EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 – 6 AUGUST 2020)

CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE NATURALISTE TERRACE, DUNSBOROUGH, W.A.

RAY VILLAGE AGED SERVICES INCORPORATED trading as CAPECARE
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EPBC 2006/2834 Annual Compliance Report (7 August 2019 – 6 August 2020)
Capecare, Urban and Commercial New Development, Aged Care
Naturaliste Terrace, Dunsborough, W.A.

Our Reference:
RVA293_01_V1

STATEMENT OF LIMITATIONS:

Scope of Services
This report has been prepared in accordance with the scope of work set out in the contract, or as otherwise agreed, between the Client and EndPlan Environmental* (EndPlan).

Reliance on Data
In preparing the report, EndPlan has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ("the data"). Except as otherwise stated in the report, EndPlan has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. EndPlan will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to EndPlan.

Environmental Conclusions
Within the limitations imposed by the scope of work, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable environmental consultants under similar circumstances. No other warranty, expressed or implied, is made.

Report for Benefit of Client
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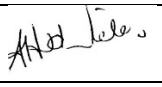
DOCUMENT STATUS:

Document Title:		EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 – 6 AUGUST 2020) CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE NATURALISTE TERRACE, DUNSBOROUGH, W.A.				
Rev. No.	**Date**	**Author**	**Reviewer**	**Approved for Use**		
				Name	**Signature**	**Date**
Draft	14/10/20	A. van der Wiele	S. Sibbald			
Version 1	19/11/20	A. van der Wiele	B. van der Wiele	A. van der Wiele		19/11/20

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– IRCA REFERENCE A17228 –

The course meets the training requirements for individuals seeking certification under the IRCA Auditor Certification Schemes

Authorising Signature:

Course Dates: 11th – 15th May 2014

Certificate Number: 107886

For IRCA Membership Application To Be Made Within 3 Years From Last Day of Course

Declaration of Accuracy

I declare that:

1. To the best of my knowledge, all the information contained in, or accompanying this Annual Compliance Report is complete, current and correct.

2. I am duly authorised to sign this declaration on behalf of the approval holder.

3. I am aware that:

   a. Section 490 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) makes it an offence for an approval holder to provide information in response to an approval condition where the person is reckless as to whether the information is false or misleading.

   b. Section 491 of the EPBC Act makes it an offence for a person to provide information or documents to specified persons who are known by the person to be performing a duty or carrying out a function under the EPBC Act or the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) where the person knows the information or document is false or misleading.

   c. The above offences are punishable on conviction by imprisonment, a fine or both.

Signed:

Full name: ELIZABETH HOGARTH

Position: CHIEF EXECUTIVE OFFICER

Organisation: RAY VILLAGE AGED SERVICES INCORPORATED TRADING AS CAPECARE

ABN: 77 630 179 279

Date: 19/10/20

EXECUTIVE SUMMARY

Ray Village Aged Services Incorporated trading as Capecare (Capecare) is developing a 1.28 ha portion of Armstrong Reserve, Naturaliste Terrace, Dunsborough (the development footprint), for the purpose of constructing and operating an aged care facility. The development is to be known as *Capecare Dunsborough*.

The aged care facility will consist of the following operational elements:

- An 80-bed residential care facility to cater for people with high physical needs in a dementia-enabling environment,
- 21 independent living apartments,
- Administration offices and community facilities (including meeting rooms for the Country Women's Association),
- Internal road network, and
- Road access between the proposed development area and Naturaliste Terrace and Armstrong Place.

The development footprint is located approximately 500 m north of the business centre of the town of Dunsborough and is bounded by Armstrong Place to the south, Gifford Road to the east and Naturaliste Terrace to the west.

This annual compliance report covers the reporting period 7 August 2019 – 6 August 2020 during which time *EndPlan Environmental* conducted an audit of the pre-construction activities undertaken by Capecare to determine their compliance with the EPBC 2006/2834 Approval Conditions.

This document has been prepared in accordance with the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2014). The compliance audit included a desktop review of correspondence from the Department of the Environment and Energy (the Department), Environmental Protection Authority Services Branch (EPA Services), Department of Biodiversity, Conservation and Attractions (DBCA), the City of Busselton (the City), and informal interviews with Capecare's representatives and consultants.

Table 4 comprises the EPBC 2006/2834 Conditions Audit Table that identifies the compliance status of implementation of approval conditions during the current reporting period and **Table 5** comprises an audit of the compliance status of implementation of the management measures included in the Rehabilitation Offset Management Plan.

In all, the audit addressed 20 conditions and sub-conditions.

Condition 12 requires that the ROMP be published on Capecare's website within 1 month of being approved. The ROMP was approved for implementation on the 16 December 2017, however due to Christmas/New Year staff leave, the approved ROMP was published on the Capecare website on the 23 January 2018. The Auditor considers that while this is formally a non-compliance in the definitions provided in Commonwealth of Australia guidance, it can be considered *technical* or *minor* in that it does not adversely affect the performance or intent of the measure.

Capecare was found to be fully compliant with all other EPBC 2006/2834 Approval Conditions.

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Armstrong Reserve	Is the area contained within the 'Site Boundary' at Attachment A, which is comprised of Lots 117, 116, 118, 257 and 258, Naturaliste Terrace, Dunsborough, Western Australia.
Clear/clearing	Is the cutting down, felling, thinning, logging, removing, killing, destroying, and poisoning ringbarking, uprooting or burning of native vegetation.
Construction	Includes any preparatory works required to be undertaken including clearing vegetation, the erection of any fences, signage or on-site temporary structures and the use of construction or excavation equipment on site for the purpose of breaking the ground for buildings or infrastructure.
Department	Is the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999.*
Minister	Is the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* and includes a delegate of the Minister.
New or increased impact	Is a new or increased environmental impact or risk relating to any matter protected by the controlling provision for the action, when compared to the impact or risk arising from implementing the plan that has been approved by the Minister.
Offset attributes	Means an excel file ('.xls') capturing relevant attributes of the Offset Area, including the EPBC reference ID number, the physical address of the offset site, coordinates of the boundary points in decimal degrees, the EPBC protected matters that the offset compensates for, any additional EPBC protected matters that are benefiting from the offset and the size of the offset in hectares.
Proposed development footprint	Is the area identified as *'Proposed Development Footprint'* at Appendix 1.
WA DBCA	Is the Western Australian Department of Biodiversity, Conservation and Attractions (or equivalent agency)

1. DESCRIPTION OF ACTIVITIES

EPBC No.:	2006/2834
Project Name:	Capecare, Urban and Commercial New Development, Aged Care
Approval Holder:	Ray Village Aged Care Services Incorporated t/a Capecare
ABN:	77 630 179 279
Project Location:	Lot 600 on Deposited Plan 403383, Naturaliste Terrace, Dunsborough, Western Australia
Contact:	Ms Elizabeth Hogarth, Chief Executive Officer, Capecare
Reporting Period:	7 August 2019 – 6 August 2020
Report Preparation Date:	14 October 2020

1.1 Project Background

Increasing demand for aged care services in the Dunsborough region resulted in Ray Village Aged Services Incorporated trading as Capecare (Capecare) identifying Armstrong Reserve as a potential location for the development of aged care facilities[1].

The aged care facility will consist of the following operational elements:

- An 80-bed residential care facility to cater for people with high physical needs in a dementia-enabling environment
- Twenty-one independent living apartments
- Administration offices and community facilities (including meeting rooms for the CWA)
- Internal road network, and
- Road access between the proposed development area and Naturaliste Terrace and Gifford Road.

The aged care facility, to be known as *Capecare Dunsborough*, is situated within the municipal boundary of the City of Busselton and is located approximately 500 m north of the business centre of Dunsborough and is bounded by Armstrong Place to the south, Gifford Road to the east, Naturaliste Terrace to the west and the remaining vegetated portion of Armstrong Reserve (**Figure 1**).

The portion of land that comprises the development footprint previously comprised Lots 111, 115, 116, 117 Naturaliste Terrace and a 9994 m^2 portion of Lot 257 Naturaliste Terrace (**Figure 2**). In accordance with the Western Australian *Town Planning and Development Act 2005*, rezoning of the portion of land has resulted in the amalgamation of the Lots into a single Certificate of Title namely Lot 600 Naturaliste Terrace, Dunsborough (Deposited Plan 403383) (**Figure 3 and Appendix 1**).

Lot 600 is the legal responsibility of Capecare and will be retained as one Title in perpetuity and is zoned 'Special Purpose – Aged Person Housing' under the City of Busselton's Local Planning Scheme No. 21. The remaining vegetated portion of Armstrong Reserve has subsequently been gazetted

[1] https://capecare.com.au/dunsborough/

into three separate Lots with City of Busselton retaining vesting of Reserve 25339 (Lots 3000 and 601) for the purpose of 'Landscape Protection' and the Water Corporation retaining vesting of Reserve 40445 (Lot 258) for the purpose of 'Drainage' (**Figure 3**).

On-site and off-site rehabilitation will be undertaken in order to offset the environmental impacts of the development on *Pseudocheirus occidentalis* (Western Ringtail Possum). The native bushland within the remainder of Armstrong Reserve will be retained as Public Open Space (POS) and rehabilitation will be guided by an Environmental Management Plan to be prepared in consultation with the City of Busselton and the Department of Biodiversity Conservation and Attractions (DBCA), and approved for implementation by the Environmental Protection Authority.

Offsite rehabilitation is currently being implemented on portions of Lots 117- 119 Busselton Bypass in Vasse, where 1 ha of degraded former agricultural land contained within the Broadwater Nature Reserve will be rehabilitated to provide Western Ringtail Possum habitat (**Figures 5 and 6**).

1.2 Environmental Approval to Implement the Project

On the 30 May 2006, Capecare referred the action to the former Department of the Environment and Heritage for a decision as to whether or not an approval was required under Chapter 4 of the EPBC Act.

On the 28 June 2006, the proposal was deemed to be a 'Controlled Action' due to potential impacts on the *Pseudocheirus occidentalis* (Western Ringtail Possum) then listed as 'Vulnerable' under the EPBC Act[2] and as 'Critically Endangered' under the Western Australian *Wildlife Conservation Act 1950*.

An Approval for the proposed action was issued to Capecare on the 25 February 2013. The Approval decision, which initially had effect until the 31 December 2021, related to the Controlling Provision being listed threatened species and communities (sections 18 and 18A) and was subject to 13 conditions[3].

Approval condition 5 requires Capecare to provide an environmental offset in lieu of clearing approximately 9,020 m^2 of Western Ringtail Possum habitat within the development footprint. Since the Approval was issued, Capecare has liaised with the Department of Agriculture, Water and the Environment (the Department), the Western Australian Department of Biodiversity, Conservation and Attractions (DBCA) and the City of Busselton with respect to the requirements of condition 5. The approved offset site is vested in the DBCA, and specific revegetation requirements have been requested by the DBCA to be implemented.

A variation to EPBC 2006/2834 was approved on the 18 October 2017, deleting conditions 4 – 9 attached to the Approval and substituting with conditions attached to the approval and adding new conditions 9A and 9B to the approval.

[2] On the 11 May 2018, *Pseudocheirus occidentalis* was listed as Critically Endangered under the EPBC Act.
[3] Documentation relating to EPBC2006/2834 CAPECARE/Residential Development/Dunsborough/Western Australia/Capecare, urban and commercial new development, Aged Care - Naturaliste Terrace, Dunsborough, WA approvals can be accessed via the following webpage at the Department of Agriculture, Water and the Environment: http://epbcnotices.environment.gov.au/referralslist/

On the 7 November 2017, due to the difficulties and time taken to find an acceptable offset site, Capecare submitted a variation request relating to condition 11 (Substantive Commencement Timeframe) which was due to be invoked on the 23 February 2018. A variation was approved on the 16 December 2017 that included:

- approving the Rehabilitation Offset Management Plan (version 6) a requirement of condition 5
- extending the approved period to commencement (condition 11) to the 25 February 2019 and
- extending the period of effect of approval until 25 February 2024.

Changes to the architectural design and layout of the aged care facility required the Development Application (DA) for the aged care facility to be submitted to the City of Busselton and the Western Australian Department of Planning's Southern Joint Development Assessment Panel for assessment. Consequently, in August 2018 Capecare submitted a *Variation to Conditions Attached to Approval* and an *Extension of Period of Effect of Approval* request. On the 29 August 2018, the Department advised Capecare that both requests had been approved.

2. CURRENT STATUS

2.1 Commencement of Action

Capecare advised the Department in correspondence that the action was due to commence on the 7 August 2019 as engineering works was required for Western Power to relocate and upgrade their powerline asset prior to on-site vegetation clearing commencing within the development footprint (**Appendix 2**). As the asset relocation required trenching from the Armstrong Place road reserve into the development footprint and potentially meant that some road reserve vegetation would need to be cleared, a Western Ringtail Possum drey survey was conducted along the road reserve and immediate adjacent development footprint (**Appendix 3**).

Prior to vegetation clearing from within the development footprint, the following meetings were held:

- 14 October 2019: site meeting and walkover with Capecare's project manager to ensure that the temporary pu was in place
- 22 October 2019: site environmental induction meeting with Capecare's representatives and Perkins Building project management team (**Appendix 4**)
- 28 October 2019: pre-vegetation clearing environmental induction and site walkover with the clearing contractor personnel (**Appendix 5**)

A four-night Western Ringtail Possum survey of Armstrong Reserve and the development footprint was conducted in October 2019 (**Appendix 6**). This preceded vegetation clearing of the development footprint conducted between 28 October and 2 November 2019.

2.2 Rehabilitation Offset Management Plan Implementation

An initial offset site rehabilitation meeting was held on the 15 October 2019 with Dr Darren Brearley (Onshore Environmental) to discuss weed management in particular the Arum Lily (*Zantedeschia aethiopica*) which is a declared pest under the Western Australian *Biosecurity and Agriculture Management Act 2007*.

On the 27 July 2020, a pre-rehabilitation site meeting was held with Capecare representatives, Total Horticultural Services (Capecare's rehabilitation subcontractor), DBCA and EndPlan Environmental. **Plates 1-4** show the rehabilitation site at the time of the site meeting.

3. AUDIT METHODOLOGY

3.1 Audit Plan

3.1.1 Purpose and Scope

The Annual Compliance Report (this Report) has been prepared for the purpose of meeting the requirements of condition 8 of the *Environment Protection and Biodiversity Conservation Act 1999* (the Act) Approval 2006/2834. The Approval enables Capecare to clear Western Ringtail Possum habitat from Lot 600 Armstrong Place, Dunsborough, Western Australia.

The Report covers the reporting period 7 August 2019 – 6 August 2020 during which time *EndPlan Environmental* conducted an audit of the construction activities undertaken by Capecare to determine their compliance with the EPBC 2006/2834 Approval conditions.

3.1.2 Methodology

A compliance audit, undertaken in July 2020, involved a site inspection conducted on the 15 February 2019 and informal interviews with key members of the project team and stakeholders and a review of associated documentation.

Table 1 provides an overview of the personnel consulted as part of the audit.

TABLE 1: PERSONS CONSULTED DURING THE COMPLIANCE AUDIT

Name	Position	Organisation
Elizabeth Hogarth	A/Chief Executive Officer	Capecare
Stuart Sibbald	Capecare Client Representative	SJSibbald Consulting
Matthew Sproule	Director	South West Construction Management
Steve Larsson	Construction Site Manager	Perkins Builders
Dr Darren Brearley	Managing Director	Onshore Environmental
Graeme Sly	Director	Total Horticulture Services
Kim Williams	Regional Leader Nature Conservat	Department of Biodiversity, Conservation Attractions
Tracey Sonneman	District Conservation Coordinator	Department of Biodiversity, Conservation Attractions

The audit also included a desktop review of correspondence between Capecare and its consultants from State and Commonwealth agencies including:

- Department of Agriculture, Water and the Environment (the Department)
- Department of Water and Environmental Regulation (DWER)
- Department of Biodiversity, Conservation and Attractions (DBCA) formerly the Department of Parks and Wildlife (DPaW) and
- City of Busselton (City).

This report summarises the findings of the audit and has been prepared in accordance with the document *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2014).

3.2 Audit Terminology

This report has adopted the action implementation status terminology taken from Section 3.7 of the *Annual Compliance Report Guidelines* (Commonwealth of Australia, 2014) that provides a list of 'designations' (terminology) and their related description that are to be used when assessing compliance with the approval condition identified in **Table 2**.

TABLE 2: ACTION IMPLEMENTATION STATUS TERMINOLOGY

STATUS	ACRONYM	DESCRIPTION
Compliant	**C**	All the requirements of a condition have been met, including implementation of management plans or other measures required condition.
Non-compliant	**NC**	The requirements of a condition or elements of a condition, including implementation of management plans and other measures, have not b met.
Not applicable	**N/A**	The requirements of a management action fall outside of the scope of current reporting period. For example, a condition which applies to activity that has not yet commenced.

To offset the residual impacts of the action on the Western Ringtail Possum, Capecare was required to prepare and submit a Rehabilitation Offset Management Plan (ROMP) to the Department for approval. The ROMP was prepared in consultation with the DBCA and implementation of the ROMP commenced in July 2020.

A series of management and contingency measures were included in the ROMP. **Table 3** provides the associated implementation status terminology applied to the measures.

TABLE 3: ROMP MANAGEMENT MEASURE IMPLEMENTATION STATUS TERMINOLOGY

STATUS	ACRONYM	DESCRIPTION
Conformant	**C**	All the requirements of a key management action detailed within a subsidiary plan or program have been satisfactorily met.
Potentially non-conformant	**PNC**	All the requirements of a key management action detailed within a subsidiary plan or program have not been met satisfactorily.
Not applicable	**N/A**	The requirements of a management action fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

4. AUDIT RESULTS

4.1 Audit Table

The results of the audit of EPBC 2006/2834 are shown in **Table 4** (over the page). The 'status' field of the audit table describes the implementation of actions and compliance with the relevant approval condition.

Table 5 (page 14) contains the results of an audit of the management measures contained within the approved ROMP.

4.2 Compliance with Conditions

The audit addressed 20 conditions and sub-conditions.

Condition 12 which requires that the ROMP be published on Capecare's website within 1 month of being approved. The ROMP was approved for implementation on the 16 December 2017, due to Christmas/New Year staff leave, the approved ROMP was published on the Capecare website on the 23 January 2018. The Auditor considers that while this is formally a non-compliance in the definitions provided in **Table 3**, it can be considered *technical* or *minor* in that it does not affect the performance or intent of the measure.

Capecare was found to be fully compliant with all other EPBC 2006/2834 Approval Conditions.

TABLE 4: EPBC 2006/2834 CONDITIONS AND COMPLIANCE AUDIT TABLE

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
EPBC 1	The person taking the action must not **clear** more than 0.9020 ha of habitat for the vulnerable Western Ringtail Possum (*Pseudocheirus occidentalis*) within the **proposed development footprint** (as shown at Attachment A).	Surveying of the development footprint to be undertaken prior to clearing commencing. Ongoing. Audit checks during annual compliance reporting.	**Appendix 5:** Environmental Induction Notes (EndPlan Environmental, 2019) **Plates 5 – 7:** Drone aerial photographs taken post-clearing.	On the 28 October 2019, a pre-vegetation clearing environmental induction and site walkover with the clearing contractor personnel Clearing of the development footprint was conducted from 28 October 2019 to 2 November 2019. A site visit by the auditor conducted in July 2020 confirmed that clearing had not occurred outside of the development footprint boundary.	**C**
EPBC 2	**Clearing** must not occur outside of the **proposed development footprint** (as shown on Attachment A).	Surveying of the development footprint to be undertaken prior to clearing commencing. Ongoing - check via annual compliance reporting.	**Appendix 7:** Clearing and Demolition Drawing (Ascent Engineering) **Plates 8 and 9:** Temporary fencing photographs	Prior to clearing commencing, a Clearing and Demolition Drawing (dated 1 Aug 2019) was issued to the site surveyor and clearing contractor. Capecare's site surveyor surveyed the development footprint and installed stakes and flagging tape at regular intervals along the boundary. The construction manager then installed temporary fencing along the boundary which was observed by the auditor during a site walkover conducted on the 28 October 2019.	**C**
EPBC 3	To mitigate potential impacts to the Western Ringtail Possum, the person taking the action must have an experienced zoologist with an approved Regulation 15 **WA DEC** fauna relocation licence on site, to spot for, handle and relocate Western Ringtail Possums from the **proposed development footprint** to undisturbed vegetation within **Armstrong Reserve**, during **clearance** of vegetation.	During vegetation clearing.	**Appendix 6:** DBCA Licence **Appendix 8:** WRP Survey Report **Appendix 9**: Email correspondence re fauna handler on-site	Prior to clearing commencing, an experienced fauna handler (Ms Sue Elscot, Green Iguana) applied for and was granted a DBCA *Authorisation to Take or Disturb Threatened Species* licence (TFA 2019-0095). Ms Elscot, in association with Dr Dennis Brearley (Onshore Environmental), conducted a 4-night WRP Survey. No WRP	**C**

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
				were observed within the development footprint (refer to Figure 2 in **Appendix 7**). Clearing of the development footprint was conducted between the 28 October 2019 and 2 November 2019. An experienced fauna handler (Ms Sue Elscot, Green Iguana) was on-site for the duration of the clearing. No Western Ringtail Possums were required to be relocated during the clearing process.	
EPBC 4	The person taking the action must not commence **construction** until written evidence is provided to the **Department** that the remaining 2.83 ha of **Armstrong Reserve**, outside of the **proposed development footprint** (as shown at Attachment A), is designated a reserve for the purpose of 'Landscape Protection' under the WA Land Administration Act, 1997.	Prior to commencement of construction.	**Appendix 1**: Certificate of Title Lot 600 Naturaliste Terrace	In August 2017, the City of Busselton advised that Lot 600 Naturaliste Terrace had been rezoned to "Special Purpose – Aged Persons Housing" as part of Amendment 1 to the Local Planning Scheme No 21, and that the remainder of Armstrong Reserve was consolidated into Lot 601 (now part of Reserve 25229) with the purpose of "Landscape Protection" under the management of the City of Busselton.	**C**
EPBC 5	To offset the residual impacts of the action on the Western Ringtail Possum, the person taking the action must prepare and submit a Rehabilitation Offset Management Plan (ROMP). The ROMP must be prepared in consultation with the **WA DBCA** and must:	During preparation of the ROMP.	**Appendix 10:** DBCA approval of the ROMP **Appendix 11:** Department approval of the ROMP	Version 6 of the ROMP was approved for implementation by the DBCA on the 4 December and by the Department on the 16 December 2017.	**C**
EPBC 5a	Specify an offset site at least 1 ha in size within the area shown at Attachment B;		**Figure 5:** Regional Location of Offset Site **Figure 6:** Existing Environment with Cadastre at Offset Site	The ROMP will be implemented within the designated offset site which comprises a portion of Lots 217 - 219 (on Deposited Plan 4918 / Volume 1918 / Folio 406) Busselton Bypass, Vasse (offset site) situated within the Dunsborough region	**C**

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
				(refer to **Figure 5**). The offset site is vested in the Western Australian Conservation and Parks Commission and the Department of Biodiversity Conservation and Attractions (DBCA)[4] and forms part of the Broadwater Nature Reserve (refer to **Figure 6**).	
EPBC 5b	Provide for the planting of at least 2,500 Peppermint trees (*Agonis flexuosa*) per hectare within the offset site.		**Appendix 12:** Rehabilitation Offset Management Plan (ROMP)	Section 4.5 of the ROMP includes methodology for planting seedlings and direct sowing of upper storey (Peppermints) and middle and understorey layers of mixed natives.	**C**
EPBC 5c	Include a methodology for ensuring a survival rate of 80% of the 2,500 Peppermint trees is maintained per hectare 5 years after planting.		**Appendix 12:** Rehabilitation Offset Management Plan (ROMP)	Sections 4.6 and 4.7 of the ROMP include methodology and management actions for ensuring a survival rate of 80% of the 2,500 Peppermint trees/ha over the 5 years following planting.	**C**
EPBC 5d	Describe monitoring and contingency measures if the survival rate (item) is not met.		**Appendix 12:** Rehabilitation Offset Management Plan (ROMP)	Section 4.5 of the ROMP includes monitoring and corrective measures should the survival rate not be met.	**C**
EPBC 5e	Contain measures to minimise human access, and impacts of herbivores, unplanned fire, weeds and Dieback (*Phytophthora cinnamomi*) within 3 years following commencement of rehabilitation works.		**Appendix 12:** Rehabilitation Offset Management Plan (ROMP)	Section 4 of the ROMP includes measures to minimise human access (s.4.1 Fencing), reduce impacts of herbivores (s.4.7 Pest Control), unplanned fire (s. 4.8 Fire Management), weeds (s.4.3 Weed Control) and Dieback (s.4.6.1 *Phytophthora* Management).	**C**
	The ROMP must be submitted to the **Department** for approval by the **Minister**. Construction must not commence until the ROMP is approved by the Minister. If the **Minister** approves the ROMP, the approved ROMP must be implemented.	Prior to commencement of construction.	**Appendix 10:** DBCA approval of the ROMP **Appendix 11:** Department approval of the ROMP	Version 6 of the ROMP was approved for implementation by the DBCA on the 4 December and by the Department on the 16 December 2017.	**C**

[4] Previously the Department of Parks and Wildlife (DPaW)

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
EPBC 6	Within 10 business days after **commencement** of the action, the person taking the action must advise the **Department** in writing of the actual date of **commencement**.	Within 10 days following commencement of construction.	**Appendix 13:** Correspondence from Capecare to the Department **Appendix 14:** Correspondence from the Department to Capecare	On the 15 August 2019, Capecare advised the Department that ground-disturbing activities within the development footprint had commenced on the 7 August 2019 in association with the relocation of Western Power's electricity asset.	**C**
EPBC 7	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of the approval, including measures taken to implement plans and strategies required by this approval, and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the EPBC Act. The results of audits may also be publicised through the general media.	Ongoing As required (Department decision).	This report and associated appendices.	Accurate records for all applicable conditions have been maintained and were available at the time of the audit and following the audit (refer to other items in this Table and Appendices).	**C**
EPBC 8	Within three (3) months of every 12 month anniversary of the **commencement** of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of the ROMP as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the compliance report is published. Compliance reports must remain published, or until written approval by the **Minister** for removal of the report.	Within three (3) months of every 12-month anniversary of commencement of the action.	Not applicable	As this is the first audit report since the commencement of the action, the report does not need to be uploaded onto Capecare's website before the 6 November 2020.	**N/A**
EPBC 9	The person taking the action may choose to revise the ROMP approved by the **Minister** under condition 5 without submitting it 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 action makes this choice, they must notify	As required.	Not applicable	The approved ROMP was not revised during the compliance reporting period.	**N/A**

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
	the **Department** in writing that the approval plan has been revised and provide the **Department**, at least four weeks before implementing the revised plan, with: a. with an electronic copy of the revised plan; b. an explanation of the differences between the revised plan and the approved plan; and c. the reasons the person taking the action considers that the taking of the action in accordance with the revised plan would not be likely to have a **new or increased impact**.				
EPBC 9A	The person taking the action may revoke its choice under condition 9 at any time by giving written notice to the **Department**. If the person taking the action revokes the choice to implement the revised plan, without approval under section 143A of the **EPBC Act**, the plan approved by the **Minister** must be implemented.	As required.	Not applicable	The approved ROMP was not revised during the compliance reporting period.	**N/A**
EPBC 9B	If the **Minister** gives a notice to the person taking the action that the **Minister** 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: a. condition 9 does not apply, or ceases to apply, in relation to the revised plan; and b. the person taking the action must implement the plan approved by the **Minister**. To avoid any doubt, this condition does not affect any operation of conditions 9 and 9A in the period before the day the notice is given. At the time of giving the notice, the **Minister** may also notify that for a specified period of time condition 9 does not apply for the plan required under the approval. Conditions 9, 9A and 9B are not intended to limit the operation of section 143A of	As required (Minister's request)	Not applicable	The Minister did not request revisions to the ROMP during the compliance reporting period.	**N/A**

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
	the **EPBC Act** which allows the person taking the action to submit a revised plan to the **Minister** for approval.				
EPBC 10	If the **Minister** believes that it is necessary or convenient for the better protection of listed threatened species to do so, the **Minister** may request that the person taking the action make specified revisions to the ROMP specified in the conditions and submit the revised ROMP for the **Minister's** written approval. The person taking the action must comply with any such request. The revised approved ROMP must be implemented. Unless the **Minister** has approved the revised ROMP, then the person taking the action must continue to implement the ROMP originally approved, as specified in the conditions.	As required (Minister's request)	Not applicable	The Minister did not request revisions to the ROMP during the compliance reporting period.	**N/A**
EPBC 11	If, at any time after 30 June 2021, the person taking the action has not commenced **construction** the action, then the person taking the action must not substantially commence the action without the written agreement of the **Minister**.	Prior to 30 June 2021.	**Appendix 13:** Correspondence from Capecare to the Department **Appendix 14:** Correspondence from the Department to Capecare	On the 15 August 2019, Capecare advised the Department that ground-disturbing activities within the development footprint had commenced on the 7 August 2019.	**C**
EPBC 12	Unless otherwise agreed to in writing by the **Minister**, the person taking the action must publish the ROMP referred to in these conditions of approval on their website. The ROMP must be published on the website within 1 month of being approved.	Within 1 month of the ROMP being approved.	**Appendix 15:** Capecare correspondence re website publication of ROMP	The ROMP was approved for implementation on the 16 December 2017. Due to Christmas/New Year staff leave, the approved ROMP was published on the Capecare website on the 23 January 2018. The Auditor considers that the non-compliance can be considered *technical* or *minor* in that it does not adversely affect the performance or intent of the measure	**NC**
EPBC 13	Upon the direction of the **Minister**, the person taking the action must ensure than an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the	As required (Minister's request)	No request has occurred to date.	To date, the Minister has not directed an independent audit of compliance be undertaken.	**N/A**

CONDITION No.	CONDITION	TIMING	EVIDENCE	COMMENT	COMPLIANCE STATUS
	audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.				

