

Caporn Street Mariginiup Subdivision and Development

Application Number: **02596**

Commencement Date:
17/09/2024

Status: **Locked**

1. About the project

1.1 Project details

1.1.1 Project title *

Caporn Street Mariginiup Subdivision and Development

1.1.2 Project industry type *

Commercial Development

1.1.3 Project industry sub-type

—

1.1.4 Estimated start date *

05/01/2025

1.1.4 Estimated end date *

24/12/2025

1.2 Proposed Action details

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

Colgan Industries Pty Ltd. (the Proponent) is progressing the subdivision and development of Lot 10 Caporn Street, Mariginiup (the Project Area). The Project Area is 4.57 ha in size and located within the City of Wanneroo (see **Attachment A, Figure 1**).

To provide context for the broader future development occurring within and surrounding the Project Area the draft Precinct 7 Lake Mariginiup Local Structure Plan (LMLSP) is provided as **Attachment B**, as well as the East Wanneroo District Structure Plan (EWDSP) provided as **Attachment C**.

The Proposed Action involves a disturbance footprint of 4.57 ha to subdivide the lots for commercial and residential development. There will be landscaping, revegetation and the retention of vegetation within the site, within the northern portion of the Project Area (designated for future public open space) of which contains some vegetation in completely degraded condition. While this area will retain native vegetation and be subject to revegetation, given the works necessary to remediate and prepare the site for this the area is included in the Disturbance Footprint.

The following impacts to EPBC Act listed Matters of National Significance (MNES) are associated with implementing the Proposed Action:

- Removal of 0.8 ha of Carnaby's black cockatoo (CBC) foraging habitat, which comprises 0.79 ha of primary native, and 0.01 ha low quality (secondary native) foraging habitat.
- Removal of 0.79 ha of high quality (primary native) forest red-tailed black cockatoo (FRTBC) foraging habitat.
- Removal of 13 black cockatoo potential nesting trees, none of which support hollows that could be used for nesting by black cockatoo.

Following the initial clearing of the site, the following works are required to progress development across the Project Area, but are not anticipated to have any further direct or indirect impacts on any MNES:

- Bulk earthworks, including cutting and filling of the land (where required)
- Civil construction works, including the construction of residential and commercial lots, public roads and installation of services to the point that subdivided lots can be created, sold and ready for individual dwellings and further commercial development.

Separate to the activities associated with the proposed action, future residential development adjacent to the east and west of the Project Area is anticipated to progress in accordance with the structure plans. Whilst separate to this proposed action and associated referral, residential, public open space and commercial development within the broader Precinct 7 Lake Mariginiup Local Structure Plan area (which includes the Project Area) is relevant to provide context for the Proposed Action area, and in particular the areas targeted for open space for native vegetation retention.

There will be the retention of trees and vegetation, landscaping and revegetation within the northern area of public open space within the Project Area, which is associated with wetland buffer for Lake Mariginiup (**see Attachment A, Figure 2**).

Whilst the development of the Proposed Action will be guided by the broader Precinct 7 Lake Mariginiup Structure Plan, the development of each separate landholding within the Structure Plan area will be undertaken by the relevant landholder or entity, and so the Proposed Action is not part of a larger action or a staged development (as **detailed further in Section 1.2.5**).

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

Yes

1.2.3 Is the proposed action the first stage of a staged development (or a larger project)?

Yes

1.2.5 Provide information about the staged development (or relevant larger project).

The Proponent is proposing to subdivide and develop Lot 10 Caporn Street Mariginiup. This proposed action has been referred pursuant to the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) to determine whether the action is likely to have significant impact on matters protected under Part 3 and thus require Ministerial approval.

Lot 11 Caporn Street Mariginiup borders Lot 10 to the east and is under the same ownership as Lot 10. Lot 11 is intended for future subdivision and development (**see Attachment D**), although the development timeframe is currently uncertain and will not occur at the same time as the subdivision and development of Lot 10.

The proposed subdivision and development of Lot 10 involves potential impacts to MNES and is being progressed in the short term in accordance with the broader Precinct 7 Lake Mariginiup Local Structure Plan, with the intended subdivision layout depicted in the subdivision plan for lot 10 (**see Attachment E**).

Implementation of the subdivision layout will involve the immediate creation of access for the northern portion of lot 10 through a 20 m wide road reserve extending from the existing Caporn Street to the south and allowing for the future connection west and east through the adjacent lots 3 and 101 and across to lot 11 (as shown in **Attachment E**). This will enable the establishment of road access and the progression of bulk earthworks necessary for the sale of the northern portion of Lot 10 to the Water Corporation for the progression of wastewater servicing for the broader Mariginiup locality. In addition, the residential lots in the west of lot 10 will be created as part of the Proposed Action in the short term. Although the LSP designated 'Special Use 1 (Local Centre)' under the LSP extends across lot 10 into lot 11 (**see Attachment D**), this does not involve or necessitate any development within that portion of lot 10 in the short term. The proposed Special Use lot within lot 10 is intended to retain the locally heritage listed Berriman house and enable its restoration and future public access. The subdivision and development of lot 10 will occur separately and independently to any future subdivision and development of lot 11, so does not constitute a larger project pursuant to the EPBC Act.

With consideration to the 'Staged Developments' policy statement (DSEWPaC 2013), the proposed action is not co-dependent or part of a larger action that would compromise the consideration of impacts on protected matters under Part 3 of the *EPBC Act 1999* as detailed below:

- The Proposed Action is not reliant on any prior additional actions to take place to be viable and is separate in its own right.
- The Proposed Action is not co-dependent on the basis that the subdivision and development of Lot 10 is currently being progressed and has a committed development timeframe that upon resolution of the EPBC Act referral, will involve development works and subdivision and sale and transfer of the northern portion of lot 10 to the Water Corporation to enable wastewater servicing in the broader locality.
- Lot 11 does not currently have a committed development timeframe in the immediate future, nor is the layout of any proposed development finalised.
- Beyond Lot 11, the Proponent is not proposing to progress any other development.

Of most relevance, based on ecological surveys undertaken and the associated characteristics of lot 11, there would be no material or relevant impacts to any MNES (including Black Cockatoo) associated with its future subdivision and development.

SLR Consulting conducted a detailed flora and vegetation survey, a PMST database search, and black cockatoo habitat assessment across the broader East Wanneroo Precinct 7 Structure Plan area, which included Lot 10 and Lot 11. Lot 11 was found to contain some vegetation, in 'completely degraded' condition. The complete Environmental Assessment Report (EAR) is included as **Attachment F**. The future development of lot 11 would not involve material impacts to any MNES that would require consideration alongside the impacts associated with the shorter-term development of lot 10.

Therefore, this referral involving the subdivision and development of lot 10 does not prevent from the consideration of the full extent and likely significance of impacts to MNES in their entirety.

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

Commonwealth – EPBC Act

Two nationally significant fauna species (listed MNES) were identified as likely occurring within the Project area. The following policies and guidance documents have therefore been considered:

- Significant Impact Guidelines 1.1 (DotE 2013).

- Carnaby's Cockatoo (*Calyptorhynchus latirostris*) Recovery Plan (DEC 2013).
- Referral Guideline for 3 WA Threatened Black Cockatoo Species (DAWE 2022).

The referral guidelines for the 3 WA Threatened Black Cockatoo Species (DAWE 2022) provides risk-based impact referral thresholds and a habitat quality scoring tool and has been considered in this referral. This referral is a direct reflection of the relevance of the EPBC Act to the Proposed Action.

Western Australia

Metropolitan Region Scheme (MRS)

The Project Area is zoned 'Urban deferred' under the MRS, with a significant area adjacent north of site reserved 'Parks and Recreation' and designated as 'Bush Forever' (Bush Forever Site 147). Land to the west of the Project Area is zoned 'Urban' under the MRS. An amendment to rezone the Project Area from 'Urban Deferred' to 'Urban' is currently progressing.

City of Wanneroo District Planning Scheme No. 2 (2001)

The Project Area is zoned 'Rural' under the City of Wanneroo District Planning Scheme No. 2, with land adjacent to the north reserved for Public Open Space (POS). An amendment to rezone the Project Area from 'Rural' to 'Urban Development' is currently progressing.

East Wanneroo District Structure Plan (EWDSP) (2021)

Development of the Project Area and surrounds will be subject to the approved EWDSP. The EWDSP was prepared for an area spanning 8,300 hectares which includes the Project Area and five localities (Mariginiup, Jandabup, East Wanneroo, Gngangara and South-west Lexia). The structure plan guides the progressive urbanisation of East Wanneroo and establishes the layout of the future residential land uses, public road network, and responds to and demonstrates how the identified environmental values can be accommodated.

