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Lot 609 Yanchep Beach Road, Yanchep (EPBC 2014/7146)

Annual Compliance Report 2018

Prepared for
Peet Yanchep Land Syndicate
by Strategen

September 2018

**Lot 609 Yanchep Beach
Road, Yanchep (EPBC
2014/7146)**

Annual Compliance Report 2018

Strategen is a trading name of
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September 2018

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Client: Peet Yanchep Land Syndicate

Report Version	Revision No.	Purpose	Strategen author/reviewer	Submitted to Client	
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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)

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Position (please print)

SENIOR DEVELOPMENT MANAGER

Organisation (please print including ABN/ACN if applicable)

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LIMITED. ACN: 145 992 169

Date

17 / 9 / 2018

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1. Introduction

This report addresses the status and compliance of implementation of Peet Yanchep Land Syndicate (Peet) with the conditions in *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval decision notice 2014/7146 (EPBC 2014/7146) for the Yanchep Golf Estate residential development. This report has been prepared for the purpose of meeting the requirements of condition 6 of EPBC 2014/7146, which requires the proponent to publish annual compliance reports.

1.1 Project background

Peet is in the process of developing parts of Lot 609 Yanchep Beach Road, located near Yanchep, Western Australia (Yanchep Golf Estate, the Project). The Project will include approximately 1500 lots within the 150 ha Project site (of which 118 ha was referred as part of EPBC 2014/7146) (Figure 1). In addition to the residential lots, the Project will include a site for a proposed school, community centre, roads and active Public Open Space (POS).

The Project involves the clearing of approximately 56.6 ha of foraging habitat and 7.4 ha of potential breeding habitat for Carnaby's Black Cockatoo. The Project includes the retention of 3.6 ha of potential Carnaby's Black Cockatoo foraging habitat and 1 ha of potential breeding habitat in conservation POS.

1.2 Environmental approval to implement the project

The Project was determined to be a controlled action under the EPBC Act on 31 March 2014 due to the potential for significant impacts on listed threatened species and communities (sections 18 and 18A). The Project was assessed on referral information with approval issued on 13 June 2014. The Project commenced on 26 June 2014.

A variation to EPBC 2014/7146 was approved on 01 July 2014. The variation request included a revised Attachment A.

Another variation to EPBC 2014/7146 was approved on 8 July 2016. The variation request included a further revision to Attachment A and an amendment to condition 8 to align with the 'revised management plan condition' template advocated by the Department of the Environment and Energy (DEE). Related and other amendments to the Black Cockatoo Avoidance and Mitigation Plan (CBCAMP) required under condition 3 were also approved as part on 8 July 2016.

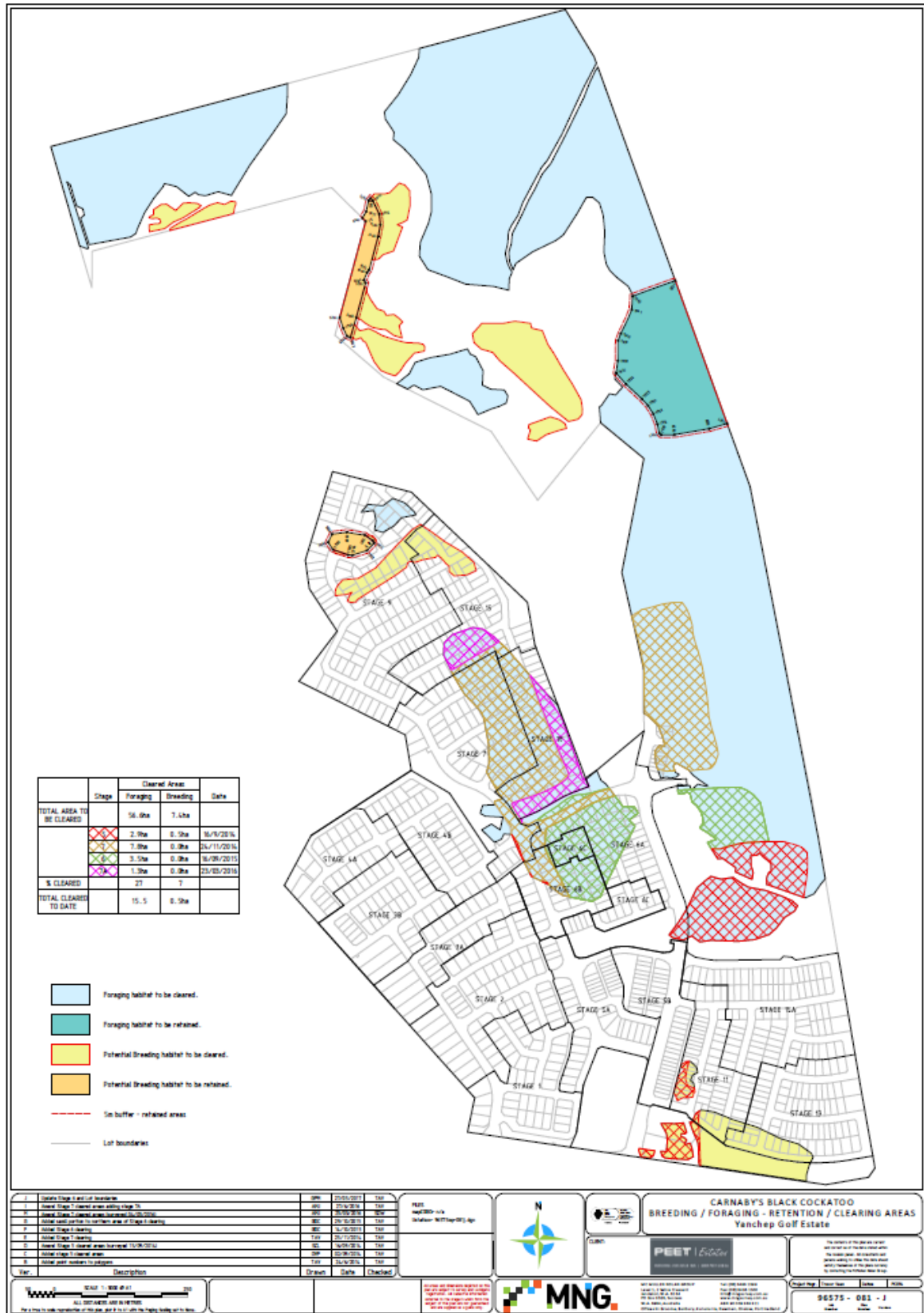


Figure 1: Yanchep Golf Estate Project – Carnaby's Black Cockatoo habitat and project staging

2. Current status

Activities undertaken during the audit period (27 June 2017 to 26 June 2018) involved the following:

- clearing of approximately 470 m² as part of Stage 6A
- Public Open Space 1 was completed in and practical completion achieved in March 2018
- Construction within Stage 6
- Street tree and POS planting, including predominately Carnaby's Black Cockatoo species.

3. Audit methodology

3.1 Audit plan

3.1.1 Purpose and scope

This document has been prepared for Peet (the proponent) to fulfil the requirements of condition 6 of EPBC 2014/7146 issued to enable implementation of the YGE development. Condition 6 states:

'Within three months of every 12 months anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval over the previous 12 months, including implementation of the CBCAMP as specified in the conditions. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published. The compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual contraventions of the conditions of the approval must be reported to the department in writing within 2 business days of the person taking the action becoming aware of the actual or potential contravention. All contraventions must also be included in the compliance reports.'

This Annual Compliance Report (ACR) addresses the audit period between 27 June 2017 and 26 June 2018. The ACR addresses each condition of approval. Key management actions of the Project Carnaby's Black Cockatoo Avoidance and Mitigation Plan (CAMP) were also assessed to determine if the plan had been satisfactorily implemented as required by condition 3.

3.1.2 Methodology

The audit was undertaken in June and July 2018 and involved a site inspection (7 June 2018), interviews with key members of the project team and a review of documentation to support the audit.

