

Department of Education
Wellard Village Primary School Development
(EPBC 2020/8372)

Annual Compliance Report 2022

14 February 2023

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

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed

A handwritten signature in blue ink that reads "M Turnbull".

Full name Matt Turnbull
Position Manager Land and Property
Organisation Department of Education
Date 14 February 2023

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- Appendix A Vegetation and Fauna Management Plan Assessment
- Appendix B Environmental Offsets Plan Assessment

1. Introduction

This report addresses the status and compliance of implementation of the 'Wellard Village Primary School Development' with the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval 2020/8732 (EPBC 2020/8732).

1.1 Project Background

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

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

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

1.2 Environmental approvals

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

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

Conditional approval (EPBC 2020/8732) was issued to DoE on 11 November 2021.

2. Current status

Activities undertaken at Wellard during the audit period (07 December 2021 to 06 December 2022) include the following:

- Clearing encompassing:
 - approximately 3.039 ha Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community
 - approximately 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoo
 - 37 potential breeding trees for Black Cockatoos
 - No trees with suitable nesting hollows for Black Cockatoos
- Cut and fill of the construction site including the removal of a substantial volume of fill
- Development of the Public Oval
- Construction of the Wellard Village Primary School
- Development of the Restoration Management Plan

The action was commenced by contractor FIRM Construction 07 December 2021. Clearing and construction works were undertaken by this contractor up until October 2022. After entering administration, a new contractor, McCorkell Constructions, took over building in November 2022.

Evidence to support compliance with the great majority of audit criteria were available however documentary evidence of conformance with some of the VFMP audit criteria was not available due to the inability of FIRM Construction to provide evidence at the time of audit. Achievement of the intent of the conditions was in most cases able to be determined.

3. Audit methodology

3.1 Audit Plan

3.1.1 Purpose and scope

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

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

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

This Annual Compliance Report (ACR) addresses the audit period between 07 December 2021 and 06 December 2022, for each condition of EPBC 2020/8732. Conformance with management plans required under sub-conditions have also been addressed, including:

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

3.1.2 Methodology

The audit was undertaken in January and February 2023 and involved interviews with key members of the project team, site inspection and a review of documentation to support the audit. Table 3.1 provides an overview of personnel consulted as part of the audit.

Table 3.1: Persons consulted during the audit

Person and position	Position	Organisation
Christopher Mackay	Principal Consultant Land Acquisition	Department of Education
Cameron Grant	Principal Project Manager	Department of Finance
Leslie Jayatilaka	Senior Project Architect & Contracts Administrator	Oldfield Knott Architects
Hugh Gill	Executive Director	Oldfield Knott Architects
Rebecca Mason	Client Support Representative	Strategen-JBS&G

3.2 Audit terminology

The ‘Status’ field of the audit tables (refer to Section 4) describes the implementation of actions and compliance with the approval. DCCEE (then DoE; 2014) has issued Annual Compliance Report Guidelines and terminology from this guidance was applied in this audit (Table 3.2).

Table 3.2: Action implementation status

Status	Acronym	Description
Conditions of approval		
Compliant	C	Sufficient evidence is required to confirm that all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Potentially non-compliant	PNC	The requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Not applicable	N/A	The requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.
Management Plans		
Conformant	C	Sufficient evidence is required to confirm that the requirements of the procedures, programs and/or management actions detailed within an Environmental Management Plan or similar document have been satisfactorily met.
Potentially non-conformant	PNC	Considered to be any deviation from the procedures, programs and/or management actions detailed within an Environmental Management Plan or similar document.
Not applicable	N/A	The requirements of a management action fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

Source: adapted from DotE (2014)

4. Audit results

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

4.1 Compliance with conditions of EPBC 2020/8732

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

- 24 sub-conditions assessed as compliant
- Three sub-conditions as potentially non-compliant
- 24 sub-conditions assessed as 'not applicable' (during this audit period).

The three non-compliances were related to the implementation of the management plans and record keeping.

4.2 Conformance with the Vegetation and Fauna Management Plan

The audit addressed 111 commitments from the VFMP; Department of Education was found:

- 45 commitments assessed as conformant
- 21 commitments assessed as potentially non-conformant
- 31 commitments assessed as 'not applicable' (during this audit period)
- 14 commitments were not able to be determined.

The 21 non-conformances were related to:

- Inadequate waste facilities on site
- Site personnel not undertaking inspections / implementing required corrective actions
- No spill kits on site
- Unavailability of incident register, complaints register, fauna interaction register
- Induction content missing information on weed and dieback management and speed limits
- Weed and dieback inspection records unavailable
- Baseline weed assessment and follow-up annual weed monitoring in retained vegetation not being undertaken

4.3 Conformance with the Environmental Offsets Plan

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

- Seven commitments assessed as conformant
- Two commitments assessed as potentially non-conformant
- Nine commitments assessed as 'not applicable' (during this audit period)

The two non-conformances were related to not having the conservation covenants in place within 12 months for the two offset sites.

4.4 Opportunities for Improvement

The following OFIs were identified during the audit:

- Remove temporary fencing on clearing boundary (which duplicates the permanent fencing and is in places damaged).
- Obtain a current SDS for the diesel stored and handled on site.

Table 4.1: Compliance with conditions of EPBC 2020/8732

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
EPBC 1a	For the protection of listed threatened species and communities the approval holder must not clear more than 3.039 ha of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community;	<u>Action</u> Not clear more than 3.039 hectares of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community. <u>How</u> Records of clearing during the audit period <u>Objective</u> For the protection of listed threatened species and communities	Compliant	Figure 1	The approval holder cleared wholly within the development envelope i.e. did not clear more than 3.039 ha of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community.
EPBC 1b	For the protection of listed threatened species and communities the approval holder must not clear more than 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoos;	<u>Action</u> Not clear more 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoos. <u>How</u> Records of clearing during the audit period <u>Objective</u> For the protection of listed threatened species and communities	Compliant	Figure 1	The approval holder cleared wholly within the development envelope i.e. did not clear more than 3.085 ha of roosting habitat for Forest Red-tailed Black Cockatoos.
EPBC 1c	For the protection of listed threatened species and communities the approval holder must not clear more than 43 potential breeding trees for Black Cockatoos	<u>Action</u> Not clear more than 43 potential breeding trees for Black Cockatoos. <u>How</u> Records of clearing during the audit period <u>Objective</u> For the protection of listed threatened species and communities	Compliant	Figure 1	The approval holder cleared 37 potential breeding trees for Black Cockatoos i.e. did not clear more than 43 potential breeding trees.
EPBC 1d	For the protection of listed threatened species and communities the approval holder must not clear more than a total of two suitable nesting hollows for Black Cockatoos	<u>Action</u> Not clear more than a total of two suitable nesting hollows for Black Cockatoos <u>How</u> Records of clearing during the audit period <u>Objective</u> For the protection of listed threatened species and communities	Compliant	Figure 1 R06_Fauna Relocation Report	The two nesting hollows with the potential to be suitable for Black Cockatoos were cleared by the approval holder however it was determined by the fauna specialist on site that they were not of a size suitable for Black Cockatoo Nesting.
EPBC 1e	For the protection of listed threatened species and communities the approval holder must not clear outside the project area.	<u>Action</u> Not clear outside the area designated as the "Project Area" in Attachment A. <u>How</u> Records of clearing during the audit period <u>Objective</u> For the protection of listed threatened species and communities	Compliant	Figure 1	The approval holder cleared wholly within the project area.
EPBC 2	For the protection of listed threatened species and communities and to minimise indirect impact to remnant areas of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community and Black Cockatoo habitat from weeds and dieback, the approval holder must implement all avoidance, mitigation and management measures identified in of the Vegetation and Fauna Management Plan for the life of the approval, subject to the requirements of conditions 17 and 18 in relation to the reporting non-compliance and incidents.	<u>Action</u> Implement the Vegetation and Fauna Management Plan. <u>How</u> Assess compliance with the VFMP <u>Objective</u> For the protection of listed threatened species and communities and to minimise indirect impact to remnant areas of Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community and Black Cockatoo habitat from weeds and dieback.	Potentially Non-compliant	Appendix A	Refer to Appendix A Vegetation and Fauna Management Plan Assessment. The VFMP has been implemented with partial conformance.
EPBC 3.1	In addition to the measures required under condition 2, to mitigate impacts to nesting Black Cockatoos, the approval holder must, within 2 days prior to the clearing of the two trees each containing a potentially suitable nesting hollow, investigate these suitable nesting hollows to determine if they are currently utilised by Black Cockatoos for nesting. The investigation must be undertaken by a suitably qualified ecologist.	<u>Action</u> Investigate suitable nesting hollows to determine if they are currently utilised by Black Cockatoos for nesting. <u>How</u> Suitably qualified ecologist to undertake investigation 2 days prior to clearing. <u>Objective</u> To mitigate impacts to nesting Black Cockatoos	Compliant	R06_Fauna Relocation Report	The nesting hollows were investigated five days prior to clearing and found to be too small for black cockatoo use. The hollow previously identified as possibly suitable for black cockatoos had evidence of chewing that was most likely due to galahs.
EPBC 3.2a	If any Black Cockatoos are detected utilising any hollow the approval holder must: a. clearly identify and mark any tree containing a currently utilised suitable nesting hollow or other currently utilised hollow	<u>Action</u> If any Black Cockatoos are detected utilising any hollow the approval holder must clearly identify and mark any tree containing a currently utilised suitable nesting hollow or other currently utilised hollow. <u>How</u> Mark with clearly identifiable flagging or survey tape. <u>Objective</u>	Not Applicable	R06_Fauna Relocation Report	No black cockatoos were detected during the tree hollow assessment (R06).

