



## CLEARING PERMIT

*Granted under section 51E of the Environmental Protection Act 1986*

### PERMIT DETAILS

Area Permit Number: 4621/1

File Number: 2011/008991-1

Duration of Permit: From 16 January 2012 to 16 January 2014

### PERMIT HOLDER

The National Trust of Australia (WA)

### LAND ON WHICH CLEARING IS TO BE DONE

LOT 801 ON DEPOSITED PLAN 60778 (KINGSLEY 6026)

ROAD RESERVE (PIN 1357672; 1357671) (KINGSLEY 6026)

### AUTHORISED ACTIVITY

The Permit Holder shall not clear more than 0.2 hectares of native vegetation within the area hatched yellow on attached Plan 4621/1.

### CONDITIONS

Nil.

A handwritten signature in black ink, appearing to read "M Warnock", written over a horizontal line.

M Warnock  
A/MANAGER  
NATIVE VEGETATION CONSERVATION BRANCH

*Officer delegated under Section 20  
of the Environmental Protection Act 1986*

22 December 2011



# Plan 4621/1



## LEGEND

- Road Centrelines
- Cadastre
- Clearing Instruments
- Areas Approved to Clear
- Local Government Authorities

Swan Coastal Plain North  
20cm Orthomosaic - Landgate  
2009



0 50 m

Scale 1:2000

(Approximate when reproduced at A4)

Geocentric Datum Australia 1994

Note: the data in this map have not been projected. This may result in geometric distortion or measurement inaccuracies.

*M Warnock* Date 22/12/11

Officer with delegated authority under Section 20 of the Environmental Protection Act 1986

Information derived from this map should be confirmed with the data custodian acknowledged by the agency acronym in the legend.



Department of Environment and Conservation

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## 1. Application details

### 1.1. Permit application details

Permit application No.: 4621/1  
Permit type: Area Permit

### 1.2. Proponent details

Proponent's name: The National Trust of Australia (WA)

### 1.3. Property details

Property: LOT 801 ON PLAN 60778 (House No. 10 LAKEWAY KINGSLEY 6026)  
ROAD RESERVE (KINGSLEY 6026)

Local Government Area: City of Joondalup

Colloquial name: Luisini Winery Redevelopment

### 1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
0.2		Mechanical Removal	Building or Structure

### 1.5. Decision on application

Decision on Permit Application: GRANT  
Decision Date: 22 December 2011

## 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: 126 (southern 0.36ha) is described as Bare areas; freshwater lakes (Shepherd, 2009).	The application is to clear up to 0.2 hectares of native vegetation within a 1.6 hectare application area on Lot 801 on Deposited Plan 60778 (Reserve 49976) and the Lakeway Drive road reserve.	Completely Degraded: No longer intact; completely/almost completely without native species (Keighery, 1994)	Vegetation condition was determined through aerial imagery and a site inspection conducted in October 2011 (DEC, 2011).
37 (northern 1.5ha) is described as Shrublands; teatree thicket (Shepherd, 2009).	The vegetation under application consists of several small stands of Eucalyptus sp. and Marri trees over an exotic grassy weed understorey, with some scattered trees, Macrozamia riedlei and wetland indicator species Jacksonia ?furcellata (DEC, 2011).		
Hedde vegetation complex: Karrakatta Complex-Central And\South is described as predominantly open forest of Eucalyptus gomphocephala (Tuart) - Eucalyptus marginata (Jarrah) - Corymbia calophylla (Marri) and woodland of Eucalyptus marginata (Jarrah) - Banksia species. (Hedde et al., 1980)	The vegetation under application is in a completely degraded (Keighery, 1994) condition (DEC, 2011) and is not considered to be representative of the mapped vegetation types.		

## 3. Assessment of application against clearing principles

### Comments

The application area is within Bush Forever Site 299 - the Yellagonga Regional Park, which is an area of high conservation value. Bush Forever identifies regionally significant bushland for protection.

The southern portion of the application area extends to within the 50 metre buffer to the Lake Goollelal conservation category wetland (CCW) which is also an EPP lake (protected by the Environmental Protection (Swan Coastal Plain Lakes) Policy 1992). At the closest point, the application area is approximately 20 metres from the edge of the lake. CCWs are recognised as wetlands with high ecological values and are the highest priority wetlands for protection (Government of Western Australia, 1997) and EPP lakes are protected from filling, draining, mining and effluent discharge (EPA, 1992).

If the provisions detailed in the Environmental Management Plan (EMP) (Ecoscape, 2003) for the redevelopment are implemented, the proposed clearing is not likely to impact upon the conservation values of Lake Goollelal and Bush Forever Site 299, nor result in appreciable land degradation or water quality issues.

Considering the close proximity to Lake Goollelal, the vegetation under application may be growing in association with the wetland and may be at variance to Principle (f).

The vegetation is not considered to provide significant habitat for indigenous fauna and is not likely to support flora or ecological communities of conservation significance.

Given the above, the proposed clearing may be at variance to Principle (f) and is not likely to be at variance to the remaining Principles.

#### Methodology

##### References:

DEC, 2011

Ecoscape, 2003

EPA, 1992

Keighery, 1994

Government of Western Australia, 1997

##### GIS Databases:

- DEC Managed Lands & Waters - DEC 10/09

- EPP Swan Coastal Plain Lakes Policy Boundary 1992 - EPA 12/92

- Hydrography, linear - DoW 07/06

- Geomorphic Wetlands (Mgt Categories), Swan Coastal Plain - DEC 04/07

- SAC Bio datasets (05/10/2011)

- Swan Coastal Plain North 20cm Orthomosaic - Landgate 2009

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

#### Comments

The proposed clearing is for the purpose of redeveloping Luisini Winery (abandoned since 1988) for tourist purposes. Redevelopment will include the restoration and renovation of the existing winery buildings, construction of a cafe-style restaurant and multipurpose space, and landscape works including the establishment of a small demonstration vineyard.

