

Peet Yanchep Land Syndicate  
Annual Compliance Report (EPBC 2014/7146)  
Lot 609 Yanchep Beach Road, Yanchep

28 June 2021  
60581- 138,673

JBS&G Australia Pty Ltd T/A Strategen-JBS&G

### 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) Olivia Hammond

Position (please print) Senior Development Manager

Organisation (please print including ABN/ACN if applicable) Peet Ltd

Date 20 / 08 / 2021

## Table of Contents

1.	Introduction .....	1
1.1	Project background .....	1
1.2	Environmental approval to implement project.....	1
2.	Current Status.....	3
3.	Audit methodology .....	4
3.1	Audit plan .....	4
3.1.1	Purpose and scope .....	4
3.1.2	Methodology.....	4
3.2	Audit terminology.....	4
4.	Audit results.....	6
4.1	Compliance with EPBC 2014/7146 conditions .....	6
4.2	Compliance with Carnaby's Black Cockatoo Avoidance and Mitigation Plan conditions .....	6
5.	Conclusions and recommendations for improvement.....	12
5.1	EPBC 2014/7146 .....	12
5.2	Carnaby's Black Cockatoo Avoidance and Mitigation Plan .....	12
6.	Limitations .....	13
7.	References .....	14

## List of Tables

Table 3.1: Persons consulted during the audit .....	4
Table 3.2: Action implementation status.....	4
Table 4.1: EPBC 2014/7146 audit table .....	7

## List of Figures

Figure 1.1: Yanchep Golf Estate Project – Carnaby's Black Cockatoo habitat and project staging.....	2
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## Appendices

Appendix A	Implementation of Carnaby's Black Cockatoo Avoidance and Mitigation Plan
Appendix B	EPBC 2014/7106

## **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 (YGE) 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 prepare and publish annual compliance reports of the previous 12 months.

### **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 hectares (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 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 1 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 then Department of the Environment and Energy [DEE, now Department of Agriculture, Water and Environment (DAWE)]. Related and other amendments to the Carnaby's Black Cockatoo Avoidance and Mitigation Plan (CBCAMP) required under condition 3 were also approved as part of the 8 July 2016 variation.



## 2. Current Status

The current stage is 14B, with lots titling in May 2021. Stage 14B comprises of 15 lots (1 Available, 5 Settled and 9 under contract). No clearing of native vegetation was undertaken during this period. Civil construction work only. It is currently being maintained monthly by landscape elements.

Activities undertaken during the audit period (27 June 2020 to 26 June 2021) involved the following:

- Civil construction was undertaken during the audit period to create the 15 lots.
- Construction completed March 2021; titles issued May 2021.
- Monthly landscaping conducted by Landscape Elements

### 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 2020 and 26 June 2021. The ACR addresses each condition of approval. Key management actions of the CBCAMP 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 September to October 2020 and involved a desktop assessment of compliance against conditions where evidence was requested from the proponent to certify that the conditions were met. Emails and phone calls with key members of the project team were the main forms of communication during this audit.

Table 3.1 provides an overview of the personnel consulted as part of the audit.

**Table 3.1: Persons consulted during the audit**

Organisation	Person and position	Purpose
Peet	<ul style="list-style-type: none"> <li>Jack Wagner – Assistant Development Manager</li> <li>Peri Libao – Development Officer</li> </ul>	Evidence was requested from the proponents to ensure compliance against conditions stipulated in EPBC 2014/7146 and CBCAMP.

#### 3.2 Audit terminology

The ‘Status’ field of the audit tables (refer to Table 4.1; Appendix A) describes the implementation of actions and compliance with the approval. Terminology from the DAWE [formally known as the Department of the Environment (DoE [2014])] Annual Compliance Report Guidelines was adapted and applied in this audit (Table 3.2).

**Table 3.2: Action implementation status**

Status	Acronym	Description
<b>Conditions of approval</b>		
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.
<b>Management Plans</b>		

Status	Acronym	Description
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 4.1. 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 A. A total of 50 items were audited from EPBC 2014/7146 and the CBCAMP.

### 4.1 Compliance with EPBC 2014/7146 conditions

Out of 28 sub conditions within the EPBC Act Approval EPBC 2014/7164:

- 21 were assessed as 'Compliant', 3 of which were assessed as 'Complete'
- 0 were assessed as 'Potentially Non-Compliant'
- 7 were assessed as 'Not-Applicable (NA)' during the audit period.

