

# LOTS 3, 1199 AND 650 THOMAS ROAD, CASUARINA

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## EPBC REFERRAL

Prepared for: Aigle Royal Developments Pty Ltd  
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**pgv** ENVIRONMENTAL



## Referral of proposed action

### What is a referral?

The *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) provides for the protection of the environment, especially matters of national environmental significance (NES). Under the EPBC Act, a person must not take an action that has, will have, or is likely to have a significant impact on any of the matters of NES without approval from the Australian Government Environment Minister or the Minister's delegate. (Further references to 'the Minister' in this form include references to the Minister's delegate.) To obtain approval from the Environment Minister, a proposed action should be referred. The purpose of a referral is to obtain a decision on whether your proposed action will need formal assessment and approval under the EPBC Act.

Your referral will be the principal basis for the Minister's decision as to whether approval is necessary and, if so, the type of assessment that will be undertaken. These decisions are made within 20 business days, provided sufficient information is provided in the referral.

### Who can make a referral?

Referrals may be made by or on behalf of a person proposing to take an action, the Commonwealth or a Commonwealth agency, a state or territory government, or agency, provided that the relevant government or agency has administrative responsibilities relating to the action.

### When do I need to make a referral?

A referral must be made for actions that are likely to have a significant impact on the following matters protected by Part 3 of the EPBC Act:

- World Heritage properties (sections 12 and 15A)
- National Heritage places (sections 15B and 15C)
- Wetlands of international importance (sections 16 and 17B)
- Listed threatened species and communities (sections 18 and 18A)
- Listed migratory species (sections 20 and 20A)
- Protection of the environment from nuclear actions (sections 21 and 22A)
- Commonwealth marine environment (sections 23 and 24A)
- Great Barrier Reef Marine Park (sections 24B and 24C)
- A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
- The environment, if the action involves Commonwealth land (sections 26 and 27A), including:
  - actions that are likely to have a significant impact on the environment of Commonwealth land (even if taken outside Commonwealth land);
  - actions taken on Commonwealth land that may have a significant impact on the environment generally;
- The environment, if the action is taken by the Commonwealth (section 28)
- Commonwealth Heritage places outside the Australian jurisdiction (sections 27B and 27C)

You may still make a referral if you believe your action is not going to have a significant impact, or if you are unsure. This will provide a greater level of certainty that Commonwealth assessment requirements have been met.

To help you decide whether or not your proposed action requires approval (and therefore, if you should make a referral), the following guidance is available from the Department's website:

- the Policy Statement titled Significant Impact Guidelines 1.1 – Matters of National Environmental Significance. Additional sectoral guidelines are also available.

- the Policy Statement titled Significant Impact Guidelines 1.2 - Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies.
- the Policy Statement titled Significant Impact Guidelines: Coal seam gas and large coal mining developments—Impacts on water resources.
- the interactive map tool (enter a location to obtain a report on what matters of NES may occur in that location).

#### **Can I refer part of a larger action?**

In certain circumstances, **the Minister may not accept a referral for an action that is a component of a larger action and may request the person proposing to take the action to refer the larger action for consideration under the EPBC Act (Section 74A, EPBC Act)**. If you wish to make a referral for a staged or component referral, read 'Fact Sheet 6 Staged Developments/Split Referrals' and contact the Referrals Gateway (1800 803 772).

#### **Do I need a permit?**

Some activities may also require a permit under other sections of the EPBC Act or another law of the Commonwealth. Information is available on the Department's web site.

#### **Is your action in the Great Barrier Reef Marine Park?**

If your action is in the Great Barrier Reef Marine Park it may require permission under the *Great Barrier Reef Marine Park Act 1975* (GBRMP Act). If a permission is required, referral of the action under the EPBC Act is deemed to be an application under the GBRMP Act (see section 37AB, GBRMP Act). This referral will be forwarded to the Great Barrier Reef Marine Park Authority (the Authority) for the Authority to commence its permit processes as required under the Great Barrier Reef Marine Park Regulations 1983. If a permission is not required under the GBRMP Act, no approval under the EPBC Act is required (see section 43, EPBC Act). The Authority can provide advice on relevant permission requirements applying to activities in the Marine Park.

The Authority is responsible for assessing applications for permissions under the GBRMP Act, GBRMP Regulations and Zoning Plan. Where assessment and approval is also required under the EPBC Act, a single integrated assessment for the purposes of both Acts will apply in most cases. Further information on environmental approval requirements applying to actions in the Great Barrier Reef Marine Park is available from <http://www.gbrmpa.gov.au/> or by contacting GBRMPA's Environmental Assessment and Management Section on (07) 4750 0700.

The Authority may require a permit application assessment fee to be paid in relation to the assessment of applications for permissions required under the GBRMP Act, even if the permission is made as a referral under the EPBC Act. Further information on this is available from the Authority:

Great Barrier Reef Marine Park Authority

2-68 Flinders Street PO Box 1379

Townsville QLD 4810

AUSTRALIA

Phone: + 61 7 4750 0700

Fax: + 61 7 4772 6093

[www.gbrmpa.gov.au](http://www.gbrmpa.gov.au)

#### **What information do I need to provide?**

**Completing all parts of this form will ensure that you submit the required information and will also assist the Department to process your referral efficiently. If a section of the referral document is not applicable to your proposal enter N/A.**

You can complete your referral by entering your information into this Word file.

#### **Instructions**

Instructions are provided in blue text throughout the form.

#### **Attachments/supporting information**

The referral form should contain sufficient information to provide an adequate basis for a decision on the likely impacts of the proposed action. You should also provide supporting documentation, such as environmental reports or surveys, as attachments.

Coloured maps, figures or photographs to help explain the project and its location should also be submitted with your referral. Aerial photographs, in particular, can provide a useful perspective and context. Figures should be good quality as they may be scanned and viewed electronically as black and white documents. Maps should be of a scale that clearly shows the location of the proposed action and any environmental aspects of interest.

**Please ensure any attachments are below three megabytes (3mb) as they will be published on the Department's website for public comment. To minimise file size, enclose maps and figures as separate files if necessary. If unsure, contact the Referrals Gateway (email address below) for advice. Attachments larger than three megabytes (3mb) may delay processing of your referral.**

**Note: the Minister may decide not to publish information that the Minister is satisfied is commercial-in-confidence.**

### **How do I pay for my referral?**

From 1 October 2014 the Australian Government commenced cost recovery arrangements for environmental assessments and some strategic assessments under the EPBC Act. If an action is referred on or after 1 October 2014, then cost recovery will apply to both the referral and any assessment activities undertaken. Further information regarding cost recovery can be found on the [Department's website](#).

#### **Payment of the referral fee can be made using one of the following methods:**

- **EFT Payments can be made to:**

BSB: 092-009  
Bank Account No. 115859  
Amount: \$7352  
Account Name: Department of the Environment.  
Bank: Reserve Bank of Australia  
Bank Address: 20-22 London Circuit Canberra ACT 2601  
Description: The reference number provided (see note below)

- **Cheque** - Payable to "Department of the Environment". Include the reference number provided (see note below), and if posted, address:

The Referrals Gateway  
Environment Assessment Branch  
Department of the Environment  
GPO Box 787  
Canberra ACT 2601

- **Credit Card**

Please contact the Collector of Public Money (CPM) directly (call (02) 6274 2930 or 6274 20260 and provide the reference number (see note below).

