



Gingin Regional Landfill (EPBC 2015/7621)

Environment Protection and Biodiversity Conservation Act 1999

Fernview Environmental Pty Ltd

Independent Audit (2025)

JBS&G Australia Pty Ltd | 67366 | Rev 0

13 June 2025





We acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community.

We pay respect to Elders past and present and in the spirit of reconciliation, we commit to working together for our shared future.

Caring for Country The Journey of JBS&G
Artist: Patrick Caruso, Eastern Arrernte



Executive Summary

JBS&G have conducted an independent audit of EPBC Approval EPBC 2015/7621. The audit involved the assessment of 109 criteria across the Approval and the Carnaby Cockatoo Habitat Offset Strategy. For the stage of activities (construction) being undertaken in the audit period 06 April 2020 to 05 April 2025 there were 40 criteria that were not applicable in the audit period.

Compliance assessed against EPBC Approval EPBC 2015/7621 found that 18 sub-conditions were found to be compliant and 18 sub-conditions were found to be non-compliant.

Compliance assessed against the Offset Strategy found that 17 commitments were assessed to be compliant, 12 commitments were assessed to be non-compliant and four commitments were assessed to be potentially non-conformant.

Table of Contents

1. Introduction	4
1.1 Project Background	4
1.2 Objectives and Scope	4
1.3 Proponent Details	4
1.4 Environmental Approval to Implement the Project	4
2. Current Status	5
3. Audit Methodology	5
3.1 Audit Plan	5
3.1.1 Purpose & Scope	5
3.1.2 Methodology	5
3.1.3 Audit Period	5
3.1.4 Terminology	6
4. Audit Results	6
4.1 Summary of Compliance	6
4.1.1 EPBC Decision 2016/7846 Approval	6
4.1.2 Offset Strategy	7
4.2 Correcting non-compliances	7
4.2.1 Proposed Footprint Boundary	7
4.2.2 Fencing	8
4.2.3 Weed Monitoring and Control Measures	8
4.2.4 Compliance Certification	8
4.2.5 Offset Property	8
4.2.6 Notification of Commencement	8
4.2.7 Annual Compliance Report	8
4.2.8 Notification of Incidents or Non-compliances	9
4.2.9 Independent Audit	9
4.2.10 Inductions	9
4.2.11 Fire Management Checks	9
4.3 Recommendation	9
5. New Environmental Risks	10
6. Limitations	22
7. References	23

List of Tables

Table 3.1: Key Personnel Consulted for the Audit	5
Table 3.1: Terminology used for the Audit (DCCEEW 2019)	6
Table 4.1: Audit Table of Compliance with EPBC Decision 2015/7621	11

Table B.1: Carnaby’s Cockatoo Habitat Offsets Strategy (Version 1.0.0.0) Audit Table	2
Table C.1: Evidence Register.....	7

Appendices

Appendix A	EPBC 2015/7621 Approval	1
Appendix B	Offsets Strategy Compliance Assessment	2
Appendix C	Evidence Register	7
Appendix D	Auditor’s Certification.....	10

1. Introduction

This report addresses the status and compliance of implementation of the Fernview Environmental Pty Ltd (Fernview) with the conditions in *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval decision notice 2015/7621 (EPBC 2015/7621) (Appendix A) for the Gingin Regional Landfill, near Cullala, Western Australia. This report has been prepared for the purpose of meeting the requirements of condition 14 of EPBC 2015/7621, which requires an annual independent audit of compliance with the conditions of the approval.

1.1 Project Background

Fernview is developing the Gingin bioreactor landfill facility. The Project is located approximately 100 km north of Perth, WA. The project is to construct and operate a landfill accepting Class II-type waste with six cells and a landfill gas collection system and utilisation plant facility. The facility is to have a total operational lifetime of not more than 30 years.

1.2 Objectives and Scope

The objective of this document is to accord with Condition 14 of EPBC 2015/7621, which requires submission of an annual independent audit of compliance with the conditions of the approval.

The scope of this document covers the reporting period commencing 06 April 2020 and concluding 05 April 2025.

1.3 Proponent Details

The approval holder for Gingin Regional Landfill, near Cullala, Western Australia is Fernview Environmental Pty Ltd (CAN 617 674 469) 1/48 Kelvin Road, Maddington WA 6109.

1.4 Environmental Approval to Implement the Project

The Project was assessed as a controlled action under the EPBC Act due to the potential for significant impacts on listed threatened species. The Project was approved with conditions on 24 October 2019 (EPBC 2015/7621; Appendix A).

The landfill facility has State environmental approval under Ministerial Statement 976 with additional conditions under Ministerial Statement 1073. The Landfill Facility has an approved Development Application (DAP Application DAP/15/00918) and a Works Approval has been granted under Part V of the *Environmental Protection Act 1986* (EP Act)(W6083/2017/1).

The Project commenced on 06 April 2020.

To fully implement the conditions of the approval, the proponent is required to implement the following:

- Implement the weed control and rehabilitation measures in the Decommissioning and Post Closure Management Plan (2015)
- Implement condition 1 to 4 and 6 to 8 of the WA Works Approval W6083/2017/1
- Implement condition 10 (Environmental Offsets) of Ministerial Statement 1073
- Implement condition 11 (Feral Animal Environmental Management Plan) of Ministerial Statement 1073

2. Current Status

Construction of the landfill facility commenced 06/04/2020 and was completed 27/01/2023. No activities have occurred in the audit period since construction was completed. The landfill facility has not commenced operations.

3. Audit Methodology

3.1 Audit Plan

3.1.1 Purpose & Scope

This independent audit has been prepared to fulfil the requirements of condition 14, 15 and 16 of EPBC 2015/7621.

Condition 14 states:

“The approval holder must ensure that independent audits of compliance with the conditions are conducted for the 12 month period from commencement of the action and for every subsequent 12 month period, or as otherwise requested in writing by the Minister.

Condition 15 states:

“For each independent audit, the approval holder must:

- a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;*
- b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and*
- c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.*

Condition 16 states:

“The approval holder must publish the audit report on the website within 10 business days of receiving the Department’s approval of the audit report and keep the audit report published on the website until the end date of this approval.”

3.1.2 Methodology

The name and qualifications of the independent auditor, Andrea Wills, and draft audit criteria was provided to DCCEEW 11 October 2024. The nominated auditor and audit criteria were approved by DCCEEW 11 March 2025.

The independent audit was undertaken by Andrea Wills (Consultant, JBS&G) and involved a desktop assessment of compliance against conditions where evidence was requested from the approval holder to certify that the conditions were met. This included consultation via meetings, phone calls and email. The personnel who were interviewed and/or provided evidence for the audit are outlined in Table 3.1.

Table 3.1: Key Personnel Consulted for the Audit

Personnel	Position	Company
Kelton Reyneke	Advisor	Fernview
Tom Rudas	Managing Director	M8 Sustainable Ltd

3.1.3 Audit Period

Independent audits were not undertaken between 2021 and 2024. DCCEEW has directed the approval holder to ensure that this independent audit assesses actions undertaken within the years where the required independent audits were not undertaken. As such, this Independent Audit Report has been prepared for the

reporting period from 06 April 2020 to 05 April 2025 to fulfil the requirements of Condition 14. The audit report is due for submission to DCCEEW 20 June 2025.

3.1.4 Terminology

The ‘Status’ field of audit table (refer to Section 4.1) describes the level of compliance against the approval conditions. In 2019, the DCCEEW issued the Independent Audit and Audit Report Guidelines (DCCEEW 2019) for controlled actions which have been approved under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999*. Terminology from this guidance has been applied in the audit and is listed below in Table 3.1.

Table 3.2: Terminology used for the Audit (DCCEEW 2019)

Status	Acronym	Description
Compliant	C	A rating of ‘compliance’ is given when the auditee has complied with a condition, element of a condition or measure required by a management plan, report or program, etc.
Potentially non-compliant	PNC	A rating of ‘non-compliance’ is given when the auditee has not met the condition, element of a condition, or measure required by a management plan, report or program, etc.
Not Applicable	N/A	A rating of ‘not applicable at the time of the audit’ is given when the condition of element of a condition falls outside the scope of the audit, e.g., if any activity has not commenced.

4. Audit Results

4.1 Summary of Compliance

The results of the audit of EPBC 2015/7621 are shown in Table 4.1. A total of 17 conditions were audited from EPBC 2015/7621.

4.1.1 EPBC Decision 2016/7846 Approval

A total of 61 sub-conditions of EPBC Decision 2015/7621 were audited in Table 4.1 below. The following audit results were determined:

- 19 sub-conditions were found to be ‘Compliant’;
- 25 sub-conditions were found to be ‘Not applicable’; and
- 17 sub-conditions were found to be ‘Non-compliant’.

The conditions which were subject to non-compliances were:

- Condition 1 (Clearing outside proposed footprint boundary)
- Condition 2 (Three year delay in fencing the landfill boundary)
- Condition 3:
 - Implementation of the weed monitoring and control measures
 - Late submission of Compliance Certification and Validation Report
- Condition 4 (Compliance with Ministerial Statement Condition 10 Offset Requirements including no transfer of offset property)
- Condition 5 (Not providing notification of commencement of activity within 10 days)
- Condition 11 (Not submitting an ACR in 2021, 2022, 2023 and 2024)

- Condition 12 (Not providing notification of incidents or non-compliances within 2 days)
- Condition 13 (Not providing details of incidents or non-compliances within 10 days)
- Condition 14 (Not undertaking independent audits in 2021, 2022, 2023 or 2024)

All conditions found to be non-compliant have been reported to the DCCEEW and were the subject of a warning letter (Conditions 1, 2, 3, 5, 12 and 13) and infringement notices CEB24/129 (Condition 4), CEB24/130 (Condition 11) and CEB24/131 (Condition 14).

4.1.2 Offset Strategy

A total of 48 commitments from within the Carnaby's Cockatoo Habitat Offsets Strategy were audited in Appendix B. The following audit results were determined:

- 17 commitments were found to be 'compliant';
- 15 commitments were found to be 'not applicable';
- 4 commitments were found to be 'potentially non-compliant'; and
- 12 commitments were found to be 'non-compliant'.

The commitments which were subject to non-compliances / potential non-compliances were:

- CCHOS 03 and CCHOS 07 [Condition 1 (Clearing outside proposed footprint boundary)]
- CCHOS 04 [Condition 2 (Three year delay in fencing the landfill)]
- CCHOS 11 and CCHOS 26 [Condition 3 (Implementation of the weed monitoring and control measures)]
- CCHOS 24, CCHOS 32, CCHOS 33, CCHOS 47 and CCHOS 48 [Condition 4 (Compliance with Ministerial Statement Condition 10 Offset Requirements including no transfer of offset property)]
- CCHOS 27 and CCHOS 37 [Condition 11 (Not submitting an ACR in 2021, 2022, 2023 and 2024)]
- CCHOS 05 and CCHOS 21 (no evidence of inductions was provided to demonstrate that personnel were educated on the importance of adhering to the clearing limits and conservation fauna and their habitats)
- CCHOS 14 (Fire management checks have not been undertaken 6-monthly and before each summer season)

The non-compliances with conditions 1, 2, 3, 4 and 11 (Commitments CCHOS 03, 04, 07, 11, 24, 26, 27, 31, 32, 33, 37, 47 and 48) were reported to DCCEEW and were the subject of a warning letter (Commitments CCHOS 03, 07, 04, 11, 26 and 31) and infringement notices CEB24/129 (Commitments CCHOS 24, 32, 33, 47 and 48) and CEB24/130 (Commitments CCHOS 27 and 37).

The potential non-compliances with commitments CCHOS 05, CCHOS 14 and CCHOS 21 have been identified during this audit and are reported in this independent audit report.

4.2 Correcting non-compliances

4.2.1 Proposed Footprint Boundary

The independent audit found that the approval holder cleared an area of 21.501 ha of CBC foraging habitat outside of the proposed footprint boundary. This non-compliance with Condition 1 of EPBC 2015/7621 and Commitments CCHOS 03, 07 and 31 was reported to DCCEEW and was the subject of a warning letter from

DCCEEW dated 05 December 2024 for contravening Condition 1 with the warning notice finalising the compliance matters relating to this breach of Condition 1.

4.2.2 Fencing

The independent audit found that the approval holder did not install the required fence within 12 months of commencement of the action. This non-compliance with Condition 2 of EPBC 2015/7621 and Commitment CCHOS 04 was reported to DCCEEW and was the subject of a warning letter from DCCEEW dated 05 December 2024 for contravening Condition 2 with the warning notice finalising the compliance matters relating to this breach of Condition 2.

4.2.3 Weed Monitoring and Control Measures

The independent audit found that the approval holder did not implement the weed control measures described in the Fernview Landfill — Decommissioning and Post Closure Management Plan (2015) from commencement of the action. This non-compliance with Condition 3 of EPBC 2015/7621 and Commitments CCHOS 11 and CCHOS 26 was reported to DCCEEW and was the subject of a warning letter from DCCEEW dated 05 December 2024 for contravening Condition 3 with the warning notice finalising the compliance matters relating to this breach of Condition 3. Fernview have committed to undertaking the following in Spring 2025:

- Annual weed inspections, weed eradication and consultation with neighbours on weed eradication
- Annual monitoring of the interface between the project area and the offset area to ensure that the conservation values of the interface do not diminish from their current levels.

