



## 1. Application details

### 1.1. Permit application details

Permit application No.: 1175/1  
 Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Woody Nook Wines Pty Ltd

### 1.3. Property details

Property: LOT 2198 ON PLAN 153386 (Lot No. 2198 METRICUP WILYABRUP 6280)  
 Local Government Area: Shire Of Busselton  
 Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
2.7		Mechanical Removal	Dam construction or maintenance

## 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
Beard vegetation association 3: Medium forest; jarrah-marri (Hopkins et al. 2001, Shepherd et al. 2002). Hedde Vegetation complexes Cowaramup (C2): and Cowaramup Valley (Cw2): both northern half of the Margaret Plateau - characteristic of open jarrah-marri forest with bull banksia second storey (Hedde et al. 1980).	The vegetation under application is an open forest of jarrah, marri and Banksia sp. The understorey is sparse and consists of Peppermint spp., Acacia pulchella, Xylomelum occidentale, Xanthorrhoea preissii, and Hibbertia spp. (DEC Site Visit, 2006).	Degraded: Structure severely disturbed; regeneration to good condition requires intensive management (Keighery 1994)	Observed during site visit: A majority of the area has been subject to heavy historical logging, subject to heavy weed infestation with almost no re-growth occurring, evidenced by lack of new saplings and younger vegetation. Vegetation is medium forest, with condition considered to be degraded (DEC Site Visit, 2006).

## 3. Assessment of application against clearing principles

### (a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments	Proposal is not likely to be at variance to this Principle
	The proposed clearing of 3.33ha is of degraded condition; open forest of Jarrah, Marri, Banksia spp., Xanthorrhoea preissii and a dense weed ground layer. The vegetation under application is located within a small forest that has been historically logged and is currently being used to graze cattle. The local area (10km radius) has been extensively cleared for agriculture, and there are no major ESA's or conservation areas within a 5km radius. The high level of disturbance at this site, extensive weed invasion and low native species density suggests that the original biodiversity has been significantly compromised; it is therefore not likely to be self-sustaining into the future and in present condition, does not contain a high level of biodiversity.
Methodology	DEC Site Visit (2006) Keighery (1994) GIS databases: - Declared Rare and Priority Flora List - CALM 13/08/03 - Hedde Vegetation Complexes - DEP 21/06/95 - Pre European Vegetation - DA 01/01 - Matiske Vegetation - CALM 24/3/98 - Busselton 50cm ORTHOMOSAIC - DLI03

**(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.**

- Comments** **Proposal is not likely to be at variance to this Principle**  
The proposed clearing consists of a small area totalling 3.33ha in the middle of a small forest in a paddock. The subject area is distant from other larger tracts of native vegetation in the area.  
The high level of disturbance at this site by grazing cattle, close proximity to cleared agricultural farming land and industries (wine), extensive weed invasion and limited diversity of native species suggests that the original biodiversity and habitat value has been significantly compromised. This vegetation is unlikely to provide a significant habitat for indigenous fauna.
- Methodology** DEC Site Visit (2006);  
GIS Database:  
- Busselton 50cm ORTHOMOSAIC - DLI03

**(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.**

- Comments** **Proposal is not likely to be at variance to this Principle**  
Six populations of Declared Rare Flora (DRF) *Caladenia excelsa* have been recorded within the local area (10km radius) of the proposed clearing, with the closest located 7.5km north-west. These populations occur in a similar vegetation type as the proposed clearing.
- Ten occurrences of Priority flora 3 (P3) have been recorded in the local area, with the closest, *Acacia inops*, located 1.5km from the proposed clearing. The closest populations occur in the same vegetation type as the proposed clearing, however due to the degraded condition of the area under application and current disturbance through grazing it is unlikely the proposed clearing will impact on these populations.
- Additionally, conditions will be imposed on the permit to ensure fencing of remnant vegetation and revegetation on the property is undertaken to improve condition of existing remnant vegetation. Therefore, it is unlikely the proposed clearing will impact on the continued existence of rare flora, and unlikely to be at variance with this Principle.
- Methodology** GIS databases:  
- Declared Rare and Priority Flora List - CALM 01/07/05

**(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.**

- Comments** **Proposal is not at variance to this Principle**  
One Threatened Ecological Community (TEC) occurs within the local area (10km radius), approximately 9.9km from the notified area. This TEC is not within the same vegetation or soil type as the area under application.
- Due to the distance between the area under application and the recorded TEC, it is not expected that this proposal will impact upon this known occurrence, and unlikely to be at variance with this Principle.
- Methodology** DEC Site Visit (2006);  
GIS databases:  
- Threatened Ecological Communities - CALM 15/7/03  
- Threatened Plant Communities - DEP 06/95  
- Environmentally Sensitive Areas - DOE 30/05/05

**(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.**

- Comments** **Proposal is not likely to be at variance to this Principle**  
The vegetation at the site is a component of Beard Vegetation Association 3 (Hopkins et al. 2001) of which there is 72.1% of the pre-European extent remaining (Shepherd et al. 2001). This vegetation type is therefore of "least concern" for biodiversity conservation (Department of Natural Resources and Environment & Conservation 2002). The local area (10km radius) is approximately 45% vegetated - therefore the area proposed to be cleared is not considered to be a significant remnant within an extensively cleared area.
- Methodology** Department of Natural Resources and Environment (2002);  
Havel (2002) Mattiske;  
Hedde et al. (1980);  
Hopkins et al. (2001) (Beard);  
Shepherd et al. (2001) (Beard, Bioregion & Shires);  
GIS databases:  
- Mattiske vegetation - CALM 24/3/98;  
- Hedde vegetation complexes - DEP 21/06/95;

- Local Government Authorities - DLI 8/07/04;
- Pre-European Vegetation - DA 01/01;
- Busselton 50cm ORTHOMOSAIC - DLI03

**(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.**

**Comments Proposal is not likely to be at variance to this Principle**

There are no EPP areas, EPP lakes, RAMSAR or ANCA wetlands within the local area (10km radius) of the proposed clearing. There are, however, several multiple use wetlands and two conservation category wetlands greater than 7km from the proposed clearing.

