



Wellard Village Primary School Development

Environmental Protection and Biodiversity Conservation Act 1999

EPBC Decision 2020/8372 Approval

Annual Compliance Report (2023)

JBS&G Australia Pty Ltd | 66087 | (Rev 0)

2 February 2024





We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.

Caring for Country The Journey of JBS&G
Artist: Patrick Caruso, Eastern Arrernte

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) Matthew Turnbull
Position (please print) Manager Land and Planning
Organisation (please print including ABN/ACN if applicable) _____
Department of Education _____
Date 5 / 3 / 2024

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1. Introduction

This report addresses the status and compliance of implementation of the 'Wellard Village Primary School Development' with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval 2020/8732 (EPBC 2020/8732). This report has been prepared for the purpose of addressing condition 16 of EPBC 2020/8732, which requires the proponent to publish annual compliance reports.

1.1 Project Background

The Department of Education (DoE) are developing part of Lot 9074 Lambeth Circle, Wellard as a primary school (the Proposal) located within the City of Kwinana approximately 35 km south of Perth. The proposed primary school will include:

- Playing courts
- Teaching blocks
- Administration buildings
- Sporting oval
- Car parking

While the primary school footprint occupies a total area of 5 ha, the area of impact is limited to that portion of the footprint where remnant native vegetation persists (~ 3 ha).

1.2 Environmental Approvals

The Proposal was referred to the Department of Agriculture, Water and the Environment (DAWE) (now Department of Climate Change, Energy, the Environment and Water (DCCEEW)) on 15 July 2020. The action was deemed to be a 'controlled action' under the EPBC Act on 27 August 2020, to be assessed by preliminary documentation due to potential impacts to the following listed threatened species and communities under sections 18 and 18A:

- Carnaby's Black Cockatoo (CBC; *Calyptorhynchus latirostris*)
- Forest Red-tailed Black Cockatoo (FRTBC; *Calyptorhynchus banksii naso*)
- Baudin's Black Cockatoo (BBC; *Calyptorhynchus baudinii*)
- Tuart Woodlands and Forests of the Swan Coastal Plain Threatened Ecological Community (Tuart Woodlands TEC).

Conditional approval (EPBC 2020/8732) was issued to DoE on 11 November 2021. The action commenced on 07 December 2021.

2. Current Status

Activities undertaken at Wellard during the audit period (07 December 2022 to 06 December 2023) include the following:

- Finalisation of the construction of the Wellard Village Primary School
- No clearing activities
- Development of the Restoration Management Plan
- Continuation of Offset Actions
- Cockatube monitoring

3. Audit Methodology

3.1 Audit Plan

3.1.1 Purpose & Scope

This report has been prepared for Department of Education to fulfil the requirements of condition 16 of EPBC 2020/8732, which states:

The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:

- a. publish each compliance report on the website within 60 business days following the relevant 12 month period;*
- b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication;*
- c. keep all compliance reports publicly available on the approval holder's website until this approval expires;*
- d. exclude or redact sensitive ecological data from compliance reports published on the approval holder's website; and*
- e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.*

This Annual Compliance Report (ACR) addresses the audit period between 07 December 2022 and 06 December 2023, for each condition of EPBC 2020/8732. Conformance with management plans required under sub-conditions have also been addressed, including:

- Vegetation and Fauna Management Plan (VFMP);
- Offset Plan 1

3.1.2 Audit Period

This ACR addresses the twelve-month period from 07 December 2022 and 06 December 2023.

3.1.3 Methodology

The audit was undertaken January to March 2024 by Andrea Wills (JBS&G) and involved a desktop audit of evidence provided by Department of Education and Ben Hollyock the JBS&G client representative for the project management team.

3.1.4 Audit Terminology

The 'Status' field of audit table (refer to Section 4) describes the level of compliance against the approval conditions. In 2019, the DCCEEW issued the *Independent Audit and Audit Report Guidelines for controlled actions which have been approved under Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999* (DCCEEW 2019). Terminology from this guidance has been applied in the audit and is listed below in Table 3.2.

Table 3.1: Terminology used for the Audit (DCCEEW 2019)

Term	Definition
Conditions of Approval	

Compliant	A rating of 'compliance' is given when the auditee has complied with a condition, element of a condition or measure required by a management plan, report or program, <i>etc.</i>
Potentially non-compliant	A rating of 'non-compliance' is given when the auditee has not met the condition, element of a condition, or measure required by a management plan, report or program, <i>etc.</i>
Not applicable	A rating of 'not applicable at the time of the audit' is given when the condition or element of a condition falls outside the scope of the audit, <i>e.g.</i> , if any activity has not commenced.
Management Plans	
Conformant	All the requirements of a key management action detailed within a subsidiary plan or program have been satisfactorily met.
Potentially non-conformant	All the requirements of a key management actions detailed within a subsidiary plan or program have not been met satisfactorily.
Not applicable	The requirements of a management action fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

4. Audit Results

The results of the audit of EPBC 2020/8732 are shown in Table 4.1. The results of the audit of the management actions contained within the VFMP and OP1 are outlined in Appendix A and Appendix B.

4.1 Compliance with conditions of EPBC 2017/7872

The audit addressed 51 sub-conditions derived from 28 conditions; Department of Education was found:

- 22 sub-conditions assessed as compliant, with 7 found to be compliant (complete)
- 25 sub-conditions assessed as 'not applicable' (during this audit period).
- Four sub-conditions as potentially non-compliant

The four non-compliances are recognised as administrative in nature and were related to :

- There is no evidence the offset sites have been legally secured in perpetuity:
 - There is no conservation covenant in place for Lot 164.
 - DCCEEW has deemed a conservation covenant under s15 of the Land Administration Act 1997 is required for Reserve 39964 where as a Management Order under s46 of the Land Administration Act 1997 is in place.
- The nesting hollows were monitored on one occasion outside the breeding season.
- The 2022 ACR is not published on the DoE website.

4.2 Conformance with the Vegetation and Fauna Management Plan

The audit addressed 111 commitments from the VFMP with the following result:

- 41 commitments assessed as conformant
- 67 commitments assessed as 'not applicable' (during this audit period)
- 3 commitments assessed as potentially non-conformant

The 4 non-conformances were related to:

- Annual weed monitoring in retained vegetation was not undertaken
- Induction content missing information on weed and dieback management
- Weed and dieback inspection records unavailable

4.3 Conformance with the Environmental Offsets Plan

The audit addressed 21 commitments from the EOP; Department of Education was found:

- Five commitments were found to be conformant, with 2 found to be conformant (complete)

- Eleven commitments were found to be not applicable
- Two commitments were found to be potentially non-conformant

The two non-conformances were related to not having the conservation covenants in place for the two offset sites.

Table 4.1: EPBC 2020/8732 Audit Table

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC Decision 2020/8732 Condition 1:		For the protection of listed threatened species and communities the approval holder must not: a. clear more than 3.039 ha of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community; b. clear more than 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoos; c. clear more than 43 potential breeding trees for Black Cockatoos d. clear more than a total of two suitable nesting hollows for Black Cockatoos; and e. clear outside the project area.				
EPBC 1A	Not clear more than 3.039 hectares of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community.	Construction	Records of clearing during the audit period	R02_2022 ACR	The approval holder cleared wholly within the development envelope which contained 2.817 ha of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community i.e. did not clear more than 3.039 ha of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community.	Compliant (complete)
EPBC 1B	Not clear more 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoos.	Construction	Records of clearing during the audit period	R02_2022 ACR	The approval holder cleared wholly within the development envelope which contained 2.812 ha of roosting habitat for Forest Red-tailed Black Cockatoos. i.e. did not clear more than 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoos.	Compliant (complete)
EPBC 1C	Not clear more than 43 potential breeding trees for Black Cockatoos.	Construction	Records of clearing during the audit period	R02_2022 ACR	The approval holder cleared 37 potential breeding trees for Black Cockatoos i.e. did not clear more than 43 potential breeding trees.	Compliant (complete)
EPBC 1D	Not clear more than a total of two suitable nesting hollows for Black Cockatoos	Construction	Records of clearing during the audit period	R02_2022 ACR	The two nesting hollows determined during project planning to have the potential to be suitable for Black Cockatoos were cleared by the approval holder however it was determined by the fauna specialist on site prior to clearing that they were not of a size suitable for Black Cockatoo nesting.	Compliant (complete)
EPBC 1E	Not clear outside the area designated as the "Project Area" in Attachment A.	Construction	Records of clearing during the audit period	R02_2022 ACR	The approval holder cleared wholly within the project area.	Compliant (complete)
EPBC Decision 2020/8732 Condition 2		For the protection of listed threatened species and communities and to minimise indirect impact to remnant areas of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community and Black Cockatoo habitat from weeds and dieback, the approval holder must implement all avoidance, mitigation and management measures identified in of the Vegetation and Fauna Management Plan for the life of the approval, subject to the requirements of conditions 17 and 18 in relation to the reporting non-compliance and incidents.				
EPBC 2	Implement the Vegetation and Fauna Management Plan.	For the life of the project	Assess compliance with the VFMP	Appendix B	The Vegetation and Fauna Management Plan was implemented in the audit period. Appendix B contains a conformance assessment of the Vegetation and Fauna Management Plan. Of the 111 commitments audited, the conformance was identified as follows: 41 commitments were found to be conformant 67 commitments were found to be not applicable 3 commitments were found to be potentially non-conformant	Compliant
EPBC Decision 2020/8732 Condition 3		In addition to the measures required under condition 2, to mitigate impacts to nesting Black Cockatoos, the approval holder must, within 2 days prior to the clearing of the two trees each containing a potentially suitable nesting hollow, investigate these suitable nesting hollows to determine if they are currently utilised by Black Cockatoos for nesting. The investigation must be undertaken by a suitably qualified ecologist. If any Black Cockatoos are detected utilising any hollow the approval holder must: a. clearly identify and mark any tree containing a currently utilised suitable nesting hollow or other currently utilised hollow; and b. not clear any tree containing a currently utilised suitable nesting hollow or other hollow currently utilised by a Black Cockatoo, or any vegetation within a 10 metre radius of that tree until a suitably qualified ecologist has verified that no hollow in the tree is no longer being used by Black Cockatoos.				
EPBC 3A	Investigate suitable nesting hollows to determine if they are currently utilised by Black Cockatoos for nesting.	Prior to clearing	Suitably qualified ecologist to undertake investigation 2 days prior to clearing.	R02_2022 ACR	Potential nesting hollows on site were investigated and found that there were no suitable nesting hollows on site.	Compliant (complete)