4.2.4 Compliance Certification

The independent audit found that the approval holder did not submit the Compliance Certification and Validation Report within 30 days of completion of construction works as required under works approval W6083/2017/1. This Compliance Certification and Validation Report was submitted to DWER 02/05/2024, 22/05/2024 and 12/06/2024 after construction completion 27/01/2023. This non-compliance with Condition 3 of EPBC 2015/7621 was reported to DCCEEW and was the subject of a warning letter from DCCEEW dated 05 December 2024 for contravening Condition 3 with the warning notice finalising the compliance matters relating to this breach of Condition 3.

4.2.5 Offset Property

The independent audit found that the approval holder did not comply with Ministerial Statement Condition 10 in the reporting period. This non-compliance with Condition 4 of EPBC 2015/7621 and Commitments CCHOS 24, CCHOS 32, CCHOS 33, CCHOS 47 and CCHOS 48 was reported to DCCEEW and was the subject of infringement notice CEB24/129 from DCCEEW dated 05 December 2024 for contravening Condition 4. Fernview have requested an extension to the period for transfer of the offset property to the Western Australian Government until 30 June 2026.

4.2.6 Notification of Commencement

The independent audit found that the approval holder did not provide notification of the date of commencement of the activity within 10 days. However the notification was provided by email on 26/05/2020, a month after commencement of the activity on 06/04/2020. This non-compliance with Condition 5 of EPBC 2015/7621 was reported to DCCEEW and was the subject of a warning letter from DCCEEW dated 05 December 2024 for contravening Condition 5 with the warning notice finalising the compliance matters relating to this breach of Condition 5.

4.2.7 Annual Compliance Report

The independent audit found that the approval holder did not submit an annual compliance report in 2021, 2022, 2023 or 2024. This non-compliance with Condition 11 of EPBC 2015/7621 and Commitments CCHOS 27

and CCHOS 37 was reported to DCCEEW and was the subject of infringement notice CEB24/130 from DCCEEW dated 05 December 2024 for contravening Condition 11. Fernview have engaged JBS&G to compile an annual compliance report for the 2025 reporting period 06 April 2024 to 05 April 2025 and submit the report prior to the 03 July 2025.

4.2.8 Notification of Incidents or Non-compliances

The independent audit found that the approval holder did not provide notification or details of the non-compliances with conditions 1, 2, 3, 4, 5, 11, 12, 13 and 14 within the 2 day and 10 day required timeframes. The 2-day notification was provided by letter 13/06/2024 with further details provided in a show cause. These non-compliances with Condition 12 and Condition 13 of EPBC 2015/7621 was reported to DCCEEW and was the subject of a warning letter from DCCEEW dated 05 December 2024 for contravening Condition 12 and Condition 13 with the warning notice finalising the compliance matters relating to this breach of Condition 12 and Condition 13.

4.2.9 Independent Audit

The independent audit found that the approval holder did not provide DCCEEW with an independent audit in 2021, 2022, 2023 or 2024. This non-compliance with Condition 14 of EPBC 2015/7621 was reported to DCCEEW and was the subject of infringement notice CEB24/131 from DCCEEW dated 05 December 2024 for contravening Condition 14. Fernview have engaged JBS&G to undertake this independent audit for the period 06 April 2020 to 05 April 2025 and submit the report prior to the 20 June 2025.

4.2.10 Inductions

The independent audit found that the approval holder did not provide evidence that personnel had undergone inductions that:

- demonstrate that personnel were educated on the importance of adhering to the clearing limits
- provided awareness in relation to conservation of fauna (particularly rare, threatened or vulnerable fauna) and their habitats

This audit report provides notice to the Department of potential non-compliance with commitments CCHOS 05 and CCHOS 21.

Fernview will ensure that an induction is prepared prior to operations commencing that includes the required material.

4.2.11 Fire Management Checks

The independent audit found that the approval holder has not undertaken fire management checks required 6-monthly and before each summer season. This audit report provides notice to the Department of potential non-compliance with commitments CCHOS 14.

Fernview will ensure that the checks commence immediately in accordance with the Fernview Landfill Fire Management Checklist.

4.3 Recommendation

The auditor makes the following recommendation:

- Commence 6-monthly fire management checks (and before each summer season) as required under section 9.5.6 of the FMP in accordance with Appendix B “Fernview Landfill Fire Management Checklist”.
- Install speed limit signage so that personnel are aware of the required locations for the 20 km/h and 8 km/h speed limit restrictions.

5. New Environmental Risks

No new environmental risks have been identified during the independent audit.

Table 4.1: Audit Table of Compliance with EPBC Decision 2015/7621

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
EPBC 2015/7621 Condition 1		To minimise impacts to the Carnaby's Black Cockatoo, the approval holder must not clear more than 42.5 ha of foraging habitat for the Carnaby's Black Cockatoo in the area enclosed by the line designated as 'Proposed Footprint Boundary' in the map at Attachment A. The approval holder must not clear any foraging habitat for the Carnaby's Black Cockatoo outside the Proposed Footprint Boundary.				
EPBC 1A	Do not clear more than 42.5 ha of foraging habitat for the Carnaby's Black Cockatoo.	Overall	Pre-disturbance aerial photography comparison	C13_202502 DCCEEW Request for Information Further Clearing Gingin Landfill Rev E	An area of 29.91 ha of foraging habitat for the Carnaby's Black Cockatoo has been cleared (C13).	Compliant
EPBC 1B	Only clear foraging habitat within the 'Proposed Footprint Boundary'.	Overall	Aerial photography comparison with respect to habitat mapping	C13_202502 DCCEEW Request for Information Further Clearing Gingin Landfill Rev E C12_20241205 - 2015-7621 - Infringement and Warning Letter	An area of 15.59 ha CBC foraging habitat has been cleared outside of the proposed footprint boundary (C13) including on access tracks and an area for a sediment pond required under works approval. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
EPBC 2015/7621 Condition 2		To minimise impacts of litter spreading to adjoining foraging habitat for the Carnaby's Black Cockatoo, the approval holder must install and maintain a 1.8 m high mesh fence along the entire 'Proposed Footprint Boundary' as identified in the map at Attachment A. The fence must be installed within 12 months of commencement of the action and be maintained in a fully effective condition for the life of the project				
EPBC 2A	Install a 1.8m high mesh fence along the entire 'Proposed Footprint Boundary'.	By 06/04/2021	Sighting of constructed fence and survey data	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	Note: the landfill has not entered its operational phase. The 1.8m high mesh fence was installed around the project area during February 2024 (not within 12 months of commencement of the action). The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
EPBC 2B	Maintain the fence in a fully effective condition.	For the life of the project	Inspection records	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause)	The fence has been maintained in a fully effective condition. The fence is inspected monthly to ensure that it is maintained in a fully effective condition. Maintenance is planned to be undertaken annually unless there is an incident where it will be addressed immediately. The proponent interprets fully effective to mean that no litter has spread to adjoining CBC foraging habitat and to ensure no fauna entry to the premises. There have been no incidents to date where litter has spread into adjoining vegetation.	Compliant
EPBC 2015/7621 Condition 3		To minimise impacts on foraging habitat for the Carnaby's Black Cockatoo, the approval holder must:				
		<ul style="list-style-type: none"> a. implement the weed control measures described in the Fernview Landfill — Decommissioning and Post Closure Management Plan (2015) from commencement of the action for the life of the project. b. implement the rehabilitation measures described in the Fernview Landfill — Decommissioning and Post Closure Management Plan (2015) within 12 months from the completion of capping of the landfill facility. The objective of rehabilitation works is to re-establish a self-sustaining vegetation cover (of a similar species composition and structure), integrated with the surrounding ecosystem, providing foraging habitat for the Carnaby's Black Cockatoo. The species used in the rehabilitation must include species used as foraging habitat by the Carnaby's Black Cockatoo. Rehabilitation works may cease once a suitably qualified person has verified that the rehabilitation has achieved the rehabilitation objective. c. implement conditions 1 to 4 and 6 to 8 of the Western Australian Works Approval W6083/2017/1 to minimise the impacts of Dieback; and d. implement condition 11 of the Western Australian Ministerial Statement 1073 to minimise the impacts of feral animals. 				
Decommissioning and Post Closure Management Plan (2015) Section 6.2.8		On an annual basis (August to September) a weed inspection will be carried out and if there are declared weeds present on site, a weed eradication programme will be initiated. Weed control involves the participation of all neighbouring properties and as such all neighbouring landowners will be encouraged to control weeds on their respective properties.				
EPBC 3A	Undertake a weed inspection.	Annually (August to September)	Weed inspection reports	M02_Gingin Landfill Independent Audit Evidence Request Response Rev 1 C12_20241205 - 2015-7621 - Infringement and Warning Letter	No evidence was provided of annual weed inspections undertaken in Spring 2021, Spring 2022, Spring 2023 or Spring 2024 to determine if there are declared weeds on site. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
EPBC 3B	Initiate a weed eradication programme if there are declared weeds present on site.	As per weed requirements	Weed control records	Refer to EPBC 3A	No weed control was undertaken.	Not applicable
EPBC 3C	Encourage neighbouring landowners to control weeds on their properties.	Overall	Records of correspondence with neighbouring landowners	C12_20241205 - 2015-7621 - Infringement and Warning Letter	No evidence was provided of consultation with neighbours on weed eradication undertaken in the reporting period. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
	Decommissioning and Post Closure Management Plan (2015) Section 6.1.4	<p>Site rehabilitation refers to the rehabilitation of the overall property and not specifically to the landfill area. All those areas off the landfill that have been disturbed as part of the landfill operation and that are no longer needed during the closure period will be rehabilitated. Rehabilitation will occur as soon as practically possible. This may include rehabilitation before landfill operations have ceased.</p> <p>The primary EPA objective for rehabilitation is to minimise environmental impacts resulting from permanent change to ecosystems. This requires the return of rehabilitated areas to self-sustaining and functional ecosystems comprised of local provenance species.</p> <p>All roads and other improvements will be removed and the areas ripped and prepared for planting. Selected native species will be seeded or planted to initiate the re-growth of the vegetation. Once the initial growth has developed, the main method of further rehabilitation is to actively control weeds and feral animals and allow natural seeding to take over and maintain the vegetation growth.</p> <p>Introduced plantings on the landfill should not include any noxious weed variety for that area, nor should the landfill provide a haven for weeds migrating from the surrounding area. Advice will be sought from the local DER or the Department of Agriculture and Food on species selected for planting to prevent them from becoming local pests. It is advised that planting be restricted to species indigenous to the area and of local provenance, to:</p> <ul style="list-style-type: none"> Avoid inappropriate planting, Ensure the species are adapted to the local climate, and Enhance the local habitat. <p>The Proponent intends that the site is rehabilitated and returned to pasture following site closure. This will be achieved by:</p> <ul style="list-style-type: none"> The topography of the landfill cap will blend into the surrounding landscape, with a gradient of no steeper than 1V:5H to reflect surrounding landforms, and The surface of the cap will be vegetated with selected local native species based on the data obtained from baseline vegetation surveys as soon as possible following the placement of topsoil to provide erosion control. 				
EPBC 3D	All those areas off the landfill that have been disturbed as part of the landfill operation and that are no longer needed during the closure period will be rehabilitated.	ASAP and may include rehabilitation before landfill operations have ceased	Completion criteria monitoring reports Site inspection	Not applicable	Landfill was in construction phase in the reporting period and there are currently no areas under / proposed to be under rehabilitation.	Not applicable
EPBC 3E	The return of rehabilitated areas to self- sustaining and functional ecosystems comprised of local provenance species.	During rehabilitation	Completion criteria monitoring reports Site inspection	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
EPBC 3F	All roads and other improvements will be removed, and the areas ripped and prepared for planting.	Prior to planting.	Rehabilitation records Site inspection	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
EPBC 3G	Selected native species will be seeded or planted to initiate the re-growth of the vegetation.	Prior to seeding / planting.	Seed sowing / plant planting records Rehabilitation records Site inspection	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
EPBC 3H	The main method of further rehabilitation is to actively control weeds and feral animals and allow natural seeding to take over and maintain the vegetation growth.	Once the initial growth has developed	Weed inspection Reports Feral animal monitoring reports	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
EPBC 3I	Introduced plantings on the landfill should not include any noxious weed variety for that area.	Prior to seeding / planting.	Weed inspection Reports	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
EPBC 3J	The landfill should not provide a haven for weeds migrating from the surrounding area.	Overall	Weed inspection Reports	C12_20241205 - 2015-7621 - Infringement and Warning Letter	No evidence was provided of annual weed inspections undertaken in Spring 2021, Spring 2022, Spring 2023 or Spring 2024 to determine if weeds were migrating from the surrounding area. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
EPBC 3K	Advice will be sought from the local DER or the Department of Agriculture and Food on species selected for planting to prevent them from becoming local pests.	Prior to seeding / planting.	Correspondence records with DWER and DAF	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
EPBC 3L	Planting should be restricted to species indigenous to the area and of local provenance, to: <ul style="list-style-type: none"> Avoid inappropriate planting, Ensure the species are adapted to the local climate, and Enhance the local habitat. 	Prior to seeding / planting.	Seed sowing / plant planting records Rehabilitation records	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
EPBC 3M	The topography of the landfill cap will blend into the surrounding landscape, with a gradient of no steeper than 1V:5H to reflect surrounding landforms	During rehabilitation	Rehabilitation records Site inspection	Not applicable	Landfill was under construction and operations have not commenced in the reporting period.	Not applicable
EPBC 3N	The surface of the cap will be vegetated with selected local native species based on the data obtained from baseline vegetation surveys	As soon as possible following the placement of topsoil	Seed sowing / plant planting records Rehabilitation records	Refer to EPBC 3D	Refer to EPBC 3D	Not applicable
Western Australian Works Approval W6083/2017/1 Condition 1		The Works Approval Holder must install and undertake the Works for the infrastructure and equipment of Schedule 2. (a) specified in Column 1; (b) to the requirements specified in Column 2; and (c) at the location specified in Column 3				
WA 6083-1 EPBC 3O	Install infrastructure and requirements as per W6083/2017/1 Schedule 2 items 1 to 17.	Construction	Compliance Certification	G02_67366_A3L_03_Original Boundary Clearing Calcs C03_DWER Receipt of Compliance Certification	Based on records provided by Fernview to DWER 02/05/2024, 22/05/2024 and 12/06/2024, DWER has confirmed (C03) that the infrastructure was constructed in accordance with Schedule 2: <ol style="list-style-type: none"> Landfill Cell 1 (Cell 1 is the only landfill cell that was constructed (G02)). Cell 1 – Subgrade Cell 1 – HDPE Geomembrane Cell 1 – GeoNet (Secudrain) Cell 1 – Geosynthetic Clay Liner (GCL) Cell 1 – HDPE Layer (above the GCL) Cell 1 – Non-woven geotextile cushion layer Cell 1 – Leachate collection system pipework Cell 1 – Aggregate / Leachate Drainage Layer Cell 1 – Leachate collection system separation geotextile Cell 1 – Leachate collection system sump Cell 1 – Leachate leakage detection system Cell 1 – Anchor trench Leachate Pond Stormwater management system Security fencing Firefighting water storage tank 	Compliant
Western Australian Works Approval W6083/2017/1 Condition 2		The Works Approval Holder must not depart from the requirements specified in Column 2 of Schedule 2 except: (a) where such departure does not increase risks to public health, public amenity or the environment; and (b) all other Conditions in this Works Approval are still satisfied.				
WA 6083-2 EPBC 3P	Do not depart from the W6083/2017/1 Schedule 2 column 2 requirements unless items a and b can be satisfied.	Construction	Compliance Certification	C03_DWER Receipt of Compliance Certification	Based on records provided by Fernview to DWER 02/05/2024, 22/05/2024 and 12/06/2024, DWER has confirmed (C03) that the infrastructure was constructed in accordance with Schedule 2.	Compliant
Western Australian Works Approval W6083/2017/1 Condition 3		Subject to Condition 2, within 30 days of the completion of the Works specified in Column 1 of the table in Schedule 2, the Works Approval Holder must provide to the CEO a compliance certification from a suitably qualified professional confirming each item of infrastructure or component of infrastructure specified in Column 1 of the table in Schedule 2 has been constructed with no material defects and to the requirements specified in Column 2.				

