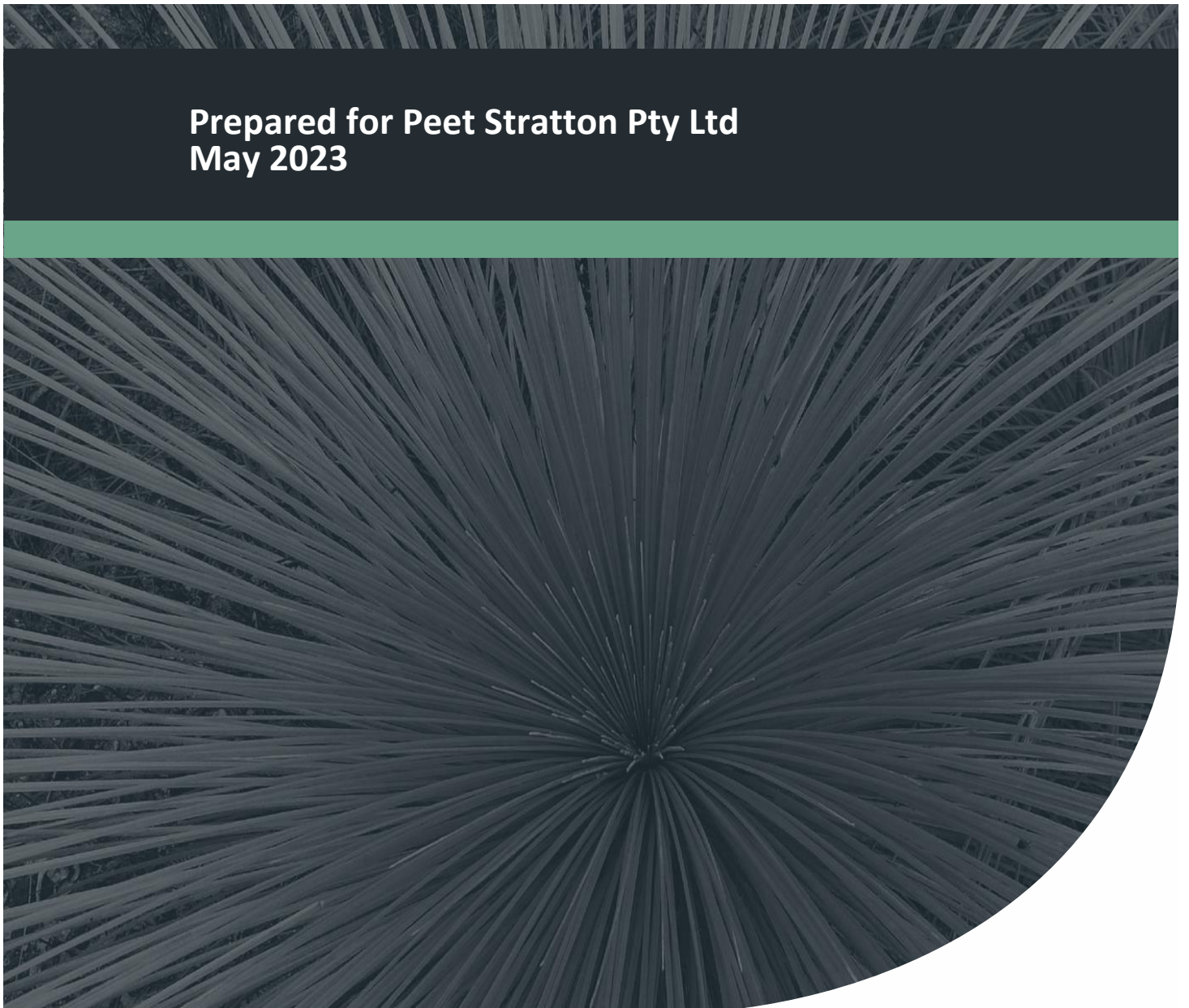


# 2023 Compliance Assessment Report

Lot 102 Farrall Road, Midvale

Project No: EP16-009(32)

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



# 2023 Compliance Assessment Report

Lot 102 Farrall Road, Midvale



## Document Control

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# 2023 Compliance Assessment Report

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Figure 1: Current extent of works within the site

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## Appendices

### **Appendix A**

Ministerial Statement 1163 Audit Table

### **Appendix B**

Supporting/Verifying Information

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## 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 subdivision and development of Lot 102 Farrall Road, Midvale (herein referred to as 'the site'). This involves 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 portion 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 land to be developed for residential purposes to the south.

Numerous environmental investigations have been historically completed across the LSP area, which 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 within 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 supports 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 the proposed management of the larger patch of TEC within the proposed POS area

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provided the 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 open 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).

