

2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale

Project No: EP16-009(32)

**Prepared for Peet Stratton Pty Ltd
August 2023**



2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale



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1	August 2023	Samuel Luckas	SPL	Jason Hick	JDH
	Document for submission				

2023 Compliance Report for EPBC Approval 2017/8066

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Executive Summary

This Annual Compliance Report (ACR) has been prepared on behalf of Peet Stratton Pty Ltd (the Proponent), to satisfy the requirements of condition 16 of *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval 2017/8066. The approved action is the residential development of Lot 102 Farrall Road, Midvale, WA, which was approved on 27 July 2021 and substantially commenced on 20 June 2022.

The objective of this ACR is to detail the actions undertaken as part of implementing the approved action (i.e. the residential development) from 20 June 2022 to 20 June 2023 (herein referred to as the 'reporting period') and assess compliance with conditions of the approval within the reporting period.

Works completed the reporting period have included clearing of native and non-native vegetation, bulk earthworks and civil works within Lot 102, with the entirety of the Development Footprint cleared of native and non-native vegetation. Specifically, the works completed involved the construction of a new road through Lot 102 (Farrall Road) and other internal subdivision roads, installation of an acoustic wall alongside the rail line along the eastern boundary of Lot 102, installation of services (water, power and sewer) and completion of residential lots for sale.

During the reporting period, compliance has been achieved against the conditions, primarily associated with the following activities:

- Undertaking clearing in accordance with the areas specified in the conditions, including the installation of temporary conservation fencing around the Conservation Area (only temporary until permanent fencing is installed).
- Implementation of revegetation and rehabilitation works through in accordance with the approved Rehabilitation and Vegetation Management Plan (RVMP).

A number of approval conditions were determined to be 'not applicable' during the reporting period, given their pre-requisite requirements had not been triggered. This includes Conditions 5, 6, 7, 8, 9, 13, 16, 19, 20, 21, 22, 23, 24, 25.

During the next reporting period (20 June 2023 to 20 June 2024), the key actions and items that are likely to occur include:

- Completion of the development works within the Development Footprint, in accordance with the approved clearing limits.
- Sale of residential lots and legal transfer of titles to residential purchasers.
- Completion of permanent conservation fencing installation around the Conservation Area.
- Ongoing implementation of the *Rehabilitation and Vegetation Management Plan - Lot 102 Farrall Road, Midvale* (Emerge Associates 2021) (RVMP) rehabilitation and revegetation works, including monitoring and maintenance (inclusive of weed control works).

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List of Abbreviations

Table A01: Abbreviations – General terms

General terms	
ACR	Annual compliance report
CAR	Compliance Annual Report
MNES	Matters of national environmental significance

Table A02: Abbreviations – Units of measurement

Units of measurement	
km	Kilometre
ha	Hectare
m	Metre

Table A03: Abbreviations – Organisations

Organisations	
DAWE	Department of Agriculture, Water and the Environment
DBCA	Department of Biodiversity, Conservation and Attractions
CoS	City of Swan

Table A04: Abbreviations – Planning terms

Planning terms	
TPS	Town planning scheme

Table A05: Abbreviations – Legislation

Legislation	
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>

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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:

A handwritten signature in blue ink, appearing to read 'Craig Raynor', written over a horizontal line.

Full name (Please print):

Craig Raynor

Position (please print):

Project Director

Organisation (please print including ABN/ACN if applicable):

Peet Stratton Pty Ltd (ACN 31 169 385 139)

Date: 11 September 2023

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1 Introduction

1.1 Purpose

This Annual Compliance Report (ACR) has been prepared on behalf of Peet Stratton Pty Ltd (the Proponent), to satisfy the requirements of condition 18 of *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval 2017/8066 (EPBC 2017/8066). Condition 16 requires the proponent to publish an ACR addressing compliance with each condition of EPBC 2017/8066, and states:

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

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

1.2 Scope

The action substantially commenced on 20 June 2022. The reporting period reflects the annual anniversary of the commencement of the action. This ACR is to be published to the Proponent's website within 60 business days after the anniversary of the commencement date of the action. On this basis, the reporting period covers the period of 20 June to 20 June each year and each ACR should be available on the proponent's website by 12 September annually (60 business days after 20 June).

The objectives of this ACR are to detail the actions undertaken within the development from 20 June 2022 to 20 June 2023 (herein referred to as the 'reporting period') and assess compliance with conditions of the approval during the reporting period.

The details of compliance with each condition under EPBC 2017/8066 are presented in **Table 2**.

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2 Project status

The action being implemented involves the residential development of Lot 102 Farrall Road, Midvale, Western Australia (**Figure 1**). The approved *Farrall Road Local Structure Plan (CLE 2016)* guides implementation of development, and provides for:

- Residential development of the eastern portion of the LSP (Lot 102), including:
 - Residential lots
 - Public open space reserves
 - District distributor B, road network
 - Noise wall
- A public open space reserve has been provided within the LSP to allow for the retention of Bush Forever Site 309, a 50 m buffer to the eastern portion of Bush Forever Site 309 which contains the wetland, and the protection of the largest and best condition patch of intact native vegetation within Lot 102, which is also identified as being a threatened ecological community.

The approved action associated with EPBC 2017/8066 is to clear vegetation and develop part of Lot 102 for residential purposes. The spatial extent of the action is shown in **Figure 1** and comprises the vegetated areas in the north of Lot 102 which are zoned for development, referred to as the 'Development Footprint'.

Works completed the reporting period have included clearing of native and non-native vegetation, bulk earthworks and civil works throughout Lot 102, with the entirety of the Development Footprint cleared of native and non-native vegetation. Specifically, the works completed involved the construction of a new road through Lot 102 (Farrall Road) and other internal subdivision roads, installation of an acoustic wall alongside the rail line along the eastern boundary of Lot 102, installation of services (power, water and sewer) and completion of residential lots for sale.

Figure 2 shows the development status and works completed over the reporting period. The extent of clearing during the reporting period is discussed further in **Table 2** in relation to compliance with Condition 1.

During the reporting period, compliance has been achieved against the conditions, primarily associated with the following activities:

- Undertaking clearing in accordance with the areas specified in the conditions, including the installation of temporary conservation fencing around the Conservation Area (temporary until permanent fencing is installed).
- Implementation of revegetation and rehabilitation works through in accordance with the approved Rehabilitation and Vegetation Management Plan (RVMP).

Photo evidence is provided in **Appendix A**.

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3 Compliance Assessment

3.1 Terminology used

The terminology applied in the compliance assessment is consistent with the designations outlined in the *Annual Compliance Report Guidelines* (DCCEEW 2014), as outlined in **Table 1**.

Table 1: Compliance terminology

Compliance status term	Abbreviation	Description
Compliant	C	Where all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Non-compliant	NC	Where 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	NA	Where 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.

3.2 Compliance table

Table 2 provides an assessment of compliance against each of the approval conditions for the reporting period.

3.3 Evidence Register

A range of supporting/verifying information was utilised to prepare this ACR, including:

- Correspondence received from DWER
- Environmental assessment reports provided by Emerge Associates.

A register of supporting evidence for the assessment of implementation of EPBC 2017/8066 conditions are referenced in **Appendix A** and provided separately in electronic format. It should be noted that further supporting evidence, should it be required, can be provided upon request.

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Table 2: List of approval conditions and current compliance status for EPBC 2017/8041

No.	Condition wording	Compliance	Evidence/comments
1	The approval holder must not clear more than 0.23 hectares of Shrublands and Woodlands of the Eastern Swan Coastal Plain Threatened Ecological Community (SWESCP) within the Development Footprint. The approval holder must not clear outside of the Development Footprint.	C	As shown in Figure 3 , 0.23 ha of SWESCP was cleared during the reporting period within the development footprint. This is the entirety of SWESCP within the Development Footprint.
2	To minimise impacts to the SWESCP, the approval holder must fully comply with and implement all parts of Conditions 6-1, 6-2, 6-3, 6-4, 6-5 and 6-6 of the WA Conditions.	C	<p>The works undertaken to date are compliant with conditions 6-1, 6-2, 6-3, 6-4, 6-5 and 6-6 of the WA Conditions. Details and further evidence of these conditions have been provided in the Ministerial Statement compliance assessment report attached as Appendix B.</p> <p>In terms of a summary of the compliance with these conditions:</p> <p>6-1 The proponent has substantially commenced implementation of the proposal. Disturbance works have been undertaken within the disturbance footprint, as shown in Figure 1. The retention of native vegetation within the conservation area and the implementation of the RVMP has been undertaken in accordance with this condition.</p> <p>6-2 Consultation with the DBCA and City of Swan was undertaken and Emerge compiled the revised Rehabilitation and Vegetation Management Plan (EP16-009(09)—097D TAA) Version E in July 2021 (R001, refer to the evidence table in Appendix A) and submitted the report for approval.</p> <p>6-3 The implementation of the Rehabilitation and Vegetation Management Plan (RVMP) has met the criteria as outlined in condition 6-3. The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS 1163 and was approved by DWER on 14 September 2021 (L001, refer to the evidence table in Appendix A).</p> <p>6-4 Written notice was provided approved by DWER on 14 September 2021 (L001, refer to the evidence table in Appendix A).</p> <p>6-5 The Rehabilitation and Vegetation Management Plan satisfies condition 6-1 and 6-3 of MS 1163 and was approved by DWER on 14 September 2021. The latest version is being implemented (L001, refer to the evidence table in Appendix A).</p> <p>6-6 To date, there has been no evidence or indication that the management target(s) specified in the Rehabilitation and Vegetation Management Plan have not been achieved, noting that the RVMP implementation remains in progress.</p>

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No.	Condition wording	Compliance	Evidence/comments
3	The approval holder must implement the Rehabilitation and Vegetation Management Plan (RVMP).	C	<p>Emerge Associates (2021), on behalf of the Proponent, prepared a Rehabilitation and Vegetation Management Plan (RVMP) to guide the implementation of revegetation works required under Condition 3. The RVMP objectives align with the revegetation completion criteria specified in the approval, to ensure the revegetation approach and effort is sufficient to meet these criteria. The Proponent continues to implement revegetation works with the objective of meeting the completion criteria after a minimum of 5 years.</p> <p>Implementation of the RVMP commenced in July 2021 with a range of preparation works being undertaken within the POS area between commencement and April 2023. A monitoring and evaluation report for the RVMP was completed by (Emerge Associates 2023) for the 2022-2023 reporting period (R002, refer to the evidence table in Appendix A).</p> <p>Revegetation works were implemented during the reporting period by Tranen on behalf of the Proponent, which included a number of weed control and revegetation events within approximately 3.3ha of vegetation communities which included the SWESCP TEC (R003, R004, R005, refer to the evidence table in Appendix A).</p> <p>RVMP management areas defined within the 'rehabilitation area' are shown in Figure 5 and guide the implementation of management works. The northern portion is not identified for native vegetation management and will be comprise a landscaped area within public open space. In this area landscaping will be conducted to create amenity and opportunities for recreation. A portion of this public open space area will be planted with species suitable for foraging by Carnaby's cockatoo.</p> <p>Monitoring from representatives of the proponent (Tranen Revegetation Systems) and Emerge Associates is expected to continue for the next reporting period 2023-2024.</p>
4	To minimise the impacts to the quality and condition of SWESCP within the Conservation Area arising from the action (whether indirectly or directly), the approval holder must construct conservation fencing around the entire boundary of the Conservation Area prior to undertaking any clearing.	C	<p>Temporary conservation fencing was installed around the Conservation Area as per condition 4, the location of which is shown in Figure 5 with photographic evidence provided in Appendix A.</p> <p>This temporary conservation fencing was put in place before clearing commenced and remained for the entirety of the reporting period. A non-statutory request for evidence to be provided to the Department of the fencing installation (E002 refer to the evidence table in Appendix A) was attempted to be responded to during the reporting period, however the relevant photographs are included in Appendix A.</p>

