



**Annual Compliance Report  
for**

**EPBC 2017/8053**

**Compliance Report 2020**

**Butler North District Open  
Space (Halesworth Park)**

# 1. Introduction

## 1.1 Details of Controlled Action

The City of Wanneroo (the City) was approved to clear native vegetation to develop playing fields and associated infrastructure within Lot 9051, Alkimos and Lot 8210, Butler, 38 km northwest of Perth, WA.

The City received approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) from the Department of Agriculture, Water and the Environment (DAWE) on 12 May 2020.

No variations to EPBC 2017/8053 have been issued.

## 1.2 Commencement of Action

The City commenced the action in July 2020. The clearing of native vegetation for the playing fields took place between 20 July 2020 and 4 August 2020.

The City is responsible for annual reporting under Condition 6 of the EPBC 2017/8053, which is required within three months of every 12 month anniversary of the commencement of the action.

The compliance period refers to the date range **20 July 2020 to 20 July 2021**.

This report will be published to the City's website and demonstrate compliance against conditions of the approval, including implementation of the management plans as specified conditions.

## 2. EPBC Approval Conditions

| Condition Number   | Condition Requirement   | Compliance Status | Evidence/Comments   |
|--|---|-------------------|---|
| 1<br>For the protection of the EPBC Act listed Carnaby's Black Cockatoo and Banksia Woodlands TEC, the approval holder must: | a) The person taking the action must Not clear more than 8.801 hectares (ha) of Carnaby's Black Cockatoo foraging habitat and Banksia Woodlands TEC, designated as 'CPS areas approved to clear' in Attachment A.                                   | Compliant         | <p>The City's contractor surveyed the site and installed fencing to delineate the clearing boundary prior to clearing, to ensure that only the approved clearing area was cleared.</p> <p>The site was surveyed post clearing to measure the clearing area. The survey found that the total area of native vegetation cleared was 87,500m<sup>2</sup> or 8.75ha, which is 510m<sup>2</sup> (or 0.051ha) under the approved clearing.</p> <p>As constructed drawings and shape files confirming the area cleared are held in the City's Electronic Document and Record Management System (EDRMS) and are available upon request.</p> |
|  | b) Comply with Condition 7 (Dieback and Weed Management) of the Western Australian Clearing Permit.   | Compliant         | <p>The City's contractor implemented their Dieback Management Procedure for the duration of the works and provided a clean machinery register as evidence the procedure was implemented.</p> <p>Clean machinery forms and other supporting documentation are held in the City's Electronic Document and Record Management System (EDRMS) and are available upon request.</p>  |
|  | c) Notify the Department in writing of any variations to the conditions of the Western Australian Clearing Permit to which sub-condition 1(b) applies within five business days of a variation being approved by the Western Australian Government. | Compliant         | There were no variations to EPBC 2017/8053 during the reporting period.   |

|   |   |           |   |
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| <p>2</p> <p>To offset the residual significant impacts on <b>Carnaby's Black Cockatoo foraging habitat</b> and <b>Banksia Woodlands TEC</b>, the approval holder must provide the <b>Department</b> with evidence that at least 75 ha of <b>offset site</b> have been acquired including:</p> | <p>a) Prior to the commencement of the action, written evidence that an offset site of no less than 55 ha of Carnaby's Black Cockatoo foraging habitat and Banksia Woodland TEC, within Lot 901 Brennan Road, Bindoon, WA which was purchased by the approval holder and transferred to DBCA to be used as an advance offset, has been allocated and secured by DBCA as an offset for this particular action.</p> |           | <p>The City acquired land at Lot 901 Brennan Road Bindoon, for the purposes of an offset, on 17 January 2017. Lot 901 on Deposited Plan 409610 has been secured and protected.</p> <p>The land was originally acquired as an offset for the City's Meridian Park project under EPBC 2007/3479. This project did not require the total area of Lot 901 as offset for vegetation clearing and 55ha of the remaining area has been allocated to EPBC 2017/8053, meeting the requirements of this condition.</p> <p>Refer to Appendix 2 for supporting documentation.</p> |
|   | <p>b) Written evidence within 6 months of commencement of the action, that a financial contribution has been made to the DBCA Offsets Fund to fully fund the purchase of an offset site containing no less than 20 ha of Carnaby's Black Cockatoo foraging habitat and Banksia Woodland TEC,</p>  | Compliant | <p>The City provided remittance advice from WA DBCA, for purchase of the offset required under EPBC 2017/8053, to DAWE on 22 December 2020.</p> <p>Refer to Appendix 3 for supporting documentation.</p>  |
|   | <p>c) A description and map clearly defining the location and boundary of the offset site(s), accompanied by the offset attributes and shapefiles.</p>  |           | <p>The City provided information to DAWE regarding the offset site during the approval process.</p>   |
| <p>3</p>  | <p>The approval holder must notify the Department in writing of the date of commencement of the action.</p>   | Compliant | <p>The City provided a letter to DAWE on 19 August 2020 notifying of the commencement of the action.</p> <p>Refer to Appendix 1 for supporting documentation.</p>   |