Note: in order to receive a reference number, submit your referral and the Referrals Gateway will email you the reference number.

### **How do I submit a referral?**

Referrals may be submitted by mail or email.

#### **Mail to:**

Referrals Gateway  
Environment Assessment Branch  
Department of Environment  
GPO Box 787  
CANBERRA ACT 2601

- If submitting via mail, electronic copies of documentation (on CD/DVD or by email) are required.

**Email to: [epbc.referrals@environment.gov.au](mailto:epbc.referrals@environment.gov.au)**

- Clearly mark the email as a 'Referral under the EPBC Act'.
- Attach the referral as a Microsoft Word file and, if possible, a PDF file.
- **Follow up with a mailed hardcopy including copies of any attachments or supporting reports.**

## **What happens next?**

Following receipt of a valid referral (containing all required information) you will be advised of the next steps in the process, and the referral and attachments will be published on the Department's web site for public comment.

The Department will write to you within 20 business days to advise you of the outcome of your referral and whether or not formal assessment and approval under the EPBC Act is required. There are a number of possible decisions regarding your referral:

### **The proposed action is NOT LIKELY to have a significant impact and does NOT NEED approval**

No further consideration is required under the environmental assessment provisions of the EPBC Act and the action can proceed (subject to any other Commonwealth, state or local government requirements).

### **The proposed action is NOT LIKELY to have a significant impact IF undertaken in a particular manner**

The action can proceed if undertaken in a particular manner (subject to any other Commonwealth, state or local government requirements). The particular manner in which you must carry out the action will be identified as part of the final decision. You must report your compliance with the particular manner to the Department.

### **The proposed action is LIKELY to have a significant impact and does NEED approval**

If the action is likely to have a significant impact a decision will be made that it is a *controlled action*. The particular matters upon which the action may have a significant impact (such as World Heritage values or threatened species) are known as the *controlling provisions*.

The controlled action is subject to a public assessment process before a final decision can be made about whether to approve it. The assessment approach will usually be decided at the same time as the controlled action decision. (Further information about the levels of assessment and basis for deciding the approach are available on the Department's web site.)

### **The proposed action would have UNACCEPTABLE impacts and CANNOT proceed**

The Minister may decide, on the basis of the information in the referral, that a referred action would have clearly unacceptable impacts on a protected matter and cannot proceed.

## **Compliance audits**

If a decision is made to approve a project, the Department may audit it at any time to ensure that it is completed in accordance with the approval decision or the information provided in the referral. If the project changes, such that the likelihood of significant impacts could vary, you should write to the Department to advise of the changes. If your project is in the Great Barrier Reef Marine Park and a decision is made to approve it, the Authority may also audit it. (See "*Is your action in the Great Barrier Reef Marine Park*," p.2, for more details).

## **For more information**

- call the Department of the Environment Community Information Unit on 1800 803 772 or
- visit the web site <http://www.environment.gov.au/topics/about-us/legislation/environment-protection-and-biodiversity-conservation-act-1999>

All the information you need to make a referral, including documents referenced in this form, can be accessed from the above web site.

# Referral of proposed action

## Project title:

Lots 3, 1199 and 650 Thomas Road, Casuarina

## 1 Summary of proposed action

### 1.1 Short description

Lots 3, 1199 and 650 Thomas Road, Casuarina (referral area) are proposed to be developed in accordance with its 'Urban' zoning under the Perth Metropolitan Region Scheme. The referral area will be developed for mixed uses as shown in the Jandakot Structure Plan and the Town of Kwinana Eastern Residential Intensification Concept District Structure Plan.

The referral area contains some remnant native vegetation of which 4.4ha is Banksia woodland suitable for Black Cockatoo foraging. The proposed action is to clear the 4.4ha of Black Cockatoo foraging habitat which includes 20 potential nesting trees, two of which contain spouts or hollows.

### 1.2 Latitude and longitude

Point	Latitude			Longitude		
	Degree	Minute	Second	Degree	Minute	Second
1	32	13	51	115	51	6
2	32	13	52	115	51	5
3	32	14	7	115	51	6
4	32	14	8	115	51	6
5	32	14	5	115	51	24
6	32	14	5	115	51	39
7	32	13	59	115	51	55
8	32	13	48	115	51	55
9	32	13	48	115	51	54
10	32	13	47	115	51	20
11	32	13	48	115	51	15

### 1.3 Locality and property description

The referral area is located in the City of Kwinana approximately 36km south of the Perth Central Business District and 5km east of the City of Kwinana town centre (Attachment 1). The referral area location is strategically located at the intersection of the Kwinana Freeway and Thomas Road. The referral area has been used for rural grazing in the past and is largely in a completely degraded condition. Some pockets of remnant vegetation remain.

### 1.4 Size of the development footprint or work area (hectares)

The referral area is 63.23ha in total.

### 1.5 Street address of the site

The street address for the referral area is Lots 3, 1199 and 650 Thomas Road, Casuarina.

### 1.6 Lot description

As above

### 1.7 Local Government Area and Council contact (if known)

The referral area is in the City of Kwinana. The contact officer is Brenton Scambler (Coordinator Statutory Planning).

### 1.8 Time frame

The project will commence once the relevant planning and environmental approvals are in place.

1.9	<b>Alternatives to proposed action</b>	✓	No
			Yes, you must also complete section 2.2
1.10	<b>Alternative time frames etc</b>	✓	No
			Yes, you must also complete Section 2.3. For each alternative, location, time frame, or activity identified, you must also complete details in Sections 1.2-1.9, 2.4-2.7 and 3.3 (where relevant).
1.11	<b>State assessment</b>	✓	No
			Yes, you must also complete Section 2.5
1.12	<b>Component of larger action</b>	✓	No
			Yes, you must also complete Section 2.7
1.13	<b>Related actions/proposals</b>	✓	No
			Yes, provide details:
1.14	<b>Australian Government funding</b>	✓	No
			Yes, provide details:
1.15	<b>Great Barrier Reef Marine Park</b>	✓	No
			Yes, you must also complete Section 3.1 (h), 3.2 (e)



## 2 Detailed description of proposed action

### 2.1 Description of proposed action

Based on the vegetation mapping of GHD (2012) and Bennett (2012), the proposed action is to clear 4.4ha of Banksia woodland which provides foraging habitat for Black Cockatoos (Attachment 2 and 3). The condition of the Banksia woodland was rated as Very Good to Degraded (GHD, 2012; Bennett, 2012) (Attachment 5). The Eucalyptus and Melaleuca open woodland vegetation type contains *Eucalyptus rudis* and *Corymbia calophylla* which are potential breeding/roosting trees for Black Cockatoos (Attachment 4). The project will clear 20 potential breeding trees, two of which two contain spouts and or hollows that may be suitable for future nest sites.

The remaining native vegetation contains species not suitable for Black Cockatoo foraging, roosting or breeding.

### 2.2 Alternatives to taking the proposed action

The referral area is zoned 'Urban' in the Perth Metropolitan Region Scheme and has been identified for 'Mixed Use' under the City of Kwinana Town Planning Scheme and other strategic planning documents.