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No.	Condition wording	Compliance	Evidence/comments
			For future reporting periods, the temporary conservation fencing will be replaced with permanent conservation fencing.
5	The approval holder must provide the Department, within sixty-three months from the date of commencement of the action, or another timeframe agreed to in writing by the Minister, a written report certified by an independent suitably qualified ecologist providing evidence as to whether the completion criteria have been achieved and, if they have not been achieved, recommending any changes that should be made to the RVMP and advising within what timeframe the completion criteria are likely to be achieved if the RVMP, so revised, is implemented.	NA	No changes have been made to the RVMP and as such this requirement was not applicable during the reporting period.
6	<p>If the written report certified by an independent suitably qualified. ecologist recommends that changes should be made to the RVMP:</p> <ul style="list-style-type: none"> a. within forty business days of having received the written report certified by an independent suitably qualified ecologist the approval holder must submit to the Department for the Minister's approval a version of the RVMP revised in accordance with the recommendations of the independent suitably qualified ecologist; b. the Minister may further revise the Rehabilitation and Vegetation Management Plan to ensure it is in accordance with the recommendations of the independent suitably qualified ecologist and current scientific advice; c. the approval holder must implement the revised Rehabilitation and Vegetation Management Plan as and commencing when it is approved by the Minister. 	NA	No changes have been made to the RVMP and as such this requirement was not applicable during the reporting period.
7	<p>The approval holder must not relinquish or transfer ownership of the Conservation Area to another entity unless the Minister has agreed in writing to the proposed transfer and the entity to assume responsibility for the Conservation Area. The Minister will not provide such agreement unless the approval holder has provided the Department with:</p> <ul style="list-style-type: none"> a. a written report certified by an independent suitably qualified ecologist providing evidence that the completion criteria have been achieved; 	NA	The Conservation Area is still under ownership of the proponent. As per the subdivision plan, a lot will be created to include the conservation area, after which the proponent will hold until it until it is transferred to the local government.

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No.	Condition wording	Compliance	Evidence/comments
	<p>b. detailed evidence that the entity to assume responsibility for the Conservation Area has committed to accept responsibility for the Conservation Area and continue to implement the RVMP in perpetuity in full knowledge of what funds it will receive for this purpose from the approval holder;</p> <p>c. evidence that the entity to assume responsibility for the Conservation Area has committed to commission a survey after ten years from the date of transfer to the entity (and at least one year before the end date of this approval) by an Independent suitably qualified ecologist to determine whether the completion criteria are met and provide the report of the survey to the Department within 20 business days; and</p> <p>d. detailed evidence that the entity to assume responsibility for the Conservation Area is capable of implementing the RVMP in perpetuity.</p>		
8	The approval holder must notify the Department in writing within 2 business days of formally proposing any change to the WA conditions for which condition 2 applies. The approval holder must notify the Department in writing of any change to the WA conditions for which condition 2 applies within 5 business days of becoming aware of the State Government making such a change.	NA	No changes have been proposed or made to the WA conditions, and as such this requirement was not applicable during the reporting period.
9	The approval holder must provide the Department with any documents required under WA Condition 6-6 within 2 business days of those documents being provided to the Western Australian Government.	NA	No notification/ request relating to Condition 6-6 of the Ministerial Statement has been provided and as such this requirement was not applicable during the reporting period.
10	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	C	The approval holder notified the Department in writing of the date of commencement of action on the 4 July 2022, within 10 business days after the commencement of action (L002, E001 refer to the evidence table in Appendix A).
11	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	C	The action commenced on the 20 June 2022, within 5 years of the date of the EPBC Approval (2 July 2018).
12	The approval holder must maintain accurate and complete compliance records.	C	The approval holder maintains accurate and complete compliance records as required by this condition. This is demonstrated through the preparation of this ACR.

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No.	Condition wording	Compliance	Evidence/comments
13	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	NA	The Department has not made any such requests under this condition to date. As such, this condition is currently not applicable.
14	<p>The approval holder must:</p> <ul style="list-style-type: none"> a. Submit plans electronically to the Department; b. Unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date: <ul style="list-style-type: none"> i. of this approval, if the version of the plan to be implemented is specified in these conditions; or ii. that the plan is submitted to the Minister or the Department if the plan does not require the approval of the Minister but was not finalised before the date of this iii. that the plan was approved by the Minister in writing, if the plan requires the approval of the Minister; iv. that the plan was approved by the CEO in writing, if the plan requires the approval of the CEO; or v. a revised action management plan is submitted to the Minister or the Department. c. exclude or redact sensitive ecological data from plans to be published on the website or to be provided to a member of the public; and d. keep plans published on the website until the end date of this approval. 	C	<p>The RVMP was submitted electronically to the Department. The RVMP was published and is publicly available at the following website:</p> <p>https://www.peet.com.au/communities/perth-and-wa/movida-estate/purchaser-and-builder-information/building-covenants-and-approvals</p>
15	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata produced under a plan, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.	C	Monitoring reports comply with the guidelines (R002 refer to the evidence table in Appendix A). The monitoring report that was provided to address Ministerial Statement 1163 CAR is now provided to the Department to support this ACR.

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No.	Condition wording	Compliance	Evidence/comments
16	<p>The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a. publish each compliance report on the website within 60 business days following the relevant 12-month period; b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report and documentary evidence providing proof of the date of publication of the report within 5 business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports to be published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. 	NA	<p>This ACR is the first to be prepared for EPBC 2017/8066.</p> <p>No previous annual compliance reports have been prepared and as such this condition is not applicable in this instance.</p> <p>This ACR will be published in accordance with the requirements of Condition 16.</p>
17	The approval holder must establish a compliance risk management system, prior to the commencement of the action to prevent incidents of non-compliance with these approval conditions, prior to the commencement of the action.	C	A compliance risk management system was established by the approval holder prior to the commencement of action (D001, refer to the evidence table in Appendix A).
18	The approval holder must provide evidence of the compliance risk management system to the Department prior to the commencement of the action.	C	<p>The compliance risk management system was provided to the Department prior to the commencement of action.</p> <p>On 15 July 2022, the Department acknowledged the commencement of the action (L003, refer to the evidence table in Appendix A).</p>
19	The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than	NA	No incidents have been noted or reported and as such this requirement was not applicable during the reporting period.

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No.	Condition wording	Compliance	Evidence/comments
	<p>2 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a. any condition which is or may be in breach; b. a short description of the incident and/or non-compliance; and c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available. 		
20	<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder. 	NA	No incidents have been noted or reported and as such this requirement was not applicable during the reporting period.
21	<p>The approval holder must ensure that an independent audit of compliance with the conditions is conducted for the three-year period from the commencement of the action and subsequently as requested in writing by the Minister.</p>	NA	No requests for an independent audit have been made by the Minister to date. This ACR is the first to be prepared for EPBC 2017/8066 covering the first reporting period between 20 June 2022 and 20 June 2023. The third year period from the commencement of action will be in 2025.
22	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria. 	NA	No requests for an independent audit have been made by the Minister to date as this is the first year of annual compliance reporting.

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No.	Condition wording	Compliance	Evidence/comments
23	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	NA	Given no audits have been requested to date, no audit reports currently exist.
24	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.	NA	No request has been made to apply to the Minister for a variation to an action management plan and as such this requirement was not applicable during the reporting period.
25	Within 20 business days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	NA	At the end of the reporting period, the action was still ongoing and was yet to be completed. It is anticipated that the action will not be completed for a number of years.

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4 Conclusions

Works completed associated with the implementation of the action during the reporting period have involved the clearing of native and non-native vegetation, bulk earthworks and civil works throughout the development footprint within Lot 102. The works included the construction of a new road through Lot 102 (Farrall Road) and other subdivision roads, installation of services (water, power, wastewater) and an acoustic wall alongside the rail line along the eastern boundary of Lot 102.

During the reporting period, compliance has been achieved against the conditions, primarily associated with the following activities:

- Undertaking clearing in accordance with the areas specified in the conditions, including the installation of temporary conservation fencing around the Conservation Area.
- Implementation of revegetation and rehabilitation works through in accordance with the approved Rehabilitation and Vegetation Management Plan (RVMP).

A range of approval conditions were determined to be 'not applicable' during the reporting period, given their pre-requisite requirements had not been triggered. This includes Conditions 5, 6, 7, 8, 9, 13, 16, 19, 20, 21, 22, 23, 24, 25.

During the next reporting period (2023-2024 reporting period), the key actions and items that are likely to occur include:

- Ongoing development works within the Development Footprint, in accordance with the approved clearing limits.
- Ongoing implementation of the *Rehabilitation and Vegetation Management Plan - Lot 102 Farrall Road, Midvale* (Emerge Associates 2021) (RVMP) rehabilitation and revegetation works. This has already commenced and included the planting of 3,174 seedlings on 12 July 2023 by Tranen (on behalf of the Proponent) across multiple zones.
- Ongoing weeding control including spot sprays using glyphosate and metsulfuron in revegetation areas.
- During future reporting periods, the temporary conservation fencing will be replaced with permanent conservation fencing. Currently, only a small portion of permanent conservation fencing is located on the western boundary of the conservation area, with the rest being temporary.

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5 References

CLE Town Planning & Design (CLE) 2016, *Farrall Road Local Structure Plan*.

Emerge Associates 2021, *Rehabilitation and Vegetation Management Plan - Lot 102 Farrall Road, Midvale*, EP16-009(09)--097E TAA, Version E.

Emerge Associates 2023, *Technical Memorandum Rehabilitation and Vegetation Management Plan - Monitoring and Evaluation Report 2022-2023 Lot 102 Farrall Road, Midvale*, EP16-009(29)—200 SKP, A.

