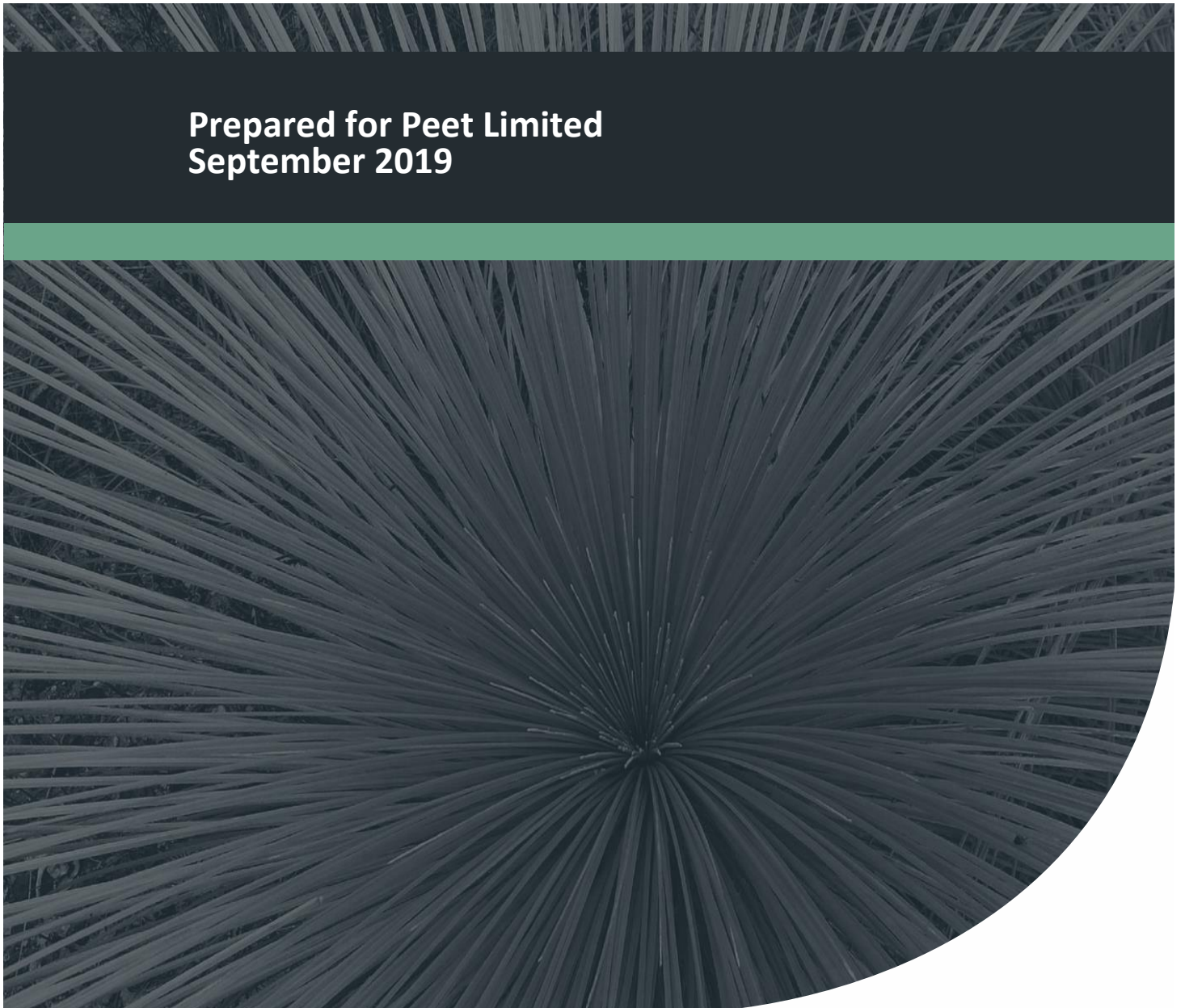


# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon

Project No: EP13-041(24)

**Prepared for Peet Limited  
September 2019**



# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## Document Control

<b>Doc name:</b> 2019 Compliance Report for EPBC Approval 2008/4250 Avon Ridge Estate, Brigadoon					
<b>Doc no.:</b> EP13-041(24)--112 BRB					
Version	Date	Author		Reviewer	
1	October 2019	Bianca Bertelli	BRB	Ashley Bird	ALB
				Chrystal King	CKK
Submission to client for review					
A	September 2019	Bianca Bertelli	BRB	Chrystal King	CKK
				Updated to respond to client comments	

© 2019 Emerge Associates All Rights Reserved. Copyright in the whole and every part of this document belongs to Emerge Associates and may not be used, sold, transferred, copied or reproduced in whole or in part in any manner or form or in or on any media to any person without the prior written consent of Emerge Associates.

# 2019 Compliance Report for EPBC Approval 2008/4250

## Avon Ridge Estate, Brigadoon



## Executive Summary

Peet Limited (Peet) received approval pursuant to the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the special rural development of Lots 1010 and 1022 Campersic Road in Brigadoon in Western Australia on 8 October 2009 (EPBC 2008/4250).

The development, known as Avon Ridge Estate, is located approximately 30 km northeast of the Perth Central Business District, and contains a 450 hectare (ha) subdivision area and an adjacent 411 ha reserve for Parks and Recreation (PR Reserve) under the Metropolitan Region Scheme (MRS).

Emerge Associates (Emerge) has been appointed by Peet to prepare an annual compliance report (this report) to satisfy condition 12 of the approval. This document outlines the current level of compliance with all the conditions of EPBC 2008/4250 for the development thus far.

Specifically, this document:

- Details the actions undertaken within the development from 5 July 2018 to 4 July 2019.
- Demonstrates the level of compliance with the conditions of approval.
- Identifies any further actions which are required to meet the approval conditions.

Civil works for Stages 11A and 11B commenced on 15 January 2019 and involved vegetation clearing for roads, lot firebreaks and strategic firebreaks. To date, stages one through four, stage seven and stage eleven (out of a total of nine stages) have been subject to clearing and construction activities, with 116 lots out of a total of 214 settled.

Compliance has been achieved against the conditions during the reporting period through the ongoing implementation of Restrictive Covenants, Notifications on Title, and the following two management plans:

- The Construction Management Plan (Cardno 2010).
- The Revegetation and Fire Management Plan (Emerge Associates 2017).

# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## Table of Contents

<b>1</b>	<b>Declaration of accuracy</b> .....	<b>1</b>
<b>2</b>	<b>Introduction</b> .....	<b>2</b>
2.1	Purpose.....	2
2.2	Scope.....	2
2.3	Proposal background.....	3
2.4	Approvals under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .....	3
<b>3</b>	<b>Project status</b> .....	<b>4</b>
3.1	Lot settlement.....	4
3.2	Civil construction works.....	4
<b>4</b>	<b>Audit terminology</b> .....	<b>5</b>
<b>5</b>	<b>Audit findings</b> .....	<b>6</b>
5.1	Compliance with EPBC 2008/4250.....	6
5.1.1	Conformance with the Revegetation and Fire Management Plan.....	6
5.1.2	Conformance with the Construction Management Plan.....	7
5.2	Compliance details.....	25
5.2.1	Civil Works clearing for strategic firebreaks, lot boundary firebreaks and roads - condition 1.....	25
5.2.2	Measures to manage clearing within lots - condition 2.....	26
5.2.3	Restrictive Covenant - condition 8.....	27
<b>6</b>	<b>Conclusion</b> .....	<b>28</b>
<b>7</b>	<b>References</b> .....	<b>29</b>
7.1	General references.....	29
7.2	Online references.....	29
<b>8</b>	<b>Glossary</b> .....	<b>30</b>

## List of Tables

Table 1:	Lots settled during the reporting period.....	4
Table 2:	Audit terminology.....	5
Table 3:	List of approval conditions and current compliance status of EPBC 2008/4250.....	9
Table 4:	Areas cleared to date under condition 1.....	26

# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## Figures

Figure 1: Avon Ridge Stages 11a and 11b Location

## Appendices

### **Appendix A**

Conformance with Revegetation and Fire Management Plan

### **Appendix B**

Conformance with Construction Management Plan

# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## List of Abbreviations

*Table A1: Abbreviations – General terms*

General terms	
CMP	Construction Management Plan
GIS	Geographic information systems
MNES	Matters of National Environmental Significance
RFMP	Revegetation and Fire Management Plan

*Table A2: Abbreviations – units of measurement*

Units of measurement	
cm	Centimetre
dbh	Diameter breast height
ha	Hectare
m	Metre
mm	Millimetre

*Table A3: Abbreviations – Organisations*

Organisations	
DBCA	Department of Biodiversity, Conservation and Attractions
DEWHA	Department of Environment, Water, Heritage and the Arts (now DoEE)
DFES	Department of Fire and Emergency Services
DoEE	Department of the Environment and Energy
DPaW	Department of Parks and Wildlife (now DBCA)

*Table A4: Abbreviations – Planning terms*

Planning terms	
MRS	Metropolitan region scheme
PR Reserve	Parks and Recreation Reserve

2019 Compliance Report for EPBC Approval 2008/4250  
Avon Ridge Estate, Brigadoon



This page has been left blank intentionally.

# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## 1 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): CLAY THOMAS

Position (please print): SENIOR DEVELOPMENT MANAGER

Organisation (please print including ABN/ACN if applicable): PEET LTD

Date: 23/09/2019



# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## 2 Introduction

### 2.1 Purpose

This Annual Compliance Report (ACR) has been prepared to satisfy the requirements of condition 12 of *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval 2008/4250 (EPBC 2008/4250). This condition requires the proponent to publish an annual compliance report addressing compliance with each condition of EPBC 2008/4250, and states:

*The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise 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 within five business days of the date of publication;*
- c) keep all compliance reports publicly available on the website until this approval expires;*
- d) exclude or redact sensitive ecological data from compliance reports published on the 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.*

### 2.2 Scope

The action commenced on 5 July 2010. The reporting period reflects the annual anniversary of the commencement of the action. This Annual Compliance Report (ACR) is to be submitted to the Department within 60 business days after the commencement of the action. On this basis, the reporting period covers the period of 5 July to 4 July each year and each ACR should be available on the proponent's website by the 27 September 2019. The objectives of this report are to:

- Detail the actions undertaken within the development from 5 July 2018 to 4 July 2019.
- Demonstrate compliance with conditions of approval.
- Demonstrate conformance with the commitments in the management plans.
- Identify further actions which are required to meet conditions of approval.

The details of compliance with each condition under EPBC 2008/4250 are presented in **Table 3**.

As part of the preparation of the ACR the relevant environmental management commitments/obligations, included in the following management plans, were assessed to determine if the plans have been satisfactorily implemented:

- Revegetation and Fire Management Plan (RFMP) (Emerge Associates 2017) – required by condition 3.
- Construction Management Plan (CMP) (Cardno 2010) – required by condition 10.

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Where a previous ACR found a condition or management commitment to be 'Completed' that finding was accepted as being applicable to the current audit period, unless circumstances to the contrary were identified, in which case the item was re-assessed.

### 2.3 Proposal background

Avon Ridge Estate Special Rural Development (the development) is located in Brigadoon, approximately 12 kilometres north of the Midland Regional Centre and 30 kilometres northeast of the Perth Central Business District. The development is located on the Darling Scarp, bound to the north by Walyunga National Park, and is in close proximity to the Swan River to the west.

The development consists of a special rural subdivision of 214 lots over 450 hectares (ha), with lot sizes ranging from 1.5 ha to 5.1 ha. An additional area of 411 ha adjacent to the development is reserved as Parks and Recreation (PR Reserve) under the Metropolitan Region Scheme (MRS).

### 2.4 Approvals under the *Environment Protection and Biodiversity Conservation Act 1999*

The Department of Environment, Water, Heritage and the Arts (DEWHA) (now Department of the Environment and Energy (DoEE) also referred to as "the Department") issued an environmental approval for the development on 8 October 2009 subject to 16 conditions. Four separate variations to the approval conditions have been approved by the Department.

The fourth variation was requested in late 2018 and approved in April 2019, i.e. during this reporting period. The variation request sought approval to alter condition 8 to enable revisions to be made to previously approved restrictive covenants.

**Table 3** lists the 17 approval conditions, incorporating all variations and corrections published by the Department to date.

In addition to the above, a number of revisions to the original RFMP have been made to date. The original RFMP entitled *Brigadoon Estate Revegetation and Fire Management Plan Parts 1, 2 and 3* was approved by the Fire and Emergency Services Authority (now DFES) in May 2010 and the Department in June 2010. A revised RFMP was provided to the Department in June 2017. This version was approved by the Department on 17 July 2017.

## 2019 Compliance Report for EPBC Approval 2008/4250

### Avon Ridge Estate, Brigadoon



## 3 Project status

### 3.1 Lot settlement

A total of six lots were settled between 5 July 2018 and 4 July 2019, see **Table 1**. None of these contain black cockatoo nesting trees that have been identified for retention. To date, 116 lots out of the total 214 lots have settled.