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
		To mitigate impacts to nesting Black Cockatoos			
EPBC 3.2b	If any Black Cockatoos are detected utilising any hollow the approval holder must: b. not clear any tree containing a currently utilised suitable nesting hollow or other hollow currently utilised by a Black Cockatoo, or any vegetation within a 10 metre radius of that tree until a suitably qualified ecologist has verified that no hollow in the tree is no longer being used by Black Cockatoos.	<u>Action</u> Not clear any tree containing a currently utilised suitable nesting hollow or other hollow currently utilised by a Black Cockatoo, or any vegetation within a 10 metre radius of that tree. <u>How</u> Verification by suitably qualified ecologist that no hollow in tree is being used by Black Cockatoos. <u>Objective</u> To mitigate impacts to nesting Black Cockatoos	Not Applicable	Refer to EPBC 3.2a	Refer to EPBC 3.2a
EPBC 4a	To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat, the approval holder must: a. Within 12 months of the commencement of the action provide the Department with written evidence that the offset sites have been legally secured in perpetuity as an offset for this action, including providing a description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles.	<u>Action</u> Within 12 months of the commencement of the action provide the Department with written evidence that the offset sites have been legally secured in perpetuity as an offset for this action, including providing a description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles. <u>How</u> Correspondence with the Department providing written evidence of offset sites including description and map clearly defining the locations and boundaries of the offset sites, accompanied by the offset attributes and shapefiles. <u>Objective</u> To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat.	Compliant	C03_Offset Notification to DCCEEW	Notification provided to the Department 06/12/2022 outlines the offset property and that Department of Education currently own the land. It does not show that the land is secured in perpetuity, it shows that it is going to be secured in perpetuity.
EPBC 4b	To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat, the approval holder must: b. Once the offset sites have been legally secured, the approval holder must implement Offset Plan 1 for the remainder of the life of the approval.	<u>Action</u> Implement Environmental Offset Plan (EOP) <u>How</u> Assess compliance with the EOP <u>Objective</u> To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat.	Potential Non-compliance	Appendix B	Refer to Appendix B Offset Plan 1 Assessment. The OEP has been implemented with partial conformance.
EPBC 4c	To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat, the approval holder must: c. Within 6 months of the commencement of the action submit for approval by the Minister a Restoration Management Plan for Reserve 39964 which must include the commitments specified in section 3 of Offset Plan 1.	<u>Action</u> Submit for approval by the Minister a Restoration Management Plan for Reserve 39964 which includes the commitments specified in section 3 of the EOP <u>How</u> Correspondence with the Department showing submission of RMP within 6 months of commencement of the action. <u>Objective</u> To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat.	Compliant	C08_Condition 4c	DoE submitted the Restoration Management Plan to DAWE 07/06/2022 (within 6 months of commencement of the action) with DAWE providing feedback 26/07/2022 and 22/12/2022.
EPBC 5	If, 12 months after the commencement of the action, the Minister informs the approval holder that the submitted Restoration Management Plan is not suitable for approval, the Minister may, after another 2 months, approve a version of the Restoration Plan revised by the Department. Once the Restoration Management Plan is approved, the approval holder must implement the approved Restoration Management Plan for the remainder of the life of the approval.	<u>Action</u> Implement the RMP approved by the Minister <u>How</u> Assess compliance with the RMP <u>Objective</u> To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coast Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat.	Not Applicable	C08_Condition 4c	The feedback given by the Minister on 22/12/2022 is clear direction on what is required in a revision of the RMP. These amendments are to be made and provided to DCCEEW for approval.
EPBC 6	Additional Offset and Restoration Plan To compensate for no less than 27.46% of the residual significant impact on the Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community and no less than 11.58% of the residual significant impact on Forest Red-tailed Black Cockatoo Roosting habitat, the approval holder must submit an Additional Offset and Restoration	<u>Action</u> Submit an Additional Offset and Restoration Plan (AORP) for approval by the Minister within twelve months from the commencement of the action. <u>How</u> Correspondence with the Department showing submission of AORP within twelve months of commencement of the action. <u>Objective</u>	Compliant	C05_Condition 6	DoE requested additional time to implement this condition 25/11/2022. No response has been received from DCCEEW.

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
	Plan for approval by the Minister within twelve months from the commencement of the action. The Additional Offset and Restoration Plan must: <ul style="list-style-type: none"> a. Identify a suitable environmental offset for the above specified residual impacts on Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat that satisfies the requirements of the Environmental Offsets Policy; b. Include detailed baseline information on the proposed offset(s) and achievable goals for the proposed habitat condition and quality score demonstrating how the proposed offset(s) will meet the requirements of the Environmental Offsets Policy; c. Specify goals and timeframes for achieving the condition and quality requirements of the proposed offset(s); d. Include milestones and completion criteria, and triggers and corrective actions if milestones and completion criteria are not met; e. Include details of how the offset(s) will be protected in perpetuity; and f. A description and map clearly defining the location and boundary of the offset site, accompanied by the offset attributes and shapefiles. 	To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat.			
EPBC 7	If the Additional Offset and Restoration Plan for the offset requirement specified in condition 6 has not been approved by the Minister in writing within 12 months of the commencement of the action, and the Minister notifies the approval holder that the submitted Additional Offset and Restoration Plan is not suitable for approval, the Minister may, at least two months after notifying the approval holder, approve a version of the Additional Offset and Restoration Plan revised by the Department. Once the Additional Offset and Restoration Plan is approved the approval holder must implement the approved Additional Offset and Restoration Plan for the remainder of the life of the approval.	<p><u>Action</u> Implement AORP approved by the Minister</p> <p><u>How</u> Assess compliance with the AORP</p> <p><u>Objective</u> To compensate for residual significant impacts to the Tuart Woodlands and Forests of the Swan Coastal Plain Ecological Community, and Forest Red-tailed Black Cockatoo Roosting habitat.</p>	Not Applicable	Refer to EPBC 6	Refer to EPBC 6
EPBC 8a	To offset the loss of two potentially suitable nesting hollows within the project area, the approval holder must install artificial nesting hollows, in accordance with artificial hollow installation guidelines. To maximise the likelihood of the installed artificial nesting hollows being used by Black Cockatoos, the approval holder must: <ul style="list-style-type: none"> a. install at least six artificial nesting hollows prior to the beginning of the next breeding season prior to the commencement of the action 	<p><u>Action</u> Install at least six artificial nesting hollows prior to the beginning of the next breeding season prior to the commencement of the action.</p> <p><u>How</u> Maintain records of installation of artificial nesting hollows.</p> <p><u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.</p>	Compliant	R04_Artificial Nesting Hollow Installation Report PDF C02_2020_8732 - 220322 - Warning Letter	Six cockatubes were installed 24/02/2022 in the Peel Region WA by Landcare SJ Inc (R04). The commencement of the action was 07/12/2021. The installation of the artificial nesting hollows was not prior to the next breeding season which commenced 01/03/2022 (C02).
EPBC 8b(i)	To offset the loss of two potentially suitable nesting hollows within the project area, the approval holder must install artificial nesting hollows, in accordance with artificial hollow installation guidelines. To maximise the likelihood of the installed artificial nesting hollows being used by Black Cockatoos, the approval holder must: <ul style="list-style-type: none"> b. ensure that each installed artificial nesting hollow is: <ul style="list-style-type: none"> i. monitored and maintained in accordance with artificial hollow maintenance guidelines from the commencement of the action for the remainder of the life of the approval, with maintenance actions undertaken outside of and before the commencement of each breeding season 	<p><u>Action</u> Ensure that each installed artificial nesting hollow is monitored and maintained in accordance with artificial hollow maintenance guidelines from the commencement of the action for the remainder of the life of the approval, with maintenance actions undertaken outside of and before the commencement of each breeding season.</p> <p><u>How</u> Artificial nesting hollow monitoring report by a suitably qualified ecologist.</p> <p><u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.</p>	Compliant	R05_ANH Monitoring 22nd August and 24th October	Monitoring undertaken on 22/08/2022 and 24/10/2022 found evidence of Black Cockatoo activity in two artificial nesting hollows. The monitoring found that no maintenance was required at this stage.
EPBC 8b(ii)	To offset the loss of two potentially suitable nesting hollows within the project area, the approval holder must	<p><u>Action</u></p>	Compliant	R04_Artificial Nesting Hollow Installation Report PDF	The artificial nesting hollows were installed on private properties away from roads and buildings with no clearing required (R04).

