

21 JULY 2023 / PREPARED BY PERTH AIRPORT

# Compliance Report

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

**EPBC Permit E2018-0142  
29 April 2022 to 28 April 2023**

---





## 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)

Mitt Ramgobin

Position (please print)

Acting Head of Approvals, Environment and Sustainability

Organisation (include ABN):

Perth Airport Pty Ltd

ABN:

24 077 153 130

Date

21/07/2023

## Document Version

Rev	Description	Original	Reviewer	Approval	Date
0	Revision 0	K.Moiler	P.Coventry	M.Ramgobin	21/07/2023



## Table of Contents

1. Introduction .....	4
2. Condition Compliance.....	6

## Table of Figures

Figure 1: Activity Location.....	5
----------------------------------	---

## Table of Appendices

Appendix 1.....	14
Appendix 2 .....	16
Appendix 3 .....	17
Appendix 4 .....	18
Appendix 5.....	19



# 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 2022 to 28 April 2023. 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 accepting 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 due to be opened in 2022 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.





## 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 2022/2023 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).	<b>Compliant</b>	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: a. prepare an Offset Strategy to compensate for the impacts of the action on the Banksia Woodland of the Swan Coastal Plain; and	<b>Compliant</b>	Evidence previously submitted in 2020 Report.
2 (b)	b. submit the Offset Strategy to the Minister for approval; and	<b>Compliant</b>	Evidence previously submitted in 2020 Report.  Variation to offset strategy submitted 28 March 2022 and 30 June 2023 to the Minister's Delegate (Appendix 1) outcome pending.
2 (c)	c. not commence the action unless the Minister has approved the Offset Strategy; and	<b>Compliant</b>	Evidence previously submitted in 2020 Report.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
2 (d)	d. implement the approved Offset Strategy for a minimum of 20 years (or otherwise determined by the Minister in writing) from the date of commencement of the action; and	<b>Compliant</b> (noting Restoration Management Plan (RMP) not yet approved with DBCA, activities have commenced regardless to avoid delays)	The Offset Strategy is currently being implemented. Evidence previously submitted in 2022 Report.  While the 2023 Varied Offset Strategy is awaiting final endorsement from the Department of Climate Change, Energy, the Environment and Water (DCCEE), PAPL is undergoing a formal agreement process with the DBCA regarding a 20 year services agreement for the implementation of the Varied Strategy, including access, site securing, management activities, monitoring and reporting.
2 (e)	e. publish the Offset Strategy on the website: 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.	<b>Compliant</b>	Evidence previously submitted in 2020 & 2021 Report.
3 (a)	The Offset Strategy required under condition 2 must: a) specify the impacts to Banksia Woodland of the Swan Coastal Plain to be offset	<b>Compliant</b>	Evidence previously submitted in 2020 Report and 2023 Varied Offset Strategy.
3 (b)	identify a suitable offset site/s, include a general description of the property/ies containing the	<b>Compliant</b>	Evidence previously submitted in 2020 Report.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	offset site/s, and describe how the site/s will be managed and protected for conservation purposes over the long term; and		The 2023 variation submitted details a suitable offset site and provides all details as required by this condition (see Appendix 1).
3 (c)	outline how the proposed offsets are consistent with the principles of the Environmental Offsets Policy	<b>Compliant</b>	Evidence previously submitted in 2020 Report.  The 2023 variation submitted details how the proposed offset site is consistent with the principles of the Environmental Offsets Policy (Appendix 1).
3 (d)	be prepared in accordance with the Department's Environmental Management Plan Guidelines (2014)	<b>Compliant</b>	Evidence previously submitted in 2020 Report.  The 2023 variation was prepared in accordance with the Department's Environmental Management Plan Guidelines (2014).
3 (e)	contain a schedule for implementing the Offset Strategy so that approved offset management measures commence no later than <b>13 September 2019</b> .	<b>Compliant</b>	Evidence previously submitted in 2020 Report.  The 2023 variation submitted contains a schedule in section 6 (Appendix 2). Offset management measures/site establishment activities are anticipated to commence within six months of variation approval.





Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
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.	<b>Compliant</b>	<p>The permit holder requested to vary the approved Offset Strategy on 28 March 2022.</p> <p>Following DCCEEW advice on the 2022 Offset Strategy Variation, an updated Offset Strategy Variation (complying with DCCEEW advice) was submitted for final approval on the 30 June 2023 (See Appendix 1).</p> <p>Approval of the 2023 Offset Strategy Variation is pending.</p>
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.	<b>Compliant</b>	<p>Evidence previously submitted in 2020 Report.</p> <p>The previously identified offset site boundary had been reduced from 23.7 ha to 9.5 ha to accommodate the landowner's potential for future infrastructure upgrades. The updated site boundary was provided in the 2022 Compliance Report. Shapefiles of both the reduced restoration site and the variation offset site were provided to the Department via email on 29 March 2022 (Appendix 3).</p> <p>On approval of the variation to the Offset Strategy (submitted June 2023), PAPL will provide finalised offset attributes.</p>
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 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	<b>Not applicable</b>	The permit holder did not give written authority to another person but retained full authority during all works.



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	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.	<b>Compliant</b>	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.	<b>Compliant</b>	Evidence previously submitted in 2021 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 knowingly taken with impacts on listed matters of national environmental significance.	<b>Not applicable</b>	Clearing activities no longer being undertaken.  Evidence previously submitted in 2020 Report.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
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.	<b>Not applicable</b>	The action is yet to be completed and will be actioned at the required time.
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: <ul style="list-style-type: none"> <li>a) publish each compliance report on the website within sixty (60) business days following the relevant twelve (12) month period;</li> </ul>	<b>Compliant</b>	<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 2022 – 28 April 2023).</p> <p>This Compliance Report is prepared and published within 60 business days for the 2023 compliance report (due by 23 July 2023). This Compliance Report will be uploaded to <a href="https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans">https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans</a></p>
11 (b)	<ul style="list-style-type: none"> <li>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;</li> </ul>	<b>Compliant</b>	<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 2022 Compliance Report was published on 2 July 2022 and email notice was provided to the department on 11 July 2022. See Appendix 4.</p>
11 (c)	<ul style="list-style-type: none"> <li>c) keep all compliance reports publicly available on the website until completion of the action;</li> </ul>	<b>Compliant</b>	<p>The previous Compliance Reports and this Compliance Report are publicly available on the Perth Airport website and will be until the completion of the action. <a href="https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans">https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans</a></p> <p>See Appendix 5 – previous report available.</p>



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
11 (d)	d) exclude or redact sensitive ecological data from compliance reports published on the website; and	<b>Not applicable</b>	Sensitive ecological data is not required to be redacted for the 2022/2023 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.	<b>Not applicable</b>	Sensitive ecological data is not required to be redacted for the 2022/2023 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: <ul style="list-style-type: none"> <li>a. the condition which is or may be in breach; and</li> <li>b. a short description of the incident and/or non-compliance.</li> </ul>	<b>Compliant</b>	No non-compliances were identified for this reporting 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:	<b>Compliant</b>	No non-compliances were identified for this reporting period.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<ul style="list-style-type: none"><li>a. any corrective action or investigation which the permit holder has already taken or intends to take in the immediate future;</li><li>b. the potential impacts of the incident or non-compliance; and</li><li>c. the method and timing of any remedial action that will be undertaken by the permit holder.</li></ul>		



APPENDIX 1

**Condition 2b) Variation submitted to Department of Environment March 2023**

E2017-0128 and E2018-0142 - Request to Vary Offset Strategy



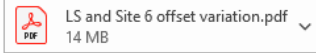
Nicole Gallin

To [kim.farrant@environment.gov.au](mailto:kim.farrant@environment.gov.au)

Cc [Mike Smith](#); [David Eden](#); [Mitt Ramgobin](#); [Camilla Spry](#); [epbcmonitoring@awe.gov.au](mailto:epbcmonitoring@awe.gov.au)

[Reply](#) [Reply All](#) [Forward](#) [...](#)

Mon 28/03/2022 1:07 PM



Kim

Please refer attached letter and variation for permits E2017-0128 and E2018-0142 with the below link to an associated report.