*Table 1: Lots settled during the reporting period.*

Stage	Lot number	Contract status	Acceptance	Settled
1	245	Settled	31/08/2018	25/09/2018
4	143	Settled	23/01/2019	25/03/2019
7	259	Settled	27/02/2019	9/05/2019
7	257	Settled	20/09/2018	26/10/2018
7	255	Settled	15/08/2018	14/09/2018
7	260	Settled	31/07/2018	24/10/2018

### 3.2 Civil construction works

Clearing activities undertaken during the reporting period (5 July 2018 to 4 July 2019) involved civil construction within Stage 11A and 11B of the development (refer to **Figure 1**). Civil construction works comprised vegetation clearing for road reserves, strategic firebreaks and for site access and minor earthworks for boundary fences, road alignments and the installation of services (including power and water) in trenches within road reserves. Stages one through four, stage seven, and stage eleven (out of a total nine stages) have been subject to clearing and construction activities since the action commenced. The total extent of vegetation clearing associated with civil construction works is discussed further in **Section 5.2.1**. in relation to requirements of condition 1 of the approval.

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## 4 Audit terminology

The 'Compliance Status' field of the audit tables describes the implementation of actions and compliance with the approval. **Table 2** details the terminology that has been applied in this audit.

Table 2 Audit terminology

Compliance status term	Abbreviation	Description
Regulatory requirements - applicable to the conditions of approval		
Compliant	C	When all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.
Completed	CLD	Where a requirement with a finite period of application has been satisfactorily completed.
Not Applicable	NA	Where 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.
Non-compliant	NC	Where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.
Corporate policies, standards and procedures – applicable to the RFMP and CMP		
Conformant	C	When sufficient evidence has been provided to confirm that the requirements within a corporate policy, standard and/or procedure (including an environmental management plan) has been satisfactory implemented.
Completed	CLD	Where a requirement with a finite period of application has been satisfactorily completed.
Not Applicable	NA	Where the requirements of a corporate policy, standard and/or procedure (including an environmental management plan) fall outside of the scope of the current reporting period. For example, a management plan which applies to an activity that has not yet commenced.
Non-conformant	NC	Where the requirements within a corporate policy, standard and/or procedure (including an environmental management plan) have not been satisfactory implemented.

\*adapted from OEPA (2012b); (OEPA 2012a); DoEE (2014); (Graham A Brown & Associates 2014); OEPA (Undated)

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## 5 Audit findings

The approval conditions of EPBC Act Approval 2008/4250 are listed in **Table 3**, together with a summary of the current compliance status of the project.

The results of the 2019 audit of conformance with the management actions within the RFMP (condition 3) and CMP (condition 10) are outlined in **Section 5.1** and detailed further in **Appendix A** and **Appendix B** respectively.

### 5.1 Compliance with EPBC 2008/4250

One non-compliance with the conditions of EPBC 2008/4250 (**Table 3**) was identified during the audit, pertaining to condition 8.

The wording of condition 8 states that the sale and settlement of any lot must not proceed unless the Restrictive Covenant has been approved in writing by the Department. A total of six lots have been sold and settled within this reporting period with unauthorised Protective (restrictive) Covenants.

The previous wording of Condition 8 of the approval did not allow for the modification of the covenant first approved in August 2010. While the Protective (restrictive) Covenants placed on the six lots had been 'approved' by the Department, this approval was provided before the variation to the condition 8 that now enables additional versions of the Covenant to be approved. Therefore, the covenants placed on these lots were non-complaint because they differed from the version approved in August 2010.

In 2017 the proponent became aware that condition 8 of the approval did not allow for the modification of the covenant first approved in August 2010, and the Department has since then, made approval of the variation of condition 8 to allow for revisions of the Restrictive Covenant, in April 2019.

Based on the above, the Protective (restrictive) Covenants placed on six lots within stages one, four and seven of the Development during the reporting period constitutes a minor non-compliance with condition 8. This non-compliance is considered minor, given the Department is already aware of the non-compliant covenants and the content and intent of these covenants do not allow for additional impacts on MNES.

#### 5.1.1 Conformance with the Revegetation and Fire Management Plan

No non-conformances with the requirements of the RFMP (**Appendix A**) were identified during the audit.

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



### 5.1.2 Conformance with the Construction Management Plan

Two non-conformances with the requirements of the CMP (**Appendix B**) were identified during the audit, relating to CMP 4 and CMP 22.

CMP 4 requires a land clearing form and register completed and approved by the Proponent and Environmental Consultant prior to any vegetation clearing or ground disturbing activities occurring.

A site meeting was held on the 10 January 2019, and involved the proponent, environmental consultant and Croker Construction, at which the extent of clearing and relevant environmental constraints and management measures were discussed and agreed.

Subsequent to that meeting, Croker Construction prepared a land clearing form in accordance with the CMP, knowing that the proposed civil construction works had been verbally approved by all parties at the preceding site meeting. The absence of signatures from the environmental consultant and the proponent on the land clearing form and register constitutes a minor non-conformance with the CMP.

CMP 22 relates to the requirement to erect signage at all entry point to the site to prevent any unauthorized access. No specific signage was erected. Temporary fencing was erected around the boundary of the works area to prohibit unauthorized access. In addition, the site induction provided to all contractors entering the construction site, underlined the importance of access via nominated tracks. Although no signage was erected, the presence of the fence was a sufficient to control access. Therefore, the absence of signage during the construction activities is considered a minor non-conformance with the CMP.

2019 Compliance Report for EPBC Approval 2008/4250  
Avon Ridge Estate, Brigadoon



This page has been left blank intentionally.

# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250

Condition No.	Condition	Compliance status	Comments	Evidence
1	<p>The person taking the action must not clear more than 83.2 hectares of native vegetation within the project area (<a href="#">Attachment 1</a>) comprising:</p> <ol style="list-style-type: none"> <li>up to 30 hectares for constructing roads;</li> <li>up to 45 hectares for constructing boundary firebreaks on individual lots as identified in <a href="#">Attachment 2</a>; and</li> <li>up to 8.2 hectares for the purposes of constructing strategic firebreaks and dams.</li> </ol>	C	<ul style="list-style-type: none"> <li>Clearing for civil construction works within Stage 11A and 11B of the development occurred during the reporting period.</li> <li>A total of 51.38 hectares (ha) of native vegetation has been cleared for civil construction to date comprising: 18.04 ha for the purposes of constructing roads, 27.5 ha for the purposes of constructing boundary firebreaks on individual lots and 5.84 ha for the purposes of constructing strategic firebreaks (refer to <b>Section 5.2.1</b>).</li> <li>Clearing is managed under the Construction Management Plan (CMP), approved by the Department 24 June 2010 (L002).</li> <li>The civil contractor manages the implementation of the CMP, including the completion of required onsite forms and registers. All completed forms are recorded and stored.</li> <li>Refer to <b>Appendix B</b> detailing conformance with the CMP.</li> </ul>	<ul style="list-style-type: none"> <li>L002_DoEE Decision on approval of RFMP and CMP</li> <li>D0014_Development Engineering Consultants 43712 Lots 1010 &amp; 1022 Campersic Road Brigadoon Avon Ridge clearing plan</li> </ul>
2	<p>The person taking the action must put in place measures to ensure that clearing of native vegetation undertaken by future landowners within the project area (<a href="#">Attachment 1</a>) will not exceed 70.4 hectares, comprising:</p> <ol style="list-style-type: none"> <li>42.1 hectares to construct dwellings, infiltration areas, driveways and buffers around the dwellings; and</li> <li>28.3 hectares in accordance with the approved Revegetation and Fire Management Plan.</li> </ol>	C	<ul style="list-style-type: none"> <li>Clearing is managed through the Structure Plan and Protective (restrictive) Covenants (refer to <b>Section 5.2.2</b>).</li> <li>Protective (restrictive) Covenants were placed on six titles within Stages 1, 4 and 7 of the development during the reporting period.</li> <li>Clearing restrictions regarding building envelopes for lots are outlined in the approved Structure Plan (R004).</li> </ul>	<ul style="list-style-type: none"> <li>L005_Landgate Annexure B Stage 7 Protective Covenant</li> <li>L007_Landgate Annexure B Stage 1 Protective Covenant</li> <li>L008_Landgate Annexure B Stage 4 Protective Covenant</li> <li>R004_PEET Brigadoon Structure Plan</li> </ul>



## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Compliance Status	Comments	Evidence
3	<p><b>Revegetation and Fire Management Plan</b></p> <p>The person taking the action must prepare a Revegetation and Fire Management Plan that applies to the 100 ha within the Parks and Recreation Reserve and 450 ha of the subdivision (as identified at <a href="#">Attachment 5</a>) including all 214 individual lots. The proponent must obtain written approval from DFES prior to submission to the Department for approval. The person taking the action must not commence clearing or construction within the project area until the Department has approved the Revegetation and Fire Management Plan in writing. Once approved, this plan must be implemented.</p>	C	<ul style="list-style-type: none"> <li>A revised RFMP was provided to the Department in June 2017 in accordance with the provision of condition 14(a). This version was approved by the Department on 17 July 2017 (E001).</li> <li>The implementation of the RFMP is ongoing throughout the development, however some components have been completed (refer to 3b) below).</li> <li>Refer to <b>Appendix A</b> detailing conformance with the RFMP.</li> </ul>	<ul style="list-style-type: none"> <li>E001_DoEE_EPBC 2008/4250 Update to an Approved Management Plan RFMP</li> </ul>
	<p>The person taking the action must ensure that the Revegetation and Fire Management Plan includes (but is not restricted to):</p> <p>a) fuel reduction measures (including cool burn measures) specifying the timing and frequency of fuel reduction measures to minimise impacts on Black Cockatoo habitat.</p>	C	<ul style="list-style-type: none"> <li>The RFMP outlines a prescribed burn schedule for the development, timed to occur in stages over a number of years.</li> <li>The 2018 Compliance Report details the prescribed burns previously undertaken over the development in 2013, 2014 2015, and 2017 (ROO2).</li> <li>One prescribed burn has occurred during the reporting period, between 26 October to 28 October 2018. The burn was carried out over approximately 23 ha across the eastern portion of Lot 9004 Connemara Drive Brigadoon (D0012) (E005).</li> <li>An additional prescribed burn was scheduled to occur in between March and April 2019 over the western portion of Lot 9004 Connemara Drive Brigadoon (D0012). The proposed burn was not completed due to unsuitable weather conditions and is expected to occur during September/October 2019.</li> <li>Refer to <b>Appendix A</b> detailing conformance with the RFMP.</li> </ul>	<ul style="list-style-type: none"> <li>R002_Emerge Associates 2018 ACR for EPBC 2008/4250</li> <li>L006_Bushfire Safety Consulting October 2018 prescribed burn advice letter</li> <li>D0012_Bushfire Safety Consulting Spring 2018 prescribed burn area</li> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Compliance status	Comments	Evidence
3	<p>b) revegetation measure to create additional Black Cockatoo habitat across the project site, including in the Parks and Recreation Reserve, specifically:</p> <ul style="list-style-type: none"> <li>i. revegetation for all condition classes (excluding pristine and excellent classes) and vegetation complexes (including maps);</li> <li>ii. mix, numbers and density of species to be planted;</li> <li>iii. timing of proposed planting (must be during or following the annual winter rain period and generally between 1 June and 30 November);</li> <li>iv. weed management measures;</li> <li>v. the survivorship rate of all revegetation measures must be at least 90% after three years. If after three years of the date of the planting, a survival rate of 90% of the planted trees is not achieved, all dead trees must be replaced with other Black Cockatoo habitat species within 12 months and maintained for at least an additional two years;</li> </ul>	CLD	<ul style="list-style-type: none"> <li>• 88,255 seedlings have been planted to date as part of the revegetation program. The three year monitoring period for this planting has now passed.</li> <li>• The requirements of this section of condition 3 have now been completed as detailed in the Avon Ridge Estate 2017 ACR (R001).</li> </ul>	<ul style="list-style-type: none"> <li>• R001_Emerge Associates 2017 ACR for EPBC 2008/4250</li> <li>• L001_DoEE RFMP Variation Decision Letter</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Compliance status	Comments	Evidence
3	<p>vi. annual monitoring measures within the project area undertaken by an appropriately qualified and experienced ecologist and must commence within 12 months of the completion of revegetation and continue for at least three year after the initial revegetation planting in any particular area (given that revegetation will be staged across the development);</p> <p>vii. annual monitoring measures undertaken by an appropriately qualified and experienced specialist must commence in the Parks and Recreation Reserve within 12 months of completion of revegetation and continue for at least three years after the initial revegetation planting in the Parks and Recreation Reserve for the purposes of establishing the survivorship rates and replanting efforts within the project area;</p>	CLD	<ul style="list-style-type: none"> <li>The requirements of this section of condition 3 has now been completed and detailed in the 2017 Compliance Report (R001).</li> </ul>	<ul style="list-style-type: none"> <li>A R001_Emerge Associates 2017 ACR for EPBC 2008/4250</li> </ul>
	<p>viii. mapping of all potential Black Cockatoo habitat trees of 500 mm DBH or greater on individual lots and information on how these will be retained for permanent conservation</p>	C	<ul style="list-style-type: none"> <li>Known potential habitat trees of 500 mm DBH or greater are flagged with white tape prior to clearing events and construction by Peet Limited for each stage of development.</li> <li>Emerge Associates visited the site on 15 January 2019 and 25 January 2019 prior to and during the Stage 11a and 11b civil construction works to mark Black cockatoo habitat trees (DBH &gt;500mm) with white tape.</li> <li>Marked black cockatoo breeding habitat trees were photographed during the site visit and recorded for evidence.</li> <li>Potential habitat trees within the lot are identified in the Restrictive Covenant which only allows for clearing of these trees within the Building Protection Zone or for fire management purposes.</li> </ul>	<ul style="list-style-type: none"> <li>D0011_Emerge Associates Site inspection register</li> <li>D009_Emerge Associates Site inspection checklist_15-01-2019</li> <li>D0010_Emerge Associates Site inspection checklist_25-01-2019</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
4	<p><b>Building Protection Zone</b></p> <p>The person taking the action may thin native vegetation within the Building Protection Zone (<a href="#">Attachment 2</a>) on each housing lot (<a href="#">Attachment 3</a>). The thinning process must be in accordance with the approved Revegetation and Fire Management Plan, and be personally supervised (pre and post thinning inspections for individual lots) by a qualified Fire Management Consultant. The person taking the action must obtain written approval from DFES of the first appointed Fire Management Consultant(s) prior to the provision of any Building Protection Zone thinning advice. Any subsequent appointment of Fire Management Consultant(s) must be based upon the consultant(s) having similar qualifications as the first appointed consultant.</p> <p>The location of each Building Protection Zone and house site must be chosen in consultation with the Fire Management Consultant for the purpose of retention of trees specified in <a href="#">Condition 5</a>.</p> <p>The person taking the action must ensure that all native vegetation that provides habitat for Black Cockatoos is retained outside the Building Protection Zones within the 214 housing lots. This excludes native vegetation that is specifically managed under the Revegetation and Fire Management Plan.</p>	C	<ul style="list-style-type: none"> <li>Protective (restrictive) Covenants addressing Building Protection Zone requirements, in accordance with the RFMP, continue to be implemented throughout the development.</li> <li>The Fire Management Consultant prepares a Bushfire Attack Level Assessment Report and Management Statement for each lot. This statement indicates the management commitments with regard to fire safety and provides guidance to new landowners regarding acceptable vegetation modification practices prior to any lot clearing in accordance with the covenants. This statement is kept on file as a record of compliance.</li> <li>The Fire Management Consultant has provided Bushfire Attack Level Assessment Report and Management Statements for three (3) lots during this reporting period (R009, R008, E003).</li> <li>The Fire Management Consultant verbally provides post-thinning advice to homeowners, specifically on the quality of the APZ establishment, retention of black cockatoo trees and practical advice regarding maintenance of fuel loads (E004).</li> <li>There has been no change of Fire Management Consultant during this audit period. The Department has approved the current Fire Management Consultant appointed August 2016 (E002).</li> </ul>	<ul style="list-style-type: none"> <li>E002_DoEE_Condition 4 - Fire Management Consultant</li> <li>R009_Bushfire Safety Consulting Lot 252 Lancewood Avenue Bushfire Attack Level Assessment Report &amp; Management Statement</li> <li>R008_Bushfire Safety Consulting Lot 251 Lancewood Avenue Bushfire Attack Level Assessment Report &amp; Management Statement</li> <li>E003_Bushfire Safety Consulting Lot 257 Pendula Loop, Brigadoon pre-thinning</li> <li>E004_Bushfire Safety Consulting Brigadoon prescribed burn and post thinning advice</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
5	<p>The person taking the action must ensure that all potential breeding habitat trees for Black Cockatoos (as designated at <a href="#">Attachment 4 and 4A</a>) are protected in perpetuity via a Notification on Title.</p> <p>The person taking the action must ensure that all other trees within the lot area (<a href="#">Attachment 1</a>) with a diameter by breast height (DBH) of 500 mm or greater are retained unless:</p> <ol style="list-style-type: none"> <li>they are located within the house site;</li> <li>they are located within the Building Protection Zone; and</li> <li>they are required to be removed for Fire Management purposes as advised by a qualified Fire Management Consultant(s).</li> </ol>	C	<ul style="list-style-type: none"> <li>Notifications of Titles and Protective (restrictive) Covenants addressing these requirements continue to be implemented throughout development.</li> <li>Protective (restrictive) Covenants were placed on six titles within stages 1, 4 and 7 of the development during the reporting period.</li> <li>Notifications pursuant to Section 70A of the <i>Transfer of Land Act 1983</i> are to be registered on the 'certificates of title' of any lots that contain remnant nesting trees identified on the Structure Plan (R004). None of the six lots settled during the reporting period contain identified black cockatoo nesting trees for retention, therefore notifications on titles were not required.</li> </ul>	<ul style="list-style-type: none"> <li>L005_Landgate Annexure B Stage 7 Protective Covenant</li> <li>L007_Landgate Annexure B Stage 1 Protective Covenant</li> <li>L008_Landgate Annexure B Stage 4 Protective Covenant</li> <li>R004_PEET Brigadoon Structure Plan</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
6	The person taking the action must ensure at the 411 ha Park and Recreation Reserve, as highlighted in green at <a href="#">Attachment 5</a> , be ceded to the WA State Government. The Department must be notified in writing once this has occurred.	CLD	<ul style="list-style-type: none"> <li>On 5th July 2012, the PR Reserve was ceded to the WA State Government.</li> <li>The Certificate of Title for Lot 8001 Campersic Road Brigadoon (the PR Reserve) provides evidence of the completion of condition 6 (L003).</li> </ul>	<ul style="list-style-type: none"> <li>L003_Landgate Certificate of Title Lot 8001</li> </ul>
7	The person taking the action must ensure that a minimum of 88,000 seedlings suitable for foraging and breeding habitat for Black Cockatoos are planted within the Parks and Recreation Reserve as identified in <a href="#">Attachment 7</a> .	CLD	<ul style="list-style-type: none"> <li>88,255 seedlings have been planted to date as part of the revegetation program. The three year monitoring period for this planting has now passed, with all of the completion criteria outlined in condition 7 met for this planting.</li> <li>Evidence of completion of condition 7 was provided in the 2017 Compliance Report (R001).</li> </ul>	<ul style="list-style-type: none"> <li>R001_Emerge Associates 2017 ACR for EPBC 2008/4250</li> </ul>
7A	<p>The person taking the action must ensure that all purchasers of lots within the project area, prior to sale and settlement:</p> <ol style="list-style-type: none"> <li>are aware of the existence of potential and actual breeding habitat trees over 500 mm dbh on the individual lots, Notifications on Title and the requirements that these must be protected in perpetuity and not be cleared;</li> <li>are aware of the Restrictive Covenant;</li> <li>are aware of restriction relating to clearing of               <ol style="list-style-type: none"> <li>potential breeding habitat trees over 500 mm DBH; and</li> <li>areas within and outside of the Building Protection Zone.</li> </ol> </li> <li>are aware of proposed revegetation measures for their individual lot by person(s) as outlined in Condition 3;</li> <li>are provided with species related information on all Black Cockatoos, their presence in the area, ecology, species range and details on habitat.</li> </ol>	C	<ul style="list-style-type: none"> <li>Information regarding the Notifications of Titles, Protective (restrictive) Covenants and the lot owner clearing requirements continues to be provided in the purchaser information pack (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>L005_Landgate Annexure B Stage 7 Protective Covenant</li> <li>L007_Landgate Annexure B Stage 1 Protective Covenant</li> <li>L008_Landgate Annexure B Stage 4 Protective Covenant</li> <li>R0010_PEET Annexure G - Purchaser Information</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
8	<p>The person taking the action must submit a Restrictive Covenant for approval by the Department. The sale and settlement of any lot must not proceed unless the Restrictive Covenant has been approved in writing by the Department and the approved Restrictive Covenant is an annexure to the sale contract.</p> <p>If the person taking the action wishes to vary the approved Restrictive Covenant, a revised Restrictive Covenant must be submitted to the Department for approval. The subsequent sale and settlement of any lot must not proceed unless the currently approved Restrictive Covenant is an annexure to the sale contract.</p>	NC	<ul style="list-style-type: none"> <li>A number of versions of the Restrictive Covenant have been developed, approved and implemented to date.</li> <li>In 2017 the proponent became aware that condition 8 of the approval did not allow for the modification of the covenant first approved in August 2010.</li> <li>A technical non-compliance letter was subsequently submitted by Emerge Associates on 12 June 2017 reporting on the unauthorised variation of the covenant under condition 8 (L0011).</li> <li>On this basis, a variation to approval condition 8 to enable the varying of the covenant in the future was sought from the Department in late 2018.</li> <li>In April 2019, the Department granted the variation enabling them to approve future revisions of the covenant.</li> <li>Six lots were settled during the reporting period. The covenant placed on these lots was non-complaint because it differed from the version approved in August 2010. Although the version used had been 'approved' by the Department, this approval was provided before the variation to the condition 8 that now enables the Restrictive Covenant to be varied..</li> <li>The Department is aware of the unauthorised Protective (restrictive) Covenants placed on lots through the non compliance letter submitted in June 2017 (L0011), and the corrective actions taken to address this issue, i.e. the variation to condition 8.</li> </ul>	<ul style="list-style-type: none"> <li>L0011_Emerge Associates Technical non compliance with condition 8</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
9	All elements specified in <u>Attachment 6</u> must be incorporated in either the Structure Plan, approved subdivision conditions or approved Restrictive Covenants. These must be complied with. The Department must be notified in writing on how all the elements in <u>Attachment 6</u> have been incorporated and complied with. If any of the elements in <u>Attachment 6</u> are not incorporated, to the Department's satisfaction, the person taking the action must negotiate an outcome to the Department's satisfaction, prior to commencing construction.	C	<ul style="list-style-type: none"> <li>The Structure Plan was endorsed by the WAPC on 27 March 2014.</li> <li>Subdivision of all lots within the development has been approved, through various subdivision approvals. The Stage 11 subdivision plan was approved by the Western Australian Planning Commission on 15 March 2018 (L009) (D0015).</li> <li>Protective (restrictive) Covenants are currently applied to all new lots within the site.</li> <li>These mechanisms collectively incorporate all elements outlined in Attachment 6 and continue to be implemented as development progresses.</li> <li>Previous compliance reports (R005, R006) have provided details on how the different elements contained within Attachment 6 of the Approval were included in the above planning mechanisms. Ongoing compliance of condition 9 will involve the continued application of the Structure Plan, conditions of subdivision approval and Protective (restrictive) Covenants.</li> </ul>	<ul style="list-style-type: none"> <li>R004_PEET Brigadoon Structure Plan</li> <li>L009_Western Australian Planning Commission Stage 11 Subdivision approval</li> <li>D0015_Western Australian Planning Commission Stage 11 Subdivision plan</li> <li>R005_Cardno 2012 ACR</li> <li>R006_Cardno 2011 ACR for EPBC 2008/4250</li> <li>L005_Landgate Annexure B Stage 7 Protective Covenant</li> <li>L007_Landgate Annexure B Stage 1 Protective Covenant</li> <li>L008_Landgate Annexure B Stage 4 Protective Covenant</li> </ul>