The Project Area falls within EWDSP low to medium residential density 'suburban neighbourhood' zone, which focuses on the amenity opportunities associated with Lake Mariginiup with the aim to deliver walkable neighbourhoods that are integrated with the natural environment. With the envisioned outcome for the area resulting in a focal point for social interaction, recreation, park-space, a local centre/corner store, and a primary school. There is a proposed character area in close proximity to the Project Area (at the north-eastern shore of Lake Mariginiup), which is intended for apartments and terrace housing. Implementation of the EWDSP is anticipated to provide for forecasted increases in the local population from 15,000 to approximately 150,000 people.

Precinct 7 Lake Mariginiup Local Structure Plan (2023)

Development of the Project Area will be subject to the Precinct 7 Lake Mariginiup Local Structure Plan. The structure plan was prepared for land bound by Lake Mariginiup, Lakeview Street, Jandabup Lake, Pinjar Road, and Caporn Street.

The Precinct 7 Lake Mariginiup Local Structure Plan has been developed having regard to the various environmental features. This includes the accommodation of wetland buffer areas and the provision of 22 areas of public open space that are intended to accommodate the retention of native vegetation and other environmental values across the Precinct 7 Structure Plan area.

The key EWDSP land use elements within Precinct 7 (including the project area) that have informed and been accommodated within the LMLSP layout include low and medium density residential uses, an area of Special use, one high school, two primary schools and public open space and reserves to accommodate the Water Corporation wastewater infrastructure.

The Precinct 7 Lake Mariginiup Local Structure Plan incorporating the project area provides a framework for the provision of future land use, subdivision and development. The Precinct 7 Lake Mariginiup Local Structure Plan has been formulated to respond to identified environmental values (including within the project area), primarily through the provision of various regional or local reserves in response to identified environmental values.

Future Land Use Planning Stages

The future subdivision and development works across the Project Area will be able to be managed in accordance with the *Planning and Development Act 2005* (PD Act) and Local Government Act 1995 (LG Act). Conditions of subdivision approval will ensure development addresses environmental matters, including protection and management of native vegetation and fauna habitat, environmental management, landscaping, materials and bushfire.

Under the EP Act (see further below), where clearing of native vegetation is undertaken in accordance with a subdivision approval under the *Planning and Development Act 2005*, it is exempt from requiring a clearing permit under Schedule 6 of the EP Act. The Proponent acknowledges that clearing exemptions under the State legislation does not necessarily mean Commonwealth environmental considerations (e.g. significant impacts on MNES pursuant to the EPBC Act) are not relevant and that Commonwealth approval for all impacts resulting from the Proposed Action on MNES is required.

Environmental

Environmental Protection Act 1986 (WA)

The Proposed Action has not been referred to the Environmental Protection Authority (EPA) pursuant to under s38 of the *Environmental Protection Act 1986* (EP Act). However, MRS amendment 1308/14 (2016) which included the Project Area was previously referred to the EPA as part of the rezoning of an area approximately 2,100 hectares from 'Rural' to 'Urban Deferred'. The EPA determined that the amendment did not require formal assessment pursuant to part IV of the *Environmental Protection Act 1986*, which also means that there is no requirement to refer a proposal that is consistent with that land use which has been considered by the EPA.

Biodiversity Conservation Act 2016 (WA)

The *Biodiversity Conservation Act 2016* (BC Act) provides for the listing of flora, fauna and threatened ecological communities and Ministerial authorisation (Section 40) to 'take', 'disturb' or 'modify' listed matters respectively. This includes a requirement to outline how the mitigation hierarchy (avoidance, mitigation) has been applied, and monitoring to support implementation. The authorisation details conditions in terms of how activities that cause harm will be managed and is approved by the Minister. BC Act authorisation will not be required to facilitate the progression of the Proposed Action.

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 Project Area is located within East Wanneroo region and has previously been subject to a range of public advertising and consultation processes which are a result of the land use planning history outlined in the previous section. To date key public consultation has included periods in relation to:

- MRS Amendment 1308/14 - Public submissions were open from 5th April to 8th July 2016. A total of 447 submissions were received, of which 117 were in support of the amendment, 305 objected, and 25 contained no comments. Key points raised related to general use of the amenity and area, environmental matters, the reservation of land as parks and recreation, and inclusion of additional land in zones. There were no submissions specifically relevant for the Project Area (**see Attachment G**).
- MRS Amendment to lift from the 'Urban Deferred' zone to an 'Urban Zone' – Will be publicly advertised.
- City of Wanneroo District Planning Scheme Amendment – Will be publicly advertised.
- EWDSP – Advertised for public comment in September 2019 (450 submissions received) and finalised in July of 2021. There were no submissions specifically relevant for the Project Area (**see Attachment H**).
- Precinct 7 Lake Mariginiup Local Structure Plan – Advertised for public comment from 7th February 2024 to 29th March 2024. There were no submissions specifically relevant for the Project Area (**see Attachment I**).

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.

☒ **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	
ABN/ACN	57144772510
Organisation name	Emerge Environmental Services Pty Ltd
Organisation address	6008 WA
Referring party details	
Name	Jason Hick
Job title	Director, Principal Environmental Consultant

Phone	08 9380 4988
Email	jason.hick@emergeassociates.com.au
Address	Suite 4, 26 Railway Road, Subiaco WA 6008

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	
ABN/ACN	15081033847
Organisation name	Colgan Industries Pty Ltd
Organisation address	16 Canham Way Greenwood WA, 6024, Australia
Person proposing to take the action details	
Name	Daniel Colgan
Job title	Director
Phone	0438950070
Email	daniel@colgan.com.au
Address	16 Canham Way, Greenwood, WA 6024

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 Proponent has a satisfactory record of responsible environmental management and is aware of its environmental duties and obligations, as evidenced by the progression of this EPBC Act referral. The Proponent's development experience has primarily centred around the restoration and renovation of heritage listed properties into multi-unit residential apartments. With 'Square One Apartments Perth' and 'Soda Apartments Perth' being noteworthy examples that were recognised with multiple sustainable design, building and architectural awards, which include:

- HIA Greensmart Awards
- MBA – Excellence in Energy Efficiency Award
- RAIA (WA)
- Town of Vincent – Sustainable Design Award
- Heritage Council – The Gerry Gauntlett Award for Excellence in Adaptive Reuse
- UNESCO Asia-Pacific Heritage Awards for Cultural Heritage Conservation.

In relation to the Proposed Action, the Proponent has engaged an experienced team of professional environmental consultants and has had regard to all relevant and available department guidance to ensure environmental impacts are considered and appropriately managed in accordance with the relevant Commonwealth and State environmental and planning legislation.

There are no past or current proceedings against the Proponent under Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources.

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 Proponent is a small sized family-owned business that provides long-term restorative solutions for new developments and facilitate heritage conservation. The proponent operates in accordance with Colgan Industries' environmental management and protection procedures (**see Attachment J**), which includes:

- Engaging suitably qualified specialists to ensure all relevant State/Territory legislation, codes of practice, and environmental guidelines are applied.
- Use of low volatile organic compounds (VOC) to prevent environmental harm, requiring contractors to maintain an up-to-date list of all products to be used on site, which are inspected on a weekly basis.
- Traffic Management – traffic management plan as part of Colgan Industries Safety Management Plan.
- Contaminated Soil and/or Materials – inspection regime to ensure contaminated soils and hazardous substances are not transferred from site.
- Stormwater and wastewater management and control in response to high risk of sediment and/or contaminated water discharge
- Controls and measures for dust generation associated with site works
- Hazardous substance procedure and register for appropriate storage of dangerous goods and hazardous substances.
- Waste Management/Recycling – building waste and/or debris is recycled in accordance with approved practices and where reasonably practicable.

- Waste Reporting – amount of waste generated, percentage recycled and diverted from landfill, in accordance with the Green Building Council's Green Star Points System.

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

ABN/ACN	15081033847
Organisation name	Colgan Industries Pty Ltd
Organisation address	16 Canham Way Greenwood WA, 6024, Australia

Proposed designated proponent details

Name	Daniel Colgan
Job title	Director
Phone	0438950070
Email	daniel@colgan.com.au
Address	16 Canham Way, Greenwood, WA 6024

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	57144772510
Organisation name	Emerge Environmental Services Pty Ltd

Organisation address	6008 WA
Representative's name	Jason Hick
Representative's job title	Director, Principal Environmental Consultant
Phone	08 9380 4988
Email	jason.hick@emergeassociates.com.au
Address	Suite 4, 26 Railway Road, Subiaco WA 6008

✔ 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	15081033847
Organisation name	Colgan Industries Pty Ltd
Organisation address	16 Canham Way Greenwood WA, 6024, Australia
Representative's name	Daniel Colgan
Representative's job title	Director
Phone	0438950070
Email	daniel@colgan.com.au
Address	16 Canham Way, Greenwood, WA 6024

