

*Environmental Protection Act 1986*

Section 40(2)(a)

NOTICE REQUIRING INFORMATION FOR ASSESSMENT

**PERSON TO WHOM THIS NOTICE IS GIVEN**

Peet Stratton Pty Ltd (ABN:31169385139)  
Level 7, 200 St Georges Terrace  
PERTH WA 6000

**PROPOSAL TO WHICH THIS NOTICE RELATES:**

Subdivision of Lot 102 Farrall Road, Midvale

Pursuant to section 40(2)(a) of the *Environmental Protection Act 1986*, I, as a delegate of the Environmental Protection Authority (EPA), require that you provide the EPA with the following information for its assessment.

**1. Providing context and clarifying potential environmental impacts**

*Flora and Vegetation*

- Identify and assess the values and significance of flora and vegetation within Lot 102 and the immediate adjacent area including the communities and condition of the vegetation, in accordance with EPA guidance. Please describe these values in a local, and regional context.
- The Threatened and Ecological Community (TEC) *Shrublands and woodlands of the eastern Swan Coastal Plain* (FCT 20c) is mapped within the proposal area. The EPA requires an independent study to be undertaken regarding the occurrences of the TEC within Lot 102. The EPA must endorse the consultant undertaking the study, as well as the scope for the review. The study must be provided directly to the EPA by the endorsed consultant.

Consultants should seek further data and background information to complete this task from the Department of Biodiversity, Conservation and Attractions (DBCA). DBCA maintains the TEC/PEC database and also has knowledge of the future plans for other sites of FCT20c.

- The TEC study should specifically detail:
  - the significance of the occurrences of the TEC within the proposal area, relative to known extent;
  - the potential impact of the proposal on the TEC occurrences, including consideration of the impacts of the development on hydrological processes and other potential impacts such as

- increased fragmentation and edge effects, weed invasion, recreational use, fire management and rubbish dumping;
  - the long-term likely survival and sustainability of the occurrences under pre-development and proposed development scenarios.
  - consideration of the buffer and management actions required to protect the occurrences from impacts including increased fragmentation, hydrological change, increased weed invasion, dust, inappropriate fire regimes, rubbish dumping and recreational impacts;
  - the management actions required for the occurrences to be rehabilitated; and
  - location and size of an area/areas recommended for retention of the TEC.
- The information provided in the existing referral documentation for the TEC does not concur with DBCA mapping. Please confirm the accuracy of the mapping used.
- The EPA expects that Peet Stratton Pty Ltd will consult with DBCA when dealing with matters related to management actions to mitigate impacts to the TEC.
- Provide a summary of residual impacts of the proposal.
- Identify management and mitigation measures for the proposal which demonstrate that the EPA's objective can be met.

#### *Terrestrial Fauna*

- Identify and assess the values and significance of fauna, fauna habitat and habitat connectivity within Lot 102 and the immediate adjacent area and describe these values in a local and regional context, in accordance with EPA guidance.
- Describe and assess the potential impacts as a result of the proposal (including fragmentation) on fauna and significant fauna, including short-range endemic (SRE) invertebrate fauna. Estimate the number of significant species that are likely to be impacted, in the context of the existing population, as a result of direct and indirect impacts to fauna habitat.
- Consult with DBCA when dealing with matters related to management actions to ameliorate impacts to fauna.
- Provide a summary of residual impacts of the proposal.
- Identify management and mitigation measures for the proposal which demonstrate that the EPA's objective can be met.

#### *Inland Waters (surface and groundwater)*

- Identify and assess the values and significance of inland waters (quality and quantity, including hydrological processes) within the development envelope and immediate adjacent area and describe these values in a local, and regional context.
- Describe and assess the potential impacts (direct and indirect) as a result of both construction and operational elements of the proposal on water quantity and quality in relation to inland waters.
- Please describe the hydrology and surface/groundwater interdependence of the wetland proposed to be retained (UFI15136).

- Predict the extent, severity and duration of potential impacts, including changes to local and regional groundwater flows and levels, drawdown, local water quality and impacts to other groundwater users as a result of the proposal. Particularly consider potential impacts from the removal of sand to finished floor levels.
- Analyse and assess potential inland water impacts and discuss proposed management, monitoring and mitigation measures. Specifically, provide water balance information on pre and post development inland water quality and quantity, including management, monitoring and mitigation measures to address potential impacts.
- Identify management and mitigation measures for the proposal which demonstrate that the EPA's objective can be met.

## 2. Environmental Offsets

- Completion of the Residual Impact Significance Model (page 11 of the WA Environmental Offsets Guideline) for all direct and indirect impacts, including an explanation of how the information and values within the model have been determined.
- Completion of the WA Offsets Template (Appendix 1) in the WA Environmental Offsets Guidelines (2014), including the provision of supporting information, such as evidence of rehabilitation success.
- An offsets package with supporting information to demonstrate consistency with the WA Environmental Offsets Policy and Guidelines.

## 3. Matters of National Environmental Significance (MNES)

- Noting that the Approved Conservation Advice for Shrublands and Woodlands of the eastern Swan Coastal Plain (Department of the Environment and Energy 2017) (hereafter approved conservation advice) defines critical habitat as:

*"The habitat that is critical for survival of the ecological community is the area of occupancy of known occurrences; and the sandy to gravelly soils on the eastern Swan Coastal Plain and foothills of the Darling Scarp on which the community occurs, areas of similar habitat within 200 metres of known occurrences, (i. e. sandy to gravelly soils on the eastern Swan Coastal Plain and foothills of the Darling Scarp); and remnant vegetation that surrounds or links several occurrences (this is to provide habitat for pollinators or to allow them to move between occurrences)."*

Please confirm the total number of hectares of 'critical habitat' for the Shrublands and Woodlands of the eastern Swan Coastal Plain that is proposed to be cleared.

