



ACT
Government



Compliance Report

University of Canberra Hospital, Bruce, ACT

(EPBC 2013/6987)

1st July 2015 - 21st June 2017

**Prepared by the Environment, Planning and Sustainable Development Directorate on
behalf of the ACT Government**


This report demonstrates how Health Infrastructure Procurement (HIP) (acting on behalf of the ACT Health Directorate) and the ACT Parks and Conservation Service (PCS) (within the Environment and Sustainable Development Directorate) have complied with the conditions in the approval decision for the development of the University of Canberra Hospital in Bruce, ACT (EPBC 2013/6987).

Specifically, HIP are responsible for complying with conditions 1, 2a, 2b, 2c, 2d, 5 and 11, in the approval decision. HIP and PCS are jointly responsible for complying with conditions 6, 7, 8, 9 and 12. PCS are responsible with for complying with conditions 3, 4, 4a, 4b, 4c, 4c i, 4c ii, 4c iii, 4c iv, 4c v, 4c vi, 4d, 4e, 4f, 4g and 10.

In addition, this report also demonstrates how the ACT Parks and Conservation Service has implemented the management plan for the Pinnacle Extension environmental offset area on behalf of HIP.

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  (to the extent covered by conditions 1, 2a, 2b, 2c, 2d, 5 and 11, along with the joint conditions 6, 7, 8, 9 and 12)


Full name: Sophie Gray

Position: Director, Health Infrastructure Procurement

Organisation: Chief Minister, Treasury and Economic Development Directorate

Date: 21 / 6 / 2017

Signed

Full name: Daniel Iglesias 

Position: Director, ACT Parks and Conservation Service

Organisation: Environment, Planning and Sustainable Development Directorate

Date: 21 / 6 / 2017

Contents

Declaration of Accuracy.....	2
Location and Boundary of the Pinnacle Nature Reserve Extension.....	4
Compliance with conditions in EPBC Approval Decision.....	5
Implementation of the Offset Management Plan.....	12

2. Location and Boundary of the Pinnacle Nature Reserve Extension



3. Compliance with conditions in EPBC Approval Decision

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
1	The approval holder must not clear more than 7.6 hectares (ha) of box gum woodland.	Health Infrastructure Procurement	Compliant	The University of Canberra Public Hospital (UCPH) development sits within the 7.6 hectare approval area. No clearing associated with UCPH development has occurred outside the approval area.
2	The approval holder must undertake all measures to avoid and minimise indirect impacts to box gum woodland on land adjoining the project area that may result from the action during and after construction. Measures must address:	Health Infrastructure Procurement	Compliant	See 2a,2b,2c,2d. To the extent covered by the UCPH development.
2a	Soil erosion and sedimentation	Health Infrastructure Procurement	Compliant	The Head Contractor for the UCPH development has followed all Environmental Protection Authority (EPA) requirements.
2b	Site water run-off	Health Infrastructure Procurement	Compliant	The Head Contractor has followed all EPA requirements. EPA have inspected site on a number of occasions to check the water retention basins. There have not been any issues.
2c	Incidental trampling by workforce personnel, equipment, vehicles, machinery and stock piling of materials	Health Infrastructure Procurement	Compliant	The construction site is fully fenced. No incidental trampling by workforce personnel, equipment, vehicles, machinery and stock piling of materials has occurred outside the construction site.
2d	Weed control (specifically, measures to ensure adjoining box gum woodland areas do not degrade beyond their current quality).	Health Infrastructure Procurement	Compliant	The construction site is fully fenced. There is no access from the project to the adjoining box gum area.
3	To compensate for residual impacts to box gum woodland, the approval holder must formally incorporate the offset site into the Pinnacle Nature Reserve for conservation purposes (as further described at condition four (4)). Evidence of the formal transition must be provided to the Department within two (2) years of the date of this approval.	Parks and Conservation Service	Compliant	The Offset area known as the Pinnacle Nature Reserve Extension for the University of Canberra Hospital development at Bruce ACT was formally incorporated in the ACT reserve system, via a Territory Plan Variation on 19th August 2016. The Territory Plan Variation , which is proof of this formal transition, is publicly available on the web. An email was sent to the Department of Environment and Energy notifying that the process was complete. This email was sent on the 19 th August 2016.

