EPBC Act referral

Australian Government
Department of Agriculture, Water and the Environment

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Title of proposal	2020/8798 - Lot 9000 Wanneroo Road Sinagra Mixed Use Development, Western Australia

Section 1

Summary of your proposed action

1.1 Project industry type Residential Development

1.2 Provide a detailed description of the proposed action, including all proposed activities

The Order of the Servants of Mary Incorporated (the Proponent), are proposing to develop Lot 9000 on Plan 47802 (the Proposal Area; Figure 1.1), at 1000 Wanneroo Road Sinagra in the City of Wanneroo, Western Australia. In total, the Proposal Area is 29.33 ha and contains 26.33 ha of remnant native vegetation. The Proposal Area will be developed in accordance with the City of Wanneroo draft Town Activity Centre Plan No. 90 (ACP, Figure 1.2) for medium and high density residential, commercial and mixed used development. Figure 1.2 which is from the draft ACP, identifies the north east corner of the Proposal Area for conservation. In addition to the conservation area required by the draft ACP, the Proposal will also provide another conservation area in the north western portion of the Proposal Area (Figure 1.3). In total the Proposal Area will provide two conservation areas totalling 2.03 ha, which will retain a combined total of 1.75 ha of remnant native vegetation.

The Proposal Area is to be developed for medium and high density residential purposes, mixed use commercial development with associated infrastructure such as roads, drainage and pedestrian pathways as part of the Wanneroo Town Centre. Additionally, the Proposal provides two areas native vegetation retention in conservation. Development of the Proposal Area will involve mechanical clearing, drainage works and the provision of services such as roads, deep sewer, scheme water etc.

Under the Metropolitan Region Scheme (MRS) the Proposal Area is zoned Urban Deferred. Under the City of Wanneroo Local Planning Scheme No 2. the zoning is Centre. The City of Wanneroo have submitted the draft ACP No. 90 to the Western Australian Planning Commission (WAPC), which encompasses the City of Wanneroo Town Centre and includes the Proposal Area (Figure 1.2). The ACP is a local planning document developed under the Local Planning Scheme No 2 framework to guide the subdivision and development across the Wanneroo Town Centre area and define the land use zoning intensity and classifications. The Activity Centre Plan area has designated the Wanneroo Town Centre a high density urbanised area and provides planning guidance for commercial zones, medium and high density residential dwellings, mixed used areas, regional road infrastructure, public open space and the retention of remnant vegetation for conservation.

A draft concept plan for the Proposal Area incorporating the draft ACP design principles, is provided in Figure 1.3.

As part of the Proposal, the draft concept plan provides for 2.03 ha of the Proposal Area to be reserved for conservation across two separate areas totalling 1.75 ha of remnant vegetation. All remnant native vegetation currently occurring within the eastern conservation area (1.28 ha) and western conservation area (0.47 ha), will be retained as part of the proposal. Multiple MNES values are retained across the two conservation areas, the best quality Banksia Woodland TEC is retained in both the eastern and the western conservation areas. Very high quality Tuart Woodland TEC (5 trees) is retained within the western conservation area. Excellent quality CBC foraging habitat is retained in both conservation areas, and poor quality FRtBC foraging habitat is retained in both the eastern and western conservation areas. Combined the conservation areas will retain:

- Banksia Woodland TEC (1.75 ha)
- Tuart Woodlands TEC (0.50 ha)
- excellent quality CBC foraging habitat (1.75 ha)
- poor quality foraging habitat for FRtBCs (1.75 ha)
- five potential breeding and roosting trees for CBCs and roosting trees for FRtBCs.

Throughout the Proposal Area, development will seek additional opportunities to retain remnant trees in road reserves during detailed design; however, for the purposes of this assessment only trees identified for retention in this referral, should be considered as part of the on-site mitigation strategy.

1.3 What is the extent and location of your proposed action?

See Appendix B

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)

The Proposal Area is located in the northern suburbs of Perth Western Australia approximately 30 minutes north of the central business district (Figure 1.1). The Proposal Area is bounded by:

- Wanneroo Road and residential dwellings to the West
- a former poultry farm to the north which will be developed for a residential development

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- residential dwellings and Barcoo Close to the east
- fuel Station, school, council buildings and carpark, shopping centre and various commercial developments, Dundebar Road and residential dwellings to the south.

