

Perth Airport – Airport West (South) Major Development Plan

Perth Airport Pty Ltd

Conditions of Ministerial Approval

1. To manage and minimise the impacts of the action upon **protected matters** identified in and adjacent to the **project area** (and as detailed in the draft Major Development Plan for the Airport West (South) project submitted to the **Department of Agriculture, Water and the Environment** on 3 August 2020), in taking the action, the approval holder must not:
 - a. **clear** more than 6 hectares of vegetation identified as **Banksia Woodlands**;
 - b. **clear** more than 48.2 hectares of **Black Cockatoo habitat**;
 - c. **clear** more than 3 trees with **potential nesting hollows**; or
 - d. **clear** more than 36.4 hectares of **Wetlands**.
2. To offset the loss of **protected matters** as specified in Condition 1, the approval holder must submit an **Offset Strategy** consistent with the **EPBC Act Environmental Offsets Policy** for approval by the **Minister for the Environment**. The approval holder must not undertake any activity (including **clearing**) which results in an impact to a **protected matter** until the **Offset Strategy** has been approved by the **Minister for the Environment** in writing. The **Offset Strategy** must be implemented and must:
 - a. specify the impacts to **protected matters** that are to be offset;
 - b. identify proposed **offset area(s)**, including a general description of the property/ies containing the proposed **offset area(s)**, and describe how the proposed **offset area(s)** will be managed and protected for conservation purposes over the long term;
 - c. detail how the proposed **offset area(s)** are consistent with the principles and practices of the **EPBC Act Environmental Offsets Policy**;
 - d. contain a schedule for implementing the **Offset Strategy** to ensure that implementation of the approved **Offset Management Plan/s** required in accordance with condition 3 will commence no later than eighteen-months from the date of **approval of the Offset Strategy**; and
 - e. Include methodologies for surveys of protected matters and for determining habitat quality scores, which must be implemented by a **suitably qualified ecologist** and be the same for impacted areas and **offset area(s)**.
3. The approval holder must submit an **Offset Management Plan** consistent with the approved **Offset Strategy** and **Environmental Management Plan Guidelines (2014)** for each **offset area** in sufficient time to obtain approval by the **Minister for the Environment** within eighteen-months of the date of **approval of the Offset Strategy**. **Offset Management Plan(s)** must be implemented and must include but not be limited to:
 - a. a description and quantification of the impacts to **protected matters** that are to be offset;
 - b. a description of the **offset area(s)** including location, size, condition, environmental values present and surrounding land uses;
 - c. baseline data and other supporting evidence that documents the presence and baseline quality of each **protected matter** within the proposed **offset area(s)**;
 - d. maps and **shapefiles** of the proposed **offset area(s)**;
 - e. specific objectives to demonstrate quality improvement or habitat quality improvement for **protected matters** over the period of the **Offset Management Plan's** implementation;

