

# 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-inconfidence.

# 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 <u>Department's website</u>.

### 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/environmentprotection-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.

**Project title:** Banksia Road Class III Putrescible Landfill, Crooked Brook, WA

# 1 Summary of proposed action

#### 1.1 Short description

Transpacific Waste Management Pty Ltd (Transpacific) propose to clear 7.4 hectares (ha) of native vegetation to continue utilising existing Banksia Road Class III putrescible landfill (i.e. the Site) as a landfill and excavate necessary material to use for landfill rehabilitation. The proposed landfill is located at Lot 2 Banksia Road, Crooked Brook, Western Australia, approximately 165 kilometres (km) south of Perth (Figure 1).

1.2	Latitude and longitude		Latitude			Longitude		
		location point	degrees	minutes	seconds	degrees	minutes	seconds
		1	33	25	34	115	46	40
		2	33	25	33	115	47	55
		3	33	25	53	115	47	55
		4	33	25	54	115	46	39

#### 1.3 Locality and property description

The proposed expansion to the Banksia Road Class III putrescible landfill will take place on rural property zoned 'General Farming' under the Shire of Dardanup Town Planning Scheme 3. The proposed action is located approximately 3.5 km south east of the town of Dardanup. The site is owned by J & P Corporation Pty Ltd and is operated by Transpacific. A letter of authorisation from J & P Corporation Pty Ltd in relation to the proposed action is attached as Attachment 1.

It is to be noted that the Shire of Dardanup's Local Planning Strategy 2015 recommends that the land located south-east of the Dardanup townsite within Crooked Brook be identified as a 'Waste Disposal/Processing' area and this land be zoned as 'Waste Disposal/Processing' in Local Planning Scheme No. 9 with appropriate provisions.

The Site is surrounded to the east and south by vast expanses of Boyanup State Forest. The land use to the west appears to be predominantly agricultural, including crop and livestock farming. The Shire of Dardanup owned landfill is located to the north.

1.4	Size of the development footprint or work area (hectares)	The total area of the Site is approximately 121 ha in size. The design area of the landfill footprint including buffers is approximately 63 ha, of which
		7.4 ha of hative vegetation is required to be cleared.
1.5	Street address of the site	Lot 2 Banksia Road, Crooked Brook, Western Australia 6236

#### 1.6 Lot description

Lot 2 on Diagram 65861, Banksia Road, Crooked Brook, Western Australia

Local Government Area and Council contact (if known) Shire of Dardanup Council Contact: Ashley Bean, Manager Environment & Emergency

# 1.8 Time frame Clearing is scheduled to occur in mid-2016, subject to receipt of environmental and planning approvals.

1.9	Alternatives to proposed action Were any feasible alternatives to taking the proposed action (including not taking the action)		No
	considered but are not proposed?	X	Yes, you must also complete section 2.2
1.10	Alternative time frames etc Does the proposed action include alternative time frames, locations or activities?		No
		Х	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
	territory environmental impact assessment?	Х	Yes, you must also complete Section 2.5
1.12	<b>Component of larger action</b> Is the proposed action a component of a larger action?	Х	No
			Yes, you must also complete Section 2.7
1.13	Related actions/proposals	Х	No
	Is the proposed action related to other actions or proposals in the region (if known)?		Yes, provide details:
1.14	Australian Government funding	Х	No
	Has the person proposing to take the action received any Australian Government grant funding to undertake this project?		Yes, provide details:
1.15	<b>Great Barrier Reef Marine Park</b> Is the proposed action inside the Great Barrier Reef Marine Park?	X	No Yes, you must also complete Section 3.1 (h), 3.2 (e)

# 2 Detailed description of proposed action

# 2.1 Description of proposed action

The proposed action is the clearing of approximately 7.4 ha of native vegetation that is potentially suitable for Black Cockatoo foraging and breeding habitat within the 63 ha design footprint. The clearing is required to:

- Enable the expansion of the current Class III putrescible landfill operation;
- Achieve optimum utilisation of airspace and remain a best practice operated landfill for a longer term to service the community;
- Utilise in-situ soil for use as landfill daily cover;
- Undertake progressive landfill rehabilitation works to restore the Site as public open space or recreational park as agreed with the landowner, the Shire of Dardanup and the Department of Environment Regulation.

The proposed staging of the future landfill cells is shown in Figure 2.

# 2.2 Alternatives to taking the proposed action

The alternative to undertaking this project is to not expand the existing operation. The 'do nothing' approach is not a feasible option as it will lead to a gap in the waste management sector in the south-west of Western Australia. Although the Western Australian State Government has adopted a strategy aimed at progressing towards 'zero waste to landfill' by the year 2020 (WMB, 2004), it will be difficult to achieve this goal without major investments in Alternative Waste Treatment (AWT) technologies that are capable of recovering resources from domestic and commercial sectors. It will involve major capital investments in the order of tens of millions of dollars and will also require sufficient market demand for recycled products. As a result, the implementation of AWT's will occur progressively over the next 15 to 20 years. The performance of the AWTs in achieving substantial waste diversion from landfill remains to be seen. In the interim, there is an ongoing need to ensure that there is sufficient landfill capacity to provide for the safe management of those wastes that cannot be recovered from the waste stream and to cater for the increased population resulting in higher waste volume.

The need to expand the existing landfill site is predicated on the diminishing landfill capacity of the Banksia Road Putrescible landfill which is the one of two Class III landfill servicing the Perth Metropolitan area and the only one in southwest of Western Australia. The landfill accepts 300,000 tonnes/year and its current capacity is expected to be consumed by 2017.

