

Title of Proposal - Residential Development - Lot 123 Mortimer Road Casuarina

Section 1 - Summary of your proposed action

Provide a summary of your proposed action, including any consultations undertaken.

1.1 Project Industry Type

Residential Development

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

Residential development is planned for Lot 123 Mortimer Road Casuarina, consistent with the City of Kwinana Town Planning Scheme No. 2 and Local Planning Policy 6 - Guidelines for Structure Planning in the Casuarina Cell. Development will include mixed density residential (R10 - R40), some commercial, a high school, conservation areas, and public open space.

1.3 What is the extent and location of your proposed action? Use the polygon tool on the map below to mark the location of your proposed action.

Area	Point	Latitude	Longitude
Lot 123 Mortimer Rd Casuarina	1	-32.24577977678	115.86025272491
Lot 123 Mortimer Rd Casuarina	2	-32.24581607316	115.86447988632
Lot 123 Mortimer Rd Casuarina	3	-32.255778880957	115.86450134399
Lot 123 Mortimer Rd Casuarina	4	-32.25576073476	115.86016689422
Lot 123 Mortimer Rd Casuarina	5	-32.245761628584	115.86025272491
Lot 123 Mortimer Rd Casuarina	6	-32.245725332183	115.86023126724
Lot 123 Mortimer Rd Casuarina	7	-32.24577977678	115.86025272491

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 site is approx. 45 ha of uncleared and relatively intact banksia woodland at Lot 123 (no. 165) Mortimer Road Casuarina, within the City of Kwinana. The site is currently zoned urban, and is located within the designated Casuarina Development Area.

Site characteristics include:

- * located within the Perth Swan Coastal Plain subregion (SW02), which is characterised by Banksia Woodlands on sandy soils, with paperbarks in swampy areas
- * topography ranges from 16 m AHD in the north to 38 m AHD in the south-east, characteristic of sand dunes associated with the Swan Coastal Plain
- * the site is located on the Bassendean Dune System, with two soil types present, the Bassendean B1 Phase (212Bs_B1) and the Bassendean B3 Phase (212 Bs_B3). The B1 phase is typically associated with dunes and undulating sandplains, and covers the majority of the site, while the B3 phase is associated with wetter areas, such as the wetland areas
- * the site includes conservation category and resource enhancement category wetlands as defined by the DBCA in WA
- * site is vegetated, and is in proximity to other vegetated areas with a similar vegetation type and condition.

A site description is included within the Flora and Vegetation Survey Report prepared by Natural Area and included as a component of this referral.

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

Development footprint approx. 45 ha

1.7 Is the proposed action a street address or lot?

Lot

1.7.2 Describe the lot number and title. Lot 123 on Diagram 78266

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?

No

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

No

1.11 Provide an estimated start and estimated end date for the proposed action.

Start date 03/2019

End date 03/2029

1.12 Provide details of the context, planning framework and State and/or Local government requirements.

Development of the site will require local, state and commonwealth approvals. Local and state government approvals will involve those planning approvals, and will include consideration of environmental values in the process. Commonwealth approvals/advice in relation to matters of national environmental significance are being carried out in the first instance (this referral) in order to determine any offset/other requirements, with outcomes informing later state approvals processes yet to be implemented. The proposed development will be a residential subdivision (indicative plan included with this referral). The proposed development is consistent with City of Kwinana Local Planning Policy 6 - Guidelines for Structure Planning in the Casuarina Cell, and the City of Kwinana Town Planning Scheme No. 2. It is also consistent with the Metropolitan Region Scheme.

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

No public consultation has occurred as yet, but will occur as statutory planning and environmental approvals processes are progressed. The site is private land and has been owned by a single owner for approximately 60 years, thus no consultation with indigenous stakeholders has occurred. While there are no Registered Aboriginal Heritage sites present on site, according to the Aboriginal Heritage Inquiry System (<https://maps.daa.wa.gov.au/AHIS/>) it is in proximity to:

* the Gnaala Karla Booja People ILUA dated 8 June 2015

* other heritage site 3627 is located across the road in Wellard, known for artefacts/scatter.

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.

A flora and vegetation survey has been carried out by Natural Area in relation to environmental values, and includes an assessment of the presence of the threatened ecological community Banksia Woodlands of the Swan Coastal Plain, documenting locations of potential habitat trees that could be used by endangered black cockatoos, including those with hollows. Survey outcomes are documented in the flora and vegetation survey report included as an attachment to this referral.

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

No

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

No

Section 2 - Matters of National Environmental Significance

Describe the affected area and the likely impacts of the proposal, emphasising the relevant matters protected by the EPBC Act. Refer to relevant maps as appropriate. The [interactive map tool](#) can help determine whether matters of national environmental significance or other matters protected by the EPBC Act are likely to occur in your area of interest. Consideration of likely impacts should include both direct and indirect impacts.

