



mainroads
WESTERN AUSTRALIA

EPBC Act Compliance Report

York-Merredin Road Widening and Upgrade, Shire
of Quairading, Western Australia
(EPBC 2015/7536)

Reporting period: 29 November 2016 to
29 November 2017

Report Compilation & Review	Name and Position	Date	Document Revision
Author	Lyn Van Gorp (Environment Officer)	18 February 2018	Draft v1
Reviewer	Paul West (Senior Environment Officer)	19 February 2018	
Author	Lyn Van Gorp (Environment Officer)	19 February 2018	Rev 0
Reviewer	Paul West (Senior Environment Officer)	19 February 2018	

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1 INTRODUCTION

Main Roads Western Australia (Main Roads) is upgrading three sections of York-Merredin Road, in the Avon Wheatbelt region of Western Australia between Straight Line Kilometre (SLK) 1.95 and SLK 51.

Gradual and steady increases in traffic levels along the York-Merredin Road have occurred as a result of increased grain freight movements in the area. This has increased the volume of vehicles using the York-Merredin Road to access the Co-operative Bulk Handling bins in the area. The width of the existing road is unsuitable for the increased traffic and works have commenced to improve the road geometry and general road safety attributes along this section of road.

The Project consists of the following key components:

- Road widening for three sections of road.
- The extension of 24 culverts, one new culvert and the upgrade of 13 existing culverts with wider culverts in the first section (1.95 SLK to 15 SLK).
- The replacement of six culverts and extension of 10 culverts in the second section (19 SLK to 29 SLK).
- The replacement of 21 culverts, extension of 26 and one new culvert in the third section (29 SLK to 51 SLK).

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 the Environment and Energy (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 Black Cockatoo (*Calyptorhynchus latirostris*) and the Red-tailed Phascogale (*Phascogale calura*). The Department granted approval of the Project on 15 November 2016 (EPBC 2015/7536), which included a number of conditions that Main Roads is required to fulfil.

1.2 Purpose of this Report

Clearing for the Project commenced on 29 November, 2016. This compliance report has been produced to satisfy Condition 6 of approval EPBC 2015/7536. Table 1 of this report outlines project compliance against each approval condition over the 12 month period 29 November 2016 to 29 November 2017.

2 COMPLIANCE

Table 1: Compliance with Conditions of EPBC Approval 2015/7536

Condition Number	Condition	Status	Evidence/Comments
1	<p>For the protection of the EPBC Act listed Carnaby's black cockatoo (<i>Calyptorhynchus latirostris</i>) and the Red-tailed phascogale (<i>Phascogale calura</i>) the person taking the action must:</p> <p>a) Ensure the maximum total clearing is no more than 38.85 ha</p> <p>b) Clear no more than 35.59 ha of Carnaby's black cockatoo foraging habitat and 592 potential breeding trees</p> <p>c) Clear no more than 38.2 ha of Red-tailed phascogale (<i>Phascogale calura</i>) habitat.</p> <p>d) Comply with condition 7 of clearing permit (CPS 6800/1).</p>	Compliant	<p>a) A total of 7.44 ha has been cleared for the project during the reporting period; between 1.95 and 15 SLK. This clearing represents the total clearing undertaken to date for this project (refer to Figures 1a-1g in Appendix A).</p> <p>b) Of the 7.44 ha of vegetation cleared during the reporting period, 5.78 ha of Carnaby's black cockatoo foraging habitat was cleared. The clearing also included removal of 185 potential breeding trees. This represents the total clearing undertaken to date for this project.</p> <p>c) Of the 7.44 ha of vegetation cleared during the reporting period, 6.91 ha of habitat suitable for the Red-tailed phascogale was cleared.</p> <p>d) Works undertaken to date have been undertaken in accordance with Condition 7 of CPS 6800/1: Weed Control. An example of Weed and Seed Inspection Certificates used on site to manage potential weed spread is provided in Appendix B.</p>

