



## The Hon Michael McCormack MP

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Deputy Prime Minister  
Minister for Infrastructure, Transport and Regional Development  
Leader of The Nationals  
Federal Member for Riverina

### Site 6: Large format Retail Outlet Major Development Plan

Perth Airport Pty Ltd (PAPL)

#### Conditions of Ministerial Approval

##### *Clearing of Banksia Woodland of the Swan Coastal Plain Threatened Ecological Community*

1. To manage the impacts of the action on the Banksia Woodland of the Swan Coastal Plain, in taking the action, PAPL must ensure that no more than 3.7 hectares is cleared within the project area (as submitted to the Department in the draft Major Development Plan for a large format retail outlet on 16 August 2018).
2. To offset the impacts of the action PAPL must:
  - a) prepare an offset strategy to compensate for the impacts of the action on the Banksia Woodland of the Swan Coastal Plain; and
  - b) submit the offset strategy to the Environment Minister for approval; and
  - c) not commence the action unless the Environment Minister has approved the offset strategy; and
  - d) implement the approved offset strategy for a minimum of 20 years (or as otherwise determined by the Environment Minister in writing) from the date of commencement of the action; and
  - e) publish the offset strategy on the website:
    - i. no later than seven (7) business days after commencement of the action; and
    - ii. until three (3) months after ceasing the implementation of the offset strategy.
3. The offset strategy required under condition 2 must:
  - a) identify a suitable offset site/s and how the site/s will be managed and protected; and
  - b) be prepared in accordance with the Environment Department's *Environment Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy (2012) and Environmental Management Plan Guidelines (2014).

##### *Per and poly-fluoroalkyl substances (PFAS)*

4. To manage the risks associated with PFAS, PAPL must conduct a Tier 1 Preliminary Site Investigation that meets the requirements of the *National Environment Protection (Assessment of Site Contamination) Measure* (ASC NEPM) (NEPC 1999) (see Figure 1). The investigation required must include a desktop historical review of past practices. Other site investigations and assessments must, when required, be conducted in accordance with the requirements of Schedules A and B in the ASC NEPM (NEPC 1999).
5. If the site investigations and assessments required in condition 4 confirm the presence of PFAS, or if they conclude that PFAS are likely to be encountered during the construction or ongoing operations in the project area, PAPL must:
  - a) prepare a CEMP containing a section or a separate document on PFAS management; and

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- b) submit the CEMP to the Environment Minister for approval; and
  - c) not commence the action unless the Environment Minister has approved the CEMP; and
  - d) implement the approved CEMP; and
  - e) publish the CEMP on the website:
    - i. no later than seven (7) business days after commencement of the action; and
    - ii. until three (3) months after completion of the action.
6. The CEMP required under condition 5 must:
- a) contain procedures that must be followed for assessing and managing contamination of soil and water by PFAS; and
  - b) be consistent with the *National Water Quality Management Strategy*, including the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*; and
  - c) be consistent with the *PFAS National Environmental Management Plan (2018)*, including its guideline values, as amended from time to time; and
  - d) include:
    - i. project scope and boundaries; and
    - ii. roles and responsibilities; and
    - iii. the site conceptual model - including maps and any monitoring data - identifying the extent and concentration of possible contamination within the project footprint and nearby; and
    - iv. possible exposure pathways and ecological receptors - both directly within the project area and also from the project area to any nearby receptors; and
    - v. the site-specific risk assessment identifying possible risks tailored to the reported or expected PFAS concentrations, exposure pathways, and potential receptors on and off the project area; and
    - vi. procedures for the management or remediation of PFAS contamination within the project area; and
    - vii. strategies to reduce runoff and migration of contamination within and off the proposed project area; and
    - viii. operational procedures for managing earthworks and the stockpiling or storage of contaminated water / soil / rock / concrete / tarmac / etc, including in relation to encapsulation, bunding, leachate control and disposal; and
    - ix. if necessary, a contingency action plan for unexpected PFAS contaminant discoveries; and
    - x. any one-off or ongoing soil and water monitoring requirements and testing procedures, and their relevant QA/QC procedures; and
  - e) impose the following requirements:
    - i. Any PFAS contaminated material (including but not limited to excavated soil or sediment, leachate from soil or sediment, water arising from de-watering of soil or sediment, concrete, tarmac, appliances, pumps, pipes, hoses, fittings) must be handled appropriately and disposed of in an environmentally sound manner such that potential for the PFAS content to enter the environment is minimised; and
    - ii. Any PFAS contaminated material with a PFOS, PFHxS or PFOA content above 50 parts per million, must be stored or disposed of in an environmentally sound manner that will achieve nil environmental release of its PFAS content; and

- f) detail how materials at the concentrations listed at 6(e)(ii), if encountered, would be handled to achieve zero environmental release.

### Definitions

- 7. In these conditions:
  - a) **action** means the major airport development the subject of the draft Major Development Plan for a large format retail outlet submitted by PAPL to DIRDC on 16 August 2018.
  - b) **Banksia Woodland of the Swan Coastal Plain** means the threatened ecological community listed under section 181 of the *Environment Protection and Biodiversity Conservation Act 1999* dated 26 August 2016.
  - c) **business days** mean a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.
  - d) **CEMP** means Construction Environmental Management Plan.
  - e) **cleared / clearance** means cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but does not include weeds – see the Australian Weeds Strategy 2017–2027 for further guidance).
  - f) **commence**, in relation to the action, means the first instance of any activity associated with the action including the clearance of vegetation, construction of infrastructure and any works that have the potential to disturb areas of known or potential PFAS contamination. Commencement does not include minor physical disturbance necessary to:
    - i. undertake pre-clearance surveys or monitoring programs; or
    - ii. install signage or temporary fencing to prevent unapproved use of the development site; or
    - iii. if agreed in writing by the Environment Department—protect environmental and property assets from fire, weeds and pests, including by:
      - a. installing fencing and signage; and
      - b. maintaining or using existing access tracks.
  - f) **Environment Department** means the Australian Government department responsible for the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
  - g) **Environment Minister** means the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999*, and includes a delegate or agent of the Minister.
  - h) **PFAS** means perfluoroalkyl and polyfluoroalkyl substance(s) and includes PFOS (perfluorooctane sulfonate), PFOA (perfluorooctanoic acid), PFHxS (perfluorohexane sulfonate) and the direct and indirect precursors of those substances.

Note: Precursors can contribute to the total load of PFOS, PFOA and PFHxS in the environment over time and should be considered to the fullest extent possible. Where the identities of PFOS, PFOA and PFHxS precursors are unknown, the suite of analytes in Eurofins (method LTM-ORG-2100) or other equivalent laboratory techniques is appropriate for the measurement of PFAS substances and may be reported as “sum of PFAS (n=28)”.
  - i) **project area** means the site boundary as identified on the map at [Figure 2](#) and location points in [Figure 3](#).
  - j) **website** means a set of related web pages located under a single domain name attributed to PAPL and available to the public.