### 2.3 Alternative locations, time frames or activities that form part of the referred action

The City of Kwinana is rapidly developing and the demand for strategically located 'Mixed Use' lots warrants development of the referral area.

### 2.4 Context, planning framework and state/local government requirements

The referral area was part of a suite of five scheme amendments under the Perth Metropolitan Region Scheme to rezone land from the 'Rural' zone to 'Urban Deferred' zone in June 2006. the suite of scheme amendments were referred by the Western Australian Planning Commission (WAPC) to the Environmental Protection Authority (EPA) under Part IV of the *Environmental Protection Act, 1986* (EP Act).

Amendment No. 1117/33 Jandakot Structure Plan, Cell 4 – Casuarina included the referral area.

#### **Jandakot Structure Plan**

The Jandakot Structure Plan was finalised in August 2007 and provides strategic direction and seeks to co-ordinate the development of the region while ensuring environmental, social and economic objectives are met.

The structure plan provides a guide to the future development of the area and management of key environmental issues. It includes potential development areas, road networks, major community facilities, conservation and Bush Forever areas, and a neighbourhood structure. It also provides proposals for the implementation of the plan such as zoning mechanisms, staging, and financial and management arrangements.

#### **Eastern Residential Intensification Concept**

The Eastern Residential Intensification Concept (ERIC) was prepared by the Town of Kwinana in 2005, to provide strategic direction and refinement of the future urban areas identified within the Jandakot Structure Plan. The intensification concept comprises the cells of Mandogalup, Wandi, Anketell, Casuarina, Wellard (east) and Wellard (west) and defines a framework by which urban subdivision and development is able to occur in an orderly and co-ordinated manner.

The intensification concept was advertised for public comment in 2006 and is currently being revised by the Town of Kwinana.

#### **Indicative Structure Plan**

The development of the referral area will ultimately be guided by the various opportunities and constraints existing on site. In response to these opportunities and constraints, the Jandakot Structure Plan and the intensification concept, and to demonstrate how the referral area could be developed. The indicative structure plan has been prepared to inform the rezoning process from 'Urban Deferred' to 'Urban'.

A Local Structure Plan will be prepared to guide the final development of the referral area.

### 2.5 Environmental impact assessments under Commonwealth, state or territory legislation

The Amendment No. 1117/33 Jandakot Structure Plan, Cell 4 – Casuarina was referred to the EPA for advice on whether environmental assessment would be required.

The EPA advised that the proposed amendment did not require formal assessment under part IV of the EP Act.



A flora and vegetation survey has been undertaken over the referral area to inform the structure planning process (GHD, 2012; Bennett, 2012). Further environmental assessments will be undertaken to inform the Local Structure Plan and subsequent subdivision process.

**2.6 Public consultation (including with Indigenous stakeholders)**

The Amendment No. 1117/33 was advertised for public comment for a period of three months from 27 June 2006 to 29 September 2006.

The Jandakot Structure Plan process involved extensive community consultation including indigenous stakeholders, technical data collection and review, and advice from local and state government authorities. Community input has been a significant part of this process, being sought at major steps during the preparation of this structure plan.

Consultation with the community is a continuing process with additional opportunities provided for public comment and submissions at various stages in the planning process.

**2.7 A staged development or component of a larger project**

This project is not part of a larger project.

## 3 Description of environment & likely impacts

### 3.1 Matters of national environmental significance

#### 3.1 (a) World Heritage Properties

There are no World Heritage Properties located on or near the referral area.

**Description**

Not Applicable

**Nature and extent of likely impact**

Not Applicable

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#### 3.1 (b) National Heritage Places

There are no National Heritage Places located on or near the referral area.

**Description**

Not Applicable

**Nature and extent of likely impact**

Not Applicable

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#### 3.1 (c) Wetlands of International Importance (declared Ramsar wetlands)

There are two wetlands of International Importance located 10km and 30-40km from the referral area.

**Description**

The Ramsar listed Thomsons and Forrestdale Lake wetlands are located 10km to the north and east of the referral area, respectively. There are no direct surface drainage lines connecting the referral area to the wetlands and groundwater flow direction from the referral area is westward away from the wetlands.

The Peel-Yalgorup System is located 30-40km to the south of the referral area. There are no direct surface drainage lines connecting the referral area to the wetlands and groundwater flow direction from the referral area is westward away from the System.

**Nature and extent of likely impact**

Development of the referral area will not directly or indirectly impact any Wetlands of International Significance

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#### 3.1 (d) Listed threatened species and ecological communities

The EPBC protected matters report identified fifteen listed Threatened Species and no listed Threatened Ecological Communities as possibly occurring in the referral area (Attachment 6).

## Description

Fifteen (15) Listed Threatened Species were identified from the search using the Department of the Environment (DoE) online EPBC Act Protected Matters search tool (Attachment 6).

Table 1 lists the threatened species that were identified in the Protected Matters Search Tool report that may have likelihood to be present on the site. The marine species are not included as the Referral area is land based.

Five terms for the likelihood of occurrence of the species are defined as follows:

- Known - The species was or has been observed on the site
- Likely - Medium to high probability that a species uses the site
- Potential - Suitable habitat for a species occurs on the site, but there is insufficient information to categorise the species as likely to occur, or unlikely to occur
- Unlikely -- A very low to low probability that a species uses the site
- No - Habitat on site and in the vicinity is unsuitable for the species.

**Table 1: Threatened Species Identified as Potentially Present in the Referral area**

Species Name	Common Name	EPBC Status	Likelihood Occurrence	Reason Species is not Considered to Occur in the Referral area
<b>Birds</b>				
<i>Calyptorhynchus banksii naso</i>	Forest Red-tailed Black-Cockatoo,	V	Known	Likely to utilise the site for foraging
<i>Calyptorhynchus baudinii</i>	Baudin's Black-Cockatoo	V	Known	Likely to utilise the site for foraging
<i>Calyptorhynchus latirostris</i>	Carnaby's Black Cockatoo	E	Likely	Likely to utilise the site for foraging.
<i>Leipoa ocellata</i>	Malleefowl	V	No	Malleefowl are largely confined to arid and semi-arid woodland that is dominated by mallee eucalypts (DEC, 2012a) which are not present on the Referral area.
<i>Rostratula australis</i>	Australian Painted Snipe	E	No	The Australian Painted Snipe is a wetland wading species and is found in wetlands with open water. The Referral area does not contain any a wetlands therefore this species is not expected to occur in the Referral area.
<b>Mammals</b>				
<i>Dasyurus geoffroii</i>	Chuditch, Western Quoll	V	No	The Chuditch occurs in the Jarrah forests and woodlands, and mallee heath and shrublands of the south-west and south coast of WA. Records of the species on the Swan Coastal Plain are limited to Walylunga National Park, Gooseberry Hill and Upper Swan. This species was not recorded in the Referral area and is not expected to occur due to the degraded habitat (GHD, 2012).
<i>Pseudocheirus occidentalis</i>	Wester Ringtail Possum	V	No	The Western Ringtail Possum is a medium sized nocturnal marsupial. This species occurs in and near coastal Peppermint Tree ( <i>Agonis flexuosa</i> ) forest and Tuart ( <i>Eucalyptus gomphocephala</i> ) dominated forest with a Peppermint Tree understorey. This species will not occur in the referral area.
<b>Plants</b>				
<i>Andersonia gracilis</i>	Slender Andersonia	E	No	This species grows in white/grey sand, sandy clay, gravelly loam near winter wet swamps. This species was not recorded in the Referral area (Bennett, 2012; GHD, 2012)