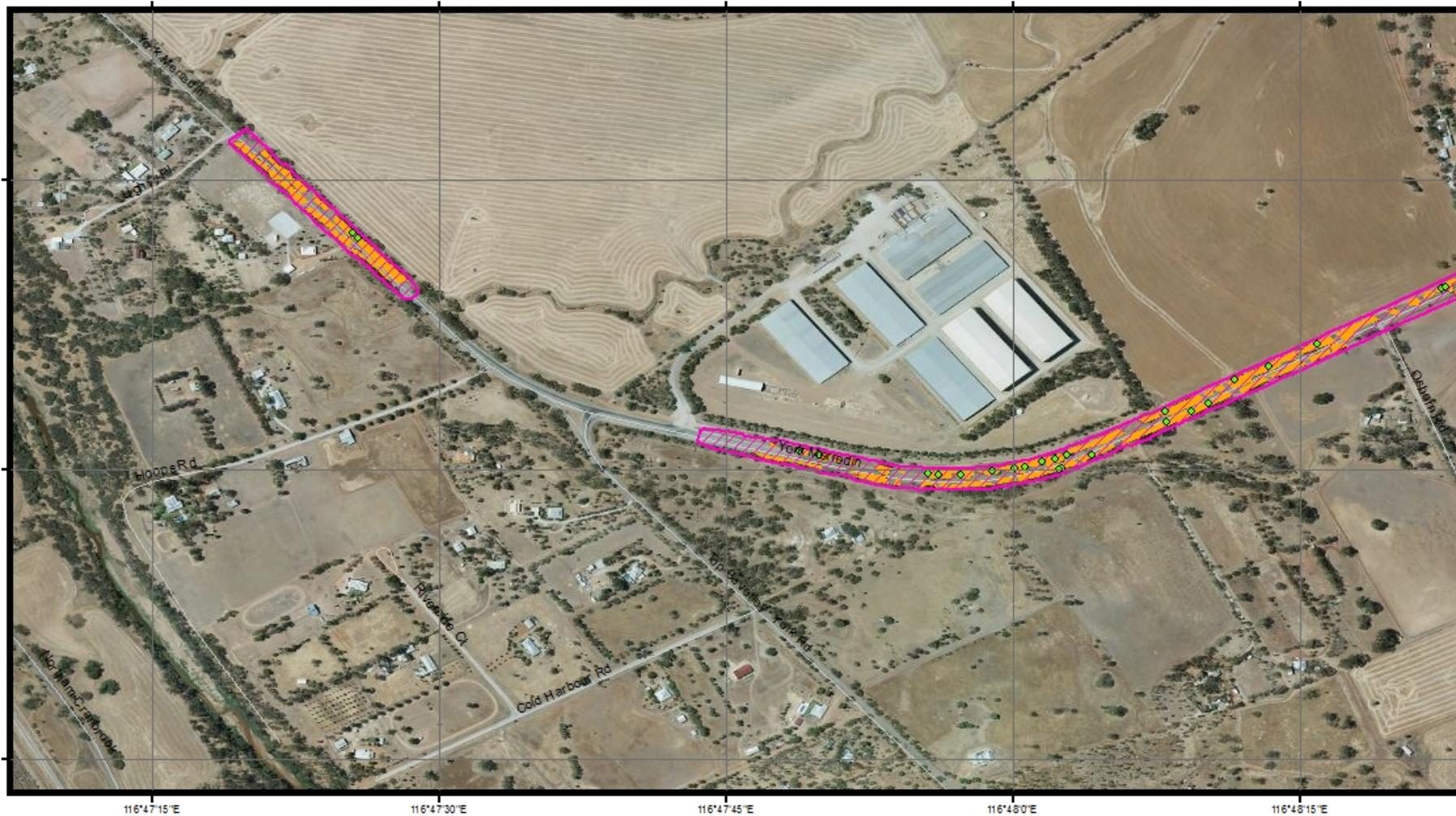
Condition Number	Condition	Status	Evidence/Comments
2	<p>To offset the loss of Carnaby’s black cockatoo foraging habitat and 592 potential breeding trees and habitat for the Red-tailed phascogale, prior to the commencement of the action, the person taking the action must:</p> <p>a) Make a financial contribution to the WA DER Offsets Fund to fully fund the purchase of an offset site containing a minimum of 261 ha of Carnaby’s black cockatoo foraging habitat and potential breeding trees and habitat for the Red-tailed phascogale.</p> <p>b) Provide the Department with written evidence that the financial contribution has been made to the WA DER Offsets Fund.</p>	Compliant	<p>A financial contribution was made to the WA DER Offsets Fund prior to commencement of the action.</p> <p>Written evidence of this financial contribution was previously provided to the Department via email on 30 November 2016.</p> <p>Refer to Appendix C for a copy of the receipt for the offset payment.</p>
3	<p>Within 12 months of the commencement of the action (or otherwise agreed by the Department in writing), the person taking the action must provide the Department with the offset attributes and a shapefile.</p>	Compliant	<p>The action commenced on 29 November 2016.</p> <p>The offset attributes and shapefile were provided to the Department on 31 October 2017 (refer to Appendix D).</p>
4	<p>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.</p>	Compliant	<p>The action was commenced on 29 November 2016. Main Roads notified the Department of commencement of the action in writing on 30 November 2016.</p> <p>Refer to Appendix E for copy of notification.</p>