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
	install artificial nesting hollows, in accordance with artificial hollow installation guidelines. To maximise the likelihood of the installed artificial nesting hollows being used by Black Cockatoos, the approval holder must: b. ensure that each installed artificial nesting hollow is: ii. not installed in a manner that requires additional clearing of Black Cockatoo habitat or within 10 metres of the edge of any roads or building, to reduce the risk of vehicle strike and human disturbance.	Ensure that each installed artificial nesting hollow is not installed in a manner that requires additional clearing of Black Cockatoo habitat or within 10 metres of the edge of any roads or building, to reduce the risk of vehicle strike and human disturbance. <u>How</u> Maintain records of installation of artificial nesting hollows. <u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.			
EPBC 8c	To offset the loss of two potentially suitable nesting hollows within the project area, the approval holder must install artificial nesting hollows, in accordance with artificial hollow installation guidelines. To maximise the likelihood of the installed artificial nesting hollows being used by Black Cockatoos, the approval holder must: c. ensure that each installed artificial nesting hollow is inspected by a suitably qualified ecologist at least twice each year from the commencement of the action the remainder of the life of the approval, at least 4 weeks apart, during the breeding season to record any evidence of use by Black Cockatoos and to identify any maintenance requirements.	<u>Action</u> Ensure that each installed artificial nesting hollow is inspected by a suitably qualified ecologist at least twice each year from the commencement of the action the remainder of the life of the approval, at least 4 weeks apart, during the breeding season to record any evidence of use by Black Cockatoos and to identify any maintenance requirements. <u>How</u> Artificial nesting hollow monitoring report by a suitably qualified ecologist. <u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.	Compliant	R05_ANH Monitoring 22nd August and 24th October	Monitoring undertaken on 22/08/2022 and 24/10/2022 found evidence of Black Cockatoo activity in two artificial nesting hollows. The monitoring found that no maintenance was required at this stage.
EPBC 8d	To offset the loss of two potentially suitable nesting hollows within the project area, the approval holder must install artificial nesting hollows, in accordance with artificial hollow installation guidelines. To maximise the likelihood of the installed artificial nesting hollows being used by Black Cockatoos, the approval holder must: d. have a suitably qualified ecologist verify in writing to the Department, when at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting three consecutive years.	<u>Action</u> A suitably qualified ecologist is to verify in writing to the Department, when at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting three consecutive years. <u>How</u> Artificial nesting hollow monitoring report by a suitably qualified ecologist. <u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.	Not Applicable	N/A	Nesting hollows have not been installed for three years.
EPBC 9a	If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification: a. submit to the Minister, for approval, the details of an offset that meets the requirements of the Environmental Offsets Policy and will compensate for the permanent loss of the two suitable nesting hollows	<u>Action</u> If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification, submit to the Minister, for approval, the details of an offset that meets the requirements of the Environmental Offsets Policy and will compensate for the permanent loss of the two suitable nesting hollows. <u>How</u> Artificial nesting hollow monitoring report by a suitably qualified ecologist, additional offset and correspondence with the Department. <u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.	Not Applicable	N/A	Nesting hollows have not been installed for nine years.
EPBC 9b	If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification: b. submit to the Department a detailed assessment, prepared by a suitably qualified ecologist, of the factors that caused the failure to achieve Black Cockatoo nesting in at least one artificial nesting hollows ¹ for each cleared suitable nesting hollow for three consecutive years.	<u>Action</u> If, after every nine years from commencement of the action, the approval holder is unable to provide the verification by a suitably qualified ecologist that at least three of the installed artificial nesting hollows have shown evidence of Black Cockatoo nesting for three consecutive years, the approval holder must, within 12 months after providing verification, submit to the Department a detailed assessment, prepared by a suitably qualified ecologist, of the factors that caused the failure to achieve Black Cockatoo nesting in at least one artificial nesting hollows for each cleared suitable nesting hollow for three consecutive years. <u>How</u> Artificial nesting hollow monitoring report by a suitably qualified ecologist, detailed assessment and correspondence with the Department.	Not Applicable	N/A	Nesting hollows have not been installed for nine years.

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
		<u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.			
EPBC 10	All data, enquiries and findings of the monitoring required by Condition 9 must be provided to the Department within one year of the verification by a suitably qualified ecologist required under Condition 8d being obtained, or within 25 business days after submitting the assessment report required under Condition 9b.	<u>Action</u> All data, enquiries and findings of the monitoring required by Condition 9 must be provided to the Department within one year of the verification by a suitably qualified ecologist required under Condition 8d being obtained, or within 25 business days after submitting the assessment report required under Condition 9b. <u>How</u> Correspondence with the Department. <u>Objective</u> To offset the loss of two potentially suitable nesting hollows within the project area.	Not Applicable	Refer to condition 8d	Nesting hollows have not been installed for three years.
EPBC 11	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.	<u>Action</u> 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. <u>How</u> Maintain records of correspondence with the Department regarding commencement of the action.	Compliant	C01_EPBC 2020_8732 - notification of commencement of action	The approval holder notified DAWE on 15/12/2021 that the action commenced on the 07/12/2021.
EPBC 12	The approval holder must maintain accurate and complete compliance records.	<u>Action</u> Maintain accurate and complete compliance records	Potentially Non-compliant	R01_2022 ACR	The first contractor on site went under administration in October 2022 and resulted in a significant loss of records. However, the replacement builder McCorkell Constructions was unable to provide records for the November to December period including incident registers, complaints registers, fauna interaction registers, hygiene registers, current chemical registers and inspection records.
EPBC 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.	<u>Action</u> 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. <u>How</u> Maintain accurate and complete compliance records, and records of requests received from the Department.	Compliant	C09_Show Cause C06_Response to DAWE EPBC Potential Breach Notice	Doe responded to the Department's letter of 10/02/2022 (C09) by the 23/02/2022 (C06) with electronic copies of compliance records.
EPBC 14a	Preparation and publication of plans The approval holder must: a. submit plans electronically to the Department for approval by the Minister	<u>Action</u> Submit plans electronically to the Department for approval <u>How</u> Maintain records of correspondence with the Department regarding submission of plans	Compliant	C08_Condition 4c - Reserve 39964 RMP_SEC_OFFICIAL	The approval holder submitted the RMP via electronic link to the Minister in the Reporting period.
EPBC 14b	Preparation and publication of plans The approval holder must: b. publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Department under condition 24, unless otherwise agreed to in writing by the Minister;	<u>Action</u> Publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Department under condition 24. <u>How</u> Maintain records of each plan's publication on the website.	Compliant	E01_Website Screen Shot	The VFMP and EOP are available on the Department of Education website (26/01/2023): www.education.wa.edu.au/tuart-woodland
EPBC 14c	Preparation and publication of plans The approval holder must: c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and	<u>Action</u> Exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public <u>How</u> Maintain records of each compliance report's publication on the website.	Not Applicable	R02_VFMP R03_EOP	No sensitive ecological data has been excluded or redacted.
EPBC 14d	Preparation and publication of plans The approval holder must: d. keep plans published on the website until the end date of this approval.	<u>Action</u> Keep plans published on the website until the end date of this approval. <u>How</u> Maintain records of each plan's publication on the website.	Compliant	See EPBC 14b	See EPBC 14b
EPBC 15	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan or the	<u>Action</u> Submit all data electronically to the Department <u>How</u>	Compliant	C06_Response to DAWE EPBC Potential Breach Notice R01_2022 ACR	DoE has submitted the following data to the Department: <ul style="list-style-type: none"> Pre-clearing black cockatoo hollow investigation (C06)

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
	conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan or the conditions of this approval.	Maintain records of all correspondence had with the Department related to the submission of data.			<ul style="list-style-type: none"> Artificial Nesting Hollow Monitoring 22nd August and 24th October (R01)
EPBC 16a	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: <ol style="list-style-type: none"> publish each compliance report on the website within 60 business days following the relevant 12 month period; 	<u>Action</u> Publish each compliance record on the website within 60 business days following the relevant 12 month period. <u>How</u> Maintain records of each compliance report's publication on the website.	Compliant	R01_2022 ACR	This report (R01) is the first compliance report for the project. It is located at the website: www.education.wa.edu.au/tuart-woodland No data has been required to be redacted from this report.
EPBC 16b	<ol style="list-style-type: none"> notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; 	<u>Action</u> Notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication. <u>How</u> Maintain records of all correspondence with the Department related to the publication of the compliance report.	Not Applicable	Not Applicable	This ACR is the first compliance report to be published.
EPBC 16c	<ol style="list-style-type: none"> keep all compliance reports publicly available on the approval holder's website until this approval expires; 	<u>Action</u> Keep all compliance reports publicly available on the website until this approval expires <u>How</u> Maintain records of each compliance report's publication on the website.	Compliant	Refer to EPBC 16a	Refer to EPBC 16a
EPBC 16d	<ol style="list-style-type: none"> exclude or redact sensitive ecological data from compliance reports published on the approval holder's website; 	<u>Action</u> Exclude or redact sensitive ecological data from compliance reports published on the website <u>How</u> Maintain records of each compliance report's publication on the website.	Compliant	R02_2022 ACR	No data has been required to be redacted from this report(R02).
EPBC 16e	<ol style="list-style-type: none"> 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. 	<u>Action</u> Where any sensitive ecological data has been excluded from the version of the compliance report published, submit the full compliance report to the Department within 5 business days of publication. <u>How</u> Maintain records of all correspondence had with the Department related to the submission of compliance reports.	Not Applicable	Refer to EPBC 16d	Refer to EPBC 16d
EPBC 17	Reporting non-compliance 17. The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify: <ol style="list-style-type: none"> any condition which is or may be in breach; a short description of the incident and/or non-compliance; and 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.	<u>Action</u> Notify the Department in writing of any incident, non-compliance with the conditions, or non-compliance with the commitments made in plans no later than 2 business days after becoming aware of the incident or non-compliance <u>How</u> Maintain records of each non-compliance and all relevant correspondence with the Department.	Compliant	R01_2022 ACR	Section 4 of this ACR documents the non-compliances with the conditions of this approval and non-conformances with the management plans. This ACR is notification to the Department of the non-compliances and non-conformances.
EPBC 18	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:	<u>Action</u> 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. <u>How</u> Maintain records of each non-compliance and all relevant correspondence with the Department.	Compliant	R01_2022 ACR	Section 4 of this ACR documents the non-compliances with the conditions of this approval and non-conformances with the management plans. This ACR is notification to the Department of the non-compliances and non-conformances.

