



# Report and recommendations of the Environmental Protection Authority



## Access Road to Nelson Location 7965 (Sandy Peak), Doggerup Road, Shire of Manjimup

Shire of Manjimup

Report 1470

April 2013

## Public Environmental Review Environmental Impact Assessment Process Timelines

Date	Progress stages	Time (weeks)
11/5/2010	Level of Assessment set (date appeals process completed)	
29/9/2011	Final ESD approved	72
9/7/2012	Preparation of Public Environmental Review document (PER)	40
3/9/2012	Public review period for PER closed	8
2/11/2012	Final Proponent response to PER issues raised	8
22/4/2013	Publication of EPA report	22
6/5/2013	Close of appeals period	2

### STATEMENT ON TIMELINES

Timelines for an assessment may vary according to the complexity of the project and are usually agreed with the proponent soon after the level of assessment is determined.

In this case, the Environmental Protection Authority did not meet its agreed timeline objective for the completion of the assessment and provision of a recommendation to the Minister.



Dr Paul Vogel  
Chairman  
10 April 2013

ISSN 1836-0483 (Print)  
ISSN 1836-0491 (Online)  
Assessment No. 1836

## Summary and recommendations

This report provides the Environmental Protection Authority's (EPA's) advice and recommendations to the Minister for Environment on the proposal by the Shire of Manjimup to construct, operate and maintain a 6.5 kilometre (km) long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve.

Section 44 of the *Environmental Protection Act 1986* (EP Act) requires the EPA to report to the Minister for Environment on the outcome of its assessment of a proposal. The report must set out:

- the key environmental factors identified in the course of the assessment; and
- the EPA's recommendations as to whether or not the proposal may be implemented, and, if the EPA recommends that implementation be allowed, the conditions and procedures to which implementation should be subject.

The EPA may include in the report any other advice and recommendations as it sees fit.

The EPA is also required to have regard for the principles set out in Section 4A of the *Environmental Protection Act 1986*.

### **Key environmental factors and principles**

The EPA decided that the following key environmental factors relevant to the proposal required detailed evaluation in the report:

- (a) Flora and vegetation (Dieback *Phytophthora* species); and
- (b) Hydrological processes.

There were a number of other factors which were relevant to the proposal, but the EPA is of the view that the information set out in Appendix 3 provides sufficient evaluation.

The following principles were considered by the EPA in relation to the proposal:

- (a) The precautionary principle;
- (b) The principle of intergenerational equity; and
- (c) The principle of the conservation of biological diversity and ecological integrity.

### **Conclusion**

The EPA has considered the proposal by the Shire of Manjimup to construct, operate and maintain a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the

Doggerup Road reserve. Nelson Location 7965 and the road reserve are surrounded by the D'Entrecasteaux National Park.

The assessment of the proposed track has had a long history with the original assessment being undertaken by the EPA in 1998. Following a more recent referral by Shellbay Holdings in 2009, the EPA set the level of assessment as Proposal Unlikely to be Environmentally Acceptable in December 2009 (PUEA) based on limited site-specific information being provided by the proponent. This level of assessment was appealed, and the then Minister for Environment determined to uphold the appeal on 11 May 2010 to the extent that the proposal was remitted to the EPA for assessment, with the direction that the proposal be assessed more fully and more publicly at the level of Public Environmental Review (PER).

This effectively provided the proponent with the opportunity to collect and provide site-specific and relevant information to demonstrate that the proposal could be managed to meet the EPA's environmental objectives. Since the appeal determination, the proponent has commissioned biological surveys and engineering reports on the environmental impacts of the proposal in response to the Minister's appeal request. The EPA's assessment was therefore focused on evaluating the new information obtained by the proponent which was not available when the level of assessment was set as PUEA.

Based on the new information from Shellbay Holdings, the EPA has identified the key environmental issue to be the risk of dieback being introduced into dieback free areas as a result of the construction and maintenance of the proposal. The consequence of dieback being introduced in the road reserve as a result of the proposal would pose a greater risk of dieback being introduced downstream, into the adjacent National Park.

The EPA has therefore recommended a set of conditions which require the proponent to implement contemporary hygiene protocols in order to minimise the risk of dieback being introduced into protectable areas of the road reserve.

The road reserve is located in the extensive Doggerup Creek System, which is a Nationally Important Wetland (ANCA 1996). Where the proposed track traverses creeks and areas of inundation it has the potential to alter the natural surface flows and flooding regime of the area. The proponent has committed to the installation of drainage infrastructures with the aim of maintaining the natural flows and flooding regime of the area. The EPA has therefore recommended a condition which requires plans to be submitted prior to construction which demonstrates that the placement of drainage infrastructure is guided and properly informed by engineering assessments, onsite monitoring and the submitted cross-sectional profiles.

The EPA has therefore concluded that the proposal, as described, can meet the EPA's objectives, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 4 and summarised in Section 4.

The EPA has also noted the Department of Environment and Conservation's (DEC) advice on the flow-on effects of the proposal and the potential indirect impacts on the National Park, and has provided other advice on this issue in Section 5 of this report.

## **Recommendations**

The EPA submits the following recommendations to the Minister for Environment:

1. That the Minister notes that the proposal being assessed is for the construction, operation and maintenance of a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve;
2. That the Minister considers the report on the key environmental factors and principles as set out in Section 3;
3. That the Minister notes the EPA has concluded that it is likely that the EPA's objectives would be achieved, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 4 and summarised in Section 4;
4. That the Minister notes that the EPA has provided other advice in Section 5 in relation to any potential future development of Nelson Location 7965; and
5. That the Minister imposes the conditions and procedures recommended in Appendix 4 of this report.

## **Conditions**

Having considered the information provided in this report, the EPA has developed a set of conditions that the EPA recommends be imposed if the proposal by the Shire of Manjimup to construct, operate and maintain a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve is approved for implementation. These conditions are presented in Appendix 4. Matters addressed in the conditions include the following:

- (a) Implementing hygiene measures which aim to ensure that dieback (*Phytophthora* species) is not introduced to the areas in the road reserve surveyed as being protectable, as a direct or indirect result of implementation of the proposal;
- (b) Implementing drainage measures which aim to ensure that where the road traverses creeks and areas of inundation, the proposal does not adversely alter the natural surface flows and flooding regime of the area; and

- (c) Finalising and implementing the draft Environmental Management Plan which provides for the ongoing environmental management of the proposal.

# Contents

	Page
<b>Summary and recommendations .....</b>	<b>i</b>
<b>1. Introduction and background .....</b>	<b>1</b>
<b>2. The proposal .....</b>	<b>3</b>
<b>3. Key environmental factors and principles.....</b>	<b>5</b>
3.1 Flora and Vegetation (Dieback <i>Phytophthora</i> species) .....	5
3.2 Hydrological Processes.....	9
3.3 Environmental principles .....	14
<b>4. Conditions .....</b>	<b>14</b>
4.1 Recommended conditions.....	14
4.2 Consultation .....	15
<b>5. Other Advice .....</b>	<b>15</b>
<b>6. Recommendations.....</b>	<b>16</b>

## Tables

Table 1: Location and extent of physical and operational elements.....	3
Table 2: Priority plant species likely to be affected by the proposal.....	7

## Figures

Figure 1 – Location of Doggerup Road reserve .....	4
Figure 2 – Cross-sectional profiles (MPM Consultants, 2010) .....	11
Figure 3 – Location of wetland crossings.....	12

## Appendices

1. References
2. List of Submitters
3. Summary of identification of key environmental factors
4. Recommended Environmental Conditions and nominated Decision-Making Authorities
5. Summary of submissions and proponent's response to submissions

# 1. Introduction and background

This report provides the advice and recommendations of the Environmental Protection Authority (EPA) to the Minister for Environment on the key environmental factors and principles for the proposal by the Shire of Manjimup to construct, operate and maintain a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve.

