

Environmental Protection Act 1986

Section 40(2)(a)

NOTICE REQUIRING INFORMATION FOR ASSESSMENT

PERSON TO WHOM THIS NOTICE IS GIVEN

The Order of the Servants of Mary Incorporated (ABN 38 167 128 381)
2 Morgans Street
TUART HILL WA 6060

PROPOSAL TO WHICH THIS NOTICE RELATES:

Urban Development of Lot 9000 Wanneroo Road, Sinagra

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

Preliminary Key Environmental Factor – Flora and Vegetation

- Identify, quantify and assess the values and significance of flora and vegetation, including the communities and condition, within the proposal area and the immediate adjacent area (within the context of the proposal) in accordance with EPA guidance. Please describe these values in a local and regional context.
- Demonstrate how surveys are relevant, representative and demonstrate consistency with current EPA policy and guidance. Ensure database searches and taxonomic identifications are up-to-date.
- Provide a figure depicting survey effort applied in relation to the study area and development envelope, identifying the direct and indirect impact areas.
- Determine whether flora species recorded are significant, and provide an analysis of local and regional context, (refer to Environmental Factor Guideline – Flora and Vegetation for definition of significant flora).
- Determine whether vegetation identified is significant, and provide an analysis of local and regional context, (refer to Environmental Factor Guideline – Flora and Vegetation for definition of significant vegetation).
- Provide figures depicting the recorded locations of flora and vegetation in relation to the development envelope in accordance with Technical Guidance – Flora and Vegetation Surveys for Environmental Impact Assessment.

- Outline and justify the proposed application of the mitigation hierarchy in the proposal. Detail actions undertaken to avoid, minimise and mitigate proposal impacts. Include management and/or monitoring plans to be implemented to demonstrate that residual impacts are not greater than predicted. Management and/or monitoring plans are to be presented in accordance with EPA instructions.
- 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.

Preliminary Key Environmental Factor - Terrestrial Fauna

- Identify, quantify and assess the values and significance of fauna, fauna habitat and habitat connectivity within the proposal area and the immediate adjacent area (within the context of the proposal) 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.
- Outline and justify the proposed application of the mitigation hierarchy in the proposal. Detail actions undertaken to avoid, minimise and mitigate proposal impacts. Include management and/or monitoring plans to be implemented to demonstrate that residual impacts are not greater than predicted. Management and/or monitoring plans are to be presented in accordance with EPA instructions.
- Consult with the Department of Biodiversity, Conservation and Attractions (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.

Preliminary Key Environmental Factor - Greenhouse Gas Emissions

- Estimate the expected Scope 1 (direct) and Scope 2 (indirect) net greenhouse gas emissions (i.e. quantity of carbon dioxide equivalent (CO₂-e)) on an annual basis and over the life of the proposal inclusive of changes to land use (clearing of vegetation). Detail the methods used to estimate the net greenhouse emissions.
- Describe the considered and proposed mitigations that demonstrate all reasonable and practicable measures have been applied at each step of the mitigation hierarchy (avoid, reduce and/or offset) regarding the effect on greenhouse gas emissions.
- Where scope 1 emissions are estimated to exceed 100,000 tonnes per year, develop a Greenhouse Gas Management Plan in accordance with the EPA's

Environmental Factor Guideline: Greenhouse Gas Emissions and demonstrate how the EPA's objective for this factor can be met.

2. Environmental offsets

- Determine and quantify any significant residual impacts by applying the Residual Impact Significance Model (page 11) and WA Offset Template (Appendix 1) in the WA Environmental Offsets Guidelines (2014).
- Where significant residual impacts remain, propose an appropriate offsets package that is consistent with the WA Environmental Offsets Policy and Guidelines. Spatial data defining the area of significant residual impacts for each environmental value should also be provided (e.g. vegetation type, vegetation condition, specific fauna species habitat).

3. Matter of National Environmental Significance (MNES)

In addition to requirements of the WA EPA, the Commonwealth Department of Agriculture, Water and the Environment (DAWE) requires additional information for assessment of MNES protected by the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Please provide all of the following information that has not already been requested above.