- f. specific management actions, responsibility and timeframes for implementation, to be carried out to meet specific objectives to improve the quality of the **protected matters** within the **offset area(s)**;
 - g. key performance indicators and completion criteria to demonstrate the improvement to the quality of the **protected matter** within the **offset area(s)**;
 - h. the nature, timing and frequency of monitoring to inform an adaptive management approach to determine the success of management actions against key performance indicators and completion criteria;
 - i. indicative corrective actions that will be implemented in the event monitoring activities indicate key performance indicators are not likely or are unlikely to be achieved;
 - j. evidence of consistency with relevant conservation advices, recovery plans and/or threat abatement plans for **protected matters** under the **EPBC Act**;
 - k. details of management measures to maintain or improve the extent and quality of habitat and populations of other co-located **EPBC Act** listed threatened species and ecological communities in the **offset area(s)**;
 - l. be prepared in accordance with the **Department of Agriculture, Water and the Environment's Environmental Management Plan Guidelines (2014)**; and
 - m. demonstrate how the **offset area(s)** will be secured and managed in perpetuity to conserve and protect the **protected matters**.
4. Within eighteen-months of the date of **approval of the Offset Strategy**, the approval holder must provide written evidence to the **Department of Agriculture, Water and the Environment** that verifies it has **control** of the **offset areas(s)** and be managing the **offset area(s)** in accordance with the approved **Offset Management Plan(s)**.
 5. To mitigate potential direct impacts to **Black Cockatoos** and the **Western Swamp Tortoise**, the approval holder must undertake pre-clearance surveys prior to undertaking any activity (including clearing) which is likely to result in an impact to **Black Cockatoos** and/or the **Western Swamp Tortoise**. A report of findings must be submitted to the **Minister for the Environment** within 30 days of undertaking pre-clearance surveys. The following details apply to pre-clearance surveys in respect of particular species:
 - a. For **Black Cockatoos**, pre-clearance surveys must be undertaken to investigate all **potential nesting hollows** in the **project area** within seven days prior to **clearing** any trees which may contain **potential nesting hollows**. All pre-clearance surveys must be undertaken by a **suitably qualified ecologist**. In the event that any **Black Cockatoo** is detected to be utilising any hollow in any tree, each such tree must be clearly identified, marked and its location recorded. Each such tree and any vegetation within a distance for which **clearance** activities may result in death or injury to the species, must not be **cleared** unless a **suitably qualified ecologist** has verified that no **Black Cockatoos** are present in hollows at the time of clearing.

A **site environmental advisor** must be on site during all clearance activities of **Black Cockatoo habitat**, and where **Black Cockatoos** are identified, **clearance** must not occur within a distance which may result in death or injury to the species. The **site environmental advisor** must be given sufficient authority to stop **works** if **Black Cockatoos** are identified within a distance of **clearance works** which may result in death or injury. If **works** have been stopped, **clearing** may only recommence if a **site environmental advisor** gives approval that no **Black Cockatoos** are within a distance which may result in death or injury.
 - b. For **Western Swamp Tortoise**, pre-clearance surveys must be undertaken by a **suitably qualified ecologist** using a method suitable to trap any turtle species occurring within the **project area** or adjacent areas likely to provide suitable habitat for tortoises. In the event that any individual of the **Western Swamp Tortoise** is identified in the **Project Area**, the approval holder must inform the **Department of Agriculture, Water and the Environment**

in writing within 24 hours of detecting the **Western Swamp Tortoise** and not undertake any **works** likely to impact the habitat where the individual(s) of the **Western Swamp Tortoise** was/were found until otherwise advised by the **Department of Agriculture, Water and the Environment** in writing.

In the event that any individual of the **Western Swamp Tortoise** is identified in the **project area** during, or following the completion of, pre-clearance surveys, they must be moved by a **suitably qualified ecologist** using an appropriate methodology to suitable habitat outside of the **project area**, within Munday Swamp (see [Appendix A](#)) on the Perth Airport Estate or, if no suitable habitat is located within Munday Swamp, a suitable alternative area approved by the **suitably qualified ecologist**.

The **Department of Agriculture, Water and the Environment** must be notified of movement and the location that any **Western Swamp Tortoise** individuals are moved to within 48 hours of the movement occurring.

6. The approval holder must not undertake an activity that **intentionally disperses** any **Black Cockatoo** individuals, during **clearing** and **construction works**, for the purposes of this action. A report must be submitted to the **Minister for the Environment** within 30 days of completion of **clearance** and **construction works** confirming that activities did not **intentionally disperse** any **Black Cockatoo** individuals.
7. If the approval holder's actions result in the death or injury of a **Western Swamp Tortoise** or **Black Cockatoo**, **clearing** is to immediately stop, and a **suitably qualified ecologist** must conduct a review to determine the cause of that death or injury.

The approval holder must develop mitigation measures, as advised by a **suitably qualified ecologist**, to reduce the risk of similar impacts to as low as reasonably practicable, which must be implemented before the **clearing** can re-commence.

The **Department of Agriculture, Water and the Environment** must be advised (in writing) of the new mitigation measures the approval holder has implemented before the **clearing** recommences.