There is no permanent road access to Nelson Location 7965 because the current track in the Doggerup Road reserve is impassable during winter due to water inundation. The property is currently accessed via an existing Department of Environment and Conservation (DEC) management track through the D'Entrecasteaux National Park. Permission from the DEC is necessary for the proponent to use this track.

Nelson Location 7965 is an enclave within the National Park and is currently undeveloped. There is currently no proposal before the EPA regarding the development of Nelson Location 7965.

This current proposal was referred to the EPA by Shellbay Holdings Pty Ltd in October 2009 and the level of assessment was set as Proposal Unlikely to be Environmentally Acceptable in December 2009 (PUEA). The EPA's Statement of Reasons issued with the PUEA stated that the proposal would likely have a significant impact on the conservation of biological diversity and was based on limited site-specific information provided by the proponent.

This level of assessment was appealed, and the then Minister for Environment determined to uphold the appeal on 11 May 2010 to the extent that the proposal was remitted to the EPA for assessment, with the direction that the proposal be assessed more fully and more publicly at the level of PER. The then Minister for Environment requested that the proponent:

- (i) investigate and document the environmental merits of alternative access routes to Location 7965;
- (ii) clarify the proposal description, including: the disturbance area and width of the proposed road; the construction details for the Class three road; and the purpose of the road;
- (iii) undertake a review and update of the management plans, data and commitments in the previous documentation;
- (iv) collect site-specific information pertaining to each environmental factor identified in the EPA's Statement of reasons for Level of Assessment, which includes wetlands, dieback, native vegetation, Declared Rare Flora and priority flora, specially protected or priority fauna, soils and Aboriginal culture; and
- (v) demonstrate that the proposal can be developed and managed to be consistent with EPA policy.



This provided Shellbay Holdings with the opportunity to collect and provide relevant information to demonstrate that the proposal could be managed to meet the EPA's environmental objectives.

During the course of the EPA's assessment, it was identified that Shellbay Holdings Pty Ltd could not be the legal proponent for the road proposal. This is because the *Land Administration Act 1997* provides that the care, control and management of local roads are the responsibility of the relevant local government authority, which in this case is the Shire of Manjimup. Following consultation with Shellbay Holdings Pty Ltd and the Shire of Manjimup, the Shire agreed to be the proponent for this proposal on 8 March 2013. This means that if the proposal is found to be environmentally acceptable the Shire of Manjimup is responsible for implementation of the environmental conditions.

Further details of the proposal are presented in Section 2 of this report. Section 3 discusses the key environmental factors and principles for the proposal. The conditions to which the proposal should be subject, if the Minister determines that it may be implemented, are set out in Section 4. Section 5 provides other advice by the EPA and Section 6 presents the EPA's recommendations.

Appendix 5 contains a summary of submissions and the proponent's response to submissions and is included as a matter of information only and does not form part of the EPA's report and recommendations. Issues arising from this process, and which have been taken into account by the EPA, appear in the report itself.

## 2. The proposal

As mentioned above, the proponent proposes to clear remnant vegetation to construct, operate and maintain a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve. Nelson Location 7965 is a 300 hectare (ha) private enclave property, surrounded by D'Entrecasteaux National Park, situated 18 km south of Northcliffe and 4 km north west of Windy Harbour. Doggerup Road is a gazetted road reserve which traverses D'Entrecasteaux National Park (Figure 1) and as previously mentioned is vested in the Shire of Manjimup. The road reserve was gazetted and surveyed approximately 70 years ago when Nelson Location 7965 became freehold land.

Doggerup Road reserve is 20 metres (m) wide, and the proponent proposes to clear 6.5 ha within a 10 m disturbance corridor to achieve a final trafficable width of between 3 and 5 m to accommodate passing lanes. 3.9 ha will be permanently required for the ongoing use of the road. The road is to be constructed by placing limestone material directly onto the natural surface with no excavation and the material will be sourced from an existing limestone quarry near Windy Harbour. The road will include passing areas and batters. No borrow pits or drainage basins are required to be constructed in the road reserve.

Doggerup Road reserve traverses a number of creek and wetland areas and will require the installation of culverts and the construction of creek crossings. Where the track crosses creeks, the proponent has committed to constructing the road to a height of 1.2 m. For dry areas the height of the road will be a minimum of 0.3 m.

The main characteristics of the proposal are summarised in Table 1 below. A detailed description of the proposal is provided in Section 3 of the PER (Bio Diverse Solutions, 2012).

**Table 1: Location and extent of physical and operational elements**

<b>Element</b>	<b>Location</b>	<b>Authorised Extent</b>
Construction and operation of the access track.	Within the Doggerup Road reserve. Construction of the road will be generally consistent with the cross-sectional profiles shown in Figure 2.	Clearing of 6.5 ha within 10 m disturbance corridor (including passing lanes) for construction. 3.9 ha will be permanently required for operation.

The potential impacts of the proposal initially predicted by the proponent in the PER document (Bio Diverse Solutions, 15 June 2012) and their proposed management are summarised in Table 18 of the proponent's document.

