

Statement of Compliance

1. Proposal and Proponent Details

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| Proposal Title | <i>Armstrong Reserve, Dunsborough, Urban and Commercial Development</i> |
| Statement Number | <i>926 and 1094</i> |
| Proponent Name | <i>Ray Village Aged Services (Inc.) trading as CapeCare</i> |
| Proponent's Australian Company Number (where relevant) | ABN: 77 630 179 279 |


2. Statement of Compliance Details

| | |
|------------------|--------------------------|
| Reporting Period | <i>8/03/22 - 7/03/23</i> |
|------------------|--------------------------|

| Implementation phase(s) during reporting period (please tick ✓ relevant phase(s)) | | | | | | | |
|---|--------------------------|--------------|-------------------------------------|-----------|-------------------------------------|-----------------|--------------------------|
| Pre-construction | <input type="checkbox"/> | Construction | <input checked="" type="checkbox"/> | Operation | <input checked="" type="checkbox"/> | Decommissioning | <input type="checkbox"/> |

| | |
|---|---|
| Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment: | 2 |
| <p>An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2 to this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Department of Water and Environmental Regulation (DWER) <i>Post Assessment Guideline for Preparing an Audit Table</i>, as amended from time to time. The 'Status Column' of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1.</p> | |

| | | |
|--|--------------------------|---|
| Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box) | | |
| No (please proceed to Section 3) | <input type="checkbox"/> | Yes (please proceed to Section 4) <input checked="" type="checkbox"/> |

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
INITIALS: 

3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance 3-1

| |
|---|
| Which implementation condition or procedure was non-compliant or potentially non-compliant? |
| Was the implementation condition or procedure non-compliant or potentially non-compliant? |
| On what date(s) did the non-compliance or potential non-compliance occur (if applicable)? |

| | |
|---|-----------------------------|
| Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER? | |
| <input type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input type="checkbox"/> Reported to DWER in writing Date _____ | <input type="checkbox"/> No |

| |
|---|
| What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance? |
| What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates) |
| What was the cause(s) of the non-compliance or potential non-compliance? |
| What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance? |
| What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence? |
| Please provide information/documentation collected and recorded in relation to this implementation condition or procedure: <ul style="list-style-type: none"> • in the reporting period addressed in this Statement of Compliance; and • as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance. (the above information may be provided as an attachment to this Statement of Compliance) |

For additional non-compliance or potential non-compliance, please duplicate this page as required.

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance.
 INITIALS:

[Handwritten initials]

4. Proponent Declaration

I, ...JOANNE PENMAN CHIEF EXECUTIVE OFFICER, (*full name and position title*)
 declare that I am authorised on behalf of RAY VILLAGE AGED SERVICES (INC) trading as
 CAPECARE (*being the person responsible for the proposal*) to submit this form and that the
 information contained in this form is true and not misleading.

Signature: 

Date: 4/5/2023-

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

5. Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

6. Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)**Department of Water and Environmental Regulation**


Postal Address: Locked Bag 10
 Joondalup DC
 WA 6919

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

7. Post Assessment Guidelines and Forms

Post assessment documents can be found at www.epa.wa.gov.au

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 INITIALS: 

ATTACHMENT 1

Table 1 Compliance Status Terms

| Compliance Status Terms | Abbrev | Definition | Notes |
|----------------------------|--------|---|---|
| Compliant | C | Implementation of the proposal has been carried out in accordance with the requirements of the audit element. | This term applies to audit elements with: <ul style="list-style-type: none"> ongoing requirements that have been met during the reporting period; and requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'. |
| Completed | CLD | A requirement with a finite period of application has been satisfactorily completed. | This term may only be used where: <ul style="list-style-type: none"> audit elements have a finite period of application (e.g. construction activities, development of a document); the action has been satisfactorily completed; and the DWER has provided written acceptance of 'completed' status for the audit element. |
| Not required at this stage | NR | The requirements of the audit element were not triggered during the reporting period. | This should be consistent with the 'Phase' column of the audit table. |
| Potentially Non-compliant | PNC | Possible or likely failure to meet the requirements of the audit element. | This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred. |
| Non-compliant | NC | Implementation of the proposal has not been carried out in accordance with the requirements of the audit element. | This term applies where the requirements of the audit element are not "complete" have not been met during the reporting period. |
| In Process | IP | Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending. | The term 'In Process' may not be used for any purpose other than that stated in the Definition Column. The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan). |

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INITIALS:  _____

TABLE 4: AUDIT TABLE

PROJECT: ARMSTRONG RESERVE, DUNSBOROUGH - URBAN AND COMMERCIAL DEVELOPMENT Statements 926 and 1094

Notes:

- Phases that apply in this table = Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition, P = Proponent's commitment.
- Acronyms list: CEO = Chief Executive Officer of OEPA; DEC = Department of Environment and Conservation; DWER = Department of Water and Environmental Regulation; DPaW = (former) Department of Parks and Wildlife; DBCA = Department of Biodiversity, Conservation and Attractions; EPA = Environmental Protection Authority; DoW = Department of Water; Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority; Co8 = City of Bussellton; CAR = Compliance Assessment Report; SoC = Statement of Compliance.
- Compliance Status: C = Compliant, CLD = Completed, NA = Not Audited, NC = Non-compliant, NR = Not Required at this stage.