[2022 Umwelt Orange Springs Env Offset Values.pdf](#)

Please do not hesitate to contact me should you require additional information or have difficulty accessing the above link.

We look forward to resolution of this matter at your earliest convenience.

Regards

Nicole

**Nicole Gallin**

Head of Approvals, Environment & Heritage

T 08 6278 8141 M 0411 183 155

[Join our Talent Community](#)



**Kaya, nidja Wadjak Boodja!**

Hello, this is Whadjuk Country! Perth Airport acknowledges the Whadjuk people as the Traditional Custodians of this region and respects their ongoing cultural connection to this land.



## Condition 2b) Variation submitted to Department of Environment March 2023

**From:** Leanne Fermanis **On Behalf Of** Dan Sweet  
**Sent:** Friday, June 30, 2023 3:14 PM  
**To:** [bruce.edwards@dcceew.gov.au](mailto:bruce.edwards@dcceew.gov.au); Broomhall, Sara <[sara.broomhall@dcceew.gov.au](mailto:sara.broomhall@dcceew.gov.au)>  
**Cc:** [epbcmonitoring@awe.gov.au](mailto:epbcmonitoring@awe.gov.au)  
**Subject:** Letter to Department - DFO Living Stream and Site 6 Offset Strategy

Good Afternoon

Please see attached correspondence from Dan Sweet at Perth Airport.

Thank you



30 June 2023

Bruce Edwards  
Division Head  
Nature Positive Regulation  
Department of Climate Change, Energy, the Environment and Water  
John Gorton Building – King Edward Terrace  
Ngunnawal Country  
PARKES ACT 2600

Via email: [bruce.edwards@dcceew.gov.au](mailto:bruce.edwards@dcceew.gov.au); [sara.broomhall@dcceew.gov.au](mailto:sara.broomhall@dcceew.gov.au)

Dear Bruce

Revised Offset Strategy for E2017-0128 and E2018-0142

We refer to previous correspondence between Perth Airport Pty Ltd (PAPL) and the Department of Climate Change, Energy, the Environment and Water (Department) in relation to the proposed offset strategy for DFO Living Stream (E2017-0128) and Site 6 (E2018-0142), as follows:

- the Department's letter dated 28 April 2023;
- PAPL's letter dated 5 May 2023;
- the Department's email of 16 May 2023; and
- PAPL's letter dated 26 May 2023.

As indicated in our most recent letter dated 26 May 2023, PAPL has revised its proposed offset strategy to fully meet offset requirements, including the Department's requirement for an increase in the offset area at the Orange Springs site to 114ha for impacts to Banksia Woodland of the Swan Coastal Plain.

Attached to this letter is a revised offset strategy for your consideration.

Please do not hesitate to contact me at your earliest convenience should you wish to discuss or require additional information.

Yours sincerely

Dan Sweet  
Chief Property Officer

Attachments:

- Revised Offset Strategy E2017-0128 & E2018-0142 DFO Living Stream and Site 6

Cc: EPBC Compliance Monitoring Team, [epbcmonitoring@awe.gov.au](mailto:epbcmonitoring@awe.gov.au)



## APPENDIX 2

### Condition 3e) Offset Strategy must contain a schedule



## 6.0 Implementation schedule

Following approval from DAWE for application of the Orange Spring Rd property for offsetting the residual impacts of the DFO Living Stream and Site 6 projects to Banksia Woodland TEC, the following measures will be implemented:

- PAPL and DBCA to agree establishment and ongoing management measures for the site within 3 months of DAWE approval of the revised offset strategy.
- Site establishment to start within 6 months of step above with DAWE approval of variation of the offset strategy.
- Land to be transferred to DBCA within two months of completion of site establishment measures or earlier if agreed by DBCA.
- PAPL to fund, and DBCA to implement ongoing management measures for 7 years or as otherwise agreed with DBCA.





