

# **Appendix A**

## **Preliminary Documentation Additional Information Request List**

**Information requested for Preliminary Documentation and corresponding section in this report**

Information Requested	Reference
<b>Description of the action</b>	
<p>The Department is aware that the Proposed Action will result in the clearing of 24 ha of native vegetation, including:</p> <ul style="list-style-type: none"> <li>• approximately 15.5 ha known to be Black Cockatoo foraging, potential roosting and potential breeding habitat, as it also contains 44 suitable potential breeding/ roosting habitat trees;</li> <li>• 2.3 ha of Wavy-leaved Smokebush (<i>Conospermum undulatum</i>) habitat.</li> </ul> <p>The preliminary documentation must provide a description of the Proposed Action, including:</p> <ul style="list-style-type: none"> <li>• a summary of all components, including pre-construction, construction and operation, of the Proposed Action;</li> <li>• a description of the activities associated with the Proposed Action;</li> <li>• the location, boundaries and size (in hectares) of the Proposed Action area, any discrete disturbance areas, and any adjoining areas which may be directly or indirectly impacted by the Proposed Action, including mapping;</li> <li>• a layout plan for the Proposed Action area, including the location and type of land use, key infrastructure, etc;</li> <li>• the anticipated timing and duration (including start and completion dates) for both construction and operational components and associated impacts;</li> <li>• a description and likely timing of rehabilitation activities associated with the Proposed Action; and</li> <li>• a discussion and details of any feasible alternatives to the Proposed Action that were considered.</li> </ul>	<p>Section 3 Appendix B (concept design drawing)</p>
<b>Environment and Matters of National Environmental Significance</b>	
<p>The preliminary documentation must provide a general description of the environment of the Proposed Action area, as well as surrounding areas, that may be impacted by the Proposed Action both in the short and long term. Specific matters this section must also address include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• a description of any protected matters (including, but not limited to those listed above) that are, or have the potential to be, in the Proposed Action area and surrounds</li> </ul>	<p>4.1</p>

<p>For listed threatened species and communities that are known, or have the potential to be present within the Proposed Action area and surrounds and are likely to, or may, be significantly impacted by the Proposed Action, a minimum of:</p> <ul style="list-style-type: none"> <li>Information on the abundance, distribution, ecology and habitat preferences for each listed species.</li> </ul>	<p>BWSCP TEC: 4.3.1.1 BC: 4.4.1.1 Conospermum: 4.5.1, Table 9 Slender Andersonia 4.5.2 Table 10 Summer Honeypot 4.5.3 Table 11</p>
<ul style="list-style-type: none"> <li>Quantification of the extent of habitat and the number of individuals likely to be impacted, or historical patterns of use by those species, within the Proposed Action area and surrounds (including mapping identifying known and/or potential habitat).</li> <li>Assessment of the quality and importance of known or potential habitat for the relevant listed species or community within the Proposed Action area and surrounds.</li> <li>Information detailing known populations or records of individuals within at least 5 km of the Proposed Action area and the size of these populations, if available.</li> </ul>	<p>BWSCP TEC 4.3.1.2, 4.3.1.3 BC: 4.4.1.2, 4.4.1.3, Figure 4, Figure 5, Figure 6, Figure 7, Figure 8 Conospermum: 4.5.1, Table 9 Slender Andersonia 4.5.2 Table 10 Summer Honeypot 4.5.3 Table 11</p>
<p>An assessment of the adequacy of any surveys undertaken (including survey effort and timing). In particular, the extent to which these surveys were appropriate for the listed species or community and undertaken in accordance with relevant Departmental survey guidelines.</p>	<p>BWSCP TEC 4.3.1.4 BC: 4.4.1.4 Conospermum: 4.5.1, Table 9 Slender Andersonia 4.5.2 Table 10 Summer Honeypot 4.5.3 Table 11</p>
<p><b>Species specific information</b></p> <p>Based on information available in the referral, including the amount and type of habitat to be cleared or otherwise impacted, the Proposed Action is likely to have a significant impact on the below listed species. Your preliminary documentation should address the following matter in addition to the general considerations listed above.</p>	
<p><b>Black Cockatoos</b></p> <p>Include the results of an updated targeted Black Cockatoo nesting hollow assessment, which must:</p> <ul style="list-style-type: none"> <li>Be conducted within the Black Cockatoo breeding season, as defined in the <i>Referral Guidelines for three species of Western Australian Black Cockatoos</i> (2012).</li> </ul>	<p>4.4.1.2</p>
<ul style="list-style-type: none"> <li>Specify the location and extent of any known breeding and roosting habitat within the Proposed Action area, or, if no such</li> </ul>	<p>4.4.1.2</p>