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
WA 6083-3 EPBC 3Q	Provide DWER CEO with a compliance certification confirming construction of infrastructure in accordance with Schedule 2 with no material defects.	Within 30 days of completion of works	Submission correspondence to DWER CEO of compliance certification.	C03_DWER Receipt of Compliance Certification R05_Works Approval Compliance Report 2 May 24 C12_20241205 - 2015-7621 - Infringement and Warning Letter	Construction was completed 27 January 2023 (R05). Compliance certification confirming construction of infrastructure in accordance with Schedule 2 with no material defects (R05) was provided to DWER 02/05/2024, 22/05/2024 and 12/06/2024 (C03). The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
Western Australian Works Approval W6083/2017/1 Condition 4		<p>The compliance certification required by Condition 3 must be accompanied by a Construction Quality Assurance Validation Report that:</p> <ol style="list-style-type: none"> is written and certified by the Geotechnical Inspection and Testing Authority that completed the construction quality assurance processes required by Table 2 (Condition 6), Table 3 (Condition 7) and Table 4 (Condition 8); assess test results against minimum values in Table 2 (Condition 6), Table 3 (Condition 7) and Table 4 (Condition 8); documents all repairs to subgrade and resulting from non-destructive weld testing; certifies that the sub-grade and liner is free of fault or defect, built to the design specification and fit for the intended purpose; demonstrates that a 10m separation between the lowest elevation of the landfill liner and the highest recorded natural elevation of groundwater was achieved at the time of construction, as supported by on-site groundwater monitoring data; includes copies of results of surveys and drawings of the final build landfill cell, inspections, monitoring and testing results for the sub-grade preparation, liner and containment system installation, leachate collection, extraction, transfer, storage and recirculation systems, separation bunds and surface water drainage systems; includes a groundwater monitoring well construction report detailing as constructed design, soil logs, survey details (vertical top of casing and horizontal position of each well), development procedures and other relevant information; demonstrates compliance with Condition 1; and contains the results of the groundwater monitoring required under Condition 9 and includes an interpretive summary and assessment of ambient groundwater quality monitoring results against relevant assessment levels for water as specified in the Assessment and Management of Contaminated Sites Guideline. 				
WA 6083-4 EPBC 3R	Provide a Construction Quality Assurance Validation Report that includes items a to i.	With the Compliance Certification	Submission correspondence to the DWER CEO containing both the Compliance Certification and Construction Quality Assurance Validation Report	C03_DWER Receipt of Compliance Certification R05_Works Approval Compliance Report 2 May 24 R06_CQA Validation Report May 2024 (V4)	DWER were satisfied that Condition 4 of the Works Approval (provision of Construction Quality Assurance Validation) had been met 17/06/2024 (C03) following Fernview submissions to DWER 02/05/2024, 22/05/2024 and 12/06/2024.	Compliant
Western Australian Works Approval W6083/2017/1 Condition 6		The Works Approval Holder must undertake quality assurance including visual inspection and materials testing for the GCL membrane, as specified in Schedule 2, in accordance with Table 2.				
WA 6083-6A EPBC 3S	The proponent must undertake GCL membrane conformance testing in accordance with W6083/2017/1 Table 2.	Following shipment to site	Testing results	R06_CQA Validation Report May 2024 (V4) R05_Works Approval Compliance Report 2 May 24	Table 2 of the Compliance Report (R05) outlines the GCL membrane conformance testing which show that the following parameters were compliant: GCL membrane conformance testing (R06) was undertaken including: <ul style="list-style-type: none"> Mass per unit area of bentonite content Montmorillonite content Mass of GCL Tensile strength Swell index (free swell of clay/bentonite) Peel strength Permeability Note: The conformance testing results do not report results for moisture content (bentonite) or index flux testing, however the MQA documentation shows that the moisture content was less than the maximum and the designer advised that the test standard ASTM D5887 is the same for both permeability and index flux.	Compliant
WA 6083-6B EPBC 3T	The proponent must undertake visual inspections of GCL membrane colour, thickness, needle punching, presence of needles or broken needles, and sewing density or other faults in the material	Construction	Inspection records	R05_Works Approval Compliance Report 2 May 24 R06_CQA Validation Report May 2024 (V4)	Table 2 of the Compliance Report (R05) reports that every panel of liner was inspected as it was deployed as recorded in the GCL Panel Installation Register (R06).	Compliant

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
Western Australian Works Approval W6083/2017/1 Condition 7		The Works Approval Holder must undertake quality assurance including visual inspection, materials testing and weld testing for the respective HDPE membranes, as specified in Schedule 2, in accordance with Table 3.				
WA 6083-7A EPBC 3U	The proponent must undertake HDPE membrane conformance testing in accordance with W6083/2017/1 Table 3.	Upon shipment to site	Testing results	R06_CQA Validation Report May 2024 (V4) R05_Works Approval Compliance Report 2 May 24	Table 3 of the Compliance Report (R05) outlines the HDPE membrane conformance testing results indicating that the following properties were compliant: <ul style="list-style-type: none"> • Thickness • Density • Tensile properties (Yield strength, Break strength, Yield elongation, Break elongation) • Puncture resistance • Tear resistance • Carbon black content • Stress crack resistance • Oxidative induction time (OIT) • Oven aging and oxidative induction time 	Compliant
WA 6083-7B EPBC 3V	The proponent must perform HDPE membrane start-up test welds, destructive weld testing and non-destructive weld testing in accordance with W6083/2017/1 Table 3.	Construction	Testing results	R06_CQA Validation Report May 2024 (V4)	The Validation Report (R06) provides the results of the HDPE membrane start-up test welds, destructive weld testing and non-destructive weld testing	Compliant
WA 6083-7C EPBC 3W	The proponent must undertake visual inspections of HDPE membrane tears, punctures, abrasions, cracks, indentations and thin spots.	Construction	Inspection records	R05_Works Approval Compliance Report 2 May 24 R06_CQA Validation Report May 2024 (V4)	The Daily Geomembrane Repair Register (Appendix 9.1B of R06) records the repairs undertaken on the HDPE membrane.	Compliant
Western Australian Works Approval W6083/2017/1 Condition 8		The Works Approval Holder must undertake quality assurance including visual inspection and materials testing for the geotextile cushion layer, as specified in Schedule 2, in accordance with Table 4.				
WA 6083-8A EPBC 3X	The proponent must undertake geotextile cushion layer non-woven needle punched geotextile quality assurance in accordance with W6083/2017/1 Table 4.	Construction	Testing results	R05_Works Approval Compliance Report 2 May 24	Table 4 of the Compliance Report (R05) outlines the quality assurance records for geotextile cushion layer indicating that the following properties were compliant: <ul style="list-style-type: none"> • Wide strip tensile strength • Trapezoidal tear sheer strength • Burst strength (CBR) • Puncture strength (CBR) • Grab tensile strength Note: Mass per unit area was not quality assured as the parameter is not a reliable indicator of geotextile suitability and different manufacturing techniques result in significantly different material properties (continuous fibre vs staple fibre).	Compliant
WA 6083-8B EPBC 3Y	The proponent must undertake visual inspections of geotextile cushion layer colour, thickness, tears, holes, punctures, needle-punching-presence of needles and other faults in the material	Construction	Inspection records	R06_CQA Validation Report May 2024 (V4)	Section 11.7.2 of the Validation Report (R06) confirms that geotextile cushion layer visual inspections were undertaken daily by the TPCQA Inspector and that the final inspection found that the seams were observed to be continuous surface of the geotextile was clean with no discoloration, tears, punctures or faults .	Compliant
Ministerial Statement 1073 Condition 11 Feral Animal Environmental Management Plan	11-1 The proponent shall prepare and submit a Feral Animal Management Plan to the CEO that demonstrates how the proponent will achieve the following environmental objectives: <ol style="list-style-type: none"> 1. prevent, where practicable, and minimise the number of feral animals attracted to the proposal, including but not limited to rats, foxes and cats; and 2. eradicate, where practicable, and minimise the number of feral animals within the proposal development area. 11-2 The Plan shall specify environmental objectives, management targets, management actions, monitoring and reporting to demonstrate that the objectives in condition 11-1 will be met. 11-3 The proponent shall submit the Plan to the CEO within six months of the publication of the Statement to change the implementation conditions relating to this proposal***, or as otherwise agreed in writing by the CEO. 11-4 The proponent shall not commence operation of the landfill until the CEO has confirmed in writing that the Plan satisfies the requirements of conditions 11-1 and 11-2. 11-5 The proponent shall implement the most recent version of the Feral Animal Management Plan approved by the CEO. 11-6 Any changes to management targets, management actions, monitoring and reporting in the Feral Animal Management Plan must be approved by the CEO in writing.					

