



JANDAKOT AIRPORT OFFSET PLAN

January 2014

Jandakot Airport Holdings Pty Ltd
16 Eagle Drive
Jandakot WA 6164

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1 Executive Summary

Jandakot Airport Holdings Pty Ltd (JAH) has prepared a Master Plan for the development of the airport, in accordance with the Airports Act 1996.

The proposed development of Jandakot Airport will result in clearing 167 hectares of native vegetation.

This action required Referral to the Australian Government Department of Environment, Water, Heritage and the Arts (DEWHA) under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) for a decision whether the proposed action was a controlled action.

DEWHA confirmed that the proposed clearing is a controlled action and would be assessed by preliminary documentation.

In March 2010 the Australian Government granted conditional approval for the clearing of 167 hectares of native vegetation at Jandakot Airport.

The EPBC Act approval is subject to thirteen conditions. Condition number four required JAH to submit an Offset Plan to the Minister for approval.

This Offset Plan provides details and timeframes for the provision of offsets for the development of Jandakot Airport.

2 Background

2.1 Jandakot Airport

The approved Jandakot Airport Master Plan 2009 prepared in accordance with the Airports Act 1996, outlines the proposed development of parts of the site for aviation and non aviation uses for the next 20 years. This will result in clearing of 167 hectares of native vegetation for airport development. (Refer Figure 1).

The total eventual development footprint of the airport including existing airport infrastructure, the fourth runway, runway extensions, aeronautical and commercial development is 452 ha. This development will require clearing of native vegetation from various parts of the Jandakot Airport site (Refer Figure 2). The onsite conservation area will be 170 ha including Precinct 6 and 6A.

Ken Hurst Park, the Jandakot Regional Park and Jandakot Airport conservation areas are presently fragmented. The development includes the potential establishment of a link which will create a continuous conservation area of approximately 657 ha connecting the presently isolated Ken Hurst Park with Jandakot Airport Conservation Precincts, the rehabilitated Precincts 7 and 8 and Jandakot Regional Park.

In addition, the proposed development will connect the Airport site to reticulated sewer, reducing the site's environmental impact on groundwater.

On 25th June 2008 the Department of Environment, Water, Heritage and the Arts (DEWHA) advised the requirement for the action to be assessed under the EPBC Act Referral process. (Refer attachment 1).

On 17th April 2009, DEWHA advised that the proposed action is a controlled action and that the project will be assessed by preliminary documentation. (Refer attachment 2).

On 1st May 2009, DEWHA requested additional information regarding the proposed action. (Refer attachment 3).

On 31st July 2009 DEWHA gave Jandakot Airport Holdings Pty Ltd (JAH) a direction to publish the Referral information. (Refer attachment 4).

JAH published the Referral information from 6th August to 2nd October 2009, for Public Comment.

On 12th March DEWHA invited JAH to comment on the revised proposed approval decision. (Refer attachment 5).

On 25th March 2010 JAH received EPBC Act approval with conditions from the Minister of Environment, Water, Heritage and the Arts.

2.2 EPBC Act Conditions of Approval

The EPBC Act approval is subject to thirteen conditions. Condition 4 requires that JAH submit an Offset Plan for the Ministers approval. Condition 4 reads as follows:

- a) *“The rehabilitation of precincts 7 and 8 shown at Annexure A must take place in accordance with condition 5 and with the consent of Canning City Council. Evidence of consent from Canning City Council must be provided.”*
- b) *“If consent cannot be obtained from Canning City Council to rehabilitate precincts 7 and 8 shown at Annexure A as required under condition 4(a) by 30 June 2010, the person taking the action must provide to the Western Australian Department of Environment and Conservation the sum of \$9.2 million and topsoil from the Jandakot Airport lease site for use in the rehabilitation and conservation of banksia woodland at an alternative site or sites. The areas to be rehabilitated or conserved must be within 45 kilometres of the Jandakot Airport lease site unless the Minister agrees to alternative siting. The transportation costs for the topsoil are to be paid for out of the \$9.2 million. The funding must be provided in proportion to the area cleared each year, and the entire sum must be provided within a maximum of five years from commencement.”*
- c) *“The acquisition and protection in perpetuity of a minimum of 1600 hectares of land containing Carnaby’s Black-cockatoo (*Calyptorhynchus latirostris*) foraging habitat. The person taking the action must demonstrate that the proportion of the 1600 hectares of land that has been secured for protection, is not less than the proportion of the land to be cleared on Jandakot Airport each year, prior to that staged annual clearing occurring.”*
- d) *“Provide details of the future ownership, funding arrangements and management of the land to be used as the offset.”*
- e) *“Funding details, including research, on recovery actions for Carnaby’s Black-cockatoo (*Calyptorhynchus latirostris*), for a minimum of \$150,000 per year, over five years.”*
- f) *“The Jandakot Airport Offset Plan must be submitted to and approved by the Minister prior to construction. The approved Jandakot Airport Offset Plan must be implemented.”*

The Jandakot Airport Offset Plan must be submitted to and approved by the Minister prior to construction. The approved Jandakot Airport Offset Plan must be implemented.

2.3 Purpose of this Plan

The purpose of this Offset Plan is to satisfy condition 4 of the EPBC Act Conditions of approval.

3 EPBC Act – Referral Decision – Condition 4

3.1 Condition 4a

“The rehabilitation of precincts 7 and 8 shown at Annexure A must take place in accordance with condition 5 and with the consent of Canning City Council. Evidence of consent from Canning City Council must be provided.”

JAH has worked with the Canning City Council over a number of years and has received conditional consent for the proposed rehabilitation on a number of occasions. Canning City Council has however recently withdrawn it's consent for the proposed rehabilitation.

JAH has written to the City of Canning to invite the Mayor and CEO to a meeting with Jandakot Airport executives. This meeting will outline the exceptional opportunity represented by the rehabilitation proposal. JAH undertakes to work with the Canning City Council until the end of June 2010 to achieve consensus to rehabilitate precincts 7 and 8.

