

## Statement of Compliance

### 1. Proposal and Proponent Details

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>
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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 <div style="display: inline-block; vertical-align: top; margin-left: 20px;"> <input type="checkbox"/> Reported to DWER verbally      Date _____  <input type="checkbox"/> Reported to DWER in writing      Date _____         </div>	<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"> <li>• in the reporting period addressed in this Statement of Compliance; and</li> <li>• as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.</li> </ul> (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: 

#### 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**

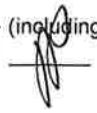
Postal Address: Locked Bag 10  
 Joondalup DC  
 WA 6919

Phone: (08) 6364 7000

Email: [compliance@dwer.wa.gov.au](mailto:compliance@dwer.wa.gov.au)


#### 7. Post Assessment Guidelines and Forms

Post assessment documents can be found at [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

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

**ATTACHMENT 1****Table 1 Compliance Status Terms**

<b>Compliance Status Terms</b>	<b>Abbrev</b>	<b>Definition</b>	<b>Notes</b>
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"> <li>ongoing requirements that have been met during the reporting period; and</li> <li>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'.</li> </ul>
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"> <li>audit elements have a finite period of application (e.g. construction activities, development of a document);</li> <li>the action has been satisfactorily completed; and</li> <li>the DWER has provided written acceptance of 'completed' status for the audit element.</li> </ul>
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.	<p><b>The term 'In Process' may not be used for any purpose other than that stated in the Definition Column.</b></p> <p>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).</p>

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

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# **MINISTERIAL STATEMENTS 926 AND 1094**

## **ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND COMMERCIAL DEVELOPMENT**

### **COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 – 7 MARCH 2023)**

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**PREPARED AND SUBMITTED ON BEHALF OF**

**RAY VILLAGE AGED SERVICES (INCORPORATED) trading as CAPECARE  
20 RAY AVENUE BUSSELTON WA 6280**

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**ENDPLAN ENVIRONMENTAL**

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#### DOCUMENT CONTROL

**Document Title:** Ministerial Statements 926 and 1094 – Armstrong Reserve, Dunsborough, Urban and Commercial Development, Compliance Assessment Report (8 March 2022 – 7 March 2023)

Revision	Date	Description	Prepared	Reviewed
RVA293_18_draft	31/03/2023	Draft for CapeCare review	A. van der Wiele	B. van der Wiele
RVA293_18_V1	29/04/2023	Final version to issue to DER	A. van der Wiele	B. van der Wiele

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#### COPYRIGHT STATEMENT FOR:

Ministerial Statements 926 and 1094 – Armstrong Reserve, Dunsborough, Urban and Commercial Development  
Annual Compliance Assessment Report (8 March 2022 – 7 March 2023)

#### Our Reference:

RVA293\_18\_V1

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## EXECUTIVE SUMMARY

Ray Village Aged Services Incorporated trading as Capecare (Capecare) has developed a 1.28 ha portion of Armstrong Reserve, Naturaliste Terrace, Dunsborough (the development envelope), and is now operating an aged care facility.

Construction of the facility was completed in August 2021 and consists of the following operational elements:

- An 82-bed residential care facility to cater for people with high physical needs in a dementia-enabling environment;
- Twenty-one independent living units;
- Administration offices and community facilities (including meeting rooms for the Country Women's Association);
- Internal road network; and
- Dual road access between the development envelope and Naturaliste Terrace and Gifford Road.

The development envelope 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.

In accordance with the Western Australian *Town Planning and Development Act 2005*, rezoning of the development envelope resulted in the amalgamation of previous existing Lots (i.e., 111, 115, 116, 117 Naturaliste Terrace) and a 9994 m<sup>2</sup> portion of Armstrong Reserve (i.e., Lot 257 Naturaliste Terrace) into a single Certificate of Title namely 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. Lot 600 is zoned 'Special Purpose – Aged Person Housing' under the City of Busselton's Local Planning Scheme No. 21.

In 2019 an audit table was prepared in accordance with the *Post Assessment Guideline for Preparing an Audit Table* (PAG1) (Office of the Environmental Protection Authority, 2012b). The audit table provides a framework for tracking implementation of the requirements of the Statement to clearly identify the compliance status of implementation conditions and procedures of the relevant Statement.

This Compliance Assessment Report (CAR) and associated Statement of Compliance (SoC) has been prepared for the purpose of meeting the compliance reporting requirements of Conditions 1 and 2 of Ministerial Statement 926 (issued on the 21 January 2013) and Conditions 3 – 6 of Ministerial Statement 1094 (issued on the 8 March 2019).

During the reporting timeframe (**8 March 2022 – 7 March 2023**), an audit (including a desktop assessment of correspondence regarding the project, site inspections and informal interviews with Capecare representatives and environmental subconsultants) was conducted to assess Capecare's compliance with all of the conditions of Ministerial Statements 926 and 1094. The audit table has been updated to clearly identify the compliance status of implementation of approval conditions and procedures during the reporting timeframe.