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
4	For the enduring conservation, management and monitoring of the offset site, the approval holder must engage a suitably qualified person to develop an Offset Management Plan (OMP). The OMP must be submitted to the Minister for approval within twelve (12) months of the date of this approval. The OMP must include details on the following and must include details on timing and duration. Priority areas for rehabilitation (both short and long term) must also be clearly illustrated using maps.	Parks and Conservation Service	Compliant	Draft OMP submitted to the Department of Environment and Energy on 9 th October 2015. The final plan addressing comments from the Commonwealth was approved 15 th November 2016. This plan was published on the ACT Government Offsets Register on 30 th November 2016.
4(a)	Location of the offset site including clear maps and accompanying shapefiles.	Parks and Conservation Service	Compliant	Maps provided within section 1 of this document and within the OMP which may be viewed on the EPSDD Offset website . Shapefiles are held by PCS. A copy of all shapefiles identified in the OMP were also supplied to the Department of the Environment and Energy (on USB) on 7 th July 2016. An email was received by the DOEE confirm receipt (dated 8 th July 2016).
4(b)	Baseline surveys to confirm the extent and quality of box gum woodland onsite	Parks and Conservation Service	Compliant	Included in the final approved OMP
4(c)	Management of:			
i.	Soil erosion	Parks and Conservation Service	Compliant	Included in final approved OMP.
ii.	Pests, feral animals and grazing stock	Parks and Conservation Service	Compliant	Included in final approved OMP.
iii.	Weeds and pathogens (in particular, measures to avoid the seed setting and dispersal of key weed species)	Parks and Conservation Service	Compliant	Included in final approved OMP.

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
iv.	Fire (to maintain the ecological integrity of ecosystems)	Parks and Conservation Service	Compliant	Included in final approved OMP.
v.	Unwanted access (including the use of fencing and signage)	Parks and Conservation Service	Compliant	Included in final approved OMP.
vi.	Assisted regeneration and revegetation	Parks and Conservation Service	Compliant	Included in final approved OMP.
4(d)	Objectives and performance indicators associated with all items listed at (c) making reference to claimed offset scores and corresponding contingency or remedial measures. These must be framed in the context of restoring structure and ecological function to box gum woodland consistent with Departmental policy statements.	Parks and Conservation Service	Compliant	Included in final approved OMP.
4(e)	Monitoring and reporting measures associated with all items listed at (c). Monitoring must be able to quantify a change in the quality of box gum woodland onsite, in response to management actions.	Parks and Conservation Service	Compliant	Included in final approved OMP.
4(f)	Scheduling and costing estimates associated with all management actions.	Parks and Conservation Service	Compliant	Included in final approved OMP.

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
4(g)	<p>Provisions for the transition of the offset site to the Pinnacle Nature Reserve, including a statement of commitment by the relevant government agency to ongoing maintenance, enduring management, and associated annual resourcing.</p> <p>The OMP must demonstrate how management of the offset site is complimentary (and additional) to restoration activities previously carried out on site. The approved OMP must be implemented. Until such time as the Minister has approved the OMP, the interim offset management plan must be implemented.</p>	<p>Parks and Conservation Service</p> <p>Parks and Conservation Service</p>	<p>Compliant</p> <p>Compliant</p>	<p>Included in final approved OMP.</p> <p>Included in final approved OMP.</p>
5	<p>Within 30 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.</p>	<p>Health Infrastructure Procurement</p>	<p>Compliant</p>	<p>The Department of the Environment and Energy was formally notified of the date of the commencement of the action on the 8th April 2016. The date of the commencement of the action was the 21st March 2016.</p>
6	<p>The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the OMP 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.</p>	<p>Health Infrastructure Procurement and Parks and Conservation Service</p>	<p>Compliant</p>	<p>Held by ACT Health and PSC within EPSDD</p>

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
7	<p>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 details on the implementation of required management actions, and the implementation of the OMP as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.</p>	<p>Health Infrastructure Procurement and Parks and Conservation Service</p>	<p>Compliant</p>	<p>This is the first report required for this development and associated offset.</p>
8	<p>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.</p>	<p>Health Infrastructure Procurement and Parks and Conservation Service</p>	<p>Not applicable</p>	<p>-</p>

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
9	If the approval holder wishes to carry out any activity otherwise than in accordance with OMP as specified in the condition four (4), the approval holder must submit to the Department for the Minister's written approval a revised version of that strategy. The varied activity shall not commence until the Minister has approved the varied OMP in writing. The Minister will not approve a varied OMP unless the revised OMP would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised OMP, that OMP must be implemented in place of the OMP, originally approved.	Health Infrastructure Procurement and Parks and Conservation Service	Not applicable	-
10	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities to do so, the Minister may request that the approval holder make specified revisions to OMP specified in the condition four (4) and submit the revised OMP for the Minister's written approval. The approval holder must comply with any such request. The revised approved OMP must be implemented. Unless the Minister has approved the revised OMP, then the approval holder must continue to implement the OMP originally approved, as specified in the condition four (4).	Parks and Conservation Service	Not applicable	-

