



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

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 at:

<http://www.environment.gov.au/epbc/publications/cost-recovery-cris>

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

- 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/epbc>

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:

Hammond Park Secondary School Development

1 Summary of proposed action

NOTE: You must also attach a map/plan(s) and associated geographic information system (GIS) vector (shapefile) dataset showing the location and approximate boundaries of the area in which the project is to occur. Maps in A4 size are preferred. You must also attach a map(s)/plan(s) showing the location and boundaries of the project area in respect to any features identified in 3.1 & 3.2, as well as the extent of any freehold, leasehold or other tenure identified in 3.3(i).

1.1 Short description

The Department of Treasury Western Australia on behalf of the Department of Education Western Australia is proposing to build a new secondary school and associated facilities over approximately 11 hectares on Lot 1392 and portions of Lots 31, 32, 33 and 47 Barfield Road, Hammond Park, Western Australia. The site is situated within a developing residential area and is bounded to the east and south by planned residential development, in the north by predominantly existing residential development and to the west by the Hammond Park Catholic Primary School.

The lots are currently in private ownership, with the Department of Education having contracts of sale in place over those portions of the lots included in the proposed school site. Whilst Lot 1392 forms part of the school development site, this lot has been excluded from the current Referral as prior to its subdivision it formed part of a larger Lot 14 which was subject of a separate EPBC Referral (EPBC 2012/6524).

1.2 Latitude and longitude

Latitude and longitude details are used to accurately map the boundary of the proposed action. If these coordinates are inaccurate or insufficient it may delay the processing of your referral.

Location point	Latitude			Longitude		
	degrees	minutes	seconds	degrees	minutes	seconds
A	-32	10	31.243	115	50	58.258
B	-32	10	31.200	115	51	5.628
C	-32	10	26.740	115	51	5.670
D	-32	10	26.665	115	51	5.944
E	-32	10	26.678	115	51	8.031
F	-32	10	23.534	115	51	8.017
G	-32	10	23.551	115	51	11.111
H	-32	10	21.545	115	51	11.103
I	-32	10	21.518	115	51	8.008
K	-32	10	16.888	115	51	7.988
L	-32	10	16.930	115	50	58.414

1.3 Locality and property description

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

The site comprises 10.8 ha in plan area and is situated approximately 24 km south of the Perth CBD, 5 km south of Cockburn Central, 300 m west of the Kwinana Freeway and 7.5 km east of Henderson, within the City of Cockburn (Attachment 1, Figure 1). The site was formerly used primarily for rural residential purposes and contains remnants of small-scale farming and related activities, such as the footings of animal pens, waste accumulations and the like.

The Site is surrounded by semi-rural properties, with a residential subdivision to the north and northwest of the Site within the suburb of Hammond Park. The zoning of the surrounding land uses is a mix of "Urban Development", primarily to the north, south and east and "Primary Regional Roads" and "Rural" to the west (GHD, 2014b).

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

10.8 ha

1.5	Street address of the site	33L, 144, 156 Barfield Road, Hammond Park and 213 Frankland Avenue, Hammond Park, WA 6164	
1.6	Lot description Portions of : Lot 33 (22/201A) on Deposited Plan 32142; Lot 32 (13/61A) on Deposited Plan 32142; Lot 31 (1749/64) on Deposited Plan 32142; and Lot 47 (1698/ 219) on Deposited Plan 49108.		
1.7	Local Government Area and Council contact (if known)	City of Cockburn, Andrew Lefort (Tel : 08 94113444)	
1.8	Time frame	The projected project start date (site access and construction) is January 2017.	
1.9	Alternatives to proposed action <i>Were any feasible alternatives to taking the proposed action (including not taking the action) considered but are not proposed?</i>	X	No. The school site has been identified as a strategic infrastructure requirement to satisfy the States' urban growth expansion programme.
			Yes, you must also complete section 2.2
1.10	Alternative time frames etc <i>Does the proposed action include alternative time frames, locations or activities?</i>	X	No. The development of this school forms part of a Public Private Partnership between the State of WA and a private consortia (Eduwest) to deliver 8 new schools in the Perth-Peel Metropolitan areas and as such the delivery programme is fixed.
			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	State assessment <i>Is the action subject to a state or territory environmental impact assessment?</i>	X	No, however refer to Section 2.5.
			Yes, you must also complete Section 2.5
1.12	Component of larger action <i>Is the proposed action a component of a larger action?</i>	X	No
			Yes, you must also complete Section 2.7
1.13	Related actions/proposals <i>Is the proposed action related to other actions or proposals in the region (if known)?</i>	X	Yes
			Yes, provide details: The school site includes Lot 1392 which previously formed part of a larger Lot 14 which was subject of a Referral under the EPBC Act (Ref EPBC 2012/6524). This referral was deemed a Controlled Action subject to conditions, including an offset. Mr Alex Errington at the Department of Parks and Wildlife (WA) has confirmed that the offset requirement affecting former Lot 14 has been satisfied.
1.14	Australian Government funding <i>Has the person proposing to take the action received any Australian Government grant funding to undertake this project?</i>	X	No
			Yes, provide details:
1.15	Great Barrier Reef Marine	X	No

Park

Is the proposed action inside the
Great Barrier Reef Marine Park?

☐

Yes, you must also complete Section 3.1 (h), 3.2 (e)

2 Detailed description of proposed action

2.1 Description of proposed action

The action involves the construction of a secondary school and associated facilities (including; teaching and administrative buildings, school oval, essential services and infrastructure, sporting grounds and facilities, car parking, and open areas). The development of the site is being undertaken in accordance with a Masterplan which has been prepared in accordance with a Design Brief prepared by the Department of Education. (Attachment 1 - Hammond Park Secondary School Master Plan). Site preparation works including earthworks to cut and fill and drainage are also required. Perimeter roads which form part of the surrounding local road network and provide access to the school are also included in the school development project.

As a result of the proposed site preparation and construction works to be undertaken, it is assumed for the sake of environmental assessment and approval that the action will require the clearing of all the remnant native vegetation within the defined project footprint.