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC 3B	If any Black Cockatoos are detected utilising any hollow the approval holder must clearly identify and mark any tree containing a currently utilised suitable nesting hollow or other currently utilised hollow.	Prior to clearing	Mark with clearly identifiable flagging or survey tape.	Refer to EPBC 3A	Refer to EPBC 3A	Not applicable
EPBC 3C	Not clear any tree containing a currently utilised suitable nesting hollow or other hollow currently utilised by a Black Cockatoo, or any vegetation within a 10 metre radius of that tree.	Construction	Verification by suitably qualified ecologist that no hollow in tree is being used by Black Cockatoos.	Refer to EPBC 3A	Refer to EPBC 3A	Not applicable
EPBC Decision 2020/8732 Condition 4 [Offsets]		To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat, the approval holder must: a. Within 12 months of the commencement of the action provide the Department with written evidence that the offset sites have been legally secured in perpetuity as an offset for this action, including providing a description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles. b. Once the offset sites have been legally secured, the approval holder must implement Offset Plan 1 for the remainder of the life of the approval. c. Within 6 months of the commencement of the action submit for approval by the Minister a Restoration Management Plan for Reserve 39964 which must include the commitments specified in section 3 of Offset Plan 1.				
EPBC 4A	Within 12 months of the commencement of the action provide the Department with written evidence that the offset sites have been legally secured in perpetuity as an offset for this action, including providing a description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles.	Within 12 months of action commencement	Correspondence with the Department providing written evidence of offset sites including description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles.	R02_2022 ACR C02_DCCEEW notification Offset Sites Secured C03_City of Kwinana Request for transfer of Lot 164 C04_DCCEEW Advice Perpetuity	DoE notified DCCEEW 06/12/2022 (C02) of the intended offset sites (providing a description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles and the land title change pending DPLH). The offset sites are Lot 164 Wellard (owned by DoE pending DPLH transfer to Crown Reserve) and Crown Reserve 39964. DCCEEW advised DoE (C04) 16/08/2023 of the type of covenants required on the offset site for the Minister to accept that the site has been secured in perpetuity. Lot 164 is still waiting on DPLH (a letter was sent from the City of Kwinana to the Western Australian Planning Commission (C03) 23/01/2024 confirming that the city intended to accept transfer of Lot 164 Wellard Road, Wellard, for management by the City as a reserve for conservation in perpetuity) before a covenant can be put in place. The proponent has facilitated a Management Order under the Land Administration Act 1997 s46 with the City of Kwinana (C02) rather than one of the listed legal mechanisms advised by DCCEEW (C04) that would be acceptable to the Minister for example a covenant under the Land Administration Act 1997 s15. Written evidence was provided that the sites were legally secured within 12 months (C02) however no written evidence has been provided to date to the Department that they have been secured in perpetuity.	Potentially non-compliant
EPBC 4B	Implement Environmental Offset Plan (EOP)	For the life of the project	Assess compliance with the EOP	R01_2023 ACR Appendix C	Refer to Appendix B Offset Plan 1 Assessment. The OEP has been implemented with partial conformance. 5 commitments were found to be conformant, with 2 found to be conformant (complete) 11 commitments were found to be not applicable 2 commitments were found to be potentially non-conformant	Compliant

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC 4C	Submit for approval by the Minister a Restoration Management Plan for Reserve 39964 which includes the commitments specified in section 3 of the EOP	Within 6 months of action commencement	Correspondence with the Department showing submission of RMP within 6 months of commencement of the action.	R02_2022 ACR M01_Evidence Request Rev 0	As per the 2022 ACR (R02) DoE submitted the Restoration Management Plan to DAWE 07/06/2022 (within 6 months of commencement of the action) with DAWE providing feedback 26/07/2022 and 22/12/2022. A revised Restoration Management Plan was submitted to DCCEEW 01/11/2023. No response has been received yet (M01).	Compliant
EPBC Decision 2020/8732 Condition 5 [Offsets]		If, 12 months after the commencement of the action, the Minister informs the approval holder that the submitted Restoration Management Plan is not suitable for approval, the Minister may, after another 2 months, approve a version of the Restoration Plan revised by the Department. Once the Restoration Management Plan is approved, the approval holder must implement the approved Restoration Management Plan for the remainder of the life of the approval.				
EPBC 5	Implement the RMP approved by the Minister	Once approved by the Minister	Assess compliance with the RMP	Refer to EPBC 4C	The Minister has not approved the Restoration Management Plan or provided a version revised by the Department.	Not applicable
EPBC Decision 2020/8732 Condition 6 [Additional Offset and Restoration Plan]		To compensate for no less than 27.46% of the residual significant impact on the Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community and no less than 11.58% of the residual significant impact on Forest Red-tailed Black Cockatoo Roosting habitat, the approval holder must submit an Additional Offset and Restoration Plan for approval by the Minister within twelve months from the commencement of the action. The Additional Offset and Restoration Plan must: a. Identify a suitable environmental offset for the above specified residual impacts on Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat that satisfies the requirements of the Environmental Offsets Policy; b. Include detailed baseline information on the proposed offset(s) and achievable goals for the proposed habitat condition and quality score demonstrating how the proposed offset(s) will meet the requirements of the Environmental Offsets Policy; c. Specify goals and timeframes for achieving the condition and quality requirements of the proposed offset(s); d. Include milestones and completion criteria, and triggers and corrective actions if milestones and completion criteria are not met; e. Include details of how the offset(s) will be protected in perpetuity; and f. A description and map clearly defining the location and boundary of the offset site, accompanied by the offset attributes and shapefiles.				
EPBC 6	Submit an Additional Offset and Restoration Plan (AORP) for approval by the Minister within twelve months from the commencement of the action.	Within twelve months from the commencement of the action	Correspondence with the Department showing submission of AORP within twelve months of commencement of the action.	R02_2022 ACR C05_Lambeth Circle Potential Offset Site DCCEEW	DoE requested additional time to implement this condition 25/11/2022 (R02). DoE have identified a location and are in discussion (C05) 15/11/2023 with DCCEEW in regard to its suitability.	Compliant
EPBC Decision 2020/8732 Condition 7 [Additional Offset and Restoration Plan]		If the Additional Offset and Restoration Plan for the offset requirement specified in condition 6 has not been approved by the Minister in writing within 12 months of the commencement of the action, and the Minister notifies the approval holder that the submitted Additional Offset and Restoration Plan is not suitable for approval, the Minister may, at least two months after notifying the approval holder, approve a version of the Additional Offset and Restoration Plan revised by the Department. Once the Additional Offset and Restoration Plan is approved the approval holder must implement the approved Additional Offset and Restoration Plan for the remainder of the life of the approval.				
EPBC 7	Implement AORP approved by the Minister	Ongoing	Assess compliance with the AORP	Refer to EPBC 6	Refer to EPBC 6	Not applicable
EPBC Decision 2020/8732 Condition 8 [Black cockatoo hollow offset]		To offset the loss of two potentially suitable nesting hollows within the project area, the approval holder must install artificial nesting hollows, in accordance with artificial hollow installation guidelines. To maximise the likelihood of the installed artificial nesting hollows being used by Black Cockatoos, the approval holder must: a. install at least six artificial nesting hollows prior to the beginning of the next breeding season prior to the commencement of the action b. ensure that each installed artificial nesting hollow is: i. monitored and maintained in accordance with artificial hollow maintenance guidelines from the commencement of the action for the remainder of the life of the approval, with maintenance actions undertaken outside of and before the commencement of each breeding season ii. not installed in a manner that requires additional clearing of Black Cockatoo habitat or within 10 metres of the edge of any roads or building, to reduce the risk of vehicle strike and human disturbance. c. ensure that each installed artificial nesting hollow is inspected by a suitably qualified ecologist at least twice each year from the commencement of the action the remainder of the life of the approval, at least 4 weeks apart, during the breeding season to record any evidence of use by Black Cockatoos and to identify any maintenance requirements. d. have a suitably qualified ecologist verify in writing to the Department, when at least three of the installed artificial nesting hollows ¹ have shown evidence of Black Cockatoo nesting three consecutive years.				
EPBC 8A	Install at least six artificial nesting hollows prior to the beginning of the next breeding season prior to the commencement of the action.	prior to the commencement of the action	Maintain records of installation of artificial nesting hollows.	R02_2022 ACR	Six cockatubes were installed 24/02/2022 in the Peel Region WA by Landcare SJ Inc however they were not installed prior to the beginning of the next breeding season prior to the commencement of the action.	Complete