Your assessment of likely impacts should consider whether a bioregional plan is relevant to your proposal. The following resources can assist you in your assessment of likely impacts:

- [Profiles of relevant species/communities](#) (where available), that will assist in the identification of whether there is likely to be a significant impact on them if the proposal proceeds;
- [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#);
- [Significant Impact Guideline 1.2 – Actions on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

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

No

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

No

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

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

2.4.1 Impact table

Species	Impact
Threatened ecological community Banksia Woodlands on the Swan Coastal Plain Calyptorhynchus latirostris (Carnaby's	Loss of up to 45 ha of TEC Loss of feeding and potential future roosting/nesting trees suitable for use by endangered black cockatoos

Species	Impact
Cockatoo) <i>Clayptorhynchus banksii naso</i> (Forest Red-tailed Black Cockatoo)	

2.4.2 Do you consider this impact to be significant?

Yes

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?

No

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

No

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

No

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

No

2.9 Is the proposed action likely to have ANY direct or indirect impact on a water resource related to coal/gas/mining?

No

2.10 Is the proposed action a nuclear action?

No

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

No

2.12 Is the proposed action to be undertaken in a Commonwealth Heritage Place Overseas?

No

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?

No

Section 3 - Description of the project area

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed in Section 2).

3.1 Describe the flora and fauna relevant to the project area.

The flora and vegetation survey undertaken by Natural Area in October 2018 confirmed:

- * the presence of 219 flora species from 51 families; 178 natives and 41 weeds
- * no conservation significant flora species were recorded
- * three vegetation types were recorded, namely Banksia Woodland (dominant across the site), Corymbia and Melaleuca Woodland, and *Melaleuca preissiana* Woodland
- * comparison of the species and vegetation types determined during the spring 2018 survey were compared to Gibson et al data using Primer V7, with a similarity of 51% and 53% with SCP21a Central *Banksia attenuata* - *Eucalyptus marginata* Woodland and SCP23a Central *Banksia attenuata* - *Banksia menziesii* Woodland, which are components of the EPBC threatened ecological community Banksia Woodlands of the Swan Coastal Plain. Data was also compared to the EPBC listing information, the key diagnostic characteristics and the typical species list. The analysis undertaken is sufficient to confirm the presence of the TEC Banksia Woodlands of the Swan Coastal Plain.
- * an assessment of vegetation condition indicated the site ranged from degraded to excellent condition, with the majority being in excellent condition
- * an assessment of Black Cockatoo habitat confirmed the site was used for feeding by the Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) and the Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksia naso*)
- * 28 trees on site contained hollows that could be utilised by black cockatoos, with no evidence of usage by these species
- * an additional 12 trees with a diameter at breast height were noted, with no hollows currently present
- * based on the above, the site is probably a feeding source rather than a roosting or nesting area
- * the site is located within 5 km of 10 Bush Forever sites that contain similar vegetation
- * a Rainbow Bee-eater (*Merops ornatus*) was noted feeding at the site, with nesting unlikely due to the vegetation present across much of the Lot area.

Details of the survey outcomes are provided in the attached Natural Area 2018 survey report.

Flora species and Cockatoo habitat data is consistent with that reported by Bioscience in their 2015 Vegetation and Black Cockatoo Assessment Report, also attached.

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

There are no rivers or waterways present within the site. A number of designated wetland areas are present, as defined by the Department of Biodiversity, Conservation and Attractions' Geomorphic Wetlands of the Swan Coastal Plain dataset are present on site. The wetland areas are located on the Bassendean B3 phase soils typically associated with wetter areas, and also have a differing flora and vegetation than the Banksia Woodland areas. Two assessment reports prepared by Bioscience (2006 and 2008) arguing that the wetland areas were in decline or were no longer present and submitted to the Department of Environment and Conservation WA (now the Department of Biodiversity, Conservation and Attractions) with some success in adjusting the boundaries of the conservation category wetland (copies attached). These areas have been recognised within the indicative structure plan prepared for the site, and will be retained for future conservation/public open space. The indicative depth to groundwater is 2 - 16 m (Department of Environment and Water Regulation, 2018).

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

These are documented in the survey report prepared by Natural Area. Soils are typical for the region, in that they are Bassendean sands. There are two soil types present, with the location of each consistent with the vegetation present, and the designation of wetland areas. Three vegetation types were identified with variations consistent with the presence of wetter and drier areas on site, and are documented in Natural Area's report.

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

There are no additional natural features at the site that can be described as important or unique to the project area.

