



Annual Compliance Report

Mugga Lane Resource Management Centre Expansion (EPBC 2011/5808)

01 July 2020 – 30 June 2021

August 2021

**Prepared by the Environment, Planning and Sustainable Development Directorate, on
behalf of the ACT Government**

This report demonstrates how ACT NoWaste (the proponent) and the ACT Parks and Conservation Service (PCS) have complied with the conditions in the approval decision for the Mugga Lane Resource Management Centre Expansion (EPBC 2011/5808), during the 2020-2021 reporting period from 01 July 2020 to 30 June 2021.

Specifically:

- ACT NoWaste are responsible for complying with conditions 1, 2, 4, and 11 in the approval decision.
- PCS are responsible for complying with conditions 3, 10 and 12 in the approval decision.
- ACT NoWaste and the PCS are jointly responsible for complying with conditions 5, 6, 7, 8 and 9 in the approval decision.

In addition, this report also demonstrates how PCS has implemented the management plan for the Isaacs Ridge Nature Reserve extension environmental offset area on behalf of ACT NoWaste.

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: Michael Trushell

Position: Executive Branch Manager

Organisation: ACT NoWaste

Date:

Signed:

Full Name: Daniel Iglesias

Position: Executive Branch Manager, ACT Parks and Conservation Service

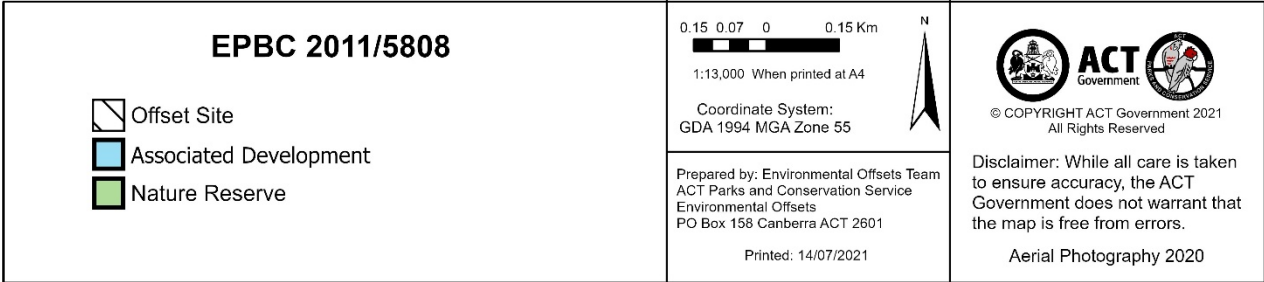
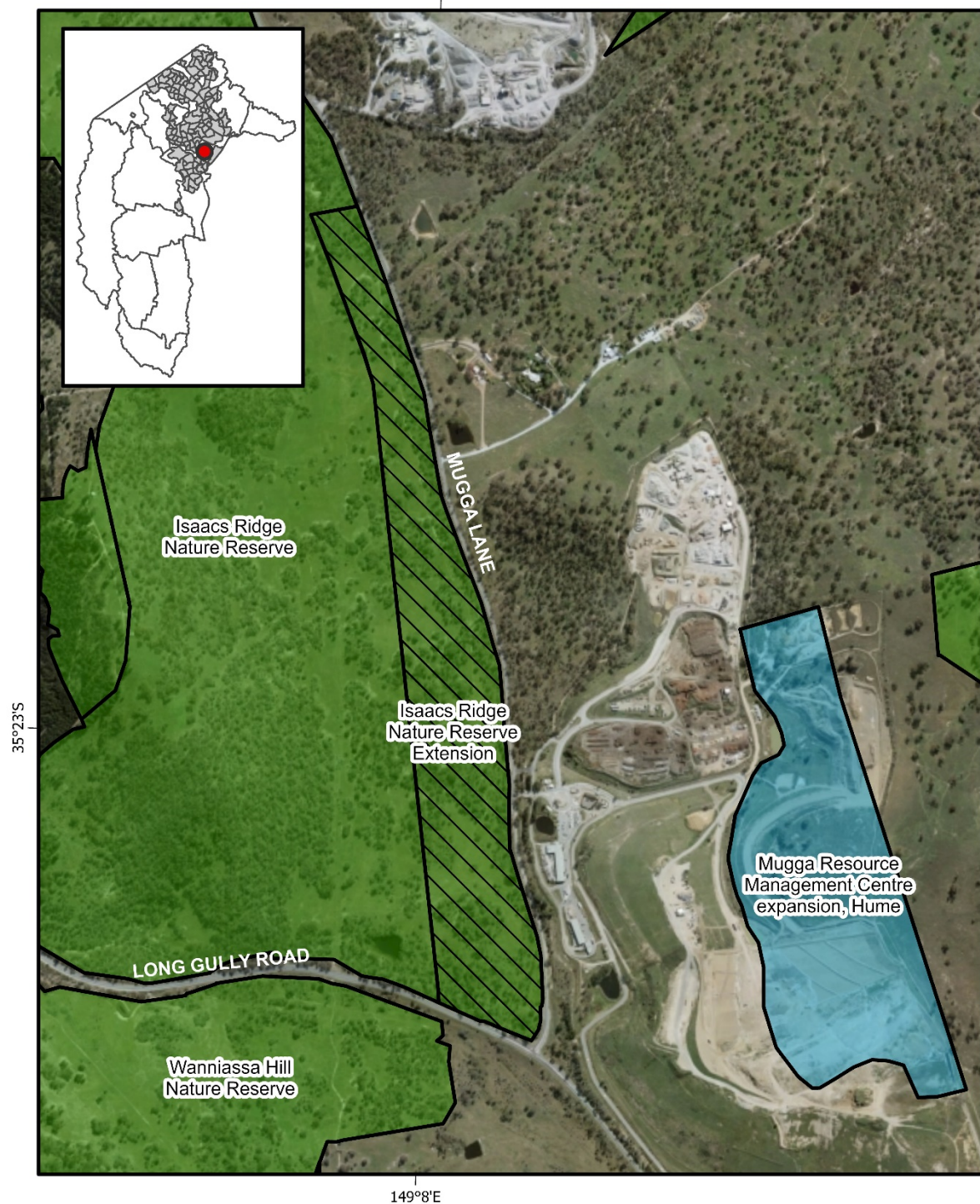
Organisation: Environment, Planning and Sustainable Development Directorate