8. To manage impacts of the action on **the environment** and indirect impacts on **protected matters**, the approval holder must implement a **Construction Environment Management Plan (CEMP)**. The **CEMP** must include:
 - a. Detailed design for all proposed areas of **clearing** and proposed exclusion zones;
 - b. Management of impacts to flora and fauna including appropriate pre-clearance procedures;
 - c. Weed and pest management procedures including dieback management to prevent spread of *phytophthora cinnamomi*;
 - d. Hygiene management procedures;
 - e. Acid Sulfate Soils management;
 - f. **Dewatering** management consistent with the **PFAS NEMP**;
 - g. Site-specific erosion and sediment control plans;
 - h. Contaminated land management including for management of hydrocarbons and asbestos;
 - i. Heritage management detailing a Stop Works procedure and an unexpected finds protocol. In the event that unexpected heritage items are identified, the approval holder must advise the **Department of Agriculture, Water and the Environment** within 24 hours;
 - j. Rehabilitation and revegetation strategies to rehabilitate sensitive areas and/or species within the project area disturbed or indirectly impacted by the action; and
 - k. A Hydrological Management plan to mitigate impacts to communities and species dependent upon the current hydrological regime.

9. To manage impacts of the action on **the environment** and indirect impacts on **protected matters**, the approval holder must develop, using the services of a **suitably qualified environmental assessor**, and implement **PFAS** management measures within the **CEMP** consistent with the **PFAS NEMP** including:
- a. References and guideline values for human health and ecological receptors updated to reflect those in the **PFAS NEMP**;
 - b. That “reuse options for **PFAS**-contaminated materials will be based on the principles that reuse must not lead to an unacceptable risk to human health and/or the environment, or an increase in the level of risk at or near the location in which it is used”;
 - c. Appropriate monitoring and reporting of **PFAS** concentrations in soil and water in alignment with the **PFAS NEMP**, including in groundwater, surface water, soil to be excavated, and the re-use and stockpiling/storage of soil and water;
 - d. Management of soil used for fill, ensuring that fill is assessed for **PFAS** concentrations and that these concentrations are aligned with guidance in the **PFAS NEMP**;
 - e. Commitments around **dewatering** and management of water for disposal;
 - f. Acceptance criteria for the maximum allowable concentrations of **PFAS** for each proposed use or re-use of **PFAS**-containing water and soil;
 - g. Drainage of water designed to minimise the risk of mobilisation of potential contaminants and include performance criteria necessary to prevent **PFAS** mobilisation;
 - h. Management of **PFAS** contaminated water to prevent impacts to adjacent retained wetlands, which should be monitored and reported in alignment with the **PFAS NEMP**;
 - i. A site conceptual model identifying the extent and concentrations of possible contamination within the **project area**;
 - j. Potential exposure pathways and ecological receptors – both within and adjacent to the **project area**;
 - k. A site-specific risk assessment;
 - l. Procedures for the management or remediation of **PFAS** contamination within the **project area**;
 - m. 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
 - n. A contingency action plan for any unexpected **PFAS** contamination discoveries.
10. To manage impacts of the action on **the environment** and indirect impacts on **protected matters** subsequent to the completion of **construction**, the approval holder must implement an **Operational Environment Management Plan (OEMP)**. The approval holder must implement the **OEMP** for the life of the approval, or until another management plan, approved by the **Department of Infrastructure, Transport, Regional Development and Communications**, is implemented within the project area. Future approved management plans will supersede the **OEMP** for the areas that they cover, however, the **OEMP** must continue to be implemented for areas which are not covered by approved management plans. The **OEMP** must provide ongoing management measures in respect of all matters required in respect of the **CEMP**, including:
- a. Weed and pest management procedures including dieback management to prevent spread of *phytophthora cinnamomi*;
 - b. Hygiene management procedures;
 - c. Acid Sulfate Soils management;
 - d. **Dewatering** management consistent with the **PFAS NEMP**;

