220 AND 234 WATTLEUP ROAD WATTLEUP

EPBC REFERRAL

Prepared for: Hanson Construction Material Pty Ltd

Report Date: 4 July 2016

Version:

Report No. 2016 -264





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:
 - o 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.

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/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: 220 and 234 Wattelup Road, Wattleup

1 Summary of proposed action

1.1 Short description

The project is located at 220 and 234 Wattleup Road, Wattlup (the Referral Area) and is situated in the broader Hope Valley-Wattleup Redevelopment Project area (commonly known as Latitude 32). The Referral Area is proposed to be quarried for sand prior to its development for General and Light Industry land uses in accordance with the Hope Valley-Wattleup Redevelopment Project Master Plan and the draft Latitude 32 - Development Area 4 Structure Plan.

The Referral Area contains ten potential roosting and nesting trees suitable for Carnaby's Black Cockatoo and the proposed action is to clear ten trees.

1.2	Latitude and longitude	Point	Latitude			Longitude		
			Degree	Minute	Second	Degree	Minute	Second
		1	32	10	32	115	49	0
		2	32	10	33	115	49	1
		3	32	10	33	115	49	6
		4	32	10	40	115	49	6
		5	32	10	40	115	49	5
		6	32	10	40	115	49	0

1.3 Locality and property description

The Referral Area is in the suburb of Wattleup in the City of Cockburn and is located 26km south of the Perth Central Business District (Attachment 1). The Referral Area is in Latitude 32 which is being developed on a staged basis for General and Light Industrial Use (Attachment 2).

220 Wattleup Road has largely been cleared and is currently used as a freight yard. A large section of 234 Wattleup Road was historically used for horticulture and the remainder contains vegetation in a completely degraded condition. A number of isolated trees over pasture are scattered over the Referral Area (Attachment 3).

1.4	Size of the development footprint or work area (hectares)	The Referral Area is 4.05ha.
1.5	Street address of the site	220 and 234 Wattleup Road, Wattleup, Western Australia
1.6	Lot description As Above	
1.7	Local Government Area and The Referral Area is in th (Manager of Statutory Plar	ne City of Cockburn. The contact officer at the City is Andrew Lefort

1.8 Time frame

The project will commence as soon as the environmental approvals are in place.

1.9 Alternatives to proposed action	√	No
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			I
			Yes, you must also complete section 2.2
1.10	Alternative time frames etc	✓	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	State assessment		No
		√	Yes, you must also complete Section 2.5
1.12	Component of larger action	✓	No
			Yes, you must also complete Section 2.7
1.13	Related actions/proposals		No
		√	Yes, provide details:
			EPBC Referral 2014/7261 105 Sayer Road – Approval not required
			EPBC Referral 2014/7328 Lot 64 Ashley Road – Approval not required
			EPBC Referral 2016/7695 Various Lots Ashley and Sayer Roads, Hope Valley – Referral decision pending
1.14	Australian Government	✓	No
	funding		Yes, provide details:
1.15	Great Barrier Reef Marine	√	No
	Park	-	1
	T GT N		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 proposed action is the clearing of nine Tuarts (*Eucalyptus gomphocephala*) and one dead tree that may be suitable for future Carnaby's Black Cockatoo breeding (Attachment 3). Clearing will enable the recovery of valuable sand resource from the site and future development of the Referral Area for industrial purposes in accordance with the Latitude 32 Masterplan and Development Area 4 Structure Plan.

2.2 Alternatives to taking the proposed action

The Referral Area provides for General and Light Industry Uses under the Master Plan. The Referral Area is part of the larger Latitude 32 Redevelopment Project which is governed by the *Hope Valley Wattleup Redevelopment Act 2000* (The Act).

The Master Plan and subsequent Structure Plans have been prepared in accordance with The Act and there are no alternatives in taking the proposed action.

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

Not Applicable

2.4 Context, planning framework and state/local government requirements

The development of Latitude 32 is governed by a complex planning framework established over many years which provides a broad direction as to how the Latitude 32 Industrial Area should be planned and developed.