In May 2022, Capecare advised the Department of Water and Environmental Regulation's (the Department) Compliance Branch that one potential non-compliance had occurred during the reporting timeframe. The approved Environmental Management Plan included conducting two surveys per year

for the presence of Western Ringtail Possums (*Pseudocheirus occidentalis*) in Armstrong Reserve be undertaken for a period of three years following clearing of vegetation from within the development envelope. During the reporting timeframe one survey had been conducted with Capecare advising the Department that assignment of a consultant to undertake the spring 2021 survey was not finalised until January 2022. Delays can be attributed to the opening of the facility under COVID protocol and staffing constraints in addition to the recruitment/appointment of a new Chief Executive Officer over the same period. *EndPlan Environmental* advised Capecare that implementation of the survey following January assignment was not considered to reflect spring conditions, and therefore did not reflect reasonable practice. Accordingly, finalisation of the three-year monitoring programme would therefore need to be extended through to Spring 2023.

In correspondence dated 21 June 2022, the Department advised Capecare that it had considered the non-compliance in accordance with its Compliance and Enforcement Policy and that the extension of the ringtail possum monitoring by an extra six months to include a springtime monitoring event to be a satisfactory resolution. The Department also advised that it had elected to deal with this matter by letter of warning stating that it is formal advice that the Department believes an offence has been committed but that a written warning was appropriate in the circumstances.

The audit findings have determined that, with the exception of the Non-compliance relating to the timing of Western Ringtail Possum surveys, all other activities undertaken by Capecare during the reporting timeframe have complied with the approvals conditions set out in Statements 926 and 1094.



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**LIST OF ABBREVIATIONS and ACRONYMS**

<b>CAP</b>	Compliance Assessment Plan
<b>CAR</b>	Compliance Assessment Report
<b>CoB</b>	City of Busselton
<b>CWA</b>	Country Women's Association
<b>DBCA</b>	Department of Biodiversity, Conservation and Attractions
<b>DEC</b>	Department of Environment and Conservation (former)
<b>DFES</b>	Department of Fire and Emergency Services
<b>DoEE</b>	Department of the Environment and Energy
<b>DoP</b>	Department of Planning
<b>DoW</b>	Department of Water (former)
<b>DPaW</b>	Department of Parks and Wildlife (former)
<b>DWER</b>	Department of Water and Environmental Regulation
<b>EPA</b>	Environmental Protection Authority
<b>EPBC Act</b>	Environment Protection Biodiversity and Conservation Act 1999
<b>Ha</b>	Hectare
<b>LGA</b>	Local Government Authority
<b>km</b>	Kilometre
<b>m</b>	Metre
<b>MNES</b>	Matters of National Environmental Significance
<b>OEPA</b>	Office of the Environmental Protection Authority
<b>PER</b>	Public Environmental Review
<b>PMST</b>	Protected Matters Search Tool
<b>SoC</b>	Statement of Compliance
<b>TPS</b>	Town Planning Scheme
<b>WONS</b>	Weeds of National Significance

## 1. INTRODUCTION

### 1.1 Project Background

Ray Village Aged Services Incorporated trading as Capecare (Capecare) has completed construction of their aged care facility located on Lot 600 Naturaliste Terrace Dunsborough (the development envelope).

Situated within the City of Busselton, the development envelope 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 (**Figure 1**).

In accordance with the Western Australian *Town Planning and Development Act 2005*, rezoning of the development envelope resulted in the amalgamation of the previous existing Lots (i.e., 111, 115, 116, 117 Naturaliste Terrace and a 9994 m<sup>2</sup> portion of Lot 257 Naturaliste Terrace) into a single Lot (**Figure 2**).

The Certificate of Title for Lot 600 Armstrong Place, Dunsborough was issued to Capecare in 2015 (**Appendix 1**). Lot 600 is now 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.

Construction of the aged care facility, completed in August 2021, consists of the following operational elements:

- An 82-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 Country Women's Association;
- Internal road network, and
- Road access between the facility and Naturaliste Terrace and Gifford Road.

### 1.2 Environmental Approval Background

In 2006, the Environmental Protection Authority (EPA) received a third-party referral regarding the proposal by Capecare to develop Armstrong Reserve for the purposes of constructing and operating an aged care facility. On the 17 December 2008 the EPA notified Capecare of its intention to set the level of assessment as a 'Proposal Unlikely to be Environmentally Acceptable (PUEA)' due to the presence of *Pseudocheirus occidentalis* (Western Ringtail Possum) and the regional significance of the vegetation and issued their statement of reasons for level of assessment.

Capecare successfully appealed the decision (Appeal No. 001/09) and on the 27 August 2009 the Minister for the Environment remitted the proposal to the EPA under Section 43 of the *Environmental Protection Act 1986* (EP Act) to assess it more fully and more publicly.

As a result of the Minister's determination, the EPA set the level of assessment for the proposal as a Public Environmental Review (PER) with a six-week public review period (EPA Assessment No. 1808). The PER document (EndPlan Environmental, 2012) was released for a six-week public review from the 17 September 2012 to the 29 October 2012.

The EPA's report providing advice and recommendations to the Minister for the Environment on the key environmental factors and principles for the proposal by Capecare (Report No. 1459) was released on the 24 December 2012 (Environmental Protection Authority, 2012). Ministerial Statement 926 was published on the 21 January 2013 (**Appendix 2**).

In October 2017, Capecare submitted a request to the Department of Water and Environmental Regulation to change the implementation conditions applying to a proposal (Section 46 of the *Environmental Protection Act 1986*). The request related principally to Condition 3 of Statement 926 regarding the time limit for implementation of the proposal.

