

Permit E2016-0111

Annual Compliance Report

*Melbourne Airport Business Park Warehouse,
Site 2 (XF-XSR – Airport Drive)*

Prepared by:

Australia Pacific Airports (Melbourne) Pty Ltd

Reporting period:

19 February 2022 – 18 February 2023

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 in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed

Full name (please print)	Nick Walker
Position (please print)	Head of Environment and Sustainability
Organisation (please print including ABN/ACN if applicable)	Australia Pacific Airports (Melbourne), ABN: 62 076 999 114
Date	18 May 2023

DOCUMENT VERSION CONTROL

Version	Date	Status	Author	Reviewer
V1	18 May 2023	Final	Nathan Phillips	Nick Walker

CONTENTS

Declaration of Accuracy	2
Document Version control	2
1 Introduction	4
1.1 Approval under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>	4
1.2 Purpose of this report	4
1.3 New Environmental Risks	4
2 Compliance with approval	5
3 Supporting Information	7
3.1 Condition 1 – Progress of project during the reporting period	7
3.2 Condition 8 – Implementation of the Offset Management Plan	7
Tables	
Table 1: Details of approved action	4
Table 2: Compliance with conditions of the permit	5
Figures	
Figure 1: NTGVVP cleared by the project to date	7

1 INTRODUCTION

1.1 Approval under the *Environment Protection and Biodiversity Conservation Act 1999*

The Department of the Environment issued approval for the Melbourne Airport Business Park Warehouse, Site 2 project at Melbourne Airport on 30 November 2016. Summary details of the approved actions are included in Table 1 below.

Table 1: Details of approved action

Person to whom the permit is granted	Australia Pacific Airports (Melbourne) Pty Limited ACN: 076 999 114
Approved action	To construct two warehouses and a distribution centre at Melbourne Airport Business Park, Tullamarine, Victoria as outlined in permit application E2016-0111.
Permit/EPBC Number	E2016-0111
Date of Approval	30 November 2016

1.2 Purpose of this report

This annual compliance report outlines the state of compliance with each approval condition over the period 19 February 2022 – 18 February 2023.

1.3 New Environmental Risks

No new environmental risks were identified during the reporting period.

2 COMPLIANCE WITH APPROVAL

Statements regarding compliance with each permit condition are detailed in Table 2.

Table 2: Compliance with conditions of the permit

Condition No.	Condition	Is the project compliant with this condition?	Evidence / Comments
1	The permit holder must not clear more than 4.6 hectares of natural temperate grassland of the Victorian volcanic plain.	Compliant	During the reporting period 0.145ha of natural temperate grassland of the Victorian volcanic plain (NTGVVP) was cleared. No further clearance is required under this permit, cleared area is per Figure 1 of this report.
2	To compensate for the loss of natural temperate grassland of the volcanic plain the permit holder must: <ol style="list-style-type: none"> Prior to the commencement of the action, enter into an agreement with the landowner to secure the offset containing at least 11.035 hectares of natural temperate grassland of the Victorian volcanic plain; Provide the Department with a copy of the signed agreement within 2 weeks of the agreement being signed; and Provide the Department with evidence that the offset has been secured and the offset attributes, shapefile and map(s) clearly defining the location and boundaries of each offset, within 2 weeks of the offset being secured. 	Compliant	A copy of the signed agreement, shapefiles and maps clearly defining the location and boundaries of each offset were provided to the Department via email 9 February 2021. Acknowledgement of receipt was received from the Department on 10 February 2021.
3	If, at any time after 12 months from the date of this permit the permit holder has not entered into an agreement to secure the offset of the landowner has not secured the offset, the permit holder must provide a written request to the Minister to vary conditions relevant to the offset. The variation request must include an alternative offset strategy. The variation request must be agreed to in writing by the Minister.	Compliant	The 11.053ha offset site was reserved in 2017 as part of a larger offset agreement APAM secured for the Taxiway Zulu and Northern Access Road project (Permit E2016-7837). This larger offset agreement (including the 11.053ha offset site) was reserved via a Section 173 agreement on 21 September 2017.
4	The permit holder may give to another person written authority to take, for or on behalf of the holder, any action authorised by the permit. The permit holder must apply to the decision maker in writing and may only give an authority to another person whom the decision maker agreed in writing has sufficient experience and	Compliant	Noted. APAM did not transfer authority to another person.

Condition No.	Condition	Is the project compliant with this condition?	Evidence / Comments
	competence in the activities that may be taken under this permit. The giving of an authority to another person does not prevent the permit holder from undertaking the authorised actions. When an authority is granted to another person, requirements of permit conditions also apply to that person. The permit holder who gives an authority to another person must inform the Minister in writing within fourteen days of giving the authority.		
5	Within 7 days after the commencement of the action, the permit holder must advise the Minister in writing of the actual date of commencement of the action.	Compliant	The action commenced on 19 February 2021, and written notification was provided to the Department on 24 February 2021.
6	The permit holder must maintain accurate records substantiating all activities associated with or relevant to these permit conditions, including measures taken to implement the Offset Management Plan, and make them available to the Department upon request. 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 assess or verify compliance with the permit conditions. Summaries of audits may be published on the Department's website. The results of audits may also be publicised through the general media.	Compliant	Noted. Documentation is available on request.
7	Unless otherwise agreed to in writing by the decision maker, the permit holder must publish the Offset Management Plan on their website within 1 month of the permit being approved.	Compliant	The Offset Management Plan (OMP) was approved by the Department 4 January 2021. The plan was published on the Melbourne Airport website on 19 January 2021. (https://www.melbourneairport.com.au/Corporate/About-us/Environment/Environment-at-Melbourne-Airport)
8	Unless otherwise agreed to in writing by the Minister, within three months of every 12 month anniversary of the commencement of the action, the permit holder must publish a report on their website addressing compliance with these permit conditions over the previous 12 months, including the implementation of the Offset Management Plan. Non-compliance with any of the permit conditions must be reported to the Department at the same time as the compliance report is published.	Compliant	This annual compliance report addresses this condition and is published on the Melbourne Airport website (https://www.melbourneairport.com.au/Corporate/About-us/Environment/Environment-at-Melbourne-Airport). Further details included in Section 3 of this report.
9	If, after five years from the date of this permit, the permit holder has not commenced the action, then the permit holder must not commence or continue taking the action without the written agreement of the Minister.	Compliant	APAM commenced the action 19 February 2021. This is within five years from the date of the permit.

3 SUPPORTING INFORMATION

3.1 Condition 1 – Progress of project during the reporting period

Figure 1 outlines the locations where 4.555ha of NTGVVP has been permanently cleared since Permit E2016-0111 was issued. A total of 0.145ha was cleared during this reporting period. The yellow areas indicate the surveyed extent of NTGVVP permitted to be removed under the permit (4.6ha total). The black outline indicates the area of NTGVVP removed under the permit, the entire permitted area has been removed.

Figure 1: NTGVVP cleared by the project to date



3.2 Condition 8 – Implementation of the Offset Management Plan

As per the OMP, the offset site Land Owner and a Qualified Ecologist produced the following reports which outline compliance with the plan at the offset site during the reporting period. APAM received and reviewed these reports to confirm the requirements of the OMP are being met. These reports are available to the Department on request.

- Year 2 (2022) Annual Report

Note: For the purposes of reporting, Year 2 has been defined as 1 January 2022 – 31 December 2022. Implementation of the OMP began once the s173 Agreement was signed on 27 January 2021. The OMP requires annual reporting based on calendar year.