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Figures



Figure 1: Site location

Figure 2: Project Status

Figure 3: TEC Extent

Figure 4: RVMP Management Areas

Figure 5: Conservation Fencing

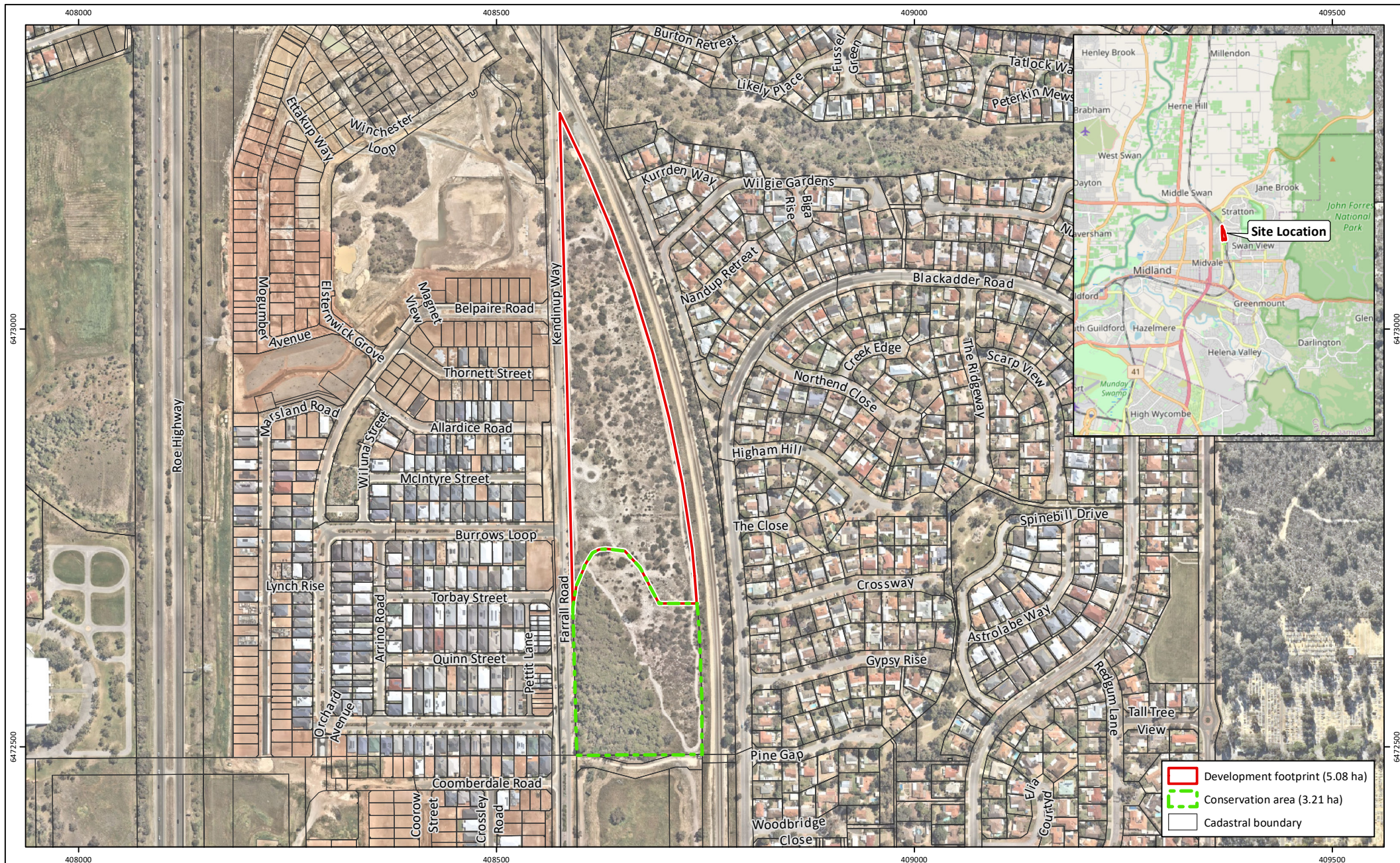


Figure 1: Site Location

Project: 2023 EPBC Annual Compliance Report
Client: Lot 102 Farrall Road, Midvale
 Peet Stratton Pty Ltd

Plan Number:
 EP16-009(32)-F207
Drawn: GAR
Date: 08/09/2023
Checked: SPL
Approved: JDH
Date: 08/09/2023



0 100 200
 Metres
 Scale: 1:6,000@A4
 GDA 1994 MGA Zone 50

emerge
 ASSOCIATES

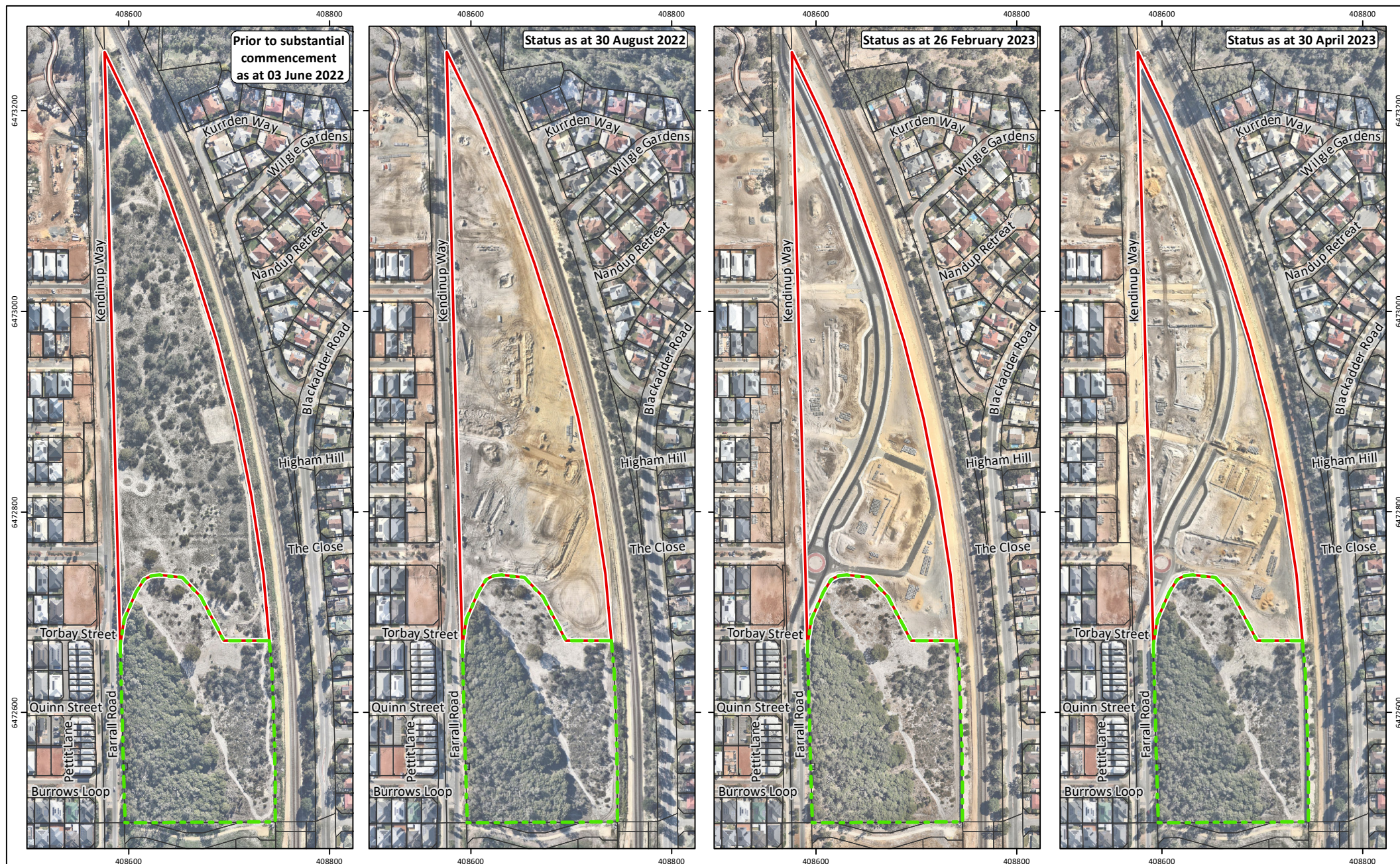


Figure 2: Project Status

Project: 2023 EPBC Annual Compliance Report
 Lot 102 Farrall Road, Midvale
Client: Peet Stratton Pty Ltd

- Development footprint
- Conservation area
- Cadastral boundary

Plan Number:
 EP16-009(32)--F208
Drawn: GAR
Date: 08/09/2023
Checked: SPL
Approved: JDH
Date: 08/09/2023



0 50 100 150
 Metres
 Scale: 1:5,000@A4
 GDA 1994 MGA Zone 50

emerge
 ASSOCIATES



Figure 3: TEC Extent

Project: 2023 EPBC Annual Compliance Report
 Lot 102 Farrall Road, Midvale
Client: Peet Stratton Pty Ltd

- ▬ Development footprint
- - - Conservation area
- Threatened Ecological Communities
- Shrublands and woodlands of the eastern Swan Coastal Plain

Plan Number:
 EP16-009(32)--F209
Drawn: GAR
Date: 08/09/2023
Checked: SPL
Approved: JDH
Date: 08/09/2023



0 100 200
 Metres
 Scale: 1:5,000@A4
 GDA 1994 MGA Zone 50

emerge
 ASSOCIATES

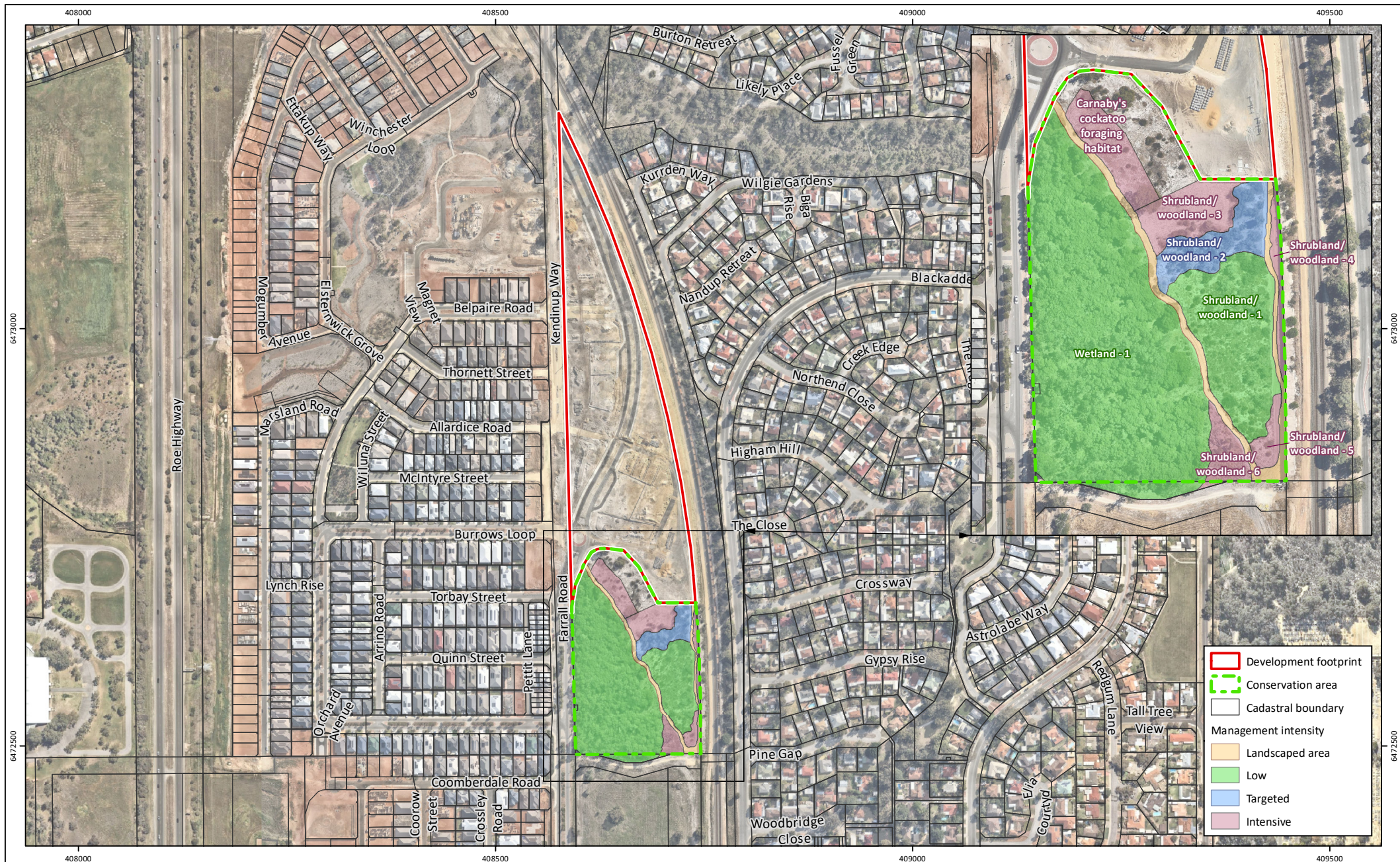


Figure 4: RVMP Management Areas

Project: 2023 EPBC Annual Compliance Report
 Lot 102 Farrall Road, Midvale
Client: Peet Stratton Pty Ltd