✔ 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

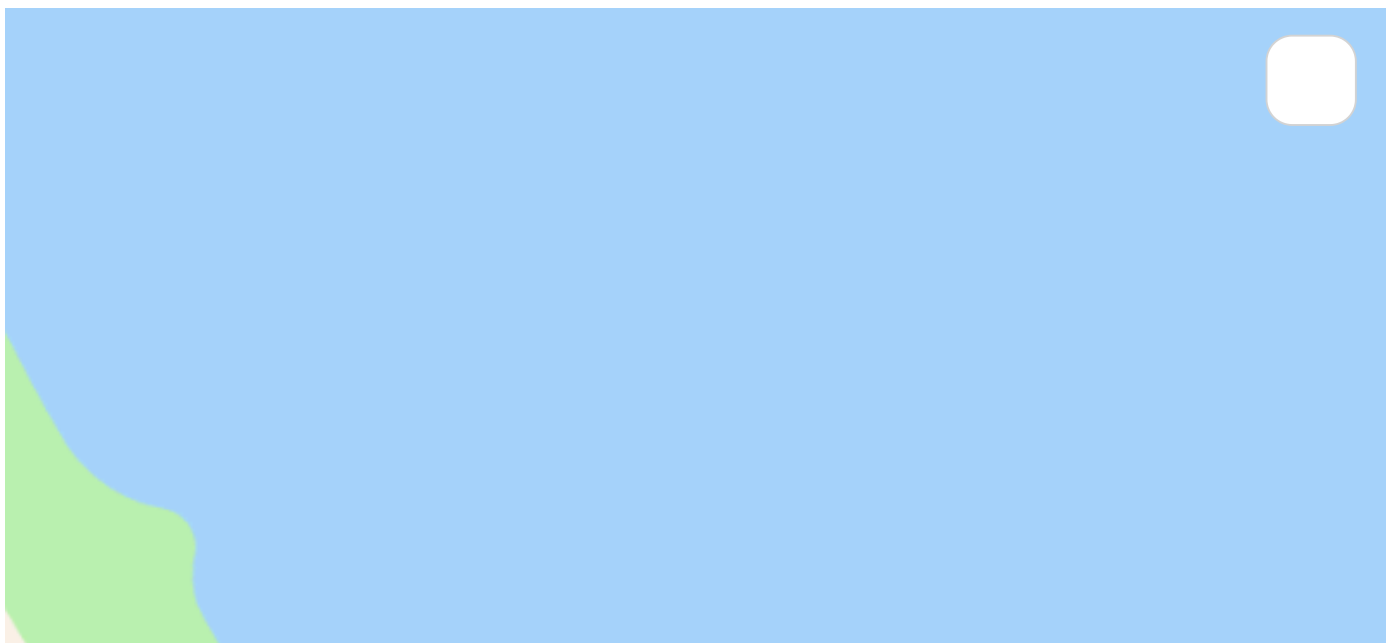
1.4 Payment details: Payment allocation

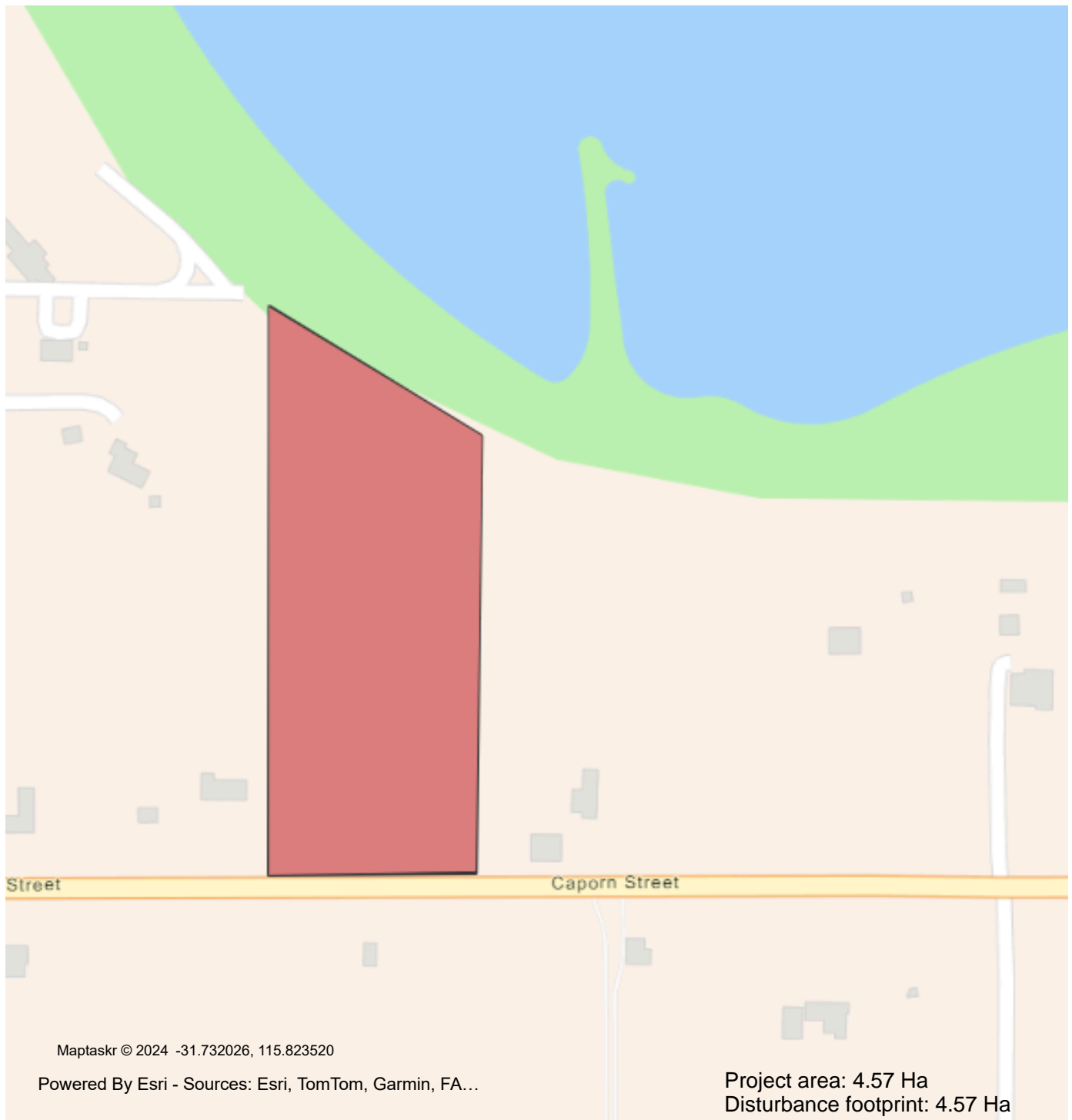
1.4.11 Who would you like to allocate as the entity responsible for payment? *

Person proposing to take the action

2. Location

2.1 Project footprint





2.2 Footprint details

2.2.1 What is the address of the proposed action? *

Lot 10 (89) Caporn Street, Mariginiup WA, 6078, Australia

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? *

Lot 10 is held as freehold land, which extends over one parcel of land:

- 89 Caporn Street, Marigniup (Lot 10 on Deposited Plan 222778).

Access to road reserves will be enabled as part of the subdivision approval under the PD Act.

3. Existing environment

3.1 Physical description

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

The Project Area is located approximately 50 km north of the Perth Central Business District (CBD) within the City of Wanneroo and suburb of Marigniup. The Project Area is bounded by Lake Marigniup to the north, future residential land and Caporn Park to the west, Caporn Street to the south and future residential land to the east (**see Attachment A, Figure 1**). The East Wanneroo area has historically been characterised by farming, grape growing, and broad scale grazing and supported predominantly rural land uses (WAPC 2021). Since the early to late 2000's the area has transitioned from rural to primarily urban activities, with a considerable concentration of residential dwellings throughout (WAPC 2021). The Project Area is approximately 3.3 km south-west of neighbouring Wanneroo suburb Carramar and approximately 4.6km west of the City of Joondalup.

The broader East Wanneroo area is also known to support a significant extent of Banksia and Tuart woodland ecological communities which also provides habitat for local fauna including black cockatoo. However, recent surveys conducted have confirmed the absence of any EPBC Act listed Threatened Ecological Communities (TEC) within the Project Area.

The Project Area was rezoned in 2016 from 'Rural' to 'Urban Deferred' under the MRS. The site is zoned 'Rural' under the City of Wanneroo District Planning Scheme No. 2 (DPS). The Precinct 7 Lake Marigniup Local Structure Plan is currently progressing and will support the lifting of the 'Urban Deferred' zone for the project area under the MRS and the amendment to 'Urban Development' under the Local Planning Scheme. This zoning will support the areas currently under development and intended future residential land use identified within Precinct 7 of East Wanneroo. Parks and Recreation reserves exist to the north (Marigniup Lake), east (Jandabup Nature Reserve), and west (Lake Joondalup) of the site and are associated with areas of wetland and native remnant vegetation.

Currently access to the Project Area is only possible via Caporn Street. Future access to the site will be established through the implementation of the road network as guided by the Precinct 7 Lake Marigniup Local Structure Plan and as shown on **Attachment D**. Future access will be provided through a new local road (when

constructed) that will be established through Lot 10, as well as via Caporn Street to the immediate south of the Project Area (**see Attachment D**).