2.2 Alternatives to taking the proposed action

Feasible alternatives to taking the proposed action have not been identified. The referral area is zoned "Urban" under the Metropolitan Region Scheme, "Development" under the City of Cockburn Town Planning Scheme No 3 (Development Area No 10) and designated as "High School" in the Southern Suburbs District Structure Plan – Stage 3, Hammond Park / Wattleup (SSDSP3). Local Structure Plans approved for each of the lots included in the referral area identify the referral area as "High School".

The 'do nothing' project alternative scenario is not feasible in this instance, due to recent residential growth and development and the necessity for the state government to provide appropriate education and community services for the increasing regional population.

The Hammond Park Secondary School site is included in the Public-Private-Partnership between the State Government and a private consortia to deliver eight new schools within the Perth and Peel Regions. Construction of most of the schools has begun and it is not feasible for the State to renegotiate the contract for the delivery of the eight schools to exclude the Hammond Park site.

The Department of Education Western Australia has entered into contracts of sale with the landowners of each lot to be included in the school site, with the transfer of the land parcels to the Department of Education currently underway. Not progressing with the action would result in the Department of Education being in breach of the contract and would necessitate the repayment of funds by the Department of Education to landowners.

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

No alternative locations, time frames or activities apply to the referred action. Recent growth in the region and the subsequent demand for residential housing requires that appropriate government services and facilities, such as schools, are provided within the education catchment area.

The provision of major infrastructure, including the identification of suitable sites for a secondary school, is considered at the district planning level and in more detail during the preparation and assessment of the local structure plans by the City of Cockburn and Western Australian Planning Commission (WAPC). Locations are considered in the context of the broader state and regional policy and strategy during the planning process.

2.4 Context, planning framework and state/local government requirements

The Strategic Asset Plan 2012-2022 prepared by the Department of Education Western Australia identified a shortfall in the availability of school accommodation within the Perth and Peel regions and the requirement for the construction of several new schools. The State Government has entered into a Public-Private-Partnership with a private consortia to build eight new schools to satisfy the projected demand, with the Hammond Park Secondary School included in this contract. Clearing and development of the referral area is

intended to be undertaken for the provision of one of the essential school facilities and associated infrastructure.

The site has been nominated as a Secondary School at both a strategic and local planning levels:

- the Southern Suburbs District Structure Plan – Stage 3, Hammond Park / Wattleup (SSDSP3) adopted by the City of Cockburn on 13 September 2013 identifies the site “High School” (Attachment 2);
- Local Structure Plans for former Lot 14 (including current Lot 1392) Lots 31, 32, 33 Barfield Road and Lot 47 Franklin Avenue have been prepared by the individual landowners and adopted by the City of Cockburn under the provisions of the City of Cockburn Town Planning Scheme No. 3. Each identifies the site “High School”.
- The landowners of each of the lots, with the exception of Lot 32, have also lodged subdivision applications with the Western Australian Planning Commission to create the parcels of land to be included in the school site. Lots 1392, 47, and 33 have received WAPC approval, with approval for Lot 31 being progressed. A subdivision application for Lot 32 is anticipated to be lodged with the WAPC in July 2017.
- The Department of Treasury is preparing the Development Application for the Hammond Park Secondary School project which is based on the Hammond Park Secondary School Master Plan and the detailed design drawings prepared by the PPP consortia. The Development Application is anticipated to be lodged with the City of Cockburn in July 2016.

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

The site has not been the subject of a formal environmental impact assessment under state or commonwealth legislation to date. The *Environmental Protection Act, 1986* (WA) requires planning schemes and amendments to be assessed by the Environmental Protection Authority (EPA). The process of assessment by the Environmental Protection Authority includes an investigation into whether the scheme would permit a type of development that may impact upon (for example) wetlands, native vegetation, coastal areas, landforms of special interest, groundwater resources, sensitive receivers, etc. For the purposes of Part IV of the EP Act, the City of Cockburn Town Planning Scheme No 3 is defined as an assessed planning scheme.

Any application for approval for development that meets the requirements of the planning scheme previously assessed by the EPA is assumed to be environmentally acceptable, despite the presence of native vegetation.

Department of Treasury, on behalf of Department of Education has been actively liaising with Department of Environment Regulation (DER) to determine if a native vegetation clearing permit under the provisions of the WA EP Act is required for the proposed clearing of native vegetation or if the clearing is exempt under the regulations. It has been determined that a native vegetation clearing permit will be applied for from DER following a decision on this EPBC referral. It is anticipated that the DER assessment may also incorporate an assessment of the potential impact on Black Cockatoo Species under the provisions of the WA Environment Protection Act, as contemplated under the bilateral agreement between the DER and the Department of the Environment (DotE) if a decision is made under the EPBC Act that this proposed clearing action is a controlled action.

The following relevant environmental studies have been performed:

- Flora, Vegetation and Threatened Black-cockatoo Assessment (Anders Environmental Consulting, 2016a)
- Flora, Vegetation and Fauna Assessment (GHD, October 2014a), incorporating a Black Cockatoo Habitat assessment as required under the EPBC Act Referral Guidelines for three threatened Black Cockatoo species: Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*), Baudin's Black Cockatoo (*Calyptorhynchus baudinii*) and Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii subsp. naso*) (DSEWPac, 2012)
- A Site Contamination, Acid Sulphate Soil and Groundwater Assessment (GHD, October 2014b).

The results of the 2014 studies are presented in GHD's *Department of Treasury – Strategic Projects: WA Schools PPP – Hammond Park Site Investigation Report* (December 2014b) (Attachment 4).

2.6 Public consultation (including with Indigenous stakeholders)

The area in question was previously dominated by rural-residential and associated land uses, such as small-scale farming. Public consultation was undertaken by the City of Cockburn as part of the preparation and approval of the District Structure Plan which identified the site as "High School". The local structure planning processes and subdivision have been initiated by the individual landowners of each land parcel, with liaison with surrounding landowners an integral part of the planning process.

