

# River Road Gravel Pit

Application Number: **02634**Commencement Date:  
**15/10/2024**Status: **Locked**

## 1. About the project

### 1.1 Project details

#### 1.1.1 Project title \*

River Road Gravel Pit

#### 1.1.2 Project industry type \*

Transport - Land

#### 1.1.3 Project industry sub-type

Road

#### 1.1.4 Estimated start date \*

01/07/2025

#### 1.1.4 Estimated end date \*

30/06/2035

### 1.2 Proposed Action details

#### 1.2.1 Provide an overview of the proposed action, including all proposed activities. \*

The River Road Gravel Pit project involves the clearing of 5.58 ha of native vegetation within Shire of Esperance managed road reserve to establish three gravel pits over a 890m section of road to be used in road reconstruction projects. The project was originally one large gravel pit, however due to the discovery of Priority 1 flora *Acrotriche platycarpa* within the survey area, the areas of occurrence of this relatively unknown species were removed from the disturbance footprint.

A dozer will be used to clear native vegetation, stockpile topsoil, and remove overburden (consisting of approximately 300 mm of overlying soil substrate). The topsoil contains large reservoirs of valuable native seed, subterranean fauna and live clonal tissue; therefore, it will be stockpiled separate from the overburden to be used in rehabilitation.

After the exhaustion and cessation of extractive activity in the proposed gravel pits, rehabilitation works will commence in the following autumn or winter (April – June) prior to the onset of the main winter rain. Rehabilitation works will involve spreading stockpiled overburden and subsequently topsoil across the cleared area, and ripping of the site to a depth of 200 – 350 mm. The stored seed in the soil bank will be relied on to facilitate the revegetation component of rehabilitation, with direct seeding or tubestock planting only occurring as a contingency measure. Weed control will occur con-currently.

### **1.2.2 Is the project action part of a staged development or related to other actions or proposals in the region?**

No

### **1.2.6 What Commonwealth or state legislation, planning frameworks or policy documents are relevant to the proposed action, and how are they relevant? \***

The project has been submitted to Western Australian (WA) Department of Water and Environmental Regulation as one of five projects submitted as part of the Shire of Esperance's Strategic Purpose Permit CPS 10602.

The Environmental Protection and Biodiversity Conservation (EPBC) Act referral guidelines for three threatened black cockatoo species is relevant to this application.

### **1.2.7 Describe any public consultation that has been, is being or will be undertaken regarding the project area, including with Indigenous stakeholders. Attach any completed consultation documentations, if relevant. \***

The Shire of Esperance has regular meetings with Esperance Tjaltjraak Native Title Corporation (the Traditional Owners of the area) regarding upcoming projects.

The Esperance community is also consulted through the monthly Council Meetings and Annual Electors Meeting regarding upcoming projects.

Desktop searches have been completed for this project and there are no registered Aboriginal or other Heritage sites within the project area.

## 1.3.1 Identity: Referring party

### Privacy Notice:

Personal information means information or an opinion about an identified individual, or an individual who is reasonably identifiable.

By completing and submitting this form, you consent to the collection of all personal information contained in this form. If you are providing the personal information of other individuals in this form, please ensure you have their consent before doing so.

The Department of Climate Change, Energy, the Environment and Water (the department) collects your personal information (as defined by the Privacy Act 1988) through this platform for the purposes of enabling the department to consider your submission and contact you in relation to your submission. If you fail to provide some or all of the personal information requested on this platform (name and email address), the department will be unable to contact you to seek further information (if required) and subsequently may impact the consideration given to your submission.

Personal information may be disclosed to other Australian government agencies, persons or organisations where necessary for the above purposes, provided the disclosure is consistent with relevant laws, in particular the Privacy Act 1988 (Privacy Act). Your personal information will be used and stored in accordance with the Australian Privacy Principles.

See our Privacy Policy to learn more about accessing or correcting personal information or making a complaint. Alternatively, email us at [privacy@awe.gov.au](mailto:privacy@awe.gov.au).