Black Cockatoos

DAWE notes that the proposed action is likely to have significant impacts on the endangered Carnaby's Black-Cockatoo (*Calyptorhynchus latirostris*) and vulnerable Forest Red-tailed Black-Cockatoo (*Calyptorhynchus banksii naso*) ('Black Cockatoos') by removing 24.58 ha of known foraging habitat, and 85 roosting and potential breeding trees for these species. Please provide the following information so that the significance of impacts can be assessed:

- Additional details, for example as a table, describing the area (in hectares) of each type of foraging habitat, and the number and location of roosting and potential breeding trees in the project area. This information should be presented with general information about the vegetation composition of the surrounding area, noting similarities and differences to the foraging habitat in the project area.
- A discussion of the potential direct and indirect impacts to Black Cockatoos that could arise from loss of foraging habitat, and roosting and potential breeding trees. This should refer to the specific vegetation composition as requested above.
- Please describe, discuss and provide justification for any proposed avoidance, mitigation or management measures to be implemented prior to, during and post-clearing to manage potential direct and indirect impacts of the proposed action on Black Cockatoos and their foraging habitat. Demonstrate that the proposed measures are specific, measurable, achievable, realistic and time-

bound (SMART). Please include a discussion on the efficacy of the proposed avoidance, mitigation and management measures.

Tuart (Eucalyptus gomphocephala) woodlands and forests of the Swan Coastal Plain ecological community

DAWE notes that the proposed action is likely to have significant impacts on the critically endangered Tuart (*Eucalyptus gomphocephala*) woodlands and forests of the Swan Coastal Plain ecological community ('Tuart TEC') by clearing 0.72 ha of a 2 ha 'very high' quality patch of Tuart TEC and clearing of vegetation surrounding a 0.78 ha 'very high' condition patch of Tuart TEC, subjecting the remnant patches to edge effects. Please provide the following information so that the significance of impacts can be assessed:

- Additional details, for example as a table and maps, describing the area (in hectares) of each area of Tuart TEC in the project area, including areas of Tuart TEC that extend beyond the boundary of the project area.
- Please discuss any direct and indirect impacts that may occur to Tuart TEC as a result of the proposed action
- Please describe, discuss and provide justification for any avoidance and mitigation measures to be implemented prior to, during and post-clearing/construction to manage potential direct and indirect impacts of the proposed action on Tuart TEC. These proposed measures, and how they will be implemented, should be illustrated with clear maps that include any new information regarding the distribution of Tuart TEC in the project area, including the quality and condition of the Tuart TEC.

Banksia Woodlands of the Swan Coastal Plain ecological community

DAWE notes that the proposed action is likely to have significant impacts on the endangered Banksia Woodlands of the Swan Coastal Plain ecological community ('Banksia Woodland TEC') by clearing of 14.15 ha of excellent to good condition Banksia Woodlands TEC subjecting the remnant patches to edge effects. Please provide the following information so that the significance of impacts can be assessed:

- Additional details, for example as a table and maps, describing the area (in hectares) of each area of Banksia Woodland TEC in the project area, including areas of Banksia Woodland TEC that extend beyond the boundary of the project area.
- Please discuss any direct and indirect impacts that may occur to Banksia Woodland TEC as a result of the proposed action
- Please describe, discuss and provide justification for any avoidance and mitigation measures to be implemented prior to, during and post-clearing/construction to manage potential direct and indirect impacts of the proposed action on Banksia Woodland TEC. These proposed measures, and how they will be implemented, should be illustrated with clear maps that

include any new information regarding the distribution of Banksia Woodland TEC in the project area, including the quality and condition of the Banksia Woodland TEC.

Environmental Management Plan

If avoidance, mitigation and management measures are contained within an Environmental Management Plan (EMP), please provide a copy of the proposed EMP. Please also provide any other relevant management plans that include avoidance and mitigation measures proposed in the referral documentation in relation to vegetation clearing, native fauna, dieback and weed control, for review. Management plans should be prepared in accordance with DAWE's Environmental Management Plan Guidelines (2014).