# 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Evidence/Comments	Evidence
10	The person taking the action must prepare and implement a Construction Management Plan. This plan must be submitted and approved by the Department prior to any clearing taking place.	C	<ul style="list-style-type: none"> <li>The CMP was approved by the Department 24 June 2010.</li> <li>The implementation of the CMP is outlined in <b>Appendix B</b>.</li> </ul>	<ul style="list-style-type: none"> <li>L002_DoEE Decision on approval of RFMP and CMP</li> </ul>
	<p>The Construction Management Plan must clearly demonstrate that:</p> <ol style="list-style-type: none"> <li>all habitat trees at <u>Attachment 4 and 4A</u> are to be retained in perpetuity; and</li> <li>all trees to remain that are greater than 500 mm DBH within the subdivision area (as at <u>Attachment 3</u>) and within 10 meters of an area to be proposed to be cleared (excluding those in the Building Protection Zone) are clearly marked and retained.</li> <li>areas of vegetation that are Black Cockatoo habitat and not for clearance (including roadside vegetation, streamline vegetation and Public Open Space areas) are clearly marked and retained;</li> <li>if clearing outside of stipulated areas occurs by other contracted parties, then the person taking the action must notify the Department in writing and will ensure that these areas will be revegetated to the same density (following the annual winter rain period and between 1 September – 30 November); and</li> <li>all contracted parties will undergo an induction programme prior to commencement of construction and/or clearing. This programme will include information on EPBC listed species and measures employed within the project area to protect Black cockatoo habitat.</li> </ol>	C	<ul style="list-style-type: none"> <li>The civil contractor manages the implementation of the CMP, including the completion of required onsite forms and registers.</li> <li>An inspection of habitat trees associated with construction of Stages 11A and 11B was completed in January 2019. This inspection found that one habitat tree, identified as Tree No. 8 within Attachment 4A of the approval, had died and fallen over. While the actions which may have led to the tree death (bushfire) are not considered to be the responsibility of the proponent, the death of this tree has resulted in a minor non-compliance with condition 10 (D0020). It is noted that the approval holder was only made aware of the death of the tree on 13 September 2019, outside of the reporting period.</li> <li>The implementation of the CMP, which demonstrates conformance with condition 10 a) to e) is outlined in <b>Appendix B</b>.</li> </ul>	<ul style="list-style-type: none"> <li>D009_Emerge Associates Site inspection checklist_15-01-2019</li> <li>D0010_Emerge Associates Site inspection checklist_25-01-2019</li> <li>D0011_Emerge Associates Site inspection register</li> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>D001_PEET Land clearing approval form stage 11A 11B</li> <li>D002_PEET Land clearing plan</li> <li>D0020_Emerge Associates Photograph BC breeding tree no. WP8</li> </ul>
11	Within 30 days of commencement of construction, the person taking the action must advise the Department in writing the actual date of commencement.	C	<ul style="list-style-type: none"> <li>Evidence provided in the 2011 Compliance Report (R006).</li> </ul>	<ul style="list-style-type: none"> <li>R006_Cardno 2011 ACR for EPBC 2008/4250</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
12	<p>The approval holder must prepare a compliance report for each 12 month the date of period following the date of commencement of the action, or as otherwise this notice agreed to in writing by the Minister. The approval holder must:</p> <ol style="list-style-type: none"> <li>publish each compliance report on the website within 60 business days following the relevant 12 month period;</li> <li>notify the Department by email that a compliance report has been published on the website within five business days of the date of publication;</li> <li>keep all compliance reports publicly available on the website until this approval expires;</li> <li>exclude or redact sensitive ecological data from compliance reports published on the website; and</li> <li>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.</li> </ol>	NA	<ul style="list-style-type: none"> <li>This condition came into to effect April 2019, and consequently, the proponent has not been required to publish previous ACR's.</li> <li>The Avon Ridge 2019 Compliance Report (for EPBC Approval 2008/4250) will be published on the PEET website on 27 September 2019.</li> <li>The Department will be notified via email on 5 October 2019 that the 2019 ACR was published on the Peet website on the 27 September 2019.</li> <li>Evidence of website publication and Department notification will be provided in the following compliance report.</li> </ul>	NA

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
12A	<p>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:</p> <ol style="list-style-type: none"> <li>the condition which is or may be in breach; and</li> <li>a short description of the incident and/or non-compliance.</li> </ol>	C	<ul style="list-style-type: none"> <li>Condition 12A of the approval was introduced on 4 April 2019.</li> <li>A non-compliance with condition 8 has been noted pertaining to the unapproved covenants placed on lot titles settled during the reporting period. The proponent became aware of these non-compliances on 23 September 2019 and the Department was notified on 25 September 2019.</li> <li>A non-compliance with Condition 10 has been noted pertaining to the burnt down black cockatoo habitat tree. The proponent became aware of these non-compliances on 15 September 2019 and the Department was notified on 17 September 2019 (L0010).</li> <li>As such, the investigations into these non-compliances are ongoing and any corrective actions are yet to be identified. The outcomes will be provided within the next annual compliance report.</li> </ul>	<ul style="list-style-type: none"> <li>L0010_Emerge Associates Condition 10 minor non-compliance letter</li> </ul>
12B	<p>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:</p> <ol style="list-style-type: none"> <li>any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</li> <li>the potential impacts of the incident or non-compliance; and</li> <li>the method and timing of any remedial action that will be undertaken by the approval holder.</li> </ol>	C	<ul style="list-style-type: none"> <li>Refer to condition 12A.</li> </ul>	

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition	Status	Comments	Evidence
13	If, at any time after five (5) years from the date of this approval, the Minister notifies the person taking the action in writing that the Minister is not satisfied that there has been substantial commencement of the construction of the rural residential development at Brigadoon, Western Australia, the action must not thereafter be commenced without the written agreement of the Minister.	NA	<ul style="list-style-type: none"> <li>Evidence provided in the 2013 Compliance Report (R007).</li> </ul>	<ul style="list-style-type: none"> <li>R007_Emerge Associates 2013 ACR for EPBC 2008/4250</li> </ul>
14	<p>The person taking the action may choose to revise a plan approved by the Department under conditions 3 and 10 without submitting the revised plan for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact. If the person taking the actions makes this choice they must:</p> <p>a) Notify the Department in writing that the approved plan has been revised and provide the Department with:</p> <ul style="list-style-type: none"> <li>An electronic copy of the revised plan;</li> <li>An explanation of the differences between the revised plan and the approved plan; and</li> <li>The reasons the person taking the action considers that taking the action in accordance with the revised plan would not be likely to have a new or increased impact.</li> </ul> <p>b) Advise the Department in writing of an earliest date on which the revised plan will be implemented by the person taking the action. The earliest date of first implementation must be at least 28 days after condition 14a) is satisfied.</p>	NA	<ul style="list-style-type: none"> <li>No revised plans were submitted to the Department for approval during the reporting period.</li> <li>The most recent plan to be revised and approved under condition 14A was the RFMP, approved by the Department on 17 July 2017 (L001). This was reported and discussed in the 2017 Compliance Report (R001).</li> </ul>	<ul style="list-style-type: none"> <li>R001_Emerge Associates 2017 ACR for EPBC 2008/4250</li> <li>L001_DoEE RFMP Variation Decision Letter</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition Requirement	Status	Evidence/Comments	Evidence
15	The person taking the action may revoke their choice under condition 14 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised plan without approval under section 143A of the EPBC Act, the approval holder must implement the version of the plan most recently approved by the Department.	C	<ul style="list-style-type: none"> <li>Refer to condition 14, no update required.</li> </ul>	
15A	<p>If the Department gives a notice to the person taking the action that the Department is satisfied that the taking of the action in accordance with the revised plan would be likely to have a new or increased impact, then:</p> <p>a) Condition 14 does not apply, or ceases to apply, in relation to the revised plan; and</p> <p>b) The person taking the action must implement the version of the plan most recently approved by the Department.</p> <p>To avoid any doubt, this condition does not affect any operation of conditions 14 and 15 in the period before the day after the notice is given.</p> <p>At the time of giving a notice under Condition 15, the Department may also notify that for a specified period of time Condition 15 does not apply for one or more specified plans required under the approval.</p>	C	<ul style="list-style-type: none"> <li>Refer to condition 14, no update required.</li> </ul>	
15B	Conditions 14, 15 and 15A are not intended to limit the operation of section 143A of the EPBC Act which allows the person taking the action to submit a revised plan to the Department for approval.	C	<ul style="list-style-type: none"> <li>Refer to condition 14, no update required.</li> </ul>	

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition Requirement	Status	Evidence/Comments	Evidence
15C	If the Department considers that it is necessary or convenient for the protection of threatened species of threatened ecological (s18 & s18A) to do so, the Department may request that the person taking the action make specific revisions to the plans approved under conditions 3 and 10 and submit the revised plan for the Department's approval. The person taking the action must comply with any such request. The revised plan must be implemented in place of the plan originally approved.	C	<ul style="list-style-type: none"> <li>Refer to condition 14, no update required.</li> </ul>	

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table 3: List of approval conditions and current compliance status of EPBC 2008/4250 (continued)

Condition No.	Condition Requirement	Status	Comments	Evidence
16	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans required under Conditions 3 and 10 of this approval, and make them available on request by the Department. Such records may be subject to audit by the Department and or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits may be posted on the Department website. The results of audits may also be publicised through the general media.	C	<ul style="list-style-type: none"> <li>Records of activities undertaken within the site which are associated with these approval conditions are maintained by the proponent and its project team.</li> <li>These records are updated as required and have been used to inform this annual compliance report.</li> <li>Further information regarding conformance with the RFMP is provided in <b>Appendix A</b>.</li> <li>Further information regarding conformance with the CMP is provided in <b>Appendix B</b>.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to other items in this table and appendices.</li> </ul>
17	In order to offset the impact of clearing of Black Cockatoo habitat, before 1 September 2017, the person taking the action must: <ol style="list-style-type: none"> <li>provide funds to DPAW for the acquisition and management of one or more properties that contain at least 490 hectares of high quality foraging habitat for Black Cockatoos to be protected in perpetuity. The offset property must be approved in writing by the Department.</li> <li>provide documentary evidence to the Department that funds have been provided to the DPAW as required by approval condition 17a.</li> </ol>	CLD	<ul style="list-style-type: none"> <li>Evidence regarding the transfer of funds to the WA DPaW (now known as Department of Biodiversity, Conservation and Attractions (DBCA) to acquire a 150ha offset was provided to the Department in 2012 as documented in the 2012 Compliance Report (R005).</li> <li>Evidence regarding the transfer of funds to the WA DPaW to acquire a 340ha offset was provided to the Department on 21 June 2017.</li> <li>The requirements of this condition have now been completed as discussed in the 2017 Compliance Report (R001).</li> </ul>	<ul style="list-style-type: none"> <li>R005_Cardno 2012 ACR for EPBC 2008/4250</li> <li>R001_Emerge Associates 2017 ACR for EPBC 2008/4250</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



### 5.2 Compliance details

The following section provides additional detail relating to the ongoing compliance with the conditions of approval, specifically relating to:

- **Section 5.2.1-** Clearing extent, in accordance with the requirements of condition 1.
- **Section 5.2.2-** Measures to manage landowner clearing restrictions, in accordance with the requirements of condition 2.
- **Section 5.2.3 -** Information regarding the wording amendment for the Restrictive Covenant, in reference to condition 8.

Supporting evidence has been included in the Appendices, where applicable.

#### 5.2.1 Civil Works clearing for strategic firebreaks, lot boundary firebreaks and roads - condition 1

Civil works for Stages 11A and 11B commenced on 15 January 2019. The civil construction works included vegetation clearing pertaining to condition 1 of the approval, specifically clearing for road reserves, strategic firebreaks and for site access and minor earthworks for boundary fences, road alignments and the installation of services (including power and water) in trenches within road reserves.

The methodology used to quantify the extent of vegetation clearing associated with the civil construction works involved a comprehensive spatial analysis (using GIS software) of high-resolution aerial photography. The methodology used to quantify clearing was described in the Avon Ridge Estate 2016 ACR and has been summarized below:

- Analysis of high-resolution aerial imagery captured prior to July 2018 to attain a baseline dataset which delineates which areas were A) vegetated and B) non-vegetated prior to the reporting period. This ensures that areas which were previously cleared as a part of the staged development have not been incorrectly added to the current clearing works associated with this reporting period.
- Analysis of high-resolution aerial imagery captured between July 2018 and July 2019 to determine A) vegetated and B) non-vegetated areas. This allows for all areas cleared since the previous reporting period to be delineated and quantified to a high degree of accuracy.
- The areas identified as being cleared during the current reporting period were then attributed regarding their clearing purpose; either for the construction of roads, lot boundary firebreaks or strategic firebreaks (or for other purposes not specified in condition 1).



## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



**Table 4** provides a summary of clearing within the site undertaken to date associated with condition 1, as determined through a spatial analysis (using GIS software) conducted in 2019.

Table 4: Areas cleared to date under condition 1

CONDITION 1 CLEARING RESTRICTIONS	CURRENT LEVEL OF CLEARING (HA)	REMAINING CLEARING (HA)	PERCENTAGE CLEARING (%)
Up to 30 hectares for the purpose of constructing roads	18.04	11.96	60.1
Up to 45 hectares of the purpose of constructing boundary firebreaks on individual lots	27.5	17.5	61.1
Up to 8.2 hectares for the purposes of constructing strategic firebreaks and dams	5.84	2.36	71.2

## 5.2.2 Measures to manage clearing within lots - condition 2

A range of measures have been implemented by the proponent in order to manage clearing within lots by future landowners, as outlined below. These measures continue to be implemented the proponent, maintaining compliance with the requirements of condition 2.

### Restrictive Covenants

Restrictive Covenants<sup>1</sup> apply to all residential lots sold within the project area, and are created under Section 136D of the *Transfer of Land Act 1893*, providing specific controls on:

- Clearing being permitted only for specific purposes including Aerobic Treatment Unit (ATU) discharge area, driveway, firebreaks and low fuel environment within a building protection zone (BPZ) (now Asset Protection Zone (APZ)) and hazard separation zone (HSZ).
- A restriction on clearing after the construction of the first dwelling
- The total cleared area not exceeding 10% of the lot (or 2,000 m<sup>2</sup>) whichever is the lesser
- The clearing of habitat trees and trees with a diameter at breast height greater than 500 mm
- The use of the Fire Management Consultant to provide specific advice on vegetation modification and clearing of house sites, buffers, APZs and HSZs.

In addition, the Restrictive Covenants explicitly inform the landowner of their obligations pursuant to the EPBC Act. The Restrictive Covenants are registered on the title (which carries over to subsequent landowners) and are enforceable by other landowners within a subdivision stage (which are all lodged on the same deposited plan).