Should Canning City Council give it's consent, JAH will undertake the rehabilitation in accordance with the Rehabilitation Plan.

JAH will not clear any land other than the 42ha from Stage 1 until the rehabilitation plan is approved by the Minister. JAH will implement the rehabilitation plan.

JAH will notify DEWHA of the outcome of negotiations with the City of Canning no later than 7th July 2010.

3.2 Condition 4b

“If consent cannot be obtained from Canning City Council to rehabilitate precincts 7 and 8 shown at Annexure A as required under condition 4(a) by 30 June 2010, the person taking the action must provide to the Western Australian Department of Environment and Conservation the sum of \$9.2 million and topsoil from the Jandakot Airport lease site for use in the rehabilitation and conservation of banksia woodland at an alternative site or sites. The areas to be rehabilitated or conserved must be within 45 kilometres of the Jandakot Airport lease site unless the Minister agrees to alternative siting. The transportation costs for the topsoil are to be paid for out of the \$9.2 million. The funding must be provided in proportion to the area cleared each year, and the entire sum must be provided within a maximum of five years from commencement.”

If consent cannot be obtained from the Canning City Council before the end of June 2010, JAH will pay \$9.2 million to DEC. The transportation costs for the topsoil are to be paid for out of the \$9.2 million. This amount will be paid as outlined in table 3.7. Stage 1 payment will be made to DEC on the expiry of the City of Canning rehabilitation time frame (by end of June 2010) unless the City of Canning agrees to the rehabilitation proposal.

JAH will notify DEWHA of the outcome of negotiations with the City of Canning no later than 7th July 2010. JAH will provide DEWHA with correspondence between JAH and DEC confirming DEC's agreement to the disbursement of funds and stating the intended use of the funds.

3.3 Condition 4c

“The acquisition and protection in perpetuity of a minimum of 1600 hectares of land containing Carnaby’s Black-cockatoo (Calyptorhynchus latirostris) foraging habitat. The person taking the action must demonstrate that the proportion of the 1600 hectares of land that has been secured for protection, is not less than the proportion of the land to be cleared on Jandakot Airport each year, prior to that staged annual clearing occurring.”

JAH will provide the funding for the purchase of at least 1600ha of Banksia bushland as outlined in table 3.8. This is to assist with the creation of a significant protected conservation area to protect habitat for the Carnaby’s Black Cockatoo.

JAH will provide a letter within 3 months of approval of this Offset Plan, from DEC confirming that the first stage of offset land has been finalised. This letter will include details as follows:

- A copy of the first page of the sale contract.
- Successful transfer of money from JAH to DEC.
- Verification that the offset land consists of Caraby’s Black Cockatoo habitat and the area of habitat.
- The location of the offset land.
- The size of the offset land.
- The proposed tenure for the offset land and any other intentions DEC has for the use of the land.

JAH will provide a letter from DEC containing the same information for each stage of the offset land as outlined in table 3.8 prior to undertaking clearing in that particular year, with the exception of Stage 1.

3.4 Condition 4d

“Provide details of the future ownership, funding arrangements and management of the land to be used as the offset.”

The land will be acquired by JAH or DEC and funded by JAH. Ownership, protection and ongoing management responsibilities will rest with DEC.

JAH will facilitate DEC providing to DEWHA information on the location, attributes and ongoing management of the offset site/s.

3.5 Condition 4e

“Funding details, including research, on recovery actions for Carnaby’s Black-cockatoo (Calyptorhynchus latirostris), for a minimum of \$150,000 per year, over five years.”

JAH will provide \$150,000 per year over five years, for research on recovery actions for Carnaby’s Black-cockatoo (Calyptorhynchus latirostris). This money will be provided to reputable organisations undertaking research on recovery actions. These organisations will be identified annually with the guidance of DEC and DEWHA. The first payment will be made within one year from approval of the proposal. The money will be paid into a trust established for this purpose. The application of these funds will be detailed on an annual basis.

JAH will provide a strategy for approval by the Minister within 3 months of approval of this Offset Plan, outlining the following:

- Details of the trust fund, including how it will be established and who will be able to access the funds; and
- The research and recovery actions that will/may be funded.

3.6 Other Requirements

“The Jandakot Airport Offset Plan must be submitted to and approved by the Minister prior to construction. The approved Jandakot Airport Offset Plan must be implemented”.

No construction will take place before the Minister approves the Jandakot Airport Offset Plan.

JAH undertakes to implement the Jandakot Airport Offset Plan on approval by the Minister.

3.7 Funding Arrangements

If consent cannot be obtained from the Canning City Council for the rehabilitation of precincts 7 and 8, JAH will provide:-

- topsoil to DEC
- pay to DEC prior to the staged clearing of vegetation (Refer Figure 3), as follows:

Stage	Year	Clearing	% of Total	JAH to Pay to DEC Transportation costs for the topsoil is to be paid for out of these funds
1	2010	42ha	25%	\$2,300,000
2	2011	20ha	12.5%	\$1,150,000
3	Prior to clearing	41ha	25%	\$2,300,000
4	2012	43ha	25%	\$2,300,000
5	Prior to clearing	21ha	12.5%	\$1,150,000
Totals		167ha	100%	\$9,200,000

The DEC offset payment will take place at least in proportion to the clearing to be undertaken in each stage. JAH will provide evidence to DEWHA of the DEC payment before clearing stages 2, 3, 4 and 5. Stage 1 payment will be made to DEC on the expiry of the City of Canning rehabilitation time frame (by end of December 2010).

3.8 Offset Land

Apart from Stage 1 clearing, JAH will provide evidence to DEWHA that the Offset land has been secured prior to clearing commencing each stage.

Offset land will be acquired at least in proportion to the land to be cleared on each stage, as follows:

Stage	Year	Clearing	% of Total	Offset Land
1	2010	42ha	25%	Approx 700ha
2	2011	20ha	12.5%	-
3	2012	41ha	25%	Approx 500ha
4	2013	43ha	25%	-
5	2014-2015	21ha	12.5%	Approx 400ha
Totals		167ha	100%	1600ha

All offset land will be acquired within 5 years.