The Development Application for the school project will be subject to a public comment period coordinated by the City of Cockburn prior to determination of the Development Application by the South-West Joint Development Assessment Panel.

The Department of Treasury continues to liaise with the City of Cockburn and all affected landowners and adjacent landowners regarding the commercial and regulatory aspects of the proposed development as well as the coordination and delivery of infrastructure including the local road network and stormwater management.

As the intended development of the referral site for high school purposes is well established through the statutory strategic and local planning processes which both have been subject to public consultation, it is not proposed to perform specific public consultation regarding the clearing aspect of the school site's development.

A search of heritage databases, including the Department of Aboriginal Affairs Register indicates that no known heritage sites occur within the project area. As such, consultation with Indigenous stakeholders has not been undertaken. In the event of any heritage values being found during site development, such sites will be dealt with in accordance with the Aboriginal Heritage Act (WA) 1972 and any other applicable legislation.

2.7 A staged development or component of a larger project

The development of the Hammond Park Secondary School is to be undertaken as a single project on behalf of the Department of Education. The school will serve a wide catchment area located in a high growth urban corridor, with development being undertaken in a staged manner.

The development of the school forms part of the implementation of the individual Local Structure Plans for Lots 14 (now 1392) , 31, 32, 33 Barfield Road and Lot 47 Franklin Avenue as well as the subdivision approval for each lot to create parcels to be amalgamated to create a single 10 ha school site and associated road network.

Lot 14 (now 1392) originally formed part of a large residential subdivision proposed south of the schools site which has now commenced and is being undertaken in a staged manner. The portion of Lot 14 (Lot 1392) required for the school site formed an early stage of the wider residential subdivision and was included in the referral EPBC 2012/6524 which approved with conditions on 6 November 2013 (with variations dated 23 July 2014 and 15 April 2016) to clear 22.92ha of potential foraging habitat on Lots 13, 14 and 18 Barfield Road and Lots 48-51 Rowley Road, Hammond Park, WA.

3 Description of environment & likely impacts

3.1 Matters of national environmental significance

An EPBC Act Protected Matters Report was generated on 15 October 2013. The Report was generated for a 5 km buffer from the centre of the proposed action and is included in the combined GHD report (Attachment 4). A report for the same area was again generated on 9 May 2016 to verify the validity of the original report (Attachment 5).

3.1 (a) World Heritage Properties

Description

There are no known World Heritage properties at or surrounding the proposed project location.

Nature and extent of likely impact

Not applicable

3.1 (b) National Heritage Places

Description

There are no known National Heritage properties at or surrounding the proposed project location.

Nature and extent of likely impact

Not applicable

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

Description

A search of the EPBC Protected Matters database identified two Wetlands of International Importance (RAMSAR) are located within 5 km of the project area:

- Forrestdale and Thomsons Lakes (within RAMSAR site);
- Peel-Yalgorup system (upstream from RAMSAR).

Nature and extent of likely impact

At its closest point, the site is approximately 1.5km south east of Thomson Lake, 7.5km west Forrestdale Lake and over 40km from the Peel-Yalgorup system as determined by the wetland boundaries data (Department of the Environment, 2009). The site is outside of the natural groundwater flow of these areas and therefore no impacts are expected.

3.1 (d) Listed threatened species and ecological communities

Description

A search of the Protected Matters Search Tool (DotE, 2016) indicated that 17 listed threatened species may potentially occur within the project area.

Fauna

The performance of a likelihood of occurrence assessment (Table 1) indicated that one species is likely to occur and that one may possibly occur and one is known to occur.

Table 1: Performance of a likelihood of occurrence assessment

TAXA	COMMON NAME	FEDERAL STATUS	LIKELIHOOD
<i>Botaurus poeciloptilus</i>	Australian Bittern	Endangered	Unlikely, there is no suitable habitat present in the referral area.
<i>Calidris ferruginea</i>	Curlew Sandpiper	Critically endangered, migratory	Unlikely, there is no suitable habitat present in the referral area.
<i>Calyptorhynchus banksia</i>	Forest Red-Tailed Black-Cockatoo	Vulnerable	Likely, the Forest Red-tailed Black Cockatoo has been recorded within 5 km of the Study Area and there is suitable foraging and potential breeding habitat present.
<i>Calyptorhynchus baudinii</i>	Baudin's Cockatoo	Vulnerable	Possible, the Study Area is located outside the modelled distribution of the Baudin's Black Cockatoo. This species typically is restricted to the Darling Range however has been known to occur on the southern Swan Coastal Plain. There is suitable foraging and potential breeding habitat for the Baudin's Black Cockatoo present within the Study Area.
<i>Calyptorhynchus latirostris</i>	Carnaby's Cockatoo	Endangered	Known, Carnaby's Black Cockatoo was recorded flying over the Study Area during the field survey. This species has been recorded within 5 km of the Study Area and there is suitable foraging and potential breeding habitat present.
<i>Leipoa ocellata</i>	Malleefowl	Vulnerable, Migratory	Unlikely, the Malleefowl has never been recorded on the Swan Coastal Plain
<i>Rostratula Australis</i>	Australian Painted Snipe	Endangered, Migratory	Unlikely, there is no suitable habitat present for this species within the referral area.
<i>Dasyurus geoffroii</i>	Western Quoll	Vulnerable	Unlikely, historically the species was known to be wide spread on the Swan Coastal Plain. In recent years some records of individuals have been identified however these are associated with large tracks of remnant vegetation. Due to the fragmented nature of natural vegetation in the area this species is unlikely to occur.
<i>Pseudocheirus occidentalis</i>	Western Ringtail Possum	Vulnerable	Unlikely, the Western Ringtail Possum is known to occur in the southern Swan Coastal Plain, however it doesn't occur as far north as the referral area.

<i>Caladenia huegelii</i>	King Spider-orchid, Grand Spider-orchid, Rusty Spider-orchid	Endangered	Possible, Sep to Oct. Grey or brown sand, clay loam.
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Source: GHD (2014a)

Threatened Ecological Communities

No threatened ecological communities (TEC) are known to occur within 5km of the project area. None of the vegetation types within the referral area are considered to align with any TEC.