**Confirm that you have read and understand this Privacy Notice \***

### 1.3.1.1 Is Referring party an organisation or business? \*

Yes

#### Referring party organisation details

<b>ABN/ACN</b>	60034434085
<b>Organisation name</b>	SHIRE OF ESPERANCE
<b>Organisation address</b>	6450 WA

## Referring party details

<b>Name</b>	Julie Waters
<b>Job title</b>	Environmental Coordinator
<b>Phone</b>	08 90831519
<b>Email</b>	julie.waters@esperance.wa.gov.au
<b>Address</b>	PO Box 507, Windich Street Esperance WA 6450

## 1.3.2 Identity: Person proposing to take the action

### 1.3.2.1 Are the Person proposing to take the action details the same as the Referring party details? \*

No

### 1.3.2.2 Is Person proposing to take the action an organisation or business? \*

Yes

## Person proposing to take the action organisation details

<b>ABN/ACN</b>	60034434085
<b>Organisation name</b>	SHIRE OF ESPERANCE
<b>Organisation address</b>	PO Box 507, Windich Street, Esperance 6450 WA

## Person proposing to take the action details

<b>Name</b>	Mathew Walker
<b>Job title</b>	Director Asset Management
<b>Phone</b>	(08) 90710630
<b>Email</b>	mathew.walker@esperance.wa.gov.au

**Address**

PO Box 507, 77 Windich Street, Esperance WA 6450

**1.3.2.14 Are you proposing the action as part of a Joint Venture? \***

No

**1.3.2.15 Are you proposing the action as part of a Trust? \***

No

**1.3.2.17 Describe the Person proposing the action's history of responsible environmental management including details of any proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against the Person proposing to take the action. \***

The Shire of Esperance's Council Plan (July 2022 to June 2032) has the strategic objective that "Our natural environment is valued, protected and enjoyed". The Shire of Esperance operates in compliance with all State and Federal environmental laws. The Shire of Esperance has an Environmental Services team and employs Environmental Officers, who work closely internally with staff likely to impact on the environment to ensure appropriate environmental management, and compliance with state and federal environmental legislation. The Shire of Esperance Environmental Services area reviews and provides direction on Shire of Esperance asset management and operations area programs. All projects with the potential to impact on the natural environment undergo an internal Environmental Impact Assessment. A thorough education program is implemented, to ensure rural machine operators, road maintenance and road construction staff are environmentally aware.

Previous referrals submitted to Department of Climate Change, Energy the Environment and Water (DCCEE):

- 2014/7199 – Gibson rd
- 2019/8600 – Eremophila lactea post fire grading – Outcome – Referral withdrawn after consultation with Commonwealth

In 2019, The Shire of Esperance received a Vegetation Conservation Notice due to non-compliance with WA Environmental Protection (Clearing of Native Vegetation) Regulations. for Lot 262 on Deposited Plan 209352, Fisheries Road, Howick. This followed investigations of unlawful clearing at this site, outside the approved clearing permit area of CPS 5259/1, Following this incident and investigation the Shire of Esperance reviewed and modified operational practices to ensure environmental compliance and that environmental values of areas are protected and maintained. There have been no issues of non-compliance since.

**1.3.2.18 If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework**

The Shire of Esperance's Council Plan (July 2022 to June 2032) has the strategic objective that "Our natural environment is valued, protected and enjoyed". The Shire of Esperance operates in compliance with all State and Federal environmental laws. The Shire of Esperance has an Environmental Services team and employs

Environmental Officers, who work closely internally with staff likely to impact on the environment to ensure appropriate environmental management, and compliance with state and federal environmental legislation. The Shire of Esperance Environmental Services area reviews and provides direction on Shire of Esperance asset management and operations area programs. All projects with the potential to impact on the natural environment undergo an internal Environmental Impact Assessment. A thorough education program is implemented, to ensure rural machine operators, road maintenance and road construction staff are environmentally aware.

### 1.3.3 Identity: Proposed designated proponent

#### 1.3.3.1 Are the Proposed designated proponent details the same as the Person proposing to take the action? \*

Yes

##### Proposed designated proponent organisation details

<b>ABN/ACN</b>	60034434085
<b>Organisation name</b>	SHIRE OF ESPERANCE
<b>Organisation address</b>	PO Box 507, Windich Street, Esperance 6450 WA

##### Proposed designated proponent details

<b>Name</b>	Mathew Walker
<b>Job title</b>	Director Asset Management
<b>Phone</b>	(08) 90710630
<b>Email</b>	mathew.walker@esperance.wa.gov.au
<b>Address</b>	PO Box 507, 77 Windich Street, Esperance WA 6450

### 1.3.4 Identity: Summary of allocation

---

### ✔ Confirmed Referring party's identity

The Referring party is the person preparing the information in this referral.