The Proposal Area includes 26.33 ha of remnant vegetation across two vegetation types.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

The Proposal Area is 29.33 ha. A total of 27.3 ha will be developed for high and medium density residential, commercial and mixed use zoning and associated infrastructure. The Proposal Area will provide 2.03 ha across two conservation areas (Figure 1.3), both conservation areas will retain all native vegetation which will amount to a total of 1.75 ha across the eastern (1.28 ha) and the western conservation area (0.47 ha). The balance of the 2.03 ha forms the firebreak currently along the boundary of the Proposal Area (0.27 ha).

1.7 Proposed action location

Lot - Lot 9000 on Plan 47802

1.8 Primary jurisdiction	Western Australia

1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?

☐ Yes ☑ No

1.10 Is the proposed action subject to local government planning approval?

☑ Yes ☐ No

1.10.1 Is there a local government area and council contact for the proposal?

☑ Yes ☐ No

1.10.1.0 Council contact officer details

1.10.1.1 Name of relevant council contact officer	Mark Dickson
1.10.1.2 E-mail	mark.dickson@wanneroo.wa.gov.au
1.10.1.3 Telephone Number	(08) 9450 5000

1.11 Provide an estimated start and estimated end date for the proposed action	Start Date	01/06/2022
	End Date	31/12/2026

1.12 Provide details of the context, planning framework and state and/or local Government requirements

Currently, the draft Activity Centre Plan No. 90 (ACP) is being considered by the WAPC. The ACP guides land use across the Wanneroo Town Centre and encompasses the Proposal Area (Figure 1.2). State environmental agencies are provided the opportunity to comment on the plan during the assessment of the ACP by the WAPC and identify outcomes the agency would like during development of the ACP Area. The ACP has been prepared by the City of Wanneroo, to provide guidance on land use zoning and details permissible density across the Town Centre area. The purpose of the document is to facilitate high density land use planning and development, while considering modern design principles and development controls to ensure commercial and residential land use requirements, are commensurate with within the existing and future Town Centre requirements.

For the Proposal Area, the ACP has identified high and medium density residential, commercial and mixed use land zones, along with areas of conservation (Figure 1.2). The draft ACP places a high degree of importance on employment creation within the Wanneroo Town Centre which will be supported by maximising the availability of land for residential and mixed use development. Establishing a residential presence in the town centre will go to supporting the service and employment demand of the town centre.

The draft ACP acknowledges that the only residential land within the Wanneroo Town Centre is the Proposal Area. The development of this land to provide a range of medium to high residential densities is critical to support the generation of new

employment opportunities as well as creating a more vibrant, prosperous and progressive town centre.

Currently, the Proposal Area is zoned 'Urban Deferred' under the MRS, therefore, the current MRS zoning of the Proposal Area is inconsistent with the ACP. To facilitate development of the Proposal Area, an application to the WAPC will be required to lift the Urban Deferred status.

The Urban Deferred status of the Proposal Area is only a consequence of the soon to be decommissioned poultry farm adjacent to the north of the Proposal Area. During operation of the poultry farm, the Proposal Area acted as an odour buffer to nearby residential and commercial areas. The poultry farm will cease operations in the near future as the property has been acquired by Stockland and is the subject to EPBC Approval 2017/7921.

Consistent with planning processes in Western Australia, the request to lift the Urban Deferred status will be initiated by the Landowner. A submission is required to the WAPC which provides all relevant documentation demonstrating the land can support urban development, including the environmental considerations.

At the local planning level, the Proposal Area is zoned 'Centre' under the City of Wanneroo Local Planning Scheme No. 2. Local Planning Scheme No. 2 provides the framework for land use classification across the City of Wanneroo and has guided the development of the ACP. The current land use classification of Local Planning Scheme No. 2 facilitates urban development and there is no requirement to conduct a Local Planning Scheme amendment.

The ACP and the Local Planning Scheme designate land use planning within the Wanneroo Town Centre including the Proposal Area, with land use density incorporated as part of the ACP and the Local Planning Scheme. An application is made to the WAPC under the Planning and Development Act 2005 to sub-divide the land which incorporates supporting information to demonstrate all relevant planning considerations have been appropriately incorporated into the sub-division application.

During the sub-division assessment, relevant state agencies are invited to make comments and recommendations to the WAPC on the type and level of services that the proponent should provide in developing the Proposal Area.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders

During the development of the ACP, a public consultation period was undertaken with 17 submissions received. More than half (10) of the submissions were from landowners and the remaining seven were from state agencies. The Proposal Area was commented on during the consultation process.