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

# Alternative Location

Transpacific considered utilising the western portion of the site which was recently cleared of a blue gum plantation (Figure 2). The topography of the Site however slopes from approximately 115 mAHD in the east, down to 50 mAHD in the west (western portion of Site is within Swan Coastal Plain) where the blue gum plantation was located, and constructing a landfill on lower ground would result in an above ground landfill being much closer to the local groundwater table and prone to flood risk during storm events. Above ground landfill will require sourcing of soil from outside the Site to use for landfill daily cover and rehabilitation works which is not a sustainable practice. Expanding and locating the landfill towards the east of the Site is considered best practice due to sustainable use of in-situ soil and lower risk of environmental impacts due to the depth to groundwater table being approximately 20m below base of expanded landfill. The material balance needed to excavate and cover the landfill would not be available if the landfill was expanded to the

west instead of to the east as proposed. Locating landfill at another site is considered non-feasible due to various factors such as locality, local tourism potential, environmental dis-advantages and road network suitable for long haulage heavy vehicles.

Therefore the landfill is proposed to be expanded to the east requiring 7.4ha of native vegetation to be cleared.

#### Alternative Time frame

The current landfill is expected to be at capacity by the end of 2017 and progressive rehabilitation of completed landfill cells is expected to commence in 2016. Therefore the clearing of native vegetation must be completed in 2016, and no alternative time frame is possible for the proposed action.

#### Alternative Activities

The clearing of native vegetation within the current landfill site is considered unavoidable. As indicated in Section 2.2, alternative landfill layouts were examined to avoid disturbance to native vegetation. The proposed landfill layout represents best practice waste management and lowest risk to the environment.

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

The site is located within the Shire of Dardanup and zoned 'General Farming' under Town Planning Scheme No. 3. As stated earlier, the Shire of Dardanup's Local Planning Strategy 2015 recommends that the land located south-east of the Dardanup townsite within Crooked Brook be identified as a 'Waste Disposal/Processing' area and this land be zoned as 'Waste Disposal/Processing' in Local Planning Scheme No. 9 with appropriate provisions.

Construction of the additional landfill cells will require Development Approval by the Shire of Dardanup under the *Planning and Development Act 1995.* 

A Licence Amendment under Part V of the *Environmental Protection Act 1986* will be required for the construction of the additional landfill cells.

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

The clearing of native vegetation will require a Clearing Permit under Part V of the *Environmental Protection Act 1986* (WA). An application for Clearing Permit is being lodged to the Department of Environment Regulation (DER).

# 2.6 Public consultation (including with Indigenous stakeholders)

No public consultation has been undertaken for the referral. The Site prior to use as a landfill underwent public consultation and since then has been classified as prescribed premises by the DER and hence allows utilisation of the entire Site for waste management activities subject to approval by the DER via licence amendment.

Transpacific is in constant consultation with the Shire of Dardanup and relevant stakeholders during the daily operations at the Site.

# 2.7 A staged development or component of a larger project

Not applicable

# 3 Description of environment & likely impacts

# 3.1 Matters of national environmental significance

# 3.1 (a) World Heritage Properties

### Description

There are no World Heritage Properties located on the site, or within the vicinity (i.e. 100km) of the site.

#### Nature and extent of likely impact

Not relevant.

# 3.1 (b) National Heritage Places

#### Description

There are no National Heritage Places located on the site, or within the vicinity (i.e. 100km) of the site.

#### Nature and extent of likely impact

Not relevant.

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

#### Description

No wetlands of international importance occur within or near the site. The nearest Ramsar wetland is the Vasse-Wonnerup Estuary located approximately 33 km to the southwest of the site.

# Nature and extent of likely impact

Not relevant.

# 3.1 (d) Listed threatened species and ecological communities

# Description

A search of the Protected Matters Search Tool (Attachment 2) was undertaken to identify matters of national environmental significance that may be relevant to the Site.

The likely presence of these species being present in the project area was evaluated by conducting a Level 2 Flora and Vegetation Survey and Level 1 Fauna Assessment in November 2014 (Astron Environmental Services, 2014).

Fauna habitats were also assessed and specific elements identified, if present, to determine the likelihood of listed threatened species utilising the area and its significance to them. This included targeted surveys for Black-Cockatoos and Western Ringtail Possums.

The threatened flora and fauna species that are potentially found at the Site are listed in Table 1, along with their EPBC Act status and commentary on their likely presence (based on results of the field survey).

Detailed results of the Level 2 Flora and Vegetation Survey and Level 1 Fauna Assessment is provided in Attachment 3.