The initial steps that led to the establishment of Latitude 32 date back to 1999 when the then Ministry for Planning completed the Fremantle – Rockingham Industrial Regional Area Strategy (FRIARS). This strategy set the broad strategic land use planning direction for the Fremantle to Rockingham region for the next 20-25 years. The strategy was put in place to resolve land use conflicts between heavy industry at Kwinana and residential and rural residential areas that were located within the area bound by the Kwinana Environmental Protection Policy Air Quality Buffer. The main outcome of FRIARS was the recommendation for major land use change at Hope Valley and Wattleup, where the existing rural and residential areas were identified as future light and general industrial precincts which would protect and provide a land-use transition buffer to heavy industry at Kwinana.

The Hope Valley Wattleup Redevelopment Act 2000 was passed by the Western Australian Parliament in 2000. The Act defined an area of 1426 hectares in and around the Hope Valley and Wattleup town sites for future industrial development. The Metropolitan Region Scheme (MRS) and local town planning schemes of Cockburn and Kwinana were repealed within the Redevelopment Area, and planning control powers transferred to the Western Australian Planning Commission (WAPC).

The Master Plan was approved by the WAPC in 2004 as the planning scheme to guide redevelopment of Latitude 32. The Master Plan divides the area into 12 Development Areas, and provides a statutory planning framework to control land use and development in the area. This includes the requirement to prepare structure plans over the Master Plan's Development Areas prior to development commencing.

The Referral area is in Latitude 32 Development Area 4 Structure Plan area. The Structure Plan has been prepared to guide the subdivision and development in accordance with its "General and Light Industry" zoning under the Master Plan. The Structure Plan and technical reports were advertised for public comment for a three month period.

The Latitude 32 Development Area 4 Structure Plan is in the final stages of the planning approval process.

The Referral Area is recognised as a highest priority basic raw material source in the Draft Action Plan D - Basic Raw Materials (BRM) and identified as Industrial Class of Action in Draft Action Plan A – Urban and Industrial under the Draft Perth and Peel Green Growth Plan for 3.5 Million (Growth Plans) that is being undertaken by the Western Australian Government under Part 10 of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The proposal is therefore consistent with the Draft Growth Plans.

2.5 Environmental impact assessments under Commonwealth, state or territory legislation

The Master Plan was formally assessed by the Western Australian Environment Protection Authority (EPA) under section 48A of the *Environmental Protection Act 1986* (EP Act) in February 2003. The EPA reported its advice and recommendations to the Minister for the Environment in Bulletin 1133. Subsequently, the Minister for the Environment granted environmental approval and issued Ministerial Statement 667 in November 2004.

In accordance with Ministerial Statement 667, a Biodiversity Strategy (LandCorp, 2007) was prepared and supported by the EPA and endorsed by the Department of Planning in 2008. The Biodiversity Strategy was reviewed in 2014 and the key outcomes of the Biodiversity Strategy Review (2015) reflect the current environmental and localised structure planning for Latitude 32. The Referral Area was not identified in the Biodiversity Strategy Review for retention.

During the structure planning process for Development Area 4 a Black Cockatoo Assessment (Terrestrial Ecosystems, 2014) and environmental assessment were undertaken in 2015. The Structure Plan was prepared in consideration of the Biodiversity Strategy Review and environmental studies.

The Development Area 4 Structure Plan was referred by LandCorp/WAPC to the EPA under section 48A of the EP Act. On 14 December 2015 the EPA considered that the proposed amendment should not be assessed under Part IV Division 3 of the *Environmental Protection Act 1986* (EP Act) and that it was not necessary to provide any advice and recommendations (Attachment 5).

2.6 Public consultation (including with Indigenous stakeholders)

The section 48A assessment of the Master Plan was subject to statutory public comment periods.

The Latitude 32 Development Area 4 Structure Plan and technical documents were subject to statutory public comment periods in 2016.

There are no heritage sites listed under the Department of Aboriginal Affairs Heritage Enquiry System as occurring on the Referral Area. An indigenous heritage survey undertaken as part of the Development Area 4 Local Structure Plan process confirmed that there were no heritage sites (Amergin, 2016).

2.7 A staged development or component of a larger project

The Referral Area will be developed for General and Light Industry purposes and is part of the overall Latitude 32 re-development project.

The industrial project will be staged over a number of years and has a number of different land owners who are responsible for their own landholdings.

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

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

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

There is one wetland of International Importance located in the vicinity of the Referral Area.

Description

The Ramsar listed Thomson's and Forrestdale Lake wetlands are located 3-10km 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.

Nature and extent of likely impact

Development of the Referral Area will not directly or indirectly impact any Wetlands of International Significance.