The Project Area has been subject to significant historical disturbance (Landgate 2024), including historic land clearing and a recent fire in 2023 which has impacted the composition and structure of vegetation communities (**see Attachment K, Section 4.2, Table 7**). A review of the historical aerial imagery available from 1965 identifies the following general environmental features across the Project Area:

- Earliest available aerial imagery (1965) depicts that the Project Area is largely cleared except for a patch of remnant vegetation towards the north of the Project Area.
- From 1965 to 2001 the majority of the southern portion of the site remained cleared with minimal planting or re-establishment of vegetation.
- Minor reductions in the extent and density of the northern patch of remnant vegetation occurred after 1970.
- In 2016, some interspersed fire scars are visible over the northern patch of remnant vegetation within the Project Area and broader surrounding area.
- Unsealed roads and driveways were established throughout the site after 2002.
- A row of trees bordering the south-west boundary of the Project Area were planted prior to 2003.

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

The Project Area currently supports operations and the storage of various furnishings, equipment, and materials used for the restoration and building work conducted by Colgan Industries. The company specialises in delivering construction services for commercial heritage restoration and sustainable building projects.

The Project Area is proposed to be developed for residential and commercial purposes to the extent as indicated by the disturbance footprint (**see Attachment A, Figure 2**). The Proposed Action will allow for development of residential lots, a commercial lot, create a lot for a future wastewater pumping station, and creation of an area of public open space within the northern portion of the site which is associated with the retention of a Conservation Category Wetland and its associated buffer (**see Attachment A, Figure 2**), although the wetland does not extend into the Project Area. The Project Area is located in an area with an existing public road network, with Caporn Street located to the south of the site, and a future local road to be constructed within the centre of the site in accordance with the Precinct 7 Structure Plan.

The Project Area is located within the Precinct 7 Lake Mariginiup Local Structure Plan area (**refer Attachment B**).

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

The Project Area does not contain any restricted landforms or unique geological features.

Jandabup Nature Reserve is located approximately 2.2 km to the east of the Project Area. The reserve contains Jandabup Lake, a Conservation Category Wetland. There are no immediately proximal DBCA managed lands, parks and recreation reserves.

No Bush Forever sites occur within the Project Area, however, Bush Forever Site 147 borders the northern site boundary. Bush Forever Site 469 (Caporn Park) occurs approximately 200m to the west of the Project Area (**see Attachment A - Figure 3**).

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 supports a highest ground elevation of 55 metres Australian Height Datum (m AHD) in the south to a lowest point of 44 m AHD in the north (**see Attachment A – Figure 4**). The areas immediately surrounding the Project Area also comprise land with surface elevation ranging from approximately 55 m AHD to 42 m AHD. On this basis the Project Area is gently inclined and not supporting any substantial or steep elevation changes.

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.

Flora

In accordance with the Western Australia Planning Commission's (WAPC) *Lifting of Urban Deferment Guidelines* and the EWDSP, an environmental assessment was carried out to support the preparation of the Precinct 7 Lake Mariginiup Local Structure Plan. SLR Consulting conducted a detailed flora and vegetation assessment across multiple locations on multiple occasions in 2020, and two spring surveys in 2020 and 2021 across the broader East Wanneroo Precinct 7 area (approximately 400 ha), which included the Project Area. The full Environmental Assessment Report (EAR) is included as **Attachment F**. The assessment was completed to a 'detailed' standard of a flora and vegetation survey in accordance with the Environmental Protection Authority's (EPA's) *Technical Guidance –Flora and Vegetation Surveys for Environmental Impact Assessment* (EPA 2016).

A summary of flora and vegetation conditions identified as part of the Precinct 7 detailed flora and vegetation assessment are outlined below (**refer Attachment F, Section 4, pp.14-19**):

- The desktop assessment identified sixty-nine (69) conservation significant species as potentially occurring within 65 km radius of the Precinct 7 Structure Plan area (**section 4.4.4.6, pp.18**)
- A total of 50 vegetation types were mapped across Precinct 7 (**section 4.4.4.3, pp.14**)
- One (1) threatened flora species (*Caladenia huegelii*) was recorded in three locations during the field survey, none of which occurred within the Project Area (**section 4.4.4.6, pp.18**).
- 46 introduced species were recorded (**section 4.4.6, pp.19**)
- The flora and vegetation surveys, aimed at identifying conservation significant species did not identify any conservation significant flora pursuant to the EPBC Act within the Project Area. Surveys were conducted over multiple seasons and consecutive years designed to capture the flowering period for the majority of native species including conservation significant and inconspicuous perennial geophyte species such as *Caladenia huegelii*. The species with flowering periods outside of the surveys were perennials and would be detectable throughout the year if present within the survey area.

Emerge Associates conducted a Project Area targeted flora and vegetation assessment which included a desktop study and field survey undertaken on the 20th of June 2024. The reconnaissance flora and vegetation assessment is included as **Attachment K**. Flora and vegetation values were characterised to the standard required of a reconnaissance survey in accordance with the Environmental Protection Authority's (EPA's) *Technical Guidance –Flora and Vegetation Surveys for Environmental Impact Assessment (EPA 2016)* but were intended to supplement the detailed flora and vegetation assessment previously undertaken for the full extent of Precinct 7.

A summary of findings from the flora and vegetation assessment are listed below (refer **Attachment K, Section 4.1 and 4.2, pp.13-16**):

- A total of 12 native and 25 non-native species were recorded during the field survey in the Project Area (**section 4.1 - table 6**).
- No threatened or priority flora species were recorded within the Project Area (**section 4.1.2, pg 13**).
- Three vegetation units were recorded and ranged from 'completely degraded' to 'degraded' condition (**see Attachment A, Figure 5 and 6**).
- No Threatened Ecological Communities (TEC) or Priority Ecological Communities (PEC) occur within the Project Area (**section 4.2.3, pp.16**).
- The Cc vegetation provides habitat for threatened species of black cockatoo (**see Attachment A, Figure 5**).

An assessment of likelihood of occurrence with consideration of the flora species identified in a PMST report is included within Table 2, **Attachment L, Likelihood of Occurrence and PMST**.

Fauna

As part of SLR Consulting's environmental assessment report for the Precinct 7 Structure Plan, a Nature Map and PMST database search was conducted and identified the possibility of 11 threatened and/or priority fauna species occurring within the Precinct 7 Structure Plan area. A black cockatoo habitat assessment was also conducted. The full report is included in **Attachment F, SLR Environmental Assessment Report**.

A summary of the findings from the DBCA Nature Map and PMST database search and Black Cockatoo habitat assessment for the entirety of the Precinct 7 Structure Plan area are listed below (refer **Attachment F, Section 4, pp.21-22**):

- The 11 threatened species that potentially occur within the Precinct 7 Structure Plan area (**section 4.5.1, Table 10**):
 - *Botaurus poiciloptilus* (Australian Bittern)
 - *Calidris canutus* (Red Knot)
 - *Calyptorhynchus banksia naso* (Forest Red-tailed black cockatoo)
 - *Calyptorhynchus latirostris* (Carnaby's Cockatoo)
 - *Leipoa ocellata* (Mallee fowl)
 - *Numenius madagascariensis* (Eastern Curlew)
 - *Rostratula australis* (Australian painted-snipe)
 - *Sternula nereis* (Fairy tern)
 - *Hesperocolletes douglasi* (Douglas's Broad-headed Bee)
 - *Dasyurus geoffroii* (Australian Bittern)
- 494 potential black cockatoo breeding trees (diameter at breast height >500 mm) were recorded across the Precinct 7 Structure Plan area, 70 with potentially suitable breeding hollows (**section 4.5.2, pp.21**)
- 32.95 ha of black cockatoo foraging habitat occurred within the Precinct 7 Structure Plan area (**section 4.5.2, pp.22**).

A basic fauna and targeted black cockatoo assessment was undertaken specifically for the Project Area by EmERGE Associates on 20th June 2024. This full report is included in **Attachment M**.

A summary of the findings from the basic fauna and targeted black cockatoo assessment specifically for the Project Area are listed below (refer **Attachment M - section 4, pp.15 - 17**):

- A total of 13 native fauna species were recorded within the Project Area (**section 4.1.1, pp.15**)
- The Project Area contains 'Scattered trees and shrubs' fauna habitat (**see Attachment A, Figure 7**).