Date:

Contents

1.	Location of the Isaacs extension offset area	3
2.	Compliance with conditions in EPBC Approval Decision 2011/5808 during the 2020-2021 reporting period	4
3.	Implementation of the Offset Management Plan	9
4.	Other Actions	14

1. Location of the Isaacs extension offset area



2. Compliance with conditions in EPBC Approval Decision 2011/5808 during the 2020-2021 reporting period

Condition Number	Condition	Responsibility	Compliant / Non-compliant / Not applicable	Description
1	The approval holder must ensure that the maximum area of Box-Gum Woodland removed on the project site is no greater than 9.8 hectares (ha).	ACT NoWaste	Compliant	A report on the "Mugga Lane Resource Management Centre (MLRMC) – Ecological Assessment", dated 31 May 2011 sets out the boundaries of the Stage 5 landfill expansion at the MLRMC. The Box-Gum Woodland to be removed from the project site will not be greater than 9.8 hectares.
2	To compensate for the loss of Box-Gum Woodland at the project site, within twenty four (24) months of the date of this approval, the approval holder must formally incorporate the offset site into the Isaacs Ridge Nature Reserve for conservation purposes as further prescribed in condition 3.	ACT NoWaste	Compliant	Zoning changed in the Territory Plan to include a 'Pc - Nature Reserve' overlay. Completed on the 12 th December 2014. TPV Link
3	For the enduring conservation, management and monitoring of the offset site, the approval holder must engage a suitably qualified person to develop an Offset Management Plan (OMP). The OMP must be submitted to the Minister for approval within six (6) months of the date of this approval. The OMP must include details on: <ul style="list-style-type: none"> i. location of the offset site including clear maps and accompanying shapefiles; ii. historical, current and intended future ecological values of the offset site, with reference to its claimed offset scores; iii. management of weeds and pathogens; iv. management of pests and feral animals; 	PCS	Compliant	Draft plan submitted to the Minister on 17 Sept. 2014. The final plan addressing comments from the Commonwealth was approved 10th May 2016. This plan was published on the ACT Government Offsets Register on 19 th May 2016. A revised version of the OMP was sent to the Commonwealth on the 28 th March 2017 seeking a change to section 6.2.3 which was approved on the 19 th April 2017. This amended OMP was published on the ACT Government Offsets Register on the 14 th June 2017.

