

EPBC Act referral



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.

Title of proposal	2021/8977 - Subdivision of Lot 902 Flynn Drive Neerabup for Industrial Development
Section 1	
Summary of your proposed action	
1.1 Project industry type	Commercial Development
1.2 Provide a detailed description of the proposed action, including all proposed activities	
<p>Lot 902 Flynn Drive Neerabup (formerly Lot 2477) is an approximately 22 hectare industrial zoned lot located in the Northwest Corridor of the Perth Metropolitan Region.</p> <p>The proposal aims to subdivide Lot 902 Flynn Drive Neerabup within the City of Wanneroo to create a 14.024 ha industrial development envelope that will be subject to clearing, earthworking, and levelling (Lot 1, the area of interest in relation to this proposal), with the remainder of the site (Lot 2, 8.01 ha) being retained as a conservation Lot that will be ceded without cost to the crown (Att 4); in time, it is expected but not confirmed that the management orders for the site will become the responsibility of the City of Wanneroo. The proposed area to be retained represents approximately 36% of the site and exists as a corridor ranging in width between approximately 75 m at the narrowest point and 225 m along Flynn Drive. The proposed corridor acts as a buffer to Wanneroo golf course and also acts as an ecological link to the Bush Forever sites to both the north and south. Note that Lot 902 is part of Bush Forever Site 295 and marked as an area where a negotiated planning solution process is appropriate mechanism to consider appropriate land uses consistent with its zoning as well as the natural values that contributed to its inclusion as a Bush Forever Site.</p> <p>The proposed development envelope will result in the clearing, earthworking and levelling of 14.024 ha of remnant native vegetation in Very Good to Excellent condition that is identified as Banksia – Jarrah Woodland which is consistent with the EPBC ACT listed threatened ecological community Banksia Woodlands of the Swan Coastal Plain, as well as being foraging habitat species for endangered black cockatoos (Att 5).</p> <p>The proposal has been submitted to the WA EPA with advertising having occurred to determine the assessment level for the proposal with the response from the EPA not received as yet.</p>	
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)	
<p>Lot 902 Flynn Drive Neerabup is an approximately 22 hectare industrial zoned lot located in the Northwest Corridor of the Perth Metropolitan Region. The address of the site is Lot 902, Flynn drive, Neerabup. The Site is located approximately 40 km north of the Perth CBD and approximately 10 km north of the City of Wanneroo Joondalup City Centre within the wider Neerabup Industrial area. The nearest intersection to the site is Old Yanchep Road. (Refer Att 5)</p> <p>Lot 902 currently comprises of 22 hectares of remnant bushland that is a component of Bush Forever Site 295 (total area 112.6 ha) (Att 5).</p>	
1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?	
<p>Lot 902 is a component of the broader Bush Forever Site No. 295 which covers a total area of 112.6 hectares (Att 5). Lot 902 is approximately 22.063 hectares in size, which remains in a vegetated state. The proposal will result in the clearing of 14.024 hectares of Banksia-Jarrah Woodland, with the avoidance footprint being an 8.01 ha area will be retained in perpetuity as a conservation Lot (Lot 2).</p>	
1.7 Proposed action location	
Lot - Lot 902 Flynn Drive Neerabup, being Lot 902 on Deposited Plan 50843 in Volume 2635/, Folio 897	
1.8 Primary jurisdiction	Western Australia



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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

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

Start Date 03/01/2022

End Date 02/01/2024

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

The Site is zoned industry under the Metropolitan Region Scheme and industrial development under the City of Wanneroo District Planning Scheme No. 2. This zoning as well as its recognition as a component of Bush Forever Site 295 provides the basis of the negotiated planning solution process commenced in March 2013. This process was allowed for when the Bush Forever listings were made around 2000. The subdivision was proposed in the interests of rationalising the larger land holding in order to allow for industrial development of the land in accordance with the Neerabup Industrial Area Structure Plan No. 17 as well as considering the natural values that contributed to its inclusion as a Bush Forever Site.