Condition Number	Condition	Status	Evidence/Comments
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).
6	Unless otherwise agreed to in writing by the Minister, 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. Reports must remain published for the life of the approval. The person taking the action must continue to publish this report each year until such time as agreed to in writing by the Minister.	Compliant	The action commenced on 29 November 2016. This 2018 compliance report covers compliance for the reporting period 29 November 2016 to 29 November 2017. This 2018 compliance report will be published on the Main Roads website on 19 February 2018 and documentary evidence of the date of publication will be sent to the Department.

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 2015/7536
8	If, at any time after 5 years from the date of this approval, the person taking the action has not substantially 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 15 November 2016 and the action was commenced on 29 November 2016.

3 APPENDICES

Appendix A: Figures showing clearing undertaken during reporting period



Legend

- ◆ Potential breeding trees removed during reporting period
- ▨ York Merredin Approval Envelope
- ▨ York Merredin Clearing undertaken during reporting period

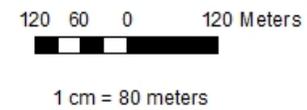
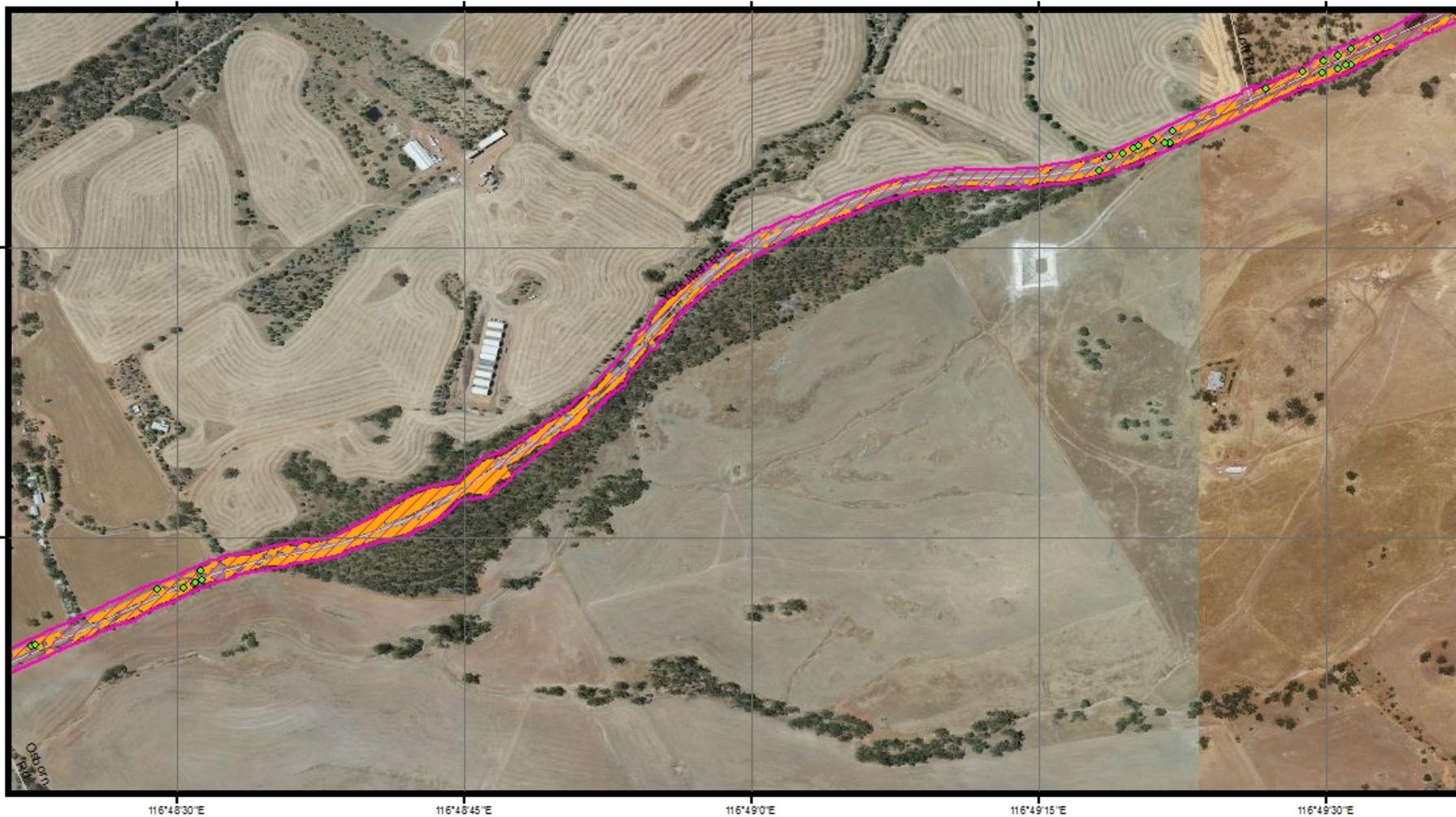


Figure 1a - York - Merredin Clearing undertaken during Reporting Period



Legend

- ◆ Potential breeding trees removed during reporting period
- ▨ York Merredin Approval Envelope
- York Merredin Clearing undertaken during reporting period

