

Bunbury Outer Ring Road

North and Central Sections

Ministerial Statement 1155

Compliance Assessment Report

Main Roads WA

Revision 0

11-Mar-22

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1 Introduction

1.1 Purpose and scope

This Compliance Assessment Report (CAR) addresses the compliance of the Bunbury Outer Ring Road (BORR) Northern and Central Sections (the Proposal) with conditions set out in Ministerial Statement 1155 (MS 1155).

The Proposal was formally assessed under Part IV of the *Environmental Protection Act 1986* (the EP Act) and approved under Ministerial Statement (MS) 1155 on 14 December 2020.

Conditions 4-3 and 4-6 of MS 1155 require annual compliance assessment reports to be submitted to the Chief Executive Officer (CEO) of the Environmental Protection Authority (EPA). This CAR has been produced in compliance with these conditions and endorsed by the Commissioner for Main Roads (Appendix A).

The CAR incorporates a 12-month audit period from 14 December 2020 to 13 December 2021. This is the first CAR to be produced under MS 1155.

1.2 Proposal background

The BORR (Northern and Central Sections) includes 19 kilometres (km) of dual carriageway connecting the Forrest Highway at Kingston, to the South-Western Highway, south of Centenary Road in the Shire of Capel (Figure 1).

The Proposal is located approximately 200 km south of Perth and, at its closest point, about 6 kilometres south-east of Bunbury. The Proposal will include grade separated interchanges, local road extensions and connections, bridges, drainage structures, noise walls, fauna crossings, and other road infrastructure.

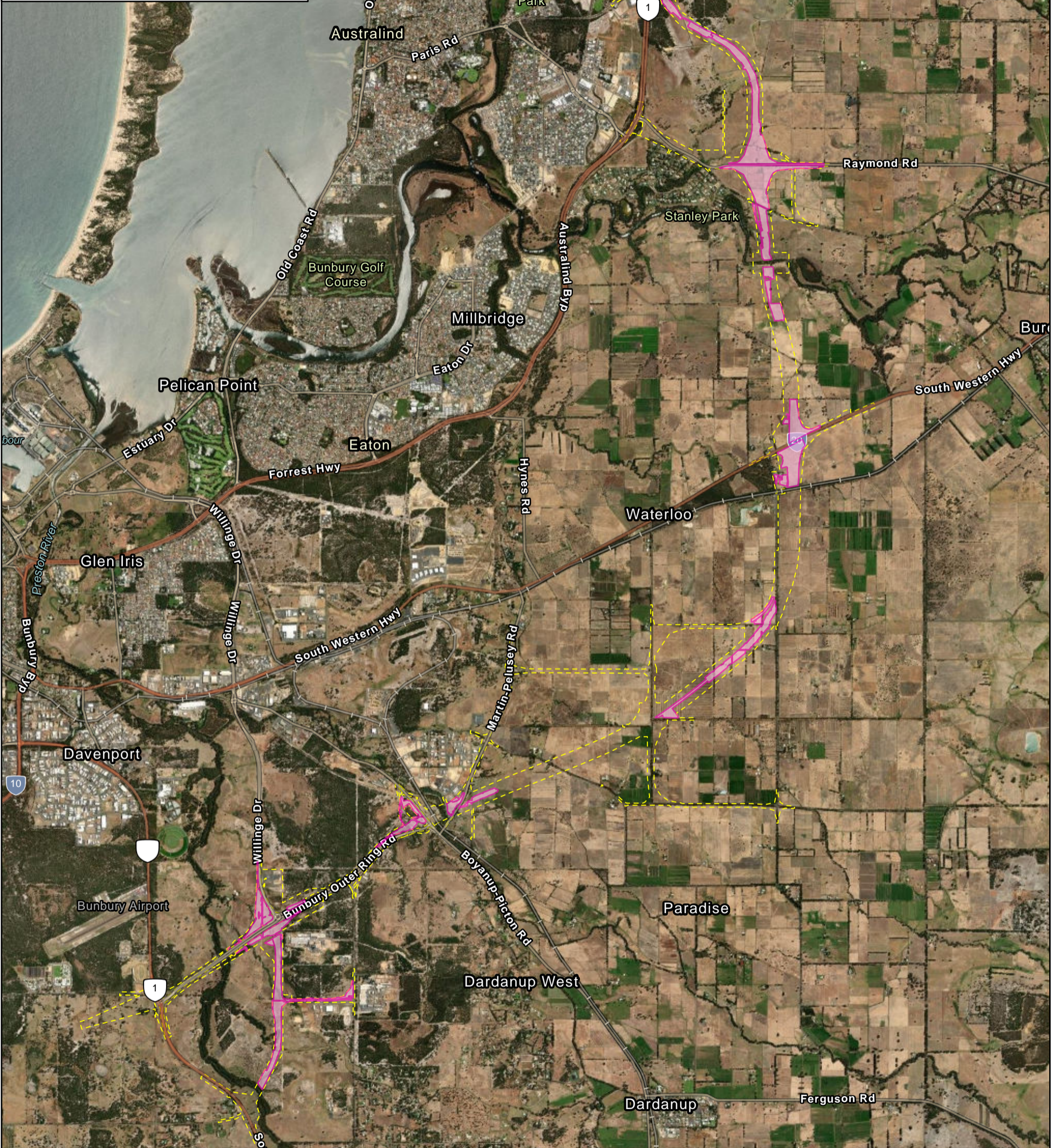
The location and physical extent as per MS1155 are described in Table 1.