habitat is present, the location of any known breeding and roosting habitat within a 5 km radius of the Proposed Action area.	
<ul style="list-style-type: none"> <li>• Include a survey using a telescopic pole-mounted camera or camera drone technology or similar to characterise suitable and potential breeding tree hollows Include close visual inspection and total count of all potential nesting hollows within the Proposed Action area (and immediate vicinity) from above ground-level and provide photographic evidence of all potential nesting hollows inspected</li> </ul>	4.4.1.2
<ul style="list-style-type: none"> <li>• Include mapping of all potential breeding trees, and trees containing suitable nesting hollows and known nesting hollows within the Proposed Action area (and immediate vicinity).</li> </ul>	Figure 4 Figure 5 Figure 6
Detail any evidence of use by Carnaby's, Baudin's and Forest Red-tailed Black Cockatoos i.e. chew marks, feathers, debris, etc.	4.4.1.1, 4.4.1.2
<p><b><i>Wavy-leaved Smokebush</i></b></p> <ul style="list-style-type: none"> <li>• Include the results of an updated survey within the Proposed Action area including: <ul style="list-style-type: none"> <li>○ Mapping of all Wavy-leaved Smokebush locations within the site and a 2 km area surrounding the Proposed Action area.</li> <li>○ Information on the locations of larger populations of the Wavy-leaved Smokebush within 5 km of the Proposed Action area.</li> <li>○ Information on vegetation types and how these support habitat for the species within the Proposed Action area.</li> <li>○ Discussion on proposed avoidance and mitigation measures for impacts to the species arising from clearing of suitable habitat for the species and how the measures will be consistent with the <i>Wavy-leaved Smokebush (Conospermum undulatum) Recovery Plan</i>.</li> </ul> </li> </ul> <p>Information about the methods, data and scientific literature used to identify and assess the environmental values within the Proposed Action area and surrounds, including survey data and historical records. Survey data relating to the Proposed Action area must be provided for the relevant listed species and/or communities, be as recent as possible and must not have been collected more than 2 years before the date the draft preliminary documentation is submitted to the Department.</p>	Conospermum: 4.5.1, Table 9 Figure 11 Section 6 (Mitigation Measures) Section 7 (Recovery Plan)
Based on the information available in the referral and taking into consideration the precautionary principle, it is considered possible that the Proposed Action will have a significant impact on additional listed threatened species and communities. Please provide the following information.	
<b><i>Tuart (Eucalyptus gomphocephala) Woodlands and Forests of the Swan Coastal Plain Threatened Ecological Community - Critically Endangered</i></b>	Section 4.3.2

<ul style="list-style-type: none"> <li>○ Details regarding the presence/absence of the Tuart TEC taking into account the diagnostic criteria and survey requirements included in the Conservation Advice.</li> <li>○ If a patch of the TEC is present, the total area (in hectares) of TEC which will be directly impacted by the Proposed Action and the total area which may be indirectly impacted. Include information on the total size of any larger contiguous patches which may be fragmented or reduced by the Proposed Action and details on the percentage by which they will be reduced.</li> <li>○ Characterisation of the sub-type of TEC present</li> <li>○ The condition of any TEC which may be directly or indirectly impacted by the Proposed Action.</li> </ul>	
<p><b><i>Australian Bittern (Botaurus poiciloptilus) - Endangered</i></b></p> <ul style="list-style-type: none"> <li>○ Please provide information regarding the presence/ absence, quality and amount of suitable habitat for Australian Bittern.</li> <li>○ If suitable habitat is available, undertake surveys to confirm whether or not the species is present, and if so, provide information regarding the amount of habitat and number of individuals which may or are likely to be directly or indirectly impacted by the Proposed Action.</li> </ul>	Section 4.4.2
<p><b><i>A Short-Tongued Bee (Leioproctus douglasiellus) - Critically Endangered</i></b></p> <ul style="list-style-type: none"> <li>○ Please provide information regarding the presence/ absence, quality and amount of suitable habitat for A Short Tongued Bee.</li> <li>○ If suitable habitat is available, undertake surveys to confirm whether or not the species is present, and if so, provide information regarding the amount of habitat and number of individuals which may, or are likely to be, directly or indirectly impacted by the Proposed Action.</li> </ul>	Section 4.4.3
<p><b><i>King Spider-orchid (Caladenia huegelii) - Endangered; Purdie's Donkey-orchid (Oiuris purdiei) -Endangered; Glossy-leafed Hammer Orchid (Orakaea elastica) Endangered</i></b></p> <ul style="list-style-type: none"> <li>○ Details regarding the presence/absence of the above listed Orchid species, including available survey information.</li> <li>○ Undertake follow up surveys or provide sufficient evidence that they are not necessary for the above listed Orchid species.</li> <li>○ If the follow up surveys detect the species, provide information about the population size and number of individuals which may be directly or indirectly impacted by the Proposed Action as well as habitat quality.</li> </ul>	Section 4.5.4
<p><b>Habitat quality</b></p> <p>Please note that a methodology suitable for each individual listed species (i.e. approved by the Department or supported by literature) must be used to assess habitat or vegetation quality, noting that the same scoring system must be used at both impact and offset sites,</p>	