### 4.2 Compliance with Carnaby's Black Cockatoo Avoidance and Mitigation Plan conditions

Out of 21 commitments in the CBCAMP:

- 10 were assessed as 'Conformant'
- 1 was assessed as 'Potentially Non-Conformant'
- 10 were assessed as 'Not Applicable (NA)' during the audit period.

The potential non-conformance identified during the audit relates to condition 11 of the CBCAMP. Condition 11 requires the proponent to induct all construction personnel in relation to dieback and weeds risk, potential impacts and management. An induction and induction registers were provided for stage 14B, however weeds and dieback management were not included. The RJV Environmental Management Plan includes information pertaining to weeds and dieback, however there is no record of employees reading or confirming they understand the management plan.

**Table 4.1: 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.	Compliant	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request R01 - Yanchep Golf Estate ACR 2020 (Rev 0) G01 - Yanchep Golf Burnt Areas Management advice 14 June 2021	Management advised that no clearing was undertaken during the reporting period. The auditors therefore conclude that comments included in the 2020 ACR remain relevant for this audit period: "To date a total of 65.39 ha of CBC habitat has either been destroyed by bushfire or cleared by the project (58.48 ha foraging and 6.91 ha breeding). Clearing attributable to the project to date totals 16.3 ha of CBC habitat comprised of 15.5 ha of CBC foraging habitat and 0.8 ha of CBC breeding habitat. A bushfire in the previous reporting period cleared 42.98 ha of CBC foraging and 6.11 ha of CBC breeding habitat (G01)."
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.	Complete	R01 - Yanchep Golf Estate ACR 2020 (Rev 0)	Condition has been assessed as complete in previous ACR (R01).
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.	Complete	R01 - Yanchep Golf Estate ACR 2020 (Rev 0)	Condition has been assessed as complete in previous ACR (R01).
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.	Complete	R01 - Yanchep Golf Estate ACR 2020 (Rev 0)	Condition has been assessed as complete in previous ACR (R01).
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.	Complete	C_045_Strategen__Peet Yanchep CBCAMP_10062014.  The abovementioned correspondences were checked and audited in the 2014-2015 Annual Compliance Report.  C05 - (2014-7146) Final Approval Letter – Proponent	The final CBCAMP was submitted on 10 June 2014, prior to the commencement of the action on 26 June 2014.  The CBCAMP included the required map.  A letter from the Minister's Delegate (Dr Simon Banks, Assistant Secretary) stating acceptance of the submitted CBCAMP was sighted as part of the desktop component of the audit.  Also refer to EPBC 8.1 regarding revisions to, and approval of, the CBCAMP.  Condition has been assessed as complete in previous ACR (R01).
EPBC 3.2	b) Milestones and objectives of the CBCAMP;	Prior to the commencement of the action.	Complete	Refer to EPBC 3.1	No further action is required as this condition has been met.
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.	Complete	Refer to EPBC 3.1	No further action is required as this condition has been met.

Condition Number	Condition	Timing	Compliance status	Evidence	Comments
EPBC 3.4	d) Timeframes for the implementation and completion of the avoidance and mitigation measures;	Prior to the commencement of the action.	Complete	Refer to EPBC 3.1	No further action is required as this condition has been met.
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.	Complete	Refer to EPBC 3.1	No further action is required as this condition has been met.
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.	Complete	Refer to EPBC 3.1	No further action is required as this condition has been met.
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.	Compliant	Refer to EPBC 3.1 Refer to Appendix A	Refer to EPBC 3.1 – CBCAMP approved. Refer to Appendix A for implementation of the CBCAMP.
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.	Complete	R01 - Yanchep Golf Estate ACR 2020 (Rev 0)	Condition has assessed as complete in previous ACR (R01)
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.	Compliant	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).  Previous Annual Compliance Reports are publicly available on the Peet Website (Checked on 01/06/2021): <a href="https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/building-information/environmental-sustainability">https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/building-information/environmental-sustainability</a>
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 (DEE 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 (DEE decision).	N/A	N/A	This condition is taken to be a note.
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).	Compliant	W01 - Yanchep Golf Compliance Reports on website  C01 - EPBC 2014_7146 Yanchep Beach Road - Annual Compliance Report 2020 submission	Previous Annual Compliance Reports are publicly available on the Peet Website (Checked on 01/06/2021): <a href="https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/building-information/environmental-sustainability">https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/building-information/environmental-sustainability</a> (W01)  Proof of date of publication was communicated to DAWE on 25/09/2020 (C01)  Evidence of publication for previous years were checked in previous Annual Compliance Reports.
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.	Compliant	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.	Compliant	Refer to EPBC 6.1	Refer to EPBC 6.1.
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	R01 - Yanchep Golf Estate ACR (Rev 0)	No contraventions of the EPBC Act Approval were identified during the reporting period. One Potential non-conformance with a commitment in the CBCAMP was identified as part of this audit and has been included in this compliance report.