Nature and extent of likely impact

Fauna

An assessment of the proposed clearing activity was conducted against the *EPBC Act referral guidelines for three threatened black cockatoo species*: Carnaby's cockatoo (endangered) *Calyptorhynchus latirostris*, Baudin's cockatoo (vulnerable) *Calyptorhynchus baudinii*, Forest red-tailed black cockatoo (vulnerable) *Calyptorhynchus banksii naso* (DOtE, 2012) ("the Black Cockatoo Referral Guidelines"). The referral is triggered in relation to two of the high risk types, namely:

- *Clearing of any part or degradation of breeding habitat in a woodland or forest within a species' known breeding range*: Suitable breeding habitat was recorded during the 2016 survey, including 24 potential breeding trees of suitable DBH. Of the 24 potential breeding trees, seven contain hollows of a suitable size for cockatoo occupancy (Anders Environmental Consulting, 2016a). Potential breeding habitat was identified within the Banksia woodland habitat which is within proximity of the known breeding range of the Carnaby's Black Cockatoo (GHD, 2014a).
- *Clearing of more than 1 ha of quality foraging habitat*: There is approximately 9.5 ha of threatened Black-cockatoo foraging habitat mapped within the study area during the 2016 survey (Anders Environmental Consulting, 2016a).

Assessment of impact on Carnaby's Black Cockatoo

The assessment of the nature and extent of likely impacts of the proposed development on the listed threatened species that are known to occur or likely to occur, is informed by 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 and the Forest red-Tailed Black Cockatoo

Impact Criteria	Significant Impact Likely (Y/N)	Justification
Lead to the long-term decrease in the size of the population	N	<p>Without avoidance and mitigation, the proposed action will result in the removal of a maximum of 9.5 ha of Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo foraging habitat and the removal of 24 potential breeding trees, seven of which have hollows large enough to allow for nesting. None of these trees showed evidence of use by cockatoos at the time of the survey.</p> <p>The clearing will however not lead to a long term decrease in the size of the Carnaby's Black Cockatoo or Forest Red-tailed Black Cockatoo's population as:</p> <ul style="list-style-type: none"> • Clearing of all the native vegetation on the referral area is not considered significant as it will comprise only 0.38% of the 2,474.19 ha of remnant bushland that is present within the City of Cockburn (GHD, 2014a). Figure 6 shows the location of conservation land actively managed by the City of Cockburn. The closest is Frankland Park, located approximately 500m south west of the site. • There is a large reserve containing suitable foraging habitat within 1km of the referral area. • Carnaby's Black Cockatoo is endemic to and

		<p>widespread in the south-west of WA. They are very mobile with movements determined by nesting and feeding requirements (Department of Environment, 2016a).</p> <ul style="list-style-type: none"> The Forest Red-tailed Black Cockatoos are have similar mobility and extensive ranges across south west WA (Department of Environment, 2016b).
Reduce the area of occupancy of an important population	N	The referral area is situated within 5 km of a number of reserves that contain suitable foraging habitat. The largest of these reserves is the DPAW managed Harry Waring Marsupial Reserve which is less than 1km west of the referral area and contains similar habitat (<i>Banksia</i> woodland. The geographic area occupied by Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo is highly unlikely to be significantly reduced due to the clearing of habitat on the site.
Fragment an existing population into two or more populations	N	Although the referral area is in a developing urban area that is surrounded by roads and residential developments, there are a number of reserves within 5 km that contains suitable foraging habitat. The largest of these reserves is the Harry Waring Marsupial Reserve which is less than 1km west of the referral area and contains similar habitat (<i>Banksia</i> woodland. Carnaby's Black Cockatoos and Forest Red-tailed Black Cockatoo are highly mobile and the small size of the proposed clearing will not create a barrier to movement or lead to the fragmentation of populations.
Adversely affect habitat critical to the survival of a species	N	The small amount of foraging habitat present within the referral area is not critical to the survival of the species and of the 24 potential breeding trees of suitable DBH recorded during the 2016 survey, 7 contained hollows of suitable size for cockatoo occupancy, none of these trees showed evidence of use by cockatoos at the time of the survey.
Disrupt the breeding cycle of an important population	N	Although the referral area contains 24 potential breeding trees of suitable DBH, 7 with hollows of suitable size for cockatoo occupancy, none showed evidence of use by cockatoos at the time of the survey.
Modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline	N	As indicated above, the amount of affected habitat is minor and its clearing is not expected to lead to the decline of either species.
Result in invasive species that are harmful to a vulnerable species becoming established In the vulnerable species' habitat	N	One individual of <i>Asparagus asparagoides</i> (Bridal Creeper) was identified within the referral area during the 2013 field survey. Construction phase management measures will include the implementation of weed management practices. It is therefore unlikely that the project will increase existing invasive species that already occur within the referral area.
Introduce disease that may cause the species to decline	N	Not applicable. There are no known diseases that may be introduced to the area that may cause the Black Cockatoo or Forest Red-tailed Black Cockatoo populations to decline.

Interfere substantially with the recovery of the species	N	The population that would use the site for foraging and potentially for breeding is very small in comparison to the geographic distribution of the species. As such, it is not considered to be an important population in relation to the recovery of either species.
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3.1 (e) Listed migratory species

Description

A search of the Protected Matters Search Tool (DotE, 2016) indicated that 18 listed migratory species may potentially occur within the project area.

Based on the quoted distribution databases it is considered likely that individuals of the *Merops Ornatus* (Rainbow Bee-eater), species may visit the site sporadically.

Nature and extent of likely impact

The Rainbow Bee-eater does not depend on any particular habitat or vegetation type for feeding or breeding. This species is not known to be unduly affected by land disturbance and it is reported to occur within cleared and disturbed habitats (DSEWPAC, 2011). The species is known to be generally widespread throughout all parts of mainland Australia (it is not present in Tasmania) and its population is assumed to be reasonable large.