3.9 Caladenia hugelii Research

JAH will pay \$700,000 to the Botanical Gardens and Parks Authority (BGPA) in equal annual amounts, over five years to fund crucial *Caladenia hugelii* research. The first payment of \$140,000 will be made prior to clearing for Stage 1. (Refer Figure 3). Each further payment will be made annually prior to the clearing of each stage.

This money is allocated to the following:

	Year 1	Year 2	Year 3	Year 4	Year 5
Staffing (Research scientist incl. 27% statutory on-costs)	90 000	92 000	94 000	96 000	98 000
PhD Leveraging	9 000	9 000	9 000	9 000	9 000
Operating costs (consumables, travel)	15 000	17 000	19 000	21 000	23 000
Subtotal	114 000	118 000	122 000	126 000	130 000
Contingency	25 000	22 000	18 000	14 000	10 000
Total	\$140,000	\$140 000	\$140 000	\$140 000	\$140 000

Indicative timelines are as follows:

Year One

Research Area	J	F	M	A	M	J	J	A	S	O	N	D
1. Genetics												
Collect leaf samples from target species						■	■	■	■	■	■	
Extract DNA & determine fingerprints											■	■
2. Ex situ Conservation												
Locate & pollinate target species										■	■	
Monitor and collect seeds											■	■
Isolate fungi from target species						■	■	■	■	■		
Test efficacy of fungal isolates								■	■	■		
Long-term storage of seed & fungi											■	■
3. Propagation tuberisation research												
4. Translocation research												
Survey habitat for likely sites				■	■	■	■	■	■			
Intensive soil sampling				■	■	■	■	■	■			

Establish ex situ baiting trials														
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Years 2 to 5

Research area	J	F	M	A	M	J	J	A	S	O	N	D
1. Genetics												
Micro-satellite array cross-application												
Apply genetic criteria to research planning												
2. Ex situ Conservation												
Collection of additional seed as required												
Long-term storage of seed & fungi												
3. Propagation tuberisation research												
Germinate seed of research species												
Trial tuberisation treatments												
Assess outcomes of research trials												
4. Translocation research												
Establish field plantings												
Monitor seeding survival												
5. Natural Pollination Agent research												
Research natural abundance of pollinators												
Assess seasonal variation in pollinators												
Investigate captive breeding options												

An annual progress report, presentation of work to date and discussion of the following years objectives will be provided. In addition a six month summary of research highlights will also be provided. A final report will be provided to DEWHA by 31 January 2016.

3.10 Glasshouse

JAH will pay \$60,000 to BGPA for its glasshouse upgrade which will house inter alia the impacted *Caladenia huegelii* plants. Confirmation of this payment will be given to DEWHA prior to any clearing