Condition Number	Condition	Timing	Compliance status	Evidence	Comments
EPBC 6.5	All contraventions must also be included in the compliance reports.	Same day the compliance report is published.	N/A	R01 - Yanchep Golf Estate ACR (Rev 0)	Refer to the findings for other items in this table – no potential or actual contraventions of the EPBC Act approval have been identified to date.  One potential non-conformance with a commitment in the CBCAMP was identified as part of this audit and has been included in this compliance report.
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 14 June 2021	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	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 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: <ul style="list-style-type: none"> <li>an electronic copy of the revised CBCAMP</li> <li>an explanation of the difference between the revised CBCAMP and the approved CBCAMP; and</li> <li>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.</li> </ul> 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 8 a) i. is satisfied.	Prior to undertaking any activity otherwise than in accordance with the CBCAMP. Implementation - at least 28 days after sub-condition 8 a) i. is satisfied.	Compliant	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request  C08 - DotE_PostApprovalsMonitoringSheet_09062016C  C09 - DotE_PostApprovalsMonitoringSheet_17062016  C10 - DotE_Lot 609 Yanchep Beach Road, Yanchep, WA	Revision to the CBCAMP was not undertaken within the auditing period.
EPBC 8.2	b) The person taking the action may revoke their choice under 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.	At any time.	N/A	Management advice on 14 June 2021	This condition was not invoked in the audit period.
EPBC 8.3	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 CBCAMP approved by the Minister.	N/A.	N/A	Management advice on 14 June 2021	The Minister did not give such notice in the audit period.

Condition Number	Condition	Timing	Compliance status	Evidence	Comments
	<p>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.</p> <p>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.</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>				
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.	Complete	N/A	Condition has assessed as complete in previous ACR (R01)
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).	Compliant	C11 - Publication on the YGE website W01 - Yanchep Golf Compliance Reports on website	<p>The CBCAMP was available on the Yanchep Golf Estate website on the 1 July 2014. The website was checked as part of the 2015 internal audit (11 June 2015).</p> <p>In 2016, the CBCAMP was updated. The new revised CBCAMP is available on the website (Checked on 01/06/2021): <a href="https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/building-information/environmental-sustainability">https://www.peet.com.au/communities/perth-and-wa/yanchep-golf-estate/building-information/environmental-sustainability</a></p>
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).	Compliant	Refer to EPBC 10.1	Refer to EPBC 10.1

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## **5. Conclusions and recommendations for improvement**

After a review of documentation (evidence) provided by Peet, the auditors concluded that all audited conditions of EPBC 2014/7146 were satisfactorily implemented during the audit period. One commitment of the CBCAMP (CBCAMP 11) required by condition 3 of EPBC 2014/7146 was assessed as potentially non-conformant the rest 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**

Dieback and weeds risk, potential impacts and management actions should be included in the environmental induction. Alternatively, the induction register can have a check box stating that the individual has read and understood the contractor HSE management plan, which includes appropriate details pertaining to dieback and weeds.

## **6. Limitations**

### **Scope of services**

This report ("the report") has been prepared by Strategen-JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and Strategen-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, Strategen-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, Strategen-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. Strategen-JBS&G has also not attempted to determine whether any material matter has been omitted from the data. Strategen-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 Strategen-JBS&G. The making of any assumption does not imply that Strategen-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. Strategen-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 of Western Australia 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.

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.

Strategen-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 Strategen-JBS&G, and should not be relied upon by other parties, who should make their own enquiries.



