Lot 11 and 74 Beenyup Road, Banjup

Response to Submissions

EPA Assessment Number: 2255

Aigle Royal Developments

Level 8, 225 St Georges Terrace,
Perth WA 6000

Prepared by:

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SLR Project No.: 675.072616.00001

4 November 2025

Revision: 2.0

Making Sustainability Happen

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
0.1	14 May 2025	EH	KF	GA
1.0	23 July 2025	EH	KF	GA
2.0	4 November 2025	EH	KF	GA

Basis of Report

This report has been prepared by SLR Consulting Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Aigle Royal Developments (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

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Appendices

1.0 Introduction

1.1 Proposed Project Overview

Aigle Royal Developments is proposing to develop part of Lots 11 and 74 Beenyup Road, Banjup for residential development and conservation. The site adjoins the Jandakot Regional Reserve.

Within the 26.17 ha Development Envelope, 4.63 ha is proposed to be zoned 'Urban' under the Metropolitan Region Scheme (MRS) and intended to be used for residential development and a wetland buffer (Development Area). The remaining 21.55 ha is proposed to be managed for conservation and intended to be designated to 'Parks and Recreation Reserve' under the MRS (Conservation Area) (Figure 1).

1.2 Assessment Process

Aigle Royal Developments referred the Proposal to the Western Australian Environmental Protection Authority (EPA) under the *Environmental Protection Act 1986* (EP Act). The Proposal was also referred to the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The decision of the EP Act referral (dated 15 July 2020) deemed the Proposal has the potential to impact on Flora and Vegetation and Terrestrial Fauna through the clearing of 10.25 ha of remnant vegetation in excellent to good condition including the Banksia dominated woodlands of the Swan Coastal Plain IBRA Regional PEC (Priority 3) and conservation significant fauna habitat; and Inland Waters from development impacts to surface and groundwater quality and hydrology. The level of assessment was set at 'Assessment on Referral Information', with additional information required.

During the assessment process, Aigle Royal Developments submitted the following section 43A (s43A) requests to amend the Proposal.

- The s43A applications was approved by the EPA on 14 July 2022 included:
  - Reducing the Development Envelope from 10.25 to 5.59 ha.
  - The proposed Conservation Area is to remain the same at 22.95 ha.
- The s43A applications was approved by the EPA on 31 January 2024 included:
  - Decrease Development Envelope by 1.4 hectares (ha)
  - Decrease in the Urban Development Area by 0.96 ha
  - Decrease in the Conservation Area by 1.4 ha
  - Decrease in clearing of native (remnant) vegetation by 1.33 ha including approximately 0.05 ha of the Banksia Woodland Priority Ecological Community and 0.44 ha of Black cockatoo (Carnaby's Cockatoo and Forest Red-tail Black Cockatoos) foraging habitat.

The assessed Proposal content elements as amended includes:

- Residential development including roads, Public Open Space (POS) and residential housing within a Development Area of 4.63 ha including 1.85 ha wetland buffer
- Creation of a 21.55 ha Conservation Area to be managed as part of Jandakot Regional Park

- Land clearing of up to 2.78 ha of native vegetation, including approximately 2.13 ha of Banksia Woodlands TEC and 2.60 ha of Black Cockatoo habitat.

This document presents Aigle Royal Developments response to the summary of submissions received, as well as any additional or amended documents to support the response.