Table 1. Location and authorised extent of physical and operational elements.

Element	Location	Authorised Extent
Freeway standard dual carriageway, grade separated interchanges, local road extensions and connections, bridges, drainage structures, noise walls, fauna crossings, and other road infrastructure including fencing, landscaping, principal shared path.	Located within the development envelope as indicated in Figure 1.	Clearing and disturbance of no more than 92 ha of native vegetation within a 625 ha development envelope.

1.3 Proponent details

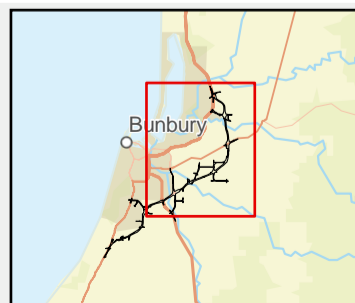
The proponent for the Proposal is Main Roads Western Australia (Main Roads).



Author: NCW

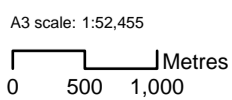
Legend

- Ministerial Approval Boundary
- Ground Disturbance Areas



Notes:

Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Metro Maps Imagery January 2020, Inset - Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.



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Coordinate System: PCG94

Bunbury Outer Ring Road
Figure 1 - BORR North & Central:
Project Location Overview

2 Summary of Proposal's Implementation Status

2.1 Works during the reporting period

Main Roads awarded a contract to South West Gateway Alliance (SWGA) to design and construct the Proposal. The design work is ongoing. Construction commenced on 24 February 2021.

Clearing of 13.41 ha of native vegetation has occurred during this audit period, identified in Table 1 and shown in Figure 2.

Clearing of key environmental aspects as identified in MS1155 are well within the associated specified limits.

Table 2. Clearing areas.

Environmental Aspect	Area in Ministerial Statement 1155 (ha)	Area cleared in this reporting period (ha)	Total area cleared (ha)
Native vegetation	92 ha within a 625 ha Development Envelope	13.41	13.41
Threatened Ecological Communities – Herb rich shrublands on clay pans (FCT08)	0.63	0	0
Threatened Ecological Communities – <i>Corymbia Callophylla</i> – <i>Xanthorrhoea preissii</i> woodlands and shrublands of the Swan Coastal Plain' (FCT3c)	1.3	0.23	0.23
Priority Ecological Communities – Banksia Woodlands of the Swan Coastal Plain	3.7	0.55	0.55
Western Ringtail Possum habitat	43.9	9.55	9.55
Brush-tailed Phascogale Habitat	17.7	4.21	4.21
Black Cockatoo habitat	37.8	7.38	7.38