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC 8B	Ensure that each installed artificial nesting hollow is monitored and maintained in accordance with artificial hollow maintenance guidelines from the commencement of the action for the remainder of the life of the approval, with maintenance actions undertaken outside of and before the commencement of each breeding season.	for the remainder of the life of the approval	Artificial nesting hollow monitoring report by a suitably qualified ecologist.	R03_BC Monitoring Report 2023	Monitoring undertaken on 06/10/2023 and 21/11/2023 found evidence of Black Cockatoo activity in one artificial nesting hollow. The monitoring found that no maintenance was required at this stage.	Compliant
EPBC 8C	Ensure that each installed artificial nesting hollow is not installed in a manner that requires additional clearing of Black Cockatoo habitat or within 10 metres of the edge of any roads or building, to reduce the risk of vehicle strike and human disturbance.	Ongoing	Maintain records of installation of artificial nesting hollows.	R07_Artificial Nesting Hollow Installation Report	The artificial nesting hollows were installed on private properties away from roads and buildings with no clearing required (R07).	Compliant
EPBC 8D	Ensure that each installed artificial nesting hollow is inspected by a suitably qualified ecologist at least twice each year from the commencement of the action the remainder of the life of the approval, at least 4 weeks apart, during the breeding season to record any evidence of use by Black Cockatoos and to identify any maintenance requirements.	for the remainder of the life of the approval	Artificial nesting hollow monitoring report by a suitably qualified ecologist.	R03_BC Monitoring Report 2023	Monitoring undertaken on 06/10/2023 and 21/11/2023 found evidence of Black Cockatoo activity in one artificial nesting hollow. The monitoring found that no maintenance was required at this stage. The breeding season is March to April or July to October. The first monitoring was conducted towards the end of the breeding season and the second monitoring was conducted outside the breeding season which may explain the presence of black cockatoos in only one cockatube on one occasion.	Potentially non-compliant
EPBC 8E	A suitably qualified ecologist is to verify in writing to the Department, when at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting three consecutive years.	After at least 3 years of monitoring	Artificial nesting hollow monitoring report by a suitably qualified ecologist.	Not applicable	Nesting hollows have not been installed for three years.	Not applicable
EPBC Decision 2020/8732 Condition 9 [Black cockatoo hollow offset]		If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification: a. submit to the Minister, for approval, the details of an offset that meets the requirements of the Environmental Offsets Policy and will compensate for the permanent loss of the two suitable nesting hollows b. submit to the Department a detailed assessment, prepared by a suitably qualified ecologist, of the factors that caused the failure to achieve Black Cockatoo nesting in at least one artificial nesting hollows1 for each cleared suitable nesting hollow for three consecutive years.				
EPBC 9A	If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification, submit to the Minister, for approval, the details of an offset that meets the requirements of the Environmental Offsets Policy and will compensate for the permanent loss of the two suitable nesting hollows.	Every nine years from commencement of action	Artificial nesting hollow monitoring report by a suitably qualified ecologist, additional offset and correspondence with the Department.	Not applicable	Nesting hollows have not been installed for nine years.	Not applicable

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC 9B	If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification, submit to the Department a detailed assessment, prepared by a suitably qualified ecologist, of the factors that caused the failure to achieve Black Cockatoo nesting in at least one artificial nesting hollows for each cleared suitable nesting hollow for three consecutive years.	Every nine years from commencement of action	Artificial nesting hollow monitoring report by a suitably qualified ecologist, detailed assessment and correspondence with the Department.	Not applicable	Nesting hollows have not been installed for nine years.	Not applicable
EPBC Decision 2020/8732 Condition 10 [Black cockatoo hollow offset]		All data, enquiries and findings of the monitoring required by Condition 9 must be provided to the Department within one year of the verification by a suitably qualified ecologist required under Condition 8d being obtained, or within 25 business days after submitting the assessment report required under Condition 9b.				
EPBC 10	All data, enquiries and findings of the monitoring required by Condition 9 must be provided to the Department within one year of the verification by a suitably qualified ecologist required under Condition 8d being obtained, or within 25 business days after submitting the assessment report required under Condition 9b.	within one year of the verification	Correspondence with the Department.	Not applicable	Nesting hollows have not been installed for three years.	Not applicable
EPBC Decision 2020/8732 Condition 11 [Notification of date of commencement of the action]		The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.				
EPBC 11	Notify DCCEEW of the action commencement date within 10 days	Within 10 days of commencement of the action.	Maintain records of correspondence with the Department regarding commencement of the action.	R02_2022 ACR	The approval holder notified DAWE on 15/12/2021 that the action commenced on the 07/12/2021.	Compliant (complete)
EPBC Decision 2020/8732 Condition 12 [Compliance Records]		The approval holder must maintain accurate and complete compliance records.				
EPBC 12	Accurate records substantiating compliance with the conditions of EPBC 2020/8732 approval and conformance with the implementation of the associated plans must be maintained.	Ongoing	Annual Compliance Report	Appendix D	Appendix D contains a register of evidence maintained by the approval holder to substantiate compliance with the conditions of EPBC 2020/8732 approval and conformance with the implementation of the plans.	Compliant
EPBC Decision 2020/8732 Condition 13 [Compliance Records]		If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.				
EPBC 13	Records of compliance and conformance must be made available to DCCEEW on request.	On request	Correspondence with DCCEEW.	C01_DCCEEW 2020-8732 - 231220 - Show cause and RFI	No requests were made from DCCEEW in the reporting period. DoE received a request for evidence from DCCEEW 20/12/2023 to be provided by the 16/02/2024 (outside the reporting period). A response is being compiled.	Not applicable

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC Decision 2020/8732 Condition 14 [Preparation and publication of plans]		The approval holder must: - submit plans electronically to the Department for approval by the Minister; - publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Department under condition 24, unless otherwise agreed to in writing by the Minister; - exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and - keep plans published on the website until the end date of this approval.				
EPBC 14A	Submit plans electronically to the Department for approval.	Ongoing	Maintain records of correspondence with the Department regarding submission of plans	R04_62119 R01 Reserve 39964 RMP (Rev 2)	The approval holder submitted the RMP via electronic link to the Minister in the Reporting period (R04) 01/11/2023.	Compliant
EPBC 14B	Publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Department under condition 24.	For the life of the approval	Maintain records of each plan's publication on the website.	E01_Website Screenshot 20240123	The VFMP and EOP are available on the Department of Education website (23/01/2024): www.education.wa.edu.au/tuart-woodland	Compliant
EPBC 14C	Exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public	Ongoing	Maintain records of each compliance report's publication on the website.	Not applicable	No sensitive ecological data has been excluded or redacted.	Not applicable
EPBC 14D	Keep plans published on the website until the end date of this approval.	For the life of the approval	Maintain records of each plan's publication on the website.	E01_Website Screenshot 20240123	See EPBC 14B	Compliant
EPBC Decision 2020/8732 Condition 15 [Preparation and publication of plans]		The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan or the conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan or the conditions of this approval.				
EPBC 15	Submit all data electronically to the Department	For the life of the approval	Maintain records of all correspondence had with the Department related to the submission of data.	R02_2022 ACR R03_BC Monitoring Report 2023 R01_2023 ACR Appendix D	The 2022 ACR documents the submission of the 2022 monitoring data (R02). DoE has submitted the following data to the Department with this ACR: Artificial Nesting Hollow Monitoring 22nd August and 24th October (R01)	Compliant
EPBC Decision 2020/8732 Condition 16 [Annual compliance reporting]		The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must: - publish each compliance report on the website within 60 business days following the relevant 12 month period; - notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; - keep all compliance reports publicly available on the approval holder's website until this approval expires; - exclude or redact sensitive ecological data from compliance reports published on the approval holder's website; and - where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.				
EPBC 16A	Publish each compliance record on the website within 60 business days following the relevant 12 month period.	For the life of the approval	Maintain records of each compliance report's publication on the website.	E01_Website Screenshot 20240123	The 2022 ACR is not available on the DoE website. www.education.wa.edu.au/tuart-woodland	Potentially non-compliant
EPBC 16B	Notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication.	within five business days of the date of publication	Maintain records of all correspondence with the Department related to the publication of the compliance report.	C06_Submission EPBC 2020_8732 Wellard Village Primary Annual Compliance Report 2023	An email was sent to DCCEEW which included a weblink and the ACR as an attachment on 14/02/2023.	Compliant

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC 16C	Keep all compliance reports publicly available on the website until this approval expires	For the life of the approval	Maintain records of each compliance report's publication on the website.	E01_Website Screenshot 20240123	The 2022 ACR is not available on the DoE website.	Potentially non-compliant
EPBC 16D	Exclude or redact sensitive ecological data from compliance reports published on the website	For the life of the approval	Maintain records of each compliance report's publication on the website.	R01_2023 ACR	No data has been required to be redacted from this report (R01)	Not applicable
EPBC 16E	Where any sensitive ecological data has been excluded from the version of the compliance report published, submit the full compliance report to the Department within 5 business days of publication.	within 5 business days of publication	Maintain records of all correspondence had with the Department related to the submission of compliance reports.	R01_2023 ACR	Refer to EPBC 16d	Not applicable
EPBC Decision 2020/8732 Condition 17 [Reporting non-compliance]		The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify: a. any condition which is or may be in breach; b. a short description of the incident and/or non-compliance; and c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.				
EPBC 17	Notify the Department in writing of any incident, non-compliance with the conditions, or non-compliance with the commitments made in plans no later than 2 business days after becoming aware of the incident or non-compliance	no later than 2 business days after becoming aware of an incident or non-compliance	Maintain records of each non-compliance and all relevant correspondence with the Department.	R01_2023 ACR Section 4	Section 4 of this ACR documents the non-compliances with the conditions of this approval and non-conformances with the management plans. This ACR is notification to the Department of the non-compliances and non-conformances.	Compliant
EPBC Decision 2020/8732 Condition 18 [Reporting non-compliance]		The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans 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 approval holder has already taken or intends to take in the immediate future; 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 approval holder.				
EPBC 18	Provide to the Department the details of any incident or noncompliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance.	In the event of an incident or non-compliance	Maintain records of each non-compliance and all relevant correspondence with the Department.	R01_2023 ACR Section 4	Section 4 of this ACR documents the non-compliances with the conditions of this approval and non-conformances with the management plans. This ACR is notification to the Department of the non-compliances and non-conformances.	Compliant
EPBC Decision 2020/8732 Condition 19 [Independent audit]		The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.				
EPBC 19	Ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	On request	Maintain records of all records of compliance with the conditions, as well as of requests from the Department related to the audits of compliance.	Not applicable	The Minister has not requested an independent audit be conducted.	Not applicable