The amount of clearing applied for was reduced from 1.6 hectares to 0.2 hectares during the assessment process to more accurately reflect the amount of vegetation within the application area and the amount of clearing required.

The application area is zoned 'parks and recreation' under the Metropolitan Regional Scheme. Development approval from the Western Australian Planning Commission was obtained for the proposed redevelopment of Luisini Winery on 19 May 2010 (WAPC, 2010). The City of Joondalup has noted that some minor modifications to the development have been made, but that these do not require further development approval (City of Joondalup, 2011).

The clearing footprint extends within the Lakeway Drive road reserve. The City of Joondalup has no objection to the proposed clearing of native vegetation on Lakeway Drive for the construction of the proposed car park entrance (City of Joondalup, 2011).

The application area is within Bush Forever Site 299 - the Yellagonga Regional Park. The Department of Planning's (DoP) State Strategic Policy has no objections to the proposed clearing, however recommends:

- An offsets package is to be prepared and approved by the DEC, prior to the commencement of site works based on a ratio of 2:1, in accordance with EPA Position Statement No. 9: Offsets and State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region; and
- The development including construction, access, drainage and ongoing maintenance shall not result in further disturbance or clearing of any native vegetation within Bush Forever Site 299, other than that currently applied for (DoP, 2011).

Considering the assessed environmental impact of the proposed clearing is low, an offset is not required in this instance.

There is the potential for application of fertilisers and pesticides associated with the end land use, particularly the establishment of a small demonstrational vineyard and landscaped areas (Ecoscape, 2003), which may impact upon water quality of the Lake Goollelal conservation category wetland (CCW). There should be no further loss or degradation of CCWs and their protection also requires the retention of an adequate buffer (Government of Western Australia, 1997). A buffer of 200 metres on transmissive soils, such as the sandy soils within the application area, is recommended for protection of CCWs from nutrient inputs and pesticide drift (Government of Western Australia, 1997). Gross pollutant, sediment and hydrocarbon traps will be included in the drainage design of the development to trap pollutants running off from car park and access road areas (Ecoscape, 2003). The small demonstration vineyard proposed to be developed will be carefully managed to ensure that environmental impacts are minimised and deep sewerage will be installed to ensure there will be no leakage of nutrients from waste generated by the development into the groundwater (Ecoscape, 2003).

The application area is within the Perth Coastal Underground Water Pollution Control Area, which is managed



for Priority 3 (P3) source protection. The Department of Water (DoW) has advised that restaurants are considered to be acceptable in P3 areas, in accordance with the 'Land use compatibility in public drinking water source areas' protection note (DoW, 2011). Wineries are also considered to be 'compatible with conditions', which will be addressed at the development application stage (DoW, 2011).

The application area is also located within the Perth Groundwater Area proclaimed under the Rights in Water and Irrigation Act 1914. Sinking a bore may be considered, in order to provide water for irrigation during the initial stages of landscaping and revegetation and for the irrigation of a small demonstration vineyard (Ecoscape, 2003). It is anticipated that scheme water will be used to irrigate the small areas of lawn proposed for the project (Ecoscape, 2003). Should groundwater be required, a licence from the DoW will need to be obtained. Currently, both the Whitfords and Perth North Confined aquifers have reached their sustainable limits and it is unlikely that a licence to take groundwater will be issued (DoW, 2011). The proponent will be advised to contact the Department of Water for more information.

The application area is within the mapped boundaries of the Lake Goollelal Aboriginal Site of Significance. It is the responsibility of the proponent to ensure that no Aboriginal Sites of Significance are damaged through the clearing process. The applicant has been advised to liaise with the Department of Indigenous Affairs regarding obligations under the Aboriginal Heritage Act 1972.

#### Methodology

#### References:

- City of Joondalup, 2011
- DoW, 2011
- DoP, 2011
- EPA, 1992
- Ecoscape, 2003
- Government of Western Australia, 1997
- WAPC, 2010
- GIS Databases:
  - Aboriginal Sites of Significance - DIA 02/10
  - Metropolitan Regional Scheme - DPI 10/05
  - Public Drinking Water Source Area DoW 09/09
  - RIWI Act, Groundwater Areas - DoW 07/06
  - Town Planning Scheme Zones - MFP 08/98

## 4. References

- City of Joondalup (2011) Application to clear native vegetation - Lot 801 on Deposited Plan 60778 and Lakeway Road Reserve - Development approval advice and land access approval. Received 12/12/2011. DEC Ref: A456696
- DoP (2011) Application to clear native vegetation - Lot 801 on Deposited Plan 60778 Kingsley. Bush Forever Advice. State Strategic Policy, Department of Planning, Western Australia. DEC Ref: A443255
- DoW (2011) Application to clear native vegetation CPS 4621/1. Water advice. Department of Water, Western Australia. DEC Ref: A443500
- Ecoscape (2003) Luisini Winery Project Environmental Management Plan - National Trust of Australia (WA). Ecoscape (Australia) Pty Ltd. October 2003. DEC Ref: A433464
- EPA (1992) Environmental Protection (Swan Coastal Plain Lakes) Policy 1992. Western Australian Government Gazette, 24 December 1992, pp 6287-93.
- Government of Western Australia (1997) Wetlands Conservation Policy for Western Australia, Department of Conservation and Land Management and the Water and Rivers Commission, Perth WA.
- Hedde, 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.
- Shepherd, D.P. (2009) 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.

## 5. 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)