An aboriginal heritage desktop assessment was undertaken in October 2018 (Horizon). The report interrogated the Aboriginal Heritage Inquiry System and that no Aboriginal Registered Sites are recorded in the Proposal Area.

The report identified the Proposal Area as a potential source of previously unidentified aboriginal cultural material, particularly modified trees or surface expressions of cultural material (Horizon 2018). Consequently, the report recommends further direct consultation with the key aboriginal stakeholder groups, and an aboriginal heritage archaeological survey should be conducted over the Proposal Area prior to development (Horizon 2018). This action is typically undertaken at either the MRS Amendment stage or Local Structure Plan stage of the planning process.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project

The MRS amendment to zone the Proposal Area Urban Deferred was undertaken prior to 1996, when legislation was enacted requiring this form of amendment to be referred to the EPA. The North West corridor (East Wanneroo) MRS amendment was submitted to the EPA for consideration in 1994. The EPA provided a series of recommendations in Bulletin 740 including that detailed planning at the local planning scheme stage such as structure plans and local authority zoning, should be referred to the EPA (EPA 1994). Additionally, EPA advised that the comments offered in Bulletin 740 were offed as a public review and are not a report under Part VI of the EP Act (EPA 1994). The City of Wanneroo previously submitted a Town Planning Scheme Amendment 841 encompassing the Proposal Area which was referred to the EPA for consideration under Part VI of the EP Act; however, the City of Wanneroo did not finalise the assessment and withdrew the referral prior to the EPA undertaking their formal assessment.

1.15 Is this action part of a staged development (or a component of a larger project)?

☐ Yes ☑ No

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1.16 Is the proposed action related to other actions or proposals in the region?

☐ Yes ☑ No

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Section 2

Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

☐ Yes ☑ No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

☐ Yes ☑ No

2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland?

☐ Yes ☑ No

2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat?

☑ Yes ☐ No

Species or threatened ecological community

Due to the limited number of entries permitted. this document has been provided as an attachment - 'Section 2.4 Impact on listed species, TECs or habitat'.

Impact

Due to the limited number of entries permitted. this document has been provided as an attachment - 'Section 2.4 Impact on listed species, TECs or habitat'.

2.4.2 Do you consider this impact to be significant?

☑ Yes ☐ No

2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat?

☐ Yes ☑ No

2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)?

☐ Yes ☑ No

2.7 Is the proposed action likely to be taken on or near Commonwealth land?

☐ Yes ☑ No

2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park?

☐ Yes ☑ No

2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development?

☐ Yes ☑ No

2.10 Is the proposed action a nuclear action?

☐ Yes ☑ No

2.11 Is the proposed action to be taken by a Commonwealth agency?

☐ Yes ☑ No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas?

☐ Yes ☑ No

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2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area?

☐ Yes ☑ No

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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

The field assessment of the Proposal Area identified a total of 69 native vascular plant taxa from 51 plant genera and 32 plant families were recorded from quadrats. The majority of taxa were recorded within the Fabaceae (nine taxa) and Proteaceae (five taxa) families. A total of 15 introduced flora were recorded within the Proposal Area.

Vegetation mapping defined two native vegetation types (VTs) within the Proposal Area which are depicted in Figure 3.1 and are summarised below:

- VT1 - Eucalyptus marginata, Corymbia calophylla mid woodland over Xanthorrhoea preissii and Macrozamia riedlei sparse mid shrubland over Hibbertia hypericoides and Mesomelaena pseudostygia low shrubland – 10.47 ha
- VT2 - Eucalyptus marginata open mid woodland over Banksia attenuata, Banksia menziesii and Allocasuarina fraseriana low woodland over Jacksonia sternbergiana, Hibbertia hypericoides and Mesomelaena pseudostygia open low to mid shrubland – 15.86 ha.

Cleared tracks and firebreaks were also mapped across the Proposal Area and are provided in Figure 3.2.

Vegetation condition across the Proposal Area is shown in Figure 3.2 and summarised below:

- Excellent – 5.65 ha
- Very Good – Excellent – 11.41 ha
- Very Good – 8.86 ha
- Good – 0.36 ha
- Good Degraded – 0.05 ha
- Degraded – 0.01 ha
- Completely Degraded – 3 ha.

