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EPBC Act Compliance Report

Brand Highway widening and passing lanes project 34.83-164.3 SLK, WA
(EPBC 2017/7864) D21#88132

Reporting period: 11 December 2019 to 11 December 2020

Report Compilation & Review	Name and Position	Document Revision	Date
Author:	Emma Simpson Environment Officer	Draft v1	21/1/2021
Reviewer:	John Nielsen Environmental Advisor (Contractor)	Rev 0	01/02/2021
Author:	Emma Simpson Environment Officer	Rev 0	02/02/2021

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1 Introduction

1.1 Background

Main Roads Western Australia (Main Roads) is currently undertaking widening and passing lanes works on Brand Highway between 34.83-164.3 Straight Line Kilometres (SLK), in the Shire of Gingin and Dandaragan (the Project). The improvements are intended to improve the safety of Brand Highway by providing safe overtaking opportunities and improving the functionality of the road.

The Main Roads Mid-West Gascoyne Region is delivering the Project in stages based on funding availability. Project implementation commenced on 11 December 2019. Main Roads notified the Department of Agriculture, Water and the Environment (the Department) of Project commencement in writing on 12 December 2019 (Appendix E). Activities undertaken during the reporting period (11 December 2019 to 11 December 2020) comprised clearing and construction of sections of the Project between 67.5-74 and 77-86 SLK.

1.2 Approval under the *Environment Protection and Biodiversity Conservation Act 1999*

The Project was referred to the Department in January 2017 for assessment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The Project was determined to be a Controlled Action on 16 March 2017 due to its potential impacts on listed threatened species and communities. The Department granted approval for the Project on 25 September 2019 (EPBC 2017/7864), which included a number of conditions that Main Roads is required to fulfil.

1.3 Purpose of this Report

Clearing for the Project commenced on 11 December 2019. This compliance report has been produced to satisfy Condition 13 of approval EPBC 2017/7864. Table 1 of this report assesses the Project's compliance against each approval condition over the 12 month reporting period: 11 December 2019 and 11 December 2020.

2 Compliance

Table 1: Compliance with Conditions of EPBC Approval 2017/7864

Condition Number	Condition	Status	Evidence/Comments
1	To minimise impacts to EPBC Act listed threatened species and ecological communities, the approval holder must not clear more than 37.8 ha of vegetation as required under Condition 3 (Area of clearing) of the Western Australian approval.	Compliant	A total of 9.91 hectares (ha) of native vegetation was cleared for the project during the reporting period. This is in line with Condition 3 of the Western Australian approval. This clearing represents the total clearing undertaken for the Project to date. The areas cleared during the reporting period are shown in Appendix A.
2	To minimise impacts to the Carnaby's Black Cockatoo, the approval holder must not clear more than 36.49 ha of Carnaby's Black Cockatoo habitat	Compliant	9.16 ha of Carnaby's Black Cockatoo habitat was cleared during the reporting period. This represents the total clearing of Carnaby's Black Cockatoo habitat undertaken for the Project to date.
3	To minimise impacts to the Banksia Woodlands threatened ecological community, the approval holder must not clear more than 15.24 ha of vegetation identified as the Banksia Woodlands threatened ecological community.	Compliant	8.70 ha of the Banksia Woodlands threatened ecological community was cleared during the reporting period. This represents the total clearing of the Banksia Woodlands threatened ecological community undertaken for the Project to date.
4	To minimise impacts to EPBC Act listed threatened species and ecological communities, the approval holder must comply with Conditions 2 (Land on which clearing is to be done), Condition 3 (Area of clearing), Condition 6 (Avoid, minimise and reduce the impacts and extent of clearing), Condition 7 (Dieback and weed management) and Condition 8 (Fauna Management) of the Western Australian approval.	Compliant	Works undertaken to date have been conducted in accordance with Condition 2, 3, 6, 7, and 8 of CPS 7533/2. Refer to Appendix B for a summary of condition compliance.

Condition Number	Condition	Status	Evidence/Comments
5	<p>To offset the residual significant impacts to the Carnaby's Black Cockatoo and the Banksia Woodlands threatened ecological community the approval holder must comply with Condition 9 (Offsets) of the Western Australian approval. Funds referred to in Condition 9 (Offsets) of the Western Australian approval must be used for the purchase of:</p> <ul style="list-style-type: none"> a. At least 226 hectares of Carnaby's Black Cockatoo habitat; and, b. At least 91 hectares of the Banksia Woodlands threatened ecological community. <p>The offset(s) must meet the requirements of the <i>Environmental Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy</i> (October 2012).</p>	Compliant	<p>A financial contribution was made to the Western Australian Department of Water and Environmental Regulation (DWER) Offset Fund on 24 May 2019 to fully fund the purchase of an offset site/s for the Project. Refer to Appendix C for the receipts.</p>
6	<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 offsets attributes and a shapefile.</p>	Compliant	<p>An 18-month extension was agreed to by the Department in writing on the 20th January 2021. The revised timeframe for supplying the offsets attributes and shapefile is 11 June 2022.</p> <p>Refer to Appendix D for copy of the extension approval.</p>
7	<p>The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.</p>	Compliant	<p>The action commenced on 11 December 2019. Main Roads notified the Department of the commencement of the action in writing on 12 December 2019. Refer to Appendix E for copy of notification.</p>
8	<p>If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.</p>	Not applicable	<p>The project was approved on 25 September 2019 and the action was commenced on 11 December 2019.</p>

Condition Number	Condition	Status	Evidence/Comments
9	<p>The approval holder must:</p> <ul style="list-style-type: none"> • publish each plan approved under condition 4 on the website within 20 business days of the date the plan is approved, or a revision to the plan is approved; • exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and • keep plans published on the website until at least the end date of this approval 	Compliant	<p>The Dieback and Weed Management Plan (DWMP) was published on the website prior to clearing. Refer to Appendix F for copy of the website.</p>
10	<p>The approval holder must maintain accurate and complete compliance records.</p>	Compliant	<p>Main Roads has maintained records in accordance with this condition and its legal obligations, under the <i>State Records Act 2000</i> (Western Australia).</p>
11	<p>If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.</p>	Not applicable	<p>To date, no direction has been received from the Department to provide electronic copies of any compliance records.</p>
12	<p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and meta data required under a plan is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.</p>	Not applicable	<p>To date, no biological survey data has been required to be submitted under conditions of this approval.</p>

Condition Number	Condition	Status	Evidence/Comments
13	<p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a. publish each compliance report on the website within 60 business days following the relevant 12 month period; b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. 	Compliant	<ul style="list-style-type: none"> a. The action commenced on 11 December 2019. This compliance report covers compliance for the reporting period 11 December 2019 to 11 December 2020. This compliance report will be published on the Main Roads website prior to 11 March 2021. b. The Department will be notified by email within five business days of the date of publication of this report. c. This report will remain publicly available on the Main Roads website until the expiration date of the project approval. d. No sensitive ecological data has been included in this report. e. No sensitive ecological data has been included in this report.
14	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a. any condition which is or may be in breach; and b. a short description of the incident and/or non-compliance. 	Not applicable	No incident; non-compliance with the conditions; or non-compliance with the commitments made in plans occurred during the reporting period.