In March 2019 Ministerial Statement 1094 was issued deleting and replacing the following conditions: Condition 3 (Time Limit for Proposal Implementation), Condition 4 (Compliance Reporting), Condition 5 (Public Availability Data); and adding Condition 6 (Residual Impacts and Risk Management Measures) (**Appendix 3**).

### 1.3 Compliance Assessment Plan

In December 2019, a Compliance Assessment Plan (CAP)<sup>1</sup> (EndPlan Environmental, 2019) was prepared in accordance with the requirements of Condition 4-1. The CAP was approved for implementation by the Department of Water and Environmental Regulation (DWER) on the 8 January 2020.

Condition 4-3 states:

*After 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.*

### 1.4 Purpose and Scope

This Compliance Assessment Report (CAR) documents compliance with conditions in Ministerial Statements 926 and 1094 (**Appendices 2 and 3**) for the reporting timeframe **8 March 2022 - 7 March 2023**.

Condition 4-6 states:

*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;*

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<sup>1</sup> The CAP (EndPlan Environmental, 2019) was prepared in accordance with the Office of the Environmental Protection Authority's (OEPA's) *Post Assessment Guideline for Preparing a Compliance Assessment Plan*, Post Assessment Guideline No. 2 (PAG2), as amended from time to time (Office of the Environmental Protection Authority, 2012a).

- (2) include a statement as to whether the proponent has complied with the conditions;
- (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.

Accordingly this CAR addresses:

- 1) The status of implementation of the proposal as defined in Schedule 1 of Statement 926;
- 2) Evidence of compliance with the approval conditions and proponent commitments; and
- 3) The status of any environmental management plans and/or programs prepared in relation to the proposal.

This CAR has been prepared in accordance with the following documents:

- *Post Assessment Guideline for Preparing an Audit Table*, Post Assessment Guideline No. 1 (PAG1), (Office of the Environmental Protection Authority, 2012b), and
- *Post Assessment Guideline for Preparing a Compliance Assessment Report*, Post Assessment Guideline No. 3 (PAG3), (Office of the Environmental Protection Authority, 2012c),

## 1.5 Current Status of Implementation

Activities undertaken at Armstrong Reserve during the reporting timeframe included the following:

- February 2022: Western Ringtail Possum (*Pseudocheirus occidentalis*) re-survey conducted in Armstrong Reserve (reported March 2022) (**Appendix 4**)
- May 2022: Monitoring Report No. 4 Autumn 2022 (**Appendix 5**)
- September 2022: Post-Activity Report No. 6 (22/06/2022 – 14/07/2022) and Quarterly weed monitoring conducted and report (7/12) (**Appendix 6**)
- November 2022: Monitoring Report No. 5 Spring 2022 (**Appendix 7**)
- November 2022: Western Ringtail Possum (*Pseudocheirus occidentalis*) re-survey conducted in Armstrong Reserve (**Appendix 8**)
- January 2023: Post-Activity Report No. 7 (14/07/2022 – 03/01/2023) and Quarterly weed monitoring conducted and report (8-9/12) (**Appendix 9**)
- February 2023: Post-Activity Report No. 8 (03/01/2023 – 01/02/2023) and Quarterly weed monitoring conducted and report (10/12) (**Appendix 10**)
- February 2023: Western Ringtail Possum (*Pseudocheirus occidentalis*) re-survey conducted in Armstrong Reserve (**Appendix 11**)

## 1.6 Report Structure

**Section 2** of this report present the methodology and key definitions used within the audit. **Section 3** presents an overview of the audit findings, with **Table 4** presenting a tabular summary (Audit Table) of all conditions and commitments audited. Several recommended opportunities for improvement are presented in **Section 3.2**

## 2. AUDIT METHODOLOGY

### 2.1 Audit Methodology

During the reporting timeframe, *EndPlan Environmental* conducted an audit of operation and overall activities undertaken by Capecare.

The audit included a desktop assessment of correspondence regarding the project, site inspections and informal interviews with Capecare representatives and environmental subconsultants.

### 2.2 Status Terminology

This CAR has adopted the action implementation status terminology taken from the document *Post Assessment Guideline for Preparing an Audit Table* (PAG1) (Office of the Environmental Protection Authority, 2012b) as shown on **Table 1** (below) and **Table 2** (over the page).

**TABLE 1: Project Phases and Descriptions**

Project Phase	Description
<b>Pre-construction</b>	No ground disturbance has commenced. Plans may be in development or approvals are being sought prior to ground disturbance.
<b>Construction</b>	Ground disturbance may have commenced, no waste emission from operations has commenced, limited waste emissions may have occurred during 'commissioning' under a works approval issued under the <i>Environmental Protection Act 1986</i> , proposal has substantially commenced.
<b>Operation</b>	The following may have occurred or may be occurring: ground disturbance; operations are producing waste emissions; 'commissioning' under a licence issued under the EP Act; development of a site; remediation activity prior to development of site; mining activity; subdivision of site.
<b>Decommissioning</b>	The following may occur during this phase: ground disturbance for rehabilitation purposes; post-remediation; post-reclamation; development following remediation where the main objective of the proposal was remediation; decommissioning.
<b>Overall</b>	This phase is used where an audit element applies during multiple phases of the project.