The proposal under the Negotiated Planning Solution has considered the historical and current planning framework as well as the environmental factors applicable to the Site in the preparation of the proposed development to provide a balanced outcome between conservation, social and economic objectives. The negotiated planning solutions are intended to maximise retention of core conservation values, including threatened ecological communities, through statutory planning in seeking a balance between conservation and development, and which is embodied in the plan for Lot 902 with the retention of 8.01 ha for conservation in perpetuity in what will become Lot 2.

While the site is also identified under the State Planning Policy 2.4 Basic Raw Minerals (2000) as having regionally significant resources, that land use is not being proposed at this time.

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

The proposed negotiated planning solution is endorsed by the WAPC, with the Department of Biodiversity, Conservation and Attractions (DBCA), the City of Wanneroo, and others, also supporting the proposal. Consultation occurred when the Negotiated Planning Solution (NPS) was advertised in 2013. It was also referred to relevant agencies when submitted to the Western Australian Planning Commission (WAPC) as per WAPC 159748 in August 2020. A formal referral was made to the Environmental Protection Authority (EPA) on March 2021, with advertising to determine the assessment level occurring in April; outcomes of the assessment level advertising process are pending. No consultation with indigenous people has occurred as the land is in the private ownership of the Borrello family.

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

Direct impacts will include the loss of 14.024 ha of:

- Karrakatta Complex – Central and South vegetation complex
- Banksia Woodland TEC
- associated black cockatoo foraging habitat
- vegetation that is largely rated as being in Very Good or Excellent condition
- four trees with a DBH > 50 cm
- two trees with hollows potentially suitable for nesting at some point in time.

No impacts will occur to the various threatened orchids listed under the EPBC Act and/or the BC Act as their habitat preferences are inconsistent with those present within Lot 902. As indicated in the Natural Area 2019 detailed flora and vegetation report, no declared rare or priority listed species were recorded during the spring survey activities (Att 1), with a similar finding during the basic assessment carried out in 2018 (Att 2).



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1.15 Is this action part of a staged development (or a component of a larger project)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
1.16 Is the proposed action related to other actions or proposals in the region? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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

The PMST search identified the following threatened ecological communities (TEC) as likely to occur within a 5km buffer for the survey site:

- Banksia Woodlands of the Swan Coastal Plain
- Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain

The 2019 level 2 survey by Natural Area confirmed the presence of the Banksia Woodlands of the Swan Coastal Plain (TEC) throughout the site (Att 1, Section 4.3.1 p 16; Section 4.3.2 Banksia TEC statistical analysis P16 - 20, Att 2 - Section 4.3 P12). There was no evidence of the Tuart Woodland ecological community, with no Tuart being recorded on site (Att 1, Appendix 4 Flora Species List, P58, Att 2, Appendix 4, Flora Species List, P 44). Accordingly, this development will result in the loss of 14.024 ha of the Banksia Woodland TEC (Att 4).

Impact

Direct impacts will include the loss of 14.024 ha of:

- Karrakatta Complex – Central and South vegetation complex (Att 1, Section 2.3, p8; Att 2, Section 2.3, P7)
- Banksia Woodland TEC (Att 1 Section 4.3.1 p 16; Section 4.3.2 Banksia TEC statistical analysis P16 - 20; Att 2, Section 4.3, P12,13; Section 6, P18)
- associated black cockatoo foraging habitat (Att 1, Section 5.2 P22-23, Section 6.2 P26 - 27; Att 2 Section 5.2 P15-17, Section 6.0 P18; Att 6)
- vegetation that is largely rated as being in Very Good or Excellent condition (Att 1 Section 4.4 P/p20-21; Att 2 Section 4.4, p12, 14)
- four trees with a DBH > 50 cm (Att 6)
- two trees with hollows potentially suitable for nesting at some point in time (Att 6).

No impacts will occur to the various threatened orchids listed under the EPBC Act and/or the BC Act as their habitat preferences are inconsistent with those present within Lot 902. As indicated in the Natural Area 2019 (Att 2) detailed flora and vegetation report, no declared rare or priority listed species were recorded during the spring survey activities, with a similar outcome noted in the basic flora and vegetation assessment carried out in 2018 (Att 1) .