TABLE 5: EPBC 2006/2834 CONDITION 5 – REHABILITATION OFFSET MANAGEMENT PLAN COMPLIANCE AUDIT

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
EPBC Condition 5	**To offset the residual impacts of the action on the Western Ringtail Possum, the person taking the action must prepare and submit a Rehabilitation Offset Management Plan (ROMP). The ROMP must be prepared in consultation with the WA DBCA.**				
ROMP 1	Specify an offset site at least 1 ha in size within the area shown at Attachment B.	Prior to construction commencing.	**Appendix 12:** ROMP **Figure 5:** Regional Location of Offset Site **Figure 6:** Existing Environment with Cadastre at Offset Site **Plates 1 – 4:** Aerial views of offset site pre-rehabilitation	Section 1.1 of the ROMP identifies the Certificate of Title details for the offset site and its location is shown in **Figures 5 and 6**.	**C**
EPBC Condition 5b	**Provide for the planting of at least 2,500 Peppermint trees (*Agonis flexuosa*) per hectare within the offset site.**				
ROMP 2	Revegetate the site using a minimum number of 9 plant taxa including 3 each of upper-storey, mid-storey and understorey species, matched to the landform, (i.e. upland and wetland) and ensuring a minimum number of 2,500 Peppermint seedlings are included in the upper-storey mix per hectare.	After the completion of 2-years weed control.	Not applicable	Section 3 and Table 4 of the ROMP identify the principal objectives, mechanism, targets and indicators to achieve planting mix. Section 4 identifies the methodology to be implemented.	**N/A**
ROMP 3	Maintain revegetation at the offset site to ensure the survival of at least 80% of the Peppermint seedlings, and for the non-Peppermint mixed species survival rate.	Five years following initial planting.	Not applicable	As described in Section 4 of the ROMP, ongoing management measures will be implemented to ensure a survival rate of 80% of the 2,500 Peppermint seedlings per hectare is maintained five years after planting.	**N/A**
ROMP 4	Implement management measures to ensure that no patch greater than 100 m^2 to have mid-storey and upper-storey native species absent and patches of 400m^2 will contain at least 2 different under/mid-storey species and a minimum under/mid-storey cover of approximately 30%.	Five years following initial planting.	Not applicable	As described in Section 4 of the ROMP, ongoing management measures to ensure that the DBCA's diversity and density requirements are met.	**N/A**

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
EPBC Condition 5c	**Include a methodology for ensuring a survival rate of 80% of the 2,500 Peppermint trees is maintained per hectare 5 years after planting.**				
ROMP 5	Apply for and be granted a Regulation 4 Lawful Authority permit issued under the *Conservation and Land Management Regulations 2002*.	Prior to commencing rehabilitation work on-site.	**Appendix 16:** Regulation 4 Lawful Authority Permit	The DBCA issued a Regulation 4 Permit to Total Horticultural Services on the 2 August 2020.	**C**
ROMP 6	Undertake site preparation (e.g. ripping and mounding).	Prior to planting.	Not applicable	Site preparation techniques are described in Section 4 of the ROMP.	**N/A**
ROMP 7	Conduct soil testing to determine soil acidity, level of organic carbon, cation exchange capacity, and nutritional status.	Prior to planting.	Not applicable	Site preparation techniques are described in Section 4 of the ROMP.	**N/A**
ROMP 8	If necessary, increase soil organic carbon by spreading compost at 4 m^3 per hectare (farm spreader), followed by a spray application of soil microbial inoculant through boomless spray nozzle (100 litres per hectare).	Prior to planting.	Not applicable	Site preparation techniques are described in Section 4 of the ROMP.	**N/A**
ROMP 9	Should there be a requirement to undertake Redlegged earth mite control, use systemic insecticides and apply following the commencement of autumn rainfall, with possible retreatment in spring.	Prior to planting.	Not applicable	Redlegged mite management is described in Section 4.6.1 of the ROMP.	**N/A**
ROMP 10	Should quarterly site inspections indicate that the Redlegged earth mite is present, implement further treatments.	Prior to planting.	Not applicable	Redlegged mite management is described in Section 4.6.1 of the ROMP.	**N/A**
EPBC Condition 5d	**Describe monitoring and contingency measures if the survival rate (item) is not met.**				
ROMP 11	Conduct quarterly site inspections for To monitor the emergence of seedlings, species richness, species diversity, and number of seedlings/plants.	First week of January, April, July and October post-planting.	Not applicable.	Belt transects and plot methodology are described in Section 5.2.1 of the ROMP.	**N/A**

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
ROMP 12	Conduct quarterly qualitative assessment of weeds with weed infested areas mapped and annotated with corresponding control treatments to be implemented.	First week of January, April, July and October annually for 5 years.	Not applicable.	Monitoring will also identify weed richness and density/percentage cover and compare to performance targets contained in Table 7 of the ROMP and identify areas where control treatments are required.	**N/A**
ROMP 13	Prepare and submit a letter report to Capecare and the DBCA following quarterly site inspections and the annual spring monitoring assessment.	Within 1 week of the monitoring assessment being conducted.	Not applicable.	The report will identify any triggers that will require corrective actions that are to be implemented. Triggers and corrective actions are identified in Table 7 of the ROMP.	**N/A**
ROMP 14	Implement corrective actions if quarterly monitoring/site inspections or annual monitoring indicates rehabilitation is not developing in line with expected trends.	Following quarterly site inspections.	Not applicable.	Corrective actions are identified in Table 7 of the ROMP.	**N/A**
ROMP 15	Conduct annual monitoring of revegetation using belt transects for an overall vegetation assessment, and plots for assessment of tree density and tree health).	Annually late September for 5 years.	Not applicable.	Belt transects and plot methodology are described in Section 5.2.1 of the ROMP.	**N/A**
ROMP 16	Calculate the survival rate of plant species and undertake additional infill planting and weed control conducted on an 'as needs' basis.	Years 4 and 5.	Not applicable.	Belt transects and plot methodology are described in Section 5.2.1 of the ROMP.	**N/A**
ROMP 17	Maintain accurate records of all rehabilitation activities undertaken within the offset site for the duration of the rehabilitation program.	At all times.	Not applicable.	All records are to be retained by Capecare's consultants and contractors.	**C**
ROMP 18	Make the records available to the Department and the DBCA.	Upon request.	Not applicable.	To date, no records have been requested by either the Department of the DBCA.	**C**
ROMP 19	Conduct an annual audit of the implementation of management measures within the offset site to ensure compliance with the approved ROMP.	Within three (3) months of every 12-month anniversary of	Not applicable.	The annual audit will examine compliance against all management measures identified in this table.	**N/A**

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
		commencement of the action.			
ROMP 20	Prepare an annual compliance report that will include: management actions taken, outcomes of the quarterly site inspections and annual monitoring program, corrective measures implemented during that calendar year, and performance of the revegetation process against the completion criteria.	Within three (3) months of every 12-month anniversary of commencement of the action.	Not applicable.	Methodology is detailed in Section 4 of the ROMP, completion criteria are detailed in Section 3.3 and identified in Table 4. Timeframes for the implementation and completion of management measures and reporting requirement are detailed in Section 4.8 and Tables 6 and 7 of the ROMP.	**N/A**
ROMP 21	Submit the compliance report annually to the Department and the DBCA for the duration of the five-year management timeframe.	Within three (3) months of every 12-month anniversary of commencement of the action.	Not applicable.	The annual compliance report will be submitted to the Department and DBCA as part of the overall compliance reporting required by EPBC Condition 8.	**N/A**
EPBC Condition 5e	**Contain measures to minimise human access, and impacts of herbivores, unplanned fire, weeds and Dieback (*Phytophthora cinnamomi*) within 3 years following commencement of rehabilitation works.**				
ROMP 22	Install fencing around offset site to prevent unauthorised access and fauna entry.	Prior to planting.	Not applicable.	Fencing details are described in Section 4.2 of the ROMP.	**N/A**
ROMP 23	Install educational signage adjacent to dual use path.	Prior to planting.	Not applicable.	The signage should include information such as the area that is being rehabilitated, the purpose of rehabilitation works and access restrictions.	**N/A**
ROMP 24	Where practicable, schedule activities that involve soil disturbance preferably during low rainfall months (November to April) to prevent contamination with *Phytophthora cinnamomi* Dieback.	At all times.	Not applicable.	Dieback management is described in Section 4.6.1 of the ROMP.	**N/A**
ROMP 25	Ensure all vehicles, tools, equipment, machinery and footwear are free of all mud, soil and	Prior to entering the site.	Not applicable.	Dieback management is described in Section 4.6.1 of the ROMP.	**N/A**

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
	vegetative material to prevent contamination with *Phytophthora cinnamomi* Dieback.				
ROMP 26	Monitor for signs of herbivorous and predatory pest species (e.g. scats, diggings) within and adjacent to the offset site.	During quarterly site inspections and annual revegetation monitoring.	Not applicable.	Introduced pest management is described in Section 4.7.1 of the ROMP.	**N/A**
ROMP 27	Should signs of feral pests be observed, engage a qualified and experienced pest control subcontractor to eradicate the pest using either baiting, trapping or shooting.	Following quarterly site inspections.	Not applicable.	Introduced pest management is described in Section 4.7.1 of the ROMP.	**N/A**
ROMP 28	Eradicate rabbits through deploying a strain of rabbit haemorrhagic disease virus (also known as rabbit calicivirus disease) carried out under conditions set down in a permit issued by the Australian Pesticides and Veterinary Medicines Authority (APVMA).	Following quarterly site inspections.	Not applicable.	Introduced pest management is described in Section 4.7.1 of the ROMP.	**N/A**
ROMP 29	Culling (shooting) of the Western Grey Kangaroo is only be conducted by a licenced professional shooter.	Following consultation with the DBCA.	Not applicable.	Native pest management is described in Section 4.7.2 of the ROMP.	**N/A**
ROMP 30	Construct and maintain a 3m wide mineral earth firebreak around the external perimeter of the offset site fenceline.	Prior to planting commencing.	Not applicable.	Fire management measures are described in Section 4.8 of the ROMP.	**N/A**
ROMP 31	Remove any overhanging trees and other vegetation impinging on the firebreak, consult with and get approval from the Blackwood District DBCA Office.	Prior to pruning/removal.	Not applicable.	Fire management measures are described in Section 4.8 of the ROMP.	**N/A**
ROMP 32	Check the status of the integrity of the firebreak and implement maintenance annually.	Prior to 15 December annually.	Not applicable.	Fire management measures are described in Section 4.8 of the ROMP.	**N/A**

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
ROMP 33	Conduct a weed survey of the rehabilitation site.	Prior to commencing weed control.	Section 2.5 of the ROMP - List of weed species observed on-site	Environmental weeds include those listed as Declared Plants under the Government of Western Australia's *Agriculture and Related Resources Protection Act 1976.* In total, 41 introduced species were observed during a late September 2017 site visit conducted by Dr Dennis Brearley, an experienced botanist.	**C**
ROMP 34	Undertake chemical weed control for at least one year prior to planting.	Pre-planting	Not applicable.	Weed control methods are described in Section 4.3 of the ROMP.	**N/A**
ROMP 35	Undertake ongoing maintenance weed control through a combination of manual removal and spraying of herbicide.	Post-planting	Not applicable.	Weed control methods are described in Section 4.3 of the ROMP.	**N/A**
ROMP 36	Undertake tubestock planting for revegetation of upland, wetland and interface zones and advise DBCA of plant species numbers.	Post weed control	Not applicable.	In addition to the 2,500 Peppermint tubestock required by the Department, the DBCA has also requested that additional upper-storey, mid-storey and under-storey planting is carried out using plant species identified in Table 5 of the ROMP.	**N/A**
ROMP 37	If insufficient plant stock of local provenance is available, source tubestock from nurseries that are NIASA accredited and will guarantee the quality of the plant material, including *Phytophthora* dieback free status.	Post weed control	Not applicable.	Sourcing plant material is described in Section 4.5.2 of the ROMP.	**N/A**
ROMP 38	Undertake broadcast seeding using local provenance seed where practicable and available, with the seed mix based on the species listed in Table 5.	Autumn prior to the main winter rainfall and following the required soil preparation and weed treatment.	Not applicable.	Direct seeding methodology is described in Section 4.5.3 of the ROMP.	**N/A**
ROMP 39	Determine seed broadcast rates by annual seed availability for individual species. Mix seeds with	Autumn prior to the main winter rainfall and	Not applicable.	Direct seeding methodology is described in Section 4.5.3 of the ROMP.	**N/A**

REFERENCE No.	MANAGEMENT MEASURE	TIMING	EVIDENCE	COMMENT	CONFORMANCE STATUS
	a suitable bulking and spreading agent (preferably vermiculite) and spread manually.	following the required soil preparation and weed treatment.			
ROMP 40	Undertake planting of suitably mature tubestock, (between 6 to 12 months to enable optimal establishment and growth) within upland areas after the season's first major rainfall event.	Winter	Not applicable.	The timeframe identified is required in order to reduce the potential for seedings suffering from lack of irrigation.	**N/A**
ROMP 41	Undertake planting of suitable mature tubestock in wetland areas when flood waters begin to recede.	Spring	Not applicable.	The timeframe identified is required in order to reduce the potential for seedings suffering from prolonged waterlogging,	**N/A**
ROMP 42	Provide a spreadsheet detailing the final species type and number of tubestock planted to the Department and the DBCA.	At the end of initial planting.	Not applicable	The spreadsheet information will be used as baseline data for comparison in future monitoring assessments and to determine the survival rate (or otherwise) of revegetation, whether completion criteria have been met and whether additional plantings are required.	**N/A**
ROMP 43	Undertake infill planting of tubestock on an 'as needs' basis.	Annually until completion criteria are met.	Not applicable.	Methodology to ensure that the survival rate is met is described in Section 4.5.4 of the ROMP.	**N/A**
ROMP 44	Undertake hand watering of tubestock on an 'as needs' basis.	Summer for up to 2 years post-planting.	Not applicable.	The requirement for when hand watering will be undertaken will be contingent on when reliable rainfall ceases.	**N/A**

5. RECOMMENDATIONS FOR IMPROVEMENT

5.1 ROMP Schedule Review

Now that implementation of the ROMP has commenced, it is recommended that Table 6 'Schedule for Weed Control, Revegetation, Monitoring and Reporting' of the ROMP be updated to be consistent with the current implementation schedule.

5.2 Review of Condition 5b

The wet winter experienced at the rehabilitation site indicates that approximately fifty percent of the site is subject to seasonal flooding due to it being a designated wetland. The ability for the site to successfully provide for the planting of at least 2,500 Peppermint trees (*Agonis flexuosa*) per hectare may need to be reviewed as Peppermint does not thrive in wet soil conditions.

It is noted that consultation with the DBCA during the preparation of the ROMP, resulted in Capecare providing "additional overstorey and understorey planting across all landscape elements of the offset site planting" so that rehabilitation did not result in a monoculture of Peppermints. To reflect typical WRP habitat, the DBCA recommended that additional overstorey species be planted including *Banksia grandis* (Bull Banksia), *Banksia attenuata* (Candlestick Banksia) and *Corymbia calophylla* (Marri).

Changes to reflect the DBCA recommendations will require a variation to Condition 5b of EPBC 2006/2834 and submission to the Department for approval.

6. REFERENCES

Commonwealth of Australia 2014, *Annual Compliance Report Guidelines.*

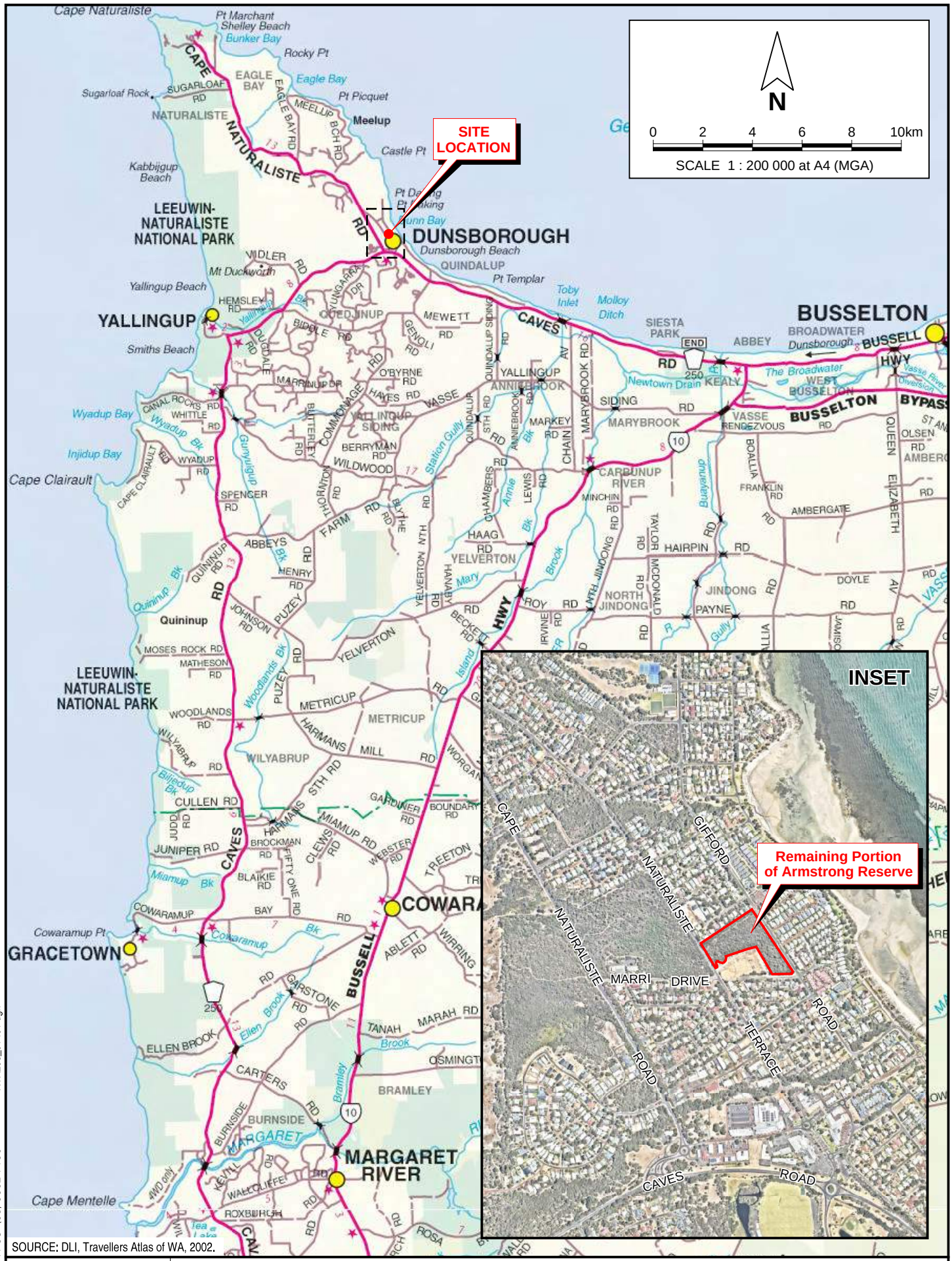
EndPlan Environmental (2017), Rehabilitation Offset Management Plan (EPBC 2006/2834) Portion Lots 217-219 Busselton Bypass, Vasse (Broadwater Nature Reserve). Report prepared for Capecare, document RVA292_43_V6, 30 November 2017.

Onshore Environmental (2019), Armstrong Reserve Targeted Western Ringtail Possum Survey. Report prepared for Capecare, 28 November 2019.

FIGURES

EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 – 6 AUGUST 2020)

CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE NATURALISTE TERRACE, DUNSBOROUGH, W.A.



PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA293_01-f01.dgn

EndPlan Environmental

Ray Village Aged Care Services Inc t/a Capecare
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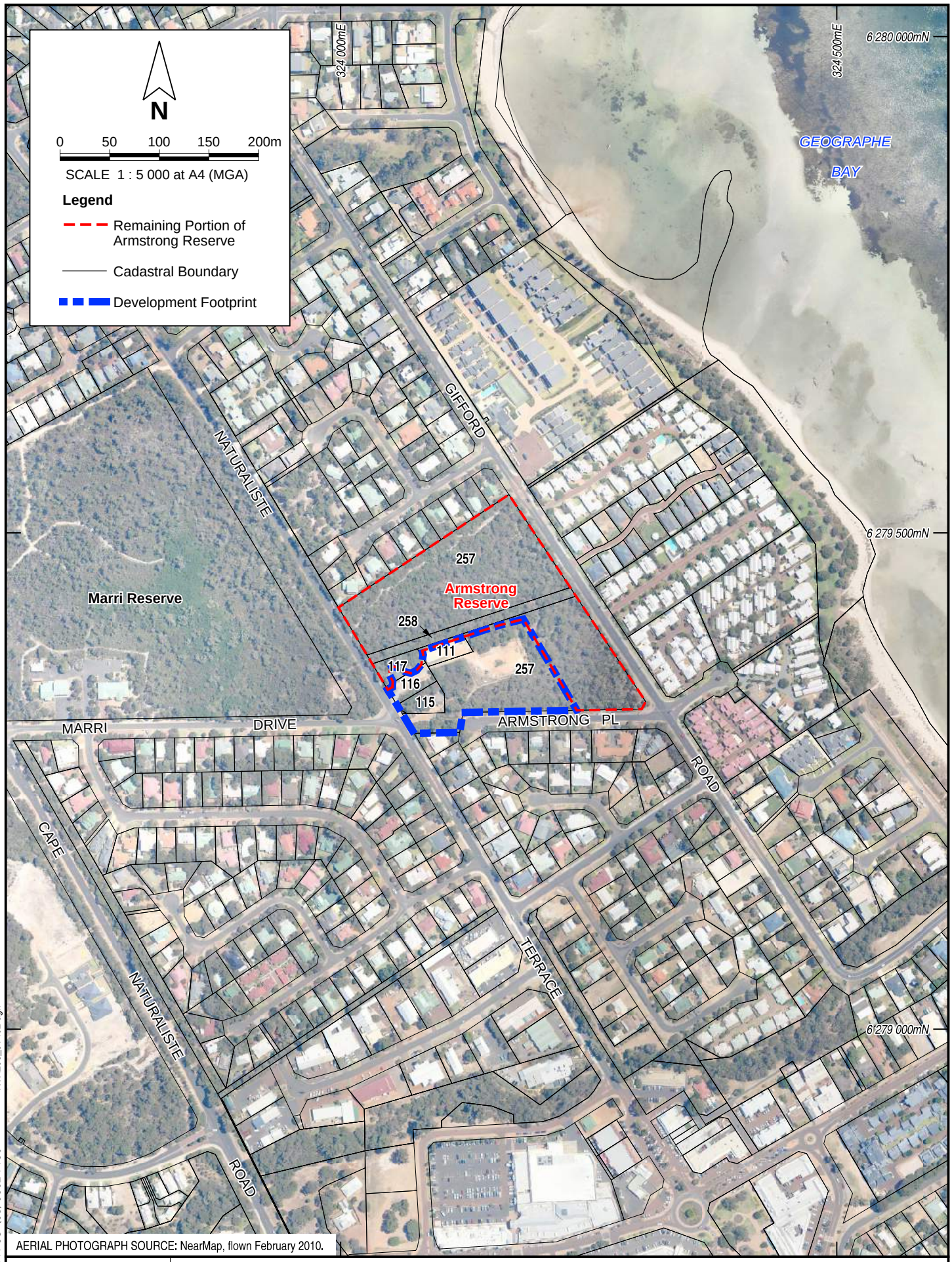
Date: 20 Oct 2020
Drawn: B. Van der Wiele

REGIONAL LOCATION

Figure 1

Report No. RVA293_01



AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2010.

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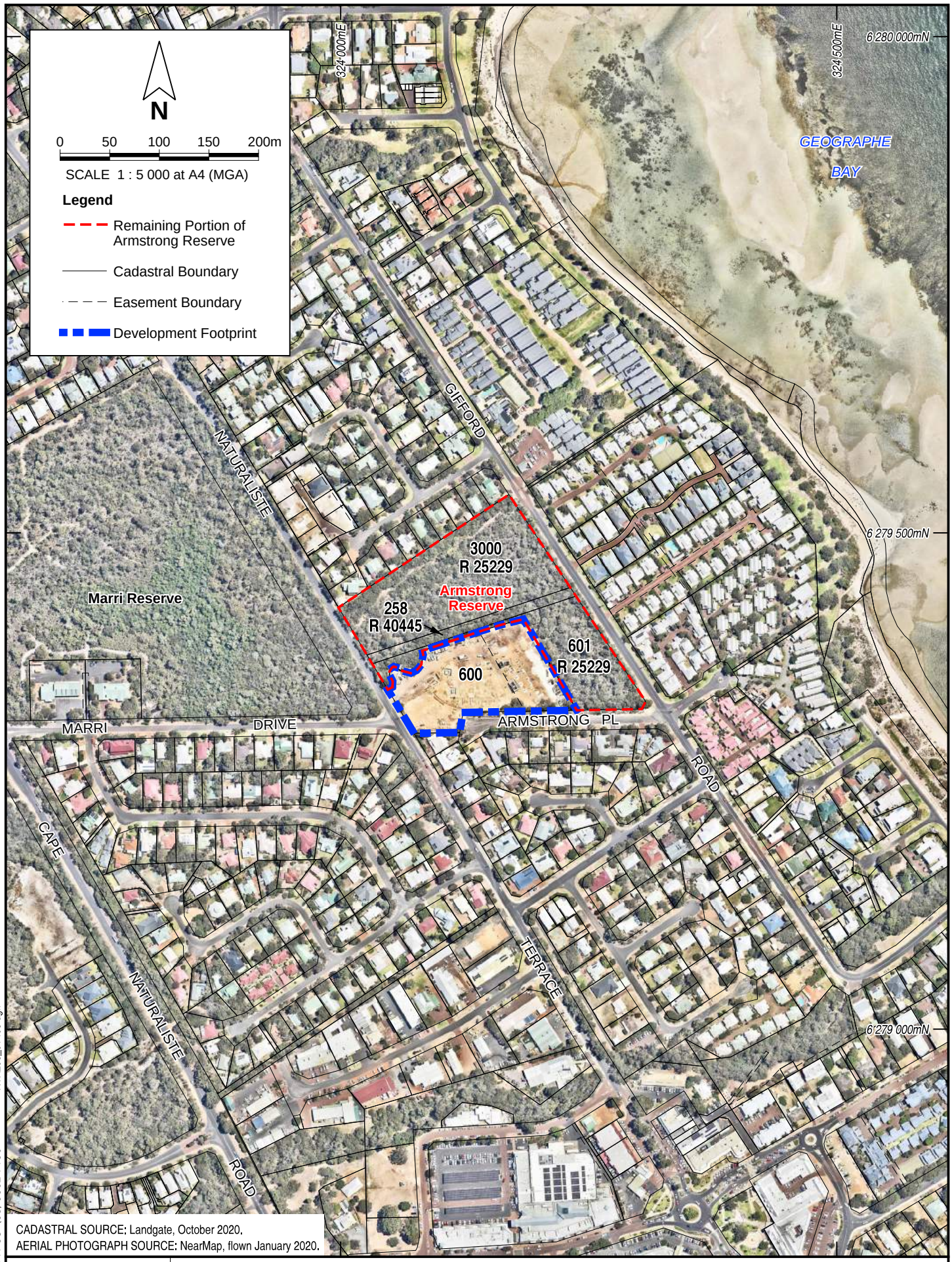
Date: 20 Oct 2020
Drawn: B. Van der Wiele

EXISTING ENVIRONMENT WITH CADASTRE (2015)

Figure 2

Report No. RVA293_01



CADASTRAL SOURCE: Landgate, October 2020.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown January 2020.

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA293_01-f03.dgn

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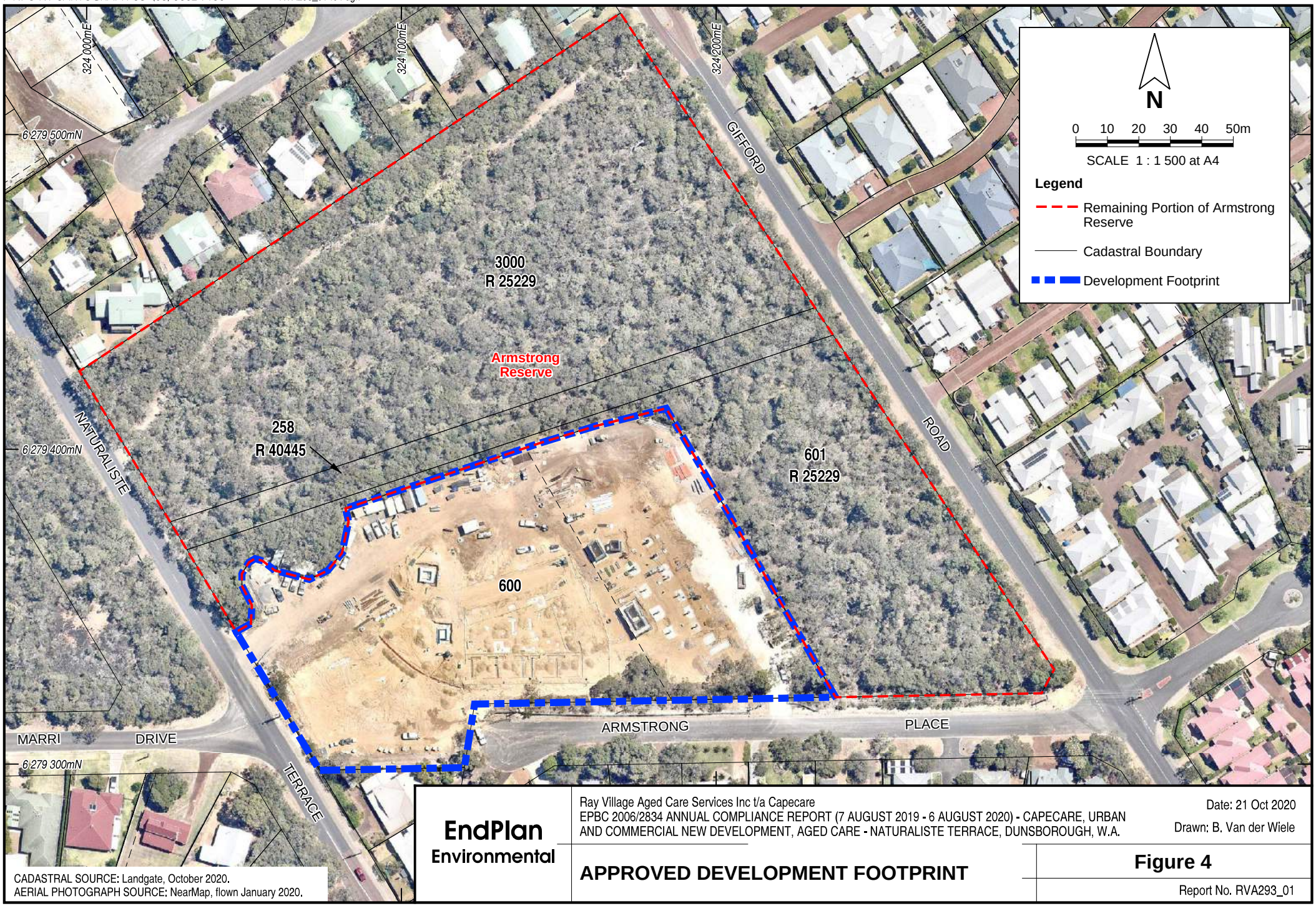
Date: 20 Oct 2020
Drawn: B. Van der Wiele

EXISTING ENVIRONMENT WITH CADASTRE (2020)

Figure 3

Report No. RVA293_01

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA293_01-f04.dgn



CADASTRAL SOURCE: Landgate, October 2020.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown January 2020.

EndPlan Environmental

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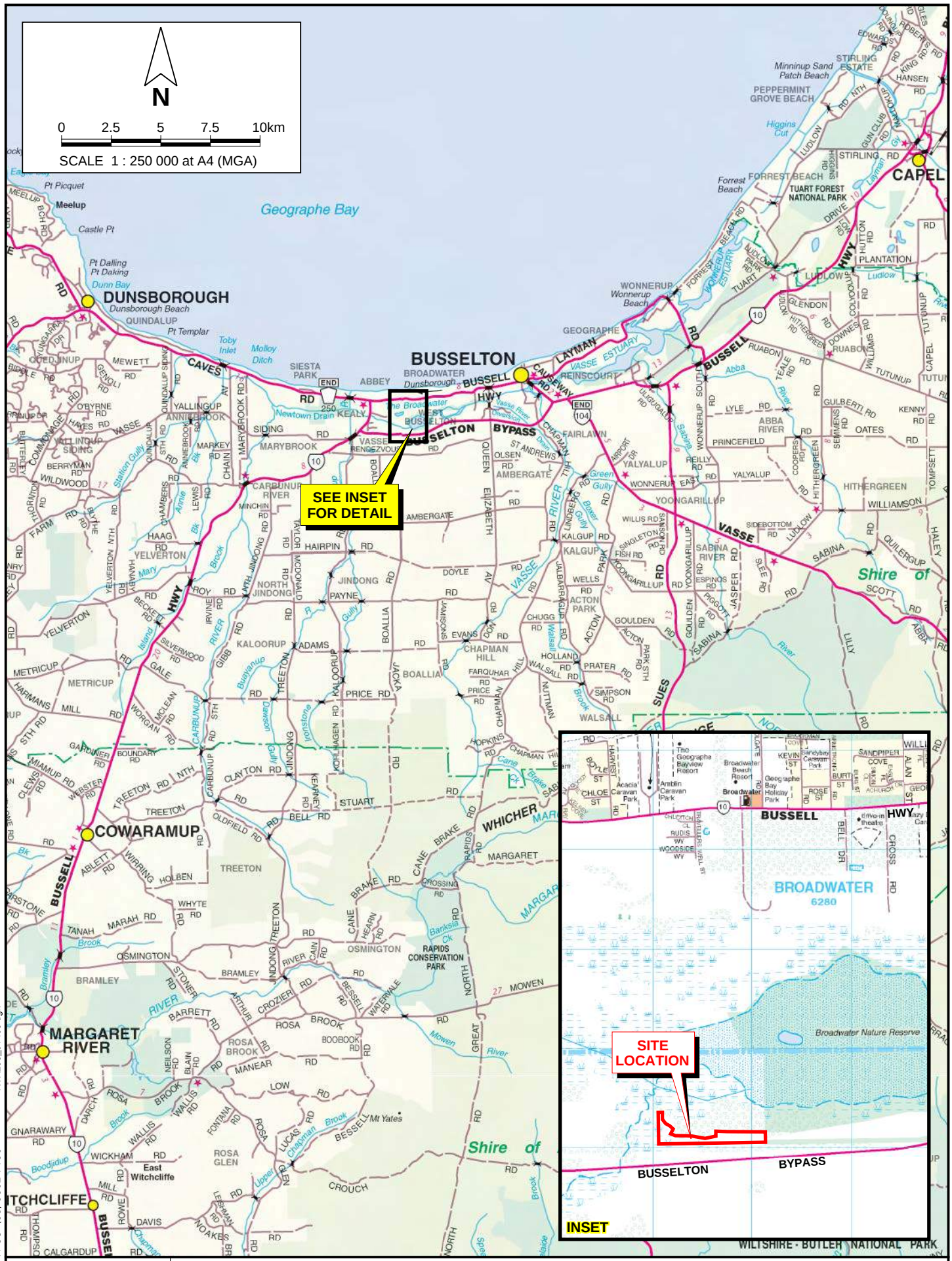
APPROVED DEVELOPMENT FOOTPRINT

Figure 4

Report No. RVA293_01



PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA293_01-f05.dgn

EndPlan Environmental

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EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 - 6 AUGUST 2020) - CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE - NATURALISTE TERRACE, DUNSBOROUGH, W.A.