- e. Site-specific erosion and sediment control plans;
 - f. Contaminated land management including for management of hydrocarbons and asbestos;
 - g. Heritage management detailing a Stop Works procedure and an unexpected finds protocol. In the event that unexpected heritage items are identified, the approval holder must advise the **Department of Agriculture, Water and the Environment** within 24 hours;
 - h. Rehabilitation and revegetation strategies to rehabilitate sensitive areas and/or species within the project area disturbed or indirectly impacted by the action; and
 - i. A Hydrological Management plan to mitigate impacts to communities and species dependent upon the current hydrological regime.
11. The approval holder must publish the **Offset Strategy** and **Offset Management Plan** on the **website** no later than **7 business days** after their finalisation/approval and must keep each, including any revisions, published on the **website** for the period of their operation.

Definitions

Approval of the Offset Strategy means the date on which approval of the **Offset Strategy** was granted by the **Minister for the Environment**.

Banksia Woodlands means the threatened ecological community the Banksia Woodlands of the Swan Coastal Plain which is listed under the **EPBC Act**.

Black Cockatoo(s) include(s) the **EPBC Act** listed Carnaby's Black Cockatoo (*Zanda latirostris*), Baudin's Black Cockatoo (*Zanda baudinii*) and Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*).

Black Cockatoo habitat means vegetation species suitable for foraging and breeding by **Black Cockatoos**, as described by the *EPBC Act Referral Guidelines for Three Threatened Black Cockatoo Species: Carnaby's Black Cockatoo (Zanda latirostris), Baudin's Black Cockatoo (Zanda baudinii), and Forest Red-tailed Black Cockatoo (Calyptorhynchus banksii naso)* (October 2012).

Business day(s) means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

Clear, cleared, clearance or clearing means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds - see the Australian weeds strategy 2017 to 2027 available from <http://www.agriculture.gov.au/SiteCollectionDocuments/pests-diseases-weeds/consultation/aws-final.pdf> for further guidance).

Construction is the undertaking of **clearing** of individuals or habitat for **protected matters** and **wetlands; dewatering**; the erection of any onsite temporary structures; the use of **construction** vehicles, plant or equipment for the purpose of breaking the ground for buildings or infrastructure; stockpiling and any actions that will degrade or damage **protected matters** within the project footprint. **Construction** excludes the erection of temporary site offices in already cleared areas within the project area, temporary fences and signage used for environmental protection, safety and information purposes.

Construction Environment Management Plan/(CEMP) means the plan identified within the Airport West (South) Draft Major Development Plan (2020), which details the management measures that will be implemented during **construction, clearance, and site preparation works**.

Control of offset area(s) means to exercise effective management authority over the **offset area**, such that the **offset management plan** is implemented and any loss or degradation to values stated for the start area and quality of the **offset area** in the **offset management plan** is prevented.

Department of Agriculture, Water and the Environment means the Australian Government Department responsible for the **EPBC Act**.

Department of Infrastructure, Transport, Regional Development and Communications means the Australian Government Department responsible for the *Airports Act 1996*.

Dewatering and to **dewater** is the deliberate extraction of water from a water body (whether underground or surficial) for the purpose of, or as a consequence of **construction**.

Environmental Offsets Policy means the **Department of Agriculture, Water and the Environment's Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy** (October 2012).

Environmental Management Plan Guidelines means the **Department of Agriculture, Water and the Environment's Environmental Management Plan Guidelines** (2014).

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Intentionally disperse/dispersing or Intentional dispersal means the undertaking of an activity where the intent of the activity is to move individuals of a species from one location to another, such as through the use of sound from vehicle engines, machinery or air guns.

Clearance of vegetation does not meet the definition of **intentional dispersal**, as the intent of the activity is to clear, and not to disperse individuals.

Minister for the Environment means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

Offset area(s) means the area/s of land to be secured and managed for the protected matters listed in Condition 1.

Offset Management Plan(s) means the documents outlining the management and protection of the **offset area**.

Offset Strategy means the document outlining the proposed approach to offsetting protected matters that is consistent with the principles and practices of the **EPBC Act Environmental Offsets Policy**.