| Condition Number  | Condition Requirement  | Compliance Status | Evidence/Comments.   |
|---|--|-------------------|--|
| 4   | The approval holder must maintain accurate and complete compliance records.  | Compliant         | Compliance records regarding the controlled action are held within the City's Electronic Document and Record Management System (EDRMS) and available upon request. |
| 5   | 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.              | Compliant         | Compliance records regarding the controlled action are held within the City's Electronic Document and Record Management System (EDRMS) and available upon request. |
| 6<br>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  | Compliant         |  |
|   | 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; | Compliant         |  |
|   | c) keep all compliance reports publicly available on the website until this approval expires;  | In Progress       |  |
|   | d) exclude or redact sensitive ecological data from compliance reports published on the website; and   | Compliant         | No sensitive ecological data is included in the published report.  |
|   | 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.                      | Compliant         |  |

| Condition Number   | Condition Requirement  | Compliance Status | Evidence/Comments.  |
|--|--|-------------------|---|
| 7<br>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions. 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: | a) any condition which is or may be in breach  | Compliant         | No conditions of EPBC 2017/8053 were breached during the reporting period.                                  |
|  | b) a short description of the incident and/or non-compliance   | Compliant         | No incidents or non-compliances regarding EPBC 2017/8053 occurred during the reporting period.              |
|  | c) the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available. | Compliant         | No incidents or non-compliances regarding EPBC 2017/8053 occurred during the reporting period.              |
| 8<br>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:  | a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;  | Compliant         | No corrective actions or investigations regarding EPBC 2017/8053 were required during the reporting period. |
|  | b) the potential impacts of the incident or non-compliance   | Compliant         | No incidents or non-compliances regarding EPBC 2017/8053 occurred during the reporting period.              |
|  | c) the method and timing of any remedial action that will be undertaken by the approval holder   | Compliant         | No remedial actions were required during the reporting period.  |

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| 9   | The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.  | Compliant | No audits were requested during the reporting period.  |
| 10<br>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;   | Compliant | No audits were requested during the reporting period   |
|   | b) only commence the independent audit once the audit criteria have been approved in writing by the Department;   | Compliant | No audits were requested during the reporting period   |
|   | c) submit an audit report to the Department within the timeframe specified in the approved audit criteria.  | Compliant | No audits were requested during the reporting period   |
| 11  | 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. | Compliant | No audits were requested during the reporting period   |
| 12  | Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.   | Compliant | The controlled action has not been completed. The City will notify the Department in writing within 30 days of the completion of the action.<br>The City will report on the completion of the action in the next reporting period. |

### **3. Appendices**

## Appendix 1 - EPBC 2007/3479 Letter advising of the commencement of the action



File Ref: 20/324214  
Your Ref: EPBC 2017/8053  
Enquiries: Tenaha Wilson (08) 9405 5040

12 August 2020

Assistant Secretary  
Compliance and Enforcement Branch  
Department of Agriculture, Water & Environment  
GPO Box 858  
CANBERRA, ACT 2601