Condition Number	Condition	Responsibility	Compliant/Non-compliant / Not applicable	Description
11	If, at any time after five (5) years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.	Health Infrastructure Procurement	Not applicable	The Department of the Environment and Energy was formally notified of the date of the commencement of the action on the 8 th April 2016. The date of the commencement of the action was the 21 st March 2016.
12	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the interim offset management plan and the OMP referred to in these conditions of approval on their website. The interim offset management plan must be published on the website within one (1) month of the date of this approval (17 th October 2014). The OMP must be published on the website within one (1) month of being approved.	Health Infrastructure Procurement Parks and Conservation Service	Non-compliant Compliant	The interim OMP was developed by consultants engaged by ACT Health. This plan was published on the University of Canberra Public Hospital Development website on the 15 th January 2015. The final OMP was approved by the Department of Environment and Energy on the 15 th November 2016. This plan was published ACT Government Offsets Register on 30 th November 2016.

4. Implementation of the Offset Management Plan

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
Regeneration	<ul style="list-style-type: none"> • Natural regeneration of indigenous trees and shrubs will be promoted within the Box Gum Woodland • Regeneration will be monitored within the Pink-tail Worm-lizard habitat to ensure it does not become too dense. • Tree guards or temporary fencing may be required to protect regenerating trees and shrubs. 	On-going	Thirty large stock proof tree guards were installed to protect existing young naturally regenerating Eucalypt trees from occasional stock damage in May of 2017.	\$500
Revegetation	<ul style="list-style-type: none"> • Undertake revegetation works described in section 4.1.3 and 4.1.4 of the OMP • Trees and shrubs will not be planted in identified Pink-tail Worm-lizard habitat. • All revegetation will be subject to a monitoring and maintenance program 	2017-18	Ten Yellow box Eucalypts were planted with suitable tree guards in late May 2017 to address the erosion issue as mentioned in section 2.1.3 of the OMP. These plants are subject to a two year monitoring and maintenance program.	\$250

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
Erosion	<ul style="list-style-type: none"> • Very small scale revegetation (<50 plants) and minor rock placement will be undertaken to address erosion. • Monitoring the progress of gully nick points will be carried out using markers and photo-points to help determine if further works are required. 	2016-17	<p>See above revegetation section for detail on erosion control using plantings.</p> <p>The main head cut at the top of the erosion gully has been left untreated as it is stabilised by natural rock and is gradually naturally revegetating its self with grass. One of the lateral side cuts has been treated with rock armouring and the other has been cut back to a lesser gradient and covered with native grass thatch for stabilisation. This was done in May 2017.</p> <p>These sites are being monitored using markers and photo monitoring and further monitoring and maintenance will be carried as required into the future.</p> <p>A consultant was also engaged in December 2016 to produce an erosion management plan for the offset site which will be implemented in the 2017-2018 financial year.</p>	\$2980
Woody debris placement	<ul style="list-style-type: none"> • Woody debris has been relocated from the University of Canberra development site to the Offset Area. • Additional woody debris will be sought to place around the dam to restrict stock access and improve frog habitat. 	2016-17	<p>The addition of woody debris around the dam is planned for late 2017 once suitable disease free timbre has been sourced.</p>	-

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
Weed control	<ul style="list-style-type: none"> Target key weeds that are of high priority for control. Weeds will also be controlled on adjacent land (particularly the roadside reserve and adjacent unleased territory land) to minimise weed seed blowing into the Offset Area 	<p>2015-16</p> <p>2016-17</p>	<ul style="list-style-type: none"> Contractors treated 19.58 ha of St. John's Wort at a density of 1-10% both within and immediately outside the offset area in early summer of 2016 and 17. Contractors treated 4 ha of Saffron Thistle at a density of 11-50% both within and immediately outside the offset area in early Spring and Autumn of 2016 and 17. Contractors treated 1.6 ha of Patterson's Curse at a density of 1-10% both within and immediately outside the offset area in early Autumn of 2016 and 17. Contractors treated 25.6 ha of African Love Grass at a density of 11-50% both within and immediately outside the offset area in early Late Autumn/Winter of 2016 and 17. Park Care Volunteers treated 18.6 ha of Nodding Thistle at a density of 1-10% both within and immediately outside the offset area in early Autumn of 2016 and 17. Park Care Volunteers treated 18.6 ha of Briar Rose at a density of <1% both within and immediately outside the offset area in early Spring/Summer of 2016 and 17. Park Care Volunteers treated 18.6 ha of Briar Rose at a density of <1% both within and immediately outside the offset area in early Spring/Summer of 2016 and 17. 	\$6604