The purpose of the proposed clearing is for a vineyard dam, therefore the area under application is within an environment associated with a watercourse.

To mitigate the clearing of vegetation associated with a watercourse, conditions have been imposed on the permit to ensure post dam construction the area will be fenced off and trees and riparian vegetation will be planted along the bank of the water line. These conditions will ensure no further degradation of the watercourse will occur.

**Methodology DEC Site Visit (2006);**

GIS databases:

- ANCA, Wetlands - CALM 08/01
- EPP Areas - DEP 06/95
- EPP Lakes - DEP 28/07/03
- Geomorphic Wetlands (Mgt Categories) Swan Coastal Plain - DoE 15/9/04
- Hydrography Linear - DoE 1/2/04
- RAMSAR, Wetlands - CALM 21/10/02

**(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.**

**Comments Proposal is not at variance to this Principle**

The area proposed to be cleared has no known Acid Sulphate Soils risk, a low salinity risk and a groundwater salinity of 500-1000 mg/L.

Due to the scale of the proposed clearing, appreciable land degradation is unlikely to occur.

**Methodology GIS databases:**

- Acid Sulphate Soil Risk Map, SCP - DoE 01/02/04
- Salinity Risk LM 25m - DOLA 00
- Groundwater Salinity, Statewide 22/02/00

**(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.**

**Comments Proposal is not likely to be at variance to this Principle**

There is only one DEC managed area located within the local area (10km radius).

The Stokes National Park is located 5.5km South of the proposed area. This conservation area is not linked vegetatively to the area under application and due to the condition of vegetation under application it is unlikely the area proposed clearing will impact on environmental values of this conservation area..

**Methodology GIS databases:**

- CALM Managed Lands and Waters - CALM 1/06/04
- Register of National Estate - EA 28/01/03
- System 6 Conservation Reserves - DEP 06/95
- System 1-5 and 7-12 Areas DEP 06/95
- Busselton 50cm ORTHOMOSAIC - DLI03

**(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.**

**Comments Proposal is not likely to be at variance to this Principle**

The area proposed to be cleared is within the Wilyabrup Brook Hydrographic Catchment Area, with a low salinity risk mapped for the area under application, and is not within a RIWI surface water.

The area is, however, within the Busselton-Capel RIWI groundwater area.

Due to the small size of the proposed clearing, degradation of local water quality is unlikely to occur.

- Methodology** GIS databases:
- CAWSA Part2A clearing control catchment - DoE 17/11/05
  - Evaporation Isopleth - BOM 09/98
  - Hydrogeology, statewide - WRC 05/02/02
  - Hydrographic Catchments, Catchments - DoE 3/4/03
  - PDWSA, Gazetted - WRC 01/11/02
  - Public Drinking Water Source Areas (PDWSAs) - DOE 29/11/04
  - Rainfall, Mean Annual - BOM 30/09/01
  - RIWI Groundwater Areas - WRC 13/06/00;
  - RIWI Surface Water Areas - WRC 18/10/02;

**(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.**

**Comments** **Proposal is not at variance to this Principle**  
 Flooding impacts are unlikely to occur as a result of the proposed clearing due to its size and location. Lot 2198 is located approximately 1.2km North from the nearest major watercourse (river). It is considered that the removal of vegetation from site would have no impact on peak flood height or duration.

- Methodology** GIS databases:
- Topographic Contours, Statewide - DOLA 12/09/02

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

**Comments**

The property has no zoning classification in the Town Planning Scheme.

No submissions have been received.

The Shire of Busselton initially rejected the application, stating the volume of the dam for its intended purpose had been overestimated. A revised dam proposal with a reduced size was then accepted and approved on the basis that the original volume had been decreased thereby reducing the area of impact to native vegetation.

- Methodology** GIS database:
- Town Planning Scheme Zones - MFP 8/98
  - WRL, Properties, Surface Water Licences - WRC (Current)
  - WRL, Properties, Ground Water Licences - WRC (Current)

**4. Assessor's comments**

Purpose	Method Applied	Applied area (ha)/ trees	Comment
Dam construction or Removal maintenance	Mechanical	2.7	Assessable criteria have been addressed and although the application is within an environment associated with a watercourse, no objections were raised. It is evident the watercourse has historically been impacted and degraded by damming both up and down stream of the proposed area, a condition has been imposed requiring fencing the perimeter and re-planting of native riparian vegetation along the bank of the water line; this should minimise further degradation to any of the local watercourses. The subject area contains a high level of disturbance, extensive weed invasion and low native species density that suggests the original biodiversity has been significantly compromised; it is therefore not likely to be self-sustaining into the future and in present condition, does not contain a high level of biodiversity. Development approval has been obtained from the Shire.

**5. References**

DEC Site Visit (2006), Report - 25-09-06; Department of Environment and Conservation  
 Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria,  
 Heddle, E. M., Loneragan, O. W., and Havel, J. J. (1980) Vegetation Complexes of the Darling System, Western Australia. In Department of Conservation and Environment, Atlas of Natural Resources, Darling System, Western Australia.  
 Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.  
 Matisse Consulting (1998) Mapping of vegetation complexes in the South West forest region of Western Australia, CALM.  
 Shepherd, D.P., Beeston, G.R. and Hopkins, A.J.M. (2001) Native Vegetation in Western Australia, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

## 6. 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)