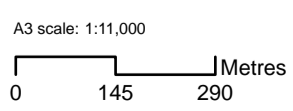
Author: NCW

Legend

- Ministerial Approval Boundary
- Ground Disturbance Areas
- Vegetation Unit**
- Agonis flexuosa Closed Woodland over pasture grasses
- Isolated Trees of Eucalyptus species / Agonis flexuosa and Melaleuca species in paddocks
- Low woodland of Eucalyptus rudis and Melaleuca raphiophylla
- Mosaic of Melaleuca raphiophylla, Corymbia calophylla and Eucalyptus rudis woodland
- Very open woodland of Melaleuca raphiophylla over introduced grasses and herbs in paddocks and road reserves
- Woodland of Eucalyptus marginata over Agonis flexuosa, Banksia attenuata and B. ilicifolia
- Highly modified / Cleared
- Revegetation / Planted

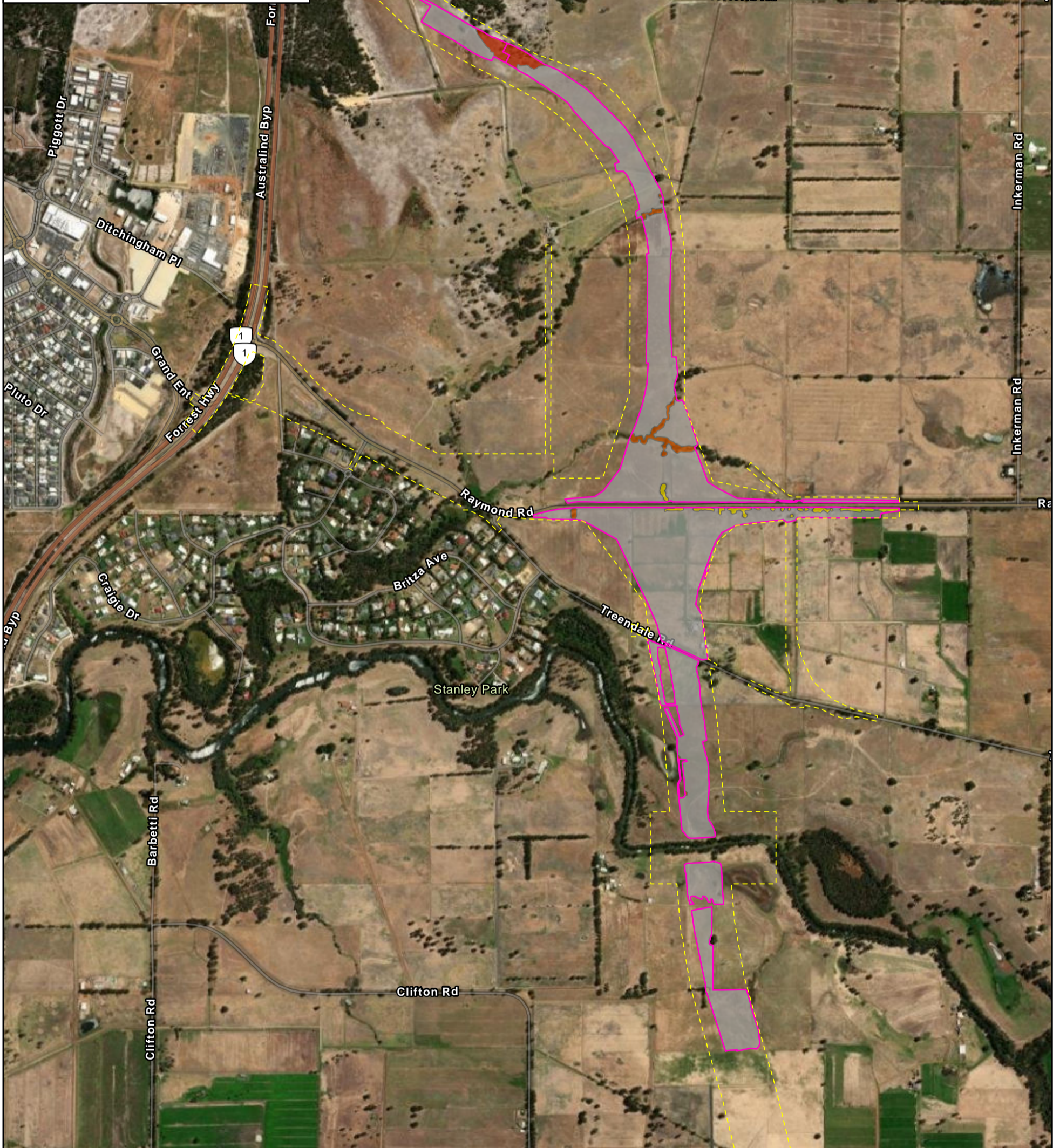


Notes:
Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Metro Maps Imagery January 2020, Inset - Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.