Figures

Figure 1 Jandakot Airport Master Plan 2009

Figure 2 Estimated Clearing

Figure 3 Estimated Clearing Stages

Figures
Figure 1 - Jandakot Airport Master Plan

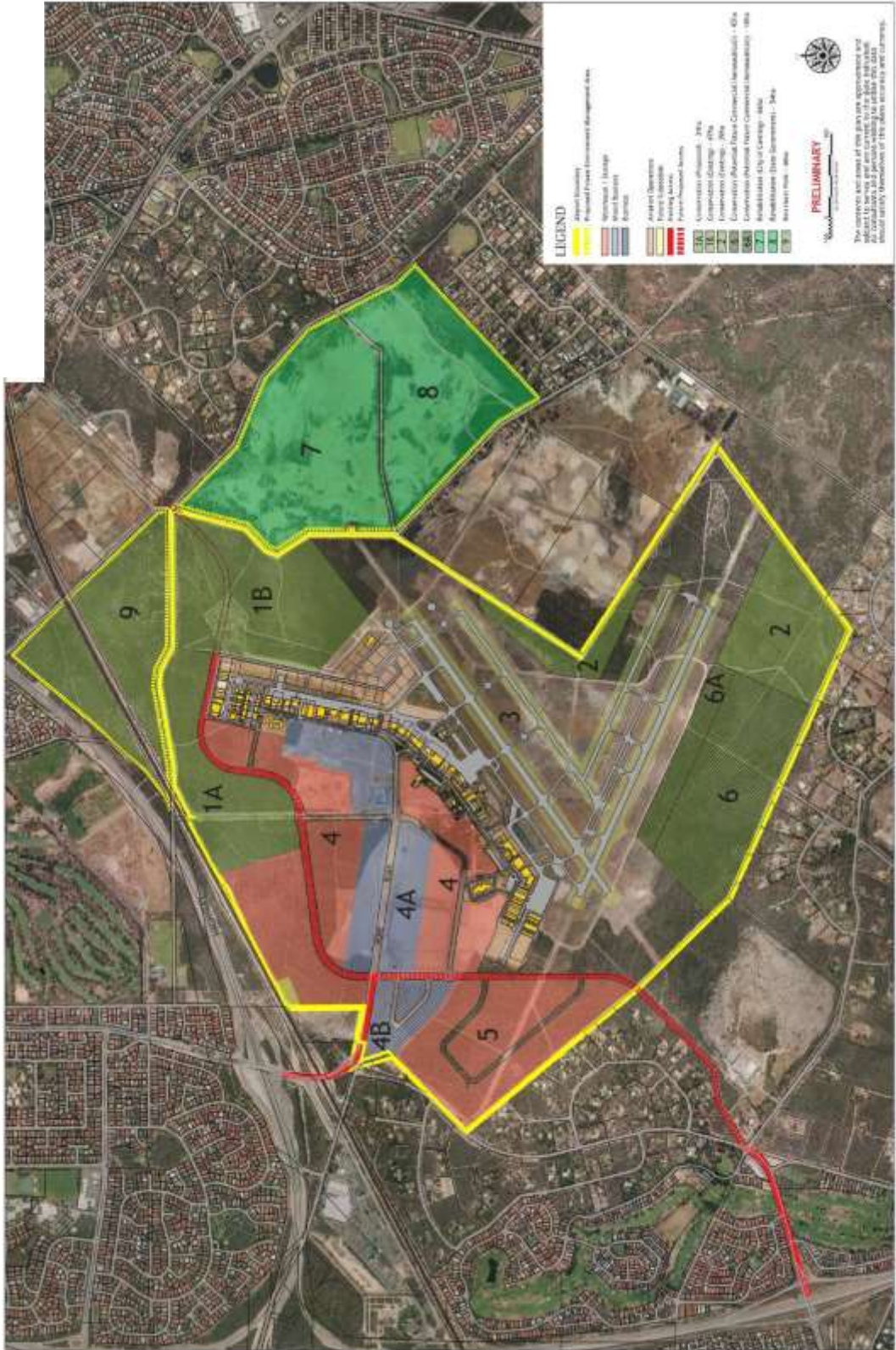
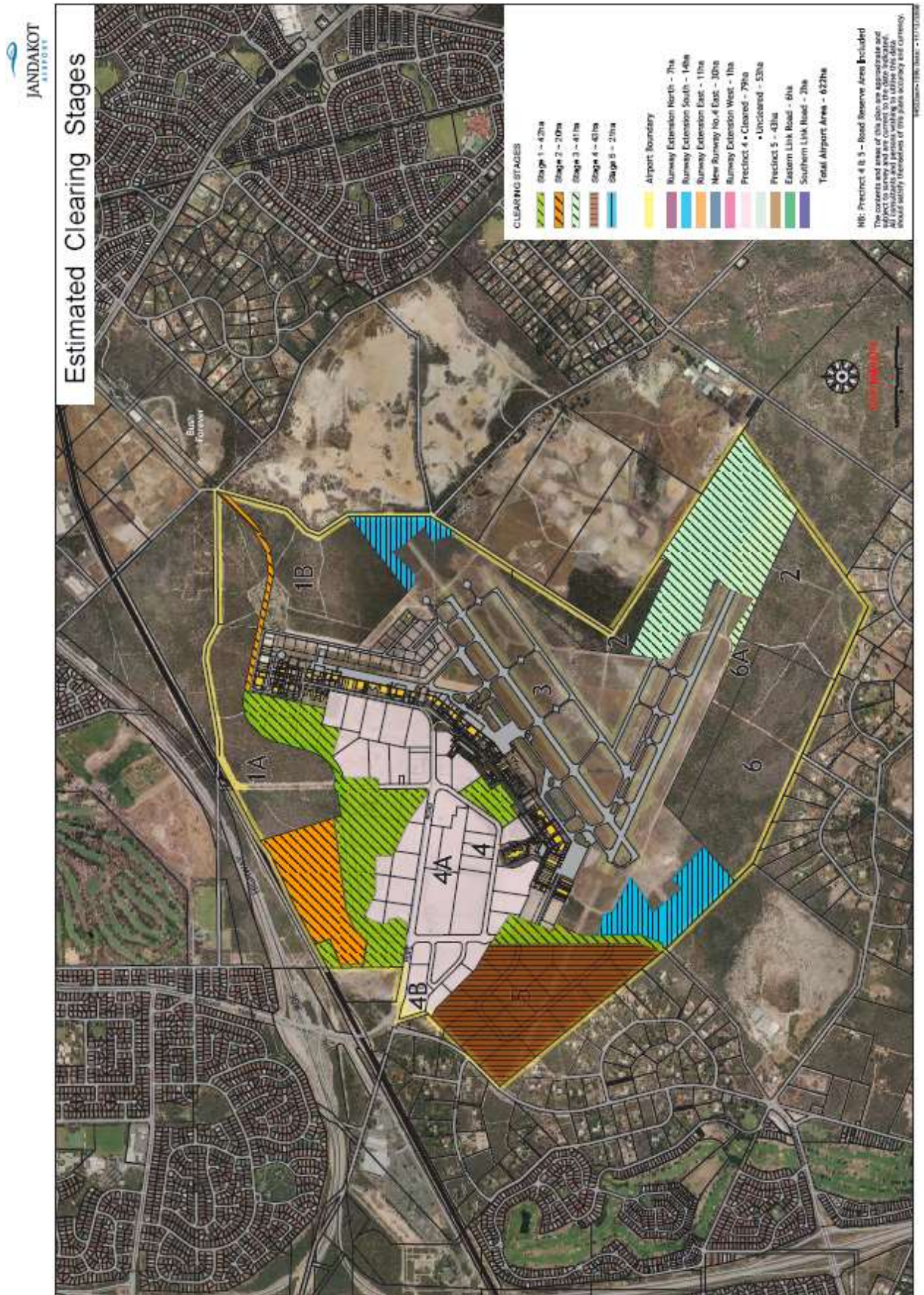


Figure 2 - Estimated Clearing



Figure 3 - Estimated Clearing Stages



Attachments

- Attachment 1 DEWHA letter to JAH dated 25th June 2008**
- Attachment 2 DEWHA letter to JAH dated 17th April 2009**
- Attachment 3 DEWHA letter to JAH dated 1st May 2009**
- Attachment 4 DEWHA letter to JAH dated 31st July 2009**
- Attachment 5 DEWHA Proposed Approval dated 12th March 2010**

Attachment 1



Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr Greg King
Chairman
Jandakot Airport Holdings
16 Eagle Drive
JANDAKOT WA 6164

Dear Mr King

Thank you for your letter of 14 May 2008 to Chris Murphy concerning the development of a new Master Plan and Environment Strategy for Jandakot Airport.

We have reviewed the proposal outlined in your letter, and we consider it to be sufficiently different from the 2007 Major Development Plan, for Jandakot Airport Holdings (JAH) to submit it as a new proposal. You will no doubt be aware that offsetting the impacts on JAH land by securing the adjacent sites owned by the City of Canning (sand mine areas 3 and 4) and the City of Melville (Ken Hurst Park) for long-term conservation is considered a significant element of the proposal. In our previous discussions, we also talked about the assessment of such a proposal under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) that covered future clearing over the whole airport site. If such a proposal was to be approved under the EPBC Act, the Minister for the Environment, Heritage and the Arts would not be required to consider further Major Development Plans concerning land clearing, and JAH would not be required to apply for Part 13 permits to take listed threatened species within those areas.