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

Lot 123 Mortimer Road Casuarina is in private ownership, with a single owner for the past sixty or so years, thus the site has no formal conservation reservation. The site is zoned urban with the proposed development consistent with State and local statutory zoning, as indicated

previously in this referral.

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

Topography of the site is consistent with sand dunes associated with the Swan Coastal Plain. The lowest land is the the north, at around 18 m AHD, rising in a series of dunes to the south, with the maximum height of 38 m in the south-east of the site.

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

The project area is in excellent condition, with a largely intact vegetative structure. The Natural Area 2018 flora survey identified a total of 219 species from 51 families, with 178 being native species (81.3%) and 41 introduced weed species (18.7%). When combined with the Bioscience survey data, a total of 248 species (202 native and 46 weeds) have been identified. Vegetation condition at the site is primarily Excellent, with small patches being Very Good, Good and Degraded. The vegetation condition and species diversity is reflective of a remnant bushland area with few major disturbances. Degraded areas are typically those associated with fire breaks and tracks across the site.

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

Not applicable - the nearest listed Commonwealth heritage place is Forrestdale Lake, (a RAMSAR) listed wetland, approximately 12 km to the north-east.

3.9 Describe any Indigenous heritage values relevant to the project area.

There are no listed Indigenous heritage sites within Lot 123; however, their is an 'other' heritage listed place to the south of Lot 123 across Mortimer Road, whihc is described by the Aboriginal Heritage Inquiry System as artefacts and scatter.

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

Lot 123 is freehold land in the private ownership of Mr Ivan (John) Yujnovich. The site is zoned urban.

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

The site is currently vacant, with remnant vegetation. It is proposed that the site is developed as an urban residential area. An indicative design includes the potential for urban residential areas,

commercial areas, a high school, conservation areas, and POS; however, it needs to be noted that the design is likely to undergo a number of refinements before being finalised. This means the maximum development area is the entire site.

Section 4 - Measures to avoid or reduce impacts

Provide a description of measures that will be implemented to avoid, reduce, manage or offset any relevant impacts of the action. Include, if appropriate, any relevant reports or technical advice relating to the feasibility and effectiveness of the proposed measures.

Examples of relevant measures to avoid or reduce impacts may include the timing of works, avoidance of important habitat, specific design measures, or adoption of specific work practices.

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

It is recognised that the proposed development will result in the loss of much, if not all, of the environmental values present within the site, depending on the amount of vegetation to be kept within POS area(s) and the retention of individual trees. A suitable offset package will be developed to reduce the impact of the proposed development, An offset package could potentially involve the provision of funds for research and/or education, or contributing to the restoration of a suitable site elsewhere. Options will be discussed and agreed with the developer and the Department.

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.

To be determined in consultation with the developer, Mr Yujnovich and the Department, and any relevant State agencies/Departments as appropriate.

Section 5 – Conclusion on the likelihood of significant impacts

A checkbox tick identifies each of the matters of National Environmental Significance you identified in section 2 of this application as likely to be a significant impact.

Review the matters you have identified below. If a matter ticked below has been incorrectly identified you will need to return to Section 2 to edit.

5.1.1 World Heritage Properties

No

5.1.2 National Heritage Places

No

5.1.3 Wetlands of International Importance (declared Ramsar Wetlands)

No

5.1.4 Listed threatened species or any threatened ecological community

Listed threatened species and communities - Yes

5.1.5 Listed migratory species

No

5.1.6 Commonwealth marine environment

No

5.1.7 Protection of the environment from actions involving Commonwealth land

No

5.1.8 Great Barrier Reef Marine Park

No

5.1.9 A water resource, in relation to coal/gas/mining

No

5.1.10 Protection of the environment from nuclear actions

No

5.1.11 Protection of the environment from Commonwealth actions

No

5.1.12 Commonwealth Heritage places overseas

No

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.

The development of Lot 123 is likely to result in a significant impact to matters protected under the EPBC Act, anmely listed threatened species and communities.

Section 6 – Environmental record of the person proposing to take the action

Provide details of any proceedings under Commonwealth, State or Territory law against the person proposing to take the action that pertain to the protection of the environment or the conservation and sustainable use of natural resources.

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

Yes. A potential unapproved clearing claim was confirmed to be a requirement associated with the installation of suitable fire-breaks, thus the clearing was a valid exemption.

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?

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?

No

Section 7 – Information sources

You are required to provide the references used in preparing the referral including the reliability of the source.

7.1 List references used in preparing the referral (please provide the reference source reliability and any uncertainties of source).