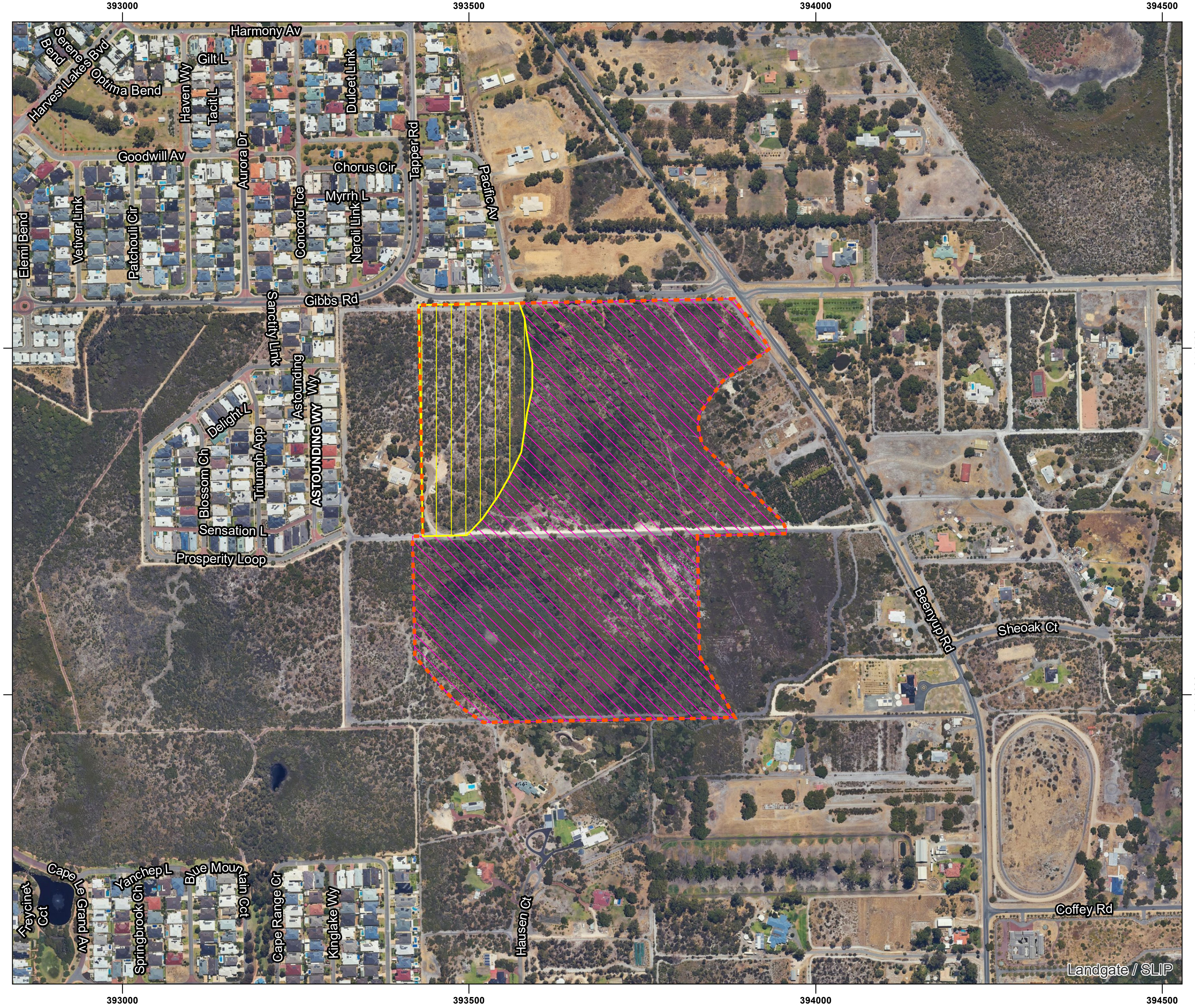
1.3 Comments from EPA Services

EPA Services (EPAS) provided comments regarding the 'Additional Information for the Urban Development of Lots 11 and 74 Beenyup Road, Banjup proposed by Aigle Royal Developments'.

1.4 Comments from Public Review Period

The public review period for the Proposal commenced on 22 November 2024 for a period of 2 weeks, ending 6 December 2024. A total of 13 submissions were received. The key issues raised in the submissions include:

- Clearing of remnant vegetation (Banksia Woodland on the Swan Coastal Plain (SCP)), including local and cumulative impact.
- Clearing and management of the Conservation Category Wetland (CCW) buffer.



Legend

- Development Envelope (26.17 ha)
- Conservation Area (21.55 ha)
- Development Area (4.63 ha)

- NOTE THAT POSITION ERRORS CAN BE >5M IN SOME AREAS
- LOCALITY MAP SOURCED LANDGATE 2020
- AERIAL PHOTOGRAPHY SOURCED LANDGATE 2020 (© Western Australian Land Information Authority 2020)

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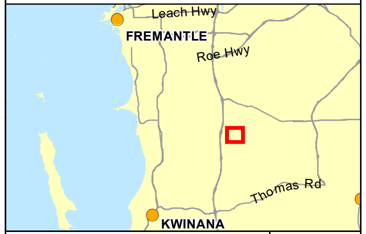
LOCALITY MAP



PROJECT ID	DATE
1350	10-Nov-2023

HORIZONTAL DATUM AND PROJECTION
GDA 1994 MGA Zone 50

CREATED	CHECKED	APPROVED	REVISION
CL	VM	TS	0

Aigle Royal Developments
Lots 11 & 74 Beenyup Rd, Banjup

Section 43a Suporting Document

Figure 1
Site Location

\\auazfs2\360Data\Drafting\Projects\9.0 APP\1350 Aigle Royal Banjup Works\1350 S43a Document V2\1350 S43a F01 Site Location_V2.mxd

2.0 Response to Comments from EPA Services

Table 1 summarises comments and advice from EPA Services on the Proposal relevant to the response to submissions and Aigle Royal Developments response.

Table 1: EPA Services Comments on Proposal and Proponent's Response

No.	EPA Services Comments	Proponent's Response
Inland Waters		
1	<u>Water balance</u> • The 'Urban Recharge Estimate' (Davies. C, in preparation) references the Whiteman Edge Urban Development, which EPA Services notes is not comparable (in terms of potential impacts to hydrology) to the proposed urban development of Lots 11 and 74. In addition, information derived from unpublished PhD projects may not necessarily present the most reliable and contemporary information on current best-practice urban groundwater management. Reference should be made to recent, peer-reviewed sources to ensure confidence in the research used to support the conclusions presented. • Noting that 0.11 ha of wetland vegetation associated with the CCW is proposed to be cleared, clarify how the evapotranspiration volume (post- development) within the wetland was estimated, to arrive at the conclusion that "*evapotranspiration within the wetland is expected to remain consistent, as existing vegetation will be retained*." (section 6.8.2 of the ERD). • Provide further discussion on the revegetation / rehabilitation strategy and its impact on the overall water balance of the adjacent wetland system which includes Conservation Category Wetland (CCW) (UFI: 129884) and Resource Enhancement Wetland (REW) (UFI:15180). <u>Groundwater</u>	<u>Water balance</u> • Noted, that the EPA Services considers the comparison to the Whiteman Edge Urban Development is not comparable in terms of potential impacts to hydrology. Use of this information was based on consultation with DWER during the preparation of the Supplementary Environmental Report (2021). In addition to Davies, the groundwater level management outlined in Section 6 of Appendix H District Water Management Strategy outlines the proposed groundwater management for the development. This management will involve the use of the Russell Road Arterial Drainage Scheme (RRDS) and the application of WSUD principles to promote retention of stormwater within the catchment, maximisation of groundwater recharge and minimisation of off-site transportation of water that will cause a net charge to the overall water balance at the site. • No wetland vegetation is proposed to be cleared as a result of the proposed development. Refer to Attachment 1 for updated clearing calculations. Therefore, the evapotranspiration volume post-development was concluded to remain consistent, as existing vegetation will be retained. • As outlined in the Proposed Environmental Offsets memo (refer to Attachment 2), on-site offsets will be revegetated and rehabilitated, with the following objectives: o 5.77 ha of Carnaby's Black Cockatoo (CBC) foraging habitat will be increased to a weighted average habitat quality of 8 by