Condition Number	Condition	Status	Evidence/Comments
15	<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder. 	Not applicable	No incident; non-compliance with the conditions; or non-compliance with the commitments made in plans occurred during the reporting period.
16	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Not applicable	To date, no direction has been received from the Minister to undertake an independent audit.
17	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report 	Not applicable	To date, no direction has been received from the Minister to undertake an independent audit.

Condition Number	Condition	Status	Evidence/Comments
18	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not applicable	To date, no direction has been received from the Minister to undertake an independent audit.
19	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Not applicable	The action has not yet been completed.

3 Appendices

Appendix A: Email notification to the Department of Commencement of Action

(Please note: Personal details have been redacted for privacy purposes)



Enquiries: Ms Emma Fitzgerald, (08) [REDACTED]

Our Ref: 05/10786-07

Your Ref: EPBC 2017/7864

12/12/2019

John Foster
Director
Post Approvals, Department of the Environment and Energy
GPO Box 787
Canberra ACT 2601

Dear Mr Foster,

Brand Highway Widening and Passing Lanes Project 34.83-164.3 SLK, Western Australia (EPBC 2017/7864): Commencement of Action

Please be advised that Main Roads Western Australia commenced clearing for the Brand Highway Widening and Passing Lanes project on 11th December 2019. As such, please accept this correspondence as formal notification of commencement of the action as required by Condition 7 of EPBC 2017/7864.

Please contact Ms Emma Fitzgerald on (08) [REDACTED] if you have any queries in relation to this matter.

Yours sincerely

Martine Scheltema
Manager Environment

Copied: Mathew Gannaway, Department of Water and Environmental Regulation

Appendix B: Figures showing clearing undertaken during reporting period

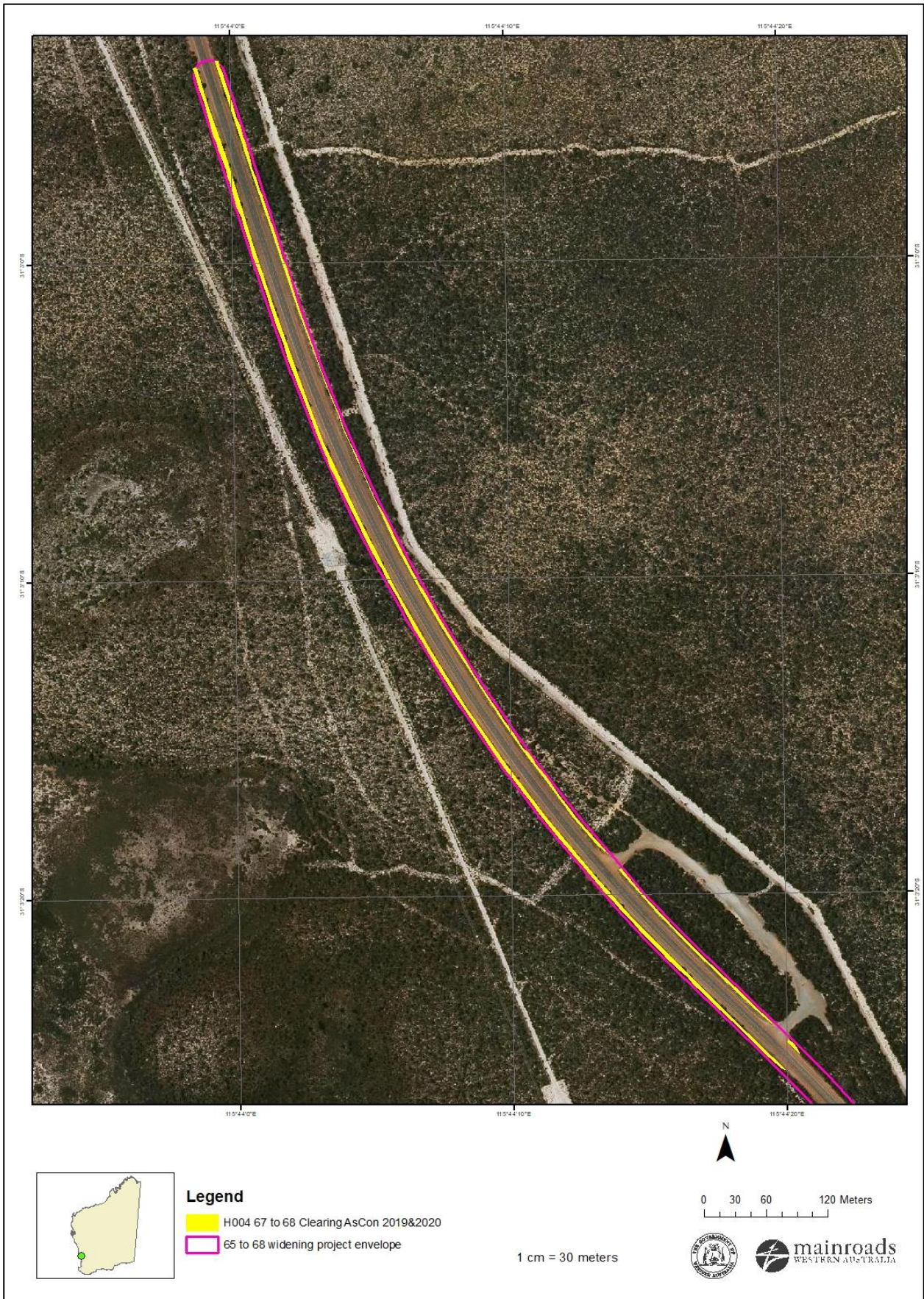


Figure 1: Clearing completed between 67.5-68.63 SLK (Plan 7533/2b)



Figure 2: Clearing completed between 68.63-71.02 SLK (Plan 7533/2c)



Figure 3: Clearing completed between 71.02-74 SLK (Plan 7533/2d)



Figure 4: Clearing completed between 77-79.84 SLK (Plan 7533/2e)



Figure 5: Clearing completed between 79.84-81.66 SLK (Plan 7533/2f)