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|--|--|---|---|--------------|--------------------------------|--------|---|
| 926:M1-1 | Proposal Implementation | When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Column 3 of Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal has been approved under the Act. | As per Schedule 1, Statement 926 | Annual Compliance Assessment Report (CAR) | Overall | Ongoing | C | No s45 change to proposal and clearing limits has been applied for during the reporting period. |
| 926:M2-1 | Contact Details | The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within 28 days of such change. Where CapeCare is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State. | Notify in writing as per Condition 2, Statement 926 | Copy of written notification to CEO of any change in proponent details. | Overall | Within 28 days of such change. | C | Review of website details and an informal interview indicated that no changes have occurred during the reporting period. |
| 1094:M3-1 | Time Limit for Proposal Implementation | The proponent shall not commence implementation of the proposal after the 21 January 2023, and any commencement, prior to this date, must be substantial. | Notify in writing | CAR | Construction | On or before 21 January 2023. | CLD | Ground disturbance associated with the proposal commenced on 7 November 2019, as reported in CAR 2020: Appendix 11 (EndPlan 2020) with vegetation clearing conducted between the 28 October and 2 November 2019 (Plate 1). Construction of the facility was completed in August 2021. Site activities encompass the entire development footprint and are substantial (Plates 2-4). |
| 1094:M3-2 | Time Limit for Proposal Implementation | Any commencement of implementation of the proposal, on or before the 21 January 2023, must be demonstrated as substantial by providing the CEO with written evidence, on or before the 21 January 2023. | Notify in writing | Copy of written notification to CEO of substantial commencement. | Overall | On or before 21 January 2023. | CLD | Ground disturbance associated with the proposal commenced on 7 November 2019, as reported in CAR 2020: Appendix 11 (EndPlan 2020) with vegetation clearing conducted between the 28 October and 2 November 2019 (Plate 1). Construction of the facility was completed in August 2021. Site activities encompass the entire development footprint and are substantial (Plates 2-4). |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|----------------------|--|---|---|------------------|---|--------|---|
| 1094:M4-1 | Compliance Reporting | The proponent shall prepare, submit and maintain a Compliance Assessment Plan to the CEO at least six (6) months prior to the first Compliance Assessment Plan required by condition 4-6, or prior to implementation of the proposal, whichever is sooner. | Prepare and submit a Compliance Assessment Plan (CAP) | CAP | Pre-construction | Submission of CAP before the 30 October 2019. | CLD | The CAP (Endplan 2019) was approved by the DWER in January 2020, as reported in CAR 2020: Appendix 13 (Endplan Environmental 2020). |
| 1094:M4-2 | Compliance Reporting | The Compliance Assessment Plan shall indicate: (1) the frequency of compliance reporting; (2) the approach and timing of compliance assessments; (3) the retention of compliance assessments; (4) the method of reporting of potential non-compliances and corrective actions taken; (5) the table of contents of Compliance Assessment Reports; and (6) public availability of Compliance Assessment Reports. | Revise and submit CAP | CAP | Overall | Submission of revised CAP on an as needs basis. | C | The CAP (Endplan Environmental 2019) was approved by the DWER in January 2020, as reported in CAR 2020 included as Appendix 13 (Endplan 2020). No changes were made to the CAP during the reporting period. |
| 1094:M4-3 | Compliance Reporting | Alter receiving notification from the CEO that the Compliance Assessment Plan satisfies condition 4-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1. | As specified in the CAP | Annual Compliance Assessment Report and Statement of Compliance – this CAR. | Overall | CAR submission annually before 8 June for each 12-month period. | C | This CAR is the fourth CAR. The first CAR (EndPlan 2020) was submitted to DWER on 8 June 2020, the second CAR (EndPlan 2021) was submitted to DWER on 28 May 2021 and the third CAR was submitted to DWER on the 7 June 2022. |
| 1094:M4-4 | Compliance Reporting | The proponent shall retain all compliance reports of all assessments described in the Compliance Assessment Plan required by condition 4-1, and shall make these reports available when requested by the CEO. | Information documentation and available upon request | Overview provided in CAR and Annual SoC retained and publicly available on the proponent's website. | Overall | The first Compliance Assessment Report and Statement of Compliance is due to be submitted by the 8 June 2020 then annually by the 8 June. | C | An e-copy of each of the three previous CARs has been retained on the Capecare website: Dunborough Environmental Reports - Capecare |
| 1094:M4-5 | Compliance Reporting | The proponent shall advise the CEO of any non-compliance or potential non-compliance within seven (7) days of that non-compliance being known. | Notify in writing | Written notification, CAR | Overall | Within 7 days of non-compliance or potential non-compliance being known. | C | One potential non-compliance occurred during the reporting timeframe. This relates to the failure to conduct a Western Ringtail Possum survey in Spring 2021 (refer to information provided in Section 3 and Appendices 12 and 13). |
| 1094:M4-6 | Compliance Reporting | The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as agreed in writing with the CEO. The Compliance Assessment Report shall: (1) be endorsed by the proponent's CEO or a person delegated to sign on the CEO's behalf; (2) include a statement as to whether the proponent has complied with the conditions. | Notify in writing (submit CAR within required timeframe reporting on the previous 12 months). | CAR | Overall | The initial SoC is due to be submitted by the 8 June 2020, then annually by the 8 June. | C | This CAR is the fourth CAR. The first CAR (EndPlan 2020) was submitted to DWER on 8 June 2020, the second CAR (EndPlan 2021) was submitted to DWER on 28 May 2021 and the third CAR was submitted to DWER on the 7 June 2022. An e-copy of each of the three previous CARs and this CAR has been retained on the Capecare website: Dunborough Environmental Reports - Capecare |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|------------|--------------------------|---|---|--|---------|---|--------|---|
| | | (3) identify all potential non-compliances and describe corrective and preventative actions taken; (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1. | | | | | | |
| 1094:M5-1 | Public Availability Data | Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated experimental data (including sampling design, sampling methodologies, empirical data, and derived information products (e.g., maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement. | In accordance with the OEPA Post Assessment Guideline for Making Information Publicly Available | CAR | Overall | Life of the proposal. | C | The previous SoCs and CARs have been uploaded onto Capecare's website annually. The EMP was uploaded onto Capecare's website https://capecare.com.au/wp-content/uploads/2019/07/EMP.pdf on the 17 July 2019, as reported in CAR 2020: Appendix 6 (EndPlan 2020). The CAP was uploaded onto Capecare's website https://capecare.com.au/wp-content/uploads/2020/03/RVA792_88_V1.pdf on the 19 January 2020, as reported in CAR 2020: Appendix 6 (EndPlan 2020). The following management plans and reports have been uploaded onto Capecare's website Dunborough Environmental Reports - Capecare : <ul style="list-style-type: none"> - Weed Management Plan (Onshore Environmental 2020) - Armstrong Reserve Targeted WRP Survey 2019 (Onshore Environmental 2020) - WRP Survey Armstrong Reserve (November 2020) [Terrestrial Ecosystems 2021a] - WRP Survey Armstrong Reserve (March 2021) [Terrestrial Ecosystems 2021b] - WRP Survey Armstrong Reserve (February 2022) [EndPlan Environmental 2022] - WRP Survey Armstrong Reserve (November 2022) [EndPlan Environmental 2022] - WRP Survey Armstrong Reserve (February 2023) [EndPlan Environmental 2023] |
