

17 JULY 2024 / PREPARED BY PERTH AIRPORT

Compliance Report

**Site 6: Large Format Retail Outlet
Airport West Precinct**

**EPBC Permit E2018-0142
29 April 2023 to 28 April 2024**





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 *Melissa Harrison*

Full name (please print) Melissa Harrison

Position (please print) General Manger of Approvals, Environment and Heritage

Organisation (include ABN): Perth Airport Pty Ltd

ABN: 24 077 153 130

Date 17/07/2024

Document Version

Rev	Description	Original	Reviewer	Approval	Date
0	Revision 0	K. Moiler	L. Rohl	M. Harrison	17/07/2024



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1. Introduction

This Compliance Report is prepared by Perth Airport Pty Ltd (PAPL, the permit holder) in accordance with the requirements of Permit E2018-0142 issued under Section 201 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

This report is for the 12-month period from 29 April 2023 to 28 April 2024. The approved action is: To kill Banksia Woodlands of the Swan Coastal Plain ecological community for the construction of a large format retail outlet at Perth Airport, WA, as outlined in permit application E2018-0142.

EPBC Number	2018-0142
Project Name:	Site 6: Large Format Retail Outlet
Approval holder	Perth Airport Pty Ltd (ABN 24077153130)
Approved Action	Permit to kill Banksia Woodlands of the Swan Coastal Plain ecological community for the construction of a large format retail outlet at Perth Airport, WA
Location of Action	Perth Airport, Western Australia
Approval date	22 February 2019
Person accepting responsibility for the report	Melissa Harrison

1. ACTIVITY LOCATION

The project site is located to the south west of the existing Terminal 3 (T3) and Terminal 4 (T4) passenger terminals, between Tonkin Highway and Dunreath Drive as shown in **Figure 1: Activity Location**. The total project site area is 7.09 hectares, of which 2.49 hectares was deemed Banksia Woodlands Threatened Ecological Community (TEC). Permit E2018-0142 allows for disturbance of up to 3.7 hectares of Banksia Woodlands TEC.

The project site is within close proximity to the western boundary of the Perth Airport estate, bounded by Tonkin Highway, the Dunreath Interchange and the Direct Factory Outlet (DFO) within the Airport West Precinct. The suburb of Redcliffe is located to the west and north west of the site, and is primarily characterised by low density residential development which will over time transition towards a Transit Oriented Development mix of commercial and higher density residential surrounding the Redcliffe Train Station, which was opened in October 2022 by the State Government.

2. DESCRIPTION OF ACTIVITY

Construction commenced on 29 April 2019. The development activity involved:

- clearing, site preparation and associated earthworks;
- building of approximately 14,000 square metres Net Leasable Area (NLA);
- building of a fully automated fuel service station and associated infrastructure;
- at-grade car parking; and
- access for private and service vehicles from Boud Avenue and Dunreath Drive.





2. Condition Compliance

To reduce duplication and to highlight changes or provision of additional evidence/comment, the conditions which have previously been satisfied through prior years reporting are not repeated below. A note is included to point to the relevant compliance report if additional information is sought by the reviewer. The below compliance table highlights compliance updates relevant to the 2023/2024 period for Permit E2018-0142.

Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
1	To manage the impacts of the action on the Banksia Woodland of the Swan Coastal Plain, in taking the action, the permit holder must not clear more than 3.7 hectares within the project area (as submitted to the Department in the draft Major Development Plan for a large format retail outlet on 16 August 2018).	Not applicable	Condition requirement falls outside of the scope of the current reporting period. Evidence previously submitted in 2020 Report.
2 (a)	To offset the impacts of the action the permit holder must: <ol style="list-style-type: none"> a. prepare an Offset Strategy to compensate for the impacts of the action on the Banksia Woodland of the Swan Coastal Plain; and 	Compliant	Evidence previously submitted in 2020 Report. Variation to Offset Strategy submitted to Ministers Delegate 2 Feb 2024 (Appendix 1). Decision pending.
2 (b)	<ol style="list-style-type: none"> b. submit the Offset Strategy to the Minister for approval; and 	Compliant	Evidence previously submitted in 2020 Report. Variation to Offset Strategy submitted to Ministers Delegate 2 Feb 2024 (Appendix 1). Decision pending.
2 (c)	<ol style="list-style-type: none"> c. not commence the action unless the Minister has approved the Offset Strategy; and 	Not applicable	Condition requirement falls outside of the scope of the current reporting period. Evidence previously submitted in 2020 Report.