<i>Caladenia huegelii</i>	King Spider-orchid	E	No	This species grows in well-drained, deep sandy soils in low mixed woodlands of Coast Banksia ( <i>Banksia attenuata</i> ), Firewood Banksia ( <i>B. menziesii</i> ), Holly-leaved Banksia ( <i>Banksia ilicifolia</i> ), Western Sheoak ( <i>Allocasuarina fraseriana</i> ) and Jarrah ( <i>Eucalyptus marginata</i> ). It tends to favour areas of lush undergrowth (Brown <i>et al.</i> 1998; Hopper & Brown 2001b; Hopper <i>et al.</i> 1990). This species was not recorded in the Referral area (Bennett, 2012).
<i>Darwinia foetida</i>	Muchea Bell	CE	No	This species has been recorded at three locations near the town of Muchea, approximately 70 km north of Perth. The species also has very specific habitat requirements, depending on swampy, seasonally wet habitat (Evans, <i>et al.</i> , 2003). This referral area does not contain suitable habitat for the species and it was not recorded in the Referral area (Bennett, 2012; GHD, 2012).
<i>Diuris micrantha</i>	Dwarf Bee Orchid	V	No	Dwarf Bee-orchid is known from seven populations, from east of Kwinana and south towards the Frankland area, Western Australia. It is found in small populations, on dark, grey to blackish, sandy clay-loam substrates in winter wet depressions or swamps (Carstairs & Coates 1994; Brown <i>et al.</i> 1998). This species was not recorded in the Referral area (Bennett, 2012).
<i>Diuris purdiei</i>	Purdie's Donkey Orchid	E	No	Purdie's Donkey Orchid is known from seven populations, from east of Kwinana and south towards the Frankland area, Western Australia. It is found in small populations, on dark, grey to blackish, sandy clay-loam substrates in winter wet depressions or swamps (Carstairs & Coates 1994; Brown <i>et al.</i> 1998). This species was not recorded in the Referral Area (Bennett, 2012).
<i>Drakaea elastica</i>	Glossy-leafed Hammer Orchid	E	No	Glossy-leafed Hammer Orchid occurs in Low-lying situations adjoining winter-wet swamps. This species does not survive in disturbed areas. This species was not recorded in the Referral Area (Bennett, 2012).
<i>Drakaea micrantha</i>	Dwarf Hammer Orchid	E	Potential	The Dwarf Hammer Orchid is usually found on cleared firebreaks or open sandy patches that have been disturbed. This species was not recorded in the Referral Area (Bennett, 2012).
<i>Lepidosperma rostratum</i>	Beaked Lepidosperma	E	No	Beaked Lepidosperma is associated with Marsh Banksia ( <i>Banksia telmatiaea</i> ) and Hairy Clawflower ( <i>Calothamnus hirsutus</i> ), and grows in sandy soil among low heath in a winter wet swamp (Brown <i>et al.</i> , 1998). This species was not recorded in the Referral area . (Bennett, 2012; GHD, 2012).

## Nature and extent of likely impact

### ***Carnaby's Black Cockatoo, Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo***

The Referral Area contains three vegetation types (4.4ha) that were described by GHD (2012) and Bennett (2012) as being foraging habitat for Black Cockatoos (Attachment 2 and 4). These were:

- *Banksia* Woodland Woodland of *Banksia attenuata*, *Banksia menziesii* and *Allocasuarina fraseriana* over Shrubland of *Hibbertia* spp., *Acacia* spp. and *Leucopogon conostephioides* over Grassland of *Ehrharta calycina* and *Briza maxima* over Sparse Sedgeland of *Schoenus curvifolius* and *Lepidosperma pubisquameum* over Herbland of *Dasypogon bromeliifolius*, *Carpobrotus* spp. And *Phlebocarya ciliata*;
- *Eucalyptus* and *Melaleuca* Open Woodland to Woodland – Open Woodland to Woodland of *Eucalyptus rudis*, *Corymbia calophylla* and *Melaleuca* spp. over weeds; and
- Open Woodland of *Corymbia calophylla* over Open Low Woodland of *Melaleuca preissiana* over weeds.

The condition of the *Banksia* Woodland in the north west corner of the referral area was recorded as Very Good to Good with some patches of Degraded (GHD, 2012; Bennett, 2012) (Attachment 3). The remainder of the referral area has been grazed and impacted by Livestock and is in a Completely Degraded to Degraded condition.

Black Cockatoos are known to breed in hollows of large eucalypts. GHD (2012) mapped 21 trees that may provide breeding habitat for Black Cockatoos in the future, two of which contained hollows or spouts (Attachment 4). There are no known breeding sites as mapped by the DoP (2011). The nearest recorded breeding sites are located in Bedfordale and Jarrahdale, approximately 20km to the east and north east (Attachment 7).

### ***Regional Context for Black Cockatoo foraging habitat***

Areas of Black Cockatoo feeding habitat in secure conservation areas (approximately 2,350ha) in the City of Kwinana region and within ) km of the referral area (Attachment 7) include:

- The Spectacles (Bush Forever Site No. 269 – 349.7ha of which 76.2ha is wetland/open water);
- Mandogalup Road Bushland, Mandogalup (Bush Forever Site 268 – 95.9ha);
- Sandy Lake and Adjacent Bushland, Anketell (Bush Forever Site No. 270 -181.3ha);
- Casuarina Prison Bushland, Casuarina (Bush Forever Site No. 273 – 116.9ha);
- Modong Nature Reserve and Adjacent Bushland, Oakford (Bush Forever Site No. 348 – 242ha);
- Sicklemore Road Bushland, Parmelia/Casuarina (Bush Forever Site No. 272 – 84.6ha of which 30ha is open water);
- Banksia Road Nature Reserve, Peel Estate (Bush Forever Site No. 353 – 32.3ha);
- Leda and Adjacent Bushland, Leda (Bush Forever Site No. 349 – 959.8ha) and
- Wandi Nature Reserve and Adjacent Bushland (Bush Forever Site No. 347 – 412.3ha of which 19ha is wetland).

### ***Assessment of impact on Carnaby's Black Cockatoo (Listed as Endangered)***

An impact assessment of the proposed action on Carnaby's Black Cockatoo is provided below in reference to the *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance*.