Plan Number:
 EP16-009(32)--F210
Drawn: GAR
Date: 08/09/2023
Checked: SPL
Approved: JDH
Date: 08/09/2023



0 100 200
 Metres
 Scale: 1:6,000@A4
 GDA 1994 MGA Zone 50

emerge
 ASSOCIATES

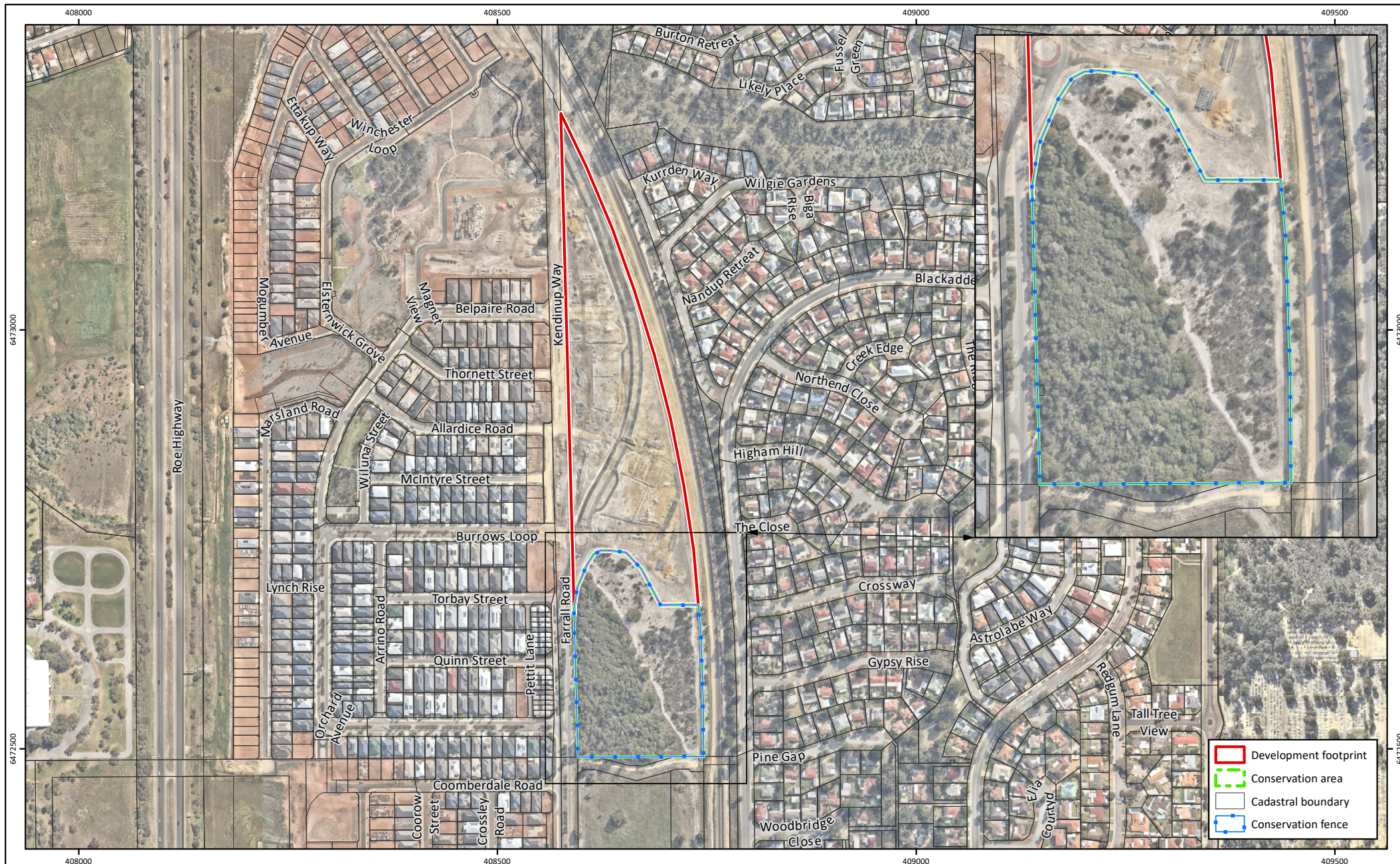


Figure 5: Conservation Fencing

Project: 2023 EPBC Annual Compliance Report
Client: Lot 102 Farrall Road, Midvale
 Peet Stratton Pty Ltd

Plan Number:
 EP16-009(32)--F211
Drawn: GAR
Date: 08/09/2023
Checked: SPL
Approved: JDH
Date: 08/09/2023



0 100 200
 Metres
 Scale: 1:6,000@A4
 GDA 1994 MGA Zone 50

emerge
 ASSOCIATES

Appendix A

Evidence Register



2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale Lot 102 Farrall Road, Midvale



Appendix A: Evidence

Table A1: Evidence Register- Supporting/ Verifying Information

Type of information	Unique code	Document title/ information description
Report	R001	Rehabilitation and Vegetation Management Plan Version E, Emerge Associates 2021
Report	R002	Rehabilitation and Vegetation Management Plan - Monitoring and Evaluation Report 2022-2023, Emerge Associates
Report	R003	Movida Revegetation- Emerge Associates Post Activity Report 15 July – 24 August 2022 (Tranen)
Report	R004	Movida Revegetation- Emerge Associates Post Activity Report 27 Sept – 13 Dec 2022 (Tranen)
Report	R005	Movida Revegetation- Emerge Associates Post Activity Report May – July 2023 (Tranen)
Letter	L001	Rehabilitation and Vegetation Management Plan Approval, DWER 2021
Letter	L002	Lot 102 Farrall Road, Stratton, WA (EPBC 2017-8066): Notification of Commencement of Action, Emerge Associates
Letter	L003	DCCEEW: Commencement of the Action – EPBC 2017/8066
Email	E001	EPBC Approval 2017-8066 - Notice of Commencement
Email	E002	EPBC Approval 2017-8066 - Notice of Commencement Additional
Document	D001	Risk Register Movida Compliance Framework

Table A2: Photo evidence descriptions as per Appendix A

Photo/ Plate No.	Date Taken	Description
1	05/09/23	Acoustic wall constructed on the eastern boundary of Lot 102, alongside rail line. This noise wall was constructed as per SPP 5.4 Road and Rail Noise Requirements.
2	05/09/23	Development works undertaken throughout the reporting period, including clearing of vegetation, earthworks, bulk earthworks and civil works throughout Lot 102, as well as installation of services and completion of residential lots for sale.
3, 4	05/09/23	Revegetation works undertaken by Tranen. Revegetation works were implemented during the reporting period by Tranen, which included a number of weed control and revegetation events within approximately 3.3ha of vegetation communities which included the SWESCP TEC. Recently, as part of future works, the revegetation included planting of 3,174 seedlings on 12 July 2023 across multiple zones.
5	05/09/23	Current condition of the SWESCP. Rehabilitation works were undertaken by Tranen as per RVMP.
6	05/09/23	Permanent conservation fencing installation on the western side of the conservation area.
7, 8, 9	16/06/22	Temporary fencing installed around the conservation area prior to commencement of action as per condition 4.

2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale Lot 102 Farrall Road, Midvale



Appendix A: Photographic Evidence



Plate 1: 05/09/2023 Constructed noise wall on the eastern boundary of Lot 102.



Plate 2: 05/09/23 Development works undertaken during the reporting period.

2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale Lot 102 Farrall Road, Midvale



Plate 3: 05/09/23 Revegetation works undertaken by Proponent.



Plate 4: 05/09/23 Revegetation works undertaken by Proponent.

2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale Lot 102 Farrall Road, Midvale



Plate 5: 05/09/2023 TEC SWESCP Vegetation current condition.



Plate 6: 16/06/2022, fencing around conservation area prior to commencement of action.

2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale Lot 102 Farrall Road, Midvale



Plate 7: 16/06/2022, fencing around conservation area prior to commencement of action.



Plate 8: 16/06/2022, fencing around conservation area prior to commencement of action.

2023 Compliance Report for EPBC Approval 2017/8066

Lot 102 Farrall Road, Midvale Lot 102 Farrall Road, Midvale



Plate 9: 05/09/2023 conservation fencing installation.

Appendix B

Ministerial Statement CAR 2022 (Emerge Associates)



Compliance Assessment Report

Lot 102 Farrall Road, Midvale

Project No: EP16-009(30)

**Prepared for Peet Stratton Pty Ltd
April 2022**



Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Document Control

Doc name:	Compliance Assessment Report Lot 102 Farrall Road, Midvale				
Doc no.:	EP16-009(30)--192				
Version	Date	Author	Reviewer		
1	April 2022	Louis Winer	LSW	Sarah Beukes	SJB
	Issued for client review				
A	April 2022	Sarah Beukes	SJB	Jason Hick	JDH
	Updated version following client's comments				

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Compliance Assessment Report

Lot 102 Farrall Road, Midvale



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Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Appendices

Appendix A

Ministerial Statement 1163 Audit Table

Appendix B

Supporting/Verifying Information

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



1 Introduction

This Compliance Assessment Report (CAR) has been prepared to document compliance with Ministerial Statement No. 1163 (MS 1163), issued for implementation of the development of Lot 102 Farrall Road, Midvale, under the *Environmental Protection Act 1986* (EP Act). The CAR has been prepared in accordance with Condition 4-6 of MS 1163, as well as the Office of the Environmental Protection Authority (OEPA) Post Assessment Guideline No. 3 – *Post Assessment Guideline for Preparing a Compliance Assessment Report* (OEPA 2012a).

1.1 Project background

Peet Stratton Pty Ltd (Peet) is the proponent for the project that involves the subdivision and development of Lot 102 Farrall Road, Midvale (herein referred to as 'the site'). The project will involve the development of a portion of the residential estate known as 'Movida' and as broadly outlined in the 'Farrall Road Local Structure Plan' (Farrall Road LSP). The LSP incorporating the site (and wider area) was approved by the Western Australian Planning Commission (WAPC) in September 2016, although the project subject to MS 1163 only involves Lot 102 Farrall Road.

The site is located approximately 18 km north-east of the Perth Central Business District and is situated within the municipality of the City of Swan (CoS). The site is zoned 'urban' under the *Metropolitan Region Scheme* (MRS) and 'residential development' under the *Local Planning Scheme (LPS) No. 17*. The site is bound by the existing Farrall Road reserve to the west, the existing rail corridor to the north and east, and vacant lots to the south.

Numerous environmental investigations have been completed across the LSP area to date, which has identified the presence of a threatened ecological community (TEC), a Bush Forever site and a Multiple Use Wetland (MUW).

The banksia woodland vegetation within the site is known to include vegetation associated with FCT 20c, which represents the 'shrublands and woodlands of the eastern Swan Coastal Plain' TEC (Tauss & Associates 2016). This has been determined in the Gibson *et al.* (1994) regional floristic assessment of the southern Swan Coastal Plain.