---

ABN/ACN	60034434085
Organisation name	SHIRE OF ESPERANCE
Organisation address	6450 WA
Representative's name	Julie Waters
Representative's job title	Environmental Coordinator
Phone	08 90831519
Email	julie.waters@esperance.wa.gov.au
Address	PO Box 507, Windich Street Esperance WA 6450

---

### ✔ Confirmed Person proposing to take the action's identity

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

---

ABN/ACN	60034434085
Organisation name	SHIRE OF ESPERANCE
Organisation address	PO Box 507, Windich Street, Esperance 6450 WA
Representative's name	Mathew Walker
Representative's job title	Director Asset Management
Phone	(08) 90710630
Email	mathew.walker@esperance.wa.gov.au
Address	PO Box 507, 77 Windich Street, Esperance WA 6450

---

### ✔ Confirmed Proposed designated proponent's identity

The Person proposing to take the action is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

Same as Person proposing to take the action information.

## 1.4 Payment details: Payment exemption and fee waiver

### 1.4.1 Do you qualify for an exemption from fees under EPBC Regulation 5.23 (1) (a)? \*

No

### 1.4.3 Have you applied for or been granted a waiver for full or partial fees under Regulation 5.21A? \*

No

### 1.4.5 Are you going to apply for a waiver of full or partial fees under EPBC Regulation 5.21A?

No

### 1.4.7 Has the department issued you with a credit note? \*

No

### 1.4.9 Would you like to add a purchase order number to your invoice? \*

No

## 1.4 Payment details: Payment allocation

### 1.4.11 Who would you like to allocate as the entity responsible for payment? \*

Proposed designated proponent

## 2. Location

## 2.1 Project footprint



Maptaskr © 2025 -33.463746, 120.936982

Powered By Esri - Sources: Esri, TomTom, Garmin, F...

Project area (7.48 Ha)  
Disturbance footprint (7.48 Ha)

## 2.2 Footprint details

### 2.2.1 What is the address of the proposed action? \*

River Road Reserve, CASCADE, WA 6450

### 2.2.2 Where is the primary jurisdiction of the proposed action? \*

Western Australia

### 2.2.3 Is there a secondary jurisdiction for this proposed action? \*

No

### 2.2.5 What is the tenure of the action area relevant to the project area? \*

Shire of Esperance Managed, River Road Reserve, CASCADE, WA 6450

## 3. Existing environment

### 3.1 Physical description

#### 3.1.1 Describe the current condition of the project area's environment.

The site is currently an intact and vegetated road reserve, measuring 50 m in width in the northern road reserve, and 30 m width in the southern component, The current road is 20 m wide.

The site is situated approximately 1.6 km from Department of Planning Lands and Heritage (DPLH) Reserve 31750, which follows the riparian corridor of the Lort River south to Stokes Inlet.

The site is currently bisected by a road, Vegetation condition was generally consistent across the site, with the most disturbed and degraded areas localized to a 5-10 m fringe around the edges, and where spoon drains and farm access cross-overs had been cleared. The majority of the vegetation was present in an Excellent condition with several small (> 1 ha) patches in Very Good condition, with minimal weed invasion and signs of disturbance. No signs of recent fire activity were observed, and the vegetation appeared long-unburnt (>15 years).

The proposed works are located approximately 100 km north-west of Esperance townsite in the Cascade district, within the River Road reserve managed by the Shire of Esperance. Specifically, it is situated approximately 4.5 km east of the intersection of Oldfield Road and River Road, at straight line kilometre (SLK); 15.13 to 16.20 (Main Roads 2023). The surrounding are is zoned Rural.

### **3.1.2 Describe any existing or proposed uses for the project area.**

The site is currently bisected by a road that provides access to agricultural holdings and is used for grain transport. The surrounding land use is predominantly cereal cropping within a mosaic of remnant vegetation on private freehold land, Shire and Crown reserves.

### **3.1.3 Describe any outstanding natural features and/or any other important or unique values that applies to the project area.**

The site is situated approximately 1.6 km from Reserve 31750, an A-Class, 2596 ha DPLH reserve vested as parkland. This reserve, and adjoining Reserves 31751 (3437 ha) and 31762 (3218 ha) tracking the riparian corridor of the Lort River south to Stokes Inlet.

### 3.1.4 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area.

The project area is located on a gently undulating plain. Elevation within the project area is approximately 190m above sea level.