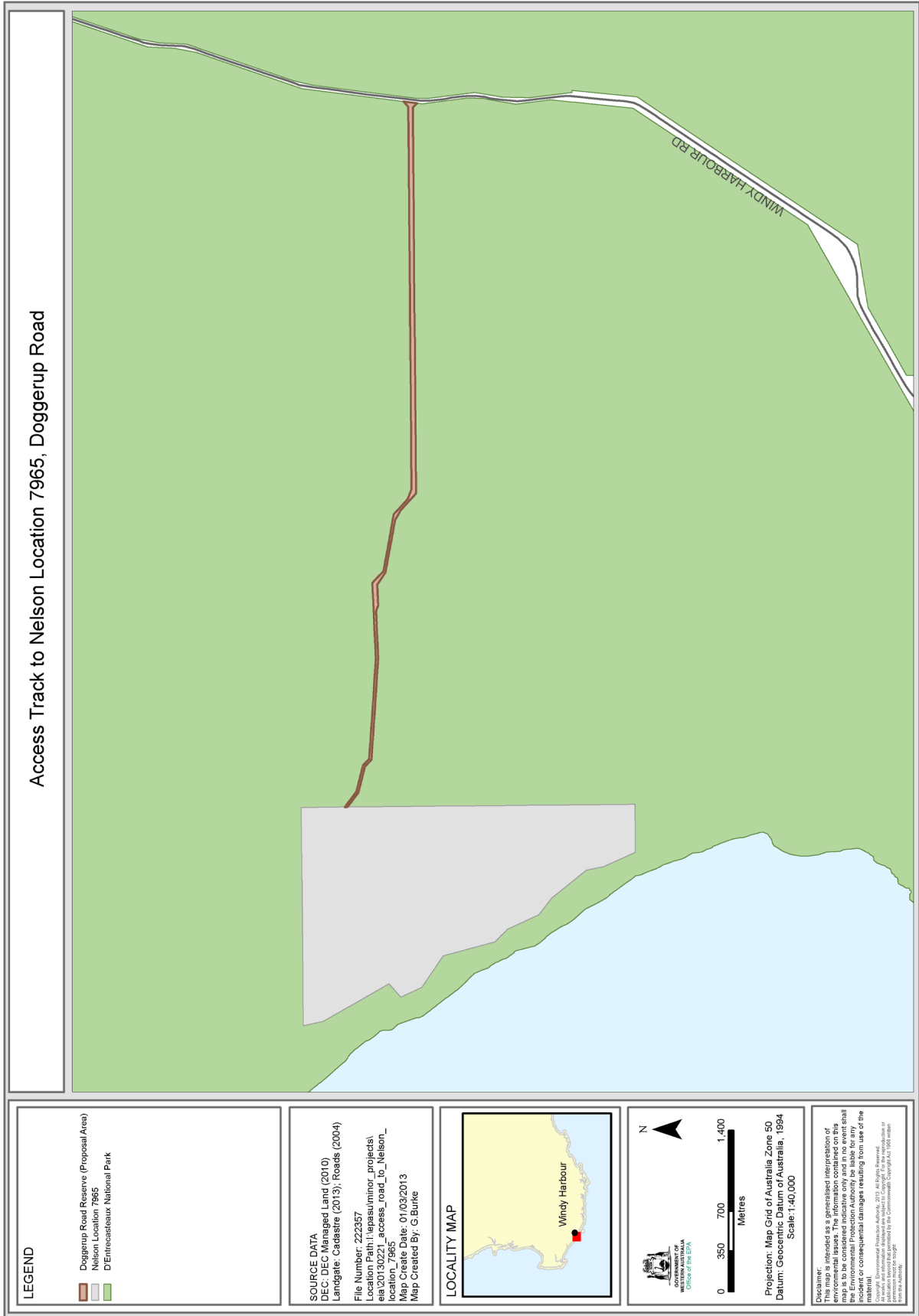


Figure 1 – Location of Doggerup Road reserve

### 3. Key environmental factors and principles

Section 44 of the EP Act requires the EPA to report to the Minister for Environment on the key environmental factors relevant to the proposal and the conditions and procedures, if any, to which the proposal should be subject. In addition, the EPA may make recommendations as it sees fit.

The identification process for the key factors selected for detailed evaluation in this report is summarised in Appendix 3. The reader is referred to Appendix 3 for the evaluation of factors not discussed below. A number of these factors, such as heritage, are relevant to the proposal, but the EPA is of the view that the information set out in Appendix 3 provides sufficient evaluation.

It is the EPA's opinion that the following key environmental factors for the proposal require detailed evaluation in this report:

- (a) Flora and vegetation (dieback *Phytophthora* species); and
- (b) Hydrological processes.

The above key factors were identified from the EPA's consideration and review of all environmental factors generated from the PER document and the submissions received, in conjunction with the proposal characteristics.

Details on the key environmental factors and their assessment are contained in sections 3.1 – 3.3. The description of each factor shows why it is relevant to the proposal and how it will be affected by the proposal. The assessment of each factor is where the EPA decides whether or not a proposal meets the environmental objective set for that factor.

The following principles were considered by the EPA in relation to the proposal:

- (a) The precautionary principle;
- (b) The principle of intergenerational equity; and
- (c) The principle of the conservation of biological diversity and ecological integrity.

#### 3.1 Flora and vegetation (dieback *Phytophthora* species)

##### Description

##### **Dieback**

*Phytophthora* species, in particular *P. cinnamomi*, are microscopic soil-borne plant pathogens, more commonly known as dieback, which are recognised nationally and internationally as a major threat to biodiversity and the ecological functioning processes of many ecosystems (EPA, 2001).

Dieback is already present within the Shannon and D'Entrecasteaux national parks, with approximately 70 per cent of the seasonally inundated *Banksia* woodlands infested (DEC, 2012).

In 2011 a dieback assessment was undertaken by Shellbay Holdings Pty Ltd to determine the level of infestation present and to identify any protectable areas along the Doggerup Road reserve and the adjacent national park. Protectable areas can be defined as areas which are free of the evidence of infestation by *Phytophthora* species, and which are amenable to being protected from new infestations arising from road construction and maintenance activities through the imposition of hygiene management practices.

The proponent proposes to manage the potential spread of dieback during construction by ensuring that all clearing and construction activities are undertaken during dry soil conditions. The limestone material required for track construction will be certified free of dieback prior to movement into the proposal area. The method of road construction (i.e. placing the limestone material directly on the natural surface) will require maintenance as the limestone settles due to the underlying vegetation and soils breaking down and compacting. Therefore, additional limestone material will be required in the future. This limestone will also need to be certified dieback free. The proponent asserts that additional dieback management will not be required for operation as the track will act as a barrier to prevent further movement of the disease. This issue is further discussed in the assessment section below.

### **Vegetation**

The Doggerup Road reserve is within the Warren IBRA bioregion in the Shire of Manjimup. The extent of native vegetation in these areas is 86% and 83% respectively. Four Regional Forest Agreement vegetation complexes are mapped as occurring in the road reserve (Mattiske and Havel, 1998). These vegetation complexes are *Collis brown gravelly duplex*, *Black water podzols*, *Meerup podzols on interdunal plains* and *Meerup podzols on siliceous sands* and are all considered well represented in secure reserves.

In addition, the proponent has undertaken field surveys and identified seven vegetation units as occurring in the surveyed corridor. The proponent's assessment concluded that the vegetation units within the road reserve are found in the adjoining D'Entrecasteaux National Park and are not considered to be under threat at a local, regional or state level.

Vegetation surveys determined that no Threatened or Priority Ecological Communities or underrepresented vegetation complexes were found to exist within the proposal footprint. Vegetation condition within the road reserve is primarily degraded because of the previous clearing that has occurred, however regrowth in the western portion of the track is in good condition. Vegetation condition on either side of the track is excellent across the survey area (Natural Area Consulting, 2011a).

A maximum of 6.5 ha of native vegetation will need to be cleared for the proposal, with 3.9 ha permanently cleared for the operation of the road. However, the proponent has committed to utilising the existing cleared track for construction of the proposal to minimise the clearing of vegetation. Given the small area of native vegetation to be cleared and the linear extent of the disturbance, it is unlikely that the proposal will lead to a significant impact on the distribution and representation of vegetation associations and communities at a local or regional level.

### **Priority flora**

Flora surveys of the site found no Declared Rare Flora within the survey area. However six priority flora species were found within the proposal footprint. In addition to the priority species found, an extension in range was found for two species (*Leucopogon rubicaulis* and *Schoenus submicrostachyus*) and one species found is considered locally endemic (*Xyris indivisa*). Table 2 estimates the number of priority species likely to be affected by the creation of Doggerup Road.

**Table 2: Priority plant species likely to be affected by the proposal**

<b>Species</b>	<b>Priority*</b>	<b>No of Plants Likely to be directly impacted by proposal.</b>
<i>Andersonia barbata</i>	P2	6
<i>Astartea sp. Scott River</i>	P4	1
<i>Goodenia filiformis</i>	P3	24
<i>Gonocarpus pusillus</i>	P4	5
<i>Hemiandra</i> sp. 'Windy Harbour'	P3	35
<i>Stylidium leeuwinense</i>	P4	20

\*Western Australian Herbarium, 1998 onwards.

The EPA notes that given the small extent and linear nature of the proposal, the small proportion of flora habitats in the clearing corridor, and the fact that these habitats are represented in the surrounding national park, it is unlikely that the regional population of the above priority flora species will be significantly impacted by the proposal. Shellbay Holdings has stated that there are further opportunities to avoid and minimise the impacts of the proposal on the above flora species during the construction of the proposal.

### **Threatened fauna habitat**

There are trees within the Doggerup Road reserve that would be suitable for nesting hollows for Black Cockatoo species. Each tree was assessed for girth and possible hollows and Global Positioning System (GPS) referenced. Sixty-six potential Black Cockatoo habitat trees were identified within the road reserve. The proponent's Environmental Management Plan commits to retaining these trees during the construction of the road.