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
	a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder.				
EPBC 19	Independent audit The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	<u>Action</u> Ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister. <u>How</u> Maintain records of all records of compliance with the conditions, as well as of requests from the Department related to the audits of compliance.	Not Applicable	Not Applicable	The Minister has not requested an independent audit be conducted.
EPBC 20a	For each independent audit, the approval holder must: a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department.	<u>Action</u> Provide the name and qualifications of the independence auditor and draft audit criteria to the Department <u>How</u> Maintain records of correspondence with the Department regarding the independent auditor and draft audit criteria.	Not Applicable	Refer to EPBC 19	Refer to EPBC 19
EPBC 20b	For each independent audit, the approval holder must: b. only commence the independent audit once the audit criteria have been approved in writing by the Department.	<u>Action</u> Only commence the independent audit once the audit criteria have been approved in writing by the Department. <u>How</u> Maintain records of correspondence with the Department related to the approval of the draft audit criteria, as well as the commencement date of the independent audit.	Not Applicable	Refer to EPBC 19	Refer to EPBC 19
EPBC 20c	For each independent audit, the approval holder must: c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.	<u>Action</u> For each independent audit, submit an audit report to the Department within the timeframe specified in the approved audit criteria. <u>How</u> Maintain records of correspondence with the Department related to submitted audit reports.	Not Applicable	Refer to EPBC 19	Refer to EPBC 19
EPBC 21	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.	<u>Action</u> 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 <u>How</u> Maintain records of the publication of audit reports on the website.	Not Applicable	Refer to EPBC 19	Refer to EPBC 19
EPBC 22	Revision of action management plans The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.	<u>Action</u> Implement a Revised Action Management Plan (RAMP). <u>How</u> Maintain records of correspondence with the Department related to the revision and approval of action management plans.	Not Applicable	Not Applicable	The approval holder has not applied to vary an action management plan.
EPBC 23	The approval holder may choose to revise the Vegetation and Fauna Management Plan, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.	<u>Action</u> Revise the Vegetation and Fauna Management Plan, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact. <u>How</u> Maintain records of revisions made to the VFMP.	Not Applicable	Not Applicable	The approval holder has not revised the VFMP.
EPBC 24a	If the approval holder makes the choice under condition 23 to revise an action management plan without submitting it for approval, the approval holder must:	<u>Action</u> Notify the Department in writing the VFMP has been revised without submitting for approval under section 143A with an electronic copy of the RAMP, a tracked changes version, an explanation of the differences between	Not Applicable	Not Applicable	Refer to EPBC 23

Condition Number	Condition	Action How Objective	Compliance status	Evidence	Findings
	a. notify the Department in writing that the approved action management plan has been revised and provide the Department with: i. an electronic copy of the RAMP; ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; iii. an explanation of the differences between the approved action management plan and the RAMP; iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact; and v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department.	the approved version and the RAMP, the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact and the implementation date. <u>How</u> Maintain records of correspondence with the Department related to the notification to the Department of the revision of an action management plan without submitting it for approval.			
EPBC 24b	If the approval holder makes the choice under condition 23 to revise an action management plan without submitting it for approval, the approval holder must: b. subject to condition 23, implement the RAMP from the RAMP implementation date.	<u>Action</u> Implement the RAMP <u>How</u> Assess compliance with the RAMP	Not Applicable	Not Applicable	Refer to EPBC 23
EPBC 25	The approval holder may revoke their choice to implement a RAMP under condition 23 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 23, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 23.	<u>Action</u> Implement the approved RAMP <u>How</u> Maintain records of correspondence with the Department related to the implementation of the RAMP.	Not Applicable	Not Applicable	Refer to EPBC 23
EPBC 26	If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then: a. condition 23 does not apply, or ceases to apply, in relation to the RAMP; and b. the approval holder must implement the action management plan specified by the Minister in the notice.	<u>Action</u> Implement the approved RAMP <u>How</u> Maintain records of correspondence with the Department related to the implementation of the RAMP.	Not Applicable	Not Applicable	Refer to EPBC 23
EPBC 27	At the time of giving the notice under condition 26, the Minister may also notify that for a specified period of time, condition 24 does not apply for one or more specified action management plans.	<u>How</u> Maintain records of correspondence with the Department related to the RAMP.	Not Applicable	Not Applicable	Refer to EPBC 23
EPBC 28	Completion of the action Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	<u>Action</u> Within 30 days after the completion of the action, notify the Department in writing and provide completion data. <u>How</u> Maintain records of correspondence with the Department related to the completion of the action. Maintain completion data as required.	Not Applicable	Not Applicable	Action has not been completed. Action commenced 07/12/2021.

5. Limitations

Scope of services

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

Reliance on data

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

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

Environmental conclusions

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made.

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

Strategen-JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client, or amended in any way without prior approval by Strategen-JBS&G, and should not be relied upon by other parties, who should make their own enquiries.

Appendix A Vegetation and Fauna Management Plan Assessment

Table A.1: VFMP Audit Table

Reference	Action	Timing	Conformance status	Evidence	Findings
Delineation and access measures: General delineation and access					
VFMP01	All personnel are required to undertake an induction, ensuring that site contractors are made aware of clearing boundaries and delineation measures.	Prior to commencement of clearing	Conformant	R01_2022 ACR Figure 1	While it was not determined if the commitment for all personnel to undertake an induction was in place prior to commence clearing to ensure that site contractors are made aware of clearing boundaries and delineation measures, the audit assessed this commitment as conformant as the intended clearing objective was achieved.
VFMP02	Clearly demarcate the clearing boundary with star pickets and/or flagging at minimum	Prior to commencement of clearing	Conformant	R01_2022 ACR Figure 1	While it was not determined if the commitment for demarcation of the clearing boundary with star pickets and or flagging was in place prior to the commencement of clearing, the audit assessed this commitment as conformant as the intended clearing objective was achieved.
VFMP03	Clearly demarcate each staging boundary within the site with flagging.	Prior to commencement of clearing	Conformant	R01_2022 ACR Figure 1	While it was not determined if the commitment to demarcate each staging boundary with site flagging was in place prior to the commencement of clearing, the audit assessed this commitment as conformant as the intended clearing objective was achieved.
VFMP04	Install appropriate fencing around the periphery of vegetation to be retained.	As clearing is undertaken adjacent to vegetation to be retained	Conformant	Site Inspection 03/02/2023 P01_Fencing P02_Fencing	The clearing boundary is demarcated by permanent fencing (P01 & P02). <u>OFI</u> Remove temporary fencing on clearing boundary (duplicating permanent fencing).
VFMP05	Install signage on periphery fencing detailing access restrictions and presence of vegetation to be retained	Immediately following installation of periphery fencing	Conformant	R01_2022 ACR Figure 1	While it was not determined if the commitment to install signage was in place immediately following installation of the periphery fencing, the audit assessed this commitment as conformant as the intended clearing objective was achieved.
VFMP06	Provide digital boundary of areas approved to be cleared and retained to the contractor to ensure no unapproved clearing is undertaken.	Prior to commencement of clearing	Conformant	R01_2022 ACR Figure 1	While it was not determined if the commitment to provide digital boundary areas to the contractor was in place prior to the commencement of clearing, the audit assessed this commitment as conformant as the intended clearing objective was achieved.
VFMP07	Temporary drainage to be constructed away from retained or adjacent vegetation such that altered surface water flows do not impact vegetation.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	The vegetated areas are all elevated above the construction area. No drainage is running from the construction areas into retained or adjacent vegetation.
VFMP08	No machinery, equipment or laydown areas to be located within areas of native vegetation to be retained.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P03_Laydown P04_Laydown	While there is machinery, equipment and laydown areas across the site, it is all outside of areas of native vegetation to be retained.
Delineation and access measures: Demarcation of trees to be retained					
VFMP09	In accordance with Section 4 of AS 4970-2009, establish/delineate Tree Protection Zones (TPZs), for each tree identified for retention within the site and install protective measures (if applicable) such as: <ul style="list-style-type: none"> Protection fencing in accordance with AS4970-2009 Signs Trunk and branch protection Ground protection. 	Prior to commencement of clearing	Conformant	Site Inspection 03/02/2023 P05_TPZ	While it was not determined if the commitment to establish TPZs was in place prior to the commencement of clearing, the audit assessed this commitment as conformant as the intended clearing objective was achieved.
VFMP 10.	Exclude the following activities within the TPZs: <ul style="list-style-type: none"> Machine excavation including trenching Cultivation Storage of equipment Parking of vehicles and plant machinery Dumping of waste 	During construction	Conformant	Site Inspection 03/02/2023 P05_TPZ	No construction activities were being undertaken in TPZs: <ul style="list-style-type: none"> Machine excavation including trenching Cultivation Storage of equipment Parking of vehicles and plant machinery Dumping of waste
VFMP 11.	Remove tree protection measures (if installed).	Post construction works at landscaping stage	Not applicable	Site Inspection 03/02/2023	Construction works are still ongoing. Tree protection measures still in place include coloured flagging.
Weed and pathogen management measures					
VFMP 12.	Include information pertaining to weed and dieback management in the induction for onsite contractors and their staff, including: <ul style="list-style-type: none"> The requirement for vehicles and machinery to be "clean on entry" Access restriction relating to retained vegetation. 	Prior to personnel and contractors commencing work on site	Potentially Non-conformant	E02_Induction Checklist	The McCorkell induction does not contain any information pertaining to weed and dieback management Note: there were no records available for the contractor that conducted the clearing which was when the risk of weed and dieback introduction / spread was greatest.
VFMP 13.	Inspect and ensure that all vehicles and machinery are free of soil and plant material.	Prior to arrival on-site	Not Determined		No vehicles or machinery were accessing the areas of retained vegetation during the audit. No records were available for the contractor that conducted the clearing.

