



## 1. Application details

### 1.1. Permit application details

Permit application No.: 1273/1

Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Douglas Whitney York Manager Gibraltar Rock Wines

### 1.3. Property details

Property: LOT 21 ON PLAN 22160

Local Government Area: Shire Of Plantagenet

Colloquial name:

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.4		Mechanical Removal	Drainage

## 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., 2001).	The vegetation near the watercourse consists of jarrah and marri trees with little native understorey. Approximately 10-20 trees will be removed for the drain to be constructed approximately 10m from the watercourse.	Excellent: Vegetation structure intact; disturbance affecting individual species, weeds non-aggressive (Keighery, 1994).	The vegetation near the watercourse had some weed invasion and is in a slightly degraded condition as there is little native understorey and groundcover. The second area is in excellent condition with no signs of disturbance. A rating of Excellent is considered to appropriately reflect the overall condition of the vegetation under application (DEC site visit TRIM ref AD307).
	The second area includes a corner of vegetation, approximately 10 trees and associated groundcover, of jarrah forest with a diverse array of native ground cover flora species (DEC site visit TRIM ref AD307).		

## 3. Assessment of application against clearing principles

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

Comments	<p><b>Proposal is not likely to be at variance to this Principle</b></p> <p>The vegetation in the areas under application (0.4 ha) appears to contain a moderate level of biodiversity with respect to flora (DEC site visit). Within a 10km radius of the proposed area is the Porongurup National Park which contains a very high level of biodiversity.</p> <p>As such, clearing of this small area is not likely to be at variance to this Principle, especially when compared to the local area.</p>
Methodology	<p>DEC site visit (TRIM ref AD307)</p> <p>GIS Database:</p> <p>-CALM Managed Lands and Waters - CALM 01/06/2004.</p>

### (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	<p><b>Proposal is not likely to be at variance to this Principle</b></p> <p>This application covers 0.4 ha of vegetation in two areas. The 10-20 trees proposed to be cleared near the watercourse have little understorey and none of the trees here or in the second area appeared to contain</p>
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hollows (DEC site visit). The habitat values of this vegetation are considered to be relatively low (DEC site visit), given the small area and compared to the local area which includes the Porongurup National Park.

Additionally, the proponent is prepared to fence off a 2.6 ha remnant of vegetation on the property to protect it from grazing, this will improve the habitat values of the remnant.

**Methodology** DEC site visit (TRIM ref AD307)

**(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**

A number of Declared Rare Flora (DRF) and Priority flora species are listed as occurring within the local area, most of which are within the Porongurup National Park. None of these species are known to occur within the area under application and the closest three DRF are found in areas of granite (FloraBase, 2006). The area under application has shallow sand over gravel (DEC site visit) and as such none of these DRF species are likely to occur on it.

**Methodology** FloraBase (2006), DEC site visit (TRIM ref AD307)  
GIS Database:  
-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 likely to be at variance to this Principle**

The nearest Threatened Ecological Community (TEC) is located approximately 5.5km north east of the area under application. As there is no vegetation or watercourse linkage between the area under application and this TEC, it is unlikely that 0.4 ha of clearing will impact upon it.

**Methodology** GIS Database:  
-Threatened Ecological Communities -CALM 12/4/05

**(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 at variance to this Principle**

The State Government is committed to the National Objective and Targets for Biodiversity Conservation 2001-2005 (AGPS, 2001) which includes a target that prevents clearance of ecological communities with an extent below 30% of that pre-European settlement (Department of Natural Resources and Environment, 2002; EPA, 2000).

The area under application has above 30% representation for the IBRA Bioregion (Jarrah Forest), for the Shire (Plantagenet) and for Beard Vegetation Association 3 (Shepherd et al., 2001; Hopkins et al., 2001).

As such, the proposal is considered to be not at variance with this Principle.

**Methodology** AGPS (2001), Department of Natural Resources and Environment (2002), EPA (2000), Shepherd et al. (2001), Hopkins et al. (2001)

**(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**

A watercourse runs near one of the areas covered by this application. The 10-20 trees to be cleared in this area are approximately 10m from the watercourse and the proponent intends to construct a shallow drain to siphon off high flows from the watercourse. None of the vegetation covered by this application is riparian (DEC site visit). As the proposal is to remove the high flows from the watercourse this proposal should reduce erosion of the stream banks rather than exacerbate it.

It is considered that the removal of up to 20 trees near the watercourse is not likely to negatively impact upon it.

**Methodology** DEC site visit (TRIM ref AD307)

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

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

The proposed clearing is for the purpose of contouring drains across the property to collect water. This should reduce the erosion across the property, which has quite a steep gradient, and the property below (DEC site

visit).