Source: Office of the Environmental Protection Authority (2012b)

TABLE 2: Compliance Status Descriptions

COMPLIANCE STATUS TERMS	ACRONYM	DEFINITION	NOTES
<b>Compliant</b>	<b>C</b>	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"> <li>- Ongoing requirements that have been met during the reporting timeframe; and</li> <li>- Requirements with a finite period of application that have been met during the reporting timeframe, but whose status has not yet been classified as 'Completed'.</li> </ul>
<b>Completed</b>	<b>CLD</b>	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"> <li>- Audit elements have a finite period of application (e.g., construction activities, development of a document);</li> <li>- The requirement has been satisfactorily completed; and</li> <li>- The OEPA has provided written acceptance of 'Completed' status for the audit element.</li> </ul>
<b>Not Required at this Stage</b>	<b>NR</b>	The requirements of the audit element were not triggered during the reporting timeframe.	This should be consistent with the 'Phase' column of the audit table.
<b>Potentially Non-compliant</b>	<b>PNC</b>	Possible or likely failure to meet the requirements of the audit element.	This term may only be used where during the reporting timeframe CapeCare has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred. Where this term is used, CapeCare should advise when investigations will be finalized and provide follow-up advice of the outcome.
<b>Non-Compliant</b>	<b>NC</b>	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 have not been met during the reporting timeframe and its status is not 'Completed'.
<b>In Process</b>	<b>IP</b>	Where an audit element requires a management or monitoring plan be submitted to the OEPA or another government agency for approval, that submission has been made and no further information or changes have been requested by the OEPA or the other government agency and assessment by the OEPA or other government agency for approval is still pending.	The term 'In process' must only be used for the purpose stated in the definition column. 'In process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires ongoing implementation throughout the life of the project (e.g., implementation of a management plan).

Source: Office of the Environmental Protection Authority (2012a)



### **2.3 Reporting Non-compliances and Corrective and Preventative Actions**

The document *Post Assessment Guideline for Preparing a Compliance Assessment Report* (PAG3) (Office of the Environmental Protection Authority, 2012c) notes that any non-compliance identified during the reporting timeframe is to be reported in the CAR and any corrective and preventative actions are to be described.

In accordance with Condition 1094:M4-5, non-compliances with respect to all of the operation phase audit elements and any relevant overall phase audit elements identified within the audit table (**Table 4/Attachment 2**) are to be reported to the CEO within seven days of such awareness.

### **2.4 Public Availability of the Report**

In accordance with Condition 1094:M5-1 of Statement 1094, there is a requirement to make this CAR publicly available via Capecare's website. Capecare's website can be accessed through the following link: <http://www.capecare.com.au/>.

### **2.5 Changes to the Compliance Assessment Plan**

The PAG2 guidelines (Office of the Environmental Protection Authority, 2012a) identify that a CAP must be revised to reflect any changes made to the relevant proposal, Statement or EMPs required by the implementation conditions of the Statement, however that CAPs do not need to be revised and updated where the change does not impact on any actions or requirements of the CAP.

No changes have been made to the CAP during the reporting timeframe.

### 3. COMPLIANCE FINDINGS

This CAR has been prepared to address the annual compliance reporting requirements contained within Condition 1094:M4-1 of Statement 1094. During the reporting timeframe, it applies to the **operation** and **overall** phases of the development being undertaken on behalf of Capecare.

#### 3.1 Summary Findings

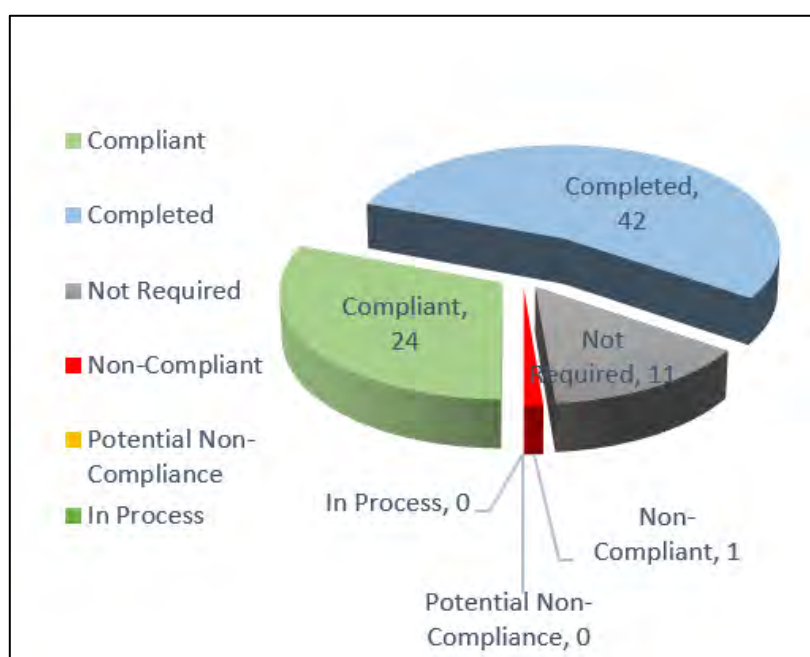
The compliance status of the **78** conditions or commitments being the subject of this compliance audit are summarised in **Table 3**.