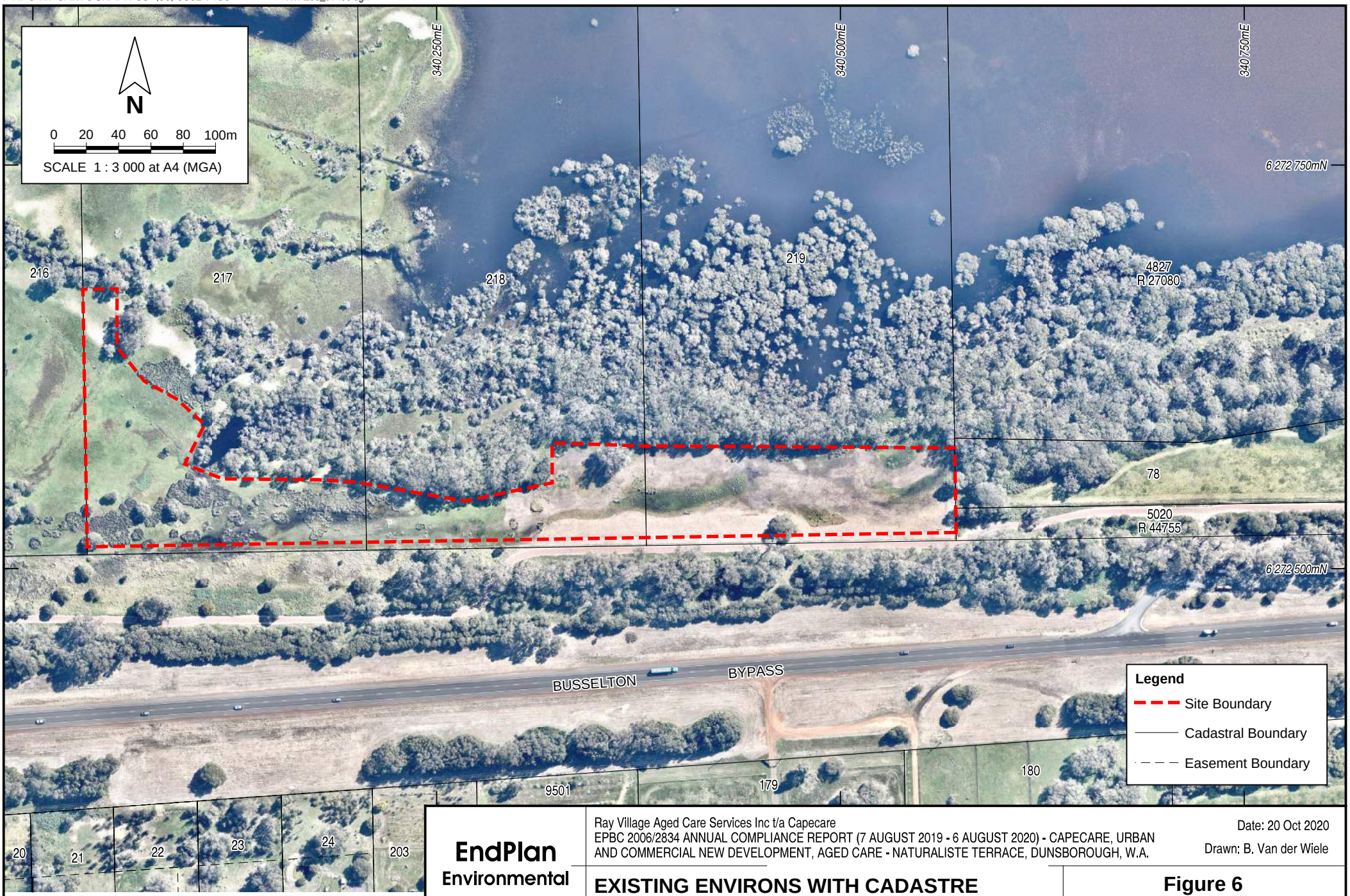
Date: 20 Oct 2020
Drawn: B. Van der Wiele

REGIONAL LOCATION OF OFFSET SITE

Figure 5

Report No. RVA293_01

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA293_01-f06.dgn



CADASTRAL SOURCE: Landgate, October 2020.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown September 2020.

EndPlan Environmental

Ray Village Aged Care Services Inc t/a Capecare
EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 - 6 AUGUST 2020) - CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE - NATURALISTE TERRACE, DUNSBOROUGH, W.A.

Date: 20 Oct 2020
Drawn: B. Van der Wiele

EXISTING ENVIRONS WITH CADASTRE AT OFFSET SITE

Figure 6

Report No. RVA293_01

PLATES

EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 – 6 AUGUST 2020)

CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE NATURALISTE TERRACE, DUNSBOROUGH, W.A.

PLATE 1: Aerial oblique view of rehabilitation site looking north

PLATE 2: Aerial view of rehabilitation site from overhead

PLATE 3: Ground view of rehabilitation site looking west

PLATE 4: Ground view of rehabilitation site looking north towards wetland

PLATE 5: Aerial view of development footprint during topsoil removal

PLATE 6: Aerial view of site during 'fill' placement

PLATE 7: Oblique aerial view of development footprint

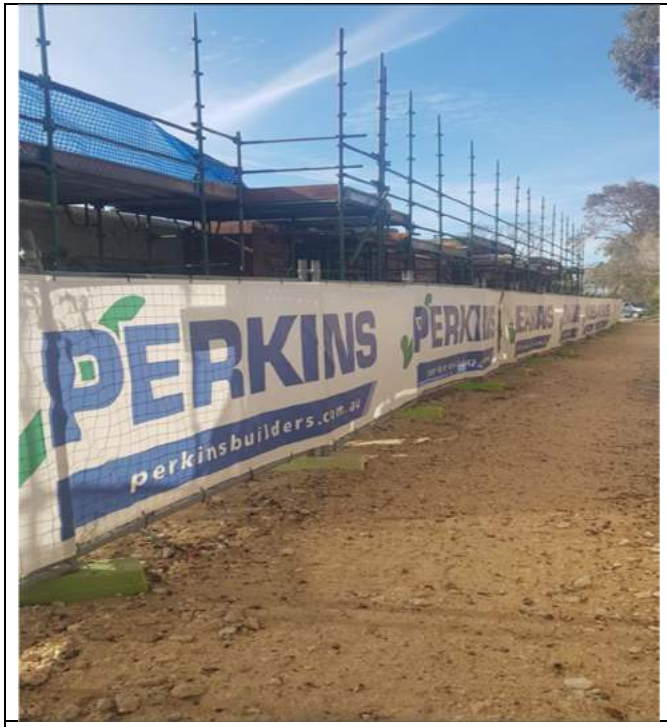


Plate 8: Public accessway between Armstrong Place and Naturaliste Terrace

Plate 9: Temporary fencing adjacent to Naturaliste Terrace

APPENDICES

EPBC 2006/2834 ANNUAL COMPLIANCE REPORT (7 AUGUST 2019 – 6 AUGUST 2020)

CAPECARE, URBAN AND COMMERCIAL NEW DEVELOPMENT, AGED CARE NATURALISTE TERRACE, DUNSBOROUGH, W.A.

APPENDIX 1

CERTIFICATE OF TITLE
LOT 600 NATURALISTE TERRACE, DUNSBOROUGH
(Source: Department of Lands, 2015)

999L
RAY VILLAGE AGED SERVICES INC
Exam - Post
M924358

WESTERN AUSTRALIA

REGISTER NUMBER	
600/DP403383	
DUPLICATE EDITION	DATE DUPLICATE ISSUED
1	8/4/2015

DUPLICATE CERTIFICATE OF TITLE

VOLUME 2862 FOLIO 254

UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 600 ON DEPOSITED PLAN 403383

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

RAY VILLAGE AGED SERVICES INC OF 20 RAY AVENUE, BUSSELTON
(TF M924358) REGISTERED 26 FEBRUARY 2015

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. M924358 CONDITIONAL TENURE LAND. LAND SUBJECT TO CONDITIONS PURSUANT TO S75 LAA. MINISTER'S CONSENT REQUIRED TO TRANSFER OR ENCUMBER LAND. SEE INSTRUMENT M924358 REGISTERED 26.2.2015.

Warning: A current search of the certificate of title held in electronic form should be obtained before dealing on this land. Lot as described in the land description may be a lot or location.

----------END OF DUPLICATE CERTIFICATE OF TITLE----------

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND:	DP403383.
PREVIOUS TITLE:	LR3140-192, LR3164-892, LR3140-193, LR3140-194.
PROPERTY STREET ADDRESS:	NO STREET ADDRESS INFORMATION AVAILABLE.
LOCAL GOVERNMENT AREA:	CITY OF BUSSELTON.

APPENDIX 2

WESTERN POWER ASSET UPGRADE CORRESPONDENCE (Source: Capecare, 2018)

From: Stuart Sibbald
To: bernadette@endplanenvironmental.com.au
Cc: matthew.sproule@swcm.com.au; Stephen.Carmody@capecare.com.au
Subject: FW: Capecare Armstrong Village - WP Asset Relocation - Urgent
Date: Thursday, 25 July 2019 10:11:01 AM
Attachments: image001.png
SP046396 - DESIGN - REV A - APPROVED FOR CONSTRUCTION.pdf
Importance: High

HI Bernadette,

I need a miracle if you can

We met with Western Power WP onsite yesterday for the planned relocation of the Power Lines (which intersect the southern section of the property) planned for 31st July 2019. We were advised the these are some environmental issues raised by DBCA relating to trenching around the cul-de-sac within the verge indicated below. (All OK along the pathway as this will be tunnelled/bored). The trenching has to be 500mm just outside the boundary which you can see on drawing SP046396. Apparently there is a dray within cooee of this area which in my opinion is yet another example of DBCA interfering. The outcome is likely to be a 2 month delay which will create difficulties onsite with the builder which we plan to appoint soon

Would appreciate your support to resolve this. Matthew is coordinating from our end and is in contact with WP

FYI, I'm on leave from 16th August to 20th September 2019

Kind Regards
Stuart Sibbald
M.Sust., B.Eng, MIEAust.
0417 177 230

Capecare Client Representative
Armstrong Village Dunsborough

From: Matthew Sproule [mailto:matthew.sproule@swcm.com.au]
Sent: Wednesday, 24 July 2019 10:50 AM
To: warren.hancock@westernpower.com.au
Cc: Stuart Sibbald; Stuart Pearce; Glen Smith; Stephen.Carmody@capecare.com.au
Subject: Capecare Armstrong Village - WP Asset Relocation

Warren,

Thanks for your time today to meet on site at Armstrong Village.

To confirm our discussions on site…

1. **Lot 52 Pillar/Dome Location and Supply**
   Capecare's preference is to move dome west along the Lot 52 boundary to avoid trees, we understand this will require us to create an easement for the LV supply cable to dome within Lot 600, which we are OK with.

2. **Location of Drilled Conduit/Cable Route parallel with Lot 600 Boundary**
   Capecare's preference is to run the bore drill at a 1.5m offset to the Lot 600/Lot 52 boundary in lieu of the current cable route that follows the existing path alignment.

3. **Existing Redundant Assets**
   Could we please arrange for the supply abolishment of the services supplied off pole S774865, including removal of pole S774865 which will become redundant following the asset relocation. The services requiring supply abolishment are;
   - 15M 3000826
   - 410M 110585

   I have attached photo's of the meters for your reference.

If you could please advise date for works once this is known.

Regards

Matthew Sproule
B. Eng (Civil) Hons
Builders Reg. 101 325

APPENDIX 3

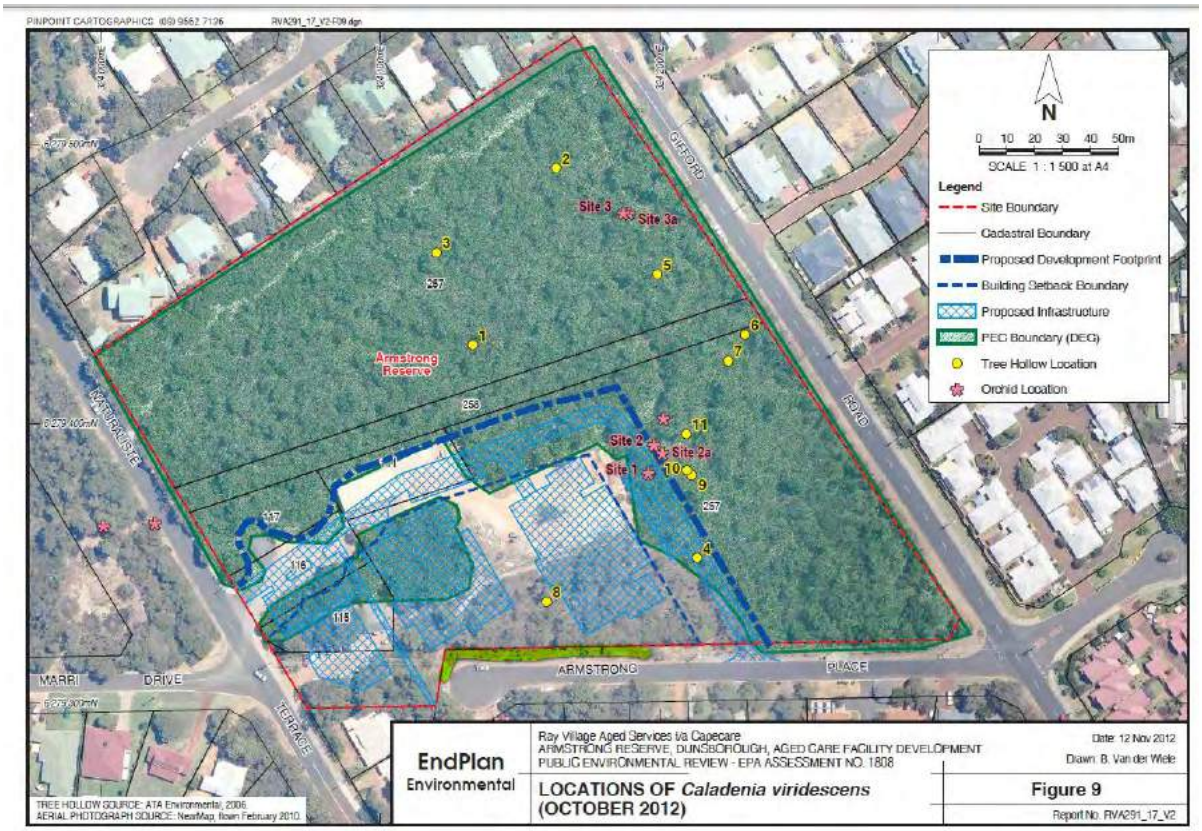
WESTERN RINGTAIL POSSUM DREY SURVEY NOTES (Source: EndPlan Environmental, 2019)

From: Elfira Jacob
To: "bernadette@endplanenvironmental.com.au"
Cc: Warren Hancock
Subject: RE: Armstrong Reserve - Western Power asset relocation
Date: Friday, 26 July 2019 4:25:26 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png

Hi Bernadette,

Thanks for providing the information.

Can you please verify if the below areas have been surveyed as its unclear from the information that has been provided and also what the condition of the vegetation is in this area. As the area within the road reserve is outside of the approved ministerial statement, we believed that a clearing permit is required for any clearing of native vegetation that we are required to complete in this area for the project.



Happy to discuss

Regards,

Elfira Jacob
Assessment and Approvals Specialist
Safety Environment Quality & Training

363 Wellington Street, Perth WA 6000
t (08) 9326 6447
e elfira.jacob@westernpower.com.au

westernpower.com.au

From: bernadette@endplanenvironmental.com.au <bernadette@endplanenvironmental.com.au>
Sent: Friday, 26 July 2019 3:38 PM
To: Elfira Jacob <Elfira.Jacob@westernpower.com.au>; Warren Hancock <Warren.Hancock@westernpower.com.au>
Cc: 'Stuart Sibbald' <stuart.sibbald@westnet.com.au>; matthew.sproule@swcm.com.au; Stephen.Carmody@capecare.com.au
Subject: Armstrong Reserve - Western Power asset relocation

Good afternoon Warren and Elfira

I can advise that this morning EndPlan Environmental conducted a site visit to Armstrong Reserve to search for Western Ringtail Possum dreys (nests) located in the vicinity of the proposed Western Power asset relocation and trenching location.

As shown on the attached Figure 1 (RVA292-f01), the search area (contained within the orange line) that included a portion of Lot 600 (Armstrong Village site) and the road reserve at the western end of Armstrong Place. Two WRP dreys were located within Lot 600; drey locations are shown on Figure 1 as a +; no dreys were observed to be located within the road reserve.

The associated field reports for each of the WRP dreys are also attached. The site characteristics include a description of the drey's physical location relative to landscape features within Lot 600.

I understand that the asset relocation will not require the removal of any native vegetation and therefore while noise is to be expected during the works, given the distance between the works and the dreys, it is unlikely to cause a disturbance to the WRP.

I can advise that all environmental approvals associated with an Environmental Impact Assessment that was formally assessed by the EPA and the subsequent issuing of a Ministerial Statement, included a Caladenia viridians survey conducted by Dr Paul van der Moezel in association with the DBCA (see attached report).

An Environmental Management Plan for Armstrong Reserve (required by a Ministerial Condition) has been prepared and recently approved for implementation by the Department of Environmental Regulation (see attached correspondence).

Should you require any further information please do not hesitate to contact me either by this email address or telephone.

Kind regards

Bernadette van der Wiele
Director
EndPlan Environmental

EndPlan Environmental is the trading name of Wiske Pty Ltd
[ABN 23 684 573 524]
PO Box 138 North Fremantle WA 6159
M: 0447 366 460

Lot 600, Naturaliste Tce

Field Report

Location ID

LOC: COF271_A1 **Other ID:** Wypt 559

GPS Coords: **E** 324075 **N** 6279327

Auditor: hvw θ **Date:** 26/7/19 **Time:** 10:16

Site Characteristics

Adjacent to terminal pole on Naturalist Terrace W of the CWA building. Low Open Forest with mixture of Peppermint and Marri with occasional Banksia. Single small drey in 'leggy' Peppermint, approximately 24 m (line of sight) from the pole at an elevation of approximately 7m.

Surrounding Vegetation, within 50m (bold to relevant descriptor)

Projective Foliage Cover of Tallest Stratum (%)									
Tallest Stratum	Dense (70-100)		Mid Den (30-70)		Sparse(10-30)		Very Sparse(<10)	
Trees >30	Tall closed	Forest	Tall open	Forest	Tall	Woodland	Tall open	Woodland
Trees10-30	Closed		Open		Woodland		Open	
Trees5-10	Low closed		Low open		Low		Low open	
Shrubs2-8	Closed Shrub		Open Shrub		Tall shrubland		Tall open shrubland	
Shrubs<2	Closed Heath		Open Heath		Low shrubland		Low open shrubland	
Herbs/grass (<2m)	Closed herb/ grassland		Herb/ grassland		Open Herb/ grassland		Ephemeral Herb grassland	

Ground Cover (%)

	Dense (70-100)	Mid Den (30-70)	Sparse(10-30)	Very Sparse(<10)
Shrubs2-8	Closed Shrub	Open Shrub	Tall shrubland	Tall open shrubland
Shrubs<2	Closed Heath	Open Heath	Low shrubland	Low open shrubland
Herbs/grass (<2m)	Closed herb/ grassland	Herb/ grassland	Open Herb/ grassland	Ephemeral Herb grassland

COMMENT

Lot 600 Naturalist Tce
Field Report

Location ID

LOC: COF271_A2 **Other ID:** wypt 661

GPS Coords: **E** 324079 **N** 6279307

Auditor: **hvw** **Date:** 26/7/19 **Time:** 10:29

Site Characteristics

Adjacent to W-E alignment of proposed power cable along S border of Lot 600. Low Open Forest with mixture of Peppermint, Marri with ocasional Melaleuca to the E. Single large drey in mature coppiced Peppermint, approximately 11 m (line of sight) from the alignment at an elevation of approximately 8m. Canopy in contact with surrounding Peppermint trees.

Surrounding Vegetation, within 50m (bold to relevant descriptor)

Projective Foliage Cover of Tallest Stratum (%)											
Tallest Stratum	Dense (70-100)		Mid Den (30-70)		Sparse(10-30)		Very Sparse(<10)	
Trees >30	Tall closed	Forest	Tall open	Forest	Tall	Woodland	Tall open	Woodland
Trees10-30	Closed		Open		Woodland		Open	
Trees5-10	Low closed		Low open		Low		Low open	
Shrubs2-8	Closed Shrub		Open Shrub		Tall shrubland		Tall open shrubland	
Shrubs<2	Closed Heath		Open Heath		Low shrubland		Low open shrubland	
Herbs/grass (<2m)	Closed herb/ grassland		Herb/ grassland		Open Herb/ grassland		Ephemeral Herb grassland	

Ground Cover (%)

	Dense (70-100)	Mid Den (30-70)	Sparse(10-30)	Very Sparse(<10)
Shrubs2-8	Closed Shrub	Open Shrub	Tall shrubland	Tall open shrubland
Shrubs<2	Closed Heath	Open Heath	Low shrubland	Low open shrubland
Herbs/grass (<2m)	Closed herb/ grassland	Herb/ grassland	Open Herb/ grassland	Ephemeral Herb grassland

COMMENT

EndPlan Environmental

Ray Village Aged Care Services Inc t/a Capecare
ENVIRONMENTAL MANAGEMENT PLAN
ARMSTRONG RESERVE, DUNSBOROUGH - URBAN AND COMMERCIAL DEVELOPMENT

Date: 26 July 2019
Drawn: B. Van der Wiele

DREY LOCATIONS, 26 JULY 2019

Figure 1

Report No.

APPENDIX 4

DEVELOPMENT FOOTPRINT ENVIRONMENTAL INDUCTION NOTES
(Source: EndPlan Environmental, 2019)

ARMSTRONG VILLAGE - ENVIRONMENTAL INDUCTION SESSION

Environmental Approvals:

1. **State - Environmental Protection Act 1989**
2. **Commonwealth – Environment Protection and Biodiversity Conservation Act 1999**

Environmental Factors

1. **Specially Protected Fauna**
   - Western Ringtail Possum (*Pseudocheirus occidentalis*)
   - Coastal Plains Skink (Ctenotus ora)
2. **Protected Flora and Vegetation**
   - Dunsborough Spider Orchid (*Caladenia viridescens*) (translocated from clearing envelope into the Reserve
   - Priority Ecological Community (located surrounding the clearing envelope)

ISSUES TO BE ADDRESSED DURING CONSTRUCTION

Vegetation Retention:

- No more than **0.9020** ha is to be cleared.
- Clearing area boundary to be surveyed and cordoned off.

Dieback Hygiene Management:

- Contain risk of spreading dieback into non-infested areas both on and off-site.
- Clean down area to be set up.
- Vehicles to be clean upon entry/exit.

Record Keeping

- Highly important!
- Henk van der Wiele is the project Environmental Auditor and will conduct Compliance Assessments for both the State and Commonwealth Ministerial Approvals.
- EndPlan Environmental to provide an audit schedule and record keeping template to Perkins. Recommended to be used.

Commencement Date:

- Perkins to advise Bernadette van der Wiele of exact commencement date.
- EndPlan Environmental will then prepare a letter notifying the commencement date to be sent to Department of Environmental Regulation within 30 days of commencement.

Fencing:

- Break in fence for fauna to escape to remainder of the reserve.
- Dust fencing to be arranged.

Fauna:

- A fauna specialist will be present throughout the vegetation clearing process.
- If a WRP is observed in a tree, then clearing is to stop while the fauna specialist captures and relocates the individual.

Tables 3 and 5 (over the page) are from the approved Environmental Management Plan prepared for Armstrong Reserve. Information that has been **shaded** relates to management actions that are to be implemented either by Perkins (and their subcontractors)/or in association with Perkins (and their subcontractors) during the construction of Armstrong Village.

TABLE 3: Flora and Vegetation Management Actions, Targets, Monitoring and Reporting Requirements

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
1. Implement the recommended *Phytophthora cinnamomi* Dieback management measures identified in the Dieback Management Plan (DMP) (**Appendix 7**). 2. Source materials (including clean fill, landscaping soils and mulch) and machinery brought into the development envelope and/or the Reserve from *Phytophthora* Dieback free suppliers. 3. Plants used in revegetation areas within the Reserve are to be sourced from NIASA accredited nurseries and must be certified by the supplier as being *Phytophthora* Dieback and weed-free.	To minimise the spread of existing Dieback infected areas and to reduce the risk of new infestations occurring within Armstrong Reserve.	1. Monitor the implementation and compliance of each management measure identified in the DMP. 2. Re-validate the *Phytophthora* mapping annually to ensure no evidence of further dieback infestation.	1. Revalidation mapping results to be provided to the DBCA Blackwood Office and the City of Busselton. 2. Management measures identified in the DMP to be addressed in the annual Compliance Assessment Report (CAR) to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.
4. Translocate the *Caladenia viridescens* individual located within the development envelope to Armstrong Reserve. 5. Conduct a re-survey of the translocated individual each flowering period (mid-September to late-October) in the first two years following transplanting.	To conserve and protect the Threatened Flora species *Caladenia viridescens*.	1. Conduct annual re-survey of translocated individual each flowering period for 2 years post-translocation. **Note:** this work has been completed – refer to **Appendix 3**.	1. Ensure TF Licence Permit reporting requirements are fulfilled. 2. To be addressed in the annual CAR to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.
6. Prior to clearing commencing:	Clear no more than 9020 m^2 of native vegetation within the development	1. Clearing contractors clearing register.	To be addressed in the annual Compliance Assessment Report to be

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
(a) Re-survey the authorised extent of clearing using the authorized extent GPS coordinates with locations identified using star pickets/high visibility flagging tape. (b) Erect temporary fencing (using star pickets, flagging and sight wire) around the authorised extents. 7. Following completion of construction of the aged care facility, construct a permanent fence along the development envelope/Reserve interface (**Appendix 8**) to prevent unauthorised access into this area of vegetation.	envelope to protect threatened and priority flora and fauna and vegetation communities. Temporary fencing to remain *in situ* (for the duration of the clearing and earthworks phases) so that the area of PEC that is to be retained is clearly visible to all civil works and construction contractors.	2. Inspect initial clearing to ensure boundary lines meet requirements and check quarterly during construction. 3. Fly with UAV (drone) following clearing to obtain aerial imagery of cleared development envelope. 4. Monitor integrity of temporary fencing quarterly during construction. 5. Photographic evidence of permanent fence.	prepared by Capecare, submitted to the DEWR and published on the Capecare website.
8. Conduct a weed survey and map degraded areas within the Reserve. 9. Prior to a Weed Management Plan being prepared and any associated ground disturbance works commencing, consult the DBCA's South West Regional office to ensure that areas containing TF and/or the PEC are adequately protected. 10. Prepare a Weed Management Plan (WMP) for the Reserve. The WMP will include conducting a weed	To maintain the diversity of the Reserve's flora, ensure that no new Environmental Weeds or Weeds of National Significance (WONS) are introduced.	1. Establish permanent quadrats in each revegetation area to monitor the success rate of weed control measures and revegetation. GPS coordinates will be taken of each of the quadrats to ensure that the same locations are monitored at every monitoring event. 2. Conduct pre-clearing baseline data gathering of each quadrat. 3. Conduct quarterly weed monitoring.	1. The results of the weed survey will be provided to the City of Busselton and appropriate completion criteria agreed on. 2. Following completion of initial planting, the plant species and the numbers of each species planted in the revegetation areas will be provided to the City of Busselton by the rehabilitation contractor. 3. Six monthly monitoring reports will be prepared by the rehabilitation

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
survey to identify and map the weed species present, to prioritise the species' threat to the native vegetation of the Reserve and to determine the appropriate management measures to be implemented. 11. Implement the Weed Management Plan targeting the eradication of weeds species identified on the Weeds of National Significance (WONS) or Declared weeds and weeds identified as high priority (i.e. rhizomatous grasses, bulbous, woody and noxious weeds). 12. Implement revegetation **only** in degraded areas of vegetation identified through the weed mapping survey. 13. Where practicable, use local provenance seed stock for revegetation activities undertaken within the Reserve to maintain the genetic integrity and diversity of the Reserve's flora. 14. Implement a Revegetation Monitoring Program using permanent sampling quadrats to monitor the progress of revegetation within the Reserve.		4. Conduct six-monthly quadrat monitoring (endemic and introduced flora species) for 3-years following vegetation clearing. 5. During each monitoring event, collect photographic evidence of the quadrat with the date and quadrat identification number clearly shown.	contractor and submitted to the City of Busselton. 4. The six-monthly monitoring reports will be included in the annual CAR to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
15. Conduct infill planting in revegetation areas to ensure the completion criteria are met during the 3-year management period.			
16. Implement all management actions identified in Tables 5.1 and 5.2 of the City and DFES-approved Bushfire Management Plan (**Appendix 9**). 17. No construction work to be undertaken within the development envelope when there is a Total Fire Ban in place in the City of Busselton.	To minimise the risk of bushfire within and around the Reserve.	Monitor landowner compliance with the Bushfire Management Plan recommendations and the annual City of Busselton Firebreak Order.	To be addressed in the annual CAR to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.
18. Construct permanent Bushland Reserve Fencing Type B in keeping with the construction standards shown in **Appendix 8** along the boundary of the development/Reserve interface as identified on **Figure 4**. 19. Maintain the integrity of the permanent fencing. 20. Provide emergency and revegetation maintenance vehicle access at the two existing locked gates located along the existing firebreak: one at the Naturaliste Terrace entry and the other at the Gifford Road entry as identified in **Figure 4**.	To reduce unnecessary impacts to Armstrong Reserve by controlling access. To inform the community of the environmental value of conservation significant species and communities and the threats posed to them and the role that stakeholders play in protecting the ecological values of the Reserve.	1. Monitor (and photographic evidence) of permanent fencing following construction. 2. Quarterly monitoring of fencing for any necessary maintenance. 3. Quarterly monitoring (and photographic evidence) of permanent signage.	To be addressed in the annual CAR to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
21. Install interpretative and educational signage at strategic locations identified on **Figure 4**.			

TABLE 5: Terrestrial Fauna Management Actions, Targets, Monitoring and Reporting Requirements

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
1. Prior to vegetation clearing commencing within the development envelope, the following management measures designed to protect the existing PEC1 vegetation and associated fauna habitat that is to be retained will be undertaken: (a) The surveyor will GPS and record the coordinates of any Peppermint trees identified to be retained within the development envelope. (b) The environmental consultant will accompany the clearing contractor on a walkover of the development envelope to identify areas of vegetation marked for retention and to agree upon a process and timetable for clearing. 2. Prior to vegetation clearing commencing within the development envelope, the fauna specialist will: (a) Obtain a *Regulation 15 Licence to Take/Capture Fauna for Educational or Public Purposes* issued by the DBCA.	To protect and conserve the Critically Endangered *Pseudocheirus occidentalis* (Western Ringtail Possum).	1. On **two consecutive nights** during the week prior to vegetation clearing of the development envelope commencing: (a) Conduct a distance sampling survey of the *P. occidentalis* population within the Reserve using the transect lines identified in **Figure 5**. (b) Conduct a count of the drey and *P. occidentalis* population within the authorised development envelope as defined in **Appendix 2**) 2. Conduct distance sampling surveys of *P. occidentalis* within Armstrong Reserve **twice annually** for **three** years following commencement of vegetation clearing. The surveys will use the series of semi-permanent transects as shown as **Figure 5**. 3. Certify that the clearing contractor's induction has been conducted through induction register. 4. Photographic evidence taken of the vegetation clearing process.	1. The *P. occidentalis* monitoring reports will be included in the annual CAR to be prepared by Capecare, submitted to the DEWR and published on the Capecare website. 2. Within one month of the expiration of the *Regulation 15 Licence to Take/Capture Fauna for Educational or Public Purposes* Capecare's fauna specialist will provide the Director General of the DBCA a 'return' report. A copy of the 'return' report will also be provided to the proponent for issuing to the City of Busselton.

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
(b) On **two consecutive nights** during the week prior to vegetation clearing of the development envelope commencing, (i) Conduct a distance sampling survey of the *P. occidentalis* population within the Reserve using the transect lines identified in **Figure 5**. The survey will establish a new baseline of the *P. occidentalis* population against which subsequent post-clearing survey data will be measured. (j) Conduct a count of the drey and *P. occidentalis* population within the authorised development envelope as defined in **Appendix 2**) and if practicable, remove all dreys and *P. occidentalis* located.		5. Check surveyors mapped location of any Peppermint tree to be retained within the development envelope.	
3. Immediately prior to vegetation clearing works commencing, Capecare's fauna specialist will inspect all trees and undergrowth contained within the authorised development envelope for the			

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
presence of any *P. occidentalis* and herd to suitable habitat located within the Reserve.			
4. The fauna specialist will be present throughout the clearing process to rescue any *P. occidentalis* that may be encountered by the clearing contractor.			
5. The environmental consultant will carry out an induction for all clearing contractor personnel regarding the conservation significance of *P. occidentalis* and the importance of following the approved clearing procedures.			
6. Initial clearing of the development envelope will commence with an experienced arborist removing branches of mature Peppermint trees to breast plate height using a chainsaw. Heavy machinery will then be used to remove tree stumps and undergrowth.			
7. Clearing will be conducted such that it achieves a progression of clearing in the direction toward the areas of remnant vegetation that is to be retained (e.g. working from Armstrong Place towards the Reserve to allow the *P. occidentalis* to move into the adjoining Reserve.			

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
8. All cleared vegetative debris from the development envelope will be removed from site on the same day as clearing takes place to prevent *P. occidentalis* from using the stockpiles as refuges. 9. During construction should injured fauna be found, contact the DBCA immediately to arrange for its care (DBCA Blackwood District Office: 9752 5555).			
10. Plantings in revegetation areas to be 100%, development envelope and street trees are to be planted with 80% tree and shrub species that are known to be primary habitat plant species for *P. occidentalis*.	Establish a self-sustaining vegetation community with flora species known to be primary foraging plants for *P. occidentalis*.	Planting lists and invoices indicate the proportion of *P. occidentalis* foraging plants versus other species is: (a) 100% in Armstrong Reserve revegetation areas; and (b) 80% in the development envelope and street trees.	1. Lists of species type and number will be reported to the City of Busselton following planting. 2. To be addressed in the annual Compliance Assessment Report to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.
11. If practicable, relocate selected *Banksia* logs and woody debris removed from within the development envelope to existing degraded areas on the perimeter of the Reserve. 12. Conduct a *Ctenotus ora* survey once only during Capecare's 3-year management period to determine the population of the species.	To protect and conserve the Priority species *Ctenotus ora* (Coastal Plains Skink).	1. Pre- and post-clearing photographic evidence of relocated logs and woody debris. 2. Conduct a single monitoring survey of *Ctenotus ora.*	1. *Ctenotus ora* survey report to be provided to the DBCA. 2. To be addressed in the annual Compliance Assessment Report to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.