- Two threatened species were recorded during the survey, including (**section 4.1.2, pp.15**):
 - *Calptorhynchus banksia naso* (Forest red-tailed black cockatoo)
 - *Zanda latirostris* (Carnaby's Black cockatoo).
- The Project Area occurs outside the modelled distribution of Baudin's black cockatoo.
- Carnaby's black cockatoo was recorded directly, whilst forest red-tailed black cockatoo was recorded from foraging evidence on marri fruits.
- The Project Area contains 13 habitat trees of which none contain hollows suitable for use by black cockatoos for breeding (**see Attachment A, Figure 8 and 9**)
- No roosts or evidence of roosting by any species of black cockatoo was recorded within the Project Area during the field survey (**section 4.3.2, pp.17**).
- 0.8 ha of native foraging habitat for Carnaby's black cockatoo was mapped within the Project Area. 0.79 ha (98.75%) provides high value foraging resource, 0.01 ha (1.25%) provides low value foraging resource (**see Attachment A, Figure 8**).
- 0.79 ha native foraging habitat for Forest red-tailed black cockatoo was mapped within the Project Area, (61.24%) which provides high value foraging resource. There was an additional 0.53 ha (38.76%) of non-native foraging habitat that provides low to negligible value foraging resource (**see Attachment A, Figure 9**).

Whilst not recorded in the ecological survey's, one species was considered 'possible' to occur based on potentially suitable habitat identified within the Project Area (**see Attachment L, Table 2**):

- *Apus pacificus* (Pacific swift) – May opportunistically fly over the Project Area on commute or in search of prey.

An assessment of likelihood of occurrence with consideration of the fauna species identified by the PMST is included within Table 2, **Attachment L**.

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

The Project Area occurs on the Swan Coastal Plain, the geomorphic unit that characterises much of the Perth metropolitan area. The Swan Coastal Plain is further divided into four main geomorphic units and includes the Spearwood dunes system, where the Project Area is located. The Spearwood dunes system is described as: 'Sand dunes and plains. Yellow deep sands, pale deep sands and yellow/brown shallow sands.'

The Project Area is located within the Swan Coastal Plain Biogeographic Regionalisation for Australia (IBRA) region. The Swan Coastal Plain IBRA region has approximately 39.84% of its pre-European (1750) vegetation extent remaining, of which 10.77% is protected (Government of Western Australia 2019). The Project Area is mapped within the 'Spearwood 6' vegetation association with an estimated 24.31 % of its original pre-European vegetation extent remaining on the Swan Coastal Plain (Government of Western Australia 2019)

Hedde et al. (1980) regional vegetation complex mapping identifies the Project Area as comprising 'Karrakatta Complex-Central and South' ('predominantly open forest of *Eucalyptus gomphocephala* (Tuart) - *Eucalyptus marginata* (Jarrah) - *Corymbia calophylla* (Marri) and woodland of *Eucalyptus marginata* (Jarrah) - *Banksia* species; *Agonis flexuosa* (Peppermint) is co-dominant south of the Capel River) in the southern portion of the Project Area and 'Pinjar Complex' (vegetation ranging from woodland of *Eucalyptus marginata* (Jarrah) - *Banksia* species to a fringing woodland of *Eucalyptus rudis* (Flooded Gum) - *Melaleuca preissiana* (Moonah) and sedgeland) in the north (DBCA 2021).

The Flora and Vegetation Assessment (Emerge Associates 2024) identified three native vegetation community types. A description of the vegetation types is detailed below, and extents of which occur across the Project Area is shown in **Figure 5. (see Attachment A, Figure 5)**:

- 0.73 ha of **Cc** - Open woodland of *Corymbia calophylla* over open shrubland of *Kunzea glabrescens*, *Macrozamia fraseri*, *Hibbertia cuneiformis*, **Acacia longifolia* and **Gaudium laevigatum* over forbland of **Ehrharta calycina* and **Oxalis pes-caprae*.
- 0.42 ha of **Jf** - Open shrubland of *Jacksonia furcellata* and *Macrozamia fraseri* over grassland of **Ehrharta* sp.

- 3.42 ha of **Cleared/Non-native** - Disturbed areas dominated by non-native species, planted trees or built structures.

Vegetation condition within the Project Area was assessed in accordance with the Keighery (1994) methodology and is outlined in the flora and vegetation assessment (**see Attachment K, Section 4.2.2, pp.16**) A summary of vegetation condition is outlined below, and extents are shown in **Figure 6 (see Attachment A, Figure 6)**.

Vegetation within the Project Area ranged from 'completely degraded' to 'degraded' condition with areas considered completely degraded comprising bare ground, planted trees, non-native species, or built structures. The vegetation condition within the Project Area comprises:

- 1.15 ha (25%) in degraded condition.
- 3.42 ha (75%) in completely degraded condition.

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.

A search of the Australian Heritage Database was undertaken for the Project Area. No Commonwealth Heritage Places were identified to occur within the Project Area.

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

The Aboriginal Heritage Inquiry System (AHIS) is maintained pursuant to Section 38 of the *Aboriginal Heritage Act 1972* by the Department of Planning, Lands and Heritage (DPLH), containing information on Registered Aboriginal Heritages Sites and Other Heritage Places throughout Western Australia.

According to the State Government Department of Planning, Lands and Heritage (DPLH) dataset for Aboriginal Heritage Places (DPLH-001), no Registered Aboriginal sites or Other Heritage Places are identified within the Project Area, however, Lake Mariginiup (Aboriginal Cultural Heritage Place 3741) borders the Project Area to the north.

Lake Mariginiup has registered place status on the Aboriginal Cultural Heritage (ACH) register; with the site being recognised as a creation, dreaming narrative and hunting place by First Nations people.

The risk of disturbing Aboriginal heritage sites is low, given the provision of a wetland buffer/separation around the perimeter of Lake Mariginiup that will accommodate public open space and revegetation.

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. *

Wetlands

On the Swan Coastal Plain the Department of Biodiversity, Conservation and Attractions (DBCA) has used the geomorphic wetland classification system developed by Semeniuk (1987) and Semeniuk and Semeniuk (1995) to classify wetlands based on the landform shape and water permanence (hydroperiod) (DBCA 2023).

A review of the Geomorphic Wetlands, Swan Coastal Plain dataset indicated that the Project Area is adjacent to mapped geomorphic wetland Lake Mariginiup (DBCA 2023). Lake Mariginiup is a 'Conservation Category Wetland' identified for retention (under EWDSP) and occurs outside the northern boundary of the site and extends approximately 1.5km north. The location of the geomorphic wetland in proximity of the site is shown in **Figure 3 (see Attachment A, Figure 3)**.

Surface Water

The EWDSP area (8,300 ha), which includes the Project Area, contains no rivers, creeks or other significant waterways. On that basis there are no surface water features within or near the Project Area (**see Attachment A, Figure 3**).

Catchment and topographical analysis previously undertaken across the Project Area as part of development of the Local Water Management Strategy (LWMS) (Urbaqua 2021) indicates that surface water is intermittent in nature and flows in road and shallow agricultural drains, with wetlands described by way of superficial groundwater system exposure from low lying land. Any runoff leaving the Project Area would only be likely to occur in response to infrequent rainfall events and via overland flow into Lake Mariginiup to the north of the Project Area.

Groundwater

A review of the regional groundwater contours shown in the Perth Groundwater Map (DWER 2024) indicates that groundwater flows in a south-westerly direction across the Project Area, and the maximum groundwater level is approximately 41 m AHD (i.e. within 5 m to 15 m below the natural surface).

The Project Area lies above a superficial aquifer, and the Leederville, and Yarragadee aquifer, with groundwater primarily used for agricultural and horticultural purposes.

The Perth Regional Aquifer Modelling System (PRAMS) predicts that with a drying climate by 2031, the groundwater levels will decrease to approximately 29 mAHD (i.e., 17 to 27 mBGL) (Urbaqua 2021).

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. *

This is not an applicable MNES as there are no World Heritage sites listed within or in close proximity to the 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. *

This is not an applicable MNES as there are no National Heritage sites listed within or in close proximity to the 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. *

This is not an applicable MNES as there are no Ramsar Wetlands listed within or in close proximity to the 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	Andersonia gracilis	Slender Andersonia
No	No	Anigozanthos viridis subsp. terraspectans	Dwarf Green Kangaroo Paw
No	No	Banksia mimica	Summer Honeypot
No	No	Botaurus poiciloptilus	Australasian Bittern
No	No	Calidris acuminata	Sharp-tailed Sandpiper
No	No	Calidris canutus	Red Knot, Knot
No	No	Calidris ferruginea	Curlew Sandpiper
Yes	Yes	Calyptorhynchus banksii naso	Forest Red-tailed Black-Cockatoo, Karrak
No	No	Charadrius leschenaultii	Greater Sand Plover, Large Sand Plover
No	No	Dasyurus geoffroii	Chuditch, Western Quoll
No	No	Diuris micrantha	Dwarf Bee-orchid
No	No	Diuris purdiei	Purdie's Donkey-orchid
No	No	Drakaea elastica	Glossy-leaved Hammer Orchid, Glossy-leaved Hammer Orchid, Warty Hammer Orchid