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
2 (d)	d. implement the approved Offset Strategy for a minimum of 20 years (or otherwise determined by the Minister in writing) from the date of commencement of the action; and	Compliant	<p>Implementation of approved Offset Strategy evidence previously submitted in 2022 Report.</p> <p>A variation to the offset strategy was submitted to the Minister’s Delegate on 02 February 2024. Department of Climate Change, Energy, the Environment and Water (DCCEEW) advised that delegate decision is pending (Appendix 1).</p> <p>While the 2024 Varied Offset Strategy is awaiting decision from the DCCEEW, PAPL is undergoing a formal agreement process with the DBCA regarding a 20-year services agreement for the implementation of the Varied Strategy, including access, site securing, management activities, monitoring and reporting.</p>
2 (e)	e. publish the Offset Strategy on the website: <ul style="list-style-type: none"> <li data-bbox="443 938 927 1038">i. no later than seven (7) business days after commencement of the action; and <li data-bbox="443 1043 927 1145">ii. until three (3) months after ceasing the implementation of the Offset Strategy. 	Compliant	<p>Evidence previously submitted in 2020.</p> <p>The approved Offset Strategy is published at the following location: Perth Airport - Corporate Major development plans and will remain published until it is replaced with the 2024 Offset Strategy Variation once a decision has been made.</p>
3 (a)	<p>The Offset Strategy required under condition 2 must:</p> <ul style="list-style-type: none"> <li data-bbox="367 1289 927 1386">a) specify the impacts to Banksia Woodland of the Swan Coastal Plain to be offset 	Compliant	<p>Evidence previously submitted in 2020 Report and the 2024 Varied Offset Strategy (decision pending).</p>



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
3 (b)	b) identify a suitable offset site/s, include a general description of the property/ies containing the offset site/s, and describe how the site/s will be managed and protected for conservation purposes over the long term; and	Compliant	Evidence previously submitted in 2020 Report. The 2024 variation submitted details a suitable offset site and provides all details as required by this condition.
3 (c)	c) outline how the proposed offsets are consistent with the principles of the Environmental Offsets Policy	Compliant	Evidence previously submitted in 2020 Report. The 2024 variation submitted details how the proposed offset site is consistent with the principles of the Environmental Offsets Policy.
3 (d)	d) be prepared in accordance with the Department's Environmental Management Plan Guidelines (2014)	Compliant	Evidence previously submitted in 2020 Report. The 2024 variation was prepared in accordance with the Department's Environmental Management Plan Guidelines (2014).
3 (e)	e) contain a schedule for implementing the Offset Strategy so that approved offset management measures commence no later than 13 September 2019 .	Not applicable	Condition requirement falls outside of the scope of the current reporting period. Evidence previously submitted in 2020 Report. The 2024 variation submitted contains a schedule in Section 7 (Appendix 2). Site establishment activities have commenced.



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
4	The permit holder may, at any time, apply to the Minister for a variation to the Offset Strategy approved under Condition 2, or as subsequently revised in accordance with these conditions. If the Minister approves a revised Offset Strategy then, from the date specified, the permit holder must implement the revised Offset Strategy in place of the previous Offset Strategy.	Compliant	<p>The permit holder requested to vary the approved Offset Strategy on 28 March 2022. Following DCCEEW advice, an updated Offset Strategy Variation (complying with DCCEEW advice) was submitted for approval on the 30 June 2023, and subsequently on 2 Feb 2024.</p> <p>Approval of the submitted 2024 Offset Strategy Variation is pending.</p>
5	Within 12 months of approval of the Offset Strategy referred to in condition 2, and of any variation to the Offset Strategy under condition 4, the permit holder must provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the offset site/s.	Compliant	<p>Condition requirement falls outside of the scope of the current reporting period. Evidence previously submitted in 2020 Report.</p> <p>The offset attributes, shapefile and map(s) clearly defining the location and boundaries of the offset site was submitted with the Varied Offset Strategy on 2 February 2024 (Appendix 1).</p>