Database Flora searched identified two Threatened Species relevant to the EPBC Act with the potential to be present within the Proposal Area based on habitat requirements:

- Caladenia huegelii (Endangered)
- Drakaea micrantha (Vulnerable).

The flora survey for the Proposal Area was conducted at the appropriate flowering period for the species, given these species were not observed, their presence within the Proposal Area is considered unlikely.

A desktop search for the Proposal Area identified a total of 54 listed threatened species; however, further interrogation of the habitat requirements of the species listed determined that only two species have the potential to occur within the Proposal Area:

- Carnaby's Black Cockatoo (Calyptorhynchus latirostris)
- Forest Red-tailed Black Cockatoo (Calyptorhynchus banksii naso).

Foraging habitat suitable for both species of Black Cockatoo was observed within the Proposal Area, additionally, foraging evidence for Forest Red-tailed Black Cockatoos was observed during the field survey (Strategen 2018). The Black Cockatoo Habitat Survey recorded 90 potentially suitable breeding and roosting trees for CBCs and roosting trees for FRtBCs (trees with a diameter of >500 mm at direct breast height) within the Proposal Area. None of the potential breeding and roosting trees contain hollows suitable for Black Cockatoos; furthermore, the Proposal Area is outside the known breeding range for both CBCs and FRtBCs. The concept plan for the Proposal Area (Figure 1.3), retains five Tuarts within the western conservation area; additionally, all understorey vegetation including foraging habitat will also be retained within the two conservation areas. During the detailed design phase further opportunities will be investigated to retain potential breeding and roosting habitat trees.

3.2 Describe the hydrology relevant to the project area (including water flows)

There are no surface water flows within the Proposal Area.

Perth Groundwater Atlas, depth to groundwater ranges from 12 meters below ground level (mbgl) to 37.5 mbgl (DoW 1997).

During future planning stages a Local water management Strategy will be developed for the Proposal Area.

3.3 Describe the soil and vegetation characteristics relevant to the project area

The Proposal Area is located on the Karrakatta landform unit, on Spearwood dunes and can be described as an undulating

landscape with deep yellow sands over limestone at 1-2 mbgl (aeolian deposits) (Churchward & McArthur 1980).

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

No outstanding natural features or unique values occur within the Proposal Area.

3.5 Describe the status of native vegetation relevant to the project area

The earliest recorded aerial image of the Proposal was taken in 1965, since this time none of the Proposal Area has been cleared except for fire breaks around the permitter and informal tracks through the bushland, already identified in Figure 3.1 & Figure 3.2.

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area

Topography across the Proposal Area slopes from east to west, with the natural surface ranging from approximately 71 m Australian Height Datum (AHD) along the eastern boundary, to 12 mAHD along the western boundary.

3.7 Describe the current condition of the environment relevant to the project area

Vegetation condition has been mapped across the Proposal Area, the condition is shown in Figure 3.2 and is described below:

- Excellent – 5.65 ha
- Very Good – Excellent – 11.41 ha
- Very Good – 8.86 ha
- Good – 0.36 ha
- Good Degraded – 0.05 ha
- Degraded – 0.01 ha.

A vegetation survey identified a total of 15 weed species across the Proposal Area, none of the weed species identified are weeds of national significance (Strategen 2018).

3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project

No Commonwealth or other Heritage Places Occur within or adjacent to the Proposal Area.

3.9 Describe any Indigenous heritage values relevant to the project area

No Aboriginal Registered Heritage sites occur within or adjacent to the Proposal Area. Registered Heritage site 3740 (Joondalup lake) occurs approximately 500 m to the west of the Proposal Area.

No Other Heritage Places occur within the Proposal Area. Other Heritage Sites 16801, 20054 and 20055 occur approximately 170 m to the south-west of the Proposal Area.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area

Freehold.

3.11 Describe any existing or any proposed uses relevant to the project area

Currently the Proposal Area is unoccupied freehold land. No other activities occur within the Proposal Area.

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Section 4

Measures to avoid or reduce impacts

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

As identified in Figure 1.3, the Proposal provides two conservation areas, the western conservation area (0.57 ha) and the eastern conservation area (1.45 ha). Both conservation areas retain remnant native vegetation, 0.47 ha in the western conservation area and 1.26 ha in the eastern conservation area. The Proposal Area will retain a combined total of 1.76 ha of remnant native vegetation.

