

***Road Upgrade and Walk Trail Development,
Fitzgerald River National Park, WA (2009/4958)***

EPBC Act Referral – Compliance Document

This document details how the 'Fitzgerald R Improvement Project' is complying with the EPBC referral decision 2009/4958.

Proposed Action

To upgrade, realign where necessary and seal existing roads at the eastern and western end of the Fitzgerald River National Park, and construct a coastal walk trail in and just outside the Fitzgerald River National Park, Western Australia.

EPBC Referral Decision

The proposed action is not a controlled action provided it is undertaken in a particular manner.

Proposed Manner

Ten measures have been set to avoid significant impacts, as a manner in which the proposed action must be taken. These measures are listed below with a description of how the measures will be implemented.

APPROVALS

Acting Regional Leader Nature Conservation:	Sarah Comer)
	(Signed)	(Date)
Regional Leader Parks and Visitor Services:	Adnaan Abrahams	
	(Signed)	(Date)

THE MANNER IN WHICH PROPOSED ACTION MUST BE TAKEN

The following measures must be taken to avoid significant impacts on

- Listed threatened species and communities (section 18 & 18A) and
- Listed migratory species (sections 20 & 20A)

MEASURE 1

The action must be taken in accordance with the plans and policies outlined in the referral document.

Relevant plans and policies include:

- o *Fitzgerald River National Park Management Plan 1991-2001;*
- o *Management of Phytophthora and disease caused by it, Policy No. 3;*
- o *Recreation, tourism and visitor services, Policy No. 18;*
- o *Visual resource management on lands and waters managed by the Department of Conservation and Land Management, Policy 34;*
- o *Road management, Policy 40 (in review);*
- o *Visitor Risk Management Policy, Policy No. 53;*
- o *Identification of Wilderness and surrounding areas, Policy 62.*
- o *Main Roads: ISO14001:2004 Environmental Management System;*
- o *Guidance Statement No. 56: Guidance for the Assessment of Environmental Factors – Terrestrial Fauna Surveys for Environmental Impact Assessment in Western Australia*
- o *Guidance Statement No. 51: Guidance for the Assessment of Environmental Factors – Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment in Western Australia.*

Relevant legislation:

- o *Conservation and Land Management Act 1984 (CALM Act)*
- o *Environmental Protection Act 1986 (WA)*
- o *Aboriginal Heritage Act 1972*
- o *Heritage of Western Australia Act 1990*
- o *Wildlife Conservation Act 1950 (WA)*

STATUS: Compliance

IMPLEMENTATION:

- Upgrading the recreation facilities and roads are in line with the prescriptions in the Fitzgerald River National Park Management Plan and DEC policies. To ensure that the development of the walking trail is in line with the Management Plan, amendments have been proposed to the Fitzgerald River National Park Management Plan. These are currently out for public comment.
- The 'Wilderness zone' in the Fitzgerald River National Park as described in the Fitzgerald River National Park Management Plan has not been gazetted under section 62(1)(a) of the Conservation and Land Management Act 1984, so the Policy 62 does not apply to the Fitzgerald River National Park.
- Measures are being undertaken to reduce the risk of introducing and spread of *Phytophthora cinnamomi* to the project area, or further spreading current infestations of other *Phytophthora* spp during construction of the road, recreation sites and walking trails (as detailed under Measure 6), as per the Policy No. 3 guidelines. Environmental Management Plans are being compiled to ensure *inter alia* adequate hygiene practices, informed by dieback surveys of the project area.
- Flora and fauna surveys are being conducted prior to construction as per the EPA's Guidance Statements 51 and 56. The road, recreation facilities and walking trail are being designed to avoid as much as possible any special environmental areas identified by these surveys.
- Heritage surveys are being undertaken prior to construction to comply with Acts and policies.

MEASURE 2

The action must be managed within the scope of the Park's primary management objective of "conserving all flora and fauna" within the Park.

STATUS: Compliance

IMPLEMENTATION:

- All staff, consultants, contractors and relevant affected parties attend a 'Green Card' Induction which raises their awareness of the possible environmental consequences of their actions, and principles to follow to minimize their environmental impact. On completion of the induction a Green Card is issued.
- All staff, consultants, contractors and relevant affected parties must comply with the guidelines in the Environmental Management Plan relevant for the work they are conducting. On-site Environmental Officers monitor and ensure compliance to the Environmental Management Plan
- The road and recreation sites are being designed as to minimise the 'footprint' of the sites, including visual impact.
- Flora, fauna, dieback and heritage surveys are being conducted prior to construction. The sites are being designed and constructed in order to minimise impact on special environmental areas (measure 3) and threatened flora and fauna (measure 4).
- Environmental Management Plans are being developed for the construction of the road, recreation sites and walking trail with the objective of conserving all flora and fauna within the Park. To date, an Environmental Management Plan has been developed for Hamersley Drive Upgrade Section 3, and further plans will be developed for the rest of the project area.