Table 1 provides an overview of the personnel consulted as part of the audit.

Table 1: Persons consulted during audit

Person and position	Organisation	Purpose
Blair Lunt Development Manager	Peet	To provide an overview of activities undertaken on site during the audit period to assess implementation and performance of EPBC 2014/7146 conditions and CBCAMP.
Kyle Seear	LD Total	To provide a review of the landscaping works involving Carnaby's Black Cockatoo species undertaken during the audit period.

3.2 Audit terminology

The 'Status' field of the audit tables (refer to Section 4) describes the implementation of actions and compliance with the approval. Terminology from the then Department of the Environment (DotE [2014]) Annual Compliance Report Guidelines was adapted and applied in this audit.

Table 2: Action implementation status

Status	Acronym	Description
Conditions of approval		
Compliant	C	All the requirements of a condition have been met, including the implementation of management plans or other measures required by condition.
Potentially non-compliant	PNC	The requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not applicable	N/A	The requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example a condition which applies to an activity that has not yet commenced.
Management Plans		
Conformant	C	All the requirements of a key management action detailed within a subsidiary plan or program have been satisfactorily met.
Potentially non-conformant	PNC	All the requirements of a key management actions detailed within a subsidiary plan or program have not been met satisfactorily.
Not applicable	N/A	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.

Source: Adapted from DotE (2014)

4. Audit results

The results of the audit of EPBC 2014/7146 are shown in Table 3. Condition 3 requires the preparation, submission for approval and implementation of the approved CBCAMP. The results of conformance with the management actions contained within the CBCAMP are outlined in Appendix 1. A total of 50 items were audited from EPBC 2014/7146 and the CBCAMP.

4.1 Compliance with conditions

No potential non-compliances with conditions of EPBC 2014/7146 were identified during the audit (Table 3).

Table 3: EPBC 2014/7146 audit table

Condition Number	Condition	Timing	Compliance status	Evidence	Comments
EPBC 1.1	The person taking the action must not clear more than 64 hectares of Carnaby's Black-Cockatoo foraging and potential breeding habitat within the project area identified as the 'Development Area' at Attachment A.	During clearing.	C	G_001_RJV_Yanchep Stage 6A Clearing Extent_07062018 R_002_Peet_Lot 609 Yanchep Beach Road, Yanchep (EPBC 2014/7146) Annual Compliance Report 2018_27062017 Site inspection 7 June 2018 Management advice 7 June 2018	A total of 469.57 m ² was cleared during the audit period, which does not comprise Carnaby's Black Cockatoo (CBC) habitat. The site inspection confirmed the clearing during the audit period was confined to the area identified on G_001, which does not comprise Carnaby's Black Cockatoo habitat.
EPBC 2.1	To offset the loss of Carnaby's Black-Cockatoo foraging and potential breeding habitat, within three months of the date of this approval, the person taking the action must provide the Department with written evidence that funds have been provided to the Western Australian Department of Parks and Wildlife for the acquisition of an environmental offset property, no less than 315 hectares in size on Mimegarra Road, Mimegarra, north-east of Lancelin, Western Australia.	Within 3 months of the date of approval (13 June 2014). By 13 September 2014.	C (Completed)	R_003_Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014/7146) Annual Compliance Report_16092016	N/A – completed.
EPBC 2.2	The written evidence must include a description and map clearly defining the location and boundaries of the offset property and be accompanied with the offset attributes.	Within 3 months of the date of approval (13 June 2014). By 13 September 2014.	C (Completed)	Refer to EPBC 2.1	N/A – completed.
EPBC 2.3	The person taking the action must also inform the Department how much of this offset property remains unattributed to this action for the purpose of supplying offsets for potential future projects.	Within 3 months of the date of approval. (13 June 2014). By 13 September 2014.	C (Completed)	Refer to EPBC 2.1	N/A – completed.
EPBC 3.1	To mitigate impacts to the Carnaby's Black-Cockatoo, prior to the commencement of the action, the person taking the action must prepare and submit a Carnaby's Black-Cockatoo Avoidance and Mitigation Plan (CBCAMP) for the Minister's approval. The CBCAMP must include but not be limited to: a) A map clearly illustrating the area of Carnaby's Black-Cockatoo foraging and potential breeding habitat to be cleared and the area of Carnaby's Black-Cockatoo foraging and potential breeding habitat to be retained within the development footprint;	Prior to the commencement of the action.	C (Completed)	R_003_Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014/7146) Annual Compliance Report_16092016	N/A – completed. Also refer to EPBC 8.1 regarding revisions to, and approval of, the CBCAMP.
EPBC 3.2	b) Milestones and objectives of the CBCAMP;	Prior to the commencement of the action.	C (Completed)	Refer to EPBC 3.1	N/A – completed.
EPBC 3.3	c) Avoidance and mitigation measures to reduce impacts to Carnaby's Black-Cockatoo habitat prior to, during and post construction;	Prior to the commencement of the action.	C (Completed)	Refer to EPBC 3.1	N/A – completed.
EPBC 3.4	d) Timeframes for the implementation and completion of the avoidance and mitigation measures;	Prior to the commencement of the action.	C (Completed)	Refer to EPBC 3.1	N/A – completed.
EPBC 3.5	e) Details of monitoring, reporting and contingency measures if performance indicators are not met; and	Prior to the commencement of the action.	C (Completed)	Refer to EPBC 3.1	N/A – completed.
EPBC 3.6	f) Roles and responsibilities of personnel associated with implementing each of the avoidance and mitigation measures;	Prior to the commencement of the action.	C (Completed)	Refer to EPBC 3.1	N/A – completed.
EPBC 3.7	The person taking the action must not undertake any clearing of Carnaby's Black-Cockatoo foraging and potential breeding habitat within the project area unless the CBCAMP has been approved by the Minister. If the Minister approves the CBCAMP, then the approved CBCAMP must be implemented.	No clearing - prior to the commencement of the action.	C	Refer to EPBC 3.1 Refer to Appendix 1	Refer to EPBC 3.1 – CBCAMP approved. Refer to Appendix 1. Of the 21 actions of the CBCAMP, Peet was found to be potentially non-conformant with one action and conformant with 18 actions. The other 2 actions were found to be not applicable during this audit period.
EPBC 4.1	Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Within 30 days after commencement. By 26 July 2014.	C (Completed)	R_003_Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014/7146) Annual Compliance Report_16092016	N/A – completed.
EPBC 5.1	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the CBCAMP and make them available upon request to the Department.	Ongoing.	C	N/A	Accurate records for all applicable conditions have been maintained and were available at the time of audit and following the audit (refer to the other items in this table, and Appendix 1).
EPBC 5.2	Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval.	As required (DotE decision).	N/A	N/A	This condition is taken to be a note.
EPBC 5.3	Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	As required (DotE decision).	N/A	N/A	This condition is taken to be a note.