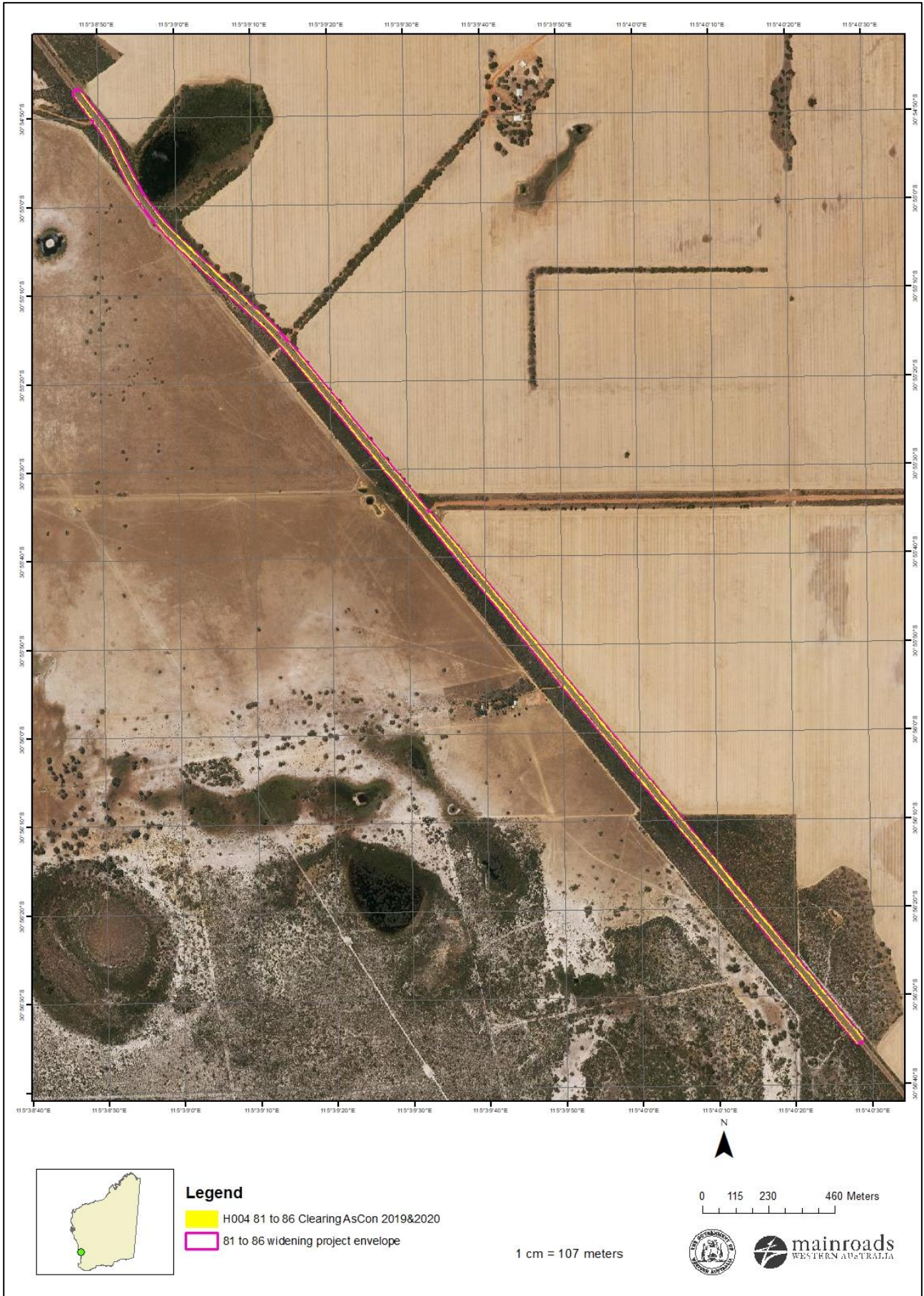


Figure 6: Clearing completed between 81.66-86 SLK (Plan 7533/2g)

Appendix C: Evidence of Compliance with CPS 7753/2 Conditions 2, 3, 6, 7, and 8 during the Reporting Period

Condition Number	Condition	Status	Evidence/Comments
2	<p>Condition 2: Land on which clearing is to be done</p> <p>Brand Highway road reserve (PIN 1358753), Hill River Brand Highway road reserve (PIN 1358743), Badgingarra Lot 4180 on Plan 215549, Badgingarra Brand Highway road reserve (PIN 1358737), Badgingarra Brand Highway road reserve (PIN 11674695), Badgingarra Brand Highway road reserve (PIN 11674696), Badgingarra Lot 4255 on Plan 209084, Badgingarra Brand Highway road reserve (PIN 11579146), Cooljarloo Brand Highway road reserve (PIN 11674269), Cooljarloo Brand Highway road reserve (PIN 11674270), Cataby Brand Highway road reserve (PIN 1226149), Cataby Brand Highway road reserve (PIN 1226168), Yathroo Brand Highway road reserve (PIN 1226171), Regans Ford Brand Highway road reserve (PIN 1226192), Red Gully Brand Highway road reserve (PIN 1188398), Orange Springs Lot 13800 on Plan 206476, Red Gully Lot 14246 on Plan 27746, Red Gully Brand Highway road reserve (PIN 11674225), Granville</p>	Compliant	<p>Clearing occurred on land:</p> <ul style="list-style-type: none"> • Brand Highway road reserve (PIN 1226168), Yathroo • Brand Highway road reserve (PIN 1226171), Regans Ford • Brand Highway road reserve (PIN 1226192), Red Gully • Brand Highway road reserve (PIN 1188398), Orange Springs • Lot 13800 on Plan 206476, Red Gully • Lot 14246 on Plan 27746, Red Gully <p>No clearing was completed on the other land as the works are not yet scheduled.</p>
3	<p>Condition 3: Area of clearing</p> <p>(a) The Permit Holder must not clear more than 1.3 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2a. (b) The Permit Holder must not clear more than 2.2 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2b.</p>	Compliant	<p>a) No clearing to date</p> <p>b) 0.5ha cleared this reporting period</p> <p>c) 2.61ha cleared this reporting period</p> <p>d) 1.8ha cleared this reporting period</p> <p>e) 1.21ha cleared this reporting period</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>(c) The Permit Holder must not clear more than 2.7 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2c.</p> <p>(d) The Permit Holder must not clear more than 1.8 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2d.</p> <p>(e) The Permit Holder must not clear more than 1.6 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2e.</p> <p>(f) The Permit Holder must not clear more than 2.1 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2f.</p> <p>(g) The Permit Holder must not clear more than 2.6 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2g.</p> <p>(h) The Permit Holder must not clear more than 2.2 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2h.</p> <p>(i) The Permit Holder must not clear more than 2.2 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2i.</p> <p>(j) The Permit Holder must not clear more than 6 hectares of native vegetation within the combined area cross-hatched yellow on attached Plan 7533/2j, Plan 7533/2k and Plan 7533/2l.</p> <p>(k) The Permit Holder must not clear more than 2.5 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2m.</p>		<p>f) 1.67ha cleared this reporting period</p> <p>g) 2.12ha cleared this reporting period</p> <p>h) No clearing to date</p> <p>i) No clearing to date</p> <p>j) No clearing to date</p> <p>k) No clearing to date</p> <p>l) No clearing to date</p> <p>m) No clearing to date</p>


