



1. Application details

1.1. Permit application details

Permit application No.: 487/1

Permit type: Area Permit

1.2. Proponent details

Proponent's name: Great Southern Vineyard Holdings Pty Ltd

1.3. Property details

Property: LOT 2804 ON PLAN 203076 (Lot No. 2804 ROWE WITCHCLIFFE 6286)
 LOT 2604 ON PLAN 153473 (Lot No. 2604 MILL WITCHCLIFFE 6286)
 LOT 2805 ON PLAN 203076 (Lot No. 2805 MILL WITCHCLIFFE 6286)
 LOT 3157 ON PLAN 162425 (Lot No. 3157 MILL WITCHCLIFFE 6286)

Local Government Area: Shire Of Augusta-Margaret River

Colloquial name: Great Southern Vineyard Holdings

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
1	100	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. (Hopkins et al. 2001; Shepherd et al. 2001).	The vegetation under application consists of isolated paddock trees and small stands, with no mid or understorey layer present. The understorey is dominated by pasture species. The trees species observed were predominantly Corymbia calophylla with a few scattered Agonis flexuosa.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery 1994)	Vegetation condition established Site Visit. Although identified as being species found within the identified vegetation complex, no Eucalyptus marginata (Jarrah) or Eucalyptus patens (Blackbutt) were observed during the site visit. DEC officers were informed this is due the previous owner removing all for milling. (DEC Site Visit 2005).
Mattiske Vegetation Complex Cowaramup Valley (cw1) - Mixture of open forest to woodland of Eucalyptus diversicolor-Corymbia calophylla and woodland of Eucalyptus marginata subsp. marginata24 -Corymbia calophylla on slopes and low woodland of Melaleuca preissiana-Banksia littoralis on depressions in the hyperhumid zone. (Mattiske 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 likely to be at variance to this Principle

The area under application consists of isolated paddocks trees (approximately 33) and small stands sparsely situated across the property. No mid or understorey species exist and exotic pasture species dominate the understorey. Only two tree species were sighted when an inspection of the property was conducted, these were predominantly Corymbia calophylla, with a very small number of Agonis flexuosa also observed (DEC, 2005). In its current state the vegetation is not considered to have a high level of biological diversity.

To mitigate the loss the vegetation under application, the proponent has committed to rehabilitating a total area of 6.79 hectares including planting a minimum 30 meters of riparian vegetation along the identified watercourses using local provenance seed.

It is concluded the proposal is not likely to be at variance with this principle.

Methodology Environmental Management Plan 2006
DEC Site Report 2005
GIS database:
EPA (2000) (note this is Position Statement No.2)

(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

Two areas in the north west corners of the property are known to be part of a river system which has been identified as providing habitat to the frog species *Geocrinia alba*, common name 'white bellied frog'. This species is classified as 'endangered', and protected under the Environment Protection Biodiversity Conservation Act 1999. The vineyard proposal was referred to the Department of Environment and Heritage (DEH), given the possible impact the proposed development may have on this species. DEH decided the proposal is 'not a controlled action', conditional to certain actions being undertaken by the proponent. One of these conditions relate to the vegetation existing on the property, this being the requirement of a 50 meter fenced buffer from the western boundary of the swamp areas which occur within the north west corners Lot 2604 and 3157.

The proposal was also referred to the Environmental Protection Authority (EPA) who determined the vineyard proposal should be treated as 'Not Assessed - Public Advice Given'. In this advice EPA request the Department of Environment and Conservation (DEC) consider and implement their advice by placing relevant conditions on the clearing permit.

In considering the possible impacts on the white bellied frog and to remain consistent with other decision making authorities, conditions requiring a 50 meter fenced buffer from both swamps in the north west corners of Lot 2604 and 3157 will be placed on the permit with the consent of the proponent.

Given DEH and EPA have both advised the development is environmentally acceptable provided the recommended conditions are imposed on the proponent, it is concluded the proposal is not likely to be at variance to this principle, with the recommended conditions placed on the permit.

Methodology Environmental Management Plan 2006
DEH Statement 2006
EPA Advice 2006
GIS Database:
- Threatened and Priority fauna - CALM (CALM 2004)

(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

There are two Declared Rare Flora species in the local area (10km radius) with the closest being *Caladenia excelsa* which has been recorded 8.9km from the proposed clearing. There are also 11 Priority species within the local area, with *Acacia inops* (Priority 3) being the closest species at approximately 1.78km from the area under application.