Condition Number	Condition	Timing	Compliance status	Evidence	Comments
EPBC 6.1	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval over the previous 12 months, including implementation of the CBCAMP as specified in the conditions.	Within three months of every 12 month anniversary commencement. Based on construction commencing on 26 June 2014, report is required to be published on or before 26 September 2015 (3 months following 26 June each year).	C	C_004_Strategen_EPBC 2014/7146 - Lot 609 Yanchep Beach Road - 2016 Annual Compliance Report_21092016 R_003_Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014/7146) Annual Compliance Report_16092016	The previous, 2016/17 compliance report was due to be published by 26 September 2017. Publishing of the ACR was confirmed by email (C_004) on 10 August 2017, as having been published on the same day.
EPBC 6.2	Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published.	Same day the compliance report is published.	C	Refer to EPBC 6.1	Refer to EPBC 6.1.
EPBC 6.3	The compliance reports must remain on the website for 12 months from the date of publishing.	For 12 months from the date of publishing.	C	W_005_https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/purchaser-and-builder-information/environmental-sustainability_2006201	The 2015/2016 and 2016/2017 ACRs were both available on the Peet website when checked on 20 June 2018. And, at the time of report preparation, remain available on the website via the following link: https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/purchaser-and-builder-information/environmental-sustainability.
EPBC 6.4	Potential or actual contraventions of the conditions of the approval must be reported to the department in writing within 2 business days of the person taking the action becoming aware of the actual or potential contravention.	Within 2 business days of being aware of NC/PNC.	N/A	R_002_Peet_Lot 609 Yanchep Beach Road, Yanchep (EPBC 2014/7146) Annual Compliance Report 2018_27062017	Refer to the findings for other items in this table – no potential or actual contraventions have been identified to date. No potential or actual contraventions were identified in the 2016/2017 assessment.
EPBC 6.5	All contraventions must also be included in the compliance reports.	Same day the compliance report is published.	N/A	R_002_Peet_Lot 609 Yanchep Beach Road, Yanchep (EPBC 2014/7146) Annual Compliance Report 2018_27062017	Refer to the findings for other items in this table – no potential or actual contraventions have been identified to date. No potential or actual contraventions were identified in the 2016/2017 assessment.
EPBC 7.1	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister.	As required (Minister's direction).	N/A	Management advice 7 June 2018	The Minister has not issued a directed audit notice to date.
EPBC 7.2	The independent auditor must be approved by the Minister prior to the commencement of the audit.	As required (Minister's direction).	N/A	N/A	Refer to EPBC 7.1.
EPBC 7.3	Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	As required (Minister's direction).	N/A	N/A	Refer to EPBC 7.1.
EPBC 8.1	The person taking the action may choose to revise the CBCAMP approved by the Minister under condition 3 without submitting it for approval (including approval under section 143A of the EPBC Act), if the taking of the taking of the action in accordance with the revised CBCAMP would not be likely to have a new or increased impact. If the person taking the action makes this choice they must: i) notify the Department in writing that the approved CBCAMP has been revised and provide the Department with: - an electronic copy of the revised CBCAMP - an explanation of the difference between the revised CBCAMP and the approved CBCAMP; and - the reasons the person taking the action considers that taking the action in accordance with the revised CBCAMP would not be likely to have a new or increased impact. ii) Declared in writing a date on which the revised CBCAMP will first be implemented by the person taking the action. That date of initial implementation must be at least 28 days after sub-condition 8a)i is satisfied.	Prior to undertaking any activity otherwise than in accordance with the CBCAMP. Implementation - at least 28 days after sub-condition 8a)i is satisfied.	C	C_006_DotE_PostApprovalsMonitoringSheet_09062016C_002 C_007_DotE_PostApprovalsMonitoringSheet_17062016 C_008_DotE_Lot 609 Yanchep Beach Road, Yanchep, WA (EPBC 2014/7046)_08072016	A variation to EPBC 2014/7146 was approved on 8 July 2016 (C_008). The variation request included a further revision to Attachment A and an amendment to this condition 8 to align with the generic 'revised management plan condition' template advocated by the DotE. Related and other amendments to the Black Cockatoo Avoidance and Mitigation Plan (CBCAMP) required under condition 3 were also approved as part on 8 July 2016.
EPBC 8.2	The person taking the action may revoke their choice under condition 8a) at any time by giving written notice to the Department, in which case from the following day the person taking the action must implement the approved CBCAMP.	At any time.	N/A	Management advice 7 June 2018	This condition was not invoked in the audit period.

Condition Number	Condition	Timing	Compliance status	Evidence	Comments
EPBC 8.3	<p>If the Minister gives a notice to the person taking the action that the Minister is satisfied that the taking of the action in accordance with the revised CBCAMP would be likely to have a new or increased impact, then:</p> <ul style="list-style-type: none"> i. Sub-condition 8a) does not apply, or ceases to apply, in relation to the revised CBCAMP; and ii. The person taking the action must implement the CBCAMP approved by the Minister. <p>To avoid any doubt, this condition does not affect any operation of sub-conditions 8a) and 8b) in the period before the day the notice is given.</p> <p>At the time of giving the notice the Minister may also notify that for a specified period of time sub-condition 8a) does not apply to the CBCAMP required under the approval.</p> <p><i>Note: this condition is not intended to limit the operation of section 143A of the EPBC Act which allows the person taking the action to submit a revised action management plan to the Minister for approval.</i></p>	N/A.	N/A	Management advice 7 June 2018	The Minister did not give such notice in the audit period.
EPBC 9.1	If, at any time after five (5) years from the date of this approval, the person taking the action has not commenced the action, then the person taking the action must not commence the action without the written agreement of the Minister.	After five years from approval date.	C (Completed)	R_003_Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014/7146) Annual Compliance Report_16092016	N/A – completed.
EPBC 10.1	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish the CBCAMP referred to in these conditions of approval on their website.	Within one month of CBCAMP approval (1 July 2014).	C	W_005_ https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/purchaser-and-builder-information/environmental-sustainability_2006201	The CBCAMP was available on the Yanchep Golf Estate website on the 20 June 2018 and, at the time of report preparation, remains available on the website via the following link: https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/purchaser-and-builder-information/environmental-sustainability .
EPBC 10.2	The CBCAMP must be published on the website within one (1) month of being approved and must remain on the website for the period this approval has effect.	Within one month of CBCAMP approval (1 July 2014).	C	<p>C_009_Peet_RE: Yanchep Golf Estate - variation request and CBCAMP updates_12072016</p> <p>C_008_DotE_Lot 609 Yanchep Beach Road, Yanchep, WA (EPBC 2014/7046)_08072016</p> <p>W_005_ https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/purchaser-and-builder-information/environmental-sustainability_2006201</p>	<p>The revised CBCAMP was approved on 8 July 2016 (C_008).</p> <p>Peet confirmed publication of the revised CBCAMP on its website four days later on 12 July 2016 (C_009), at this address: http://yanchepgolfestate.com.au/yanchep/media/PDF-s/PEE12241_02-R003-Rev-6.pdf.</p> <p>The CBCAMP remains on the Peet website (W_005).</p> <p>(Refer to EPBC 10.1 – the website address has since changed).</p>

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5. Conclusions and recommendations for improvement

From the site inspection, interviews and review of documentation provided by Peet, the auditors concluded that all audited conditions of EPBC 2014/7146 and the majority of actions of the CBCAMP required by condition 3 of EPBC 2014/7146 were satisfactorily implemented during the audit period.

Where appropriate, the auditors have provided recommendations as outlined in Sections 5.1 and 5.2.

5.1 EPBC 2014/7146

No recommendations for improvement were identified in the audit period.

5.2 Carnaby's Black Cockatoo Avoidance and Mitigation Plan

One recommendation for improvement of the CBCAMP was identified during the audit. The audit found that signage and flagging used to demarcate Carnaby's Black Cockatoo habitat required to be retained was not maintained during the audit period. It is therefore recommended that regular inspections of these areas are undertaken at the estate, despite development being some distance from these areas currently.