Bush Forever Site 309 (Farrall Road Bushland, Stratton) is located in the south-western portion of Lot 102. The attributes contributing to the regional significance of Bush Forever Site 309 include the representation of ecological communities and general criteria for the protection of wetland, streamline and estuarine fringing and coastal vegetation. The south-eastern portion of both Lot 102 and Bush Forever Site 309 is mapped as part of a larger 'multiple use' management category wetland (unique feature identifier (UFI) 15136), which comprises vegetation in 'excellent' condition (Emerge Associates 2015).

A public open space (POS) reserve has been provided within the LSP to allow for the retention of Bush Forever Site 309, a 50 m buffer to the eastern portion of Bush Forever Site 309 which contains the wetland, and the protection of the largest and best condition patch of TEC within Lot 102. An independent expert review of TEC impacts and management was requested by the EPA which identified that management of the larger patch of TEC within the proposed POS area provided the

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



most practical conservation outcome for the occurrence of TEC within Lot 102 (van Etten 2019). The site also incorporates an area of landscaping to provide space and recreation facilities to members of the public.

An overview of the site and the area of conservation has been illustrated within **Plate 1**.

The project was granted approval on 1 February 2021 and subject to numerous implementation conditions and procedures under the *Environmental Protection Act 1986* (EP Act). At this stage, no construction works have commenced.

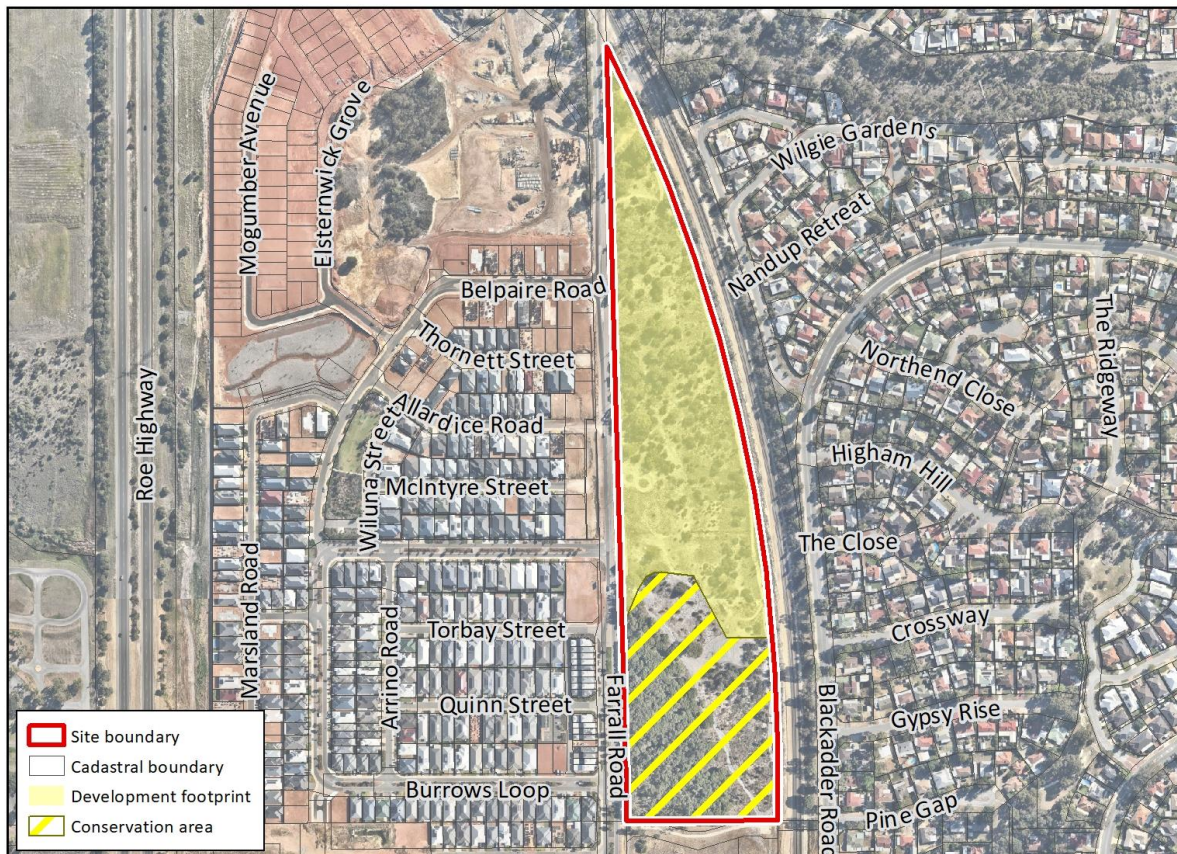


Plate 1: Project Location

1.2 Purpose and scope

This CAR documents compliance with conditions in MS 1163 for the period 1 February 2021 to 1 May 2022, in accordance with Condition 4-6 of MS 1163 which states:

The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



- *be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;*
- *include a statement as to whether the proponent has complied with the conditions;*
- *identify all potential non-compliances and describe corrective and preventative actions taken;*
- *be made publicly available in accordance with the approved Compliance Assessment Plan; and*
- *indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.*

This CAR documents compliance with condition environmental outcomes and condition environmental objectives identified in MS 1163, and the associated Rehabilitation and Vegetation Management Plan (RVMP).

1.3 Compliance Assessment Plan

This CAR has been developed in accordance with the Compliance Assessment Plan (CAP) (Emerge Associates 2021a) which was revised and subsequently approved by Department of Water and Environmental Regulation (DWER) on 15 June 2021. The revised and approved CAP is publicly available on Peet's website.

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



2 Summary of Implementation Status

The proponent has commenced initial site preparation works, though substantial commencement of the development has not yet occurred. On behalf of the proponent, Tranen Revegetation Systems and Emerge Associates have commenced initial site preparation works necessary to implement the RVMP. These works generally include; seed collection, pest and weed control, topsoil spreading, the salvage of plants for transplantation and baseline environmental monitoring.

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



3 Statement of Compliance

3.1 Proposal and proponent details

Proposal Title	Subdivision of Lot 102 Farrall Road, Midvale.
Statement Number	Ministerial Statement No. 1163
Proponent Name	Peet Stratton Pty Ltd
Proponent's Australian Company Number (where relevant)	169 385 139

3.2 Statement of compliance details

Reporting Period	01/02/2021 to 01/05/2022
-------------------------	--------------------------

Implementation phase(s) during reporting period (please ✓ relevant phase(s))							
Pre-construction	✓	Construction		Operation		Decommissioning	

Audit table for Statement addressed in this Statement of Compliance is provided at Attachment:	Appendix A
---	------------

An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2 to this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Department of Water and Environmental Regulation (DWER) *Post Assessment Guideline for Preparing an Audit Table*, as amended from time to time. The 'Status Column' of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1.

Were all implementation conditions and/or procedures of the Statement complied with within the reporting period?			
No (please proceed to Section 3)		Yes (please proceed to Section 4)	✓

Each page (including Attachment 2) must be initialled by the person who signs **Section 3.4** of this Statement of Compliance.

INITIALS: CR

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



3.3 Details of non-compliance(s) and/or potential non-compliance(s)

The information required in **Section 3.3** must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance

Not applicable as no non-compliances or potential non-compliances identified.

Which implementation condition or procedure was non-compliant or potentially non-compliant?

Was the implementation condition or procedure non-compliant or potentially non-compliant?

On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?

Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?

☐ Yes

☐ Reported to DWER verbally

Date

☐ No

☐ Reported to DWER in writing

Date

What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?

What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (Please provide this information as a map or GIS co-ordinates).

What was the cause(s) of the non-compliance or potential non-compliance?

What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?

What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?

Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:

- In the reporting period addressed in this Statement of Compliance; and
- As outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.

(the above information may be provided as an attachment to this Statement of Compliance.)

Each page (including Attachment 2) must be initialised by the person who signs **Section 3.4** of this Statement of Compliance.

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Compliance Assessment Report

Lot 102 Farrall Road, Midvale

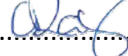


3.4 Proponent declaration

I, Craig Raynor - Senior Development Manager, (full name and position title)

declare that I am authorised on behalf of Peet Stratton Pty Ltd

(being the person responsible for the proposal) to submit this form and that the information contained in this form is true and not misleading.

Signature:  Date: 30/04/2022

Please note that:

- It is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- The Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

3.5 Submission of statement of compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

3.6 Contact information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)

Department of Water and Environmental Regulation

Postal Address: Locked Bag 10
Joondalup DC
WA 6919

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

3.7 Post assessment guidelines and forms

Post assessment documents can be found at www.epa.wa.gov.au

Each page (including Attachment 2) must be initialled by the person who signs **Section 3.4** of this Statement of Compliance.
INITIALS: **CR**

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



3.8 Statement of compliance - Attachment 1

Compliance status terms are provided in **Table 1**.

Table 1: Compliance Status Terms

Compliance Status Terms	Abbreviation	Definition	Notes
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> • Ongoing requirements that have been met during the reporting period; and • Requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> • Audit elements have a finite period of application (e.g. construction activities, development of a document); • The action has been satisfactorily completed; and • The DWER has provided written acceptance of a 'completed' status for the audit element.
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'Phase' column of the audit table.
Potentially Non-Compliant	PNC	Possible or likely failure to meet the requirements of the audit element.	This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalised its investigations to determine whether non-compliance has occurred.
Non-Compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element are not "complete" and have not been met during the reporting period.
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.	<p>The term 'In Process' may not be used for any purpose other than that stated in the Definition Column.</p> <p>The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).</p>

Each page (including Attachment 2) must be initialled by the person who signs **Section 3.4** of this Statement of Compliance.

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Compliance Assessment Report

Lot 102 Farrall Road, Midvale



3.9 Statement of compliance - Attachment 2

An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2.

The audit table is provided in **Appendix A**. The audit table has been prepared and maintained in accordance with the OEPA's *Post Assessment Guideline for Preparing an Audit Table* (OEPA 2012b). The 'Status Column' of the audit table accurately describes the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance (1 February 2021 to 1 May 2022). The terms that have been used in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1 above.

Each page (including Attachment 2) must be initialled by the person who signs **Section 3.4** of this Statement of Compliance.

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Compliance Assessment Report

Lot 102 Farrall Road, Midvale



4 Details of Declared Compliance Status

4.1 Summary of compliance

Compliance with the conditions of MS 1163 is outlined in the audit table provided in **Appendix A**, in accordance with the CAP and the DWER's Statement of Compliance.

In summary, there were no non-conformances or potential non-conformances with the conditions of MS 1163 identified within the reporting period.

4.2 Environmental management plans and offset strategies

The following management plans and/or offset strategies are required to be implemented by MS 1163:

- Condition 6: Rehabilitation and Vegetation Management Plan (RVMP) (Rev E, July 2021) (Emerge Associates 2021b).
- Condition 7: Land Acquisition and On-ground Management Offset Strategy (LAOMOS).

The RVMP was approved by DWER on 14 September 2021 and was therefore in effect during this reporting period. Whilst the LAOMOS was submitted to DWER on 6 August 2021, the report has not been approved by the CEO.

The RVMP is a management-based plan and is required to have its performance assessed for compliance against the MS conditions and reported in the CAR. The results of this assessment have been provided in **Section 4.2.1**. The Land Acquisition and On-ground Management Offset Strategy will be assessed for compliance against the MS Conditions within the next CAR (2022 – 2023 reporting period).

The most recent and approved management plans are publicly available on PEET's website (PEET 2022).

A register of supporting evidence is provided in **Appendix B**. If required, further evidence can be provided upon request. This is discussed further in **Section 5**.