## **Submissions**

Key comments in the submissions focused on:

- the risks associated with the spread of dieback into the adjacent national park; and
- the ability of the proponent to manage the issue of dieback in the long-term.

## **Assessment**

### ***Dieback***

The EPA's environmental objective for flora and vegetation is to maintain representation, diversity, viability and ecological function at the species, population and community level.

D'Entrecasteaux National Park has long been valued for its extensive and nationally significant wetland systems that provide habitat for a range of endemic flora and fauna. In view of the surrounding national park and environmental values of the road reserve, a key objective of the proposal should be that the implementation does not result in the introduction of dieback into dieback free areas or 'protectable areas'. Protectable areas can be defined as areas which are free of the evidence of infestation by dieback and which are amenable to being protected from the establishment of new infestations through imposition of hygiene and management practices. Management must therefore focus on reducing the risk of dieback spreading into the adjacent National Park.

The western section of the Doggerup Road reserve is a high risk dieback area due to the Doggerup Creek wetland system, and the site's ponding characteristics.

Standard practices for dieback management are routinely implemented by the DEC and the Shire of Manjimup. These strategies include:

- the use of certified dieback free construction materials;
- construction in dry soil conditions only;
- baseline dieback surveys to identify protectable areas;
- maintenance of road surfaces to prevent water ponding; and
- undertaking follow up surveys to ensure that dieback has not been introduced into protectable areas.

To date, Shellbay Holdings has undertaken baseline surveys for the presence of dieback within the 20 m wide road reserve. Dieback was present in a large portion of the road reserve. Three sections of the road reserve were found to be free of dieback and considered to be protectable. Application of the above mentioned practices will need to be applied to these protectable areas to reduce the risk of these areas becoming infested.

Shellbay Holdings has prepared a draft dieback management plan as part of its Environmental Management Plan. The aim of this plan is to minimise the

spread of dieback into the surveyed protectable areas and thereby reduce the risk of dieback entering the adjacent National Park. This plan will also incorporate the hygiene protocols in accordance with the *Managing Phytophthora Dieback Guidelines for Local Government* (Dieback Working Group, 2000). The EPA considers that it will be important for construction works to be adequately supervised and monitored by the Shire of Manjimup to ensure construction contractors are satisfactorily implementing hygiene protocols.

The EPA has recommended Condition 6 which incorporates the measures proposed by Shellbay Holdings and the local government dieback guidelines. These conditions require measures to be implemented which aim to ensure that dieback disease (*Phytophthora* species) is not introduced as a direct or indirect result of implementation of the proposal into the protectable areas in the road reserve. These conditions would also apply to the ongoing maintenance activities for the proposal.

The EPA concludes that the EPA's environmental objective for the factor of flora and vegetation (dieback *Phytophthora* species) is capable of being met due to the small amount of clearing, implementation of dieback hygiene protocols, and preparation and implementation of an Environmental Management Plan for the ongoing environmental management of the proposal.

### **Summary**

The EPA considers the key environmental factor of flora and vegetation (dieback *Phytophthora* species) has been adequately addressed and the EPA's objective for this factor can be achieved provided that conditions are imposed requiring the proponent to:

- a) implement standard hygiene measures which aim to ensure that dieback (*Phytophthora* species) is not introduced to the surveyed protectable areas of the road reserve as a direct or indirect result of implementation of the proposal. Meeting this objective would reduce the risk of dieback entering the adjacent D'Entrecasteaux National Park (Condition 5); and
- b) finalise and implement the draft Environmental Management Plan, prepared by Shellbay Holdings Pty Ltd, which provides for the construction and ongoing environmental management of the proposal (Condition 7).

## **3.2 Hydrological processes**

### **Description**

The proposed road alignment traverses creeks and areas that are subject to inundation. The Doggerup Creek system, which is listed under the *Directory of Important Wetlands of Australia* (Department of Sustainability, Environment, Water, Population and Communities, 2010), extends from 7 km south south-west of Northcliffe to the south coast. Over 80% of the Doggerup Creek system is represented in D'Entrecasteaux National Park. It is a largely



undisturbed example of an 'acid peat flat', small permanent lakes (Doggerup Lake and lakes Samuel and Florence) and a river (Doggerup Creek).

The construction of the road has the potential to alter hydrological processes, which may impact native freshwater fish species. A desktop analysis indicated that the creek system may support Balstons Pygmy Perch (*Nannatherina balstoni*) which is listed as vulnerable under the *Wildlife Conservation Act 1950*, and the Priority 3 - Black Striped Minnow (*Galaxiella nigrostriata*).

The proponent undertook a wetland assessment defining the wetlands as part of the Gardner Watershed catchment area. Water within the two major wetland areas in and near the road reserve drains south east towards Blackwater Creek which ultimately feeds into Gardner River to the south east, with the topography at the site precluding water draining to Doggerup Creek to the north west. Other ephemeral wetland areas within or immediately adjacent to the road reserve appear to be winter wet depressions that fill after significant rainfall events and then dry out during warmer periods (Bio Diverse Solutions, 2012).

The proponent also undertook surface water monitoring, with the results indicating that the areas are rapidly draining with the formation of temporary pools during precipitation events. The PER further states that a comparison of results from 2010 and 2011 show that surface water patterns are not generally variable between years, noting that 2010 was an unseasonably dry winter (Bio Diverse Solutions, 2012).

To provide for year-round access, the proponent commissioned an engineering assessment, which identified four major water crossings where culverts and drainage structures need to be installed (Figures 2 and 3). These creek crossings range from small defined channels where one to two culverts are proposed, to longer less defined water channels where up to 12 culverts are proposed to ensure that the road does not impede water flows.

The engineering assessment also identifies the land as being slightly undulating with marginal cross fall, and therefore extensive road side drains are not required. It is proposed to construct the road with a slight crown to allow water to infiltrate as close to the existing track as possible, minimising the potential for erosion.

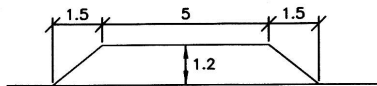
#### *Potential acid sulfate soils*

Wetlands within the Doggerup Creek System have the potential for acid sulfate soils. The disturbance of soils during track construction could expose acid sulfate soils which would result in release of acid water and heavy metals and impact on surface water quality. However, given that no excavation or soil disturbance is proposed across the wetland areas where potential acid sulfate soils were identified and that the track will be made of limestone (a material which neutralises acidity), the EPA considers that the construction methods are suitable for the proposal and the risk of impacts to the water quality of the wetland areas to be low.

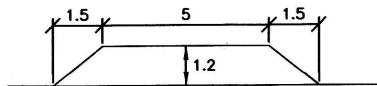
ADDENDUM TO ENGINEERING ASSESSMENT  
DOGGERUP ROAD, WINDY HARBOUR

ILLUSTRATION of CAUSEWAY CROSS SECTIONS

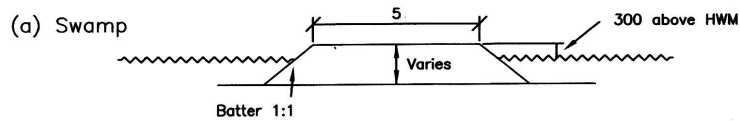
1. FIRST WATER CROSSING P.10



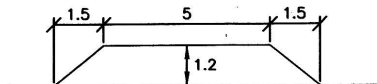
2. 2nd WATER CROSSING P.11



3. 3RD WATER CROSSING P.12/13



- (b) Creek



4. AREAS of PONDING and INUNDATION P.13

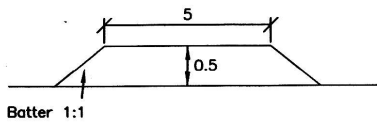


Figure 2 – Cross-sectional profiles (MPM Consultants, 2010)



## **Submissions**

Key comments in the submissions focused on:

- difficulties in maintaining pre-development flows given the construction of a barrier across the wetlands;
- inadequacy of the current risk assessment and recommended that additional work be undertaken; and
- potential risks to native freshwater fish species.

