

18 OCTOBER 2022 / PREPARED BY PERTH AIRPORT

Compliance Report

EPBC Permit 2018-0147
27 August 2021 to 27 August 2022





Declaration of accuracy

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

Signed 

Full name (please print) Nicole Gallin

Position (please print) Head of Approvals, Environment and Sustainability

Organisation (include ABN): Perth Airport Pty Ltd

ABN: 24 077 153 130

Date 18/10/2022

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0	Revision 0	M.Ramgobin	N.Gallin	N. Gallin	18/10/2022



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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 E2017-0147 issued under Section 201 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

This report is for the activity period from 27 August 2021 to 27 August 2022. The approved action is: Permit to undertake the construction and operation of the New Runway Project, as outlined in permit application E2018-0147.

EPBC Number	2022-0147
Project Name:	New Runway Project
Approval holder	Perth Airport Pty Ltd (ABN 24077153130)
Approved Action	Permit to undertake the construction and operation of the New Runway Project
Location of Action	Perth Airport, Western Australia
Approval date	27 August 2021
Person accepting responsibility for the report	Meethylesh Ramgobin
Expiry date	1 August 2022

1. ACTIVITY LOCATION

Activity is located with the approved project footprint as per Figure 1-1.

2. DESCRIPTION OF ACTIVITY

To date no activity has been undertaken.