Appendix 1
Implementation of Carnaby's Black
Cockatoo Avoidance and Mitigation
Plan

Carnaby's Black Cockatoo Avoidance and Mitigation Plan audit table

Reference	Key action	Timing	Conformance status	Evidence	Comments
CBCAMP 1	Table 4 Clearly mark Carnaby's Black-Cockatoo habitat proposed to be retained (as indicated on Figure 3) on construction drawings and delineated by star pickets and coloured tape within the Project site. <i>Note performance target is: "Approximately 4 ha of Carnaby's Black-Cockatoo habitat within the Project site is to be retained".</i>	Pre & during clearing	PNC	G_001_RJV_Yanchep Stage 6A Clearing Extent_07062018 P_010_Construction fencing at boundary of development area_07062018 P_011_Construction fencing at boundary of development area_07062018 C_012_Yanchep Golf Estate - audit tables and evidence_08062018 C_013_YGCE_Misc2018-D0501A-E YGCE Special Trees_13062018 Site inspection 7 June 2018 Management advice 7 June 2018	High construction fencing has been erected around developed areas of the estate, restricting access to retained CBC habitat by vehicles and pedestrians (i.e. only authorised personnel can access these areas), addressing the requirement until such time construction stages about the retention locations (P_010; P_011). The CBC retention areas were not sighted during the site visit due to weather constraints, however it was confirmed the day after the site visit (8 June 2018; C_012) that star pickets were still at the boundary of the retention area. Flagging tape and signage were not present at retained vegetation, therefore this item is potentially non-conformant (PNC) due to the lack of a visual barrier. Flagging was erected around the retained vegetation to rectify the action on 13 June 2018 (C_013).
CBCAMP 2	Table 4 Clearly mark trees proposed to be retained on construction drawings and by coloured tape within the Project site.	Pre & during clearing	PNC	Refer to CBCAMP 1	Refer to CBCAMP 1.
CBCAMP 3	Table 4 Provide GPS co-ordinates of areas approved to be cleared and those required to be retained to the contractor to ensure no unapproved clearing is undertaken.	Pre & during clearing	C	C_014_RJV_Stage 6A Location - Yanchep Golf Estate_10042018 G_001_RJV_Yanchep Stage 6A Clearing Extent_07062018 Management advice 7 June 2018	Evidence of correspondence between engineers, civil contractors and environmental consultants prior to clearing was sighted during the audit (C_014). The correspondence included areas to be cleared and was approved by all relevant parties.
CBCAMP 4	Table 4 Vehicles will be prohibited from accessing any vegetation areas clearly marked and signed for retention.	Pre & during clearing	C	P_010_Construction fencing at boundary of development area_07062018 P_011_Construction fencing at boundary of development area_07062018 Site inspection 7 June 2018 Management advice 7 June 2018	High construction fencing has been erected around developed areas of the estate, restricting access to retained CBC habitat by vehicles and pedestrians (i.e. only authorised personnel can access these areas), addressing the requirement until such time construction stages about the retention locations (P_010; P_011).
CBCAMP 5	Table 4 Install temporary signage in accordance CoW standard signage policy to restrict construction workers from entering Carnaby's Black-Cockatoo habitat being retained in conservation POS.	Pre & during clearing	C	P_010_Construction fencing at boundary of development area_07062018 P_011_Construction fencing at boundary of development area_07062018	High construction fencing has been erected around developed areas of the estate, restricting access to proposed retained CBC habitat by vehicles and pedestrians (i.e. only authorised personnel can access these areas), addressing the requirement for signage until such time construction stages about the retention locations (P_010; P_011).
CBCAMP 6	Table 4 Ensure no domestic animals, traps or firearms permitted onsite.	Pre & during clearing	C	Site inspection 7 June 2018 R_015_RJV_Yanchep Golf Estate Stage 6A Site Specific Induction - Blank_06122016	No evidence of domestic animals, traps or firearms were observed during the site visit. The stage specific contractor induction (R_015) reiterates the requirement of this action.
CBCAMP 7	Table 4 If clearing during Carnaby's Black-Cockatoo breeding season, conduct habitat tree assessments to check for nesting hollows.	Pre-clearing	C	G_001_RJV_Yanchep Stage 6A Clearing Extent_07062018 R_002_Peet_Lot 609 Yanchep Beach Road, Yanchep (EPBC 2014/7146) Annual Compliance Report 2018_27062017 Management advice 7 June 2018	A total of 469,572 was cleared during the audit period, which does not comprise Carnaby's Black Cockatoo (CBC) habitat. The site inspection confirmed the clearing during the audit period was confined to the area identified on G_001, which does not comprise Carnaby's Black Cockatoo habitat.
CBCAMP 8	Table 4 If active Carnaby's Black-Cockatoo nests are located in the site, do not clear until fledglings have left the nest.	Pre-clearing	NA	Refer to CBCAMP 7	No CBC habitat was cleared during the audit period.
CBCAMP 9	Table 4 Ensure cleared and any dry, dust-prone areas adjacent to conservation POS or stockpiles are stabilised to prevent dust generation. Stabilisation methods will include one or more of the following sealing methods: wetting (through use of water trucks), application of hydromulch, use of chemical polymers (if required) or other sealing material.	During construction	C	R_016_RJV_Yanchep - Stage 6A - Hydromulch Extents_07062018 Site inspection 7 June 2018	Hydromulch was installed on site on areas of bare sand (R_016). No evidence of any dust issues was observed during the site inspection. The risk of significant dust emissions being generated under the current staging works appeared low.
CBCAMP 10	Table 4 Restrict vehicle speeds to 40 km/hr to minimise dust generation on designated roads, access tracks and within construction areas adjacent to conservation POS.	During construction	C	P_028_Speed limit signage C_029_RJV_EPBC Audit - speed limit query_21062018	The 40 km/hr speed limit is enforced on site through signage within construction areas and the induction process.
CBCAMP 11	Table 4 Induct all construction personnel in relation to dieback and weeds risk, potential impacts and management.	During construction	C	R_015_RJV_Yanchep Golf Estate Stage 6A Site Specific Induction - Blank_06122016	Dieback and weeds are covered in the contractor's induction.