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	<ul style="list-style-type: none"> v. management of fire (in consideration of ecological requirements as well as protection of life and property); vi. management of access (including fencing and signage); vii. active and passive revegetation; viii. objectives and performance measures in relation to activities described in iii. to vii. (these should make reference where relevant to the claimed offset scores), along with corresponding contingency or remedial measures; ix. monitoring and reporting measures in relation to activities described in iii. to vii., in consideration of relevant reporting requirements of these conditions of approval; x. scheduling and costing estimates for activities described in iii. to vii; and xi. provisions for the transition of the offset site to the Canberra Nature Park, which includes a statement of commitment by the relevant government agency to ongoing maintenance and associated annual resourcing. 			
4	Within fourteen (14) days of commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	ACT NoWaste	Compliant	On 16 June 2015 Mr Manel Samarakoon (and the Department) was advised in writing of the actual date of commencement.

Condition Number	Condition	Responsibility	Compliant / Non-compliant / Not applicable	Description
5	The approval holder must report non-compliance with any of the conditions of this approval to the Department within fourteen (14) business days of their identification of the non-compliance along with the proposed remediation response where appropriate. Once agreed with the Department, any response must be implemented.	ACT NoWaste and PCS	Not applicable	No non-compliances occurred.
6	The approval holder must maintain accurate records substantiating all activities associated with or relevant to these conditions of approval, including measures taken to implement management documents required by these conditions of approval, 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 these conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	ACT NoWaste and PCS	Compliant	Records held on file by ACT NoWaste and PCS, Environment, Planning and Sustainable Development Directorate.
7	By 30 August of each year after approval of the action, the approval holder must publish a report on their website addressing compliance since the previous report (or since approval in the case of the first report), including implementation of any management documents required by these conditions of approval. Documentary evidence providing proof of the date of publication and non-compliance with any of these conditions of	ACT NoWaste and PCS	Non-Compliant (rectified)	<p>This report fulfils the requirement of Condition 7 in the Approval Decision. The report will be published by 30th August 2021 on the Offsets Register.</p> <p>2019-20 report: published 10th Sep 2020 (non-compliant (rectified))</p> <p>2018-19 report: published 29th Aug 2019 (compliant)</p> <p>2017-18 report: published 14th Jun 2018 (compliant)</p>

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	approval must be provided to the Department at the same time as the compliance report is published.			2016-17 report : published 18 th Jun 2017 (non-compliant (rectified)) 2015-16 report : published 14 th Oct 2016 (compliant) 2014-15 report : published 18 th Jun 2015 (compliant)
8	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with these conditions of approval is conducted and a report 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.	ACT NoWaste and PCS	Not applicable	No audit requested.
9	If the approval holder wishes to carry out any activity otherwise than in accordance with management documents required by these conditions of approval, the person taking the action must submit to the Department for the Ministers written approval a revised version of that management document. The varied activity shall not commence until the Minister has approved the varied management document in writing. The Minister will not approve a varied management document unless the revised management document would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management document, that management document must be	ACT NoWaste and PCS	Not applicable	

