



## 1. Application details

### 1.1. Permit application details

Permit application No.: 1828/1  
 Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: Paul Anthony Conti

### 1.3. Property details

Property: LOT 1690 ON PLAN 201661 (Lot No. 1690 MIAMUP COWARAMUP 6284)  
 Local Government Area: Shire Of Augusta-Margaret River  
 Colloquial name:

### 1.4. Application

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

## 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 (Shepherd et al., 2001).	The proposal involves clearing approximately 75 scattered paddock trees.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	The description of the clearing application area is based on orthomosaic mapping.
Cowaramup Complexes (C2 & Cw2): Open forest to woodland of Eucalyptus marginata subsp. marginata-Corymbia calophylla-Banksia grandis on lateritic uplands in perhumid and humid zones;	The area is currently grazed by stock.		
Wilyabrup Complex (W2): Open forest of Corymbia calophylla-Allocasuarina decussata-Agonis flexuosa on deeply incised valleys in perhumid and humid zones (Matiske Consulting, 1998).			

## 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 at variance to this Principle**  
 The proposal is for the clearing of approximately 75 scattered paddock trees for the purpose of vineyard construction. The vegetation under application appears to be in completely degraded condition(Keighery, 1994),  
 Given the application consists of scattered paddock trees in a grazed area the proposed clearing does not hold a high level of biological diversity and is not at variance to this Principle.

**Methodology** Keighery (1994);  
 GIS Databases:  
 - Busselton 50cm ORTHOMOSAIC - DLI04

**(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 at variance to this Principle**

The proposal is for the clearing of approximately 75 scattered paddock trees for the purpose of vineyard construction. The vegetation appears to be in completely degraded condition (Keighery, 1994).

There are several records of threatened and priority fauna within close proximity of the proposed area for clearing (10 km radius). The local area is approximately 40% vegetated with the majority being DEC Managed State Forest. Therefore given the condition of the vegetation under application and the surrounding local vegetation the area under application is not considered significant habitat for fauna indigenous to Western Australia and is therefore not at variance to this Principle.

**Methodology** Keighery (1994);

GIS Databases:

- CALM Managed Lands and Waters - CALM 1/07/05;
- Threatened Fauna - SAC Bio Dataset - 22/8/07;
- Busselton 50cm ORTHOMOSAIC - DLI04

**(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**

Several populations of *Caladenia excelsa* (DRF), *Acacia subracemosa* (P2), and numerous other priority flora populations within a 10 km radius of the area proposed for clearing.

*Caladenia excelsa* is a tuberous, perennial herb that flowers in September to October and occurs in white, grey or brown sand / sandy loam (DEC, Florabase, 2007).

The soils of the area under application are described as gently undulating terrain of broad shallow valleys and low ridges with moderate amounts of laterite and lateritic (ironstone) gravel: chief soils of the broad shallow valleys are acid grey earths sometimes containing ironstone gravels. Associated are leached sands in valley deposits and outwash areas; soils containing ironstone gravels on ridges and their slopes and areas of block laterite (Northcote, 1960-68).

The local area (10km radius) is approximately 40% vegetated with the majority being DEC Managed State Forest.

Given the application consists of scattered paddock trees in a grazed area; the surrounding local vegetation; and the soil types in the local area, it is unlikely the proposed clearing will be necessary for the continued existence of rare flora and is therefore not likely to be at variance to this Principle.

**Methodology** DEC, Florabase (2007)  
Northcote (1960-68)

GIS Databases:

- DEFL, SAC Bio Datasets - 22/8/07;
- Busselton 50cm ORTHOMOSAIC - DLI04
- CALM Managed Lands and Waters - CALM 1/07/05;

**(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**

There are four populations of the community type "Low shrublands (Gracetown)" approximately 8.2km west of the area under application. This community type comprises a low shrubland or heath structure, and occurs on acidic grey-brown sands (TEC Database).

The soils of the area under application are described as gently undulating terrain of broad shallow valleys and low ridges with moderate amounts of laterite and lateritic (ironstone) gravel: chief soils of the broad shallow valleys are acid grey earths sometimes containing ironstone gravels. Associated are leached sands in valley deposits and outwash areas; soils containing ironstone gravels on ridges and their slopes and areas of block laterite (Northcote, 1960-68). Therefore the soils of local TECs are consistent with the area under application.