# TABLE 1: POTENTIAL MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

Species	Status	Comment					
Flora							
Andersonia gracilis (Slender Andersonia)	Endangered						
Banksia nivea subsp. uliginosa (Swamp Honeypot)	Endangered						
Banksia squarrosa subsp. argillacea (Whicher Range Dryandra)	Vulnerable						
Brachyscias verecundus (Ironstone Brachyscias)	Critically Endangered						
Caladenia huegelii (King Spider–orchid)	Endangered						
Caladenia winfieldii (Majestic Spider–orchid)	Endangered						
Centrolepis caespitosa	Endangered						
<i>Chamelaucium sp. C Coastal Plain</i> (Royce's Waxflower)	Vulnerable						
<i>Darwinia foetida</i> (Muchea Bell)	Critically Endangered	Species not identified during flora and vegetation survey, and are highly unlikely to be present on site due to previous clearing activities.					
Darwinia whicherensis (Abba Bell)	Endangered						
Diuris micrantha (Dwarf Bee–orchid)	Vulnerable						
Diuris purdiei (Purdie's Donkey–orchid)	Endangered						
Drakaea elastica (Glossy–leafed Hammer–orchid, Praying Virgin)	Endangered						
Drakaea micrantha (Dwarf Hammer–orchid)	Vulnerable						
Lambertia echinata subsp. occidentalis (Western Prickly Honeysuckle)	Endangered						
Synaphea sp. Fairbridge Farm (Selena's Synaphea)	Critically Endangered						
Synaphea stenoloba (Dwellingup Synaphea)	Endangered						
Birds							
<i>Calyptorhynchus banksia naso</i> (Forest Red-tailed Black–Cockatoo)	Vulnerable	This species inhabits Eucalypt forests where it feeds primarily on marri and jarrah fruit. It was identified as being present during the fauna survey (voice call) (Astron Environmental Services, 2014).					
Calyptorhynchus baudinii (Baudin's Black-Cockatoo)	Vulnerable	This species inhabits Eucalypt forest where it feeds on mainly marri seeds, flowers, nectar and buds. Also feeds on seeds of Eucalyptus, Hakea, Banksia and pine species. It was identified as being present during the fauna survey (chewed marri fruits) (Astron Environmental Services, 2014).					

<i>Calyptorhynchus latirostris</i> (Carnaby's Black- Cockatoo)	Endangered	This species inhabits Eucalypt woodland, principally wandoo or salmon gum, and shrubland or kwongan heath dominated by <i>Hakea</i> and <i>Banksia</i> species. It was identified as being present during the fauna survey (nine individuals) (Astron Environmental Services, 2014).
Mammals		
Dasyurus geoffroii (Chuditch, Western Quoll)	Vulnerable	Unlikely to be present on the site. The species prefers a dense understorey to provide adequate cover and den sites such as hollow logs. The site has a denuded understorey which is open due to past clearing.
Pseudocheirus occidentalis (Western Ringtail Possum)	Vulnerable	No evidence of this species was found on the site, therefore it is unlikely to be present. This species inhabits coastal peppermint/tuart associations from Bunbury to Albany. On the Swan Coastal Plain the highest densities occur in habitats with dense, lush vegetation.
Setonix brachyurus (Quokka)	Vulnerable	The Quokka has a very restricted distribution on the mainland. It is highly unlikely to be present on the site. This species prefers densely vegetated swamps and sometimes tea-tree thickets on sandy soils along creek systems and dense heath on slopes.

#### Nature and extent of likely impact

Based on the results of database searches and a Level 2 Flora and Vegetation Survey and Level 1 Fauna Assessment (Astron Environmental Services, 2014), no Threatened plant taxa and no Threatened Ecological Community (TEC) listed under the EPBC Act were located at the site.

Evidence of three threatened fauna species listed under the EPBC Act have been identified on the site. These fauna species include the Forest Red-tailed Black–Cockatoo (*Calyptorhynchus banksia naso*), Baudin's Black-Cockatoo (*Calyptorhynchus baudinii*) and Carnaby's Black-Cockatoo (*Calyptorhynchus latirostris*). The impacts to Black-Cockatoos are addressed below.

Astron Environmental Services (2014) recorded one broad fauna habitat within the proposed area of clearing; a Jarrah-Marri woodland on mid to upper slopes. This habitat type provides foraging resources and potential breeding resources for the three species of Black-Cockatoos. A total of 80 potential breeding trees (31 Jarrah and 49 Marri) with a diameter at breast height of greater than 50cm were recorded (Figure 4). Of these trees, 17 contain hollows potentially suitable for Black-Cockatoos and two of these trees may have been utilised by Black-Cockatoos based on evidence of scratching at the entrance to the hollows.

Clearing for the proposal will therefore impact 7.4ha of foraging and potential breeding habitat for three species of Black-Cockatoos.

#### Significance of Impacts

In order to determine if the Proposal will have a significant impact on the Forest Red-tailed Black–Cockatoo (*Calyptorhynchus banksia naso*), Baudin's Black-Cockatoo (*Calyptorhynchus baudinii*) and Carnaby's Black-Cockatoo (*Calyptorhynchus latirostris*) an assessment undertaken against the Significant Impact Guidelines (DoE, 2013), as presented in Table 2 and 3, was undertaken. The outcome of this assessment concluded that the Proposal may have a significant impact on Black-Cockatoos.