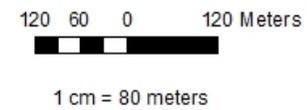
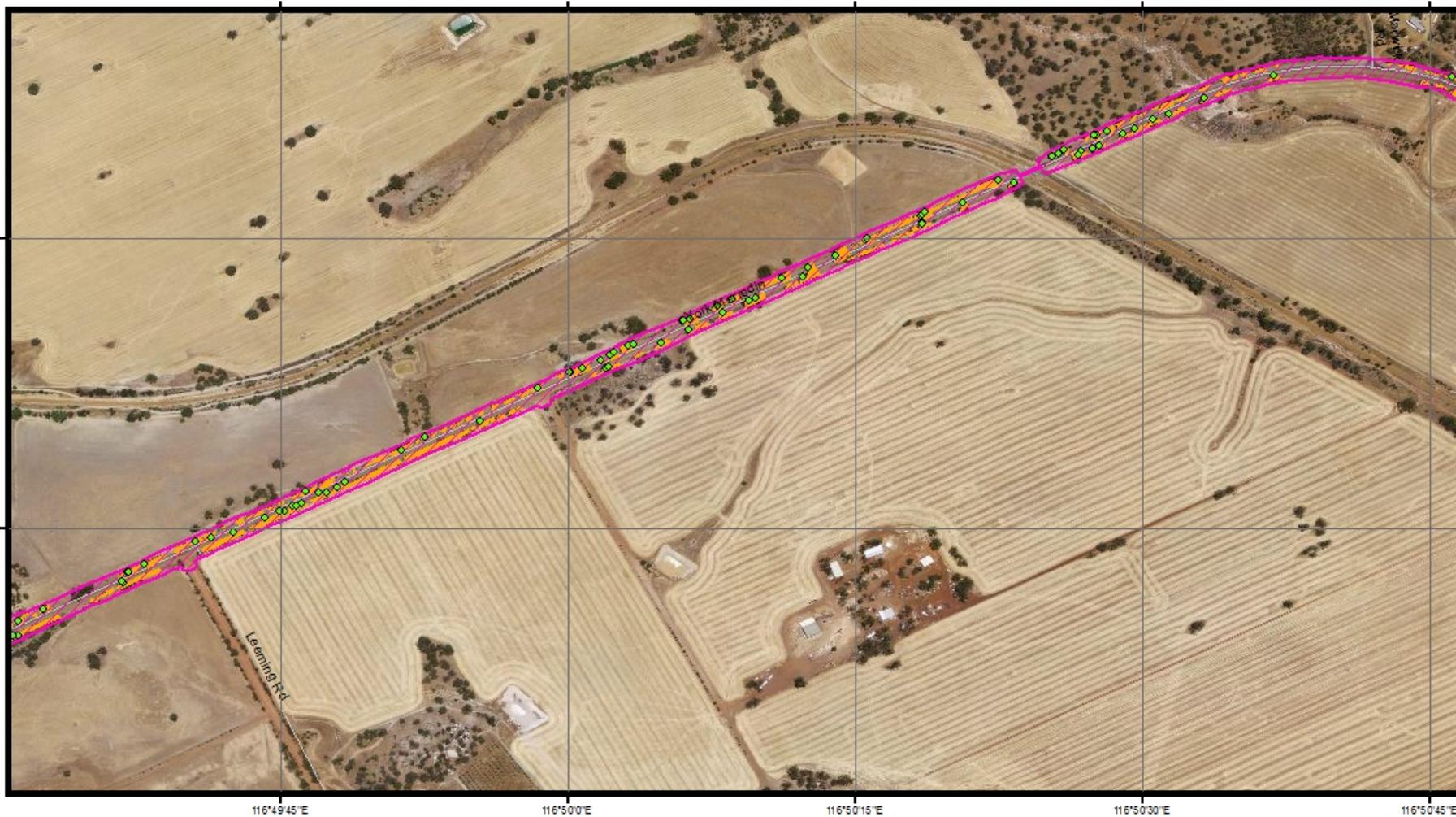


Figure 1b - York - Merredin Clearing undertaken during Reporting Period



Legend

- ◆ Potential breeding trees removed during reporting period
- ▨ York Merredin Approval Envelope
- ▨ York Merredin Clearing undertaken during reporting period

120 60 0 120 Meters
1 cm = 80 meters



Figure 1c - York - Merredin Clearing undertaken during Reporting Period



Legend

-  Potential breeding trees removed during reporting period
-  York Merredin Approval Envelope
-  York Merredin Clearing undertaken during reporting period

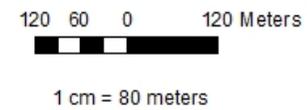


Figure 1d - York - Merredin Clearing undertaken during Reporting Period



Legend

- ◆ Potential breeding trees removed during reporting period
- ▨ York Merredin Approval Envelope
- ▨ York Merredin Clearing undertaken during reporting period