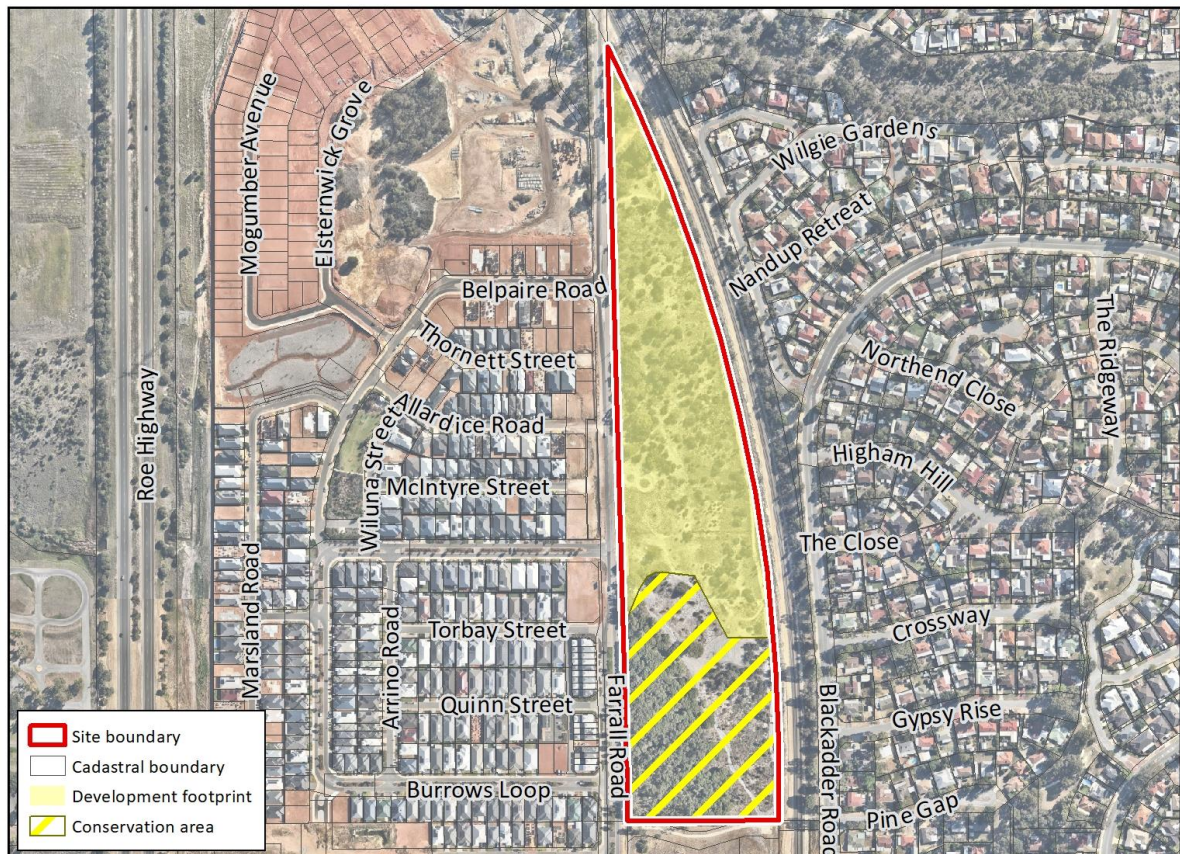


Plate 1: Project Location

Substantial commencement of the proposal occurred on 20 June 2022, which involved the clearing of the development footprint (which occurred over 20, 21 and 22 June 2022) and commencement of bulk earthworks and civil works (i.e. the construction of public roads, installation of services etc.) which has been ongoing. The current extent of works within the site is shown below in **Plate 2**.

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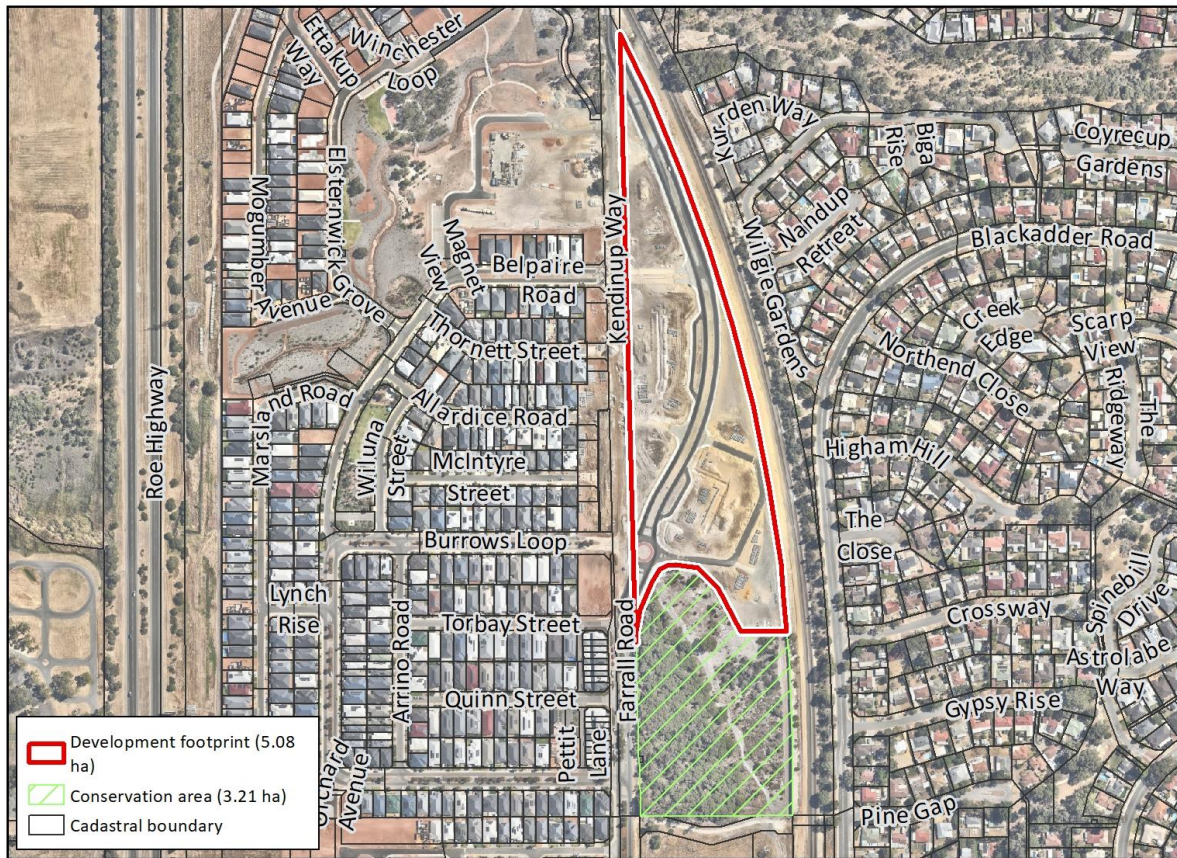