#### **TABLE 2:**

### ASSESSMENT AGAINST SIGNIFICANT IMPACT CRITERIA FOR BLACK-COCKATOOS

SIGNIFICANT IMPACT CRITERIA	IMPACT OUTCOME						
An action is likely to have a significant impact on an endangered or vulnerable species if there is real chance or possibility that it will.							
Lead to a long-term reduction in the size of a population	<b>Unlikely</b> – Although the habitat to be cleared provides foraging resources for Black-Cockatoos and is consistent with the definition of breeding habitat in accordance with the EPBC Act referral guidelines (DSEWPaC, 2012), substantial areas of high quality foraging and breeding habitat are located within the Dardanup Conservation Park, immediately adjoining the eastern and southern site boundaries. The presence of native vegetation of similar or better quality in secure tenure means there will be foraging resources and likely breeding trees for the species in perpetuity in the immediate locality of the site.						
Reduce the area of occupancy of the species	<b>Minor</b> – The Proposal will reduce the area of occupancy for Black-Cockatoos within the local area by 7.4ha.						
	The species are known to occur throughout the greater locality and the wider Swan Coastal Plain region. They are highly mobile and are able to move freely between sites for foraging and breeding. The site is immediately adjacent to the Dardanup Conservation Park which offers significant foraging and breeding habitat.						
Fragment an existing population into two or more populations	<b>Unlikely</b> – The Proposal is unlikely to fragment the population into two or more populations. The species is highly mobile and the Proposal will not create any form of barrier that prevents the movement of the species across the landscape.						
Adversely affect habitat critical to the survival of the species	<b>Possible</b> – The Proposal will affect 80 potential breeding trees, of which 17 contain hollows possibly suitable for use by Black-Cockatoos (with two of these showing evidence of use). There is significant foraging and breeding habitat located immediately adjacent to the Site in the Dardanup Conservation Park. The habitat located in the Dardanup Conservation Park contains native vegetation of similar or better quality in secure tenure meaning there will be foraging resources and breeding trees for the species in perpetuity in the immediate locality of the Site.						
Disrupt the breeding cycle of a population or important population	<b>Minor</b> – Of the 80 jarrah and marri trees with DBH >50cm, 17 trees contained hollows potentially suitable for a Black-Cockatoo. Definitive evidence of past or current breeding activity by Black-Cockatoos is difficult to ascertain however it did appear that two trees may have bene utilised by Black-Cockatoos, as indicated by marked scratching at the entrance of the hollows (Astron Environmental Services, 2014). Two of the other 17 hollows were observed during to contain the introduced European honey bee ( <i>Apis mellifera</i> ) which restricts the availability to Black-Cockatoo species.						
Modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline	<b>Unlikely</b> – The proposal will clear 7.4ha of foraging and potential breeding habitat for Black-Cockatoos, but not to the point that these species would decline. Substantial areas of high quality foraging and breeding habitat are located within the Dardanup Conservation Park immediately adjoining the eastern and southern Site boundaries.						
Result in invasive species that are harmful to the species becoming established in the endangered or critically endangered species' habitat	<b>Unlikely</b> – Landfill projects increase the risk of attracting more feral predators such as foxes and feral cats which in turn could potentially predate on native species. As the site is currently an operating landfill, appropriate management measures such as fencing and daily covering is already in place. As such the expansion to the landfill is not likely to increase the number of feral predators that already exist in the proposal area. Transpacific will continue to implement feral animal control procedures to manage the risks posed by feral predators						
Introduce a disease that may cause the species to decline	<b>Unlikely</b> – Disease is not a known threat for Black-Cockatoos.						
Interfere with the recovery of the species	<b>Unlikely</b> – The Proposal is unlikely to interfere substantially with the recovery of the three species of Black-Cockatoos, as it is unlikely to interfere with the recovery actions outlined in the recovery plans (DPaW, 2013, DEC, 2008).						

#### TABLE 3:

#### ASSESSMENT AGAINST SIGNIFICANT IMPACT CRITERIA FOR BLACK-COCKATOOS

ACTIONS LEADING TO A RISK OF SIGNIFICANT IMPACT	ASSESSMENT	COMMENT
Clearing of any known nesting tree	<u>Risk of impact</u>	Evidence of breeding activity by Black- Cockatoos is difficult to ascertain however Astron Environmental Services (2014) noted that two trees exhibited scratchings at the entrance of the hollows. An additional 15 trees contained hollows potentially suitable for a Black-Cockatoo.
Clearing or degradation of any part of a vegetation community known to contain breeding habitat	<u>Risk of impact</u>	Removal of 80 potential breeding trees (DBH >50cm) of which 17 contained hollows potentially suitable for a Black Cockatoo. Two of these trees also showed evidence of use.
Clearing of more than 1 ha of quality foraging habitat	<u>Risk of impact</u>	Removal of 7.4ha of foraging and potential breeding habitat, of which at least half is considered to be in very good or very good to excellent condition.
Clearing or degradation (including pruning the top canopy) of a known night roosting site.	No impact	No known roosting sites within the proposal area.
Creating a gap of greater than 4km between patches of Black-Cockatoo habitat (breeding, foraging or roosting	No impact	Large areas of Black-Cockatoo habitat is present immediately adjacent to the site (Dardanup Conservation Park within the Boyanup State Forest).

# 3.1 (e) Listed migratory species

# Description

#### TABLE 4:

# POTENTIAL MIGRATORY SPECIES

Species	Status	Comment
Apus pacificus (Fork-tailed Swift)	Migratory	This species is almost exclusively aerial, flying from less than 1 m to at least 300 m above the ground. It may be present on occasions in the region, though it is highly that species relies on the project site for its survival.
<i>Merops ornatus</i> (Rainbow Bee–eater)	Migratory	This species prefers lightly wooded areas, preferably sandy country near water such as drainage channels and creek lines. This species was heard during the fauna survey and is considered to potentially occupy the site at intermittent times and/or seasonally however it is unlikely to rely on the site for survival as the species has a very large range and is highly mobile.
Ardea alba (Great Egret)	Migratory	This species is largely a wetland species and as such, it is considered the site does not provide suitable habitat for this species.
Ardea ibis (Cattle Egret)	Migratory	This species is largely a wetland species and as such, it is considered the site does not provide suitable habitat for this species.
Pandion haliaetus (Osprey)	Migratory	This species occupies a large range and is highly mobile. It is unlikely to rely upon the site for its survival.