**Table 2: Application of the Matters of National Environmental Significance Significant Impact Guidelines 1.1 to the Carnaby's Black-Cockatoo**

Impact Criteria	Significant Impact Likely (Y/N)	Justification
Will the action lead to a long-term decrease in the size of a population?	N	The proposed action will result in the removal of 4.4ha of Carnaby's Black Cockatoo (Attachment 2 and 4). Carnaby's Black Cockatoo is known to frequent the Casuarina area. The proposed clearing will not lead to a long-term decrease in the size of Carnaby's Black Cockatoo population due to:

		<ul style="list-style-type: none"> <li>• The residual presence of large areas of vegetation within the locality and region of the Referral area (Attachment 7);</li> <li>• The nature of Carnaby's Black Cockatoo populations, which are highly mobile with extensive ranges; and</li> <li>• There are no known or potential breeding areas within the Referral area.</li> </ul>
Will the action reduce the area of occupancy of the species?	N	<p>The proposed action will not significantly reduce the area of occupancy of Carnaby's Black Cockatoo.</p> <p>The Referral area is in close proximity to several Bush Forever sites that contain a large amount of Carnaby's Black Cockatoo foraging habitat (approximately 2, 350ha) including the following:</p> <ul style="list-style-type: none"> <li>• The Spectacles;</li> <li>• Mandogalup Road Bushland;</li> <li>• Sandy Lake and Adjacent Bushland;</li> <li>• Casuarina Prison Bushland;</li> <li>• Modong Nature Reserve;</li> <li>• Sicklemore Road Bushland;</li> <li>• Banksia Road Nature Reserve;</li> <li>• Leda and Adjacent Bushland; and</li> <li>• Wandi Nature Reserve.</li> </ul> <p>The geographic area occupied by Carnaby's Black Cockatoo is highly unlikely to be reduced due to the small amount of clearing of foraging habitat on the referral area. Therefore, the proposed development on the site would not result in this outcome.</p>
Will the action fragment an existing population into two or more populations?	N	<p>Carnaby's Black Cockatoo is a highly mobile species and the small size of the proposed clearing will not create a barrier to movement across the region.</p>
Will the action adversely affect habitat critical to the survival of a species?	N	<p>Carnaby's Black Cockatoos do not breed on the site. The foraging habitat on the site is not considered to be critical to the survival of the species. Therefore, the proposed development on the site would not result in this outcome.</p>
Will the action disrupt the breeding cycle of a population?	N	<p>The proposed action is highly unlikely to disrupt the breeding cycle of a population of Carnaby's Black Cockatoos due to the small size of the proposed clearing and the proximity of areas containing high quality alternate foraging vegetation.</p> <p>The referral area does not contain any trees suitable for breeding or roosting habitat.</p>
Will the action result in invasive species that are harmful to a critically endangered or endangered species becoming established in the endangered or critically endangered species' habitat?	N	<p>The proposed action will not result in the establishment of invasive species that are harmful to the Carnaby's Black Cockatoo or its habitat.</p>

Will the action introduce disease that may cause the species to decline?	N	The proposed action will not involve any actions that may cause the introduction of new diseases to Carnaby's Black Cockatoos.
Will the action modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline?	N	The proposed action will not modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline. The loss of habitat as a result of the proposed action represents only a very small portion of the potential habitat available in the vicinity of the proposed clearing.
Will the action interfere with the recovery of the species?	N	The population that would use the site is very small in comparison to the geographic distribution of the species. Therefore any clearing of habitat on the site would not interfere with the recovery of the species.

***Assessment of impact on Forest Red-tailed Black Cockatoos and Baudin's Black Cockatoo (Listed as Vulnerable)***

An impact assessment of the proposed action on Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo is provided below in reference to the *Significant Impact Guidelines 1.1 – Matters of National Environmental Significance*.

**Table 3: Application of the Matters of National Environmental Significance Significant Impact Guidelines 1.1 to the Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo**

Impact Criteria	Significant Impact Likely (Y/N)	Justification
Will the action lead to a long-term decrease in the size of an important population of a species?	N	The proposed action will result in the removal of 4.4ha of foraging habitat (Attachment 2 and 4). Baudin's and Forest Red-tailed Black Cockatoos are known to frequent the Casuarina area. The proposed clearing will not lead to a long-term decrease in the size of Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo population due to: <ul style="list-style-type: none"> <li>• The residual presence of large areas of vegetation within the locality and region of the Referral area (Attachment 7);</li> <li>• The nature of Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo populations, which are highly mobile with extensive ranges; and</li> <li>• There are no known or potential breeding areas within the Referral area.</li> </ul>
Will the action reduce the area of occupancy of an important population?	N	The proposed action will not significantly reduce the area of occupancy of Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo. The Referral area is in close proximity to several Bush Forever sites that contain a large amount of Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo foraging habitat (approximately 2, 350ha) including the following: <ul style="list-style-type: none"> <li>• The Spectacles;</li> <li>• Mandogalup Road Bushland;</li> </ul>



		<ul style="list-style-type: none"> <li>• Sandy Lake and Adjacent Bushland;</li> <li>• Casuarina Prison Bushland;</li> <li>• Modong Nature Reserve;</li> <li>• Sicklemore Road Bushland;</li> <li>• Banksia Road Nature Reserve;</li> <li>• Leda and Adjacent Bushland; and</li> <li>• Wandii Nature Reserve.</li> </ul> <p>The geographic area occupied by Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo is highly unlikely to be reduced due to the small amount of clearing of foraging habitat on the referral area. Therefore, the proposed development on the site would not result in this outcome.</p>
Will the action fragment an existing population into two or more populations?	N	Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo is a highly mobile species and the small size of the proposed clearing will not create a barrier to movement across the region.
Will the action adversely affect habitat critical to the survival of a species?	N	Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo do not breed on the site. The foraging habitat on the site is not considered to be critical to the survival of the species. Therefore, the proposed development on the site would not result in this outcome.
Will the action disrupt the breeding cycle of an important population?	N	The proposed action is highly unlikely to disrupt the breeding cycle of a population of Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo due to the small size of the proposed clearing and the proximity of areas containing high quality alternate foraging vegetation. The referral area does not contain any trees suitable for breeding or roosting habitat.
Will the action modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline?	N	The proposed action will not modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline. The loss of habitat as a result of the proposed action represents only a very small portion of the potential habitat available in the vicinity of the proposed clearing.
Will the action result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat?	N	The proposed action will not result in the establishment of invasive species that are harmful to the Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo.
Will the action introduce disease that may cause the species to decline?	N	The proposed action will not involve any actions that may cause the introduction of new diseases to Forest Red-tailed Black Cockatoo and Baudin's Black Cockatoo.
Will the action interfere substantially with the recovery of the species?	N	The population that would use the site is very small in comparison to the geographic distribution of the species. Therefore any clearing of habitat on the site would not interfere with the recovery of the species.

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### 3.1 (e) Listed migratory species

The EPBC protected matters report identified seven listed Migratory Species as possibly occurring in the referral area.

#### Description

Seven (7) Migratory Species were identified from the search using the DoE online EPBC Act Protected Matters search tool (Attachment 6). Five (5) of these species were terrestrial species which were considered to potentially occur at the Referral area (Table 4).

**Table 4: Migratory Species Identified as Potentially Present in the Western LSP area**

<b>Migratory Species</b>	<b>Common Name</b>	<b>EPBC Status</b>	<b>Likelihood of Occurrence</b>	<b>Comment</b>
<i>Apus pacificus</i>	Fork-tailed Swift	T	Possible	This species may occasionally visit the Referral area.
<i>Ardea alba</i>	Great Egret	T	Possible	This species may occasionally visit the Referral area.
<i>Ardea ibis</i>	Cattle Egret	T	Possible	This species may occasionally visit the Referral area.
<i>Merops ornatus</i>	Rainbow Bee-eater	T	Possible	This species may occasionally visit the Referral area.
<i>Motacilla cinerea</i>	Grey Wagtail	T	Possible	This species may occasionally visit the Referral area.
<i>Pandion haliaetus</i>	Osprey	T	No	This species will not visit the Referral area.
<i>Tringa nebularia</i>	Common Greenshank	T	No	This species will not visit the Referral area.