MANAGEMENT ACTION	MANAGEMENT TARGET	MONITORING	REPORTING
.			
13. If required, install tree guards around tubestock used in the revegetation areas to prevent rabbits from eating seedlings. 14. Should signs of feral animals be observed during weed/revegetation inspections, engage a qualified pest controller to manage feral species. 15. Provide surrounding residents with a brochure containing information on the impacts of domestic pets on native fauna.	To control and minimise the impact of feral and domestic pets on the native flora and fauna of Armstrong Reserve and to raise community awareness of the impacts of domestic pets on the Reserve.	1. Quarterly weed monitoring to check for evidence of herbivoring and signs (scats, markings) of feral animals. 2. Copy of brochure to be sighted.	1. Signs of herbivoring or feral animals to be reported to Environmental Consultant for actioning. 2. To be addressed in the annual Compliance Assessment Report to be prepared by Capecare, submitted to the DEWR and published on the Capecare website.

APPENDIX 5

DEVELOPMENT FOOTPRINT ENVIRONMENTAL INDUCTION NOTES
(Source: EndPlan Environmental, 2019)

Date- 22 October 2019

NTF, Site Environmental Induction Meeting – Armstrong Reserve

Meeting was held as scheduled on 22 Oct 2019. Attendees are identified in the attached register. The following general points are relevant:

- Demolition currently taking place;
- Fauna relocation specialists attended the site yesterday (21 Oct 2019) and conducted the first night spotting exercise overnight;
- Anticipated commencement of clearing will be Monday, 28 October.

Carbone indicated they were experienced with clearing to minimise impacts on possums, having recently completed work for DPAW

Actions arising from induction and subsequent discussion:

1. Endplan requested to provide PCR with typical evidence (for information) to indicate compliance
2. Endplan requested to provide record keeping template. Example (waste topsoil / cleared vegetation material out, clean fill, aggregate in) discussed in terms of requirements to keep track of movements.
3. Cleaning procedures for vehicles. Location within a dieback area discussed. It was noted that all bulk early earthworks and construction materials (sand, aggregate) will need to be sourced from non-dieback infected areas, with appropriate record keeping demonstrating compliance. Need for cleaning of outgoing vehicles was discussed. The following points are relevant;
    a. Wheel washing, wash down facilities to be avoided as it introduces water to site and would result in more sand being transported offsite on tyres etc,
    b. Dry brushing or similar techniques were endorsed. Suggested DPAW guidelines may be suitable. Endplan to obtain DPAW 'field' methods for vehicle dieback decontamination and circulate,
4. Carbone (Steve) advised they may have a grate at in the yard and would provide to the site (shake mud from trucks before leaving in public roads);
5. There was concern in relation to point 6 in Table 5 (terrestrial fauna management actions), specifically need for an experienced arborist. Agreed clearing method to be decided by faunal relocation expert. Carbone will have a chain saw on site and experienced operator with identified method is proposed to be implemented.

> 6. Initial clearing of the development envelope will commence with an experienced arborist removing branches of mature Peppermint trees to breast plate height using a chainsaw. Heavy machinery will then be used to remove tree stumps and undergrowth.

6. Walk through delayed until Monday morning immediately before commencement of clearing (HvdW to attend site at 0700).

'ARMSTRONG VILLAGE' ENVIRONMENTAL INDUCTION REGISTER

NOTE: This Register is to be used for recording the details of all Perkins contractors and subcontractors that have completed the environmental training provided by EndPlan Environmental.

Date	Name	Company	Signature
22/10/19	A.H. VAN DER WIELE	ENDPLAN ENVIRONMENTAL	
22.10.19	CLINTON WOOD	PERKINS	
22/10/19	DAMIEN O'DONOGHUE	PERKINS	
22/10/19	MATTHEW SAROULE.	SWCM	
"	STUART GIBBARD	CARPETCARE	
22/10/19	Steven Calvert	Calvert Perkins	
22/10/19.	STEVE LARSSON		
22.10.19	Michael Pollie	Canbar	

APPENDIX 6

REGULATION 28 FAUNA TAKING (RELOCATION) LICENCE (Source: Department of Biodiversity, Conservation and Attractions, 2019)

Department of **Biodiversity, Conservation and Attractions**

GOVERNMENT OF WESTERN AUSTRALIA

FAUNA TAKING (RELOCATION) LICENCE

Regulation 28, Biodiversity Conservation Regulations 2018

Licence Number: FR28000071

Licence Holder: Ms Susan Veronica Elscot
Green Iguna
PO Box 601
Dunsborough WA 6281

Date of Issue: 18/10/2019

Date Valid From: 18/10/2019
Date of Expiry: 17/10/2020

LICENSED ACTIVITIES

Subject to the terms and conditions on this licence, the licence holder may –

1. Take and disturb fauna (capture vertebrate fauna using hand capture techniques, hand net, and/or catch pole and bag, disturb fauna by herding, and potential disturbance of fauna during non-capture survey and monitoring methods, spotlighting, head torching and thermal survey techniques), prior to and during the vegetation clearing program for land development (Ray Village Aged Services Incorporated trading as Capecare)

2. Relocate (transport and release) captured fauna immediately into adjacent habitat, outside of the impact area, and possums may be temporarily held during the day and released after dusk on the day of capture.

LOCATIONS

1. Armstrong Reserve (comprising of (take site) Lot 600 (Capecare), and (release sites) Lots 601 & 3000 (Crown reserve R25229 City of Busselton), and Lot 258 (Crown reserve R40445 Water Corporation), Naturaliste Terrace, Dunsborough, South West Region.

AUTHORISED PERSONS

1. Susan Veronica Elscot
2. Darren Brearley

CONDITIONS

1. The licence holder must not:
   a) release any fauna in any area where it does not naturally occur;
   b) transfer fauna to any other person or authority unless approved in writing by the CEO; or
   c) dispose of the remains of fauna in any manner likely to confuse the natural or present day distribution of the species.

2. Any inadvertently captured species of fauna which is listed as threatened, extinct or specially protected (*Biodiversity Conservation Act 2016*) is to be released as directed by the CEO, or a wildlife officer. Where the fauna is injured or deceased, the licence holder shall contact the DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au) for advice on treatment or disposal. Details of such fauna must be included in the fauna taking return as required under this licence.
3. The written authorisation of the person in possession or occupation of the land accessed and upon which fauna is taken and/or disturbed, and released, as required under regulation 101(2) and referred to in "Additional information" section below, must:
   a) state location details (including lot or location number, street/road, suburb and local government authority);
   b) state land owner or occupier name, and contact phone number;
   c) specify the time period that the authorisation is valid for;
   d) be signed and dated; and
   e) be attached to this licence at all times.
4. This licence must be carried at all times while conducting licensed activities and be produced on demand by a wildlife officer.
5. Licence holder is to advise the department's Regional Wildlife Officer Bunbury of any fauna handled under this licence, including basic morphometric measurements and release location.
6. Licence holder to ensure the fate and location of fauna injured during the clearing operation are to be reported to the local Departmental Regional Wildlife Officer Bunbury within (24hrs) of the injury being detected
7. The licence holder must ensure a post clearing fauna relocation report will be submitted to the Department's South West Region Bunbury Office, marked Attention: Regional Wildlife Officer within 10 working days of the completion of the clearing operation.
8. The licence holder must create, compile and maintain records and information as required in a DBCA approved "Return of Fauna Relocated" of all fauna relocation activities as they occur.
9. A DBCA approved "Return of Fauna Relocated" must be completed in full (including nil taking details) and submitted to DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au) prior to the expiry of this licence (refer to "Additional Information" section below).

Danny Stefoni
LICENSING OFFICER
WILDLIFE PROTECTION BRANCH

Delegate of CEO

ADDITIONAL INFORMATION

1. The licence holder, if affected by a condition imposed in this licence, may apply to the State Administrative Tribunal for review of the decision of the CEO to impose that condition on a licence: regulation 89(2) Biodiversity Conservation Regulations 2018.

2. A person must not contravene a condition of a licence. The penalty for an offence involving the contravention of a condition of a licence is a fine of $10 000: regulation 84 of the Biodiversity Conservation Regulations 2018.

3. It is an offence for persons authorised by this licence to enter land that is not in their possession or under their control without first having the *prior* written authorisation of the current owner or occupier of the land to:

   a) enter the land; and

   b) carry out the activity authorised by this licence.

   The penalty for this offence is a fine of $5 000: regulation 101(2) of the Biodiversity Conservation Regulations 2018.

4. The licence holder must be able to produce for inspection upon request any information or records required by regulation 85(2) of the Biodiversity Conservation Regulations 2018 Penalty $10 000. It is an offence to knowingly include false or misleading information or make statements in records: regulation 85(3) of the Biodiversity Conservation Regulations 2018 Penalty $10 000. It is an offence to include any information or make any statement in a return that the licence holder knows to be false or misleading in a material particular: regulation 86 (2) of the Biodiversity Conservation Regulations 2018 Penalty $10 000.

5. The approved DBCA “Return of Fauna Relocated” data file can be downloaded from the DBCA webpage (https://www.dpaw.wa.gov.au/plants-and-animals/licences-and-authorities).

GOVERNMENT OF WESTERN AUSTRALIA

Department of **Biodiversity, Conservation and Attractions**

AUTHORISATION TO TAKE OR DISTURB THREATENED SPECIES

Section 40 of the Biodiversity Conservation Act 2016

AUTHORISATION DETAILS

Authorisation type: Fauna

Authorisation number: TFA 2019-0095

Authorisation duration: From date signed by Minister's delegate, below, until 31 October 2020.

AUTHORISATION HOLDER

Susan Veronica Elscot

Green Iguana

PO Box 601

Dunsborough WA 6281

AREA TO WHICH THIS AUTHORISATION APPLIES

Armstrong Reserve (comprising of (take site) Lot 600 (Capecare), and (release sites) Lots 601 & 3000 (Crown reserve R25229 City of Busselton), and Lot 258 (Crown reserve R40445 Water Corporation), Naturaliste Terrace, Dunsborough, South West Region.

AUTHORISED ACTIVITY

Purpose of taking/disturbance:

Relocation of fauna prior to and during vegetation clearing (pre-clearance surveys, capture and release) specifically targeting the Western Ringtail Possum, and monitoring of fauna ,due to potential impact on the fauna from a portion of the reserve being cleared for development. Take and disturbance activities will be in accordance with the Environmental Management Plan for Armstrong Reserve, Dunsborough - Urban and Commercial Development (Ministerial Statement 1094 (May 2019, prepared for Ray Village Aged Services Incorporated trading as Capecare, by EndPlan Environmental) and conditions on approvals under the Environmental Protection Act 1986 (Ministerial Statement No. 1094) and Environment Protection and Biodiversity Conservation Act 1999 (EPBC 2006-2834).

Threatened species authorised to be taken/disturbed (including conservation status):

Western ringtail possum, *Pseudocheirus occidentalis* (Critically Endangered)

Quantity of threatened species authorised to be taken/disturbed:

Any number of individual animals of the above listed threatened fauna species may potentially be captured and relocated and/or disturbed by the survey, relocation and monitoring activities.

Authorised taking/disturbance methodology:

Undertake pre-clearance surveys and relocation of fauna in accordance with the Environmental Management Plan.

……MB……. (Delegates initials)

"[Table 5: Management Action] *2. Prior to vegetation clearing commencing within the development envelope, the fauna specialist will:*

(b) On two consecutive nights during the week prior to vegetation clearing of the development envelope commencing,

(i) Conduct a distance sampling survey of the P. occidentalis population within the Reserve using the transect lines identified in Figure 5 [attached]*. The survey will establish a new baseline of the P. occidentalis population against which subsequent post-clearing survey data will be measured.*

(j) Conduct a count of the drey and P. occidentalis population within the authorised development envelope as defined in Appendix 2 [Ministerial Statement No. 1094] *and if practicable, remove all dreys and P. occidentalis located.*

3. Immediately prior to vegetation clearing works commencing, Capecare's fauna specialist will inspect all trees and undergrowth contained within the authorised development envelope for the presence of any P. occidentalis and herd to suitable habitat located within the Reserve.

4. The fauna specialist will be present throughout the clearing process to rescue any P. occidentalis that may be encountered by the clearing contractor.

[Table 5: Monitoring] *2. Conduct distance sampling surveys of P. occidentalis within Armstrong Reserve… following commencement of vegetation clearing. The surveys will use the series of semipermanent transects as shown as Figure 5."*

In addition to the fauna survey, relocation and monitoring methods within the Environmental Management Plan, fauna may be captured using hand capture techniques, and surveyed and monitored via spotlighting, head torching and the use of thermal survey techniques. Captured fauna will be released into adjacent suitable habitat outside of the development envelope.

Captured western ringtail possums may have morphometric and condition details recorded (sex and reproductive condition), and will be released immediately into adjacent suitable habitat outside of the development envelope or may be temporarily held during the day and released on the day of capture at an appropriate time and place to minimise risk of predation or exposure.

ADDITIONAL AUTHORISED PERSONS

Darren Brearley

Additional personnel who are suitably qualified and experienced in the authorised activities working under the direction of the authorisation holder or named additional authorised person.

Volunteer field assistants assisting with the authorised activities working under the direct supervision of the authorisation holder or named additional authorised person.

CONDITIONS

1. Undertake survey, relocation and monitoring in accordance with the Environmental Management Plan for Armstrong Reserve, Dunsborough – Urban and Commercial Development (Ministerial Statement 1094 (May 2019, prepared for Ray Village Aged Services Incorporated trading as Capecare, by EndPlan Environmental) and conditions on approvals under the *Environmental Protection Act 1986* (Ministerial Statement No. 1094) and *Environment Protection and Biodiversity Conservation Act 1999* (EPBC 2006-2834).
2. The written authorisation of the person in possession or occupation of the land accessed and upon which threatened fauna is taken or disturbed must:
   a) state location details (including lot or location number, street/road, suburb and local government authority);
   b) state land owner or occupier name, and contact phone number;

…….MB……. (Delegates initials)

c) specify the time period that the authorisation is valid for;

d) be signed and dated; and

e) be attached to this Authorisation to take or disturb threatened species at all times.

3. This Authorisation to take or disturb threatened species, and any other written authorisation or lawful authority which authorises the take or disturbance of fauna on specified locations for the authorised activities must be carried at all times while conducting authorised activities and be produced on demand by a wildlife officer.
4. The authorisation holder, unless specified in the authorised activities, must not:
   a) release any threatened fauna in any area where it does not naturally occur;
   b) transfer threatened fauna to any other person or authority (other than the Western Australian Museum) unless the fauna is injured or abandoned fauna (condition 5); or
   c) dispose of the remains of threatened fauna in any manner likely to confuse the natural or present-day distribution of the species.
5. All threatened fauna injuries, unexpected deaths, unplanned euthanasia, and abandoned young or eggs, must be reported by the authorisation holder to the DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au) to notify of the incident and for advice on treatment or disposal. All deceased threatened fauna must be offered to the Western Australian Museum.
6. The authorisation holder must create, compile and maintain records and information as required in a DBCA approved "Return of Fauna Taken" of all fauna taking activities as they occur.
7. A DBCA approved "Return of Fauna Taken" must be completed in full (including nil taking details) and submitted to DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au) prior to the end of each annual period of the licence (from the valid from date) (refer to "Additional Information" section below). Where a licence to take or disturb fauna is issued in conjunction with this Authorisation to take or disturb threatened species, a combined "Return of Fauna Taken" may be completed and submitted.
8. A written report detailing the undertaken authorised activities, outcome, unintended incidents, injuries and mortalities of threatened fauna, implemented monitoring, mitigation and management, and explaining the records and information as required in a DBCA approved "Return of Fauna Taken" must be submitted, in addition to a "Return of Fauna Taken", to DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au).

ADDITIONAL INFORMATION

1. Before undertaking the Authorised Activity, permission must be obtained from: (a) the owner or occupier of private land; or (b) the Department or Authority controlling Crown land, on which the Threatened Fauna occur. This includes obtaining the written endorsement from Department of Biodiversity, Conservation and Attractions (DBCA) if the authorised activity is proposed for land managed by DBCA.
2. This Authorisation to take or disturb threatened species does not constitute lawful authority issued under regulations 4 and 8 of the *Conservation and Land Management Regulations 2002*. Contact the applicable Department District Officer for further information.
3. The approved DBCA "Return of Fauna Taken" data file can be downloaded from the DBCA webpage (https://www.dpaw.wa.gov.au/plants-and-animals/licences-and-authorities).
4. Any interaction involving nationally listed threatened fauna that may be harmful to the fauna and/or invasive may require approval from the Commonwealth Department of the Environment and Energy (http://www.environment.gov.au/biodiversity/threatened/permits). Interaction with such species is controlled by the Commonwealth *Environment Protection and Biodiversity*

…….MB……. (Delegates initials)

Conservation Act 1999 and *Environment Protection and Biodiversity Conservation Regulations 2000*.

5. It is the responsibility of the authorisation holder to ensure that they comply with the requirements of all applicable legislation.
6. An Authorisation to take or disturb threatened species does not constitute an animal ethics approval or a licence to use animals for scientific purposes as required under the *Animal Welfare Act 2002, Animal Welfare (Scientific Purposes) Regulations 2003*. Enquiries relating to the Animal Welfare Act licences and animal ethics approvals are to be directed to the Western Australian Department of Primary Industries and Regional Development (https://www.agric.wa.gov.au/animalwelfare).

Margaret Byrne …… ...

Dr Margaret Byrne

Executive Director of Biodiversity and Conservation Science

AS DELEGATE OF THE MINISTER

DATE: ....17.../.....10...../2019

Department of **Biodiversity, Conservation and Attractions**

GOVERNMENT OF WESTERN AUSTRALIA

FAUNA TAKING (RELOCATION) LICENCE

Regulation 28, Biodiversity Conservation Regulations 2018

Licence Number: FR28000071

Licence Holder: Ms Susan Veronica Elscot
Green Iguna
PO Box 601
Dunsborough WA 6281

Date of Issue: 18/10/2019

Date Valid From: 18/10/2019
Date of Expiry: 17/10/2020

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Subject to the terms and conditions on this licence, the licence holder may –

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2. Relocate (transport and release) captured fauna immediately into adjacent habitat, outside of the impact area, and possums may be temporarily held during the day and released after dusk on the day of capture.

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AUTHORISED PERSONS

1. Susan Veronica Elscot
2. Darren Brearley

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   a) release any fauna in any area where it does not naturally occur;
   b) transfer fauna to any other person or authority unless approved in writing by the CEO; or
   c) dispose of the remains of fauna in any manner likely to confuse the natural or present day distribution of the species.

2. Any inadvertently captured species of fauna which is listed as threatened, extinct or specially protected (*Biodiversity Conservation Act 2016*) is to be released as directed by the CEO, or a wildlife officer. Where the fauna is injured or deceased, the licence holder shall contact the DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au) for advice on treatment or disposal. Details of such fauna must be included in the fauna taking return as required under this licence.
3. The written authorisation of the person in possession or occupation of the land accessed and upon which fauna is taken and/or disturbed, and released, as required under regulation 101(2) and referred to in "Additional information" section below, must:
   a) state location details (including lot or location number, street/road, suburb and local government authority);
   b) state land owner or occupier name, and contact phone number;
   c) specify the time period that the authorisation is valid for;
   d) be signed and dated; and
   e) be attached to this licence at all times.
4. This licence must be carried at all times while conducting licensed activities and be produced on demand by a wildlife officer.
5. Licence holder is to advise the department's Regional Wildlife Officer Bunbury of any fauna handled under this licence, including basic morphometric measurements and release location.
6. Licence holder to ensure the fate and location of fauna injured during the clearing operation are to be reported to the local Departmental Regional Wildlife Officer Bunbury within (24hrs) of the injury being detected
7. The licence holder must ensure a post clearing fauna relocation report will be submitted to the Department's South West Region Bunbury Office, marked Attention: Regional Wildlife Officer within 10 working days of the completion of the clearing operation.
8. The licence holder must create, compile and maintain records and information as required in a DBCA approved "Return of Fauna Relocated" of all fauna relocation activities as they occur.
9. A DBCA approved "Return of Fauna Relocated" must be completed in full (including nil taking details) and submitted to DBCA Wildlife Licensing Section (wildlifelicensing@dbca.wa.gov.au) prior to the expiry of this licence (refer to "Additional Information" section below).

Danny Stefoni
LICENSING OFFICER
WILDLIFE PROTECTION BRANCH

Delegate of CEO

ADDITIONAL INFORMATION

1. The licence holder, if affected by a condition imposed in this licence, may apply to the State Administrative Tribunal for review of the decision of the CEO to impose that condition on a licence: regulation 89(2) Biodiversity Conservation Regulations 2018.

2. A person must not contravene a condition of a licence. The penalty for an offence involving the contravention of a condition of a licence is a fine of $10 000: regulation 84 of the Biodiversity Conservation Regulations 2018.

3. It is an offence for persons authorised by this licence to enter land that is not in their possession or under their control without first having the *prior* written authorisation of the current owner or occupier of the land to:

   a) enter the land; and

   b) carry out the activity authorised by this licence.

   The penalty for this offence is a fine of $5 000: regulation 101(2) of the Biodiversity Conservation Regulations 2018.

4. The licence holder must be able to produce for inspection upon request any information or records required by regulation 85(2) of the Biodiversity Conservation Regulations 2018 Penalty $10 000. It is an offence to knowingly include false or misleading information or make statements in records: regulation 85(3) of the Biodiversity Conservation Regulations 2018 Penalty $10 000. It is an offence to include any information or make any statement in a return that the licence holder knows to be false or misleading in a material particular: regulation 86 (2) of the Biodiversity Conservation Regulations 2018 Penalty $10 000.

5. The approved DBCA “Return of Fauna Relocated” data file can be downloaded from the DBCA webpage (https://www.dpaw.wa.gov.au/plants-and-animals/licences-and-authorities).

APPENDIX 7

CLEARING AND DEMOLITION DRAWING
(Source: Ascent Engineering, 2019)

NOTES

1. GENERAL:
   - 1.1. ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ASCENT ENGINEERING SPECIFICATION 18006-02 "ARMSTRONG VILLAGE - CIVIL WORKS SPECIFICATION"
   - 1.2. EXISTING PUBLIC UTILITY AND BURIED SERVICE INFORMATION SHOWN ON THE DRAWINGS IS INDICATIVE ONLY AND MAY NOT BE COMPLETE. LOCATE ALL EXISTING SERVICES PRIOR TO COMMENCEMENT OF WORKS (REFER TO <HTTP://WWW.1100.COM.AU/>). REPORT ANY CONFLICTS TO THE CIVIL ENGINEER.
   - 1.3. WHERE WORKS ARE CARRIED OUT IN ROAD RESERVES, OBTAIN CITY OF BUSSELTON APPROVALS PRIOR TO COMMENCEMENT AND IMPLEMENT TRAFFIC MANAGEMENT TO THE CITY'S REQUIREMENTS.
2. SURVEY SETOUT:
   - 2.1. THE PLAN POSITION OF ALL CIVIL WORKS (CLEARING, EARTHWORKS, ROADWORKS, PATHS AND CIVIL STORMWATER DRAINAGE) SHALL BE SETOUT BY THE CONTRACTOR'S SURVEYOR USING DIGITAL INFORMATION SUPPLIED BY THE CIVIL ENGINEER WHICH SHALL THEN BE VERIFIED BY THE CONTRACTOR AGAINST ALL OTHER SETOUT DIMENSIONS SHOWN ON THE DRAWINGS INCLUDING OFFSET DIMENSIONS FROM LOT BOUNDARIES, DESIGN ROAD CENTRELINES, PROPOSED BUILDINGS AND OTHER SITE FEATURES, PRIOR TO COMMENCING CONSTRUCTION.
   - 2.2. THE WORKS SHALL BE SETOUT TO THE FINISHED LEVELS SHOWN ON THE DRAWINGS AND SHALL MAKE SMOOTH TRANSITION TO EXISTING WORK.
   - 2.3. ALL DIMENSIONS ARE SHOWN IN METRES UNLESS OTHERWISE NOTED.
   - 2.4. REFER ANY SET OUT DISCREPANCIES TO THE CIVIL ENGINEER.
3. CLEARING:
   - 3.1. NOT ALL EXISTING TREES HAVE BEEN CAPTURED BY SURVEY OR ARE SHOWN ON THIS PLAN. INSPECT THE SITE TO CONFIRM CLEARING REQUIREMENTS. CLEARING OF EXISTING TREES SHALL BE LIMITED TO THE MINIMUM REQUIRED TO FACILITATE THE WORKS AS FURTHER DETAILED IN NOTE 3.2.
   - 3.2. ALL VEGETATION WITHIN THE "LIMIT OF CLEARING" BOUNDARY SHALL BE CLEARED EXCEPT:
     - 3.2.1. TREES INDICATED BY THE TREE GRAPHIC SYMBOL ON THIS DRAWING SHALL REMAIN UNCLEARED, INCLUDING THOSE TREE SYMBOLS NOT LABELED WITH TREE IDENTIFICATION NUMBER AND SPECIES.
     - 3.2.2. CLEARING WITHIN "UNFILLED AREAS" A, B, C & D SHALL BE RESTRICTED TO UNDERSTOREY CLEARING ONLY AND SHALL BE UNDERTAKEN AS DIRECTED BY THE PRINCIPAL'S LANDSCAPE CONSULTANT ON SITE, EXCEPT FOR FULL CLEARING REQUIRED ALONG SERVICE TRENCHES.
   - 3.3. SETOUT AND CONFIRM THE EXTENT OF CLEARING WITH THE CIVIL ENGINEER AND THE LOCAL AUTHORITY PRIOR TO COMMENCEMENT.
   - 3.4. ERECT TEMPORARY PERIMETER FENCING AS SPECIFIED, PRIOR TO COMMENCEMENT OF CLEARING.
   - 3.5. DO NOT BURN CLEARED MATERIAL ON SITE. DISPOSE OFFSITE ALL CLEARED VEGETATION MATERIALS TO THE REQUIREMENTS OF THE LOCAL AUTHORITY AND PAY ALL TIPPING FEES.
4. DEMOLITION:
   - 4.1. THE CONTRACTOR SHALL DEMOLISH ALL STRUCTURES AND REDUNDANT INFRASTRUCTURE WITHIN THE ENTIRE AREA OF LOT 600 AND ALL OTHER ITEMS SPECIFICALLY NOTED FOR DEMOLITION (REGARDLESS OF BEING INSIDE OR OUTSIDE OF LOT 600).
   - 4.2. THE CONTRACTOR SHALL LOCATE AND DEMOLISH ALL SEPTIC SEWER SYSTEMS INCLUDING TANKS, PIPES, ASSOCIATED DRAINAGE SYSTEMS (SOAK WELLS OR LEACH DRAINS) AND ANY STORMWATER DISPOSAL SYSTEMS, INCLUDING THOSE NOT SHOWN OR INDVIDUALLY IDENTIFIED ON THIS DRAWING. THESE ITEMS SHALL BE DECOMMISSIONED IN ACCORDANCE WITH THE HEALTH (TREATMENT OF SEWERAGE AND DISPOSAL OF EFFLUENT AND LIQUID WASTE) REGULATIONS 1974, REMOVED, FILLED WITH CLEAN SAND AND COMPACTED TO THE REQUIREMENTS SPECIFIED FOR LOT FILL/ EMBANKMENT CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE CERTIFICATION FROM A LICENSED PLUMBER THAT THE SITE HAS BEEN INSPECTED AND ALL SEPTIC TANKS, SOAK WELLS, LEACH DRAINS AND ANY ASSOCIATED PIPEWORK HAVE BEEN REMOVED.
5. REINSTATEMENT:
   - 5.1. ALL ROAD AND DRIVEWAY CROSSINGS, VERGES AND OTHER AREAS AFFECTED BY THE WORKS SHALL BE REINSTATED TO A CONDITION EQUAL OR BETTER THAN BEFORE WORKS COMMENCED.

LEGEND

ITEMS TO BE CLEARED OR DEMOLISHED:

1. VEGETATION WITHIN THE "LIMIT OF CLEARING BOUNDARY" - REFER TO NOTE 3.2.
2. ALL REDUNDANT STRUCTURES AND INFRASTRUCTURE WITHIN THE ENTIRE AREA OF LOT 600 - REFER TO NOTES 4.1 & 4.2
3. ALL EXISTING BOUNDARY FENCES AND INTERNAL FENCES
4. NATURALISTE TCE, ARMSTRONG PL & GIFFORD RD CONCRETE PATHS TO THE EXTENT SHOWN HATCHED
5. NATURALISTE TCE, ARMSTRONG PL & GIFFORD RD KERBS TO THE EXTENT SHOWN
6. BITUMISED SEAL
7. REDUNDANT INTERNAL WATER SERVICE
8. OVERHEAD POWER (CONSUMER SERVICE)
9. SEPTIC TANK/S AND ALL OTHER EXISTING SEWERS AND DRAINS WITHIN THE ENTIRE LOT 600 SITE AREA TO BE DECOMMISSIONED (REFER NOTE 2.4)

- BUILDINGS TO DEMOLISH
- CONCRETE PAVEMENTS/STRUCTURES TO DEMOLISH
- BITUMISED SEAL TO DEMOLISH
- KERB TO DEMOLISH

ITEMS TO BE SALVAGED FOR RELOCATION:

10. STREET SIGNS - REFER DRG 19003-C05

ITEMS TO BE DEMOLISHED/REMOVED BY OTHERS:

11. OVERHEAD POWER (WESTERN POWER MAINS & CONSUMER SERVICE) - TO BE REMOVED BY WESTERN POWER - REFER ELEC. DRAWINGS.

TREES TO REMAIN (NOTE 4.2):

27N TREE IDENTIFICATION NUMBER & SPECIES

TREE SPECIES:

- N NUYTSIA FLORIBUNDA (CHRISTMAS TREE)
- C CORYMBIA CALOPHYLLA (MARRI)
- A AGONIS FLEXUOSA (PEPPERMINT)
- M MELALEUCA SPECIES

EXISTING SERVICES:

- E — UNDERGROUND POWER
- O/H — OVERHEAD POWER
- x O/H x — OVERHEAD POWER TO BE DEMOLISHED BY WESTERN POWER
- T — TELECOMMUNICATIONS
- W — WATER RETICULATION
- S — SEWERAGE RETICULATION GRAVITY MAINS
- SPM — SEWER PRESSURE MAIN
- D — STORMWATER DRAIN (PIPED)

PROPOSED SERVICES BY OTHERS:

- E — UNDERGOUND POWER (BY WESTERN POWER)
- S — SEWERAGE RETICULATION GRAVITY MAINS (BY OTHERS)

DIAL BEFORE YOU DIG www.1100.com.au

DATE	REV.	REVISION DESCRIPTION	DES	DRN	APP'D
1.08.19	0	ISSUED FOR CONSTUCTION	SD	SD	SD

CLIENT

CAPECARE
(RAY VILLAGE AGED SERVICES INC.)

ASCENT ENGINEERING
ABN: 51 771 579 448
PO Box 694
Dunsborough WA 6281
ph: 08 9759 1466

Vert. Datum: AUSTRALIAN HEIGHT DATUM (AHD)	Designed: SD
Horiz. Datum: MGA94 (ZONE 50)	Drawn: SD
Scale: 1 : 500	Approved: SD
100mm AT ORIGINAL SIZE	Original Size: A1

Project
LOT 600 NATURALISTE TCE, DUNSBOROUGH

Drawing Title
CLEARING AND DEMOLITION PLAN

Drawing Number: **18006-C01**

Revision: **0**

APPENDIX 8

ARMSTRONG RESERVE WESTERN RINGTAIL POSSUM SURVEY (Source: Onshore Environmental, 2019)

Armstrong Reserve
Targeted Western Ringtail Possum Survey

Prepared for Capecare
28 November 2019

Document Status						
Rev No.	Authors	Reviewer/s	Date	Approved for Issue		
				Name	Distributed To	Date
1	D.Brearley	S.Elscot	25/11/19	D.Brearley	M.Sproule	28/11/19

ACN 095 837 120
PO Box 227
YALLINGUP WA 6282
M 0427 339842
E-mail: info@onshoreenvironmental.com.au

TABLE OF CONTENTS

1.0 INTRODUCTION

1.1 Preamble

Armstrong Reserve is situated within the City of Busselton. It is located approximately 500 m north of the Dunsborough business centre and bounded by Armstrong Place to the south, Gifford Road to the east, and Naturaliste Terrace to the west (Figure 1). Armstrong Reserve has been gazetted into three lots with the City of Busselton retaining vesting of Reserve 25339 (Lots 3000 and 601) for the purpose of 'Landscape Protection', and Water Corporation retaining vesting of Reserve 40445 (Lot 258) for the purpose of 'Drainage'. A 1.28 ha portion of Armstrong Reserve has been excised to form Lot 600 to be managed by Capecare under the zoning 'Special Purpose - Aged Person Housing'. Development of an aged care facility at Lot 600 has recently commenced.

A number of commitments were made by Capecare as part of the project approval; these are outlined in the Environmental Management Plan for Armstrong Reserve, Dunsborough - Urban and Commercial Development (Ministerial Statement 1094, May 2019). One condition required a pre-clearance surveys to be undertaken within Armstrong Reserve, specifically targeting the Western Ringtail Possum *Pseudocheirus occidentalis* (Critically Endangered), due to potential impact on fauna from clearing of vegetation for development within Lot 600.