Species or threatened ecological community

The flora and vegetation survey carried out by Natural Area in 2018 (Att 2 Section 5.2 P15 -17, Section 6 P18) indicated that there was some evidence of foraging by endangered black cockatoos, most probably *Calyptorhynchus latirostris* (Carnaby's Cockatoo) at two locations on the site, with no additional evidence of their usage during the 2019 survey (Att 1,



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Section 5.2 P22-23, Section 6.2 P26 - 27;).

Impact

Direct impacts will include the loss of 14.024 ha of:

Karrakatta Complex – Central and South vegetation complex (Att 1, Section 2.3, p8; Att 2, Section 2.3, P7)

Banksia Woodland TEC ((Att 1 Section 4.3.1 p 16; Section 4.3.2 Banksia TEC statistical analysis P16 - 20; Att 2, Section 4.3, P12,13; Section 6, P18))

associated black cockatoo foraging habitat (Att 1, Section 5.2 P22-23, Section 6.2 P26 - 27; Att 2 Section 5.2 P15-17, Section 6.0 P18; Att 6)

vegetation that is largely rated as being in Very Good or Excellent condition (Att 1 Section 4.4 P/p20-21; Att 2 Section 4.4, p12, 14)

four trees with a DBH > 50 cm (Att 6)

two trees with hollows potentially suitable for nesting at some point in time (Att 6).

No impacts will occur to the various threatened orchids listed under the EPBC Act and/or the BC Act as their habitat preferences are inconsistent with those present within Lot 902. As indicated in the Natural Area 2019 (Att 1, Appendix 4 Flora Species List, P56-61) detailed flora and vegetation report, no declared rare or priority listed species were recorded during the spring survey activities, with a similar outcome noted in the basic flora and vegetation assessment carried out in 2018 (Att 2, Appendix 4, Flora Species List, P 43-47) .

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

Natural Area carried a level 1 (basic) and a level 2 (detailed) flora and vegetation survey on the site. The Natural Area 2018 (Att 2) and 2019 (Att 1) flora and vegetation surveys were carried out by Sharon Hynes, the lead botanist/zoologist who has more than 10 years experience carrying out surveys on the Swan Coastal Plain, including the various declared rare and priority listed species indicated on the NatureMap and PMST reports. No declared rare or priority flora listed as being conservation significant under the Biodiversity Conservation Act 2016 (WA) or those listed as matters of national environmental significance (MNES) under the EPBC Act 1999 were recorded within this survey. The surveys confirmed the presence of the Banksia Woodlands Ecological Community of the Swan Coastal Plain and the absence of the Tuart Woodlands and Forests of the Swan Coastal Plain. The 2018 survey recorded evidence of foraging in two locations of site by the Carnaby's Cockatoo.

The vegetation condition of the site was assessed in the level 2 flora survey conducted by Natural Area, and ranged from Degraded to Excellent, with the majority being in Excellent condition (69.6%), as per the Keighery rating scale in Bush Forever Volume 2.

A Level 2 flora and vegetation assessment was conducted by ATA environmental over the previous Lot 2744 Flynn Drive in 2007 (Att 3). The assessment concluded there were no regionally significant vegetation complexes, Threatened Ecological Communities (TECs), Declared rare Fauna (DRF) or Priority listed flora were recorded from Lot 2477 Flynn Drive Neerabup and from a flora and vegetation perspective there is no impediment to the clearing of vegetation from lot 2477 for industrial purposes. However, ATA Environmental's assessment is that the clearing of vegetation from lot 2477 is likely to have a significant impact of the feeding habitat of Carnaby's Black Cockatoo.

According to Natural Area (2018, 2019), while Lot 902 supports a diverse array of flora and is largely in Excellent condition, the absence of declared rare and/or priority listed (conservation significant) flora species along with the limited presence of conservation significant fauna species suggests that the vegetation within Lot 902 is not a preferred feeding, roosting or nesting location for endangered black cockatoo species, with no new evidence of feeding observed in 2019. Lot 902 is close to several large remnant bushland areas, suggesting that its importance as an ecological linkage is also limited.

Numerous species of birds classified as being of national environmental significance under the EPBC Act 1999 were recorded within the PMST database search. However, the vast majority of these are marine or coastal species that are likely to inhabit the marine environment to the west of the survey area and are unlikely to breed or forage inland on site.