#### Nature and extent of likely impact

It is not expected that the proposed clearing will represent a significant loss of habitat for any of the migratory species listed in Table 4 because of their ability to forage over a wide range of habitats and the infrequency of visits to the Referral area

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### 3.1 (f) Commonwealth marine area

(If the action is in the Commonwealth marine area, complete 3.2(c) instead. This section is for actions taken outside the Commonwealth marine area that may have impacts on that area.)

#### Description

There are no Commonwealth marine areas within the vicinity of the Referral area

#### Nature and extent of likely impact

Not Applicable

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### 3.1 (g) Commonwealth land

(If the action is on Commonwealth land, complete 3.2(d) instead. This section is for actions taken outside Commonwealth land that may have impacts on that land)

#### Description

The referral area is not on Commonwealth land.

#### Nature and extent of likely impact

Not Applicable

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### 3.1 (h) The Great Barrier Reef Marine Park

#### Description

The Referral area is not in the Great Barrier Reef

#### Nature and extent of likely impact

Not Applicable

### 3.1 (i) A water resource, in relation to coal seam gas development and large coal mining development

#### Description

Not Applicable

#### Nature and extent of likely impact

Not Applicable

## 3.2 Nuclear actions, actions taken by the Commonwealth (or Commonwealth agency), actions taken in a Commonwealth marine area, actions taken on Commonwealth land, or actions taken in the Great Barrier Reef Marine Park

3.2 (a)	Is the proposed action a nuclear action?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (b)	Is the proposed action to be taken by the Commonwealth or a Commonwealth agency?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment

3.2 (c)	Is the proposed action to be taken in a Commonwealth marine area?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(f))

3.2 (d)	Is the proposed action to be taken on Commonwealth land?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(g))

3.2 (e)	Is the proposed action to be taken in the Great Barrier Reef Marine Park?	✓	No
			Yes (provide details below)

If yes, nature & extent of likely impact on the whole environment (in addition to 3.1(h))

### **3.3 Other important features of the environment**

#### **3.3 (a) Flora and fauna**

An autumn survey of vegetation and flora of the referral area was conducted in May 2012 by GHD. Five vegetation types were recorded with vegetation condition ranging from Very Good to Completely Degraded (Attachment 3). There were no Threatened or Priority flora recorded during the survey.

A follow-up Spring survey of the referral area conducted in October 2012 by Bennett Environmental recorded two additional vegetation types to that recorded by GHD (2012) and 42 additional flora species, none of which were Threatened or Priority flora.

GHD (2012) conducted a Level 1 Fauna Survey of the referral area. The fauna habitat types were divided into five broad categories:

- Banksia Woodland – high habitat value for Black Cockatoos and other fauna species;
- Mixed Myrtaceous Closed Shrubland – recently burnt, small, fragmented with limited habitat value;
- Sedgeland – degraded and extensive weed invasion, would provide breeding habitat for frogs;
- Eucalyptus and Melaleuca Woodland – grazed extensively and there is limited diversity within the habitat type. Provide some roosting and cover for fauna species, particularly birds; and
- Cleared Paddocks – completely degraded very limited fauna habitat.

Two conservation significant species under the EPBC Act were recorded on the referral area during the site visit:

- Forest Red-tailed Black Cockatoos; and
- Baundin's Black Cockatoo.

Carnaby's Black Cockatoo was not recorded during the site visit however they are known to frequent the Casuarina area.

#### **3.3 (b) Hydrology, including water flows**

No surface water drainage lines traverse the referral area. A Multiple Use wetland is mapped in the DPaW's *Geomorphic Wetlands of the Swan Coastal Plain* dataset as occurring on the eastern portion of the site. This type of wetland has no conservation significance.

#### **3.3 (c) Soil and Vegetation characteristics**

The referral area is mapped in the Department of Agriculture and Food Soil-Landscape Mapping System as having soils from the Bassendean Dune System which is characterised by Aeolian deposit consisting of sandplains with low dunes and occasional swamps with iron or humus podzols (Churchward and McArthur, 1980). This unit occurs across the referral area.

The soil sub systems are described as follows:

- Phase B1: Extremely low to very low relief dunes, undulating sandplain and discrete sand rises. Deep bleached grey sands sometimes with a pale yellow B horizon or a weak iron-organic hardpan at depths generally greater than 2 m. Banksia dominant
- Phase B3: Closed depressions and poorly defined stream channels. Poorly to very poorly drained. Moderately deep, bleached sands with an iron-organic pan, or clay subsoil. Surfaces are dark grey sand or sandy loam; and
- Phase B6: Imperfectly drained sandplain and broad extremely low rises. Deep or very deep grey siliceous sands.

Two vegetation and flora surveys have been undertaken over the referral area (GHD, 2012; Bennett Environmental, 2010). Seven vegetation types were recorded, three of which provide habitat for Black Cockatoos (Table 5).

**Table 5: Vegetation Associations Mapped in the Referral Area**

<b>Vegetation Type</b>	<b>Description</b>	<b>CBC Habitat</b>
<i>Banksia</i> Woodland	Woodland of <i>Banksia attenuata</i> , <i>Banksia menziesii</i> and <i>Allocasuarina fraseriana</i> over Shrubland of <i>Hibbertia spp.</i> , <i>Acacia spp.</i> and <i>Leucopogon conostephioides</i> over Grassland of <i>Ehrharta calycina</i> and <i>Briza maxima</i> over Sparse Sedgeland of <i>Schoenus curvifolius</i> and <i>Lepidosperma pubisquameum</i> over Herbland of <i>Dasypogon bromeliifolius</i> , <i>Carpobrotus spp.</i> and <i>Phlebocarya ciliata</i>	Yes
<i>Eucalyptus</i> and <i>Melaleuca</i> Open Woodland to Woodland	Open Woodland to Woodland of <i>Eucalyptus rudis</i> , <i>Corymbia calophylla</i> and <i>Melaleuca spp.</i> over weeds	Yes
Open Woodland	Open Woodland of <i>Corymbia calophylla</i> over Open Low Woodland of <i>Melaleuca preissiana</i> over weeds	Yes
Mixed <i>Myrtaceous</i> Closed Shrubland	Closed shrubland of <i>Kunzea glabrescens</i> , <i>Melaleuca teretifolia</i> and <i>Melaleuca spp.</i> over Herbland of <i>Isolepis spp.</i> and <i>Carpobrotus spp.</i>	No
Low Scrub	Low Scrub of <i>Xanthorrhoea preissii</i> over weeds	No
Sedgeland	Sedgeland of <i>Juncus kraussii subsp. Australiensis</i> over Grassland of <i>Phalaris ?paradoxa</i>	No
Cleared Paddocks	Scattered trees ( <i>Eucalyptus spp.</i> and <i>Melaleuca spp.</i> and shrub species remain with an understorey dominated by introduced grass and herbs	No

**3.3 (d) Outstanding natural features**

No features of significance occur in the referral area.