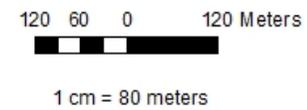
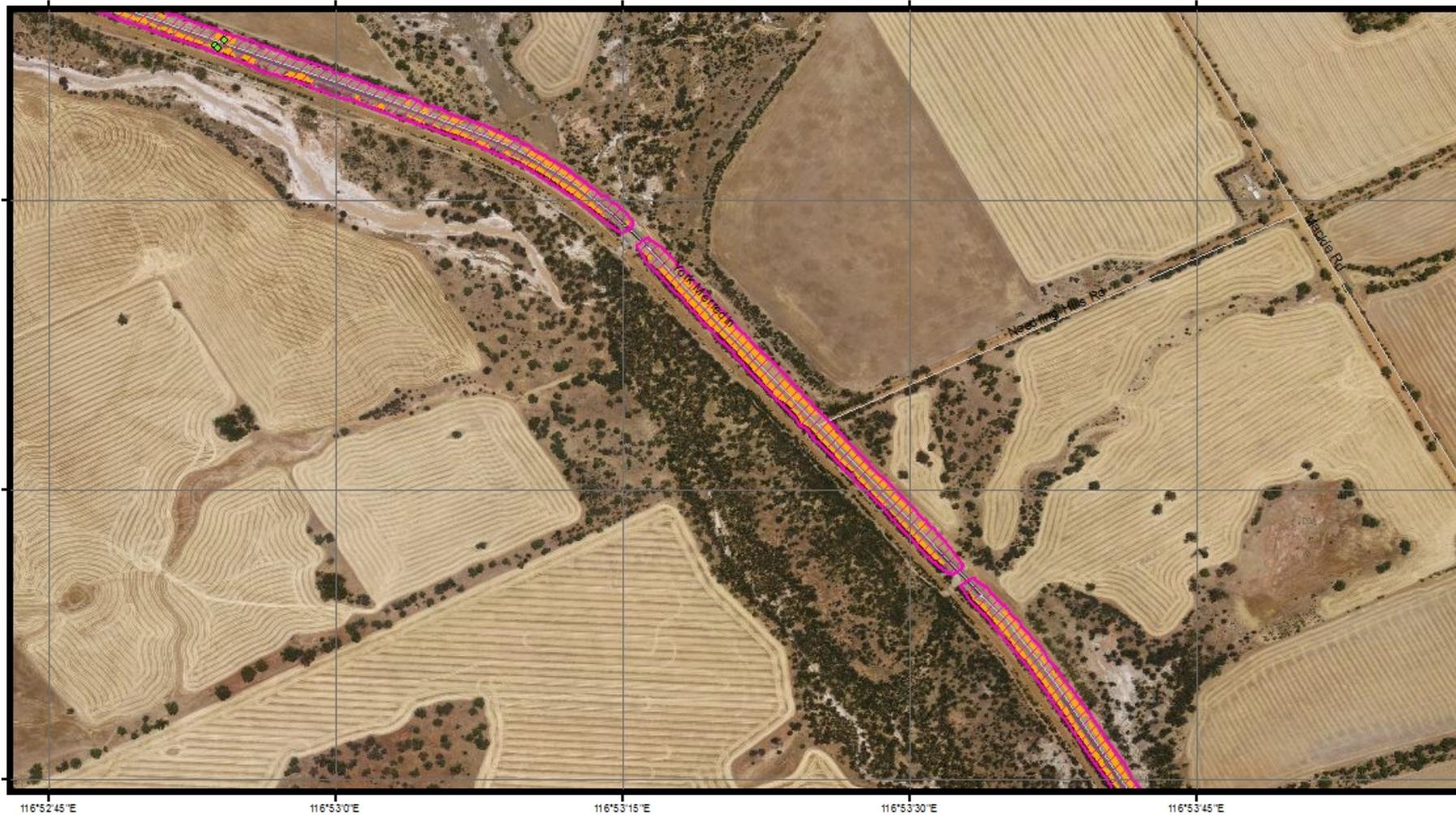
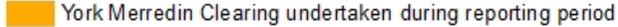


Figure 1e - York - Merredin Clearing undertaken during Reporting Period



Legend

-  Potential breeding trees removed during reporting period
-  York Merredin Approval Envelope
-  York Merredin Clearing undertaken during reporting period

