

31 MAY 2021 / PREPARED BY PERTH AIRPORT

Compliance Report

**Site 6: Large Format Retail Outlet
Airport West Precinct**

**EPBC Permit E2018-0142
29 April 2020 to 28 April 2021**





Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed

Full name (please print)

David Eden

Position (please print)

Chief Projects & Development Officer

Organisation (include ABN):

Perth Airport Pty Ltd

ABN:

24 077 153 130

Date

31/05/2021

Document Version

Rev	Description	Original	Reviewer	Approval	Date
0	Revision 0	C. Spry	M.Ramgobin	N. Gallin	31/05/2021



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1. Introduction

This Compliance Report is prepared by Perth Airport Pty Ltd (PAPL, the permit holder) in accordance with the requirements of Permit E2018-0142 issued under Section 201 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

This report is for the 12-month period from 29 April 2020 (post completion of clearing) to 28 April 2021. The approved action is: To kill Banksia Woodlands of the Swan Coastal Plain ecological community for the construction of a large format retail outlet at Perth Airport, WA, as outlined in permit application E2018-0142.

EPBC Number	2018-0142
Project Name:	Site 6: Large Format Retail Outlet
Approval holder	Perth Airport Pty Ltd (ABN 24077153130)
Approved Action	Permit to kill Banksia Woodlands of the Swan Coastal Plain ecological community for the construction of a large format retail outlet at Perth Airport, WA
Location of Action	Perth Airport, Western Australia
Approval date	22 February 2019
Person acceptance responsibility for the report	Mitt Ramgobin

1. ACTIVITY LOCATION

The project site is located to the south west of the existing Terminal 3 (T3) and Terminal 4 (T4) passenger terminals, between Tonkin Highway and Dunreath Drive as shown in Figure 1: Activity Location. The total project site area is 7.09 hectares, of which 2.49 hectares was deemed Banksia Woodlands Threatened Ecological Community (TEC). Permit E2018-0142 allows for disturbance of up to 3.7 hectares of Banksia Woodlands TEC

The project site is within close proximity to the western boundary of the Perth Airport estate, bounded by Tonkin Highway, the Dunreath Interchange and the Direct Factory Outlet (DFO) within the Airport West Precinct. The suburb of Redcliffe is located to the west and north west of the site, and is primarily characterised by low density residential development which will over time transition towards a Transit Oriented Development mix of commercial and higher density residential surrounding the Redcliffe Train Station, which is currently under construction by the State Government.

2. DESCRIPTION OF ACTIVITY

The activity commenced on 29 April 2019. The development activity involved:

- clearing, site preparation and associated earthworks
- building of approximately 14,000 square metres Net Leasable Area (NLA)
- building of a fully automated fuel service station and associated infrastructure
- at-grade car parking
- access for private and service vehicles from Boud Avenue and Dunreath Drive.



Figure 1: Activity Location



2. Condition Compliance

To reduce duplication and to highlight changes or provision of additional evidence/comment the conditions which have previously been satisfied through prior years reporting are not repeated below. A note is included to point to the relevant compliance report if additional information is sought by the reviewer. The below compliance table highlights compliance updates relevant to the 2020/2021 period for Permit E2018-0142.

Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
1	To manage the impacts of the action on the Banksia Woodland of the Swan Coastal Plain, in taking the action, the permit holder must not clear more than 3.7 hectares within the project area (as submitted to the Department in the draft Major Development Plan for a large format retail outlet on 16 August 2018).	Compliant	The permit holder cleared 2.24 hectares out of 2.49 hectares of Banksia Woodland of the Swan Coastal Plain present within the project area. Evidence previously submitted in 2020 Report.
2 (a)	To offset the impacts of the action the permit holder must: <ul style="list-style-type: none"> a. prepare an Offset Strategy to compensate for the impacts of the action on the Banksia Woodland of the Swan Coastal Plain; and 	Compliant	Evidence previously submitted in 2020 Report.
2 (b)	<ul style="list-style-type: none"> b. submit the Offset Strategy to the Minister for approval; and 	Compliant	Evidence previously submitted in 2020 Report.
2 (c)	<ul style="list-style-type: none"> c. not commence the action unless the Minister has approved the Offset Strategy; and 	Compliant	Evidence previously submitted in 2020 Report.
2 (d)	<ul style="list-style-type: none"> d. implement the approved Offset Strategy for a minimum of 20 years (or otherwise 	Compliant	The Offset Strategy is currently being implemented.



determined by the Minister in writing) from the date of commencement of the action; and

The Offset site (on Thomas Road, Oakford) was verbally approved by DBCA 17/7/20 for use for the duration of the restoration works and formally approved by letter on 2/9/2020.

