



Compliance Audits completed during 2009

Summary of Findings

This document is a summary of findings for compliance audits completed during 2009 by the EPBC Act compliance auditing programme.

The projects audited were

- Residential estate at Lot 1580, Warton Road, Southern River, Western Australia
- Construction of a gas pipeline at Christies Road, Ravenhall, Melton, Victoria
- Aerial dog baiting program in the Snowy Mountains region, New South Wales
- Peregian Springs Estate, Queensland
- Emu Mountain residential development at Peregian Springs, Queensland
- Coolum Ridges residential development at Peregian Springs, Queensland
- “Trocopa” 2D Seismic Survey in permit area EPP34, South Australian coast (offshore)

EPBC 2004/1471 – Residential estate at Lot 1580, Warton Road, Southern River

A compliance audit of a residential estate at Lot 1580, Warton Road, Southern River, Western Australia, was conducted by the department on 13 January 2009.

There are three conditions of approval, with Mt Barker Nominees Pty Ltd found to have a non-conformance against condition 1 which relates to the submission and implementation of a management plan in relation to the translocation of grand spider-orchid plants. Not all of the elements of the plan had been implemented in that there was no reporting to the Department with accompanying photographs and details of the locations of the translocated plants within one month of the completion of the translocation. No further action is required, as a report was submitted at the time of audit, indicating successful translocation.

Conditions 2 and 3 relating to revisions being made to the plan were not applicable at the time of audit, as no revisions were made.

EPBC 2006/2616 – Construction of a gas pipeline at Christies Road, Ravenhall, Melton, Victoria

A compliance audit of the construction of a gas pipeline at Christies Road, Ravenhall, Melton, Victoria, was conducted by the department on 28 January 2009.

There are two particular manner requirements attached to the approval, and t squared demonstrated compliance with both requirements relating to a qualified zoologist identifying areas of pipeline route containing high quality habitat for the striped legless lizard, and providing appropriate training to construction workers at the beginning of works.



EPBC 2006/2791 – Aerial dog baiting program in the Snowy Mountains region

A compliance audit of a June 2006 aerial dog baiting program in the Snowy Mountains region, was conducted by the department on 28 January 2009.

There are four particular manner requirements attached to the approval, and the New South Wales National Parks and Wildlife Service demonstrated compliance with the requirements relating to the baiting done in June 2006 within the Kosciusko National Park, and Quidong and Merriangah Nature Reserves along 46 lines, with sand plot monitoring to be undertaken.

EPBC 2001/164 - Peregian Springs Estate

A compliance audit of the Peregian Springs Estate, Queensland, was conducted by the department on 16, 17 and 18 June 2009.

There are 12 conditions attached to the approval. FKP Developments Pty Ltd generally demonstrated compliance with the requirements of the approval conditions. FKP were found to be non-compliant with one condition which requires the submission of a plan to manage the impacts of changes in surface and groundwater flows and water quality on the listed threatened species. The non-compliance has been addressed to the satisfaction of the department through the submission of the required plan.

EPBC 2001/165 - Emu Mountain

A compliance audit of the Emu Mountain residential development at Peregian Springs, Queensland, was conducted by the department on 16, 17 and 18 June 2009.

There are 2 conditions attached to the approval. FKP Developments Pty Ltd was found to be non-compliant with a condition which requires the submission and implementation of an Environmental Management Plan (EMP). The non-compliance has been addressed to the satisfaction of the department through the implementation of measures to minimise nutrient pollution of the wet heathland and monitoring of water quality released into the wet heathland.

EPBC 2002/817 - Coolum Ridges

A compliance audit of the Coolum Ridges residential development at Peregian Springs, Queensland, was conducted by the department on 16, 17 and 18 June 2009.

There are 6 conditions attached to the approval. FKP Developments Pty Ltd generally demonstrated compliance with the requirements of the approval conditions. Two conditions which related to the revision of plans were not applicable at the time of the audit.



(EPBC 2002/817 Coolum Ridges cont..)

Of the 4 conditions which FKP were found to be compliant, there was one non-conformance noted in relation to the implementation of the Wallum Sedge Frog Management Plan, which requires further investigation where water quality parameters exceed identified habitat preference thresholds. The non-conformance has been addressed to the satisfaction of the department through the implementation of measures to ensure immediate investigation of any exceedance of water quality parameters in the future.

EPBC 2008/4074 – “Trocopa” 2D Seismic Survey, EPP34

A compliance audit of the “Trocopa” 2D Seismic Survey in permit area EPP34, located offshore from the southeast coastline of South Australia was conducted by the department on 24 – 30 March 2009. The seismic survey was referred to the department by Exoil Limited.

There are five particular manner requirements set out in the decision notification. Exoil were found to be non-compliant with elements of Part A and B of the *EPBC Act Policy Statement 2.1 – Interaction between offshore seismic exploration and whales* (May 2007), and other specific measures relevant to the location of the seismic survey. The matter has been dealt with administratively in line with the department's Compliance and Enforcement Policy.