Six (6) lot settlements occurred during the period 5 July 2018 to 4 July 2019. None of the six lots settled during the reporting period contained identified black cockatoo nesting trees for retention. A Notification on the Certificate of Title regarding the specific requirement to retain Black cockatoo trees for these lots was not required.

<sup>1</sup> Restrictive Covenants are created under Section 138D of the *Transfer of Land Act 1893* and are referred to as 'Restrictive Covenants' within the approval conditions of EPBC 2008/4250 and within this report.

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



### Structure plan

The development of the site is being implemented in accordance with an approved structure plan, which is a spatial plan prepared under the *Planning and Development (Local Planning Schemes) Regulations 2015* and to which a decision maker (i.e. local government) must have 'due regard' when determining an application (such as a development application or building license) within a structure plan area.

The approved structure plan outlines the maximum allowable size of building envelopes within subdivided lots to be 2000 m<sup>2</sup> or 10% of the lot area, whichever is lesser. This criterion was used as a basis to calculate the 31.4 ha of total allowable clearing across the development identified in condition 2 for the establishment of building envelopes. This allowable clearing area is considered a reasonable area of clearing to incorporate the required infrastructure within an individual lot.

Individual building envelopes are approved by the City of Swan when considering building licence applications. As outlined above, this decision making process should involve due regard to the approved structure plan and the provisions within it, specifically relating to maximum allowable building envelope size.

### 5.2.3 Restrictive Covenant - condition 8

Approval of the original Restrictive Covenant was granted by the Department in August 2010. Since this time, a number of revisions have been made to the Restrictive Covenant and have subsequently been referred to the Department for approval, described in detail in the 2014 ACR.

The Avon Ridge Estate 2017 ACR, Section 2.2.4 details the minor modifications to the approved Restrictive Covenant (Version 2a), retrospectively provided to the Department on 22 May 2017. The Department determined that the wording of condition 8 at that time did not allow for revisions to the Restrictive Covenant, although it was concluded that the revision that had been made up to that date had not resulted in any adverse impacts to the environment, MNES or any other significant environmental values. A self-reported technical non-compliance was issued to the Department on 12 June 2017. The technical non-compliance was acknowledged by the Department on 28 July 2017 (Ref: CAS2852) and determined that no further action is required.

The Proponent then began liaison with the Department regarding a variation to the wording of condition 8 to allow for revisions of the Restrictive Covenant. This culminated in a request to the Department in late 2018, for an approval variation to alter the wording of condition 8 to enable the varying of the covenant. In April 2019, the Department approved the variation which enacted the current wording of condition 8.

## 2019 Compliance Report for EPBC Approval 2008/4250 Avon Ridge Estate, Brigadoon



### 6 Conclusion

This report has been prepared to satisfy condition 12 of the EPBC Act Approval which was granted by the Department on 8 October 2009. The report outlines the level of compliance with the approval's conditions during the 5 July 2018 to 4 July 2019 reporting period.

Ongoing compliance with the approval conditions has been demonstrated during the reporting period. This is due to the implementation of environmental management measures prescribed by the following documents and mechanisms:

- Construction Management Plan
- Revegetation and Fire Management Plan
- Restrictive Covenants
- Notification on Titles
- Use of the Fire Management Consultant.

Ongoing monitoring and evaluation of environmental management works supports continued compliance with approval conditions.

## 2019 Compliance Report for EPBC Approval 2008/4250 Avon Ridge Estate, Brigadoon



### 7 References

#### 7.1 General references

Cardno 2010a. *Brigadoon Estate Construction Environment Management Plan*. Unpublished Report prepared for Peet Limited.

Emerge Associates 2017b. *Revegetation and Fire Management Plan (Revised 2017)*. Unpublished report prepared for Peet Limited.

#### 7.2 Online references

Department of Sustainability, Environment, Water, Population and Communities (DSEWPaC) 2010. *Bushfire Management and National Environment Law*. <

<http://www.environment.gov.au/system/files/resources/f8b2f5e8-14cd-490e-bf35-5a509317e651/files/bushfire-factsheet.pdf>>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



## 8 Glossary

TERM	DEFINITION
Notifications on Title	Are created under Section 70A of the Western Australian <i>Transfer of Land Act 1893</i> to notify landowners of factors that may interfere with the use of their land. The person taking the action must put these titles in place to alert future purchasers if their lot contains habitat trees that must be retained in perpetuity and are not to be cleared in line with fire management procedures
Protection in perpetuity	A tenure or a conservation status on a notification attached to individual land titles that guarantees permanent preservation of vegetation into the future and ensures that no clearing will be undertaken.

2019 Compliance Report for EPBC Approval 2008/4250  
Avon Ridge Estate, Brigadoon



This page has been left blank intentionally.

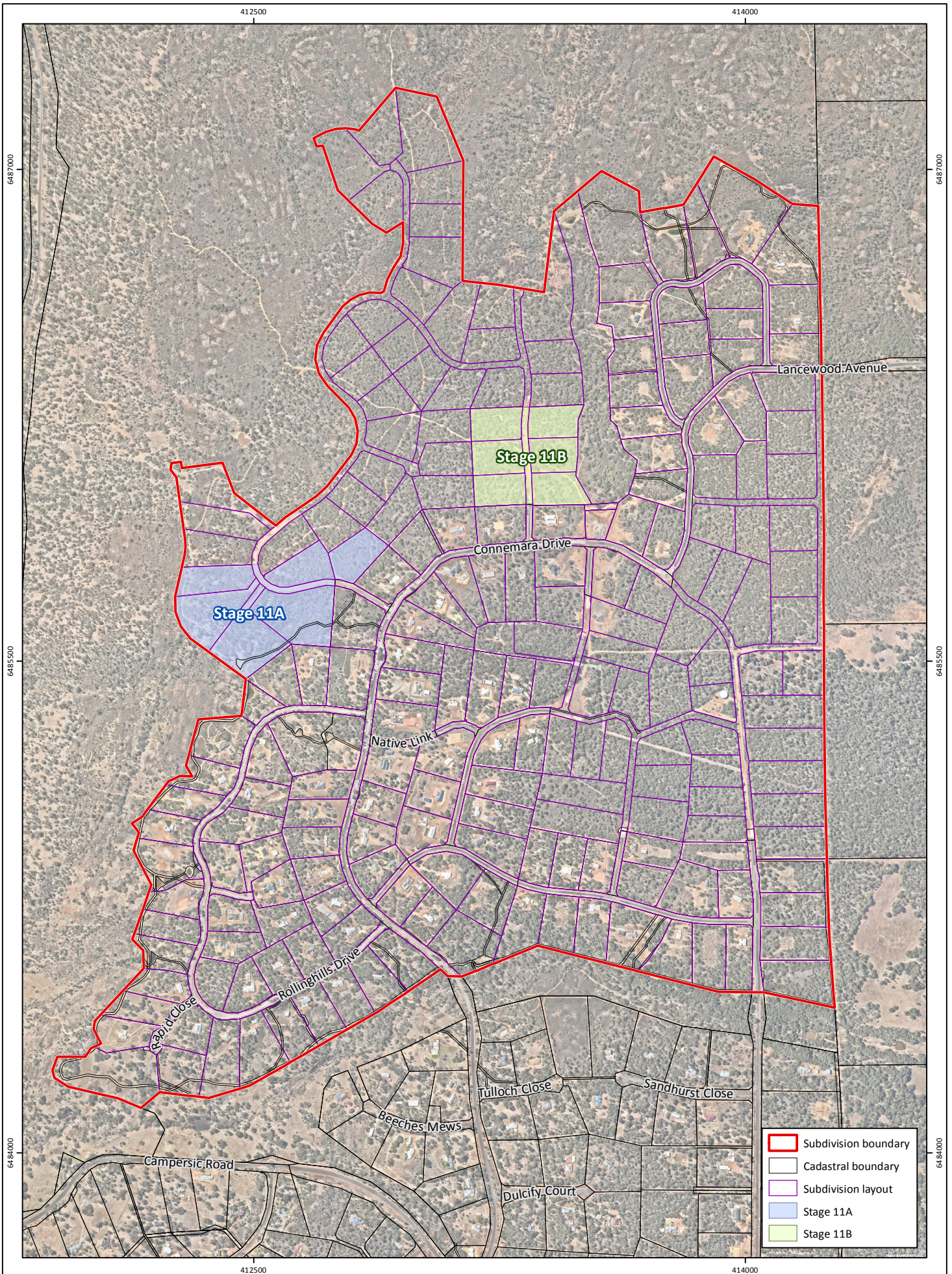
# Figures



*Figure 1: Avon Ridge Stages 11a and 11b Location*







**Figure 1: Avon Ridge Stages 11a and 11b Location**

**Project:** 2019 Compliance Report for EPBC Approval 2008/4250  
Avon Ridge Development Support

**Client:** Peet

**Plan Number:** EP13-041(24)-F139  
**Drawn:** GAR  
**Date:** 20/09/2019  
**Checked:** BRB  
**Approved:** CKK  
**Date:** 24/09/2019



0 100 200 300  
Metres  
Scale: 1:15,000@A4  
GDA 1994 MGA Zone 50



While Emmerge Associates makes every attempt to ensure the accuracy and completeness of data, Emmerge accepts no responsibility for externally sourced data used





# Appendix A

Conformance with Revegetation and Fire Management Plan





## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table A1 Conformance with Revegetation and Fire Management Plan

Reference code	Action	Status	Comment	Evidence
RFMP 1	Undertake revegetation and monitoring activities in alignment with condition 3 of the EPBC Act approval	CLD	<ul style="list-style-type: none"> <li>All RFMP actions pertaining to condition 3 of the approval have been completed and there are no outstanding revegetation requirements regarding maintenance.</li> <li>Revegetation occurred from 2011 to 2013. The completion criteria of a 90% survival rate after a period of three years after initial planting has been met.</li> <li>Evidence of completion was provided in the 2017 Compliance report (R001)</li> </ul>	<ul style="list-style-type: none"> <li>R001_Emerge Associates 2017 ACR for EPBC 2008/4250</li> </ul>
RFMP 2	Implement the Fire Management Plan (FMP) prepared by FirePlan WA (2013) across the development site.	C	<ul style="list-style-type: none"> <li>Refer to RFMP 3 – RFMP 25.</li> </ul>	
RFMP 3	<p>Planning for prescribed burning will involve determining and arranging the following:</p> <ul style="list-style-type: none"> <li>Fuel loadings</li> <li>Forecast weather conditions (taking into consideration smoke management)</li> <li>Fire management resources</li> <li>Traffic control and access</li> <li>Notification of nearby lot owners and residents</li> </ul>	C	<ul style="list-style-type: none"> <li>One prescribed burn was completed during the reporting period, between 26 October to 28 October 2018.</li> <li>The burn was carried out over approximately 23 ha across the eastern portion of lot 9004 Connemara Drive Brigadoon (D0012). Photographs of the burn were taken as evidence.</li> <li>An Advice Letter was provided to adjacent lot owners and residents prior to the 2018 Spring burn (L006).</li> <li>Pre-burn planning was conducted in consultation with The City of Swan, East Swan Volunteer Bushfire Brigade, which involved an assessment of weather conditions, fire management resources and traffic control and access (E005) (D0025).</li> </ul>	<ul style="list-style-type: none"> <li>D0012_Bushfire Safety Consulting Spring 2018 prescribed burn area</li> <li>L006_Bushfire Safety Consulting October 2018 prescribed burn advice letter</li> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> <li>D0025_City of Swan Fire Services Avon Ridge weather forecast 26102019</li> <li>D0026_City of Swan Fire Services 26.10.2019 photograph bushfire</li> <li>D0027_City of Swan Fire Services 26.10.2019 photograph bushfire</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 4	Experienced fire fighters and fire appliances will be used to carry out all hazard reduction burns. The Brigades will be coordinated by an experienced fire manager acting on behalf of Peet.	C	<ul style="list-style-type: none"> <li>The prescribed burn conducted on 26 October to 28 October 2018 was undertaken by the East Swan Volunteer Bushfire Brigade who have been contracted by Peet for previous prescribed burns.</li> <li>The East Swan Volunteer Bushfire Brigade is coordinated by John Mangini, the Deputy Chief Bush Fire Control Officer of the City of Swan Fire Services, and an experienced fire manager acting on behalf of Peet.</li> <li>The East Swan Volunteer Bushfire Brigade was assisted by units from West Swan, West Gidgegannup Volunteer Bushfire Brigade and Bullsbrook Volunteer Fire and Emergency Services.</li> </ul>	<ul style="list-style-type: none"> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>
RFMP 5	<p>The timing for hazard reduction burning within the development site will need to comply with the requirements of the <i>Bush Fires Act 1954</i> (BF Act);</p> <ul style="list-style-type: none"> <li>Any future hazard reduction burning across the site will be prohibited during "Prohibited Burning Times" and on days when the Fire Danger Index reaches "Very High" to "Catastrophic".</li> <li>During "Restricted Burning Time" permits are required from the local Fire Control Officer for any burning under the BF Act.</li> </ul>	C	<ul style="list-style-type: none"> <li>The 2018/19 City of Swan unrestricted burning period runs from June 15 until September 30.</li> <li>The prescribed burn was undertaken between 26 October and 28 October 2018 and therefore is within the restricted burning times outlined in the <i>Bush Fires Act 1954</i>.</li> <li>A City of Swan Burn Permit was issued prior to the commencement of the prescribed burn, as a part of the standard bushfire planning process in coordination with the East Swan Volunteer Bushfire Brigade.</li> </ul>	<ul style="list-style-type: none"> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>
RFMP 6	Any hazard reduction burn will be carried out in the September to October period to achieve a low intensity burn and low scorch height.	C	Refer to RFMP 3.	