Reference	Key action	Timing	Conformance status	Evidence	Comments
CBCAMP 12	Table 4 Make sure all vehicles; machinery and equipment are clean prior to entering site.	During construction	C	R_017_RJV_Yanchep - Stage 6A - Machine Wash Down Register_07062018 Site inspection 7 June 2018 P_018_Vehicle washdown_27032018 P_019_Vehicle washdown_18042018 P_020_Vehicle washdown_03042018	A washdown register was provided (R_017) and photos of washdown being undertaken (P_019; P_020; P_021). Vehicles on site appeared clean during the site visit.
CBCAMP 13	Table 4 Restrict access of vehicles to areas of construction to minimise the spread or introduction of weeds or pathogens. Access restrictions will be communicated through inductions, signage and fencing where appropriate.	Pre and during construction	C	Site inspection 7 June 2018 P_010_Construction fencing at boundary of development area_07062018 P_011_Construction fencing at boundary of development area_07062018	Fencing has been erected around undeveloped portions of estate therefore access has been restricted in these areas.
CBCAMP 14	Table 4 Undertake initial weed inspection in intact remnant vegetation to a distance of 100 m from the boundary of each development stage, to determine weed density and species present.	Pre-clearing of each development stage	C	Site inspection 7 June 2018 C_009_Strategen_Variation to conditions Lot 609 Yanchep Beach Road, Yanchep, WA (EPBC 2014/7046)_02062016	Note this action was amended in the revision to the CBCAMP (C_009). Weed inspection is not required at this stage, pending pre-clearing of the next stages.
CBCAMP 15	Table 4 Undertake inspection of weeds in areas of retained intact remnant vegetation and remnant vegetation within 100 m of each development stage boundary.	In the April or October of the year after clearing of a stage is completed, whichever comes first	C	Site inspection 7 June 2018 C_009_Strategen_Variation to conditions Lot 609 Yanchep Beach Road, Yanchep, WA (EPBC 2014/7046)_02062016	No clearing adjacent to intact native vegetation was undertaken during the audit period, therefore weed inspection was not required. Note this action was amended in the revision to the CBCAMP (C_009). Weed inspection is not required at this stage, pending pre-clearing of the next stages.
CBCAMP 16	Table 4 Undertake manual and chemical removal of weeds if required based on the weed inspection in conservation POS with intact remnant vegetation and remnant vegetation within 100 m of each development stage boundary.	During construction	NA	Refer to CBCAMP 14	Refer to CBCAMP 14. No weed inspections or weed control has been undertaken to date within the conservation POS so this requirement has yet to be determined.
CBCAMP 17	Table 4 Ensure any fill/soil brought onto site is disease free.	During construction	C	C_021_NorthsandsResources_unitled_15122015 Management advice 7 June 2018	No materials have been brought on site during the audit period.
CBCAMP 18	Table 4 The works area to be maintained in a clean and tidy manner to ensure that feral and other species are not attracted to site.	During construction	C	Site inspection 7 June 2018 P_022_Rubbish_07062018	The inspections noted that the site was generally maintained to a clean and tidy standard except for some litter against perimeter fencing (P_022).
CBCAMP 19	Table 5 Undertake street tree landscaping using known Carnaby's Black-Cockatoo foraging sources such that: <ul style="list-style-type: none"> street tree landscaping within the Project site will be planted with trees from Appendix 1, other species suitable for Carnaby's Black-Cockatoo. <i>Note performance targets are:</i> <i>"Street tree landscaping within the Project site will contain tree species from Appendix 1 (or other foraging plants for Carnaby's Cockatoo)."</i> <i>"By completion of the project, 50% of the total tree within streetscaping and POS will be CBC foraging and potential breeding species".</i>	During construction	C	Site inspection 7 June 2018 C_009_Strategen_Variation to conditions Lot 609 Yanchep Beach Road, Yanchep, WA (EPBC 2014/7046)_02062016 R_002_Peet_Lot 609 Yanchep Beach Road, Yanchep (EPBC 2014/7146) Annual Compliance Report 2018_27062017 C_030_YGE Post Audit Items_18052017 R_031_Trees_Carnaby Foraging 15 06 16 R_032_LD Total_Street Tree Audit 2017-18_28062018 C_033_RE Yanchep Golf Estate 2017-2018 EPBC Act audit_03082018	Street tree planting and POS planting took place during the audit period. The 2017/2018 Street Tree audit (R_032) and POS 1 greenstock report (C_033) were reviewed by the auditors to assess tracking against the 50% target. The review included all street trees and POS areas planted in the project area to date, except for street trees planted with claimed front landscaping bonuses, as these trees do not contribute to the 50% CBC target. The review found that 103 (C_033) plants (both trees and shrubs) and 27 trees (C_032) were planted within POS and streetscapes respectively. Five of the 27 trees were planted as part of the landscaping bonus, therefore do not contribute toward the 50% performance target; consequently, a total of 22 streetscape trees are considered toward the 50% target. All 22 of the street trees planted are CBC species and 93 of the POS trees/shrubs are CBC species. No planting was undertaken during the 2016/2017 audit period, therefore species planted this year have been added to the 2015/2016 CBC tracking spreadsheet (R_031). Based on planting undertaken during the 2017/2018 audit period, approximately 61% of the street trees and POS trees and shrubs are CBC species; therefore, the target is on track to being met.
CBCAMP 20	Table 5 Determine the quantity of plants required for particular flora species for the site, ensuring that 50% of the trees proposed to be used in streetscaping and POS areas are Carnaby's Black-Cockatoo habitat species, and: <ul style="list-style-type: none"> arrange nursery contracts for plants and/or seedling propagation if required ensure the quantities of plants are available for pick-up or delivered to the contractor. 	During construction	C	Site inspection 7 June 2018 Management advice 7 June 2018 R_022_Place Laboratory_POS-1_05092017 R_023_Place Laboratory_POS1_22092017 R_024_Place Laboratory_POS-1_05092017 R_025_Place Laboratory_POS1(003)_22092017 P_026_POS1_07062018 P_027_POS1 and street trees_07062018	Planting plans (R_022; R_023; R_024; R_025; P_026; P_027) and the site inspection demonstrate that plants have been installed across the site, which would have not occurred without this action being implemented.

Reference	Key action	Timing	Conformance status	Evidence	Comments
CBCAMP 21	Table 5 Assess potential for rabbits grazing on seedlings based on site location and local records. In the event of rabbit occurrence, undertake rabbit control and/or implement suitable deterrents.	During construction	C	Site inspection 7 June 2018 Management advice 7 June 2018	There is no evidence of any or significant rabbit infestation.

Appendix 2
EPBC 2014/7146 approval and variation



Approval

Residential development, Lot 609 Yanchep Beach Road, Yanchep WA (EPBC 2014/7146)

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person to whom the approval is granted

Peet Funds Management Limited

proponent's ACN

145 992 169

proposed action

To clear native vegetation to undertake a residential development on Lot 609, Yanchep Beach Road, Yanchep, Western Australia [See EPBC Act referral 2014/7146].

Approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved

conditions of approval

This approval is subject to the conditions specified below.

expiry date of approval

This approval has effect until 31 December 2029.

Decision-maker

name and position

Dr Simon Banks
Assistant Secretary
West Assessment Branch

signature

date of decision

13 June 2014

Conditions attached to the approval

1. The person taking the action must not **clear** more than 64 hectares of **Carnaby's Black-Cockatoo foraging and potential breeding habitat** within the **project area** identified as the 'Development Area' at Attachment A.
2. To offset the loss of **Carnaby's Black-Cockatoo foraging and potential breeding habitat**, within three months of the date of this approval, the person taking the action must provide **the Department** with written evidence that funds have been provided to the Western Australian Department of Parks and Wildlife for the acquisition and management of an environmental **offset property**, no less than 315 hectares in size on Mimegarra Road, Mimegarra, north-east of Lancelin, Western Australia. The written evidence must include a description and map clearly defining the location and boundaries of the **offset property** and be accompanied with the **offset attributes**. The person taking the action must also inform **the Department** how much of this **offset property** remains unattributed to this action for the purpose of supplying offsets for potential future projects.
3. To mitigate impacts to the Carnaby's Black-Cockatoo, prior to the **commencement** of the action, the person taking the action must prepare and submit a Carnaby's Black-Cockatoo Avoidance and Mitigation Plan (CBCAMP) for the **Minister's** approval. The CBCAMP must include, but not be limited to:
 - a. A map clearly illustrating the area of **Carnaby's Black-Cockatoo foraging and potential breeding habitat** to be cleared and the area of **Carnaby's Black-Cockatoo foraging and potential breeding habitat** to be retained within the development footprint;
 - b. Milestones and objectives of the CBCAMP;
 - c. Avoidance and mitigation measures to reduce impacts to Carnaby's Black-Cockatoo habitat prior to, during and post construction;
 - d. Timeframes for the implementation and completion of the avoidance and mitigation measures;
 - e. Details of monitoring, reporting and contingency measures if performance indicators are not met; and
 - f. Roles and responsibilities of personnel associated with implementing each of the avoidance and mitigation measures.

The person taking the action must not undertake any **clearing** of **Carnaby's Black-Cockatoo foraging and potential breeding habitat** within the **project area** unless the CBCAMP has been approved by the **Minister**. If the **Minister** approves the CBCAMP, then the approved CBCAMP must be implemented.

4. Within 30 days after the **commencement** of the action, the person taking the action must advise the **Department** in writing of the actual date of **commencement**.
5. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the CBCAMP and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the

conditions of approval. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.

6. Within three months of every 12 month anniversary of the **commencement** of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval over the previous 12 months, including implementation of the CBCAMP as specified in the conditions. Documentary evidence providing proof of the date of publication must be provided to the **Department** at the same time as the compliance report is published. The compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual contraventions of the conditions of the approval must be reported to the department in writing within 2 business days of the person taking the action becoming aware of the actual or potential contravention. All contraventions must also be included in the compliance reports.
7. Upon the direction of the **Minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the **commencement** of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
8. If the person taking the action wishes to carry out any activity otherwise than in accordance with the CBCAMP as specified in the conditions, the person taking the action must submit to the **Department** for the **Minister's** written approval a revised version of that CBCAMP. The varied activity shall not commence until the **Minister** has approved the varied CBCAMP in writing. The **Minister** will not approve a varied CBCAMP unless the revised CBCAMP would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised CBCAMP that CBCAMP, must be implemented in place of the CBCAMP originally approved.
9. If, at any time after five (5) years from the date of this approval, the person taking the action has not **commenced** the action, then the person taking the action must not **commence** the action without the written agreement of the **Minister**.
10. Unless otherwise agreed to in writing by the **Minister**, the person taking the action must publish the CBCAMP referred to in these conditions of approval on their website. The CBCAMP must be published on the website within one (1) month of being approved and must remain on the website for the period this approval has effect.