The Restoration Management Plan (RMP) is currently in draft by suitably qualified botanists. The RMP is compiled for E2018-0142 and E2017-0128. Draft reviews have been undertaken by PAPL with the DBCA.

A site visit of the Thomas Road offset site was undertaken by Department of Biodiversity, Conservation and Attractions (DBCA), Department of Agriculture, Water and Environment (DAWE) and PAPL representatives with the RMP authors (23 February 2021-delayed due to Covid-19 border closures). The intent of this site visit was to familiarise the Departments with current site condition and outline the RMP context.

15 March 2021 - Revision B of the RMP submitted to DBCA for review and comment.

14 April 2021 - Meeting with DBCA, PAPL and authors of the RMP.

Current - Rev C of RMP is in development for DBCA approval following receipt of comments.

The first-year for implementation of the draft RMP focuses on weed management and site preparation, ie construction of limestone tracks, fencing, weed and feral animal management.

Whilst the RMP is still in draft, weed treatment activities have commenced across the offset site as one of the initial steps for offset implementation. Weed treatment commenced 26 March 2021. General weed treatment activities were



			<p>undertaken such as boom spraying of open paddock areas, handgun spraying in areas adjacent to native vegetation and trees. Targetted treatment focused on appropriate removal of Cotton Bush and injection of Acacia Longifolias.</p> <p>Seed collection was undertaken across the Perth Airport Estate for species suitable for Banksia Woodlands TEC to be utilised at the Thomas Road offset site. Eleven (11) days of intensive collection occurred over the Spring/Summer period commencing 10 November 2020 and concluding 25 March 2021. This activity culminated in just over 18kg of seed collected.</p> <p>The topsoil salvaged from clearing at the impact site has been stockpiled for use at the offset site. This stockpile has been maintained through regular weed treatment activities.</p>
2 (e)	<p>e. publish the Offset Strategy on the website:</p> <ul style="list-style-type: none"> i. no later than seven (7) business days after commencement of the action; and ii. until three (3) months after ceasing the implementation of the Offset Strategy. 	Compliant	Evidence previously submitted in 2020 Report.
3 (a)	<p>The Offset Strategy required under condition 2 must:</p> <ul style="list-style-type: none"> a) specify the impacts to Banksia Woodland of the Swan Coastal Plain to be offset 	Compliant	Evidence previously submitted in 2020 Report.
3 (b)	<p>identify a suitable offset site/s, include a general description of the property/ies containing the offset site/s, and describe how the site/s will be</p>	Compliant	Evidence previously submitted in 2020 Report.



	managed and protected for conservation purposes over the long term; and		
3 (c)	outline how the proposed offsets are consistent with the principles of the Environmental Offsets Policy	Compliant	Evidence previously submitted in 2020 Report.
3 (d)	be prepared in accordance with the Department's Environmental Management Plan Guidelines (2014)	Compliant	Evidence previously submitted in 2020 Report.
3 (e)	b) contain a schedule for implementing the Offset Strategy so that approved offset management measures commence no later than 13 September 2019 .	Compliant	Evidence previously submitted in 2020 Report.
4	The permit holder may, at any time, apply to the Minister for a variation to the Offset Strategy approved under Condition 2, or as subsequently revised in accordance with these conditions. If the Minister approves a revised Offset Strategy then, from the date specified, the permit holder must implement the revised Offset Strategy in place of the previous Offset Strategy.	Not applicable	The permit holder has not requested to vary the approved Offset Strategy.
5	Within 12 months of approval of the Offset Strategy referred to in condition 2, and of any variation to the Offset Strategy under condition 4, the permit holder must provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the offset site/s.	Compliant	Evidence previously submitted in 2020 Report.
6	The permit holder may give to another person written authority to take, for or on behalf of the holder, any activity authorised by the permit. When an authority is given to another person, the condition requirements also apply. The	Not applicable	The permit holder did not give written authority to another person but retained full authority during all works.



giving of an authority to another person does not prevent the permit holder from undertaking the authorised activity. The permit holder who gives an authority to another person must inform the Department in writing within ten (10) business days after giving the authority. The permit holder may only give an authority to another person who has sufficient experience and competence in the activities of this permit.

7	The permit holder must inform the Department in writing within ten (10) business days if, whilst the clearing that is authorised by this permit is being carried out, any EPBC Act listed threatened, migratory or marine species, other than that specified in this permit and identified in the permit application, in a Commonwealth area is found to be impacted by the actions. In the event that this occurs, all actions must cease immediately.	Compliant	Evidence previously submitted in 2020 Report.
8	The permit holder must hold and comply with any permit required and granted under State, Territory, or other Commonwealth legislation in relation to specimens affected within any area to which that legislation applies.	Compliant	Evidence previously submitted in 2020 Report.
9	Civil and criminal penalties apply to actions undertaken that have a significant impact on matters of national environmental significance under the EPBC Act. Civil penalties can apply if an action is taken without knowledge of the potential for impact, and criminal penalties apply when an action is	Compliant	Evidence previously submitted in 2020 Report.



knowingly taken with impacts on listed matters of national environmental significance.