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
MS11-1 EPBC 3Z	Prepare and submit a Feral Animal Management Plan to the DWER CEO.	By 26/08/2018*	Submission correspondence to DWER CEO containing Feral Animal Management Plan	C01_Submission of FPAMP to DWER	The Feral and Pest Animal Management Plan (V1) was prepared and submitted to DWER 02/08/2018 (C01).	Compliant
MS 11-4 EPBC 3AA	Approved Feral Animal Management Plan to be in place.	Prior to commencement of operation	DWER CEO Approval Letter for Feral Animal Management Plan	Not applicable	No operations occurred in the reporting period	Not applicable
MS 11-5 EPBC 3AB	Implement the most recent version of the approved Feral Animal Management Plan.	During operations	Compliance audit of Feral Animal Management Plan	Refer to EPBC 3AA	Refer to EPBC 3AA	Not applicable
MS 11-6 EPBC 3AC	Apply to the DWER CEO for any changes to the management targets, management actions, monitoring and reporting in the Feral Animal Management Plan.	As required	Amended Feral Animal Management Plan Submission correspondence to DWER CEO with revised Feral Animal Management Plan	R04_Feral and Pest Animal Management Plan C06_Submission of FPAMP V2 C05_DWER Approval for FPAMP V3	The amended Feral and Pest Animal Management Plan (R04) was submitted 18/01/2019 (C06) and approved (V3) 11/02/2019 (C05).	Compliant
EPBC 2015/7621 Condition 4		To offset the residual significant impacts of the action on the Carnaby's Black Cockatoo, within 24 months of the date of this approval, the approval holder must: <ul style="list-style-type: none"> a. implement condition 10 of the Western Australian Ministerial Statement 1073; b. provide the Department with written evidence that an area of no less than 189.14 ha of foraging habitat for the Carnaby's Black Cockatoo on Lot 98, Deposited Plan 75926, Wannamal Road South, has been ceded to the Western Australian Government; and c. provide the Department with the offset attributes and shape files for the offset required by condition 4(a) 				
Ministerial Statement 1073 Condition 10 Environmental Offsets		<p>10-1 The proponent shall provide an offset, being a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South**, to counterbalance the significant residual impact to 42.5 hectares (ha) of foraging habitat for <i>Calyptrorhynchus latirostris</i> (Carnaby's black cockatoo) as a result of implementation of the proposal.</p> <p>10-2 Within twelve months of the publication of the Statement to change the implementation conditions relating to this proposal***, or as otherwise agreed in writing by the CEO, the proponent shall prepare and submit a Carnaby's Cockatoo Habitat Offsets Strategy to the CEO satisfying the requirements of condition 10-3.</p> <p>10-3 The Carnaby's Cockatoo Habitat Offsets Strategy required by condition 10-2 shall:</p> <ol style="list-style-type: none"> 1. identify the portion of Lot 98 Wannamal Road South that will comprise the offset area; 2. include a completed Commonwealth's Offset Assessment Guide (or its update) demonstrating how the offset area counterbalances the significant residual impact to 42.5 ha of <i>Ca/yptrorhynchus latirostris</i> (Carnaby's black cockatoo) foraging habitat; 3. identify the environmental attributes of the offset area; 4. outline the process for ceding the offset area to the Crown for the purpose of conservation; and 5. identify: <ul style="list-style-type: none"> a. the nature and quantum of the upfront works associated with establishing the offset area; b. a timeframe or schedule for the upfront works to be carried out; c. the quantum of the management of the offset area for no less than seven years, and of the portion of this to be contributed by the proponent; and d. the management body that will accept management responsibility for the offset area. <p>10-4 After receiving notice in writing from the CEO that the Carnaby's Cockatoo Habitat Offsets Strategy satisfies the requirements of condition 10-3, the proponent shall:</p> <ol style="list-style-type: none"> 1. take action to ensure the offset area is ceded to the Crown within twenty-four (24) months of the publication of the Statement to change the implementation conditions relating to this proposal**; and 2. implement the upfront works identified subject to condition 10-3(5)(a) in accordance with the timeframe or schedule identified subject to condition 10-3(5)(b). <p>10-5 Any changes to the aspects of the Carnaby's Cockatoo Habitat Offsets Strategy required by condition 10-3 must be approved in writing by the CEO.</p> <p>10-6 The proponent shall implement the latest version of the Carnaby's Cockatoo Habitat Offsets Strategy which the CEO has confirmed by notice in writing satisfies the requirements of condition 10-3.</p>				

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
MS 10-1 EPBC 4A	Provide a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South as an offset to counterbalance significant residual impact to 42.5 ha of CBC foraging habitat.	By 26/02/2020* (MS10) By 24/10/2021 (EPBC)	Certificate of Title after land transfer	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	The subdivision and transfer of a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South for offset did not occur by 24 October 2021. The approval holder received infringement notice CEB24/129 in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
MS 10-2 EPBC 4B	Prepare and submit a Carnaby's Cockatoo Habitat Offsets Strategy to the DWER CEO.	By 26/02/2019	Submission correspondence to Department with Carnaby's Cockatoo Habitat Offsets Strategy	R03_Carnabys Cockatoo Habitat Offset Strategy_C10-2_MS1073_Final C02_WA EPA Approval for Offset Strategy C12_20241205 - 2015-7621 - Infringement and Warning Letter	The Offsets Strategy (R03) was submitted to the DWER CEO 08/11/2019 (after the 26/02/2019) and approved on 04/05/2020 (C02). The approval holder received infringement notice CEB24/129 in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
MS 10-3 EPBC 4C	Include items MS 1073 Condition 10-3 1 to 5 in the Carnaby's Cockatoo Habitat Offsets Strategy.	By 26/02/2019	Carnaby's Cockatoo Habitat Offsets Strategy	R03_Carnabys Cockatoo Habitat Offset Strategy_C10-2_MS1073_Final C12_20241205 - 2015-7621 - Infringement and Warning Letter	The Offset Strategy (R03) contains items 1 to 4 of the requirements of MS1073 condition 10-3 however only partially includes items required under condition 5. Cockatoo Habitat Offsets Strategy includes: <ol style="list-style-type: none"> 1. Figure 3 identifies the portion of Lot 98 Wannamal Road South that will comprise the offset area; 2. Section 2.4.1 demonstrates how the offset area counterbalances the significant residual impact to 42.5 ha of CBC foraging habitat; 3. Appendix B identifies the environmental attributes of the offset area; 4. Section 2.8 outlines the process for ceding the offset area to the Crown for the purpose of conservation; and 5. Cockatoo Habitat Offsets Strategy <u>does not identify</u>: <ol style="list-style-type: none"> a. the quantum for fencing and weed control associated with establishing the offset area; b. the timeframe or schedule for fencing and weed control upfront works to be carried out; c. the quantum of the management of the offset area for no less than seven years. The approval holder received infringement notice CEB24/129 in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
MS 10-4 EPBC 4D	Implement the Carnaby's Cockatoo Habitat Offsets Strategy upfront works on Strategy approval from the CEO.	As per Offset Strategy Schedule	Compliance audit of Carnaby's Cockatoo Habitat Offsets Strategy	C02_WA EPA Approval for Offset Strategy C12_20241205 - 2015-7621 - Infringement and Warning Letter	The Offset Strategy was approved 04/05/2020 (C02). The required upfront works included fencing along the entire proposed footprint boundary within 12 months of commencement of the project and undertaking weed monitoring and (where required) control annually. The project commenced 06/04/2020. Fencing of the landfill did not occur until February 2024. A weed inspection was undertaken Spring 2020 however it did not occur in 2021, 2022, 2023 and 2024. The approval holder received a warning notice in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
MS 10-5 EPBC 4E	Apply to the DWER CEO for any changes to the Carnaby's Cockatoo Habitat Offsets Strategy.	As required	Submission correspondence to Department with marked up revised Carnaby's Cockatoo Habitat Offsets Strategy	Not applicable	An application for changes to the Carnaby's Cockatoo Habitat Offsets Strategy have not been made to date however recent consultation with the Department regarding future disturbance requirements for the site have the potential to trigger a requirement for this application. This application would also need to address the non-compliances identified in 4A, 4C, 4D.	Not applicable
MS 10-6 EPBC 4F	Implement the latest approved version of the Carnaby's Cockatoo Habitat Offsets Strategy.	By 24/10/2021	Compliance audit of Carnaby's Cockatoo Habitat Offsets Strategy	R01_2025 Independent Audit Appendix B C12_20241205 - 2015-7621 - Infringement and Warning Letter	The approval holder has implemented the latest approved version of the Offset Strategy. The auditor assessed the compliance with the offset strategy in Appendix B and found that: <ul style="list-style-type: none"> • 17 commitments were assessed as compliant • 15 commitments were assessed as not applicable • Five commitments were assessed as potentially non-compliant 	Compliant

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
<ul style="list-style-type: none"> 11 commitments were assessed as non-compliant 						
EPBC 4G	Submit written evidence to the Department of transfer of 189.14 ha of CBC foraging habitat to WA Government.	By 24/10/2021	Correspondence to the Department with evidence of transfer of 189.14 ha of CBC foraging habitat to WA Government	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	The subdivision and transfer of a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South for offset did not occur by 24 October 2021. The approval holder received infringement notice CEB24/129 in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
EPBC 4H	Provide the Department with the offset attributes and shape files for the offset.	By 24/10/2021	Submission correspondence of offset attributes and shape files to DCCEEW	Refer to EPBC 4G C12_20241205 - 2015-7621 - Infringement and Warning Letter	The approval holder received infringement notice CEB24/129 in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
EPBC 2015/7621 Condition 5		The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.				
EPBC 5	Notify the Department of the commencement date.	Within 10 business days after action commencement	Notification correspondence to the Department	C04_Gingin Landfill Facility near Cullala_WA (EPBC 2015_7261) - Notification of Potential Non-compliances C12_20241205 - 2015-7621 - Infringement and Warning Letter	Construction of the landfill facility commenced 06/04/2020. The Department was notified via email on 26 May 2020 (outside the required 10 business day time frame) and non-compliance letter 07/06/2024 (C04). The approval holder received a warning notice in regard to this non-compliance with Condition 5 on 05/12/2024 (C12).	Non-compliant
EPBC 2015/7621 Condition 6		If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.				
EPBC 6	Commence the action prior to 24/10/2024.	24/10/2024	Notification correspondence to the Department	C04_Gingin Landfill Facility near Cullala_WA (EPBC 2015_7261) - Notification of Potential Non-compliances	Construction of the landfill facility commenced 06/04/2020 (prior to 24/10/2024) (C04).	Compliant
EPBC 2015/7621 Condition 7		The approval holder must maintain accurate and complete compliance records.				
EPBC 7	The approval holder must maintain accurate and complete compliance records.	Ongoing.	Compliance audit	R01_2025 Independent Audit Appendix C	Accurate records for all applicable conditions have been maintained and were available at the time of the audit and are presented in the evidence register contained in Appendix C (R01).	Compliant
EPBC 2015/7621 Condition 8		If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.				
EPBC 8	Provide the Department with electronic records as requested	In the timeframe specified	Submission correspondence to the Department	C09_EPBC 2015_7621 Show Cause August 2024_SEC_OFFICIAL_ C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause)	The proponent provided DCCEEW with electronic records (C10) in response to their 02/08/2024 request (C09) within the required timeframe.	Compliant
EPBC 2015/7621 Condition 9		<p>The approval holder must:</p> <ol style="list-style-type: none"> submit plans electronically to the Department for approval by the Minister; publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Minister, unless otherwise agreed to in writing by the Minister; exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and keep plans published on the website until the end date of this approval 				
Condition is not applicable, no plans are required for submission and approval by the Commonwealth Minister.						
EPBC 2015/7621 Condition 10		The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.				

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
EPBC 10	Monitoring data required under a plan to be implemented under this approval is to be submitted electronically to the Department in accordance with the requirements of the plan.	As required	Submission correspondence to the Department with electronic monitoring data	Not applicable	No monitoring has been undertaken to date.	Not applicable
EPBC 2015/7621 Condition 11						
EPBC 11A	Publish an ACR on the proponent's website.	Annually within 60 business days of the 06 April	Compliance audit	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	An Annual Compliance Report was not provided on the proponent's website for 2021, 2022, 2023 or 2024. The approval holder received infringement notice CEB24/130 in regard to this non-compliance 05/12/2024.	Non-compliant
EPBC 11B	Email a website link to the ACR to the Department.	Within 5 days of publishing the ACR	Notification email to the Department containing hyperlink to webpage with ACR.	Refer to EPBC 11A	Refer to EPBC 11A	Not applicable
EPBC11C	Keep all ACRs published on the proponent's website.	Until 30/06/2055	Compliance audit	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause)	No ACRs have been published for the project.	Not applicable
EPBC11D	Exclude or redact sensitive ecological data from ACRs published on the website.	Annually within 60 business days of the 06 April		Refer to EPBC 11C	Refer to EPBC 11C	Not applicable
EPBC11E	Provide the Department with the full version of the ACR.	Annually within 60 business days of the 06 April	Submission email to DCCEEW with full ACR	Refer to EPBC 11C	Refer to EPBC 11C	Not applicable
EPBC 2015/7621 Condition 12						
EPBC12	Incidents or non-compliances with the conditions of the approval or non-compliances with the commitments in plans must be reported to the Department ASAP and no later than 2 business days.	As soon as practicable and no later than two business days.	Incident reports Correspondence with the Department reporting the potential /actual contravention	C09_EPBC 2015_7621 Show Cause August 2024_SEC_OFFICIAL_ C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	The proponent notified DCCEEW of non-compliance with the following conditions of approval as follows (outside the required 2-day timeframe): <ul style="list-style-type: none"> Condition 1: Clearing foraging habitat for Carnaby's Black Cockatoos outside the proposed footprint boundary (notified 07/06/2024). Condition 2: Installing the 1.8m fence after 6 April 2021 (30/08/2024). Condition 3: Annual weed inspections, weed eradication or consultation with neighbours on weed eradication were not undertaken in Spring 2021, Spring 2022 or Spring 2023 (30/08/2024). Condition 4: Not providing evidence of subdivision of the offset site and shape files by 24/10/2021 (30/08/2024). 	Non-compliant