Reference	Action	Timing	Conformance status	Evidence	Findings
VFMP 14.	Maintain accurate records of all vehicles / machinery being inspected and "clean on entry" (Appendix C).	Upon arrival on site	Potentially Non-conformant		No Dieback and Weed Hygiene Inspection Forms (as per Appendix C) made available by McCorkell during the audit. Note: there were no records available for the contractor that conducted the clearing which was when the risk of weed and dieback introduction / spread was greatest.
VFMP 15.	Require vehicles and machinery operators to clean vehicles which are determined to not meet hygiene standards before entry to site.	Before vehicle / machinery entry onto site	Not applicable	Refer to VFMP 14	Refer to VFMP 14
VFMP 16.	Restrict all vehicle access to within the boundaries of the site and exclude access from areas of retained vegetation within Lot 9074.	During construction	Conformant	Site Inspection 03/02/2023 P05_TPZ	The boundary of the construction site was fenced to exclude access from areas of retained vegetation. There was no evidence of vehicle access in the TPZ.
VFMP 17.	Locate topsoil, mulch and fill stockpiles more than 50 m from retained vegetation within Lot 9074.	During construction	Conformant	Site Inspection 03/02/2023 P06_Fill P03_Laydown	Stockpiles were located more than 50 m from retained vegetation.
VFMP 18.	Any mulch or fill material brought into the site must not be from a source known to contain weeds or pathogens.	During construction	Conformant	E03_Pathogen Test E04_Phythophthora Testing	Bulk fill was taken offsite. Imported material is being tested (negative) before being introduced onto site (E03, E04).
Fauna management actions					
VFMP 19.	The induction will address a range of issues including, but not limited to: <ul style="list-style-type: none"> Relevant details of the VFMP including purpose and scope Conditions of relevant environmental licenses, permits and approvals Fauna of conservation significance found within the site Mitigation measures for the control of impacts to the above fauna, including: <ul style="list-style-type: none"> Speed limits Retained habitat Incident response and reporting requirements. 	Prior to commencing work on site	Potentially Non-conformant	E02_Induction Checklist	The McCorkell induction outlines incident reporting however it does not include speed limits. The FIRM induction was not available at the time of the audit.
VFMP 20.	Inspect potential black cockatoo breeding hollows and if vacant, obstruct hollow entrance to prevent black cockatoo nesting.	Prior to clearing works. Potential black cockatoo breeding hollows must not be obstructed until artificial hollows have been installed, as required by the offset strategy (Strategen-JBS&G 2021).	Conformant	R06_Fauna Relocation Report	Ecologist did not identify any black cockatoo activity and also noted that the hollows were not large enough for black cockatoos. Ecologists recommended no hollows were to be blocked as it was considered highly unlikely that any black cockatoos would move into hollows between the time of the inspection and the time of the tree being felled.
VFMP 21.	All construction vehicles and machinery are not to exceed speeds of 20 km/hr throughout the site, to minimise risks of fauna strike.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	Vehicles on site were travelling at low speeds including two bob cats.
VFMP 22.	Install fauna crossing warning signage.	Ongoing, until completion of construction activities	Not applicable	Site Inspection 03/02/2023	The construction site was wholly fenced. There were no sections of native vegetation where fauna would be crossing to.
VFMP 23.	In the event that fauna is struck by a vehicle report the incident immediately to the Site Supervisor.	Ongoing, until completion of construction activities	Not Determined	Management Advice 06/02/2023	No incident register was provided for the reporting period.
VFMP 24.	Any injured fauna shall be left alone and observed until a suitably qualified person can attend to the animal.	Ongoing, until completion of construction activities	Not Determined	Management Advice 06/02/2023	No incident register was provided for the reporting period.
VFMP 25.	A fauna interaction register is to be maintained to capture observations and interactions with fauna.	Ongoing, until completion of construction activities	Potentially Non-conformant	Management Advice 06/02/2023	No fauna interaction register was available on site during site audit (McCorkell or FIRM).
VFMP 26.	Notify the Department of Agriculture, Water and the Environment (DAWE) of any interaction which results in the injuring or killing of an EPBC listed species occurs	Within seven days of an interaction which results in the injuring or killing of an EPBC listed species occurs	Not applicable	Refer to VFMP 25	Refer to VFMP 25
VFMP 27.	All domestic waste will be disposed of in designated bins and taken to a licenced landfill or recycling facility.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	Domestic waste was contained in waste bins prior to being disposed into the skip bin.

Reference	Action	Timing	Conformance status	Evidence	Findings
VFMP 28.	Feeding of fauna is not permitted.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	No fauna were observed on site.
VFMP 29.	No domestic animals will be permitted to be brought into the site by construction personnel.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	No domestic animals were on site.
VFMP 30.	Conduct inspections of pits/trenches for potentially trapped fauna	Daily prior to work commencement	Conformant	Site Inspection 03/02/2023 Management Advice 03/02/2023	There were no open pits / trenching on site during the audit. Management advised that inspections were undertaken daily for trapped fauna when trenching had been present on site.
Pre-clearing tree inspection measures					
VFMP 31.	If clearing is to be undertaken during the breeding season (July to February), 'significant trees' are to be investigated by a suitably qualified and experienced expert to detect the presence of black cockatoos using hollows.	Within 7 days prior to clearing	Conformant	R06_Fauna Relocation Report	Significant trees were investigated 01/12/2022 by Bamford Ecologists to detect the presence of black cockatoos using the hollows.
VFMP 32.	If a black cockatoo is detected using a hollow in a tree or trees: <ul style="list-style-type: none"> the black cockatoo is not to be disturbed the tree or trees are to be clearly identified with fencing and signage and a 10 m exclusion buffer established around the tree until the black cockatoo/s vacate the tree of their own accord The respective tree/s are not to be cleared Undertake measures to avoid the tree/s being cut down, felled, removed, killed, destroyed, poisoned, ring-bared, uprooted or burned. 	Upon detection of a black cockatoo utilising a significant tree, until the hollow/s are no longer being used by the cockatoo as determined by a suitably qualified and experienced person	Conformant	R06_Fauna Relocation Report	No trees with active black cockatoo hollows were cleared (R06).
Dust management actions					
VFMP 33.	Include daily weather conditions in daily pre- start meetings.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Management advised that the weather conditions were discussed at daily toolbox meetings.
VFMP 34.	Maintain road surfaces in a good condition and suitable grades.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P03_Laydown	Road surfaces were in good condition and suitable grade.
VFMP 35.	Vehicles must only be parked in allocated areas.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P08_Parking	Vehicles were parked in an allocated area around the sea containers.
VFMP 36.	Vehicle speeds on site are not to exceed 20 km/hr to reduce dust emissions.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	Vehicles on site were travelling at low speeds including two bob cats.
VFMP 37.	All dust generating loads leaving site must be covered.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 Management Advice 03/02/2023	No dust generating loads were leaving site during the audit. Management advised that when trucks were conducting cut and fill operations, all vehicles leaving site were covered.
VFMP 38.	Avoid dust generating activities during unfavourable weather conditions (e.g. high wind speed) and unfavourable wind directions, where practicable.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 Management Advice 03/02/2023	No dust generating activities were undertaken at the time of the audit. Management advised that the cut and fill activities were dust generating and involved consistent dust suppression to manage dust.
VFMP 39.	Cleared areas will be stabilised to prevent wind- blown dust generating on site.	Ongoing, until completion of construction activities	Not applicable	Site Inspection 03/02/2023	Stabilisation has not been required to prevent dust.
VFMP 40.	Implement dust suppression (e.g. water spray / wet down of unsealed tracks and / or stockpiles if high levels of dust are observed or considered likely.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Dust suppression (continuously spraying water) was implemented throughout cut and fill activities. Dust suppression was used on unsealed roads, access tracks, cleared areas and locations of high dust and impact risk. Overspray was adjusted to limit the effects on fringe vegetation and offsite runoff. Dust suppression has not been required during construction.
VFMP 41.	Dust suppression methods must be used on unsealed roads, access tracks, cleared areas, and locations of high dust and impact risk.	Ongoing, until completion of construction activities	Conformant	Refer to VFMP 40	Refer to VFMP 40
VFMP 42.	During the use of water carts ensure that the overspray is adjusted to limit the effects on fringe vegetation and offsite runoff.	Ongoing, until completion of construction activities	Conformant	Refer to VFMP 40	Refer to VFMP 40
VFMP 43.	Apply surface treatments (such as hydromulch) to stabilise any bare areas which may be prone to wind erosion.	Ongoing, until completion of construction activities	Not applicable	Refer to VFMP 39	Refer to VFMP 39
Waste management actions					
VFMP 44.	Appropriate waste management measures will be included in each induction to site personnel and contractors.	Prior to site personnel and contractors	Conformant	E02_Induction Checklist	Item 18 on the induction checklist covers waste disposal.