## 7. References

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

## Appendix A 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	NA	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request	No clearing occurred within the reporting period.  The CBC foraging habitat to be retained as POS (3.60 ha), as identified in Attachment of EPBC 2014/7146 is isolated from construction activities and current stages of the development and shares a fence with the adjacent golf course which runs parallel to the Western boundary of the site. Given the restricted access to this CBC habitat retention site, the auditors assessed this action as conformant until such time that construction activities about the retention location.  Similarly, the CBC potential breeding habitat to be retained as POS areas (1.04 ha) is located approximately 1.2 km from the current construction and access is restricted to this area by fencing.  Despite development adjacent to future POS areas not being anticipated for some time, the auditors recommend that regular inspections of these areas are undertaken to confirm no unauthorised access.
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	NA	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	NA	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request	No clearing occurred within the reporting period (C02).
CBCAMP 4	Table 4 Vehicles will be prohibited from accessing any vegetation areas clearly marked and signed for retention.	Pre & during clearing	NA	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request P03 - Black Cockatoo Boundary Fencing 1 P04 - Black Cockatoo Boundary Fencing 2	This condition is not applicable for this auditing period. The construction phase was constrained to Stage 14b. As per Figure 1.1, Stage 14b is at the southernmost part of the project site and not close to any vegetation that is being retained. Therefore, this item was outside of the scope for this audit period.  High construction fencing has also been erected around cleared areas of the estate, restricting access to retained CBC habitat by vehicles and pedestrians. This addresses the requirement until such time construction stages about the retention locations.
CBCAMP 5	Table 4 Install temporary signage in accordance with CoW standard signage policy to restrict construction workers from entering Carnaby’s Black-Cockatoo habitat being retained in conservation POS.	Pre & during clearing	NA	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request  P03 - Black Cockatoo Boundary Fencing 1  P04 - Black Cockatoo Boundary Fencing 2	This condition is not applicable for this auditing period. The construction phase was constrained to Stage 14b. As per Figure 1.1, Stage 14b is at the southernmost part of the site and not close to any vegetation that is being retained. Therefore, this item was outside of the scope for this audit period.  Photos of the black cockatoo fenced areas were provided to the auditor (P03 and P04). High construction fencing has been erected around cleared areas of the estate, restricting access to retained CBC habitat by vehicles and pedestrians addressing the requirement for signage until such time construction stages about the retention locations.
CBCAMP 6	Table 4 Ensure no domestic animals, traps or firearms permitted onsite.	Pre & during clearing	Conformant	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request  R04 - Yanchep 14B Site Induction	Management confirmed that no domestic animals, traps or firearms were on site, this is documented in the RJV environmental management plan.  <b>Opportunity for improvement:</b> To ensure that all workers are aware that no domestic animals, traps or firearms are to be brought onto site, this requirement should be included in the environmental induction.
CBCAMP 7	Table 4	Pre-clearing	NA	N/A	Refer to CBCAMP 1

Reference	Key action	Timing	Conformance status	Evidence	Comments
	If clearing during Carnaby's Black-Cockatoo breeding season, conduct habitat tree assessments to check for nesting hollows.				
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	N/A	Refer to CBCAMP 1
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	Conformant	P01 - Dust suppression -Watercart On site P02 - Dust suppression - damp ground R04 - Yanchep 14B Site Induction	Management confirmed that dust management was undertaken by the wetting of roads through use of water trucks (P01 & P02). The requirement for dust management was also included in the site-specific environmental induction.
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	Conformant	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request P05 - Site signage & Speed limit	No clearing or earthworks were undertaken during the audit period. The 40 km/hr speed limit is a standard requirement for all RJV construction sites and is enforced through their Environmental Management Plan.  A photo of site signage including the speed limit was provided (P05).
CBCAMP 11	Table 4 Induct all construction personnel in relation to dieback and weeds risk, potential impacts and management.	During construction	PNC	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request R04 - Yanchep 14B Site Induction R08 - RJV Site Induction Sign In register page 1 R08 - RJV Site Induction Sign In register page 2	No clearing or earthworks were undertaken during the audit period; however dieback and weeds were not mentioned in the contractor's environmental induction.  Dieback and weed risks, impacts and management actions are included in the RJV management plan. However, as they are not included in the environmental induction and there is no way to verify if all construction workers were made aware of dieback and weed risks, potential impacts, and management actions.  <b>Recommendation:</b> Dieback and weeds risk, potential impacts and management actions should be included in the environmental induction. Alternatively, the induction register can have a check box stating that the individual has read and understood the contractor HSE management plan, which includes appropriate details pertaining to dieback and weeds.
CBCAMP 12	Table 4 Make sure all vehicles; machinery and equipment are clean prior to entering site.	During construction	Conformant	R03 - Weed and seed inspection register	A weed and seed hygiene register were provided to the auditor. The weed and seed hygiene inspection register listed machine numbers, the date that the vehicle was cleaned, inspected and delivered on site. This was provided by RJV and confirmed that vehicles were clean on arrival, prior to entering site.  This area was already cleared and there was no imported material or earthworks in this stage.
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	Conformant	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request P03 - Black Cockatoo Boundary Fencing 1 P04 - Black Cockatoo Boundary Fencing 2	No clearing or earthworks were undertaken during the reporting period. Fencing has been erected around undeveloped portions of estate including areas of vegetation retention. Therefore, access has been restricted in these areas.  Unauthorised access is included within the RJV environmental induction, restricted access is not.  <b>Opportunity for improvement:</b> Information on restricted access and areas of the project that are restricted should be included in the environmental induction so all construction personnel area aware of the risks involved and areas to stay clear of.
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	NA	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request	No clearing adjacent to intact native vegetation was undertaken during the audit period, therefore weed inspections were not required. The CBC potential breeding habitat to be retained as POS areas (1.04 ha) is located approximately 1.2 km from the current construction and access is restricted to this area by fencing.
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	NA	Refer to CBCAMP14	Refer to CBCAMP 14. No clearing or earthworks were undertaken during the audit period, therefore weed inspections were not required.