Direct impact	Indirect impact	Species	Common name
No	No	<i>Drakaea micrantha</i>	Dwarf Hammer-orchid
No	No	<i>Eucalyptus argutifolia</i>	Yanchep Mallee, Wabling Hill Mallee
No	No	<i>Hesperocolletes douglasi</i>	Douglas' Broad-headed Bee, Rottnest Bee
No	No	<i>Leipoa ocellata</i>	Malleefowl
No	No	<i>Macarthuria keigheryi</i>	Keighery's Macarthuria
No	No	<i>Macroderma gigas</i>	Ghost Bat
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Pristis pristis</i>	Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish
No	No	<i>Rostratula australis</i>	Australian Painted Snipe
No	No	<i>Sternula nereis nereis</i>	Australian Fairy Tern
No	No	<i>Tringa nebularia</i>	Common Greenshank, Greenshank
Yes	Yes	<i>Zanda latirostris</i>	Carnaby's Black Cockatoo, Short-billed Black-cockatoo

Ecological communities

Direct impact	Indirect impact	Ecological community
No	No	Banksia Woodlands of the Swan Coastal Plain ecological community
No	No	Empodisma peatlands of southwestern Australia
No	No	Tuart (<i>Eucalyptus gomphocephala</i>) Woodlands and Forests of the Swan Coastal Plain ecological community

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. *

A Basic and Targeted Fauna Assessment undertaken in June 2024 identified a total of two Commonwealth-listed fauna species which have the potential to be directly and/or indirectly impacted by the Proposed Action. These are:

- Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*): Vulnerable.
- Carnaby's Cockatoo (*Zanda latirostris*, previously known as *Calyptorhynchus latirostris*): Endangered.

Attachment L, contains information on the likelihood of occurrence assessment for all MNES (fauna and flora species and TECs) identified by the PMST relevance to the Project Area (see **Attachment L, Likelihood of Occurrence and PMST**).

Carnaby's black cockatoo (*Zanda latirostris*)

The proposed action within the project area will impact on Carnaby's black cockatoo (CBC) through the clearing of approximately 0.8 ha of native foraging habitat, comprising 0.79 ha of primary native foraging habitat, 0.01 ha of secondary native foraging habitat. Additionally, 13 potential nesting trees will be removed, none of which contain suitable nesting hollows for use by CBC. These impacts will be permanent.

Foraging habitat quality within the site has been determined using the foraging habitat quality scoring tool defined in the *EPBC Act Referral guideline for 3 WA threatened black cockatoo species* (DAWE 2022). The proposed action will result in the clearing of 0.8 ha of 'high-quality' native foraging habitat (based on DCCEE's scoring methodology).

The impact of the proposed action on the CBC within the Project Area and the associated loss of suitable habitat within the disturbance footprint is shown in **Figure 8 (see Attachment A Figures, Figure 8)**. The potential impacts of the proposed action on the species are unlikely to result in a significant impact, as discussed in **Section 4.1.4.6**.

Forest red-tailed black cockatoo (*Calyptrorhynchus banksii naso*)

The proposed action within the project area will impact on Forest red-tailed black cockatoo (FRTBC) through the clearing of approximately 0.79 ha of native foraging habitat, comprising solely of 0.79 ha of primary native foraging habitat, with there being approximately 0.53 ha identified as secondary non-native foraging habitat. Additionally, 13 potential nesting trees will be removed, none of which contain suitable nesting hollows for use by FRTBC. These impacts will be permanent.

Foraging habitat quality within the site has been determined using the foraging habitat quality scoring tool defined in the *EPBC Act Referral guideline for 3 WA threatened black cockatoo species* (DAWE 2022). The proposed action will result in the clearing of 0.79 ha of 'high-quality' native foraging habitat (based on DCCEE's scoring methodology). The 0.53 ha of secondary non-native foraging habitat is not considered 'exotic' foraging habitat as depicted by the guidelines, as it is not relied upon sufficiently by FRTBC that it is considered contextually important.

The impact of the proposed action on the FRTBC within the Project Area and the associated loss of suitable habitat within the disturbance footprint is shown in **Figure 9 (see Attachment A Figures, Figure 9)**. The potential impacts of the proposed action on the species are unlikely to result in a significant impact, as discussed in **Section 4.1.4.6**.

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

No

4.1.4.6 Describe why you do not consider this to be a Significant Impact. *

The impact on CBC and FRTBC has been assessed against the Referral guidelines for 3 WA threatened black cockatoo species (2022), and specifically:

- The proposed action will not result in the loss of more than 1 ha of high-quality native foraging habitat for either species of black cockatoo, with 0.8 ha and 0.79 ha of high-quality native foraging habitat for CBC and FRTBC to be impacted respectively.
- The proposed action will not result in the loss of more than 10 ha of low-quality native foraging habitat, and there was no low-quality native foraging habitat for either species identified within the site.
- The proposed action will not result in the loss of more than 1 ha of exotic foraging habitat for either species. There was no exotic foraging habitat for CBC identified within the site, and while there was secondary non-

native foraging habitat for FTRBC identified within the Project Area, this is not considered to be 'exotic' foraging habitat in the context of the guidelines given this isn't contextually important.

- The proposed action will not impact on a known roosting site for either species.
- The proposed action would result in the loss of 13 potential breeding trees, which do not support suitable hollows, and therefore could not currently be used by black cockatoo for breeding.

The impact on CBC and FRTBC has also been assessed against the MNES Significant Impact Guidelines 1.1 (2013). CBC and FRTBC have different listing status (CBC 'Threatened' and FRTBC 'Vulnerable') and as such different significant impact criteria apply, as reflected below.

1) Lead to a long-term decrease in the size of a population (for FRTBC: important population, rather than population)

Unlikely to occur.

To lead to a long-term decrease in the size of a population, the proposed action would need to bring about a sustained reduction in birth rates and/or a sustained increase in mortality rates for the species. The proposed action is unlikely to result in either occurring.

The project area does not contain suitable or known nesting trees for either CBC or FRTBC and as such the project area would not currently support nesting. Whilst the project area contains foraging habitat that could potentially be used by CBC or FRTBC that may breed nearby, there are other abundantly available foraging resources in the local area (9,918 ha of CBC and 4,570 ha of FRTBC foraging habitat within a 12 km radius with 1731 ha of CBC and 1190 ha of FRTBC within a 6km radius included within Regional Park, Bush Forever and/or DBCA managed land) (**see Attachment A Figures, Figure 10**), such that foraging habitat within the Project Area would not be materially relied upon to support any potential nearby breeding individuals. As such, the Proposed Action is unlikely to result in a sustained reduction in birth rates.

The proposed action is unlikely to result in a sustained increase in mortality rates, either indirectly through a significant reduction of available foraging resources in the region, or directly through activities that could lead to bird deaths as a result of vehicle strikes or destruction of existing nests. The project area supports only a small proportion of available foraging resources in the local and regional area, the loss of which would not significantly reduce habitat availability across this scale. With respect to potential direct impacts, there are no suitable or known nests occurring that could be destroyed, and standard construction management mitigation measures can be implemented to suitably minimise the risk of bird strikes during construction (e.g. pre-works fauna inspections, construction vehicle speed limits and directional clearing to encourage bird dispersal).

2) Reduce the area of occupancy of the species (for FRTBC: important population, rather than species)

Unlikely to occur.

The project area is situated in a local area that supports extensive CBC and FRTBC habitat. There are secure reserves within 6 km west and east of the project area (associated with Neerabup National Park, Jandabup Nature Reserve, Bush Forever sites and DBCA managed land), with an estimated 1731 ha of CBC and 1190 ha of FRTBC foraging habitat. As such, the removal of a small proportion of this habitat (<1% CBC and 1.1% for FRTBC within 6km) within the project area is unlikely to reduce the area of occupancy of the CBC species or an important FRTBC population across the local area given the residual availability of habitat.

3) Fragment an existing population into two or more populations

Unlikely to occur.

CBC and FRTBC are a highly mobile species and recorded to travel within 12 km of nests for foraging. There is substantial habitat within 12 km north and east of the project area providing black cockatoo potential foraging, breeding and roosting habitat. Given the habitat availability within the wider local area and the highly mobile nature of both species, it is unlikely that the proposed action would fragment an existing population of CBC or FRTBC into two or more populations.

4) Adversely affect habitat critical to the survival of a species

Unlikely to occur.

The project area does not support suitable or known nest hollows. It does support foraging habitat that has the potential to be used for roosting, noting no evidence of roosting has been observed. As such, vegetation within the site may meet the broad definition of habitat critical to survival, similar to all vegetated areas of the Swan Coastal Plain which also contain Eucalyptus trees. Such habitat is common, widespread and abundant locally and regionally. In this context, clearing associated with the proposed action may affect habitat critical to the survival of the species, but the quantum of clearing is at a small scale. The scale of any impact is small when the local and regional availability of similar habitats is considered.

5) Disrupt the breeding cycle of a population (for FRTBC: important population, rather than population)

Unlikely to occur.

No known CBC or FRTBC breeding occurs within the project area due to the absence of suitable or known nesting hollows, nor would existing foraging habitat within the project area be relied upon to support any potential nearby breeding individuals given the extensive local habitat availability.