However given the application consists of scattered paddock trees in a grazed area; and the surrounding local vegetation (40% in 10km radius), the proposed clearing is not likely to comprise the whole or part of, or be necessary for the maintenance of a TEC and is therefore not likely to be at variance to this Principle.

**Methodology** Northcote et al. (1960-68);

**(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 application is located in the Jarrah Forest Bioregion in the Shire of Augusta Margaret River. The extent of native vegetation in these areas is 58.3% and 71.7% respectively (Shepherd et al. 2001). There is approximately 40% of native vegetation remaining in the local area and the majority of this is within DEC-managed state forest.

The Cowaramup complexes represent the area under application. There is currently 23% (Mattiske Consulting, 2002) of this type remaining. Although this vegetation type has been identified as having a low representation, much of it is protected within large areas of state forest existing in the local area.

Given the application consists of scattered paddock trees in a grazed area; and the remaining vegetation in the local area (40% in 10km radius), the proposed clearing is not considered significant remnant vegetation is an extensively cleared area and it therefore not at variance to this Principle.

**Methodology GIS Databases:**

- Mattiske Vegetation - CALM 24/3/98;
- Interim Biogeographic Regionalisation of Australia - EM 18/10/00;
- Pre European Vegetation - DA 01/01;
- Local Government Authorities - DLI 8/07/04

**(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 at variance to this Principle**

A small tributary of the Wilyabrup Brook is located on the property, however the vegetation under application comprises scattered paddock trees that are not associated with this watercourse; therefore the proposed clearing is not associated with a wetland or watercourse and therefore not at variance to this Principle.

**Methodology GIS Databases:**

- Hydrography, Linear - DoE 1/2/04;
- EPP Areas - DEP 6/95

**(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 soils of the area under application are described as gently undulating terrain of broad shallow valleys and low ridges with moderate amounts of laterite and lateritic (ironstone) gravel: chief soils of the broad shallow valleys are acid grey earths sometimes containing ironstone gravels. Associated are leached sands in valley deposits and outwash areas; soils containing ironstone gravels on ridges and their slopes and areas of block laterite (Northcote, 1960-68).

The groundwater salinity is 1000 to 3000 mg/L and the hydrogeology consists of rocks of low permeability with local aquifers in fractured and weathered rocks.

Given the application consists of scattered paddock trees in a grazed area; the level of ground water salinity; the hydrogeology of the area; and the remaining vegetation in the local area (40% in 10km radius), the proposed clearing is not likely to cause appreciable land degradation. Therefore the proposed clearing is not likely to be at variance to this Principle.

**Methodology Northcote et al. (1960-68);**

**GIS Databases:**

- Salinity Risk LM25m - DOLA 00;
- Hydrogeology, Statewide - DOW;
- Groundwater Salinity, Statewide - DOW;
- CALM Managed Lands and Waters - CALM 1/07/05

**(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 proposed for clearing does not lie within or adjacent to areas set aside for conservation. Given the

application consists of scattered paddock trees in a grazed area and the remaining surrounding vegetation in the local area (40% in 10km radius), the proposed clearing is unlikely to impact on the environmental values of any nearby conservation areas in the local area.

**Methodology** GIS Databases:  
- CALM Managed Lands and Waters - CALM 1/07/05;  
- Register of National Estate - EA 28/1/03

**(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 soils of the area under application are described as gently undulating terrain of broad shallow valleys and low ridges with moderate amounts of laterite and lateritic (ironstone) gravel: chief soils of the broad shallow valleys are acid grey earths sometimes containing ironstone gravels. Associated are leached sands in valley deposits and outwash areas; soils containing ironstone gravels on ridges and their slopes and areas of block laterite (Northcote, 1960-68).

The groundwater salinity is 1000 to 3000 mg/L and the hydrogeology consists of rocks of low permeability with local aquifers in fractured and weathered rocks.

The slope of the land under application is 100 to 115 meters AHD (Australian Height Datum) over 385m with a small tributary of the Wilyabrup Brook located on the property under application.