3.1 (d) Listed threatened species and ecological communities

A search of the EPBC Act Protected Matters database was undertaken to determine the Matters of National Environmental Significance that may occur within the Referral Area. The search was undertaken with a two kilometre buffer to the Referral Area (Attachment 6).

The EPBC Act Protected Matters database identifies thirteen (13) listed threatened species under the EPBC Act as having the potential to occur in the Referral Area (Table 1).

There were no listed Threatened Ecological Communities species under the EPBC Act as having the potential to occur in the Referral Area (Attachment 6).

Description

Thirteen (13) 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.

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; and
- 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
Birds				
Calyptorhynchus banksii naso	Forest Red- tailed Black- Cockatoo,	V	Potential	The trees do not provide foraging or nesting habitat for Forest Red-tailed Black-Cockatoo, however they may occasionally use the trees for resting while moving between foraging habitat.
Calyptorhynchus latirostris	Carnaby's Black Cockatoo	E	Potential	The trees may provide future breeding habitat for Carnaby's Black Cockatoo and may occasionally use the trees for resting while moving between foraging habitat.
Leipoa ocellata	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.
Rostratula australis	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.
Mammals				
Dasyurus geoffroii	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 Walyunga National Park, Gooseberry Hill and Upper Swan (DEC 2007a). This species is not likely to occur in the Referral area.
Pseudocheirus occidentalis	Western 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.
Plants				
Andersonia gracilis	Slender Andersonia	Е	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 (Weston, 2005).
Caladenia huegelii	King Spider- orchid	Е	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 (Weston, 2005).
Diuris micrantha	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 (Weston, 2005).
Diuris purdiei	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 (Weston, 2005).
Drakaea elastica	Glossy-leafed Hammer Orchid	Е	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 (Weston, 2005).
Drakaea micrantha	Dwarf Hammer Orchid	E	No	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 (Weston, 2005).
Lepidosperma rostratum	Beaked Lepidosperma	Е	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 (Weston, 2005).

Nature and extent of likely impact

Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo

Terrestrial Ecosystems (2014) mapped ten trees (one of these trees was dead) as occurring in the Referral Area that may provide future breeding habitat for Carnaby's Black Cockatoo, (Attachment 3).

There is no foraging habitat in the Referral Area.

There are no known breeding or roosting sites for Carnaby's Black Cockatoos as mapped by the DoP (2011) in the Referral Area. The nearest recorded breeding sites are located in Bedfordale approximately 20km to the east (Attachment 7).

Regional Context for Black Cockatoo foraging and potential breeding habitat

Areas of Black Cockatoo foraging habitat and potential breeding habitat in secure conservation areas (approximately 2,120ha) in the City of Cockburn region and within 5km of the Referral Area (Attachment 7) include:

- **Bush Forever Site No. 391 Thomsons Lake Nature Reserve and adjacent bushland**. This Bush Forever site contains 366.7ha of bushland with the uplands vegetated with *Eucalyptus marginata*, *Banksia attenuata*, *Banksia menziesii*, and *Eucalyptus rudis*, *Melaleuca preissiana* and *Melaleuca rhaphiophylla* in the wetland areas. The area associated with wetlands is 237.3ha.
- **Bush Forever Site No. 392 Harry Waring Marsupial Reserve**. This Bush Forever site contains 271.6ha of bushland with the uplands vegetated with *Eucalyptus marginata, Banksia attenuata, Banksia menziesii,* and *Eucalyptus rudis, Melaleuca preissiana* and *Melaleuca littoralis* in the wetland areas. The area associated with wetlands is 35ha.
- **Bush Forever Site No. 268 Mandogalup Road bushland in Mandogalup**. This Bush Forever site is 95.9ha of bushland with the uplands vegetated with *Eucalyptus gomphocephala, Eucalyptus marginata, Banksia attenuata* and *Banksia grandis,* and *Eucalyptus rudis, Melaleuca rhaphiophylla, Melaleuca preissiana* and *Banksia littoralis* in the wetlands.
- **Bush Forever Site No. 267 Mandogalup Road bushland in Hope Valley**. This Bush Forever site is 15.7ha of bushland with the uplands vegetated with *Eucalyptus marginata*, *Banksia attenuata* and *Allocasuarina fraseriana*.
- **Bush Forever Site No. 393 Wattleup Lake and adjacent bushland**. This Bush Forever site is 18.9ha of bushland with the uplands vegetated with *Eucalyptus gomphocephala, Corymbia calophylla, Eucalyptus marginata, Banksia attenuata* and *Banksia menziesii,* and *Eucalyptus rudis, Melaleuca preissiana* and *Melaleuca rhaphiophylla* in the wetland areas. The area associated with wetlands is 3ha.
- **Bush Forever Site No. 346 Brownman Swamp, Mt Brown Lake and adjacent bushland**. This Bush Forever site is 558.3ha of bushland with the uplands vegetated with *Eucalyptus gomphocephala, Eucalyptus marginata, Corymbia calophylla, Banksia attenuata, Banksia menziesii* and *Banksia grandis*. The area associated with wetlands is 61.5ha.
- **Bush Forever Site No. 269 The Spectacles**. This Bush Forever site is 349.7ha of bushland with the uplands vegetated with *Corymbia calophylla* and *Banksia attenuata*, and *Eucalyptus rudis*, *Melaleuca rhaphiophylla* and *Melaleuca teretifolia* in the wetland areas. The area associated with wetlands is 76.2ha.
- **Bush Forever Site No. 349 Leda and adjacent bushland**. This Bush Forever site is 959.8ha of bushland with the uplands vegetated with *Eucalyptus marginata*, *Eucalyptus gomphocephala*, *Allocasuarina fraseriana*, *Banksia attenuata*, *Banksia menziesii* and *Banksia grandis*, and *Eucalyptus rudis* and *Melaleuca rhaphiophylla* in the wetland areas. The area associated with wetlands is 109ha.