This report details the results of a targeted WRP survey of Armstrong Reserve over four nights in October 2019. The aim of the survey work was to record baseline data on the status and distribution of WRPs within the reserve. This will allow for comparison with future surveys to inform on potential impacts that the aged care development may have on WRPs in the area.

1.2 Scope of Works

The scope of works was to conduct a WRP survey, following closely the recommended procedures and requirements of the 'Development Planning Guidelines for a preliminary survey of WRPs' (DEC 2009). The aim of the survey work was to determine as accurately as possible the number and distribution of WRPs utilising Armstrong Reserve. The assessment included:

1. Daytime targeted search for evidence of WRPs (e.g. dreys, tree hollows, scats, individuals); and
2. Nocturnal count to determine the distribution and abundance of WRPs within Armstrong Reserve.

2.0 METHODOLOGY

2.1 Field Survey

A diurnal inspection of the site was carried out between the 21st and 22nd October 2019, with the principal aim of recording the location of dreys or other potential daytime refuge sites (e.g. tree hollows) and actual WRP individuals. The diurnal search involved a series of close spaced grid traverses (20m spacing or closer) carried out on foot using a GPS for guidance and as a data recorder.

The nocturnal count was undertaken on the 23rd and 24th October 2019. The sampling procedure involved systematic searching of the entire reserve by way of close spaced traverses (~20m spacing or closer) on foot, using a head torch to detect individual WRPs or their eye shine. The nocturnal counts were carried out using a handheld GPS for guidance and as a data recorder.

2.2 Survey constraints

The survey records and associated conclusions are based on field work undertaken over a short sampling period and must therefore be considered indicative of the environmental conditions of the site at that specific time. The effectiveness of targeted field surveys varies between sites in response to factors such as the size of area being surveyed, topography, access, vegetation structure and composition, weather, seasonality, and the experience of the ecologist. WRP surveys can be further complicated where the home range of animals crosses lot boundaries and influences continuity of records across multiple sampling nights.

The assessment reported on here has included one diurnal inspection to confirm vegetation types present and search for evidence of WRPs, and two nocturnal counts aimed at locating WRPs within Armstrong Reserve. The study area is relatively small approximating 3.51 ha, however dense understorey vegetation and seasonal inundation increased the difficulty of field survey. The number of WRPs observed at October 2019 represents the minimum number of WRPs that were using the site at the time of survey.

3.0 RESULTS

3.1 WRP Habitat within Armstrong Reserve

The description of flora and vegetation within Armstrong Reserve is informed by detailed flora and vegetation surveys undertaken in Spring 2005, 2006 and 2007 (Coffey Environment 2008) and 2009 (Ecoscape 2010). The reserve contains three distinct vegetation types as follows:

1. CcAfMxOF - *Corymbia calophylla, Agonis flexuosa* and mixed species Open Forest to Low Woodland occasionally over *Jacksonia furcellata* Tall Open Shrubland occasionally over *Acacia divergens, Acacia pulchella* and *Daviesia divaricata* Open Heath over *Xanthorrhoea preissii, Hibbertia hypericoides* and mixed species Open Low Heath to Low Shrubland over mixed Open Herbland and mixed Open to Very Open Sedgeland on dryland soils in a thin strip along the northern boundary as well as in the south-west corner of the site.
2. AfCcErBlLOF - *Agonis flexuosa* (Peppermint), *Corymbia calophylla* (Marri), *Eucalyptus rudis* (Flooded Gum) and *Banksia littoralis* (Swamp Banksia) Low Open Forest to Open Woodland over *Hakea varia, Jacksonia furcellata* and *Viminaria juncea* Tall Open Shrubland over Mixed Open Shrubland over *Hibbertia hypericoides* and *Xanthorrhoea* spp. Low Open Shrubland over *Mesomalaena tetragona* and mixed species Sedgeland over *Caesia micrantha* and *Conostylis aculeata* Very Open Herbland occurring at the transition from dryland to wetland soils in a thin strip near the northern boundary as well as in the south-east corner of the site.
3. MrErAfLOF - *Melaleuca rhaphiophylla, Eucalyptus rudis, Agonis flexuosa* Low Open Forest or Woodland over *Viminaria juncea, Hakea varia* Tall Open Shrubland over *Xanthorrhoea preissii* Low Open Shrubland to Low Open Heath over *Lepidosperma squamatum, Cyathochaeta avenacea, Tetraria capillaris* and mixed species Sedgeland on waterlogged (dampland) soils in the centre of the site extending from Naturaliste Terrace to Gifford Road.

The detection of WRP within the reserve is likely to vary between the different vegetation communities, with detection most difficult in areas supporting the densest tree canopy; *Melaleuca rhaphiophylla* low open forest (vegetation association 3) present in the lowest lying areas of the site. This was reflected in the distribution of WRP sightings, with more WRP found in the open woodland areas at the northern, north-eastern and north-western corners of the reserve.

3.2 WRP Observations

Evidence of WRP using vegetation within the reserve was confirmed by recording dreys ('nests' of small sticks and foliage used for daytime refuge) and tree hollows during daytime searches. Individual WRPs were then recorded during nocturnal surveys. Combined results are provided in Figure 2 and Appendix 1.

A total of 11 dreys and two suitable hollows were recorded within the reserve during daytime searches (Figure 2). Totals of 17 and 21 WRPs (Appendix 1) were recorded within the reserve during the two nights of nocturnal searches.

3.3 Comparison to Previous Surveys

The first targeted WRP survey undertaken at Armstrong Reserve[1] between the 5th and 8th of September and the 5th and 7th October 2005 recorded 19 and 21 WRPs respectively, along with 14 dreys (ATA Environmental 2006).

A later Level 2 fauna survey (Ecoscape 2012) estimated the population size (abundance) and density of WRPs at Armstrong Reserve using the 'Distance Sampling' methodology, as described by Buckland *et al*. (2004). A total of nine WRP were observed while spotlighting along the semi-permanent transects, with density estimated at six individuals per hectare (Ecoscape 2012).

The October 2019 survey by Onshore Environmental (17 and 21 individuals) is similar to the number of WRP recorded within Armstrong Reserve by ATA Environmental (2006) in September / October 2005 survey (19 and 21 individuals).

4.0 CONCLUSION

The October 2019 assessment confirms that remnant vegetation at Armstrong Reserve remains in very good condition and supports a stable and healthy population of WRP. The data provides an accurate baseline against which to compare results from any future surveys.

[1] It is noted that the entire reserve was surveyed, including the 1.28 ha which now forms Lot 600 and is currently being developed for aged care.

5.0 BIBLIOGRAPHY

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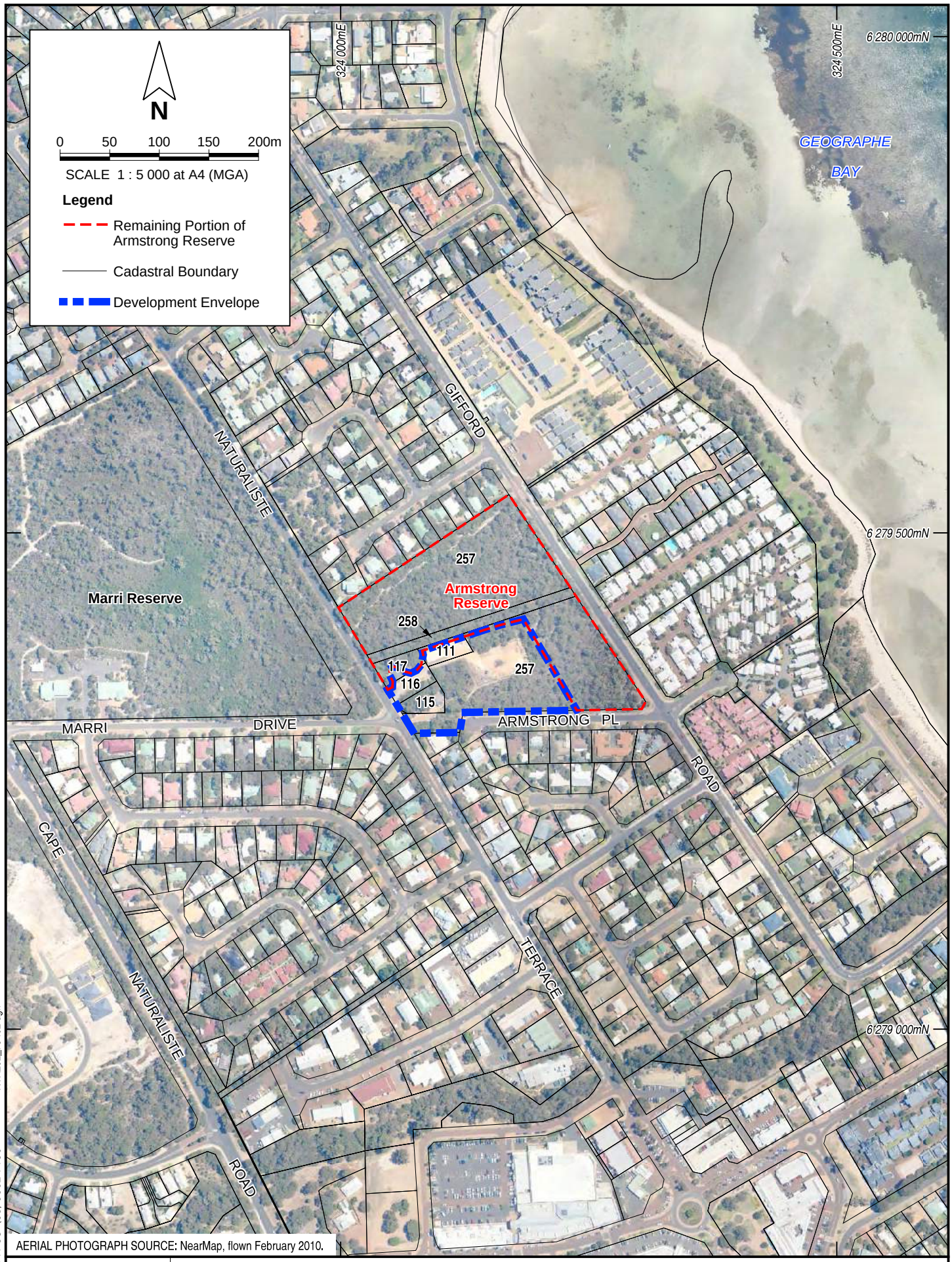

AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2010.

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA292_78-f02.dgn

EndPlan Environmental

Ray Village Aged Care Services Inc t/a Capecare
ENVIRONMENTAL MANAGEMENT PLAN
ARMSTRONG RESERVE, DUNSBOROUGH - URBAN AND COMMERCIAL DEVELOPMENT

Date: 17 May 2019
Drawn: B. Van der Wiele

EXISTING ENVIRONMENT WITH CADASTRE (2015)

Figure 1

Report No. RVA292_78

ONSHORE ENVIRONMENTAL

CAPECARE

FIGURE 2
Armstrong Reserve
Targeted WRP
Survey

Legend

- Armstrong Reserve
- Development Envelope
- Drey Locations
- Hollow Locations
- Western Ringtail Possum Locations

N

0 10 20 30
Meters
1:1,000
Datum: GDA94
Projection: MGA Zone 50

Date:	26/11/2019
Status:	Final
Figure:	2
Sheet Size:	A3
Internal Reference:	Armstg_Res
Drawn by:	GSM
Requested by:	DB

GRIFFIN SPATIAL & MAPPING

APPENDIX 1

Location of WRP individuals, dreys and hollows within Armstrong Reserve

Western Ringtail Possum - Location of Individuals

UTM	Easting	Northing	Comment
23 October 2019 - overcast, windy NW 15-21 knots, light drizzle, 6mm rain to 9am the following morning			
50 H	324046	6279448	One WRP in a Peppermint tree, 7m up
50 H	324229	6279390	One WRP, 5m up in Marri
50 H	324101	6279484	One male WRP in a Peppermint tree, 7m up
50 H	324068	6279437	Two WRP in a Peppermint tree, one female and yearling, 5m up
50 H	324115	6279429	Two WRP in a Peppermint tree, 7m up
50 H	324121	6279451	One WRP in a Marri tree, 8m up
50 H	324203	6279463	One WRP in a Marri tree, 7m up
50 H	324171	6279422	One WRP in a Eucalyptus rudis tree, 10m up
50 H	324201	6279408	One WRP in a Melalueca tree, 3m up
50 H	324244	6279400	Three WRP, one female and two yearlings, in a Peppermint tree 8m up
24 October 2019 - clear, light SSE winds, 0mm rain to 9am the following morning			
50 H	324232	6279399	One female WRP in Peppermint tree , 4m up
50 H	324242	6279417	One WRP in Viminaria juncea, 4m up
50 H	324240	6279404	One WRP in Melaleuca rhaphiophylla 5m up
50 H	324202	6279437	Two WRP in Hakea varia, 6m up
50 H	324121	6279443	Two WRP in a Peppermint tree, 8m up
50 H	324091	6279469	Two WRP in Marri, 10m up
50 H	324082	6279431	One WRP in a Peppermint tree, 7m up
50 H	324039	6279448	One WRP in a Marri, 8m up
50 H	324039	6279447	One WRP in a Peppermint tree, 8m up
50 H	324201	6279499	One female WRP in Peppermint tree , 5m up
50 H	324250	6279406	One yearling WRP in a Marri 5m up
50 H	324285	6279330	Three WRP, one female and two yearlings, in a Peppermint tree 5m up
50 H	324083	6279384	One WRP in a Eucalyptus rudis tree, 10m up
50 H	324069	6279366	Two WRP in in a Peppermint tree, 12m up

Western Ringtail Possum - Location of Dreys

UTM	Easting	Northing	Comment
50 H	324187	6279425	Platform drey in Melaleuca rhaphiophylla, 3m up
50 H	324207	6279397	Large basket drey in a Peppermint tree, 7m up
50 H	324261	6279330	Large basket drey in Peppermint tree, 6m up, WRP visible
50 H	324212	6279405	Large basket drey in Peppermint tree, 6m up
50 H	324218	6279426	Large basket drey in Melaeuca rhaphiophylla, 4m up
50 H	324293	6279358	Large basket drey in Melaeuca rhaphiophylla, 5m up
50 H	324291	6279356	Large basket drey in Marri, 6m up
50 H	324274	6279378	Large basket drey in Melaeuca rhaphiophylla, 4m up
50 H	324260	6279402	Large basket drey in Peppermint tree, 6m up
50 H	324189	6279498	Basket drey in Melaleuca rhaphiophylla, 4m up
50 H	324114	6279494	Large basket drey in upper canopy of Peppermint tree, 10m up

Western Ringtail Possum - Location of Suitable Hollows

UTM	Easting	Northing	Comment
50 H	324243	6279337	Hollow in large Nyutsia florbunda tree, dense WRP scat at base of tree
50 H	324266	6279359	Hollow in large Marri tree

APPENDIX 9

ON-SITE FAUNA HANDLER CORRESPONDENCE (Source: Green Iguana/Perkins, 2019)

bernadette@endplanenvironmental.com.au

From: Darren Brearley <darren@onshoreenvironmental.com.au>
Sent: Friday, 25 October 2019 9:06 AM
To: 'Clinton Wood'; bernadette@endplanenvironmental.com.au; 'Steve Larsson'; steven@carbonebros.com.au
Cc: matthew.sproule@swcm.com.au; 'Damien O'Donoghue'
Subject: RE: Armstrong Village, Dunsborough - Site Commencement Monday 28 October 2019,

Thanks Clinton, pre-clearing survey will be completed today and Sue will be on site for Monday morning.

Regards Darren

From: Clinton Wood [mailto:Clinton.Wood@perkinsbuilders.com.au]
Sent: Friday, 25 October 2019 8:56 AM
To: 'bernadette@endplanenvironmental.com.au' <bernadette@endplanenvironmental.com.au>; 'darren@onshoreenvironmental.com.au' <darren@onshoreenvironmental.com.au>; Steve Larsson <Steve.Larsson@perkinsbuilders.com.au>; 'steven@carbonebros.com.au' <steven@carbonebros.com.au>
Cc: matthew.sproule@swcm.com.au; Damien O'Donoghue <Damien.ODonoghue@perkinsbuilders.com.au>
Subject: Armstrong Village, Dunsborough - Site Commencement Monday 28 October 2019,

Morning All,

Reconfirming to all parties that site clearing will commence Monday 28 October 2019, 7am on site Lot 600 Naturaliste Terrace.

Please ensure all representatives are on site at 7am, to complete a short prestart prior to commencement.

Bernadette, as we don't have Henk's contact details please forward details accordingly.

Darren, please ensure Sue is also advised accordingly.

For any further clarifications, please contact Steve Larsson direct on Mb 0438 984 771.

Thanks & Regards

Clinton Wood
CONTRACTS MANAGER

M: 0417 951 820 **P:** 08 9721 7300 **F:** 08 9791 1731
E: Clinton.Wood@perkinsbuilders.com.au

APPENDIX 10

DBCA APPROVAL OF REHABILITATION OFFSET MANAGEMENT PLAN
(Source: Department of Biodiversity, Conservation and Attractions, 2017)

From:	Andrew Webb
To:	Bernadette Van der Wiele
Cc:	Kim Williams
Subject:	RE: EPBC 2006/2834 ROMP Version 6
Date:	Monday, 4 December 2017 8:58:35 AM

Hi Bernadette,
Yes I think the document is now ready

Thanks

From: Bernadette Van der Wiele [mailto:bernadette@endplanenvironmental.com.au]
Sent: Saturday, 2 December 2017 1:11 PM
To: Andrew Webb
Cc: Kim Williams
Subject: RE: EPBC 2006/2834 ROMP Version 6

Hello Andrew

Thank you for your comments and in particular with respect to fire management.

I have amended the text in section 3.3 and Table 4 as requested. Can you please advise whether the document is now ready to be released as a final version?

Kind regards

Bernadette van der Wiele
Director
EndPlan Environmental
PO Box 138 NORTH FREMANTLE WA 6159
M: 0447 366 460
UDIA 2014 WA and 2015 National Environmental Excellence Award Winner
Wiske Pty Ltd as Trustee for Esk Family Trust trading as "EndPlan Environmental" ABN: 23 684 573 524

From: Andrew Webb [mailto:andrew.webb@dbca.wa.gov.au]
Sent: Friday, 1 December 2017 2:13 PM
To: Bernadette Van der Wiele
Cc: Kim Williams
Subject: RE: EPBC 2006/2834 ROMP Version 6

Hi Bernadette,
It is complicated but I don't think that change has quite captured what I was intending (I wasn't specifically intending for the criteria I suggested to be applied over the whole rehab area, I realise now that it could be interpreted that way) .. perhaps a better way to put this criteria would be a combination of both what Kim had and I am suggesting, something like,

- The completion criteria as prescribed by EPBC Condition 5(c) requires there to be a survival rate of 80 percent (equivalent to 2,000 Peppermints per hectare) for the

offset site five years after planting. For the non-Peppermint mixed species survival rate five years after planting, no patch greater than 100 m^2 will have mid-storey and upper storey native species absent and patches of 400m2 will contain at least 2 different under/mid-storey species and a minimum under/mid-storey cover of approximately 30%

And by using 400m2 (20x20m) these criteria can be measured by recording under/mid story species in the proposed 20x20m quadrats (so possibly a slight tweak to that monitoring technique section may be required)…. Perhaps this would negate the need for belt-transects

Also I don't think you need to pers.comms us unless you really want, if you want to, I am not a Dr

With the firebreak from what I understand Parks and Wildlife owns the land this rehab is proposed on (well its Cons Commision freehold) and the land to the north is also vested with us, so as such we would view this as the one reserve and firebreak requirements if the shire was to make an issue of it would only need to be around the perimeter of this larger reserve, as such we shouldn't need one in that area you are concerned with. Either way if an issue was to arise we would definitely intercede if needed

Thanks

From: Bernadette Van der Wiele [mailto:bernadette@endplanenvironmental.com.au]
Sent: Friday, 1 December 2017 1:08 PM
To: Andrew Webb
Cc: Kim Williams
Subject: RE: EPBC 2006/2834 ROMP Version 6

Hello Andrew
I have revised Section 3.3 and Table 4 to include your requested amendment regarding 30% cover and also Table 5 *Gahnia trifida* to be footnote 5. For ease of reference, all changes are highlighted in blue.
Can you please advise that you are satisfied with the changes?
Also, Kim made a note at the bottom of his last email to me regarding the WRP habitat values of *Melaleuca* woodland to the north of the site. Kim, I am very aware of this and this is what we are hoping to connect into through this revegetation process. However, in the event that City of Busselton's snr fire officer is not happy with the firebreak, will the Department intercede on Capecare's behalf please? I have had situations with some LGA's where revegetation has taken place across old firebreaks in order to provide connectivity only to have the LGA fire officers request that the firebreak be reinstalled!!
Kind regards

Bernadette van der Wiele
Director
EndPlan Environmental
PO Box 138 NORTH FREMANTLE WA 6159
M: 0447 366 460

From: Andrew Webb [mailto:andrew.webb@dbca.wa.gov.au]
Sent: Friday, 1 December 2017 11:23 AM
To: Bernadette Van der Wiele
Cc: Kim Williams
Subject: RE: EPBC 2006/2834 ROMP Version 6

Hi Bernadette,
I think Kim has gone now so I will reply to this, given I am totally new to this document and previous discussions hopefully I am not complicating things with these comments.

I agree with Darren that determining 80% with direct seedling is tricky, so in regards to what you propose for understory and mid-story is an acceptable criteria, although that criteria as currently proposed could technically mean that the presence of just one under/mid-story plant or the presence of the same species will result in the completion criteria being met. Having a rehab with only one under/mid-story plant every 100m2 is not ideal, nor is it ideal if the under/mid-story species is all the one species.

I accept that the rehabilitation site may be difficult and the resulting under/mid-story may be dominated by 1-2species, but we would definitely want more than 1 scattered plant meeting the criteria. In order to avoid this I would propose that Table 4 target is adjusted to read as below

Ongoing management measures to ensure no area greater than 100 m^2 does not contain mid- and upper storey native species five years after planting. 100m2 areas should contain at least 2 different under/mid-story species and a minimum under/mid-story cover of approximately 30% .

In regards to measuring this, I note that monitoring is to involve belt-transects and 20x20m tree quadrats, the above suggestion I have added would be best measured by 10x10m quadrats, but there is no reason why the under/mid-story diversity and density measure proposed above couldn't be applied to 20x20m quadrats or somehow captured in the belt-transects in green …. I'm tempted to ask why use the belt transects couldn't all the reveg layers criteria be measured by the 20x20 quadrats.., either way if belt-transect are to be used for understory hopefully the criteria I have proposed above can be worked into that way of measuring.

I have also noted a possible error in your report, in Table 5 the foot-note numbers may be wrong .. the reason I ask is that *Gahnia trifida* is allocated a footnote of 4, this species definitely will not become weedy and if it did that would be ideal (I suspect this species is ment to be allocated a footnote of 5).

If you have any questions please ask

Thanks
Andrew Webb

From: Bernadette Van der Wiele [mailto:bernadette@endplanenvironmental.com.au]
Sent: Thursday, 30 November 2017 12:40 PM
To: Kim Williams; Andrew Webb
Cc: Williams, Justin; Darren Brearley; Stuart Sibbald; Nadine Carter; Stephen.Carmody@capecare.com.au; 'John Reid'; 'Dominic Trombetta'; Cox, Vaughn
Subject: EPBC 2006/2834 ROMP Version 6

Hello Kim and Andrew
Further to your request for some additional changes to be made to version 5, I have created version 6 (attached) wherein the requested changes have been highlighted in yellow.

With respect to your earlier advice for meaningful completion criteria for the mixed species plantings (see attached advice), on the advice of Dr Darren Brearley (Onshore Environmental) who has noted that the use of both tubestock and native seed in the revegetation area will mean that using a set figure for determining a survival rate (eg 80%) will be difficult to verify. In order to resolve both of these issues, I have amended version 6 to show that infill planting will be undertaken in patches greater than 100m2 where mid-storey and upper storey native species are absent. These changes (highlighted in green) are included in sections 3.1, 3.2 and Table 4.
Kind regards

Bernadette van der Wiele
Director
EndPlan Environmental
PO Box 138 NORTH FREMANTLE WA 6159
M: 0447 366 460
UDIA 2014 WA and 2015 National Environmental Excellence Award Winner

APPENDIX 11

DEPARTMENT APPROVAL OF REHABILITATION OFFSET MANAGEMENT PLAN
(Source: Department of the Environment and Energy, 2017)

Australian Government
Department of the Environment and Energy

Mr Stephen Carmody
Chief Executive Officer, Capecare Inc.
20 Ray Avenue
BUSSELTON WA 6280

Dear Mr Carmody,

Capecare, urban and commercial new development, Aged Care – Naturaliste Terrace, Dunsborough, Western Australia (EPBC 2006/2834)

Thank you for your correspondence relating to the approval for EPBC 2006/2834. Officers of this Department have reviewed and advised me on the various requests submitted by Capecare under the *Environment Protection and Biodiversity Act 1999* (EPBC Act). As a delegate of the Minister for the Environment and Energy, I have decided to:

- vary the approval conditions, in accordance with section 143(1)(c) of the EPBC Act. The variation notice of my decision, which extends the approved period to commencement until 25 February 2019, is attached for your records;

- extend the period of effect of approval, in accordance with section 145D of the EPBC Act. The conditions of approval for this project must now be implemented until 25 February 2024. The notice of my decision is attached for you records; and

- approve the *Rehabilitation Offset Management Plan, version 6 (dated 6 December 2017)* as meeting the requirements of condition 5 of the EPBC Act approval. The *Rehabilitation Offset Management Plan* (ROMP) must now be implemented.

In accordance with condition 12 of EPBC Act approval 2006/2834, the approved ROMP must be published on your website within one month of approval, and must remain on the website for the period in which the EPBC Act approval has effect.

I note that Condition 9 allows you, under certain circumstances, to implement a revised approved ROMP without seeking the Minister's approval. I have attached a fact sheet that provides guidance on 'new or increased impacts' and changes to approved management plans under EPBC Act environmental approvals.

As you are aware, the Department has an active monitoring program which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the Department on request.

Should you require any further information please contact Justin Williams on (02) 6275 9492 or by email to postapproval@environment.gov.au.

Yours sincerely

Greg Manning
Assistant Secretary
Assessments (WA, SA, NT) & Post Approvals Branch
Environment Standards Division

16 December 2017

cc. Bernadette Van Der Wiele, EndPlan Environmental

Attachments: EPBC 2006/2834 Variation to conditions attached to approval.
EPBC 2006/2834 Notification of Extension of Period of Effect of Approval.
Guidance on 'new or increased impact'.

Guidance on 'New or Increased Impact' relating to changes to approved management plans under EPBC Act environmental approvals

Introduction

This guidance is for those environmental approvals under Part 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) containing an approval condition which uses the reference 'new or increased impact' in relation to revisions to approved management plans. This condition, referred to in this document as the Revised Management Plan (RMP) condition, allows revised plans to be implemented without approval by the Minister, provided that the proposed changes do not have a new or increased impact on matters protected under the approval.

The aim of this guidance is to assist approval holders and officers of the Department in determining whether or not a change is likely to have a 'new or increased impact' on a protected matter.

Background

Many EPBC Act Part 9 approvals include conditions for management plans, strategies or programs to be implemented, and usually these documents must be submitted for approval by the Minister prior to implementation. For the purposes of this guidance, such documents are referred to collectively as 'plans'.

Section 143A of the EPBC Act allows an approval holder to submit revisions to approved plans for re-approval by the Minister in certain circumstances. In some cases, revisions to approved plans under section 143A will incur a fee under cost recovery provisions of the EPBC Act and regulations.

From late 2015, the RMP condition was included in new approvals where appropriate, and in some cases the RMP condition has been retrospectively added to projects with an existing EPBC Act approval through formal variations to conditions.

> In approvals that have the revised management plan condition, a 'new or increased impact' is typically defined as: *a new or increased impact on any matter protected by the controlling provisions for the action, when compared to the plan, program or strategy that has been approved by the Minister.*

In broad terms, section 527E of the EPBC Act defines the term 'impact' as an 'event or circumstance' that is a direct or indirect result of the action taken by the approval holder or someone acting on behalf of the approval holder. A 'new or increased impact' in the context of the RMP condition is therefore very broad, and includes any direct or indirect increase in the impacts of an action, an increase to the risk of an impact occurring, or a change that reduces the acceptability of an impact such as a change to an environmental offset.

Scope of changes to a plan

Approvals are given for the purposes of one or more controlling provisions described in Part 3 of the EPBC Act, and plans may be required to avoid, mitigate or offset impacts to matters protected under those provisions (protected matters).

In some cases a plan may be required under both Commonwealth and state or territory approvals. It is possible that such a plan may require a revision in relation to state or territory matters only, and the changes may not relate to EPBC Act protected matters.

When considering whether a revised plan would have a new or increased impact, approval holders should have regard to all changes to the approved plan (ie. the latest version of that

plan that was formally approved by the Minister or delegate), not an unapproved revised plan (previously deemed by the approval holder to not have a new or increased impact under the RMP condition) or a plan only approved by the state or territory. In other words, if a revised unapproved plan is being implemented, and further revisions are being considered, all deviations (including incremental or cumulative changes) from the approved plan must be considered when making a decision on whether there is a new or increased impact.

The above emphasises the need to approval holders to use proper version control for plans. Further information about document version control can be found in the Department's Environmental Management Plan Guidelines available on the department's website: http://www.environment.gov.au/epbc/publications/environmental-management-plan-guidelines

The following paragraphs are intended to provide general guidance about the types of changes to plans that are likely to result in a new or increased impact. They are not intended to be exhaustive or definitive. The particular facts and circumstances of a proposed revision to a plan will need to be taken into account in determining whether there is likely to be a new or increased impact.

What is a new impact?

A 'new impact' may be caused by a change to an activity or a change to circumstances surrounding the activity, and can include:

- new activities that may impact on protected matters;
- any change to an activity that creates a new potential impact to a protected matter; or
- an impact to a protected matter that was not previously foreseen.

It should also be noted that in some cases, a new activity may also require a formal variation to approval conditions (under section 143 of the EPBC Act); or may be beyond the scope of an approved action and could require separate EPBC Act approval.

What is an increased impact?

A change to a plan may increase a known impact. An 'increased impact' can include:

- a new activity;
- an increase in the scale, intensity or duration of impacts;
- an increase in the likelihood or consequences of an impact occurring;
- a change to a measure designed to avoid, mitigate or offset an impact;
- a reduced capacity to identify or measure an impact; or
- any other change that increases the risks or uncertainty associated with an impact.

Some changes above may not be considered an 'increase' if the change is a clear improvement.

Examples of a new or increased impact

Although determined on a case-by-case basis, the following changes to a plan are **likely** to result in a new or increased impact:

- The transition from construction phase to operations phase, where the approved plan only covers the construction period.
- Increasing the amount of habitat for a listed threatened species that will be cleared.
- A change in a measure designed to mitigate the impacts of an action on a RAMSAR wetland.
- A delay to the commencement of an environmental offset.
- A change to the timing of a temporary impact, to a time when a listed migratory species is more prevalent.
- A reduction in the frequency of monitoring.

What is unlikely to be a new or increased impact?

Changes unlikely to be a new or increased impact include:

- changes to the structure or layout of a plan or other administrative changes that are unrelated to environmental impacts or risks;
- a change to a plan which does not affect EPBC Act protected matters; or
- a clear improvement to a measure that avoids, mitigates or offsets the impacts of a proposal.

Examples unlikely to be a new or increased impact

Although determined on a case-by-case basis, the following changes to a plan are **unlikely** to result in a new or increased impact:

- Changes to a person's contact details.
- Changes to the name of a plan, or title page of a plan including version number or date.
- Changes to pagination or chapter format where content is not altered.
- Rectification of a clear typographical, grammatical error or mapping error, where the change does not relate to an impact or an avoidance, mitigation or offsetting measure.
- Changes to a plan that covers both state and EPBC Act requirements, and the change only relates to matters protected under state laws.
- The introduction of an additional mitigation measure.
- An increase in the frequency of monitoring.
- A change to the timing of a temporary impact, to a time when a listed migratory species is less prevalent.

Who decides whether a revised plan is likely to have a 'new or increased impact'?

The onus is on the approval holder to decide if a revision to a plan is likely to result in a new or increased impact.

If, after considering this guidance, approval holders are still unsure whether a proposed revision to a plan is likely to result in a new or increased impact, they may request advice or further information from the Department.

When submitting a revised plan under the RMP condition, the approval holder should include a document clearly explaining the revisions (such as a 'tracked changes' version of the plan) and reasoning why they believe that the revisions will not have a new or increased impact.

Approvals that include the RMP condition also include a condition which gives the Minister the power to require implementation of the previously approved plan if the Minister believes that a revision is likely to result in a new or increased impact. In order to reduce the likelihood of the Minister making this decision, the approval holder should contact the Department for advice if they have any doubt about whether a change is likely to result in a new or increased impact.

Option to submit revised plan to Minister for approval

Nothing in the RMP condition prevents an approval holder from choosing to submit a revised management plan to the Minister for formal approval under section 143A of the EPBC Act at any time.