Although the soils contain gravel and a watercourse is within approximately 100 meters of the area under application, the application consists of scattered paddock trees in a grazed area with a low gradient slope therefore the proposed clearing is not likely to cause appreciable land degradation and is not likely to be at variance to this Principle.

**Methodology** Northcote et al. (1960-68);  
  
GIS Databases:  
- Hydrography, linear - DOE 1/2/04  
- Topographic Contours, Statewide - DOLA 12/09/02  
- Hydrogeology, Statewide - DOW;  
- Groundwater Salinity, Statewide - DOW

**(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**

Given the application consists of scattered paddock trees in a grazed area and the remaining surrounding vegetation in the local area (40% in 10km radius), the proposed clearing is unlikely to cause or exacerbate the incidence or intensity of flooding and is therefore not likely to be at variance to this Principle.

**Methodology** GIS Databases:  
- CALM Managed Lands and Waters - CALM 1/07/05;  
- Register of National Estate - EA 28/1/03

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

**Comments**

The land is zoned Rural under the Shire of Augusta-Margaret River TPS No.11. The Shire (2007) advise the proposed development for a vineyard and dam on Lot 1690 has been approved.

There are four Native Title claims over the area under application (South West Bojarah and Harris Family); however as the property is privately owned the granting of the clearing permit is a secondary approval and does not constitute a future act under the Native Title Act 1993.

Public submission advised that 'no specific objection to the proposed clearing however in assessing this clearing application we would like to see consideration given to the on-going protection of the remnant vegetation and the waterway running through this location. Wilyabrup Brook at the northern end of the property also requires protection from stock. Areas of the Brook on Lot 1690 are eroding impacting on the downstream ecology of the brook. If revegetation is a condition of approval we would recommend it occur along the brook to aid in stabilising the banks and protecting the water quality and ecology of the brook' (Public Submission, 2007). Clearing principles can not consider end land use however it is noted that the development approval associated with the land under application is for vineyard and dam.

**Methodology** Shire of Augusta-Margaret River (2007);  
Public Submission (2007);

GIS Databases:

- Town Planning Scheme Zones - MFP 08/98;
- Native Title Claims - DLI 7/11/05

#### 4. Assessor's comments

Purpose	Method Applied	area (ha)/ trees	Comment
Horticulture	Mechanical Removal	75	The application has been assessed against the clearing principles, planning instruments and other matters in accordance with s51O of the Environmental Protection Act 1986, and the proposed clearing is not at variance or not likely to be at variance to all ten clearing Principles.

#### 5. References

- DEC, Florabase (2007) <http://florabase.dec.wa.gov.au/browse/profile/13619>. (Retrieved 3 December 2007).
- Havel, J.J. and Mattiske Consulting Pty Ltd (2002) Review of management options for poorly represented vegetation complexes, Conservation Commission.
- Hopkins, A.J.M., Beeston, G.R. and Harvey J.M. (2001) A database on the vegetation of Western Australia. Stage 1. CALM Science after J. S. Beard, late 1960's to early 1980's Vegetation Survey of Western Australia, UWA Press.
- Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.
- Mattiske Consulting (1998) Mapping of vegetation complexes in the South West forest region of Western Australia, CALM.
- Northcote, K. H. with Beckmann G G, Bettenay E., Churchward H. M., van Dijk D. C., Dimmock G. M., Hubble G. D., Isbell R. F., McArthur W. M., Murtha G. G., Nicolls K. D., Paton T. R., Thompson C. H., Webb A. A. and Wright M. J. (1960-68): 'Atlas of Australian Soils, Sheets 1 to 10, with explanatory data'. CSIRO and Melbourne University Press: Melbourne.
- Public Submission (2007) TRIM Ref: DOC20200.
- Sac Bio Datasets (22/8/07). Department of Environment and Conservation, Sac Bio Datasets, Kensington, Western Australia.
- Shepherd, D.P. (2006). Adapted from: 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. Includes subsequent updates for 2006 from Vegetation Extent dataset ANZWA1050000124.
- 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.
- Shire of Augusta-Margaret River advice (2007). TRIM Ref: DOC28185.

#### 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)