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

	a	
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 loss of ten potential breeding trees for Carnaby's Black Cockatoo. The proposed clearing will not lead to a long-term decrease in the size of Carnaby's Black Cockatoo population due to: The residual presence of large areas of vegetation within the locality and region of the Referral area (Attachment 7); The nature of Carnaby's Black Cockatoo populations, which are highly mobile with extensive ranges; and There are no known breeding areas within the Referral Area.
Will the action reduce the area of occupancy of the species?	N	The proposed action will not significantly reduce the area of occupancy of Carnaby's Black Cockatoo. 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 2,120ha) and trees that have potential for future breeding including the following: Bush Forever Site No. 391 Thomsons Lake Nature Reserve and adjacent bushland; Bush Forever Site No. 392 Harry Waring Marsupial Reserve; Bush Forever Site No. 268 Mandogalup Road bushland in Mandogalup; Bush Forever Site No. 267 Mandogalup Road bushland in Hope Valley; Bush Forever Site No. 393 Wattleup Lake and adjacent bushland; Bush Forever Site No. 346 Brownman Swamp, Mt Brown Lake and adjacent bushland; Bush Forever Site No. 269 The Spectacles; and Bush Forever Site No. 349 Leda and adjacent bushland. The geographic area occupied by Carnaby's Black Cockatoo is highly unlikely to be reduced due to the clearing of seven trees in the Referral Area. Therefore, the proposed development of the Referral Area would not result in this outcome.
Will the action fragment an existing population into two or more populations?	N	Clearing of up to ten trees that are potential breeding habitat for the proposed development will not fragment the populations into sub-populations as there is significant potential breeding trees protected in Bush Forever Sites in the surrounding area. Therefore, the proposed development of the Referral Area the site would not result in this outcome.
Will the action adversely affect habitat critical to the survival of a species?	N	Carnaby's Black Cockatoos do not breed on the Referral Area (DoP. 2011). The potential future breeding habitat on the Referral Area is not considered to be critical to the survival of the species. Therefore, the proposed development on the Referral Area would not result in this outcome.
Will the action disrupt the breeding cycle of a population?	N	The proposed action will not disrupt the breeding cycle of a population of Carnaby's Black Cockatoos as the closest known breeding location is 20km from the Referral Area.
Will the action result in invasive species	N	The proposed action will not result in the establishment of invasive species that are harmful to the Carnaby's Black Cockatoo or its habitat.

that are harmful to a critically endangered or endangered species becoming established in the endangered or critically endangered species' habitat?		
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 may use the Referral Area is very small in comparison to the geographic distribution of the species. Therefore any clearing of habitat from the Referral Area would not interfere with the recovery of the species.

3.1 (e) Listed migratory species

The EPBC protected matters report listed nine (9) Migratory Species as possibly occurring in the referral area.