Definitions

Carnaby's Black-Cockatoo (*Calyptrorhynchus latirostris*) foraging and potential breeding habitat includes areas of Banksia woodland, *Dryandra sessilis* – *Calothamnus quadrifidus* heath, *Dryandra sessilis* heath and planted Tuart woodland as identified at Attachment B.

Clear or clearing is defined as the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of native vegetation.

Commence, commenced or commencement includes any preparatory works required to be undertaken including clearing (as defined above), the erection of any fences, signage or on-site temporary structures and the use of construction or excavation equipment on-site for the purpose of breaking the ground for buildings, infrastructure or resource extraction.

The **Minister** is the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* and includes a delegate of the Minister.

Offset attributes must be in the form of an excel file (‘.xls’) capturing relevant attributes of the offset area, including the EPBC reference ID number, the physical address of the offset site, coordinates of the boundary points in decimal degrees, the EPBC protected matters that the offset compensates for, any additional EPBC protected matters that are benefiting from the offset, and the size of the offset in hectares.

The **Offset property** is the area approximately eight hundred and seventy hectares (870 ha) in size, located on Mimegarra Road, Mimegarra, north-east of Lancelin, Western Australia. This area has been identified as an environmental offset property to be managed for conservation purposes by the Western Australia Department of Parks and Wildlife on behalf of the person proposing to take the action. Three hundred and fifteen hectares (315 ha) of the offset property will be attributed as an offset specifically for the proposed action.

Project area is defined by the area at Lot 609 Yanchep Beach Road, Yanchep WA, identified as ‘Development Area’ at Attachment A.

Shapefile means an ESRI Shapefile containing ‘.shp’, ‘.shx’ and ‘.dbf’ files and other files capturing attributes of the offset area, including the shape, EPBC reference ID number and EPBC protected matters present at the relevant site. Attributes should also be captured in ‘.xls’ format.

The Department is the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

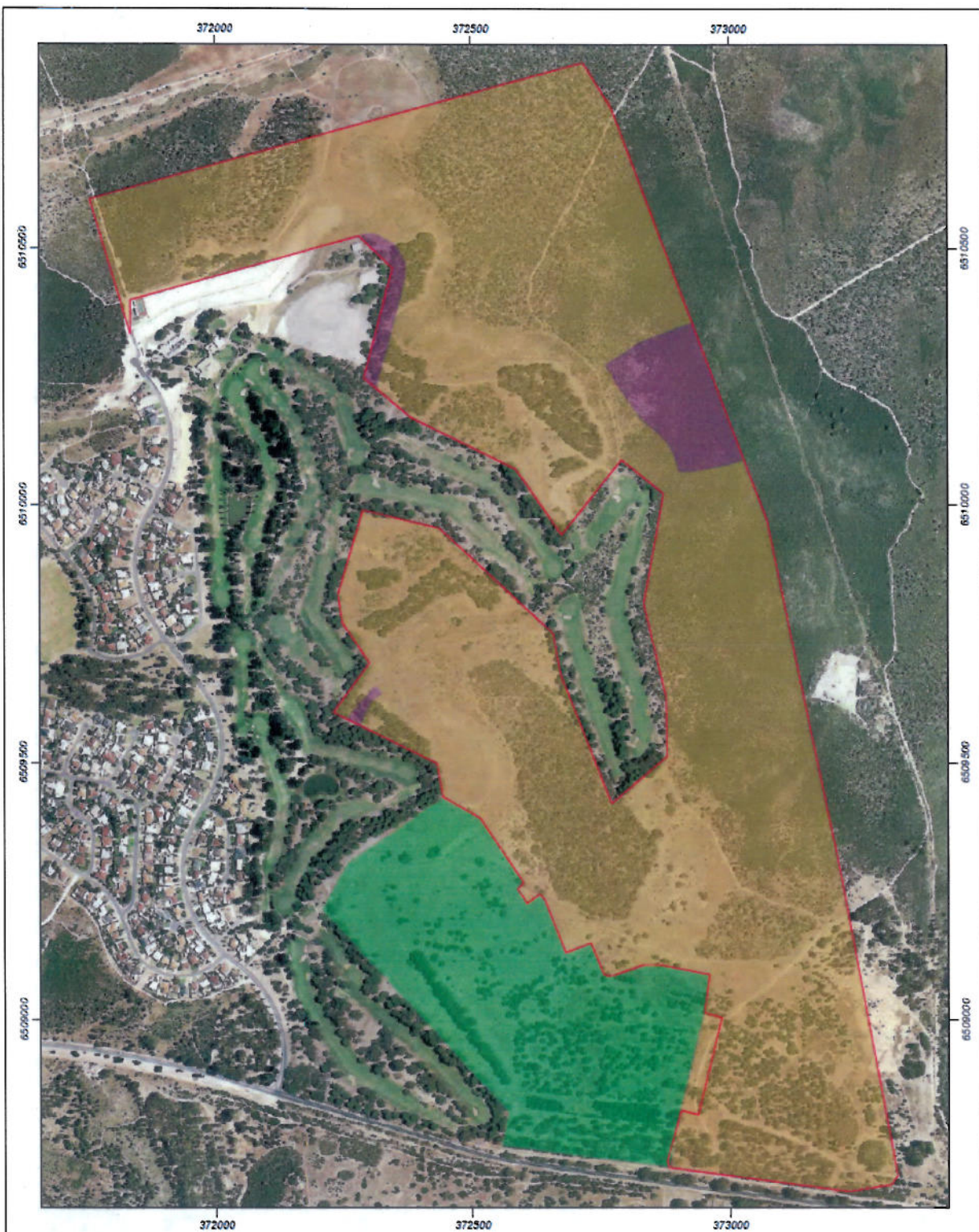


Figure 2 Proposed Action

Scale 1:10,000 A4

0 50 100 150 200 250 Meters

Coordinate System: GDA 1994 MGA Zone 50
Note that positional errors may occur in some areasDate: 10/02/2014
Author: SPinning

