



CPS No.
Date stamp

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.

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.dwer.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

[Empty box for listing controlling provisions]

- 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 501 PIN 11689751
Plan P057127
Old Darwin Rd Kununurra
Owner Shire of Wyndham East Kimberley
Res18 – LSR – Parks & Recreation
3.69ha area

Lot 0 PIN 638581
Feature ID 9178
Lily Creek Lagoon
Crown Reserve
Usage Code 6
73.98ha area

Old Darwin Road
Road Reserve
Owner Shire of Wyndham East Kimberley
0.56ha area

Lot 0 PIN 1318636
Feature ID 9178
Lily Creek Lagoon
Crown Reserve
Usage Code 6
719.78ha area

Local government area

Shire of Wyndham East Kimberley

FILE REFERENCE

**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)

Lot 501 PIN 11689751



1.7 hectare area of river bank and waterway to be cleared to provide an aesthetic appearance for local residents and tourists wishing to view the popular lagoon.

Lot 0 PIN 638581



25.9 hectare area approx. of riverbank and waterway to be cleared of vegetation to provide

an aesthetic appearance for local residents and tourists wishing to view the popular lagoon.

Old Darwin Road



0.56 hectare area approx. of riverbank and waterway to be cleared of vegetation to provide an aesthetic appearance for local residents and tourists wishing to view the popular lagoon, and to permit ongoing maintenance to boat ramp and jetty.

Lot 0 PIN 1318636



10.5 hectare area approx. of waterway to be cleared of vegetation to provide safe and easy Boat access for local residents and tourists wishing to use the popular lagoon, and to access Lake Kununurra.

**Proposed method of clearing or final land use**

The Shire intends to use both mechanical and chemical methods to tackle the well-established cumbungi weeds in the Lily Creek Lagoon.

In February 2019, Water Corporation intend to drop the water levels within the lagoon for essential maintenance works. The Shire intends to take advantage of this opportunity to chemical spray the exposed cumbungi to kill it at the root system.

The Shire also intends to use a long reach excavator to mechanically remove all visible cumbungi within reach of the riverbanks. This will leave a clear, vegetation free area for boat to utilise, and create a more aesthetically appealing vista for visitors.

The Shire intends to schedule these works on each occasion Water Corporation reduces the water levels in the lagoon into the future, and have therefore applied for a 10 year permit period.

Historically the Shire has used an Aquatic Weed Harvester for cumbungi maintenance. This machine was subsequently deemed unserviceable, however the Shire may choose to procure another similar machine in the future to remove floating, exposed cumbungi.

**Period within which clearing is proposed to be undertaken, e.g. May 2018– June 2023**

February 2019 – February 2029

**Purpose of clearing**

Lily Creek Lagoon is a man-made wetland where, due to permanently maintained water Levels, native vegetation has become well established.

Native vegetation include, Cumbungi, Water Lily and Water Spinach. The Lake has a high level of biodiversity, with a range of fauna species using the lagoon.

The native vegetation has been permitted to grow unchecked in recent years, and beginning to envelope the lagoon (see attached photographs).

The Shire proposes to clear vegetation from the areas highlighted in the attached maps, to allow natural water flow through the lagoon, and to create a more aesthetically appealing appearance to the lagoon for local residents and tourists.

Many local residents, tourists and commercial business use the lagoon for boating, and access to Lake Kununurra is available through the lagoon. The Shire wishes to maintain the boating access for safety and tourism reasons.

The Shire wishes to clear vegetation from only 38.66ha approx. of the overall 798ha lagoon, all other areas of the lagoon shall retain its native vegetation and will remain untouched, therefore continuing to provide a habitat for native flora and fauna.

The Shire has a corporate business plan to increase economic development and tourism with the region, and therefore ongoing, regular maintenance of the Lily Creek Lagoon will be required, the Shire is therefore applying for a 10 year clearing permit.

The Shire intends to construct a hardstand on the Victoria Hwy riverbank (with Main Roads WA authorisation to access the road reserve) to allow heavy plant equipment to gain access to the waterway to assist with spraying of the lagoon to clear cumbungi.

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).

The Shire of Wyndham East Kimberley  
Po Box 614  
Coolibah Drive  
Kununurra WA 6743  
ABN 35 647 145 756