# Nature and extent of likely impact

During the summer months a small number of individuals of the Rainbow Bee-eater may occasionally use the Site. However, the habitat at the Site is not considered critical to the survival of this migratory species as the species has a very large range and is highly mobile. On this basis no significant impacts to the Rainbow Bee-eater are expected.

It is considered extremely unlikely that any of the thresholds relating to migratory species as defined under the *Significant Impact Guidelines* (DoE, 2013) will be compromised by the development at any scale. The habitat within the study area for migratory species does not represent "important habitat" and the number of individuals utilising the study area at any time would not, under any circumstances, represent an "ecologically significant proportion of the population" of this migratory species considered likely to utilise the project area.

# 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

Not relevant

#### Nature and extent of likely impact

#### Not relevant

#### 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

Not relevant

#### Nature and extent of likely impact

Not relevant

# 3.1 (h) The Great Barrier Reef Marine Park

Description

Not relevant

Nature and extent of likely impact

Not relevant

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

Description

Not relevant

Nature and extent of likely impact

Not relevant

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

Is the proposed action a nuclear action?	Х	No
		Yes (provide details below)
If yes, nature & extent of likely impact on the wh	ole enviro	nment
Is the proposed action to be taken by the	Х	No
Commonwealth or a Commonwealth agency?		Yes (provide details below)
If yes, nature & extent of likely impact on the wh	ole enviro	nment
,,		
Is the proposed action to be taken in a Commonwealth marine area?	Х	No
		Yes (provide details below)
If yes, nature & extent of likely impact on the wh	ole enviro	nment (in addition to 3.1(f))
Is the proposed action to be taken on	Х	No
Commonwealth land?		
Commonwealth land?		Yes (provide details below)
Commonwealth land? If yes, nature & extent of likely impact on the wh	ole enviro	ment (in addition to 3.1(g))
Commonwealth land? If yes, nature & extent of likely impact on the wh	ole enviro	nment (in addition to 3.1(g))
Commonwealth land? If yes, nature & extent of likely impact on the wh	ole enviro	Yes (provide details below)
Commonwealth land? If yes, nature & extent of likely impact on the who Is the proposed action to be taken in the Great Barrier Reef Marine Park?	ole enviro	No

# 3.3 Other important features of the environment

# 3.3 (a) Flora and fauna

#### **FLORA**

A level 2 flora and vegetation survey was conducted by two botanists on 12 and 13 November 2014 (Astron Environmental Services, 2014). The survey was conducted in accordance with requirements of a Level 2 assessment outlined in the EPA's *Position Statement 3: Terrestrial Biological Surveys as an Element of Biodiversity Protection* (EPA, 2002) and *Guidance Statement 51: Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia* (EPA, 2004). The results of the survey are provided in Attachment 3. A summary of the results of the survey is provided below.

#### **Flora Species Recorded**

A total of 122 vascular plant taxa, representing 80 genera from 35 families were recorded in the native vegetation area of the site. Ten of these taxa were non-native (i.e. weeds).

#### **Conservation Significance of Flora/Vegetation**

No plant taxa gazetted as Declared Rare Flora pursuant to subsection (2) of section 23F of the *Wildlife Conservation Act 1950* or listed as threatened under the EPBC Act were located at the site. In addition no Priority Flora was located at the site.

No Threatened or Priority Ecological Communities (PEC) occur within the site, however native vegetation on the lot is within the buffer of a PEC (Dardanup Jarrah and Mountain Marri woodland on laterite (Whicher Scarp woodlands of coloured sands and laterites community C5)) located in the adjacent Class A Reserve (Dardanup Conservation Park, Crown Reserve 46403).

#### **Vegetation Condition**

Vegetation condition in the survey area ranged from 'degraded' to 'very good to excellent' and 'very good' for the majority of the native vegetation area of the site. In general the remnant vegetation is a fine mosaic of varying condition with timber harvesting, clearing tracks and previous clearing impacting on the vegetation quality and integrity.

#### **FAUNA**

Astron Environmental Services (2014) undertook a Level 1 fauna survey in conjunction with the vegetation and flora survey which consisted of desktop research, a site reconnaissance to describe and identify the fauna habitats, a targeted western ringtail possum search and a targeted Black-Cockatoo habitat assessment.

A search of the DPaW's Threatened and Priority Species database and the Commonwealth's Protected Matters online database was undertaken to identify conservation significant species. Results are provided in Attachment 3.

Astron Environmental Services (2014) recorded one broad fauna habitat within the proposed area of clearing; a jarrah-marri woodland on mid to upper slopes. Despite this fauna habitat being located in an operating landfill facility, this fauna habitat type would provide foraging resources for Black-Cockatoos. In addition 80 potential breeding trees (31 jarrah and 49 marri) with a diameter at breast height of greater than 50cm were recorded (Figure 4). Of these trees, 17 contain hollows potentially suitable for Black-Cockatoos and two of these trees may be utilised by Black-Cockatoos for breeding based on evidence of scratching at the entrance to the hollows. No evidence of western ringtail possums were recorded during the survey.