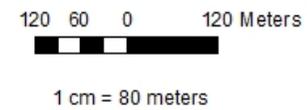


Figure 1f - York - Merredin Clearing undertaken during Reporting Period



Legend

- ◆ Potential breeding trees removed during reporting period
- ▨ York Merredin Approval Envelope
- York Merredin Clearing undertaken during reporting period

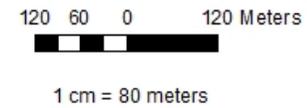


Figure 1g - York - Merredin Clearing undertaken during Reporting Period

Appendix B: Sample Weed and Seed Inspection Certificate used on site during the reporting period



WEED & SEED INSPECTION CERTIFICATE

FOR PLANT AND MOBILE EQUIPMENT MOVEMENT

Prior to arriving on site or departing site, all vehicles, machinery and equipment shall be clean and visually free of:

- Plant matter
- Soil/mud
- Fireants (in Qld)

This is a legal requirement, refer to <http://www.weeds.gov.au/government/legislation.htm> for further information.

PART 1 – TO BE COMPLETED BY THE SENDER OF THE EQUIPMENT

Equipment Number	Equipment Description	Current Location	Date Cleaned
L14	SVL75 POSI TRACK	MAYDAY YARD	20/2/2017

I declare that the equipment listed above has been thoroughly inspected by myself and is free of all soil/mud, seeds, plant matter (and fire ants where relevant).

Name: LUCAS SARTORI
 Position: COORDINATOR
 Company: MAYDAY EARTHMOVING
 Signature: [Handwritten Signature]
 Date: 14-02-2017

PART 2 – TO BE COMPLETED BY THE RECEIVER OF THE EQUIPMENT

I declare that the equipment listed above has been thoroughly inspected by myself and is in fact free of all soil/mud, seeds, plant matter (and fire ants where relevant) and is therefore suitable for entry to this site.

Name: Joe Egerton
 Position: Plant Co-ordinator
 Signature: [Handwritten Signature]
 Date: 20/2/17

Please provide a copy of this form to Plant Co-Ordinator / Plant Administrator

Appendix C: Copy of Receipt for Offset Payment

DEPARTMENT OF ENVIRONMENT REGULATION OFFICIAL RECEIPT AND TAX INVOICE ABN 98 954 078 362		RECEIPT NO DER0055473												
District: <u> ATRIUM </u>	Date: <u> 29-Nov-16 </u>													
RECEIVED from: <u> 067445 MAIN ROADS WA 2032309 </u> on account of: <u> Main Roads WA </u>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: left;">INVOICE or SHORTCODE</th> <th style="text-align: left;">AMOUNT</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">INV 9893 Offset CPS 6800/1</td> <td style="padding: 2px;">9893</td> <td style="padding: 2px; text-align: right;">\$368,271.00</td> </tr> <tr> <td colspan="2" style="padding: 2px;"> Collector: <u> ~A.Chen~ </u> </td> <td style="padding: 2px;"> GST (10%) \$0.00 </td> </tr> <tr> <td colspan="2" style="padding: 2px;"></td> <td style="padding: 2px;"> TOTAL inc. GST \$368,271.00 </td> </tr> </tbody> </table>	DESCRIPTION	INVOICE or SHORTCODE	AMOUNT	INV 9893 Offset CPS 6800/1	9893	\$368,271.00	Collector: <u> ~A.Chen~ </u>		GST (10%) \$0.00			TOTAL inc. GST \$368,271.00		
DESCRIPTION	INVOICE or SHORTCODE	AMOUNT												
INV 9893 Offset CPS 6800/1	9893	\$368,271.00												
Collector: <u> ~A.Chen~ </u>		GST (10%) \$0.00												
		TOTAL inc. GST \$368,271.00												

Appendix D: Provision of Offset Attributes and Shapefile to the Department



Enquiries: Lyn Van Gorp, (08) 9323 4459
Our Ref: D17#861045
Your Ref: EPBC 2015/7536