Statutory Documents

In preparing information relevant to the matters protected under the EPBC Act described above, please demonstrate that the action is not inconsistent with relevant recovery plans and threat abatement plans, and has regard to relevant conservation advices, including but not limited to the following documents.

- Department of Parks and Wildlife (2013). [Carnaby's Cockatoo \(*Calyptorhynchus latirostris*\) Recovery Plan](#). Perth: Western Australia Department of Parks and Wildlife.
- Chapman, T. (2008). [Forest Black Cockatoo \(*Baudin's Cockatoo Calyptorhynchus baudinii* and Forest Redtailed Black Cockatoo *Calyptorhynchus banksii naso*\) Recovery Plan](#). Department of Environment and Conservation, Western Australia.
- Department of the Environment, Water, Heritage and the Arts (2009). [Approved Conservation Advice for *Calyptorhynchus banksii naso* \(Forest Red-tailed Black Cockatoo\)](#). Canberra: Department of the Environment, Water, Heritage and the Arts.
- Department of the Environment and Energy (2019). [Approved Conservation Advice \(incorporating listing advice\) for the Tuart \(*Eucalyptus gomphocephala*\) woodlands and forests of the Swan Coastal Plain ecological community](#). Canberra: Department of the Environment and Energy.
- Threatened Species Scientific Committee (2016). [Approved Conservation Advice \(incorporating listing advice\) for the Banksia Woodlands of the Swan Coastal Plain Ecological Community](#). Canberra: Department of the Environment and Energy.

- Department of the Environment and Energy (2018). [Threat abatement plan for disease in natural ecosystems caused by Phytophthora cinnamomi](#). Canberra: Commonwealth of Australia.

Any surveys required to obtain information requested in this document should be undertaken in accordance with relevant survey guidelines, including:

- Department of the Environment, Water, Heritage and the Arts (2010). [Survey guidelines for Australia's threatened birds: Guidelines for detecting birds listed as threatened under the EPBC Act](#). Canberra: Department of the Environment, Water, Heritage and the Arts.

Residual Significant Impacts

The proponent should provide whatever details are necessary to demonstrate whether or not residual significant impacts are likely to occur to Black Cockatoos, Tuart TEC and Banksia Woodland TEC after all proposed avoidance, mitigation and management measures are implemented. If residual significant impacts are likely, then compensatory offset measures will be required.

Offsets

Please provide details of all compensatory measures (i.e. environmental offsets) proposed to compensate for the residual significant impacts on EPBC Act listed threatened species and communities, including:

- the type of offsets proposed;
- extent to which the proposed offset actions correlate to, and adequately compensate for, EPBC Act listed species and communities;
- suitability of the location of any proposed offset site for EPBC Act listed species and communities, including evidence of the presence of, or usage by, relevant protected matters;
- 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 matters;
- 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.

Demonstrate how any proposed offset is consistent with the Department's [EPBC Act Environmental Offsets Policy](#) (October 2012), and provide a completed offsets assessment guide (Excel spreadsheet available on the Department's website), and justifications for figures used to complete the offsets assessment guide.

Social and Economic Considerations

Please provide further details on the social and economic costs and/or benefits of undertaking the proposed action, including:

- estimates of any anticipated economic costs and/or benefits (in AUD);
- explanations for any estimations of costs and/or benefits;
- potential employment opportunities expected to be generated at each phase of the proposed action;
- details of any public and stakeholder consultation activities, including the outcomes.

4. Proponent response

The EPA recommends the Referral Information documentation is revised to include and address the requested additional information above, including appending any Environmental Management Plans.

Your response should be sent by email to registrar@dwer.wa.gov.au marked for the attention of Steve Pavey, or by post to the Environmental Protection Authority, Locked Bag 10, Joondalup DC, WA 6919. Please quote the case number CMS17903 on any further correspondence.

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

Yours sincerely



Matthew Tonts
CHAIR

9 February 2021