## 3.2 Flora and fauna

### 3.2.1 Describe the flora and fauna within the affected area and attach any investigations of surveys if applicable.

A total of 141 vascular flora taxa representing 36 plant families and 92 genera were recorded within the 'River Road Gravel Pits' survey area during the spring survey in 2023. The majority of floral taxa recorded were representative of the Cyperaceae (10 taxa), Fabaceae (15 taxa), Myrtaceae (32 taxa), and Proteaceae (13 taxa) families. This total is inclusive of 131 native plant species and ten introduced or weed species (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, page 19-37). Three vegetation types were distinguished and described during the field survey, consisting of Vegetation Type A: Mixed Mallee over *Hakea laurina* Open Shrubland; Vegetation Type B: Mixed Mallee over *Banksia media* Open Shrubland; and Vegetation Type C: Scattered Mallee over Dense Melaleuca Shrubland. Overall, the vegetation communities mapped and species recorded in the 'River Road Gravel Pits' survey area were consistent with the historical mapping of Beard (1973). Most of the vegetation communities are well represented by VA 47: Shrublands; Tallerack mallee-heath, with the exception of Vegetation Type C: Mixed Mallee over Dense Melaleuca Shrubland. This vegetation type was better represented by Beard VA 519: Shrublands: Mallee scrub, *Eucalyptus eremophila*. (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, pages 23-29)

One Priority flora pursuant to the *Biodiversity Conservation Act 2016* (BC Act), as listed by the Department of Biodiversity, Conservation and Attractions (DBCA), was located within the 'River Road Gravel Pits' survey area, namely the Priority 1 flora *Acrotriche platycarpa*, where 15 plants were recorded within the survey area. No plants will be taken, as they were all located external to the proposed clearing area. No floral taxa listed as Threatened under either the EPBC Act or the BC Act were recorded (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, pages 20-21). Despite the determination of the EPBC Act-listed Kwongkan TEC to be 'Likely' to occur within the survey area during the desktop assessment, no vegetation types encountered during the survey bore sufficient resemblance to this

ecological community, instead dominated by mallee-shrubland vegetation. No other TECs or PECs were identified to be present within the survey area. (See attachment “Vegetation, Flora, Fauna and Environmental Considerations Report” Section 5, page 30)

A total of 5.12 ha of suitable foraging habitat was mapped within the proposed clearing areas for the Carnaby’s black cockatoo (*Zanda latirostris*, EN) within Type A: Mixed Mallee over *Hakea laurina* Open Shrubland and Vegetation Type B: Mixed Mallee over *Banksia media* Open Shrubland. Evidence of the species’ foraging within the site was recorded through the identification of diagnostic chew marks on *Banksia media* flower and fruit cones. (See attachment “Vegetation, Flora, Fauna and Environmental Considerations Report” Section 5, pages 30-36 and Appendix 13 page 70)

### **3.2.2 Describe the vegetation (including the status of native vegetation and soil) within the project area.**

Soils in the project are are: alkaline grey shallow sandy duplex soils associated with calcareous loamy earths, plus other minor soils, which characteristically supports mallee shrublands with an associated understorey of *Melaleuca* species. (See attachment “Vegetation, Flora, Fauna and Environmental Considerations Report” Section 5, page 17)

Three Vegetation Communities were present at the site.

A - Mixed Mallee over *Hakea laurina* Open Shrubland

B - Mixed Mallee over *Banksia media* Open Shrubland

C - Scattered Mallee over Dense *Melaleuca* Shrubland

Vegetation condition was generally consistent across the site, with the most disturbed and degraded areas localised to a 5-10 m fringe around the edges, and where spoon drains and farm access cross-overs had been cleared. The majority of the vegetation was present in an Excellent condition, with minimal weed invasion and signs of disturbance. No signs of recent fire activity were observed, and the vegetation appeared long-unburnt (>15 years). Within the proposed gravel pit clearing area, the vegetation was primarily in an Excellent condition, with several small (> 1 ha) patches of Vegetation Type B in Very Good condition. (See attachment “Vegetation, Flora, Fauna and Environmental Considerations Report” Section 5, pages 23-29).

## **3.3 Heritage**

### **3.3.1 Describe any Commonwealth heritage places overseas or other places recognised as having heritage values that apply to the project area.**

There are no Commonwealth Heritage places near project area.

### **3.3.2 Describe any Indigenous heritage values that apply to the project area.**

The site is located in Wudjari Nyungar Country.

There are no Registered Indigenous Heritage places within the project area. The closest place is 2.3km west of the site at the Young River Registered Site.

## **3.4 Hydrology**

### **3.4.1 Describe the hydrology characteristics that apply to the project area and attach any hydrological investigations or surveys if applicable. \***

No surface water bodies or drainage depressions are mapped within the project area, with a tributary of the Young River situated approximately 0.7 km south of the project area within Reserve 31750.