| 1094:M5-2 | Compliance Reporting | If any parts of the plans and reports referred to in condition 5-1 contains particulars of: (1) a secret formula or process; (2) confidential commercially sensitive information; | In accordance with the approved Compliance Assessment Plan | Copy of written request to CEO. CEO approval. | Overall | For the life of the proposal as approved by the CEO | NR | No request to the CEO to not make those parts of the plans and reports publicly available has been made during the reporting period. |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|--|--|--|--|---------------------|------------------|--|--------|---|
| | | the proponent may submit a request to the CEO to not make those parts of the plans and reports publicly available. In make such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available. | | | | | | |
| 1094:M6-1 | Residual Impacts and Risk Management Measures | To mitigate for significant residual Impacts of the proposal on a priority ecological community Dunsborough Swamp Forest, threatened and significant fauna species <i>Pseudochelonus occidentalis</i> and <i>Ctenopus oro</i> , and declared rare flora <i>Caladenia viridescens</i> , the proponent shall, prior to the commencement of construction submit an Environmental Management Plan for the remaining portion of Armstrong Reserve outside the Development Envelope shown in Figure 1, to the satisfaction of the CEO, on the advice of the Department of Environment, Biodiversity, Conservation and Attractions (DBCA). | Preparation of an EMP including management measures 1-5 identified in M5.2. | EMP CEO approval | Pre-construction | Prior to construction commencing. | C | The Compliance Branch (Ministerial Statements) approved the EMP on 28 June 2019, as reported in CAR 2019-20: Appendix 5 (EndPlan Environmental 2020). |
| 1094:M6-2 | Residual Impacts and Risk Management Measures | The Environmental Management Plan required by condition 6-1 shall be prepared in consultation with the City of Busselton (CoB) and include: (1) dieback management measures prepared in consultation with the DBCA; (2) Measures to ensure Banksia logs and other woody debris from the clearing in the development envelope are relocated to within the area shown as remaining portion of Armstrong Reserve in Figure 1 to enhance fauna habitat values; (3) Weed control measures; (4) Measures to control vehicle and pedestrian access; and (5) Management measures to ensure impacts from the proposal are contained within the development envelope shown in Figure 1. | Preparation of an EMP including management measures 1-5 in consultation with the City of Busselton. | EMP CEO approval | Pre-construction | Prior to construction commencing. | CLD | The Compliance Branch (Ministerial Statements) approved the EMP on 28 June 2019, as reported in CAR 2019-20: Appendix 5 (EndPlan Environmental 2020). |
| 1094:M6-3 | Residual Impacts and Risk Management Measures | After receiving notice from the CEO that the Environmental Management Plan satisfies the requirements of condition 6-1, prior to commencement of construction, unless otherwise agreed with the CEO, the proponent shall implement the revised Environmental Management Plan in consultation with the City of Busselton for a period of three (3) years from the commencement of construction. | Implementation and Internal audit of the EMP and results included in the annual CAR provided to the CEO, City of Busselton and made publicly available on the proponent's website. | CAR | Overall | Implement the approved EMP for 3 years from the EMP approval date. | C | An internal audit of EMP management measures 1-5 identified in M5.2 are included in this CAR: refer to Audit Codes 1094:M6-3-V01 to 1094:M6-3-V02 and 1094:M6-3-F01 to 1094:M6-3-F15. |
| The following management measures (V01-V22) are taken from the Environmental Management Plan (2019) Table 3: Flora and Vegetation Management Actions, Targets, Monitoring and Reporting Requirements | | | | | | | | |
| 1094:M6-3-V01 | <i>Phytophthora cinnamomi</i> Dieback management measures | Implement the recommended <i>Phytophthora cinnamomi</i> Dieback management measures identified in the Dieback Management Plan (DMP): | | | | | | |
| 1094:M6-3-V01a | | <u>Dieback Management Measures for the Project Development Site:</u> | Monitor the implementation and compliance of each | GANTT Chart | Construction | During construction | CLD | Site mobilisation commenced 21 October 2019, as reported in CAR 2020: Appendix 19 (EndPlan 2020). |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further information |
|----------------|---------|---|--|--|------------------|----------------------------------|--------|--|
| 1094:M6-3-V01b | | 1. Where practical, schedule activities in dry-soil conditions to minimise clean-down effort. | management measure identified in the DMP. | Contractual documentation | Pre-construction | Prior to construction commencing | CLD | Correspondence regarding Dieback management was included in contractual documentation issued to the Contractor and Subcontractors as reported in CAR 2020: Appendix 20 (EndPlan 2020). |
| 1094:M6-3-V01c | | 2. Include relevant dieback management requirements in the project's contractual documentation and site induction materials. | Re-validate the <i>Phytophthora</i> mapping Annually to ensure no evidence of further dieback infestation. | Environmental induction register Contractual documentation | Construction | | CLD | Project management team environmental induction register provided as reported in CAR 2020: Appendices 8 and 22 (EndPlan 2020). |
| 1094:M6-3-V01d | | 3. Induct site personnel and any service providers on their dieback management requirements prior to their commencement of site activities. | Construction workforce training including formal site inductions, toolbox sessions, in formation panels etc. Identification of requirements in tender documentation. | Environmental induction register | Construction | During construction | CLD | Environmental induction notes provided, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-V01e | | 4. Establish Clean-On-Entry/Exit (COE) points with signage. | | Contractual documentation Environmental induction register Contractual documentation | Construction | During construction | CLD | Environmental induction notes provided, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-V01f | | 5. All machinery, vehicles, work-boots and equipment should arrive to, enter and then exit the project site cleaned free from mud, soil and plant material. | | Contractual documentation Environmental induction register Contractual documentation | Construction | During construction | CLD | Environmental induction notes provided, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-V01f | | 6. Clearly establish and demarcate the limits of clearing to contain all activities within them so surrounding vegetation is not disturbed. Installation of a permanent fence on the perimeter of the project development boundary is suggested. | Site perimeter survey and temporary marking (tape). Confirmation prior to commencement | Photographs Survey report | Pre-construction | Prior to clearing activities | CLD | Photographs of limestone walls on surveyed boundary and temporary fencing constructed as part of the Builder's scope, as reported in CAR 2020: Appendix 7 (EndPlan 2020). Permanent boundary fencing has been constructed as reported in CAR 2021: Plates 1 and 2 (EndPlan 2021). |
| 1094:M6-3-V01g | | 7. Restrict the movement of machines and other vehicles to within the limits of clearing. | | Photographs Survey report | Pre-construction | Prior to clearing activities | CLD | Photographs of temporary boundary fencing to prevent parking/stockpiling, was reported in CAR 2020: Appendix 7 (EndPlan 2020). |
| 1094:M6-3-V01h | | 8. Prohibit parking or stockpiling any materials on other areas of the reserve. | | Photographs | Construction | Overall | CLD | |
| 1094:M6-3-V01i | | 9. It is preferable to utilise any cleared vegetation in-situ either for fauna habitat, mulching or re-planting within infested areas only. | | Correspondence Photographs | Pre-construction | During vegetation clearing | CLD | All cleared vegetation was removed offsite, as reported in CAR 2020: Appendix 35 (EndPlan 2020). |