**TABLE 3: Summary Compliance Statistics 2022-2023**

ACRONYM	COMPLIANCE STATUS	No.
C	Condition or Requirement <i>Compliant</i>	24
CLD	Condition or Requirement <i>Completed</i>	42
NR	Condition or Requirement <i>Not Yet Required</i>	11
NC	Condition or Requirement <i>Non-Compliant</i>	1
PNC	Condition or Requirement <i>Potentially Not Compliant</i>	0
IP	Condition or Requirement <i>In Process</i>	0
TOTAL		78

This data is presented diagrammatically in **Chart 1**.

**CHART 1: Diagrammatic Summary of Compliance Audit Findings 2022-2023**



*EndPlan Environmental* considers all activities undertaken by Capecare during the current reporting timeframe have complied with the approval conditions as set out in Statements 926 and 1094.

The single non-compliance reported relative to the relevant condition sets relates to the timing of Western Ringtail Possum surveys (November 2021) and has been closed out (refer to **Appendices 12 and 13**).

The updated audit table for the reporting period 8 March 2022 - 7 March 2023 is included as **Table 4**.

A brief discussion of the compliance audit results for each of these categories follows.

### **3.1.1 Non-Compliance (NC)**

As reported in last year's Compliance Assessment Report (EndPlan Environmental 2022), in May 2022, Capecare advised the Department of Water and Environmental Regulation's (DWER) Compliance Branch that a single non-compliance had occurred during the reporting timeframe (**Appendix 12**). The approved EMP included conducting two surveys per year for the presence of *Pseudocheirus occidentalis* (Western Ringtail Possum) within Armstrong Reserve be undertaken for a period of **three** years following clearing of vegetation from within the development envelope. During the reporting timeframe only one survey had been conducted with Capecare advising the Department that assignment of a suitable consultant to undertake the spring 2021 survey was not finalised until January 2022. Delays can be attributed to the opening of the facility under COVID protocol and staffing constraints in addition to the recruitment/appointment of a new Chief Executive Officer over the same period.

*EndPlan Environmental* advised Capecare that implementation of the survey following January assignment was not considered to reflect spring conditions, and therefore did not reflect reasonable practice. Accordingly, finalisation of the three-year monitoring programme would therefore need to be extended through to Spring 2023.

In correspondence to Capecare dated 21 June 2022, the Department considered this non-compliance in accordance with its Compliance and Enforcement Policy and advised that the extension of the ringtail possum monitoring by an extra six months to include a springtime monitoring event to be a satisfactory resolution. The Department also advised that it had elected to deal with this matter by letter of warning stating that it is formal advice that DWER believes an offence has been committed but a written warning is appropriate in the circumstances (**Appendix 13**).

### **3.1.2 Compliant (C)**

This designation relates to ongoing requirements that have been met during the reporting timeframe and those with a finite period not formally designated complete at the time of the audit. Thirty-one (31%) of the conditions or commitments relevant to this development have been determined as being compliant at the time of the audit.

### **3.1.3 Completed (CLD)**

This designation relates to ongoing requirements that have a finite period of application, have been satisfactorily completed or have been provided with written acceptance from the Regulator. Forty-two (54%) of the conditions or commitments relevant to this development have been determined as being completed at the time of the audit.

### **3.1.4 Not Required (NR)**

Eleven (14%) of conditions or commitments relevant to this development have been determined as being not required at the time of the audit. The requirements of the audit element were not triggered during the reporting timeframe.

### 3.1.5 Potentially Non-Complaint (PNC) and In Process (IP)

Conditions or commitments determined as Potentially Non-Complaint or In Process designations were not identified during this audit.

## 3.2 Opportunities for Improvement

Two audit items (**Table 5**) were determined as compliant; however, implementation had either fallen outside the development phase (Item 1) or the priority of the listed species has changed and funds may be better directed elsewhere (Item 2).

It is recommended these requirements be implemented during the 2023-2024 reporting timeframe.

**TABLE 5: Recommended Opportunities for Improvement (2023 – 2024)**

Item	Audit Code	Requirement	Recommendation
1	1094:M6-3-V22	Install interpretative and educational signage at strategic locations identified within the EMP, with the timeframe identified as during landscape installation.	Budgeted for the 2023-2024 audit period.
2	1094:M6-3-F12	Conduct a <i>Ctenotus ora</i> survey once only during CapeCare's 3-year management period to determine the population of the species.	Prepare correspondence relating to need to conduct survey for consideration and implement outcomes during the 2023-2024 audit period.

## 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; CoB = City of Busselton; 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).

