection Act 1986 s 51E

FORM C2

Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. A person who causes or allows unauthorised clearing commits an offence.

RECEIVED
 13 DEC 2016
 DER Finance

CPS No. 7401/1
DEPARTMENT OF ENVIRONMENT REGULATION
12 DEC 2016
Date stamp

Part 1 Assessment under the EPBC bilateral agreement

The native vegetation clearing processes under Part V of the Environmental Protection Act 1986 (EP Act) have been accredited by the Commonwealth of Australia under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) and can be assessed under an assessment bilateral agreement.

To be assessed under the assessment bilateral agreement, the proposed clearing action must be referred to the Commonwealth under the EPBC Act prior to submitting this application form and Annex C7 must also be completed.

For further information see Annex C7 and A guide to native vegetation clearing processes under the assessment bilateral agreement available at www.der.wa.gov.au.

Do you want your proposed clearing action assessed in accordance with, or under, an EPBC Act Accredited Process such as the assessment bilateral agreement?

Yes No Proceed to Part 2

Has the proposed clearing action been referred to the Commonwealth of Australia under the EPBC Act?

Yes EPBC Number

No It cannot be assessed under an Accredited Process until it has been referred to the Commonwealth. Proceed to Part 2.

Has a decision been made under the EPBC Act as to whether or not the proposed clearing action is a controlled action?

Yes No Proceed to Part 2

Is the proposed clearing action a controlled action under the EPBC Act?

No It cannot be assessed under an Accredited Process, proceed to Part 2

Yes Complete and attach the requirements of Annex C7 to this completed form

List the controlling provisions identified in the notification of the controlled action decision

Annex C7 is complete and the required supporting information is attached

Part 2 Land details

The location of the land where clearing is proposed must be accurately described.

Land description: volume and folio number, lot or location number(s), Crown lease or reserve number, pastoral lease number or mining tenement number of all properties.

Lot 371 on DP54529, Vol 3157 Folio 329;
 Lot 372 on DP54529, Vol 3157 Folio 330;
 Lot 376 on DP54529, Vol 3157 Folio 334;
 Lot 377 on DP54529, Vol 3157 Folio 335.

Department of Environment
 Regulation

 13 DEC 2016

 Clearing Regulation

FILE REFERENCE

Local government area
 Shire of Wyndham-East Kimberley

Part 3 Proposal

An aerial photograph or map with a north arrow must be attached, clearly marking the area proposed to be cleared or if you have the facilities, a digital map on CDROM of the area to clear as an ESRI shapefile with the following properties:

- Geometry type: polygon shape
- Coordinate system: GDA 1994 (Geographic latitude/longitude)
- Datum: GDA 1994 (Geocentric Datum of Australia 1994).

Total area of clearing proposed (hectares)

7,918ha

Proposed method of clearing or final land use

Mechanical clearing (eg loader/bucket or bulldozer), followed by burning of cleared material and construction of farm infrastructure for irrigated agricultural cropping.

Period within which clearing is proposed to be undertaken, e.g. May 2013 – June 2018

April 2020 to December 2025

Purpose of clearing

Development of the Mantinea land parcel for irrigated agriculture, in line with the requirements and expectations of the State of Western Australia following the public tendering of this land in 2015, the Ord Final Agreement (Indigenous Land Use Agreement) executed in 2005, and KAI's commitments to develop the land within the timeframes agreed with the State.

Has this clearing application or any related matter been referred to the Environmental Protection Authority (EPA) Yes No

Part 4 Applicant

To apply for a permit you must either be:

- the landowner
- or
- have the authority of the landowner to access the land and undertake the clearing.

Are you applying as an individual, a company or an incorporated body? Enter details for one only (please print).

Kimberley Agricultural Investment Pty Ltd
ACN 154 270 194
PO Box 2531, Kununurra, WA, 6743.
Registered office - Suite G01, Queens Riverside, 8 Adelaide Terrace, East Perth, WA, 6004.

Ownership of land

A landowner can be:

- a person who holds the Certificate of Title
- a person who is the lessee of Crown land
- or
- a public authority that is responsible for care of the land.

- Certificate of Title (please attach a copy of the certificate and all associated encumbrances with the application, available from the Western Australian Land Information Authority – Landgate)
- Pastoral lease (please attach a copy of the lease and all associated encumbrances with the application)
- Mining lease
- Public authority that has care, control or management of the land
- Other form Department of Lands Licence (under Section 91)

Department of Lands Section 91 Licence 50654/2006_A5648969

Authority to access land

Please specify the applicant's authority to access land to be cleared. For example, a letter from Department of Planning, a statutory power or letter of authority from the landowner.

Note: the letter of authority must explicitly state the applicant has authority to clear on the said land.

State nature of authority to access land (please attach copy of authority)

KAI has access to the Mantinea land parcel through a Department of Lands licence (under Section 91, Lands Administration Act 1997) 50654/2006_A5648969.

KAI successfully tendered to the State of Western Australia for the development of the Mantinea land parcel for irrigated agriculture. The Section 91 licence enables KAI to access the Mantinea land for necessary environmental surveys required to support this clearing permit application. Renewal of this licence is currently being drafted by the State of Western Australia.

Commencement of clearing cannot occur until KAI and the State of Western Australia have met required development conditions and executed appropriate further licences or agreements under the Lands Administration Act, including having relevant clearing permit in place (hence this application for a clearing permit).

Proposed permit holder details

*If applying as a company or incorporated body, please also supply the registered business office address.