Condition Number	Condition	Responsibility	Compliant / Non-compliant / Not applicable	Description
	implemented in place of the management document originally approved.			
10	If the Minister believes that it is necessary or convenient for the better protection of matters of national environmental significance to do so, the Minister may request that the person taking the action make specified revisions to a management document specified in the conditions and submit the revised management document for the Ministers written approval. The approval holder must comply with any such request. The revised approved management document must be implemented. Unless the Minister has approved the revised management document, then the approval holder must continue to implement the management document originally approved, as specified in the conditions.	PCS	Not applicable	-
11	If, at any time after five (5) years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.	ACT NoWaste	Not applicable - Compliant	The action has substantially commenced.
12	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management documents referred to in these conditions of approval on their website within one (1) month of being approved.	PCS	Compliant	The final updated OMP was published on the ACT Government Offsets Register on 14th June 2017.

3. Implementation of the Offset Management Plan

The following table describes how the ACT Parks and Conservation Service (Environment, Planning and Sustainable Development Directorate) has undertaken the management actions described within the Offset Management Plan for the 2020-2021 reporting season on behalf of ACT NoWaste (the proponent).

Activity	Description (from OMP)	Estimated Timeframe for Completion (as described in OMP)	Actions / Comments (from 01 July 2020 – 30 June 2021)
Biomass management	<ul style="list-style-type: none"> A Biomass Management Plan will be developed to guide the management of the understorey biomass within the offset areas. The plan will outline the biomass requirements for the conservation values protected within the offset area (i.e. the White Box - Yellow Box - Blakely's Red Gum Grassy Woodland community) and how these requirements will be monitored to assist inform the offset management program. 		Biomass management is being handled through the Herbage Mass Management program and involves the monitoring and management of native animal abundance to control biomass amounts. This is informed by herbage mass guidelines and monitoring data.
Environment Impact Statement (EIS)	<ul style="list-style-type: none"> Seek advice from Conservation Research to determine if an EIS is required before undertaking any works that could impact the soil or vegetation (e.g. erosion control works) 	As required	This has not been required this year.
Pathogen Management	<ul style="list-style-type: none"> Develop an information hand-out for key staff, contractors and volunteers on the risks from <i>Phytophthora cinnamomi</i> and associated management protocols for working within the offset area. These management procedures will be revised immediately if a <i>P. cinnamomi</i> infestation is identified in the vicinity of, or within the offset area. 	2015-2016	Complete. Details in previous reports.
Site Clean-up	General site clean-up including: old fencing materials, tyres, general litter and discarded farm products.	2016-2017	Complete.

Activity	Description (from OMP)	Estimated Timeframe for Completion (as described in OMP)	Actions / Comments (from 01 July 2020 – 30 June 2021)
Fencing	<ul style="list-style-type: none"> Replacement or repair of boundary fences and gates. New fences to be installed using wildlife friendly specifications. 	2016-2017 and on-going maintenance	Ongoing as required. Minor maintenance was undertaken this year.
Access (Tracks and Trails)	<ul style="list-style-type: none"> Maintain existing tracks to ensure they remain suitable for emergency access. Some attention may need to be paid to erosion control on sections of the track. Any maintenance activities will need to be planned to ensure minimal disturbance to areas with good quality trackside vegetation. 	2017-2018 and on-going maintenance	Tracks have been maintained where required. Some track rationalisation to minimise impact of infrastructure-related access was undertaken.
General Information Signage	<ul style="list-style-type: none"> Three general park signs, one placed at the northern end and two at the southern end of the offset area. Three signs identifying prohibited activities will also be installed. 	2016-2017, and on-going maintenance	Signage was maintained as appropriate.
Weed control	<ul style="list-style-type: none"> To reduce the impact of weeds of concern, namely: Paterson's curse, St John's wort, saffron thistle and sweet briar. Prevent further spread of <i>Phalaris</i>. Spot spraying is the preferred method of control. Contractors must be able to identify native and exotic species to avoid off-target damage. 	On-going	<p>Weed control was conducted in the offset area during the reporting period. Weeds controlled included Serrated Tussock, African Lovegrass, St. John's Wort, Broadleaf and Chilean Needlegrass.</p> <p>The landscape scale program to control African Lovegrass established in 2018-19 is ongoing.</p>
Invasive Vertebrate control	<ul style="list-style-type: none"> Undertake a low-risk rabbit and fox control program. 	On-going	<ul style="list-style-type: none"> Spotlight counts were performed in spring 2020 and autumn 2021. Rabbit population numbers were low and no control was