Plate 2: Current extent of works within the site

The first CAR for the status of compliance with MS 1163 was prepared and lodged on 1 May 2022. At this point in time, substantial commencement of the proposal had not yet occurred, however there had been a range of works undertaken associated with the management and restoration of native vegetation being retained within the site, associated with a Rehabilitation and Vegetation Management Plan (RVMP) associated with Condition 6 of MS 1163. While substantial commencement of the proposal has now occurred within the current reporting period, the implementation of the RVMP has continued and forms a significant part of demonstrating compliance with MS 1163 and therefore this CAR.

## 1.2 Purpose and scope

This CAR documents compliance with conditions in MS 1163 for the period 1 May 2022 to 1 May 2023, 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:*

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- *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 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.



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## 2 Summary of Implementation Status

Substantial commencement of the development occurred on 20 June 2022. This initially included the clearing of the development footprint, that occurred over 20, 21 and 22 June 2022. Since that time, bulk earthworks and civil works have progressed within the development footprint to establish public roads, private lots for sale, and two areas of public open space that are not associated with the conservation area.

On behalf of the proponent, Tranen Revegetation Systems and Emerge Associates have continued works and monitoring within the conservation area associated with the implementation of the RVMP. These works generally include seed collection, pest and weed control, tubestock/seedling planting and baseline environmental monitoring. These restoration, revegetation and management (i.e. weed control) works and monitoring will continue into the next reporting period and beyond to achieve the requirements of the RVMP, as established through Condition 6 of MS 1163. The only works undertaken within the conservation area to date include the installation of fencing, which on the eastern boundary comprises the rail line acoustic wall.

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### 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	01/05/2022 to 01/05/2023
------------------	--------------------------

Implementation phase(s) during reporting period (please ✓ relevant phase(s))							
Pre-construction	<input checked="" type="checkbox"/>	Construction	<input checked="" type="checkbox"/>	Operation	<input type="checkbox"/>	Decommissioning	<input type="checkbox"/>

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)	<input type="checkbox"/>	Yes (please proceed to Section 4)	<input checked="" type="checkbox"/>

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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### 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 on-compliance occur (if applicable)?

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

<input type="checkbox"/> Yes	<input type="checkbox"/> Reported to DWER verbally	Date	<input type="checkbox"/> No
	<input type="checkbox"/> 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 initialled by the person who signs **Section 3.4** of this Statement of Compliance.

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### 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: 1/05/2023

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](mailto:compliance@dwer.wa.gov.au)

### 3.7 Post assessment guidelines and forms

Post assessment documents can be found at [www.epa.wa.gov.au](http://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.

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### 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"> <li>• Ongoing requirements that have been met during the reporting period; and</li> <li>• 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'.</li> </ul>
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"> <li>• Audit elements have a finite period of application (e.g. construction activities, development of a document);</li> <li>• The action has been satisfactorily completed; and</li> <li>• The DWER has provided written acceptance of a 'completed' status for the audit element.</li> </ul>
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.	The term 'In Process' may not be used for any purpose other than that stated in the Definition Column.  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).

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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### 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 May 2022 to 1 May 2023). 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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### 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. DWER have reviewed and provided comments on the LAOMOS on 22 July 2022. The proponent has been working through the resolution of these comments, and finalising access arrangements to the land upon which the offset works are proposed. It is intended that the LAOMOS will be resolved for approval in the following CAR reporting period (2023 – 2024).

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 LAOMOS will be assessed for compliance against the MS Conditions within the next CAR (2023 – 2024 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 (R001, refer to the evidence table provided within **Appendix B**), which incorporates the key tables presented within this CAR (see **Table 2** and **Table 3** below).