Reference Source	Reliability	Uncertainties
Natural Area Consulting Management Service - Lot 123 Mortimer Road Flora and Vegetation Survey and Black Cockatoo Habitat Assessment, November 2018 DBCA threatened and priority flora, fauna and ecological community database searches. Bioscience reports dated 2006, 2008, 2015 City of Kwinana Intramaps, along with various planning documents	High - survey carried out by experienced personnel in the area High Medium - High High	Standard uncertainties associated with flora and vegetation surveys Accuracy of information reported to DBCA; related to experience of those undertaking surveys; no obvious errors or concerns with the data noted There appears to be some identification inconsistencies with species identified and those found by Natural Area; however, overall results of flora species and cockatoo habitat findings are consistent Planning information included on the website is current.

Section 8 – Proposed alternatives

You are required to complete this section if you have any feasible alternatives to taking the proposed action (including not taking the action) that were considered but not proposed.

8.0 Provide a description of the feasible alternative?

As the proposed development will occur in location zoned urban, the planned land use is consistent with the planning that has previously occurred. The land is in private ownership, with the development being proposed by the owner, accordingly, there is no feasible alternative for the proposed development by this owner in some other location.

8.1 Select the relevant alternatives related to your proposed action.

8.27 Do you have another alternative?

No

Section 9 – Contacts, signatures and declarations

Where applicable, you must provide the contact details of each of the following entities: Person Proposing the Action; Proposed Designated Proponent and; Person Preparing the Referral. You will also be required to provide signed declarations from each of the identified entities.

9.0 Is the person proposing to take the action an Organisation or an Individual?

Individual

9.1 Individual

9.1.1 Job Title

Mr

9.1.2 First Name

Ivan

9.1.3 Last Name

Yujnovich

9.1.4 E-mail

sue.brand@naturalarea.com.au

9.1.5 Postal Address

398 Oxford Street
Mount Hawthorn WA 6016
Australia

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


Individual

Person proposing the action - Declaration

I, IVAN YUJNOVICH, 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.

Signature:  Date: 24-1-2019

I, IVAN YUJNOVICH, the person proposing the action, consent to the designation of SELF as the proponent of the purposes of the action describe in this EPBC Act Referral.

Signature:  Date: 24-1-2019

9.3 Is the Proposed Designated Proponent an Organisation or Individual?

Individual

9.4 Individual

9.4.1 Job Title

Mr

9.4.2 First Name

Ivan

9.4.3 Last Name


Yujnovich

9.4.4 E-mail

sue.brand@naturalarea.com.au

Proposed designated proponent - Declaration

I, IVAN YUJNOVICH, 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:  Date: 24-1-2019

9.6 Is the Referring Party an Organisation or Individual?

Organisation

9.8 Organisation

9.8.1 Job Title

Senior Environmental Scientist

9.8.2 First Name

Sue

9.8.3 Last Name

Brand

9.8.4 E-mail

sue.brand@naturalarea.com.au

9.8.5 Postal Address

Unit 1, 164 Barrington Street
Bibra Lake WA 6164
Australia

9.8.6 ABN/ACN

ABN

18126093356 - Natural Area Holdings Pty Ltd

9.8.7 Organisation Telephone

(08) 6397 1954

9.8.8 Organisation E-mail

info@naturalarea.com.au

Referring Party - Declaration

I, Susan Brand, I 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: Susan Brand Date: 24/1/19

Appendix A - Attachments

The following attachments have been supplied with this EPBC Act Referral:

1. AHIS Searches - L123 Mortimer Rd.pdf
2. Bioscience - L123 2008 Wetland Reclass Appl'n_Part1.pdf
3. Bioscience - L123 2008 Wetland Reclass Appl'n_Part2.pdf
4. Bioscience - L123 2008 Wetland Reclass Appl'n_Part3.pdf
5. Bioscience - L123 2008 Wetland Reclass Appl'n_Part4.pdf
6. Bioscience 2006 Field Investigations, L123 Mortimer Rd Casuarina.pdf
7. Bioscience 2015 - L123 Veg and Black Cockatoo Assess't_Part1.pdf
8. Bioscience 2015 - L123 Veg and Black Cockatoo Assess't_Part2.pdf
9. Bioscience 2015 - L123 Veg and Black Cockatoo Assess't_Part3.pdf
10. Bioscience 2015 - L123 Veg and Black Cockatoo Assess't_Part4.pdf
11. Carnaby Habitat assessment.jpeg
12. Lot Layout and Environmental Values.jpeg
13. Mortimer Rd Vegetation Types.jpeg
14. Site Location.jpeg
15. Vegetation Condition Mortimer Rd.jpeg
16. YUJN-R- Lot 123 Mortimer Rd Flora and Habitat Survey V1 (Pt1).pdf
17. YUJN-R- Lot 123 Mortimer Rd Flora and Habitat Survey V1 (Pt 2).pdf
18. Yujnovich L123 Mortimer.zip