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Office of Compliance  
Department of Environment; Energy  
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Canberra ACT 2601

### **Compliance with EPBC 2009/4796 Jandakot Airport Holdings Pty Ltd**

We bring to your attention a proposed failure to comply with an environmentally significant Ministerial Condition under the EPBC Act.

We understand that the process of five yearly review of the Jandakot Airport Master Plan has commenced as required under the federal Airports Act. Under this Act, the leaseholder Jandakot Airport Holdings Pty Ltd (JAH) is required to consult with State and federal conservation bodies. The EPBC Act is key legislation for regulating development of airports.

In the federal Environment Minister's Approval Conditions for the Major Development Plan of 2009, which was to construct a fourth runway and associated taxiways etc. (EPBC 2009/4796), Ministerial condition number 3 was that *'the person must conserve in perpetuity all land in Conservation Precincts 1A, 1B, and 2'*.

Now Jandakot Airport Holdings Pty Ltd is seeking to revoke and breach this Ministerial Condition number 3 and to clear 65% of the Banksia woodland which is supposed to be protected in perpetuity under this Condition 3. Thus the 119ha of Banksia woodland (with MNES) would be reduced to 43ha after the clearing of 76ha. The purpose is for commercial rather than aviation development.

Notably JAH is proposing to give the Conservation Precincts new names and boundaries as follows:

Precincts 1A and 1B changing to 8 and 8A with changed boundaries;

Precinct 2A changing to 7 and 7A.

Notably also, JAH, on maps presented at stakeholder meetings, has also changed the boundaries of the above precincts which is confusing and obfuscates transparency in the review process.

These changes may be used to hide the proposed clearing described above which would be in breach of Ministerial Condition number 3 as above which is totally unacceptable.

Will you therefore call in and advise JAH that their proposed revision of the Master Plan is **in breach** of this Ministerial Condition number 3, and that JAH must ensure that their revised Master Plan **does not propose to clear any of the 119 ha of Conservation Precincts 1a, 1b, 2a and 2b** as shown in the approved 2010 and the 2014 Master Plans for Jandakot Airport and that it all **remains protected in perpetuity** as required under the Ministerial approval Condition number 3 (signed and dated 25 March 2010) for EPBC 2009/4796?

We also ask you to ensure that JAH does not change any of the boundaries or names of any of the Precincts.