4.2.1 Rehabilitation and Vegetation Management Plan (management based)

Emerge Associates has prepared a monitoring and evaluation report for the reporting period (R003, refer to the evidence table provided within **Appendix B**), which incorporates the key tables presented within this CAR (**Table 2** and **Table 3**).

The RVMP has been assessed for compliance in achieving the environmental objectives (through assessment of whether relevant management targets are met), as well as being assessed for compliance with the MS conditions. **Table 2** provides an evaluation of the results from the baseline monitoring event (August/September 2021) and first monitoring event (March 2022) against the applicable objectives and target(s) outlined in the RVMP. For the 2021-2022 CAR reporting period, the project is in the implementation phase and therefore the relevant elements of the RVMP requiring assessment are limited to the implementation requirements.

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table 2: Evaluation of results from baseline monitoring event and first monitoring event against applicable management targets

Objective		Applicable Management Area (MA)	Management targets (indicators and trigger values)	Evaluation	
				Baseline event (Aug/Sep 2021)	Monitoring event #1 (March 2022)
1.	Protect flora and vegetation so that the biological diversity and ecological integrity are maintained	Shrubland/woodland Management Areas MA 2, 3, 4, 5, 6	1.1 Weed cover is less than 5% in any 20 m x 20 m portion of a management area.	In progress	N/A (weed monitoring not scheduled for this event)
2.	Maintain or restore to 'good' or better condition 0.98 ha of self-sustaining vegetation (with similar species composition and structure to the FCT 20c).	Shrubland/woodland MA 1, 2, 3, 4, 5, 6	2.1 The canopy layer species <i>Banksia attenuata</i> , <i>Banksia menziesii</i> ; and more occasionally <i>Allocasuarina fraseriana</i> , <i>Eucalyptus marginata</i> and <i>E. todtiana</i> are present.	Achieved (at MA1, MA2, MA6) In progress (at MA3, MA4, MA5)	Achieved (at MA1, MA2, MA6) In progress (at MA3, MA4, MA5)
			2.2 The combined density of native canopy layer species is between one plant per 100 m ² and one plant per 25 m ² .	Achieved (at MA1, MA6) In progress (at MA2, MA3, MA4, MA5)	Achieved (at MA1, MA6) In progress (at MA2, MA3, MA4, MA5)
			2.3 The native shrub/herb/sedge layer contains a variety of appropriate native species that have been recorded from previous flora and vegetation surveys within Lot 102 (Emerge Associates 2015b; Tauss & Associates 2016) or from relevant reference sites for FCT 20c within Gibson et al. (1994).	Achieved (at MA1) In progress (at MA2, MA3, MA4, MA5, MA6)	Achieved (at MA1) In progress (at MA2, MA3, MA4, MA5, MA6)
			2.4 The combined native shrub/herb/sedge layer species density is greater than 4 plants per m ² .	Achieved (at MA1, MA3, MA5) In progress (at MA2, MA4, MA6)	Achieved (at MA1, MA5) In progress (at MA2, MA3, MA4, MA6)
			2.5 Total native species richness is at least 23.	Achieved (at MA1) In progress (at MA2, MA3, MA4, MA5, MA6)	Achieved (at MA1) In progress (at MA2, MA3, MA4, MA5, MA6)

Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table 2: Evaluation of results from baseline monitoring event and first monitoring event against applicable management targets (continued)

Objective		Applicable Management Area (MA)	Management targets (indicators and trigger values)	Evaluation	
				Baseline event (Aug/Sep 2021)	Monitoring event #1 (March 2022)
			2.6 Weed cover is less than 5% in any 20 m x 20 m portion of a management area.	In progress	N/A (weed monitoring not scheduled for this event)
3.	Maintain 'excellent' condition vegetation and restore degraded vegetation to 'good' or better condition within Bush Forever Site 309 incorporating wetland UFI 15136.	Wetland MA 1	3.1 The shrub/herb/sedge layer contains a variety of appropriate native species that have been recorded in FCT 11 vegetation during previous flora and vegetation surveys within Lot 102 (Emerge Associates 2015b; Tauss & Associates 2016) or from relevant sample plots for FCT 11 within Gibson <i>et al.</i> (1994).	Achieved	Achieved
			3.2 Weed cover is less than 5% in any 20 m x 20 m portion of a management area.	In progress	N/A (weed monitoring not scheduled for this event)
4.	Revegetate 0.15 ha to provide foraging habitat for Carnaby's cockatoo.	Carnaby's cockatoo foraging habitat	4.1 The vegetation comprises species that provide foraging habitat for Carnaby's cockatoo.	Achieved	Achieved
			4.2 Native species cover is at least 80% in any 20 m x 20 m portion of a management area.	In progress	In progress
			4.3 Weed cover is less than 5% in any 20 m x 20 m portion of a management area.	In progress	N/A (weed monitoring not scheduled for this event)

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Table 3 provides an evaluation of the actions implemented from July 2021 to April 2022 against the Year 1 performance criteria and overall completion criteria outlined in Appendix C of the RVMP (Emerge Associates 2021b). Note that, whilst the Year 1 management targets have been applied, year 1 of implementation of the RVMP is not complete yet and extends until June 2022. As such, some management targets are indicated as being 'in progress'.

These criteria apply to the RVMP rehabilitation area (FCT20c) which comprises management areas 1-6 (MA1-MA6).

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Table 3: Evaluation of RVMP implementation actions from July 2021 to April 2022 against performance criteria and completion criteria

Environmental Objectives	Management Measure	Performance criteria: Year 1	Performance status	Completion criteria	Completion criteria status
Protect flora and vegetation so that the biological diversity and ecological integrity within the rehabilitation area (FCT 20c) are maintained	Installation and maintenance of Conservation fencing around the entire perimeter of the Conservation area (section 5.51).	Conservation fencing around the entire perimeter of the Conservation area has been installed.	Conservation fencing has not yet been installed.	Conservation fencing around the entire perimeter of the Conservation Area is installed and meets the requirements to protect the flora and vegetation within the rehabilitation management area (FCT 20c).	N/A (On-ground works not commenced)
	Weed control and Pest animal control actions and monitoring (sections 5.4 and 5.6).	Baseline weed and pest animal surveys undertaken prior to commencement of the action.	Weed control was undertaken by Tranen on 8-14 September 2021 using a spot spray method (glyphosate) in management areas (R004). Emerge undertook a baseline weed survey on 27 August and 20 September 2021 (R003). Rabbit control was undertaken by Tranen on 8 July 2021 which involved fumigating active warrens and collapsing inactive warrens (R004).	Weed cover is less than 5 per cent (or eradicated) in any 20 m x 20 m portion of the rehabilitation (FCT 20c) area AND Pest animals are eradicated from the rehabilitation (FCT 20c) area OR Pest animal occurrence does not impact on biological diversity and ecological integrity within the rehabilitation (FCT 20c) area.	In progress Weed control is in progress. Pest animal occurrence is minor, and control is in progress.
	Ongoing maintenance (section 5.7)	The rehabilitation area (FCT 20c) is maintained free of rubbish and other debris. Damage to fencing, signage, paths and other associated infrastructure is repaired promptly within two weeks when identified.	Implementation and maintenance have not yet begun.	The rehabilitation area (FCT 20c) is maintained free of rubbish and other debris. AND Damages to conservation fencing, signage, paths and other associated infrastructure has been repaired.	N/A (On-ground works not commenced)
	Monitoring (section 6.0) As also stipulated in approval condition (3).	Monitoring (e.g., walkover inspections, vegetation sampling and or photo-point monitoring) of the rehabilitation area (FCT 20c) is undertaken to determine the effectiveness of actions.	Baseline monitoring was undertaken by Emerge in August/September 2021 (R003). Round 1 of monitoring was undertaken by Emerge in March 2022.	Monitoring indicates the objectives and targets for the rehabilitation area (FCT 20c) has been met.	N/A (On-ground works not commenced) (Objectives and targets not expected to be met in first year. Refer to Table 2 for current status).
	Implement and maintain firebreaks around the entire perimeter of the Conservation Area to minimise fire risks to the vegetation in the rehabilitation area (FCT 20c).	Required firebreaks identified and implemented to ensure there is no loss of vegetation within the rehabilitation area (FCT 20c).	Existing firebreaks occur around rehabilitation area.	Firebreaks meet the requirements to reduce risk of incidents of intense hot fires within the rehabilitation area (FCT 20c).	Achieved (From existing values, on-ground works not commenced)
	Control against dieback (<i>Phytophthora cinnamomi</i>) infestation (section 5.1).	Baseline dieback surveys that measure dieback presence/extent within the rehabilitation area (FCT 20c) are completed.	Baseline dieback survey was conducted by Emerge in September 2021.	Dieback within the rehabilitation area (FCT 20c) has not been introduced OR The extent of dieback within the rehabilitation area (FCT 20c) has not increased from the amount identified in the baseline dieback surveys.	Achieved (Dieback not present and not introduced to the rehabilitation area)
Maintain or restore 'good' of better condition 0.98 ha of self-sustaining vegetation (with similar species composition and structure to the FCT 20c)	Replanting of native canopy species, specific to restore the correct composition of the TEC (section 5.3), noting that some species chosen are also specific to Banksia Woodlands of the Swan Coastal Plain ecological community.	Seeds are acquired and the land within the rehabilitation area (FCT 20c) is prepared for planting activities.	Seed collection was undertaken by Tranen on multiple dates in November and December 2021 and January 2022 (R004). Preparation works have included removal of topsoil material from the northern portion of Lot 102 and introduction to the rehabilitation area (MA3).	The canopy layer consists of <i>Banksia attenuata</i> and <i>Banksia menziesii</i> , or <i>Corymbia calophylla</i> . The canopy may also consist of <i>Allocasuarina fraseriana</i> . These canopy species are present and established, (i.e. do not require maintenance watering).	N/A (On-ground works not commenced)

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Table 3: Evaluation of RVMP implementation actions from July 2021 to April 2022 against performance criteria and completion criteria (continued)