To Whom It May Concern,

### **EPBC 2017/8053: Butler North District Open Space, Butler Alkimos Environmental Compliance Reporting**

In accordance with approval to clear native vegetation under *the Environmental Protection and Biodiversity Conservation Act 1999*, The City hereby provides notice of commencement of the action as required by the following condition:

*"3) The approval holder must notify the Department in writing of the date of commencement of the action."*

The City commenced clearing of vegetation within Lot 9051, Alkimos and Lot 8210, Butler on 20<sup>th</sup> July 2020 to develop playing fields and associated infrastructure.

Should you have any enquiries in relation to the above reports, please contact the City's Natural Areas Assets Officer, Tenaha Wilson on 9405 5040.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Benny Chang".

Benny Chang  
Manager Strategic Assets Services

## Appendix 2 – Documentation relating to the securing of 55 ha of Carnaby’s Cockatoo habitat at Lot 901 Brennan Road, Bindoon, WA

Wed 17/03/2021 12:33 PM  
Cox, David <David.Cox@wanneroo.wa.gov.au>  
FW: Landgate Order Request Number 61759052 (Your Ref: Property Services - Bindoon Offset)

To: Greer, Paul; Wilson, Tenaha  
Cc: Chang, Benny; Thrush, Kirsten

|  |   |   |
|--|---|---|
|  ATT00001.txt<br>586 bytes  |  Order Confirmation.pdf<br>69 KB         |  Certificate of Title 1869-843 Lot 103 On Plan 17335.pdf<br>202 KB |
|  Certificate of Title 2917-416 Lot 901 On Deposited Plan 409610.pdf<br>201 KB |  Document Transfer N510284.pdf<br>217 KB |   |

Hi All

Following up on our earlier meeting re: Bindoon Offsets, please find attached copies of current Certificate of Title for the two relevant parcels Lots 103 and 901 (created under excision by subdivision from portion former Lot 104 on P17335 – Vol:1869 Fol:844). Lot 104 was subdivided to allow acquisition the correct area requested under the offset arrangement between the City and DPAW (Alex Errington). The balance area Lot 104 not affected by offset is now Lot 900 on DP 409610 and was retained in the original landowners ownership of Lots 103 & 104 ODELON PTY LTD. Please refer Document Transfer N510284 for details and consideration (ie sale price).

The responsible agents for both Lots 103 and 901 is DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS (SCLM) - as notated on both CT's

Regards

Dave



**David Cox**

Property & Projects Officer  
Property Services

08 9405 5478

David.Cox@wanneroo.wa.gov.au

## Appendix 3 – confirmation of Cataby Site offset.



Wed 23/12/2020 6:56 AM

Kara DeFay <Kara.DeFay@awe.gov.au>

EPBC 2017/8053 Butler North District open space playing fields development - condition 2b [SEC=OFFICIAL]

o EPBC Monitoring

c Wilson, Tenaha; Post Approval

 2017-8053-City of Wanneroo-WA DBCA Remittance for offset.pdf  
93 KB

**[EXTERNAL EMAIL]** This email was received from outside the City of Wanneroo. Please do not click on links or open attachments unless you recognise the sender and know the content is safe.

H there

Please find attached remittance advice from the City of Wanneroo, the approval holder for EPBC 2017/8053, to WA DBCA, for purchase of one of the required offsets for this project.

As per condition 2b, the approval holder has provided evidence within 6 months of commencement of the action that a financial contribution has been made to WA DBCA to purchase the required 20ha offset of Banksia woodlands TEC. Note that we received a letter on 19 August 2020, notifying of commencement of the action; this was forwarded to EPBC Monitoring. EPBC Monitoring forwarded a letter to the approval holder on 20 August 2020, acknowledging commencement.

Regards, Kara.

.....  
Kara DeFay  
Post Approvals Section  
Assessments (Vic, Tas) and Post Approvals Branch  
Environment Approvals Division  
Department of Agriculture, Water and the Environment  
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