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 second, third and fourth monitoring events against the applicable objectives and target(s) outlined in the RVMP. For the 2022-2023 CAR reporting period (i.e. the current reporting period), the project is in

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the implementation phase and therefore the relevant elements of the RVMP requiring assessment are limited to the implementation/action requirements, and ensuring that progress will be in line with achieving the ultimate objectives/outcomes.



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Table 2: Evaluation of results from RVMP monitoring events against applicable management targets

Objective		Applicable management area	Management targets (indicators and trigger values)	Evaluation		
				Monitoring event #2 (June 2022)	Monitoring event #3 (September 2022)	Monitoring event #4 (March 2023)
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)	In progress
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.	N/A (quadrat monitoring not scheduled for this event)	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 <sup>2</sup> and one plant per 25 m <sup>2</sup> .	N/A (quadrat monitoring not scheduled for this event)	N/A (quadrat monitoring not scheduled for this event)	Achieved (at MA1, MA5, MA6)  In progress (at MA2, MA3, MA4)
			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 2015; Taus & Associates 2016) or from relevant reference sites for FCT 20c within Gibson <i>et al.</i> (1994).	N/A (quadrat monitoring not scheduled for this event)	N/A (quadrat monitoring not scheduled for this event)	Achieved (at MA1)  In progress (at MA2, MA3, MA4, MA5, MA6)
			2.4 The combined native shrub/herb/sedge layer species	N/A (quadrat monitoring not scheduled for this event)	N/A (quadrat monitoring not scheduled for this event)	Achieved (at MA1)

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Objective	Applicable management area	Management targets (indicators and trigger values)	Evaluation			
			Monitoring event #2 (June 2022)	Monitoring event #3 (September 2022)	Monitoring event #4 (March 2023)	
		density is greater than 4 plants per m <sup>2</sup> .			In progress (at MA2, MA3, MA4, MA5, MA6)	
		2.5 Total native species richness is at least 23.	N/A (quadrat monitoring not scheduled for this event)	N/A (quadrat monitoring not scheduled for this event)	Achieved (at MA1) In progress (at MA2, MA3, MA4, MA5, MA6)	
		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)	In progress	
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	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)	In progress
4.	Revegetate 0.15 ha to provide foraging habitat	Carnaby's cockatoo foraging habitat	4.1 The vegetation comprises species that provide foraging habitat for Carnaby's cockatoo.	Achieved	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	In progress

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Objective	Applicable management area	Management targets (indicators and trigger values)	Evaluation		
			Monitoring event #2 (June 2022)	Monitoring event #3 (September 2022)	Monitoring event #4 (March 2023)
for Carnaby's cockatoo.		4.3 Weed cover is less than 5% in any 20 m x 20 m portion of a management area.	N/A (weed monitoring not scheduled for this event)	N/A (weed monitoring not scheduled for this event)	In progress

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**Table 3** provides an evaluation of the actions implemented from July 2022 to April 2023 against the Year 2 performance criteria and overall completion criteria outlined in Appendix C of the RVMP (Emerge Associates 2021b). Note that, whilst the Year 2 management targets have been applied, year 2 of implementation of the RVMP is not complete yet and extends until June 2023. 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 against performance criteria and completion criteria

Environmental Objectives	Management Measure	Performance criteria: Year 2	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).	Visual inspections indicate that Conservation fencing has been successfully maintained across the entire perimeter of the Conservation Area.	Conservation fencing has been installed along Farrall Road but needs to extend around full extent of the Conservation Area.	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).	In progress
	Weed control and Pest animal control actions and monitoring (sections 5.4 and 5.6).	Weed and pest animal control treatment activities applied and repeated as required by a licenced pest management technician to ensure that the impacts to the rehabilitation area (FCT 20c) is eradicated or minimised.	Weed control was undertaken by Tranen in revegetation areas and Bush Forever site on 19 May and 19 Oct 2022 using a spot spray method (glyphosate) and on 15 – 18 July 2022 using a grass selective herbicide (targeting perennial veldt grass, African lovegrass, annual veldt grass and other non-native grasses).  Tranen checked and treated active rabbit warrens 31 May 2022  Emerge conducted weed surveys on 2 and 16 March 2023.	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 conservation fencing, signage, paths and other associated infrastructure is repaired promptly within two weeks when identified.	Rubbish removal completed 4 July 2022.  Tranen completed a site inspection to assess site issues and revegetation progress on 27 September 2022.	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.	In progress
	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.	Round 2 of monitoring was undertaken by Emerge in June 2022. Round 3 of monitoring was undertaken by Emerge in September 2022. Round 4 of monitoring was undertaken by Emerge in March 2023.	Monitoring indicates the objectives and targets for the rehabilitation area (FCT 20c) has been met.	In progress
	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).	Visual inspection of firebreaks within the rehabilitation area (FCT 20c) indicates that firebreaks have been successfully maintained.	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 (Firebreaks present around rehabilitation area)
	Control against dieback ( <i>Phytophthora cinnamomi</i> ) infestation (section 5.1).	Extent of dieback within the rehabilitation area (FCT 20c) has not increased from the amount identified in the baseline dieback surveys.	No evidence of dieback spreading within the rehabilitation area.	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 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.	Planting within the rehabilitation area (FCT 20c) is undertaken at appropriate times of the year and weather conditions.	Seed collection has been undertaken by Tranen on 19 May and 13 December 2022.  26-27 May 2022 Tranen completed direct seeding soil scarification and broadcasting of seed in revegetation areas.	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).