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 <b>30 October 2019</b> .	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	After 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 <b>8 June</b> 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 and documentation 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 <b>8 June 2020</b> then annually by the 8 June.	C	An e-copy of each of the three previous CARs has been retained on the Capecare website: <a href="#">Dunsborough Environmental Reports - Capecare</a>
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	<b>Within 7 days</b> 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 <b>Section 3 and Appendices 12 and 13</b> ).
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 <b>8 June</b> .	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: <a href="#">Dunsborough Environmental Reports - Capecare</a>

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>(3) identify all potential non-compliances and describe corrective and preventative actions taken;</p> <p>(4) be made publicly available in accordance with the approved Compliance Assessment Plan; and</p> <p>(5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.</p>						
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 <i>OEPA Post Assessment Guideline for Making Information Publicly Available</i>	CAR	Overall	Life of the proposal.	C	<p>The previous SoCs and CARs have ben uploaded onto Capecare’s website annually. The EMP was uploaded onto Capecare’s website <a href="https://capecare.com.au/wp-content/uploads/2019/07/EMP.pdf">https://capecare.com.au/wp-content/uploads/2019/07/EMP.pdf</a> on the 17 July 2019, as reported in CAR 2020: Appendix 6 (EndPlan 2020).</p> <p>The CAP was uploaded onto Capecare’s website <a href="https://capecare.com.au/wp-content/uploads/2020/01/RVA292_88_V1.pdf">https://capecare.com.au/wp-content/uploads/2020/01/RVA292_88_V1.p df</a> on the 19 January 2020, as reported in CAR 2020: Appendix 6 (EndPlan 2020).</p> <p>The following management plans and reports have been uploaded onto Capecare’s website <a href="#">Dunsborough Environmental Reports - Capecare</a> :</p> <ul style="list-style-type: none"> <li>- Weed Management Plan (Onshore Environmental 2020)</li> <li>- Armstrong Reserve Targeted WRP Survey 2019 (Onshore Environmental 2020)</li> <li>- WRP Survey Armstrong Reserve (November 2020) (Terrestrial Ecosystems 2021a)</li> <li>- WRP Survey Armstrong Reserve (March 2021) (Terrestrial Ecosystems 2021b)</li> <li>- WRP Survey Armstrong Reserve (February 2022) (EndPlan Environmental 2022)</li> <li>- WRP Survey Armstrong Reserve (November 2022) (EndPlan Environmental 2022)</li> <li>- WRP Survey Armstrong Reserve (February 2023) (EndPlan Environmental 2023)</li> </ul>
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.

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>Pseudocheirus occidentalis</i> and <i>Ctenotus ora</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 <b>3 years</b> 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-V022 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	Phytophthora cinnamomi Dieback management measures	Implement the recommended <i>Phytophthora cinnamomi</i> Dieback management measures identified in the Dieback Management Plan (DMP):	Monitor the implementation and compliance of each					
1094:M6-3-V01a		Dieback Management Measures for the Project Development Site:		GANTT Chart	Construction	During construction	CLD	Site mobilisation commenced 21 October 2019, as reported in CAR 2020: Appendix 19 (EndPlan 2020).



Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		1. Where practical, schedule activities in dry-soil conditions to minimise clean-down effort.	management measure identified in the DMP.					
1094:M6-3-V01b		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. Construction workforce training including formal site inductions, toolbox sessions, in formation panels etc. Identification of requirements in tender documentation.	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		3. Induct site personnel and any service providers on their dieback management requirements prior to their commencement of site activities.		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		4. Establish Clean-On-Entry/Exit (COE) points with signage.		Environmental induction register	Construction	During construction	CLD	Environmental induction notes provided, as reported in CAR 2020: Appendix 9 (EndPlan 2020).
1094:M6-3-V01e		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.

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 Busselton 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 ( <b>Appendix 14</b> ).

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 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.	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 8) 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 ( <b>Plates 5 and 6</b> ).
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.		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.	2. Conduct pre-clearing baseline data gathering of each quadrat. 3. Conduct quarterly weed monitoring.	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	4. Conduct six-monthly quadrat monitoring (endemic and introduced flora)	Weed monitoring reports	Ongoing	3 years from WMP approval	C	The following monitoring reports were prepared during the reporting period:

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		identified as high priority (i.e., rhizomatous grasses, bulbous, woody and noxious weeds).	species) for 3-years following vegetation clearing.					a) Monitoring Report No. 3 Autumn 2022 ( <b>Appendix 5</b> ) b) Post-Activity Monitoring Report No. 6 and Quarterly Weed Monitoring Report (7/12) <b>Appendix 6</b> c) Post-Activity Monitoring Report No. 7 and Quarterly Weed Monitoring Report (8-9/12) <b>Appendix 9</b> d) Post-Activity Monitoring Report No. 8 and Quarterly Weed Monitoring Report (10/12) <b>Appendix 10</b>
1094:M6-3-V13	Revegetation management measures	Implement revegetation <b>only</b> in degraded areas of vegetation identified through the weed mapping survey.	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	Invoices relating to the abovementioned reports are included as <b>Appendix 14</b> .
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.					C	
1094:M6-3-V15		Implement a Revegetation Monitoring Program using permanent sampling quadrats to monitor the progress of revegetation within the Reserve.					C	
1094:M6-3-V16		Conduct infill planting in revegetation areas to ensure the completion criteria are met during the 3-year management period.					C	
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 ( <b>Appendix 1</b> ).  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 2022).  <b>Plates 7 – 9</b> 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).		BMP	Construction	Prior to completion of sales documentation.	NR	The BMP has been endorsed by the Department of Fire and Emergency Services, as reported in CAR 2020: Appendix 28 (EndPlan 2020).  The Certificate of Title for Lot 600 ( <b>Appendix 1</b> ) recognises Capecare as the landowner.  Residents of the independent living units (apartments) are co-signatories to a life lease

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
								agreement with CapeCare 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-V17e		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 (Drone) Photographs	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

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).  <u>With practical completion of the facility achieved, no further site development is anticipated to occur.</u>
1094:M6-3-V18e		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 <b>Plates 2 – 4</b> .  Bushfire and emergency response protocols have not been updated during the reporting period (see also response to <b>1094:M6-3-V17f</b> .)
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 8 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 ( <b>Plates 5 and 6</b> ).
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 Naturaliste	Availability of access keys to all responders.	Correspondence	Construction	Prior to rehabilitation works commencing.	NR	Access keys have not been required from the City of Busselton as rehabilitation activities at Armstrong Reserve can be achieved via existing limestone tracks ( <b>Plates 10 and 11</b> ).