No.	EPA Services Comments	Proponent's Response
	• Average annual maximum groundwater levels are still referenced within Section 6.5.3. The report should instead reference maximum groundwater levels (MGL) and minimum groundwater levels (MinGL). • Groundwater monitoring measurements were undertaken between 2011 and 2014. The measurements are therefore greater than 10 years old. Please provide, monthly groundwater level data, including data from two recent winter peaks. • Include reference and information regarding the two long term DWER monitoring bores (ID 61419706 and ID 61410711). • Provide complete raw groundwater monitoring data. • Include a risk assessment for potential groundwater level changes at Beenyup Road Swamp. • Address the relevant criteria of Ministerial Statement 688 which aims to ensure that groundwater levels are maintained for the environmental water provisions of wetlands, and terrestrial phreatophytic vegetation and flora sites. One of the criteria to be met is the minimum groundwater levels (MinGL). Levels at the site are currently compliant with the minimum water level criteria and maintaining the current hydrological regime is required.	increasing average foliage cover to 30-40% through infill planting, weed management, fence maintenance and access controls. o 1.50 ha of CBC foraging habitat will be established in currently cleared land to a final Habitat Quality Score (HQS) of at least 7. o One of the two Banksia Woodlands of the SCP revegetation options will be selected: ▪ 1.50 ha of currently cleared land will be revegetated to Banksia Threatened Ecological Community (TEC) with a similar quality to that which already occurs within the on-site offsets. ▪ 4.55 ha of existing Banksia TEC to be managed to prevent any potential degradation. All rehabilitation and revegetation strategies are outlined in Attachment 2. Given the offsets proposed aim to achieve similar or better-quality vegetation than the pre-existing habitat, it is anticipated that impacts on water balance in surrounding wetlands will be minimal. Water management strategies outlined in Appendix H District Water Management Strategy will be implemented to ensure existing water systems remain consistent with existing levels. <u>Groundwater</u> • The predevelopment groundwater monitoring report for Lots 11 and 74 Beenyup Road undertaken by Hyd2o is provided in Attachment 3 and provides reference to both maximum groundwater levels (MGL) and minimum groundwater levels (MinGL) for the quarterly groundwater level monitoring at the twelve site bores and three DWER bores. MinGL ranged from 24.05 mAHD to 25.20 mAHD and MGL ranged from 25.55 mAHD to 26.24 mAHD. • Attachment 3 presents the most recent groundwater monitoring has been undertaken that covers quarterly groundwater measurements from October 2021 to August 2022.

No.	EPA Services Comments	Proponent's Response
		• Reference to and measurements from the long term DWER monitoring bores are included in Attachment 3. • Potential groundwater level changes and associated risks will be addressed as part of the LWMS including monitoring against the groundwater level criterion specified in MS 688 for Beenyup Road Swamp (DWER monitoring bore ID 61410711). • Following assessment of this proposal under Section 38 of the EP Act, the process of amending the Metropolitan Regional Scheme (MRS) amendment from 'Rural – Water Protection' to 'Urban' will be undertaken by Aigle Royal Developments. This proposed amendment to the MRS will be assessed as part of the WAPC/DPLH planning process and will have due regard to SPP2.3 (Jandakot Groundwater Protection) and MS688.
2	<u>Wetland, buffer and management</u> • The Level 2 Flora and Vegetation Survey (360 Environmental 2016; Figure 9 of the ERD) identified wetland vegetation outside of the mapped CCW boundary which appears to be in addition to the 0.11 ha extent identified in the ERD. Clarify the discrepancy in vegetation types between the Level 2 Flora and Vegetation Survey (360 Environmental 2016) and the 2023 Flora and Vegetation Survey (PGV Environmental 2023). With regard to wetland vegetation types, provide clarification to whether the current wetland boundary (as depicted in the DBCA geomorphic wetland databases) provide information whether the wetland boundary needs to be updated and considered as part of the assessment (i.e. potential impacts) • In section 4.6 of the ERD, a 50 m buffer to the CCW wetland (UFI: 12984) is proposed. However, Figure 14 shows a 25 m "integrated fire and wetland buffer" to the CCW. Clarify and if the proposed buffer is <50 m, provide justification (i.e. wetland buffer analysis[1]) for the buffer extent proposed and explain	• During preparation of the ERD, Aigle recognised that the Level 2 Flora and Vegetation Surveys were completed in Spring 2015 and as such no longer met current guidance. To improve the understanding of the impact to Flora and Vegetation values within the Development Area, Aigle commissioned the PGV Environmental Flora and Vegetation Survey (2023). Although there are discrepancies between the vegetation descriptions across the reports, these differences are not fundamental to the descriptions and mapping in regard to impacts from the proposed subdivision. It is noted that PGV Environmental (2023) did not map any MrMI within the Study Area which is equivalent to the proposed Development Area. Within the 360 Environmental Report, this vegetation type is abundant to the east (within the Conservation Area) with a small portion extending into the Development Area. Regardless of this discrepancy, this area is located entirely within the wetland buffer and will not be impacted by the proposed development. As noted in PGV Environmental (2023), the AlKg vegetation type is described as wetland vegetation associated with wetland UFI 12984 which has not been mapped. The vegetation consisted mostly of weeds including woody Sydney Wattle (*Acacia longifolia*)