Advice and further Information

Approval holders may request advice relating to the matters described in this document by emailing: post.approvals@environment.gov.au

APPENDIX 12

REHABILITATION OFFSET MANAGEMENT PLAN (Source: EndPlan Environmental, 2017)

REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834)

PORTION LOTS 217 - 219 BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

Prepared for:
RAY VILLAGE AGED SERVICES INCORPORATED T/A CAPECARE
20 RAY AVENUE
BUSSELTON WA 6280

Report Date: 30 November 2017
Document No. RVA292_43_V6

DOCUMENT STATUS:

REVISION CONTROL			
Document Title:	**REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) PORTION LOTS 217 - 219 BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)**		
Document No.	**Version**	**Issue Date**	**Issued To**
RVA292_43	**draft**	**26 June 2017**	**Client / Total Horticultural Services**
RVA292_43	**V1**	**11 September 2017**	**Client / Onshore Environmental**
RVA292_43	**V2**	**2 October 2017**	**Client / Onshore Environmental**
RVA292_43	**V3**	**10 October 2017**	**Client / Onshore Environmental**
RVA292_43	**V4**	**20 October 2017**	**Client / Dept Biodiversity Conservation & Attractions / Department of the Environment and Energy**
RVA292_43	**V5**	**17 November 2017**	**Dept Biodiversity Conservation & Attractions / Department of the Environment and Energy**
RVA292_43	**V6**	**30 November 2017**	**Dept Biodiversity Conservation & Attractions / Department of the Environment and Energy / Client**

STATEMENT OF LIMITATIONS

Scope of Services

This report has been prepared in accordance with the scope of work set out in the contract, or as otherwise agreed, between the Client and EndPlan Environmental* (EndPlan).

Reliance on Data

In preparing the report, EndPlan has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations. Except as otherwise stated in the report, EndPlan has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ("conclusions") are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data provided. EndPlan will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to EndPlan.

Environmental Conclusions

Within the limitations imposed by the scope of work, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted practices and using a degree of skill and care ordinarily exercised by reputable environmental consultants under similar circumstances. No other warranty, expressed or implied, is made.

Report for Benefit of Client

The report has been prepared for the benefit of the Client and no other party. EndPlan assumes no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report (including without limitation matters arising from any negligent act or omission of EndPlan or for any loss or damage suffered by any other party relying upon the matters dealt with or conclusions expressed in the report). Other parties should not rely upon the report or the accuracy or completeness of any conclusions and should make their own enquiries and obtain independent advice in relation to such matters. Copying of this report or parts of the report is not permitted without the authorisation of the Client or EndPlan.

Other Limitations

The scope of work did not include any assessment of the title to or ownership of the properties, buildings and structures referred to in the report nor the application or interpretation of laws in the jurisdiction in which those properties, buildings and structures are located.

THIS MANAGEMENT PLAN HAS BEEN PREPARED BY ENDPLAN ENVIRONMENTAL IN ASSOCIATION WITH:

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Declaration of Accuracy

I declare that:

1. To the best of my knowledge, all the information contained in, or accompanying this Rehabilitation Offset Plan is complete, current and correct.

2. I am duly authorised to sign this declaration on behalf of the approval holder.

3. I am aware that:

   a. Section 490 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) makes it an offence for an approval holder to provide information in response to an approval condition where the person is reckless as to whether the information is false or misleading.

   b. Section 491 of the EPBC Act makes it an offence for a person to provide information or documents to specified persons who are known by the person to be performing a duty or carrying out a function under the EPBC Act or the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) where the person knows the information or document is false or misleading.

   c. The above offences are punishable on conviction by imprisonment, a fine or both.

Signed

_____

Full name (please print)

_____

Organisation (please print)

Date

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1. INTRODUCTION

Ray Village Aged Services (Inc.) trading as Capecare (Capecare) proposes to develop Lot 600 Naturaliste Terrace, Dunsborough (development area) as an aged care facility.

The development area is situated within the municipal boundary of the City of Busselton and is located approximately 500 m north of the business centre of the town of Dunsborough. The development area is bounded by Armstrong Place to the south, Gifford Road to the east and Naturaliste Terrace to the west (refer to **Figure 1**).

Previously comprising Lots 111, 115, 116, 117 Naturaliste Terrace and a 9994 m^2 portion of Lot 257 Naturaliste Terrace (**Figure 2**), in accordance with the Western Australian *Town Planning and Development Act 2005*, rezoning of the development area has been undertaken resulting in the amalgamation of the previous lots into a single lot (Lot 600 on Deposited Plan 403383 Armstrong Place, Dunsborough). Lot 600 is now the legal responsibility of Capecare and will be retained as one Title in perpetuity. The remainder of Armstrong Reserve has subsequently been gazetted into three separate lots: the City of Busselton will retain the vesting of Reserve 25339 (Lots 3000 and 601) for the purpose of 'Landscape Protection', while the Department of Water and Environmental Regulation (DEWR) will retain the vesting of Reserve 40445 (Lot 258) for the purpose of 'Drainage' (refer to **Appendix 1**).

1.1 Purpose and Scope

This Rehabilitation Offset Management Plan (ROMP) has been commissioned by Capecare to fulfil the requirements of **Condition 5** of the conditions of approval for EPBC 2006/2834 as varied on 18 October 2017 (refer to **Appendix 2**).

The ROMP will be implemented within the designated offset site which comprises a portion of Lots 217 - 219 (on Deposited Plan 4918 / Volume 1918 / Folio 406) Busselton Bypass, Vasse (offset site) situated within the Dunsborough region (refer to **Figure 3**). The offset site is vested in the Western Australian Conservation and Parks Commission and the Department of Biodiversity Conservation and Attractions (DBCA)[1] and forms part of the Broadwater Nature Reserve (refer to **Figure 4**).

The ROMP identifies rehabilitation strategies, management actions, monitoring activities, contingency measures, auditing and reporting requirements to be undertaken to satisfy Condition 5 of the EPBC 2006/2834, as varied (refer to **Appendix 2**).

Table 1 (over the page) details the requirements of Condition 5 and the section(s)/table(s) of the ROMP in which the requirement is addressed.

[1] Previously the Department of Parks and Wildlife (DPaW)

TABLE 1
EPBC 2006/2834 APPROVAL CONDITION 5 AND WHERE THE REQUIREMENTS ARE ADDRESSED IN THE ROMP

CONDITION No.	REQUIREMENT	SECTION OF REPORT
5	To offset the impacts of the action on the Western Ringtail Possum, the person taking the action must prepare and submit a Rehabilitation Offset Management Plan (ROMP). The ROMP must be prepared in consultation with the Western Australian Department of Biodiversity Conservation and Attractions (DBCA) and must:	Evidence of consultation with DBCA is included in accompanying documents (refer to **Appendix 3**).
a.	specify an offset site of at least 1 ha in size within the area shown at Attachment B;	Refer to **Appendix 2, Section 1.1** and **Figure 3**.
b.	provide for the planting of at least 2,500 Peppermint trees (*Agonis flexuosa*) per hectare within the offset site;	The proposed species and densities to be planted are identified in **Tables 4 and 5** and **Section 3**.
c.	include a methodology for ensuring a survival rate of 80% of the 2,500 Peppermint trees is maintained per hectare 5 years after planting;	Methodology is detailed in **Section 4**. Objectives, targets and indicators are detailed in **Tables 4 and 6**. Completion criteria are detailed in **Section 3.3**. Timeframes for the implementation and completion of the above measures / programs /reporting are detailed in **Section 4.8** and **Tables 6 and 7**.
d.	describe monitoring and contingency measures if the survival rate (item c) is not met; and	Refer to **Section 5, Chart 3** and **Table 7**.
e.	contain measures to minimise human access, and the impacts of herbivores, unplanned fire, weeds and Dieback (*Phytophthora cinnamomi*) within 3 years following commencement of rehabilitation works.	Refer to **Section 4**.

1.2 Project Overview

1.2.1 Approval

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), sets out the way in which the Commonwealth Government regulates the environmental impacts of projects or 'actions'. An 'action' is defined broadly in the EPBC Act and includes a project, a development, an undertaking, an activity or series of activities, or an alternation of any of these things (Commonwealth of Australia, 2009).

On the 30 May 2006, Capecare referred a proposal to develop an aged care facility at Armstrong Reserve, Naturaliste Terrace, Dunsborough, Western Australia to the then Commonwealth Department of the Environment and Heritage (now the Department of the Environment and Energy - DotEE) for a decision as to whether or not an approval was required under Chapter 4 of the EPBC Act.

On the 28 June 2006, Capecare was advised that the proposal was determined to be a 'Controlled Action' due to potential impacts on the *Pseudocheirus occidentalis* (Western Ringtail Possum). The

Western Ringtail Possum was, at the time of the referral decision, listed as 'Vulnerable' under the EPBC Act and as 'Critically Endangered' under the Western Australian *Wildlife Conservation Act 1950*.

An Approval for the proposed action, made under sections 130(1) and 133 of the EPBC Act, was issued to Capecare on the 25 February 2013. The Approval decision, which has effect until the 31 December 2021[2], related to the Controlling Provision being listed threatened species and communities (sections 18 and 18A) and was subject to 13 conditions (refer to **Appendix 4**). Condition 5 required Capecare to provide an environmental offset in lieu of the clearing of approximately 9,020 m^2 of Western Ringtail Possum habitat within the development area.

An environmental offset is a conservation action that compensates for the negative environmental impacts of an action, such as a development. Under the EPBC Act environmental offsets policy, offsets should directly correlate to the impact of a proposed action (Commonwealth of Australia, 2012).

Following further consultation with the DotEE regarding the environmental complexities of the offset site, and with respect to the request by the DBCA that Capecare undertake additional overstorey and understorey planting across all landscape elements of the offset site, a delegate of the Federal Minister for the Environment and Energy varied the Conditions of Approval on the 18 October 2017 (refer to **Appendix 2**).

1.2.2 Project Components

Capecare proposes to develop the 1.28 ha development area that is to be zoned "Special Purposes - Aged Persons Housing" under the City of Busselton's (City) Local Planning Scheme No. 21. The remainder of Armstrong Reserve has been gazetted as Lots 3000 and 601 Naturaliste Terrace (Reserve 25229) for the purpose of 'Landscape Protection' vested in the City of Busselton and Lot 258 (Reserve 40445) for the purpose of 'Drainage' vested in the Department of Water and Environmental Regulation (refer to **Appendix 1**).

While approximately 4,332 m^2 of the development area has historically been cleared, a further 9,020 m^2 area of Western Ringtail Possum habitat will be required to be cleared to enable construction of the aged care facility. To compensate for the removal of this area of habitat, rehabilitation of 1 ha of degraded Western Ringtail Possum habitat is required to be undertaken at the designated offset site (refer to **Figure 3**).

Since the EPBC Act Approval was issued, Capecare has liaised with the DotEE and the DBCA with respect to the requirements of Condition 5. Given that the offset site is vested in the DBCA, specific revegetation requirements have been requested by the DBCA to be implemented. The requirements are identified in **Section 4.5.4**.

[2] Capecare has applied to the Minister for a variation to the implementation period of the Approval requesting that it be extended to 2025 to enable completion of the management period of this ROMP.

1.3 Definitions

Department: Is the Australian Government Department administering the EPBC Act 1999.

DBCA: The Western Australian Department of Biodiversity Conservation and Attractions (or equivalent agency).

DWER: The Western Australian Department of Water and Environmental Regulation.

Minister: Is the Minister administering the EPBC Act 1999 and includes a delegate of the Minister.

Proposed development footprint: The area identified as '*Proposed Development Footprint*' at Attachment A of the EPBC Act Approval (refer to **Appendix 2**).

Rehabilitation: Acknowledges that vegetation has been permanently altered, but seeks to return a native plant community that has elements that are compatible with surrounding vegetation.

Revegetation: The planting or direct seeding of native species in areas that have been cleared or highly modified.

Weed: Any plant species (native or more frequently exotic to a region) which has the potential to impact on the ecology of a natural area.

2. ENVIRONMENTAL SETTING

The offset site is located on the southern portion of the Swan Coastal Plain; a narrow plain approximately 30 km wide extending from Jurien Bay in the north to almost Cape Naturaliste in the south. The land is associated with the flat, inland Yoongarillup Plain that is characterised by low ridges and swales with a thin cover of siliceous sands over limestone (Churchward and McArthur, 1980).

2.1 Climate

The Dunsborough region experiences a Mediterranean climate with warm, dry summers and mild, wet winters. High-pressure cells dominate climatic patterns during summer and the passage of cold fronts and associated low-pressure cells dominate during winter.

Data included in **Tables 2 and 3**, and shown pictorially on **Charts 1 and 2** have been obtained from the Bureau of Meteorology's (BOM) Busselton Aero Weather Station (Site No. 009603) located at the Busselton Airport, the closest weather station to the offset site (Bureau of Meteorology, 2017).

2.1.1 Rainfall

The long-term (1997-2016) mean annual rainfall is 657.5 mm, with the lowest monthly total of 4.4 mm recorded in February and the highest (133.8 mm) recorded in July. During 2016, the total rainfall recorded was 781.4 mm which is considerably above the long-term mean annual rainfall. The lowest monthly rainfall for 2016 was 4.8 mm (November) and the highest monthly total was 181.0 mm (July) (refer to **Table 2 and Chart 1**). Rainfall events, particularly in terms of intensity, are irregular and characterised by a winter maximum which results from rain-bearing low pressure cells crossing the south-west coastal area.

TABLE 2
RAINFALL DATA RECORDED AT BUSSELTON AERO WEATHER STATION

STATISTIC	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Mean **Rainfall** (mm) for years 1997-2016	12.9	4.4	19.2	34.0	99.8	127.9	133.8	105.7	77.8	30.2	23.6	9.1	657.5
Rainfall (mm) 2016	64.4	5.0	44.0	41.2	90.2	112.2	181.0	133.0	58.4	37.4	4.8	9.8	781.4

Source: Bureau of Meteorology (2017)

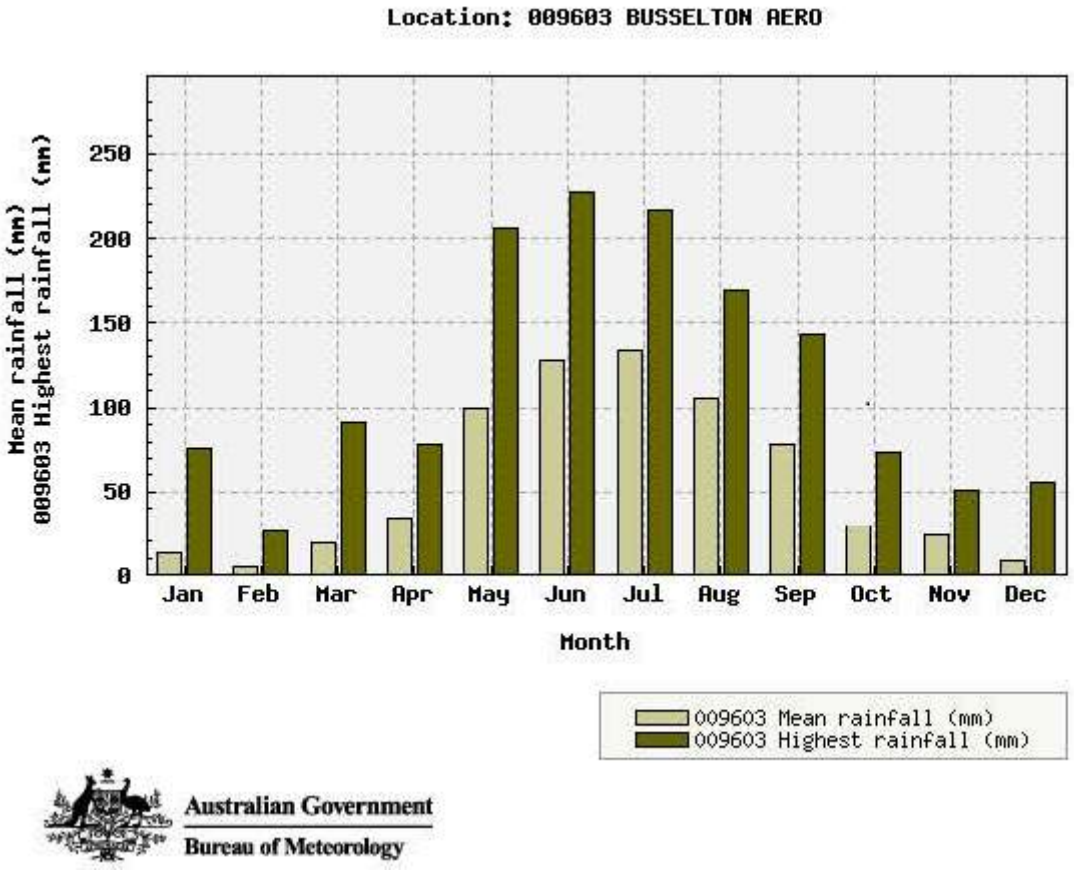

CHART 1: Monthly mean rainfall (mm) recorded at the Busselton Aero Weather Station (long-term and 2016).

2.1.2 Temperature

The long-term data (1997-2016) for mean daily temperature shows a mean maximum temperature of 30.2°C in January/February and a mean minimum temperature of 7.2°C in July (refer to **Table 3 and Chart 2**). During 2016, a mean maximum temperature of 14.6°C was recorded in February with the mean minimum temperature of 7.2°C recorded in July.

TABLE 3
TEMPERATURE DATA RECORDED AT BUSSELTON AERO WEATHER STATION

STATISTIC	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean **maximum temperature** (°C) for years 1997-2016	30.2	30.2	27.9	24.0	20.5	17.8	16.8	17.3	18.3	21.3	25.0	27.9
Mean **minimum temperature** (°C) for years 1997-2016	14.3	14.6	13.3	11.0	9.1	7.6	7.2	7.7	8.6	10.7	12.3	10.3

Source: Bureau of Meteorology (2017)

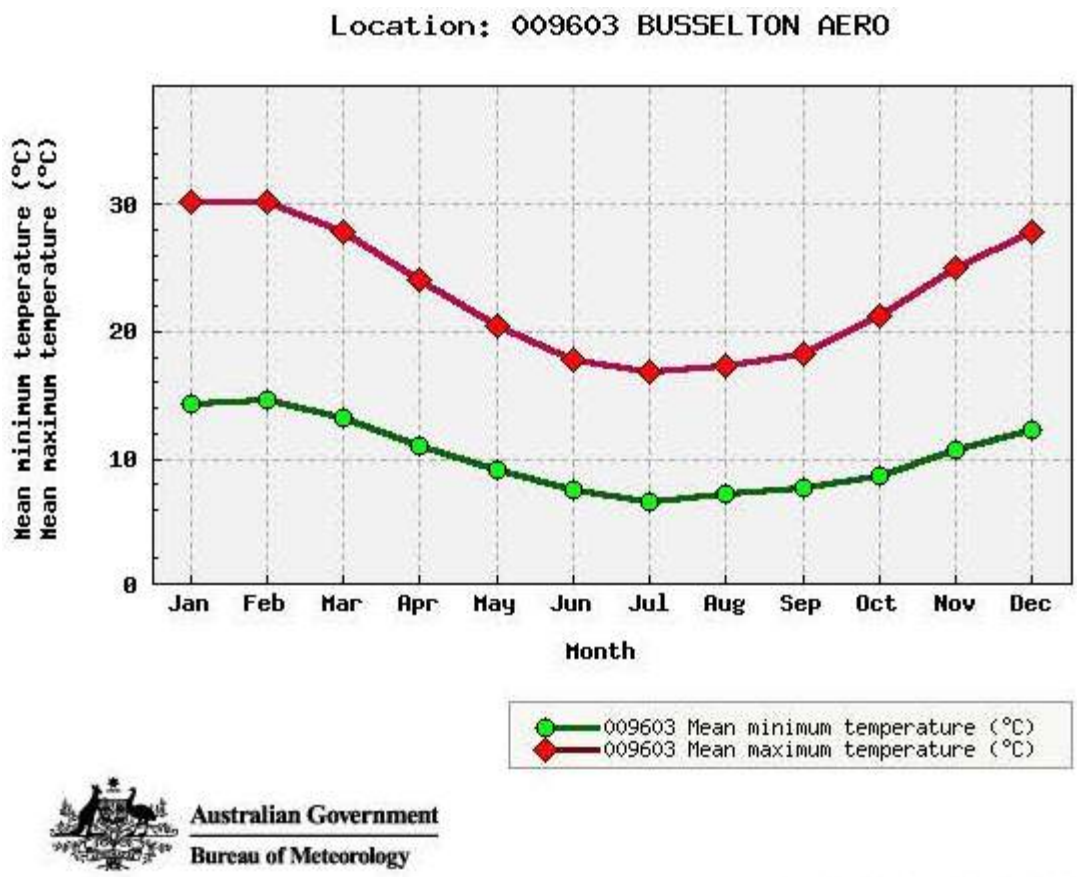

CHART 2: Mean Maximum and Minimum Temperatures (°C) Recorded at the Busselton Aero Weather Station (2016).

2.2 Geology and Soils

The offset site is located at the southern extremity of the Swan Coastal Plain which is bounded by the Whicher Scarp to the south and Geographe Bay to the north. This area is thought to have originally comprised relatively low sand drifts that have been flattened as a result of long-term pastoral use (Tille and Lantzke, 1990).

The regional geology of the Busselton-Capel area is dominated by a Cretaceous sedimentary sequence that was deposited within a major graben structure in the southern Perth Basin. The stratigraphy underlying the offset site comprises the Leederville Formation unconformably overlying Permian deposits and comprises a sequence of onshore fluviatile (river) and paludal (wetland) deposits (sediments) that are essentially flat-lying with a gentle slope to the north and have a thick weathering profile, up to about 25 m thick (Department of Water, 2008).

The soils-landscaping mapping for the general area (Department of Agriculture and Food WA, 2008) identifies the area of the offset site as belonging to the Spearwood Dunes System characterised by low relief dunes generally <10 m in elevation. The offset site forms part of the Vasse Wonnerup Subsystem and is comprised of three distinct sub-units:

- **211VaWOwy** – located in the northern half described as Vasse Wonnerup very wet saline flats; Phase Wet and Semi-wet soils and Saline wet soils;
- **211SpLD1** – located in the southern half described as Ludlow flats Phase Yellow and Brown DotEp sands; and
- **211VaWOw** – located in the north-western portion described as Vasse Wonnerup wet flats Phase Semi-wet and Wet soils with some Saline 48274827wet soils and Pale DotEp sands.

Figure 5 identifies the location of each of the soil-landscape units.

2.3 Wetlands

The *Geomorphic Wetlands Swan Coastal Plain* dataset displays the location, boundary, geomorphic classification (wetland type) and management category of wetlands on the Swan Coastal Plain (Department of Environment and Conservation, 2012) viewable online using the Government of Western Australia's *WA Atlas* (2017).

A conservation wetland (UFI 13156), part of the Broadwater wetland system is located to the north of the offset site and a multiple use wetland (UFI 13195) is located across the northern half of the offset site (refer to **Figure 6**).

2.4 Vegetation

2.4.1 Biogeographic Region

The site is located within the Swan Coastal Plain (SWA) Region under the Interim Biogeographic Regionalisation of Australia (IBRA7) codes and in the Swan Coastal Plain 02 (SWA02) subregion that is characterised by a low-lying coastal plain, mainly covered by woodlands (Government of Australia, 2012).

2.4.2 Vegetation Complex

The offset site is located within the Karrakatta Complex - Central and South (Heddle *et al.,* 1980) and the Ludlow Units (LW) and (L) (Mattiske and Havell, 1998).

2.4.3 Vegetation Type and Condition

The dominant plant community in the adjacent reserve comprises a Low Forest dominated by *Eucalyptus rudis* subsp. *rudis* and *Melaleuca rhaphiophylla* with scattered *Agonis flexuosa* over a degraded understorey comprising a dense cover (>70%) of *Zantedeschia aethiopica* (Arum Lily).

On-site, the vegetation comprises one mature *Agonis flexuosa* tree, one mature *Eucalyptus rudis* tree, and scattered *Melaleuca rhaphiophylla* trees, while the native understorey strata have been totally removed as a result of historical grazing and replaced by a dense cover (>70%) of annual pasture grasses and weeds (refer to **Section 2.5)**.

The condition of remnant vegetation across the site was assessed using the condition rating scale of Keighery published in *Bush Forever* (Government of WA, 2000) that ranges from Pristine (which means

that the vegetation exhibits no visible signs of disturbance) to Completely Degraded (where the vegetation structure is no longer intact and without native plant species). While vegetation fringing the northern boundary of the offset site (within the multiple use wetland) is in a Good to Degraded condition, the entire offset site has been cleared for annual pasture and the vegetation condition is rated as Completely Degraded[3].

Due to the degree of clearing undertaken within the offset site to provide annual pasture for cattle grazing, the vegetation was unmappable for *Phytophthora* dieback.

2.5 Weeds

Environmental weeds include those listed as Declared Plants under the Government of Western Australia's *Agriculture and Related Resources Protection Act 1976.* Declared Plants require a varying degree of control, depending upon their rating in the district in which they are encountered (Government of Western Australia, 2009; Department of Agriculture and Food Western Australia, 2017a and 2017b).

The following 41 introduced species were observed during a late September 2017 site visit:

- *Amaranthus albus* (Tumbleweed)
- *Avena barbata* (Bearded Oat)
- *Arctotheca calendula* (Cape Weed)
- *Briza minima* (Shivery Grass)
- *Bromus diandrus* (Great Brome)
- *Carduus tenuiflorus* (Slender Thistle)
- *Cenchrus clandestinus* (Kikuyu Grass)
- *Conyza bonariensis* (Flaxleaf Fleabane)
- *Cynodon dactylon* (Couch Grass)
- *Disa bracteata* (African Orchid)
- *Dittrichia graveolens* (Stinkwort)
- *Ehrharta longiflora* (Annual Veldt Grass)
- *Euphorbia peplus* (Petty Spurge)
- *Geranium molle* (Doves foot Geranium)
- *Holcus lanatus* (Yorkshire Fog)
- *Hypochaeris glabra* (Flatweed)
- *Lolium rigidum* (Wimmera Ryegrass)
- *Lotus angustissimus* (Narrowleaf Trefoil)
- *Lupinus cosentinii* (Western Australian Blue Lupin)
- *Lythrum hyssopifolia* (Lesser Loosestrife)
- *Malva parviflora* (Marshmallow)
- *Medicago polymorpha* (Burr Medic)
- *Melilotus indicus* (King Island Melilot)
- *Mentha pulegium* (Pennyroyal)
- *Oxalis pes-caprae* (Soursob)
- *Romulea rosea* (Guildford Grass)
- *Rumex acetosella* (Sorrel)

[3] The structure of the vegetation is no longer intact and the area is completely or almost completely without native species.

- *Rumex crispus* (Curled Dock)
- *Rumex hypogaeus* (Doublegee)
- *Solanum nigrum* (Deadly Nightshade)
- *Sonchus asper* (Rough Sowthistle)
- *Sonchus oleraceus* (Common Sowthistle)
- *Sparaxis bulbifera* (Sparaxis)
- *Spergularia rubra* (Sand Spurry)
- *Stellaria media* (Common Chickweed)
- *Stenotaphrum secundatum* (Buffalo Grass)
- *Symphyotrichum squamatum* (Bushy Starwort)
- *Trifolium fragiferum* (Strawberry Clover)
- *Trifolium lappaceum* (Burr Clover)
- *Vulpia myuros* (Rat's Tail Fescue)
- *Zantedeschia aethiopica* (Arum Lily)

Zantedeschia aethiopica (Arum Lily) is a listed as a Declared Pest in Western Australia. It occurs as scattered plants within the offset site; these plants can be easily removed prior to commencing rehabilitation. However, the larger risk is posed from the adjacent Broadwater Nature Reserve where there has been no management of Arum Lily for an extended period, and the Declared Pest now provides a seasonal cover of 95 percent. This loading significantly increases the risk of spread into the neighbouring offset site and threatens the sustainability of the native revegetation cover in the event that it continues to be unmanaged.

2.6 Fauna

2.6.1 Fauna Habitats

The adjacent Broadwater Nature Reserve supports a Low Forest dominated by *Eucalyptus rudis* subsp. *rudis* and *Melaleuca rhaphiophylla* with scattered *Agonis flexuosa* over a degraded understorey comprising a dense cover (>70%) of *Zantedeschia aethiopica* (Arum Lily). There is evidence of crown decline within the dominant canopy species, *Eucalyptus rudis* subsp. *rudis* (Flooded Gum). The offset site comprises annual pasture which currently provides limited value in terms of fauna habitat, other than for kangaroo grazing.

2.6.2 Conservation Significant Fauna

Habitat parameters affecting the distribution of the Western Ringtail Possum (*Pseudocheirus occidentalis*) are well known with the population on the Swan Coastal Plain predominantly located in the coastal strip between Bunbury and Albany (extending inland in riparian habitat between the Collie and Blackwood Rivers), and in the Upper Warren region. Habitat is associated with stands of myrtaceous trees (usually Peppermint Tree [*Agonis flexuosa*]) growing near the coast, swamps, watercourses or floodplains, and at topographic low points which provide cooler, often more fertile conditions (Department of the Environment, 2015c).

The area lies within the known distribution of the Ringtail Possum (*Pseudocheirus occidentalis*) in the Dunsborough to Bunbury Zone, and habitat within the Broadwater Nature Reserve is mapped as high quality for the species. Lots 217 – 219 provide a small and discrete area suitable to meeting the offset conditions required by Capecare, and would further enhance a previous Western Ringtail Possum

habitat creation offset implemented by Main Roads Department along the Busselton Bypass Road (Kim Williams, Parks and Wildlife Service, DBCA, pers. comm. 31 October 2017).

2.7 Pests

2.7.1 Introduced

The following introduced pest species are likely to inhabit or range through the offset site: *Vulpes vulpes* (European red fox), *Oryctolagus cuniculus* (feral European rabbit), and *Felis catus* (feral or semi-domestic cat).

The European red fox is an opportunistic predator and scavenger and has been recognised as a serious threat to Australian native fauna. Fox population densities may range from 0.2 to 12 adults per km^2 with fox groups having well defined home ranges with stable borders; the size of the home range averaging approximately 30 ha in urban areas (Animal Pest Management Services, 2017).

Feral rabbits are nocturnal grazers preferring green grass and herbs thereby preventing regeneration by eating seeds and seedlings and contributing to the decline in numbers of many native plants and animals (Department of Sustainability, Environment, Water, Population and Communities, 2011).

Feral cats range in size from 3.5- 6.5 kg, are nocturnal hunters capable of killing prey up to their own body size and are thought to have contributed to the extinction of a number of small to medium sized ground-dwelling mammals and ground-nesting birds in Australia. Home ranges of 1-10 km may be extended during times of food shortage (Animal Pest Management Services, 2017).

The *Threat Abatement Plan for Predation by Feral Cats* (Commonwealth of Australia, 2015) states that:

> *The responsibility for managing domestic cats ultimately rests with their owners. State, territory and local governments are supporting initiatives aimed at encouraging responsible pet ownership, including developing appropriate legislation, education and awareness programs, and management plans to address local problems with domestic and stray cats.*

In Western Australia, the *Cat Act 2011* requires the identification, registration and sterilisation of domestic cats, and gives local government authorities the power to administer and enforce the legislation (Department of Local Government, 2013). From the 1 November 2013, the full *Cat Act 2011* required that all cats that have reached six months of age be microchipped, sterilised and registered with the relevant local government authority.

While responsible cat management includes keeping a cat confined to its property, especially at night (Department of Local Government, 2013), this is particularly difficult for authorities to enforce.

Feral predators such as foxes and cats (both feral and domestic) have the potential to be concentrated in remnant bushland areas such as in or near to the offset site and have an adverse impact on the Western Ringtail Possum through predation, while the introduced pest the European rabbit can have an adverse impact on revegetation measures through herbivoring.

Management actions to reduce the impact of introduced pests on the Western Ringtail Possum are identified in **Section 4.7.1**.

2.7.2 Native

A large population of native Western Grey Kangaroos (*Macropus fuliginosus*) are known to inhabit the Broadwater Nature Reserve including the offset site moving freely throughout the Reserve. This species can have an adverse impact on the revegetation process due to their foraging activity and preference for young green growth of saplings and grasses (introduced and native).

The Western Grey Kangaroo is protected under the Western Australian *Wildlife Conservation Act 1950* and is also a declared pest of agriculture under the provisions of the *Agriculture and Related Resources Protection Act 1976*. This declaration allows for the approval and implementation of a Western Grey Kangaroo management plan and management strategies in various areas of the state.

Management actions to reduce the impact of the kangaroo on revegetation are identified in **Section 4.7.2**.

3. REHABILITATION STRATEGY

The rehabilitation process must acknowledge that native vegetation at the offset site has been permanently altered, but seeks to return a native plant community that has elements that are compatible with original and adjacent vegetation complexes. Capecare will be responsible for managing the revegetation for a period of five years during the early establishment phase.

3.1 Rehabilitation Objectives

The principal objectives of the ROMP as they apply to the offset site are to:

1. Undertake native rehabilitation across a minimum 1 hectare area of annual pasture within the offset site that has previously been cleared of native vegetation and subjected to prolonged grazing by dairy cattle;
2. Revegetate using a minimum number of nine plant taxa including three each of overstorey, mid-storey and understorey species, matched to the landform, i.e. upland and wetland, and ensuring a minimum number of 2,500 Peppermint seedlings are included in the overstorey mix; and
3. Maintain revegetation at the offset site for a period of five years following planting to ensure the survival of at least 80 percent of the Peppermint seedlings and that no patch greater than 100 m^2 has mid-storey and upper storey native species absent and patches of 400 m^2 will contain at least two different under/mid-storey species and a minimum under/mid-storey cover of approximately 30 percent.