Condition Number	Condition	Status	Evidence/Comments
	<p>(l) The Permit Holder must not clear more than 4.6 hectares of native vegetation within the combined area cross-hatched yellow on attached Plan 7533/2n, Plan 7533/2o and Plan 7533/2p.</p> <p>(m) The Permit Holder must not clear more than 6 hectares of native vegetation within the area cross-hatched yellow on attached Plan 7533/2q.</p>		
6	<p>Condition 6: Avoid, minimise and reduce the impacts and extent of clearing</p> <p>In determining the amount of native vegetation to be cleared authorised under this Permit, the Permit Holder must have regard to the following principles, set out in order of preference:</p> <p>(a) avoid the clearing of native vegetation;</p> <p>(b) minimise the amount of native vegetation to be cleared; and</p> <p>(c) reduce the impact of clearing on any environmental value.</p>	Compliant	<p>The Project footprint was refined to the smallest possible area during the development phase and environmental matters were considered in selecting the design in balance with safety requirements. The design was tailored from the standard for safety and functionality to provide steepened batters to reduce the footprint. Other design features such as the placement of safety barriers, the extent of widening in relation to the road centreline and the installation of road drainage considered the minimum Project footprint while maintaining the safety integrity of the road. Further reductions on site enabled a smaller area to be cleared than approvals allowed. For example, the clearing area was demarcated prior to the commencement of Project activities and the commencement of native vegetation clearing. Clearing for support infrastructure was avoided by locating the site office, materials storage areas, construction vehicles/machinery and access tracks on previously disturbed/ cleared areas.</p>
7	<p>Condition 7: Dieback and weed management</p> <p>(a) The Permit Holder must conduct a dieback survey of each of the areas cross-hatched yellow on attached Plan 7533/2a, Plan 7533/2b, Plan 7533/2c, Plan 7533/2d, Plan 7533/2e, Plan</p>	Compliant	<p>a) A dieback survey was conducted over Plan 7533/2b, Plan 7533/2c, Plan 7533/2d, Plan 7533/2e, Plan 7533/2f and Plan 7533/2g during the reporting period. A survey</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>7533/2f, Plan 7533/2g, Plan 7533/2h, Plan 7533/2i, Plan 7533/2j, Plan 7533/2k, Plan 7533/2l, Plan 7533/2m, Plan 7533/2n, Plan 7533/2o, Plan 7533/2p and Plan 7533/2q, undertaken by a dieback specialist, to map the presence of dieback.</p> <p>(b) Each dieback survey undertaken in accordance with condition 7(a) of this Permit must be undertaken prior to, but no greater than 12 months from, commencing clearing within the related area cross-hatched yellow on attached Plan 7533/2a, Plan 7533/2b, Plan 7533/2c, Plan 7533/2d, Plan 7533/2e, Plan 7533/2f, Plan 7533/2g, Plan 7533/2h, Plan 7533/2i, Plan 7533/2j, Plan 7533/2k, Plan 7533/2l, Plan 7533/2m, Plan 7533/2n, Plan 7533/2o, Plan 7533/2p and Plan 7533/2q.</p> <p>(c) The Permit Holder must prepare a Dieback and Weed Management Plan for each of the areas cross-hatched yellow on attached Plan 7533/2a, Plan 7533/2b, Plan 7533/2c, Plan 7533/2d, Plan 7533/2e, Plan 7533/2f, Plan 7533/2g, Plan 7533/2h, Plan 7533/2i, Plan 7533/2j, Plan 7533/2k, Plan 7533/2l, Plan 7533/2m, Plan 7533/2n, Plan 7533/2o, Plan 7533/2p and Plan 7533/2q, for minimising the spread and/or introduction of dieback and weeds.</p> <p>(d) Once the Permit Holder has developed a Dieback and Weed Management Plan, the Permit Holder must provide that Dieback and Weed Management Plan to the CEO for the CEO's approval, prior to undertaking any clearing of any area to which the Dieback and Weed Management Plan is related, and prior to implementing the Dieback and Weed Management Plan.</p>		<p>was not completed for the remaining areas as they are not yet scheduled to be cleared.</p> <p>b) The dieback survey was undertaken from 6 March 2019 to 9 April 2019, with the clearing commencing on 11 December 2019.</p> <p>c) A Dieback and Weed Management Plan (DWMP) was prepared for Plan 7533/2b, Plan 7533/2c, Plan 7533/2d, Plan 7533/2e, Plan 7533/2f and Plan 7533/2g. A plan was not created for the remaining areas as they are not scheduled to commence yet.</p> <p>d) The DWMP was approved by the CEO on 18 September 2019 (see Appendix G) and was implemented on the 11 December 2019.</p> <p>e) The DWMP did not require any modifications and so further approval was not required.</p> <p>f) The latest version of the DWMP was implemented on site (Appendix H).</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>(e) If it is necessary to modify a Dieback and Weed Management Plan approved by the CEO, then the Permit Holder must provide that modified Dieback and Weed Management Plan to the CEO for the CEO's approval prior to implementing the modified Dieback and Weed Management Plan.</p> <p>(f) The Permit Holder shall implement the latest version of each Dieback and Weed Management Plan approved by the CEO.</p>		
8	<p>Condition 8: Fauna management</p> <p>(a) Up to one week prior to undertaking clearing of any of the areas cross-hatched yellow on attached Plan 7533/2b, Plan 7533/2c, Plan 7533/2d, Plan 7533/2e, Plan 7533/2f and Plan 7533/2g, that area shall be inspected by a fauna specialist to identify chuditch (<i>Dasyurus geoffroii</i>) dens and individuals.</p> <p>(b) Where a chuditch (<i>Dasyurus geoffroii</i>) individual(s) is identified in accordance with condition 8(a) of this Permit, clearing shall only occur within that area after the individual has either:</p> <p>(i) moved on to adjacent suitable habitat of its own accord; or</p> <p>(ii) has been relocated to adjacent suitable habitat by a fauna specialist.</p> <p>(c) Where a chuditch (<i>Dasyurus geoffroii</i>) den(s) is identified in accordance with condition 8(a) of this Permit, clearing shall only occur within that area after an equivalent replacement chuditch (<i>Dasyurus geoffroii</i>) den(s) has been installed in adjacent suitable habitat.</p>	Complaint	<p>a) Bamford Consulting Ecologists completed a pre-clearing fauna survey on the 3 and 9th December 2019 for chuditch (Appendix I).</p> <p>b) No individuals were identified during the survey.</p> <p>c) No chuditch dens were identified during the survey.</p> <p>d) Clearing occurred in December and as such the survey was required and completed.</p> <p>e) Clearing was completed in a slow progressive manner in one direction.</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>(d) The Permit Holder is not required to comply with conditions 8(a), (b) and (c) of this Permit if the clearing of that area is undertaken during the period 1 January to 31 August.</p> <p>(e) The Permit Holder shall conduct clearing in a slow progressive manner towards adjacent remnant vegetation to allow fauna to escape the clearing activity.</p>		