Environmental Objectives	Management Measure	Performance criteria: Year 1	Performance status	Completion criteria	Completion criteria status
	Replanting of native shrub species, specific to restore the correct composition of the TEC (section 5.3), noting that some species chosen are also specific to Banksia Woodlands of the Swan Coastal Plain ecological community.	Seeds are acquired and the land within the rehabilitation area (FCT 20c) is prepared for planting activities.	Seed collection was undertaken by Tranen on multiple dates in November and December 2021 and January 2022 (R004). Preparation works have included removal of topsoil material from the northern portion of Lot 102 and introduction to the rehabilitation area (MA3).	The shrub layer contains a mix, at least four, of appropriate native species: <i>Adenanthos cygnorum</i> , <i>Hibbertia huegelii</i> , <i>Scaevola repens</i> var. <i>repens</i> , <i>Allocasuarina humilis</i> , <i>Bossiaea eriocarpa</i> , <i>Hibbertia hypericoides</i> and <i>Stirlingia latifolia</i> .	N/A (On-ground works not commenced)
	Replanting of native herb species, specific to restore the correct composition of the TEC (section 5.3) noting that some species chosen are also specific to Banksia Woodlands of the Swan Coastal Plain ecological community.	Seeds are acquired and the land within the rehabilitation area (FCT 20c) is prepared for planting activities.	Seed collection was undertaken by Tranen on multiple dates in November and December 2021 and January 2022 (R004). Preparation works have included removal of topsoil material from the northern portion of Lot 102 and introduction to the rehabilitation area (MA3).	There is a suite of herbs containing a mix, at least three, of appropriate native species: <i>Conostylis aurea</i> , <i>Trachymene pilosa</i> , <i>Lomandra hermaphrodita</i> , <i>Burchardia umbellata</i> and <i>Patersonia occidentalis</i> .	N/A (On-ground works not commenced)
	Replanting of native sedge species, specific to restore the correct composition of the TEC (section 5.3) noting that some species chosen are also specific to Banksia Woodlands of the Swan Coastal Plain ecological community.	Seeds are acquired and the land within the rehabilitation area (FCT 20c) is prepared for planting activities.	Seed collection was undertaken by Tranen on multiple dates in November and December 2021 and January 2022 (R004). Preparation works have included removal of topsoil material from the northern portion of Lot 102 and introduction to the rehabilitation area (MA3).	There is a suite of sedges containing at least one appropriate native species: <i>Mesomelaena pseudostygia</i> , <i>Mesomelaena tetragona</i> , and <i>Lyginia barbata</i> .	N/A (On-ground works not commenced)
	Replanting of native vegetation, specific to restore the correct composition of the TEC (section 5.3) noting that some species chosen are also specific to Banksia Woodlands of the Swan Coastal Plain ecological community.	Seeds are acquired and the land within the rehabilitation area (FCT 20c) is prepared for planting activities.	Seed collection was undertaken by Tranen on multiple dates in November and December 2021 and January 2022 (R004). Preparation works have included removal of topsoil material from the northern portion of Lot 102 and introduction to the rehabilitation area (MA3).	There is a minimum of 70 per cent survival rate of replanted individuals.	N/A (On-ground works not commenced)

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5 Supporting/Verifying Information

A range of supporting/verifying information was utilised to prepare this CAR, including:

- Correspondence received from DWER
- Environmental assessment reports provided by Emerge Associates.

Key pieces of verifiable information for the assessment of implementation of MS 1163 conditions are referenced in **Appendix B** and provided separately in electronic format. It should be noted that further supporting evidence, should it be required, can be provided upon request.

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6 Other Information

The proponent does not have any other information to provide in this CAR. No changes are proposed to the most recent approved CAP.

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7 References

The references listed below have been considered as part of preparing this document.

7.1 General References

Emerge Associates 2015, *Flora, Vegetation and Wetland Assessment Various Allotments, Midvale and Stratton*.

Emerge Associates 2021a, *Compliance Assessment Plan: Ministerial Statement No. 1163*, EP16-009(27), Version A.

Emerge Associates 2021b, *Rehabilitation and Vegetation Management Plan*, EP16-009(09)--097, Version E.

Gibson, N., Keighery, B., Keighery, G., Burbidge, A. and Lyons, M. 1994, *A Floristic survey of the southern Swan Coastal Plain*, Department of Conservation and Land Management and the Conservation Council of Western Australia, Perth.

Office of the Environmental Protection Authority (OEPA) 2012a, *Post Assessment Guideline for Preparing a Compliance Assessment Report*.

Office of the Environmental Protection Authority (OEPA) 2012b, *Post Assessment Guidelines for Preparing an Audit Table*.

PEET 2022, *Stage Plans, Restrictive Covenants and DAPs*, <<https://www.peet.com.au/communities/perth-and-wa/movida-estate/purchaser-and-builder-information/building-covenants-and-approvals>>.

Tauss & Associates 2016, *Winter Flora & Vegetation Survey: Lot 102 Farrell Rd Stratton, WA*.

van Etten, E. 2019, *Independent Study of Threatened Ecological Community, Lot 102 Farrall Road, Midvale*.

7.2 Online References

The online resources that have been utilised in the preparation of this report are referenced in **Section 3.1**, with access date information provided in **Table R1**.

Table R 1 Access dates for online references

Reference	Date accessed	Website or dataset name
(PEET 2022)	29 April 2022	Stage Plans, Restrictive Covenants and DAPs

Appendix A

Ministerial Statement 1163 Audit Table



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Table A1: Ministerial Statement 1163 Audit Details

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
Proposal Implementation							
1-1	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.	Implement project pursuant to Table 2 in Schedule 1.	<p>Spatial data and/or plans showing the clearing and disturbance footprint of:</p> <ul style="list-style-type: none"> • Road infrastructure • Residential Lots • Public open space and associated infrastructure <p>Spatial data and/or plans showing the extent of the conservation area.</p>	Overall	Life of proposal.	C	Substantial commencement of implementation of the proposal has not yet occurred.
Contact Details							
2-1	The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.	Notify the CEO in writing of any change to proponent details.	Copy of written notification to CEO of any change in proponent details.	Overall	Within twenty-eight (28) days of such change.	C	Proponent's name and contact details have not changed.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
Time Limit for Proposal Implementation							
3-1	The proponent shall not commence implementation of the proposal after five (5) years from the date of this Statement, and any commencement, prior to this date, must be substantial.	Provide evidence to the CEO in writing to demonstrate the proposal has substantially commenced.	CAR.	Overall	Implement proposal within five (5) years from date on MS 1163 (by 1 February 2026).	C	Substantial implementation of the proposal has not yet begun.
3-2	Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.	Provide evidence to the CEO in writing to demonstrate the proposal substantially commenced.	Copy of written notification to CEO of substantial commencement.	Overall	Implement proposal within five (5) years from date on MS 1163 (by 1 February 2026).	NR	Implementation has not commenced so condition 3-2 does not currently apply.
Compliance Reporting							
4-1	The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.	Submit a Compliance Assessment Plan (CAP).	CAP and written evidence/record of submission.	Pre-construction	Submit the CAP by 1 November 2021, as required under condition 4-6, or prior to the implementation of the proposal.	C	The CAP was submitted on 20 May 2021 (R001, refer to the evidence table in Appendix B).

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
4-2	The Compliance Assessment Plan shall indicate: <ul style="list-style-type: none"> • The frequency of compliance reporting; • The approach and timing of compliance assessments; • The retention of compliance assessments; • The method of reporting of potential non-compliances and corrective actions taken; • The table of contents of Compliance Assessment Reports; and • Public availability of Compliance Assessment Reports. 	Submit the CAP, indicating all information given under condition 4-2.	CAP.	Pre-construction	Submit the CAP by 1 November 2021, as required under condition 4-6, or prior to the implementation of the proposal.	C	The CAP was submitted on 20 May 2021 (R001, refer to the evidence table in Appendix B).
4-3	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Once approval is received from the CEO, commence compliance assessment in accordance with the CAP.	CEO letter approving the CAP. CAR.	Overall	After written approval from the CEO.	C	Written approval was received from the Department of Water and Environmental Regulation on 15 June 2021 (L001, refer to the evidence table in Appendix B). This CAR meets the requirements established in condition 4-3.
4-4	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.	Retain CAR's and make available when requested.	CAR.	Overall	As requested by the CEO.	C	The proponent has retained all reports of all compliance assessments described in the CAP. These can be provided upon request by the CEO.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
4-5	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.	Notify the CEO of potential non-compliances in writing and/or verbally. Previously	Written notification. CAR.	Overall	Within seven (7) days of that non-compliance being known.	C	In the event of a non-compliance, the CEO shall be notified within seven days. No non-compliance was identified during this reporting period, as detailed within the CAR.
4-6	<p>The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.</p> <p>The Compliance Assessment Report shall:</p> <ul style="list-style-type: none"> • Be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf; • Include a statement as to whether the proponent has complied with the conditions; • Identify all potential non-compliances and described corrective and preventative actions taken; • Be made publicly available in accordance with the approved Compliance Assessment Plan; and • Indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1. 	Submit a CAR within required timeframe reporting on the previous 12 months.	CAR.	Overall	Initial CAR within 15 months from date of MS 1163 (due by 1 May 2022 and annually thereafter).	C	This CAR is the first CAR to be submitted to the CEO.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
Public Availability of Data							
5-1	Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.	All environmental plans and reports required by Ministerial Statement 1163 are made publicly available by the proponent on PEET's website.	CAR.	Overall	For the life of the proposal as approved by the CEO.	C	All environmental data, management plans and reports relevant to the assessment of this proposal and implementation of the statement have been made publicly available on Peet's website: https://www.peet.com.au/communities/perth-and-wa/movida-estate/purchaser-and-builder-information/building-covenants-and-approvals
5-2	If any data referred to in condition 5-1 contains particulars of: <ul style="list-style-type: none"> • A secret formula or process; or • Confidential commercially sensitive information. The proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	Submit a request for approval from the CEO to not make sensitive information publicly available.	Copy of written request to CEO. CEO approval.	Overall	Life of proposal.	NR	No request has currently been made.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
Flora and Vegetation and Terrestrial Fauna							
6-1	<p>The proponent must manage the implementation of the proposal to meet the following environmental objectives within the Conservation Area identified in Figure 1:</p> <ul style="list-style-type: none"> • Protect flora and vegetation so that the biological diversity and ecological integrity are maintained; • Maintain or restore, the condition of 0.98 ha of self-sustaining vegetation (with similar species composition and structure) to the Shrublands and Woodlands of the eastern Swan Coastal Plain Threatened Ecological Community to 'good' or better condition; and • Maintain 'excellent' condition vegetation and restore degraded vegetation to 'good' or better condition within Bush Forever Site 309 incorporating wetland UFI 15136. 	Comply with condition 6-5, 6-6 and condition 1-1.	CAR	Overall	Life of proposal.	C	Minor preparation works have commenced though implementation of the proposal has not commenced. Further information has been provided within Table 2 and Table 3 .

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
6-2	Within twelve (12) months of publication of this Statement, or within such timeframe as otherwise agreed in writing by the CEO, the proponent shall consult with the Department of Biodiversity, Conservation and Attractions and the City of Swan and submit a further version of the Rehabilitation and Vegetation Management Plan (EP16-009(09)—097B TAA) to meet the objectives specified in condition 6-1.	Consult with DBCA and CoS and submit a further version of the Rehabilitation and Vegetation Management Plan.	<p>Evidence of consultation with DBCA.</p> <p>Evidence of consultation with CoS.</p> <p>Evidence of submission of the updated Rehabilitation and Vegetation Management Plan.</p>	Pre-construction	Submission of updated Rehabilitation and Vegetation Management Plan by 1 February 2022, or within timeframe agreed by CEO.	CLD	Emerge Associates compiled the revised Rehabilitation and Vegetation Management Plan (EP16-009(09)—097D TAA) Version E in July 2021 (R002, refer to the evidence table in Appendix B) and submitted the report for approval.
6-3	<p>The Rehabilitation and Vegetation Management Plan required by condition 6-2 must:</p> <ul style="list-style-type: none"> Identify and map: <ul style="list-style-type: none"> The 0.54 ha of Shrublands and Woodlands of the eastern Swan Coastal Plain Threatened Ecological Community to be restored; The adjacent 0.44 ha of cleared or degraded vegetation to be restored; Bush Forever Site 309 incorporating wetland UFI 15136; and Wetland buffer and landscape areas/ Specify risk-based management actions that will be implemented to meet the environmental objectives specified in condition 6-1; <p>(continued below)</p>	The Rehabilitation and Vegetation Management Plan under condition 6-2 will follow the outline provided under condition 6-3.	<p>Approved Rehabilitation and Vegetation Management Plan.</p> <p>CAR.</p>	Pre-construction	In accordance with condition 6-2.	C	The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS1163 and was approved by DWER on 14 September 2021 (L002, refer to the evidence table in Appendix B).

