

Wellington Shire Council

Compliance Report - EPBC Approval 2017/2108

Year 1: 26th November 2018 - 25th November 2019

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Declaration of Accuracy

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed _____

Full name (please print) _____

Position (please print) _____

Organisation (please print including ABN/ACN if applicable) _____

Date ____/____/____

1 Introduction

Wellington Shire Council owns and operates the West Sale Aerodrome at Fulham in West Gippsland, Victoria. The existing runway was extended approximately 300m to a total length of 1800m, including an asphalt overlay to ensure a Pavement Classification Number (PCN) was achieved to accommodate the Dash 8 aircraft type, and an increased tyre pressure of 154psi. The runway extension involved earthworks to level and clear vegetation, compact soil and seal the surface with asphalt. Adjoining the runway, a strip 30m wide is now also slashed on a regular basis to less than 5cm in height to meet CASA safety requirements (EthosNRM, 2019).

This Annual Compliance report is a requirement of Wellington Shire Councils EPBC 2017/8106 Approval as part of the West Sale Airport Runway Extension project which resulted in the loss of 0.485 hectares of the Gippsland Red Gum (*Eucalyptus tereticornis* subsp. *mediana*) Grassy Woodland and Associated Native Grassland a community listed as 'Critically Endangered' under the *Environmental Protection and Biodiversity Conservation Act* 1999 (EPBC Act) and as such its removal was conditional based on Federal Department approval.

2 Description of Activities

Approval for the removal of 0.485 hectares of the federally listed community was granted by the Department of Environment and Energy (DoEE) on the 11th of October 2018, subject to conditional requirements detailed in approval document EPBC 2017/8106. These requirements are listed below in *Table 1*.

Compliance with Condition 3 of the EPBC 2017/8106 approval required Wellington Shire Council to enter into a Land Owner Agreement (LOA) with the Victorian Department of Environment, Land, Water and Planning (DELWP) for a larger area (13ha "protected area") than required for the federal offset (3ha), and included the requirements of the federal Offset Management Plan (OMP).

This is the 1st Annual Compliance Report prepared by Wellington Shire Council to demonstrate enhancement of the federally listed community contained within the LOA protected area and compliance with EPBC 2017/8106 approval requirements.

2.1 Year 1 Compliance Summary

Detail is provided in the 2018 - 2019 Compliance Table (*Table 1*) for compliance against the remaining conditions of the approval.

Table 1: EPBC Approval Conditions Compliance Table for 2018 - 2019

Condition #	Condition	Compliance	Comments
1	For the protection of the ecological community, the approval holder must not clear more than 0.485 hectares of the ecological community from the project area.	Compliant	No more than the permitted 0.485 hectares was removed.
2	Prior to commencement of the action, the offset attributes and shapefiles, as described in the Section 69 Landowner Agreement, must be provided to the Department.		It is understood that these should have been provided, however if there is no record shapefiles can be forwarded.
3	The Offset Management Plan must be implemented for the duration of the approval.	Compliant	<p>WSC commenced implementation of the OMP with the following activities completed within this reporting year:</p> <ul style="list-style-type: none"> • Permanent on title protection of the site under a Section 69 Agreement through the <i>Conservation, Forests and Lands Act 1988</i> (the Landowner Agreement (or LOA)) and development of a site specific LOA management plan. • Site markers installed to delineate the boundary of the offset site at the commencement of the Agreement in 2018. • No breaches of the sites perimeter boundary fencing were observed or noted during this period. This fencing prevents unauthorised access and grazing animals into the aerodrome site. • Spraying of woody weeds, primarily consisting of Blackberry control. • Pest animal control - Rabbits are controlled by WSC across the site on an annual basis through the use of Pindone oat baiting, in response to observed scats and diggings primarily adjacent to airport buildings.

			<ul style="list-style-type: none"> • Ecological burning was undertaken by the CFA within grassland immediately to the SE of the offset site in February 2019, as part of sitewide mosaic burning as required by the Victorian state <i>Flora and Fauna Guarantee Act</i> PAMA agreement. • WSC engaged a suitably qualified on-ground environmental works contractor (Indigenous Design) to undertake weed control activities on site as per the OMP in early November 2019. • Weed control activities completed by Indigenous Design within this reporting year included: <ul style="list-style-type: none"> ○ control of all identified Blackberry plants across the entire offset; ○ Hand weeding of a new and emerging woody weed Cherry Plum); ○ Knapsack spraying of high threat grassy and herbaceous species including: Spear Thistle, Couch, Kikuyu, Toowoomba Canary Grass, Sweet Vernal Grass, Fleabane, Cocksfoot, Yorkshire Fog and Paspalum, along with other herbaceous species such as Sow-thistle, Flatweed, Plantain and Ribwort. ○ Knapsack herbicide application to control Cape Weed and hand weeding of South African Orchid, both new and emerging herbaceous weed species. • Detailing of some of these works are included in the West Sale Aerodrome Offset Report 2020-2021 (IDEM, 2021) provided to DAWE on the 2/2/2021.
	<p>For the protection of the ecological community, the approval holder must:</p> <p>a) Prior to commencement, clearly delineate the no-go zones to prevent entry by machinery, people or vehicles. The delineated no-go zones must be maintained and remain in place until the project is complete.</p> <p>b) For the duration of the project, until the expiry date of the approval, implement the entirety of the Construction Environmental Management Plan.</p>	Compliant	<p>Training - All personnel involved were inducted with reference to the CEMP and undertake all activities in accordance with the CEMP.</p> <p>Vegetation Removal - Vegetation clearing permit obtained from WSC; Vegetation removal works supervised by WSC construction manager; Contractors were briefed on the location of the grasslands; Orange bunting erected around the extent of the site; No-go zones clearly designated; Vehicle access clearly defined by markers; and vehicles and equipment contained within the work site.</p>

			<p>Ground disturbance - all vehicles were required to be washed down before entering the site; all imported material free from <i>P.cinnamomi</i>; Record, monitor and treat any new weed infestations and undertake post construction control of noxious weeds.</p> <p>Waste and hazardous spills - prevent spillage of hazardous good to the adjacent environment.</p> <p>Erosion and sedimentation - no erosion or sedimentation evident on areas of native grassland.; soil erosion and sediment control structures installed/used.</p> <p>Dust - grassland areas not impacted by dust.</p> <p>Fire - no impacts to grassland areas for fire.</p>
5	Within 10 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Complaint	DAWE were notified of the commencement of the action via email/letter. Action commenced on the 26 Nov 2018.
6	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plans required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Compliant	See Appendix 1 as an example of evidence of activities completed.
7	Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date	Non - compliant	This report now meets the requirements of the condition.

	of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.		
8	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister	Not Applicable	No direction received to date.
9	If, at any time after five years from the date of this approval, the approval holder has not commenced the action, then the approval holder must not commence the action without the written agreement of the Minister.	Not applicable	The action has commenced and works have been completed on site for the runway extension.
10	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within one month of being implemented.	Compliant	The Offset Management Plan was published on the WSC website. Airports (wellington.vic.gov.au)