No.	EPA Services Comments	Proponent's Response
	the adequacy of the proposed buffer with respect to managing impacts the wetland. • As outlined in the *EPA's Environmental Factor Guidance- Inland Waters*, the intent of a wetland buffer is to maintain the ecological and hydrological processes and functions associated with the wetland or waterway, and aims to protect it from potential adverse impacts. However, the concept Landscape Master Plan indicates that land uses within the 50m buffer are to include a road, cleared parkland, and turfed areas. Additionally, the intent of the wetland buffer is not to provide separation between development and bushfire hazards, see Section 3.9 of the *Planning for Bushfire Guidelines* (DPLH and WAPC 2024). o Clarify the intent of the Landscape Master Plan in regard to retention and protection of the wetland buffer and land uses o Determine whether the proposal land uses within the buffer may have the potential to indirectly impact the wetland, and/or provide justification that the proposed land uses will not adversely impact the wetland. • Describe and quantify the environmental values separately for the wetland buffer, and the balance of the development area. Noting that clearing of native vegetation within the wetland buffer is inconsistent with *EPA (2021) Guidance Statement 33- Environmental Guidance for Planning and Development* and *Draft State Planning Policy 2.9*, if required provide updated clearing areas and offset calculations to reflect the retention of native vegetation and habitat within the wetland buffer. • Section 5.6 and Section 6.7 of the ERD outline that the buffer from the CCW will be revegetated or rehabilitated in accordance with the relevant bushfire guidelines. It is noted that the buffer in its current form is fully vegetated. Provide clarification on the staging, location and extent of proposed rehabilitation. • Clarify whether revegetation activities will be limited to achieving "low threat vegetation" in accordance with Clause 2.2.3.2 of *Australian Standard* (AS) *3959 Construction of buildings in*	and dense Arum Lily (*Zantedeschia aethiopica*). As the mapped wetland boundary is consistent with the surface water features and soil mapping available (ERD Figures 11 and 3), and is completely within the wetland buffer the mapped wetland boundary does not need to be updated and considered as part of the impact assessment. • The buffer for the wetland is proposed to be 50 m. Figure 14 and the revised Concept Master Plan includes a 50 m buffer around the wetland (refer to Attachment 4 and Attachment 5, Figure 14). The revised Concept Master Plan does not propose to develop infrastructure within the 50 m wetland buffer. Given the buffer meets the 50 m buffer requirements, no further justification is required. • The proposed wetland buffer has been revised to be a passive area that will remain undeveloped. Therefore, the land uses within the wetland buffer will not cause indirect impacts on the wetland and will work to maintain the ecological and hydrological processes and functions associated with the wetland. • As per *EPA (2021) Guidance Statement 33- Environmental Guidance for Planning and Development* and *Draft State Planning Policy 2,* clearing of native vegetation within the wetland buffer is not proposed to occur. Revision of clearing areas and offset calculations has been undertaken to reflect the retention of native vegetation and habitat within the wetland buffer. Attachment 1 details the environmental values within the Development Area (Residential Area), 50 m wetland buffer and Conservation Area, with all values within the wetland buffer and Conservation Area to be retained. • The proposed 50 m wetland buffer will be retained during development and will be considered as part of the on-site offset for the project. Attachment 2 details all rehabilitation and revegetation activities proposed for offset locations. • Revegetation will be undertaken to align with the existing vegetation at the site and given the proximity to the proposed residential

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	bushfire prone areas. • Provide further clarification how the public open space and drainage reserve within the wetland buffer (as depicted in the Indicative Concept Plan) is consistent with the DWER (2022) *Stormwater Management Manual for Western Australia*, DWER (2017) *Decision process for stormwater management in Western Australia* and the EPA's (2004) *Stormwater Management Manual*.	developments, the revegetation activities will be limited to achieving 'low threat vegetation' in accordance with Clause 2.2.3.2 of *Australian Standard (AS) 3959 Construction of buildings in bushfire prone areas*. • No infrastructure is proposed to be developed within the 50 m wetland buffer area, including no drainage infrastructure (refer to Attachment 4). Therefore, the wetland buffer is considered to be consistent with the DWER (2022) *Stormwater Management Manual for Western Australia*, DWER (2017) *Decision process for stormwater management in Western Australia* and the EPA's (2004) *Stormwater Management Manual*.
3	<u>Stormwater drainage and water quality</u> • Provide further information on how the proposed treatment approaches for stormwater runoff are sufficient for the site conditions (i.e. conservation category wetland). • Justify how the proposal will "maintain or improve the nutrient concentrations of groundwater compared to pre-development levels", noting the proposed vegetation removal and increased residential density. • Explain how the increased risk of hydrocarbons and other toxic and hazardous substances entering surface water and groundwater will be managed.	Stormwater and water quality will be managed using a total water cycle management approach, that will consider the philosophies and design approaches described in the Stormwater Management Manual for Western Australia (DoW 2007). This includes: • The lot sizes proposed for the residential development (> 350 m2) will not require a stormwater lot connection. Soakwells can be used in all lots to continue to infiltrate stormwater on-site, through the soil profile. It will replicate the current dominant hydrological process on-site of rainfall infiltration and recharge to the superficial groundwater aquifer. • Under WAPC (2006 and 2008) policy and guidelines, the stormwater drainage design will also be developed to ensure the post-development velocities and volumes of water entering the wetland buffer match pre-development conditions. The Proposal is not anticipated to alter the existing seasonal drying pattern of the Conservation Category Wetland. • Structural and Non-Structural Best Management Practices will be used to improve water quality by reducing exposure to pollutants, encouraging infiltration and restricting water velocities within the Development Area. Prior to development of the site, an LWMS will be prepared to support a Local Structure Plan which further defines the measures and strategies to manage water associated

No.	EPA Services Comments	Proponent's Response
		with development. A further seven (7) groundwater monitoring bores have been installed to support the LWMS prepared for Stage 1 that will also be used to inform the Stage 2 LWMS. UWMPs will be developed following State Planning Policy 2.9: Water Resources (WAPC, 2006) and Better Urban Water Management (WAPC, 2008) to support the Development Envelope at the time of development. Further groundwater monitoring will be completed to support the preparation of the UWMPs to support this Proposal. • The smaller proposed lots and retention of existing vegetation within the Conservation Area will reduce large scale vegetation management, reducing fertiliser application. Roads will be designed to minimise the likelihood of accidents, which may result in hydrocarbon spills.
4	<u>Construction impacts</u> A Construction Environmental Management Plan (CEMP) will be prepared and implemented to identify appropriate mitigation measures to minimise the impacts of construction on inland waters values (SLR Consulting Australia, 2024). • Provide further information regarding the proposed management measures, monitoring and reporting requirements, and contingency actions.	• A CEMP will be prepared as part of the future planning process. However, a framework has been prepared that outlines the proposed management measures, monitoring and reporting requirements and contingency actions for the proposed management plans, including the CEMP. Refer to Attachment 6 for a summary of the proposed management plans.
Terrestrial Fauna		
5	<u>Fauna habitat</u> • Section 5.4 of the ERD (SLR Consulting Australia, 2024) provides a brief overview of the local and regional habitat values of fauna species. However, there is limited discussion on the potential linkages between habitat types, both within and outside the development footprint. • The only avoidance proposed is avoiding potential black cockatoo breeding trees in the conservation area. Clarify whether	• Within the proposed Development Area (Residential Area), the potential habitat linkages are fairly limited due to the lack of tree retention proposed, however a variety of Black Cockatoo trees will be retained within the wetland buffer area and Conservation Area and will act as a form of ecological linkage between the Development Area and surrounding reserves. Banksia Eucalypt Woodland Reserve which is part of the Jandakot Regional Park is adjacent to the Development Area and is an important linkage that will encourage the potential fauna movement around the Development Area