Appendix D: Copy of Receipt for Offset Payment

	<p>Government of Western Australia Department of Water and Environmental Regulation</p>	<p>RECEIPT</p>
<p>Locked Bag 10 Joondalup DC WA 6919</p>		<p>ABN: 28 420 443 065 Telephone: 08 6364 7000 Fax: Email: Accounts.Receivable@dwer.wa.gov.au</p>
<p>Main Roads Western Australia PO Box 6202 EAST PERTH WA 6892</p>		<p>Receipt No.: RR012513 Date: 06/06/2019 Debtor Id: 60026 Page : 1 of 1</p>

<i>Date</i>	<i>Reference</i>	<i>Description</i>	<i>Amount</i>
24/05/2019	RI002465	CPS 7533/1 Paul West	16,200.00
24/05/2019	RI002466	CPS 7533/1 Paul West	51,750.00
24/05/2019	RI002467	CPS 7533/1 Paul West	50,700.00
24/05/2019	RI002468	CPS 7533/1 Paul West	6,210.00
24/05/2019	RI002469	CPS 7533/1 Paul West	35,190.00
24/05/2019	RI002470	CPS 7533/1 Paul West	21,450.00
24/05/2019	RI002471	CPS 7533/1 Paul West	44,850.00
24/05/2019	RI002472	CPS 7533/1 Paul West	60,450.00
24/05/2019	RI002473	CPS 7533/1 Paul West	113,400.00
24/05/2019	RI002474	CPS 7533/1 Paul West	29,250.00
Total Amount Received AUD:			429,450.00



Government of Western Australia
Department of Water and Environmental Regulation

RECEIPT

Locked Bag 10
Joondalup DC WA 6919

ABN: 28 420 443 065
Telephone: 08 6364 7000
Fax:
Email: Accounts.Receivable@dwer.wa.gov.au

Main Roads Western Australia
PO Box 6202
EAST PERTH WA 6892

Receipt No.: RR012512
Date: 06/06/2019
Debtor Id: 60026

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<i>Date</i>	<i>Reference</i>	<i>Description</i>	<i>Amount</i>
24/05/2019	RI002463	CPS 7533/1 Paul West	146,250.00
Total Amount Received AUD:			146,250.00

Appendix E: DAWE offset extension approval letter



Australian Government

Department of Agriculture, Water and the Environment

Ref: 2017/7864

Ms Martine Scheltema
Manager Environment
Main Roads Western Australia
PO Box 6202
East Perth WA 6892

**Brand Highway Widening (EPBC 2017/7864) –
Extension of timeframe to provide offset attributes and shapefiles**

Dear Ms Scheltema

Thank you for your correspondence, dated 9 December 2020, to the Department requesting extension of the timeframe to provide offset attributes and shapefiles to the Department, as provided for in condition 6 attached to the approval decision made under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 25 September 2019.

Officers of the Post Approvals Section have reviewed your request and briefed me. I agree to extend the timeframe for the provision of offset attributes and shapefiles to 30 months after commencement of the action (that is, by 11 June 2022).

Please note that, to remove any doubt regarding your obligations under the EPBC Act approval, I have agreed that this letter should be published on the Department's Referrals List website.

As you are aware, the Department has an active monitoring program, which includes monitoring inspections, desk top document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the Department on request.

Should you require any further information please contact Robin Nielsen, Project Officer, Post Approvals Section, on 02 6274 1004 or by email: post.approvals@awe.gov.au.

Yours sincerely

Narelle Sutherland
Acting Director
Post Approvals Section
Assessments (Vic and Tas) and Post Approvals Branch
Environment Approvals Division

20 January 2021

Appendix F: Copy of the published reports on external website

roads.wa.gov.au/home/current/brandhwy/Pages/default.aspx

Home


Brand Highway Safety Improvements

- Between Gingin and Cataby
- Construction to start in October and be completed mid-2020
- Motorists travelling between Perth and Geraldton may be impacted by roadworks on Brand Highway and **Indian Ocean Drive**. Visit our **Travel Map** to find all roadwork, event and incident information you need to plan your trip.

Overview

We're undertaking a package of safety improvement and upgrade works on the Brand Highway, as part of the State Government's continued investment in regional road maintenance and improvements. These works include:

- Improvements at the intersection of Cockram Road and Brand Highway to provide turning pockets
- Construction of two passing lanes, one northbound and one southbound near Regans Ford Roadhouse
- Approximately 19 kilometres of road will be widened between Gingin and Cataby




Current **Future Improvement**

Project Update

Tenders for the safety improvement works closed in August and are currently being evaluated. Construction works are expected to commence in October.

Environment Management Plan

This project has received State and Commonwealth approvals. To meet the conditions of these approvals we have developed a Dieback and Weed Management Plan, which has been approved by the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.

-  [Open Brand Highway Widening and Passing Lanes 65-86 SLK- Dieback and Weed Management Plan](#)

Appendix G: Email approval of Dieback and Weed Management Plan from DWER



Government of Western Australia
Department of Water and Environmental Regulation

Your ref	05/10786-07
Our ref	CPS 7533/2
Enquiries	Erika Eto
Phone	6364 7132
Email	Info@dwer.wa.gov.au

Ms Freea Itzstein-Davey
Senior Environmental Officer
Main Roads Western Australia
PO Box 6202
EAST PERTH WA 6892

Via email: clearingpermit@mainroads.wa.gov.au
freea.itzstein-davey@mainroads.wa.gov.au
emma.fitzgerald@mainroads.wa.gov.au

Dear Ms Itzstein-Davey

CLEARING PERMIT CPS 7533/2 – BRAND HIGHWAY – APPROVAL OF DIEBACK AND WEED MANAGEMENT PLAN

I refer to Main Roads Western Australia's (MRWA) correspondence of 17 September 2019 providing a dieback and weed management plan (DWMP) for approval for the Brand Highway project. I note that the clearing of 37.8 hectares of native vegetation for the project was previously approved by the Department of Water and Environmental Regulation (DWER) on 20 August 2019.


I understand that MRWA is now seeking approval of the DWMP, which is required in accordance with condition 7 of Clearing Permit CPS 7533/2.

DWER has reviewed the DWMP provided and in accordance with condition 7(d) of Clearing Permit CPS 7533/2, I approve the DWMP for the clearing as proposed.

I understand that this version of the DWMP is currently being reviewed by the Department of Biodiversity, Conservation and Attractions. Please be advised that under condition 7(e) of Clearing Permit CPS 7533/2, if it is necessary to modify an approved DWMP, then the modified DWMP will be required to be approved by the CEO prior to implementing the modified DWMP.

If you have any queries regarding the matters raised above, please contact Environmental Officer Ms Erika Eto on (08) 6364 7132.