No impacts will occur to the various threatened orchids listed under the EPBC Act and/or the BC Act as their habitat preferences are inconsistent with those present within Lot 902. As indicated in the Natural Area 2019 flora and vegetation report, no declared rare or priority listed species were recorded during the spring survey activities.

The flora and fauna survey report by Natural Area is attached for reference.

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

There are no wetlands present within the boundaries of Lot 902. The site has a depth to groundwater ranging from 16.5 m to 35m (Perth groundwater map). Similarly, no rivers, creeks, or streams are present.

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

The vegetation complex associated with the site is the Karrakatta Complex – Central and South, which is characterised by open tuart-jarrah-marri forest, with common species including *Banksia attenuata*, *Banksia menziesii*, *Jacksonia sternbergiana*, *Acacia cyclops*, *Acacia saligna*, and *Grevillea thelemanniana* (Hedde, Loneragan and Havel, 1980).

Natural Area (2019, Att 1, Section 4.3, P12-13) identified one vegetation type, being banksia-jarrah woodland, and which is also consistent with the designated threatened ecological community Banksia Woodlands of the Swan Coastal Plain.

Vegetation condition is primarily Excellent (15.15 ha), with small areas in Very Good (4.97 ha), Good (1.03 ha) and Degraded (0.63 ha) condition (refer Att 1, Section 4.4, P13, 14).

Topography across the site ranges from 70 m AHD in the south, decreasing to 60 m AHD to the north and east (Att 1, Section 2.4, P7, and Att 4).

According to the NRInfo Portal (DPIRD, 2019), one soil type is present, namely the 211Sp-Ky Karrakatta Sand Yellow Phase, which is described as low hilly to gently undulating terrain, with yellow sand over limestone (Att 1, Section 2.4, P7).



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

Lot 902 Flynn Drive is a component of Bush Forever Site 295 (Map 1 in Att 1, Att 5). Lot 902 is located within the approximate centre of the Bush Forever Site, with other components located to the north, and south-west of the Lot.

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

Lot 902 is in the private ownership of the Borrello family and not currently subject to any reservation/protection. The detailed survey carried out found the vegetation condition ranged from Degraded to Excellent, with the majority of the site (69.6%) being in Excellent condition with little to no change since the 2018 spring flora survey (Att 1, Att 2). The proposal plans to retain 8.01 ha of this vegetation for conservation in perpetuity through ceding to the crown; it is projected but not confirmed that managed orders for the site will be assigned to the City of Wanneroo. Clearing of 14.024 ha of this vegetation will occur as a result of this proposal.

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

The site is located within the coastal dunal system of Swan Coastal Plain, and particularly within the Spearwood Dunes. Accordingly, the site rises from approximately 70 AHD in the south, decreasing to approximately 60 m AHD to the north and east (Att 4), with a varying topography due to the presence of dune ridges within the site. It is proposed that after clearing has occurred, Lot 1 will be levelled to achieve a suitable surface to progress future industrial land uses as well as provide a suitable interface with what will become the conservation Lot (Lot 2) to the east. The gradient within Lot 1 ranges from <10 upslope from north-west towards the south-east, and approximately 2.30 upslope from west to east in the northern portion.

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

The site is currently vegetated with native vegetation, with the detailed survey carried out by Natural Area in 2019 (Att 1) determining that the vegetation condition ranged from Degraded to Excellent, with the majority of the site (69.6%) being in Excellent condition with little to no change since the 2018 spring flora survey (Att 2).

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

There are no Commonwealth Heritage places or heritage values present or relevant to the site.

3.9 Describe any Indigenous heritage values relevant to the project area

There are no indigenous heritage values present or relevant to the site.

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

Lot 902 (the Site) is private, freehold land that has been in the ownership of the Borrello family since 1975.

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

The site is currently retained native vegetation. It is proposed that 14.024 ha of the site is developed for industrial purposes in accordance with the site zoning, with 8.01 ha to be retained in perpetuity for conservation purposes.



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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

The principal mitigation measure will be the retention of approximately 8.01 hectares of the Banksia Woodland ecological community in perpetuity, or approximately 37% of the vegetation remaining on site. This vegetation will provide a continued ecological linkage to other vegetated areas within the vicinity of the site, as well as acting as a fauna corridor, thus avoiding impacts to 8.01 ha of the TEC and black cockatoo habitat. This area will be ceded to the Crown at no cost for conservation purposes. Additionally, clearing plans to retain two trees with a DBH > 50 cm and four trees with hollows that could be used at some point in time (Att 6). The economic value of the land to be retained in perpetuity represents an investment in conservation worth several \$million.