## **Assessment**

The EPA's environmental objective for this factor is to maintain the hydrological regimes of groundwater and surface water so that existing and potential uses, including ecosystem maintenance, are protected.

Based on the information provided in the PER, the EPA considers maintaining the pre-development flows in the eastern half of the road reserve to be readily manageable as the creeks in this area are well-defined.

The western end of the road reserve is in a flat dampland area which ponds in winter and hence maintaining pre-development hydrological flows through this section would require additional management measures. An engineering report commissioned by Shellbay Holdings has already identified this to be a high risk area and acknowledges that culverts at regular intervals across the wet area will be required. The report also indicated that closely spaced small culverts will be preferred over fewer larger culverts.

Based on the inferred direction of surface water flow to the south east, towards Gardiner River and the ponding characteristics of the area, the EPA considers that the proposed road is unlikely to result in significant shadowing effects if culverts and drainage structures are properly located, surveyed and installed.

The EPA has therefore recommended a condition which requires the proponent to submit a plan prior to the commencement of construction, which would details the locations, spacing and size of the drainage structures (Condition 6). It would also need to show the final height of the road in these areas to ensure it is constructed to the proper standards and suitable for this location.

Undertaking these measures is particularly important to maintain the habitat of the Balston's Pygmy Perch.

It is expected that the plan to be submitted would incorporate the guidance provided in Shellbay Holdings' engineering report (MPM Development Consultants, December 2010), which recommends further work, and the additional field work undertaken and included in the response to submissions. The objective is allow the proponent to consolidate all the work undertaken to date combined with the additional field work recommended in the engineering report, to be clearly set out in a plan which allows the works to be audited.

## Summary

The EPA considers the key environmental factor of hydrological processes has been adequately addressed and the EPA's objective for this factor can be achieved provided that conditions are imposed requiring the proponent to:

- a) implement drainage measures to ensure that where the road traverses creeks and areas of inundation it does not adversely alter the natural surface flows and flooding regime of the area (Condition 6).
- b) finalise and implement the draft Environmental Management Plan which provides for the ongoing environmental management of the proposal (Condition 7).

### 3.3 Environmental principles

In preparing this report and recommendations, the EPA has had regard for the object and principles contained in s4A of the EP Act. Appendix 3 contains a summary of the EPA's consideration of the principles.

## 4. Conditions

Section 44 of the EP Act requires the EPA to report to the Minister for Environment on the key environmental factors relevant to the proposal and on the conditions and procedures to which the proposal should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

### 4.1 Recommended conditions

Having considered the information provided in this report, the EPA has developed a set of conditions that the EPA recommends be imposed if the proposal by the Shire of Manjimup to construct, operate and maintain a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve, is approved for implementation.

These conditions are presented in Appendix 4. Matters addressed in the conditions include the following:

- (a) Implementing hygiene measures which aim to ensure that dieback (*Phytophthora* species) is not introduced to the surveyed protectable areas in the road reserve as a direct or indirect result of implementation of the proposal.
- (b) Implementing drainage measures which aim to ensure that where the road traverses creeks and areas of inundation implementation of the

proposal does not adversely alter the natural surface flows and flooding regime of the area.

- (c) Finalising and implementing the draft Environmental Management Plan which provides for the ongoing environmental management of the proposal.

## 4.2 Consultation

In developing these conditions, the EPA consulted with the proponent, Shellbay Holdings Pty Ltd and the DEC in respect of matters of fact and matters of technical or implementation significance. Minor changes, which did not change the intent or scope, were made to conditions 5-1, 5-5, 6-1 and 6-2.

## 5. Other advice

As mentioned in Section 2 of this report, Nelson Location 7965, owned by Shellbay Holdings, is a privately owned enclave surrounded by D'Entrecasteaux National Park. The approved *Shannon and D'Entrecasteaux National Parks Management Plan* (Conservation Commission *et al*, 2012) has identified issues associated with coastal and private enclaves in the National Park, and considered them to be a high priority for purchase if they become available.

In its submission to the EPA on the proposal, the DEC has further confirmed the property to be a priority for purchase and inclusion into the National Park. The DEC has also raised concerns about the flow-on effects from the development and use of the road including any future development of the property and consequential impacts on the values of the National Park.

The EPA acknowledges the DEC's concerns about the potential flow-on effects of the road and attendant environmental impacts. Future development on Nelson Location 7965 has the potential to increase threats to the surrounding National Park and may lead to the environmental values of the property diminishing over time. The extent of impacts would largely depend on the type and intensity of any proposed development.

However, as there is currently no proposal from Shellbay Holdings to develop the property, the EPA is required to consider the environmental merits of the proposal before it, and report to the Minister on the environmental acceptability of the road. For this assessment the EPA understands that the road is required to provide all-weather, year-round access to Shellbay Holdings' property.

Nelson Location 7965 is currently zoned 'Rural Conservation' in the Shire of Manjimup Local Planning Scheme No. 4. The purpose is to provide a land use option for rural lots that are in environmentally sensitive locations requiring special planning and management considerations. This allows opportunities for environmentally sustainable and low key tourist and

recreational development. However, it is noted that such developments could still present threats and pressures to the environmental values on the property and the surrounding national park.

Any development application for the property will require consideration and approval from the Shire of Manjimup. The EPA would expect any development application to be consistent with the zoning, supported by site-specific biological surveys, designed to maintain the environmental values of the property itself and manage threats to the significant environmental values of the surrounding National Park. The EPA would also expect the DEC to be consulted on any application. If the application is likely to have a significant effect on the environment, then it is expected that the DEC or the Shire of Manjimup, as the decision-making authority for the development, would refer the application to the EPA as a significant proposal under the EP Act for a decision on whether formal assessment is required.

## 6. Recommendations

The EPA submits the following recommendations to the Minister for Environment:

1. That the Minister notes that the proposal being assessed is for the construction, operation and maintenance of a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road reserve;
2. That the Minister considers the report on the key environmental factors and principles as set out in Section 3;
3. That the Minister notes the EPA has concluded that it is likely that the EPA's objectives would be achieved, provided there is satisfactory implementation by the proponent of the recommended conditions set out in Appendix 4 and summarised in Section 4;
4. That the Minister notes that the EPA has provided other advice in Section 5 in relation to any potential future development of Nelson Location 7965; and
5. That the Minister imposes the conditions and procedures recommended in Appendix 4 of this report.

# **Appendix 1**

## **References**



Bio Diverse Solutions (2012) *Access Track to Nelson Location 7965 (Sandy Peak) Doggerup Road Shire of Manjimup Public Environmental Review Assessment No 1836*, Western Australia.

Bio Diverse Solutions (2011) *Access Road to Nelson Location 7965 (Sandy Peak) Doggerup Road Shire of Manjimup Preliminary Fauna Investigation – Level 1*, Western Australia.

Centre for *Phytophthora* Science & Management (2012) *About Phytophthora*  
<http://www.cpsm.murdoch.edu.au/>

Conservation Commission of Western Australia and Department of Environment and Conservation (2012) *Shannon and D'Entrecasteaux National Parks Management Plan No. 71 2012* Department of Environment and Conservation and Conservation Commission of Western Australia, Perth.

Department of Conservation and Land Management (2003) *Phytophthora cinnamomi and disease caused by it, Volume 1 – Management Guidelines*. Department of Conservation and Land Management, Dwellingup.