Department of Agriculture and Food Western Australia (DAFWA) officers have assessed the proposal and the Commissioner for Soil and Land Conservation has advised that the proposed clearing is unlikely to cause appreciable land degradation. However, the proposal does not provide accurate earthwork design information for the channel and no evaluation of the channel design or the impacts of any design has been undertaken and is outside the scope of DAFWA clearing report. DAFWA advise that design consideration is important to ensure the proposed structure does not fail (DAFWA, 2006).

Given the above, the proposed clearing is unlikely to be at variance to this Principle.

**Methodology** DAFWA (2006)

**(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**

The area under application is within 1km of the Porongurup National Park. However, the area is small and is unlikely to provide any value to the reserve in the way of buffers or ecological linkage.

The benchmark of 15% representation in conservation reserves (JANIS, 1997) has not been met for Beard Association 3 (Hopkins et al., 2001) with 10.1% in reserve (Shepherd et al., 2001). This is not considered to be of concern given the small area under application and the large area in reserve within a 10km radius of the property.

additionally, the applicant has offered to fence the 2.6 ha remnant of vegetation in the north east of the property to protect its environmental values against sheep grazing.

Given the above, this proposal is considered to be not at variance with this Principle.

**Methodology** JANIS (1997), Hopkins et al. (2001), Shepherd et al. (2001)  
GIS Database:  
-CALM Managed Lands and Waters - CALM 1/07/05

**(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 under application is not within a gazetted, proclaimed or declared area.

The small area proposed to be cleared is unlikely to have a measurable impact on the salinity in the catchment. The purpose of the proposed clearing is to construct earthworks to improve water harvesting (DAFWA, 2006).

The areas proposed to be cleared has very little topsoil covering gavel soils (DEC site visit). The erosion and subsequent sedimentation associated with this small area of clearing is likely to be minimal.

Given the above, it is considered that this proposal is not likely to be at variance to this Principle.

**Methodology** DEC site visit (TRIM ref AD307), DAFWA (2006)  
GIS Databases:  
-RIWI Act, Areas - WRC 05/04/02  
-Public Drinking Water Source Areas (PDWSA's) - DOE 07/02/06

**(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 likely to be at variance to this Principle**

The area proposed to be cleared is 0.4ha of vegetation within the buffer zone of an unnamed creek, and approximately 0.7ha of vegetation on the edge of a parcel of remnant vegetation.

The vegetation situated along the buffer zone of the unnamed creek is proposed to be cleared to divert the peak flows into a dam located 210m away, during high rainfall events (DEC site visit).

For the intended land use of surface water earthworks for water harvesting, intercepting of surface waters would have a positive impact on potential waterlogging (DAFWA 2006).

Given the small area under application, the proposed clearing is not likely to cause, or exacerbate, the incidence or intensity of flooding.

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

**Comments**

No objections have been raised for this proposed clearing activity. There are no other RIWI Act Licence, Works Approval or EP Act Licence that will affect the area that has been applied to clear.

Native Title has been extinguished as the applicant is acting on behalf of the person who holds the freehold title of the property on which the clearing will take place.

**Methodology**

**4. Assessor's recommendations**

Purpose	Method Applied	Decision	Comment / recommendation
Drainage	Mechanical Removal area (ha)/ trees 0.4	Grant	The assessing officer has considered the 10 Clearing Principles and has found this application to be either 'not at variance' or 'not likely to be at variance' and as such recommends that the Permit be granted with fencing of one remnant attached as a condition.

**5. References**

AGPS (2001) The national objective and targets for biodiversity conservation 2001-2005. Commonwealth of Australia, Canberra.

DAFWA (2006) Land degradation assessment report. Office of the Commissioner of Soil and Land Conservation, Department of Agriculture and Food Western Australia. DoE TRIM ref DOC2543.

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.

EPA (2000) Environmental protection of native vegetation in Western Australia. Clearing of native vegetation, with particular reference to the agricultural area. Position Statement No. 2. December 2000. Environmental Protection Authority.

FloraBase (2006) Descriptions by the Western Australian Herbarium, CALM. Text used with permission (<http://florabase.calm.wa.gov.au/help/copyright>). Accessed on Monday, 17 July 2006.

Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALMScience after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.

JANIS Forests Criteria (1997) Nationally agreed criteria for the establishment of a comprehensive, Adequate and Representative reserve System for Forests in Australia. A report by the Joint ANZECC/MCFFA National Forest Policy Statement Implementation Sub-committee. Regional Forests Agreement process. Commonwealth of Australia, Canberra.

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, Extent, Type and Status. Resource Management Technical Report 249. Department of Agriculture, Western Australia.

**6. Glossary**

Term	Meaning
CALM	Department of Conservation and Land Management
DAWA	Department of Agriculture
DEP	Department of Environmental Protection (now DoE)
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 DoE)