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

During clearing of lot 902 the principal mitigation measure will be the retention of approximately 8.01 hectares of the Banksia Woodland ecological community in perpetuity, or approximately 37% of the vegetation remaining on site. The proposed environmental outcome of retaining vegetation is to provide a continued ecological linkage to other vegetated areas within the vicinity of the site, as well as acting as a fauna corridor, thus avoiding impacts to 8.01 ha of the TEC and black cockatoo habitat. This area will be ceded to the Crown at no cost for conservation purposes.



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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

A PMST search identified the following threatened ecological communities (TEC) as likely to occur within a 5km buffer for the survey site:

- Banksia Woodlands of the Swan Coastal Plain
- Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain

The 2019 level 2 survey by Natural Area confirmed the presence of the Banksia Woodlands of the Swan Coastal Plain (TEC) listed under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) (Cwlth), throughout the site. The 2018 level 1 survey assessed the site and concluded that this vegetation type was the only TEC within Lot 902. The threatened ecological community 'Banksia Woodlands of the Swan Coastal Plain' which is listed as habitat of the Carnaby's Cockatoo (*Calyptorhynchus latirostris*, T (WA), EN (Cwlth)).

The level 1 fauna surveys from 2018 and 2019 conducted by Natural Area confirmed the presence of 15 birds, three mammals, and five reptiles. Of these, the following are listed as conservation significant species under the Biodiversity Conservation Act 2016 (WA) and the Environment Protection and Biodiversity Conservation Act 1999 (Cwlth):

- Carnaby's Cockatoo (*Calyptorhynchus latirostris*, T (WA), EN (Cwlth))
- Rainbow Bee-eater (*Merops ornatus*, IA (Cwlth)).

While there was habitat that would support use by endangered black cockatoo species, such as the Carnaby's Cockatoo (*Calyptorhynchus latirostris*), evidence of feeding was noted in two locations near the western and northern boundaries in 2018 (Att 6) and none was noted during 2019. Six trees with a diameter at breast height (DBH) of more than 500 mm were recorded as potential roosting trees, and a further six with hollows present; none showed evidence of use by endangered black cockatoos in the form of the scratching around hollows and/or droppings. This evidence suggests that Lot 902 is not currently being utilised by black cockatoos for roosting or nesting, and it may not be an important (significant) feeding area for these species despite the presence of suitable habitat. As the site is in close proximity to several other remnant bushland areas that would (or does) support these species, any loss of vegetation from Lot 902 is unlikely to be critical to their ongoing survival.

The Rainbow Bee-eater (*Merops ornatus*) is a migratory bird that prefers bare, sandy areas for nesting, with its presence in Lot 902 likely to be associated with transient feeding or roosting. The proximity of other remnant bushland and cleared areas nearby where nesting could occur means that any loss of vegetation from the site is unlikely to be significant.

While Lot 902 supports a diverse array of flora and is largely in Excellent condition, the absence of declared rare and/or priority listed (conservation significant) flora species along with the limited presence of conservation significant fauna species suggests that the vegetation within Lot 902 is not a preferred feeding, roosting or nesting location for endangered bird species, despite the area that will be cleared as a result of this proposal.

The retention of 8.01 ha of the Banksia Woodland TEC to be retained in perpetuity as a conservation area, with the value of this land to be ceded to the crown being several \$million represents a significant, ongoing investment in conservation wholly borne by the current landowners.



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Accordingly, when the proposed size and economic value of the bushland to be retained within the conservation Lot, it is considered that these mitigation measures more than compensate for the loss of the area to be cleared.



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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

Yes - the Borrello family have a satisfactory record of responsible environmental performance.

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

There are no past or current proceedings under a Commonwealth or State law relating to the protection of the environment or the conservation and sustainable use of natural resources against any member of the Borrello family.