Given the scale of the proposed clearing, and the vegetation's condition being rated to be 'completely degraded' (Keighery, 1994), it is unlikely the clearing of this vegetation will impact upon declared rare or priority species.

It is concluded the proposal is not likely to be at variance to this principle.

Methodology DEC Site Report 2005
Keighery 1994
GIS database:
- Declared Rare and Priority Flora List - CALM 13/08/03

(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

One Threatened Ecological Community (TEC) exists approximately 9.7km from the area under application.

Given the area under application consists of isolated paddock trees and small stands, and taking into account the distance from the identified TEC, it is not likely the proposal will be at variance to this principle.

Methodology DEC Site Report 2005

GIS database:
- Threatened Ecological Communities - CALM 15/7/03

(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 proposed clearing is located in the Jarrah Forest and the Shire of Augusta Margaret River. The extent of native vegetation in these areas is 58.3% and 86.6% respectively. The vegetation proposed to be cleared is a component of Matiske Complex Cowaramup (CW1) of which there is 32.8% of the pre-European extent remaining and therefore of a 'Depleted' status for biodiversity conservation (Department of Natural Resources and Environment 2002).

The area proposed for clearing consists of isolated trees and small parkland cleared stands. The vegetation's basic structure is no longer intact, with no native mid or understorey species existing as a result of multiple impacts including thinning and long term grazing.

In considering the current extent of the identified complexes, the degraded condition of the vegetation and the committed 6.79 hectares to be revegetated, the area under application is not considered an important remnant within the local area (10km radius).

It can therefore be concluded the proposal is not at variance to this principle.

Methodology Environmental Management Plan 2006
DEC Site Report 2005
Department of Natural Resources and Environment (2000)
Hopkins et al. (2001)
GIS database:
- Local Government Authorities - DLI 8/07/04
- Matiske Vegetation - CALM 24/3/98
- Interim Biogeographic Regionalisation of Australia - EM - 18/10/00
- Pre European Vegetation - DA 01/01

(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 two major perennial watercourses flowing through the property, one being the Upper Chapman Brook. This watercourse crosses the north west corner of the property, and is recognised as an Environmentally Sensitive Area. It is not within the area under application. The Management Plan for the proposed vineyard recognises this area as one which requires conservation and has committed to retaining and fencing a 50 meter buffer from the watercourse.

The second watercourse flows through the centre of the property and is not within the area under application. Riparian vegetation exists in small patches along the creek, however the majority of the riparian zone has bare banks. The Management Plan proposes to place a 50m setback from the watercourse to the any vines planted. The Plan also commits to an extensive revegetation program along all existing watercourses and around both proposed dams.

Geomorphic wetlands exist within the property, with a palusplain in the north east corner, a floodplain in the north west corner and a paluslope in the south east corner, where the proposed dam is to be constructed. The Management Plan proposes to revegetate all these areas with endemic species. The condition requiring this rehabilitation will be placed on the permit.

The vegetation proposed for clearing is not growing in, or in association with either of the existing watercourses.

It can therefore be concluded the proposal is not likely to be at variance to this principle.

Methodology Environmental Management Plan 2006
GIS database:
- Geomorphic Wetlands, Augusta to Walpole - DoE 18/06/03
- Hydrography Linear - DoE 1/2/04
Site Visit (18/04/05)

(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

Groundwater salinity is mapped at 1000-3000TDS, however this is not considered a concern when the total

extent of clearing, one hectare and 100 trees, is taken into account.

The vegetation proposed to be cleared consists of isolated paddock trees and small parkland cleared stands with no mid or understorey. It is not believed the clearing proposal will cause any further land degradation.

It can therefore be concluded the proposal is not likely to be at variance to this principle.

- Methodology** GIS database:
- Groundwater Salinity, Statewide - 22/02/05
 - Salinity Risk LM 25m - DOLA 00
 - Topographic contours, Statewide - DOLA 12/09/02

(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**
- A number of conservation areas exist within the local area, the closest being Bramley National Park, found 3.4km north of the area under application. The Forest Grove National Park and Leeuwin Naturaliste National Park both exist approximately 5km south of the proposed vineyard development.

The vegetation under application has been rated to be in Completely Degraded (Keighery, 1994) condition. The proposed clearing is unlikely to impact upon these local conservation areas given its scale and lack of vegetation links.

It can therefore be concluded the proposal is not likely to be at variance to this principle.