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC Decision 2020/8732 Condition 20 [Independent audit]		For each independent audit, the approval holder must: a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.				
EPBC 20A	Provide the name and qualifications of the independence auditor and draft audit criteria to the Department	Prior to independent audit	Maintain records of correspondence with the Department regarding the independent auditor and draft audit criteria.	Not applicable	Refer to EPBC 19	Not applicable
EPBC 20B	Only commence the independent audit once the audit criteria have been approved in writing by the Department.	Prior to independent audit	Maintain records of correspondence with the Department related to the approval of the draft audit criteria, as well as the commencement date of the independent audit.	Not applicable	Refer to EPBC 19	Not applicable
EPBC 20C	For each independent audit, submit an audit report to the Department within the timeframe specified in the approved audit criteria.	within the timeframe specified in the approved audit criteria	Maintain records of correspondence with the Department related to submitted audit reports.	Not applicable	Refer to EPBC 19	Not applicable
EPBC Decision 2020/8732 Condition 21 [Independent audit]		The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.				
EPBC 21	Publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval	within 10 business days of receiving the Department's approval	Maintain records of the publication of audit reports on the website.	Not applicable	Refer to EPBC 19	Not applicable
EPBC Decision 2020/8732 Condition 22 [Revision of action management plans]		The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.				
EPBC 22	Implement current approved Management Plan.	On approval	Maintain records of correspondence with the Department related to the revision and approval of action management plans.	R05_Vegetation and Fauna Management Plan (Rev 3) R06_Environmental Offset Plan (Rev 2)	VFMP and Offset Plan 1 have been implemented in the reporting period. The approval holder has not applied to vary an action management plan.	Not applicable
EPBC Decision 2020/8732 Condition 23 [Revision of action management plans]		The approval holder may choose to revise the Vegetation and Fauna Management Plan, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.				
EPBC 23	Revise the Vegetation and Fauna Management Plan, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.	Within at least a minimum of 20 days' notice to the Department	Maintain records of revisions made to the VFMP.	R05_Vegetation and Fauna Management Plan (Rev 3)	The approval holder has not revised the VFMP.	Not applicable

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC Decision 2020/8732 Condition 24 [Revision of action management plans]		If the approval holder makes the choice under condition 23 to revise an action management plan without submitting it for approval, the approval holder must: a. notify the Department in writing that the approved action management plan has been revised and provide the Department with: i. an electronic copy of the RAMP; ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; iii. an explanation of the differences between the approved action management plan and the RAMP; iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact; and v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. b. subject to condition 23, implement the RAMP from the RAMP implementation date.				
EPBC 24A	Notify the Department in writing the VFMP has been revised without submitting for approval under section 143A with an electronic copy of the RAMP, a tracked changes version, an explanation of the differences between the approved version and the RAMP, the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact and the implementation date.	At least 20 days prior to implementing the revised plan	Maintain records of correspondence with the Department related to the notification to the Department of the revision of an action management plan without submitting it for approval.	Not applicable	Refer to EPBC 23	Not applicable
EPBC 24B	Implement the RAMP	For the life of the approval	Assess compliance with the RAMP	Not applicable	Refer to EPBC 23	Not applicable
EPBC Decision 2020/8732 Condition 25 [Revision of action management plans]		The approval holder may revoke their choice to implement a RAMP under condition 23 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 23, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 23.				
EPBC 25	Implement the approved RAMP	For the life of the approval	Maintain records of correspondence with the Department related to the implementation of the RAMP.	Not applicable	Refer to EPBC 23	Not applicable
EPBC Decision 2020/8732 Condition 26 [Revision of action management plans]		If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then: a. condition 23 does not apply, or ceases to apply, in relation to the RAMP; and b. the approval holder must implement the action management plan specified by the Minister in the notice.				
EPBC 26	Implement the approved RAMP	For the life of the approval	Maintain records of correspondence with the Department related to the implementation of the RAMP.	Not applicable	Refer to EPBC 23	Not applicable
EPBC Decision 2020/8732 Condition 27 [Revision of action management plans]		At the time of giving the notice under condition 26, the Minister may also notify that for a specified period of time, condition 24 does not apply for one or more specified action management plans. Note: conditions 23, 24, 25 and 26 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.				
EPBC 27	Implement the approved RAMP	For the life of the approval	Assess compliance with the RAMP	Not applicable	Refer to EPBC 23	Not applicable

Condition	Criteria	Timing	Verification Method	Evidence	Determination Assessment	Compliance Status
EPBC Decision 2020/8732 Condition 28 [Completion of the action]		Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.				
EPBC 28	Within 30 days after the completion of the action, notify the Department in writing and provide completion data.	30 days after the completion of the action	Maintain records of correspondence with the Department related to the completion of the action. Maintain completion data as required.	Not applicable	Action has not been completed. Action commenced 07/12/2021.	Not applicable

5. Limitations

Scope of services

This report ("the report") has been prepared by JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and JBS&G. In some circumstances, a range of factors such as time, budget, access and/or site disturbance constraints may have limited the scope of services. This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

Reliance on data

In preparing the report, JBS&G has relied upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ("the data"). Except as otherwise expressly stated in the report, JBS&G has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. JBS&G has also not attempted to determine whether any material matter has been omitted from the data. JBS&G will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to JBS&G. The making of any assumption does not imply that JBS&G has made any enquiry to verify the correctness of that assumption.

The report is based on conditions encountered and information received at the time of preparation of this report or the time that site investigations were carried out. JBS&G disclaims responsibility for any changes that may have occurred after this time. This report and any legal issues arising from it are governed by and construed in accordance with the law as at the date of this report.

Environmental conclusions

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made, including to any third parties, and no liability will be accepted for use or interpretation of this report by any third party.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by JBS&G or reproduced other than in full, including all attachments as originally provided to the client by JBS&G.

6. References

Department of the Environment (2014) *Annual Compliance Report Guidelines*, Commonwealth of Australia, Canberra.

Appendix A EPBC 2020/8732

Appendix B Vegetation and Fauna Management Plan Assessment

Table B.1: Vegetation and Fauna Management Plan Audit Table

Commitment #	Requirement	Timing	Status	Evidence	Findings
Delineation and access measures: General delineation and access					
VFMP01	All personnel are required to undertake an induction, ensuring that site contractors are made aware of clearing boundaries and delineation measures.	Prior to commencement of clearing	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP02	Clearly demarcate the clearing boundary with star pickets and/or flagging at minimum	Prior to commencement of clearing	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP03	Clearly demarcate each staging boundary within the site with flagging.	Prior to commencement of clearing	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP04	Install appropriate fencing around the periphery of vegetation to be retained.	As clearing is undertaken adjacent to vegetation to be retained	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP05	Install signage on periphery fencing detailing access restrictions and presence of vegetation to be retained	Immediately following installation of periphery fencing	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP06	Provide digital boundary of areas approved to be cleared and retained to the contractor to ensure no unapproved clearing is undertaken.	Prior to commencement of clearing	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP07	Temporary drainage to be constructed away from retained or adjacent vegetation such that altered surface water flows do not impact vegetation.	Ongoing, until completion of construction activities	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
VFMP08	No machinery, equipment or laydown areas to be located within areas of native vegetation to be retained.	Ongoing, until completion of construction activities	Not applicable	Management Advice 23/01/2024 Site Inspection 07/02/2024	No clearing was undertaken in the reporting period.
Delineation and access measures: Demarcation of trees to be retained					
VFMP09	In accordance with Section 4 of AS 4970-2009, establish/delineate Tree Protection Zones (TPZs), for each tree identified for retention within the site and install protective measures (if applicable) such as: - Protection fencing in accordance with AS4970-2009 - Signs - Trunk and branch protection Ground protection.	Prior to commencement of clearing	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP 10.	Exclude the following activities within the TPZs: - Machine excavation including trenching - Cultivation - Storage of equipment - Parking of vehicles and plant machinery - Dumping of waste	During construction	Conformant	Site Inspection 03/02/2023, 07/02/2024 Management Advice 23/01/2024	Construction activities were excluded from within the TPZs. Mulching was undertaken in the area adjacent to the TPZ in the reporting period.
VFMP 11.	Remove tree protection measures (if installed).	Post construction works at landscaping stage	Conformant	Site Inspection 07/02/2024	Tree protection measures had been removed post construction as determined during site inspection.
Weed and pathogen management measures					
VFMP 12.	Include information pertaining to weed and dieback management in the induction for onsite contractors and their staff, including: - The requirement for vehicles and machinery to be “clean on entry” - Access restriction relating to retained vegetation.	Prior to personnel and contractors commencing work on site	Potentially non-conformant	E02_Induction Checklist	The induction does not include information pertaining to weed and dieback management.
VFMP 13.	Inspect and ensure that all vehicles and machinery are free of soil and plant material.	Prior to arrival on-site	Conformant	Management Advice 23/01/2024 P08_Vehicle Hygiene P09_Vehicle Hygiene	Vehicles and machinery are free of soil and plant material (P08, P09).