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
	<ul style="list-style-type: none"> • Specific measurable management target(s) to determine the effectiveness of the risk-based management actions required by condition 6-3(2); • Specify monitoring parameters to measure the effectiveness of management actions against management targets; • Specify the location(s), frequency and timing of monitoring; and • Specify a process for the revision of management actions and changes to proposal activities, in the event that management targets are not achieved. The process must include an investigation to determine the cause of the management target(s) not being achieved. 						
6-4	The proponent must not commence any ground disturbing activities until the proponent has received notice in writing from the CEO that the Rehabilitation and Vegetation Management Plan meets the objectives specified in condition 6-1 and satisfies the requirements of 6-3.	No action commences until notice received in writing from the CEO.	Written evidence from the CEO. CAR.	Pre-construction	Prior to ground disturbing activities.	C	The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS1163 and was approved by DWER on 14 September 2021 (L002, refer to the evidence table in Appendix B).

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
6-5	The proponent must implement the latest version of the Rehabilitation and Vegetation Management Plan, which the CEO has confirmed by notice in writing meets the objectives specified in condition 6-1 and satisfies the requirements of condition 6-3.	Implementation of the latest version of the Rehabilitation and Vegetation Management Plan.	CAR.	Overall	Upon receipt of written notification from the CEO.	C	<p>The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS1163 and was approved by DWER on 14 September 2021 (L002, refer to the evidence table in Appendix B).</p> <p>The latest version has been implemented.</p> <p>Refer to Table 2 and Table 3 for further details.</p>
6-6	<p>In the event that monitoring, or investigations indicate that management target(s) specified in the Rehabilitation and Vegetation Management Plan have not been achieved, the proponent must:</p> <ul style="list-style-type: none"> • Provide a notice to the CEO in writing within twenty-one (21) days of the identification of the management target(s) not being achieved; • Investigate to determine the cause of the management target(s) not being achieved; and • Provide a report to the CEO within sixty (60) days of the notice provided in condition 6-6(1) of the management target(s) not being achieved. The report shall include: <ul style="list-style-type: none"> ○ The cause of management targets not being achieved; ○ The findings of the investigation required by condition 6-6(2); <p>(continued below)</p>	<p>Provide written notice to the CEO.</p> <p>Investigate targets that have not been met.</p> <p>Provide a report to the CEO.</p>	<p>Written notice to the CEO.</p> <p>CAR.</p> <p>Investigation reports.</p>	Overall	<p>Written notice of management targets not being achieved (21 days).</p> <p>Report to the CEO within 60 days of the notice.</p>	NR	<p>The RVMP will be implemented in line with the development of Lot 102.</p> <p>Emerge Associates undertook baseline monitoring in August/September 2021.</p> <p>Emerge Associates undertook the first round of monitoring in March 2022.</p> <p>Refer to Table 2 and Table 3 for further details.</p>

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
	<ul style="list-style-type: none"> Details of revised and/or additional management actions to be implemented to achieve management target(s); and Relevant changes to proposal activities. 						
6-7	<p>Prior to ground-disturbing activities associated with the proposal, the proponent shall undertake the following actions to minimise impacts to terrestrial fauna:</p> <ul style="list-style-type: none"> Within seven (7) days prior to clearing, using a qualified and licensed terrestrial fauna spotter(s) with experience in surveying for black cockatoos, inspect all potential nesting trees with hollows within the development envelope to determine if any hollows are being used for nesting by black cockatoos; and If any hollows are in use by black cockatoos for nesting, the proponent shall not clear the nesting tree, or vegetation within a ten (10) metre radius of the nesting tree, until after the cockatoos have naturally completed nesting (young have fledged and dispersed) and an appropriately qualified terrestrial fauna spotter has verified that the hollow(s) are no longer being used by the black cockatoos. 	<p>Engage qualified and licensed terrestrial fauna spotter for black cockatoos seven days prior to clearing activities.</p> <p>Occupied hollows shall not be cleared, nor vegetation within a 10 m radius until after the cockatoos have naturally dispersed.</p>	<p>Site fauna assessment reports.</p> <p>CAR.</p>	Pre-construction	Seven days prior to clearing activities.	NR	No ground-disturbing activities have been undertaken on the site. Clearing has not commenced.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
6-8	<p>During implementation of the proposal the proponent must undertake the following actions to minimise impacts to terrestrial fauna:</p> <ul style="list-style-type: none"> • ensure the presence of qualified and licensed terrestrial fauna spotter(s) during clearing activities; • ensure appropriate clearing protocols including, but not limited to, clearing in one direction and fauna trapping and relocation, are in place to avoid and minimise impacts to terrestrial fauna. 	<p>The proponent will use qualified and licensed terrestrial fauna spotters during clearing activities, to meet condition 6-7.</p> <p>The proponent will follow the appropriate clearing protocols.</p>	<p>Written evidence of engagement of terrestrial fauna spotter(s).</p> <p>Written evidence of following clearing protocols.</p> <p>CAR.</p>	Overall	Life of Proposal.	NR	No ground-disturbing activities have been undertaken on the site. Clearing has not commenced.
Offsets							
7-1	<p>The proposal shall limit proposal impacts to no more than:</p> <ul style="list-style-type: none"> • 1.22 ha direct impact of foraging habitat for Carnaby's cockatoo (<i>Calyptorhynchus latirostris</i>) <p>As a result of the implementation of the proposal, and undertake the offset set out in conditions 7-2 to 7-8 to achieve the objective of counterbalancing the significant residual impact on the abovementioned environmental value.</p>	<p>Direct impact on foraging habitat limited to 1.22 ha.</p> <p>Undertake offset in conditions 7-2 to 7-8.</p>	<p>Offset Strategy.</p> <p>CAR.</p>	Overall	Life of Proposal.	NR	No ground-disturbing activities have been undertaken on the site. Clearing has not commenced.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
7-2	Prior to ground disturbing activities or clearing of vegetation and within twelve (12) months from the date of this Statement the proponent shall prepare and submit the <i>Land Acquisition and On-ground Management Offset Strategy</i> to the requirements of the CEO.	Prepare and submit the Offset Strategy to the requirements of the CEO.	Submission of Offset Strategy. CAR.	Pre-construction	Submit Offset Strategy by 1 February 2022.	C	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.
7-3	The <i>Land Acquisition and On-ground Management Offset Strategy</i> shall: <ul style="list-style-type: none"> • Demonstrate that the outcome in condition 7-1 will be met; • Be prepared on advice of the Department of Biodiversity, Conservation and Attractions; • Identify any area(s) to be acquired and/or for on-ground management (Proposed Offset Conservation Area), which contains the environmental values identified in condition 7-1, or similar values of equivalent conservation significance agreed by the CEO; • Demonstrate how the Proposed Offset Conservation Area counterbalances the significant residual impact to the environmental value identified in condition 7-1 through application of the principles of the <i>WA Environmental Offsets Policy (2011)</i> and application of the EPBC Act Offset assessment guide (the calculator) as described in the <i>WA Environmental</i> (continued below) 	Prepared Offset Strategy so that it follows the guidelines outlined under condition 7-3.	Offset Strategy. Environmental Reports. CAR.	Overall	Submit Offset Strategy by 1 February 2022.	IP	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
7-3	<p><i>Offsets Guidelines (2014), and the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy Assessment Guide (2012), or any subsequent revisions of these documents;</i></p> <ul style="list-style-type: none"> Identify how the Proposed Offset Conservation Area will be acquired and specify: <ul style="list-style-type: none"> A timeframe and works associated with establishing the Proposed Offset Conservation Area, including a contribution for maintaining the offset for at least twenty (20) years after completion of purchase; and Each relevant management body for the on-going management of the Proposed Offset Conservation Area, including its role, and confirmation in writing that the relevant management body accepts responsibility for its role. Where on-ground management is proposed: <ul style="list-style-type: none"> State the targets to be achieved, including completion criteria, which result in a tangible improvement to the environmental value/s being offset; <p>(continued below)</p>						

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
7-3	<ul style="list-style-type: none"> ○ Demonstrate consistency with the National Recovery Plans for Carnaby's Cockatoo (<i>Calyptorhynchus latoristris</i>) Recovery Plan, or any subsequent revision of these plans; ○ Demonstrate the consistency of the objective/s and target/s with the objectives of the National Recovery Plans for Carnaby's Cockatoo (<i>Calyptorhynchus latoristris</i>), or any subsequent revisions of the plan; ○ Detail the on-ground management actions with associated timeframes for implementation, to achieved the objective/s and target/s identified in condition 7-3(6)(a); and ○ Detail the monitoring, reporting and evaluation mechanisms for the objective/s, target/s and actions identified under conditions 7-3(6)(a) and 7-3(6)(c). 						
7-4	<p>The proponent:</p> <ul style="list-style-type: none"> • May review and revise the <i>Land Acquisition and On-ground Management Offset Strategy</i>; or • Review and revise the <i>Land Acquisition and On-ground Management Offset Strategy</i> as and when directed by the CEO by a notice in writing. 	Review and revise the Offset Strategy as needed or as directed by the CEO.	<p>Notice in writing from the CEO.</p> <p>Notice in writing from the proponent.</p>	Overall	Lifetime of Proposal.	NR	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
7-5	The proponent shall implement the latest revision of the <i>Land Acquisition and On-ground Management Offset Strategy</i> approved by the CEO.	Implement the latest provided Offset Strategy approved by the CEO.	CAR.	Overall	Lifetime of Proposal.	NR	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.
7-6	The proponent shall continue to implement the <i>Land Acquisition and On-ground Management Offset Strategy</i> until the CEO has confirmed by notice in writing that the proponent has demonstrated that the outcome in condition 7-1 has been met.	Continue to implement the Offset Strategy until the CEO has confirmed that the outcome has been met.	Written evidence from the CEO that the outcome of the Offset Strategy has been met.	Overall	Lifetime of Proposal.	NR	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.
7-7	Should the actions, objectives, or targets in the <i>Land Acquisition and On-ground Management Offset Strategy</i> be unable to be met, the proponent shall notify the CEO within seven (7) days of it being identified and provide details and timing of contingency actions to be undertaken, to the satisfaction of the CEO.	Verbal or written notification that the Offset Strategy cannot be met and details of actions to be taken to the satisfaction of the CEO.	Communications on actions, objectives, or targets not being met. CAR.	Overall	The CEO shall be notified within seven days of identifying that any target, objective or action cannot be met.	NR	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.
7-8	The proponent shall report to the CEO on the outcomes of the contingency actions as required by condition 7-6 within sixty (60) days of completion.	Written correspondence of the outcome of contingency actions, within sixty days.	Reporting contingency actions.	Overall	The CEO shall receive a report within sixty days on the outcomes of the contingency actions.	NR	The Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021 (EP16-009(28)—173 TAA) (E001, refer to the evidence table in Appendix B). Currently awaiting approval from the CEO.

Appendix B

Supporting/Verifying Information



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Table B1: Supporting / Verifying Information

Type of information	Unique code	Document title/Information description
Email	E001	Submission of Land Acquisition and On-ground Management Offset Strategy, Emerge Associates 2021
Letter	L001	Compliance Assessment Plan Approval, DWER 2021
Letter	L002	Rehabilitation and Vegetation Management Plan Approval, DWER 2021
Report	R001	Compliance Assessment Plan Ministerial Statement No. 1163, Emerge Associates 2021
Report	R002	Rehabilitation and Vegetation Management Plan, Emerge Associates 2021
Report	R003	Rehabilitation and Vegetation Management Plan Monitoring and Evaluation Report 2021-2022, Emerge Associates 2022
Report	R004	Movida Revegetation Post Activity Report