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



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Section 7

Information sources

Reference source

Natural Area Consulting Management Services, 2019, Borrello Family Level 2 Flora Survey - Lot 902 Flynn Drive Neerabup, unpublished report prepared for the Borrello Family

Reliability

High - survey carried out by a botanist with more than 10 years experience on the Swan Coastal Plain and the south-west of Western Australia

Uncertainties

Typical uncertainties associated with flora and vegetation surveys relating to species presenting at the time of the survey

Reference source

Natural Area Consulting Management Services, 2019, Level 1 Flora and Fauna Survey - Lot 902 Flynn Drive Neerabup, unpublished report prepared for the Borrello family

Reliability

High - survey carried out by a botanist with more than 10 years experience on the Swan Coastal Plain and the south-west of Western Australia

Uncertainties

Typical uncertainties associated with flora and vegetation surveys relating to species presenting at the time of the survey; level 1 survey rather than detailed

Reference source

ATA Environmental, 2007, Flora, Vegetation and Vertebrate Fauna Assessment Neerabup Industrial Area (NIA) Neerabup, unpublished report prepared for the City of Wanneroo, Landcorp and various landowners

Reliability

High, work carried out personnel experienced with carrying out surveys on the Swan Coastal Plain

Uncertainties

Typical uncertainties associated with flora and vegetation surveys relating to species presenting at the time of the survey, with fauna surveys limited to species captured and/or observed



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Section 8
Proposed alternatives
Do you have any feasible alternatives to taking the proposed action? Yes <input checked="" type="checkbox"/> No



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Section 9

Person proposing the action

9.1.1 Is the person proposing the action an organisation or business?

☐ Yes ☒ No

9.1.3 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name Elizabeth
Last name Borrello
Job title Retired
Phone
Mobile 0409297539
Fax
Email Elizabeth.borrello@westnet.com.au
Primary address 11B Kingsmill St, Claremont, 6010, Western Australia, Australia
Address

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

☒ An individual
☐ Not applicable

Declaration: Person proposing the action (To be signed by the person at 9.1.3)

I, _____, 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: ET Borrello Date: 16.6.21

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

Signature: ETB Date: 16.6.21



Australian Government

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Proposed designated proponent

9.2.1 Is the proposed designated proponent an organisation or business?

☐ Yes ☒ No

9.2.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name	Elizabeth
Last name	Borrello
Job title	Retired
Phone	0409297539
Mobile	0409297539
Fax	
Email	Elizabeth.borrello@westnet.com.au
Primary address	11B Kingsmill St, Claremont, 6010, Western Australia, Australia
Address	

Declaration: Proposed Designated Proponent

I, ELIZABETH BORRELO, 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: ET Borrello Date: 16.6.21



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 an organisation or a business?

☒ Yes ☐ No

Organisation

Organisation name (as registered for ABN/ACN)

MARTINICK BOSCH SELL PTY LTD

Business name

MBS ENVIRONMENTAL

ABN

60102614479

ACN

Business address

4 Cook Street, West Perth, 6005, Western Australia,
Australia

Postal address

Main Phone number

(08) 9226 3166

Fax

Primary email address

info@mbsenvironmental.com.au

Secondary email address

9.3.2 Contact (for an organisation - the contact details of the person authorised to sign on behalf of the organisation)

First name

Sue

Last name

Brand

Job title

Principal Environmental Scientist

Phone

+61892263166

Mobile

0439 435 110

Fax

Email

sbrand@mbsenvironmental.com.au

Primary address

4 Cook Street, West Perth, 6005, Western Australia,
Australia

Address

Declaration: Referring party (person preparing the information)

I, SUSAN BRAND, 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: 16/6/2021



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	Att 4 Lot 902 - Subdivision footprint.pdf
action_area_images	Att 5 Bush Forever.pdf
action_area_images	Att 6 Cockatoo Evidence.pdf
flora_fauna_investigation	Att 1 L2 flora survey-2019.pdf
flora_fauna_investigation	Att 2 L1 flora survey-2018.pdf
flora_fauna_investigation	ATT 3 ATA Report 2007.pdf

Appendix B
Coordinates
Area 1
-31.679561209192,115.80993879413
-31.679542948743,115.81330764865
-31.68567825736,115.81330764865
-31.685641738866,115.81000316715
-31.679561209192,115.80993879413