| 1094:M6-3-V01j | | 10. Any cleared vegetation removed from the site should be transported in a manner to avoid spillage and disposed of at a local government approved facility. It is important to inform the local government that it was sourced from an area with dieback to prevent it being included in any mulch recycling for public or wider use. | | Environmental induction register Contractual documentation | Construction | During construction | CLD | Environmental induction notes provided, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-V01k | | 11. Monitor the implementation and compliance of these management measures. | | CAR | Construction | Pre-construction / Construction | CLD | Implementation and compliance were monitored during the CAR 2022 and current CAR reporting periods. Refer to further information provided in 1 – 10 above. |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|----------------|---------|--|--|---|--------------------------------|---|--------|---|
| 1094:M6-3-V01I | | 12. Contact DBCA or a registered dieback specialist for further advice on managing this aspect if required. | | Correspondence | Construction | Construction | NR | The DBCA was not required to be contacted for advice during the reporting period with respect to Dieback Issues within the development envelope. |
| 1094:M6-3-V02a | | <u>Dieback Management Measures for Armstrong Reserve:</u> 1. Where practical, schedule activities in dry-soil conditions to minimise clean-down effort. | Tender award timing, requirements in tender documentation | Project GANNT chart, Timing of pre-clearing site induction Site observations | Pre-construction, construction | Pre-construction, construction | CLD | As reported in CAR 2021 (EndPlan 2021), Dieback management measures were discussed with the rehabilitation contractor during initial site meeting held on 3 August 2020 (B van der Wiele pers. comm.). |
| 1094:M6-3-V02a | | 2. Ensure field staff are aware of this areas dieback occurrence and need to apply relevant hygiene and clean-down protocols during their activities and when exiting the reserve. | Requirements in tender documentation Construction workforce training including formal site inductions, toolbox sessions, information panels etc Use of experienced consultants / contractors | Initial rehabilitation site meeting Site observations | Construction, overall | Overall | C | Correspondence re a) Dieback status of fill b) Certificate of Analysis – Dieback status of fill, Provided by the Principal Contractor, as reported in CAR 2020: Appendices 23 and 24 (EndPlan 2020). |
| 1094:M6-3-V02a | | 3. Fence and gate the perimeter of the reserve to limit access and prevent further illegal rubbish dumping within it. | Design specification to Architectural consultant. | Site inspections, photographs | Construction, overall | Overall | CLD | Permanent boundary fencing has been constructed as reported in CAR 2021: Plates 1 and 2 (EndPlan 2021). |
| 1094:M6-3-V02a | | 4. Upload the dieback status of this reserve on the City's GIS system for future reference. | Written correspondence, digital files | Correspondence | Construction | Prior to end of 3-year management timeframe | CLD | Correspondence from the City of Busseton regarding reserve Dieback status mapping, as reported in CAR 2020: Appendix 22 In (EndPlan 2020). |
| 1094:M6-3-V03 | | Source materials (including clean fill, landscaping soils and mulch) and machinery brought into the development envelope and/or the Reserve from <i>Phytophthora</i> Dieback free suppliers. | Written correspondence, | Correspondence | Construction | Overall | CLD | Correspondence re c) Dieback status of fill d) Certificate of Analysis – Dieback status of fill, Provided by the Principal Contractor, as reported in CAR 2020: Appendices 23 and 24 (EndPlan 2020). |
| 1094:M6-3-V04 | | 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 <i>Phytophthora</i> Dieback and weed-free. | Written correspondence, digital files | Plant list(s) Invoice(s) | Construction | Construction, overall | C | Revegetation/planting works were completed in June 2021. The species list, numbers of each species Tubestock planted and associated tax Invoices were included in CAR 2022 Appendix 11. Capecare' rehabilitation contractor has advised that plant orders for third year infill planting have been placed and that tree guards will no longer be used for this planting, with remaining funds used to purchase more difficult to obtain species (Appendix 14). |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|---------------|---|--|---|--|-------------------|---|--------|--|
| 1094:M6-3-V05 | Threatened Flora (<i>Caladenia viridescens</i>) management measures | Translocate the <i>Caladenia viridescens</i> individual located within the development envelope to Armstrong Reserve. | Survey and translocate <i>Caladenia viridescens</i> individual plants within development envelope. | Initial translocation report | Pre-construction | Prior to vegetation clearing commencing | CLD | Translocation of the <i>Caladenia viridescens</i> individual was conducted in June 2014 as reported in CAR 2020 (EndPlan 2020). |
| 1094:M6-3-V06 | | Conduct a re-survey of the translocated individual each flowering period (mid-September to late-October) in the first two years following transplanting. | Conduct annual re-survey of translocated individual each flowering period for 2 years post-translocation. | Survey reports (2) | Pre-construction | Prior to vegetation clearing commencing | CLD | Re-surveys of relocated <i>Caladenia viridescens</i> individuals were conducted in October 2014 and 2015, as reported in CAR 2020: Appendix 25 (EndPlan 2020). |
| 1094:M6-3-V07 | Retained vegetation management measures | Prior to clearing commencing: (a) Re-survey the authorised extent of clearing using the authorised 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. | 1. Clearing contractors clearing register. 2. Inspect initial clearing to ensure boundary lines meet requirements and check quarterly during construction. | Photographs Aerial (Drone) photographs | Pre-construction | Prior to vegetation clearing commencing | CLD | Photographs of temporary fencing and aerial drone photographs taken of the site, were reported in CAR 2020: Appendices 7 and 26 (EndPlan 2020). |
| 1094:M6-3-V08 | | Following completion of construction of the aged care facility, construct a permanent fence along the development envelope/Reserve interface (EMP Appendix B) to prevent unauthorised access into this area of vegetation. | 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. | Photographs Aerial (Drone) photographs | Post-construction | Prior to occupancy of facility | CLD | Permanent boundary fencing has been constructed as reported in CAR 2021: Plates 1 and 2 (EndPlan 2021). Maintenance of fence integrity is ongoing as observed in February 2023 (Plates 5 and 6). |
| 1094:M6-3-V09 | Weed management measures | Conduct a weed survey and map degraded areas within the Reserve. | 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. | Weed survey map | Construction | Pre-rehabilitation commencing | CLD | Weed survey mapping was conducted and a weed map prepared by Onshore Environmental 2020, as reported in CAR 2020: Appendix 27 (EndPlan 2020). |
| 1094:M6-3-V10 | | 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. | 2. Conduct pre-clearing baseline data gathering of each quadrat. | GPS locations of TF | Construction | Pre-rehabilitation commencing | CLD | GPS records were made available in the kept in <i>Caladenia viridescens</i> survey report and provided to the Onshore Environmental prior to weed surveying commencing, as reported in CAR 2020: Appendix 12 (EndPlan 2020). |
| 1094:M6-3-V11 | | Prepare a Weed Management Plan (WMP) for the Reserve. The WMP will include conducting a weed 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. | 3. Conduct quarterly weed monitoring. 4. Conduct six-monthly quadrat monitoring (endemic and introduced flora) | Weed Management Plan | Construction | Pre-rehabilitation commencing | CLD | A Weed Management Plan was prepared (Onshore Environmental 2020) as reported in CAR 2021: Appendix 5 (EndPlan 2021). |
| 1094:M6-3-V12 | | Implement the Weed Management Plan targeting the eradication of weeds species identified on the Weeds of National Significance (WONS) or Declared weeds and weeds | | Weed monitoring reports | Ongoing | 3 years from WMP approval | C | The following monitoring reports were prepared during the reporting period: |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|----------------|----------------------------------|--|--|--|---------------------------------|---|--------|---|