No.	EPA Services Comments	Proponent's Response
	there are further avoidance measure proposed within the disturbance footprint e.g. the retention of the cockatoo trees in POS, road verges, wetland buffer etc? • Provide a map/ figure showing all black cockatoo habitat trees and suitable or potentially suitable hollows recorded during the 360 Environmental (2017) (Appendix C) and Terrestrial Ecosystems (2023) (Appendix E) ecological surveys, overlaid with the development envelope and disturbance footprint.	and will also act as a valuable area for fauna habitat. • There is limited opportunity for retention of trees within the Development Area (Residential Area). However, 5 Black Cockatoo breeding trees will be retained within the wetland buffer, as the wetland buffer is intended to be used as POS and therefore no clearing is proposed to occur within the 50 m buffer. Given the retention of potential breeding trees in both the wetland buffer and Conservation Area, it is proposed that only 3 potential Black Cockatoo breeding trees will be removed as a result of the proposed development. To offset the loss of 3 potential breeding trees for Black Cockatoos, Cockatubes will be erected into other trees to provide habitat for Black Cockatoos in the area. A ratio of 3 Cockatubes for each tree removed is the proposed offset (refer to Attachment 2). • Figure 10 has been revised to include mapping of potential nesting trees and suitable hollows recorded during both the 360 Environmental (2017) and the Terrestrial Ecosystems (2023) surveys. The revised figure is presented in Attachment 5.
6	<u>Short Range Endemics (SRE)</u> Information regarding SREs is presented in Section 5.4.4. The following points are raised: • There are discrepancies in the number of conservation significant SRE species as having 'likely habitat' present within the development envelope. For example, the SRE desktop study (Invertebrate Solutions, 2021) identified 5 of 9 conservation significant SRE species as having likely habitat present within the development envelope. However, Section 5.4.4 (SLR Consulting Australia, 2024) notes 3 of 7 conservation significant species as having likely habitat present. Provide clarification. • The statement: "*Aerial imagery appears to depict similar vegetation types in the conservation area to the south and southwest of the development envelope*", is not appropriate to justify a lack of survey effort outside the development envelope. The extent of	• The reference to 3 of 7 conservation significant species in Section 5.4.4 (SLR Consulting Australia, 2024) is referring to non-SRE invertebrates). There are 9 conservation significant species likely to occur within the development envelope, of which 5 have likely habitat present within the development envelope. • As noted in Section 3.3 of the SRE report, vegetation mapping completed by 360 was used to inform the suitability of habitat for SRE species. Aerial photography was used to inform the mapping of the broader desktop study area outside the 360 Environmental survey area. • *Hesperocolletes douglasi* has only ever been detected twice and has never been detected using targeted surveys. It is noted that all attempts by DBCA to detect this species using targeted surveys have been unsuccessful. The SRE survey is considered to be adequate to assess the potential presence of this species. • The proposed wetland buffer has been revised to be a passive

No.	EPA Services Comments	Proponent's Response
	SRE habitat outside of the development envelope and within the conservation area (21.55 ha) should be quantified through existing flora and vegetation surveys/information and discussed. • The species *Hesperocolletes douglasi* may be present both within the disturbance footprint and in the conservation reserve. Noting that a targeted survey was not undertaken for this species, clarify whether the SRE survey (Invertebrate Solutions, 2021) adequately assesses the potential presence of this species within the entire development envelope. • The isopod *Pseudodiploexochus indet* was collected from seven of eight sites within the disturbance footprint (Figure 2 in Appendix F). It is noted that this taxon is known to occur more widely than the survey area (SLR Consulting Australia, 2024). Figure 2 of Appendix F depicts 2 out of 8 sites (in which specimens were collected) located within the proposed 50 m wetland buffer. According to the concept Master Plan, vegetation is proposed to be cleared, resulting in the removal of habitat for this SRE species. Provide an explanation as to how potential impacts to this species will be avoided and/or mitigated.	area that will remain undeveloped. Therefore, potential impacts to this species within the wetland buffer will be avoided.
Flora and Vegetation		
7	<u>Flora and vegetation survey</u> It is noted that a Level 2 flora and vegetation survey (covering the entirety of Lots 11 and 74) was undertaken in September 2015 (360 Environmental, 2016), which did not meet EPA Technical Guidance: *Flora and Vegetation Surveys* (EPA, 2016). A subsequent detailed flora and vegetation survey was undertaken in 2023 (PGV Environmental, 2023) consistent with EPA (2016) technical guidance, which should be used as the "*most current representation of vegetation in the residential area*" (Section 4.4.2 of the ERD). The EPA services notes that there appears to be discrepancies in vegetation type between the two reports. • Figure 7 in the ERD indicates that FCT21c covers the entire urban development footprint. However, the vegetation types, MrMI	• We note that the EPA Services states that the PGV Environmental 2023 survey should be used as the most current flora and vegetation survey for the site. • Figure 7 of Attachment 5 shows the portions of the Development Area that are mapped FCT SCP21c that cover the proposed Development Area as mapped by PGV which is considered the most current survey data for this portion of the site. The FCT analysis completed by PGV found that vegetation associations AfBaBmKg and AfBiKg are FCT21c. • MrMI and AfEmBi were mapped by 360 Environmental. These vegetation associations are shown on Figure 5 in areas of the Development Envelope not covered by the PGV survey area (outside