Yours sincerely

 Ryan Mincham
2019.09.18
14:45:09 +08'00'

Ryan Mincham
MANAGER
NATIVE VEGETATION REGULATION

Officer delegated under section 20
of the *Environmental Protection Act 1986*

18 September 2019

Prime House, 8 Davidson Terrace Joondalup Western Australia 6027
Locked Bag 10 Joondalup DC WA 6919
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Appendix H: Evidence of implementation of DWMP



Equipment Cleandown Register

Project: Construction Of Overtaking Lanes, Road Widening and Intersection Improvement – Brand Highway Job Number: 6036 Location: Clean On Entry 7 – SLK85.68

Is the project located where there is a known presence of, or within a restricted zone of, any of the following:

Invasive or Environmental Weeds Yes No Red Imported Fire Ants or other invasive ants (eg Yellow Crazy) Yes No

Phytophthora cinnamomi (dieback pathogen) Yes No Other Biosecurity risk item: _____

If so, all plant, equipment or apparatus used for moving soil or working in 'offroad' areas will be clean and visually free soil / mud / plant and weed seed material before leaving the site using one of the following methods: Physical removal, brush down, wash down or high pressure pneumatic cleaning.

ITEM (machinery, equipment, plant)	PLANT NO.	COMPANY	CLEANED BY		DATE	INSPECTED AND SIGNED OFF BY BMD
			NAME	SIGNATURE		
TRAXCAVATOR	973C	Geospread	Doug Gibbs	<i>[Signature]</i>	20/1/2020	<i>[Signature]</i>
EXCAVATOR	325D	Geospread	Tom Pursey	<i>[Signature]</i>	7/2/2020	Robert Kermitt
MULCHER	CBI	Geospread	Tom Pursey	<i>[Signature]</i>	7/2/2020	Robert Kermitt
LOADER						



Equipment Cleandown Register

Project: Construction Of Overtaking Lanes, Road Widening and Intersection Improvement – Brand Highway Job Number: 6036 Location: Clean On Entry 7 – SLK85.68

Is the project located where there is a known presence of, or within a restricted zone of, any of the following:

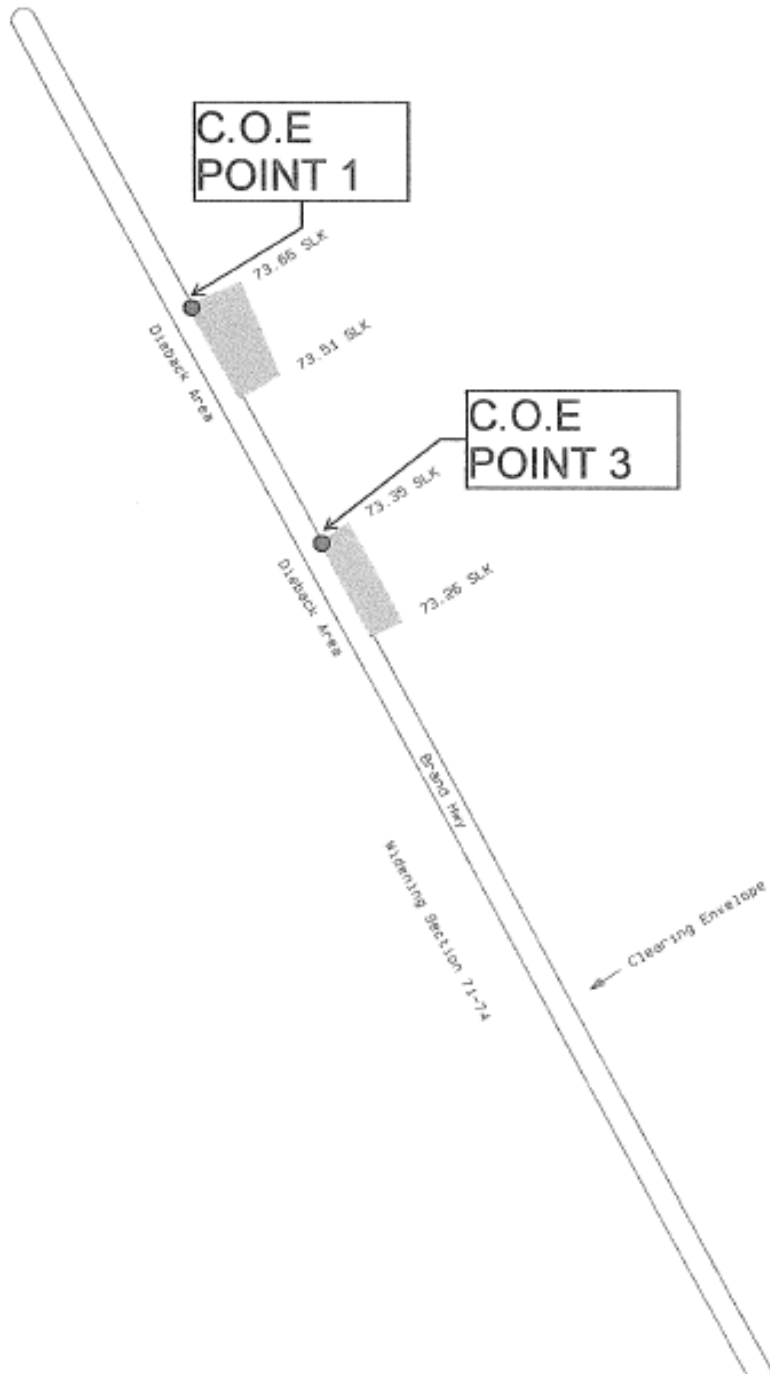
Invasive or Environmental Weeds Yes No Red Imported Fire Ants or other invasive ants (eg Yellow Crazy) Yes No

Phytophthora cinnamomi (dieback pathogen) Yes No Other Biosecurity risk item: _____