Reference	Key action	Timing	Conformance status	Evidence	Comments
		stage is completed, whichever comes first			
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 CBCAMP14	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	NA	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request Management advice 14 June 2021	Management advised that 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	Conformant	R06 - CHSE Management Plan - Yanchep Golf Estate C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request	<p>The RJV Environmental Management Plan states that:</p> <ul style="list-style-type: none"> <li>• Work areas, cribs, offices, plant and work vehicles shall be maintained in a clean, tidy and hygienic state.</li> <li>• All access ways shall be maintained free of trip hazards and obstructions.</li> <li>• Waste shall be cleaned up progressively and be appropriately contained and segregated.</li> </ul> <p>Management advice from 14 June 2021 confirmed that the site was left clean and tidy.</p> <p><b>Opportunity for improvement:</b> Include this requirement in a monthly checklist. Checks for this condition include:</p> <ul style="list-style-type: none"> <li>• Bins lids closed</li> <li>• No airborne litter</li> <li>• No litter in surrounding vegetation</li> <li>• Waste placed in correct bin</li> <li>• Construction waste not left on ground</li> </ul>
CBCAMP 19	Table 5 Undertake street tree landscaping using known Carnaby's Black-Cockatoo foraging sources such that: 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	Conformant	R05 - Yanchep Golf Verge Tree Audit Jan 2020 – Current R01 - Yanchep Golf Estate ACR (Rev 0) R07 - Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014 7146) ACR 2018 R02_Strategen_Carnaby's Black Cockatoo Avoidance and Mitigation Plan_21062016	<p>There was no street tree planting or POS planting during the 2019, 2020 or 2021 audit periods. Verge tree planting did occur (R05) with a total of 17 trees installed as per species listed on street tree planting list (R02). However, as these street trees are claimed as part of the front landscaping bonuses, they do not contribute to the 50% CBC target.</p> <p>Based on planting undertaken during previous audit periods, and as per the 2018 ACR (R07) approximately 61% of the street trees and POS trees and shrubs planted are CBC species; and therefore, the target is on track to being met.</p>
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"> <li>• arrange nursery contracts for plants and/or seedling propagation if required.</li> <li>• ensure the quantities of plants are available for pick-up or delivered to the contractor.</li> </ul>	During construction	Conformant	R05 - Yanchep Golf Verge Tree Audit Jan 2020 – Current R01 - Yanchep Golf Estate ACR (Rev 0) R07 - Strategen_Lot 609 Yanchep Beach Road Yanchep (EPBC 2014 7146) ACR 2018	<p>There was no street tree or POS planting undertaken during the 2019, 2020 or 2021 audit periods of which contributed to the 50% target (refer to CBCAMP 19, C_003). This item was assessed as compliant during the 2017/2018 audit, during which 103 plants (both trees and shrubs) and 27 trees were planted within POS and streetscapes respectively.</p>
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	Conformant	C02 - Peet 2021 Yanchep Golf Annual Compliance Report - Evidence Request	Management confirmed that there is no evidence of any significant rabbit infestation.

