



mainroads  
WESTERN AUSTRALIA

# EPBC Act Compliance Report

Northam Pithara Road Widening and Sealing,  
Western Australia (EPBC 2015/7454)

Reporting period: 4 June 2020 to 18 May 2021

Report Compilation & Review	Name and Position	Date	Document Revision
Author	Lyn Van Gorp (Senior Environment Officer)	30 August 2021	Draft v1
Reviewer	Kirsi Kauhanen (Senior Environment Officer)	30 August 2021	Rev 0

# Contents

<b>1</b>	<b>INTRODUCTION</b> .....	<b>3</b>
1.1	Approval under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .....	3
1.2	Purpose of this Report .....	3
<b>2</b>	<b>COMPLIANCE</b> .....	<b>4</b>
<b>3</b>	<b>APPENDICES</b> .....	<b>9</b>
	Appendix A: Email notification to the Department of uploading of 2020 Compliance Report onto Main Roads' website.....	10

# 1 INTRODUCTION

Main Roads Western Australia (Main Roads) has undertaken road widening along Northam Pithara Road between 129.12 Straight Line Kilometre (SLK) and 152.25 SLK in order to address substandard safety conditions. The road has now been widened from a single lane road to two lanes. Due to funding constraints, the works did not involve the realignment of two substandard curves that were included in the initial proposal.

No activities were undertaken under this approval during the reporting period.

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

The Project was referred to the former Department of the Environment (now the Department of Agriculture, Water and the Environment (the Department)) for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) due to its potential impacts on the listed threatened species Carnaby's Cockatoo (*Calyptorhynchus latirostris*). The Department granted approval of the Project on 17 June 2016 (EPBC 2015/7454), which included a number of conditions that Main Roads is required to fulfil.

## 1.2 Purpose of this Report

This compliance report has been produced to satisfy Condition 6 of approval EPBC 2015/7454. EPBC 2015/7454 was in effect until 18 May 2021. Accordingly, the reporting period for this compliance report covers the period 4 June 2020 to 18 May 2021. Table 1 outlines project compliance against each approval condition during this reporting period. Due to the expiry of the approval, this is also the final annual compliance report to be submitted for the Project.

## 2 COMPLIANCE

Table 1: Compliance with Conditions of EPBC Approval 2015/7454

Condition Number	Condition	Status	Evidence/Comments
1	For the protection of the EPBC Act listed Carnaby's Cockatoos ( <i>Calyptorhynchus latirostris</i> ) the person taking the action must not clear more than 13.56 ha of Carnaby's Cockatoo foraging habitat and 56 potential breeding trees.	Compliant	No vegetation clearing occurred during the reporting period. A total of 12.24 ha of Carnaby's Cockatoo foraging habitat and 28 potential breeding trees has been cleared for the Project.
2	For the protection of the EPBC Act listed Carnaby's Cockatoos ( <i>Calyptorhynchus latirostris</i> ) and the Silky Frankenia ( <i>Frankenia conferta</i> ) the person taking the action must comply with conditions 7 and 10 of clearing permit (CPS 6670/1)	Not applicable	Given that no activities were undertaken under this approval during the reporting period, conditions 7 and 10 of clearing permit (CPS 6670/1) were not applicable during this period.

Condition Number	Condition	Status	Evidence/Comments
3	<p>To offset the loss of Carnaby's Cockatoo foraging habitat and 56 potential breeding trees, prior to the commencement of the action, the person taking the action must:</p> <ul style="list-style-type: none"> <li>a) Make a financial contribution to the WA DER Offsets Fund to fully fund the purchase of an offset site containing a minimum of 47 ha of Carnaby's black cockatoo foraging habitat and potential breeding trees, and</li> <li>b) Provide the Department with written evidence that the financial contribution has been made to the WA DER Offsets Fund.</li> </ul> <p>Within 2 months of being advised of the purchase of the offset property required under condition 3.a (or as otherwise agreed by the Department in writing) the person taking the action must ensure that the Department is provided with the offset attributes and a shapefile.</p>	Compliant	<p>A financial contribution was made to the WA DER Offsets Fund prior to the commencement of the action.</p> <p>Written confirmation of this financial contribution was previously provided to the Department via email on 16 August 2016 as well as in the 2019 Compliance Report.</p> <p>Main Roads has not yet been notified that the offset property has been purchased. Once advised of the details of the offset property, Main Roads will provide these to the Department despite the expiry of EPBC 2015/7454.</p>

Condition Number	Condition	Status	Evidence/Comments
4	Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Compliant	The action was commenced on 4 June 2018. Main Roads notified the Department of commencement of the action in writing on 18 June 2018.
5	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the 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 the 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.	Compliant	Main Roads has maintained records in accordance with this condition and their legal obligations, under the <i>State Records Act 2000</i> (Western Australia).

Condition Number	Condition	Status	Evidence/Comments
6	<p>Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval. 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 compliance report is published. Unless otherwise agreed to in writing by the Minister, each report must remain on the website for the life of the approval. The person taking the action must continue to comply with this condition until such time as agreed to in writing by the Minister.</p>	Compliant	<p>The action commenced on 4 June 2018. This 2021 Compliance Report covers compliance for the reporting period 4 June 2020 to 18 May 2021. This 2021 Compliance Report will be published on the Main Roads website by 1 September 2021 and documentary evidence of the date of publication will be sent to the Department.</p> <p>The 2020 compliance report (for the reporting period 4 June 2019 to 3 June 2020) was published on the Main Roads website on 11 September 2020 and documentary evidence of the date of publication was sent to the Department on that date (refer to Appendix A). This report is still published on the website and evidence of this is available at <a href="https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/">https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/</a></p>



Condition Number	Condition	Status	Evidence/Comments
7	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 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.	Not applicable	To date, no direction has been received from the Minister to undertake an independent audit of compliance with the conditions of approval EPBC 2015/7454
8	If, at any time after 5 years from the date of this approval, the person taking the action has not commenced the action, then the person taking the action must not commence the action without the written agreement of the Minister.	Not applicable	The project was approved on 17 June 2016 and the action was commenced on 4 June 2018.

### **3 APPENDICES**

## Appendix A: Email notification to the Department of uploading of 2020 Compliance Report onto Main Roads' website

RE: Northam Pithara Rd widening and sealing - Annual Compliance Report (EPBC 2015/7454) [SEC=OFFICIAL]


VAN GORP Lyn (SEO) <Lyn.VanGorp@mainroads.wa.gov.au>

To EPBC Monitoring; EPBC Monitoring

Cc Clearing Permit; WEST Paul (Con)

Reply Reply All Forward ...

Fri 11/09/2020 11:24 AM

 EPBC Act compliance report\_EPBC 2015 7454\_Sep 2020\_Rev0\_compressed.pdf  
3 MB

Good morning,

Please find attached the annual compliance report prepared as a requirement of Condition 6 of the Northam Pithara Road EPBC Act approval (EPBC 2015/7454). The report covers the reporting period 4 June 2019 to 3 June 2020.

The report is also available on the Main Roads website at the following link:

<https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/>.

Kind regards,

Lyn

**Lyn Van Gorp**

Senior Environment Officer - Wheatbelt

Planning and Technical Services Directorate

p: +61 8 9323 4459

w: [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au)



*We're working for  
Western Australia.*