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Environmental Objectives	Management Measure	Performance criteria: Year 2	Performance status	Completion criteria	Completion criteria status
	<ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul> 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.		27 May 2022 Installation of bunting Bunting installed around direct seeding areas.  8 August 2022 Tranen planted tubestock with native fertiliser tablets across all management areas.  24 August 2022 Bunting installed around planting areas.  Several plants were salvaged from the site before clearing activities commenced. Most of these have been retained by the nursery so that further divisions can be made of the plants for future planting.		
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).	The shrub layer contains a mix, at least four, of appropriate native species: <i>Adenanthos cygnorum</i> , <i>Hibbertia huegelii</i> , <i>Scaevola repens var. repens</i> , <i>Allocasuarina humilis</i> , <i>Bossiaea eriocarpa</i> , <i>Hibbertia hypericoides</i> and <i>Stirlingia latifolia</i> .	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.	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> .	In progress	
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.	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> .	In progress	
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).	Native species richness is measured and is no less than what was recorded in Year 1.	Native species richness was measured in March 2023 is higher than what was recorded in Year 1 (28 species in MA1).	There is a minimum of 70 per cent survival rate of replanted individuals.	In progress	
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.	Total native species richness is at least 23.	Achieved	

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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.

# 2023 Compliance Assessment Report

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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)	27 April 2023	Stage Plans, Restrictive Covenants and DAPs

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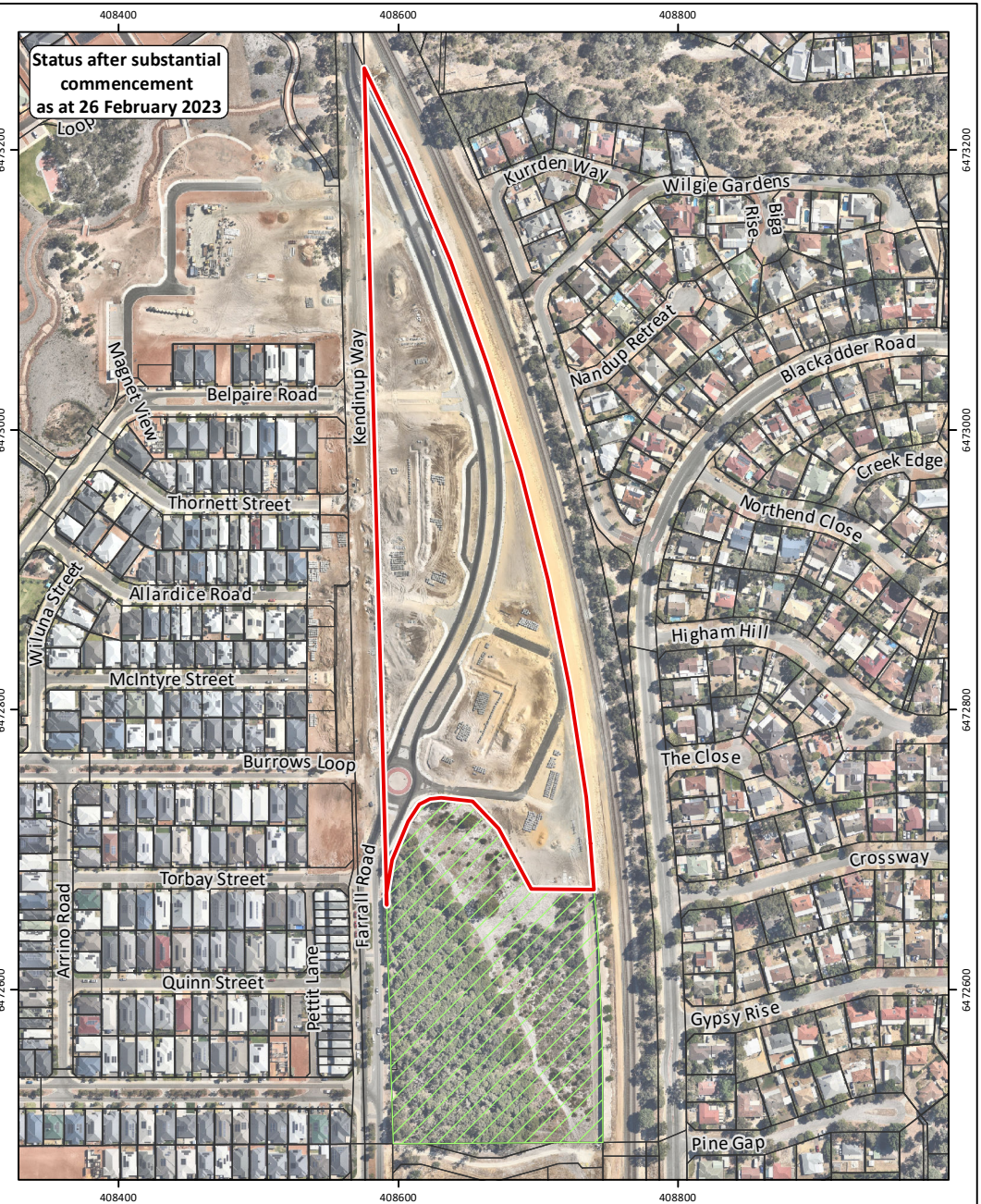