Description

Nine (9) Migratory Species were identified from the search using the DoE online EPBC Act Protected Matters search tool (Attachment 6). Two (2) of the terrestrial species may occur in the Referral area (Table 3). The remaining migratory species are marine or wetland species.

Table 3: Migratory Species Identified as Potentially Present in the Western LSP area

Migratory Species	Common Name	EPBC Status	Likelihood of Occurrence	Comment
Merops ornatus	Rainbow Bee- eater	Т	Possible	This species may occasionally visit the Referral area.
Motacilla cinerea	Grey Wagtail	Т	Possible	This species may occasionally 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

3.1 (f) Commonwealth marine area

(If the action is <u>in</u> 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.)

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

Descript Not App			
	nd extent of likely impact		
Not App	licable		
3.1 (g) Co	ommonwealth land		
Descript Not App			
	nd extent of likely impact		
Not App	licable		
3.1 (h) Th	ne Great Barrier Reef Marine Park		
Descript Not Appl			
Nature a	nd extent of likely impact		
Not App	licable		
3.1 (i) A Descripti	water resource, in relation to coal seam gas	develop	ment and large coal mining development
Not App			
Nature a	nd extent of likely impact		
Not App	licable		
agency)	uclear actions, actions taken by t), actions taken in a Commonwea nwealth land, or actions taken in	lth ma	rine area, actions taken on
3.2 (a)	Is the proposed action a nuclear action?	✓	No
			Yes (provide details below)
	If yes, nature & extent of likely impact on	the who	le environment
3.2 (b)	Is the proposed action to be taken by the Commonwealth or a Commonwealth	✓	No
	agency?	<u> </u>	Yes (provide details below)
	If yes, nature & extent of likely impact on	the who	le environment
22()			T
3.2 (c)	Is the proposed action to be taken in a Commonwealth marine area?	✓	No
	To an artist of the best of th		Yes (provide details below)
	If yes, nature & extent of likely impact on	tne wno	ie environment (in addition to 3.1(t))
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 wh	ole environment (in addition to 3.1(g))		
Is the proposed action to be taken in the ✓ No				
Great Barrier Reef Marine Park?		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

The Referral Area does not contain any intact native vegetation. No Declared Rare Flora species listed in the Western Australian Wildlife Conservation Act 1950 or listed by the DEC (Atkins, 2008) have been identified within the Referral Area (Weston 2005).

A Fauna Assessment Report was prepared for the Latitude 32 area (Bamford, 2005). The only conservation significant species under the EPBC Act that may occur in the Referral area are Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo.

3.3 (b) Hydrology, including water flows

The Referral Area does not contain any natural waterbodies or surface water features.

The Perth Groundwater Atlas shows the regional groundwater flow direction is from east to west towards the coast and indicates that the depth to maximum groundwater levels beneath the Referral area is in excess of 10m.

3.3 (c) Soil and Vegetation characteristics

The Referral Area lies within the Spearwood Dune System and is characterised by Sand (S7) geological units. S7 is coarse-grained, sub-angular to sub-rounded quartz, trace of feldspar, moderately sorted, of residual origin (Geological Survey of WA, 2013).

The Referral Area has been cleared of native vegetation apart from some individual trees.

3.3 (d) Outstanding natural features

There are no outstanding features in the Referral Area.

3.3 (e) Remnant native vegetation

There is no intact remnant vegetation in the Referral Area.

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

The Referral Area ranges from 25mAHD to 28mAHD.

3.3 (g) Current state of the environment

The Referral Area is completely degraded.

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 Indigenous Heritage Sites mapped in the Department of Aboriginal Affairs Enquiry System as occurring in 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 and the registered landowners are Vincent J Lombardo (220 Wattleup Road) and Ching Siew Yap (234 Wattleup Road).

Hanson Construction Materials Pty Ltd will be taking the action on behalf of the landowners (Attachment 8).

3.3 (I) Existing land/marine uses of area

The Referral Area previously had a horticulture/semi-rural land use.

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

Proposed General and Light Industry in accordance with the Latitude 32 Master Plan and Development Area 4 Structure Plan.

4 Environmental outcomes

The proposed action will result in the loss of ten trees that may provide future breeding habitat for Carnaby's Black Cockatoo.

Based on results of assessments of significant impact criteria in accordance with the EPBC Act and the EPBC Act Black Cockatoo Referral Guidelines, it is considered that the proposed action will not have a significant impact on the identified MNES because clearing of ten trees from the Referral Area is not considered significant in the context of the protected remnant bushland that is present in the City of Cockburn.