No significant impact is expected on this species as a result of the referred action.

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

The proposed action does not occur in the Commonwealth marine area. No indirect impacts on the Commonwealth marine area are conceivable.

Nature and extent of likely impact

Not applicable

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 proposed action does not occur in the Commonwealth land. No indirect impacts on the Commonwealth land are conceivable.

Nature and extent of likely impact

Not applicable

3.1 (h) The Great Barrier Reef Marine Park

Description

The proposed action does not occur in the Great Barrier Reef Marine Park. No indirect impacts on the Great Barrier Reef Marine Park are conceivable.

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

No 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?	X	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?	X	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?	X	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?	X	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?	X	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

Provide a description of the project area and the affected area, including information about the following features (where relevant to the project area and/or affected area, and to the extent not otherwise addressed above). If at Section 2.3 you identified any alternative locations, time frames or activities for your proposed action, you must complete each of the details below (where relevant) for each alternative identified.

3.3 (a) Flora and fauna

Flora

The desktop investigation completed by GHD indicated that 360 plant taxa (including subspecies and varieties), representing 70 families and 211 genera, have previously been recorded within 5 km of the Study Area (GHD, 2014a). Of these taxa there were 285 native species and 75 introduced species.

A total of 139 species were recorded during the 2013 and 2016 field surveys, representing 38 families and 95 genera. The most dominant families were Fabaceae (19 taxa), Myrtaceae (13 taxa), Poaceae (12 taxa) and Proteaceae (11 taxa) (Anders Environmental Consulting, 2016a).

A likelihood of occurrence assessment for all the potentially present conservation significant species was performed, which considered variables such as the normal range of a species, its habitat requirements and previous records of the species' distribution (GHD, 2014a). The assessment concluded that three species may possibly occur within the study area. They are:

- Family: Orchidaceae; Taxon: *Caladenia huegelii* – This species is listed as Threatened by DPaW under the Wildlife Conservation Act (WC Act) and as endangered under the EPBC Act.
- Family: Myrtaceae; Taxon: *Eremaea asterocarpa subsp. brachyclada* - Listed as Priority 1 under the WC Act
- Family: Fabaceae; Taxon: *Jacksonia gracillima* - Listed as Priority 3 under the WC Act.

No species listed under the EPBC Act or WC Act was recorded during the site surveys and no DPaW Priority species were identified (GHD, 2014a).

Fauna

A number of State level conservation significant species may possibly occur within the referral area. The impact on these species will be dealt with in accordance with the requirements of the WA native vegetation clearing process.

Other than the fauna values associated with Black Cockatoo species (discussed in 3.1 (d)), no other important fauna-related features of the referral area warrant description.

With regard to the relevant species of Black Cockatoo discussed earlier; Figure 4 demonstrates areas of Black Cockatoo fauna habitat within the project area, and Figure 5 shows the potential connectivity between other areas of Black Cockatoo habitat within the wider region.

3.3 (b) Hydrology, including water flows

No features of hydrological significance are present on the project area and it is unlikely that the proposed clearing will have a significant impact on hydrology.

3.3 (c) Soil and Vegetation characteristics

Soils

The study area occurs in the Bassendean Dune System, a landform of the Swan Coastal Plain. The Bassendean Dune System consists of a gently undulating aeolian sand plain over sedimentary rock. The sands of the Bassendean Dunes are leached and infertile, they contain little silt or clay, and very low levels of nutrient elements, with nutrient elements generally being associated with organic matter.

The sands within the Study Area are relatively porous and well drained, therefore there is little overland surface water flow, which minimises the risk of water erosion, but the risk of wind erosion is high.

A review of the Australian Soil Resource Information System (ASRIS) indicates with a high degree of confidence that the study area has a low probability of occurrence of acid sulphate soils.

The development is not likely to have any significant environmental impact on environmental values associated with landforms and soils.

Vegetation

At a vegetation association level one broad scale (greater Perth area) vegetation association, namely "*Medium very sparse woodland; jarrah, with low woodland; banksia & casuarina (association 1001, Bassendean)*" (Government of Western Australia, 2012) is associated with the study area. While there is less than 30% of this vegetation association remaining at a state and wider regional scale, the study area is located in an area of urban development where there is more than 10% of the association remaining and it is not considered to be a critical asset.

Four vegetation types were mapped within the project area, namely:

- VT1: Low Open Forest of *Banksia* spp. and *Allocasuarina fraseriana* (6.3ha)
- VT2: Low Woodland of *Banksia* spp. over Open Low Heath of *Scholtzia involucreata* (0.9ha)
- VT3: Low Open Woodland of *Melaleuca raphiophylla* (0.9ha)
- VT4: Low Open Forest of *Eucalypts marginate* and *Banksia* spp. (2.0ha)

The extent of these vegetation types is outlined in Table 3 and Figures 2 and 3.