# **4. Impacts and mitigation**

## 4.1 Impact details

**Potential Matters of National Environmental Significance (MNES) relevant to your proposed action area.**

EPBC Act section	Controlling provision	Impacted	Reviewed
S12	World Heritage	No	Yes
S15B	National Heritage	No	Yes
S16	Ramsar Wetland	No	Yes
S18	Threatened Species and Ecological Communities	Yes	Yes
S20	Migratory Species	No	Yes
S21	Nuclear	No	Yes
S23	Commonwealth Marine Area	No	Yes
S24B	Great Barrier Reef	No	Yes
S24D	Water resource in relation to large coal mining development or coal seam gas	No	Yes
S26	Commonwealth Land	No	Yes
S27B	Commonwealth Heritage Places Overseas	No	Yes
S28	Commonwealth or Commonwealth Agency	No	Yes

### 4.1.1 World Heritage

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

**4.1.1.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \***

No

**4.1.1.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \***

No world heritage sites near project area

**4.1.2 National Heritage**

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

**4.1.2.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \***

No

**4.1.2.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \***

No national heritage sites near project area

**4.1.3 Ramsar Wetland**

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

#### 4.1.3.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \*

No

#### 4.1.3.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \*

No RAMSAR sites near project area

#### 4.1.4 Threatened Species and Ecological Communities

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

#### Threatened species

Direct impact	Indirect impact	Species	Common name
No	No	Anigozanthos bicolor subsp. minor	Little Kangaroo Paw, Two-coloured Kangaroo Paw, Small Two-colour Kangaroo Paw
No	No	Aphelocephala leucopsis	Southern Whiteface
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Calidris acuminata	Sharp-tailed Sandpiper

Direct impact	Indirect impact	Species	Common name
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Conostylis lepidospermoides	Sedge Conostylis
No	Yes	Dasyurus geoffroii	Chuditch, Western Quoll
No	No	Falco hypoleucos	Grey Falcon
No	Yes	Leipoa ocellata	Malleefowl
No	No	Myrmecobius fasciatus	Numbat
No	No	Ricinocarpos trichophorus	Barrens Wedding Bush
Yes	Yes	Zanda latirostris	Carnaby's Black Cockatoo, Short-billed Black-cockatoo

**Ecological communities**

Direct impact	Indirect impact	Ecological community
No	No	Proteaceae Dominated Kwongkan Shrublands of the Southeast Coastal Floristic Province of Western Australia

**4.1.4.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \***

Yes

**4.1.4.2 Briefly describe why your action has a direct and/or indirect impact on these protected matters. \***

There will be a direct impact to Zanda latirostris / Carnaby's Black Cockatoo. This is due to the loss of equal to or greater than 1 hectare of high-quality Carnaby's black-cockatoo foraging habitat. Specifically, A total of 4.02 ha of Carnaby's black-cockatoo foraging habitat was mapped within the proposed project area, comprised of 3.50 ha of high-quality habitat (Score 6/10) in the form of Vegetation Type B, and 1.52 ha of low-quality habitat (Score 4/10) in the form of Vegetation Type A. (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, pages 30-33 and Appendix 13 page 70).

No Referral Guidelines relevant to Leipoa ocellata / malleefowl currently exist. According to the Department of Biodiversity Conservation and Attractions (WA) DBCA threatened and priority fauna database, the closest record of malleefowl to the survey area was 13.4 km from the proposed project area, whilst Atlas of Living Australia (ALA) records indicate that numerous sightings of malleefowl have been recorded in North Cascade near Lake Sharpe, and approximately 25 km west of the survey area near Cheadanup Nature Reserve. It is highly likely that malleefowl occupy the vegetation conserved around the Young River corridor 2 km west of to the survey area. Suitable malleefowl habitat was found across the site, with all three vegetation types consisting of semi-arid woodland and mallee shrublands that are long-unburnt with an

abundance of leaf litter and sandy substrate for mound-building. As the project area consists of a long, narrow vegetated roadside corridor, it is likely that this habitat would be used for foraging or movement between breeding areas in larger reserves. No nest mounds were encountered during the survey, which was conducted during the species' active breeding season in September – November. Therefore, no malleefowl breeding activity is likely to occur within the project area. (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, page 33)

Marginal hunting and nesting habitat for the *Dasyurus geoffroi* / Chuditch was present throughout the site, particularly within Vegetation Type A and B. The abundance of fallen timber, hollows and burrows beneath trees, and dense understorey provides ample shelter for the nocturnal dasyurid, which has a broad habitat range from mallee shrublands, heath, woodlands and eucalypt forest. This species is territorial with large home ranges exceeding 4 km<sup>2</sup> for males and 0.9 km<sup>2</sup>, and therefore they possibly resident in the nearby Young River corridor, and use the road reserve as a movement corridor. According to the DBCA database, the most recent sightings of chuditch in the Esperance region occurred in the early 2000s. A translocated population was released at Lake Magenta Nature Reserve in 1997-98 and has been successful; it is possible individuals from these translocated populations are dispersing further into the Great Western Woodlands and adjacent mallee. ALA records indicate that chuditch have been sighted in riparian corridors of the Phillips River and Fitzgerald River NP adjacent to Culham Inlet, approximately 86 km west of the survey area, connected to the survey area by contiguous habitat through the Great Western Woodlands and roadside vegetation. (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, pages 33-34)