A total of 25 fauna species were recorded during the survey through direct observation or indirect evidence, including one reptile species, 22 bird species and two mammal species. Four species of conservation significance listed under the EPBC Act were recorded during the survey. These include the Forest Red-tailed Black–Cockatoo (*Calyptorhynchus banksia naso*), Baudin's Black-Cockatoo (*Calyptorhynchus baudinii*), Carnaby's Black-Cockatoo (*Calyptorhynchus latirostris*) and the Rainbow Bee-eater (*Merops ornatus*).

# 3.3 (b) Hydrology, including water flows

There are no waterways on Site. One stormwater dam constructed for onsite water use is located in the western portion of the Lot.

# 3.3 (c) Soil and Vegetation characteristics

#### SOIL

The Site is located at the border of the southern and northern jarrah forests (Beard, 1990) and this subregion occupies the northern portion of the Darling Plateau, east of the Darling Scarp. It overlies Achaean granite and metamorphic rocks and has an average elevation of approximately 300m. The plateau is an ancient erosion surface capped by an extensive lateritic duricrust, which has been dissected by later drainage. The plateau is occasionally broken by prominent granite hills of unusual elevation. The dominant soils are lateritic gravels consisting of up to 5m or more of ironstone gravels in a yellow sandy matrix, and related lateritic podzolic soils with ironstone gravels in a sandy surface horizon overlying mottled yellow-brown clay sub-soil. Some granite boulders may protrude through the laterite mantle and hard-setting loamy soils to deep loams can be found within valleys (Beard, 1990).

#### **VEGETATION ASSOCIATIONS**

Vegetation on site is identified by Heddle (1980) as half Jarrahwood Complex and half Kingia Complex. Two vegetation associations were mapped (Figure 3) on site and are similar in composition and contiguous with the adjacent Daradanup Conservation Park, though more degraded in condition. The vegetation associations are described below.

# **EmCcKaHlhaTcPu**

Low Woodland of *Eucalyptus marginata* subsp. *marginata, Corymbia calophylla* over a *Kingia australis* Tall Open Shrubland over a *Hakea lissocarpha* and *Hypocalymma angustifolia* Low Open Shrubland over a *Tetraria capillaris, Patersonia umbrosa* var. *xanthina* and *\*Briza maxima* Very Open Sedge/grassland on dark brown loam.

# EmCcXpHiHhDfTcPu

Low Open Woodland of *Eucalyptus marginata* subsp. *marginata, Corymbia calophylla* over a *Xanthorrhoea preissii, Hakea lissocarpha* Open Shrubland over *Hibbertia hypericoides* Low Shrubland over a *Desmocladus flexuosus, Tetraria capillaris, Desmocladus fasciculatus* and *Patersonia umbrosa* var. *xanthina* Open Sedgeland on lateritic loam.

# 3.3 (d) Outstanding natural features

There are no outstanding natural features on site.

# 3.3 (e) Remnant native vegetation

Remnant native vegetation is discussed in 3.3 (c).

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

Site elevation ranges from approximately 115mAHD on the eastern boundary (where clearing is to occur) to approximately 45mAHD on the western site boundary.

# 3.3 (g) Current state of the environment

Vegetation condition in the survey area ranged from 'degraded' to 'very good to excellent' and 'very good' for the majority of the native vegetation area of the site. In general the remnant vegetation is a fine mosaic of varying condition with timber harvesting, clearing tracks and previous clearing impacting on the vegetation quality and integrity.

The historical impacts of fire frequency, logging and tracks have simplified species diversity in comparison to the adjacent Dardanup Conservation Park.

Astron Environmental Services (2014) noted fairly low weed density in the intact native vegetation however edge areas in some cases are highly impacted. Adjacent cleared areas have a high diversity of weeds.

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

No Commonwealth Heritage Places or other places are located on the site.

# 3.3 (i) Indigenous heritage values

Not relevant as the site is located in an operating landfill.

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

There are no National Parks, Conservation Reserves or wetlands of national significance that will be affected by this proposal.

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

Freehold land.

# 3.3 (I) Existing land/marine uses of area

The Site is currently used as an operating Class III putrescible landfill facility.

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

Not relevant.

# 4 Environmental outcomes

The environmental outcomes of the proposed action will be the removal of 7.4 ha of native vegetation considered to be suitable foraging habitat and potential breeding habitat for Forest Red-tailed Black-Cockatoo, Baudin's Black-Cockatoo and Carnaby's Black-Cockatoo. The proposed action will occur immediately adjacent to significant foraging and breeding habitat located within the Dardanup Conservation Park. The habitat located in the Dardanup Conservation Park contains native vegetation of similar or better quality in secure tenure meaning there will be foraging resources and breeding trees for the species in perpetuity in the immediate locality of the Site.

Transpacific are committed to achieving long-term conservation gains for Black-Cockatoos and propose to provide an offset in consideration of the *EPBC Environmental Offsets Policy* (DoE, 2012) to counterbalance the residual impacts of clearing. At present the details of the proposed offset are being investigated.

# 5 Measures to avoid or reduce impacts

# Avoidance

Transpacific considered utilising the western portion of the site which was recently cleared of a blue gum plantation (Figure 2). The topography of the Site however slopes from approximately 115 mAHD in the east, down to 50 mAHD in the west (western portion of Site is within Swan Coastal Plain) where the blue gum plantation was located, and constructing a landfill on lower ground would result in an above ground landfill being much closer to the local groundwater table and prone to flood risk during storm events. Above ground landfill will require sourcing of soil from outside the Site to use for landfill daily cover and rehabilitation works which is not a sustainable practice. Expanding and locating the landfill towards the east of the Site is considered best practice due to sustainable use of in-situ soil and lower risk of environmental impacts due to the depth to groundwater table being approximately 20m below base of expanded landfill. The material balance needed to excavate and cover the landfill would not be available if the landfill was expanded to the west instead of to the east as proposed. Locating landfill at another site is considered non-feasible due to various factors such as locality, local tourism potential, environmental dis-advantages and road network suitable for long haulage heavy vehicles.