Commitment #	Requirement	Timing	Status	Evidence	Findings
VFMP 14.	Maintain accurate records of all vehicles / machinery being inspected and “clean on entry” (Appendix C).	Upon arrival on site	Potentially non-conformant	M01 - Evidence Request Rev 0	No evidence was provided of vehicles and machinery being inspected “clean on entry” and recorded on the form as per Appendix C.
VFMP 15.	Require vehicles and machinery operators to clean vehicles which are determined to not meet hygiene standards before entry to site.	Before vehicle / machinery entry onto site	Not applicable	Refer to VFMP 14	Refer to VFMP 14
VFMP 16.	Restrict all vehicle access to within the boundaries of the site and exclude access from areas of retained vegetation within Lot 9074.	During construction	Conformant	Site Inspection 03/02/2023, 07/02/2024	The boundary of the site is fenced to exclude access from areas of retained vegetation. There was no evidence of vehicle access in the TPZ during site inspection.
VFMP 17.	Locate topsoil, mulch and fill stockpiles more than 50 m from retained vegetation within Lot 9074.	During construction	Conformant	Site Inspection 03/02/2023 P01_Laydown P02_Stockpiles	Stockpiles were located more than 50 m from retained vegetation.
VFMP 18.	Any mulch or fill material brought into the site must not be from a source known to contain weeds or pathogens.	During construction	Conformant	E03_Pathogen test report	Pathogens were not detected in mulch brought on site for landscaping undertaken in the reporting period.
Fauna management actions					
VFMP 19.	The induction will address a range of issues including, but not limited to: - Relevant details of the VFMP including purpose and scope - Conditions of relevant environmental licenses, permits and approvals - Fauna of conservation significance found within the site - Mitigation measures for the control of impacts to the above fauna, including: - Speed limits - Retained habitat - Incident response and reporting requirements.	Prior to commencing work on site	Conformant	E02_Induction Checklist Site Inspection 03/02/2023	The induction outlines incident reporting. The induction does not include speed limits however speed limit is posted at front gate and vehicle access to site was restricted to bobcat and excavator.
VFMP 20.	Inspect potential black cockatoo breeding hollows and if vacant, obstruct hollow entrance to prevent black cockatoo nesting.	Prior to clearing works. Potential black cockatoo breeding hollows must not be obstructed until artificial hollows have been installed, as required by the offset strategy (Strategen-JBS&G 2021).	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP 21.	All construction vehicles and machinery are not to exceed speeds of 20 km/hr throughout the site, to minimise risks of fauna strike.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 09/02/2024	Vehicles on site during the site inspection on the 03/02/2023 were travelling at low speeds including two bob cats. There was no vehicle access to the site on 09/02/2024.
VFMP 22.	Install fauna crossing warning signage.	Ongoing, until completion of construction activities	Not applicable	Site Inspection 03/02/2023, 09/02/2024	The site was wholly fenced. There were no sections of native vegetation where fauna would be crossing.
VFMP 23.	In the event that fauna is struck by a vehicle report the incident immediately to the Site Supervisor.	Ongoing, until completion of construction activities	Not applicable	M01 - Evidence Request Rev 0	No fauna struck in the reporting period
VFMP 24.	Any injured fauna shall be left alone and observed until a suitably qualified person can attend to the animal.	Ongoing, until completion of construction activities	Not applicable	Refer to VFMP 23	Refer to VFMP 23
VFMP 25.	A fauna interaction register is to be maintained to capture observations and interactions with fauna.	Ongoing, until completion of construction activities	Not applicable	M01 - Evidence Request Rev 0	There were no fauna interactions in the reporting period
VFMP 26.	Notify the Department of Agriculture, Water and the Environment (DAWE) of any interaction which results in the injuring or killing of an EPBC listed species occurs	Within seven days of an interaction which results in the injuring or killing of an EPBC listed species occurs	Not applicable	Refer to VFMP 25	Refer to VFMP 25

Commitment #	Requirement	Timing	Status	Evidence	Findings
VFMP 27.	All domestic waste will be disposed of in designated bins and taken to a licenced landfill or recycling facility.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 07/02/2024	Domestic waste was contained in waste bins prior to being disposed into the skip bin during the 03/02/2024 site inspection. All operations were completed and there was no waste on site during the 07/02/2024 site inspection.
VFMP 28.	Feeding of fauna is not permitted.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 07/02/2024	No fauna were observed on site during site inspections.
VFMP 29.	No domestic animals will be permitted to be brought into the site by construction personnel.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 07/02/2024	No domestic animals were on site during site inspections.
VFMP 30.	Conduct inspections of pits/trenches for potentially trapped fauna	Daily prior to work commencement	Conformant	Site Inspection 03/02/2023 Management Advice 03/02/2023	There were no open pits / trenching on site during the 03/02/2023 site inspection. Management advised that inspections were undertaken daily for trapped fauna when trenching had been present on site.
Pre-clearing tree inspection measures					
VFMP 31.	If clearing is to be undertaken during the breeding season (July to February), 'significant trees' are to be investigated by a suitably qualified and experienced expert to detect the presence of black cockatoos using hollows.	Within 7 days prior to clearing	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP 32.	If a black cockatoo is detected using a hollow in a tree or trees: - the black cockatoo is not to be disturbed - the tree or trees are to be clearly identified with fencing and signage and a 10 m exclusion buffer established around the tree until the black cockatoo/s vacate the tree of their own accord - The respective tree/s are not to be cleared - Undertake measures to avoid the tree/s being cut down, felled, removed, killed, destroyed, poisoned, ring-bared, uprooted or burned.	Upon detection of a black cockatoo utilising a significant tree, until the hollow/s are no longer being used by the cockatoo as determined by a suitably qualified and experienced person	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
Dust management actions					
VFMP 33.	Include daily weather conditions in daily pre- start meetings.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Management advised that the weather conditions were discussed at daily toolbox meetings.
VFMP 34.	Maintain road surfaces in a good condition and suitable grades.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P01_Laydown	Road surfaces were in good condition and suitable grade.
VFMP 35.	Vehicles must only be parked in allocated areas.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P03_Parking	Vehicles were parked in an allocated area around the sea containers.
VFMP 36.	Vehicle speeds on site are not to exceed 20 km/hr to reduce dust emissions.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 07/02/2024	Vehicles on site were travelling at low speeds including two bob cats on the 03/02/2023. There was no vehicle access to the site on 09/02/2024.
VFMP 37.	All dust generating loads leaving site must be covered.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 07/02/2024	No dust generating loads were leaving site during the site inspections.
VFMP 38.	Avoid dust generating activities during unfavourable weather conditions (e.g. high wind speed) and unfavourable wind directions, where practicable.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023, 07/02/2024	No dust generating activities were undertaken at the time of the site inspections.
VFMP 39.	Cleared areas will be stabilised to prevent wind- blown dust generating on site.	Ongoing, until completion of construction activities	Conformant	Site Inspection 07/02/2024	Mulch has been utilised to stabilise the exposed soils to prevent dust.
VFMP 40.	Implement dust suppression (e.g. water spray / wet down of unsealed tracks and / or stockpiles if high levels of dust are observed or considered likely.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Dust suppression was not required during construction.
VFMP 41.	Dust suppression methods must be used on unsealed roads, access tracks, cleared areas, and locations of high dust and impact risk.	Ongoing, until completion of construction activities	Conformant	Refer to VFMP 40	Refer to VFMP 40
VFMP 42.	During the use of water carts ensure that the overspray is adjusted to limit the effects on fringe vegetation and offsite runoff.	Ongoing, until completion of construction activities	Conformant	Refer to VFMP 40	Refer to VFMP 40
VFMP 43.	Apply surface treatments (such as hydromulch) to stabilise any bare areas which may be prone to wind erosion.	Ongoing, until completion of construction activities	Not applicable	Refer to VFMP 39	Refer to VFMP 39

Commitment #	Requirement	Timing	Status	Evidence	Findings
Waste management actions					
VFMP 44.	Appropriate waste management measures will be included in each induction to site personnel and contractors.	Prior to site personnel and contractors commencing works onsite	Conformant	E02_Induction Checklist	Item 18 on the induction checklist covers waste disposal.
VFMP 45.	Waste skips and bins must have lids and kept closed to contain litter.	Ongoing, until completion of construction activities	Conformant	M01 - Evidence Request Rev 0	A lidded skip bin was brought on site for the remainder of the construction period. There were no skips and bins on site during landscaping activities.
VFMP 46.	Littering is prohibited and all areas must be kept free from wind-blown waste generated through storage or transport.	Ongoing, until completion of construction activities	Conformant	Site Inspection 04/02/2024	No windblown waste evident during site inspection.
VFMP 47.	Waste must be taken off-site to the nearest landfill regularly to ensure it does not overflow.	Ongoing, until completion of construction activities	Conformant	Site Inspection 04/02/2024	All waste was taken offsite at the completion of construction.
VFMP 48.	Remove all rubbish that has been dumped or has drifted into stands of retained vegetation.	Ongoing, until completion of construction activities	Conformant	Site Inspection 04/02/2024	No waste observed in stands of retained vegetation.
VFMP 49.	All waste must be removed from site following the completion of construction works (for every stage).	Ongoing, until completion of construction activities	Conformant	Site Inspection 04/02/2024	Refer to VFMP 47.
VFMP 50.	Chemical, hydrocarbon and other hazardous waste material must be appropriately stored onsite, and appropriately transported and disposed off-site.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P05_Diesel Storage	Diesel is stored in one of the containers on site in AS compliant jerry cans.
VFMP 51.	All machinery must contain spill kits.	Ongoing, until completion of construction activities	Conformant	M01 - Evidence Request Rev 0	A spill kit was brought on site for the diesel generator for the remainder of the construction period.
VFMP 52.	Portable ablution blocks must be stored at least 50 m from retained vegetation within the remainder of Lot 9074 to avoid potential impacts to retained vegetation.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P04_Ablutions	The portable ablution block was located at least 50 m from retained vegetation.
VFMP 53.	Portable ablutions sewerage must be removed off-site by a licensed carrier.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Management advised that the ablutions are storage type and they are emptied offsite by a contractor.
Bushfire management actions					
VFMP 54.	The daily 'fire danger' ratings will be obtained from the Bureau of Meteorology and communicated to personnel during the daily pre-start meeting.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Personnel monitor the fire danger ratings and work was terminated on a total fire ban day.
VFMP 55.	Smoking must only take place in designated smoking areas.	Ongoing, until completion of construction activities	Not applicable	Management Advice 03/02/2023 Site Inspection 03/02/2023	There is no smoking permitted on site.
VFMP 56.	Restrict or prohibit use of angle grinders, welders, soldering, gas cutting or any other cutting tools during times of total fire bans.	Ongoing, until completion of construction activities	Conformant	Management Advice 23/01/2024	All works on site were ceased during TFB.
VFMP 57.	Provide and maintain onsite firefighting tank and pump, and first aid equipment.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	The site is connected to the fire hydrant system. First aid equipment was provided in the crib room.
VFMP 58.	All vehicles must be fitted with fire extinguishers.	Ongoing, until completion of construction activities	Not applicable	Not applicable	Commitment applicable to clearing vegetation works. Fire extinguishers were observed in place in dongas and on machinery during the audit.
VFMP 59.	Do not store bulk fuel in construction areas.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	There is no bulk fuel stored on site.
VFMP 60.	Although considered unlikely, plant and vehicles operating over or through uncleared vegetation must be fitted with appropriate exhaust systems positioned or covered so that the vegetation cannot come into contact with the exhaust system.	Ongoing, until completion of construction activities	Not applicable	Management Advice 03/02/2023, 23/01/2024 Site Inspection 03/02/2023, 07/02/2024	No plant or vehicles were operating over or through uncleared vegetation in the reporting period.
Monitoring actions: Delineation and access					