<table>
<tr><th>No.</th><th>EPA Services Comments</th><th>Proponent's Response</th></tr>
<tr><td></td><td>and AfEmBi are also mapped within the urban development footprint. Confirm whether the vegetation types above form part of FCT21c (low lying Banksia attenuata woodlands or shrublands) and update the vegetation maps / figures accordingly.</td><td>the Development Area). The FCT analysis completed by 360 Environmental found that vegetation associations MrMl and AfEmBi do not constitute FCT21c.</td></tr>
<tr><td colspan="3">Avoidance, Mitigation, Management and Environmental Offsets</td></tr>
<tr><td>8</td><td><u>Environmental management plans</u>
Four environmental management plans, including the CEMP, Wetland Buffer Management Plan, Bushfire Management Plan, and Acid Sulphate Soils and Dewatering Management Plan, are proposed to be prepared and implemented.
If available provide a copy of the management plans. It is recommended that the Wetland Buffer Management Plan be provided to demonstrate how mitigation, management and rehabilitation will be implemented. Instructions on how to prepare EP Act (EIA) Environmental Management Plan is available <u>here</u></td><td>• Management plans will be prepared as part of the future planning processes. However, a framework for the future management plans has been prepared that provides a summary of the proposed contents for each management plan. Refer to Attachment 6 for a summary of the proposed management plans.</td></tr>
<tr><td>9</td><td><u>Environmental offsets</u>
It is noted that the ERD references an offset strategy (to be developed), which will discuss proposed offset sites, management framework, and overall objective of the environmental offsets.
The following further information is required:
• It is noted that an MOU with the City of Cockburn is being prepared to secure Rose Shanks Reserve, a 14 ha plot of land, as an offset / rehabilitation site (Section 8.2 of the ERD). A copy of the MOU is requested, or if unavailable, a summary of the proposed content of the MOU.
• It is noted that the site is currently co-managed by the Department of Planning, Lands and Heritage (DPLH) and Department of Biodiversity Conservation and Attraction, respectively. Evidence of consultation outcomes with DPLH and DBCA is requested, to confirm that the proposed offset site is available as an offset site for the proposal and is supported by both agencies.</td><td>• Noted. A draft Offset Strategy has been prepared. Refer to Attachment 7.
• A confidential draft MOU has been provided. Refer to Attachment 7.
• The Rose Shanks Reserve is vested in the City of Cockburn and is currently solely managed by the City of Cockburn. Consultation and agreement has been undertaken with the City of Cockburn regarding the proposed offset strategy and is provided in Attachment 7. The City of Cockburn has confirmed the site is available and have shown support for the proposed offset strategy.
• Flora, vegetation and Black Cockatoo habitat surveys across Rose Shanks Reserve has been undertaken by Western Environmental Approvals Pty Ltd in November 2024 (flora and vegetation surveys) and January 2025 (Black Cockatoo habitat surveys) (refer to Attachment 8). These surveys were undertaken to inform the development of an Offset Strategy and Offset Management Plan for approved development within Lot 11 and Lot 74 Beenyup Road, Banjup. The Rose Shanks Reserve detailed flora, vegetation and</td></tr>
</table>

No.	EPA Services Comments	Proponent's Response
	• Provide site specific environmental information/surveys preferably in accordance with EPA's *Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016) and *Technical Guidance - Terrestrial Vertebrate Fauna Surveys for Environmental impact assessment* (EPA, 2020) to identify the environmental values present in the offset site. • Justify the selection of Rose Shanks Reserve as an offset site in accordance with the *WA Environmental Offsets Policy* (GoWA 2011), *WA Environmental Offsets Guidelines* (GoWA 2014), *Environmental Offsets Metric: Quantifying Environmental Offsets in Western Australia* (DWER 2021) and the offset calculation assumptions made in Appendix K of the ERD.	Black Cockatoo habitat surveys were prepared in accordance with EPA's *Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA, 2016) and *Technical Guidance – Terrestrial Vertebrate Fauna Surveys for Environmental Impact Assessment* (EPA, 2020). • The proposed Rose Shanks offset site (referred within as the proposed offset site) currently contains 16.16 ha of land containing CBC foraging habitat ranging from 0 (none) to 7 (high). Habitat quality was assessed under the DCCEEW HQS tool for black cockatoo foraging habitat. According to the HQS tool, habitat with a site condition of 2 or less is highly unlikely to constitute suitable habitat for black cockatoos, therefore the adjusted current extent of suitable foraging habitat within the proposed offset site is 5.11 ha. Revegetation and restoration of CBC foraging habitat is proposed to be undertaken over a 5 year time period to establish low to moderate quality habitat within areas that currently contain low (or worse) quality habitat (11.05 ha). Elsewhere, habitat will be improved by a maximum of 2 HQS points, except where habitat is currently of high to very high quality (1.84 ha) where habitat quality will be maintained. The proposed offset site currently contains 1.84 ha of Banksia TEC, which forms part of a larger patch to the east within Rose Shanks Reserve. Banksia TEC within the proposed offset site was assessed under the DCCEEW HQS tool for Banksia TEC and has a current quality of 6 (out of 10). Revegetation of Banksia TEC is proposed to be undertaken over a 20-year time period to establish the TEC within areas not currently representative of the TEC, and that are not covered by limestone roads (total of approximately 13.86 ha). Offset calculations confirm that the proposed on-site and off-site offsets are well over the minimum 100% direct offset for the proposed development. Refer to Attachment 2 for details on the offset selection.