**3.3 (e) Remnant native vegetation**

See 3.3(c)

**3.3 (f) Gradient (or depth range if action is to be taken in a marine area)**

The referral area ranges from 18m AHD to 20m AHD

**3.3 (g) Current state of the environment**

The referral area has largely been cleared for agricultural use and contains many weed species. The north west corner of the site has an intact *Banksia* woodland that is in a Good to Very Good condition.

**3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values**

There are no Commonwealth Heritage Places

**3.3 (i) Indigenous heritage values**

There are no mapped Indigenous Heritage Sites mapped as occurring on the referral area.

**3.3 (j) Other important or unique values of the environment**

There are no important or unique values of the environment adjacent to the site.

**3.3 (k) Tenure of the action area (eg freehold, leasehold)**

The referral area is freehold.

**3.3 (l) Existing land/marine uses of area**

Agricultural uses

**3.3 (m) Any proposed land/marine uses of area**

Proposed urban development

## 4 Environmental outcomes

The proposed action will result in the loss of 4.4ha of Black Cockatoo foraging habitat and 20 potential breeding trees.

Based on results of assessments of significant impact criteria in accordance with the EPBC Act and the EPBC Act Black Cockatoo Guidelines, it is considered that the proposed action will not have a significant impact on the identified MNES because clearing of 4.4ha of foraging habitat on the referral area is not considered significant in the context of the 2,350ha of protected remnant bushland that is present in the City of Kwinana.

The only potential environmental impact in relation to MNES is expected to be a minor loss of Black Cockatoo foraging habitat through clearing of vegetation.

In order to mitigate the impact on Black Cockatoo foraging habitat from the proposed action, it is proposed that:

- The subdivision planning process where possible will retain existing Black Cockatoo foraging habitat;
- Landscaped areas are to consist of shade tree structures and garden beds that includes a mix of foraging habitat species e.g. *Eucalyptus* and *Banksia* where possible; and
- The condition of retained vegetation areas is maintained or improved by implementing pest animal, weed and fire management practices.

## 5 Measures to avoid or reduce impacts

### Planning (pre-construction phase) measures

- The key measure to avoid or reduce the potential impacts to the Black Cockatoos and their habitat within the referral area will include consideration of retaining some of the existing foraging habitat in the subdivision plans.

### Construction phase measures

- Prior to commencement of any onsite activity, an Environmental Management Plan (EMP) would be prepared that captures all mitigation and avoidance measures which will be applicable to construction activities. Such an EMP will address all avoidance measures that were confirmed during the design process, as well as mitigation measures that are to be implemented during construction.
- Demarcate native vegetation and Black Cockatoo habitat to be retained by the erection of temporary fencing or other means of demarcation or exclusion.
- Induct all staff and construction working in the referral area regarding the Black Cockatoo constraints (e.g. areas that can be cleared and areas that are to be retained) and the required actions regarding these values.
- Implement pest animal, weed and fire management practices.
- Landscaped areas are to consist of shade tree structures and garden beds that includes a mix of foraging habitat species e.g. *Eucalyptus* and *Banksia* where possible.

### Operation phase measures

- Implement pest animal, weed and fire management practices in areas of retained native vegetation.

## 6 Conclusion on the likelihood of significant impacts

### 6.1 Do you THINK your proposed action is a controlled action?

<input checked="checked" type="checkbox"/>
<input type="checkbox"/>

No, complete section 6.2

Yes, complete section 6.3

### 6.2 Proposed action IS NOT a controlled action.

The proposed action is not considered to be a controlled action as it will not have a significant impact on Black Cockatoo species. This is based on the following:

- The application of the Significant Impact Guidelines indicates that it is highly unlikely that there will be a significant impact on the Black Cockatoo species if the site is to be developed.
- The amount of habitat to be cleared, 4.4ha, is above the 1ha threshold for quality foraging habitat defined in the Black Cockatoo referral guidelines. However, the quality of the foraging habitat to be cleared is not considered to be high quality as the vegetation condition varies from Degraded to Good (GHD, 2012).
- The amount of foraging habitat (2,350ha) available in surrounding Bush Forever sites will provide foraging habitat for local populations of Black Cockatoos post development.
- The development will include landscaping suitable for Black Cockatoo foraging.

### 6.3 Proposed action IS a controlled action

#### Matters likely to be impacted

<input type="checkbox"/>
<input type="checkbox"/>
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<input type="checkbox"/>
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World Heritage values (sections 12 and 15A)

National Heritage places (sections 15B and 15C)

Wetlands of international importance (sections 16 and 17B)

Listed threatened species and communities (sections 18 and 18A)

Listed migratory species (sections 20 and 20A)

Protection of the environment from nuclear actions (sections 21 and 22A)

Commonwealth marine environment (sections 23 and 24A)

Great Barrier Reef Marine Park (sections 24B and 24C)

A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)

Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)

Protection of the environment from Commonwealth actions (section 28)

Commonwealth Heritage places overseas (sections 27B and 27C)



## 7 Environmental record of the responsible party

	Yes	No
<b>7.1 Does the party taking the action have a satisfactory record of responsible environmental management?</b>	✓	
<b>7.2 Has either (a) the party proposing to take the action, or (b) if a permit has been applied for in relation to the action, the person making the application - ever been subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?</b>  <b>If yes, provide details</b>		✓
<b>7.3 If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?</b>  <b>If yes, provide details of environmental policy and planning framework</b>		N/A
<b>7.4 Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?</b>  <b>Provide name of proposal and EPBC reference number (if known)</b>		✓

## 8 Information sources and attachments

(For the information provided above)

### 8.1 References

**Bennett Environmental Consulting Pty Ltd (2012)** Spring Survey at Lot 650 Thomas Road, Casuarina

**Brown, A, Thomson-Dans, C & Marchant, N (eds) 1998**, Western Australia's Threatened Flora, Department of Conservation and Land Management, Western Australia. [Publically Available](#)

**Carstairs, S & Coates, D 1994**, Conservation Genetics and Population Ecology of Five Rare and Threatened Western Australian Orchids, Endangered Species Unit, Australian Nature Conservation Agency. [Publically Available](#)

**Churchward and McArthur, (1980)** Landforms and Soils of the Darling System. In: Atlas of Natural Resources, Darling System, Western Australia. Perth, Pinjarra and Collie Sheets. Department of Conservation and Environment, Western Australia

**Department of Environment and Conservation (DEC) (2009)** *Acid Sulphate Soils Guideline Series: Identification and Investigation of Acid Sulphate Soils and Acidic Landscapes* Government of Western Australia, Perth [Publically Available](#)

**English, V. and Blyth, J. (2000)** Shrubland and woodlands on Muchea Limestone: Interim Recovery Plan, Department of Conservation and Land Management, Western Australia. [Publically Available](#)

**Evans R, Willers N and Mitchell D (2003)**. Threatened flora of Swan Region. Unpublished report to the Department of Conservation and Land Management, and Environment Australia.