The western conservation area has been specifically positioned to retain the Very High quality Tuart Woodland TEC occurring in this portion of the Proposal Area (0.50 ha). Vegetation condition with the western conservation area has been identified as Very Good (Figure 3.2; Strategen 2018).

The location of the eastern conservation area has been positioned to achieve three positive environmental outcomes:

- the retention of 1.26 ha of vegetation in Excellent condition
- retain 1.26 ha of Banksia Woodland TEC
- maintain direct ecological connection to the Boyagin Park which contains approximately 0.71 ha of similar vegetation which results in a combined conservation area of 1.99 ha for the western conservation area.

Currently, the Proposal provides for the retention of five potential breeding and roosting trees for CBCs and potential roosting trees for FRtBCs. During detailed design the Proposal will seek additional opportunities to retain potential breeding and roosting trees within streetscapes and road reserves where possible. The City of Wanneroo have a tree preservation Planning Policy (LPP 4.3) which is applied during subdivision applications. The policy requires a significant tree survey be provided to the City and during construction the city be provided with justification for the removal of significant trees.

Any future subdivision application will be required to provide a Conservation Area Management Plan and a Vegetation and Fauna Management Plan. Both of these documents are required under the Local Planning Policies of the City of Wanneroo and will be conditioned in any future subdivision approval for the Proposal Area.

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved

Within the Proposal Area, as defined in Figure 1.4, Figure 1.5 and Figure 1.6:

- 1.76 ha of Banksia Woodland TEC will be retained
  - 1.26 ha excellent condition
  - 0.47 ha very good condition
- 1.76 ha of excellent quality CBC foraging habitat will be retained
- 1.76 ha of poor to moderate quality FRtBC foraging habitat will be retained
- 0.50 ha of Tuart Woodland TEC will be retained
- 5 potential breeding and roosting trees for CBCs and roosting trees for FRtBCs.

Banksia Woodland TEC

Within the Proposal Area, 1.28 ha of excellent quality Banksia Woodland will remain in direct connection with 0.71 ha of vegetation adjacent to the east of the Proposal Area. The direct connection to Boyagin Park, will result in a conservation outcome of 1.99 ha and ensure the viability of the 1.28 ha of Banksia Woodland TEC in excellent condition within the Proposal Area. A further 0.47 ha of Very Good Banksia Woodland TEC will be retained within the eastern conservation area. The current vegetation condition within both areas will not degrade as a result of the Proposal Area due to the provision of the VFMP and the CAMP for the subdivision stage.

Black Cockatoos

A total of 1.75 ha excellent quality CBC and poor to moderate quality FRtBC foraging habitat will be retained within the Proposal Area. A minimum of five breeding and roosting trees for CBCs and roosting trees for FRtBCs will be retained within the conservation areas identified in Figure 1.4. The Conservation Area Management Plan and a Vegetation and Fauna Management Plan will ensure the quality of the Black Cockatoo foraging habitat does not degrade during and post construction and that vegetation and fauna are not impacted unnecessarily.

Tuart Woodland TEC

The Proposal will retain 0.50 ha of Tuart Woodland TEC within the western conservation area identified in Figure 1.4. All of the vegetation in the western conservation area will be retained, which will assist in maintaining the current condition of the Tuart Woodlands TEC within the western conservation area. The Conservation Area Management Plan and a Vegetation and Fauna Management Plan developed prior to the subdivision stage of development, will ensure construction activities do not further degrade the quality of the Tuart Woodlands TEC through indirect impacts such as the introduction of weeds or disease.

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Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- ☐ World Heritage properties
- ☐ National Heritage places
- ☐ Wetlands of international importance (declared Ramsar wetlands)
- ☑ Listed threatened species or any threatened ecological community
- ☐ Listed migratory species
- ☐ Marine environment outside Commonwealth marine areas
- ☐ Protection of the environment from actions involving Commonwealth land
- ☐ Great Barrier Reef Marine Park
- ☐ A water resource, in relation to coal seam gas development and large coal mining development
- ☐ Protection of the environment from nuclear actions
- ☐ Protection of the environment from Commonwealth actions
- ☐ Commonwealth Heritage places overseas
- ☐ Commonwealth marine areas

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

Clearing 14.11 ha of Banksia Woodland TEC may result in a significant residual impact at the local level to this MNES. Conservation areas provided by the Proposal focuses on the retention of the best quality Banksia Woodland TEC and provides a direct connection with adjacent Banksia Woodland TEC to the east.