where relevant (see Section 4 of this document). The quality score for an area of habitat must relate directly to the habitat requirements of the species (e.g. number of suitable nesting hollows).

There are three components that must be considered when calculating habitat quality: site condition, site context and species stocking rates.

Relevant guidance material (such as survey guidelines, conservation advices, recovery plans, threat abatement plans and policy statements) is available on the Department's public website. It is your responsibility to ensure that you have identified the relevant documents

### Assessment of Impacts

The preliminary documentation must include an assessment of the potential direct and indirect impacts on MNES that are likely to be present within the Proposed Action area and surrounds (impact assessment). The impacts of the Proposed Action should be considered at the broadest scope and all components of the Proposed Action should be considered, including any associated supporting infrastructure.

The Department considers the Proposed Action may result in at least the following impacts:

- vegetation clearing;
- fragmentation of habitat or construction of barriers which impede fauna movement;
- habitat degrading processes such as weed invasion and *Phytophthora cinnamomi* dieback; and
- increased risk of vehicle strike.

The impact assessment should identify and take into account the scale, duration and intensity of the Proposed Action, and:

- for each listed species, identify the amount and quality of habitat or vegetation likely to be impacted;
- identify the number of affected individuals and/or habitat features (i.e. potential breeding trees, suitable and/or known nesting hollows, roosting trees, etc.) relevant to each listed species;
- characterise the nature of impacts, including timing and whether the impact is temporary or permanent;
- include an assessment of the likely direct, indirect and consequential on each protected matter at a local and regional scale, with reference to the Proposed Action's potential impacts in the context of current and future development in the locality and region;
- include a risk assessment of the potential impacts of the Proposed Action, including whether the nature and/or scale of the potential impacts are unknown, unpredictable or irreversible, and what confidence

Section 5.2

<p>is placed on the predictions or relevant impacts; and</p> <ul style="list-style-type: none"> <li>include details of any relevant policy guidelines, studies, surveys or consultations with subject-matter experts which were not included in the original referral.</li> </ul>	
<b>Avoidance and mitigation measures</b>	
<p>While the original referral proposes a number of measures to avoid and mitigate potential impacts to protected matters, the Department considers further details are required. The preliminary documentation must include the following information:</p>	Section 6
<ul style="list-style-type: none"> <li>a consolidated list of impact avoidance and mitigation measures which will be implemented to reduce impacts on protected matters (include any additional to those proposed in the original referral)</li> </ul>	Section 6.1
<ul style="list-style-type: none"> <li>justification of why the amount of impact described under Section 3 cannot be avoided or reduced;</li> </ul>	Section 6.2
<ul style="list-style-type: none"> <li>details of pre-clearance and clearance procedures to ensure that protected matters are adequately detected and managed to minimise impacts (e.g. the introduction or spread of disease or pathogens to habitats and vegetation);</li> </ul>	Section 6.3
<ul style="list-style-type: none"> <li>a description (including maps and imagery) of the location, boundaries and size of any proposed buffer areas and/or exclusion zones, and details on how these areas will be protected and maintained; and</li> </ul>	NA
<ul style="list-style-type: none"> <li>details of any rehabilitation measures to be implemented, including objectives, target species, timing of relevant stages, methodology, maintenance and monitoring</li> </ul>	Section 6.4
<ul style="list-style-type: none"> <li>for each proposed mitigation measure, please also include: <ul style="list-style-type: none"> <li>performance and completion criteria</li> <li>monitoring and reporting arrangements</li> <li>potential risks/threats, including residual risks, and any measures that would be implemented to mitigate against these risks, and any proposed monitoring to confirm the effectiveness of these measures</li> </ul> </li> </ul>	Section 6.3 Table 15
<ul style="list-style-type: none"> <li>evidence of the effectiveness of avoidance and mitigation measures discussed above, noting that the effectiveness of a particular measure is a reflection of the confidence in the ability of the measure to reduce the risk or threat, including examples of measures demonstrated success to achieve the desired avoidance or mitigation outcome.</li> </ul>	Section 6.5
<p>Proposed avoidance and mitigation measures must be discussed in terms of their expected effectiveness and cost.</p> <p>Management commitments by the person proposing to take the action must be clearly distinguished from recommendations or statements of best practice made by the document author or other technical expert. It</p>	Section 6.5