Commitment #	Requirement	Timing	Status	Evidence	Findings
VFMP M01.	Site inspections will be undertaken to assess the condition of fencing used to delineate areas of retention and barriers used to block unauthorised access Purpose: To ensure that fencing and barriers have not been damaged, and to ensure that unauthorised access can be effectively prohibited	Daily / Opportunistically until completion of construction activities	Conformant	Management Advice 03/02/2023 Site Inspection 02/03/2023 P06_Fencing P07_Fencing	Fencing inspections were undertaken opportunistically during construction. Fencing was in place during the site inspections to block unauthorised access.
VFMP M02.	Cross reference approved clearing boundaries against site inspections and/or current aerial photography Purpose: To confirm that no unauthorised clearing has occurred	Within 1 month of completion of clearing	Conformant	R02_2022 ACR	The boundary of the property is smaller than the allowed clearing area. There was no clearing outside the boundary of the property. As such there was no unauthorised clearing.
VFMP M03.	Site inspection to record the status and condition of trees identified for retention Purpose: To confirm that no trees identified for retention have been cleared or damaged as a result of construction activities	Within 2 weeks of completion of clearing	Conformant	Site Inspection 02/03/2023 R02_2022 ACR	Site inspection confirmed that the trees identified for retention were not cleared.
Monitoring actions: Weed and pathogen management					
VFMP M04.	Undertake baseline assessment of weed density and species, as well as visual observations of potential dieback, within retained vegetation adjacent to the Proposed Action Area. Purpose: To compile baseline information for comparison, post construction.	Prior to commencement of construction.	Not applicable	R02_2022 ACR	This commitment was assessed as non-conformant in the 2022 ACR (R02); no baseline assessment within retained vegetation adjacent to the action area has been undertaken.
VFMP M05.	Completed dieback / weed hygiene registers are to be maintained as per Appendix C, including Date of vehicle mobilisation to site. Purpose: To confirm that vehicles and machinery are clean and free from a build-up of mud prior to entry to site	Ongoing, until completion of construction activities	Not applicable	Refer to VFMP 14	Refer to VFMP 14
VFMP M06.	Site walkover by a qualified consultant (Botanist / Ecologist) to assess distribution and abundance of weed species in adjacent/ retained vegetation, or if there is any evidence of decline in tree health which indicates potential presence of pathogens compared to baseline information (as per VFMP M4) Purpose: - To assess if there has been an increase in distribution and/or abundance of weeds - To determine if there is any evidence of decline in tree health	Annually, following commencement of clearing, until completion of construction activities.	Potentially non-conformant	M01 - Evidence Request Rev 0 L01 EPBC 2020 Response to EPBC 2020 8732 DCCEEW RFI	Annual site walkover by a qualified botanist was not undertaken at the completion of construction activities.
Monitoring actions: Fauna Management					
VFMP M07.	Maintain records of all contractor inductions, for provision to the City of Kwinana / DAWE upon request Purpose: To confirm that all personnel have undertaken the required induction	For the duration of the VFMP	Conformant	E02_Induction Checklist	The current McCorkell contractor induction was available during audit (E02).
VFMP M08.	Maintain environmental incident and complaints forms and provide to DAWE upon request (or within seven days of an interaction which results in the injuring or killing of an EPBC listed species occurs). Purpose: To ensure all incidents are recorded	Ongoing, until completion of construction activities	Not applicable	Refer to VFMP 26	Refer to VFMP 26
Monitoring actions: Dust management					
VFMP M09.	A complaints register is to be maintained throughout the course of the clearing and construction program Purpose: To determine if implementation of corrective actions is required	During clearing and construction	Not applicable	M01 - Evidence Request Rev 0	There were no dust complaints in the reporting period.
Monitoring actions: Waste management					
VFMP M10.	Site inspection of retained vegetation to assess rubbish/waste associated with clearing and construction activities Purpose: To determine if implementation of corrective actions is required	Opportunistically, and fortnightly following commencement of clearing and construction, until the completion of construction activities	Conformant	Site Inspection 07/02/2024	No waste was observed onsite during site inspection.

Commitment #	Requirement	Timing	Status	Evidence	Findings
Corrective Actions: Delineation and access					
VFMP CA01	If monitoring shows that unauthorised vegetation disturbance has occurred Immediately investigate the cause of unauthorised clearing	Following Monitoring	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP CA02	If monitoring shows that unauthorised vegetation disturbance has occurred Notify and consult with DAWE on appropriate management/follow-up actions	Following Monitoring	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP CA03	If monitoring shows that unauthorised vegetation disturbance has occurred - Implement corrective actions which may include: - Review of management measures practicality or relevance - Improve training and education for all personnel - Improve and implement increased protective measures as necessary - Improve methods for marking clearing lines - Install additional temporary fencing or signs - Monitor the success of these actions	Following Monitoring	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP CA04	If monitoring shows that unauthorised vegetation disturbance has occurred Initiate rehabilitation of affected flora and vegetation area(s) if within vegetation to be retained	Following Monitoring	Not applicable	Management Advice 23/01/2024	No clearing was undertaken in the reporting period.
VFMP CA05	If fencing along periphery of retained vegetation is damaged: Repair or replace damaged fencing and install additional signs if required	On incident	Not applicable	Management Advice 23/01/2024	Permanent fencing was in place for the reporting period and was not damaged.
VFMP CA06	If fencing along periphery of retained vegetation is damaged: Investigate cause of damage	On incident	Not applicable	Refer to VFMP CA05	Refer to VFMP CA05
Corrective Actions: Weed and pathogen management					
VFMP CA07	If vehicles or machinery are found not to be clean on entry: Investigate cause	On incident	Not applicable	M01 - Evidence Request Rev 0	No vehicles were found not to be clean on entry.
VFMP CA08	If vehicles or machinery are found not to be clean on entry: Ensure importance of maintaining hygiene is communicated to all personnel	On incident	Not applicable	Refer to VFMP CA07	Refer to VFMP CA07
VFMP CA09	If vehicles or machinery are found not to be clean on entry: Clean down affected machinery / vehicles at designated clean/washdown station offsite prior to entering the site.	On incident	Not applicable	Refer to VFMP CA07	Refer to VFMP CA07
VFMP CA10	If monitoring detects increased abundance or introduction of weeds and/or Phytophthora as a consequence of the proposed action within vegetation outside of the predicted impact area. Notify and consult with DAWE on appropriate management/follow-up actions (this may include the implementation of weed control or other appropriate measures).	Following Monitoring	Not determined	Refer to VFMP M06	Refer to VFMP M06
Corrective Actions: Fauna management					
VFMP CA11	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works If vehicle strike has not caused mortality of the fauna, the Wildcare Helpline will be contacted on 08 9474 9055	On incident	Not Applicable	Refer to VFMP 26	Refer to VFMP 26
VFMP CA12	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works Notify and consult with DAWE on appropriate management/follow-up actions	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA13	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works The environmental incident and complaints register (Appendix A) is to be completed	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA14	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works Investigate cause of the vehicle strike	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26

Commitment #	Requirement	Timing	Status	Evidence	Findings
VFMP CA15	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works Implement further controls to limit the risk of fauna strike on site (e.g. undertake additional relocation works, recommunicate environmental values to personnel)	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA16	If injured, abandoned or otherwise visibly distressed vertebrate fauna are observed during clearing and construction works: The Wildcare Helpline will be contacted on 08 9474 9055	On incident	Not determined	Refer to VFMP 25	Refer to VFMP 25
VFMP CA17	If injured, abandoned or otherwise visibly distressed vertebrate fauna are observed during clearing and construction works: The environmental incident and complaints register (Appendix A) is to be completed	On incident	Not determined	Refer to VFMP 25	Refer to VFMP 25
Corrective Actions: Fauna management - Pre-clearing significant tree inspections					
VFMP CA18	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: Notify and consult with DAWE on appropriate management/follow-up actions	On incident	Not applicable	R02_2022 ACR	The fauna relocation report (R06) identified no trees as being utilised by black cockatoos immediately before the commencement of the action.
VFMP CA19	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: - If the action results in injury to black cockatoos, then: - Immediately contact the Wildcare helpline Treat the black cockatoo/s accordingly	On incident	Not applicable	Refer to VFMP CA18	Refer to VFMP CA18
VFMP CA20	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: Investigate reasons why the tree was damaged, despite demarcation measures	On incident	Not applicable	Refer to VFMP CA18	Refer to VFMP CA18
VFMP CA21	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: Revise clearing and demarcation techniques as required	On incident	Not applicable	Refer to VFMP CA18	Refer to VFMP CA18
Corrective Actions: Dust management					
VFMP CA22	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: Stop works	On incident	Not Applicable	Management Advice 03/02/2023	Management advised that dust control measures during cut and fill operations ensured there was no visible dust movement outside of the site or impacting areas of retained vegetation.
VFMP CA23	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: Investigate the cause of dust movement (severe weather conditions or faulty dust suppression equipment)	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA24	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: If weather conditions are the cause of ineffective dust suppression, the Contractor shall employ additional dust suppression contingency measures, such as additional water carts, use of temporary stabilisation (e.g. Dustex), stabilise completed earthworked areas with hydromulch or erect additional shade cloth	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA25	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: If dust suppression equipment is faulty, fix equipment	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA26	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: Only recommence works once dust suppression equipment is functional	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA27	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. Assess when dust complaint was received, the weather conditions at the time and construction activities on site.	On incident	Not Applicable	Refer to VFMP 40 and VFMP M09	Refer to VFMP 40 and VFMP M09