Table 3: Vegetation types within the referral area

VEGETATION TYPE AND DESCRIPTION	AREA OF REFERRAL AREA	POTENTIAL CORRESPONDING GIBSON ET AL (1994) FLORISTIC COMMUNITY TYPE
VT1 Low Open Forest of <i>Banksia</i> spp. and <i>Allocasuarina fraseriana</i> Low Open Forest of <i>Banksia attenuata</i> , <i>Banksia menziesii</i> and <i>Allocasuarina fraseriana</i> over Tall Shrubland of <i>Kunzea glabrescens</i> over Shrubland of <i>Xanthorrhoea preissii</i> and <i>Eremaea pauciflora</i> var. <i>pauciflora</i> over Open Low Heath of <i>Hibbertia racemosa</i> , <i>Calytrix fraseri</i> and <i>Leucopogon polymorphus</i> over Sedgeland of <i>Lepidosperma pubisquameum</i> and <i>Schoenus curvifolius</i> over a Herbland of <i>Phlebocarya ciliata</i> , <i>Desmocladius flexuosus</i> , <i>Dasypogon bromeliifolius</i> and assorted herbs and weedy grass spp.	6.3ha	SCP23a – Central <i>Banksia attenuata</i> – <i>B. menziesii</i> woodlands.
VT2 Low Woodland of <i>Banksia</i> spp. over Open Low Heath of <i>Scholtzia involucreata</i> Low Woodland of <i>Banksia menziesii</i> and <i>Banksia illicifolia</i> over Tall Open Shrubland of <i>Kunzea glabrescens</i> over Open Low Heath of <i>Scholtzia involucreata</i> , <i>Conostephium pendulum</i> and <i>Calytrix fraseri</i> over Open Herbland of <i>Dasypogon bromeliifolius</i> , <i>Phlebocarya ciliate</i> and <i>Desmocladius flexuosus</i> .	0.9ha	SCP23a – Central <i>Banksia attenuata</i> – <i>B. menziesii</i> woodlands.
VT3 Low Open Woodland of <i>Melaleuca raphiophylla</i> Low Open Woodland of <i>Melaleuca raphiophylla</i> over Tall Open Scrub of <i>Kunzea glabrescens</i> and <i>Astartea scoparia</i> over Open Low Heath of <i>Hypocalymma angustifolium</i> over Grassland of <i>*Ehrharta calycina</i> and herbaceous weed species.	0.9ha	SCP4 – <i>Melaleuca preissiana</i> damplands.
VT4 Low Open Forest of <i>Eucalypts marginate</i> and <i>Banksia</i> spp. Low Open Forest of <i>Eucalyptus marginata</i> over Low Woodland of <i>Banksia attenuata</i> , <i>B. menziesii</i> and <i>B. illicifolia</i> over Tall Shrubland of <i>Kunzea glabrescens</i> over Mid Shrubland of <i>Stirlingia latifolia</i> and <i>Xanthorrhoea preissii</i> .	2.0ha	SCP21a – Central <i>Banksia attenuata</i> - <i>Eucalyptus marginata</i> woodlands

Source: Anders Environmental Consulting, 2016a

Several sections of the study area no longer support any remnant vegetation (0.7ha). The south west corner within Lot 47 has been cleared. The new access road from Barfield Road is within an existing residential/semi-rural property and consists of planted non-native or non-endemic species.

None of the vegetation types within the project area are considered to align with any TEC (Anders Environmental Consulting, 2016a).

The 2016 condition ratings for vegetation across the vegetation types ranges from very good-excellent to degraded with 56% rating as good-very good. The vegetation condition ratings from the 2016 and 2013 surveys are summarised in Table 4.

Table 4: Vegetation condition for the referral area

CONDITION (KEIGHERY 1994)	2016 ASSESSMENT TOTAL AREA (HA)	2013 ASSESSMENT TOTAL AREA (HA)
Excellent	-	2.5
Very good – excellent	1.5	2.17
Very good	0.5	-
Good – very good	6.0	-
Good	0.9	3.15
Degraded	1.9	2.14
Completely degraded	-	0.26

Source: Anders Environmental Consulting, 2016a

3.3 (d) Outstanding natural features

There are no outstanding natural features in the study area.

3.3 (e) Remnant native vegetation

There are areas of remnant native vegetation within the project area – refer to the description in 3.3 (c)

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

The topography of the site varies by over 6 m from the highest point (29 mAHD in the south east corner) to the lowest (23 mAHD in a depression in the centre of Lot 32). There is a built up area on the south east corner of the site. There is also a depression approximately 0.5 m deep in the centre of the northern half of the site (Lot 32). There is a development to the northwest of the site, which has been built up and is well above the level of the site. The low lying nature of the site leave it at risk of receiving water from street drainage and runoff, from this development and the surrounding area, with the potential for flooding during significant storm events.

It is anticipated that significant bulk earthworks will be required to achieve acceptable building levels.

3.3 (g) Current state of the environment

The site was previously used for rural residential purposes and typically access tracks are present along property boundaries as well as some smaller tracks present across the lots. The majority of the site consists of remnant vegetation in good-very good condition (Anders Environmental Consulting, 2016a). Away from tracks and existing houses, very low weed coverage of <2% was recorded. Evidence of sheep and goat grazing has been noted on the site with animal pens located on lot 31 (GHD, 2014b). General household waste construction materials have been disposed of in localised piles across the site. Rubbish was noted on Lot 33, Lot 31 and Lot 32 (GHD, 2014b).

3.3 (h) Commonwealth Heritage Places or other places recognised as having heritage values
No heritage places occur within the Referral area.

3.3 (i) Indigenous heritage values

No Indigenous Heritage values occur within the Referral area. The relevant Aboriginal group for consultation purposes are the Whadjuk people.

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

There are no important or unique values associated with the Referral area. The following reserves and areas of environmental significance are located within five kilometres of the project area:

- Harry Waring Marsupial Reserve (0.74 km west)
- Thompson Lake Nature Reserve (1.38 km north-west)
- Conservation Park R48291 (1.9 km north-west)
- Wandi Nature Reserve (3 km south-east)
- Conservation Park R49561 (3 km north-west)
- Forestdale and Thomsons Lakes (within 5 km)
- Peel-Yalgroop system (upstream from Ramsar site).

The proposed project will not impact upon any of the above locations.

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

Each of the lots included within the referral site is freehold. The Department of Education Western Australia has contracts of sale over each of the privately owned lots within the referral site, with these shown as encumbrances on the Certificates of Title. Ownership of all properties within the referral area is being transferred as freehold to the Department of Education, with this process scheduled to be complete by the end of 2016 to allow commencement of construction of the school.

3.3 (l) Existing land/marine uses of area

Rural-residential.

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

Education infrastructure.

4 Measures to avoid or reduce impacts

As identified previously, the proposed action will result in the loss of 9.5 ha of Black Cockatoo habitat.