5 Measures to avoid or reduce impacts

The following information outlines the approach to managing the Black Cockatoo habitat loss in the Referral Area.

Avoidance

Avoiding the clearing of ten trees is not feasible due to the proposed earthworks required for sand mining and future levels for General Light Industry land use zoning. Development of the Referral Area has strategic importance for the wider re-development of the Latitude 32 area.

Mitigation

The Latitude 32 project has taken a strategic approach to protection of key natural areas and ecological linkages as identified in the Latitude 32 Biodiversity Strategy Review (2015). The Referral Area was not recognised as an area for protection in the Biodiversity Strategy Review (2015).

The key natural areas identified for protection include approximately 50ha of Black Cockatoo foraging and roosting habitat which contains approximately 361 potential future nesting trees.

In addition, local distributor roads and regional roads will be planted with local foraging species for Carnaby's Black Cockatoos in accordance with the Biodiversity Strategy Review.

6 Conclusion on the likelihood of significant impacts

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

✓	No, complete section 5.2
	Yes, complete section 5.3

6.2 Proposed action IS NOT a controlled action.

The proposed action is not considered to be a controlled action as it is unlikely to have a significant impact on Carnaby's Black Cockatoo or Forest Red-Tailed Black Cockatoos. This is based on:

- The small scale of the clearing (nine Eucalyptus gomphocephala and one dead tree) in relation to the overall distribution and availability of protected high quality Black Cockatoo habitat (2,120ha) with a 5km radius of the Referral Area; and
- The absence of any known breeding or roosting trees within the Referral Area (DoP, 2012; Terrestrial Ecosystems, 2014).

6.3 Proposed action IS a controlled action

Matters likely to be impacted

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

of responsible) if a permit has been application - ever been or Territory law for the tainable use of natural	✓	√
application - ever been or Territory law for the		✓
application - ever been or Territory law for the		√
application - ever been or Territory law for the		✓
on be taken in accordance ramework?		✓
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on under the EPBC Act, or the EPBC Act?	✓	
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	ramework? I framework In under the EPBC Act, or the EPBC Act? Inown) Ing/ Sand mining Road site approx. 90km mestone resource/Flynn	ramework? In under the EPBC Act, or the EPBC Act? Inown) Ing/ Sand mining Road site approx. 90km mestone resource/Flynn

8 Information sources and attachments

(For the information provided above)

8.1 References

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

Bamford Consulting Ecologists (2005) *Hope Valley Wattleup Redevelopment Project: Biodiversity Fauna Assessment.* Prepared for RPS BBG, May. Draft. October 2002.

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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. <u>Publically</u> Available

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

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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. <u>Publically Available</u>

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. <u>Publically Available</u>

LandCorp. (2007) Hope Valley Wattleup Redevelopment Project Biodiversity Strategy. Perth: Western Australia.

LandCorp (2015) Latitude 32 Biodiversity Strategy Review. Perth Western Australia.

PGV Environmental (2016) *Latitude 32 Development Area 4 Structure Plan Environmental Assessment.* Report prepared for LandCorp.

Terrestrial Ecosystems (2014). Black Cockatoo Assessment of Development Area 4, Latitude 32. Report prepared for LandCorp.

Western Australian Land Authority (2003) *Hope Valley Wattleup Redevelopment Project: Environmental Review* (EPA Assessment Number 1470). For Public Comment. Western Australian Land Authority, Perth.

Weston, A. (2005) *Draft Vegetation and Flora Survey and Condition Assessment and Rare Flora Search: Hope Valley-Wattleup Redevelopment Project Area.* Prepared for RPS Bowman Bishaw Gorham, Unpublished, May 2005.

Weston, A.S. (2004) Threatened Ecological Community FCT (SCP) 26a Survey: Hope Valley – Wattleup Redevelopment Project Area. Unpublished report prepared for Bowman Bishaw Gorham, Subjaco.