Therefore the landfill is proposed to be expanded to the east requiring 7.4ha of native vegetation to be cleared.

# **On-Site Mitigation**

The following actions will be implemented to avoid and mitigate impacts to native vegetation and EPBC listed fauna species potentially occurring within the Proposal area:

- Clearing will be undertaken outside of the Black-Cockatoo breeding season (i.e. no clearing will occur between August and November).
- During clearing operations an experienced "fauna spotter" will be employed to inspect logs and hollow trees (where possible) before clearing to reduce likelihood of injury to fauna. If feasible any fauna encountered will be relocated to retained suitable habitat.
- If contractors encounter injured fauna during clearing operations then the "fauna spotter" will be notified immediately and arrangements will be made for the welfare of the injured animal. Native fauna injured during clearing or normal site operations will be taken to a designated veterinary clinic or a DPaW nominated wildlife carer.

- Trees containing hollows or potential hollows will be felled outside of the species main breeding season. All hollows will be inspected or bumped using machinery to reduce the risk of felling trees with hollows that are occupied.
- All staff working on site will be made aware that native fauna is protected. Prior to clearing , clearing contractors will be properly inducted by the "fauna spotter" about the identification and protection of vegetation to be retained , vegetation to be cleared and the likely presence of fauna.
- Personnel working on the Site will not be allowed to bring firearms, other weapons or pets onsite.

The following fauna management strategies will be implemented during and after the expansion of the Site's landfill:

- Traffic will be restricted to established roads and parking areas.
- Site traffic speed limits will be lowered to minimise fauna death on roads.
- Putrescible wastes will be covered daily with soil at the end of each day, minimising the potential for night time foraging by birds and feral/native animals.
- General housekeeping procedures such as litter removal at the perimeter of the Site will be maintained to discourage fauna from entering the site from the adjacent Dardanup Conservation Park.
- Application of odour control strategies to minimise fauna being attracted to the Site.
- Site environmental inductions will raise employee/visitor awareness in relation to conservation of fauna (particularly rare, threatened or vulnerable fauna) and their habitats.
- Direct contact with fauna will be avoided whenever possible.

The above management measures are designed to minimise direct and indirect impacts to Black-Cockatoos and their habitat.

On completion of the landfill operation, the waste cells will be capped and rehabilitated with native vegetation.

# **Proposed Offsets**

Transpacific is committed to achieving long-term conservation gains for the Forest Red-tailed Black-Cockatoo, Baudin's Cockatoo and Carnaby's Cockatoo, in response to the predicted impacts to foraging and potential breeding habitat in the area of the proposed landfill expansion. An offsets strategy if required will be developed to meet the expectations of DoE as identified through the DoE's *Environmental Offset Policy* (DoE, 2012).

# 6 Conclusion on the likelihood of significant impacts

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

Х	

No, complete section 5.2

Yes, complete section 5.3

# 6.2 Proposed action IS NOT a controlled action.

# 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)
Х	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)

Implementation of the Proposal will result in the unavoidable impact to 7.4ha of native vegetation which contains foraging and potential breeding habitat for Carnaby's Black-Cockatoo (*Calyptorhynchus latirostris*), Baudin's Black-Cockatoo (*Calyptorhynchus baudinii*) and Forest Red-tailed Black-Cockatoo (*Calyptorhynchus baudinii*) banksii naso). Details of this habitat to be cleared include:

- Breeding habitat 80 Eucalypt trees with a DBH greater than 500mm were recorded. Of these trees, 17 contained hollows potentially suitable for Black Cockatoos and two trees had scratchings at the entrance to hollows that may indicate past use by Black Cockatoos. This habitat is consistent with the definition of breeding habitat for the three species of Black-Cockatoos in accordance with the EPBC Act Referral Guidelines (DSEWPaC, 2012). Under the Guidelines, clearing breeding habitat is classified a high risk activity.
- Foraging habitat The high number of marri and jarrah trees present with the survey area would provide considerable foraging opportunity and evidence in the form of chewed nuts was observed on various occasions during the survey. Given the homogenous nature of the vegetation, the entire survey area would be suitable foraging habitat.
- Nine individuals of Carnaby's Black-Cockatoo were sighted during the survey, one voice call from a Forest red-tailed Black-Cockatoo was heard during the survey and evidence of chewed marri fruits from Baudin's Black-Cockatoo was observed during the survey.

# 7 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
7.1	Does the party taking the action have a satisfactory record of responsible environmental management?	Х	
	Provide details		
7.2	Has either (a) the party proposing to take the action, or (b) if a permit has been applied for in relation to the action, the person making the application - ever been subject to any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources?		Х
	If yes, provide details		
7.3	If the party taking the action is a corporation, will the action be taken in accordance with the corporation's environmental policy and planning framework?	Х	
	If yes, provide details of environmental policy and planning framework (See Attachment 4)		
7.4	Has the party taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?		Х
	Provide name of proposal and EPBC reference number (if known)		

# 8 Information sources and attachments

(For the information provided above)

# 8.1 References

**Astron Environmental Services (2014),** *Banksia Road Dardanup Level 2 Flora and Vegetation Survey and Level 1 Fauna Assessment*. Unpublished report prepared for transpacific Industries Group Ltd. November 2014.