Planning (pre-construction phase) measures

- The site contains constraints which have influenced the layout of the master plan. All vehicular access to the school site and the required on-site parking bays is restricted to the southern and western boundaries.
- The development of the school site and its ongoing maintenance forms part of the Public-Private – Partnership between the State of Western Australia and a private consortia (EduWest). The Master Plan is an integral part of this contract and identifies the areas of the site to be developed.
- An offset proposal for the site has been prepared to further mitigate any residual impact on the Black Cockatoo species (Attachment 3).
- The Department of Treasury has been liaising with the Department of Parks and Wildlife (Mr Alex Errington) with regard to the availability of suitable measures to offset the impact of this proposal. Further liaison with the Department of Parks and Wildlife is scheduled.

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.
- Induct all staff and construction contractors working in the referral area regarding potential Black Cockatoo constraints and the required actions regarding these values.
- The breeding season for the black-cockatoo is July to December. As far as practical, clearing and disturbance of the areas of black-cockatoo habitat will be timed to avoid the breeding season.
- All trees with potential breeding hollows will be checked prior to removal.
- Nest relocation will be undertaken in consultation with the Department of Parks and Wildlife, if nests are found to be present.
- Implement pest animal, weed and fire management practices.
- Landscaped areas are to consist of shade tree structures and garden beds that include a mix of foraging habitat species e.g. *Eucalyptus* and *Banksia*.

Operation phase measures

- Implement pest animal, weed and fire management practices.
- Other environmental measures as outlined under local planning approval conditions.

5 Conclusion on the likelihood of significant impacts

Identify whether or not you believe the action is a controlled action (i.e. whether you think that significant impacts on the matters protected under Part 3 of the EPBC Act are likely) and the reasons why.

5.1 Do you THINK your proposed action is a controlled action?

<input checked="" type="checkbox"/>	No, complete section 5.2
<input type="checkbox"/>	Yes, complete section 5.3

5.2 Proposed action IS NOT a controlled action.

Specify the key reasons why you think the proposed action is NOT LIKELY to have significant impacts on a matter protected under the EPBC Act.

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 is unlikely to have a significant impact on the identified MNES because clearing of the native vegetation on the referral area will comprise only 0.38% of the 2,474.19 ha of remnant bushland that is present within the City of Cockburn (GHD, 2014a). 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.

- The application of the Significant Impact Guidelines indicates that it is unlikely that there will be a significant impact on the Black Cockatoo species if the site is to be developed. Although the clearing of 9.5ha of foraging habitat and 24 potential trees could impact the Black Cockatoo species it is considered unlikely to significantly reduce the overall area of available habitat for the population; reduce the overall area of occupancy of the population; fragment an existing; population; disrupt the breeding cycle of the population; or result in the increase of invasive species becoming established in the referral area
- Application of the Black Cockatoo referral guidelines would indicate that clearing of more than 1ha of Black Cockatoo habitat may have a significant impact. However, due to the amount of foraging habitat available in conservation reserves within 5km of the referral area, the proposed clearing is unlikely to have a significant impact on the species.

5.3 Proposed action IS a controlled action

Type 'x' in the box for the matter(s) protected under the EPBC Act that you think are likely to be significantly impacted. (The 'sections' identified below are the relevant sections of the EPBC Act.)

Matters likely to be impacted

<input type="checkbox"/>	World Heritage values (sections 12 and 15A)
<input type="checkbox"/>	National Heritage places (sections 15B and 15C)
<input type="checkbox"/>	Wetlands of international importance (sections 16 and 17B)
<input type="checkbox"/>	Listed threatened species and communities (sections 18 and 18A)
<input type="checkbox"/>	Listed migratory species (sections 20 and 20A)
<input type="checkbox"/>	Protection of the environment from nuclear actions (sections 21 and 22A)
<input type="checkbox"/>	Commonwealth marine environment (sections 23 and 24A)
<input type="checkbox"/>	Great Barrier Reef Marine Park (sections 24B and 24C)
<input type="checkbox"/>	A water resource, in relation to coal seam gas development and large coal mining development (sections 24D and 24E)
<input type="checkbox"/>	Protection of the environment from actions involving Commonwealth land (sections 26 and 27A)
<input type="checkbox"/>	Protection of the environment from Commonwealth actions (section 28)
<input type="checkbox"/>	Commonwealth Heritage places overseas (sections 27B and 27C)

6 Environmental record of the responsible party

NOTE: If a decision is made that a proposal needs approval under the EPBC Act, the Environment Minister will also decide the assessment approach. The EPBC Regulations provide for the environmental history of the party proposing to take the action to be taken into account when deciding the assessment approach.

	Yes	No
<p>6.1 Does the party taking the action have a satisfactory record of responsible environmental management?</p> <p>Provide details The project is referred by the WA Department of Education for the development of the school under a Public Private Partnership (PPP) with WA Department of Treasury, Strategic Projects and Asset Sales and EduWest.</p> <p>The Department of Education complies with all state and commonwealth environment laws, and endeavours to maintain as much of the natural environment as is possible within its developments.</p>	x	
<p>6.2 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?</p> <p>If yes, provide details</p>		x
<p>6.3 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?</p> <p>If yes, provide details of environmental policy and planning framework</p>		x
<p>6.4 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?</p> <p>Provide name of proposal and EPBC reference number (if known) 2015/7597 Department of Education/Commercial Development/City of Wanneroo/Western Australia/Landsdale Primary School Development, WA (December 2015)</p> <p>2012/6619 Western Australia Department of Education/Commercial development/Part of Lot 9510 Eucalyptus Drive, Hammond Park/WA/Construction of Hammond Road Primary School (November 2012)</p> <p>2012/6405 Department of Education/Commercial development/Pearsall/WA/Pearsall Primary School, Lots 62, 269, 1008, 1009, & Part Lot 23 Pearsall, WA (May 2012)</p> <p>2004/1489 Department of Education/Urban and commercial new development/Rockingham/WA/Construction of Secret Harbour High School (April 2004)</p> <p>2001/290 Education Department of Western Australia/Buildings/Busselton/WA/South Busselton Primary School (May 2001)</p>	x	

7 Information sources and attachments

(For the information provided above)