# Figures



*Figure 1: Current extent of works within the site*





**Figure 1: Current Extent of Works within the Site**

**Project:** 2023 Compliance Assessment Report  
 Lot 102 Farrall Road, Midvale

**Client:** Peet Stratton Pty Ltd

- Development footprint (5.08 ha)
- Conservation area (3.21 ha)
- Cadastral boundary

**Plan Number:**  
 EP16-009(32)-F205

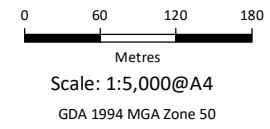
**Drawn:** GAR

**Date:** 01/02/2023

**Checked:** JDH

**Approved:** JDH

**Date:** 01/05/2023



While Emmerge Associates makes every attempt to ensure the accuracy and completeness of data, Emmerge accepts no responsibility for externally sourced data used  
 ©Landgate (2023).





# Appendix A

Ministerial Statement 1163 Audit Table





# Compliance Assessment Report

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Table A1: Ministerial Statement 1163 Audit Details

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
<b>Proposal Implementation</b>							
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"> <li>• Road infrastructure</li> <li>• Residential Lots</li> <li>• Public open space and associated infrastructure.</li> </ul> <p>Spatial data and/or plans showing the extent of the conservation area.</p>	Overall	Life of proposal.	C	The disturbance footprint and the conservation area are being legally defined via the implementation of subdivision approval (WAPC Application No. 160426), which are in accordance with Table 2 of Schedule 1 of MS 1163. Works have commenced under the subdivision approval, including the clearing of the full extent of the disturbance footprint. The only works undertaken to date within the conservation area have been restoration/revegetation works and the installation of fencing, noting that the fencing along the eastern boundary is provided by the rail line acoustic wall, and would not be duplicated to minimise any disturbance. The extent of works undertaken to date is shown in the attached <b>Figure 1</b> .
<b>Contact Details</b>							
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
<b>Time Limit for Proposal Implementation</b>							
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 commenced during the current reporting period, on 20 June 2022. This is within five (5) years from the date of MS 1163.
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).	C	Substantial implementation of the proposal commenced during the current reporting period, on 20 June 2022. This is within five (5) years from the date of MS 1163. The extent of commencement is demonstrated in <b>Figure 1</b> and will be confirmed separately in writing to the CEO to address compliance with this conditional requirement.
<b>Compliance Reporting</b>							
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.

# Compliance Assessment Report

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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"> <li>• The frequency of compliance reporting;</li> <li>• The approach and timing of compliance assessments;</li> <li>• The retention of compliance assessments;</li> <li>• The method of reporting of potential non-compliances and corrective actions taken;</li> <li>• The table of contents of Compliance Assessment Reports; and</li> <li>• Public availability of Compliance Assessment Reports.</li> </ul>	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.
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.  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.

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



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.	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	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: <ul style="list-style-type: none"> <li>• Be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;</li> <li>• Include a statement as to whether the proponent has complied with the conditions;</li> <li>• Identify all potential non-compliances and described corrective and preventative actions taken;</li> <li>• Be made publicly available in accordance with the approved Compliance Assessment Plan; and</li> <li>• Indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.</li> </ul>	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	The first CAR was submitted on 1 May 2022, which was fifteen (15) months from the date of issue for MS 1163. This is the second CAR to be submitted to the CEO and will be submitted on 1 May 2023.

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
<b>Public Availability of Data</b>							
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: <a href="https://www.peet.com.au/communities/perth-and-wa/movida-estate/purchaser-and-builder-information/building-covenants-and-approvals">https://www.peet.com.au/communities/perth-and-wa/movida-estate/purchaser-and-builder-information/building-covenants-and-approvals</a>
5-2	If any data referred to in condition 5-1 contains particulars of: <ul style="list-style-type: none"> <li>• A secret formula or process; or</li> <li>• Confidential commercially sensitive information.</li> </ul> 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.