| 1094:M6-3-V13 | Revegetation management measures | identified as high priority (i.e., rhizomatous grasses, bulbous, woody and noxious weeds). | 5. During each monitoring event, collect photographic evidence of the quadrat with the date and quadrat identification number clearly shown. | Tubestock invoice(s) Planting List Quadrat data Photographs | Construction /Post-construction | During Capecare's 3-year management timeframe, | C | a) Monitoring Report No. 3 Autumn 2022 (Appendix 5) b) Post-Activity Monitoring Report No. 6 and Quarterly Weed Monitoring Report (7/12) Appendix 6 c) Post-Activity Monitoring Report No. 7 and Quarterly Weed Monitoring Report (8-9/12) Appendix 9 d) Post-Activity Monitoring Report No. 8 and Quarterly Weed Monitoring Report (10/12) Appendix 10 Invoices relating to the abovementioned reports are included as Appendix 14. |
| 1094:M6-3-V14 | | 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. | | | | | | |
| 1094:M6-3-V15 | | Implement a Revegetation Monitoring Program using permanent sampling quadrats to monitor the progress of revegetation within the Reserve. | | | | | | |
| 1094:M6-3-V16 | | Conduct Infill planting in revegetation areas to ensure the completion criteria are met during the 3-year management period. | | | | | | |
| 1094:M6-3-V17a | Bushfire management measures | Implement all management actions identified in Tables 5.1 and 5.2 of the City and DFES-approved Bushfire Management Plan. <u>Table 5.1: BMP Implementation responsibilities prior to occupancy or building for the landowner (Developer)</u> 1. The local government may condition a development application approval with a requirement for the landowner/proponent to register a notification onto the certificate of title (it may also need to be included on the deposited plan). This will be done pursuant to Section 70A Transfer of Land Act 1893 as amended ("Factors affecting use and enjoyment of land, notification on title"). This is to give notice of the bushfire hazard and any restrictions and/or protective measures required to be maintained at the owner's cost. | Monitor landowner compliance with the Bushfire Management Plan recommendations and the annual City of Busselton Firebreak Order. Correspondence, written and digital | Deposited Plan Certificates of Title | Post-construction | Prior to Certificates of Title/lease agreements being issued. | NR | A Certificate of Title for Lot 600 has been issued to Capecare (Appendix 1). In August 2020, prior to construction of the independent living units (apartments) being finalised, the Board of Capecare decided that the occupiers of the units would enter into a life lease agreement granting the occupant the exclusive right to occupy at apartment for 49 years, or until the occupant was no longer capable of living independently in the apartment. As such individual Certificates of Title for the apartments were not required. This lease arrangement was included explained in CAR 2022 Appendix 12 (EndPlan 2020). Plates 7 – 9 show the fire prevention infrastructure installed at the facility and located in the north-west corner of the development footprint. |
| 1094:M6-3-V17b | | 2. Prior to sale and post planning approval, the entity responsible for having the BMP prepared should ensure that anyone listed as having responsibility under the Plan has endorsed it and is provided with a copy for their information and informed that it contains their responsibilities. This includes the landowners/proponents (including future landowners) local government and any other authorities or referral agencies ('Guidelines' s4.6.3). | | | | | | |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|----------------|---------|--|-----|--|-------------------|---|--------|---|
| | | | | | | | | agreement with Capcare and are therefore not designated as a 'landowner'. |
| 1094:M6-3-V17c | | 3. Prior to development of the subject lot, it is to be compliant with the relevant local government's annual firebreak order issued under s33 of the Bushfires Act 1954. | | Site inspection photographs | Pre-construction | Overall | CLD | Clearing of the site, placement of fill and construction of the roadway and parking lots has resulted in an effective firebreak, as reported in CAR 2020: Appendix 26 (EndPlan 2020). |
| 1094:M6-3-V17d | | 4. Establish the Asset Protection Zone (APZ) on the lot to the dimensions and standard stated in the BMP. | | BMP | Pre-construction | Prior to construction commencing. | CLD | The BMP states that the APZ is identified as the BAL 29, as reported in CAR 2020: Appendix 29 (EndPlan 2020). |
| 1094:M6-3-V17a | | 5. Prior to occupancy, install vehicular access within the lot to the required surface condition and clearances as stated in the Guidelines/BMP. | | Deposited Plan Site Layout Plan Aerial Photographs (Drone) | Construction | Prior to occupancy | CLD | As reported in CAR 2021: Plates 3-6, aerial (drone) photographs of the site were included (EndPlan 2021). |
| 1094:M6-3-V17f | | 6. Prior to occupancy, a copy of the Bushfire Response/Evacuation Plan must be provided to the landowner/occupier and they are to be informed that it contains responsibilities that must be actioned due to the Proposed land use being defined as 'Vulnerable'. Certain information contained within the Bushfire Response/Evacuation Plan that has accompanied this Bushfire Management Plan, must be displayed in the building – as directed in the Bushfire Response/Evacuation Plan provided as a separate document. | | A copy of the Bushfire Response/Evacuation Plan | Construction | Prior to occupancy | C | A copy of the Bushfire Response/Evacuation Plan has been sighted and is consistent with industry practice as reported in CAR 2022 excerpts are included as Appendix 13 (EndPlan 2022). |
| 1094:M6-3-V17g | | 7. Prior to any building work, inform the builder of the existence of this Bushfire Management Plan and the responsibilities it contains, regarding the required construction standards. This will be the standard corresponding to the determined BAL rating, as per the bushfire provisions of the Building Code of Australia (BCA). | | BMP | Pre-construction | Prior to building work commencing. | CLD | A copy of the BMP was included in the EMP and in the contractual documentation, as reported in CAR 2020: Appendix 30 (EndPlan 2020). |
| 1094:M6-3-V18a | | <u>Table 5.2: Ongoing management responsibilities for the landowner/occupier.</u> 1. Maintain the Asset Protection Zone (APZ) to the dimensions and standard stated in the BMP. | | BMP | Post-construction | Following completion of construction and commencement of residential occupancy. | NR | Construction of the bituminised internal roadway and parking lots has resulted in an effective firebreak as is recognised as the APZ, reported in CAR 2020: Appendix 26 (EndPlan 2020). |
| 1094:M6-3-V18b | | 2. Comply with the City of Busselton annual Firebreak and Fuel Hazard Reduction Notice issued under s33 of the Bush Fires Act 1954. | | BMP | Post-construction | Overall | C | |
| 1094:M6-3-V18c | | 3. Maintain vehicular access routes within the lot to the required surface condition and clearances as stated in the BMP. | | BMP | Post-construction | Overall | C | As reported in CAR 2021: Plates 3-6, aerial (drone) photographs of the site were included (EndPlan 2021). |
| 1094:M6-3-V18d | | 4. Ensure that any builders (of future structures on the lot) are aware of the existence of this Bushfire | | Project design | Post-construction | Overall | CLD | A copy of the BMP was included in the EMP and in the contractual documentation, as |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|----------------|------------------------------------|---|---|--|-------------------|----------------------------------|---|--|
| | | Management Plan and the responsibilities it contains regarding the application of construction standards corresponding to a determined BAL rating. | | | | | | reported in CAR 2020: Appendix 30 (EndPlan 2020). |
| 1094:M6-3-V18a | | 5. Ensure all future buildings the landowner has responsibility for, are designed and constructed in full compliance with: a) the requirements of the WA Building Act 2011 and the bushfire provisions of the Building Code Act of Australia (BCA); and b) with any identified additional requirements established by this BMP or the relevant local government | | Project design | Post-construction | Overall | CLD | The City of Busselton issued Capecare with a Building Licence indicating that the design and construction methods proposed were in accordance with the requirements of the WA Building Act 2011 and the bushfire provisions of the Building Code Act of Australia (BCA). The City has subsequently issued Capecare with a Licence to Operate the facility and associated buildings. <u>With practical completion of the facility achieved, no further site development is anticipated to occur.</u> |