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 7	Any future hazard reduction burning will comply with smoke management guidelines as contained in the City of Swan firebreak and hazard reduction notice, <i>Your Guide to the 2014/15 Fire Season</i> .	C	<ul style="list-style-type: none"> <li>Prior to burning the bushfire management consultant undertook pre-burn planning in accordance with the City of Swan. Refer to RFMP 3.</li> </ul>	<ul style="list-style-type: none"> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>
RFMP 8	The hazard reduction burn will aim to reduce fuel loads by 60% across 80% of the proposed burn area.	C	<ul style="list-style-type: none"> <li>The extent of the prescribed burn occurred over 23 ha (D0012). The percentage of fuel load reduction over the area was at least 80%.</li> </ul>	<ul style="list-style-type: none"> <li>D0012_Bushfire Safety Consulting Spring 2018 prescribed burn area</li> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>
RFMP 9	Should the undertaking of the prescribed burn be delayed due to unforeseen circumstances such as unsuitable weather conditions and the unavailability of personnel to conduct, DFES will be informed and the proposed prescribed burn be planned for the following year.	NA	<ul style="list-style-type: none"> <li>A prescribed burn was completed on 28 October 2018 within this reporting period.</li> </ul>	<ul style="list-style-type: none"> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>
RFMP 10	DFES and the City of Swan will be informed by Peet's appointed Fire Management Consultant (FMC) of the completion of prescribed burns.	C	<ul style="list-style-type: none"> <li>As a part of the prescribed bushfire preparation, the appointed FMC notifies DFES of the proposed burn timing.</li> <li>The appointed FMC works in coordination with John Mangini, the Deputy Chief Bush Fire Control Officer for the City of Swan Fire Services. The City of Swan was therefore aware of the completion of the prescribed burn.</li> </ul>	<ul style="list-style-type: none"> <li>E005_City of Swan Fire Services_Management advice 2018 prescribed burn</li> </ul>
RFMP 11	Should prescribed burns be delayed or not undertaken as proposed within this 2017 RFMP a revised prescribed burn plan will be forwarded to DFES.	NA	<ul style="list-style-type: none"> <li>A prescribed burn was conducted during the reporting period. Refer to RFMP 9.</li> </ul>	Refer to RFMP 9

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 12	The FMP will be supplied to all lot owners and there will be a notification on the title that the FMP must be adhered to and complied with.	C	<ul style="list-style-type: none"> <li>• Notifications of Titles and Protective (restrictive) Covenants which include the FMP continue to be implemented throughout development.</li> <li>• The purchaser information pack is provided to the lot owner detailing requirement to adhere to the FMP.</li> </ul>	<ul style="list-style-type: none"> <li>• R0010_PEET Annexure G - Purchaser Information</li> </ul>
RFMP 13	Private lot firebreaks will be installed by Peet/the developer prior to the clearance of lot titles and maintained by Peet/developer until the lot is sold, to the standards outlined in the City of Swan Fire Hazard Reduction Notice. Following sale, the lot purchaser will be responsible for the maintenance of this firebreak in perpetuity.	C	<ul style="list-style-type: none"> <li>• The internal lot firebreaks installed by the developer have been built to a minimum width of 3 m in accordance with the City of Swan <i>Firebreak Notice</i> and the Avon Ridge Estate Bushfire Management Plan (BMP) and established immediately inside and adjacent to all external property boundaries.</li> <li>• The internal firebreaks continue to be maintained to a low-threat standard by the proponent until lots are sold.</li> <li>• <i>Eldiaza Pty Ltd Coastal Firebreaks and Slashing</i> was contracted in November 2018 to reinstate internal firebreaks within Stage 7 of the development (D0022).</li> </ul>	<ul style="list-style-type: none"> <li>• D0022_Eldiaza Pty Ltd Coastal Firebreaks and Slashing Stage 7 Firebreak maintenance invoice.</li> </ul>



## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 14	<p>A strategic firebreak will be installed by Peet/the developer as development progresses within the site to ensure perimeter access for firefighting purposes is in place around all developed areas. The Strategic fire break will follow the standard outlined below:</p> <ul style="list-style-type: none"> <li>• Minimum 6 m wide with a 4 m trafficable surface</li> <li>• Minimum 4 m vertical clearance over the full 6 m width</li> <li>• Where the strategic firebreak is within private lots, no fencing/gates or any form of obstruction is to cross the strategic firebreak.</li> <li>• At regular intervals (every 4 to 6 lots, approximately), a linking firebreak to the public road network will be provided. This link is to be located within a single lot and can be a part of the lot access (i.e. driveway) within each lot, or adjacent to the lot boundary as part of the internal firebreak. These links do not necessarily have to be located on the lot boundary, but must be accessible at all times.</li> <li>• A minimum 60 m-wide setback between the strategic firebreak and any future dwellings, which is facilitated through the designation of BEAs.</li> </ul>	C	<ul style="list-style-type: none"> <li>• The strategic firebreak continues to be installed around the perimeter of Avon Ridge as development progresses to the minimum standard outlined in the City of Swan <i>Firebreak Notice</i> and the Avon Ridge Estate Bushfire Management Plan (BMP).</li> <li>• The strategic firebreak will continue to be maintained to the satisfaction of the City of Swan prior to the clearance of lot titles and maintained until all affected lots are sold.</li> <li>• <i>Eldiaza Pty Ltd Coastal Firebreaks and Slashing</i> was contracted in November 2018 to reinstate firebreaks within Stage 7 of the development. Firebreaks were reinstated around the perimeter of several lots, in addition to around the sale office land parcel and around balance stages (D0022).</li> </ul>	<ul style="list-style-type: none"> <li>• D0022_Eldiaza Pty Ltd Coastal Firebreaks and Slashing Stage 7 Firebreak maintenance invoice.</li> </ul>
RFMP 15	<ul style="list-style-type: none"> <li>• Rural gates (minimum width 4.1 metres) will be installed to provide access from the strategic firebreak to the linking firebreak with a standard City of Swan key system (to prevent unauthorised vehicle access). These gates will be installed by Peet/developer prior to the clearance of lot titles.</li> <li>• Rural gates (minimum width 4.1 metres) will be erected where the strategic firebreak interfaces with a public road, with a standard City of Swan key system to prevent unauthorised vehicle access. These gates will be installed by Peet/developer prior to the clearance of lot titles. Signage will be provided where strategic firebreak meet public roads, indicating the FSARs are for "Fire Access Only."</li> </ul>	NA	<ul style="list-style-type: none"> <li>• No new rural gates were erected during this reporting period.</li> </ul>	
RFMP 16	<p>Peet will provide lot owners purchaser information as part of the contract of sale which explains the requirement of BPZ's and HSZ's, the role of the FMC and other fire management information, including the City of Swan maintenance of firebreaks under Section 33 of the <i>Bush Fires Act 1954</i>.</p>	C	<ul style="list-style-type: none"> <li>• Information regarding the clearing requirements continues to be provided in the purchaser information pack (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>• R0010_PEET Annexure G - Purchaser Information</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 17	Peet will organise and fund annual information sessions for Avon Ridge Estate residents attended by the FMC and representatives from DFES, the East Swan Volunteer Bushfire Brigade and City of Swan over three years. Information on how to form the Avon Ridge Estate BRG as well as fuel hazard reduction and bushfire readiness training and support by the agencies will be provided.	C	<ul style="list-style-type: none"> <li>A bushfire information session was not completed during this reporting period.</li> <li>Two previous workshops have been completed, on 8 April 2017 (D0016) and 14 December 2017 (D0013).</li> <li>Planning for a third bushfire information session has been ongoing and expected to occur during the next reporting period.</li> </ul>	<ul style="list-style-type: none"> <li>D0013_Bushfire Safety Consulting 2017.12.14 Record of Avon Ridge BRG Session</li> <li>D0016_Emerge Associates 2017.04.08 Record of Avon Ridge BRG Session</li> </ul>
RFMP 18	A Building Protection Zone of minimum of 20 metres is to be constructed around all buildings and must be within the Lot boundaries. BPZs are to be installed prior to any dwelling construction commencing and are to be part of the Building Licence approval. Bushfire fuel loadings must be maintained to a maximum of 2 tonnes/ha.	C	<ul style="list-style-type: none"> <li>Restrictive Covenants addressing Building Protection Zone and Hazard separation zone requirements, in accordance with the RFMP, continue to be implemented throughout the development.</li> <li>Lot owners are required to maintain their BPZ's and HSZ's in accordance with the Protective (restrictive) Covenants.</li> <li>Lot owners are informed of their obligations through the purchaser information pack provided at the time of the lot settlement.</li> <li>The Fire Management Consultant inspects the quality of the BPZ and HSZ establishment after initial vegetation thinning has occurred within the lot.</li> </ul>	<ul style="list-style-type: none"> <li>R0010_PEET Annexure G - Purchaser Information</li> </ul>
RFMP 19	The Hazard Separation Zone will be built to a width determined at the stage of building site assessment (at least a further 30 m beyond the BPZ). HSZs are to be installed by the landowner prior to construction of a dwelling on the site. Bushfire fuel loadings must be maintained to a maximum of 4-6 tonnes/ha.	C	Refer to RFMP 18.	

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 20	<p>Peet will provide a service to purchasers to have the building envelope, BPZ and HSZ within their lot inspected by a qualified FMC (at Peet's cost) to ensure compliance prior to the commencement of any in lot clearing. The FMC will undertake the following assessments:</p> <ul style="list-style-type: none"> <li>• BAL (Bushfire Attack Level) rating assessment in accordance with AS3959.</li> <li>• Pre-clearing checklist to identify trees and shrubs requiring vegetation modification.</li> <li>• Post-clearing checklist to confirm vegetation modification has been undertaken.</li> </ul>	C	<ul style="list-style-type: none"> <li>• The Fire Management Consultant prepares a Bushfire Attack Level Assessment Report and Management Statement for each lot. This statement indicates the management commitments with regard to fire safety and provides guidance to new landowners regarding acceptable vegetation modification practices prior to any lot clearing in accordance with the Restrictive Covenants. This statement is kept on file as a record of compliance.</li> <li>• The Fire Management Consultant has provided pre-thinning Bushfire Attack Level Assessment Report and Management States for three (3) lots during this audit period (R009, R008, E003).</li> <li>• The Fire Management Consultant verbally provides post-thinning advice to homeowners in regards to the quality of the APZ establishment.</li> </ul>	<ul style="list-style-type: none"> <li>• R009_Bushfire Safety Consulting Lot 252 Lancewood Avenue Bushfire Attack Level Assessment Report &amp; Management Statement</li> <li>• R008_Bushfire Safety Consulting Lot 251 Lancewood Avenue Bushfire Attack Level Assessment Report &amp; Management Statement</li> <li>• E003_Bushfire Safety Consulting Lot 257 Pendula Loop, Brigadoon pre-thinning</li> </ul>
RFMP 21	<p>Lot owners will need to maintain their fuel loadings within lots as follows:</p> <ul style="list-style-type: none"> <li>• Within the BPZ at less than or equal to (<math>\leq</math>) 2 tonnes per hectare (t/ha).</li> <li>• Within the HSZ at <math>\leq</math> 4 to 6 t/ha.</li> <li>• Beyond the HSZ at <math>\leq</math> 6 to 8 t/ha.</li> </ul>	C	Refer to RFMP 18 and 19.	
RFMP 22	<p>Lot owners will be required to reduce their fire hazards prior to the summer fire season and will need to undertake their fuel reduction in conjunction with the maintenance of firebreaks, which are required to be cleared under Section 33 of the <i>Bush Fires Act 1954</i>.</p>	C	<ul style="list-style-type: none"> <li>• Lot owners are required to maintain their BPZ's, HSZ's, and firebreaks in accordance with the restrictive covenants and City of Swan <i>Firebreak notice</i>.</li> <li>• Information regarding the clearing requirements for fuel reduction continues to be provided in the purchaser information pack.</li> </ul>	<ul style="list-style-type: none"> <li>• R0010_PEET Annexure G - Purchaser Information</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
RFMP 23	All habitable buildings will be setback a minimum of 60 m from the edge of the Wetland and Creek Line Conservation area boundary.	NA	<ul style="list-style-type: none"> <li>Building envelopes are set back 60 m from the edge of the Wetland and Creek Line Conservation as set out in the Avon Ridge Estate Structure plan (R004).</li> </ul>	<ul style="list-style-type: none"> <li>R004_PEET Brigadoon Structure Plan</li> </ul>
RFMP 24	All habitable buildings located adjacent to the Wetland and Creek Line Conservation Area are to be constructed to BAL 29 (BAL 29 has a heat Flux of less than 19 Kw/m2 to 29 Kw/m2).	NA	Refer to RFMP 23.	
RFMP 25	All habitable buildings in lots that are located adjacent to the PR Reserve to the west and north and the Southern POS area to the south are to be setback a minimum of 60 metres from the strategic Firebreaks or fire service access ways	NA	<ul style="list-style-type: none"> <li>Building envelope areas are set back 60 m from the PR Reserve to the west and north and the Southern POS area to the south as set out in the Avon Ridge Estate Structure plan (R004).</li> </ul>	<ul style="list-style-type: none"> <li>R004_PEET Brigadoon Structure Plan</li> </ul>