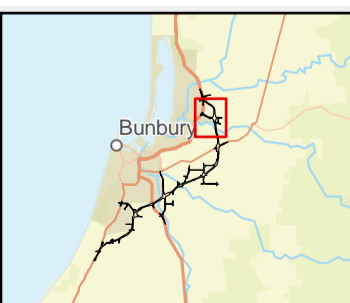
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Coordinate System: PCG94

Bunbury Outer Ring Road
Figure 2 - BORR North & Central A: Native Vegetation and Clearing Areas

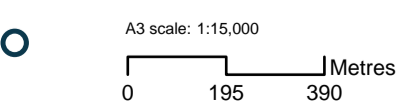


Author: NCW

Legend	
	Ministerial Approval Boundary
	Ground Disturbance Areas
Vegetation Unit	
	Agonis flexuosa Closed Woodland over pasture grasses
	Isolated Trees of Eucalyptus species / Agonis flexuosa and Melaleuca species in paddocks
	Low woodland of Eucalyptus rudis and Melaleuca raphiophylla
	Open woodland of Corymbia calophylla over introduced grasses in road reserves and paddocks
	Open woodland to scattered trees of Corymbia calophylla over a open shrubland of Xanthorrhoea preissii, Hypocalymma angustifolium and Hakea varia
	Very open woodland of Melaleuca raphiophylla over introduced grasses and herbs in paddocks and road reserves
	Woodland of Eucalyptus marginata over Agonis flexuosa, Banksia attenuata and B. ilicifolia
	Woodland of Melaleuca raphiophylla, Eucalyptus rudis and Casuarina obesa; fringing vegetation along Collier River
	Highly modified / Cleared
	Non native vegetation



Notes:
Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Metro Maps Imagery January 2020, Inset - Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.



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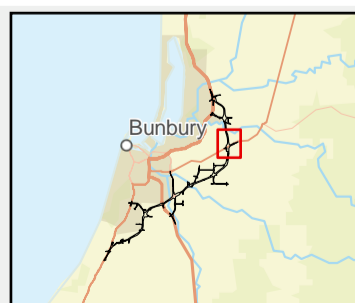
Bunbury Outer Ring Road
Figure 2 - BORR North & Central B: Native Vegetation and Clearing Areas



Author: NCW

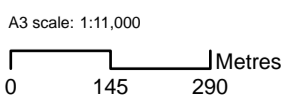
Legend

- - - Ministerial Approval Boundary
- Ground Disturbance Areas
- Vegetation Unit
- Isolated Trees of Eucalyptus species / Agonis flexuosa and Melaleuca species in paddocks
- Very open woodland of Melaleuca raphiophylla over introduced grasses and herbs in paddocks and road reserves
- Highly modified / Cleared
- Non native vegetation
- Revegetation / Planted