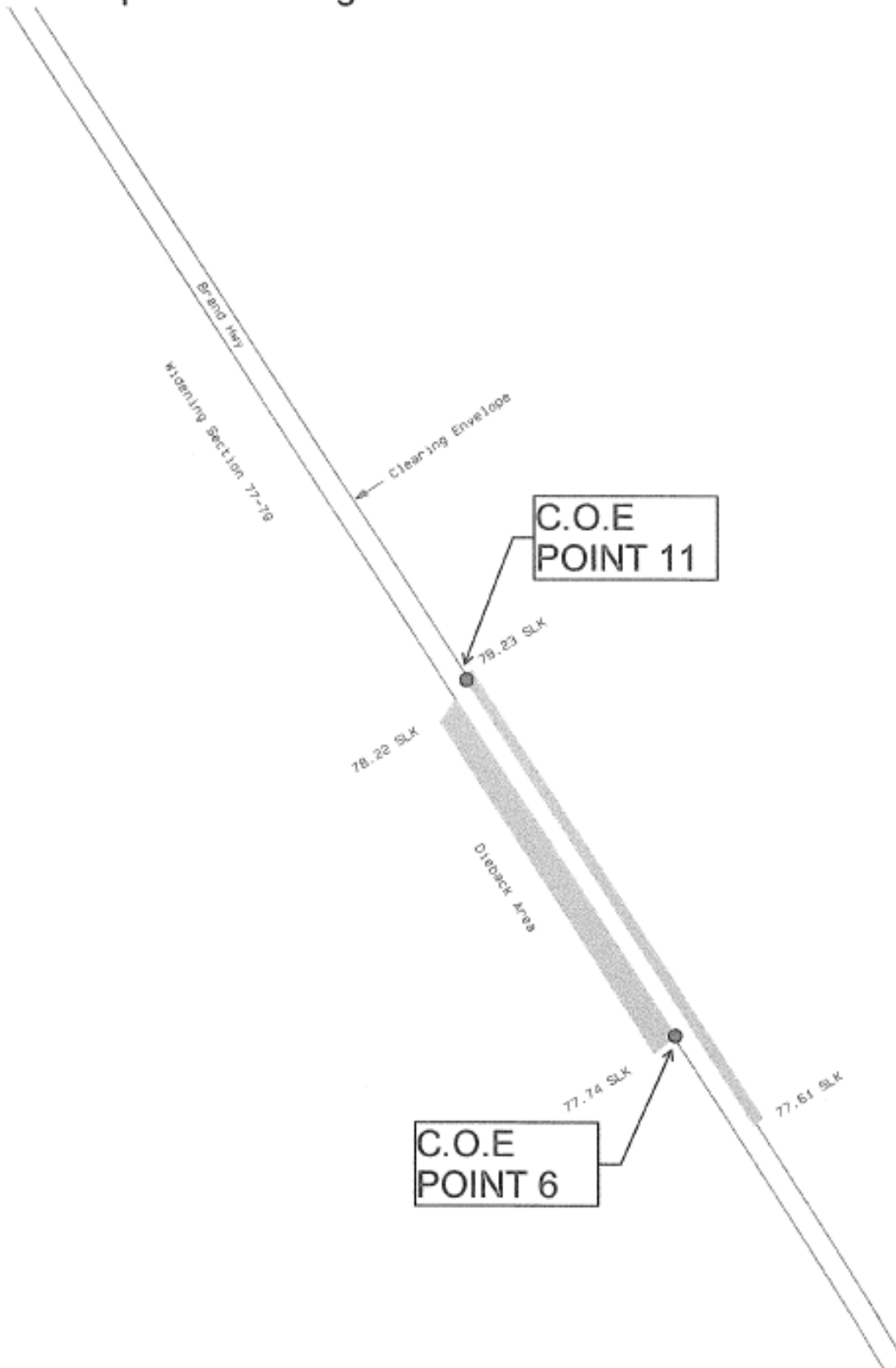
If so, all plant, equipment or apparatus used for moving soil or working in 'offroad' areas will be clean and visually free soil / mud / plant and weed seed material before leaving the site using one of the following methods: Physical removal, brush down, wash down or high pressure pneumatic cleaning.

ITEM (machinery, equipment, plant)	PLANT NO.	COMPANY	CLEANED BY		DATE	INSPECTED AND SIGNED OFF BY BMD
			NAME	SIGNATURE		
TRAXCAVATOR	973 c	Geo Spill	Doug GIBB	[Signature]	1/2/20	[Signature]
EXCAVATOR						
MULCHER						
LOADER						

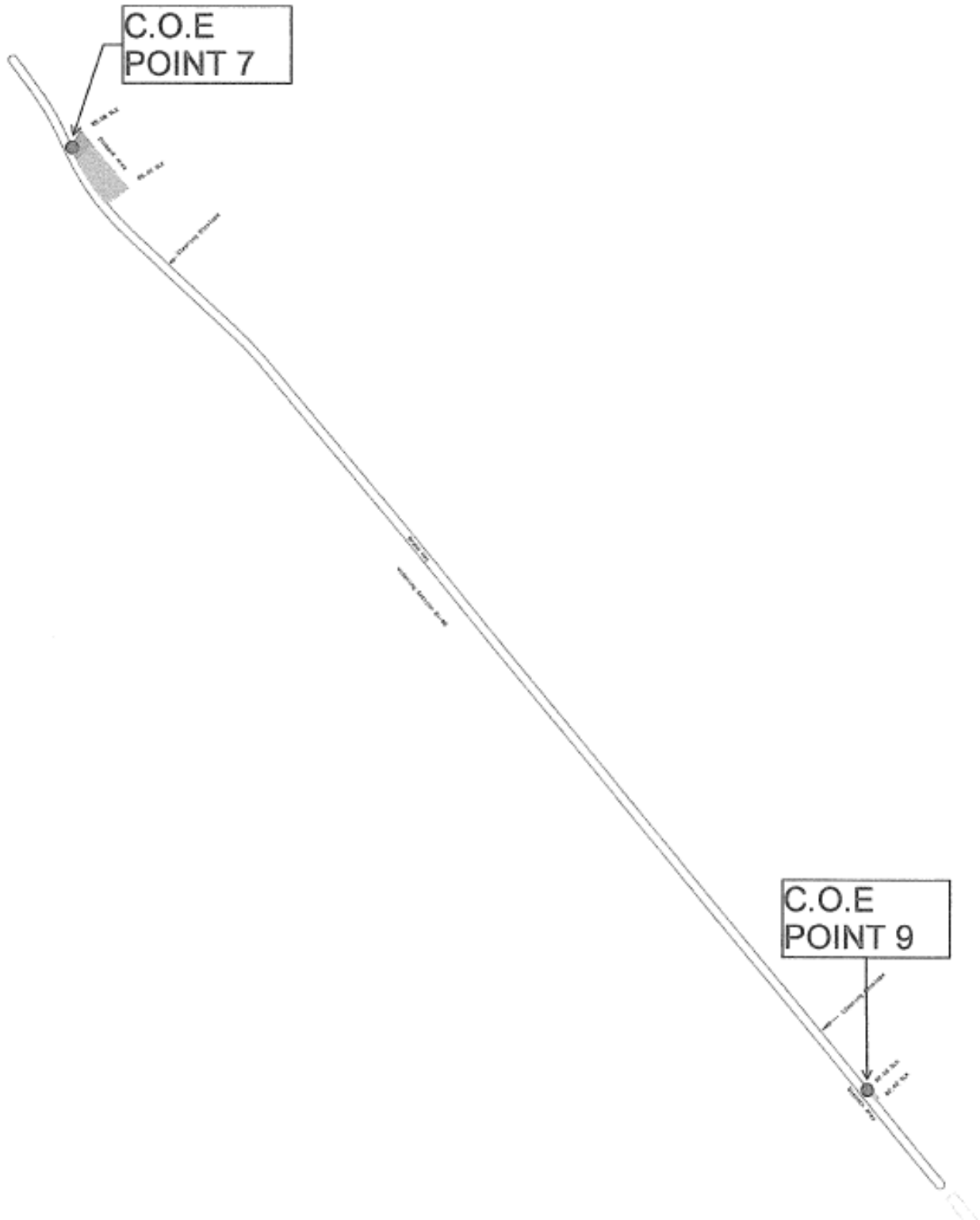
Clean On Entry Points - HOLD POINT - Equipment Cleandowns To Be Completed and Signed Off



Clean On Entry Points - HOLD POINT - Equipment Cleandowns To Be Completed and Signed Off



Clean On Entry Points -
HOLD POINT - Equipment Cleandowns To Be
Completed and Signed Off





Toolbox Talk Record

Project: Brand Hwy
 Job No.: 6036
 Date: 13/1/2020
 Time: 6⁰⁰ AM
 Duration: 10 minutes

Safety and Environmental Toolbox Topics:

Weed Management Plan for Dieback areas

Engage:

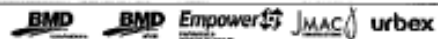
- Ask if your group has experienced issues relating to the topics in the past.
- Share a story related to the topics.