Department of Environment and Conservation (2003) *Geomorphic Wetlands, Augusta to Walpole*, <http://www2.landgate.wa.gov.au>

Department of Sustainability, Environment, Water, Population and Communities (2010) *Directory of Important Wetlands – Doggerup Creek System – WA104*, <http://www.environment.gov.au/cgi-bin/wetlands/report.pl>, accessed 09 November 2010.

Environmental Protection Authority (2001). *Protocol for the identification and prioritisation for management of Phytophthora cinnamomi 'protectable areas'*. Environmental Protection Authority Bulletin 1010, February 2001.

Mattiske, E.M., and Havel, J.J. (1998) *Regional Forest Agreement Vegetation Complexes*, Department of Conservation and Land Management, Kensington.

Moore Mapping (2013) *Report and recommendations for the mapping of the disease caused by Phytophthora cinnamomi 2013 recheck – Doggerup Access Track, Malimup Block*, Moore Mapping Trust, Manjimup.

Moore Mapping (2011) *Report and recommendations for the mapping of the disease caused by Phytophthora cinnamomi Doggerup Access Track, Malimup Block*. Moore Mapping Trust, Manjimup.

MPM Development Consultants (2010) *Engineering Assessment Doggerup Road, Windy Harbour. Prepared for Shellbay Holdings (December 2010)*. Bunbury.

Natural Area Consulting (2011a) *Shellbay Holdings Pty Ltd Doggerup Road Reserve Flora Survey*, Whiteman.

Natural Area Consulting (2011b) *Shellbay Holdings Pty Ltd Wetland Assessment Doggerup Road Reserve*, Whiteman.

Shearer BL, Crane CE and Cochrane A (2004) *Quantification of the susceptibility of the native flora of the South-West Botanical Province, Western Australia, to Phytophthora cinnamomi*. Australian Journal of Botany 52, 435-443.

Western Australian Herbarium (1998–). *FloraBase—the Western Australian Flora*. Department of Environment and Conservation.  
<http://florabase.dec.wa.gov.au/>

# **Appendix 2**

## **List of Submitters**

**Organisations:**

Conservation Council of Western Australia  
Department of Environment and Conservation  
Department of Water  
Shire of Manjimup  
Wildflower Society of Western Australia Inc

**Individuals:**

G Giblett  
P Owens

## **Appendix 3**

**Summary of identification of key environmental factors and principles**

Preliminary Environmental Factors	Proposal Characteristics	Government Agency and Public Comments	Identification of Key Environmental Factors
<b>BIOPHYSICAL</b>			
Flora and Vegetation (Dieback)	Areas of the proposal site are infested with <i>P. cinnamomi</i> , with the risks of spreading into the adjacent National Park.	<p><u>DEC</u></p> <ul style="list-style-type: none"> <li>• A <i>Phytophthora</i> management plan addressing all species of the pathogen, including testing of the limestone material for <i>P. multivora</i>. The management plan should include post construction dieback mapping to provide a comparison to the situation prior to construction.</li> <li>• An acid sulfate soil management plan should be prepared.</li> </ul> <p><u>Shire of Manjimup</u></p> <ul style="list-style-type: none"> <li>• Dieback management techniques must be implemented to prevent the transference of dieback through the National Park.</li> </ul> <p><u>Department of Water (DoW)</u></p> <ul style="list-style-type: none"> <li>• Dieback hygiene should be maintained after construction.</li> </ul> <p><u>Non-Government Organisations/Public</u></p> <ul style="list-style-type: none"> <li>• Risks of introducing dieback into the largely undisturbed section of the park west of Windy Harbour Road.</li> </ul>	<b>Considered to be a key environmental factor. See Section 3.1.</b>

	<p>Clearing of 6.5 ha within 10 m disturbance corridor (including passing lanes), for construction, of which 3.9 ha will be permanently cleared. The loss of Priority flora.</p>	<p><u>DEC</u></p> <ul style="list-style-type: none"> <li>The DEC seeks clarity on the footprint, both for the amount of clearing required and that the clearing width should be reduced from the currently proposed 10 m width to minimum levels required that address safety requirements, including emergency evacuation. A 10 m initial clearing width is excessive for a three metre final trafficable running surface.</li> </ul> <p><u>Department of Water</u></p> <ul style="list-style-type: none"> <li>Many of the species noted within the Low Open Woodland unit (BIBq) are considered to be water dependent species, such as <i>Banksia littoralis</i>, <i>Melaleuca densa</i>, <i>Taxandria juniperinia</i> <i>T.parviceps</i> and <i>Beaufortia sparsa</i> . .</li> </ul> <p><u>Department of Water/DEC/Wildflower Society</u></p> <ul style="list-style-type: none"> <li>Believe that the proposal is at variance to one or more of the 10 clearing principles and do not support the statement within the PER that states that the proposal is not contrary to the 10 clearing principles.</li> </ul> <p><u>Non-Government Organisations/Public</u></p> <ul style="list-style-type: none"> <li>Potential risks and impacts to threatened species and communities.</li> <li>The Conservation Council of WA believes the dry years in which the fauna and flora surveys were</li> </ul>	
--	--	---	--

	<p>Fauna Habitat - Clearing of vegetation may result in a reduction in available fauna habitat. The road reserve contains 66 potential Black Cockatoo habitat trees.</p>	<p>conducted influenced the results, which was not accounted for or discussed by the proponent.</p> <ul style="list-style-type: none"> <li>The Conservation Council of WA expressed concern that unauthorised road access would increase the likelihood of weeds, pests, Dieback and fires. They also expressed concern that the PER did not address <i>P. multivora</i> which is considered more deadly than <i>P. cinnamomi</i>.</li> </ul> <p><u>DEC</u></p> <ul style="list-style-type: none"> <li>Potential risks to the Balston's pygmy perch and black striped minnow.</li> </ul> <p><u>Non-Government Organisations/Public</u></p> <ul style="list-style-type: none"> <li>Risks and potential impacts to threatened species and communities.</li> </ul>	
<p>Hydrological processes</p>	<p>Construction of a road through wetland areas, potential for interruption of sub-surface flows due to compaction.</p>	<p><u>DEC</u></p> <ul style="list-style-type: none"> <li>Threat of disturbance to the wetland system, i.e. the salamander fish, pygmy perch and the unique nesting sites of many species of birdlife.</li> <li>Additional water investigations should be undertaken by an appropriately expert hydrologist and a water (groundwater and surface water) management plan should be developed as the groundwater conditions are not well understood by the proponent.</li> <li>The potential wetland impact area is understated and likely much larger than the 1.4 hectares stated</li> </ul>	<p><b>Considered to be a key environmental factor. See Section 3.2.</b></p>



		<p>in the PER. Given the lineal nature of the proposed road, flat terrain, and sheet like surface water flows, the shadowing influence (indirect impact) of the road will be larger than the 1.4 hectares as projected.</p> <p><u>Department of Water</u></p> <ul style="list-style-type: none"> <li>• The wetlands and the general flatness of the terrain means that maintaining the hydrological balance after the road has been built may be difficult.</li> <li>• It will be more difficult to maintain the pre-development flows to the downstream dampland area at water crossings three and four due to the nature of the wetland and the length of the water crossing.</li> <li>• The engineering assessment gives no consideration to the large dampland areas past water crossing three and four and how the hydrological balance will be maintained after construction of the road.</li> <li>• Appropriate and detailed engineered drainage systems are required to ensure no interference to current hydrological flow. It is unclear how the 'monitoring pegs' will be used to monitor and assess flow regimes and guide the drainage, including the size and placement of culverts.</li> </ul>	
<b>SOCIAL SURROUNDINGS</b>			
Heritage	The area has a history	The OEPA was informed after the public submission	The proponent has