Commitment #	Requirement	Timing	Status	Evidence	Findings
VFMP CA28	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. Review the effectiveness of the management actions and identify opportunities for improvement.	On incident	Not Applicable	Refer to VFMP CA27	Refer to VFMP CA27
VFMP CA29	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. Communicate outcomes of the incident at a toolbox meeting.	On incident	Not Applicable	Refer to VFMP CA27	Refer to VFMP CA27
VFMP CA30	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. Assess whether there is a requirement for onsite dust monitoring (i.e. DustTrak)	On incident	Not Applicable	Refer to VFMP CA27	Refer to VFMP CA27
Corrective Actions: Waste management					
VFMP CA31	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: Investigate cause of incident	On incident	Not Applicable	M01 - Evidence Request Rev 0	Waste on site is not at risk of being disposed in a manner that harms or is likely to harm the environment.
VFMP CA32	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: Ensure appropriate remediation action is taken	On incident	Not Applicable	Refer to VFMP CA31	Refer to VFMP CA31
VFMP CA33	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: Re-train staff in correct waste management and disposal procedures	On incident	Not Applicable	Refer to VFMP CA31	Refer to VFMP CA31
VFMP CA34	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: Ensure appropriate storage and facilities are available for controlled and general waste	On incident	Not Applicable	Refer to VFMP CA31	Refer to VFMP CA31
Corrective Actions: Fire management					
VFMP CA35	If a small unplanned bushfire occurs in retained vegetation: Fire extinguishers and/or on-site water tanks and firefighting pumps will be used by site personnel to extinguish the fire	On incident	Not Applicable	M01 - Evidence Request Rev 0	There were no incidents (including bushfires) in the retained vegetation in the reporting period.
VFMP CA36	If a large unplanned bushfire occurs in retained vegetation: Phone 000 – FESA will attend and extinguish fires that cannot be managed by site personnel	On incident	Not Applicable	Refer to VFMP CA36	Refer to VFMP CA36
Incident Notification & Investigation					
VFMP 61	All incidents must be investigated as soon as possible after the event. The incident will be recorded in the Environmental Incident Form (Appendix C) and maintained for audit purposes.	At all times	Not Applicable	M01 - Evidence Request Rev 0	There were no incidents in the reporting period.
VFMP 62	All environmental incidents must be reported to the Site Supervisor immediately so that appropriate action can be taken to recover from, or reduce the risk of further harm to people and the environment.	At all times	Not Applicable	Refer to VFMP 61	Refer to VFMP 61
Adaptive Management					
VFMP 63	The VFMP will be reviewed during construction in the event of any of the criteria outlined in CA01 to CA36 being triggered, to ensure that the plan assesses the effectiveness of the management measures and corrective actions outlined in the VFMP. Where deficiencies in the management measures or corrective actions are identified, the VFMP will be revised in consultation with DAWE, to ensure best practice management relevant to the MNES being impacted/ potentially impacted.	During Construction	Not Applicable	R05_VFMP Rev 3	There were no potential non-conformances with the criteria CA01 to CA34 during construction in the reporting period. As such the VFMP has not been reviewed.
VFMP 64	The VFMP will be revised in the event of: - any revision or change to the proposed action, or; - changes in regulatory or corporate requirements.	At any time	Not Applicable	R05_VFMP Rev 3 M01 - Evidence Request Rev 0	The approved VFMP Rev 3 (R05) is the current revision of the plan. There have been no revisions or changes to the proposed action or changes in regulatory or corporate requirements.

Commitment #	Requirement	Timing	Status	Evidence	Findings
VFMP 65	If updated, a copy of the revised VFMP will be provided to DAWE for approval prior to implementation of the revised VFMP.	At any time	Not Applicable	Refer to VFMP 64	Refer to VFMP 64

Appendix C Environmental Offsets Plan Assessment

Table C.2: Environmental Offsets Plan Audit Table

Commitment #	Requirement	Conformance Status	Evidence	Findings
Offset component 1; part of Reserve 39964				
EOP 01	<u>Offset component 1; part of Reserve 39964</u> Rehabilitation and protection of 8.5 ha of Reserve 39964, adjacent to Thomas Road and west of the Spectacles Wetlands (Section 2.2) The Proponent will facilitate a conservation covenant, under one of the following legal mechanisms: • Soil and Land conservation Act 1945 • The National Trust of Australia (WA) Act 1964 • Transfer of Land Act 1893 • Biodiversity Conservation Act 2016. The conservation covenant is anticipated to be applied within 12 months of commencement of the action.	Potentially non-conformant	C02_DCCEEW notification Offset Sites Secured C04_DCCEEW Advice Perpetuity	The proponent has facilitated a Management Order under the Land Administration Act 1997 s46 with the City of Kwinana (C02) rather than one of the listed legal mechanisms under this condition or a covenant under the Land Administration Act 1997 s15 as advised by DCCEEW (C04) that would be acceptable to the Minister.
EOP 02	The management measures associated with the rehabilitation of the proposed offset site will be determined following a formal flora, vegetation and black cockatoo habitat assessment of the site and will be detailed within Restoration Management Plan (RMP). At a minimum, the RMP will include the following management measures: • Establishment of a suitable planting list, comprising locally occurring, native species consistent with the Tuart Woodland TEC (see comprehensive native species list at Appendix F) and FRTBC foraging and roosting habitat (including but not limited to Jarrah and Marri trees which comprise 90 % of the FRTBC diet [Johnstone & Kirkby 1999] and provide suitable roosting habitat in addition to Tuart trees [DSEWPac 2012]) • Pre-planting weed control • Winter planting • Signage notifying the public of rehabilitation works • Access control (where necessary) • Pest control (such as tree guards) • Watering (as required).	Not Applicable	Management Advice 23/01/2023	The Restoration Management Plan has been submitted to DCCEEW for approval.
EOP 03	To ensure the ongoing management needs of part of Reserve 39964 are met, the proponent will provide a lump sum payment to the City of Kwinana following completion of the revegetation program, manage the site in the long term. While both the quantum of this funding, as well as the conservation management actions that will be initiated associated with it are unknown at this stage, it is anticipated that the scope will be similar to that agreed to for Lot 164 (see Section 3.2.2). The site's management requirements and associated funding, will be determined in consultation with the City of Kwinana, with the objective of ensuring no degradation to the Tuart Woodlands TEC or FRTBC habitat on-site. Funding and management arrangements associated with the site will be detailed within the RMP, which will be provided to the DAWE as a condition of the approval.	Not Applicable	R04_62119 R01 Reserve 39964 RMP (Rev 2) L01 EPBC 2020 Response to EPBC 2020 8732 DCCEEW RFI	The Restoration Management Plan has been submitted to DCCEEW for approval. It has not been approved.

Commitment #	Requirement	Conformance Status	Evidence	Findings
EOP 04	The completion criteria will be consistent with the Tuart Woodland TEC condition categories and thresholds for Moderate or High condition (DoEE 2019), dependent on the results of the site specific flora and vegetation assessment. These condition categories and thresholds require a minimum of 4 native understorey species per 0.01 ha for Moderate condition, and 8 native understorey species per 0.01 ha for High condition.	Not Applicable	Refer to EOP 03	The Restoration Management Plan has been submitted to DCCEEW for approval.
EOP 05	The RMP will include the following monitoring commitments: - Baseline monitoring of the existing vegetation/ habitat quality - Quarterly informal monitoring to inform rehabilitation actions - Annual formal Spring monitoring against completion criteria.	Not Applicable	Refer to EOP 03	The Restoration Management Plan has been submitted to DCCEEW for approval.
EOP 06	The RMP will include contingency measures to be implemented in the event that the completion criteria are not being achieved. Contingency measures may include infill planting, watering, weed control, access control and/ or pest control.	Not Applicable	Refer to EOP 03	The Restoration Management Plan has been submitted to DCCEEW for approval.
EOP 07	The Proponent will be responsible for the implementation of the RMP and will be assisted by an experience revegetation contractor. The Proponent will consider the opportunity for school groups and community groups to be involved in the rehabilitation works, where appropriate.	Not Applicable	Not Applicable	The Restoration Management Plan has been submitted to DCCEEW for approval.
EOP 08	The RMP will be implemented for a period of five years, unless failure to achieve completion criteria warrants additional contingency measures to be implemented. In the event that completion criteria have not been achieved after five years, contingency measures will continue to be implemented until the completion criteria have been achieved, or DAWE are otherwise satisfied with the rehabilitation works undertaken.	Not Applicable	Not Applicable	The Restoration Management Plan will be implemented once approved by DCCEEW.
EOP 09	Annual monitoring reports will be prepared by the Proponent and provided to DAWE, detailing the rehabilitation status/ actions completed, monitoring results and any contingency actions implemented. This report will be in addition to any annual compliance report (ACR) required by the anticipated EPBC Act approval. The details of the status of the conservation covenant can be documented within the ACR.	Not Applicable	Not Applicable	The Restoration Management Plan will be implemented once approved by DCCEEW.
Offset component 2: Lot 164 on Plan 055190				
EOP 10	<u>Offset component 2: Lot 164 on Plan 39964</u> Protection of 4 ha of vegetation within Lot 164 on Plan 055190 (the Department of Education's landholding) via a conservation covenant (if required) and transfer to the City of Kwinana for inclusion in the conservation estate (Section 2.3) The Proponent will facilitate protection of the offset site through a conservation covenant (if required), under one of the following legal mechanisms: - Soil and Land conservation Act 1945 - The National Trust of Australia (WA) Act 1964 - Transfer of Land Act 1893 - Biodiversity Conservation Act 2016. It is anticipated that the conservation covenant will be applied within 12 months of commencement of the action.	Potentially Non-conformant	C02_DCCEEW notification Offset Sites Secured C03_City of Kwinana Request for transfer of Lot 164	Lot 164 is still waiting on DPLH (a letter was sent from the City of Kwinana to the Western Australian Planning Commission (C03) 23/01/2024 confirming that the city intended to accept transfer of Lot 164 Wellard Road, Wellard, for management by the City as a reserve for conservation in perpetuity). Land is available for offset however conservation covenant is currently not in place.