I note that you have suggested a timetable for such an assessment process. We are now in a position to discuss what information would be required to undertake the assessment, and to elaborate on an assessment process that meets the requirements of both the EPBC Act and the *Airports Act 1996*.

If you would like to discuss the matter further, please contact Chris Murphy on (02) 6274 1821 or chris.murphy@environment.gov.au.

Yours sincerely

A handwritten signature in cursive script that reads "Vicki Middleton".

Ms Vicki Middleton
Assistant Secretary
Environment Assessment Branch

25 June 2008

cc Karen Gosling



GPO Box 787 Canberra ACT 2601 Telephone 02 6274 1111 Facsimile 02 6274 1666
www.environment.gov.au



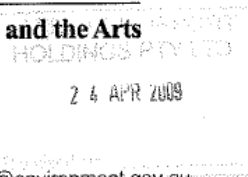


Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr John Fraser
Managing Director
Jandakot Airport Holdings Pty Ltd
16 Eagle Drive
JANDAKOT WA 6164

Date: 17 April 2009
EPBC Ref: 2009/4796
EPBC contact: Katherine Shelley
(02) 6274 1893
katherine.shelley@environment.gov.au



Dear Mr Fraser

**Decision on referral
Jandakot Airport expansion, commercial development and clearance of
native vegetation, WA**

This proposed action, to construct a fourth runway and associated taxiways, runway extensions, and clear land for the development of aviation and commercial precincts as described in the Jandakot Airport Master Plan 2009, has now been considered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

We have decided that the proposed action is a controlled action and, as such, requires assessment and approval by the Minister for the Environment, Heritage and the Arts before it can proceed.

It appears that the proposed action is likely to have a significant impact on the following matters protected by the EPBC Act:

- Listed threatened species and communities (sections 18 & 18A)
- Commonwealth land (section 26 & 27A)

For example, based on the information available in the referral, the proposed action is likely to have a significant impact because:

- It involves the clearing of approximately 167ha of native vegetation that is known to provide habitat for the nationally threatened species including Carnaby's Black-Cockatoo, Grand Spider-orchid, and Glossy-leaved Hammer-orchid;
- It involves the clearing of approximately 167ha of native vegetation on Commonwealth land which provides habitat for Western Australian threatened species;
- It involves commercial and aviation development on Commonwealth land which occurs over the Jandakot Mound Public Drinking Water Supply Area; and
- It involves aviation development on Commonwealth land which includes the construction of a fourth runway and runway extensions which will lead to increased aircraft noise.

Please note that this decision only relates to the potential for significant impact on the specific matters protected by the Australian Government under Chapter 4 of the EPBC Act.

We have also decided that the project will need to be assessed through preliminary documentation.

Each assessment approach requires different levels of information and involves different steps. All levels of assessment will include a public consultation phase, *in which any third parties can comment on the proposed action.*

Details on the assessment process for the project and the responsibilities of the proponent are set out in the enclosed fact sheet. Further information is available from the Department's website, at www.environment.gov.au/epbc.

A copy of the document recording these decisions is enclosed.

While we have determined that your project will be assessed by preliminary documentation, we require some further information to be able to assess the relevant impacts of the action. You should expect to receive a letter from the Department within ten business days, outlining the information required.

The assessment officer will contact you shortly to discuss the assessment process.

I have also written to the following parties to advise them of this decision:

Referring party	Mr Dale Newsome, ENV.Australia
Commonwealth Minister	The Hon Anthony Albanese MP, Minister for Infrastructure, Transport, Regional Development and Local Government
State authorities	Environmental Protection Agency; Department of Environment and Conservation; Department for Planning and Infrastructure; Department of Water.

If you have any questions about the referral process or this decision, please contact the EPBC project manager and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely



Cathy Skippington
Assistant Secretary
Environment Assessment Branch



Notification of REFERRAL DECISION AND DESIGNATED PROPONENT – controlled action DECISION ON ASSESSMENT APPROACH

Jandakot Airport Expansion, Commercial Development and Clearance of Native Vegetation, WA – EPBC 2009/4796

This decision is made under Section 75 and Section 87 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

Proposed action

proposed action To construct a fourth runway and associated taxiways, runway extensions, and clear land for the development of aviation and commercial precincts as described in the Jandakot Airport Master Plan 2009, as described in the referral received on 17 March 2009 (EPBC 2009/4796).

Referral decision: Controlled action

status of proposed action The proposed action is a controlled action. The project will require assessment and approval under the Environment Protection and Biodiversity Conservation Act 1999 before it can proceed.

relevant controlling provisions The project is likely to have a significant impact on:
• Listed threatened species and communities (sections 18 & 18A)
• Commonwealth land (section 26 & 27A)

designated proponent Jandakot Airport Holdings Pty Ltd

Decision on assessment approach

assessment approach The project will be assessed by preliminary documentation.

Person authorised to make decision

Name and position Cathy Skippington Assistant Secretary Environment Assessment Branch

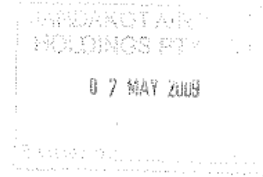
signature [Handwritten signature]

date of decision 17 April 2009



Australian Government
Department of the Environment and Water Resources

MP 09 AUTHENTIC



Mr John Fraser
Managing Director
Jandakot Airport Holdings
16 Eagle Drive
JANDAKOT WA 6164

Date / May 2009
EPBC Ref 2009/4796
EPBC contact Katherine Shelley
(02) 6274 1893
katherine.shelley@environment.gov.au

Dear Mr Fraser

Request for additional information – Jandakot Airport expansion, commercial development and clearance of native vegetation, WA

I refer to our letter of 17 April 2009 notifying you of the decision to assess the above proposed action by preliminary documentation under section 95A of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

I am writing to ask you to provide further information regarding the proposed development. Attachment A to this letter outlines the additional information required.