**4.1.4.4 Do you consider this likely direct and/or indirect impact to be a Significant Impact? \***

Yes

**4.1.4.5 Describe why you consider this to be a Significant Impact. \***

There will be a significant impact to *Zanda latirostris* / Carnaby's Black Cockatoo. This is due to the loss of equal to or greater than 1 hectare of high-quality Carnaby's black-cockatoo foraging habitat. Specifically, A total of 4.02 ha of Carnaby's black-cockatoo foraging habitat was mapped within the proposed project area, comprised of 3.50 ha of high-quality habitat (Score 6/10) in the form of Vegetation Type B, and 1.52 ha of low-quality habitat (Score 4/10) in the form of Vegetation Type A. (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5, pages 30-33 and Appendix 13 page 70).

There will be no significant impacts to any other listed species or communities.

**4.1.4.7 Do you think your proposed action is a controlled action? \***

No

**4.1.4.9 Please elaborate why you do not think your proposed action is a controlled action. \***

Unsure. The decision tree in Figure 1 of the referral guidelines is not designed to assist in determining whether this action will be a controlled action.

However as the project area does not impact *Zanda latirostris* / Carnaby's black-cockatoo breeding habitat, and the project area will be rehabilitated after gravel has been extracted, so therefore only a temporary loss of foraging habitat it is unlikely to be a controlled action.

**4.1.4.10 Please describe any avoidance or mitigation measures proposed for this action and attach any supporting documentation for these avoidance and mitigation measures. \***

Avoidance and mitigation of Priority Flora (See attachment "Vegetation, Flora, Fauna and Environmental Considerations Report" Section 5.1.1 Page 20-21). Twelve *Acrotriche platycarpa* plants were in the original project area (depicted as the survey area), however, adjustment of the project area to prevent clearing within 10 m of this species resulted in three clearing areas that do not impact this species. The neighbouring rehabilitated gravel pit to the west of the site was also searched for *Acrotriche platycarpa* with a lower survey intensity than the rest of the survey area, revealing an additional three plants within the rehabilitated gravel pit. *Acrotriche platycarpa* was first discovered in 2021 and formally described in 2023. The River Road population is the fourth known population of this species, with the addition of this population there is now a total of 135 known plants.

**4.1.4.11 Please describe any proposed offsets and attach any supporting documentation relevant to these measures. \***

The planned rehabilitation outlined in the attached Rehabilitation Plan (See Attachment "Revegetation Plan River Road Gravel Pit") will offset impacts over time. The Shire of Esperance are currently in negotiations with the WA Department of Water and Environmental Regulation (DWER) in regards to offsets for this project (Note these offset negotiations include all 5 sites submitted as part of the Shire of Esperance's Strategic Purpose Permit CPS 10602).

At this stage the proposed Environmental Offsets identified by the Shire of Esperance via correspondence on 20/9/2024 of have not yet been given in principle support from DWER, so no offset proposal has been prepared, however the Shire of Esperance proposes to use previously banked offsets within Reserve 26192. This site contains suitable habitat for malleefowl. The Shire of Esperance has also proposed a new offset in the Conservation Vesting of Reserve 27355 Lot 80, Fisheries Road, Neridup. This reserve contains 90.88 ha of 'High' quality foraging habitat for the Carnaby's black cockatoo.

### 4.1.5 Migratory Species

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

Direct impact	Indirect impact	Species	Common name
No	No	Actitis hypoleucos	Common Sandpiper
No	No	Apus pacificus	Fork-tailed Swift
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris ferruginea	Curlew Sandpiper
No	No	Calidris melanotos	Pectoral Sandpiper
No	No	Motacilla cinerea	Grey Wagtail

#### 4.1.5.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \*

No

#### 4.1.5.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \*

None of these species in area

### 4.1.6 Nuclear

#### 4.1.6.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? \*

No

**4.1.6.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \***

No Nuclear action proposed

**4.1.7 Commonwealth Marine Area**

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

**4.1.7.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \***

No

**4.1.7.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \***

Not close to Commonwealth Marine area

**4.1.8 Great Barrier Reef**

**4.1.8.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? \***

No

**4.1.8.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \***

Not near Great Barrier Reef

**4.1.9 Water resource in relation to large coal mining development or coal seam gas**

**4.1.9.1 Is the proposed action likely to have any direct and/or indirect impact on this protected matter? \***

No

**4.1.9.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact. \***

Not a coal or gas proposal

**4.1.10 Commonwealth Land**

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

**4.1.10.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \***

No

**4.1.10.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.**

\*

No Commonwealth land near

**4.1.11 Commonwealth Heritage Places Overseas**

You have identified your proposed action will likely directly and/or indirectly impact the following protected matters.