No.	EPA Services Comments	Proponent's Response
10	<u>Rehabilitation and revegetation</u> It is discussed that there is commitment for ongoing management and enhancement of the conservation reserve, including as required weed control, rubbish control, revegetation and infill planting (Section 6.7). The following further information is required: • Provide further information on proposed rehabilitation and re-vegetation areas, including objectives, targets and completion criteria. • The areas proposed for rehabilitation and revegetation should be identified and provided as figures and/or maps. • A single sentence in Section 4.6 (SLR Consulting Australia, 2024) states, "*portions of the CCW within the conservation area are in a degraded condition and will be rehabilitated in consultation with the DBCA*." Provide details and outcomes of consultation with DBCA and/or other Decision Making Authorities regarding proposed wetland rehabilitation within the conservation reserve.	• Rehabilitation and revegetation within the Conservation Area will aim to increase CBC foraging habitat from moderate or low to moderate habitat quality to habitat quality of 8 (moderate to high). This will be achieved through a combination of infill planting, weed management, fence maintenance, and access roads with the goal to increase average foliage to 30-40%. As well as this, one of the following options will be undertaken to offset impacts to Banksia TEC: o 1.50 ha of cleared land will be revegetated to Banksia TEC of similar quality to that currently on-site. This will involve revegetation to a Very Good condition. o Existing Banksia TEC (4.55 ha) will be managed to prevent any potential degradation from adjacent residential development and manage edge effects. This option involves the creation of 1.5 ha of Banksia TEC within currently cleared land, as well as the restoration of 0.1 ha vegetation in Good to Degraded condition that does not currently meet the diagnostic criteria as Banksia TEC. For more information on on-site rehabilitation and re-vegetation refer to Attachment 2. • Attachment 2 displays figures of the proposed on-site offset areas. • Consultation with DBCA will be undertaken regarding the future stages of project implementation and during development of the Wetland Buffer Management Plan.
Cumulative and Holistic Impact Assessment		
11	Cumulative (Section 11) and holistic (Section 10) impacts are discussed in the ERD. However, these sections need to include a discussion on the long-term ecological viability of the proposed conservation area to be protected, post-implementation. <u>Gibbs Road Swamp wetland system</u> The Gibbs Road Swamp wetland system, listed under the *Directory of*	• Noted. • Noted. • Implementation of the proposed development will not cause significant impacts on the Gibbs Road Swamp as various measures will be established to reduce hydrological connectivity and avoid impacts to surrounding hydrological regimes.

No.	EPA Services Comments	Proponent's Response
	Nationally Important Wetlands (DCCEEW, 2005), is located approximately 600 m northeast of the development envelope. The system is heavily fragmented, primarily due to rapid urban and residential expansion in surrounding areas. The system supports a total of 8 separate wetlands, including two Multiple Use Wetlands (MUW) (UFI: 6657 and 15289) that provide a linkage between the proposed conservation area and the Gibbs Road Swamp, and known breeding habitat for migratory avifauna. The following information is requested: • A discussion on how implementation of the proposal will not exacerbate indirect impacts to the Gibbs Road Swamp wetland system, such as altered hydrological regime, reduced hydrological connectivity and edge effects, increased risk of feral animal presence, and impacts to avifauna. • Whether proposed management of the CCW wetland and conservation area includes consideration of the potential hydrological/ecological linkage with the two MUWs and Gibbs Road Swamp.	• The District Water Management Strategy will be implemented and will involve the use of the Russell Road Arterial Drainage Scheme (RRDS) and the application of WSUD principles to promote retention of stormwater within the catchment, maximisation of groundwater recharge and minimisation of off-site transportation of water that will cause a net charge to the overall water balance at the site. • Post implementation of the development, an agreement has been made with the City of Cockburn whereby the City of Cockburn has agreed to manage and protect the Conservation Area ongoing. In the long-term, the Conservation Area will continue to be managed to maintain its ecological viability by the City of Cockburn. Hydrological and ecological linkage to surrounding MUWs will be considered in the long-term, with design and management strategies proposed to be implemented to prevent alterations to surrounding wetland activity. Refer to Attachment 6.

3.0 Response to Comments from Public Submissions

Table 2 summarises comments and advice received from public submissions on the Proposal relevant to the response to submissions and Aigle Royal Developments response.

Table 2: Public Submission Comments on Proposal and Proponent's Response

No.	EPA Services Comments	Proponent's Response
Flora and Vegetation		
1	The proposal will result in the clearing of banksia woodland of the Swan Coastal Plain (SCP) ranging from 'Good' to 'Excellent' condition. From a cumulative perspective, this impact is permanent and will result in indirect impacts to the proposed conservation reserve, such as degradation, edge effects, light and noise pollution, and increased presence of feral animals (i.e., cats and foxes).	Compared to the existing situation, the proposal will significantly enhance management of the environmental attributes of the site: <u>Conservation reservation</u> It is proposed to reserve (for conservation) 21.55 ha in comparison to 4.63 ha for development. The proposed conservation reserve represents approximately 51% of the subject holding. The land will be ceded free of cost to be amalgamated with the adjoining Jandakot Reserve. The City of Cockburn has agreed to manage the land as is currently the case with Jandakot Reserve. Importantly, the proposed reservation will also provide an ecological corridor linking Jandakot Reserve with the conservation category wetland east on Lot 11 and Lot 74. <u>Various management initiatives</u> Development of the land will facilitate implementation of the following: a) Wetland management plan; b) CCW buffer management plan; c) Remnant bushland management plan; d) Bushfire management plan. The proposal has already received Commonwealth approval by the Department of Climate Change, Energy the Environment and Water (EPBC 2017/ 7923 refers).