Beard, J. S., (1990), Plant Life of Western Australia, Kangaroo Press, Kenthurst, NSW.

**Department of Environment and Conservation (DEC) (2008),** Forest Black-Cockatoo (Baudin's Cockatoo Calyptorhynchus baudinii and Forest Red-tailed Black-Cockatoo Calyptorhynchus banksii naso) Recovery Plan.

**Department of Environment (DoE) (2012),** EPBC Environmental Offsets Policy.

**Department of Environment (DoE) (2013),** *Significant Impact Guidelines* 1.1 – *Matters of National Environmental Significance.* 

**Department of Parks and Wildlife (DPaW) (2013),** *Carnaby's Cockatoo (Calyptorhynchus latirostris)* Recovery Plan. Western Australian Wildlife Management Program No. 52. October 2013.

**Department of Sustainability Environment Water Population and Communities (DSEWPaC) (2012a),** *Survey guidelines for Australia's threatened mammal species.* 

**Department of Sustainability Environment Water Population and Communities (DSEWPaC) (2012a),** *Survey guidelines for Australia's threatened bird species.* 

**Department of Sustainability Environment Water Population and Communities (DSEWPaCb) (2012b),** *Environment Protection and Biodiversity Conservation Act 1999* referral guidelines for three threatened black cockatoo species: Carnaby's cockatoo (endangered) *Calyptorhynchus latirostris,* Baudin's cockatoo (vulnerable) *Calyptorhynchus baudinii* and Forest red-tailed black cockatoo (vulnerable) *Calyptorhynchus banksii naso*.

**EPA (2002),** Terrestrial Biological Surveys as an Element of Biodiversity Protection, Position Statement 3, EPA, Perth.

**EPA (2004a),** *Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia,* Guidance Statement 51, EPA, Perth.

**Heddle, E. M., Loneragan, O. W., and Harvell, J. J., (1980),** *Vegetation of the Darling System. IN: Atlast of Natural Resources, Darling System, Western Australia,* Department of Conservation and Environment, Perth, WA.

**Waste Authority of Western Australia (2013),** Strategic Waste Infrastructure Planning Project – Update. Available online – <u>http://www.wasteauthority.wa.gov.au?media-working-groups/SWIP/Planning Sites</u> <u>Dec13.pdf</u>. Accessed 12/11/15.

**Waste Management Board (WMB) (2004),** *Statement of Strategic Direction for Waste Management in Western Australia – Vision and Priorities*. Department of Environment, Western Australia.

# 8.2 Reliability and date of information

The information contained in this referral is current and to the best of our knowledge is true and accurate. It is based on extensive research and field investigation as referenced throughout the referral.

# 8.3 Attachments

Figure 1: Regional Location

Figure 2: Site Location

Figure 3: Vegetation Associations

Figure 4: Potential Habitat

Attachment 1: Authorisation Letter

Attachment 2: Protected Matters Search

Attachment 3: Level 2 Flora and Vegetation Survey and Level 1 Fauna Assessment

#### Attachment 4: Transpacific Environmental Policy

		$\checkmark$	
		attached	Title of attachment(s)
You must attach	figures, maps or aerial photographs showing the project locality (section 1)	x	See above list
	GIS file delineating the boundary of the referral area (section 1)	х	See above list
	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)	x	See above list
If relevant, attach	copies of any state or local government approvals and consent conditions (section 2.5)		
	copies of any completed assessments to meet state or local government approvals and outcomes of public consultations, if available (section 2.6)		
	copies of any flora and fauna investigations and surveys (section 3)	Х	Attachment 3
	technical reports relevant to the assessment of impacts on protected matters that support the arguments and conclusions in the referral (section 3 and 4)	X	Attachment 2 and 3
	report(s) on any public consultations undertaken, including with Indigenous stakeholders (section 3)		

# 9 Contacts, signatures and declarations

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

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

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

#### **Project title:**

#### 9.1 Person proposing to take action

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

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

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

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

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

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

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

1. Name and Title: Louis Sparks Regional Manager

2. Organisation (if

applicable): Cleanaway Solid Waste Pty Ltd

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

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

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

3. EPBC Referral Number (if known):

4: ACN / ABN (if ACN: 120 175 635 applicable):

5. Postal address

6. Telephone: (

(08) 9724 6409

**BUNBURY WA 6230** 

PO Box 5037

7. Email: Louis.sparks@transpac.com.au

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

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

I qualify for exemption □ from fees under section 520(4C)(e)(v) of the EPBC Act □ because I am: (0

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.

an individual; OR

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 <u>EPBC Regulations</u>. 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: Declaration

not applicable.

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.

30/03/16

Date

Signature

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

Name	Damon Bourke
Title	Senior Environmental Scientist
Organisation	Aurora Environmental (Dunsborough) Pty Ltd
ACN / ABN (if applicable)	
Postal address	Unit 4/10 Griffin Drive, WA 6000
Telephone	08 9750 3300
Email	damon.bourke@auroraenvironmental.com.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	While Date 23.3.16

# **Figures**

Figure 1: Regional LocationFigure 2: Site LocationFigure 3: Vegetation AssociationsFigure 4: Potential Habitat