- The proponent should provide information detailing any potential indirect impacts to larger areas of the ecological community immediately surrounding or adjacent to the proposed action. When discussing potential direct and indirect impacts please give consideration to the local, regional, state and national scale and the precautionary principle. This discussion should include, but not be limited to, consideration of fragmentation and edge effect risks, changes in surface water runoff, changes in nutrient cycling, mobilisation of Acid Sulphate Soils and the

potential introduction of pathogens or weeds. If required, the proponent should develop management plans to mitigate/avoid any potential impacts to the ecological community.

- For the relevant matters of national environmental significance provide an overall conclusion as to the environmental acceptability of the proposal, including:
  - a discussion on the consideration with the requirements of the EPBC Act, including the objects of the EPBC Act, the principles of ecologically sustainable development and the precautionary principle;
  - reasons justifying undertaking the proposal in the manner proposed, including the acceptability of the avoidance and mitigation measures; and
  - if relevant, a discussion of residual impacts and any offsets and compensatory measures proposed or required for significant residual impacts on MNES, and the relative degree of compensation and acceptability.
- Demonstrate that the action is consistent with any relevant recovery plan or threat abatement plan, including (but not limited to):
  - English, V. & J. Blyth (2000). *Eastern Shrublands and Woodlands (Swan Coastal Plain Community 20c) Interim Recovery Plan 2000-2003. Interim Recovery Plan No. 58*. Department of Conservation and Land Management, Wanneroo, Western Australia. Available from: <http://www.environment.gov.au/system/files/resources/87dce43f-f6e6-42fc-9580-cc1aead25ac3/files/eastern-shrublands.pdf>
  - Department of the Environment (2014). *Threat abatement plan for disease in natural ecosystems caused by Phytophthora cinnamomi*. Canberra, ACT: Commonwealth of Australia. Available from: <http://www.environment.gov.au/system/files/resources/bad95d05-3741-4db3-8946-975155559efb/files/threat-abatement-plan-disease-natural-ecosystems-caused-phytophthora-cinnamomi.pdf>
  - Department of the Environment and Energy (2016). *Threat abatement plan for competition and land degradation by rabbits*. Canberra, ACT: Commonwealth of Australia. Available from: <http://www.environment.gov.au/system/files/resources/bf9352c2-35ae-4a80-8828-96de630731a9/files/tap-rabbit-2016.pdf>
- Demonstrate that the action has had regard to any relevant conservation advice:
  - Department of the Environment and Energy (2017). *Approved Conservation Advice for Shrublands and Woodlands of the eastern Swan Coastal Plain*. Canberra: Department of the Environment and Energy. Available from: <http://www.environment.gov.au/biodiversity/threatened/communities/pubs/20-conservation-advice.pdf>

- To the extent that impacts to EPBC Act listed species and communities cannot be avoided or mitigated, provide details of an offset(s) intended to compensate for residual significant impacts on EPBC Act listed species and ecological communities (if any), including:
  - the type of offset/s proposed;
  - the extent to which the proposed offset correlates to, and adequately compensates for, the residual significant impacts on EPBC Act listed species and communities;
  - suitability of the location of any proposed offset site for EPBC Act listed species and communities;
  - conservation gain to be achieved by the offset i.e. positive management strategies that improve the site or averting the future loss, degradation or damage of the protected matter;
  - time it will take to achieve the proposed conservation gain;
  - level of certainty that the proposed offset will be successful; and
  - current land tenure of any proposed land-based offset and the method of securing and managing that offset for 20 years or the period of the impact (whichever is less).
- Demonstrate how any proposed offset is consistent with the EPBC Act Environmental Offsets Policy (October 2012), and provide a completed offsets assessment guide and justification for the values used to complete the offsets assessment guide.
- Please provide further detail on the social and economic costs and/or benefits of undertaking the proposed action, including:
  - basis for any estimations of costs and/or benefits;
  - potential employment opportunities expected to be generated at each phase of the proposed action; and
  - details of any public and stakeholder consultation activities, including the outcomes.

If management plans are submitted the layout and content should follow the EPA guidance on Environmental Management Plans ([Instructions on how to prepare Environmental Protection Act 1986 Part IV Environmental Management Plans](#)) and include sufficient high level information about the proposal to enable readers to understand how potential impacts on the preliminary key environmental factors would be managed during construction and/or operation of the proposal.

Your response should be sent by email to [registrar@dwer.wa.gov.au](mailto:registrar@dwer.wa.gov.au) marked for the attention of the person cited in the covering letter, or by post to the Environmental Protection Authority, Locked Bag 33, Cloisters Square, Perth WA 6850. Please quote the case number CMS17212 on any further correspondence.

The EPA will not proceed with its assessment of the proposal until you have provided the requested information, and it is considered to be adequate, or advise the EPA that the further information is not available and/or cannot be obtained.

Yours sincerely



**Tom Hatton**  
CHAIRMAN

12 October 2018

Cc Emerge Associates  
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