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: Latitude 32 Development Area 4 Structure Plan

Attachment 3: Referral Area Significant Trees

Attachment 4: Referral Area Environmental Assessment

Attachment 5: Development Area 4 EPA Decision on Assessment

Attachment 6: Protected Matters Search Report Attachment 7: Regional Black Cockatoo Habitat Attachment 8: Certificate Of Title/Deed of Novation

Attachment 9: Environmental Policy

		\checkmark	
		attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	✓	Attachment 1, 2 Attachment 3
	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 3, 6
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)	√	Attachment 5
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)	✓	Attachment 4
	copies of any flora and fauna investigations and surveys (section 3)	√	Attachment 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 4

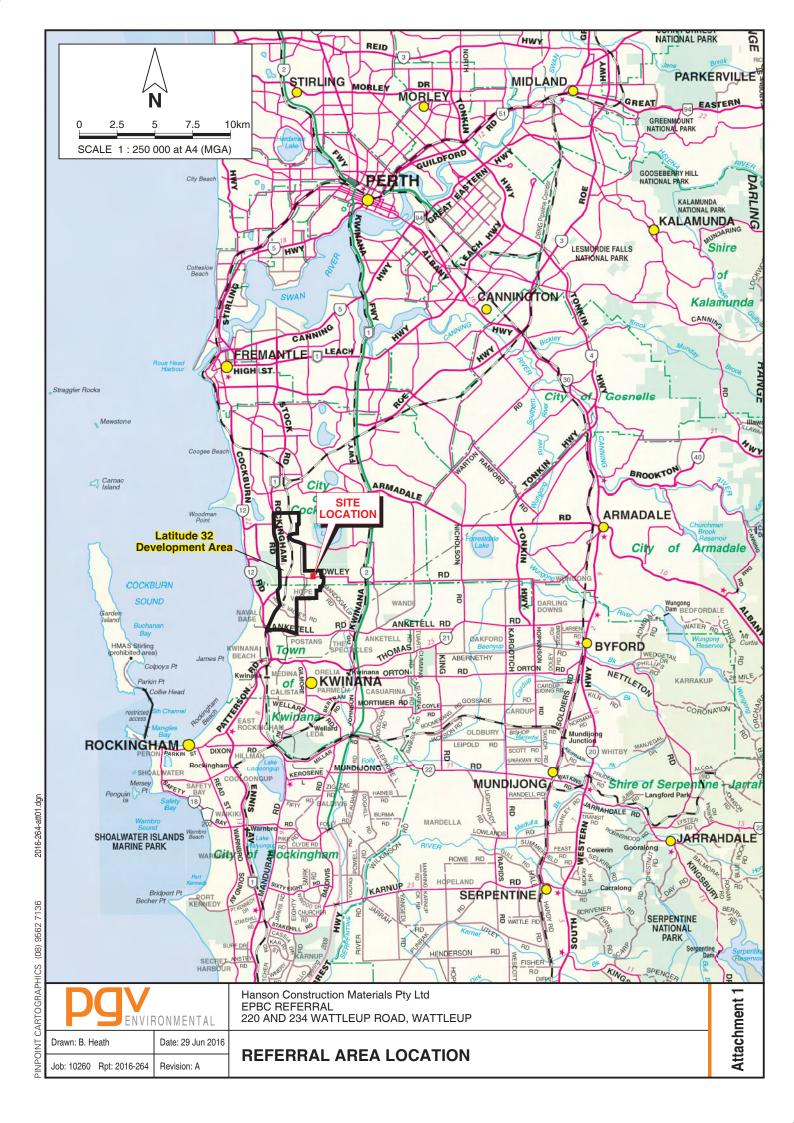
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report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)	

9 Contacts, signatures and declarations

	Project title:	220 and 234 Wattleup Road, Wattleup	
9.1 Person proposing to take action			
	1. Name and Title:	Vern Newton (Development Manager)	
	2. Organisation	Hanson Construction Materials Pty Ltd	
	3. EPBC Referral Number		
	4: ACN / ABN	(ABN 90 009 679 734) (ACN 009 679 734)	
	5. Postal address	Level 10 35 Clarence Street Sydney NSW 2000	
	6. Telephone:	08 93118841	
7. Email: Vern.Newton@hanson.com.au			
	8. Name of proposed proponent (if not the same person at item 1 above and if applicable):	Not Applicable	
	9. ACN/ABN of proposed proponent (if not the same person named at item 1 above):	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	Mont - Date 4/7/16	

9.2	Person preparing the referral information (if different from 8.1)			
	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 500027		
	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	Believe Mill. Date 03 July 2016		

Attachment 1 Referral Area Location



Attachment 2 Latitude 32 Development Area 4 Structure Plan