## APPENDIX 3

### Condition 5) Spatial files provide to Department of Environment

RE: E2017-0128 and E2018-0142 - Request to Vary Offset Strategy [SEC=OFFICIAL]



Nicole Gallin

To: Kim Farrant

Cc: Mike Smith; David Eden; Mitt Ramgobin; Camilla Spry; epbcmonitoring@awe.gov.au

Reply Reply All Forward

Tue 29/03/2022 2:13 PM



Kim

Further to my email on Monday, please see attached shapefiles for the offset variation:

- OS\_Allocation – this shapefile contains two polygons, one of the entire site boundary, one of the proposed area to be allocated to Living Stream/Site 6 Offset.
- Jandakot Thomas Rd – the updated reduced area for restoration works as approved by DPLH.

Please do not hesitate to contact me should you require additional information.

Regards

Nicole

Nicole Gallin

Head of Approvals, Environment & Heritage

T 08 6278 8141 M 0411 183 155

[Join our Talent Community](#)



#### Kaya, nidja Wadjak Boodja!

Hello, this is Whadjuk Country! Perth Airport acknowledges the Whadjuk people as the Traditional Custodians of this region and respects their ongoing cultural connection to this land.



## APPENDIX 4

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

**From:** Camilla Spry  
**Sent:** Monday, July 11, 2022 11:06 AM  
**To:** EPBC Monitoring <EPBCMonitoring@awe.gov.au>  
**Cc:** Nicole Gallin <Nicole.Gallin@perthairport.com.au>; Mitt Ramgobin <Mitt.Ramgobin@perthairport.com.au>  
**Subject:** Compliance Report E2018-0142

Hello,

Please be advised that as per Permit E2018-0142, condition 11 a and 11 b we have completed a compliance report and uploaded it to our website. This report went live COB 7 July 2022 and can be accessed via: [Perth Airport - Corporate | Major development plans](#)

Kind regards,

Camilla Spry  
Environment Coordinator – Approvals & Major Projects



Level 2, 2 George Wiencke Drive (Opposite T3 & T4), Perth Airport WA 6105  
PO Box 6, Cloverdale WA 6985  
T (08) 6278 8117

[www.perthairport.com.au](http://www.perthairport.com.au)  
[Join Our Talent Community](#)



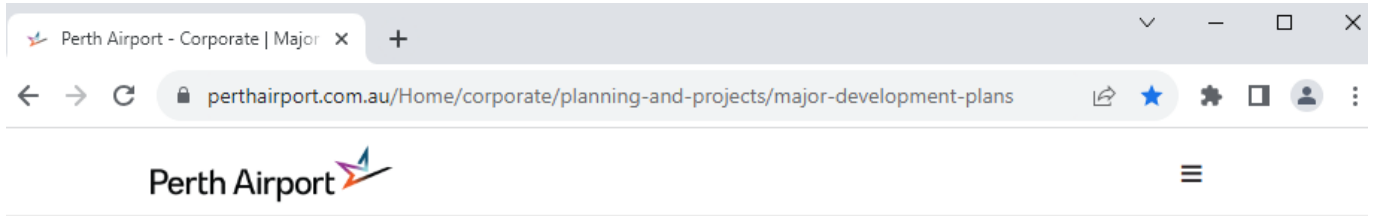
#### **Kaya, nidja Wadjak boodja!**

Hello, this is Whadjuk Country! Perth Airport acknowledges the Whadjuk people as the Traditional Custodians of this region and respects their ongoing cultural connection to this land.



## APPENDIX 5

### Condition 11c) Previous Compliance Report is available online



#### Site 6: Large Format Retail Outlet

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.

[2020 Compliance Report](#)

[2021 Compliance Report](#)

[2022 Compliance Report](#)