In any correspondence with the Department please quote the title of the action and EPBC reference, as shown on the beginning of this letter. You can send information to us:

by letter Commonwealth and Territories Section
Environment Assessment Branch
Department of the Environment and Water Resources
GPO Box 787
CANBERRA ACT 2601

or by email katherine.shelley@environment.gov.au

Once the Minister or his delegate is satisfied that you have provided the information requested, we will give you written direction to publish the information for public comment for no less than 20 business days. In accordance with section 95B of the EPBC Act, you will then be required to address any public comments prior to commencement of assessment under section 95C.

If you have any questions about the process please contact the EPBC project manager and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Michelle Wicks
A/g Assistant Secretary
Environment Assessment Branch

Attachment A

Additional Information Required

1. The Jandakot Airport Master Plan and Environment Strategy (the version to be published for public comment under the *Airports Act 1996*).
2. Information on the impacts of the proposal on EPBC Act listed threatened species identified as being present or potentially present in the project area, including but not restricted to:
 - The presence of listed threatened species, on the design of the proposal, mitigation measures and offsets;
 - Removal of habitat for Carnaby's Black-Cockatoo, Grand Spider-orchid (*Caladenia huegelii*), Glossy-leaved Hammer-orchid (*Drakaea elastica*), during construction and operation of the proposed development; and
 - Potential changes to the long term management of habitat for listed threatened species on the site during implementation of the master plan.
3. Further information on the impacts of the proposal on Commonwealth land, including but not restricted to:
 - The long term viability of remaining patches of woodland;
 - The ecological function of woodland before and after construction of the Jandakot Airport expansion, including edge effects;
 - Impacts on WA listed threatened species;
 - Impacts on the Jandakot Groundwater Mound; and
 - Impacts from roads and fences on connectivity in conservation areas within Jandakot Airport and with surrounding areas.
4. Detailed information on proposed mitigation measures, including but not restricted to:
 - A consolidated list of mitigation measures proposed to be undertaken to prevent, minimise or compensate for the relevant impacts on listed threatened species;
 - Mitigation measures to maintain connectivity between conservation areas within Jandakot Airport and with surrounding areas, including through the use of fencing;
 - Mitigation measures to avoid impacts on the Jandakot Groundwater Mound;
 - Assessment of the expected or predicted effectiveness of the mitigation measures and any outstanding risks; and
 - The cost of mitigation measures.
5. Detailed information on proposed offsets, including but not restricted to:
 - Identify potential offsets to compensate for the loss of Carnaby's Black-Cockatoo habitat. Provide details of the proposed offset and measures to ensure conservation into the future. Reference should be made to the Department's draft policy statement at <http://www.environment.gov.au/epbc/publications/draft-environmental-offsets.html>;
 - Expected success of vegetation rehabilitation in the proposed offset areas, including estimates of time taken for rehabilitated vegetation to become established and functional;
 - Progress of negotiations with relevant parties to acquire proposed offsets; and
 - Alternative options for offsets if negotiations to acquire proposed offsets are not successful.

MP 09 - AUTHORITY

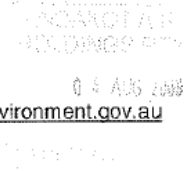


Australian Government

Department of the Environment, Water, Heritage and the Arts

Mr John Fraser
Managing Director
Jandakot Airport Holdings Pty Ltd
16 Eagle Drive
JANDAKOT WA 6164

Date: 3/ July 2009
EPBC Ref: 2009/4796
EPBC contact: Katherine Shelley
(02) 6274 1893
katherine.shelley@environment.gov.au



Dear Mr Fraser

**Direction to publish
Jandakot Airport expansion, commercial development and clearance of
native vegetation, WA**

On 17 April 2009, we decided that the proposed action to construct a fourth runway and associated taxiways, runway extensions, and clear land for the development of aviation and commercial precincts as described in the Jandakot Airport Master Plan 2009 required assessment and approval under the Environment Protection and Biodiversity Conservation Act 1999. On 1 May 2009 we requested additional information in relation to the proposed action and on 30 June 2009 you provided the requested information.

You are now required to publish the referral information and the additional information you have provided on the proposed action **within 20 business days of the date of this decision**. This allows for public consultation on the potential impacts of your project. The information must be available for comment for no less than **40 business days** and during this time any third parties can comment on the proposed action.

Public comments will come directly to you so that you have an opportunity to address any issues raised. You are then required to provide us with:

- a copy of all public comments received (if any);
- a summary of each of the comments (if any) and how you have addressed each of them; and
- a revised version of your documentation with any changes or additions needed to take account of the public comments (if any); or
- if no public comments are received, a written statement to that effect.

Once you have provided us with this information, you will then need to publish the summary of comments and your responses, together with the original documentation including any changes or additions made in response to the public comments (or a notice) **within 10 business days**. Detailed directions on what information you need to publish and where to publish are attached to this letter.

The assessment process will commence as soon as we receive the public comments and your responses to them. A decision on whether the proposed action can be approved or not would generally be expected within 40 business days of that time, unless further information is required.

If you have any questions about the assessment process or this decision, please contact the EPBC project manager and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Chris Murphy
A/g Assistant Secretary
Environment Assessment Branch

Attachment A

Publication of Preliminary Documentation under the Environment Protection and Biodiversity Conservation Act 1999

Note: This information is extracted from the *Environment Protection and Biodiversity Conservation Regulations 2000*. To be used as a guide only: Proponents should seek their own legal advice on these issues.

Material:

- (a) referral; and
- (b) any additional specified information.

However, if the material is more than 200 words, a notice may be published instead.

Where to be published:

- (a) in a national or State daily newspaper that circulates in the State or Territory in which the action occurs; and
- (b) if practical, in regional newspapers that circulate in any regions of Australia where the action is likely to have a significant impact on a matter protected by a provision of Part 3 of the Act.