No.	EPA Services Comments	Proponent's Response
2	The proposed clearing of 4.63 ha of native vegetation will result in the loss of significant flora species, including conservation significant orchids which have not been adequately surveyed within the development envelope. The clearing of Banksia woodland of the SCP is contrary to the *Approved Conservation Advice* (EPBC Act), which aims to protect "*the ecological community to prevent its loss of extent and condition*."	The proposal has already received Commonwealth approval by the Department of Climate Change, Energy the Environment and Water (EPBC 2017/ 7923 refers). In order to meet conditions of approval, an offset strategy has been prepared as detailed above.
Terrestrial Fauna		
3	Banksia woodlands of the SCP is becoming increasingly scarce and fragmented as a result of rapid development within the broader Perth metropolitan region. The clearing of native vegetation, and by extension black cockatoo foraging habitat, will have a significant impact (direct and cumulative) on threatened black cockatoo species. This will also impact other threatened species that may inhabit vegetation within the development envelope.	As above and response to point 1.
4	Short range endemics (SRE) The SRE desktop study identified the following SREs: • five confirmed SRE species (two land snails, one mygalomorph spider, one tree cricket and one native bee) • an additional five likely SRE species (three slaters and two mygalomorph spiders) • potential habitat for three conservation significant species (a moth, two native bees, and *Hylaeus globuliferus*). The proposal was unable to confirm the status of one likely SRE species (*Pseudodiploexochus indet.*) identified in the desktop study and field survey (Invertebrate Solutions, 2021). This species was recorded at seven of eight (87.5%) of survey sites within the development enve-	See response 6 above.

No.	EPA Services Comments	Proponent's Response
	lope. As such, this species is likely to be present throughout the residential development footprint and the conservation reserve. Clearing within the development envelope should be limited to mitigate the effects of habitat fragmentation on this species. <u>Cumulative impacts</u> From a cumulative perspective, the removal of 4.63 ha of remnant vegetation providing 'Very Good' to 'Excellent' quality habitat for SREs will cause further fragmentation and a reduction in overall available SRE habitat in the Perth metropolitan region. Impacts to the conservation reserve from future developments in the Banjup locality (and surrounds) should be considered to determine the cumulative impact of this proposal on terrestrial fauna (including invertebrate fauna). <u>Indirect impacts</u> The removal of remnant vegetation will exacerbate the effects of indirect impacts to SREs from increased degradation, trampling, and proliferation of weeds and dieback.	
5	Uncertainty whether the effort and timing of these surveys, provide confidence and whether further and longer studies should be completed, including monitoring of Diameter Breast Height trees to meet the criteria of "reasonable" survey effort.	As above
6	The development envelope is zoned 'Rural Water Protection' under the MRS and is located within the Jandakot Groundwater Protection Area. Implementation of the proposal will be inconsistent with State Planning Policy (SPP) *2.3 – Jandakot Groundwater Protection (Clause 6.3)*, which aims to protect the Jandakot Groundwater Mound and quality of public drinking water. Therefore, the proposal should, in consideration of net community and environmental benefit, be undertaken in the context of limited subdivision and development under the existing 'Water Source Protection' zone, to protect the quality of public drinking water.	Compliance with SPP 2.3 will be assessed by the Western Australian Planning Commission in its consideration of the forthcoming amendment submission to the Metropolitan Region Scheme. In comparison to the area to be reserved for conservation, the area proposed for development is small and represents a rounding out of the adjoining residential area to the west.

No.	EPA Services Comments	Proponent's Response
Social Surroundings		
7	The creation of the 21.55 ha conservation reserve is a welcome addition, as it complements the existing 'rural' character of the Banjup locality and is consistent with the *Banjup Preservation Principles* (embedded in the City of Cockburn Local Planning Policies (LPPs)).	Noted
Offsets		
8	The proposed conservation area should not be considered as part of the offsets for the proposed works for conservation significant species and communities. This is not appropriate application of EPA's offset strategy.	Noted
	Footprints of the proposed offsets should be significantly more than the proposed 1x of the impact in the Development Envelope. This offset will not provide benefit for at least 8 years, and offsets should be approximately 11 times that of the proposed clearing area to offset this delayed benefit and removal of breeding, foraging, and TEC habitat.	Noted. An offset strategy has been developed for the submission and approval of the Department of Climate Change, Energy the Environment and Water.
9	Whilst the proposed ceding of 22.95ha of land for inclusion in a Conservation Reserve would have an environmental and community benefit, this must be carefully considered against the negative environmental impact of the proposed clearing of 4.63ha of land zoned 'Rural Water Protection' which includes high-quality vegetation, and Banksia Woodland TEC.	The environmental impacts of clearing have already been thoroughly assessed by the Department of Climate Change, Energy the Environment and Water. Among other things, the Commonwealth approval is conditional upon implementation of an offset strategy which is detailed elsewhere within this response schedule.
Other		
10	General comments in favour of implementing the proposal.	Noted
11	General comment against implementing the proposal.	Noted
12	Does not support the clearing of vegetation in the absence of a Metropolitan Region Scheme (MRS) Amendment proposal for the area, given it is currently zoned 'Rural Water Protection' not 'Urban' or 'Urban Deferred'. This may pre-empt the outcome of the MRS Amendment process, which requires consideration of a range of matters, some of which include Jandakot Groundwater Protection area,	The purpose of the Section 38 referral process is to seek advice from the EPA which can inform various planning submissions over the land including an amendment submission to the Metropolitan Region Scheme.

No.	EPA Services Comments	Proponent's Response
		No land will be cleared until all related planning approvals are in place, including an MRS amendment, local zoning and a relevant structure plan.
13	It is supportive of the proposed conservation area, if deemed suitable by the City of Cockburn, being incorporated into Jandakot Regional Park and managed by the City of Cockburn.	Noted
14	The proposal is contrary to the normal planning process whereby the proponent makes a proposal for rezoning and then apply for EPA approval. The proposal deliberately circumvents the normal planning and public consultation process.	As per response to submission 12 above.
15	The development footprint (and broader Banjup locality) is not identified for urban development under the *Perth and Peel @3.5 Million Perth & Peel Sub- Regional Planning Framework* (WA Government, 2015).	The Sub Regional Planning Framework is a guide only. In exceptions circumstances, like this, the Western Australian Planning Commission has the discretion to
16	Does not support the clearing of vegetation in the absence of a Metropolitan Region Scheme (MRS) Amendment proposal for the area, given it is currently zoned 'Rural Water Protection' not 'Urban' or 'Urban Deferred'. This may pre-empt the outcome of the MRS Amendment process, which requires consideration of a range of matters, some of which are outlined below:	As per submission 12.