A direct impact is a direct consequence of an action taken – for example, clearing of habitat for a threatened species or permanent shading on an ecological community as the result of installing solar panels.

An indirect impact is an 'indirect consequence' such as a downstream impact or a facilitated third-party action.

—

**4.1.11.1 Is the proposed action likely to have any direct and/or indirect impact on any of these protected matters? \***

No

**4.1.11.3 Briefly describe why your action is unlikely to have a direct and/or indirect impact.**

\*

Proposal within Australia

## 4.1.12 Commonwealth or Commonwealth Agency

### 4.1.12.1 Is the proposed action to be taken by the Commonwealth or a Commonwealth Agency? \*

No

## 4.2 Impact summary

### Conclusion on the likelihood of significant impacts

You have indicated that the proposed action will likely have a significant impact on the following Matters of National Environmental Significance:

- Threatened Species and Ecological Communities (S18)

### Conclusion on the likelihood of unlikely significant impacts

You have indicated that the proposed action will unlikely have a significant impact on the following Matters of National Environmental Significance:

- World Heritage (S12)
- National Heritage (S15B)
- Ramsar Wetland (S16)
- Migratory Species (S20)
- Nuclear (S21)
- Commonwealth Marine Area (S23)
- Great Barrier Reef (S24B)
- Water resource in relation to large coal mining development or coal seam gas (S24D)
- Commonwealth Land (S26)
- Commonwealth Heritage Places Overseas (S27B)
- Commonwealth or Commonwealth Agency (S28)

## 4.3 Alternatives

### 4.3.1 Do you have any possible alternatives for your proposed action to be considered as part of your referral? \*

Yes

### 4.3.2 Do you have an alternative timeline you are proposing for your proposed action? \*

No

### 4.3.3 Briefly describe why an alternate timeline for your proposed action was not possible.

\*

The gravel is needed for road improvement projects now

### 4.3.4 Do you have an alternative location you are proposing for your proposed action? \*

No

### 4.3.5 Briefly describe why an alternative location for your proposed action was not possible. \*

The Shire of Esperance endeavors wherever possible to source Basic Raw Materials such as sand and gravel from within existing cleared areas, and currently sources over 85% of its gravel from previously cleared land. The supply of gravel from within the cleared paddock adjacent to this project location is now exhausted and despite asking all private property landowners within a 20km radius of the road improvement project location (Economic carting distance), this is the only gravel supply found.

**4.3.6 Do you have alternative activities you are proposing for your proposed action? \***

No

**4.3.7 Briefly describe why an alternative activity for your proposed action was not possible.**

\*

It is impossible to extract gravel without clearing the vegetation, topsoil and overburden overlying the gravel on duplex soils.

### 4.3.4 Alternatives: Impact and mitigation

**4.3.4.1 Do these alternatives have a different impact, avoidance, or mitigation measure compared to what you have already provided? \***

No

### 4.3.5 Alternatives: Considered alternatives

**4.3.5.1 Do you have any other alternative actions, including not taking the action, that you have considered but are not proposing as part of this referral? \***

Yes

**4.3.5.2 Describe the details of this possible alternative that you have considered but are not proposing. \***

The Shire of Esperance endeavors wherever possible to source Basic Raw Materials such as sand and gravel from within existing cleared areas, and currently sources over 85% of its gravel from previously cleared land. The supply of gravel from within the cleared paddock adjacent to this project location is now exhausted and despite asking all private property landowners within a 20km radius of the road improvement project location (Economic carting distance), this is the only gravel supply found.