The designated proponent must:

- (a) give 2 copies of the material to:
 - (i) at least 1 local authority, or at least 1 local or regional library, for the area where the action is likely to have a significant impact on a matter protected by a provision of Part 3 of the Act;
 - (ii) a State government authority responsible for environmental protection, or a State library, in the State where the action is likely to have a significant impact on a matter protected by a provision of Part 3 of the Act;
 - (iii) the Department.
- (b) ask the authority or library to display the material publicly.

The published material or notice must invite public comments and state:

- (a) the requirement under the Act that the material be published (Section 95);
- (b) the name of the action;
- (c) a brief description of the action;
- (d) the location of the action;
- (e) the name of the person intending to take the action;
- (f) the name of the designated proponent (if not the person mentioned in paragraph (e));
- (g) each matter protected by a provision of Part 3 of the Act;
- (h) where the material may be viewed or obtained; and
- (i) the final date for providing comments.

Attachment 5

Proposed Approval

Jandakot Airport Expansion, Commercial Development and Clearance of Native Vegetation, WA – EPBC 2009/4796

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

person to whom the approval is granted Jandakot Airport Holdings Pty Ltd

proponent's ACN (if applicable)

proposed action To construct a fourth runway and associated taxiways, runway extensions, and clear land for the development of aviation and commercial precincts as described in the Jandakot Airport Master Plan 2009, as described in the referral received on 17 March 2009 (EPBC 2009/4796).

Proposed approval decision

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved
Commonwealth land (sections 26 & 27A)	Approved

conditions of approval This approval is subject to the conditions specified below.

expiry date of approval This approval has effect until N/A.

Decision-maker

name and position Vicki Middleton
Assistant Secretary
Environment Assessment Branch

signature N/A.

date of decision N/A.

1. The person taking the action must not clear more than 167 hectares of native vegetation within precincts 1B, 3, 4 and 5 on Jandakot Airport. Vegetation clearing must be undertaken in a staged manner, with clearing only to occur in areas in which construction will commence in the following 12 months. Clearing of remnant or regrowth native vegetation within other precincts is not permitted.

2. The person taking the action must retain and manage precinct 6 for conservation until both of the following requirements have been fulfilled:

- a) the successful implementation of rehabilitation requirements under conditions 4 and 5 of this approval; and
- b) the referral and approval of any clearing activities on precinct 6 under the *Environment Protection and Biodiversity Conservation Act 1999* or subsequent environmental legislation administered by the Minister.

3. The person taking the action must conserve in perpetuity all land in precincts 1A, 1B and 2, with the exception of that land required to construct the roads shown in Annexure A.

4. The person taking the action must develop and submit a Jandakot Airport Offset Plan which must include but not be limited to:

- a) The rehabilitation of precincts 7 and 8 shown at Annexure A must take place in accordance with condition 4 and with the consent of Canning City Council. Evidence of consent from Canning City Council must be provided.
- b) If consent cannot be obtained from Canning City Council to rehabilitate precincts 7 and 8 shown at Annexure A as required under condition 3(a) within 6 months from the date of this approval, the person taking the action must provide topsoil from the Jandakot Airport lease site and \$9.2 million, which includes costs for the transportation of topsoil from the Jandakot Airport lease site up to 45 kilometres away, to the Western Australian Department of Environment and Conservation for the rehabilitation and conservation of banksia woodland.
- c) The acquisition and protection in perpetuity of a minimum of 1000 hectares of land containing Carnaby's Black-cockatoo (*Calyptorhynchus latirostris*) foraging habitat.
- d) Provide details of the future ownership, funding arrangements and management of the land to be used as the offset.

The Jandakot Airport Offset Plan must be submitted to and approved by the Minister prior to construction. The approved Jandakot Airport Offset Plan must be implemented.

5. If Canning City Council agrees to the rehabilitation of precincts 7 and 8, as required under condition 3(a), then the person taking the action must develop and submit a Jandakot Airport Rehabilitation Strategy which must include but not be limited to:

- a) The Bushland Rehabilitation Proposal and Success Criteria report, July 2009.
- b) Management of precincts 7 and 8 for long term conservation values.

The Jandakot Airport Rehabilitation Strategy must be submitted and approved by the Minister before construction commences. The approved Jandakot Airport Rehabilitation Strategy must be implemented.

6. The person taking the action must develop and submit a Conservation Management Plan to the Minister. The plan must include measures to manage remnant and regrowth vegetation and native fauna and flora species in conservation areas, including but not limited to:

- a) Management of remnant and regrowth vegetation and native fauna and flora species on the Jandakot Airport lease.
- b) If Canning City Council agrees to the rehabilitation of precincts 7 and 8, the management of remnant and regrowth vegetation and native fauna and flora species in precincts 7 and 8.
- c) If Melville City Council agrees, the management of remnant and regrowth vegetation and native fauna and flora species in Ken Hurst Park.
- d) Native vegetation management, including but not limited to:
 - Mapping of native vegetation, including type, condition and *Phytophthora cinnamomi* dieback infested areas;
 - Environmentally significant areas and their protection;
 - Monitoring regimes and survey methods;
 - Thresholds for triggering further management intervention;

- Weed control;
- *Phytophthora cinnamomi* dieback control;
- Rehabilitation and revegetation guidelines;

e) Orchid management, including but not limited to:

- Mapping of individual *Caladenia huegelii* and *Drakaea elastica* plants;
- Results of surveys and details of any current and future surveys;
- Monitoring regimes and survey methods;
- Thresholds for triggering further management intervention;

Grand Spider-orchid (*Caladenia huegelii*) management and translocation procedures;

- Details and funding arrangements for The Jandakot Rare Orchid Research Program: Integrated Conservation and Translocation of *Caladenia huegelii* – Key Concepts in the Development of an Integrated Conservation Program for Western Australian *Caladenia* (Dixon and Swarts, undated);
- Justification of the road alignment through precinct 1B.

f) Fauna management, including but not limited to:

- Mapping of Carnaby's Black-cockatoo (*Calyptorhynchus latirostris*), Forest Red-tailed Black-cockatoo (*Calyptorhynchus banksii naso*), Graceful Sun Moth (*Synemon gratiosa*), Quenda (*Isoodon obesulus fusciventer*), Southwestern Cool Skink (*Acritoscincus trilineatum*), the cricket *Throscodectes xiphos* and Western Brush Wallaby (*Macropus irma*) habitat and occurrence;
- Monitoring regimes and survey methods for Carnaby's Black-cockatoo (*Calyptorhynchus latirostris*), Forest Red-tailed Black-cockatoo (*Calyptorhynchus banksii naso*), Graceful Sun Moth (*Synemon gratiosa*), Quenda (*Isoodon obesulus fusciventer*), Southwestern Cool Skink (*Acritoscincus trilineatum*), the cricket *Throscodectes xiphos* and Western Brush Wallaby (*Macropus irma*);
- Thresholds for triggering further management intervention;
- Feral animal control measures for the protection of Quenda (*Isoodon obesulus fusciventer*) and Western Brush Wallaby (*Macropus irma*);
- A fauna road crossing strategy to facilitate terrestrial fauna movement;
- A fencing strategy to facilitate terrestrial fauna movement;
- Management options for EPBC Act listed or WA priority fauna and flora species found on Jandakot Airport in the future which have not been identified as occurring on site.

The Conservation Management Plan must include a provision to report against objectives and targets outlined in the Conservation Management Plan in the Jandakot Airport Environment Strategy.

The Conservation Management Plan must be submitted and approved by the Minister before construction commences. The approved Conservation Management Plan must be implemented.

7. The person taking the action must develop and submit a Jandakot Groundwater Mound Management Plan which must include but not be limited to:

- The introduction of a sewerage system;
- Provision of groundwater monitoring reports to the Western Australian Department of Water and Water Corporation;
- The Local Water Management Strategy (VDM Environmental, 2009. Issue No. 2, October 2009);
- Schedules for the independent audit of groundwater monitoring results and reports;
- Spill avoidance, management and rehabilitation measures and procedures;
- Groundwater monitoring;
- Acceptable development types.

The Jandakot Groundwater Mound Management Plan must be submitted and approved by the Minister before construction commences. The approved Jandakot Groundwater Mound Management Plan must be implemented.

8. The person taking the action must develop and submit a Construction Environment Management Plan (CEMP) to the Minister. The plan must include but not be limited to:

- Establishment and maintenance of fences and signage of “no go areas” in areas of priority and threatened species habitat;
- A landscaping vegetation schedule identifying plant species to be planted. Flora species to be planted must consist of Carnaby’s Black-cockatoo (*Calyptorhynchus latirostris*) foraging plant species;
- Identification and implementation of erosion and sedimentation control measures during and following clearing;
- Identification and implementation of dust control measures during and following clearing;
- Identification and implementation of appropriate weed and dieback hygiene measures;
- Induct clearing and construction workers and contractors about requirements to protect priority and threatened species in accordance with relevant legislation;
- Measures to reduce impacts on listed threatened species; and
- Indicative environmental management checklists to assist with monitoring the implementation of environmental management obligations during construction works.

Unless otherwise specified, the person taking the action must submit a report of performance against the requirements of the CEMP when key milestones are achieved and when final construction is completed.

The CEMP must be approved by the Minister before construction commences. The approved CEMP must be implemented.

9. The person taking the action must ensure that all Major Development Plan proposals are consistent with this *Environment Protection and Biodiversity Conservation Act 1999* approval.

10. The person taking the action must ensure that all Jandakot Airport Master Plan documents and all Jandakot Airport Environment Strategy documents are consistent with this *Environment Protection and Biodiversity Conservation Act 1999* approval.

11. If the Minister believes that it is necessary or desirable for the better protection of the environment, the Minister may request that the person taking the action make specified revisions to a plan or strategy approved pursuant to conditions 4, 5, 6, 7 and 8, and submit the revised plan or measure for the Minister’s approval. The person taking the action must comply with any such request. If the Minister approves a revised plan or measure pursuant to this condition, the person taking the action must implement that plan or measure instead of the plan or measure as originally approved.

12. If the person taking the action wishes to carry out any activity other than in accordance with a plan or strategy approved pursuant to conditions 4, 5, 6, 7 and 8 the person taking the action must submit for the Minister’s approval a request for revision of the plan. If the Minister approves the revised plan or measure so submitted, the person taking the action must implement that plan or measure instead of the plan or measure as originally approved.

13. If, at any time after 5 years from the date of this approval, the Minister notifies the person taking the action in writing that the Minister is not satisfied that there has been substantial commencement of the development, the development must not thereafter be commenced.

Definitions:

Construction – Any clearing or building works undertaken within precincts 1B, 3, 4 and 5, with the exception of the following:

- Removal or translocation of listed threatened orchids as outlined in ‘The Jandakot Rare Orchid Research Program’; and
- Activities associated with the development of required linear infrastructure (such as powerlines and sewage but excluding roads); and
- Other minor works approved by the Minister.

Fragmentation - The breaking up of a large intact area of a single vegetation or habitat type into smaller intact units.

Minister - The Minister responsible for the administration of the Environment Protection and Biodiversity Conservation Act 1999.

No Go Areas – Areas identified within the Jandakot Airport Lease which requires protection from construction and temporary impacts including: the movement of construction vehicles and machinery, stockpiling and any actions that will degrade or damage grassland species.

Substantial commencement – The construction of any infrastructure, excluding fences and signage, associated with the proposed action.

Flora Species – Grand Spider-orchid (*Caladenia huegelii*) and Glossy-leaved Hammer-orchid (*Drakaea elastica*).

Fauna Species – Carnaby's Black-cockatoo (*Calyptorhynchus latirostris*), Forest Red-tailed Black-cockatoo (*Calyptorhynchus banksii naso*), Graceful Sun Moth (*Synemon gratiosa*), Quenda (*Isoodon obesulus fusciventer*), Southwestern Cool Skink (*Acritoscincus trilineatum*), the cricket *Throscodectes xiphos* and Western Brush Wallaby (*Macropus irma*).