# Compliance Assessment Report

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
<b>Flora and Vegetation and Terrestrial Fauna</b>							
6-1	<p>The proponent must manage the implementation of the proposal to meet the following environmental objectives within the <b>Conservation Area</b> identified in Figure 1:</p> <ul style="list-style-type: none"> <li>• Protect flora and vegetation so that the biological diversity and ecological integrity are maintained;</li> <li>• Maintain or <b>restore</b>, 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</li> <li>• Maintain 'excellent' condition vegetation and <b>restore</b> degraded vegetation to 'good' or better condition within Bush Forever Site 309 incorporating wetland UFI 15136.</li> </ul>	Comply with condition 6-5, 6-6 and condition 1-1.	CAR	Overall	Life of proposal.	C	<p>The proponent has substantially commenced implementation of the proposal. Disturbance works have been undertaken within the disturbance footprint, as shown in <b>Figure 1</b>.</p> <p>The retention of native vegetation within the conservation area and the implementation of the RVMP are the key actions that are being undertaken to ensure compliance with the requirements of this condition.</p> <p>Further information regarding the status of implementation of the RVMP has been provided within the 2023 CAR <b>Table 2</b> and <b>Table 3</b>.</p> <p>The implementation of the proposal and the RVMP are on track to ensure that these requirements are ultimately achieved and are therefore in progress.</p>



# Compliance Assessment Report

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
6-2	<p>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.</p>	<p>Consult with DBCA and CoS and submit a further version of the Rehabilitation and Vegetation Management Plan.</p>	<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	<p>Submission of updated Rehabilitation and Vegetation Management Plan by 1 February 2022, or within timeframe agreed by CEO.</p>	CLD	<p>Emerge Associates compiled the revised Rehabilitation and Vegetation Management Plan (EP16-009(09)—097D TAA) Version E in July 2021.</p>
6-3	<p>The Rehabilitation and Vegetation Management Plan required by condition 6-2 must:</p> <ul style="list-style-type: none"> <li>• Identify and map: <ul style="list-style-type: none"> <li>○ The 0.54 ha of Shrublands and Woodlands of the eastern Swan Coastal Plain Threatened Ecological Community to be restored;</li> <li>○ The adjacent 0.44 ha of cleared or degraded vegetation to be restored;</li> <li>○ Bush Forever Site 309 incorporating wetland UFI 15136; and</li> <li>○ Wetland buffer and landscape areas/</li> </ul> </li> <li>• Specify risk-based <b>management actions</b> that will be implemented to meet the environmental objectives specified in condition 6-1;</li> </ul> <p><i>(continued below)</i></p>	<p>The Rehabilitation and Vegetation Management Plan under condition 6-2 will follow the outline provided under condition 6-3.</p>	<p>Approved Rehabilitation and Vegetation Management Plan.</p> <p>CAR.</p>	Pre-construction	In accordance with condition 6-2.	CLD	<p>The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS 1163 and was approved by DWER on 14 September 2021.</p>

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
	<ul style="list-style-type: none"> <li>• Specific measurable <b>management target(s)</b> to determine the effectiveness of the risk-based <b>management actions</b> required by condition 6-3(2);</li> <li>• Specify monitoring parameters to measure the effectiveness of <b>management actions</b> against <b>management targets</b>;</li> <li>• Specify the location(s), frequency and timing of monitoring; and</li> <li>• Specify a process for the revision of <b>management actions</b> and changes to proposal activities, in the event that <b>management targets</b> are not achieved. The process must include an investigation to determine the cause of the <b>management target(s)</b> not being achieved.</li> </ul>						
6-4	The proponent must not commence any <b>ground disturbing activities</b> 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.	CLD	The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS 1163 and was approved by DWER on 14 September 2021.

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



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	The Rehabilitation and Vegetation Management Plan satisfies condition 6-2 of MS 1163 and was approved by DWER on 14 September 2021.  The latest version is being implemented.  Refer to 2023 CAR <b>Table 2</b> and <b>Table 3</b> for further details.
6-6	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: <ul style="list-style-type: none"> <li>• Provide a notice to the CEO in writing within twenty-one (21) days of the identification of the management target(s) not being achieved;</li> <li>• Investigate to determine the cause of the management target(s) not being achieved; and</li> <li>• 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"> <li>○ The cause of management targets not being achieved;</li> <li>○ The findings of the investigation required by condition 6-6(2);</li> </ul> </li> </ul> <p>(continued below)</p>	Provide written notice to the CEO.  Investigate targets that have not been met.  Provide a report to the CEO.	Written notice to the CEO.  CAR.  Investigation reports.	Overall	Written notice of management targets not being achieved (21 days).  Report to the CEO within 60 days of the notice.	C	The RVMP is being implemented in line with the development of Lot 102.  Emerge Associates undertook baseline monitoring in August/September 2021 and the first round of monitoring (monitoring event #1) in March 2022. This was reported previously in the 2022 CAR.  During the current reporting period, EmERGE Associates undertook monitoring event #2, monitoring event #3 and monitoring event #4.  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.  Refer to 2023 CAR <b>Table 2</b> and <b>Table 3</b> for further details.

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
	<ul style="list-style-type: none"> <li>○ Details of revised and/or additional management actions to be implemented to achieve management target(s); and</li> <li>○ Relevant changes to proposal activities.</li> </ul>						
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"> <li>• 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 <b>potential nesting trees</b> with hollows within the development envelope to determine if any hollows are being used for nesting by black cockatoos; and</li> <li>• 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.</li> </ul>	<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.	CLD	Two qualified and licenced terrestrial fauna spotters visited the site on 16 June 2022 to inspect all hollows and confirmed that no hollows were in use by any fauna, including black cockatoos. (L001, refer to the evidence table in <b>Appendix B</b> ). Clearing was subsequently undertaken on 20, 21 and 22 June 2022.