3.2 Targets and Indicators

Targets and indicators have been established for each of the principal objectives of the ROMP to ensure that the rehabilitation performance is measurable as identified in **Table 4**.

3.3 Completion Criteria

The completion criteria as prescribed by EPBC Condition 5(c) requires there to be a survival rate of 80 percent (equivalent to 2,000 Peppermints per hectare) for the offset site five years after planting. For the non-Peppermint mixed species survival rate five years after planting, no patch greater than 100 m^2 will have mid-storey and upper storey native species absent and patches of 400 m^2 will contain at least two different under/mid-storey species and a minimum under/mid-storey cover of approximately 30 percent.

At the end of the initial planting, a spreadsheet will be provided to the DotEE and the DBCA detailing the final species type and number of tubestock planted. This information will be used as baseline data for comparison in future monitoring assessments and to determine the survival rate (or otherwise) of revegetation, whether completion criteria have been met and whether additional plantings are required.

TABLE 4
TARGETS AND INDICATORS FOR REHABILITATION OBJECTIVES

CRITERION / OBJECTIVE	MECHANISM	TARGET	INDICATOR(S)	MEASUREMENT TOOL
Undertake native rehabilitation across a minimum 1 ha area of annual pasture that has previously been cleared of native vegetation and subjected to prolonged grazing by dairy cattle.	Implement the approved ROMP.	Rehabilitate no less than 1 ha of land within the designated offset site.	The annual monitoring confirms that all required components of the ROMP have been appropriately implemented.	Quarterly site inspections of revegetation progress undertaken in January, April, July and October. Annual revegetation monitoring and reporting undertaken in September.
Revegetate using a minimum number of nine plant taxa including 3 each of upper storey, mid-storey and understorey species, matched to the landform, i.e. upland and wetland, and ensuring a minimum number of 2,500 Peppermint seedlings are included in the upper storey mix per hectare.	Implement rehabilitation methodologies listed in **Section 4** of the ROMP.	2,500 peppermint seedlings planted per hectare within the designated offset site.	Revegetation monitoring confirms that at least 2,500 Peppermint seedlings per hectare were planted. Review of plant orders and invoices confirms total number of tubestock.	Quarterly site inspections of revegetation progress undertaken in January, April, July and October. Annual revegetation monitoring and reporting undertaken in September.
Maintain revegetation at the offset site for a period of five years following planting to ensure the survival of at least 80% of the Peppermint seedlings, and for the non-Peppermint mixed species survival rate five years after planting, no patch greater than 100 m^2 will have mid-storey and upper storey native species absent and patches of 400m^2 will contain at least 2 different under/mid-storey species and a minimum under/mid-storey cover of approximately 30%. Five years following planting, the management responsibility for the site will devolve to the DBCA.	Implement rehabilitation methodologies listed in **Section 4** of the ROMP.	Ongoing management measures to ensure a survival rate of 80% of the 2,500 Peppermint seedlings is maintained per hectare five years after planting.	Revegetation monitoring confirms that at least 2,000 Peppermint seedlings per hectare occur within the designated offset site after five years, representing an 80% survival rate.	Quarterly site inspections of revegetation progress undertaken in January, April, July and October. Annual revegetation monitoring and reporting undertaken in September.
		Ongoing management measures to ensure that no patch greater than 100 m^2 will have mid- and upper storey native species absent and patches of 400 m^2 will contain at least 2 different under/mid-storey species and a minimum under/mid-storey cover of approximately 30%.	Revegetation monitoring confirms that patches greater than 100 m^2 have mid-storey and upper storey native species present and patches of 400 m^2 will contain at least 2 different under/mid-storey species with a minimum under/mid-storey cover of approximately 30%.	

4. METHODOLOGY AND MANAGEMENT ACTIONS

Parts of the Broadwater Nature Reserve and its associated landforms have been successfully rehabilitated to develop into Western Ringtail Possum habitat whilst other areas, particularly the wetland, have proven difficult to successfully rehabilitate. The use of site-specific appropriate site preparation, weed control and planting methodologies will form the basis of ensuring the objectives identified in **Table 4** can be achieved over Capecare's five-year management period. The use of specialist subcontractors to implement the methodologies and assess the outcomes throughout the management period will also be critical to rehabilitation success at the offset site.

4.1 Site Preparation

There are three landforms represented within the offset site:

1. An elevated sandy ridge comprising deep grey sandy soil and supporting one large isolated tree of *Agonis flexuosa* (Peppermint) over cleared annual pasture grasses and weeds;
2. A seasonally wet floodplain (dark clayey sand) fringing the Broadwater wetland and supporting one large isolated tree of *Eucalyptus rudis* (Flooded Gum) and scattered trees of *Melaleuca rhaphiophylla* (Swamp Paperbark) over cleared annual pasture grasses and weeds; and
3. An unincised ephemeral drainage line with seasonal pools during winter months.

As shown in **Appendix 5**, approximately 0.5 hectares of the offset site supports the elevated sandy ridge with deep grey non-wetting sands. This landform will be ideal for establishment of Peppermint woodland that will develop into Western Ringtail Possum habitat. Deep ripping on the contour by a D9 dozer with modified 'winged' tyne at less than 1 metre intervals and to a minimum depth of 500 mm will be the site preparation technique. This method directs water following rainfall into the base of riplines where seedlings will be establishing, increasing plant available water in the otherwise non-wetting soils. The riplines also provide protection to developing seedlings from prevailing winds.

The seasonally wet floodplains occur over approximately 0.70 hectares situated lower in the landscape, fringing the Broadwater wetland. These areas were holding surficial standing water during site visits conducted in late August and late September 2017. Prolonged waterlogging is potentially a major issue for developing seedlings. Rip mounding is an appropriate site preparation technique in soils that are subject to waterlogging as it allows plant roots to develop along the tops of mounds above the level of seasonal inundation, which promotes faster early plant growth and increased survival rates.

An unincised drainage line supporting seasonal pooling of surface water occurs over approximately 0.60 hectares of the offsite site. Due to the increased rate of flow along this drainage line, site preparation is not recommended owing to the potential for scouring. Any revegetation will occur directly into the existing profile using plant species that are adapted to being seasonally inundated. Revegetation of this landform will occur later in the year during periods when surface water is receding.

4.2 Fencing

The southern boundary of the offset site is currently fenced with 1.8 m high chain mesh. The other three perimeters are currently fenced with ringlock or single strand fencing to 1.2 m height. In order

to manage kangaroo herbivoring, the offset site will be fenced with a 1.5m netting fence with 1.8m posts (thereby providing potential to add a further 300 mm netting at a later stage if needed) and the installation of one way "roo gates" to enable animals to escape the fenced area will be required. Additional rabbit-proof meshing for the base will be 500 mm high attached as an apron at the base, extending a minimum of 400 mm height above ground level and dug in 100 mm (refer also to **Section 4.7**).

4.3 Weed Control

The offset site has been actively managed as annual pasture and grazed by cattle for an extended period, resulting in the site being dominated by a mixture of introduced annual and perennial grasses in combination with other common pasture weeds including Cape Weed and Guildford Grass. Timely treatment of weeds within the rehabilitation area will therefore be critical to revegetation success. Knockdown herbicide treatments will be implemented prior to revegetation using glyphosate (Roundup), with broadscale use of a grass selective herbicide (e.g. Fusilade or Verdict) following revegetation, in combination with targeted spot-spraying of woody weeds. It will be important not to use any residual herbicides which prevent native seed germination.

Following planting, quarterly qualitative assessment of weeds at the offset site will be conducted by a qualified botanist (January, April, July and October), with weed infested areas mapped and corresponding control treatments to be conducted annotated.

Weed control will be ongoing throughout Capecare's five-year management period.

4.4 Soil Amelioration

Soil testing will be undertaken to confirm soil acidity, level of organic carbon, cation exchange capacity, and nutritional status of *in situ* soil. Given that the site supports low quality annual pasture, it is likely that soil amelioration will be required prior to revegetation. Depending on soil test results, there may be a requirement to increase soil organic carbon by spreading compost at 4 m^3 per hectare (farm spreader), followed by a spray application of soil microbial inoculant through boomless spray nozzle (100 litres per hectare), prior to planting seedlings and direct sowing native seed.

4.5 Planting Seedlings and Direct Sowing

Revegetation will consist of a number of steps, including:

- Species selection and plant allocation;
- Sourcing plant material;
- Direct seeding;
- Planting seedlings;
- Plant establishment; and
- Documentation.

4.5.1 Species Selection and Plant Allocation

As identified in **Table 5**, a recommended list of plant species for revegetation of upland, wetland and interface zones within the offset site was provided by the DBCA (refer to **Appendix 3**). Not all of the recommended plant species are readily available from local nurseries hence additional species have been added to the original list.

4.5.2 Sourcing Plant Material

Where practicable, plant species used in revegetation works will be of local provenance. However, in acknowledging that sourcing sufficient plant stock of local provenance can be difficult, tubestock from species that are found in the Dunsborough region may be sourced from nurseries that are NIASA accredited which will guarantee the quality of the plant material, including *Phytophthora* dieback free status.

4.5.3 Direct Seeding

Direct seeding will be undertaken using local provenance seed where practical and available, with the seed mix based on the species listed in **Table 5**. Direct sowing is an effective method of providing rapid native cover and reducing potential issues with introduced species by increasing competition during the early establishment phase.

Seed broadcast rates will be determined by annual seed availability for individual species. All seeds will be mixed with a suitable bulking and spreading agent (preferably vermiculite), and manually spread ensuring even coverage over the whole area. Sowing of the upland seed mix (elevated sandy ridges) will occur in early winter, following the required soil preparation and subsequent weed treatment. For wetland areas, direct sowing will be delayed until at least late August when flood waters are receding.

4.5.4 Seedling Planting

Plant stock (tubestock) used should be suitably mature (9-12 months) and appear to be thriving in order to enable optimal establishment and growth.

Initial planting of seedlings within upland areas (elevated sandy ridges) will commence after the season's first major rains, and following required treatment of subsequent weed germination (typically post-June). All seedlings will be planted into the base of riplines at even spacings (planting density to be confirmed following ripping).

For wetland areas, planting of seedlings will be delayed until at least late-August when flood waters typically begin receding. The later planting reduces the potential for seedlings to suffer from prolonged waterlogging. All seedlings will be planted into the top of mounds at even spacings (planting density to be confirmed following mounding).

Infill/supplementary planting of tubestock will be undertaken in the second year following planting if determined to be required during the annual monitoring program completed by an appropriately qualified botanist. Supplementary planting in Year 3 will be informed by the outcomes of Year 2 (2019) planting, with annual review ensuring that the survival rate is met at the corresponding month in 2023.

TABLE 5
SPECIES LIST FOR REVEGETATION AREA

PLANTING ZONE	OVERSTOREY [a]		MIDSTOREY [b]		UNDERSTOREY [c]	
	SPECIES NAME	**COMMON NAME**	**SPECIES NAME**	**COMMON NAME**	**SPECIES NAME**	**COMMON NAME**
Upland Zone	*Agonis flexuosa*	Coastal Peppermint	*Acacia saligna*[4]	Coojong	*Adenanthos meisneri* [4]	Prostrate Woollybush
	Banksia grandis	Bull Banksia	*Jacksonia furcellata*	Grey stinkwood	*Gastrolobium praemorsum*[5]	Bronze Butterfly
	Banksia attenuata	Candle Banksia	*Kunzea glabrescens*	Spearwood	*Hardenbergia comptoniana*[6]	Native wisteria
	Corymbia calophylla	Marri	*Melaleuca systena*	Coastal Honeymyrtle	*Hibbertia cuneiformis*	Cutleaf Hibbertia
			Melaleuca thymoides	Sand Myrtle	*Hypocalymma angustifolium*	White Myrtle
			Spyridium globulosum	Basket Bush	*Kennedia prostrata*	Scarlet Runner
					Lepidosperma gladiatum	Coast Sword-sedge
					Rhagodia baccata	Berry Saltbush
					Stirlingia latifolia[4]	Blueboy
Wetland Zone	*Agonis flexuosa*	Coastal Peppermint	*Acacia saligna*[3]	Coojong	*Baumea juncea*	Bare twig rush
	Eucalyptus rudis	Flooded gum	*Astartea scoparia*	Common Astartea	*Ficinia nodosa*	Knotted Club Rush
	Melaleuca rhaphiophylla	Swamp Paperbark	*Banksia littoralis*	Swamp Banksia	*Gahnia trifida* [5]	Coast Saw-sedge
	Melaleuca preissiana	Moonah	*Callistachys lanceolata*	Wonnich	*Juncus krausii*	Shore rush
			Hakea prostrata	Harsh Hakea	*Juncus pallidus*	Pale rush
			Hakea varia	Variable-leaved Hakea	*Lepidosperma longitudinale*	Pithy Sword-sedge
			Kunzea recurva	Pink Pompoms	*Patersonia occidentalis*	Purple Flag
			Melaleuca viminea	Mohan		
			Melaleuca incana	Grey Honeymyrtle		
			Pericalymma ellipticum	Swamp Teatree		
			Taxandria linearifolia	Swamp Peppermint		
			Taxandria parviceps	Winter White Tea Tree		
Interface Zone					*Adriana quadripartita*	Bitter Bush

Notes: [a] 50% comprised of the following species in each zone
[b] 25% comprised of at least 3 of the following species in each zone
[c] 25% comprised of at least 3 of the following species in each zone

[4] Potential to become weedy and reduce species richness
[5] Infrequently available from nurseries in high plant numbers
[6] Climber (non-structural component of revegetation)

4.6 Plant Disease

4.6.1 *Phytophthora* dieback

Human activity can cause the most significant, rapid and widespread distribution of both of these pathogens, and bush restoration projects can also inadvertently spread the pathogen through the inadvertent use of infected plant stock and importation of infested soil. Introducing soil or plant stock into the offset site can potentially introduce *Phytophthora* dieback and inadvertently spread the disease.

Phytophthora dieback management within the revegetation area will include, but not be limited to, the following management actions:

- Scheduling activities that involve soil disturbance during low rainfall months (November to April) when the soil is dry;
- Vehicles, tools, equipment, machinery and footwear used should be free of all mud, soil and vegetative material prior to entering the offset site; and
- Soil or plant stock used for revegetation should only be obtained from a soil/plant stock supplier accredited with Nursery Industry Accreditation Scheme of Australia (NIASA) accreditation.

4.6.2 Redlegged earth mite

The Redlegged earth mite (*Halotydeus destructor*) is a major pest of pastures, crops and vegetables in regions of Australia with cool wet winters and hot dry summers such as the offset site. Earth mites are active in the cool, wet part of the year (April to November) with over-summering eggs hatching in autumn following exposure to cooler temperatures and adequate rainfall. During this time, two to three generations may hatch, releasing swarms of mites which attack crop seedlings and emerging pasture plants (Department of Primary Industries and Regional Development, 2017).

Given the weather conditions experienced at the offset site, its historical use for cattle grazing and the annual pasture species that dominate the site, there may be a requirement to undertake Redlegged earth mite control. Typical control utilises systemic insecticides that are applied following the commencement of autumn rainfall, with possible retreatment required in spring. Further treatments will only be implemented should quarterly site inspections indicate that the Redlegged earth mite is present.

4.7 Pest Control

4.7.1 Introduced Pests

A fence will be constructed around the perimeter of the offset site to provide for long-term protection of revegetation from herbivorous pest species and to protect the Western Ringtail Possum population from predators (refer to **Section 4.2** for fence details).

Monitoring for signs of herbivorous and predatory pest species (e.g. scats, diggings) within and adjacent to the offset site will be undertaken during quarterly site inspections and annual revegetation

monitoring. Should signs of feral pests be observed during site inspections, a qualified pest control subcontractor will be employed to eradicate the pest(s).

Eradication of foxes, cats and rabbits will be undertaken on an 'as needs' basis in order to protect the plantings and seedlings.

Fox eradication will utilise either baiting, trapping or shooting using qualified and experienced subcontractors.

The preferred method for rabbit eradication is through deploying a strain of rabbit haemorrhagic disease virus (RHDV; also known as rabbit calicivirus disease or viral haemorrhagic disease virus). Eradication via this method will be carried out under conditions set down in a specific permit issued by the Australian Pesticides and Veterinary Medicines Authority (APVMA) under Commonwealth legislation (*Agricultural and Veterinary Chemicals Code Act 1994*) and will be used in accordance with all relevant State and Commonwealth legislation. Should the need arise, and following consultation with local DBCA staff, additional rabbit control using approved baiting techniques (ie: 1080 Oats) will be implemented.

4.7.2 Native Pests

Managing kangaroo numbers will be required to control the total grazing pressure on the offset site.

As previously discussed in **Section 4.2**, the perimeter of the offset site will be fenced to provide for long-term protection from pest species including kangaroos.

The Western Grey Kangaroo Management Plan for Western Australia includes the legalities of destroying kangaroos on non-private land, such as the offset site, when the population is found to contain excessive numbers. In light of this, culling (shooting) may be required as a short-term control measure but will need to be authorised by the DBCA prior to implementation (Department of Environment and Conservation). The implementation of a 'cull' will only be undertaken following consultation with officers from the Parks and Wildlife Services and will conducted by a licenced professional shooter.

4.8 Fire Management

The Southwest of Western Australia generally experiences a cool to mild growing season (August-November) followed by four months of summer drought conditions during which the potential for bush fire to occur is at its peak. The worst fire weather conditions occur during this summer drought when a low pressure trough forms off the west coast creating mid-level disturbances and bringing unstable atmospheric conditions from the north or north-west that result in thunderstorms and the potential for lightning strike as a fire ignition source.

The *Map of Bush Fire Prone Areas* (Department of Fire and Emergency Services, 2017) identifies land falling within, or partially within, a bush fire prone area as designated by the Fire and Emergency Services Commissioner.

Plate 1 (over the page) shows the bush fire prone areas (highlighted in pink) both within and surrounding the offset site. The amount and type of vegetation to the north and south of the offset

site has the capacity to directly contribute to the risks associated with bush fire, its spread into or out of these areas, as environmental conditions allow and impacts on the environment and therefore the revegetation of the offset site.

Vegetation located to the north and south of the offset site needs to be considered due to the potential for fire to spread into or out of these areas. The result of fire spreading into the offset site could potentially result in excessively high mortality rates of juvenile plantings.

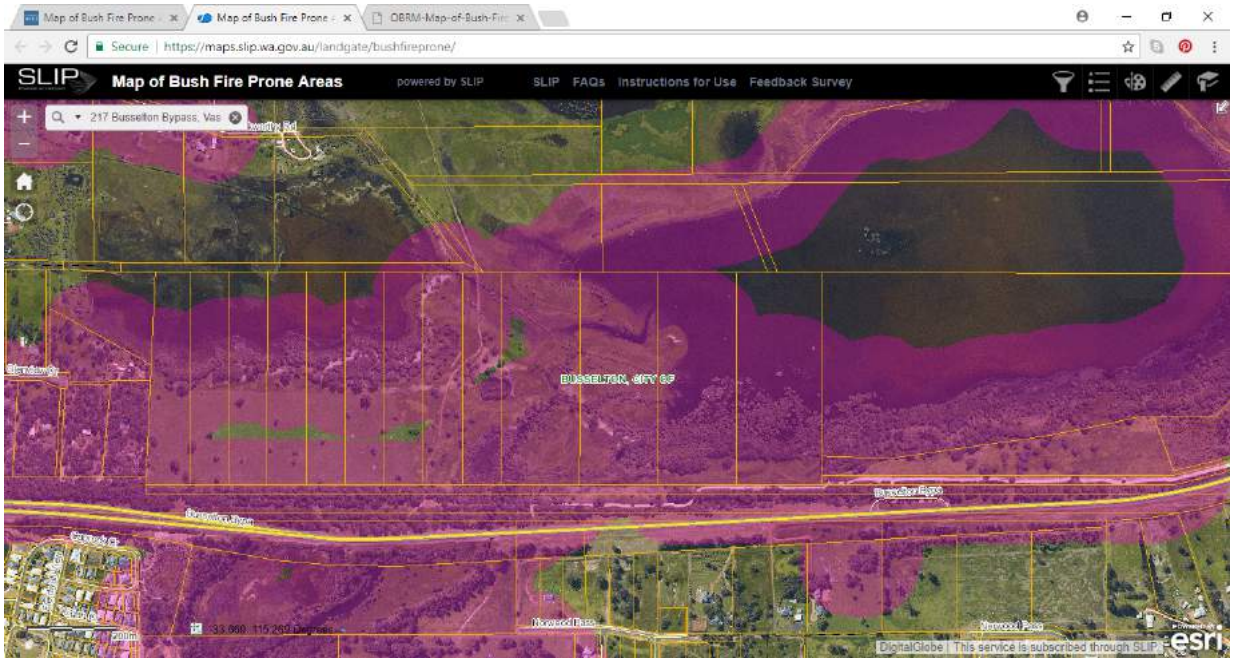

PLATE 1: Map of Bush Fire Prone Areas in and around Offset Site
(Source: Department of Fire and Emergency Services, 2017)

To prevent potential bush fire impacts on the offset site, and in keeping with the *Bush Fires Act 1954*, a 3m wide mineral earth firebreak will be cleared and maintained around the external perimeter of the offset site fenceline. Consultation and approval from local DBCA staff will be sought prior to pruning any overhanging trees and other vegetation impinging upon the firebreak. The firebreak will be installed prior to planting commencing and maintenance will be conducted prior to 15 December annually (refer to **Appendix 6**).

4.9 Rehabilitation Chronology

The chronology for proposed stages involved with rehabilitation implementation, rehabilitation management monitoring and reporting are summarised in **Table 6** (over the page).

TABLE 6
SCHEDULE FOR WEED CONTROL, REVEGETATION, MONITORING AND REPORTING

	20нл				20н1				202н				202о				202п				202р				202с		
	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring	Summer	Autumn	Winter	Spring
Rehabilitation Implementation:																											
Installation of fence and firebreak																											
Pre-planting weed control																											
Site preparation (deep ripping, mounding)																											
Redlegged earth mite control																											
Apply microbial inoculation																											
Planting seedlings / direct sowing native seed																											
Rehabilitation Management:																											
Weed control (as directed by quarterly inspections)																											
Infill planting (if required)																											
Fence inspection and maintenance																											
Fox control (if required)																											
Rabbit control (if required)																											
Kangaroo control (if required)																											
Firebreak maintenance																											
Rehabilitation Monitoring and Reporting:																											
Quarterly site inspections and reporting																											
Annual rehabilitation monitoring and reporting																											

5. MONITORING AND CORRECTIVE MEASURES

5.1 Quarterly Site Inspections

Quarterly site inspections will be completed by an appropriately qualified rehabilitation professional (preferably a botanist) during the first week of January, April, July and October during the five year management period following rehabilitation commencing.

5.2 Revegetation and Weed Control

Monitoring will be completed annually during late September and continue throughout Capecare's five year management period. The monitoring procedure will involve two methods; belt transects for an overall vegetation assessment, and plots for assessment of tree density and tree health.

Two further annual monitoring events will conducted in Years 4 and 5 to calculate the survival rate of the Peppermint trees and non-Peppermint species, and additional infill planting and weed control conducted on an 'as needs' basis in Year 4.

5.2.1 Belt transects

Permanent belt transects of 20 contiguous one metre square quadrats will be established throughout the rehabilitated offset area (refer to **Chart 3** over the page). A GPS location of the start point and the orientation of each belt transect will be recorded and a photo monitoring point will be established. The 20 x 1m^2 quadrats along each transect line will be assessed individually. For each species within a quadrat, the number present, percentage ground cover, and maximum plant height will be recorded. Summarised data will provide mean density values (no. plants/m^{-2}), mean percentage ground cover, and mean maximum plant height for each belt transect. The number of transects established will be determined by a species accumulation curve.

Data will be collated for each landform within the offset area (i.e. upland, wetland) with data for native plant taxa summarised separately to introduced plant taxa.

5.2.2 Tree plots

Permanent 20 m by 20 m plots will be established to monitor density, health and height of tree species within the rehabilitation (refer to **Chart 3** over the page). The western boundary of each plot will be aligned with the 20 m by 1 m belt transect described in **Section 5.2.1** above. Within each plot the species name, height and condition (0 dead, 5 full healthy crown) of each tree present will be recorded and later summarised to provide average data for each tree species.

The survival rate of Peppermints and non-Peppermints will be determined by individual counting and recording the location of plants (dead, alive, absent).

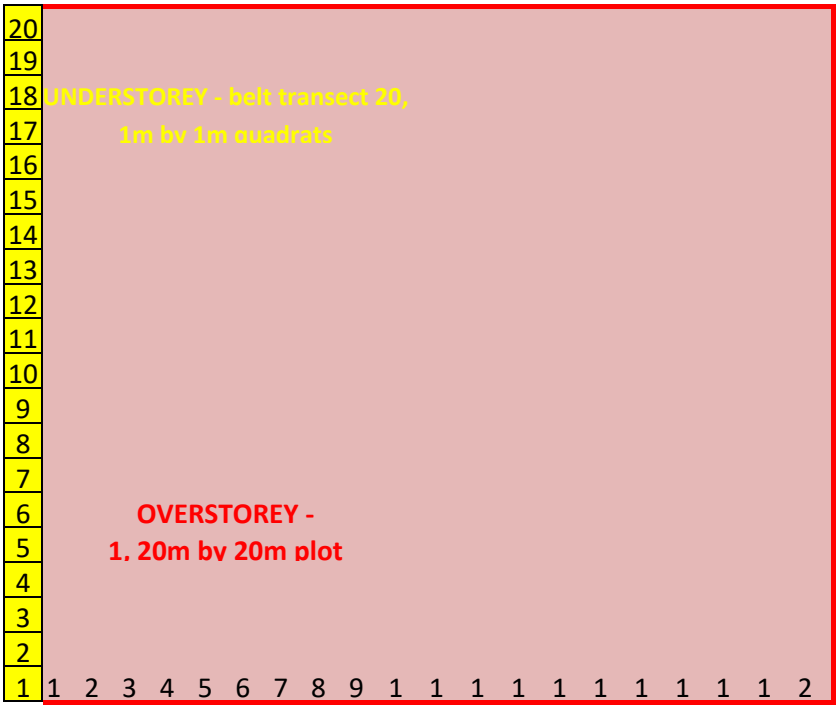

CHART 3: Layout of Permanent Belt Transect (20, 1m by 1m quadrats) and Tree Plots (20m by 20m), to be Established as part of the Monitoring Program

5.3 Corrective Actions

In the event that quarterly monitoring/site inspections or annual monitoring indicates rehabilitation is not developing in line with expected trends for the plant biodiversity parameters being monitored, the corrective actions identified in **Table 7** (over the page) will be implemented.

TABLE 7
TRIGGERS AND CORRECTIVE ACTIONS FOR REHABILITATION

ITEM	TRIGGER	CORRECTIVE ACTION
1.	Revegetation completion criteria for Peppermints and non-Peppermint species are not met at Years 2 or 3	1. Identify the cause/survival rate. 2. Implement one or more corrective actions, such as: - Undertaking additional infill planting; - Implementing supplementary watering, fertilising, wetting agents if required; 3. Monitor the success of the corrective action.
1.	Revegetation completion criteria for Peppermints and non-Peppermint species are not met at Years 4 or 5	1. Undertaking additional infill planting; 2. Monitor the success of the corrective action.
2.	Weed coverage is impacting on development of the native species cover	1. Identify the cause/weed species. 2. Implement one or more corrective actions, such as: - Using a different chemical for eradicating the species identified; - Utilising hand weeding/digging; - Conducting additional weed controls. 3. Monitor the success of the corrective action.
3.	Insect attack is reducing plant productivity within the native revegetation cover	1. Identify the insect/s. 2. Implement one or more corrective actions, such as: - Apply an appropriate insecticide aimed at eradicating the species identified; - Increasing nutritional status of soil to improve plant health and increase plant resistance. 3. Monitor the success of the corrective action.
4.	The revegetation area appears to be suffering dieback/revegetation is not thriving as expected.	1. Identify the cause, including whether dieback is caused by *Phytophthora*. 2. Engage a *Phytophthora* dieback consultant to confirm the presence of the disease. 3. Implement management measures prescribed by the dieback consultant. 4. Monitor the success of the corrective action.
5.	Unauthorised access (humans, feral or pest species) into revegetation area.	1. Identify the nature and extent of pest/unauthorised human access. 2. Undertake fence maintenance. 3. Implement eradication of feral species (baiting, trapping, shooting) on an 'as-needs-basis' in consultation with the DBCA.

6. RESPONSIBILITIES, RECORD-KEEPING, AUDITING AND REPORTING

6.1 Proponent Responsibilities

Capecare is the proponent for the proposed development of an aged care facility to be constructed on Lot 600 Naturaliste Terrace, Dunsborough and will be responsible for the preparation and implementation of this ROMP within the designated offset site identified in **Appendix 5**.

Capecare will be responsible for engaging appropriately qualified and experienced subcontractors and consultants to undertake the rehabilitation activities and for ensuring that the rehabilitation activities are implemented in accordance with the approved ROMP.

Capecare will engage an experienced, and preferably locally based, rehabilitation professional to oversee the implementation of the approved ROMP, undertake quarterly site inspections, and undertake annual rehabilitation monitoring and advise Capecare on appropriate subcontractors capable of undertaking specific tasks required to implement the ROMP. It is recommended that specialist contractors are sourced to undertake site preparation and weed control; these items will be critical to rehabilitation success at the offset site.

6.2 Record-keeping, Auditing and Reporting

Capecare will maintain accurate records of all rehabilitation activities undertaken within the offset site for the duration of the rehabilitation program. These records will be made available to the DotEE and the DBCA upon request.

Following quarterly site inspections and the annual spring monitoring assessment, a letter report will be provided to Capecare and the DBCA within one week of each quarterly site inspection being conducted. The report will identify any triggers that will require corrective actions identified in **Table 7** to be implemented in a timely and effective manner.

An annual audit of the implementation of management measures within the offset site will be undertaken by the proponent's environmental consultant to ensure compliance with the approved ROMP. The information gathered will form the basis of an annual compliance report that will include: all management actions taken, the outcomes of the quarterly site inspections and annual monitoring program, any corrective measures implemented during that calendar year, and performance of the revegetation process against the completion criteria identified in **Table 4**.

The annual compliance report will be submitted to the DotEE and DBCA for the duration of Capecare's five-year management period.

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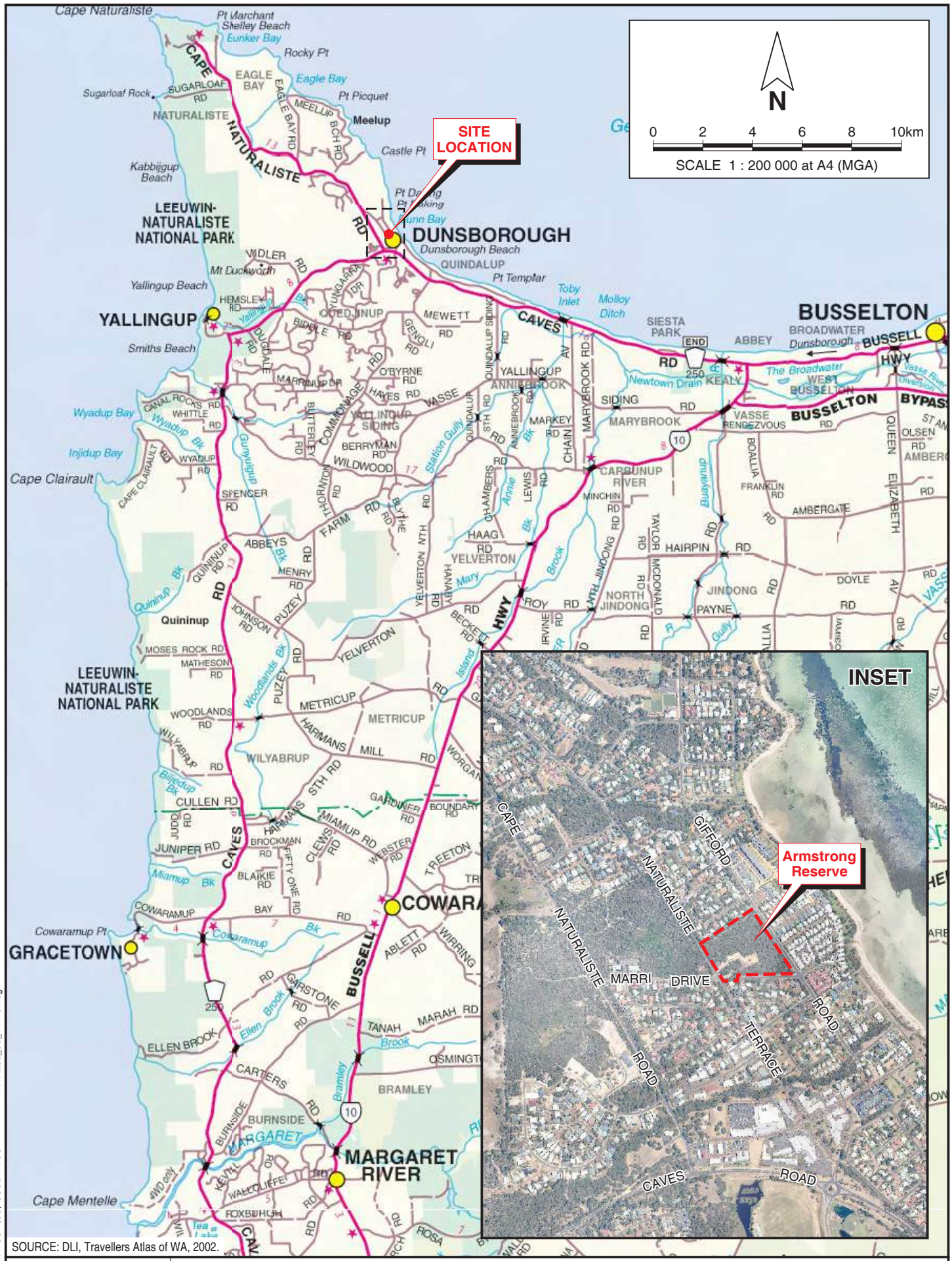
FIGURES

REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) PORTION LOTS 217 - 219 BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)



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EndPlan Environmental

Ray Village Aged Care Services t/a Capecare
REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) - PORTION LOTS 217 - 219
BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

Date: 25 June 2017
Drawn: B. Van der Wiele

REGIONAL LOCATION OF DEVELOPMENT AREA

Figure 1

Report No. RVA292_43

AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2010.