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		Terrace entry and the other at the Gifford Road entry as identified in (EMP) Figure 4.						
1094:M6-3-V22		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	<p>Educational signage regarding Dieback was previously installed by the City of Busselton within Armstrong Reserve.</p> <p>Permanent educational signage regarding Western Ringtail Possum protection and habitat is anticipated to be installed within the Facility during operations in 2023 – 2024.</p>
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	<p>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:</p> <p>(a) The surveyor will GPS and record the coordinates of any Peppermint trees identified to be retained within the development envelope.</p> <p>(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.</p>	<ol style="list-style-type: none"> <li>1. Conduct pre-clearing cadastral survey to delineate Peppermint trees to be retained.</li> <li>2. Coordination between clearing contractor and environmental consultant</li> </ol>	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 ( <i>Pseudocheirus occidentalis</i> ) management measures	<p>Prior to vegetation clearing commencing within the development envelope, the fauna specialist will:</p> <p>(a) Obtain a <i>Regulation 15 Licence to Take/Capture Fauna for Educational or Public Purposes</i> issued by the DBCA.</p> <p>(b) On two consecutive nights during the week prior to vegetation clearing of the development envelope commencing,</p> <p>(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.</p> <p>(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.</p>	<ol style="list-style-type: none"> <li>1. On two consecutive nights during the week prior to vegetation clearing of the development envelope commencing:</li> <li>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.</li> <li>3. Conduct a count of the drey and <i>P. occidentalis</i> population within the authorised development envelope as defined in (EMP) Appendix 2.</li> <li>4. Conduct distance sampling surveys of <i>P.</i></li> </ol>	<p>(a) Authorisation/Licence issued by the DBCA</p> <p>(b) <i>P. occidentalis</i> survey returns report</p>	Ongoing	Prior to vegetation clearing commencing and ongoing	NC	<p>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).</p> <p>Western Ringtail Possum surveys (WRP) resurveys of Armstrong Reserve were conducted in:</p> <ul style="list-style-type: none"> <li>- February 2022 [IBSA-2022-0376] (<b>Appendix 4</b>);</li> <li>- November 2022 [IBSA-2023-0029] (<b>Appendix 8</b>); and</li> <li>- February 2023 (draft) (<b>Appendix 11</b>)</li> <li>-</li> </ul> <p>Non-compliance relates to delayed (eventually pushed back) spring survey 2021. Accordingly, finalisation of the three-year</p>

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	



Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		from Armstrong Place towards the Reserve to allow the <i>P. occidentalis</i> to move into the adjoining Reserve.						
1094:M6-3-F08		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-F09		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-F10		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 <b>Appendix 14</b> , 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 prostrata</i> , <i>Patersonia occidentalis</i> , <i>Scaevola calliptera</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) ( <b>Appendix 15</b> ).
1094:M6-3-F11	Threatened Fauna ( <i>Ctenotus ora</i> ) management measures	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 3-year rehabilitation management timeframe	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
								<p>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).</p> <p>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.</p>
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	<p>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.</p> <p>As noted in the Post-Activity Report No. 8 (refer to <b>Appendix 9</b> page 2 Additional Comments), with respect to preventing rabbit herbivoring, 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.</p>
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 herbivoring and signs (scats, markings) of feral animals.	Monitoring reports	Operation	During rehabilitation management timeframe 3-year	NR	<p>No observations of signs of feral animals being present during quarterly weed inspections have been recorded in the relevant weed monitoring reports (refer to <b>Appendices 5-7, 9 and 10</b>).</p>
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	<p>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 <i>Capecare Dunsborough</i> independent living units (<b>Appendices 16 and 17</b>). (see also <b>1094:M6-3-V22</b>).</p>

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**EndPlan Environmental 2020**, Ministerial Statements 926 and 1094 – Armstrong Reserve, Dunsborough, Urban and Commercial Development Annual Compliance Assessment Report (8 March 2019 – 7 March 2020), Document No. RVA292\_92\_V1, 8 June 2020.