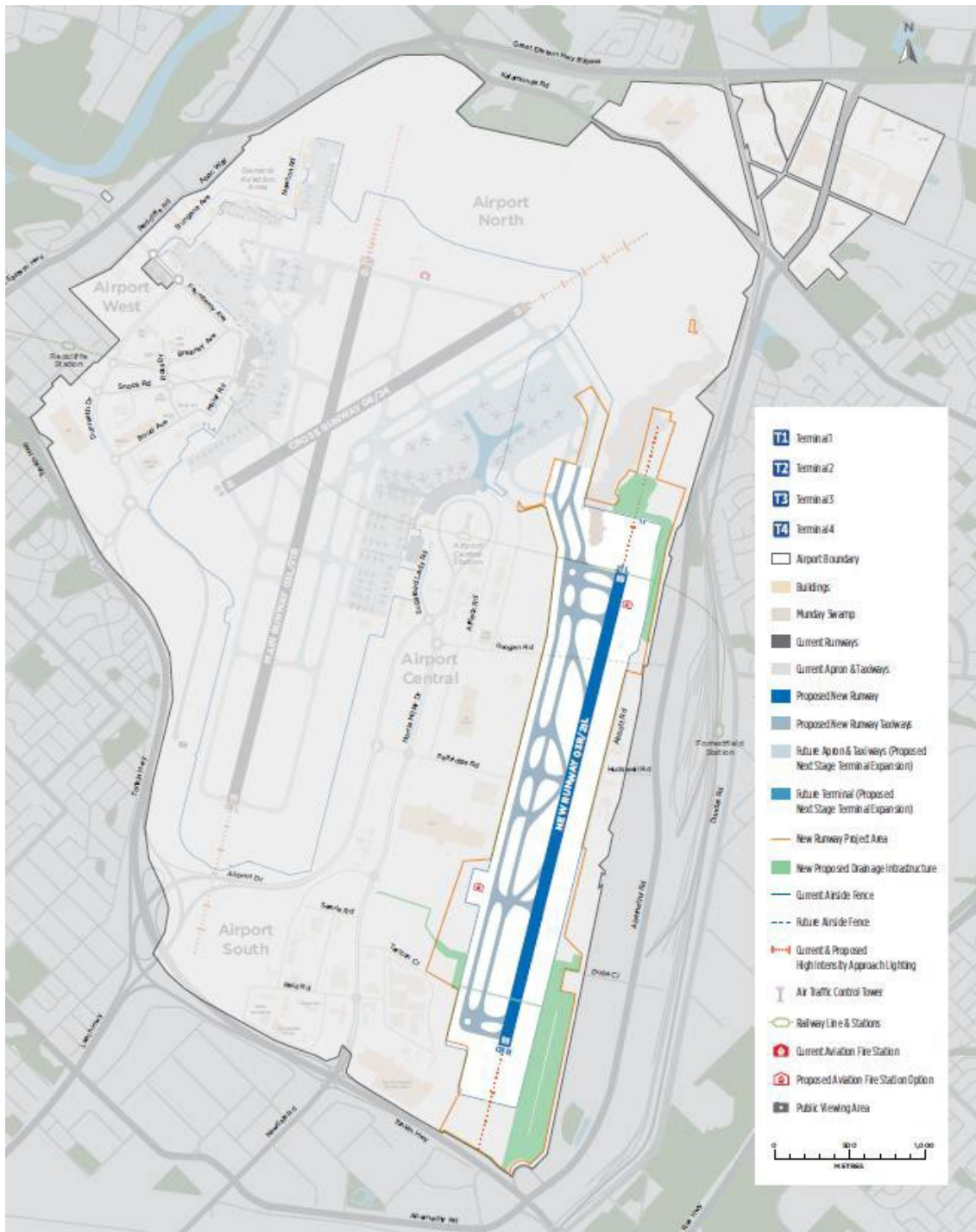


Figure 1-1 New Runway Footprint

2. Condition Compliance



The below compliance table outlines compliance with Permit E2018-0147.

Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
1a	<p>To manage and minimise the impacts of the action upon the listed threatened species and ecological community identified in the project area, the permit holder must not:</p> <ul style="list-style-type: none"> a. clear more than 41.4 hectares of vegetation identified as Banksia Woodlands of the Swan Coastal Plain; b. clear more than 232.7 hectares of Black Cockatoo habitat; c. clear more than 12 trees containing suitable nesting hollows for Black Cockatoos; d. clear more than 206 Wavy-leaved Smokebush individuals; e. clear more than 855 Keighery's Macarthuria individuals; f. kill or injure any Western Swamp Tortoise individuals; g. kill or injure any Black Cockatoo individuals. 	Compliant	No clearing was undertaken within the project footprint during this reporting period.
2	<p>To mitigate potential direct impacts to Black Cockatoos and the Western Swamp Tortoise, the permit holder must undertake pre-clearance surveys prior to undertaking any activity (including clearing) which may result in an impact to Black Cockatoos or the Western Swamp Tortoise. A report of findings must be submitted to the Minister prior to the permit holder, or any other person, carrying out the activity. The following requirements apply to pre-clearance surveys in respect of particular species:</p>	Compliant	Western Swamp tortoise was surveyed, and results have been provided to the Department of Climate Change, Energy, the Environment and Water (DCCEEW).
2a	<p>For the Western Swamp Tortoise, pre-clearance surveys must be undertaken by a suitably qualified ecologist using a</p>	Compliant	Survey has been undertaken by a suitably qualified ecologist for all relevant areas. No Western Swamp tortoise were identified during the surveys.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>method suitable to trap any turtle species occurring within Munday Swamp (see Appendix A) and all other areas within or adjacent to the project area that may provide suitable habitat for tortoises.</p> <p>In the event that any individual of the Western Swamp Tortoise is identified during, or following the completion of, pre-clearance surveys, they must be moved by a suitably qualified ecologist using an appropriate methodology to suitable habitat outside of the project area, within Munday Swamp (see Appendix A) on the Perth Airport Estate or, if no suitable habitat is located within Munday Swamp, a suitable alternative area approved by the suitably qualified ecologist.</p> <p>The Department must be notified of movement and the location that any Western Swamp Tortoise individuals are moved to within 48 hours of the movement occurring.</p>		
2b.	<p>For Black Cockatoos, pre-clearance surveys must be undertaken to investigate all potential suitable nesting hollows in the project area within seven days prior to clearing any trees which may contain potential suitable nesting hollows.</p> <p>All pre-clearance surveys must be undertaken by a suitably qualified ecologist. In the event that any Black Cockatoo is detected to be utilising any hollow in any tree, each such tree must be clearly identified, marked and its location recorded. Each such tree and any vegetation within a distance for which clearance activities may result in death or injury to the species, must not be cleared by the permit holder or by any other person involved with the action unless a suitably qualified ecologist has verified that no Black Cockatoos are present in hollows at the time of clearing.</p> <p>A site environmental advisor must be on site during all clearance activities of Black Cockatoo habitat, and where Black Cockatoos are identified, clearance must not occur within a distance which</p>	Compliant	This survey will be conducted closer to clearing date.