31/10/2017

Vaughn Cox
Compliance and Enforcement Branch, Environment Standards Division
Department of the Environment and Energy
GPO Box 787
Canberra ACT 2601

Dear Mr Cox

York-Merredin Road Widening and Upgrade (EPBC 2015/7536) - Provision of Offset attributes and shapefile

The Department of the Environment and Energy (the Department) approved the upgrade of York-Merredin Road between Straight Line Kilometres 1.95 and 51 on 15 November 2016 (EPBC 2015/7536). The approval required offsetting the project impacts on habitat for Carnaby's black cockatoo (*Calyptorhynchus latirostris*) and the Red-tailed phascogale (*Phascogale calura*). Condition 2a of EPBC 2015/7536 required Main Roads to make a financial contribution to the WA DER Offsets Fund to fully fund the purchase of an offset site containing a minimum of 261ha of Carnaby's black cockatoo foraging habitat and potential breeding trees and habitat for the Red-tailed phascogale. On 30 November 2016 Main Roads provided written evidence to the Department that a financial contribution had been made to the WA Offsets Fund, and that the action had commenced on 29 November 2016.

The Department of Water and Environmental Regulation (DWER) has notified Main Roads that the offset site for the York-Merredin Road Widening and Upgrade project has now been acquired and will be managed by the Department of Biodiversity, Conservation and Attractions for the purposes of conservation. The shapefile and an Excel spreadsheet summarising the attributes of the offset site is attached in accordance with the requirements of Condition 3 of EPBC 2015/7536.

Condition 2 of EPBC 2015/7536 stipulates that the purchased offset site must contain a minimum of 261 ha of Carnaby's black cockatoo foraging habitat and potential breeding trees, and habitat for the Red-tailed phascogale. DWER has advised that the offset site for the York Merredin Road Widening and Upgrade project comprises 365.94 ha of remnant native vegetation that provides suitable foraging, nesting and roosting habitat for black cockatoos as well as suitable foraging and breeding habitat for the Red-tailed phascogale. Large trees with hollows were reportedly observed regularly within the site. The selected offset site is therefore considered to satisfy the offset characteristics required under Condition 2.

The offset of 365.94 ha for the York Merredin Road Widening and Upgrade project forms part of a larger offset site comprising 401.4 ha in total. The additional 41.46 ha meets the offset requirements for other Main Roads projects and demonstrates the benefits of a strategic approach to offsets facilitated by DWER.

For your information, further details of the offset site are available from the Government of Western Australia's Environmental Offsets Register (<https://offsetsregister.wa.gov.au/public/projectversion/397/>).

Main Roads Western Australia
Don Aitken Centre, Waterloo Crescent, East Perth WA 6004
PO Box 6202, East Perth WA 6892

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enquiries@mainroads.wa.gov.au
138 138



Please do not hesitate to contact me should you have any queries in relation to this matter.

Yours sincerely

A handwritten signature in blue ink that reads 'Martine Scheltema'.

Martine Scheltema
Manager Environment

Enc. Shapefile of offset site
Offset attributes

cc James Widenbar Senior Manager/Acting Clearing Regulation, DWER

Appendix E: Email notification to the Department of Commencement of the Action
(Please note: for confidentiality purposes, personal details have been redacted)

Wed 30/11/2016 11:22 AM

■ LUPTON Rochelle (Con) <rochelle.lupton@mainroads.wa.gov.au>

York Merredin

To EPBCmonitoring@environment.gov.au

Cc 'Cassanell, Dionne'



Please be advised that, in accordance with Permit 2015/7536, conditions 2b) and 4):

- The offset for this project has been paid into the Offset Fund. Receipt attached.
- Clearing commenced on Tuesday 29th November 2016.

Rochelle Lupton

Environment Officer

Wheatbelt

p: [REDACTED] | m: [REDACTED]

w: www.mainroads.wa.gov.au