| 1094:M6-3-V18f | | 6. Maintain the Bushfire Response/Evacuation Plan and as it directs, the pages containing actionable information must continue to be to be displayed and available to all occupants. The key persons and all contact information must be checked annually and updated as necessary. | | BMP | Post-construction | Overall | C | Construction of the bituminized internal roadway and parking lots has resulted in an effective firebreak as is recognised as the APZ as reported in CAR 2020: Appendix 26 (EndPlan 2020). Refer also to Plates 2 – 4). Bushfire and emergency response protocols have not been updated during the reporting period (see also response to 1094:M6-3-V17f.) |
| 1094:M6-3-V18g | | 7. No construction work to be undertaken within the development envelope when there is a Total Fire Ban in place in the City of Busselton. | | Total Fire Ban notices | Construction | Overall | CLD | <u>With practical completion of the facility achieved, no further site development is anticipated to occur.</u> |
| 1094:M6-3-V19 | Access/signage management measures | Construction of permanent Bushland Reserve Fencing Type B in keeping with the construction standards shown in (EMP) Appendix B along the boundary of the development/Reserve interface as identified on (EMP) Figure 4. | 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. | Site inspections, photographs | Construction | During landscaping installation. | CLD | Permanent boundary fencing has been constructed as reported in CAR 2021: Plates 1 and 2 (EndPlan 2021). |
| 1094:M6-3-V20 | | Maintain the integrity of the permanent fencing. | | Site inspections, photographs | Post-construction | Overall | C | Perimeter fence inspection and maintenance has been included as an element in the ground's maintenance schedule. The integrity of the permanent fencing was examined during a site survey conducted in February 2023 (Plates 5 and 6). |
| 1094:M6-3-V21 | | Provide emergency and revegetation maintenance vehicle access at the two existing locked gates located along the existing firebreak: one at the Naturalist | | Availability of access keys to all responders. | Correspondence | Construction | Prior to rehabilitation works commencing. | NR |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|--|---|---|---|--|------------------|---|--------|---|
| 1094:M6-3-V22 | | Terrace entry and the other at the Gifford Road entry as identified in (EMP) Figure 4. Install interpretative and educational signage at strategic locations identified on (EMP) Figure 4. | Development, production and installation of Interpretive signage. | Photographs | Construction | During landscaping installation | C | Educational signage regarding Dieback was previously installed by the City of Busselton within Armstrong Reserve. Permanent educational signage regarding Western Ringtail Possum protection and habitat is anticipated to be installed within the Facility during operations in 2023 – 2024. |
| The following management measures (F01-F15) are taken from the Environmental Management Plan (2019) Table 4: Terrestrial Fauna Management Actions, Targets, Monitoring and Reporting Requirements | | | | | | | | |
| 1094:M6-3-F01 | Fauna habitat protection management measures | 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. | 1. Conduct pre-clearing cadastral survey to delineate Peppermint trees to be retained. 2. Coordination between clearing contractor and environmental consultant | Reports, meeting notes | Pre-construction | Prior to vegetation clearing commencing. | CLD | A site walkover was conducted prior to vegetation clearing commencing, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-F02 | Threatened Fauna (Pseudochelirus occidentalis) management measures | 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. (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 <i>P. occidentalis</i> population within the Reserve using the transect lines identified in (EMP) Figure 5. The survey will establish a new baseline of the <i>P. occidentalis</i> population against which subsequent post-clearing survey data will be measured. (ii) Conduct a count of the drey and <i>P. occidentalis</i> population within the authorised development envelope as defined in (EMP) Appendix 2 and if practicable, remove all dreys and <i>P. occidentalis</i> located. | 1. On two consecutive nights during the week prior to vegetation clearing of the development envelope commencing: 2. Conduct a distance sampling survey of the <i>P. occidentalis</i> population within the Reserve using the transect lines identified in (EMP) Figure 5. 3. Conduct a count of the drey and <i>P. occidentalis</i> population within the authorised development envelope as defined in (EMP) Appendix 2. 4. Conduct distance sampling surveys of <i>P.</i> | (a) Authorisation/Licence issued by the DBCA (b) <i>P. occidentalis</i> survey returns report | Ongoing | Prior to vegetation clearing commencing and ongoing | NC | A pre-clearing Western Ringtail Possum Survey was conducted in October 2019 (Onshore Environmental 2019) and documentation associated with the DBCA's requirements were completed, as reported in CAR 2020: Appendices 32 and 33 (EndPlan 2020). Western Ringtail Possum surveys (WRP) resurveys of Armstrong Reserve were conducted in: <ul style="list-style-type: none">• February 2022 [BISA-2022-0376] (Appendix 4);• November 2022 [BISA-2023-0029] (Appendix 8); and• February 2023 (draft) (Appendix 11) Non-compliance relates to delayed (eventually pushed back) spring survey 2021. Accordingly, finalisation of the three-year |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|---------------|---------|--|--|---|------------------|---|--------|---|
| | | | <p><i>occidentalis</i> 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 (EMP) Figure 5.</p> <p>5. Certify that the clearing contractor's induction has been conducted through induction register.</p> <p>6. Photographic evidence taken of the vegetation clearing process.</p> <p>7. Check surveyors mapped location of any Peppermint tree to be retained within the development envelope.</p> | | | | | monitoring programme would therefore need to be extended through to Spring 2023. |
| 1094:M6-3-F03 | | 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 <i>P. occidentalis</i> and herd to suitable habitat located within the Reserve. | Pre-clearing inspection | Correspondence Report | Construction | Prior to vegetation clearing commencing | CLD | A pre-clearing WRP survey and relocation was conducted in October 2019 and the report included as Appendix 6 in reported in CAR 2021 (EndPlan Environmental 2021). |
| 1094:M6-3-F04 | | The fauna specialist will be present throughout the clearing process to rescue any <i>P. occidentalis</i> that may be encountered by the clearing contractor. | Presence of fauna specialist during clearing | Correspondence Report | Construction | During vegetation clearing | CLD | Correspondence provided indicating that the fauna specialist was on-site throughout clearing works (3 days), as reported in CAR 2020: Appendix 34 (EndPlan 2020). |
| 1094:M6-3-F05 | | The environmental consultant will carry out an induction for all clearing contractor personnel regarding the conservation significance of <i>P. occidentalis</i> and the importance of following the approved clearing procedures. | Prepare and present induction elements relevant to significance and protection of <i>P. occidentalis</i> | Environmental Induction Notes Induction Register | Construction | Prior to vegetation clearing commencing | CLD | The environmental induction notes were prepared and presented to the clearing contractor prior to vegetation clearing commencing, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-F06 | | 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. | Implementation of clearing procedure consistent with | Note to File | Pre-construction | Vegetation clearing | CLD | A note to file regarding clearing methodology was prepared prior to clearing commencing, as reported in CAR 2020: Appendix 9 (EndPlan 2020). |
| 1094:M6-3-F07 | | 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 | | Note to file | Pre-construction | Vegetation clearing | CLD | |

MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT
COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|---------------|--|---|--|---|----------------------------------|---|--------------|---|
| 1094:M6-3-F08 | | from Armstrong Place towards the Reserve to allow the <i>P. occidentalis</i> to move into the adjoining Reserve. | | | | | | |
| 1094:M6-3-F09 | | All cleared vegetative debris from the development envelope will be removed from site on the same day as clearing takes place to prevent <i>P. occidentalis</i> from using the stockpiles as refuges. | | Correspondence | Pre-construction | Vegetation clearing | CLD | Correspondence confirming vegetative debris removed from site daily, as reported in CAR 2020: Appendix 34 (EndPlan 2020). |
| 1094:M6-3-F10 | | During construction should injured fauna be found, contact the DBCA immediately to arrange for its care (DBCA Blackwood District Office: 9752 5555). | | Correspondence | Construction | Vegetation clearing | NR | A review of construction project meeting minutes held on-site between September 2020 and May 2021 by the Auditor confirms that during construction identified no observations of, or reports relating to injured fauna being found on-site were recorded. |
| 1094:M6-3-F11 | Threatened Fauna (<i>Ctenotus ora</i>) management measures | 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 <i>P. occidentalis</i> . | Planting lists and invoices indicate the proportion of <i>P. occidentalis</i> foraging plants versus other species is: (a) 100% in Armstrong Reserve revegetation areas; and (b) 80% in the development envelope and street trees. | Planting list(s), invoice(s) and landscape contractor reports | Construction / Post-construction | 3 years from commencement of rehabilitation | C | Revegetation commenced in June 2021. As reported in CAR 2022, a planting list for Armstrong Reserve was included in Appendix 11. As noted in Appendix 14, an order for infill planting tubestock to be planted in Winter 2023 has been placed. Plant species ordered include the following: <i>Acacia pulchella</i> , <i>Acacia saligna</i> , <i>Adenanthos meisneri</i> , <i>Agonis flexuosa</i> , <i>Conostylis aculeata</i> , <i>Dampiera linearis</i> , <i>Kennedia praeclara</i> , <i>Pteris caudata</i> , <i>Pteris caudata</i> , <i>Scaevola collingii</i> , <i>Thysanotus multiflorus</i> All these species are listed in the Flora Inventory in the following document: Armstrong Reserve, Dunsborough - Flora and Vegetation Assessment (Ecoscape (Australia) Pty Ltd 2010) (Appendix 15). |
| 1094:M6-3-F12 | | If practicable, relocate selected <i>Banksia</i> logs and woody debris removed from within the development envelope to existing degraded areas on the perimeter of the Reserve. | 1. Pre- and post-clearing photographic evidence of relocated logs and woody debris. 2. Conduct a single monitoring survey of <i>Ctenotus ora</i> . | Meetings | Construction | During clearing | NR | As discussed in CAR 2020 (EndPlan 2020), the clearing contractor indicated that this was not practicable without resulting in further degradation of Armstrong Reserve due to heavy vehicle movements required (B Van der Wiele, pers. comm.). |
| 1094:M6-3-F12 | | Conduct a <i>Ctenotus ora</i> survey <u>once only</u> during Capecare's 3-year management period to determine the population of the species. | | <i>Ctenotus ora</i> survey report | Construction | During rehabilitation management timeframe | 3-year NR | In 2012, <i>Ctenotus ora</i> was listed as a Priority 1 species resulting in the requirement to conduct a follow-up survey to that conducted in 2012 (Ecoscape (Australia) Pty Ltd 2012). In October 2022, <i>Ctenotus ora</i> was listed as a Priority 3 species (i.e., species that are known from several locations and the species does |