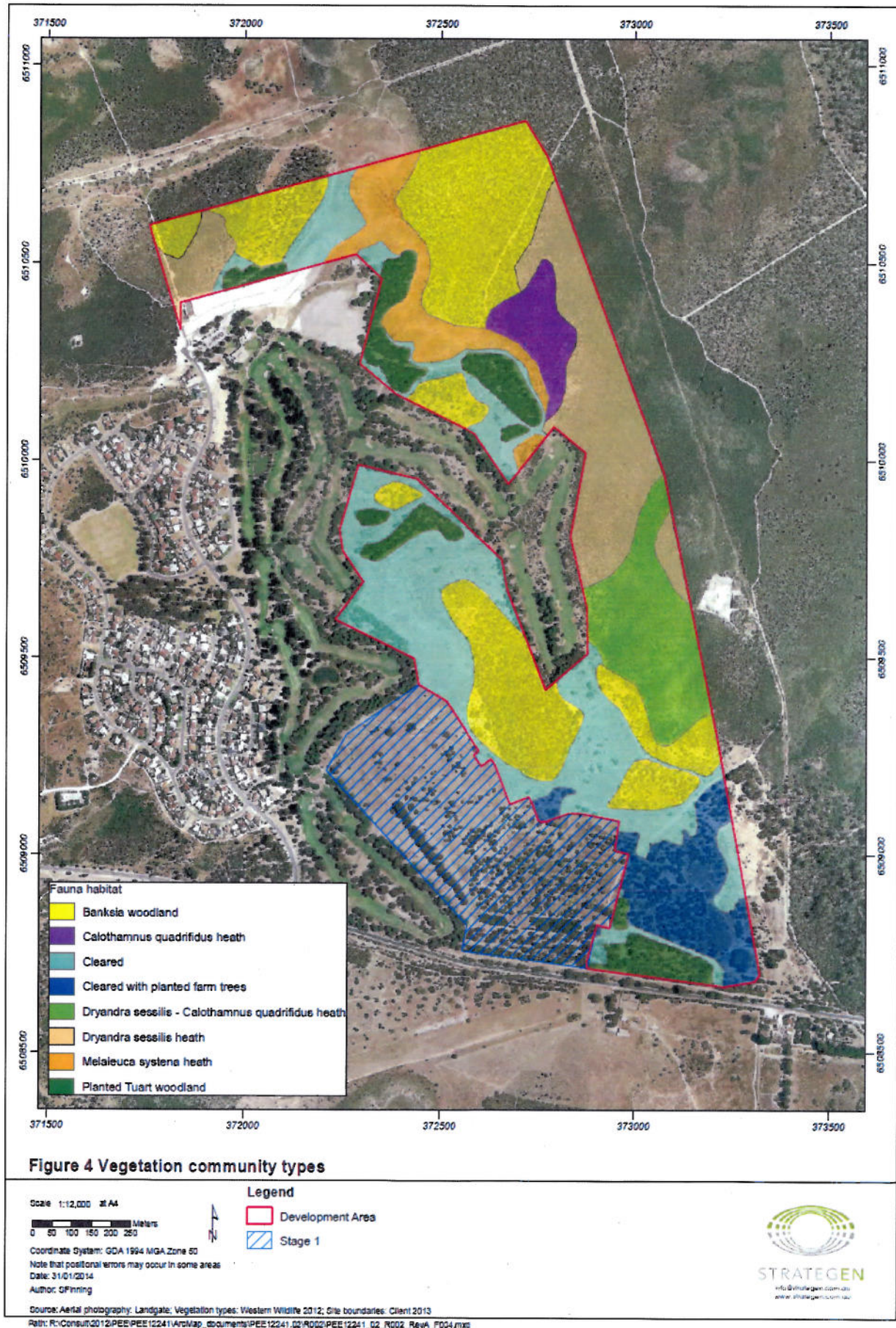
Source: Topography: Geoscience Australia 2011; Roads and railways: Landgate 2013; Site boundaries: Client 2013

Path: Q:\GIS\Consult\2012\PEE\PEE1224\AeroMap_documents\PEE12241_02\RD02\PEE12241_02_RD02_RevA_FD02.mxd

Legend

- | | |
|---|---|
| Development Area | Proposed action |
| Constructed | Retained native vegetation |







VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Residential development, Lot 609 Yanchep Beach Road, Yanchep WA (EPBC 2014/7146)

This decision to vary conditions of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the approval is granted	PEET Funds Management Limited ACN 145 992 169
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Approved action	To clear native vegetation to undertake a residential development on Lot 609, Yanchep Beach Road, Yanchep, Western Australia [See EPBC Act referral 2014/7146].
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Variation

Variation to conditions of approval	The variation is: Replace Attachment A (Figure 2) attached to condition 1 of the approval notice dated 13 June 2014 with the attached (Figure 5).
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Date of effect	This variation has effect on the date the instrument is signed.
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Person authorised to make decision

Name and position	Dr Simon Banks Assistant Secretary West Assessment Branch
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Signature	
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Date of decision	01 July 2014
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Conditions attached to the approval

1. The person taking the action must not **clear** more than 64 hectares of **Carnaby's Black-Cockatoo foraging and potential breeding habitat** within the **project area** identified as the 'Development Area' at Attachment A.

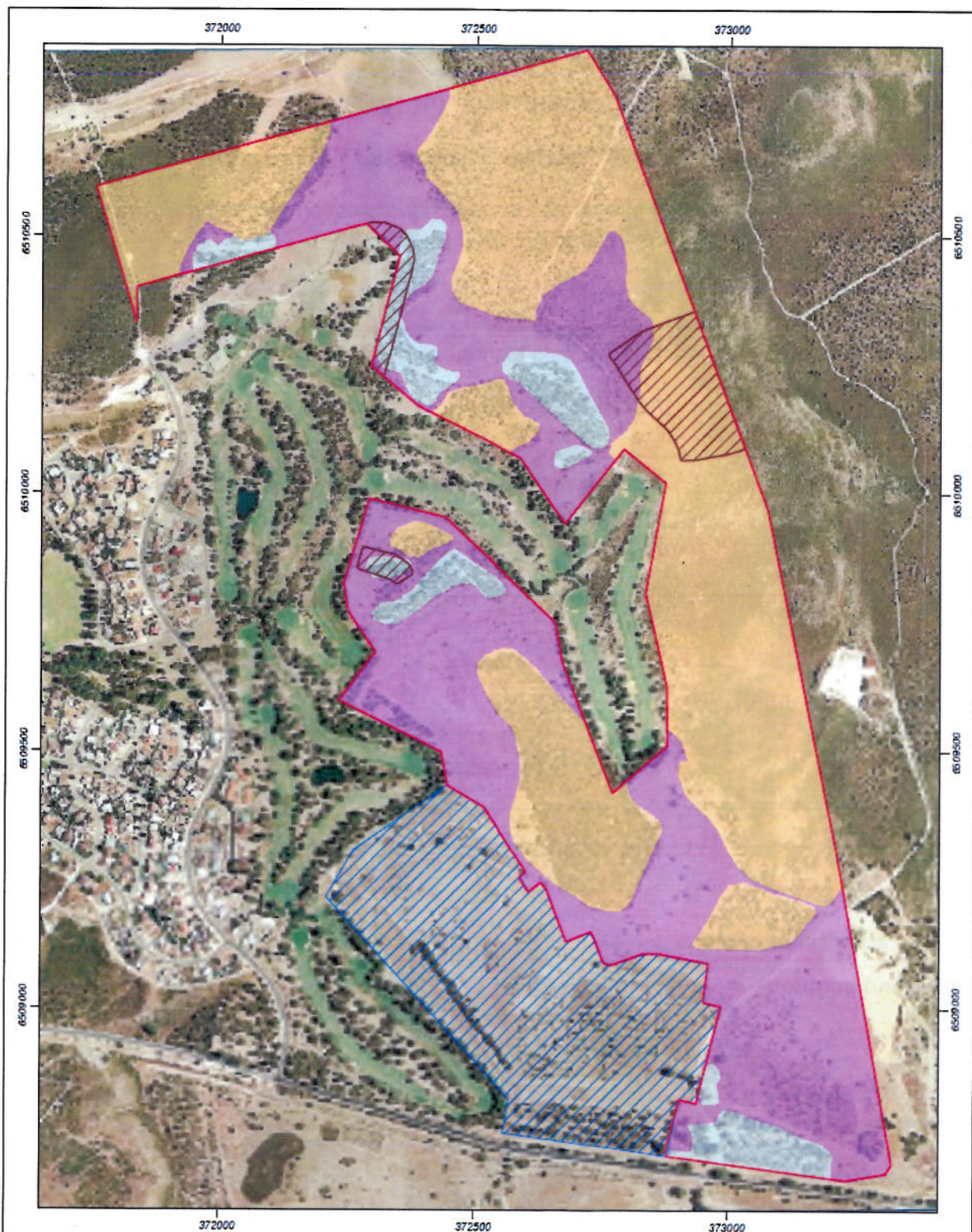


Figure 5 Habitat value for Black Cockatoos

Scale 1:10,000 at A4

0 50 100 150 200 250 Meters

Coordinate System: GDA 1994 MGA Zone 50
Note that positional errors may occur in some areas

Date: 21/01/2014

Author: S.Finnig

Legend

Development Area

Stage 1

Retained native vegetation

No habitat value

Foraging habitat value

Potential breeding habitat value

Source: Topography: Geoscience Australia 2011; Roads and railways: Landgate 2013; Site boundaries: Client 2013
Path: R:\Consult\2012\PEE\PEE12241\ArcMap_documents\PEE12241_02\ROD2\PEE12241_02_R002_RevA_F005.mxd





VARIATION TO CONDITIONS ATTACHED TO APPROVAL

Residential development, Lot 609 Yanchep Beach Road, Yanchep WA (EPBC 2014/7146)

This decision to vary a condition of approval is made under section 143 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Approved action

Person to whom the
approval is granted

Peet Funds Management Limited
ABN: 145 992 169

Approved action

To clear native vegetation to undertake a residential development on Lot 609, Yanchep Beach Road, Yanchep, Western Australia [See EPBC Act referral 2014/7146].