Reference	Action	Timing	Conformance status	Evidence	Findings
		commencing works onsite			
VFMP 45.	Waste skips and bins must have lids and kept closed to contain litter.	Ongoing, until completion of construction activities	Potentially Non-conformant	Site Inspection 03/02/2023 P09_Waste	Construction waste skips do not require lids however there were no skips on the McCorkell site with lids to contain potentially wind blown waste. There was evidence of wind blown waste on the fence line to the retained vegetation (P09).
VFMP 46.	Littering is prohibited and all areas must be kept free from wind-blown waste generated through storage or transport.	Ongoing, until completion of construction activities	Potentially Non-conformant	Site Inspection 03/02/2023 P09_Waste	Windblown waste evident generated from poor storage at McCorkell managed site..
VFMP 47.	Waste must be taken off-site to the nearest landfill regularly to ensure it does not overflow.	Ongoing, until completion of construction activities	Potentially Non-conformant	Site Inspection 03/02/2023 P07_Waste	Construction waste (concrete, wire, wood, cardboard, steel, bricks) was overflowing from McCorkell skip bins on site (P07).
VFMP 48.	Remove all rubbish that has been dumped or has drifted into stands of retained vegetation.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	No waste observed in stands of retained vegetation.
VFMP 49.	All waste must be removed from site following the completion of construction works (for every stage).	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	Waste on site is for the current stage.
VFMP 50.	Chemical, hydrocarbon and other hazardous waste material must be appropriately stored onsite, and appropriately transported and disposed off-site.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P10_Diesel Storage	Diesel is stored in one of the containers on site in AS compliant jerry cans. There was no diesel SDS on site despite diesel being listed on the chemical register. <u>OFI</u> Obtain a current SDS for the diesel stored and handled on site.
VFMP 51.	All machinery must contain spill kits.	Ongoing, until completion of construction activities	Potentially Non-conformant	Site Inspection 03/02/2023	There was no spill kit located at the site generator. There was no evidence of a spill kit on the McCorkell site. The spill kit bin identified on McCorkell site contained waste electrical wiring.
VFMP 52.	Portable ablution blocks must be stored at least 50 m from retained vegetation within the remainder of Lot 9074 to avoid potential impacts to retained vegetation.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023 P11_Ablutions	The portable ablution block is located at least 50 m from retained vegetation.
VFMP 53.	Portable ablutions sewerage must be removed off-site by a licensed carrier.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Management advised that the ablutions are storage type and they are emptied offsite by a contractor.
Bushfire management actions					
VFMP 54.	The daily 'fire danger' ratings will be obtained from the Bureau of Meteorology and communicated to personnel during the daily pre-start meeting.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	Personnel monitor the fire danger ratings and work was terminated on a total fire ban day.
VFMP 55.	Smoking must only take place in designated smoking areas.	Ongoing, until completion of construction activities	Not applicable	Management Advice 03/02/2023 Site Inspection 03/02/2023	There is no smoking permitted on site.
VFMP 56.	Restrict or prohibit use of angle grinders, welders, soldering, gas cutting or any other cutting tools during times of total fire bans.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	All works on site were ceased during TFB.
VFMP 57.	Provide and maintain onsite firefighting tank and pump, and first aid equipment.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	The site is connected to the fire hydrant system. First aid equipment was provided in the crib room.
VFMP 58.	All vehicles must be fitted with fire extinguishers.	Ongoing, until completion of construction activities	Potentially Non-conformant	Management Advice 06/02/2023 P13_Fire Extinguisher P14_Fire Extinguisher	Fire extinguishers were observed in place in dongas and on machinery during the audit at McCorkell site however the bob cat and excavator did not have a fire extinguisher.
VFMP 59.	Do not store bulk fuel in construction areas.	Ongoing, until completion of construction activities	Conformant	Site Inspection 03/02/2023	There is no bulk fuel stored on site.
VFMP 60.	Although considered unlikely, plant and vehicles operating over or through uncleared vegetation must be fitted with appropriate exhaust systems positioned or covered so that the vegetation cannot come into contact with the exhaust system.	Ongoing, until completion of construction activities	Conformant	Management Advice 03/02/2023	While it was not determined if the commitment for this exhaust system during clearing activities was in place prior to vehicles operating over or through uncleared vegetation, no fires were started as a result of the project so the intended clearing objective was achieved.
Monitoring actions: Delineation and access					
VFMP M01.	Site inspections will be undertaken to assess the condition of fencing used to delineate areas of retention and barriers used to block unauthorised access Purpose: To ensure that fencing and barriers have not been damaged, and to ensure that unauthorised access can be effectively prohibited	Daily / Opportunistically until completion of construction activities	Conformant	Management Advice 03/02/2023 Site Inspection 02/03/2023 P01_Fencing P02_Fencing P12_Fencing	Fencing inspections are undertaken opportunistically. <u>OFI</u> The temporary fencing is duplicating the permanent construction fencing and can be removed.

Reference	Action	Timing	Conformance status	Evidence	Findings
VFMP M02.	Cross reference approved clearing boundaries against site inspections and/or current aerial photography Purpose: To confirm that no unauthorised clearing has occurred	Within 1 month of completion of clearing	Conformant	Figure 1	Figure 1 shows that the clearing is wholly inside the approved clearing boundary confirming that no unauthorised clearing has occurred.
VFMP M03.	Site inspection to record the status and condition of trees identified for retention Purpose: To confirm that no trees identified for retention have been cleared or damaged as a result of construction activities	Within 2 weeks of completion of clearing	Conformant	Figure 1 Site inspection 03/02/2023 P05_TPZ	Site inspection and Figure 1 confirm that the trees identified for retention have not been cleared.
Monitoring actions: Weed and pathogen management					
VFMP M04.	Undertake baseline assessment of weed density and species, as well as visual observations of potential dieback, within retained vegetation adjacent to the Proposed Action Area. Purpose: To compile baseline information for comparison, post construction.	Prior to commencement of construction.	Potentially Non-conformant	Management Advice 10/02/2023	No baseline assessment within retained vegetation adjacent to the action area has been undertaken.
VFMP M05.	Completed dieback / weed hygiene registers are to be maintained as per Appendix C, including Date of vehicle mobilisation to site. Purpose: To confirm that vehicles and machinery are clean and free from a build-up of mud prior to entry to site	Ongoing, until completion of construction activities	Potentially Non-conformant	Management Advice 06/02/2023	Completed dieback / weed hygiene registers have not been maintained.
VFMP M06.	Site walkover by a qualified consultant (Botanist / Ecologist) to assess distribution and abundance of weed species in adjacent/ retained vegetation, or if there is any evidence of decline in tree health which indicates potential presence of pathogens compared to baseline information (as per VFMP M4) Purpose: <ul style="list-style-type: none"> To assess if there has been an increase in distribution and/or abundance of weeds To determine if there is any evidence of decline in tree health 	Annually, following commencement of clearing, until completion of construction activities.	Potentially Non-conformant	Refer to VFMP M04	Refer to VFMP M04
Monitoring actions: Fauna Management					
VFMP M07.	Maintain records of all contractor inductions, for provision to the City of Kwinana / DAWE upon request Purpose: To confirm that all personnel have undertaken the required induction	For the duration of the VFMP	Potentially Non-conformant	E02_Induction Checklist	The current McCorkell contractor induction was available during audit (E02). Note: there were no records available for the contractor that conducted the clearing (FIRM).
VFMP M08.	Maintain environmental incident and complaints forms and provide to DAWE upon request (or within seven days of an interaction which results in the injuring or killing of an EPBC listed species occurs). Purpose: To ensure all incidents are recorded	Ongoing, until completion of construction activities	Potentially Non-conformant	Management Advice 06/02/2023	No incident or complaints register provided during the audit (McCorkell or FIRM).
Monitoring actions: Dust management					
VFMP M09.	A complaints register is to be maintained throughout the course of the clearing and construction program Purpose: To determine if implementation of corrective actions is required	During clearing and construction	Potentially Non-conformant	Management Advice 06/02/2023	No complaints register provided during the audit (McCorkell or FIRM).
Monitoring actions: Waste management					
VFMP M10.	Site inspection of retained vegetation to assess rubbish/waste associated with clearing and construction activities Purpose: To determine if implementation of corrective actions is required	Opportunistically, and fortnightly following commencement of clearing and construction, until the completion of construction activities	Potentially Non-conformant	P09_Waste	No evidence that site inspections are being undertaken (McCorkell or FIRM). Rubbish/waste associated with construction activities not being cleaned up was observed during McCorkell audit.
Corrective Actions: Delineation and access					
VFMP CA01	If monitoring shows that unauthorised vegetation disturbance has occurred <ul style="list-style-type: none"> Immediately investigate the cause of unauthorised clearing 	Following Monitoring	Not Applicable	Site Inspection 03/02/2023 Management Advice 03/02/2023	Monitoring has not shown any evidence of unauthorised clearing.
VFMP CA02	If monitoring shows that unauthorised vegetation disturbance has occurred <ul style="list-style-type: none"> Notify and consult with DAWE on appropriate management/follow-up actions 	Following Monitoring	Not Applicable	Refer to VFMP CA01	Refer to VFMP CA01
VFMP CA03	If monitoring shows that unauthorised vegetation disturbance has occurred <ul style="list-style-type: none"> Implement corrective actions which may include: <ul style="list-style-type: none"> Review of management measures practicality or relevance Improve training and education for all personnel Improve and implement increased protective measures as necessary Improve methods for marking clearing lines Install additional temporary fencing or signs Monitor the success of these actions 	Following Monitoring	Not Applicable	Refer to VFMP CA01	Refer to VFMP CA01
VFMP CA04	If monitoring shows that unauthorised vegetation disturbance has occurred	Following Monitoring	Not Applicable	Refer to VFMP CA01	Refer to VFMP CA01