Clearing for the Proposal may result in significant residual impacts to 24.58 ha of moderate quality FRtBC habitat. The loss of 24.58 ha of moderate quality habitat for FRtBCs within the Proposal Area, represents 0.9% of what is considered available locally and 0.2% of the regional extent. Furthermore, great cocky count data demonstrate that FRtBCs are likely to be visiting the Proposal Area in small numbers and infrequently. The Proposal Area is outside the known breeding range for the species. Historical evidence demonstrates FRtBC breeding is restricted to the Jarrah and Marri Forests on top of the Darling Scarp, approximately 25 km to the east. While there is evidence to suggest the foraging range of the species has shifted to the north west, currently, there is no definitive evidence of any expansion of the species breeding range. A single example of two pairs of FRtBCs breeding an artificial tube at Murdoch University in 2012, remains the only recorded event and has not occurs at the site since. Therefore, the Proposal Area does not contain breeding habitat for FRtBCs.

Clearing for the Proposal may result in significant residual impacts to CBC; however, significant extents of foraging habitat are available locally and regionally. The loss of 24.58 ha of excellent quality foraging habitat for CBC within the Proposal Area represents 0.9% of what is considered available locally., as significant extents of habitat area available within Yellagonga Regional Park and Bush Forever Sites locally and regionally. The Proposal Area is outside the known breeding range for CBCs. The potential breeding trees identified within the Proposal Area do not contain any hollows suitable for CBCs. The closest known breeding areas for CBCs is 12.5 km to the north west, 15 km to the north east and 22 km to the south east. Given the value of habitat within the Proposal Area and the proximity to known breeding areas, the proposal Area considered to be suitable breeding habitat for CBCs.

Clearing 0.72 ha of Tuart Woodland TEC is unlikely to represent a significant impact to this MNES. The 0.72 ha equates to two individual trees that exist on the extremity of a patch that is located predominantly offsite (Figure 1.4). The removal of the two individual trees will not reduce the size of the adjacent Tuart Woodland TEC patch, to below the threshold where the remaining Tuarts can no longer be considered a patch of Tuart Woodland TEC.

The most significant cluster of Tuart Woodland TEC (five trees 0.50 ha) is retained within the western conservation area. The understorey vegetation of this patch will also be retained, enhancing the viability and integrity of the patch.

Clearing 0.72 ha represents 0.6% of the Tuart Woodland areas identified locally and 0.1% of regional representation. Clearing 0.72 ha will not result in a significant residual impact to this Threatened Ecological Community locally or regionally.

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Section 6

Environmental record of the person proposing to take the action

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

The person taking the action has not previously undertaken activities requiring environmental management.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application

Not applicable.

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

☐ Yes ☑ No

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

☐ Yes ☑ No

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 7

Information sources

Reference source

BirdLife Australia. (2018). Western Australia's black-cockatoo roost sites with Great Cocky Count survey records. Available from the Western Australian Environmental Planning Mapping Tool. Western Australia Local Government Association. Perth, Western Australia.

Reliability

Good

Uncertainties

None

Reference source

BirdLife Australia. (2019). The 2019 Great Cocky Count: a community based survey for Carnaby's Black-Cockatoo (Calyptorhynchus latirostris), Baudin's Black-Cockatoo (Calyptorhynchus baudinii) and Forest Red-tailed Black-Cockatoo (Calyptorhynchus banksii naso). Floreat, Western Australia

Reliability

Good

Uncertainties

None

Reference source

Bureau of Meteorology (BOM) 2017, Climatic Statistics for Australian Locations: Monthly climate statistics for Wanneroo, [Online], Australian Government, Available from: http://www.bom.gov.au/climate/averages/tables/cw_009105.shtml [15 November 2017].

Reliability

Good

Uncertainties

None

Reference source

Churchward HM & McArthur WM 1980, 'Landforms and Soils of the Darling System', in Atlas of Natural Resources, Darling System, Western Australia, eds Department of Conservation and Environment, Perth, pp. 25-33.

Reliability

Good

Uncertainties

None

Reference source

Department of Biodiversity Conservation and Attractions (DBCA). (2010). Tuart Woodlands. Available on the West Australian Local Government Association online viewer. Viewed on: 3 March 2020).