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
					<ul style="list-style-type: none"> Condition 11: Not providing a compliance report for four reporting years (notified 07/06/2024). Condition 14: Independent audits have not been conducted in 2020-21, 2021-22, 2022-23 or 2023-24 (notified 07/06/2024). <p>The approval holder received a warning notice in regard to this non-compliance with Condition 12 on 05/12/2024.</p>	
EPBC 2015/7621 Condition 13						<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ol style="list-style-type: none"> any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; the potential impacts of the incident or non-compliance; and the method and timing of any remedial action that will be undertaken by the approval holder.
EPBC13	Further details on incidents or non-compliances with the conditions of the approval or non-compliances with the commitments in plans must be provided to the Department within 10 business days.	As soon as practicable and no later than ten business days.	Incident reports Correspondence with the Department reporting the potential /actual contravention	C09_EPBC 2015_7621 Show Cause August 2024_SEC_OFFICIAL_ C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	<p>The proponent provided details to DCCEEW of non-compliance with the following conditions of approval as follows (outside the required 10-day timeframe):</p> <ul style="list-style-type: none"> Condition 1: Clearing foraging habitat for Carnaby's Black Cockatoos outside the proposed footprint boundary (notified 07/06/2024, details provided 30/08/2024). Condition 2: Installing the 1.8m fence after 6 April 2021 (30/08/2024). Condition 3: Annual weed inspections, weed eradication or consultation with neighbours on weed eradication were not undertaken in Spring 2021, Spring 2022 or Spring 2023 (30/08/2024). Condition 4: Not providing evidence of subdivision of the offset site and shape files by 24/10/2021 (30/08/2024). Condition 11: Not providing a compliance report for four reporting years (notified 07/06/2024, details provided 30/08/2024). Condition 14: Independent audits have not been conducted in 2020-21, 2021-22, 2022-23 or 2023-24 (notified 07/06/2024, details provided 30/08/2024). <p>The approval holder received a warning notice in regard to this non-compliance with Condition 13 on 05/12/2024(C12).</p>	Non-compliant
EPBC 2015/7621 Condition 14						<p>The approval holder must ensure that independent audits of compliance with the conditions are conducted for the 12 month period from commencement of the action and for every subsequent 12 month period, or as otherwise requested in writing by the Minister.</p>
EPBC 14A	Conduct independent audits for every 12 month period from 06/04/2019.	Annually	Independent audit report	C09_EPBC 2015_7621 Show Cause August 2024_SEC_OFFICIAL_ C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	No independent audits have been undertaken for the project. The approval holder received infringement notice CEB24/131 in regard to this non-compliance 05/12/2024 (C12).	Non-compliant
EPBC 14B	Conduct independent audits as requested by the Minister.	On Minister's request	Request correspondence from the Minister Independent audit report	M01_Gingin Landfill ACR Evidence Request Response Rev 0	DCCEEW have not requested an independent audit additional to the independent audit required for every 12 month period from the 06/04/2019.	Not applicable
EPBC 2015/7621 Condition 15						For each independent audit, the approval holder must:

Condition # / Reference	Criteria	Timing	Verification Method	Evidence	Determination	Compliance Finding
		a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.				
EPBC 15A	Provide the name and qualifications of the independent auditor and the draft audit criteria to the Department for approval	Annually	Correspondence with the Department containing details of audit team and audit criteria	C08_RE_EPBC 2015_7621 Draft Audit Criteria and Auditor Qualifications _SEC_OFFICIAL_	Audit criteria and proposed auditor details were sent to DCCEEW 11/10/2024 (C08).	Compliant
EPBC 15B	Only commence the independent audit once the audit criteria have been approved in writing by the Department	On approval of audit criteria	Compliance audit	C11_2015-7621 - DCCEEW Approval of audit criteria letter	Audit criteria were approved by the Department 11/03/2025 (C11).	Compliant
EPBC 15C	Submit an audit report to the Department within the timeframe specified in the approved audit criteria.	As per audit criteria timeframe	Independent audit report	C11_2015-7621 - DCCEEW Approval of audit criteria letter	This independent audit report will be submitted prior to the 20/06/2025.	Not applicable
EPBC 2015/7621 Condition 16		The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.				
EPBC 16A	Publish the Department approved audit report.	Within 10days of approval receipt	Independent audit report	Refer to EPBC 15B	Refer to EPBC 15B	Not applicable
EPBC 16B	All independent audits must remain on the approval holder website for the period of approval.	Until 30/06/2055	Screenshot of Website	Refer to EPBC 15B	Refer to EPBC 15B	Not applicable
EPBC 2015/7621 Condition 17		Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.				
EPBC 17	Notify the Department of the action completion date.	Within 30 days after the completion of the action.	Notification correspondence to the Department	Not applicable	The action has not been completed.	Not applicable

6. Limitations

Scope of Services

This report ('the report') has been prepared by JBS&G in accordance with the scope of services set out in the contract, or as otherwise agreed, between the Client and JBS&G. In some circumstances, a range of factors such as time, budget, access and/or site disturbance constraints may have limited the scope of services. This report is strictly limited to the matters stated in it and is not to be read as extending, by implication, to any other matter in connection with the matters addressed in it.

Reliance on Data

In preparing the report, JBS&G has relied upon data and other information provided by the Client and other individuals and organisations, most of which are referred to in the report ('the data'). Except as otherwise expressly stated in the report, JBS&G has not verified the accuracy or completeness of the data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report ('conclusions') are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. JBS&G has also not attempted to determine whether any material matter has been omitted from the data. JBS&G will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to JBS&G. The making of any assumption does not imply that JBS&G has made any enquiry to verify the correctness of that assumption.

The report is based on conditions encountered and information received at the time of preparation of this report or the time that site investigations were carried out. JBS&G disclaims responsibility for any changes that may have occurred after this time. This report and any legal issues arising from it are governed by and construed in accordance with the law as at the date of this report.

Environmental Conclusions

Within the limitations imposed by the scope of services, the preparation of this report has been undertaken and performed in a professional manner, in accordance with generally accepted environmental consulting practices. No other warranty, whether express or implied, is made.

The advice herein relates only to this project and all results conclusions and recommendations made should be reviewed by a competent person with experience in environmental investigations, before being used for any other purpose.

JBS&G accepts no liability for use or interpretation by any person or body other than the client who commissioned the works. This report should not be reproduced without prior approval by the client or amended in any way without prior approval by JBS&G, and should not be relied upon by other parties, who should make their own enquiries.

7. References

Department of Climate Change, Energy, the Environment and Water (2019) *Independent Audit and Audit Report Guidelines*, for controlled actions which have been approved under Chapter 4 of the *Environment Protection and Biodiversity Conservation Act 1999*, Commonwealth of Australia, Canberra.

Appendix A EPBC 2015/7621 Approval



APPROVAL

Gingin Regional Landfill, near Cullalla, Western Australia (EPBC 2015/7621)

This decision is made under sections 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*. Note that section 134(1A) of the **EPBC Act** applies to this approval, which provides in general terms that if the approval holder authorises another person to undertake any part of the action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such condition.

Details

Person to whom the approval is granted (approval holder)	Fernview Environmental Pty Ltd
ACN or ABN of approval holder	ACN: 617 674 469
Action	To develop a bioreactor landfill facility near Cullalla, approximately 100 km north of Perth, Western Australia [See EPBC Act referral 2015/7621].

Proposed Approval decision

My decision on whether or not to approve the taking of the action for the purposes of the controlling provision for the action is as follows.


Controlling Provisions

Listed Threatened Species and Communities	
Section 18	Approve
Section 18A	Approve

Period for which the approval has effect

This approval has effect until 30 June 2055.

Decision-maker

<i>Name and position</i>	Gregory Manning Assistant Secretary Assessments (WA, SA, NT) and Post Approval Branch
<i>Signature</i>	
<i>Date of decision</i>	24/10/19

Conditions of approval

This approval is subject to the conditions under the EPBC Act as set out in ANNEXURE A.

ANNEXURE A – CONDITIONS OF APPROVAL

Part A – Conditions specific to the action

1. To minimise impacts to the **Carnaby's Black Cockatoo**, the **approval holder** must not clear more than 42.5 ha of **foraging habitat** for the **Carnaby's Black Cockatoo** in the area enclosed by the line designated as 'Proposed Footprint Boundary' in the map at Attachment A. The **approval holder** must not clear any **foraging habitat** for the **Carnaby's Black Cockatoo** outside the Proposed Footprint Boundary.
2. To minimise impacts of litter spreading to adjoining **foraging habitat** for the **Carnaby's Black Cockatoo**, the **approval holder** must install and maintain a 1.8 m high mesh fence along the entire 'Proposed Footprint Boundary' as identified in the map at Attachment A. The fence must be installed within 12 months of **commencement of the action** and be maintained in a fully effective condition for the **life of the project**.
3. To minimise impacts on **foraging habitat** for the **Carnaby's Black Cockatoo**, the **approval holder** must:
 - a) implement the weed control measures described in the **Fernview Landfill – Decommissioning and Post Closure Management Plan (2015)** from **commencement of the action** for the **life of the project**.
 - b) implement the rehabilitation measures described in the **Fernview Landfill – Decommissioning and Post Closure Management Plan (2015)** within 12 months from the completion of capping of the landfill facility. The objective of rehabilitation works is to re-establish a self-sustaining vegetation cover (of a similar species composition and structure), integrated with the surrounding ecosystem, providing **foraging habitat** for the **Carnaby's Black Cockatoo**. The species used in the rehabilitation must include species used as **foraging habitat** by the **Carnaby's Black Cockatoo**. Rehabilitation works may cease once a **suitably qualified person** has verified that the rehabilitation has achieved the rehabilitation objective.
 - c) implement conditions 1 to 4 and 6 to 8 of the **Western Australian Works Approval W6083/2017/1** to minimise the impacts of **Dieback**; and
 - d) implement condition 11 of the **Western Australian Ministerial Statement 1073** to minimise the impacts of **feral animals**.
4. To offset the residual significant impacts of the action on the **Carnaby's Black Cockatoo**, within 24 months of the date of this approval, the **approval holder** must:
 - a) implement condition 10 of the **Western Australian Ministerial Statement 1073**;
 - b) provide the **Department** with written evidence that an area of no less than 189.14 ha of **foraging habitat** for the **Carnaby's Black Cockatoo** on Lot 98, Deposited Plan 75926, Wannamal Road South, has been ceded to the Western Australian Government; and
 - c) provide the **Department** with the offset attributes and **shape files** for the offset required by condition 4(a).

Part B – Standard administrative conditions

Notification of date of commencement of the action

5. The **approval holder** must notify the **Department** in writing of the date of **commencement of the action** within 10 **business days** after the date of **commencement of the action**.
6. If the **commencement of the action** does not occur within 5 years from the date of this approval, then the **approval holder** must not **commence the action** without the prior written agreement of the **Minister**.

Compliance records

7. The **approval holder** must maintain accurate and complete **compliance records**.
8. If the **Department** makes a request in writing, the **approval holder** must provide electronic copies of **compliance records** to the **Department** within the timeframe specified in the request.

Note: **Compliance records** may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the **Department's** website or through the general media.

Preparation and publication of plans

9. The **approval holder** must:
 - a. submit **plans** electronically to the **Department** for approval by the **Minister**;
 - b. publish each **plan** on the **website** within 20 **business days** of the date the **plan** is approved by the **Minister** or of the date a revised action management plan is submitted to the **Minister**, unless otherwise agreed to in writing by the **Minister**;
 - c. exclude or redact **sensitive ecological data** from **plans** published on the **website** or provided to a member of the public; and
 - d. keep **plans** published on the **website** until the end date of this approval.
10. The **approval holder** must ensure that any **monitoring data** (including **sensitive ecological data**), surveys, maps, and other spatial and metadata required under a **plan** is prepared in accordance with the **Department's Guidelines for biological survey and mapped data** (2018) and submitted electronically to the **Department** in accordance with the requirements of the **plan**.

Annual compliance reporting

11. The **approval holder** must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or otherwise in accordance with an annual date that has been agreed to in writing by the **Minister**. The **approval holder** must:
 - a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
 - b. notify the **Department** by email (providing a website link) that a **compliance report** has been published on the **website** within five **business days** of the date of publication;
 - c. keep all **compliance reports** publicly available on the **website** until this approval expires;
 - d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
 - e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

Note: **Compliance reports** may be published on the **Department's** website.

Reporting non-compliance

12. The **approval holder** must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:
 - a. the condition which is or may be in breach; and
 - b. a short description of the **incident** and/or non-compliance.

13. The **approval holder** must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than 10 **business days** after becoming aware of the **incident** or non-compliance, specifying:
- a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
 - b. the potential impacts of the **incident** or non-compliance; and
 - c. the method and timing of any remedial action that will be undertaken by the approval holder.