Reference	Action	Timing	Conformance status	Evidence	Findings
	<ul style="list-style-type: none"> Initiate rehabilitation of affected flora and vegetation area(s) if within vegetation to be retained 				
VFMP CA05	If fencing along periphery of retained vegetation is damaged: <ul style="list-style-type: none"> Repair or replace damaged fencing and install additional signs if required 	On incident	Not Applicable	Site Inspection 03/02/2023	Permanent fencing is in place however the temporary fencing is still in place and is damaged in places. OFI Remove the damaged temporary fencing which has been replaced by permanent fencing.
VFMP CA06	If fencing along periphery of retained vegetation is damaged: <ul style="list-style-type: none"> Investigate cause of damage 	On incident	Not Applicable	Refer to VFMP CA05	Refer to VFMP CA05
Corrective Actions: Weed and pathogen management					
VFMP CA07	If vehicles or machinery are found not to be clean on entry: <ul style="list-style-type: none"> Investigate cause 	On incident	Not determined	Refer to VFMP 14	Refer to VFMP 14
VFMP CA08	If vehicles or machinery are found not to be clean on entry: <ul style="list-style-type: none"> Ensure importance of maintaining hygiene is communicated to all personnel 	On incident	Not determined	Refer to VFMP 14	Refer to VFMP 14
VFMP CA09	If vehicles or machinery are found not to be clean on entry: <ul style="list-style-type: none"> Clean down affected machinery / vehicles at designated clean/washdown station offsite prior to entering the site. 	On incident	Not determined	Refer to VFMP 14	Refer to VFMP 14
VFMP CA10	If monitoring detects increased abundance or introduction of weeds and/or Phytophthora as a consequence of the proposed action within vegetation outside of the predicted impact area. <ul style="list-style-type: none"> Notify and consult with DAWE on appropriate management/follow-up actions (this may include the implementation of weed control or other appropriate measures). 	Following Monitoring	Not determined	Refer to VFMP M06	Refer to VFMP M06
Corrective Actions: Fauna management					
VFMP CA11	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works <ul style="list-style-type: none"> If vehicle strike has not caused mortality of the fauna, the Wildcare Helpline will be contacted on 08 9474 9055 	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA12	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works <ul style="list-style-type: none"> Notify and consult with DAWE on appropriate management/follow-up actions 	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA13	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works <ul style="list-style-type: none"> The environmental incident and complaints register (Appendix A) is to be completed 	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA14	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works <ul style="list-style-type: none"> Investigate cause of the vehicle strike 	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA15	If there is vehicle strike involving EPBC Act listed species occur as a result of clearing or construction works <ul style="list-style-type: none"> Implement further controls to limit the risk of fauna strike on site (e.g. undertake additional relocation works, recommunicate environmental values to personnel) 	On incident	Not determined	Refer to VFMP 26	Refer to VFMP 26
VFMP CA16	If injured, abandoned or otherwise visibly distressed vertebrate fauna are observed during clearing and construction works: <ul style="list-style-type: none"> The Wildcare Helpline will be contacted on 08 9474 9055 	On incident	Not determined	Refer to VFMP 25	Refer to VFMP 25
VFMP CA17	If injured, abandoned or otherwise visibly distressed vertebrate fauna are observed during clearing and construction works: <ul style="list-style-type: none"> The environmental incident and complaints register (Appendix A) is to be completed 	On incident	Not determined	Refer to VFMP 25	Refer to VFMP 25
Corrective Actions: Fauna management - Pre-clearing significant tree inspections					
VFMP CA18	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: <ul style="list-style-type: none"> Notify and consult with DAWE on appropriate management/follow-up actions 	On incident	Not applicable	R06_Fauna Relocation Report	The fauna relocation report (R06) identified no trees as being utilised by black cockatoos immediately before the commencement of the action.
VFMP CA19	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: <ul style="list-style-type: none"> If the action results in injury to black cockatoos, then: <ol style="list-style-type: none"> Immediately contact the Wildcare helpline Treat the black cockatoo/s accordingly 	On incident	Not applicable	Refer to VFMP CA18	Refer to VFMP CA18

Reference	Action	Timing	Conformance status	Evidence	Findings
VFMP CA20	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: <ul style="list-style-type: none"> Investigate reasons why the tree was damaged, despite demarcation measures 	On incident	Not applicable	Refer to VFMP CA18	Refer to VFMP CA18
VFMP CA21	If a tree identified as being utilised by a black cockatoo is damaged or killed as a result of project works: <ul style="list-style-type: none"> Revise clearing and demarcation techniques as required 	On incident	Not applicable	Refer to VFMP CA18	Refer to VFMP CA18
Corrective Actions: Dust management					
VFMP CA22	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: <ul style="list-style-type: none"> Stop works 	On incident	Not Applicable	Management Advice 03/02/2023	Management advised that dust control measures during cut and fill operations ensured there was no visible dust movement outside of the site or impacting areas of retained vegetation.
VFMP CA23	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: <ul style="list-style-type: none"> Investigate the cause of dust movement (severe weather conditions or faulty dust suppression equipment) 	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA24	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: <ul style="list-style-type: none"> If weather conditions are the cause of ineffective dust suppression, the Contractor shall employ additional dust suppression contingency measures, such as additional water carts, use of temporary stabilisation (e.g. Dustex), stabilise completed earthworked areas with hydromulch or erect additional shade cloth 	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA25	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: <ul style="list-style-type: none"> If dust suppression equipment is faulty, fix equipment 	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA26	If there is visible dust movement outside of the site or impacting areas of retained vegetation after implementing dust control measures: <ul style="list-style-type: none"> Only recommence works once dust suppression equipment is functional 	On incident	Not Applicable	Refer to VFMP CA22	Refer to VFMP CA22
VFMP CA27	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. <ul style="list-style-type: none"> Assess when dust complaint was received, the weather conditions at the time and construction activities on site. 	On incident	Not Applicable	Management Advice 03/02/2023	Management advised that there was no excessive dust generation or reasonable residents complaints.
VFMP CA28	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. <ul style="list-style-type: none"> Review the effectiveness of the management actions and identify opportunities for improvement. 	On incident	Not Applicable	Refer to VFMP CA27	Refer to VFMP CA27
VFMP CA29	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. <ul style="list-style-type: none"> Communicate outcomes of the incident at a toolbox meeting. 	On incident	Not Applicable	Refer to VFMP CA27	Refer to VFMP CA27
VFMP CA30	If there is excessive dust generation noted during visual monitoring or receipt of a reasonable residents' complaint. <ul style="list-style-type: none"> Assess whether there is a requirement for onsite dust monitoring (i.e. DustTrak) 	On incident	Not Applicable	Refer to VFMP CA27	Refer to VFMP CA27
Corrective Actions: Waste management					
VFMP CA31	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: <ul style="list-style-type: none"> Investigate cause of incident 	On incident	Potentially Non-conformant	Site Inspection 03/02/2023	There are no facilities on the McCorkell site for disposing of potentially wind blown waste. Wind blown waste is currently mobilising from the waste skips into the environment. Some is being caught by the site fencing. The waste has not been cleaned up and covered waste receptacles have not been procured for the site.
VFMP CA32	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: <ul style="list-style-type: none"> Ensure appropriate remediation action is taken 	On incident	Potentially Non-conformant	Refer to VFMP CA31	Refer to VFMP CA31
VFMP CA33	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: <ul style="list-style-type: none"> Re-train staff in correct waste management and disposal procedures 	On incident	Potentially Non-conformant	Refer to VFMP CA31	Refer to VFMP CA31
VFMP CA34	If waste is being or at risk of being disposed in a manner that harms or is likely to harm the environment: <ul style="list-style-type: none"> Ensure appropriate storage and facilities are available for controlled and general waste 	On incident	Potentially Non-conformant	Refer to VFMP CA31	Refer to VFMP CA31
Corrective Actions: Fire management					
VFMP CA35	If a small unplanned bushfire occurs in retained vegetation:	On incident	Not Applicable	Management Advice 03/02/2023	There have been no bushfires in the retained vegetation.

Reference	Action	Timing	Conformance status	Evidence	Findings
	<ul style="list-style-type: none"> Fire extinguishers and/or on-site water tanks and firefighting pumps will be used by site personnel to extinguish the fire 				
VFMP CA36	If a large unplanned bushfire occurs in retained vegetation: <ul style="list-style-type: none"> Phone 000 – FESA will attend and extinguish fires that cannot be managed by site personnel 	On incident	Not Applicable	Management Advice 03/02/2023	There have been no bushfires in the retained vegetation.
Incident Notification & Investigation					
VFMP 61	All incidents must be investigated as soon as possible after the event. The incident will be recorded in the Environmental Incident Form (Appendix C) and maintained for audit purposes.	At all times	Potentially Non-conformant	Management Advice 06/02/2023	No incident register was provided for the audit (McCorkell or FIRM).
VFMP 62	All environmental incidents must be reported to the Site Supervisor immediately so that appropriate action can be taken to recover from, or reduce the risk of further harm to people and the environment.	At all times	Conformant	E02_Induction Checklist	The induction states that McCorkell management must be notified immediately of all incidents, accidents and near misses.
Adaptive Management					
VFMP 63	The VFMP will be reviewed during construction in the event of any of the criteria outlined in CA01 to CA36 being triggered, to ensure that the plan assesses the effectiveness of the management measures and corrective actions outlined in the VFMP. Where deficiencies in the management measures or corrective actions are identified, the VFMP will be revised in consultation with DAWE, to ensure best practice management relevant to the MNES being impacted/ potentially impacted.	During Construction	Not Applicable	R02_VFMP Rev 3	The VFMP has been reviewed and does not require revision in light of the potential non-conformances with CA01 to CA34.
VFMP 64	The VFMP will be revised in the event of: <ul style="list-style-type: none"> any revision or change to the proposed action, or; changes in regulatory or corporate requirements. 	At any time	Not Applicable	R02_VFMP Rev 3	The approved VFMP Rev 3 (R02) is the current revision of the plan. There have been no revisions or changes to the proposed action or changes in regulatory or corporate requirements.
VFMP 65	If updated, a copy of the revised VFMP will be provided to DAWE for approval prior to implementation of the revised VFMP.	At any time	Not Applicable	Refer to VFMP 64	Refer to VFMP 64

