Annual Compliance Report 2022
Proposed commercial development, including earthworks, construction of roads and services infrastructure in the Wirraway North Precinct, Essendon Airport, Essendon Fields, Victoria (EPBC 2014/7213)

Reporting Period:
7 May 2021 to 7 May 2022 – Year 7

Summary of Works during the Period:
Construction of two automotive training centres within Lot D was completed during the period.

The evolution of site works is illustrated in the annotated aerial photographs in **Attachment 1**.

Department of the Environment (DoE) condition attached to the approval	Compliant / Non-Compliant / Not Applicable	Evidence / Comments	Action Undertaken (If non-compliance identified)	Final Compliance Assessment
1. The person taking the action must ensure the action does not occur outside of the **project area** as illustrated at **Annex 1**.	Compliant	The action has not occurred outside of the project area, as demonstrated by site works photos in **Attachment 1** and the Project Area site plan in **Attachment 2**.	-	Compliant
2. Prior to the **commencement of construction** the person taking the action must implement the **Construction Environmental Management Plan** including but not limited to:	Compliant	Construction works commenced 7 May 2015, as advised in EAPL's letter to the Department dated 13 May 2015. EAPL implemented the approved Construction Environmental Management Plan with its construction contractors.	-	Compliant
a. adequate sedimentation and erosion control measures are in place for major storm events to prevent runoff onto adjacent properties, including surface detention basin/s that hold a volume equivalent to a 10 year **Average Recurrence Interval** event; and	Compliant	Trunk infrastructure including the stormwater network was completed in the previous reporting period and is working as designed. Future development sites have been seeded and are inspected regularly.	-	Compliant

b. if **potential asbestos containing material** is encountered, management arrangements must follow the processes for the removal and disposal of waste asbestos, as prescribed in the *Victorian Occupational Health and Safety Regulations 2007*.	Compliant		-	Compliant
3. To minimise adverse impacts from stormwater runoff as a result of land use changes at the **project area,** the person taking the action must implement the following measures as outlined in the **Stormwater Strategy Report:** a. on-site detention/s to reduce the **legal point of discharge** from the 10 year **Average Recurrence Interval** post development peak flow rates to the 5 year **Average Recurrence Interval** pre-development peak flow rates in accordance with the *Moonee Valley City Council Stormwater Drainage Requirements for Development Works* (2003); b. convey the majority of a 100 year **Average Recurrence Interval** event in drainage networks and flow paths to	Compliant	Measures outlined in the Stormwater Strategy Report have been implemented/constructed.	-	Compliant

the **legal point of discharge**; and c. design and implement **water sensitive urban design** measures in accordance with *Melbourne Waters MUSIC Guidelines* (December 2010) and the CSIRO *Urban Stormwater- Best Practice Environmental Management Guidelines* (2006).				
4. Prior to the commencement of **high risk operational activities**, **tenants** must develop and implement an **Operational Environmental Management Plan** in consultation with **Airport Management** and the **Airport Environment Officer**. Within a month of commencement of **high risk operational activities**, the approval holder must notify the Department in writing and provide a copy of the **Operational Environmental Management Plan**.	Not Applicable.	No high risk operational activities have commenced.	-	Compliant
5. Prior to **commencement of construction** the person taking the action must establish at least 6.6 ha of **NTGVVP Offset** at the **Terrinallum South Property** to compensate for the complete loss of **NTGVVP** at the **project area**. Any proposal for an alternative offset must be agreed to in writing with the	Compliant	The NTGVVP Offset has been established at the Terrinallum South Property, as confirmed in EAPL's letter to the Department dated 13 May 2015. Complete.	-	Compliant

Department. The person taking the action must: a. enter into an **Agreement** under section 173 of the *Planning and Environment Act 1987,* to secure a **NTGVVP Offset** at the **Terrinallum South Property**, as identified in **Annex 2**; b. provide the **Department** with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the **NTGVVP Offset**, within 2 weeks of lodgement at the **Titles Office**; and c. ensure the **Agreement** is registered on the title on which the **NTGVVP Offset** is located and provide the **Department** with a signed copy of the **Agreement** and evidence of lodgement with the **Titles Office** within 2 weeks of lodgement.		Complete The Agreement was registered on the land title for the Terrinallum South Property on 5 May 2015, by Dealing Number AL860292S. EAPL provided a signed copy of the Agreement to the Department on the 13th May 2015.		

6. The person taking the action must ensure the **NTGVVP Offset** is managed in accordance with the **NTGVVP Offset Management Plan** for a period of at least 10 years from the date of execution of the **Agreement.**	Compliant Non-Compliant	The approved Offset Management Plan (OMP) has been implemented with the Land Holder. Pursuant to section 6.7.2 of the OMP, progress reports will be provided to the responsible authority at the end of year 2, 5 and 10 of the program. The annual Land Holder Monitoring Report Number 7 was issued to EAPL via email on 1 July 2022 detailing compliance.	- Land Holder Monitoring Report to be provided to DAWE and uploaded to the EF website when received.	Compliant
7. Within seven (7) calendar days after the **commencement of construction**, the person taking the action must advise the **Department** in writing of the actual date of **commencement of construction**.	Compliant	Construction works commenced 7 May 2015, as advised in EAPL's letter to the Department dated 13 May 2015.	-	Compliant
8. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans and make them available upon request to the **Department.** Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act,** or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the	Compliant	Noted. Records have been maintained by EAPL.	-	Compliant

Department's website. The results of audits may also be publicised through the general media.				
9. Within three months of every 12 month anniversary of the **commencement of construction**, the person taking the action must publish an annual report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the annual report of compliance is published. The person taking the action must continue to publish the annual report until such time as agreed in writing by the **Minister.**	Compliant	This report is required to be published to EAPL's website by 9 August 2021, (being the next business day after 7 August 2021).		Compliant
10. The person taking the action must notify the **Department** in writing of any non-compliance with conditions no later than two (2) business days of becoming aware of the noncompliance.	Compliant		-	Compliant
11. Upon the direction of the **Minister,** the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report	Not Applicable	An independent audit has not been directed by the Minister.	-	Not Applicable

submitted to the **Minister.** The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the **Minister.**				
12. If the person taking the action wishes to carry out any activity otherwise than in accordance with management plans as specified in the conditions, the person taking the action must submit to the **Department** for the **Minister's** written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The **Minister** will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised management plan, that management plan must be implemented in place of the management plan originally approved.	Not Applicable		-	Not Applicable
13. If the **Minister** believes it is necessary or convenient for the better protection of listed threatened	Not Applicable		-	Not Applicable

species and ecological communities, the **Minister** may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the **Minister** has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.				
14. Unless otherwise agreed to in writing by the **Minister,** the person taking the action must publish a copy of each approved management plan referred to in these conditions of approval on their website within one (1) month of approval of the management plan. Each management plan(s) must be accessible to general members of the public for a period of at least 10 years from the date of approval of the management plan(s). Any variations to management plans must be published on the website within one (1) month of the variation being approved by the **Minister.**	Compliant	The approved management plans are published at the link below: https://ef.com.au/community/master-plan/#environment-strategy	-	Compliant

15. If, at any time after five (5) years from the date of this approval, the person taking the action has not **substantially commenced** the action, then the person taking the action must not **substantially commence** the action without the written agreement of the **Minister.**	Not Applicable.	The action commenced 7 May 2015.	-	Not Applicable

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct to the best of my knowledge. I am authorised to bind the approval holder to this declaration and I have no knowledge of that authorisation being revoked at the time of making this declaration.

Essendon Airport Pty Ltd

Brad Evans
Planning Manager
6 August 2022