**GHD (2012)** Flora and Fauna Survey at Lots 86, 1199 and Part Lot 650 Thomas Road Casuarina

**Government of Western Australia, (2000a)** *Bush Forever - Keeping the Bush in the City. Volume 1: Policies Principles and Processes*, Western Australian Planning Commission, Perth. [Publically Available](#)

**Groom, C (2011)** Plants Used by Carnaby's Black Cockatoo Department of Environment and Conservation, Government of Western Australia, Perth. [Publically Available](#)

**Hopper, S.D. and Brown, A.P. (2001)** Contributions to Western Australian orchidology: 2. New taxa and circumscriptions in *Caladenia* (Spider, Fairy and Dragon Orchids of Western Australia). *Nuytsia* 14(1/2), 27-307. [Publically Available](#)

**Johnstone, R. E. and Kikby, T. (2012)** *Carnaby's Cockatoo (Calyptorhynchus latirostris), Baudin's Cockatoo (Calyptorhynchus baudinii) and the Forest Red-tailed Black Cockatoo (Calyptorhynchus banksii naso) on the Swan Coastal Plain (Lancelin–Dunsborough), Western Australia*. Report for the Department of Planning. [Publically Available](#)

### 8.2 Reliability and date of information

The information is current and is based on research and field investigation undertaken as part of the preparation of the above reports.

### 8.3 Attachments

Attachment 1: Referral Area Location

Attachment 2: Vegetation Types (GHD, 2012)

Attachment 3: Vegetation Condition (GHD, 2012)

Attachment 4: Black Cockatoo Habitat (GHD, 2012)

Attachment 5: Spring Flora Survey (Bennett Environmental Consulting, 2012)

Attachment 6: Protected Matters Search Report

Attachment 7: Regional Black Cockatoo Habitat

		✓ attached	Title of attachment(s)
<b>You must attach</b>	figures, maps or aerial photographs showing the project locality (section 1)	✓	Attachment 1
	GIS file delineating the boundary of the referral area (section 1)		
	figures, maps or aerial photographs showing the location of the project in respect to any matters of national environmental significance or important features of the environments (section 3)	✓	Attachment 2, 4 and 7
<b>If relevant, attach</b>	copies of any state or local government approvals and consent conditions (section 2.5)	✓	
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)		
	copies of any flora and fauna investigations and surveys (section 3)	✓	Attachment 2, 3, and 4
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)		Attachment 5
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		

## 9 Contacts, signatures and declarations

**NOTE:** Providing false or misleading information is an offence punishable on conviction by imprisonment and fine (s 489, EPBC Act).

Under the EPBC Act a referral can only be made by:

- the person proposing to take the action (which can include a person acting on their behalf); or
- a Commonwealth, state or territory government, or agency that is aware of a proposal by a person to take an action, and that has administrative responsibilities relating to the action<sup>1</sup>.

**Project title:** Lots 3, 1199 and Part Lot 650 Thomas Road, Casuarina

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### 9.1 Person proposing to take action

This is the individual, government agency or company that will be principally responsible for, or who will carry out, the proposed action.

If the proposed action will be taken under a contract or other arrangement, this is:

- the person for whose benefit the action will be taken; or
- the person who procured the contract or other arrangement and who will have principal control and responsibility for the taking of the proposed action.

If the proposed action requires a permit under the Great Barrier Reef Marine Park Act<sup>2</sup>, this is the person requiring the grant of a GBRMP permission.

The Minister may also request relevant additional information from this person.

If further assessment and approval for the action is required, any approval which may be granted will be issued to the person proposing to take the action. This person will be responsible for complying with any conditions attached to the approval.

If the Minister decides that further assessment and approval is required, the Minister must designate a person as a proponent of the action. The proponent is responsible for meeting the requirements of the EPBC Act during the assessment process. The proponent will generally be the person proposing to take the action<sup>3</sup>.

1. Name and Title: Tony Poli  
Sole Director
2. Organisation (if applicable): Organisation name should match entity identified in ABN/ACN search  
Aigle Royal Group Pty Ltd
3. EPBC Referral Number (if known):
- 4: ACN / ABN (if applicable): ACN 601 435 116
5. Postal address PO Box 7987, CLOISTERS SQUARE 6850
6. Telephone: 08 9322 2248

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<sup>1</sup> If the proposed action is to be taken by a Commonwealth, state or territory government or agency, section 8.1 of this form should be completed. However, if the government or agency is aware of, and has administrative responsibilities relating to, a proposed action that is to be taken by another person which has not otherwise been referred, please contact the Referrals Gateway (1800 803 772) to obtain an alternative contacts, signatures and declarations page.

<sup>2</sup> If your referred action, or a component of it, is to be taken in the Great Barrier Reef Marine Park the Minister is required to provide a copy of your referral to the Great Barrier Reef Marine Park Authority (GBRMPA) (see section 73A, EPBC Act). For information about how the GBRMPA may use your information, see [http://www.gbrmpa.gov.au/privacy/privacy\\_notice\\_for\\_permits](http://www.gbrmpa.gov.au/privacy/privacy_notice_for_permits).

<sup>3</sup> If a person other than the person proposing to take action is to be nominated as the proponent, please contact the Referrals Gateway (1800 803 772) to obtain an alternative contacts, signatures and declarations page.

7. Email: [kkennedy@aigleroyal.com.au](mailto:kkennedy@aigleroyal.com.au) & [tpoli@aigleroyal.com.au](mailto:tpoli@aigleroyal.com.au)

8. Name of designated proponent (if not the same person at item 1 above [and if applicable](#)):

9. ACN/ABN of designated proponent (if not the same person named at item 1 above):

**COMPLETE THIS SECTION ONLY IF YOU QUALIFY FOR EXEMPTION FROM THE FEE(S) THAT WOULD OTHERWISE BE PAYABLE**

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

an individual; OR

a small business entity (within the meaning given by section 328-110 (other than subsection 328-119(4)) of the *Income Tax Assessment Act 1997*); OR

not applicable.

If you are small business entity you must provide the Date/Income Year that you became a small business entity:

**Note: You must advise the Department within 10 business days if you cease to be a small business entity. Failure to notify the Secretary of this is an offence punishable on conviction by a fine (regulation 5.23B(3) *Environment Protection and Biodiversity Conservation Regulations 2000 (Cth)*).**

**COMPLETE THIS SECTION ONLY IF YOU WOULD LIKE TO APPLY FOR A WAIVER**

I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the [EPBC Regulations](#). Under sub regulation 5.21A(5), you must include information about the applicant (if not you) the grounds on which the waiver is sought and the reasons why it should be made:

not applicable.

Declaration

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

Signature



Date 02/03/2016

**9.2 Person preparing the referral information (if different from 8.1)**

Individual or organisation who has prepared the information contained in this referral form.

Name Belinda Heath  
Title Senior Environmental Consultant  
Organisation The Trustee for Knightside Trust trading as PGV Environmental  
ACN / ABN (if applicable) 44 981 725 498/11644930  
Postal address Unit 1, 61 Guthrie Street  
Osborne Park WA 6017  
Telephone 0429 500 027  
Email belinda@pgv.net.au

Declaration I declare that to the best of my knowledge the information I have given on, or attached to this form is complete, current and correct.  
I understand that giving false or misleading information is a serious offence.

Signature



2 March 2016  
Date