MEASURE 3

Impacts on special environmental areas must be firstly avoided, or where unavoidable, mitigated through the specific procedures outlined within section 4 of the referral document.

STATUS: Compliance

IMPLEMENTATION:

The special environmental areas that may potentially be impacted by the construction are being identified by flora, fauna, dieback and heritage surveys being conducted prior to construction. The road, recreation sites and walking trail are then being designed and constructed in order to avoid and/or minimise impacts on any special environmental areas. Construction is being conducted under Environmental Management Plans.

Actions for the first three kilometers of Hamersley Drive road Upgrade (road works to July 2010)

Special environmental areas identified are the vegetation associations found on the wave cut bench around the south side of East Mount Barren, micro-wetlands and threatened flora habitat.

The impacts on these areas were avoided or mitigated by:

- The alignment of the sealing of the road has been kept to the current alignment of the road as much as possible.
- The impact on DRF was minimized as much as possible. However several plants of four threatened species (*Eucalyptus burdettiana* – 16 plants, *Eucalyptus coronata* – one plant, *Kunzea similis subsp. similis* – 14 plants, *Verticordia pityrhops* – three plants) were taken (under a permit to take DRF issued by DEC).
- Vegetation clearing for the road was estimated to be 2.194ha. The vegetation was mulched in-situ with the topsoil and windrowed with no dispersal along the alignment. This has been respread up the batter and other disturbed areas to minimize erosion and promote rehabilitation (through seed stored in mulch and topsoil mix).
- Maintenance of hydrological regimes for micro-wetlands located on the wave cut bench was addressed through the use of biodegradable geo-textile and aggregate to allow controlled seepage through to the south side of the road.
- The road batters have been stabilised by rocks or biodegradable geo-textiles where required to prevent erosion of the road sides.

Similar actions will be put into place for the rest of the project area.

MEASURE 4

The project must not result in a net loss of EPBC Act listed threatened or migratory species; or habitat for EPBC Act listed threatened species; or important habitat for EPBC Act listed migratory species.

STATUS: Compliance

IMPLEMENTATION:

Prior to construction, flora and fauna surveys are being conducted to identify any EPBC Act listed threatened or migratory species; or habitat for EPBC Act listed threatened species; or important habitat for EPBC Act listed migratory species that may potentially be impacted by this project. The road, recreation sites and walking trail are then being designed and constructed in order to avoid and/or minimise impacts on these species. Construction is being conducted under Environmental Management Plans.

Findings and actions for the first three kilometers of Hamersley Drive road Upgrade (road works to July 2010)

- EPBC listed species that were impacted are *Eucalyptus burdettiana* (Endangered), *E. coronata* (Vulnerable) and *Verticordia pityrhops* (Endangered).
- The survey undertaken through this project has increased the recorded plant numbers of *E. burdettiana* and *E. coronata* by greater than 10 fold.
- *V. pityrhops* was not located during the survey due to the species being in vegetative phase (non-flowering) and being difficult to identify in amongst the dense vegetation within its known habitat. 3 plants of *V. pityrhops* were taken which constitutes 0.15% of the known population.
- *Kunzea similis* subsp. *similis*, which is not an EPBC listed species, had the greatest number of plants taken (14) which constitute 0.38% of population.
- Seed was collected from the *Eucalyptus burdettiana* and *E. coronata* plants taken (under a permit) and will be stored in the DEC Threatened Flora Seed Centre.

MEASURE 5

No clearing may be undertaken if it will or is likely to significantly impact the conservation status of an EPBC Act list species; or lead to a decline in size of, or area of occupation of, an important population of an EPBC Act listed species.

STATUS: Compliance

IMPLEMENTATION:

The road, recreation sites and walking trail are then being designed and constructed in order to avoid and/or minimise the area of vegetation cleared. Construction is being conducted under Environmental Management Plans.