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>may result in death or injury to the species. The site environmental advisor must be given sufficient authority to stop works if Black Cockatoos are identified within a distance of clearance works which may result in death or injury. If works have been stopped, clearing may only recommence if a site environmental advisor gives approval that no Black Cockatoos are within a distance which may result in death or injury.</p>		
3	<p>The permit holder must not undertake an activity that intentionally disperses any Black Cockatoo individuals, during clearing and construction works, for the purposes of this action</p>	Compliant	No activity has been undertaken to date.
4	<p>If the permit holder's actions result in the death or injury of a Western Swamp Tortoise or Black Cockatoo, clearing is to immediately stop, and a suitably qualified ecologist must conduct a review to determine the cause of that death or injury.</p> <p>The permit holder must develop mitigation measures, as advised by a suitably qualified ecologist, to reduce the risk of similar impacts to as low as reasonably practicable, which must be implemented before the clearing can re-commence.</p> <p>The Department must be advised (in writing) of the new mitigation measures the permit holder has implemented before the clearing recommences.</p>	Compliant	There has been no injury or death to Western Swamp Tortoise or Black Cockatoo within the project footprint over this reporting period.
5a.	<p>To offset the loss of Banksia Woodlands of the Swan Coastal Plain as specified in Condition 1, the permit holder must either:</p> <ul style="list-style-type: none">a. Acquire control of offset area(s) by 1 December 2023 which is a minimum of 236 hectares in size and meets the following criteria:<ul style="list-style-type: none">i. meets the description of the Banksia Woodlands of the Swan Coastal Plain and the key diagnostic characteristics	Compliant	Perth Airport is in the process of acquiring land for offset purposes by December 2023.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>defined in the Approved Conservation Advice for the Banksia Woodlands of the Swan Coastal Plain ecological community; and</p> <p>ii. meets a minimum Habitat Quality Score of 5 out of 10 as determined by the Banksia Woodlands Habitat Quality Scoring Framework, with a minimum score of 60 for Vegetation Condition,</p>		
5b.	<p>OR</p> <p>Condition 5b relates to a combination of land purchase and restoration offsets which only required if Perth Airport chooses 5b over 5a.</p>	N/A	To date Perth Airport is complying with 5a and therefore 5b is not relevant.
6	The permit holder must, by 1 June 2023, inform the Department in writing of its choice to undertake either Condition 5(a) or Condition 5(b).	Compliant	Perth Airport will provide its choice in writing prior to 1 June 2023.
7.	<p>To offset the loss of Black Cockatoo Habitat as specified in Condition 1, the permit holder must acquire control of offset area(s) by 1 December 2023 which meets the following criteria:</p> <ol style="list-style-type: none"> 1. contains a minimum of 510 hectares of Black Cockatoo native foraging habitat for Carnaby's Black Cockatoo which is at or above a Habitat Quality Score of 3 out of 10 as determined by the Black Cockatoo Habitat Quality Scoring Framework. Land acquired to meet the requirements of Conditions 5(a) and 5(b)(i) may also meet the requirements of this condition; and 2. contains a minimum of 152 hectares of Black Cockatoo native foraging habitat for Forest Black 	Compliant	Perth Airport is in the process of acquiring land for offset purposes by December 2023.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>Cockatoos which is at or above a Habitat Quality Score of 4 out of 10 as determined by the Black Cockatoo Habitat Quality Scoring Framework.</p>		
8.	<p>To be considered suitable, by 1 June 2024, offset area(s) of Black Cockatoo native foraging habitat must provide evidence and agreement in writing by a suitably qualified ecologist that there are at least 30 suitable nesting hollows and/or artificial nesting hollows for Black Cockatoos.</p> <p>Artificial nesting hollows must be installed by a suitably qualified ecologist following a suitable design methodology.</p> <p>Both suitable nesting hollows and artificial nesting hollows must be monitored and maintained for the life of the permit, following a suitable monitoring methodology.</p> <p>Any loss of suitable nesting hollows or artificial nesting hollows must be replaced with an artificial nesting hollow within 6 months in order to maintain a total of at least 30 suitable nesting hollows and/or artificial nesting hollows for the duration of the permit.</p>	N/A	Perth Airport is still in the process of acquiring offset land related to this condition.
9	<p>To mitigate and offset the loss of Wavy-leaved Smokebush and Keighery's Macarthuria as specified in Condition 1, the permit holder must:</p> <ul style="list-style-type: none">a) Engage a suitably qualified ecologist to propagate, establish and control new viable population(s) of at least 347 individuals of Wavy-leaved Smokebush and at least 1513 individuals of Keighery's Macarthuria by 1 December 2028, and maintain these population(s) for the life of the permit; andb) By 1 December 2028, publish on its website for the life of the permit the aims, methodology, strategies, and results of research conducted as	Compliant	Edith Cowan University have been engaged to complete this work.