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA292_39_V1-F02.dgn

EndPlan Environmental

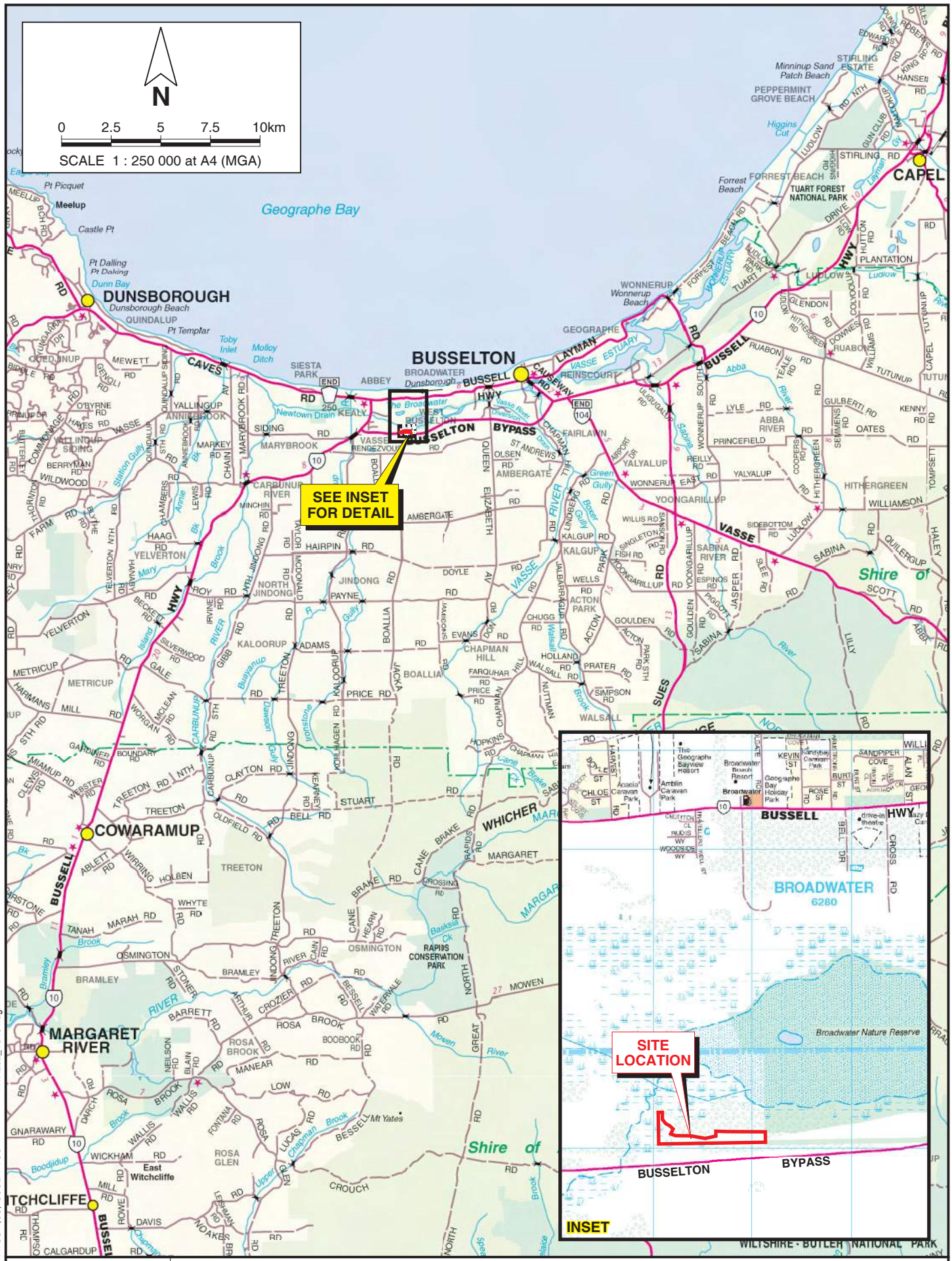
Ray Village Aged Care Services t/a Capecare
REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) - PORTION LOTS 217 - 219
BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

Date: 25 June 2017
Drawn: B. Van der Wiele

CADASTRE OF ARMSTRONG RESERVE (2015)

Figure 2

Report No. RVA292_43



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EndPlan Environmental

Ray Village Aged Care Services t/a Capecare
REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) - PORTION LOTS 217 - 219
BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

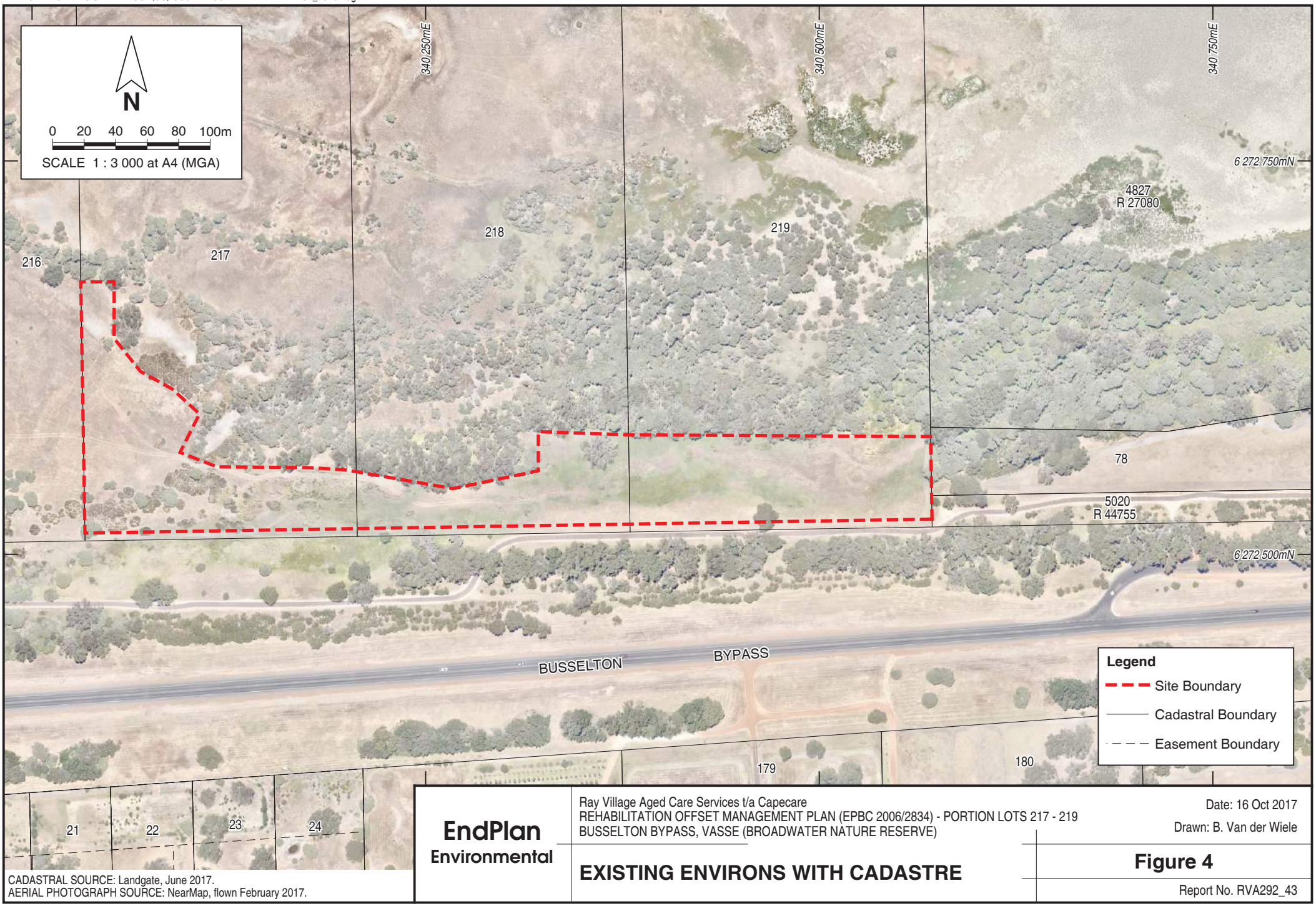
Date: 16 Oct 2017
Drawn: B. Van der Wiele

REGIONAL LOCATION

Figure 3

Report No. RVA292_43

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA292_43-f02.dgn



CADASTRAL SOURCE: Landgate, June 2017.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2017.

EndPlan Environmental

Ray Village Aged Care Services t/a Capecare
REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) - PORTION LOTS 217 - 219
BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

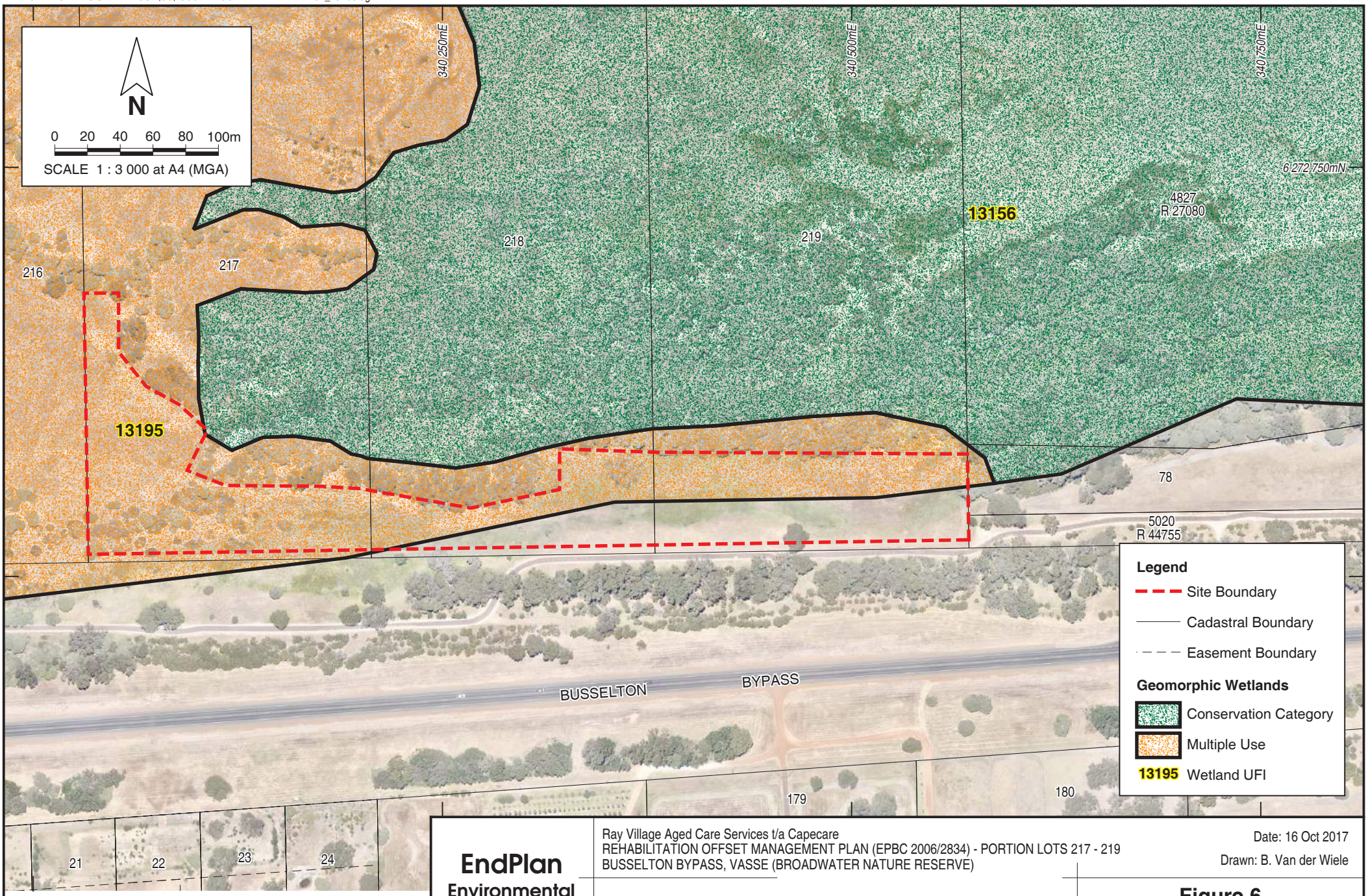
Date: 16 Oct 2017
Drawn: B. Van der Wiele

EXISTING ENVIRONS WITH CADASTRE

Figure 4

Report No. RVA292_43

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA292_43-f03.dgn



WETLANDS SOURCE: DPaW, April 2017.
CADASTRAL SOURCE: Landgate, June 2017.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2017.

EndPlan Environmental

Ray Village Aged Care Services t/a Capecare
REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) - PORTION LOTS 217 - 219
BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

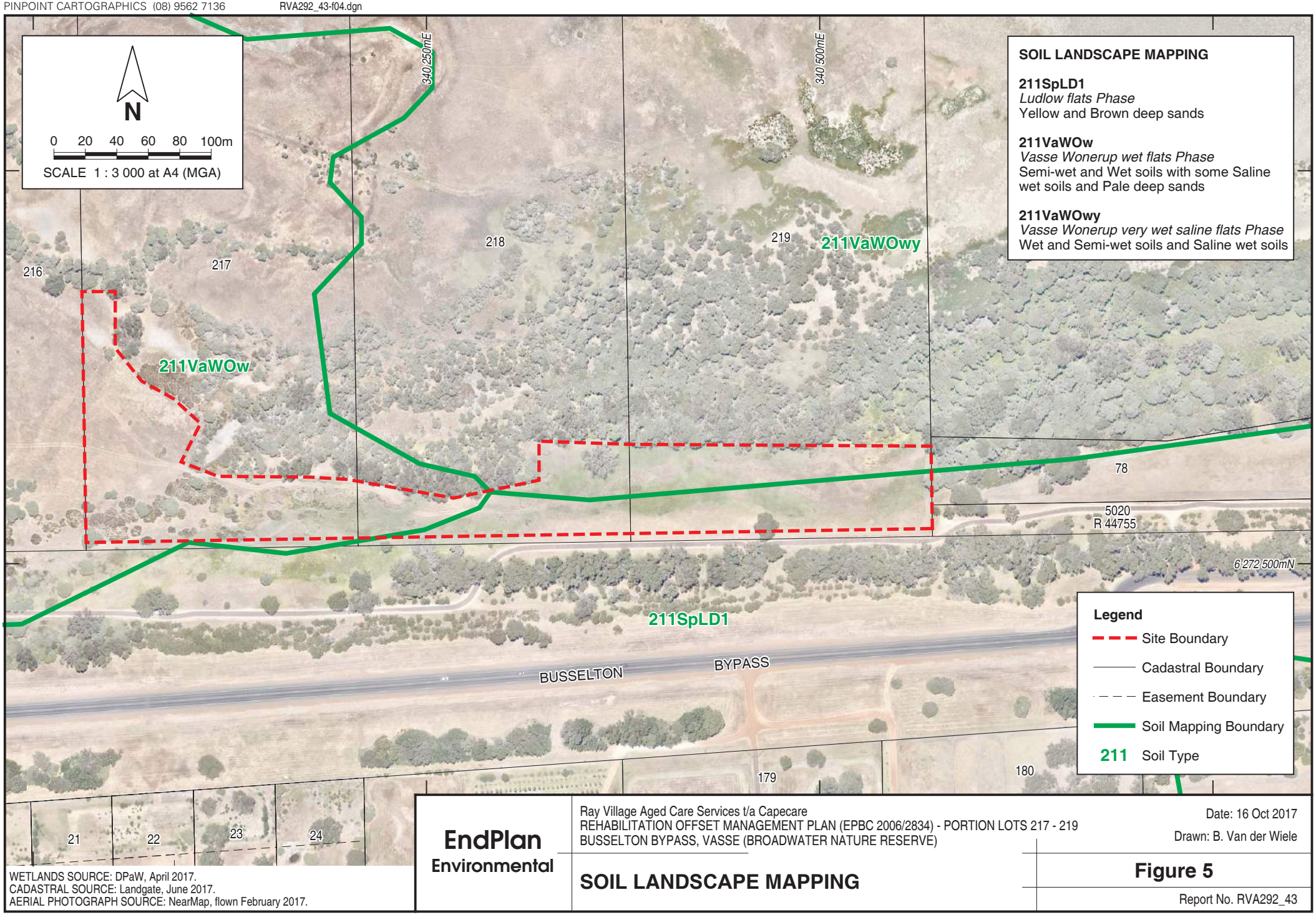
Date: 16 Oct 2017
Drawn: B. Van der Wiele

GEOMORPHIC WETLANDS

Figure 6

Report No. RVA292_43

PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA292_43-f04.dgn



WETLANDS SOURCE: DPaW, April 2017.
CADASTRAL SOURCE: Landgate, June 2017.
AERIAL PHOTOGRAPH SOURCE: NearMap, flown February 2017.

EndPlan Environmental

Ray Village Aged Care Services t/a Capecare
REHABILITATION OFFSET MANAGEMENT PLAN (EPBC 2006/2834) - PORTION LOTS 217 - 219
BUSSELTON BYPASS, VASSE (BROADWATER NATURE RESERVE)

Date: 16 Oct 2017
Drawn: B. Van der Wiele

SOIL LANDSCAPE MAPPING

Figure 5

Report No. RVA292_43

APPENDIX 13

CAPECARE SUBSTANTIVE COMMENCEMENT ADVICE (Source: Capecare, 2019)

capecare
Your One Link for South West Aged Care

15 August 2019

Department of the Environment and Energy
Compliance Monitoring Team
Office of Compliance
GPO Box 787,
CANBERRA ACT 2601

Dear Sir/Madam,

RE: EPBC 2006/2834 – Capecare, urban and commercial development, Aged Care – Naturaliste Terrace, Dunsborough, WA

On behalf of Ray Village Aged Services Inc. t/a Capecare, the proponent for the abovementioned action, I wish to advise that in keeping with EPBC Approval Condition 6:

> *Within 10 business days after commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement*

construction activities commenced at Lot 600 on the 7 August 2019.

Yours sincerely,

STEPHEN CARMODY
Chief Executive Officer

Capecare
20 Ray Avenue
Busselton WA 6280
ABN: 77630 1179 279

Ph: 08 9750 2000
Fax: 08 9755 46 96
info@capecare.com.au

www.capecare.com.au

APPENDIX 14

DEPARTMENT SUBSTANTIVE COMMENCEMENT ACKNOWLEDGEMENT
(Source: Department of the Environment and Energy, 2019)

EPBC reference: 2006/2834

Contact Officer: Kahli Beissner
Telephone: (02) 6274 1472
Email: epbcmonitoring@environment.gov.au

Mr Stephen Carmody
Chief Executive Officer
CapeCare
Stephen.Carmody@capecare.com.au
Cc: Matthew Sproule, matthew.sproule@swcm.com.au

Dear Mr Carmody

Commencement of the Action – Capecare, urban and commercial new development, Aged Care - Naturaliste Terrace, Dunsborough, WA (EPBC 2006/2834)

Thank you for your letter dated 15 August 2019 notifying the Department that the action commenced on 7 August 2019, in accordance with Condition 6 of *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval decision EPBC 2006/2834. Further to this date, please note that the following condition is now operational in accordance with the mentioned due date.

Condition 8 – Annual Compliance Report

Annual Compliance Reports must be published on your website by 7 November each year, and evidence of publication must be provided to the Department at the same time as the compliance report is published. Annual Compliance Reports must continue to be published until the expiry of the approval (30 June 2030).

When preparing the Annual Compliance Report please refer to the Department's Annual Compliance Report Guidelines at http://www.environment.gov.au/epbc/publications/annual-compliance-report-guidelines.

Please email the Annual Compliance Report and the details of its publication, including a link to where it is publically available, to epbcmonitoring@environment.gov.au.

Please maintain accurate records of all activities associated with, or relevant to, the approval conditions so that they can be made available to the Department on request. These documents may be subject to audit and be used to verify compliance. Summaries of audits may be published by the Department.

Section 142 of the EPBC Act requires an approval holder to comply with conditions attached to an approval. The Department may decide to issue Infringement Notices of up

to $12,600 for each contravention of approval conditions. Other enforcement powers available to the Department following a contravention of approval conditions include a directed variation to conditions or a directed audit, under sections 143(1)(a) and 458 of the EPBC Act, respectively.

For information about the Monitoring and Audit program, see the Department's website at http://www.environment.gov.au/epbc/compliance-and-enforcement/auditing.

If you would like to discuss this matter further, please contact Kahli Beissner at epbcmonitoring@environment.gov.au.

Yours sincerely

Valerie Hush
Assistant Director
Environment Audit Section
Office of Compliance

2 September 2019

APPENDIX 15

CAPECARE WEBSITE PUBLICATION OF ROMP (Source: Capecare, 2018)

From: Stuart Sibbald
To: "Bernadette Van der Wiele"
Cc: Stephen.Carmody@capecare.com.au; "Dominic Trombetta"
Subject: RE: Capecare website requirement
Date: Tuesday, 23 January 2018 1:33:13 PM

HI Bernadette,

Thankyou for the timely reminder regarding the ROMP being placed on our web page

Capecare recently had a departure of a staff member (Karen Ardler) who kept the Website up to date and I can confirm that we have the Rehabilitation Offset Management Plan (Romp) now posted to the website. Please accept our apologies for this over sight

Kind Regards
Stuart Sibbald
M.Sust., B.Eng, MIEAust.
0417177230

Capecare Client Representative
Armstrong Village Dunsborough

From: Bernadette Van der Wiele [mailto:bernadette@endplanenvironmental.com.au]
Sent: Monday, 22 January 2018 10:13 AM
To: Stephen.Carmody@capecare.com.au; 'Dominic Trombetta'
Cc: Stuart Sibbald; Nadine Carter; 'John Reid'
Subject: Capecare website requirement

Hello Steve and Dom
I have had a query from Will Oldfield regarding Capecare's use of the DBCA offset site (from third party request for information to him from the local Environment Centre). Before I respond to Will, can I please draw your attention to the attached correspondence and in particular referral to condition 12 of Capecare's approval.
As the correspondence is dated the 17 December 2017 the ROMP should have been placed on your webpage. Can you please advise whether it has been?
Many thanks

Kind regards
Bernadette van der Wiele
Director
EndPlan Environmental
PO Box 138 NORTH FREMANTLE WA 6159
M: 0447 366 460
UDIA 2014 WA and 2015 National Environmental Excellence Award Winner

Helping you live well

capecare

Your One Link for South West Aged Care

08 9750 2000

Armstrong Village – Dunsborough

Armstrong Village will be the first residential care facility for the rapidly-growing Dunsborough community. Innovative design and technology will help to create a vibrant community hub, in harmony with the natural environment, connecting village residents with the wider Dunsborough community and enabling residents to live well as they age.

A 60-bed residential care facility will cater for people with high physical needs in a dementia-enabling environment.

Approximately 33- 40 Independent Living Apartments will also be included in the development, allowing residents to live as independently as they can with the knowledge that supporting resources are readily available as required.

Armstrong Village will also incorporate a new base for the Dunsborough Branch of the Country Women's Association.

Located within easy walking distance to the Dunsborough Town Centre, shops, cafés, medical facilities, Country Club and Geographe Bay, Armstrong Village will be nestled in a natural environment that will maximise the availability of outdoor space and overlook the adjacent nature reserve.

The Village is also likely to include a meeting room for residents, onsite amenities such as a hairdresser, doctors room, allied health (occupational therapy, podiatry and physiotherapy) a library/technology hub, a small coffee shop, crafts/games room and an outdoor BBQ area.

A portion of Armstrong Reserve was gifted to aged care by the State of Western Australia and in November 2003, the City of Busselton passed a motion to "support the need for land to be set aside for age care facilities within the urban area or close to Dunsborough Township as a vital part in strategic planning for the community in the western sector of the shire."

Stage of the development

Architects Site/KPA have been appointed following a competitive tender process and design work is underway.

Consultation with the Dunsborough community is currently occurring and current planning shows that a Development Application will be submitted in March 2018.

Independent Living Units marketing and pre-sales will commence with submission of the Development Application. The project investment threshold has a prerequisite for 50 % presales of Independent Living Units prior to proceeding to the Construction Phase.

We anticipate completing the design phase in the third quarter of 2018, and it is planned to tender and award the construction phase by the end of 2018, pending the Board decision to proceed.

The Construction phase will likely take approximately 18 months followed by commissioning and handover for operations. It expected that Armstrong Village Dunsborough will be ready for use in the final quarter of 2020.

Environmental Matters

The area of land set aside for Armstrong Village Residential Care Community is approximately a third of the land area (1.28ha or 3.2acres); with the balance of the land a conservation reserve vested in the City of Busselton.

The development has approval from the Minister for the Environment and Environmental Protection Authority (EPA) approval.

Capecare has worked diligently over the past few years to ensure that any environmental impact is minimised. EPA approval has been granted with the condition that a number of trees (2500 Peppermint trees and 7500 under-canopy shrubs) are planted in an approved location with a guaranteed 80% survival rate in 5 years.

The Armstrong Village development team is committed to work closely with local environmental and wildlife care groups to maximise the wellbeing and safe relocation of any wildlife.

Please click **HERE** to view the 2017 Rehabilitation Offset Management Plan

Other environmental reports:

Click **HERE** to read Capecare 2012 Responses to PER Submissions

Click **HERE** to download the 2014 Environmental Report- Statement of Compliance

Click **HERE** to download the 2016 Environmental Report- Statement of Compliance

Click **HERE** to download the 2017 Environmental Report Statement of Compliance

Sales Information

Independent Living Units marketing and pre-sales will commence with submission of the Development Application (March 2018) at which time a pricing structure and plans will be available for public viewing.

The project investment threshold has a prerequisite for 50 % presales of Independent Living Units prior to proceeding to the Construction Phase.

It is planned to have 2 and 3 bedroom apartments available for independent living on one level of the multi-level development serviced by lifts and separate stairs

The upper units are likely to have views of the Bay, or Dunsborough and beyond and we are planning a relaxed parkland style bush setting for the lower levels, so those apartments will have either a view of the surrounding Armstrong Reserve or the Village Centre.

Capecare is intending to offer a "lease for life" arrangement for those wishing to live in the apartments.

When you enter into a life lease agreement at Capecare you purchase the exclusive right to occupy a unit at Armstrong Village for 49 years, or until you are no longer capable of living independently in the unit..

A life lease with Capecare offers you a security of tenure for your unit, which means that you can stay in your home until the life lease agreement ends.

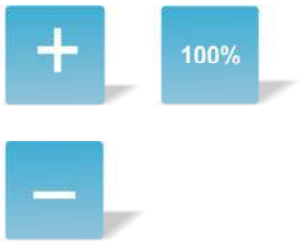
This type of lease agreement lies between renting and owning a residential premise..

Your life lease grants you access to our common facilities and services and the guarantee that you will be sharing those facilities with people of your same age group.

There will be a deferred maintenance fee (charged annually to an upper limit yet to be determined) that will be payable at the time the occupier leaves the unit (leaves Dunsborough, transfers to the Residential Care Facility, etc.).

Further enquiries should be directed to Capecare CEO Stephen Carmody

Tel: 08 97 50 2000 or Contact Us online.



APPENDIX 16

REGULATION 4 LAWFUL AUTHORITY PERMIT (Source: Department of Biodiversity, Conservation and Attractions, 2020)

Department of **Biodiversity, Conservation and Attractions**

GOVERNMENT OF WESTERN AUSTRALIA

PARKS AND WILDLIFE SERVICE

REGULATION 4 LAWFUL AUTHORITY

CONSERVATION AND LAND MANAGEMENT REGULATIONS 2002

Pursuant to regulation 4(1) of the Conservation and Land Management Regulations 2002 (the Regulations) this notice gives "lawful authority" to the person named thereon (the Authority Holder) to undertake or perform the activity described under "Authorised Activities" (below), on specified CALM Act lands during the specified period.

AUTHORITY HOLDER DETAILS

Name:	**Sly** (Surname)	**Graeme Leslie** (Other Names)
Address:	**14 Cloisters Cove, West Busselton**	
Phone:	**0419964072**	
Affiliation:	**Total Horticultural Services**	
Email:	**ths@westnet.com.au**	

AUTHORISED ACTIVITIES:
The Authority Holder is authorised to undertake the following activities, associated with undertaking rehabilitation for EPBC2006/2834 Capecare - Approved ROMP, on areas of CALM Act Land and subject to the Conditions below. Specifically, lawful authority is issued under the following Regulations:

13 – Cultivation of native plants

34 – Unauthorised buildings

35A – Quarrying, removing or disturbing soil

38 – Unauthorised signs

47 – Entering CALM land via gates

51 – Use of vehicles on CALM land

52 – Off-road vehicles

CALM ACT LANDS TO WHICH THE AUTHORISATION APPLIES:
Lots 217 – 219 Busselton Bypass, Vasse (adjacent to Broadwater Nature Reserve (R 27080)

SPECIFIED PERIOD OF LAWFUL AUTHORITY:

2/8/2020	And	1/12/2021	Or sooner if revoked
Commencement		Cessation	

Details of "Nominated Vehicle/s":

Make and Model	Type	Registration
Mazda BT-50	4WD Table Top / Enclosed Canopy	1HAY065
Mazda	4WD Table Top	BSN16524
Toyota Dyna	Twincab Tip Truck	1BFA706
Hino	Tip Truck	BSN784L
Mitsubishi Triton	Dual Cab	BSN415G
Mitsubishi Canter	Tip Truck	BY76954
Honda	2 x 4 Motor bike	n/a
Nissan	Dual Cab	GRENVILLE

CONDITIONS:

The Authority Holder must comply with the following conditions:

1. Where applicable, licenses issued under Regulation 89 of the Conservation and Land Management Regulations 2002 or under Regulations 14-22 and 54-59 of the Biodiversity Conservation Regulations 2018 for the taking of flora and/or fauna are required in addition to this authority.

2. This Authority does not comprise lawful authority to enter CALM Land the subject of Division 1 of Part 3 of the Regulations unless the land and/or waters is described below. ("CALM Land" is defined in Regulation 2 to mean land, or land and waters to which the Regulations apply, including caves and parts of caves on, or under that land. The Regulations apply to the land and waters described in Regulation 3 of the Regulations)

3. No bioprospecting involving the removal of sample aquatic and terrestrial organisms (both flora and fauna) for chemical extraction and bioactivity screening is permitted to be conducted without specific written approval by the Director General of Parks and Wildlife.

4. Further standard conditions below form part of this Authority.

W.M. Abbott	31 July 2020

District Manager **DATE OF ISSUE**
Department of Biodiversity, Conservation and Attractions

DELEGATE CEO

Additional Information

1. This Law Authority is not transferable to any other person.
2. Without lawful authority it is an offence to undertake these activities, and other activities prescribed in the Conservation and Land Management Regulations, on CALM Act land. Penalty $2 000.
3. Failure to comply with any of the Conditions of this Lawful Authority may result in its cancellation.

Blackwood District Regulation 4 additional conditions:

1. All activities must adhere to the Rehabilitation Offset Management Plan for EPBC 2006/2834. Any deviations must be discussed with DBCA prior to implementation.
2. No feral animal control is to be undertaken without prior discussion with the District Conservation Coordinator. This includes any application of insecticides.
3. A list of chemicals planned for use in weed control operations is to be provided to DBCA prior to commencement.
4. Any signage or padlocks are to be removed by the cessation date of this lawful authority.
5. Hygiene – Dieback (*Phytophthora cinnamomi*) and invasive species

a. The licensee is to ensure that all activities are carried out under hygienic conditions with respect to all vehicles, any collection of material and personal hygiene to minimise disease risks and negate the spread of invasive species.
b. All vehicles, footwear and equipment shall be clean prior to entry into DBCA-managed lands.

6. Any unlawful activities observed on DBCA-managed lands are to be reported to the Blackwood District Office (08 9752 5555)
7. Any sightings of threatened or priority listed species or communities are to be reported to the District Conservation Coordinator (08 9752 5555).
8. Additional to the required report of collection activities, copies of the project findings and collection activities within the specified forest blocks, must be forwarded to the Blackwood district office at the conclusion of work in that area. This report must include any outcomes of the research/survey/collection. Failure to adhere to this condition may lead to the district not supporting future Regulation 4 applications from the permit holder.

EndPlan Environmental is an Associate Member of the

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