Appendix B Environmental Offsets Plan Assessment

Table B.1: Environmental Offsets Plan audit table

Reference	Action	Conformance Status	Evidence	Findings
Offset component 1; part of Reserve 39964				
EOP 01	<p><u>Offset component 1; part of Reserve 39964</u></p> <p>Rehabilitation and protection of 8.5 ha of Reserve 39964, adjacent to Thomas Road and west of the Spectacles Wetlands (Section 2.2)</p> <p>The Proponent will facilitate a conservation covenant, under one of the following legal mechanisms:</p> <ul style="list-style-type: none"> • Soil and Land conservation Act 1945 • The National Trust of Australia (WA) Act 1964 • Transfer of Land Act 1893 • Biodiversity Conservation Act 2016. <p>The conservation covenant is anticipated to be applied within 12 months of commencement of the action.</p>	Potentially Non-conformant	C03_Offset Notification to DCCEE	As outlined in C03, Reserve 39964 is a park with a Management Order to the City of Kwinana. Land is available for offset however DoE do not currently have a conservation covenant in place.
EOP 02	<p>The management measures associated with the rehabilitation of the proposed offset site will be determined following a formal flora, vegetation and black cockatoo habitat assessment of the site and will be detailed within Rehabilitation Management Plan (RMP). At a minimum, the RMP will include the following management measures:</p> <ul style="list-style-type: none"> • Establishment of a suitable planting list, comprising locally occurring, native species consistent with the Tuart Woodland TEC (see comprehensive native species list at Appendix F) and FRTBC foraging and roosting habitat (including but not limited to Jarrah and Marri trees which comprise 90 % of the FRTBC diet [Johnstone & Kirkby 1999] and provide suitable roosting habitat in addition to Tuart trees [DSEWPac 2012]) • Pre-planting weed control • Winter planting • Signage notifying the public of rehabilitation works • Access control (where necessary) • Pest control (such as tree guards) • Watering (as required). 	Not Applicable	Not Applicable	The Rehabilitation Management Plan is in draft.
EOP 03	<p>To ensure the ongoing management needs of part of Reserve 39964 are met, the proponent will provide a lump sum payment to the City of Kwinana following completion of the revegetation program, manage the site in the long term. While both the quantum of this funding, as well as the conservation management actions that will be initiated associated with it are unknown at this stage, it is anticipated that the scope will be similar to that agreed to for Lot 164 (see Section 3.2.2). The site's management requirements and associated funding, will be determined in consultation with the City of Kwinana, with the objective of ensuring no degradation to the Tuart Woodlands TEC or FRTBC habitat on-site. Funding and management arrangements associated with the site will be detailed within the RMP, which will be provided to the DAWE as a condition of the approval.</p>	Not Applicable	Refer to EOP 03	Condition to be detailed in the RMP.
EOP 04	<p>The completion criteria will be consistent with the Tuart Woodland TEC condition categories and thresholds for Moderate or High condition (DoEE 2019), dependent on the results of the site specific flora and vegetation assessment. These condition categories and thresholds require a minimum of 4 native understorey species per 0.01 ha for Moderate condition, and 8 native understorey species per 0.01 ha for High condition.</p>	Not Applicable	Refer to EOP 03	Condition to be detailed in the RMP.
EOP 05	<p>The RMP will include the following monitoring commitments:</p> <ul style="list-style-type: none"> • Baseline monitoring of the existing vegetation/ habitat quality • Quarterly informal monitoring to inform rehabilitation actions • Annual formal Spring monitoring against completion criteria. 	Not Applicable	Refer to EOP 03	Condition to be detailed in the RMP.
EOP 06	<p>The RMP will include contingency measures to be implemented in the event that the completion criteria are not being achieved. Contingency measures may include infill planting, watering, weed control, access control and/ or pest control.</p>	Not Applicable	Refer to EOP 03	Condition to be detailed in the RMP.
EOP 07	<p>The Proponent will be responsible for the implementation of the RMP and will be assisted by an experience revegetation contractor. The Proponent will consider the opportunity for school groups and community groups to be involved in the rehabilitation works, where appropriate.</p>	Not Applicable	Not Applicable	The Rehabilitation Management Plan is in draft.
EOP 08	<p>The RMP will be implemented for a period of five years, unless failure to achieve completion criteria warrants additional contingency measures to be implemented. In the event that completion criteria have not been achieved after five years, contingency measures will continue to be implemented until the completion criteria have been achieved, or DAWE are otherwise satisfied with the rehabilitation works undertaken.</p>	Not Applicable	Not Applicable	The Rehabilitation Management Plan is in draft.

Reference	Action	Conformance Status	Evidence	Findings
EOP 09	Annual monitoring reports will be prepared by the Proponent and provided to DAWE, detailing the rehabilitation status/ actions completed, monitoring results and any contingency actions implemented. This report will be in addition to any annual compliance report (ACR) required by the anticipated EPBC Act approval. The details of the status of the conservation covenant can be documented within the ACR.	Not Applicable	Not Applicable	The Rehabilitation Management Plan is in draft.
Offset component 2: Lot 164 on Plan 39964				
EOP 10	Offset component 2: Lot 164 on Plan 39964 Protection of 4 ha of vegetation within Lot 164 on Plan 055190 (the Department of Education's landholding) via a conservation covenant (if required) and transfer to the City of Kwinana for inclusion in the conservation estate (Section 2.3) The Proponent will facilitate protection of the offset site through a conservation covenant (if required), under one of the following legal mechanisms: <ul style="list-style-type: none"> • Soil and Land conservation Act 1945 • The National Trust of Australia (WA) Act 1964 • Transfer of Land Act 1893 • Biodiversity Conservation Act 2016. It is anticipated that the conservation covenant will be applied within 12 months of commencement of the action.	Potentially Non-conformant	C03_Offset Notification to DCCEEW	Lot 164 is owned by the Department of Education and have commenced the process with DPLH of creating a conservation covenant Land is available for offset however conservation covenant is currently not in place.
EOP 11	To ensure the ongoing management needs of Lot 164 are met following the transfer of the site to the City of Kwinana, it agreed that a provision of funding would be made to the City of Kwinana, for the following conservation initiatives to be implemented over five years. These initiatives are anticipated to prevent further degradation of the Tuart Woodlands TEC and FRTBC habitat that would otherwise occur. <ul style="list-style-type: none"> • Site preparation and construction of appropriate fencing around the perimeter of the site, including firebreak reinstatement and gate access • One round of grass specific herbicide per year • One round of geophyte specific herbicide per year (Metsulfuron only) • One round of geophyte specific herbicide per year (Metsulfuron + Glyphosate) to target Arum Lily (Zantedeschia aethiopica) and Gladioli (Gladiolus undulatus) • Maintenance of a single firebreak, by contracted Harley rake, once per year • Regular light maintenance tasks by the City's Natural Area team, including litter/dumping removal, annual firebreak pruning to City standards and contractor project management. The provision of funding is proposed to be made as a lump sum payment to the City prior to transfer of the site, amounting to no more than \$131,466.48 (excluding GST)	Conformant	C07_DoE funds - Lot 164	DoE are currently organising the transfer of the land prior to making the lump sum payment.
EOP 12	It is anticipated that fencing will be constructed to a "Rural" style, representative of (or similar to) standards developed by the DBCA for any new agricultural fencing within Regional Parks managed lands. This standard (provided in Appendix G), is considered sufficient to both demarcate the site as a conservation reserve, and to prevent and discourage unauthorised ingress by members of the public, thereby ensuring no additional environmental degradation. An Annual Compliance Report (ACR) is anticipated to be required by the EPBC Act approval. The details of the status of the conservation covenant and installation of fencing can be documented within the ACR.	Conformant	Management Advice 03/02/2023	This ACR can report that the conservation covenant is not in place and the fencing is yet to be erected.
Offset component 3: installation of artificial black cockatoo breeding hollows				
EOP 13	The Proponent will fund and coordinate the installation of a minimum of six artificial black cockatoo hollows (3:1 ratio). These hollows will be installed at a location within the known breeding range of the FRTBC, determined in consultation with Birdlife and/ or DBCA.	Conformant	R04_Artificial Nesting Hollow Installation Report PDF C04_Birdlife Artificial Nesting Hollow Locations	Six Cockatubes were installed in the Peel Region on 24/02/2022 as per consultation on locations with Birdlife (C04).
EOP 14	An ACR is anticipated to be required by the EPBC Act approval. The details of the status of the funding and installation of artificial black cockatoo breeding hollows can be documented within the ACR.	Conformant	R01_2022 ACR	This ACR documents the status of the funding and installation of the artificial black cockatoo breeding hollows.
EOP 15	The six artificial black cockatoo hollows will be monitored on an annual basis for ten years to determine if successful black cockatoo breeding has occurred within the hollows.	Conformant	R05_ANH Monitoring 22nd August and 24th October	Monitoring undertaken on 22/08/2022 and 24/10/2022 found evidence of Black Cockatoo activity in two artificial nesting hollows. The monitoring found that no maintenance was required at this stage. This monitoring is included as
EOP 16	Results of the monitoring events will be provided to DAWE, annually.	Conformant	R01_2022 ACR Appendix D C06_Response to DAWE EPBC Potential Breach Notice	The Pre-clearing black cockatoo hollow investigation was provided to the Department 23/02/2022 (C06). The August and October 2022 monitoring report is included in Appendix D of this ACR.
EOP 17	Should the artificial nesting hollows show signs of use by black cockatoos in the ten year period, then monitoring and maintenance should be increased for an additional five years.	Conformant	R05_ANH Monitoring 22nd August and 24th October	The artificial nesting hollows have shown signs of use and will continue to be monitored.
Offset component 4: Residual Impact				

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


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