Condition Number/reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	part of the propagation and establishment of new population(s) of Wavy-leaved Smokebush and Keighery's Macarthuria .		
10	Offset area(s) required under Condition 5, Condition 7, Condition 8 and Condition 9 must be managed to maintain or improve the Habitat Quality Score or the specified number of individuals and extent of the listed threatened species or ecological community , or habitat for a listed threatened species , being offset, for the life of the permit	N/A	Offset areas are not yet established.
11	The permit holder may give to another person written authority to take, on behalf of the holder, any activity authorised by the permit. When an authority is given to another person, the condition requirements also apply to that person. 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 fourteen 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.	N/A	Authority has not been given to any other party.
12	The permit holder must maintain accurate and complete compliance records	Compliant	Records are available upon request.
13	If the Department makes a request in writing, the permit holder must provide electronic copies of compliance records to the Department within 5 business days , unless otherwise specified by the Department .	N/A	The Department have not asked for any copies of record to date.
14	The permit holder must prepare a compliance report for each 12-month period following the date of the issuing of this permit, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister . The permit holder must: a. Publish each compliance report for 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	Compliant	This is initial report for the first 12 months period. No site activities have been undertaken to date.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<p>website and provide the weblink for the compliance report within five business days of the date of publication;</p> <p>c. keep all compliance reports publicly available on the website until this permit expires;</p> <p>d. exclude or redact sensitive ecological data from compliance reports published on the website; and</p> <p>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.</p>		
15	<p>The permit holder must notify the Department in writing of any: incident or non- compliance with the conditions. The notification must be given as soon as practicable, and no later than 48 hours after becoming aware of the incident or non-compliance. The notification must specify:</p> <p>a. any condition which is or may be in breach;</p> <p>b. 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</p>	Compliant	There have been no incidents or non compliance with the conditions for this reporting period.
16	<p>The permit holder must provide to the Department the details of any incident or non- compliance with the conditions or commitments made as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p>	Compliant	There have been no incidents or non compliance with the conditions for this reporting period.



Condition Number/ reference	Condition	Is the project compliant with this condition?	Evidence/Comments
	<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; and the method and timing of any remedial action that will be undertaken by the permit holder		
17	The permit holder must ensure that independent audits of compliance with the conditions are conducted for the 24-month period from the date of the issuing of the permit and for every subsequent 24-month period, or as otherwise requested in writing by the Minister	Compliant	Independent audit report is not yet due
18	For each independent audit , the permit holder must: <ul style="list-style-type: none">a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;b. only commence the independent audit once the audit criteria have been approved in writing by the Department; andc. submit an audit report to the Department within the timeframe specified in the approved audit criteria.	N/A	No independent audits have been conducted to date – see condition 17.
19	The permit 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 expiry date of this permit	N/A	No independent audits have been conducted to date – see condition 17.
20	Within 30 days after the completion of clearing , the permit holder must notify the Department in writing and provide completion data .	N/A	Clearing not yet commenced.