Reliability

Good

Uncertainties

None

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Reference source

Department of Energy and Environment (DEE) (2016). Approved Conservation Advice (incorporating listing advice) for the Banksia Woodlands of the Swan Coastal Plain ecological community. Commonwealth of Australia.

Reliability

Good

Uncertainties

None

Reference source

Department of Energy and Environment (DEE) (2017). Revised draft referral guideline for three threatened black cockatoo species: Carnaby's Cockatoo, Baudin's Cockatoo and the Forest Red-tailed Black Cockatoo. Commonwealth of Australia.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Caladenia huegelii in Species Profile and Threats Database. Viewed on 23 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Anous tenuirostris melanopsin in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Botaurus poiciloptilus in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Calidris canutus in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Calidris ferruginea in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Diomedea amsterdamensis in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Diomedea epomophora in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Diomedea sanfordi in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Leipoa ocellata in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Reference source

Department of Environment. (2020). Limosa lapponica menzbieri in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Macronectes giganteus in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Macronectes halli in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Numenius madagascariensis in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Pachyptila turtur subantarctica in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Phoebetria fusca in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Rostratula australis in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Sternula nereis in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Thalassarche cauta in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Thalassarche cauta steadi in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Thalassarche impavida in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Reference source

Department of Environment. (2020). Thalassarche melanophris in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Hesperocolletes douglasi in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Unknown

Uncertainties

Reference lists unknown source

Reference source

Department of Environment. (2020). Bettongia penicillata ogilbyi in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Dasyurus geoffroii in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Pseudocheirus occidentalis in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Andersonia gracilis in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Anigozanthos viridis subsp. Terraspectans in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Diuris micrantha in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Diuris purdiei in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Drakaea elastica in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Drakaea micrantha in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Reference source

Department of Environment. (2020). Eleocharis keigheryi in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Grevillea curviloba subsp. Incurva in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Lepidosperma rostratum
Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Marianthus paralius in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment. (2020). Melaleuca sp. Wanneroo in Species Profile and Threats Database. Viewed on 22 April 2020. Available from: http://www.environment.gov.au/sprat.

Reliability

Good

Uncertainties

None

Reference source

Department of Environment and Energy (DEE). (2019). Approved Conservation Advice for the Tuart Woodlands and forests of the Swan Coastal Plain ecological community. Commonwealth Government of Australia.

Reliability

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Good

Uncertainties

None

Reference source

Department of Sustainability, Environment, Water, Population and Communities (DSEWPC). (2011a). Map 3: Modelled distribution of forest red-tailed black cockatoo (Calyptorhynchus banksii naso). Commonwealth Government of Australia.

Reliability

Good

Uncertainties

None

Reference source

Department of Sustainability, Environment, Water, Population and Communities (DSEWPC). (2011b). Map 3: Modelled distribution of Carnaby's black cockatoo (Calyptorhynchus latirostris). Commonwealth Government of Australia.

Reliability

Good

Uncertainties

None

Reference source

Department of Sustainability, Environment, Water, Population and Communities (DSEWPC). (2012). Environment Protection and Biodiversity Conservation Act 1999 referral guidelines for three black cockatoo species: Carnaby's cockatoo (endangered) Calyptorhynchus latirostris, Baudin's cockatoo (vulnerable) Calyptorhynchus baudinii, Forest red-tailed black cockatoo (vulnerable) Calyptorhynchus banksii naso, Australian Government, Canberra.

Reliability

Good

Uncertainties

None

Reference source

Horizon Heritage Management. (2018). Wanneroo Town Centre Aboriginal Heritage Desktop Assessment Report. Peth Western Australia.

Reliability

Good

Uncertainties

None

Reference source

Taylor Burrell Barnett (TBB). (2018). Wanneroo Town Centre Activity Centre Plan No. 90. Prepared for the City of Wanneroo. Perth Western Australia.

Reliability

Good

Uncertainties

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

None

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 8

Proposed alternatives

Do you have any feasible alternatives to taking the proposed action?