Independent audit

14. The **approval holder** must ensure that **independent audits** of compliance with the conditions are conducted for the 12 month period from commencement of the action and for every subsequent 12 month period, or as otherwise requested in writing by the **Minister**.
15. For each **independent audit**, the **approval holder** must:
- a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
 - b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and
 - c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.
16. The **approval holder** must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

Completion of the action

17. Within 30 days after the **completion of the action**, the **approval holder** must notify the **Department** in writing and provide **completion data**.

Part C - Definitions

18. In these conditions, except where contrary intention is expressed, the following definitions are used:

Approval holder means the name of the person to whom the approval is granted.

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

Carnaby's Black Cockatoo means the **EPBC Act** listed Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*).

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* for further guidance).

Commencement of the action means the first instance of any specified activity associated with the action including **clearing** of vegetation and **construction** of any infrastructure. **Commencement of the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the project area;
- iii. protect environmental and property assets from fire, weeds and pests, including erection of signage, and use of existing surface access tracks.

Completion data means an environmental report and spatial data information clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**.

Completion of the action means all specified activities associated with the action have permanently ceased.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the approval holder's possession or that are within the approval holder's power to obtain lawfully.

a. **Compliance reports** means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions and the **plans**;
- ii. consistent with the **Department's Annual Compliance Report Guidelines** (2014) found at <https://www.environment.gov.au/epbc/publications/annual-compliance-report-guidelines>.
- iii. include a **shapefile** of any clearance of any **protected matters**, or their habitat, undertaken within the relevant 12 month period; and
- iv. annexing a schedule of all **plans** prepared and in existence in relation to the conditions during the relevant 12 month period.

Construction means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of fences and signage.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Dieback means Dieback (*Phytophthora cinnamomi*).

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

EPBC Regulations means the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth).

Feral animals includes, but may not be limited to, Rats (*Rattus rattus*), Foxes (*Vulpes vulpes*) and Cats (*Felis catus*).

Fernview Landfill - Decommissioning and Post Closure Management Plan (2015) means the *Fernview Landfill – Decommissioning and Post Closure Management Plan (2015)* provided to the **Department** on 26 June 2019.

Foraging habitat includes foraging habitat for the **Carnaby's Black Cockatoo** described in the **Department's EPBC Act referral guidelines for three threatened black cockatoo species (2012)** available on the **Department's** website at:

<http://www.environment.gov.au/biodiversity/threatened/publications/epbc-act-referral-guidelines-three-threatened-black-cockatoo-species-carnaby-cockatoo>.

Incident means any event which has the potential to, or does, impact on a **protected matter**.

Independent audit: means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2015).

Life of the project means the period for which the approval has effect.

Monitoring data means the data required to be recorded under the conditions of this approval.

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

New or increased impact means a new or increased environmental impact or risk relating to any **protected matter**, when compared to the likely impact of implementing the action management plan that has been approved by the **Minister** under condition, including any subsequent revisions approved by the **Minister**, as outlined in the *Guidance on 'New or Increased Impact' relating to changes to approved management plans under EPBC Act environmental approvals (2017)*.

Plan(s) means any of the documents required to be prepared, approved by the **Minister**, and/or implemented by the approval holder and published on the **website** in accordance with these conditions (includes action management plans and/or strategies).

Protected matter means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect.

Sensitive ecological data means data as defined in the Australian Government Department of the Environment (2016) *Sensitive Ecological Data – Access and Management Policy V1.0*.

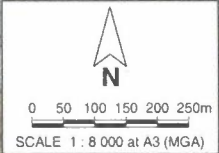
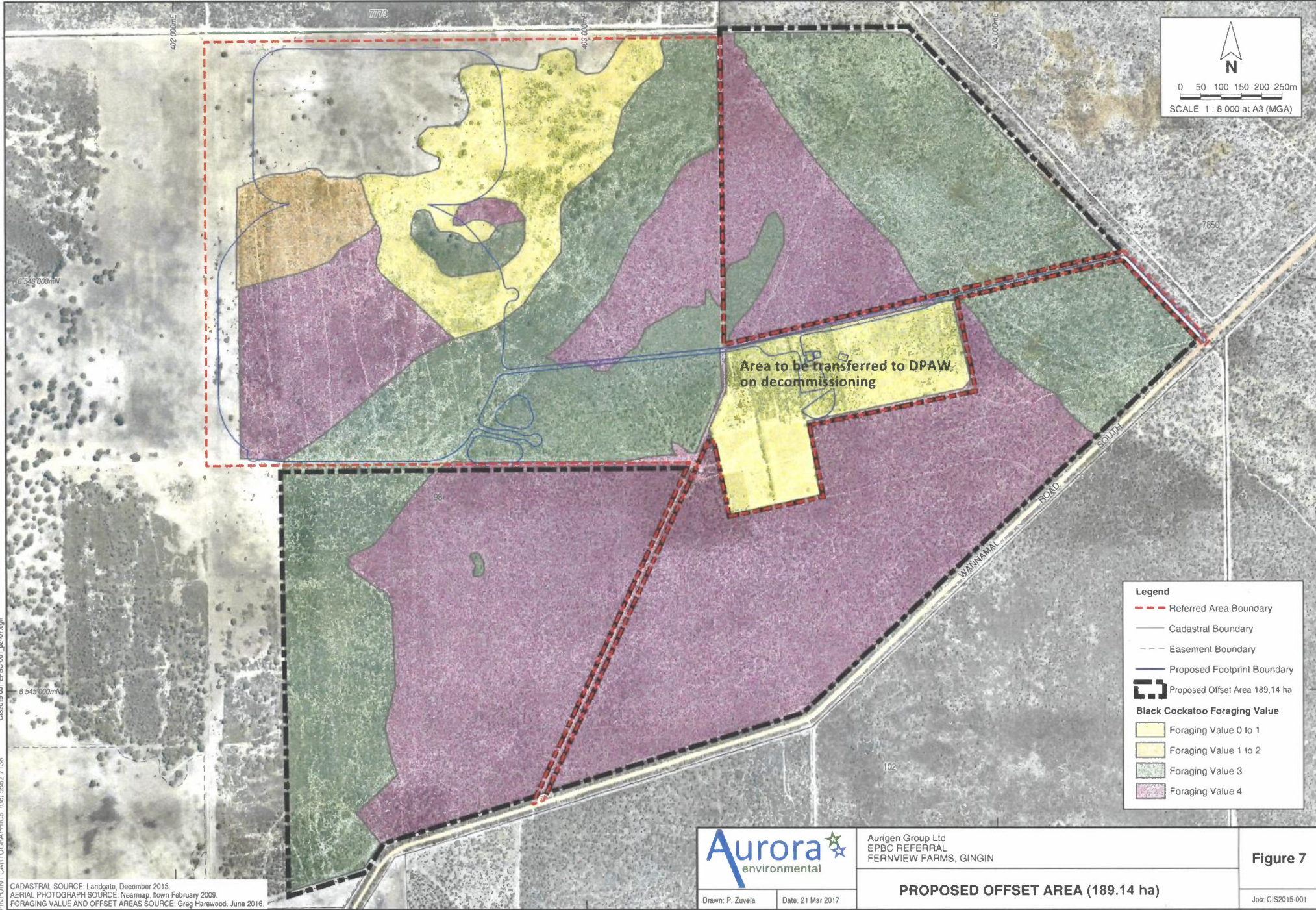
Shapefile means location and attribute information of the action provided in an Esri shapefile format. **Shapefiles** must contain '.shp', '.shx', '.dbf' files and a '.prj' file that specifies the projection/geographic coordinate system used. **Shapefiles** must also include an '.xml' metadata file that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

Suitably qualified person means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Western Australian Ministerial Statement 1073 means the Western Australian Ministerial Statement 1073 approved by The Hon Stephen Dawson MLC, Minister for Environment, on 26 February 2018.

Western Australian Works Approval W6083/2017/1 means the Western Australian Works Approval W6083/2017/1 approved by Jarrod Abrahams, Acting Manager Waste Industries Regulatory Services, Western Australian Department of Water and Environmental Regulation on 13 February 2019.



Area to be transferred to DPAW
on decommissioning

Legend

- Referred Area Boundary
- Cadastral Boundary
- Easement Boundary
- Proposed Footprint Boundary
- Proposed Offset Area 189.14 ha

Black Cockatoo Foraging Value

- Foraging Value 0 to 1
- Foraging Value 1 to 2
- Foraging Value 3
- Foraging Value 4

PINPOINT CARTOGRAPHICS (08) 9562 7136
 C:\2015\001-EPBC-001_px_007.dwg
 8 545'000mN
 6 546'000mN

CADASTRAL SOURCE: Landgate, December 2015.
 AERIAL PHOTOGRAPH SOURCE: Nearmap, flown February 2009.
 FORAGING VALUE AND OFFSET AREAS SOURCE: Greg Harewood, June 2016.


 Drawn: P. Zuvela Date: 21 Mar 2017

Aurigen Group Ltd
 EPBC REFERRAL
 FERNVIEW FARMS, GINGIN

PROPOSED OFFSET AREA (189.14 ha)

Figure 7
 Job: CIS2015-001

Appendix B Offsets Strategy Compliance Assessment

Table B.1: Carnaby's Cockatoo Habitat Offsets Strategy (Version 1.0.0.0) Audit Table

Condition No.	Condition	Timing	Verification Method	Evidence	Determination	Compliance Finding
2.2.2	On-site Mitigation					
CCHOS 01	The design and construction of the landfill facility will be carried out in accordance with the Works Approval W6083/2017/1	During construction	Compliance audit of EPBC Approval during ACR confirms the implementation of the Works Approval conditions 1 to 4 and 6 to 8.	R01_2025 Independent Audit Table 4.1	The design and construction of the landfill facility was carried out in accordance with Works Approval W6083/2017/1 including: <ul style="list-style-type: none"> Condition 1 (refer to EPBC 3O) Condition 2 (refer to EPBC 3P) Condition 6 (refer to EPBC 3S and EPBC 3T) Condition 7 (refer to EPBC 3U, EPBC 3V and EPBC 3W) Condition 8 (refer to EPBC 3X and EPBC 3Y) Note: Condition 3 (refer to EPBC 3Q) and Condition 4 (EPBC 3R) were submissions that were completed outside the required timeframe.	Compliant
CCHOS 02	To minimise impacts no more than 42.5 ha of foraging habitat for the Carnaby's Black Cockatoo in the area enclosed by the line designated as 'Proposed Footprint Boundary' as shown on the map at Appendix C.	Overall	Aerial imagery with reference to habitat mapping	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause)	An area of 29.91 ha of foraging habitat for the Carnaby's Black Cockatoo has been cleared.	Compliant
CCHOS 03	Any foraging habitat outside the 'Proposed Footprint Boundary' must not be cleared	Overall	Aerial imagery with reference to habitat mapping and proposed footprint boundary.	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	An area of 15.59 ha of CBC foraging habitat has been cleared outside of the proposed footprint boundary including on access tracks and an area for a sediment pond required under works approval. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 04	Installation of a 1.8 m high mesh fencing along the entire 'Proposed Footprint Boundary' as shown on the map at Appendix C, within 12 months of commencement of the project, and maintaining it for the life of the project.	By 06/04/2021	Sighting of constructed fence and survey data	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	Note: the landfill is under construction and has not entered its operational phase. The 1.8m high mesh fence was installed around the project area during February 2024 (landfill construction still in progress) and not within 12 months of commencement of the project. The fence has been maintained in a fully effective condition. The fence is inspected monthly to ensure that it is maintained in a fully effective condition. Maintenance is planned to be undertaken annually unless there is an incident where it will be addressed immediately. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 05	Personnel will be educated on the importance of adhering to clearing limits in order to minimise disturbance to existing vegetation.	Overall	Induction presentation Induction register	M02_Gingin Landfill Independent Audit Evidence Request Response Rev 1	No induction presentation or induction register was provided for the reporting period to determine if personnel were educated on the importance of adhering to clearing limits.	Potentially non-compliant
CCHOS 06	Cleared soil and/or vegetation will be stockpiled for potential use as daily cover and/or capping material.	Overall	Site inspection confirms that soil and/or vegetation has been stockpiled	E01_CCHOS 06 stockpiled topsoil and vegetation	Vegetation and topsoil are stockpiled in windrows on cleared areas on western area and eastern areas of site (E01).	Compliant
CCHOS 07	Site disturbance is to be minimised, with vegetation retained where possible in between infrastructure with regard to Health, Safety and Operational requirements.	Overall	Aerial imagery	C13_202502 DCCEEW Request for Information Further Clearing Gingin Landfill Rev E C12_20241205 - 2015-7621 - Infringement and Warning Letter	15.59 ha of CBC foraging habitat was cleared outside the proposed footprint boundary (C13). The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 08	Roads and tracks will be developed along existing easements where possible.	During construction	Aerial imagery	G03_67366_A3L_01_Proposed Footprint Boundary G05_67366_01_A3L_02_Revised Fence Location	Existing tracks were utilised for the development with the exception of one new track (G03). Clearing was undertaken for the landfill fencing (G05).	Compliant
CCHOS 09	Vegetation to the south of the project area will be fenced to minimise disturbance.	During construction	Site inspection confirms that vegetation to the south is fenced.	M01_Gingin Landfill ACR Evidence Request Response Rev 0	Vegetation to the south along Wannamal Road is fenced (farm fencing).	Compliant