## **Appendix B EPBC 2014/7106**



## 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

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**person to whom the approval is granted**

Peet Funds Management Limited

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**proponent's ACN**

145 992 169

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**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].

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**Approval decision**

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

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**conditions of approval**

This approval is subject to the conditions specified below.

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**expiry date of approval**

This approval has effect until 31 December 2029.

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**Decision-maker**

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**name and position**

Dr Simon Banks  
Assistant Secretary  
West Assessment Branch

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**signature**

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**date of decision**

13 June 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.
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*.

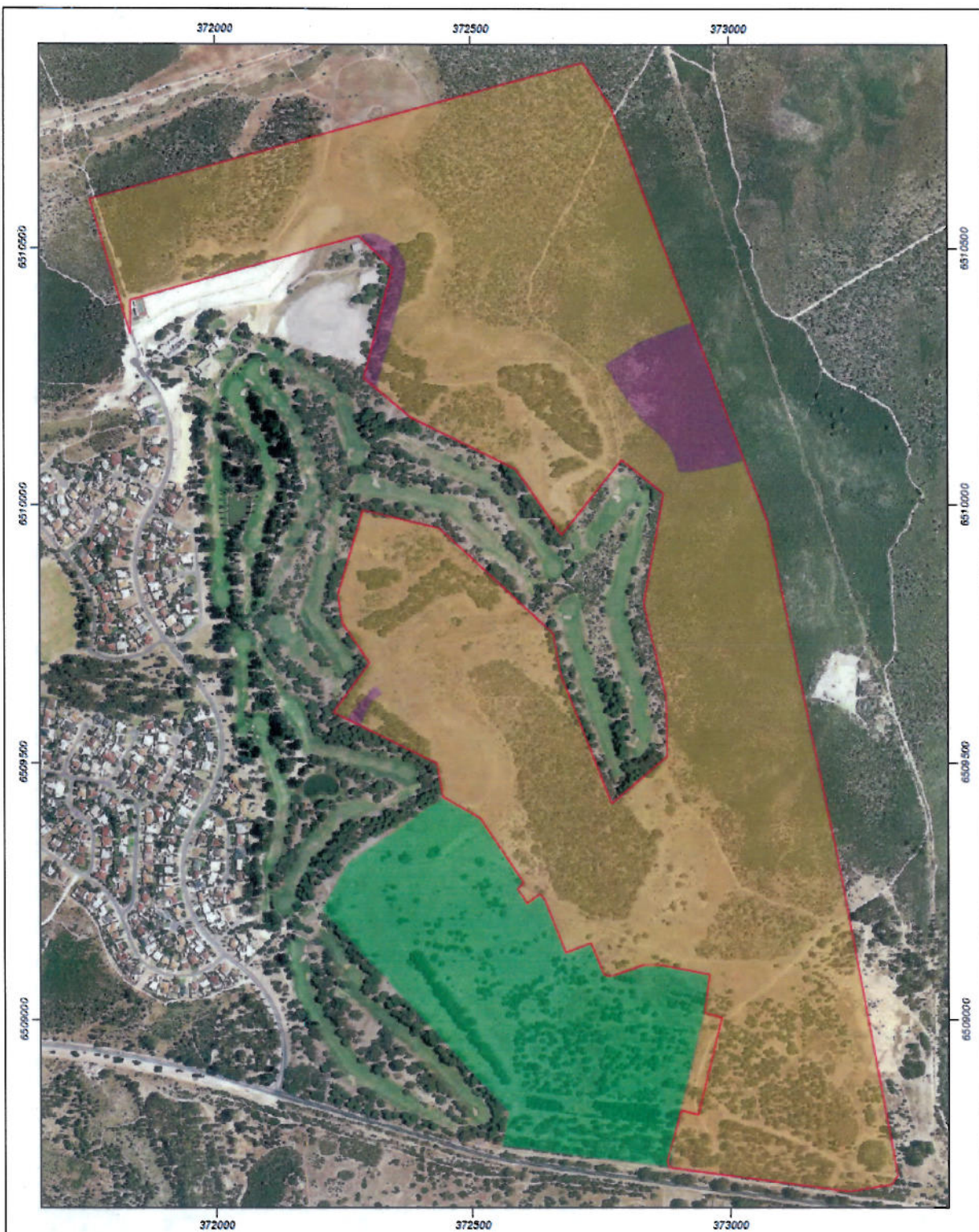


Figure 2 Proposed Action

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

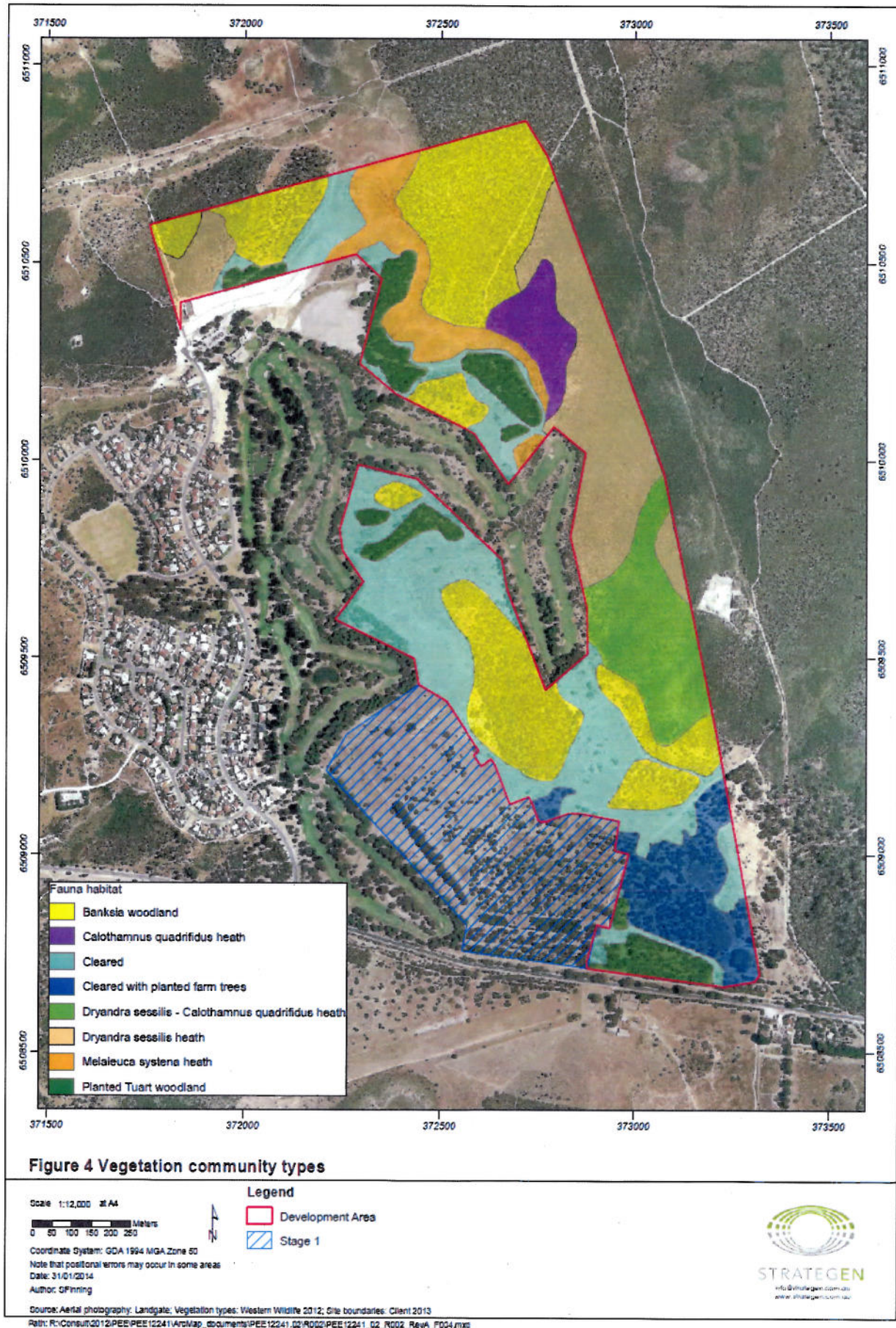
Path: Q:\GIS\Consult\2012\PEE\PEE1224\AeroMap\_documents\PEE12241\_02\RD02\PEE12241\_02\_RD02\_RevA\_FD02.mxd

## Legend

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








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