# 5. Lodgement

## 5.1 Attachments

1.2.6 Commonwealth or state legislation, planning frameworks or policy documents that are relevant to the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Referral guideline for 3 WA threatened black cockatoo species <a href="https://www.agriculture.gov.au/sites/default/fil..">https://www.agriculture.gov.au/sites/default/fil..</a>			High

1.3.2.17 (Person proposing to take the action) Proposer's history of responsible environmental management

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Council Plan 2022-2032 <a href="https://www.esperance.wa.gov.au/documents/1498/c..">https://www.esperance.wa.gov.au/documents/1498/c..</a>			High

1.3.2.18 (Person proposing to take the action) If the person proposing to take the action is a corporation, provide details of the corporation's environmental policy and planning framework

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Council Plan 2022-2032 <a href="https://www.esperance.wa.gov.au/documents/1498/c..">https://www.esperance.wa.gov.au/documents/1498/c..</a>			High

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Main Roads WA. GPS-SLK (Straight Line Kilometres) Map <a href="https://mrwebapps.mainroads.wa.gov.au/gpsslk">https://mrwebapps.mainroads.wa.gov.au/gpsslk</a>			High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Vegetation, Flora, Fauna and Environmental Considerations Report-.pdf Environmental Impact Assessment Report	29/04/2024	No	High
#2.	Link	Approved Conservation Advice for Proteaceae Dominated Kwongkan Shrublands of the southeast coastal f <a href="https://www.environment.gov.au/biodiversity/thre..">https://www.environment.gov.au/biodiversity/thre..</a>			High
#3.	Link	Referral guideline for 3 WA threatened black cockatoo species <a href="https://www.dcceew.gov.au/environment/epbc/publi..">https://www.dcceew.gov.au/environment/epbc/publi..</a>			High

4.1.4.2 (Threatened Species and Ecological Communities) Why your action has a direct and/or indirect impact on the identified protected matters

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Chuditch (Dasyurus geoffroi) National Recovery Plan <a href="https://www.dcceew.gov.au/sites/default/files/do..">https://www.dcceew.gov.au/sites/default/files/do..</a>			High
#2.	Link	Referral guideline for 3 WA threatened black cockatoo species <a href="https://www.agriculture.gov.au/sites/default/fil..">https://www.agriculture.gov.au/sites/default/fil..</a>			High

4.1.4.9 (Threatened Species and Ecological Communities) Why you do not think your proposed action is a controlled action

	Type	Name	Date	Sensitivity	Confidence
#1.	Link	Referral guideline for 3 WA threatened black cockatoo species <a href="https://www.dcceew.gov.au/sites/default/files/do..">https://www.dcceew.gov.au/sites/default/files/do..</a>			High

4.1.4.10 (Threatened Species and Ecological Communities) Avoidance or mitigation measures proposed for this action

	Type	Name	Date	Sensitivity	Confidence

#1. Document	Revegetation Plan River Road Gravel Pit.pdf Revegetation Plan	No	High
--------------	--	----	------

## 5.2 Declarations

### Completed Referring party's declaration

The Referring party is the person preparing the information in this referral.

ABN/ACN	60034434085
Organisation name	SHIRE OF ESPERANCE
Organisation address	6450 WA
Representative's name	Julie Waters
Representative's job title	Environmental Coordinator
Phone	08 90831519
Email	julie.waters@esperance.wa.gov.au
Address	PO Box 507, Windich Street Esperance WA 6450

Check this box to indicate you have read the referral form. \*

I would like to receive notifications and track the referral progress through the EPBC portal. \*

By checking this box, I, **Julie Waters of SHIRE OF ESPERANCE**, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. \*

I would like to receive notifications and track the referral progress through the EPBC portal. \*

### Completed Person proposing to take the action's declaration

The Person proposing to take the action is the individual, business, government agency or trustee that will be responsible for the proposed action.

---

ABN/ACN	60034434085
Organisation name	SHIRE OF ESPERANCE
Organisation address	PO Box 507, Windich Street, Esperance 6450 WA
Representative's name	Mathew Walker
Representative's job title	Director Asset Management
Phone	(08) 90710630
Email	mathew.walker@esperance.wa.gov.au
Address	PO Box 507, 77 Windich Street, Esperance WA 6450

Check this box to indicate you have read the referral form. \*

I would like to receive notifications and track the referral progress through the EPBC portal. \*

I, **Mathew Walker of SHIRE OF ESPERANCE**, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity. \*

I would like to receive notifications and track the referral progress through the EPBC portal. \*

---

### Completed Proposed designated proponent's declaration

The Proposed designated proponent is the individual or organisation proposed to be responsible for meeting the requirements of the EPBC Act during the assessment process, if the Minister decides that this project is a controlled action.

---

Same as Person proposing to take the action information.

Check this box to indicate you have read the referral form. \*

I would like to receive notifications and track the referral progress through the EPBC portal. \*

I, **Mathew Walker of SHIRE OF ESPERANCE**, the Proposed designated proponent, consent to the designation of myself as the Proposed designated proponent for the purposes of the action described in this EPBC Act Referral. \*

I would like to receive notifications and track the referral progress through the EPBC portal. \*