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



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"> <li>ensure the presence of qualified and licenced terrestrial fauna spotter(s) during clearing activities;</li> <li>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.</li> </ul>	<p>The proponent will use qualified and licenced 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.	CLD	<p>Prior to vegetation clearing, two qualified and licenced terrestrial fauna spotters undertook a fauna trapping and relocation program over seven consecutive nights from 13 to 20 June 2022.</p> <p>Two qualified and licenced terrestrial fauna spotters were present on site when clearing was undertaken on 20, 21 and 22 June 2022. Clearing was undertaken directionally and progressively under their direction to avoid and minimise impacts to terrestrial fauna.</p> <p>L001, refer to the evidence table in <b>Appendix B.</b></p>
<b>Offsets</b>							
7-1	<p>The proposal shall limit proposal impacts to no more than:</p> <ul style="list-style-type: none"> <li>1.22 ha direct impact of foraging habitat for Carnaby's cockatoo (<i>Calyptorhynchus latirostris</i>)</li> </ul> <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.	C	<p>Clearing of foraging habitat for Carnaby's black cockatoo has been limited to the disturbance footprint, which also means that the extent of clearing has been limited to 1.22ha, as shown in <b>Figure 1.</b></p>

# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
7-2	Prior to <b>ground disturbing activities</b> 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	As previously reported, the Land Acquisition and On-ground Management Offset Strategy was submitted to DWER on 6 August 2021.
7-3	The <i>Land Acquisition and On-ground Management Offset Strategy</i> shall: <ul style="list-style-type: none"> <li>• Demonstrate that the outcome in condition 7-1 will be met;</li> <li>• Be prepared on advice of the Department of Biodiversity, Conservation and Attractions;</li> <li>• Identify any area(s) to be acquired and/or for <b>on-ground management (Proposed Offset Conservation Area)</b>, which contains the environmental values identified in condition 7-1, or similar values of equivalent conservation significance agreed by the CEO;</li> <li>• 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)</li> </ul>	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. Comments from DWER were provided back to the proponent on 22 July 2022 (L002, refer to the evidence table in <b>Appendix B</b> ). The proponent is currently working through accommodating these comments to finalise the Land Acquisition and On-ground Management Offset Strategy, which is expected to be resolved in the following reporting period (2024 CAR).

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

# Compliance Assessment Report

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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"> <li>○ Demonstrate consistency with the National Recovery Plans for Carnaby's Cockatoo (<i>Calyptorhynchus latoristris</i>) Recovery Plan, or any subsequent revision of these plans;</li> <li>○ Demonstrate the consistency of the objective/s and target/s with the objectives of the National Recovery Plans for Carnaby's Cockatoo (<i>Calyptorhynchus latirostris</i>), or any subsequent revisions of the plan;</li> <li>○ Detail the <b>on-ground management</b> actions with associated timeframes for implementation, to achieved the objective/s and target/s identified in condition 7-3(6)(a); and</li> <li>○ 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).</li> </ul>						
7-4	<p>The proponent:</p> <ul style="list-style-type: none"> <li>• May review and revise the <i>Land Acquisition and On-ground Management Offset Strategy</i>; or</li> <li>• 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.</li> </ul>	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	N/A



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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. Comments from DWER were provided back to the proponent on 22 July 2022 (L002, refer to the evidence table in <b>Appendix B</b> ). The proponent is currently working through accommodating these comments to finalise the Land Acquisition and On-ground Management Offset Strategy, which is expected to be resolved in the following reporting period (2024 CAR). Once approved by the CEO, the Land Acquisition and On-ground Management Offset Strategy will be implemented.
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. Comments from DWER were provided back to the proponent on 22 July 2022 (L002, refer to the evidence table in <b>Appendix B</b> ). The proponent is currently working through accommodating these comments to finalise the Land Acquisition and On-ground Management Offset Strategy, which is expected to be resolved in the following reporting period (2024 CAR). Once approved by the CEO, the Land Acquisition and On-ground Management Offset Strategy will be implemented.

# Compliance Assessment Report

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Table A1: Ministerial Statement 1163 Audit Details (continued)

Condition	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
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	N/A
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	N/A

# Appendix B

Supporting/Verifying Information





# Compliance Assessment Report

Lot 102 Farrall Road, Midvale



Table B1: Supporting / Verifying Information

Type of information	Unique code	Document title/Information description
Letter	L001	Fauna Management Report – Lot 102 Farrall Road, Midvale
Letter	L002	MS1163 Amendments required to Lot 102 Farrall Road LAOMOS
Report	R001	Rehabilitation and Vegetation Management Plan Monitoring and Evaluation Report 2022-2023, Emerge Associates 2023
Report	R002	Movida Revegetation Post Activity Report
Report	R003	Movida Revegetation Post Activity Report
Report	R004	Movida Revegetation Post Activity Report