7.1 References

- Department of the Environment (2016a). *Calyptorhynchus latirostris* in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed Tue, 7 Jun 2016
- Department of the Environment (2016b). *Calyptorhynchus banksii naso* in Species Profile and Threats Database, Department of the Environment, Canberra. Available from: <http://www.environment.gov.au/sprat>. Accessed Tue, 7 Jun 2016
- Department of the Environment, *Protected Matters Search Tool*, <http://www.environment.gov.au/epbc/protected-matters-search-tool>, Accessed May 2016, Publically Available
- Department of Parks and Wildlife (2016), *DPaW NatureMap Database*, <http://naturemap.dpaw.wa.gov.au/default.aspx>, Accessed May 2016, Publically Available
- City of Cockburn Strategic Planning (2012), *District Structure Plan Southern Suburbs Stage 3*, Publically Available
- GHD (2014a) *Hammond Park High School Flora Fauna and Vegetation Assessment*, prepared for Department of Treasury – Strategic Projects
- GHD (2014b) *WA Schools PPP – Hammond Park Site Investigation Report*, prepared for Department of Treasury – Strategic Projects
- Anders Environmental Consulting (2016a) *Hammond Park High School Draft Flora, Vegetation and Threatened Black-cockatoo Assessment*, prepared for WSP Parsons Brinckerhoff on behalf of Department of Treasury
- Anders Environmental Consulting (2016b) *Hammond Park Draft Offset Proposal*, prepared for WSP Parsons Brinckerhoff on behalf of Department of Treasury

7.2 Reliability and date of information

The information presented in this referral form is current as per the dates indicated in the references in the text and in the reference list. Where appropriate, information contained in the GHD reports that was derived from public domain databases was verified by accessing the databases again.

The information contained in the GHD and Anders Environmental Consulting reports were compiled in accordance with the appropriate regulatory guidance statements, as noted in the text.

The information contained in this referral form is considered to be accurate and no material uncertainties were identified.

7.3 Attachments

Indicate the documents you have attached. All attachments must be less than three megabytes (3mb) so they can be published on the Department's website. Attachments larger than three megabytes (3mb) may delay the processing of your referral.

		✓ attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	✓	Attachment 1 Figures Attachment 1 conservation reserves Attachment 1 Hammond Park Secondary School Masterplan Attachment 1 GIS data
	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 1 Figures
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)	✓	Attachment 2 SSDSP3_Report
	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 3 Anders a Attachment 3 Anders b Attachment 4 GHD_3 Attachment 5 PMST
	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 3 Anders b Attachment 4 GHD_1-13
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		

8 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 action¹.

Project title: Hammond Park Secondary School Development

8.1 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 Act², 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 action³.

1. Name and Title:

Ms Ros Marsland, Program Manager

2. Organisation (if applicable):

Department of Education

3. EPBC Referral Number (if known):

4: ACN / ABN (if applicable):

69 769 481 770

5. Postal address

151 Royal Street, East Perth 6004

6. Telephone:

08 6551 1678

7. Email:

ros.marsland@treasury.wa.gov.au

8. Name of proposed proponent (if not the same person at item 1 above and if applicable):

9. ACN/ABN of proposed

¹ 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.

² 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.

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

7/07/16

8.2 Person preparing the referral information (if different from 8.1)

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

Name	D Richter
Title	Principal Environmental Scientist
Organisation	Parsons Brinckerhoff
ACN / ABN (if applicable)	80 078 004 798
Postal address	PO Box 7181, Cloisters Square, WA, 6850
Telephone	08 9489 9700

Email richterda@pbworld.com

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



7 July 2016

Date

REFERRAL CHECKLIST

NOTE: This checklist is to help ensure that all the relevant referral information has been provided. It is not a part of the referral form and does not need to be sent to the Department.

HAVE YOU:

- ☒ Completed all required sections of the referral form?
- ☒ Included accurate coordinates (to allow the location of the proposed action to be mapped)?
- ☒ Provided a map showing the location and approximate boundaries of the project area?
- ☒ Provided a map/plan showing the location of the action in relation to any matters of NES?
- ☒ Provided a digital file (preferably ArcGIS shapefile, refer to guidelines at [Attachment A](#)) delineating the boundaries of the referral area?
- ☒ Provided complete contact details and signed the form?
- ☒ Provided copies of any documents referenced in the referral form?
- ☒ Ensured that all attachments are less than three megabytes (3mb)?
- ☒ Sent the referral to the Department (electronic and hard copy preferred)?

Geographic Information System (GIS) data supply guidelines

If the area is less than 5 hectares, provide the location as a point layer. If the area greater than 5 hectares, please provide as a polygon layer. If the proposed action is linear (eg. a road or pipeline) please provide a polyline layer.

GIS data needs to be provided to the Department in the following manner:

- Point, Line or Polygon data types: ESRI file geodatabase feature class (preferred) or as an ESRI shapefile (.shp) zipped and attached with appropriate title
- Raster data types: Raw satellite imagery should be supplied in the vendor specific format.
- Projection as GDA94 coordinate system.

Processed products should be provided as follows:

- For data, uncompressed or lossless compressed formats is required - GeoTIFF or Imagine IMG is the first preference, then JPEG2000 lossless and other simple binary+header formats (ERS, ENVI or BIL).
- For natural/false/pseudo colour RGB imagery:
 - If the imagery is already mosaiced and is ready for display then lossy compression is suitable (JPEG2000 lossy/ECW/MrSID). Prefer 10% compression, up to 20% is acceptable.
 - If the imagery requires any sort of processing prior to display (i.e. mosaicing/colour balancing/etc) then an uncompressed or lossless compressed format is required.

Metadata or 'information about data' will be produced for all spatial data and will be compliant with ANZLIC Metadata Profile. (http://www.anzlic.org.au/policies_guidelines#guidelines).

The Department's preferred method is using ANZMet Lite, however the Department's Service Provider may use any compliant system to generate metadata.

All data will be provide under a Creative Commons license (<http://creativecommons.org/licenses/by/3.0/au/>)