Operational Environment Management Plan/(OEMP) means the plan identified within the Airport West (South) Draft Major Development Plan (2020), which details the management measures that will be implemented following **construction, clearance**, and site preparation **works**.

PFAS means per- and poly-fluoroalkyl substances. PFAS substances include PFOS (perfluorooctane sulfonate), PFOA (perfluorooctanoic acid), PFHxS (perfluorohexane sulfonate), and their precursors. PFOS, PFOA and PFHxS are the expected ultimate environmental contaminants of a broader family of related per- and poly-fluoroalkyl substances. These PFOS-, PFOA-, and PFHxS-related substances are sometimes referred to as precursors. 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 identity 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 PFASs (n=28)’.

PFAS NEMP means the current official nationally agreed *PFAS National Environmental Management Plan* to manage **PFAS** contamination in the environment [Department of Agriculture, Water and the Environment, January 2020]. At the time of issuing of these advised conditions, the current PFAS NEMP is NEMP 2.0 (2020).

Potential nesting hollow(s) means any hollow that is potentially suitable for use by **Black Cockatoos** for breeding, as verified by a **suitably qualified ecologist**.

Project area means the area enclosed in a blue line and designated as “MDP Boundary” at Appendix A.

Protected matter(s) means a matter protected and habitat utilised by a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect for the following matters: **Banksia Woodland of the Swan Coastal Plain, Black Cockatoos**, trees containing **potential nesting hollows, Western Swamp Tortoise**, and the environment as it related to **Wetlands** and heritage.

Resource enhancement wetlands means wetlands which may have been partially modified but still support substantial ecological attributes and functions and require priority management measures. This classification is determined within the GWSCP dataset accepted by Western Australian planning and regulatory bodies as the primary dataset for wetlands in the region.

Shapefile(s) means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain ‘.shp’, ‘.shx’, ‘.dbf’ files and a ‘.prj’ file that specifies the projection/geographic coordinate system used. Shapefiles must also include an ‘.xml’ metadata file that describes the shapefile for discovery and identification purposes.

Site environmental advisor means a person who has professional environmental qualifications and at least three years of work experience in providing environmental advice/oversight for projects and/or construction and can give authoritative assessment on the presence of **Black Cockatoos** within the vicinity of **works**.

Suitably qualified ecologist means a person who has professional qualifications and at least three years of work experience (relevant to the task being undertaken) for the relevant fauna or flora species (**Black Cockatoos** and **Western Swamp Tortoise**) and can give authoritative assessment, advice and analysis on their ecology and presence using relevant protocols, standards, methods and/or literature.

Suitably qualified environmental assessor means a person who has relevant professional qualifications, is certified in the State where the action will occur as an Environmental Auditor by the State Environmental Regulator, and under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme, and has at least three years of work experience in assessing **PFAS** management plans, and can give authoritative assessment, advice and analysis on their suitability in alignment with the **PFAS NEMP** using relevant protocols, standards, methods and/or literature.

The Environment means the 'environment' as defined in the **EPBC Act** and interpreted in the *Significant Impact Guideline 1.2 Actions on, or impacting upon, Commonwealth land and actions taken by Commonwealth Agencies* [Department of Sustainability, Environment, Water, Population and Communities, June 2013].

Website means a set of related web pages located under a single domain name attributed to Perth Airport Pty Ltd and available to the public.

Western Swamp Tortoise means *Pseudemydura umbrina*.

Wetland(s) means **resource enhancement wetlands** that occur within, and adjacent to, the project area, as outlined at Appendix B.

Work(s) means any preparatory works required to be undertaken including clearing vegetation, the erection of any onsite temporary structures and the use of heavy equipment for the purpose of breaking the ground for buildings or infrastructure. **Works** excludes any activity required to be undertaken to fulfill the requirements of Condition 5.