Activity	Description (from OMP)	Estimated Timeframe for Completion (as described in OMP)	Actions / Comments (from 01 July 2020– 30 June 2021)
	<ul style="list-style-type: none"> Coordinate activities with those on Isaacs Ridge Nature Reserve and with adjacent land owners as is practicable. 		<p>necessary.</p> <ul style="list-style-type: none"> A camera trapping program for detection of foxes and cats was implemented in 2019. Monitoring continues annually.
Over-abundant vertebrate species	<ul style="list-style-type: none"> Contribute to the implementation of the Kangaroo Management Plan. This funding includes kangaroo monitoring to inform the management program. Depending on the outcomes from the kangaroo management program, funding may be re-diverted to erect fencing to exclude kangaroos from up to 20 hectares of the offset area. The biomass within this area will then be monitored to determine improvements in plant growth and recruitment compared to grazed areas outside the exclusion area. Placement will depend on kangaroo movements relative to adjacent roadways and subject to the necessary approval processes 	On-going	Kangaroo monitoring and management was successfully undertaken in autumn and winter 2021 in line with the Kangaroo Management Plan and the Herbage Mass guidelines.
Gully Erosion	Works are required to remediate gully erosion on site.	2017-2018	Erosion management for the site continues.
Revegetation	<ul style="list-style-type: none"> Shrubs will be planted within the 'Box Gum Woodland Derived Grassland' and 'Box Gum Woodland' areas. The latter will be undertaken post thinning of the thick stands of Eucalyptus regeneration. 	2017-2018	<p>Plantings were maintained.</p> <p>The acacia planting program implemented in Autumn 2020 continued, with an additional 500 tube stock. 700 plantings were added in the 2019/20 reporting period.</p>
Woody debris relocation	Source fallen timber and relocate to offset area.	Completed	Completed in 2014-15.

Activity	Description (from OMP)	Estimated Timeframe for Completion (as described in OMP)	Actions / Comments (from 01 July 2020 – 30 June 2021)
Ecological thinning	Ecological thinning of thickly regenerating Eucalyptus trees aimed to improve growth and maturation of remaining trees by reducing competition for nutrients and water and will hopefully reduce the spread and proliferation of parasitic insects. It also enables the development of stands with a diverse age structure and increased habitat complexity. Section 6.2.3.	2016-2017	<p>Thinning complete 2016-17.</p> <p>Monitoring of the vegetation within the plots will be carried out every 3-5 years for the next 20 years.</p> <p>Logistical issues with project equipment, as well as site conditions (e.g., 2019/20 bushfires), have delayed plans to revisit the project in recent years. It is currently planned to occur in 2022.</p>
Kangaroo monitoring	Monitor kangaroo populations as required for operations under the Kangaroo Management Plan.	On-going	Monitoring counts and management were conducted.
Vegetation Monitoring (Box Gum Grassy Woodland monitoring)	<ul style="list-style-type: none"> Baseline assessment of the extent and condition of the White Box – Yellow Box – Blakely's Red Gum Grassy Woodland community within the offset area (using Biometric and Umwelt (2012) methodologies) Botanical monitoring of floristic condition and diversity by contractor every three years thereafter. 	Spring 2015 and on-going	<ul style="list-style-type: none"> Baseline monitoring was conducted by consultants in 2012 and 2016 2017 monitoring was delayed for a year so detailed mapping of woodlands could be completed by external consultants and monitoring plots stratified across all woodland condition classes. Plot based monitoring recommenced in 2018 using a consistent protocol outlined in federal and ACT Government guidelines. This plot-based monitoring continued in 2019/20 for BGW condition. BGW monitoring will not be undertaken again until 2023. Floristic and understorey structure monitoring was undertaken by offsets in-house ecologists in 2018, 2019 and 2020. Floristic monitoring will not be undertaken again until 2023. Understorey structure and weed monitoring will continue annually at the site to inform grazing, fire and other management programs. The 2017 mapping indicates that the site contains 35.26 ha of EPBC-quality BGW and 1.67 ha of low quality BGW that does not meet EPBC listing criteria (due to a combination of understorey exotic dominance and low ground-layer forb diversity). 2017 mapping is broadly consistent with 2012 mapping, except for the 1.67ha of low quality BGW. Reports are published on the Environmental Offsets website and Offsets Register.