- Methodology** GIS database:
- CALM Managed Lands and Waters - CALM 1/06/04

(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 proposed clearing is not within a Public Drinking Water Supply Area.

The Environmental Management Plan (EMP) has addressed water quality management for the property. The watercourses on the property currently have little to no riparian vegetation. The EMP commits to revegetating a minimum 34 meters of existing or newly planted vegetation with endemic species, starting from the watercourse edge. Along side this a 4 meter strip of nutrient stripping channels will be planted with sedges and rushes. The revegetated riparian zone will include three zones, being the emergent, ephemeral and riparian zones.

It is recommended two conditions be placed on the permit, requiring them to replant a buffer of 30 meters of local species along the existing watercourses and for a 50m buffer to be retained and fenced along the Upper Chapman Brook in the north west corners of Lot 2604 and Lot 3157. This requirement will ensure the surface water quality is maintained, and is likely to improve, given the revegetating condition.

It can therefore be concluded the proposal is not likely to be at variance to this principle.

- Methodology** Environmental Management Plan 2006
- GIS database:
- Public Drinking Water Source Areas (PDWSA)DOE - 29/11/04
 - Hydrography Linear - DoE 1/2/04
 - Augusta Orthomosaic - DOLA 00

(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 proposed clearing is unlikely to exacerbate the incidence or intensity of flooding given the scale of the area under application.

It can therefore be concluded the proposal is not likely to be at variance to this principle.

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

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

- Comments**
- The property is zoned rural under the Town Planning Scheme.

The Shire of Augusta Margaret River has issued development approval for the vineyard proposal. The approval was appealed, however the State Administrative Tribunal (SAT) upheld the Shire's decision on 12/12/06, and the original approval stands.

The vineyard development was also referred to EPA, who determined the proposal could be treated as 'Not Assessed - Public Advice Given. This level of assessment was appealed, however on the 02/11/06, the Minister for the Environment dismissed the appeal and EPA's original decision was upheld. EPA made several recommendations on the management of the development and these have been taken into account in the assessment process. The conditions placed on the permit implement the advice received.

DEH were also referred the proposal, given the possible impacts a nearby populations of the frog species *Geocrinia alba*. DEH decided the proposed action was not a controlled action, conditional to certain activities being carried out by the proponent. The conditions placed on the permit are consistent with the condition required by DEH.

Methodology EPA Decision 2007
 State Administrative Tribunal 2006
 DEH Decision 2006
 GIS Database:
 - Town Planning Scheme Zones - MFP 8/98

4. Assessor's comments

Purpose	Method	Applied area (ha)/ trees	Comment
Horticulture	Mechanical Removal	1 100	<p>Assessable criteria have been addressed and found the proposal to be at variance to none of the principles. The subject area is parkland cleared, with a low level of species diversity.</p> <p>The vineyard development has been referred to both EPA and DEH. Both Departments reviewed the proposal and decided not to formally assess the development. DEH's decision was conditional to certain conditions being adhered to by the proponent. EPA's advice to the Department outlines its expectations for DEC to implement its advice through the clearing approval process. The permit and permit conditions are consistent with decisions already made by these two authorities.</p> <p>It is therefore recommended the permit be granted with the following conditions.</p> <ol style="list-style-type: none"> 1. The Permit Holder shall not clear any native vegetation within the areas shaded green on attached Plan 487/1. 2. Prior to commencing clearing, the Permit Holder shall construct a fence enclosing the areas shaded green on attached Plan 487/1. 3. Offset revegetation <ol style="list-style-type: none"> (a) The Permit Holder must revegetate the area shaded red on attached Plan 487/1 by deliberately planting or seeding native vegetation that will result in a similar species composition, structure and density of native vegetation similar to pre-clearing types in that area. (b) The revegetation species shall consist of local endemic species found within a 10km of the proposed clearing. (c) The revegetation shall commence before July 2008 and be completed by August 2008 except for any reseeded required because of plant failure. (d) The revegetation shall be a minimum of 30 meters wide, beginning from the river bank of the watercourse.

5. References

AHA Viticulture 2006, Row Road, Witchcliffe Environmental Management Plan, prepared for Great Southern Vineyard Holdings Pty Ltd, Dunsborough Western Australia

DEC Site Report, 2005, Department of Environment and Conservation TRIM Ref SWD47209

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.

Doyles Environmental Waterlogging Solutions (2005), Proposed Sub-surface Drainage Layout and Design, Prepared for Great Southern Plantations, Bunbury, Western Australia.

Mattiske 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)