6) Modify, destroy, remove, isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline

Unlikely to occur.

The proposed action will not result in a magnitude of impact that would be so substantial that either species is likely to decline. As outlined in response to the above criteria, there is substantial CBC and FRTBC foraging, roosting and breeding habitat in the local and regional area (1731 ha of CBC and 1190 ha of FRTBC protected foraging habitat within a 6 km radius and 9,918 ha of CBC and 4,570 ha of FRTBC protected foraging habitat within a 12 km radius included within Regional Park, Bush Forever and DBCA land) (**see Attachment A Figures, Figure 10**). This habitat would continue to support any CBC or FRTBC utilising the local area such that the removal of a small portion (< 0.01% CBC and FRBC within 12km) of this habitat within the project area would not lead to an outcome whereby either the CBC or FRTBC, at a species scale, is likely to decline.

7) Result in invasive species that are harmful to a critically endangered or endangered or vulnerable species becoming established in the critically endangered or endangered or vulnerable species' habitat

Unlikely to occur.

The key consideration for this criterion would be the introduction of species that are known to compete with CBC or FRTBC for nesting hollows or foraging resources. These species include the native and introduced corellas, galahs, Australian shelducks, Australian wood ducks and feral European honeybees. There are no suitable or known nesting hollows within the project area, so this is not a relevant consideration.

The project is located close to a developing urban area, where such invasive species are relatively common and widespread. As such, it is unlikely that the proposed action would result in such species becoming established, as they are likely already established across the local and regional area.

8) Introduce disease that may cause the species to decline

Unlikely to occur.

CBC and FRTBC can be susceptible to diseases such as beak and feather disease virus, avian polyomavirus and chlamydophilosis. Insects, *Phytophthora cinnamomi* (dieback) and other soil-borne, foliar and canker pathogens can also affect the health of their habitat.

The Proposed Action is unlikely to be responsible for the introduction of these diseases, or increase the susceptibility of birds to these diseases, as the project area is located within an area already exposed to a high degree of human interaction and disturbance, meaning that if they were to occur, they would likely have already been introduced as part of previous human disturbances, land clearing and existing land uses.

However, as part of initial clearing and construction activities, standard construction management mitigation measures will be implemented to avoid the introduction of soil-borne pathogens and weeds, including ensuring clean machinery is used, clearing is restricted to permitted areas only, and any required imported soil will be from certified sources free of pathogens and disease.

9) Interfere with the recovery of the species (for FRTBC: interfere substantially, rather than interfere)

Unlikely to occur.

The CBC and FRTBC Recovery Plan recovery objective is “to stop further decline in the breeding populations of threatened black cockatoo species and to ensure their persistence throughout their current range in the south-west of Western Australia”. The proposed action will not interfere with or disrupt the breeding cycle of CBC or FRTBC, nor will it result in a reduction in their current range. The attainment of the recovery objective would not be compromised by the proposed action.

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. *

The Proposed Action is not considered to be a controlled action as it is unlikely to have a significant adverse impact on the two relevant MNES; CBC and FRTBC. The key reasons were outlined above and summarised below.

The proposed action and associated potential impacts on CBC and FRTBC have been assessed against the Referral guidelines for 3 WA threatened black cockatoo species (2022), with the assessment concluding that the proposed action is unlikely to pose a risk of there being a significant impact on either of the species.

There are no known black cockatoo roosts that occur within or in close proximity to the Project Area.

The removal of 13 potential black cockatoo nesting trees (7 *Corymbia calophylla* and 6 *Eucalyptus marginata*), is unlikely to be a significant impact, on the basis that none support hollows that could be used for nesting by black cockatoos. The Project Area and immediate surrounds do not support known breeding activity, and the Project Area does not support sufficient high quality foraging habitat to support breeding activity.

The removal of 0.80 ha of high-quality native foraging habitat for CBC and 0.79 ha of high-quality native foraging habitat for FRTBC, when considered in the context of the thresholds of an action likely to require referral to the minister (<1 ha of high-quality native foraging habitat, <1 ha of exotic foraging habitat and <10 ha low-quality foraging habitat), does not indicate that a significant impact is likely.

The proposed action would not impact suitable or known nesting hollows and associated breeding habitat.

The Proposed Action and associated potential impacts on CBC and FRTBC have also been assessed against the significant impact criteria of the MNES Significant Impact Guidelines 1.1 (2013), with the assessment concluding that the proposed action is unlikely to result in significant impacts on CBC and FRTBC.

Carnaby's cockatoo

The proposed action is not considered likely to have a significant impact upon CBC due to the limited extent of the proposed clearing (removal of 0.8 ha of high-quality native foraging habitat) and the availability of other foraging habitat within 12km of the project area protected within reserves (approximately 9,918 ha). The proposed action does not impact upon any known breeding or roosting habitat.

Forest Red Tailed black cockatoo

The proposed action is not considered likely to have a significant impact upon FRTBC due to the limited extent of the proposed clearing (removal of 0.79 ha of high-quality native foraging habitat) and the availability of other foraging habitat within 12km of the project area protected within reserves (approximately 4,570 ha). The proposed action does not impact upon any known breeding or roosting habitat.

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

Given the relatively limited extent of the Project Area the opportunity for habitat retention is also limited while also facilitating the commercial and residential development in accordance with the Project Area's zoning and land use designation under the prevailing planning framework.

Strategic avoidance has been considered in the wider Mariginiup locality as part of the land use planning process. As mentioned in **Section 1.2.6** the planning and environmental processes have been considered in relation to the broader project context, including the retention of more significant vegetation within public open space in the broader Mariginiup area.

Mitigation measures

The potential impacts to MNES will be mitigated and managed in accordance with standard practice construction management mitigation measures to be implemented to minimise potential impacts to fauna and vegetation, including:

- Mandatory site inductions for construction staff
- Pre-start civil contractor briefings to highlight no-go areas
- Pre-works fauna inspections and fauna spotter onsite during vegetation clearing by suitably qualified zoologist
- Adoption of construction vehicle speed limits
- Directional clearing to encourage bird dispersal
- Use of clean machinery
- Required imported soil will be from certified sources free of pathogens and disease
- Fencing/demarcation of retained vegetation (in the northern extent of the Project Area)
- Restricting access of vehicles to the construction site to minimise the risk of weed spread or introduction
- Use of water carts and ground stabilisation to minimise wind-blown dust emissions.

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

The Proposed Action is not considered to pose significant residual impacts and there is unlikely to have a significant adverse impact on the relevant MNES, namely CBC and FRTBC. There is no need to consider offset requirements given the residual impact is not significant.

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	<i>Actitis hypoleucos</i>	Common Sandpiper
No	No	<i>Apus pacificus</i>	Fork-tailed Swift
No	No	<i>Calidris acuminata</i>	Sharp-tailed Sandpiper
No	No	<i>Calidris canutus</i>	Red Knot, Knot
No	No	<i>Calidris ferruginea</i>	Curlew Sandpiper
No	No	<i>Calidris melanotos</i>	Pectoral Sandpiper
No	No	<i>Charadrius leschenaultii</i>	Greater Sand Plover, Large Sand Plover
No	No	<i>Motacilla cinerea</i>	Grey Wagtail
No	No	<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew
No	No	<i>Pandion haliaetus</i>	Osprey
No	No	<i>Pristis pristis</i>	Freshwater Sawfish, Largetooth Sawfish, River Sawfish, Leichhardt's Sawfish, Northern Sawfish
No	No	<i>Tringa nebularia</i>	Common Greenshank, Greenshank

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. *

The Basic Fauna and Targeted Black Cockatoo Assessment (**see Attachment m, Basic Fauna and Targeted Black Cockatoo Assessment**) was progressed to identify if threatened and migratory species identified in the PMST search occur within and surrounding the Project Area. The Basic Fauna and Targeted Black Cockatoo Assessment determined that the majority the identified migratory species are unlikely to occur within the site due to lack of suitable habitat and recent and reliable records within 10kms of the Project Area. The *Apus pacificus* (Pacific swift) was considered as a possible occurrence, is highly mobile and may opportunistically fly over the Project Area on commute or in search of prey for short periods of time as part of a much larger home range. The species was not identified within the site, nor is it likely to breed within the site.

It is considered unlikely that project actions will have a direct or indirect impact on *Apus pacificus* (Pacific Swift), and for more information on the migratory species identified in the PMST search and their likelihood of occurrence within the site (**see Attachment L, Likelihood of Occurrence and PMST**).

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. *

This is not an applicable MNES as there are no nuclear action associated with the Project Area or the Proposed Action.

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. *

This is not an applicable Matter of National Environmental Significance (MNES) as there are no Commonwealth Marine Areas associated with the Project Area or the Proposed Action.

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. *

This is not an applicable MNES as the Project Area does not occur in proximity to the 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. *

This is not an applicable MNES as the Proposed Action is not associated with a water resource in relation to coal mining or coal seam gas project.