is preferable to provide a consolidated table of management commitments, including details on funding, roles and responsibilities and measurable performance criteria. Commitments should be made using unambiguous language, i.e. use 'will' and 'must' when committing to actions instead of 'where possible', 'where practicable', 'as required', 'to the greatest extent possible', and 'should' or 'may'.

Where an action management plan is to be prepared to manage impacts to protected matters, the action management plan must be submitted as part of the preliminary documentation unless the *Election to have an Action Management Plan Approved after Approval of the Taking of an Action* form in Attachment B is completed and returned to the Department.

Any action management plan submitted as part of the preliminary documentation must be prepared in accordance with the Action Management Plan Criteria at Attachment C.

The Department notes that some action management plans required as a condition of approval may be eligible for acceptance through a third-party Quality Assurance Review process in place of Ministerial-approval. Please notify the Departmental project officer if you would like to discuss this option.

## Offsets

In the event that there are significant impacts that cannot be avoided or mitigated, an offset to compensate for all predicted or potential residual significant residual impacts must be provided for each relevant protected matter. The preliminary documentation must draw a conclusion on the need for an offset and, where an offset is required, demonstrate how any offset Proposed Action:

- meets the principles of the EPBC Act Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (2012)
- offsets the proposed impacts on at least:
- 15.5 ha of Black Cockatoo foraging, roosting and potential breeding habitat; and
- 2.3 ha of Wavy-leaved Smokebush habitat.
- extent to which the proposed offset actions correlate to, and adequately compensate for, the significant residual impacts of the Proposed Action on the protected matter;
- suitability of the location of any proposed offset site, i.e. positive management strategies that improve the site or averting the future loss, degradation or damage of the protected matter;
- expected time it will take to achieve the proposed offset gain;
- level of certainty that the proposed offset will be successful; and

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<ul style="list-style-type: none"> <li>current land tenure of any proposed offset and method of securing and managing the offset for the life of the impact.</li> </ul> <p>For further details regarding offset requirements, see "Information Requirements for EPBC Act Offset Proposed Actions" below.</p>	
<p><b>Economic and social considerations</b></p>	
<p>The preliminary documentation must provide information about the expected economic and social impacts of the Proposed Action (both positive and negative). This should include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> <li>consideration of costs (e.g. disruption to existing community infrastructure or environmental features) and benefits (e.g. increased housing or employment) of the Proposed Action, including the basis of any estimations of costs and/or benefits;</li> <li>details of any public and/or Indigenous stakeholder consultation activities, including the outcomes of those consultations; and</li> <li>consideration of different scales of economic and/or social impacts where relevant (e.g. local versus national).</li> </ul>	
<p><b>Ecologically sustainable development</b></p>	
<p>The preliminary documentation should include a discussion of how the Proposed Action meets the principles of ecologically sustainable development, as defined in s. 3A of the EPBC Act.</p>	<p>Section 10</p>
<p><b>Environmental record of the person proposing to take the action</b></p>	
<p>The preliminary documentation must include 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. If the person proposing to take the action is a corporation, this extends to the executive officers of the corporation as well and details of the corporation's environmental policy and planning framework must also be included.</p>	<p>Section 11</p>
<p><b>Other approvals and conditions</b></p>	
<p>The preliminary documentation must include information on any other requirements for approval or conditions that apply, or that are likely to apply, to the Proposed Action. This must include:</p> <ul style="list-style-type: none"> <li>a description of any approval that has been obtained or is required to be obtained from a state, territory or commonwealth agency or authority (other than an approval under the EPBC Act), including any conditions that apply (or are reasonably expected to apply) to the action; and</li> </ul>	<p>Section 12</p>

- a description of the monitoring, enforcement and review procedures that apply, or are proposed to apply, to the action.