# Appendix B

Conformance with Construction Management Plan





## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Table A2 Conformance with Construction Management Plan

Reference code	Action	Status	Comment	Evidence
CMP 1	The CMP will be implemented during the construction phase of the Development.	C	Refer to CMP 1 to 37.	
CMP 2	Peet and individual members of the management team will be aware of the management framework detailed in Table 1 of the CMP.	C	<ul style="list-style-type: none"> <li>The Management Framework is incorporated in contractor site inductions (R0010) and Peet/contractor site meetings (R0011).</li> </ul>	<ul style="list-style-type: none"> <li>R0011_PEET Minutes of site meetings</li> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>
CMP 3	<p>Any "Pristine" and "Excellent" vegetation condition as illustrated in Figure 3 of the CMP will require the following protection measures:</p> <ul style="list-style-type: none"> <li>No clearing, other than for strategic firebreaks will be permitted in "Pristine" or "Excellent" condition areas;</li> <li>Access to "Pristine" and "Excellent" condition vegetation will only be permissible on foot or on designated tracks, such as existing tracks, constructed strategic firebreaks or lot firebreaks; and</li> <li>Areas identified as having "Pristine" or "Excellent" vegetation condition are to be clearly demarcated (with orange coloured flagging tape).</li> </ul>	C	<ul style="list-style-type: none"> <li>The Stage 11A construction boundary includes an "Excellent" condition vegetation area.</li> <li>Emerge Associates undertook a site inspection on 25 January 2019 (D0010) and marked out the 'Excellent' condition vegetation with orange tape (D0010).</li> <li>No clearing or access within these areas was permissible during the construction activities.</li> </ul>	<ul style="list-style-type: none"> <li>D0011_Emerge Associates Site inspection register</li> <li>D0010_Emerge Associates Site inspection checklist_25-01-2019</li> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 4	A land clearing form and register is to be completed and approved by the Proponent and Environmental Consultant prior to any vegetation clearing or ground disturbing activities occurring.	NC	<ul style="list-style-type: none"> <li>• Civil works and associated vegetation clearing commenced within Stage 11A and 11B of the development on 15<sup>th</sup> January 2019.</li> <li>• Prior to the commencement of vegetation clearing within the Stages 11A and 11B, a land clearing form and register was signed by the construction contractor on 14<sup>th</sup> January 2019 (D001) (D002).</li> <li>• However, it was noted that the land clearing form has not been signed by the Proponent or the Environmental consultant (D001).</li> <li>• A site meeting was held on the 10 January 2019, and involved the proponent, environmental consultant and Croker Construction, at which the extent of clearing and relevant environmental constraints and management measures were discussed and agreed.</li> </ul>	<ul style="list-style-type: none"> <li>• D001_PEET Land clearing approval form stage 11A 11B</li> <li>• D002_PEET Land clearing plan</li> <li>• R0011_PEET Minutes of site meetings</li> </ul>
CMP 5	Site Supervisor/Civil Engineer and Contractors are required to complete a site access form and induction prior to the commencement of construction activities.	C	<ul style="list-style-type: none"> <li>• A site access register has been maintained for all supervisor/civil engineer and contractors (D003).</li> <li>• A site induction was completed for relevant personnel prior to the commencement of construction activities (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>• D003_PEET Site access register</li> <li>• R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>
CMP 6	Vegetation clearing is to be limited to only the areas required for construction activities and cleared areas should be utilised for equipment lay down and machinery parking areas.	C	<ul style="list-style-type: none"> <li>• Vegetation clearing was limited to the areas detailed in the Stage 11A and 11B civil construction clearing plan (D0014).</li> </ul>	<ul style="list-style-type: none"> <li>• D0014_Development Engineering Consultants Lots 1010 &amp; 1022 Campersic Road Brigadoon Avon Ridge</li> </ul>



## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 7	No clearing during early evening and night.	C	<ul style="list-style-type: none"> <li>No clearing was permitted to occur during early evening and night and detailed in the site induction and during site meetings.</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>R0011_PEET Minutes of site meetings</li> </ul>
CMP 8	Topsoil is to be salvaged and stockpiled on site to use for future rehabilitation and placed within an area proposed for revegetation. Cleared vegetation and topsoil is to be stockpiled away from drainage lines and stored down slope wherever practicable to reduce the potential for it to spread downhill.	C	<ul style="list-style-type: none"> <li>Cleared vegetation and topsoil is stockpiled accordingly. Any vegetation removed during clearing was placed on disturbed areas to reduce erosion.</li> <li>No clearing was undertaken along or within water ways.</li> <li>Vegetation stockpiling requirements are communicated to contractors during the site induction (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>
CMP 9	Road speeds around the Development site will be limited to 20 km/h to reduce the risk of fauna injury. Road kills of native fauna are to be reported to the Site Supervisor/Civil Engineer immediately.	C	<ul style="list-style-type: none"> <li>No road kills of native fauna were reported to the Site Supervisor/Civil Engineer during the construction activities (E004).</li> <li>Restricted road speeds (10km/hr) were implemented in all areas of the construction site. This requirement is communicated to construction contractors during the site induction (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>E004_Management advice stages 11A and 11B construction</li> </ul>
CMP 10	No domestic animals will be allowed onto the Development site during construction.	C	<ul style="list-style-type: none"> <li>Domestic animals are prohibited on the development during construction.</li> <li>The site induction details the requirement to restrict domestic animals (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 11	Vegetation should be inspected for fauna by Contractors prior to clearing (including tree hollows and bird nests). If fauna are found they should be released 50 metres from the construction site.	C	<ul style="list-style-type: none"> <li>• Emerge Associates visited the site on 15 January 2019 and 25 January 2019 prior to, and during the Stage 11A and 11B construction works (D0011).</li> <li>• Identified black cockatoo breeding trees for retention were marked as a part of the site visit.</li> <li>• No breeding trees were disturbed as a result of the construction activities, and therefore no displaced fauna were found within the development site. No fauna were required to be relocated 50 m from the construction site.</li> <li>• In addition, no fauna incidences were recorded within the Fauna Incidence Register (D005).</li> </ul>	<ul style="list-style-type: none"> <li>• D0011_Emerge Associates Site inspection register</li> <li>• D005_PEET Fauna incident register</li> </ul>
CMP 12	Any open trenches constructed during civil works are to be provided with a fauna escape ramp.	C	<ul style="list-style-type: none"> <li>• Open trenches constructed during civil works were provided with a fauna escape ramp at the end of each excavation.</li> <li>• Trenches were backfilled within a short time of excavation.</li> <li>• The excavation trenches were relatively shallow, less than 1 m in depth (E004).</li> </ul>	<ul style="list-style-type: none"> <li>• E004_Management advice stages 11A and 11B construction</li> </ul>
CMP 13	Excavated areas are to be regularly inspected for trapped fauna and trapped fauna are to be released by an appropriate Wildlife Carer (a list is to be developed by the Site Superintendent/Civil Engineer prior to construction activities commencing).	C	<ul style="list-style-type: none"> <li>• Excavated areas were inspected for trapped fauna by the Site Superintendent/Civil Engineer prior to and during the construction activities.</li> <li>• No trapped fauna was noted by the Superintendent/Civil Engineer during site walkovers/inspections.</li> </ul>	<ul style="list-style-type: none"> <li>• E004_Management advice stages 11A and 11B construction</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 14	A fauna incident reporting form and fauna incident register will be used to record any incident of fauna interaction.	C	<ul style="list-style-type: none"> <li>No fauna incidences were reported during the reporting period.</li> <li>A fauna incident reporting form was not required to be completed as a result.</li> </ul>	<ul style="list-style-type: none"> <li>D005_PEET Fauna incident register</li> <li>E004_Management advice stages 11A and 11B construction</li> </ul>
CMP 15	<p>Black cockatoo habitat trees identified in Figure 5 of the CMP will be provided with specific protection methods through:</p> <ul style="list-style-type: none"> <li>Clear marking (with yellow spray paint) of Habitat trees to identify these trees during the construction period;</li> <li>The requirement that these habitat trees must not be cleared; and</li> <li>Notifications on Title and Protective Covenants of the requirement to protect Habitat Trees on private lots.</li> </ul>	C	<ul style="list-style-type: none"> <li>Emerge Associates visited the site on 15 January 2019 and 25 January 2019 to mark black cockatoo breeding habitat trees (DBH &gt;500mm with suitable breeding hollows) with yellow spray paint.</li> <li>Black cockatoo breeding habitat trees with hollows were photographed during the site visit and recorded for evidence.</li> <li>During the site visit on 15th January 2019, it was noted that a black cockatoo habitat tree (D0020), had died and burnt down.</li> <li>Notifications pursuant to section 70A of the <i>Transfer of Land Act 1983</i> are to be registered on the 'certificates of title' of any lots that contain remnant nesting trees identified on the structure plan. There were no identified black cockatoo nesting trees for retention within any of the six lots settled during the reporting period, therefore this was not required.</li> </ul>	<ul style="list-style-type: none"> <li>D0011_Emerge Associates Site inspection register</li> <li>D009_Emerge Associates Site inspection checklist_15-01-2019</li> <li>D0010_Emerge Associates Site inspection checklist_25-01-2019</li> <li>D0017_Emerge Associates Photograph BC breeding tree no. WP2</li> <li>D0018_Emerge Associates Photograph BC breeding tree no. WP3</li> <li>D0019_Emerge Associates Photograph BC breeding tree no. WP4</li> <li>D0020_Emerge Associates Photograph BC breeding tree no. WP8</li> <li>D0021_Emerge Associates Photograph BC breeding tree no. WP9</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 16	In accordance with the EPBC Approval, all trees over 500 mm Diameter Breast Height (DBH) will be retained unless within a: <ul style="list-style-type: none"> <li>• building envelope;</li> <li>• Building Protection Zone (BPZ);</li> <li>• roads;</li> <li>• strategic firebreak; or</li> <li>• lot firebreak.</li> </ul>	C	<ul style="list-style-type: none"> <li>• Protective (restrictive) Covenants were placed on six titles within Stages 1, 4 and 7 of the development during the reporting period. The restrictive covenant places restrictions on the clearing of vegetation that provides for black cockatoos in accordance with condition 2 of the approval.</li> </ul>	<ul style="list-style-type: none"> <li>• L005_Landgate Annexure B Stage 7 Protective Covenant</li> <li>• L007_Landgate Annexure B Stage 1 Protective Covenant</li> <li>• L008_Landgate Annexure B Stage 4 Protective Covenant</li> </ul>
CMP 17	All trees over 500 mm DBH and within 10 metres of any area proposed to be cleared (which are not currently marked as "habitat trees") will be marked with white flagging tape to notify contractors and construction personnel that these trees cannot be cleared unless located in an area listed above.	C	<ul style="list-style-type: none"> <li>• Emerge Associates visited the site on 15 January 2019 and 25 January 2019 during the Stage 11a and 11b civil construction works to mark Black cockatoo habitat trees (DBH &gt;500mm) with white tape.</li> <li>• Black cockatoo breeding habitat trees were photographed during the site visit and recorded for evidence.</li> </ul>	<ul style="list-style-type: none"> <li>• D0011_Emerge Associates Site inspection register</li> <li>• D009_Emerge Associates Site inspection checklist_15-01-2019</li> <li>• D0010_Emerge Associates Site inspection checklist_25-01-2019</li> </ul>
CMP 18	There will be no construction or water discharge within the Wetland and Creekline Conservation Area mapped in Figure 6 of the CMP. Clearing in waterways will be restricted for service, roads and strategic firebreaks.	C	<ul style="list-style-type: none"> <li>• The Wetland and Creekline Conservation Area is situated on the eastern boundary of Stage 11B.</li> <li>• Emerge Associates visited the site on 15 January 2019 and 25 January 2019 to flag the boundary of this area with orange flagging tape to ensure any unauthorised access or clearing is prevented.</li> <li>• Waste is disposed of appropriately and therefore there was no water runoff discharged into the wetland/creekline areas during construction.</li> </ul>	<ul style="list-style-type: none"> <li>• D009_Emerge Associates Site inspection checklist_15-01-2019</li> <li>• D0010_Emerge Associates Site inspection checklist_25-01-2019</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 19	Access within the Wetland and Creekline Conservation Area will be limited to designated tracks only (existing tracks, lot firebreaks and strategic firebreaks).	C	Refer to CMP 18.	
CMP 20	Temporary sediment control measures will be employed to reduce runoff into waterways.	C	<ul style="list-style-type: none"> <li>Cleared vegetation and topsoil is stockpiled away from drainage lines and stored down slope wherever practicable to reduce the potential for spread into waterways.</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>E004_Management advice stages 11A and 11B construction</li> </ul>
CMP 21	Speed limits will be implemented and all vehicle access within the development will be restricted to created roads and existing tracks only.	C	<ul style="list-style-type: none"> <li>Restricted road speeds (10km/hr) are implemented in all areas of the construction site.</li> <li>Private vehicle access to site is restricted and approved by the supervisor/Civil Engineer.</li> <li>Off-road driving and movement of personnel outside of area of disturbance is prohibited. All personnel remain inside demarcated/fenced areas at all times.</li> <li>These requirements are communicated to construction contractors during Site Induction (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 22	Access to site will be controlled with signage at all entry points to the site. Access must be granted by the Proponent and a subsequent site environmental induction conducted.	NC	<ul style="list-style-type: none"> <li>Site environmental inductions are provided for all relevant contractors entering the construction site.</li> <li>Temporary fencing was erected around the boundary of the works area to prohibit unauthorized access and all personnel attended a site induction.</li> <li>The site induction underlined the importance of vegetation and access via nominated tracks.</li> <li>No specific signage was erected or required other than the fencing (E004). This results in a non conformance with CMP 22.</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>E004_Management advice stages 11A and 11B construction</li> </ul>
CMP 23	Prior to the construction of the Development weed control measures are to be implemented, including spot spraying of weed species.	C	<ul style="list-style-type: none"> <li>No weed control measures (i.e spot spraying of weeds) were implemented prior to the civil construction works, other than keeping topsoil within the confines of the work area.</li> <li>No weed infestations were reported to the site supervisor/civil engineer (D004).</li> <li>No weed control methods were undertaken prior to the civil construction works within Stage 11A and 11B, as it was considered unnecessary due to the lack of a weed problem.</li> </ul>	<ul style="list-style-type: none"> <li>E004_Management advice stages 11A and 11B construction</li> <li>D004_PEET Environmental incident register</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 24	Control measures are to be implemented for the spread of feral animal populations during construction of the Development in accordance with the Brigadoon Estate Pest Management Strategy.	C	<ul style="list-style-type: none"> <li>No pest control measures were implemented.</li> <li>While feral goats, pigs and horses have been observed in the areas surrounding the Development, no pest sightings were reported to the site supervisor/civil engineer within the development (D004).</li> <li>Due to the lack of pest species observed within the development, it was considered unnecessary to implement pest control measures.</li> </ul>	<ul style="list-style-type: none"> <li>E004_Management advice stages 11A and 11B construction</li> </ul>
CMP 25	A hygiene station should be set up at the entry to the site to ensure no soil is transported in or out of the site. A vehicle hygiene form and register should be completed following vehicle washdown.	C	<ul style="list-style-type: none"> <li>Machinery, vehicles and plant are inspected regularly by the Site Supervisor/Civil Engineer to ensure no soil is transported into or out of the site.</li> <li>Vehicle hygiene register has been completed for this reporting period (D007).</li> </ul>	<ul style="list-style-type: none"> <li>D007_PEET Vehicle hygiene register</li> <li>R0011_PEET Minutes of site meetings</li> </ul>
CMP 26	<p>The following dust control measures will be undertaken during construction:</p> <ul style="list-style-type: none"> <li>Management measures to limit dust generation from construction material and equipment.</li> <li>Dust generation managed using industry current best practice dust suppression measures.</li> <li>Instances of excessive dust are to be reported immediately to the Site Supervisor/Civil Engineer and managed accordingly.</li> </ul>	C	<ul style="list-style-type: none"> <li>There were no instances of excessive dust reported as a result of construction activities (D004)</li> <li>Dust generation is managed according to industry best practice and the project team is informed of the dust control methods during the site induction (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>D004_PEET Environmental incident register</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 27	<p>The following noise management measures will be undertaken during construction:</p> <ul style="list-style-type: none"> <li>The vehicles and power generating machinery will be regularly serviced to ensure they are operating efficiently.</li> <li>Noise minimising equipment will be used where possible.</li> </ul>	C	<ul style="list-style-type: none"> <li>Maintenance on machinery and equipment is regularly undertaken to ensure noise levels are managed at all times</li> <li>Noise levels are managed using noise minimising equipment on machinery.</li> <li>Contractors are informed of the noise management measures during the site induction (R0010).</li> </ul>	<ul style="list-style-type: none"> <li>E004_Management advice stages 11A and 11B construction</li> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>
CMP 28	<p>The following waste management measures will be undertaken during construction will include:</p> <ul style="list-style-type: none"> <li>All waste material is to be appropriately disposed of to prevent habitation by feral animals.</li> <li>A location for the collection of recyclable material for off-site recycling is to be established.</li> <li>All waste disposal will be recorded on a Waste disposal form and Register.</li> <li>Hydrocarbon spills are to be reported to the Site Supervisor/Civil Engineer and cleaned up immediately and recorded on the Spill Form and Register.</li> <li>Hydrocarbon contaminated soil is to be collected and disposed to an approved off-site facility.</li> </ul>	C	<ul style="list-style-type: none"> <li>Waste management measures in accordance with the CMP were undertaken during construction.</li> <li>No hydrocarbon spills or hydrocarbon contaminated soil were reported within the Spill register during the reporting period (D006).</li> <li>A Waste disposal register recorded all waste disposal during the reporting period (D008).</li> </ul>	<ul style="list-style-type: none"> <li>D008_PEET Waste disposal register</li> <li>D006_PEET Spill register</li> </ul>



## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 29	<p>Any works completed in summer or during a total fire ban would require the following:</p> <ul style="list-style-type: none"> <li>• Fire suppression unit comprising a minimum of 400 litres of water, operational pump and 20 m of hose located in close proximity to the worksite.</li> <li>• At least one able bodied person capable of operating the fire suppression unit who is not directly involved in the works being undertaken.</li> <li>• Contact the local government or its representative (e.g. fire control officer) prior to commencing works is to be made;</li> <li>• Contact must be made with the nearest FESA regional office prior to works commencing;</li> <li>• Fire extinguishers will be located in vehicles and all offices;</li> <li>• All site plant and equipment will be regularly maintained and serviced to ensure that it is in good running order and its operation does not pose a fire risk.</li> </ul>	C	<ul style="list-style-type: none"> <li>• Civil construction works and associated clearing was undertaken during January/February 2019 (summer).</li> <li>• The City of Swan was present during the site meetings prior to and during the construction activities.</li> <li>• A water cart was on site at all times during the Stage 11A and 11B construction activities (E004).</li> <li>• The water cart operator was doing the civil works as well as being available for fire suppression if required.</li> <li>• Personnel operating loaders and earthmoving equipment were available for fire fighting and mitigation measures if required.</li> <li>• Other fire mitigation measures were undertaken according to industry best practice and contractors were informed of the fire management measures during the site induction.</li> </ul>	<ul style="list-style-type: none"> <li>• E004_Management advice stages 11A and 11B construction</li> <li>• R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>• R0011_PEET Minutes of site meetings</li> </ul>
CMP 30	<p>The identified Aboriginal Heritage sites located within the development will be protected and managed as follows:</p> <ul style="list-style-type: none"> <li>• Construct temporary fencing around Aboriginal Heritage sites, based upon the boundaries provided by the DIA.</li> <li>• Erect screens during any blasting works within 20 m of an Aboriginal Heritage site.</li> <li>• Implement the Aboriginal Heritage Management Plan has been prepared for the site.</li> </ul>	C	<ul style="list-style-type: none"> <li>• Aboriginal Heritage Site "Brigadoon Campsite" (ID 25212) is situated to the north east of the Stage 11B boundary.</li> <li>• The site was marked with white coloured flagging tape and temporary fencing.</li> <li>• No blasting works occurred as a part of the civil construction works.</li> </ul>	<ul style="list-style-type: none"> <li>• R0011_Horizon Heritage Stage 11A and 11B Aboriginal Heritage Monitoring Report</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 31	Aboriginal Heritage monitors are required for any ground disturbing activities over the site, where it is unlikely that the ground has been disturbed in the past (or it appears that the ground has been disturbed in the past). This would comprise approximately 80% of the site and refers to refers to any ground-disturbing activities, such as vegetation clearing and topsoil stripping.	C	<ul style="list-style-type: none"> <li>• <i>Horizon Heritage Management</i> was engaged by Peet to manage Whadjuk Noongar People heritage monitors for ground clearing at the Avon Ridge Stage 11A and 11B residential development.</li> <li>• Monitoring was undertaken over six days in January 2019.</li> </ul>	<ul style="list-style-type: none"> <li>• R0011_Horizon Heritage Stage 11A and 11B Aboriginal Heritage Monitoring Report</li> <li>• D0023_Horizon Heritage Monitoring timesheet 170119</li> <li>• D0024_Horizon Heritage Monitoring timesheet 250119</li> </ul>
CMP 32	The discovery of any previously unrecorded Aboriginal Heritage sites or artefacts is to be reported immediately and will result in work ceasing until appropriately managed.	C	<ul style="list-style-type: none"> <li>• <i>Horizon Heritage Management</i> undertook monitoring during the construction activities and compiled a photographic catalogue of identifiable cultural material as a part of the <i>Stage 11A and 11B Aboriginal Heritage Monitoring report</i> (R0011).</li> <li>• During the monitoring at Avon Ridge some artefactual material was identified by the Whadjuk monitors present.</li> <li>• Around 200 + pieces of predominantly quartz debitage was salvaged and relocated away from disturbance.</li> </ul>	<ul style="list-style-type: none"> <li>• R0011_Horizon Heritage Stage 11A and 11B Aboriginal Heritage Monitoring Report</li> </ul>
CMP 33	Prior to the commencement of any activities associated with the construction phase of the Development, all members of the Peet Management Team and Contractors are to participate in a Site Environmental Induction.	C	<ul style="list-style-type: none"> <li>• A site meeting was conducted on 10 January 2019 prior to the commencement of construction activities on 15 January 2019.</li> <li>• Site environmental inductions were provided for all relevant contractors entering the construction site.</li> </ul>	<ul style="list-style-type: none"> <li>• R0010_Croker Construction Avon Ridge Estate Site Induction</li> <li>• R0011_PEET Minutes of site meetings</li> </ul>

## 2019 Compliance Report for EPBC Approval 2008/4250

Avon Ridge Estate, Brigadoon



Reference code	Action	Status	Comment	Evidence
CMP 34	The Site Environmental Induction includes details relating to: <ul style="list-style-type: none"> <li>The location of conservation significant species and habitats and Aboriginal Heritage sites;</li> <li>The requirements for site access;</li> <li>The requirements for land clearing;</li> <li>Off road/track driving restrictions</li> <li>Descriptions of invasive flora and fauna;</li> <li>Waste management; and</li> <li>Other management issues.</li> </ul>	C	<ul style="list-style-type: none"> <li>The site environmental induction provided to all relevant contractors involved with Stage 11A and 11B of civil works, details the relevant management measures.</li> </ul>	<ul style="list-style-type: none"> <li>R0010_Croker Construction Avon Ridge Estate Site Induction</li> </ul>
CMP 35	A site meeting minutes form and register will be used to document the discussions and actions during project meetings involving the Proponent, Site Supervisor/Civil Engineer, Consultants and Contractors.	C	<ul style="list-style-type: none"> <li>The site meeting minutes have been documented including a record of attendees.</li> </ul>	<ul style="list-style-type: none"> <li>R0011_PEET Minutes of site meetings</li> </ul>
CMP 36	Monthly monitoring and inspections of the Development are to be undertaken by the Environmental Consultant and Site Supervisor/Civil Engineer to ensure that construction activities are undertaken in accordance with the requirements of the CMP.	C	<ul style="list-style-type: none"> <li>Emerge Associates attended regular monthly site meetings during the construction activities from 10 January 2019 to 17 April 2019.</li> <li>Any environmental incidences were reported to the Environmental Consultant and Site Supervisor/Civil Engineer during site meetings and recorded in the environmental incident register (D004).</li> </ul>	<ul style="list-style-type: none"> <li>R0011_PEET Minutes of site meetings</li> <li>D004_PEET Environmental incident register</li> </ul>
CMP 37	All emergencies and incidents are to be reported to the Site Supervisor/Civil Engineer immediately. These incidents will be recorded on an emergency response and incident reporting form.	C	<ul style="list-style-type: none"> <li>All emergencies and incidents were reported to the Site Supervisor/Civil Engineer.</li> <li>No incidences were reported during the reporting period.</li> </ul>	<ul style="list-style-type: none"> <li>D004_PEET Environmental incident register</li> </ul>