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
Invasive animals (rabbits)	<ul style="list-style-type: none"> Rabbits will be monitored and controlled annually in autumn and spring in conjunction with the program operating within the Pinnacle Nature Reserve. 	<p>2015-16</p> <p>2016-17</p>	<p>Rabbits were counted by spotlight transect in October 2015 before rabbit warren fumigation with a result of 0.83 rabbits per kilometre of transect searched within the offset area. The count after control was zero rabbits per kilometre. The greater Pinnacle Nature Reserve area saw an average rabbit count of 1.8 rabbits per kilometre and consequently the offset funded the rabbit control for this greater area.</p> <p>In March 2016 rabbits were again counted by spotlight transect with an average count of zero rabbits per kilometre within the offset area and 1.4 rabbits per kilometre over the greater Pinnacle Reserve area. Offsets again funded this rabbit control to prevent re-invasion into the offset area from the neighbouring reserve. Post control monitoring is still to be conducted.</p>	\$2676

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
General information signage	<ul style="list-style-type: none"> General park sign and prohibited activity signage (as is required under the <i>Nature Conservation Act 2014</i>) will be installed on the offset boundary. 	2016-17	A declaration signs will be erected at each of the main gates into the offset area once the PCS signage upgrade project is finalised in 2018.	
Bush fire fuel reduction	<ul style="list-style-type: none"> Bushfire fuel will be assessed in the Northern paddock to ensure that it meets the standards applicable for the Strategic Bushfire Advantage Zone and appropriate action to reduce fuel load undertaken as required. 	Annually prior to fire season	<p>Fuel load assessments were conducted by the Canberra Nature Park North District ranger in charge and the Offset area ranger in accordance with the guidelines produced by the Parks and conservation Service Fire management section.</p> <p>It was deemed that fuel levels in the Northern offset paddock exceeded acceptable fuel loading levels in late spring of 2015 and 2016 and therefore cattle were introduced for a two week period in mid December. This was done after most forbs had finished flowering and prior to kangaroo grass seed set. As a result the kangaroo grass seeded prolifically enough for the offset ranger to harvest seed for erosion control and rehabilitation.</p>	Nil

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
Box-Gum Grassy Woodlands monitoring	<ul style="list-style-type: none"> Engage a suitably qualified expert to deliver the monitoring program described in section 6 on the OMP. 	2015 and 2016	<p>Baseline monitoring was completed in summer 2015, and repeated in spring of 2016 due to concerns that the summer season did not provide an accurate representation of the native diversity present at the site.</p> <p>The 2016 survey resulted in substantially higher floristic value scores across the site, and justified the repeated survey.</p> <p>The floristic value score ranged from 6.4 (low quality) to 56.4 (exceptional quality) across the site (average = 20.9). The recorded FVS of 56.4 is close to the maximum score achievable in Box-Gum Woodland and indicates exceptional conservation significance.</p>	\$2727
Mapping and monitoring Pink-tailed worm lizard habitat	<ul style="list-style-type: none"> Follow-up monitoring will occur in line with the program described in section 6 of the OMP. 	2015 and 2016	<p>Maps depicting the extent of possible Pink-tailed worm lizard habitat were produced in Spring 2015.</p> <p>Follow up mapping was not undertaken in 2016 as it was unlikely to depict any changes in habitat quality and extent.</p> <p>Habitat quality is linked to native species diversity. Changes in understorey quality will be detected in the Box Gum Woodland assessment.</p>	\$9070

Activity	Description	Estimated time frame for completion (as described in OMP)	Comments	Expenditure (ex. GST) within the 2016-17 reporting season
Staffing	<ul style="list-style-type: none"> To deliver the actions outlined in this, plan resources to support a part-time a Senior Ranger (Ranger Grade 3) position and vehicle are required. 	On-going	A permanent Senior Ranger Grade 3 (R3) officer was recruited to deliver the actions of this plan on 1 October 2015. The Pinnacle Extension offset is one of three offsets areas managed by the ranger and therefore, the expenditure on salary is weighted accordingly.	\$28,000
Training	<ul style="list-style-type: none"> All personnel, including contractors, involved in managing the Offset Area must be trained in the requirements and appropriate management of Box-Gum Grassy Woodlands and pink-tailed worm-lizard habitat. 	As required	The area ranger attended the Restore, Regenerate and Revegetate conference in Armidale in early 2017.	\$850
Total expenditure (all years)				\$103,652