Commitment #	Requirement	Conformance Status	Evidence	Findings
EOP 11	To ensure the ongoing management needs of Lot 164 are met following the transfer of the site to the City of Kwinana, it agreed that a provision of funding would be made to the City of Kwinana, for the following conservation initiatives to be implemented over five years. These initiatives are anticipated to prevent further degradation of the Tuart Woodlands TEC and FRTBC habitat that would otherwise occur. - Site preparation and construction of appropriate fencing around the perimeter of the site, including firebreak reinstatement and gate access - One round of grass specific herbicide per year - One round of geophyte specific herbicide per year (Metsulfuron only) - One round of geophyte specific herbicide per year (Metsulfuron + Glyphosate) to target Arum Lily (<i>Zantedeschia aethiopica</i>) and Gladioli (<i>Gladiolus undulatus</i>) - Maintenance of a single firebreak, by contracted Harley rake, once per year - Regular light maintenance tasks by the City's Natural Area team, including litter/dumping removal, annual firebreak pruning to City standards and contractor project management. The provision of funding is proposed to be made as a lump sum payment to the City prior to transfer of the site, amounting to no more than \$131,466.48 (excluding GST)	Not applicable	M01_Evidence Request Rev 0	DoE are currently organising the transfer of the land prior to making the lump sum payment.
EOP 12	It is anticipated that fencing will be constructed to a "Rural" style, representative of (or similar to) standards developed by the DBCA for any new agricultural fencing within Regional Parks managed lands. This standard (provided in Appendix G), is considered sufficient to both demarcate the site as a conservation reserve, and to prevent and discourage unauthorised ingress by members of the public, thereby ensuring no additional environmental degradation. An Annual Compliance Report (ACR) is anticipated to be required by the EPBC Act approval. The details of the status of the conservation covenant and installation of fencing can be documented within the ACR.	Not applicable	M01_Evidence Request Rev 0	The conservation covenant is not in place and the fencing is yet to be erected.
Offset component 3: installation of artificial black cockatoo breeding hollows				
EOP 13	The Proponent will fund and coordinate the installation of a minimum of six artificial black cockatoo hollows (3:1 ratio). These hollows will be installed at a location within the known breeding range of the FRTBC, determined in consultation with Birdlife and/ or DBCA.	Conformant (complete)	R02_2022 ACR	Six Cockatubes were installed in the Peel Region on 24/02/2022 as reported in 2022 ACR (R02).
EOP 14	An ACR is anticipated to be required by the EPBC Act approval. The details of the status of the funding and installation of artificial black cockatoo breeding hollows can be documented within the ACR.	Conformant (complete)	R02_2022 ACR	The 2022 ACR documented the status of the funding and installation of the artificial black cockatoo breeding hollows.
EOP 15	The six artificial black cockatoo hollows will be monitored on an annual basis for ten years to determine if successful black cockatoo breeding has occurred within the hollows.	Conformant	R03_BC Monitoring Report 2023	Monitoring undertaken on 06/10/2023 and 21/11/2023 found evidence of Black Cockatoo activity in one artificial nesting hollow. The monitoring found that no maintenance was required at this stage. This monitoring is included as Appendix E.
EOP 16	Results of the monitoring events will be provided to DAWE, annually.	Conformant	R01_2023 ACR Appendix E R03_BC Monitoring Report 2023	The October and November 2023 monitoring report is included in Appendix E of this ACR.
EOP 17	Should the artificial nesting hollows show signs of use by black cockatoos in the ten year period, then monitoring and maintenance should be increased for an additional five years.	Conformant	R03_BC Monitoring Report 2023	The artificial nesting hollows have shown signs of use and will continue to be monitored.

Commitment #	Requirement	Conformance Status	Evidence	Findings
Offset component 4: Residual Impact				
EOP 18	Rehabilitation and protection of (an) additional site/s, to account for all remaining significant residual impacts to FRTBC habitat, and Tuart Woodlands TEC, up to the 100% requirement (Section 2.5). In order to incorporate the above sites into the offsets package, site specific ecological assessments will need to be undertaken, and agreements must be reached between the Proponent and the relevant land owner and management authority. Noting that additional time is required to undertake these tasks, a second EOP is proposed to be developed as a condition of the EPBC approval, which will detail how these offsets will be implemented. It is anticipated that rehabilitation will also be required for this offset component, and as such a second RMP will be developed to guide how this rehabilitation will be undertaken. Both the second EOP and RMP will be submitted for approval within 12 months after commencement of the action, and will be subject to annual auditing in accordance with the conditions of approval.	Not Applicable	Refer to EOP 03	The RMP has not yet been approved.

Appendix D Evidence Register

Table D.3: Evidence Register

Code	Reference	Author	Electronic	Hard-copy	Topic
C01	C01_DCCEEW 2020-8732 - 231220 - Show cause and RFI	DCCEEW	X		Letter from DCCEEW to Department of Education in relation to potential non-compliances associated with the Wellard Village Primary School Project (WVPSP) EPBC 2020/8732
C02	C02_DCCEEW notification Offset Sites Secured	JBS&G	X		JBS&G letter and data notifying DCCEEW of offset sites that have been legally secured as required under Condition 4A of EPBC 2020/8732
C03	C03_City of Kwinana Request for transfer of Lot 164	City of Kwinana	X		Letter from City of Kwinana to Western Australian Planning Commission confirming that CoK intend to manage Lot 164 as a reserve for conservation in perpetuity.
C04	C04_DCCEEW Advice Perpetuity	DCCEEW	X		Email advice from DCCEEW outlining the types of legal covenant (including Section 15 under the WA Land Administration Act 1997) which the Minister will accept as in perpetuity for the offset sites.
C05	C05_Lambeth Circle Potential Offset Site DCCEEW	DCCEEW	X		JBS&G's request to DCCEEW for an initial assessment of Lambeth Circle Potential Offset Site.
C06	C06_Submission EPBC 2020_8732 Wellard Village Primary Annual Compliance Report 2023	JBS&G	X		JBS&G's submission email of the 2022 Annual Compliance Report including website address on behalf of DoE.

Code	Reference	Author	Electronic	Hard-copy	Topic
E01	E01_Website Screenshot 20240123	JBS&G	X		Screenshot taken of the DoE website on 23/01/2023.
E02	E02_Induction Checklist	McCorKell	X		The construction contractor, McCorKell, induction checklist.
E03	E03_Pathogen test report	Richgro	X		The pathogen test report for the mulch utilised for landscaping at WVPSP.
L01	L01 EPBC 2020 Response to EPBC 2020 8732 DCCEEW RFI	JBS&G	X		JBS&G response to DCCEEW letter (C01) in relation to potential non-compliances associated with the WVPSP EPBC 2020/8732
M01	M01_Evidence Request Rev 0	JBS&G	X		JBS&G WVPSP project manager evidence request response.
P01	P01_Laydown	JBS&G	X		Photo taken during site visit 03/02/2024
P02	P02_Stockpiles	JBS&G	X		Photo taken during site visit 03/02/2024
P03	P03_Parking	JBS&G	X		Photo taken during site visit 03/02/2024
P04	P04_Ablutions	JBS&G	X		Photo taken during site visit 03/02/2024
P05	P05_Diesel Storage	JBS&G	X		Photo taken during site visit 03/02/2024
P06	P06_Fencing	JBS&G	X		Photo taken during site visit 03/02/2024
P07	P07_Fencing	JBS&G	X		Photo taken during site visit 03/02/2024
P08	P08_Vehicle Hygiene	JBS&G	X		Photo taken during site visit 03/02/2024
P09	P09_Vehicle Hygiene	JBS&G	X		Photo taken during site visit 03/02/2024
R01	R01_2023 ACR	JBS&G	X		This Annual Compliance Report (2023)
R02	R02_2022 ACR	JBS&G	X		Previous Annual Compliance Report (2022)
R03	R03_BC Monitoring Report 2023	Landcare SJ	X		Cockatube® Monitoring 6th October & 21st November, 2023
R04	R04_62119 R01 Reserve 39964 RMP (Rev 2)	JBS&G	X		Restoration Management Plan (Reserve 39964) 1 November 2023 (Rev 2)

Code	Reference	Author	Electronic	Hard-copy	Topic
R05	R05_Vegetation and Fauna Management Plan (Rev 3)	JBS&G	X		Wellard Village Primary School Vegetation and Fauna Management Plan 14 April 2021 (Rev 3)
R06	R06_Environmental Offset Plan (Rev 2)	JBS&G	X		Wellard Village Primary School Environmental Offset Plan (EPBC 2020/8732) 6 October 2021 (Rev 2)
R07	R07_Artificial Nesting Hollow Installation Report	Landcare SJ	X		Cockatube® Installation 24th February, 2022

Appendix E Artificial Nesting Hollow Monitoring Report

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