Findings and actions for the first three kilometers of Hamersley Drive road Upgrade (road works to July 2010)

- The area cleared has been minimised for the current road construction, and will probably be 2.194 ha and is not anticipated to have a significant impact on the size/area of occupation by EPBC flora or fauna species. (EMP for Hamersley Drive Upgrade Section 3)
- A permit to take Declared Rare Flora has been issued by DEC for four DRF (*Eucalyptus burdettiana* – 16 plants, *Eucalyptus coronata* – one plant, *Kunzea similis* subsp. *similis* – 14 plants, *Verticorida pityrhops* – three plants). The taking of these plants is not anticipated to have a significant impact on the size/area of occupation by the EPBC listed species (*Eucalyptus burdettiana*, *Eucalyptus coronata* and *Verticorida pityrhops*).
- A condition of the permit to take DRF is that post disturbance monitoring is undertaken of the adjacent DRF populations to the areas disturbed, and the DRF's response to the disturbance for two seasons following the disturbance.

Fisher's Gravel Pit

- Due to Fisher's Gravel Pit being habitat for Carnaby's Black-cockatoo, only less than one hectare of vegetation was cleared for road construction up to July 2010.
- An EPBC referral has been submitted to DEHWA for the clearing of up to a further 14 ha of Fisher's Pit, due to it being habitat for Carnaby's Black-cockatoo.

MEASURE 6

There must be no further spread of dieback to special environmental areas as a result of the development, its associated activities and/or its consequential impacts.

Special Environmental Areas (for instance, containing threatened species under the EPBC Act; declared rare, priority or significant flora, areas of priority and protected fauna habitat under Western Australia legislation; wetlands etc)

STATUS: On-going compliance

IMPLEMENTATION:

The roads, recreation sites and walking trails are being designed in such a way as to minimise the risk of the introduction of *Phytophthora cinnamomi* into the Park as a whole and not only to special environmental areas as much as feasible. This has included:

- Including hygiene infrastructure (e.g. foot cleaning stations) at the recreation sites. Locating the walking trail within the coastal catchments, to reduce the risk of dieback being spread inland from the walking trail.
- Increase visitor awareness and appreciation of dieback and required hygiene protocols through signage, trail notes and brochures and other means
- Development of a dieback risk assessment and management plan.

Measures being undertaken to reduce the risk of introducing *Phytophthora cinnamomi* to the project area, or further spreading current infestations of other *Phytophthora* spp during construction of the road, recreation sites and walking trails include:

- A *Phytophthora* dieback status assessment for the park which determined presence and distribution of *Phytophthora* spp;
- A dieback management plan for the park, including management actions to mitigate further introduction and spread of dieback
- Pre-construction *Phytophthora cinnamomi* Hygiene Plans detailing hygiene protocol,
- Pre-construction dieback surveys to determine current distribution of *Phytophthora* spp. In the project area,
- Risk assessment of *Phytophthora* dieback in surrounding non-park areas
- A *Phytophthora* dieback risk assessment for the walking trail to guide trail design, alignment and management actions
- ‘Green Card’ induction of all staff/contractors which includes detailed hygiene protocol,
- Environmental Management Plans implemented as each stage comes on line,
- Environment Officer on-site during construction to check compliance with the Environmental Management Plans.

Actions and findings for the first three kilometers of Hamersley Drive road Upgrade (road works to July 2010)

- A dieback survey was undertaken for the area between the Park entrance and Hamersley Inlet. The dieback survey took 24 samples where dead or dying vegetation was found. Four samples returned positive for *Phytophthora multivora* and one for an unknown *Phytophthora* species. No samples were positive for *Phytophthora cinnamomi*. *Phytophthora megasperma* is known from the area and the dieback survey report provides maps of the known occurrence.
- The Environmental Management Plan outlines hygiene procedures for the management of potential *Phytophthora* introduction and/or spread. This includes requirements for vehicles to

be clean on entry to site, procedures for movement of vehicles and plant out of infested (*Phytophthora* spp.)

- Soil was not moved between micro-catchments during construction, to prevent any potential *Phyophthora* spp. being spread between catchments.

MEASURE 7

The Response Plan for the Management of *Phytophthora cinnamomi* in the Fitzgerald River National Park 2006 – 2011 must be applied.

STATUS: N/A

IMPLEMENTATION:

The stated 'Response Plan for the Management of *Phytophthora cinnamomi* in the Fitzgerald River National Park 2006-2011' is primarily focused on the control of the current infestations in the National Park, in particular Bell Track. As such, the plan is not relevant for this action. See Measures 6 and 8 and the relevant actions and plans to be initiated.