Variation

Variation of conditions of
approval

The variation is:
Delete condition 8 and Attachment A attached to the approval and substitute with condition 8 and Attachment A specified below.

Add the definitions of 'EPBC Act' and 'new or increased impact' specified below.

Date of effect

This variation has effect on the date the instrument is signed.

Person authorised to make decision

Name and position

Shane Gaddes
Assistant Secretary
Compliance & Enforcement Branch

Signature

S. Gaddes

Date of decision

8 July

2016

Conditions attached to the approval

8. a) The person taking the action may choose to revise the CBCAMP approved by the **Minister** under condition 3 without submitting it for approval (including approval under section 143A of the **EPBC Act**), if the taking of the action in accordance with the revised CBCAMP would not be likely to have a **new or increased impact**. If the person taking the action makes this choice they must:
- i. Notify **the Department** in writing that the approved CBCAMP has been revised and provide **the Department** with:
 - an electronic copy of the revised CBCAMP;
 - an explanation of the differences between the revised CBCAMP and the approved CBCAMP; and
 - the reasons the person taking the action considers that taking the action in accordance with the revised CBCAMP would not be likely to have a **new or increased impact**.
 - ii. Declare in writing a date on which the revised CBCAMP will first be implemented by the person taking the action. That date of initial implementation must be at least 28 days after sub-condition 8 a) i. is satisfied.
- b) The person taking the action may revoke their choice under sub-condition 8 a) at any time by giving written notice to **the Department**, in which case from the following day the person taking the action must implement the approved CBCAMP.
- c) If the **Minister** gives a notice to the person taking the action that the **Minister** is satisfied that the taking of the action in accordance with the revised CBCAMP would be likely to have a **new or increased impact**, then:
- i. Sub-condition 8 a) does not apply, or ceases to apply, in relation to the revised CBCAMP; and
 - ii. The person taking the action must implement the approved CBCAMP.

To avoid any doubt, this condition does not affect any operation of sub-conditions 8 a) and 8 b) in the period before the day the notice is given.

At the time of giving the notice the **Minister** may also notify that for a specified period of time sub-condition 8 a) does not apply to the CBCAMP required under the approval.

Note: This condition is not intended to limit the operation of section 143A of the **EPBC Act** which allows the person taking the action to submit a revised action management plan to the **Minister** for approval.

Definitions

EPBC Act is the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

New or increased impact is a new or increased environmental impact or risk relating to any matter protected by the controlling provisions for the action, when compared to the CBCAMP that has been approved by the **Minister**.

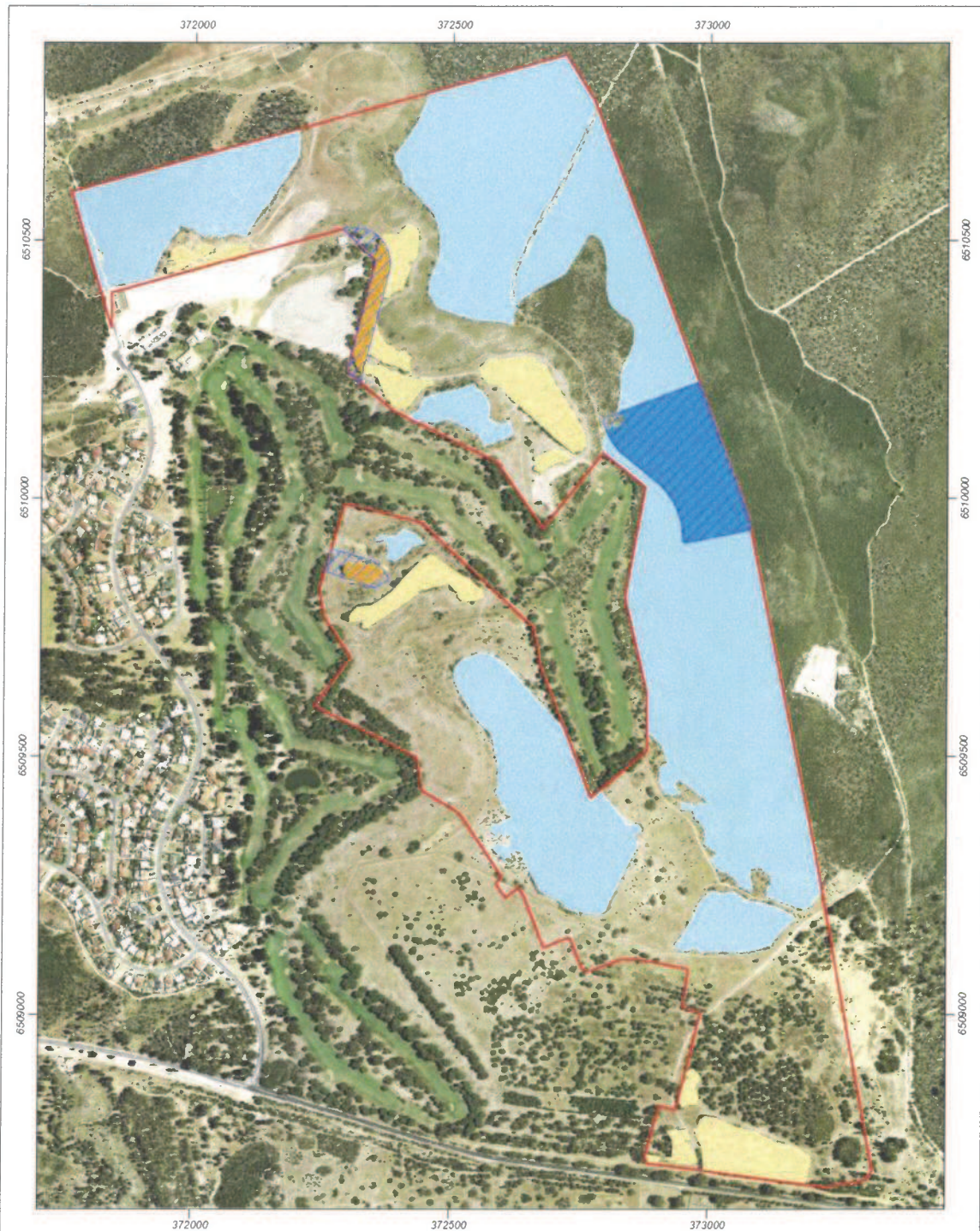


Figure 3 Habitat retention for revised conservation POS areas

Scale 1:10,000 at A4
0 50 100 150 200 250 Meters

Coordinate System: GDA 1994 MGA Zone 50
Note that positional errors may occur in some areas
Date: 10/06/2016
Author: SPinning

Source: Site boundaries Client 2013

Path: Q:\Consult\2016\PEE\PEE10132\ArcMap_documents\LC01\PEE10132_01_L001_Rev_A_F003.mxd

Legend

Development Area
POS area (6.18 ha)

Foraging habitat to be cleared (56.60 ha)
Foraging habitat to be retained as POS (3.60 ha)
Potential breeding habitat to be cleared (7.40 ha)
Potential breeding habitat to be retained as POS (1.04 ha)

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