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
6	The permit holder may give to another person written authority to take, for or on behalf of the holder, any activity authorised by the permit. When an authority is given to another person, the condition requirements also apply. The giving of an authority to another person does not prevent the permit holder from undertaking the authorised activity. The permit holder who gives an authority to another person must inform the Department in writing within ten (10) business days after giving the authority. The permit holder may only give an authority to another person who has sufficient experience and competence in the activities of this permit.	Not applicable	Condition requirement falls outside of the scope of the current reporting period. The permit holder did not give written authority to another person but retained full authority during all works.
7	The permit holder must inform the Department in writing within ten (10) business days if, whilst the clearing that is authorised by this permit is being carried out, any EPBC Act listed threatened, migratory or marine species, other than that specified in this permit and identified in the permit application, in a Commonwealth area is found to be impacted by the actions. In the event that this occurs, all actions must cease immediately.	Not applicable	Condition requirement falls outside of the scope of the current reporting period. Evidence previously submitted in 2020 Report.
8	The permit holder must hold and comply with any permit required and granted under State, Territory, or other Commonwealth legislation in relation to specimens affected within any area to which that legislation applies.	Compliant	Evidence previously submitted in 2020 Report.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
9	<p>Civil and criminal penalties apply to actions undertaken that have a significant impact on matters of national environmental significance under the EPBC Act.</p> <p>Civil penalties can apply if an action is taken without knowledge of the potential for impact, and criminal penalties apply when an action is knowingly taken with impacts on listed matters of national environmental significance.</p>	Not applicable	<p>Condition requirement falls outside of the scope of the current reporting period. Clearing activities no longer being undertaken. Evidence previously submitted in 2020 Report.</p>
10	<p>Within thirty (30) business days after the completion of the action, the permit holder must notify the Department in writing and provide completion data.</p>	Not applicable	<p>Condition requirement falls outside of the scope of the current reporting period.</p> <p>The action will be deemed complete once the Offset Strategy is implemented through the Offset Management Plan and the Department accepts completion of the action [Completion of the action means the time at which all approved conditions (except this condition) have been fully met].</p>
11 (a)	<p>The permit holder must prepare a compliance report for each twelve (12) month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The permit holder must:</p> <ol style="list-style-type: none"> a) publish each compliance report on the website within sixty (60) business days following the relevant twelve (12) month period; 	Compliant	<p>The action commenced on 29 April 2019. The 2023 Compliance Report was provided by email to the Department and publishers on 21 July 2023 (Appendix 3).</p> <p>This Compliance Report will be published within 60 business days following the 12 month reporting period: 29 April 2023 – 28 April 2024 (by the 22 July 2024) to: https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans</p>



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
11 (b)	b) notify the Department by email that a compliance report has been published on the website within five (5) business days of the date of publication;	Compliant	<p>The Department will be notified within five days of upload to the website. Evidence of this action will be provided in each subsequent years annual Compliance Report.</p> <p>The 2023 Compliance Report was provided by email to the Department and publishers on 21 July 2023. Notice of website publishing was sent to the department on 25 July 2023 (Appendix 4).</p>
11 (c)	c) keep all compliance reports publicly available on the website until completion of the action;	Compliant	<p>The previous Compliance Reports and this Compliance Report are publicly available on the Perth Airport website and will be until the completion of the action.</p> <p>https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans</p>
11 (d)	d) exclude or redact sensitive ecological data from compliance reports published on the website; and	Not applicable	<p>Sensitive ecological data is not required to be redacted for the 2023/2024 period.</p>
11 (e)	e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within five (5) business days of publication.	Not applicable	<p>Sensitive ecological data is not required to be redacted for the 2023/2024 period.</p>



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
12	<p>The permit holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in the Offset Strategy. The notification must be given as soon as practicable, and no later than two (2) business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none">a. the condition which is or may be in breach; andb. a short description of the incident and/or non-compliance.	Not applicable	No non-compliances were identified for this reporting period.
13	<p>The permit holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in the Offset Strategy as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none">a. any corrective action or investigation which the permit holder has already taken or intends to take in the immediate future;b. the potential impacts of the incident or non-compliance; andc. the method and timing of any remedial action that will be undertaken by the permit holder.	Not applicable	No non-compliances were identified for this reporting period.



APPENDIX 1

Condition 2b) Variation submitted to Department of Environment February 2024

From: Camilla McLean
Sent: Friday, February 2, 2024 4:41 PM
To: Linton-Smith, Brendan <Brendan.Linton-Smith@dceew.gov.au>
Cc: Melissa Harrison <Melissa.Harrison@perthairport.com.au>; Environment <environment@perthairport.com.au>
Subject: Site 6/Living Stream Offset Strategy E2017-0128 & E2018-0142

Hi Brendan,

Thank you for providing our team with feedback on the previous offset strategy variation submitted in 2023. We have addressed all requests for further information and provide the following items for your review in the linked OneDrive folder: [E2017-0128 & E2018-0142 Offset Strategy Variation](#)