MEASURE 8

A dieback and weed management plan must be developed for the action, and must be implemented, as outlined in Section 4 of the referral document.

STATUS: On-going compliance

IMPLEMENTATION:

Dieback and weed management is included in the Environmental Management Plans. These plans follow hygiene management protocols as detailed in the following documents:

- *Phytophthora cinnamomi* and disease caused by it – Management Guidelines
- Best Practice Guidelines for Management of *Phytophthora* Dieback in Extractive Industries

Dieback and weed management plans are currently being developed by DEC for this Road Upgrade and Walking Trail Project.

MEASURE 9

Growth in visitor numbers as a result of the development must be in line with the Park's overall commitment to no detrimental impacts to the natural environment; including matters of national environmental significance protected under the EPBC Act.

STATUS: On-going compliance

IMPLEMENTATION:

The recreation facilities are being upgraded to allow for greater numbers of visitors while limiting the impacts of these visitors on the natural environment of the Park. These upgrades are currently in the planning stage. Some of the key features include:

- Design of the recreation sites to complement and/or blend into the natural environment.
- Design of the recreation sites to limit erosion and other potential detrimental impacts.
- Include dieback hygiene infrastructure at appropriate recreation sites
- Use of materials for longevity and functionality.
- Installing additional toilets at major recreation sites.
- Choice of construction material to minimise visual impact.
- Sealing of carparks and paths to reduce the risk of dieback being introduced.
- DEC providing design services to the shire reserve at Hamersley Inlet to maintain standards across the Park

Interpretation of the Park is being upgraded to increase visitors' awareness and appreciation for the biodiversity and landscapes of the FRNP, which will also include information in brochures and signage on dieback and hygiene management by visitors. This interpretation is currently in the planning stage.

Actions and findings for the first three kilometers of Hamersley Drive road Upgrade (road works to July 2010)

- A Visual Impact Assessment was completed by the Recreation & Landscape Unit of DEC for the first section of Hamersley Drive.
- Recreation Master Plan completed

MEASURE 10

Any growth in camping numbers or facilities must be managed within the guidelines of the Park's management plan, with mechanisms implemented to manage these impacts to ensure that there are no impacts upon the park's special environmental areas.

Special Environmental Areas (for instance, containing threatened species under the EPBC Act; declared rare, priority or significant flora, areas of priority and protected fauna habitat under Western Australia legislation; wetlands etc)

STATUS: On-going compliance

IMPLEMENTATION:

A Recreation Master Plan for the FRNP-IP was developed in early 2010 to provide direction for the redevelopment of the recreation sites to ensure the facilities are spaced to accommodate volume growth and to minimize impact.

Recent Vistat figures suggest 40,000 visitors enter the park annually. Of these, approximately 24,000 (62%) enter from the eastern side of the Park along Hamersley Drive. This number is projected to increase significantly with the upgrading of the road network and associated facility renewal.

Recreation Master Plan:

With average levels of usage the campsites cope for the majority of the year. During peak periods however the capacities of Four Mile, St Mary's and Hamersley Inlets are exceeded. Surveys suggest that the majority of people desire the ability to camp away from others. The fragile, highly erodible soils make some camping areas environmentally unsustainable. As vegetation is stripped for firewood or damaged by vehicles, these soils become exposed and subsequently erode. Such fragile areas cannot support camping. Site analysis has been completed to sustainable development areas within existing sites.

The management plan proposes to provide additional / alternative areas for camping which are sustainable in the long term. It suggests an increase of 100% over the next 10 years

- **Caravans**

Provision for caravans are discussed in the management plan stating that they should be actively discouraged due to limited space and inadequate road design in terms of safety. The proposed roading upgrades will allow for caravan access throughout the park however the appropriateness and implications on landscape and experience in providing for caravans is currently under discussion.

- **Toilets / Ablutions**

The management plan states that no flushing toilets or showers should be provided, suggesting a sealed vault configuration only be used. Since the Plan was written toilet technology has advanced and other environmentally appropriate facilities have been designed. Toilets are to be provided at day-use and campsites as required. Environmental and/or visual impacts will also help determine what facilities will be provided.

- **Campfires**

Due to lack of available firewood and wildfire risks, on-ground campfires are not permitted in the Park. The management plan allows for fires in controlled containers at the rangers discretion, however promotes the provision of gas BBQ's at the more intensively used campsites. It is likely that fires of any sort will be disallowed and that gas BBQ's may be provided at campsites.