| Audit Code | Subject | Requirement | How | Evidence | Phase | Timeframe | Status | Further Information |
|---------------|--|---|--|--|--------------|--|--------|--|
| | | | | | | | | not appear to be under imminent threat or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat) (DBCA Conservation Codes for Western Australian Fauna and Flora, October 2022). The relegation of the species listing from P1 to P3 indicates that more recent investigations of the population of <i>Ctenotus ora</i> since 2012 within the region would indicate that the species is more widespread than was previously considered in 2012. Given that the species listing is now P3, correspondence to be addressed to the seeking clarification of the need to conduct a follow-up survey of <i>Ctenotus ora</i> within Armstrong Reserve will be prepared by Capecare. |
| 1094:M6-3-F13 | Feral animal/domestic pets management measures | If required, Install tree guards around tube stock used in the revegetation areas to prevent rabbits from eating seedlings. | Install tree guards | Brochure Monitoring reports | Construction | During rehabilitation management timeframe 3-year | NR | Revegetation commenced in June 2021. A planting list and costings for tree guards for revegetation of portions of Armstrong Reserve was included in CAR 2022 Appendix 11. As noted in the Post-Activity Report No. 8 (refer to Appendix 9 page 2 Additional Comments), with respect to preventing rabbit herbivory, the rehabilitation contractor suggested that the installation of tree guards was not considered to be necessary and that the additional funds be used for further infill planting. |
| 1094:M6-3-F14 | | Should signs of feral animals be observed during weed/revegetation inspections, engage a qualified pest controller to manage feral species. | Quarterly weed monitoring to check for evidence of herbivory and signs (scats, markings) of feral animals. | Monitoring reports | Operation | During rehabilitation management timeframe 3-year | NR | No observations of signs of feral animals being present during quarterly weed inspections have been recorded in the relevant weed monitoring reports (refer to Appendices 5-7, 9 and 10). |
| 1094:M6-3-F15 | | Provide surrounding residents with a brochure containing information on the impacts of domestic pets on native fauna. | Copy of brochure to be sighted. | Brochure, evidence of distribution (invoice) | Operation | During rehabilitation management timeframe 3-year | CLD | In March 2023, brochures obtained from the DWER Geocatch Offices in Busselton regarding WRP habitat and protection were delivered to the roadside mail-boxes of residences backing on to Armstrong Reserve - numbers 1 – 21 Cygnet Cove and to all residents of the Capecare Dunsborough Independent living units (Appendices 16 and 17). (see also 1094:M6-3-V22). |