	<p>of Aboriginal occupation and sites of significance are located adjacent to the subject area.</p>	<p>period of the following issues:</p> <ul style="list-style-type: none"> <li>• The road may impact upon sites not recorded on the Aboriginal Heritage Inquiry System (AHIS).</li> <li>• The impacts of the proposed road on the environment, particularly regarding impacts to natural water flows and drainage and the subsequent impacts on flora, fauna and integrity of Aboriginal sites in the area.</li> </ul>	<p>undertaken a search of the Department of Indigenous Affairs (DIA) Inquiry Database and a sweeping survey of the road reserve was undertaken in 2011. No probable heritage sites were located within the road reserve.</p> <p>Should an Aboriginal site be discovered during the construction of the road, the <i>Aboriginal Heritage Act 1972</i> states that a person who excavates, destroys, damages or conceals any Aboriginal site commits an offence unless they possess authorisation. Therefore should a site be uncovered, work is required to cease until such authorisation is obtained.</p> <p>The proponent proposes the road to be a</p>
--	---	---	---

			<p>“Controlled Closed Road” which will aid in preventing increased usage and impacts to sites not identified in the AHIS.</p> <p><b>Not considered to be a Key Environmental Factor.</b></p>
--	--	--	--

# **Appendix 4**

## **Identified Decision-making Authorities and Recommended Environmental Conditions**

## Identified Decision-making Authorities

Section 44(2) of the *Environmental Protection Act 1986* (EP Act) specifies that the EPA's report must set out (if it recommends that implementation be allowed) the conditions and procedures, if any, to which implementation should be subject. This Appendix contains the EPA's recommended conditions and procedures.

Section 45(1) requires the Minister for Environment to consult with decision-making authorities, and if possible, agree on whether or not the proposal may be implemented, and if so, to what conditions and procedures, if any, that implementation should be subject.

The following decision-making authorities have been identified for this consultation:

<b>Decision-making Authority</b>	<b>Approval</b>
1. Minister for Environment	<i>Wildlife Conservation Act 1950</i> - approval to take flora on Crown land.
2. Shire of Manjimup	Shire is responsible for the care, control and maintenance of a road on a road reserve.

RECOMMENDED ENVIRONMENTAL CONDITIONS

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED  
(PURSUANT TO THE PROVISIONS OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

ACCESS ROAD TO NELSON LOCATION 7965 (SANDY PEAK) DOGGERUP  
ROAD, SHIRE OF MANJIMUP

**Proposal:** The proposal is for the construction, operation and maintenance of a 6.5 km long all-weather, year-round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road Reserve.

**Proponent:** Shire of Manjimup

**Proponent Address:** 37-39 Rose Street (Corner Brockman and Rose Streets)  
MANJIMUP WA 6258

**Assessment Number:** 1836

**Report of the Environmental Protection Authority Number:** 1470

This Statement authorises the implementation of the Proposal described and documented in Columns 1 and 2 of Table 2 of Schedule 1. The implementation of the Proposal is subject to the following implementation conditions and procedures. Schedule 2 details the definitions of terms and phrases used in the implementation conditions and procedures.

**1 Proposal Implementation**

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Column 3 of Table 2 in Schedule 1, unless amendments to the proposal and the authorised extent of the Proposal has been approved under the EP Act.

**2 Contact Details**

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within 28 days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

**3 Time Limit for Proposal Implementation**

3-1 The proponent shall not commence implementation of the proposal after the expiration of 5 years from the date of this statement, and any commencement, within this 5 year period, must be substantial.

3-2 Any commencement of implementation of the proposal, within 5 years from the date of this statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of 5 years from the date of this statement.

#### **4 Compliance Reporting**

4-1 The proponent shall prepare and maintain a compliance assessment plan to the satisfaction of the CEO.

4-2 The proponent shall submit to the CEO the compliance assessment plan required by Condition 4-1 at least six months prior to the first compliance assessment report required by Condition 4-6, or prior to implementation, whichever is sooner.

The compliance assessment plan shall indicate:

- (1) the frequency of compliance reporting;
- (2) the approach and timing of compliance assessments;
- (3) the retention of compliance assessments;
- (4) the method of reporting of potential non-compliances and corrective actions taken;
- (5) the table of contents of compliance assessment reports; and
- (6) public availability of compliance assessment reports.

4-3 The proponent shall assess compliance with conditions in accordance with the compliance assessment plan required by Condition 4-1.

4-4 The proponent shall retain reports of all compliance assessments described in the compliance assessment plan required by Condition 4-1 and shall make those reports available when requested by the CEO.

4-5 The proponent shall advise the CEO of any potential non-compliance within seven days of that non-compliance being known.

4-6 The proponent shall submit to the CEO the first compliance assessment report 15 months from the date of issue of this Statement addressing the 12 month period from the date of issue of this Statement and then annually from the date of submission of the first compliance assessment report.

The compliance assessment report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved compliance assessment plan; and
- (5) indicate any proposed changes to the compliance assessment plan required by Condition 4-1.

## **5 Flora and Vegetation (Dieback *Phytophthora* species)**

- 5-1 The proponent shall aim to ensure that dieback disease (*Phytophthora* species) is not introduced to the protectable areas in the road reserve as a direct or indirect result of construction and maintenance of the proposal.
- 5-2 Prior to construction the proponent shall engage an experienced dieback interpreter to carry out a baseline dieback survey of the road reserve to identify and map the protectable areas and submit the results to the CEO.
- 5-3 Prior to construction the proponent shall submit to the CEO dieback hygiene protocols to apply to vehicles, machines and personnel, during construction and ongoing maintenance, consistent with, and any future revisions of, *Managing Phytophthora Dieback Guidelines for Local government* (Dieback Working Group, 2000), for approval.

The protocols shall include:

- (1) the use of certified dieback free construction material;
  - (2) undertaking construction and maintenance activities only in dry soil conditions;
  - (3) hygiene and clean down procedures to apply to vehicles and machines prior to entering protectable areas during construction and maintenance activities; and
  - (4) undertaking a follow-up dieback survey after completion of construction.
- 5-4 The proponent shall implement the dieback hygiene protocols approved in condition 5-3 during construction and maintenance to meet the objective in condition 5-1.

## **6 Hydrological Processes**

- 6-1 The proponent shall aim to ensure that the implementation of the proposal does not adversely alter the natural surface flows and flooding regime where the road traverses creeks and areas of inundation.
- 6-2 Prior to construction the proponent shall submit a plan for the approval of the CEO which details the locations, spacing and sizes of drainage infrastructure, and height of the road, based on the recommendations in the *MPM Development Consultants Engineering Assessment, Doggerup road, Windy Harbour, MPM Development Consultants, 2010*, onsite monitoring and cross-sectional profiles in Figure 2 of Schedule 1, in order to meet the requirements of condition 6-1.

## **7 Environmental Management Plan**

- 7-1 Prior to construction the proponent shall finalise the *Access Road to Nelson Location 7965 (Sandy Peak) Doggerup road, Shire of Manjimup, Environmental Management Plan, Bio Diverse Solutions, 2 November 2012*, to the satisfaction of the CEO and make the plan publicly available.
- 7-2 During the construction and maintenance of the proposal the proponent shall implement the Environmental Management Plan approved under condition 7-1 in consultation with the DEC.





**Table 1: Summary of the Proposal**

<b>Proposal Title</b>	Access Road to Nelson Location 7965 (Sandy Peak) Doggerup Road.
<b>Short Description</b>	Construction, operation and maintenance of a 6.5 km long all-weather, year round access track from Windy Harbour Road to Nelson Location 7965, located entirely within the Doggerup Road Reserve.