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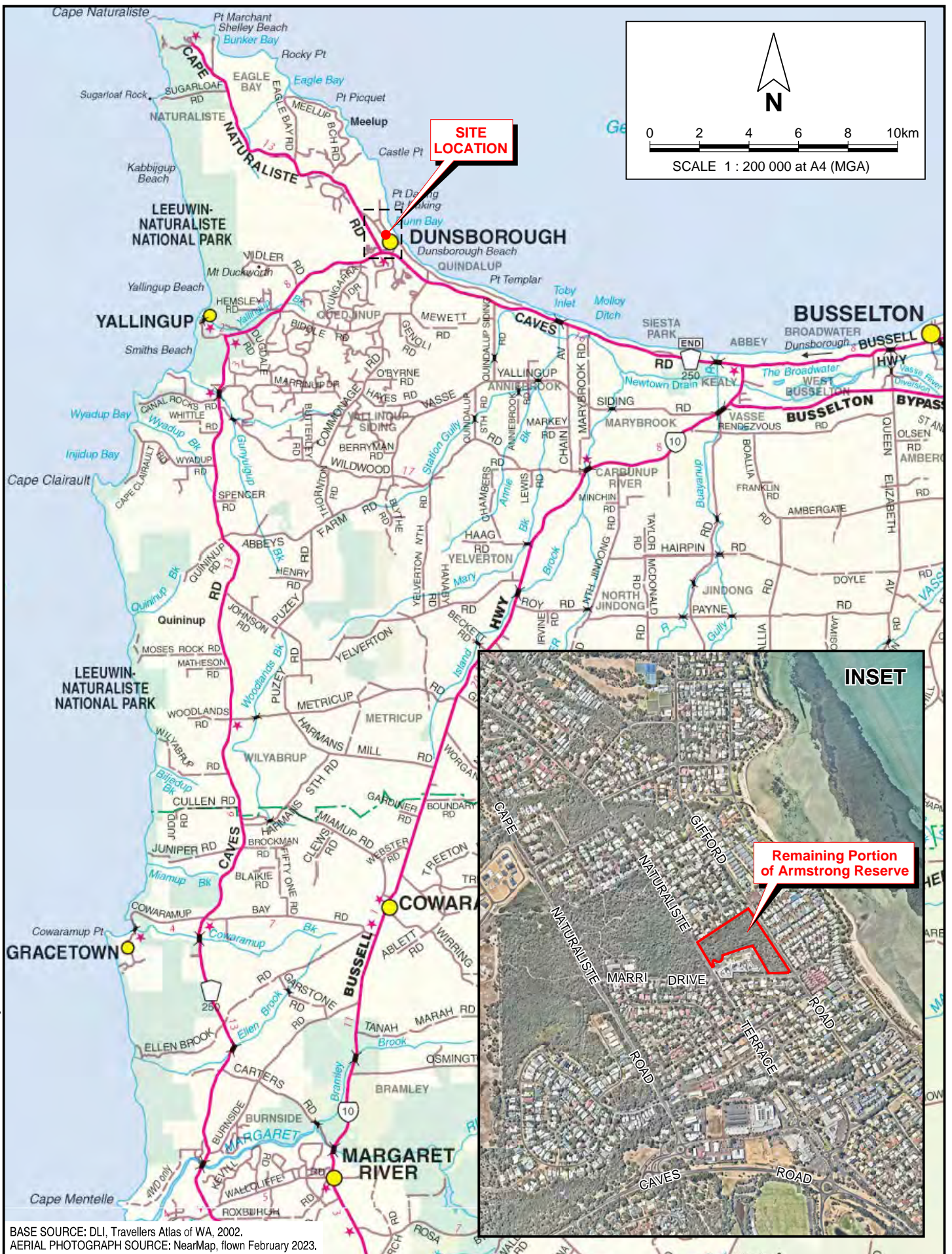
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## **FIGURES**

**MINISTERIAL STATEMENTS 926 AND 1094  
ARMSTRONG RESERVE, DUNSBOROUGH, URBAN AND  
COMMERCIAL DEVELOPMENT**

**COMPLIANCE ASSESSMENT REPORT  
(8 MARCH 2022 – 7 MARCH 2023)**





**EndPlan**  
Environmental

Ray Village Aged Care Services Inc t/a Capecare  
 MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN & COMMERCIAL  
 DEVELOPMENT ANNUAL COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 - 7 MARCH 2023)

Date: 22 Mar 2023  
 Drawn: B. Van der Wiele

## REGIONAL LOCATION

**Figure 1**

Report No. RVA293\_18





PINPOINT CARTOGRAPHICS (08) 9562 7136 RVA293\_18-02.dgn

<p><b>EndPlan</b> Environmental</p>	<p>Ray Village Aged Care Services Inc t/a CapeCare          MINISTERIAL STATEMENTS 926 AND 1094 - ARMSTRONG RESERVE, DUNSBOROUGH, URBAN &amp; COMMERCIAL          DEVELOPMENT ANNUAL COMPLIANCE ASSESSMENT REPORT (8 MARCH 2022 - 7 MARCH 2023)</p> <p><b>EXISTING ENVIRONMENT WITH CADASTRE (2020)</b></p>	<p>Date: 22 Mar 2023          Drawn: B. Van der Wiele</p> <p><b>Figure 2</b></p> <p>Report No. RVA293-18</p>
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# *Certificate of Successful Completion*

**Intertek**

*This is to Certify that*

*Adriaan Hendrik Van Der Wiele*

*has successfully completed the*

*Intertek*

*Environmental Management Systems*

*Auditor / Lead Auditor Training Course*

*The Course includes the assessment and evaluation of Environmental Management Systems to conform to the requirements of ISO 14001:2004 and ISO 19011:2011*

*This course is certified by International Register of Certificated Auditors (IRCA)  
- IRCA REFERENCE A17228 -*

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



Authorising Signature: *Ivanharov*

Course Dates: 11<sup>th</sup> – 15<sup>th</sup> May 2014

Certificate Number: 107886

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





**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).

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