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. *

The Project Area is not associated with any areas of Commonwealth Lands and therefore it is not identified to be impacted.

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. *

This is not an applicable MNES as there are no Commonwealth heritage places overseas that are associated with the Project Area.

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:

None

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)
- Threatened Species and Ecological Communities (S18)
- 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? *

No

4.3.8 Describe why alternatives for your proposed action were not possible. *

The Proposed Action is a result of extensive historic planning associated with the EWDSP and the Precinct 7 Lake Mariginiup Structure Plan (see **Attachment B and C**).

These historic planning process have considered the most appropriate impact avoidance outcomes, and also identified those areas most suitable for the provision of development and housing outcomes, with the Project Area being identified as suitable for urban development.

Further alternatives to the action are not considered necessary as the Proposed Action is not likely to significantly impact any MNES.

5. Lodgement

5.1 Attachments

1.2.1 Overview of the proposed action

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	01/10/2024	No	High
#2.	Document	Attachment B (Lake Mariginiup Structure Plan) (draft).pdf Structure Plan	01/10/2024	No	High
#3.	Document	Attachment C (East Wanneroo District Structure Plan).PDF District Structure Plan	01/10/2024	No	High

1.2.5 Information about the staged development

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment D (Lot 10 Burgess Layout Map).pdf Local Structure Plan Map	01/10/2024	No	High
#2.	Document	Attachment E Lot 10 Subdivision Layout).pdf Subdivision layout for lot 10	19/11/2024	No	High
#3.	Document	Attachment F (SLR Environmental Assessment Report).pdf SLR Australia's environmental assessment report	30/09/2024	No	High
#4.	Link	East Wanneroo Environmental Assessment Report https://www.wanneroo.wa.gov.au/consultations/dow..	01/06/2022		High
#5.	Link	EPBC Act Policy Statement: Staged Developments https://www.agriculture.gov.au/sites/default/fil..			High

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 https://www.dcceew.gov.au/environment/epbc/publications/referral-guideline-for-3-wa-threatened-black-cockatoo-species			High
#2.	Link	Significant Impact Guidelines 1.1 https://www.dcceew.gov.au/environment/epbc/publications/significant-impact-guidelines-1.1			High

1.2.7 Public consultation regarding the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment G (MRS Amendment 130841 public submissions).pdf Public submissions summary for MRS Amendment 1308/41	01/05/2018	No	High
#2.	Document	Attachment H (EWDSP public submissions).pdf Public submissions summary for East Wanneroo District Structure Plan	01/07/2021	No	High
#3.	Document	Attachment I (Precinct 7 LSP public submissions).pdf Public submissions summary for Precinct 7 local structure plan	08/10/2021	No	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.	Document	Attachment J (Colgan Env and Social Policy).pdf Colgan Industries's environmental and social policy		No	High

3.1.1 Current condition of the project area's environment

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2021	No	High
#2.	Document	Attachment D (Lot 10 Burgess Layout Map).pdf Local Structure Plan Map	30/09/2021	No	High
#3.	Document	Attachment K (Flora and Vegetation Assessment).pdf Flora and Vegetation Assessment	30/09/2021	No	High
#4.	Link	East Wanneroo District Structure Plan https://www.wa.gov.au/government/publications/east-wanneroo-district-structure-plan	01/08/2021		High
#5.	Link	Landgate Locate V5 https://maps.slip.wa.gov.au/landgate/locate/			High
#6.	Link	Landgate Map Viewer Plus https://map-viewer-plus.app.landgate.wa.gov.au/			High

3.1.2 Existing or proposed uses for the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2024	Mo	High
#2.	Document	Attachment B (Lake Mariginiup Structure Plan) (draft).pdf Structure Plan	30/09/2024	Mo	High

3.1.3 Natural features, important or unique values that applies to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2024	Mo	High

3.1.4 Gradient relevant to the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2024	Mo	High

3.2.1 Flora and fauna within the affected area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2024	Mo	High
#2.	Document	Attachment F (SLR Environmental Assessment Report).pdf SLR Australia's environmental assessment report	30/09/2024	Mo	High
#3.	Document	Attachment K (Flora and Vegetation Assessment).pdf Flora and Vegetation Assessment	29/09/2024		High
#4.	Document	Attachment L (Likelihood of Occurrence and PMST).pdf Likelihood of Occurrence and PMST	25/09/2024	Mo	High
#5.	Document	Attachment M (Basic Fauna and Targetted Black Cockatoo Assessment).pdf Basic Fauna and Targetted Black Cockatoo Assessment	01/08/2024	Mo	High
#6.	Link	Technical Guidance - Flora and Vegetation Surveys for Environmental Impact Assessment https://www.epa.wa.gov.au/policies-guidance/tech..	13/12/2016		High

3.2.2 Vegetation within the project area

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2024	Mo	High
#2.	Document	Attachment K (Flora and Vegetation Assessment).pdf Flora and Vegetation Assessment	29/09/2024	Mo	High
#3.	Link				

Statewide Vegetation Statistics		High
https://catalogue.data.wa.gov.au/dataset/dbca-st..		
#4.	Link	Vegetation Complexes - Swan Coastal Plain (DBCA-046) https://catalogue.data.wa.gov.au/dataset/vegetat..
		High

3.3.1 Commonwealth heritage places overseas or other places that apply to the project area

Type	Name	Date	Sensitivity	Confidence
#1.	Link	Australian Heritage Database https://www.dcceew.gov.au/parks-heritage/heritag..	High	

3.3.2 Indigenous heritage values that apply to the project area

Type	Name	Date	Sensitivity	Confidence
#1.	Link	Aboriginal heritage Inquiry System https://espatial.dplh.wa.gov.au/ACHIS/index.html..	High	

3.4.1 Hydrology characteristics that apply to the project area

Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2021	High
#2.	Link	East Wanneroo District Water Management Strategy https://www.wa.gov.au/system/files/2021-08/East%..	01/03/2021	High
#3.	Link	Geomorphic Wetlands, Swan Coastal Plain (DBCA-019) https://catalogue.data.wa.gov.au/dataset/geomorp..		High
#4.	Link	Perth Groundwater Map https://maps.water.wa.gov.au/Groundwater/		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.	Document	Attachment A (Figures).pdf Figures	30/09/2021	High
#2.	Document	Attachment L (Likelihood of Occurrence and PMST).pdf Likelihood of Occurrence and PMST	24/09/2021	High
#3.	Link	Referral guideline for 3 WA threatened black cockatoo species https://www.dcceew.gov.au/environment/epbc/publi..		High

4.1.4.6 (Threatened Species and Ecological Communities) Why you do not consider the direct and/or indirect impact to be a Significant Impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment A (Figures).pdf Figures	30/09/2024	No	High
#2.	Link	Referral guideline for 3 WA threatened black cockatoo species https://www.dcceew.gov.au/environment/epbc/publications			High
#3.	Link	Significant Impact Guidelines 1.1 - Matters of National Environmental Significance https://www.dcceew.gov.au/environment/epbc/publications			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 https://www.dcceew.gov.au/environment/epbc/publications			High
#2.	Link	Significant Impact Guidelines 1.1 https://www.dcceew.gov.au/environment/epbc/publications			High

4.1.5.3 (Migratory Species) Why your action is unlikely to have a direct and/or indirect impact

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment L (Likelihood of Occurrence and PMST).pdf Likelihood of Occurrence and PMST	24/09/2024	No	High
#2.	Document	Attachment M (Basic Fauna and Targetted Black Cockatoo Assessment).pdf Basic Fauna and Targetted Black Cockatoo Assessment	31/07/2024	No	High

4.3.8 Why alternatives for your proposed action were not possible

	Type	Name	Date	Sensitivity	Confidence
#1.	Document	Attachment B (Lake Mariginiup Structure Plan) (draft).pdf Structure Plan	30/09/2024	No	High
#2.	Document	Attachment C (East Wanneroo District Structure Plan).PDF District Structure Plan	30/09/2024	No	High

5.2 Declarations

☒ Completed Referring party's declaration

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

ABN/ACN	57144772510
Organisation name	Emerge Environmental Services Pty Ltd
Organisation address	6008 WA
Representative's name	Jason Hick
Representative's job title	Director, Principal Environmental Consultant
Phone	08 9380 4988
Email	jason.hick@emergeassociates.com.au
Address	Suite 4, 26 Railway Road, Subiaco WA 6008

☒ 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, **Jason Hick of Emerge Environmental Services Pty Ltd**, 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	15081033847
Organisation name	Colgan Industries Pty Ltd
Organisation address	16 Canham Way Greenwood WA, 6024, Australia
Representative's name	Daniel Colgan
Representative's job title	Director
Phone	0438950070
Email	daniel@colgan.com.au
Address	16 Canham Way, Greenwood, WA 6024

- ☒ 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, **Daniel Colgan of Colgan Industries Pty Ltd**, 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, **Daniel Colgan of Colgan Industries Pty Ltd**, 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. *