**Table 2: Location and authorised extent of physical and operational elements**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Element</b>	<b>Location</b>	<b>Authorised Extent</b>
Construction and operation of the access track.	Within the Doggerup Road Reserve. See Figures 1. Construction of the road will be generally consistent with the cross-sectional profiles shown in Figure 2.	Clearing of 6.5 ha within 10 m disturbance corridor (including passing lanes) for construction. 3.9 ha will be permanently cleared for operation.

**Table 3: Abbreviations**

<b>Abbreviation</b>	<b>Term</b>
km	kilometres
m	metres
ha	hectares

**Figures (attached)**

- Figure 1 Doggerup Road Reserve
- Figure 2 Cross-sectional profiles

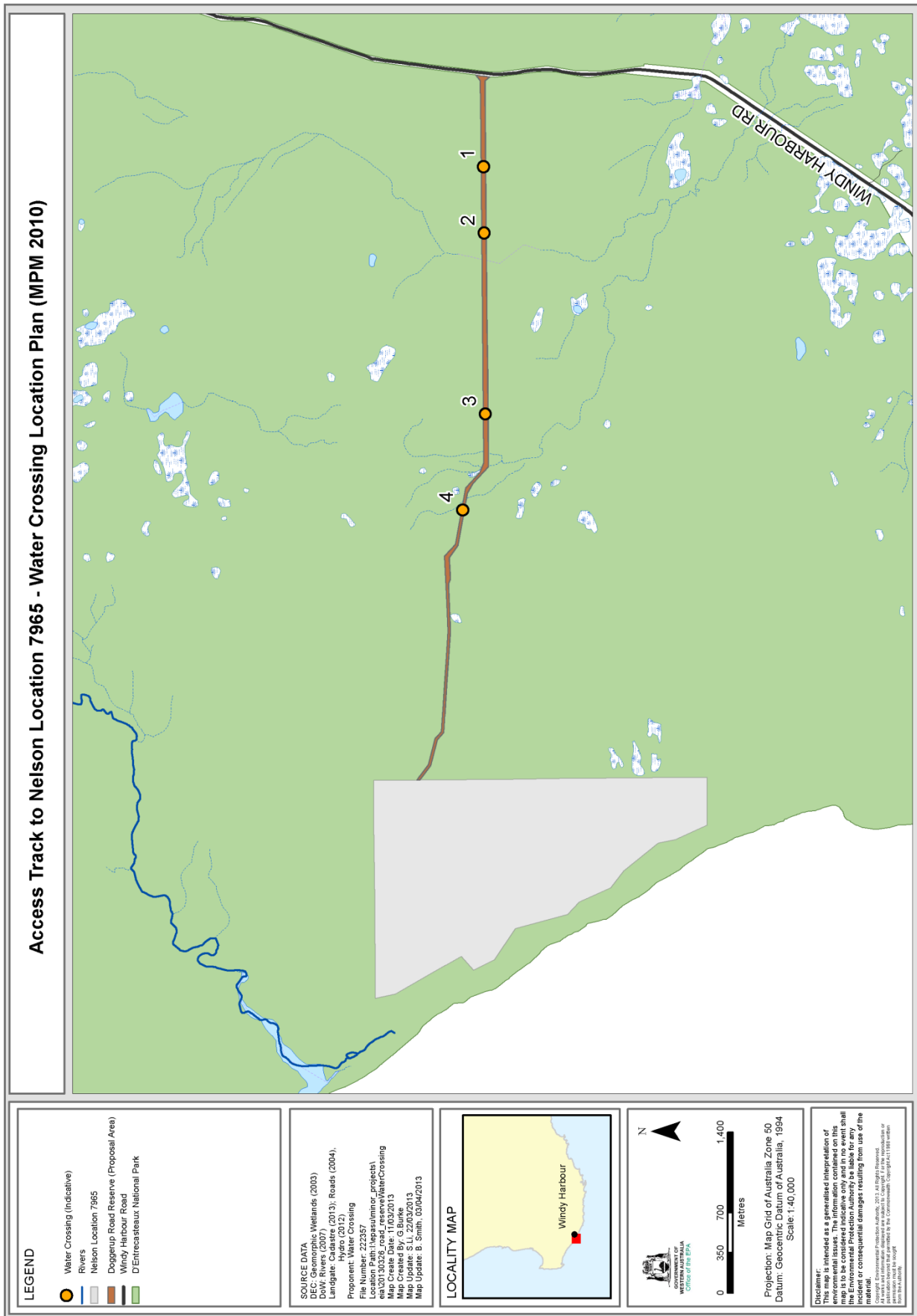
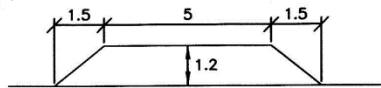


Figure 1 Doggerup Road Reserve

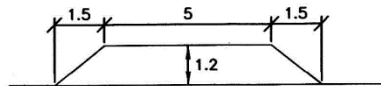
ADDENDUM TO ENGINEERING ASSESSMENT  
DOGGERUP ROAD, WINDY HARBOUR

ILLUSTRATION of CAUSEWAY CROSS SECTIONS

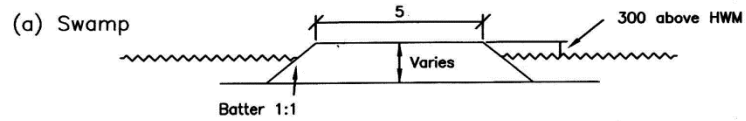
1. FIRST WATER CROSSING P.10



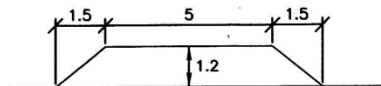
2. 2nd WATER CROSSING P.11



3. 3RD WATER CROSSING P.12/13



- (b) Creek



4. AREAS of PONDING and INUNDATION P.13

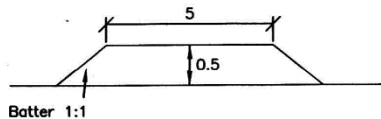


Figure 2 Cross-sectional profiles

## Schedule 2

Term or Phrase	Definition
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EPA	Environmental Protection Authority
EP Act	<i>Environmental Protection Act 1986</i>
DEC	Department of Environment and Conservation
DoW	Department of Water
Dry Soil Conditions	Dry soil conditions are when soils (not dust) do not freely adhere to rubber tyres, trucks, vehicles chassis or wheel arches.
Protectable Areas	Areas which are free of the evidence of infestation by <i>Phytophthora</i> species, and which are amenable to being protected from the establishment of new centres of infestation arising from construction and maintenance activities through the imposition of hygienic management practices.

## Notes

The following notes are provided for information and do not form a part of the implementation conditions of the Statement:

- The proponent for the time being nominated by the Minister for Environment under section 38(6) of the *Environmental Protection Act 1986* is responsible for the implementation of the proposal unless and until that nomination has been revoked and another person is nominated.
- If the person nominated by the Minister, ceases to have responsibility for the proposal, that person is required to provide written notice to the Environmental Protection Authority of its intention to relinquish responsibility for the proposal and the name of the person to whom responsibility for the proposal will pass or has passed. The Minister for Environment may revoke a nomination made under section 38(6) of the *Environmental Protection Act 1986* and nominate another person.
- To initiate a change of proponent, the nominated proponent and proposed proponent are required to complete and submit *Post Assessment Form 1 – Application to Change Nominated Proponent*.
- The General Manager of the Office of the Environmental Protection Authority was the Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the *Environmental Protection Act 1986* at the time the Statement was signed by the Minister for Environment.

# **Appendix 5**

## **Summary of Submissions and Proponent's Response to Submissions**