Activity	Description (from OMP)	Estimated Timeframe for Completion (as described in OMP)	Actions / Comments (from 01 July 2020 – 30 June 2021)
			<ul style="list-style-type: none"> Monitoring data is reported on in the 2018/19 Monitoring Report, and 2019/20 Monitoring Report, to be published on the Offsets Register and Offsets Website in August 2021.
Monitor Rare Plants	<ul style="list-style-type: none"> Develop a program with the ACT Government ecologists to monitor the eight rare plant species within the offset area 	2015-2016	Complete. None of the rare species were located. Future monitoring of rare plant species will be undertaken by the Conservation Research Science arm of ACT Government.
OMP Review	<ul style="list-style-type: none"> The review of the OMP as per section 11 	2018	This plan is currently under review. Submission of draft Isaacs Offset Management Plan 2021 – 2026 to the Department estimated by the end of 2021.
Staff	<ul style="list-style-type: none"> To deliver the actions outlined in this plan resources to support a part time Senior Ranger (Ranger Grade 3) position and vehicle are required. 	On-going	A permanent Senior Ranger Grade 3 (R3) officer was recruited to deliver the actions of this plan on 1 October 2016. The Isaacs offset area is one of multiple offsets areas managed by the ranger and therefore, the expenditure on salary is weighted accordingly.
Training	<ul style="list-style-type: none"> All personal, including contractors, involved in managing the offset area must be trained in the requirements and appropriate management of White Box – Yellow Box – Blakely's Red Gum Grassy Woodland. 	As needed.	Training is on-going as required.

4. Other Actions

Below are other actions that have been undertaken in relation to the site, as well as notable results.

Activity	Description	Actions / Comments
Restoration	Eucalyptus blakelyi dieback management	Soil testing and tree assessments for Eucalyptus blakelyi dieback management were conducted. An ecological burn for Eucalyptus blakelyi dieback management was planned, however it has been postponed to the 2021/22 financial year due to site conditions.
Restoration	Seed collection	Seed collection of ground cover species was conducted to assist with restoration projects.
Restoration	Monitoring	Swainsona Recta was discovered for the first time in approximately 20 years during Spring.
Monitoring	Annual woodland bird monitoring following the methods outlined in the 2018/19 and 2019/20 Annual Monitoring Reports	Woodland birds are monitored by suitably qualified in-house ecologists as part the woodland bird monitoring program. This monitoring is consistently undertaken seasonally (every three months, four times a year), and was undertaken in 2018, 2019, 2020, 2021 and will be completed in Summer 2022.
Monitoring	Photo monitoring - Undertaken as part of the Box–Gum Woodland monitoring	<p>Photo monitoring points have been established in the Offset Area, co-located with the vegetation monitoring plots. These points assess change over time and will help to determine the effectiveness of active management of interventions such as gully erosion control, weed control, regeneration and revegetation (if appropriate).</p> <p>This was undertaken as part of the Box–Gum Woodland monitoring in 2016. Photo-points were undertaken in 2018, 2019 and 2020 as part of the vegetation monitoring. Currently on site there are 15 photo monitoring points associated with vegetation monitoring plots.</p> <p>Future monitoring is planned for 2023, 2026, 2029, and 2032</p>
Pest management	Monitoring	Exotic bird species have not been recorded on the site in three years.