Condition No.	Condition	Timing	Verification Method	Evidence	Determination	Compliance Finding
CCHOS 10	Implementation of the rehabilitation measures described in the Fernview Landfill – Decommissioning and Post Closure Management Plan 2015 (Appendix D) within 12 months from the completion of capping of the landfill cells in order to re-establish a self-sustaining vegetation cover (of a similar species composition and structure) integrated with the surrounding ecosystem, providing foraging habitat for the Carnaby's Black Cockatoo.	Overall	Compliance audit of EPBC Approval during ACR confirms the implementation of the rehabilitation measures described in the Fernview Landfill – Decommissioning and Post Closure Management Plan 2015.	Not applicable	Landfill is in construction phase and there are currently no areas under / proposed to be under rehabilitation.	Not applicable
CCHOS 11	Implementation of the weed monitoring and control measures described in the Fernview Landfill – Decommissioning and Post Closure Management Plan 2015 (Appendix D) for the life of the project.	Overall	Compliance audit of EPBC Approval during ACR confirms the implementation of the weed monitoring and control measures described in the Fernview Landfill – Decommissioning and Post Closure Management Plan 2015.	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	Annual weed inspections, weed eradication or consultation with neighbours on weed eradication was not undertaken in Spring 2021, Spring 2022, Spring 2023 or Spring 2024. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 12	Implementation of the Works Approval conditions 1 to 4 and 6 to 8 to minimize the impacts of Dieback,	During construction	Compliance audit of EPBC Approval during ACR confirms the implementation of the Works Approval conditions 1 to 4 and 6 to 8.	Refer to CCHOS 01	Refer to CCHOS 01	Compliant
CCHOS 13	Vehicle use will be restricted to designated tracks with parking in allocated areas.	Overall	Site inspection confirms that vehicles are restricted to designated tracks and allocated parking areas Incident register	M01_Gingin Landfill ACR Evidence Request Response Rev 0 E02_CCHOS 13 Incident Register	Fernview confirmed (M01) that all vehicles are restricted to tracks and parking areas. Incident Register (E02) shows no incidents of vehicle movement off designated tracks.	Compliant
CCHOS 14	A Fire Management Plan has been prepared and will be implemented as part of the project's Environmental Management Plan to minimise the risk of fire.	Overall	Compliance audit confirms that the Fire Management Plan is being implemented.	R02_Fire Management Plan 151022 BB Rev 1	The Fire Management Plan (FMP) is in place. Fernview have not conducted 6-monthly fire management checks (and before each summer season) as required under section 9.5.6 of the FMP in accordance with Appendix B "Fernview Landfill Fire Management Checklist" to ensure the requirements of the FMP is implemented. OFI: Commence 6-monthly fire management checks (and before each summer season) as required under section 9.5.6 of the FMP in accordance with Appendix B "Fernview Landfill Fire Management Checklist".	Potentially non-compliant
CCHOS 15	Vehicles and machinery will be parked in designated locations only to minimise habitat damage.	Overall	Site inspection confirms that vehicles are parked in designated locations. Incident register	M01_Gingin Landfill ACR Evidence Request Response Rev 0 E02_CCHOS 13 Incident Register	Fernview confirmed (M01) that all vehicles are parked in designated areas. Incident Register (E02) shows no incidents of habitat damage.	Compliant
CCHOS 16	Traffic will be restricted to established roads and parking areas, to again minimise habitat destruction.	Overall	Site inspection confirms that vehicles are restricted to roads and parking areas Incident register	M01_Gingin Landfill ACR Evidence Request Response Rev 0 E02_CCHOS 13 Incident Register	Fernview confirmed (M01) that all vehicles are restricted to tracks and parking areas. Incident Register (E02) shows no incidents of habitat damage.	Compliant
CCHOS 17	Site traffic speed limits will be lowered to minimise fauna death on roads.	Overall	Speed limit signage	M01_Gingin Landfill ACR Evidence Request Response Rev 0	Fernview confirmed (M01) that all vehicles comply with the 20 km/h and 8 km/h speed limit restrictions. OFI: Install speed limit signage so that personnel are aware of the required locations for the 20 km/h and 8 km/h speed limit restrictions.	Compliant
CCHOS 18	Ensuring putrescible wastes are covered with soil at the end of each day. This will minimise the potential for night-time foraging by birds and feral and native animals.	During operations	Daily operations procedure (daily putrescible waste covered). Site inspection confirms that putrescible wastes are covered at the end of each day.	Not applicable	Landfill is in construction phase and there are currently no operations.	Not applicable

Condition No.	Condition	Timing	Verification Method	Evidence	Determination	Compliance Finding
CCHOS 19	Ensuring housekeeping procedures such as litter removal at the perimeter of the site are maintained to discourage fauna from the site.	Overall	Site inspection confirms all litter at the perimeter of site is removed.	Not applicable	Landfill is in construction phase and there are currently no operations.	Not applicable
CCHOS 20	Applying the odour control strategies to minimise the attraction of fauna to the site.	During operations	Compliance audit confirms implementation of odour control strategies	Not applicable	Landfill is in construction phase and there are currently no operations.	Not applicable
CCHOS 21	Site environmental inductions will raise employee awareness in relation to conservation of fauna (particularly rare, threatened or vulnerable fauna) and their habitats.	Overall	Induction Presentation Induction Register	M02_Gingin Landfill Independent Audit Evidence Request Response Rev 1	No induction presentation or induction register was provided for the reporting period to determine if employees were aware of conservation fauna and their habitats.	Potentially non-compliant
CCHOS 22	Direct contact with fauna will be avoided whenever possible.	Overall	Induction Presentation Pest management records	M02_Gingin Landfill Independent Audit Evidence Request Response Rev 1	Observations were made of kangaroos in the area during construction however there was no direct contact with fauna (direct contact with fauna was avoided).	Compliant
CCHOS 23	Implementation of the control measures to minimise the impacts of feral animals described in the Feral and Pest Animal Management Plan	During operations	Compliance audit in ACR	Not applicable	Implementation of Feral and Pest Animal Management Plan is applicable to operations phase.	Not applicable
2.3 PROPOSED OFFSETS						
CCHOS 24	Set aside 189.14ha of habitat on Lot 98 (Appendix C) for conservation purposes in perpetuity. The Department of Parks and Wildlife (DPAW) have expressed their interest in acquiring the offset area and incorporating it into the State managed conservation estate. This remains a logical approach given that the offset area abuts land recently acquired by the Department for inclusion in the conservation estate.	By 24/10/2021	Correspondence to DCCEEW with evidence of transfer of offset to DBCA.	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	The subdivision and transfer of a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South for offset did not occur by 24 October 2021. The approval holder received infringement notice CEB24/129 notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 25	Manage the interface between the project area and the offset area to ensure that the habitat condition does not deteriorate from baseline condition as mapped in May 2016. This will be achieved through the provision of fencing as required along with periodic inspection for weeds and windblown litter or fly-tipped wastes.	During operations	Annual weed inspection records Regular staff perimeter fencing and offset area waste inspection records Site inspection confirms no windblown litter or fly-tipped waste in offset area.	Not applicable	Operations have not commenced.	Not applicable
CCHOS 26	Conduct annual monitoring of the interface between the project area and the offset area to ensure that the conservation values of the interface do not diminish from their current levels.	Annually	Offset Area Interface Monitoring of Conservation Values Report	M01_Gingin Landfill ACR Evidence Request Response Rev 0 C12_20241205 - 2015-7621 - Infringement and Warning Letter	No monitoring was undertaken of the interface between the project area and the offset area in the reporting period. The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 27	Annual reporting by Fernview to the DEE and DPAW demonstrating compliance with the proposed commitments will be undertaken.	Annually	Submission correspondence to DCCEEW with attached ACR Submission correspondence to DBCA demonstrating compliance with the Offset Strategy	M01_Gingin Landfill ACR Evidence Request Response Rev 0 C12_20241205 - 2015-7621 - Infringement and Warning Letter	No annual reporting was provided to DCCEEW or DBCA demonstrating compliance with the Offset Strategy. The approval holder received infringement notice CEB24/130 notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 28	Implement the Feral and Pest Animal Management Plan in the project area.	During operations	Compliance audit in ACR	Not applicable	Implementation of the FPAMP under condition 11 of MS 1073 is required once the landfill is operational.	Not applicable
CCHOS 29	Ensure appropriate closure of the landfill facility.	Decommissioning	Decommissioning Monitoring Report	Not applicable	Landfill is in construction phase and there are currently no areas under / proposed for decommissioning.	Not applicable
2.7 OUTCOME BASED CONDITIONS						

Condition No.	Condition	Timing	Verification Method	Evidence	Determination	Compliance Finding
CCHOS 30	The project footprint is limited to 66.6ha.	Overall	Pre-disturbance aerial photography comparison	G03_67366_A3L_01_Proposed Footprint Boundary G02_67366_A3L_03_Original Boundary Clearing Calcs	The project footprint (areas utilised by the project) were limited to 54.399 ha.	Compliant
CCHOS 31	No more than 42.5ha of native vegetation will be cleared in the project footprint.	Overall	Aerial photography comparison with respect to habitat mapping	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C13_202502 DCCEEW Request for Information Further Clearing Gingin Landfill Rev E C12_20241205 - 2015-7621 - Infringement and Warning Letter	17.25 ha was cleared in the proposed project footprint however 38.71 ha total was cleared within and outside the proposed project footprint (C13). The approval holder received a warning notice in regard to this non-compliance 05/12/2024.	Compliant
CCHOS 32	Within 24 months of commencing the project, Fernview will transfer to the State of Western Australia, 189.14ha of land containing black cockatoo habitat for addition to the conservation estate as depicted in Appendix C.	By 24/10/2021	Correspondence to DCCEEW with evidence of transfer of offset to DBCA.	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	The subdivision and transfer of a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South for offset did not occur by 24 October 2021. The approval holder received infringement notice CEB24/129 notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 33	The subdivision will be managed by DPAW and the nominal costs associated with the subdivision will be met by Fernview.	By 24/10/2021	Evidence of payment of DBCA invoice.	Refer to CCHOS 32	Refer to CCHOS 32	Non-compliant
CCHOS 34	Fernview will manage the interface between the landfill operations and the offset area through the provision of fencing and periodic inspection for weeds, windblown litter and illegally dumped wastes. The offset area condition is not to diminish below current levels as a result of the landfill project.	During operations	Annual weed inspection records Regular staff perimeter fencing and offset area waste inspection records Site inspection confirms no windblown waste or illegally dumped rubbish in offset area.	Not applicable	Operations have not commenced.	Not applicable
CCHOS 35	Following decommissioning, Fernview will transfer to DPAW the area of land where the weighbridge, office facilities and storage area are located.	During decommissioning	Correspondence from DBCA accepting annual report.	Not applicable	Landfill is in construction phase and there are currently no areas under / proposed for decommissioning.	Not applicable
CCHOS 36	Prior to decommissioning of the site, Fernview will discuss and agree with DPAW the transfer details for the weighbridge, office facilities and storage area.	Prior to decommissioning	Correspondence to DBCA on transfer details for the weighbridge, office facilities and storage area.	Not applicable	Operations have not commenced. No decommissioning is planned.	Not applicable
CCHOS 37	Fernview is to undertake annual reporting to the Commonwealth and DPAW to demonstrate compliance with the above outcomes.	Annually	Submission correspondence to DCCEEW with attached ACR	C12_20241205 - 2015-7621 - Infringement and Warning Letter	An annual report was not provided 2021, 2022, 2023 or 2024. The approval holder received infringement notice CEB24/130 notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 38	Reporting will be published on the Fernview website in accordance with the conditions 11 to 13 of the EPBC Act Approval.	Annually	Independent audit confirms that ACR is published on Proponent website.	Not applicable	Refer to CCHOS 37	Not applicable
CCHOS 39	Non-compliance with the above outcomes will be reported to the Federal Minister for Environment.	Overall	Non-compliance notification correspondence with DCCEEW on offset plan outcome based conditions.	C04_Gingin Landfill Facility near Cullala_ WA (EPBC 2015_7261) - Notification of Potential Non-compliances C12_20241205 - 2015-7621 - Infringement and Warning Letter	The proponent has notified DCCEEW of non-compliance with commitments CCHOS 32, CCHOS 33 and CCHOS 37 (C04). This has resulted in infringement notices (C12).	Compliant
CCHOS 40	Any variance from the outcome based conditions (Section 2.7) will require written authorisation from the Federal Minister for the Environment.	Overall	Application correspondence with DCCEEW on variance to offset plan outcome based conditions.	C07_ 2015_7621 Gingin Regional Landfill variation of conditions _SEC_OFFICIAL_ C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause)	To address Fernview's variance from the outcome based conditions the following actions have been taken: <ul style="list-style-type: none"> A request has been made to extend the time to transfer to the State of Western Australia, 189.14ha of land containing black cockatoo habitat for addition to the conservation estate to 30/06/2025 (C07). 	Compliant