- Letter for Variation – “PAPL to DCCEEW Site 6 Offset Strategy Variation_020224”
- Revised Offset Strategy – “E2017-0128 & E2018-0142 DFO-Living Stream and Site 6 Offset Strategy Variation”
- Perth Airport response document - “Site 6 and Living Stream Offset Strategy information request”
- Spatial data for the Orange Springs Site – “Datapack” zipfile

The revised strategy accords with the EPBC Act Environmental Offsets Policy (2012), in preparing this strategy consideration has been made for alignment with relevant aspects of the Environmental Management Plan Guidelines (DoE, 2014). It is the intention of the Perth Airport that the Offset Management Plan (OMP) for the Orange Spring property (currently draft) provides the details for the implementation and management of the offset in accordance with the Environmental Management Plan Guidelines and the draft 2022 Environmental Offset Guidelines (DAWE 2022) and the OMP Template (DAWE 2022) developed by DCCEEW. For information only we have also provided the *Draft Offset Management Plan* for 569 Orange Springs Road, Orange Springs.

Please do not hesitate to contact me at your earliest convenience should you wish to discuss or require additional information.

Kind regards,

Camilla McLean
Acting General Manager Approvals, Environment & Heritage
P: 08 9478 8533
Please note I do not work Wednesdays. For anything urgent on Wednesdays please contact 0419 938 050
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APPENDIX 2

Condition 3e) Offset Strategy must contain a schedule

7.0 Implementation Schedule

Following Ministerial (or delegate) approval of this revised offset strategy to counteract the residual impacts to Banksia Woodlands TEC within the DFO-Living Stream and Site 6 projects, the measures in **Table 7.1** will be implemented.

Table 7.1 Proposed Timeframes for Implementation of the Offset Strategy

Measures	Responsibility	Timeframe
Agreement with DBCA to incorporate offset site/property within conservation estate and agree on establishment and ongoing management measures for the property.	PAPL and DBCA	Within 3 months of approval of revised Offset Strategy by DCCEEW.
Implement management measures to establish offset site.	PAPL	Within 9 months of approval of revised Offset Strategy.
Transfer of offset property into freehold land with a conservation covenant to DBCA.	PAPL and DBCA	Within two months of completion of site establishment measures or earlier if agreed by DBCA.
Provision of spatial data to DCCEEW	PAPL	Provided with submission of this revised Offset Strategy
Publication of the approved Revised Offset Strategy on the PAPL website. Perth Airport Website - https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans .	PAPL	Offset Strategy to be published online within two weeks of approval by DCCEEW.
PAPL to fund, and DBCA to implement ongoing management measures. (PAPL has committed funding to DBCA for a period of 20 years from the transfer of the land, to be paid via annual funds in advance, with all interest earned on early payments accruing for the benefit of the ongoing site management)	PAPL and DBCA	At the time of land transfer and for the following 20-year period, or as otherwise agreed with DBCA.



APPENDIX 3

Condition 11b) Compliance report completed for 2022-2023 reporting period

From: Pia Coventry <Pia.Coventry@perthairport.com.au>
Sent on: Friday, July 21, 2023 7:19:36 AM
To: epbcmonitoring@dcceew.gov.au
CC: Pia Coventry <Pia.Coventry@perthairport.com.au>
Subject: E2018-0142 Compliance Report - July 2023
Attachments: E2018-0142 Compliance Report 2023_signed.pdf (2.21 MB)

Hello,

Please find attached the Compliance Report for E2018-0142.

Kind regards,
Pia

Pia Coventry
Environment Manager (Acting)



Level 2, 2 George Wiencke Drive (Opposite T3 & T4), Perth Airport WA 6105
PO Box 6, Cloverdale WA 6985
T 08 9478 8718 M 0456629353
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APPENDIX 4

Condition 11c) 2023 Notice of Compliance Report available online

From: Pia Coventry <Pia.Coventry@perthairport.com.au>
Sent on: Tuesday, July 25, 2023 5:48:33 AM
To: epbcmonitoring@dceew.gov.au
CC: Pia Coventry <Pia.Coventry@perthairport.com.au>
Subject: RE: E2018-0142 Compliance Report - July 2023 - confirmation of website upload

Hello,

Please see confirmation regarding the upload of the Site 6 2023 Compliance Report to Perth Airport's website, at the below link.

https://www.perthairport.com.au/Home/corporate/planning-and-projects/major-development-plans

Perth Airport website screenshot showing navigation menu with 'Community & environment' selected, listing compliance reports from 2020 to 2023, and a section for 'Site 6: Large Format Retail Outlet'.

Kind regards,
Pia

Pia Coventry
Environment Manager (Acting)
T 08 9478 8718 M 0456629353
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