10	Within thirty (30) business days after the completion of the action, the permit holder must notify the Department in writing and provide completion data.	Not applicable	The action is yet to be completed.
11 (a)	The permit holder must prepare a compliance report for each twelve (12) month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The permit holder must: a) publish each compliance report on the website within sixty (60) business days following the relevant twelve (12) month period;	Compliant	<p>The action commenced on 29 April 2019. Each year the compliance report must be prepared prior to 23 July. This report is compiled for the previous years twelve-month period (29 April 2020 – 28 April 2021).</p> <p>This Compliance Report is prepared and published within 60 business days for the 2021 compliance report (due by 23 July 2021). This Compliance Report will be uploaded to https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans</p>
11 (b)	b) notify the Department by email that a compliance report has been published on the website within five (5) business days of the date of publication;	Compliant	<p>The Department will be notified within five days of upload to the website. Evidence of this action will be provided in each subsequent years annual Compliance Report.</p> <p>The 2020 Compliance Report was published on 4 November 2020 and email notice was provided to the department on 4 November 2020. <i>See Appendix 2</i></p>
11 (c)	c) keep all compliance reports publicly available on the website until completion of the action;	Compliant	<p>The previous Compliance Report and this Compliance Report are publicly available on the Perth Airport website and will be until the completion of the action.</p> <p>https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans</p> <p><i>See Appendix 3 – previous report available</i></p>



11 (d)	d) exclude or redact sensitive ecological data from compliance reports published on the website; and	Not applicable	Sensitive ecological data is not required to be redacted for the 2020/2021 period.
11 (e)	e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within five (5) business days of publication.	Not applicable	Sensitive ecological data is not required to be redacted for the 2020/2021 period.
12	The permit holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in the Offset Strategy. The notification must be given as soon as practicable, and no later than two (2) business days after becoming aware of the incident or non-compliance. The notification must specify: a. the condition which is or may be in breach; and b. a short description of the incident and/or non-compliance.	Compliant	No non-compliances were identified for the 2020/2021 Compliance Report period.
13	The permit holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in the Offset Strategy as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying: a. any corrective action or investigation which the permit holder has already taken or intends to take in the immediate future;	Compliant	No non-compliances were identified for the 2020/2021 Compliance Report period.



- b. the potential impacts of the incident or non-compliance; and
- c. the method and timing of any remedial action that will be undertaken by the permit holder.



APPENDIX 1

Condition 1) Total Disturbance Area





APPENDIX 2

Condition 11b) Provide email correspondence to DAWE that Compliance Report is available online

From: Nicole Gallin
Sent: Wednesday, 4 November 2020 6:01 PM
To: 'EPBC Monitoring' <EPBCMonitoring@awe.gov.au>
Subject: RE: E2018-0142 - date action commenced? [SEC=OFFICIAL]

Victoria

Thank you for your patience and for raising this condition. The date of commencement was 29 April 2019. We have prepared the compliance report and uploaded it to our website. The report can be found at the following link under *Approved Major Development Plans, Site 6: Large Format Retail Outlet*.

<https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans>

The report indicates non-compliance for two items – the preparation of the report within 12 months of commencement and the notification of that non-compliance. We believed we were in fact compliant and with the Covid-19 changeover of the Environment Manager, the handover for this project was impacted.

Please do not hesitate to contact me at your earliest convenience and thanks again for raising this to our attention. Finally, please note that we are in full compliance with all other conditions and mitigation measures are in place to ensure no future reporting non-compliance.

Regards
Nicole



APPENDIX 3

Condition 11c) Previous Compliance Report is available online

The screenshot shows a web browser window with the URL perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans. The navigation menu includes 'Passengers', 'Corporate', 'Property', 'Eng', '中文', 'f', 'i', 't', and 'Q'. The main content area features the Perth Airport logo and a list of menu items: 'About us', 'Community & environment', 'Planning & projects', 'Work with us', and 'Media'. Below this, the text reads: 'Site 6: Large Format Retail Outlet' followed by a paragraph: 'The Major Development Plan for the Site 6: Large Format Retail Outlet within the Perth Airport estate was approved by the Hon. Michael McCormack MP, Minister for Infrastructure, Transport and Regional Development, on 13 November 2018. Perth Airport was also required to obtain approval for an Offset Strategy and a PFAS & Contamination Management Plan for the project.' A link for '2020 Compliance Report' is also visible.