Condition No.	Condition	Timing	Verification Method	Evidence	Determination	Compliance Finding
				C04_Gingin Landfill Facility near Cullala_ WA (EPBC 2015_7261) - Notification of Potential Non-compliances C12_20241205 - 2015-7621 - Infringement and Warning Letter	<ul style="list-style-type: none"> Notifying DCCEEW that Fernview intended to provide an ACR for 2023-24 reporting period in October 2024 (C10) Reported non-compliance with the outcomes to DCCEEW (C04) Received enforcement action from DCCEEW for breaching conditions 1, 2, 3, 4, 5, 11, 12, 13 and 14 of the approval (C12). 	
2.8	DPAW ACQUISITION					
CCHOS 41	Use of fencing, gates and a controlled entry/exit point so that authorised personnel and vehicles can enter the site.	During the construction, operation and decommissioning phases	Site Inspection	G04_Premises Boundary Plan	Landfill has been fenced with gate access (G04).	Compliant
CCHOS 42	The general public will not have direct access to the site.	During the construction, operation and decommissioning phases	Incident register	Refer to CCHOS 41	Refer to CCHOS 41. There have been no reports of public access.	Compliant
CCHOS 43	Wastes will be delivered to the site by covered vehicles which will be unloaded in the active cell and in the vicinity of the active tipping facing. One active tipping face will be operational at a time, with compaction and covering of waste taking place daily.	During operation	Landfill Operations Procedure (delivery, management of tipping face) Site inspection	Not applicable	Landfill is in construction phase and there are currently no operations.	Not applicable
CCHOS 44	Perimeter fencing around the site boundary will reduce the occurrence of windblown rubbish impacting adjacent conservation areas.	During operation	Site inspection confirms 1.8m fence in place separating landfill from offset area.	Not applicable G04_Premises Boundary Plan	Operations have not commenced. Landfill has been fenced.	Not applicable
CCHOS 45	The perimeter fencing will be inspected regularly by staff. Where windblown wastes or illegally dumped rubbish is noted by staff, these will be collected and disposed of.	During operation	Regular staff perimeter fencing and offset area waste inspection records Site inspection confirms no windblown waste or illegally dumped rubbish in offset area.	Not applicable	Operations have not commenced.	Not applicable
CCHOS 46	Site speed limits will apply to reduce the risks associated with the loss of wastes from vehicles.	During the construction, operation and decommissioning phases	Site inspection confirms speed limit signage and vehicle compliance with speed limits.	M01_Gingin Landfill ACR Evidence Request Response Rev 0	Fernview confirmed (M01) that all vehicles comply with the 20 km/h and 8 km/h speed limit restrictions. Vehicles operating on site during the reporting period were associated with construction not waste operations.	Compliant
CCHOS 47	2.8.1 Acquisition Mechanism The offset area will be subdivided from the landholding and transferred to the State Government. The subdivision process will be managed by DPAW and the nominal costs will be met by Fernview.	By 24/10/2021	Correspondence to DCCEEW with evidence of transfer of offset to DBCA.	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause) C12_20241205 - 2015-7621 - Infringement and Warning Letter	The subdivision and transfer of a portion of Lot 98 on Deposited Plan 75926, Wannamal Road South for offset did not occur by 24 October 2021. The approval holder received infringement notice CEB24/129 notice in regard to this non-compliance 05/12/2024.	Non-compliant
CCHOS 48	2.8.2 Contingency Measure If the subdivision and transfer do not proceed, Fernview will investigate options to secure a conservation covenant over the offset area. The covenant will be registered on the Certificate of Title. Under these circumstances, an environmental management plan would be prepared and implemented for the offset area to the satisfaction of the DEE.	Overall	Correspondence with DBCA Certificate of title with covenant Environmental Management Plan for Offset Area	M01_Gingin Landfill ACR Evidence Request Response Rev 0 C07_ 2015_7621 Gingin Regional Landfill variation of conditions _SEC_OFFICIAL_	Fernview have not made efforts in the past 3 years to pursue the transfer of the offset to DBCA however intend to focus on this now. A request has been made to extend the transfer period to 30/06/2026 (C07).	Potentially non-compliant

Appendix C Evidence Register

Table C.2: Evidence Register

Code	Reference	Author	Electronic	Hard-copy	Description
C01	C01_Submission of FPAMP to DWER	Fernview	X		Letter to Department of Water and Environmental Regulation 02/08/2018 submitting Version 1 of the (amended) Feral and Pest Animal Management Plan.
C02	C02_WA EPA Approval for Offset Strategy	DWER	X		Letter to Fernview 04/05/2020 approving the Carnaby's Cockatoo Habitat Offsets Strategy dated 8 November 2019.
C03	C03_DWER Receipt of Compliance Certification	DWER	X		Letter to iwProjects 17/06/2024 acknowledging receipt of compliance information and providing determination that the requirements of conditions 3, 4 and 5 of works approval W6083/2017/1 have been met.
C04	C04_Gingin Landfill Facility near Cullala_ WA (EPBC 2015_7261) - Notification of Potential Non-compliances	JBS&G	X		Email 13/06/2024 notifying DCCEEW of potential non-compliances with EPBC 2015/7261.
C05	C05_DWER Approval for FPAMP V3	DWER	X		Letter of approval 11/02/2019 for the Feral and Pest Animal Management Plan [V3, January 2019].
C06	C06_Submission of FPAMP V2	Fernview	X		Letter to Department of Water and Environmental Regulation 18/01/2019 submitting Version 2 of the (amended) Feral and Pest Animal Management Plan including a description of the amendments made.
C07	C07_2015_7621 Gingin Regional Landfill variation of conditions _SEC_OFFICIAL_	JBS&G	X		Email to DCCEEW 12/06/2025 regarding EPBC 2015/7621 Variation of Conditions proposed By DCCEEW.
C08	C08_RE_EPBC 2015_7621 Draft Audit Criteria and Auditor Qualifications _SEC_OFFICIAL_	DCCEEW	X		Email from DCCEEW 21/01/2025 to JBS&G acknowledging receipt of draft audit criteria and proposed auditor's qualifications 11/10/2024.
C09	C09_EPBC 2015_7621 Show Cause August 2024 _SEC_OFFICIAL_	DCCEEW	X		Letter to Fernview 02/08/2024 regarding non-compliance with approval conditions attached to EPBC 2015/7621 requesting further information be provided to DCCEEW.
C10	C10_EPBC 2015_7261 Non-compliance Information Request (Show Cause)	JBS&G	X		Letter to DCCEEW 30/08/2024 in response to C09 regarding non-compliance with approval conditions attached to EPBC 2015/7621 providing further information.

Code	Reference	Author	Electronic	Hard-copy	Description
C11	C11_2015-7621 - DCCEEW Approval of audit criteria letter	DCCEEW	X		Letter to Fernview 11/03/2025 accepting the proposed independent audit team and audit criteria and requesting that the independent audit cover the period that audits were not undertaken for submission no later than 20/06/2025.
C12	C12_20241205 - 2015-7621 - Infringement and Warning Letter	DCCEEW	X		<p>Letter to Fernview 05/12/2024 regarding Breach of conditions attached to the Environment Protection and Biodiversity Conservation Act 1999 approval for EPBC 2015/7621 including:</p> <ul style="list-style-type: none"> warning for contravening conditions 1, 2, 3, 5, 12, and 13; infringement notice CEB24/129 for contravening condition 4; infringement notice CEB24/130 for contravening condition 11; and infringement notice CEB24/131 for contravening condition 14.
C13	C13_202502 DCCEEW Request for Information Further Clearing Gingin Landfill Rev E	JBS&G	X		Letter to DCCEEW 13/03/2025 regarding EPBC 2015/7621 DCCEEW Request for further Information to inform Directed Variation
E01	E01_CCHOS 06 stockpiled topsoil and vegetation	Fernview	X		Marked up aerial photograph showing soil stockpiles in south west and south east areas of project site.
E02	E02_CCHOS 13 Incident Register	Fernview	X		Incident Report Register recording zero incidents for the period 06/04/2020 to 05/04/2025.
G01	G01_67366_A3L_04_Revised Boundary Clearing Calcs	JBS&G	X		Figure showing clearing in the revised footprint boundary.
G02	G02_67366_A3L_03_Original Boundary Clearing Calcs	JBS&G	X		Figure showing Carnaby Black Cockatoo foraging habitat that has been cleared within and outside of the proposed footprint boundary.
G03	G03_67366_A3L_01_Proposed Footprint Boundary	JBS&G	X		Figure showing revised footprint boundary including 10.06ha of existing cleared areas before action commencement.
G04	G04_Premises Boundary Plan	iwProjects	X		Fernview Landfill Facility Premises Boundary Plan [FV-SK01 Rev A] 23/03/2022.

Code	Reference	Author	Electronic	Hard-copy	Description
G05	G05_67366_01_A3L_02_Revised Fence Location	JBS&G	X		Figure showing aerial of Gingin Landfill marked with 1.8m fenced area.
M01	M01_Gingin Landfill ACR Evidence Request Response Rev 0	Fernview	X		Kelton Reyneke response to JBS&G request for evidence on 18/09/2024.
M02	M02_Gingin Landfill Independent Audit Evidence Request Response Rev 1	Fernview	X		Tom Rudas response to JBS&G request for evidence on 02/06/2025.
R01	R01_2025 Independent Audit	JBS&G	X		This Independent Audit Report.
R02	R02_Fire Management Plan 151022 BB Rev 1	Bowman & Associates	X		Fernview Landfill – Fire Management Plan prepared by Bowman & Associates Pty Ltd for Aurigen Group Limited [151022 BB Version 1] 22/10/2015.
R03	R03_Carnabys Cockatoo Habitat Offset Strategy_C10-2_MS1073_Final	Fernview Environmental	X		Carnaby's Cockatoo Habitat Offsets Strategy Fernview Landfill Lot 98 Wannamal Road South, Cullula, Shire of Gingin [V1.0.0.0] 08/11/2019.
R04	R04_Feral and Pest Animal Management Plan	Terrestrial Ecosystems	X		Feral and Pest Animal Management Plan for the Fernview Class II Waste Management Facility [Version 3] January 2019.
R05	R05_Works Approval Compliance Report 2 May 24	iw Projects	X		Fernview Gingin Landfill Cell 1 and Leachate Pond Construction Compliance Report prepared for Fernview Environmental Pty Ltd [Final] 02/05/2024.
R06	R06_CQA Validation Report May 2024 (V4)	Terra firma laboratories	X		Fernview Landfill Cell 1 And Leachate Pond CQA Validation Report prepared for M8 Sustainable Pty Ltd [11117_V4] 01/05/2024.

Appendix D Auditor's Certification

Andrea Wills, Consultant, JBS&G

Allendale Square, Level 9/77 St Georges Terrace, Perth WA 6000

andrea@environnivate.com.au

0417 993 734

Auditor's qualifications and/or experience:

Auditor's declaration:

I, Andrea Wills, certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature: 

Date: 16/06/2025

Andrew Winzer, Principal, Audit, Assessments and Approvals, JBS&G

Allendale Square, Level 9/77 St Georges Terrace, Perth WA 6000

awinzer@jbsg.com.au

0409 834 616

Auditor's qualifications and/or experience:

Auditor's declaration:

I, Andrew Winzer, certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine not more than 60 penalty units, or both.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature:



Date: 16/06/2025


© JBS&G

This document is and shall remain the property of JBS&G. The document may only be used for the purposes for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited

Document Distribution

Rev No.	Copies	Recipient	Date
0	1 × Electronic	Tom Rudas, Fernview	16/06/2025

Document Status

Rev No.	Author	Reviewer	Approved for Issue		
		Name	Name	Signature	Date
0	Andrea Wills	Andrew Winzer	Andrew Winzer		16/06/2025



Adelaide

Kaurna Country | 100 Hutt St,
Adelaide, SA 5000
T: 08 8431 7113

Brisbane

Turrbal/Yuggera Country | Level 37, 123
Eagle Street, Brisbane, QLD 4000
T: 07 3211 5350

Bunbury

Wardandi Noongar Country | 177
Spencer Street Bunbury, WA 6230
T: 08 9792 4797

Canberra

Ngunnawal Country | Level 1, The Realm
18 National Circuit Barton, ACT 2600
T: 02 6198 3278

Darwin

Larrakia Country | Suite G1, Level 1
48-50 Smith Street, Darwin NT 0800
T: 08 8943 0600

Hobart

Muwununa/Nuenon Country | Level 6,
111 Macquarie Street Hobart, TAS 7000
T: 03 6108 9054

Melbourne

Kulin Country | Level 5, 10 Queen
Street, Melbourne, VIC 3000
T: 03 9642 0599

Newcastle

Awabakal/Worimi Country | 61 / 63
Parry Street Newcastle West, NSW 2302
T: 02 8245 0300

Perth

Whadjuk Nyoongar Country | Allendale Square,
Level 9, 77 St Georges Terrace, WA 6000
T: 08 9380 3100

Sydney

Gadigal Country | Level 1, 50
Margaret Street, Sydney, NSW 2000
T: 02 8245 0300

Wollongong

Dharawal Country | Suite 1A, 280 - 286
Keira Street, Wollongong, NSW 2500
T: 02 4225 2647