Yes ☑ No

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 9

Person proposing the action

9.1.1 Is the person proposing the action a member of an organisation?

☑ Yes ☐ No

Organisation

Organisation name	THE ORDER OF THE SERVANTS OF MARY INC
Business name	
ABN	38167128381
ACN	
Business address	2 Morgans Street, Tuart Hill, 6060, WA, Australia
Postal address	
Main Phone number	08 94441223
Fax	
Primary email address	steveosm@iinet.net.au
Secondary email address	

9.1.2 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

☑ Small business
☐ Not applicable

9.1.2.1 You must provide the date/income year that you became a small business entity:

01/11/1999

9.1.2.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations *

☐ Yes ☑ No

9.1.3 Contact

First name	Stephen
Last name	Barker
Job title	Treasurer
Phone	08 94441223
Mobile	0468 860 955
Fax	
Email	steveosm@iinet.net.au
Primary address	2 Morgans Street, Tuart Hill, 6060, WA, Australia
Address	

Declaration: Person proposing the action

I, STEPHEN BARKER, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity.

Signature: Stephen Barker Date: 29/9/2020

I, STEPHEN BARKER, the person proposing the action, consent to the designation of STEPHEN BARKER as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: Stephen Barker Date: 29/9/2020

I have read the Department of the Environment and Energy's guidance in the online form concerning the definition of a small business entity and confirm that I qualify for a small business exemption.

Signature: Stephen Barker Date: 29/9/2020

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields

Proposed designated proponent

9.2.1 Is the proposed designated proponent a member of an organisation?

☑ Yes ☐ No

Organisation	
Organisation name	THE ORDER OF THE SERVANTS OF MARY INC
Business name	
ABN	38167128381
ACN	
Business address	2 Morgans Street, Tuart Hill, 6060, WA, Australia
Postal address	
Main Phone number	08 94441223
Fax	
Primary email address	steveosm@iinet.net.au
Secondary email address	
9.2.2 Contact	
First name	Stephen
Last name	Barker
Job title	Treasurer
Phone	08 94441223
Mobile	0468 860 955
Fax	
Email	steveosm@iinet.net.au
Primary address	2 Morgans Street, Tuart Hill, 6060, WA, Australia
Address	

Declaration: Proposed Designated Proponent

I, STEPHEN BARKER, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: Steph Barke Date: 29/9/2020

Australian Government
Department of Agriculture, Water and the Environment

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Referring party (person preparing the information)

9.3.1 Is the referring party (person preparing the information) a member of an organisation?

☑ Yes ☐ No

Organisation

Organisation name	JBS&G AUSTRALIA PTY LTD
Business name	Strategen JBS&G
ABN	62100220479
ACN	
Business address	Level 1, 50 Subiaco Square Road, Subiaco, 6000, WA, Australia
Postal address	
Main Phone number	08 9380 3100
Fax	
Primary email address	adminwa@jbsg.com.au
Secondary email address	

9.3.2 Contact

First name	Darren
Last name	Walsh
Job title	Executive Director
Phone	08 9380 3100
Mobile	
Fax	
Email	dwalsh@jbsg.com.au
Primary address	Level 1, 50 Subiaco Square Road, Subiaco, 6000, WA, Australia
Address	

Declaration: Referring party (person preparing the information)

I, DARREN WALSH **, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.**

Signature: ..... **Date:** 29/9/20

Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Appendix A

Attachment

Document Type	File Name
action_area_images	Figures combined.pdf
public_consultation_reports	Attachment 1 Aboriginal Heritage Desktop Report.pdf
supporting_tech_reports	Section 2.4 Impact on listed species TECs or habitat.pdf
supporting_tech_reports	Attachment B Flora Veg Black Cockatoo Report.pdf
supporting_tech_reports	Attachment C Tuart Woodlands Assessment.pdf

Appendix B

Coordinates

Area 1
-31.746159968663,115.81090902376
-31.747033307943,115.81090809391
-31.747296297476,115.81090783506
-31.74729623748,115.81083375625
-31.749794242187,115.81083148712
-31.749764811677,115.81090538837
-31.750248453375,115.81090490527
-31.750231720363,115.80801825
-31.75010381036,115.80793351
-31.749882430362,115.80808882
-31.749766510362,115.8078625
-31.749775114362,115.80689558438
-31.748847320357,115.80690731
-31.748846120356,115.80525166
-31.748895710355,115.80506811
-31.74885985036,115.80499094
-31.748734192348,115.80493955285
-31.747968967048,115.80446372267
-31.748041430355,115.80428168
-31.747444831729,115.80389840657
-31.747443907336,115.80261020687
-31.748098729795,115.8011458736
-31.747644984537,115.80087670677
-31.747541821537,115.80083516244
-31.747423567993,115.80076156091
-31.74727217036,115.80064349
-31.746161350358,115.79995272
-31.746159968663,115.81090902376