Appendix A

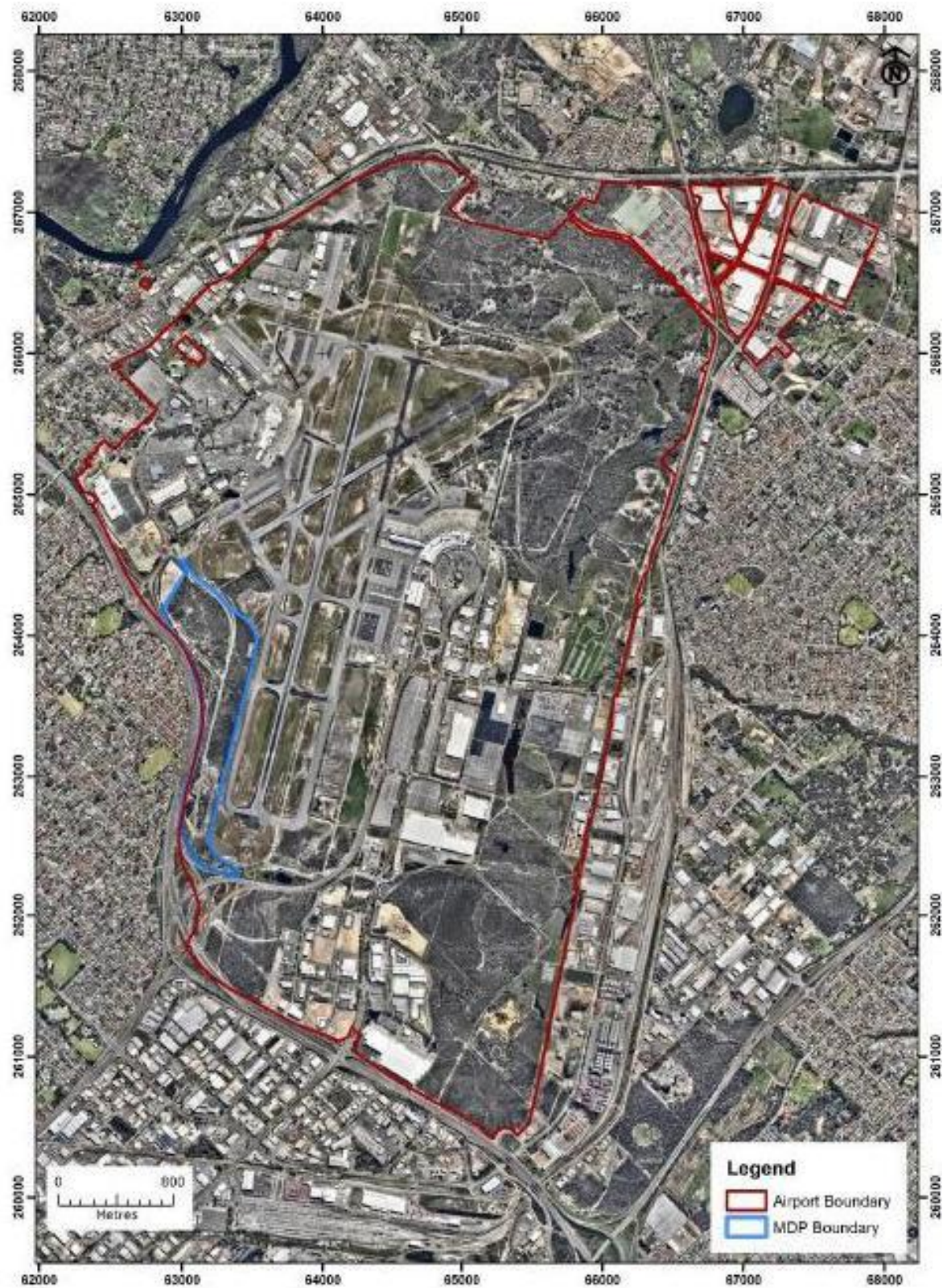


Figure 1-2 Airport West (South) Precinct within the Airport Estate

Appendix B



Wetland ID	Total Area (ha)	Area intersecting Airport West (ha)	Suggested management category
27	1.9	1.9	REW
28	0.2	0.2	REW
29	1.1	1.1	REW
30	39.8	33.2	REW
Total	43.0	36.4	