Questions	Answers (To fill in any knowledge gaps)

Topic Discussed

Dieback Areas marked with signage plus orange tape
 Do not enter unless necessary.
 Upon exiting machines to utilise limestone pads to clean tracks/tyres - Details of clean down to be recorded on tracking forms
 Do not touch vegetation in dieback areas. Topsoil regarded as contaminated. Vegetation and topsoil to be dumped at licensed tip.

Feedback			
Feedback (from attendees, actions and required information)	Who	When	Date Closed



Appendix I: Preclearing Fauna Survey



M.J. & A.R. Bamford
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Chuditch *Dasyurus geoffroii* Den Search Along Road Verge of Brand Highway either side of Regan's Ford.

Drs Barry Shepherd and Mike Bamford
12th December 2019

1 Introduction

Main Roads Western Australia (MRWA) has been granted a Native Vegetation Clearing Permit (the Permit) (Permit Number CPS 7533/2) under section 51E of Western Australia's *Environmental Protection Act 1986*. Condition 8 of the Permit requires a fauna specialist to undertake a search for Chuditch *Dasyurus geoffroii* individuals and their dens along the road reserve of two sections of Brand Highway that lie to the north and south of Regan's Ford as shown on Figure 1. Condition 8(a) requires the search to be conducted within seven days of vegetation clearing. Bamford Consulting Ecologists (BCE) was commissioned by MRWA to undertake the Chuditch search.

The Chuditch is listed as Vulnerable under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the Western Australian *Biodiversity Conservation Act 2016*. Chuditch normally occupy Jarrah forest, woodlands and scrub, and were once distributed across the majority of WA (DEC, 2012). They are now restricted to larger forest stands to the east and south of Perth where they can escape persecution from feral Foxes and Cats. They once occupied the Swan Coastal Plain but are only seen infrequently now. The most recent record of this readily recognisable animal in the Regan's Ford area is now 18 years old.

Chuditch do not appear to be deterred by roads or tracks, which puts them at risk of collision with vehicles (DEC, 2012). They are generally nocturnal and forage at night on the ground, but are good climbers and readily take to trees to hunt or escape predators. They take shelter during the day in hollows in rocky outcrops, abandoned burrows, tree hollows and hollows in fallen logs or log piles. Mating occurs between April and July and young are born between May and August. Young are carried in the mother's pouch for around nine weeks and then left in a den while weaning. After weaning the young disperse from the den.

2 Methods

The search was conducted by Barry Shepherd (B.Sc. Hons. (Env. Biol.), Ph.D. (Ecol.)) and a designated driver on 3rd and 9th December 2019. The entire section of verge, both east and west sides of the highway, was traversed mainly by vehicle whilst looking for individuals, signs of Chuditch or their dens. When signs or features that potentially could be used as dens were spotted from the vehicle, the area was searched on foot. Tree hollows, piles of logs, fallen wood or vegetation were inspected and dismantled where possible. Features of interest were logged with a GPS waypoint, marked with high-visibility marker tape and a photograph taken.



Figure 1. Area covered by the native vegetation clearing permit along the Brand Highway and subject to a search for individual Chuditch or their dens.

3 Results

No Chuditch, signs or structures considered to be Chuditch dens were found along the east or west sections of the road reserve shown in Figure 1. One medium-sized mammal was spotted between two tree trunks which subsequently ran off before it could be identified but it was clearly not marked with spots. It was concluded to be either a feral Cat (*Felis catus*) or a Rabbit (*Oryctolagus cuniculus*) based on the coloration, movement and size.

Several piles of fallen vegetation were found and dismantled but none was found to contain cavities in which a Chuditch could hide. Two collapsed burrows were found that could no longer be used as a shelter. Six piles of entangled fallen vegetation or fallen tree trunks were found that could not be sufficiently inspected. No clear signs of cavity or occupation were present in any of these six features. However, these features were marked with blue marker tape and a GPS waypoint was taken to aid clearing activities. The coordinates of these are provided in Table 1 and the locations shown in Figure 2.

Table 1. Coordinates of six piles of fallen vegetation. GDA94 zone 50.

Ref (and Plate Number)	Easting	Northing	Plate Ref	Side
1	378487	6566270	1 (DSC00733)	East
2	378688	6565863	2 (DSC00734)	East
3	378901	6564985	3 (DSC00749)	West
4	375647	6572556	4 (DSC00750)	West
5	372711	6576762	5 (DSC00751)	West
6	374737	6574008	6 (DSC00752)	East



Figure 2. Piles of fallen vegetation. Red boundary shows the areas in which vegetation will be cleared and fawn dashed-lines are tracks recorded by the ecologist during the search.



Plate 1.



Plate 2.



Plate 3.



Plate 4.



Plate 5.



Plate 6.

4 SUMMARY and CONCLUSIONS

No Chuditch, signs of Chuditch or Chuditch dens were found in the road reserve along two sections of Brand Highway during a search conducted to satisfy Condition 8 of Clearing Permit Number CPS 7533/2. BCE therefore confirms that the area has been checked for Chuditch and none is present.

One medium-sized mammal was spotted during the search but it ran away before it could be identified. This animal did not have spots and therefore was not a Chuditch.

Several loose piles of fallen vegetation were inspected for potential den formation, whilst others were dismantled to check for cavities that could be used as dens. Six piles of fallen vegetation could not be thoroughly inspected or dismantled and instead BCE advise that these vegetation piles are carefully dismantled prior to clearing. This is to prevent injury to fauna that may be sheltering within the pile and in a way that allows fauna to escape to the adjacent vegetation and not onto the highway.

The six features that have been marked are not considered suitable as dens for Chuditch. Furthermore, no more of these features are going to be formed between the inspection and clearing. Chuditch are mostly active at night and shelter in dens during the day. Once the clusters of fallen vegetation have been removed, in the unlikely event a Chuditch occurs in the area it will have nowhere to shelter and is therefore likely to pass through. In that event it will not be at risk of injury from clearing or construction activities. For these reasons, further survey work is not considered to be necessary.

5 REFERENCES

DEC (2012). *Chuditch Dasyurus geoffroii Recovery Plan*. Wildlife Management Program No. 54.