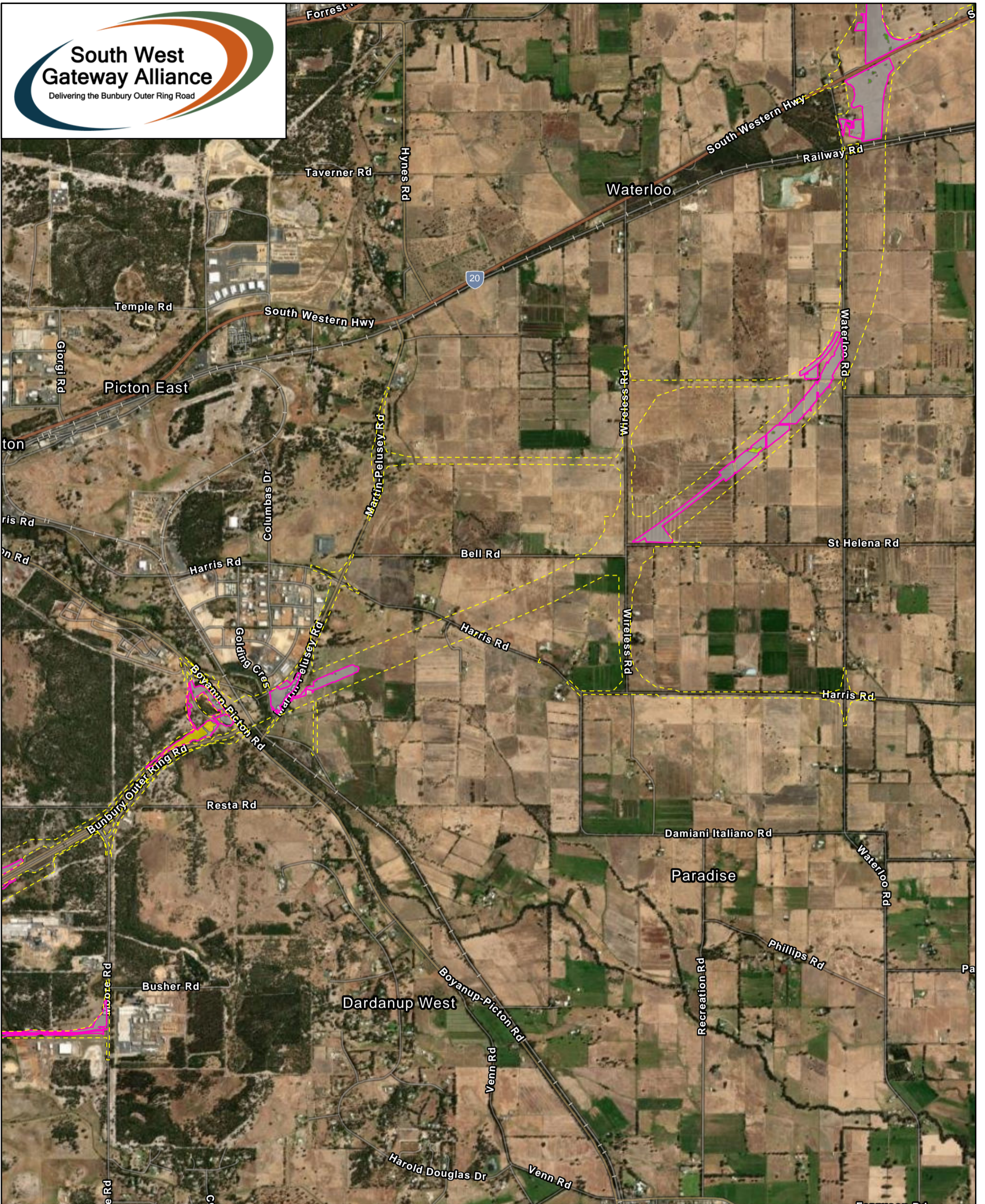
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Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Metro Maps Imagery January 2020, Inset - Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.



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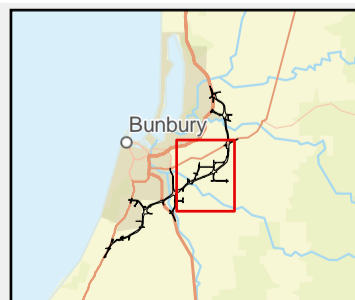
Bunbury Outer Ring Road
Figure 2 - BORR North & Central C:
Native Vegetation and Clearing Areas



Author: NCW

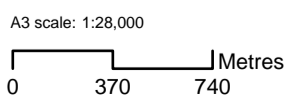
Legend

- - - Ministerial Approval Boundary
- - - Ground Disturbance Areas
- Vegetation Unit**
- Isolated Trees of Eucalyptus species / Agonis flexuosa and Melaleuca species in paddocks
- Low woodland of Eucalyptus rudis and Melaleuca raphiophylla
- Open woodland of Corymbia calophylla over introduced grasses in road reserves and paddocks
- Scattered Eucalyptus rudis
- Very open woodland of Melaleuca raphiophylla over introduced grasses and herbs in paddocks and road reserves
- Highly modified / Cleared
- Non native vegetation
- Revegetation / Planted



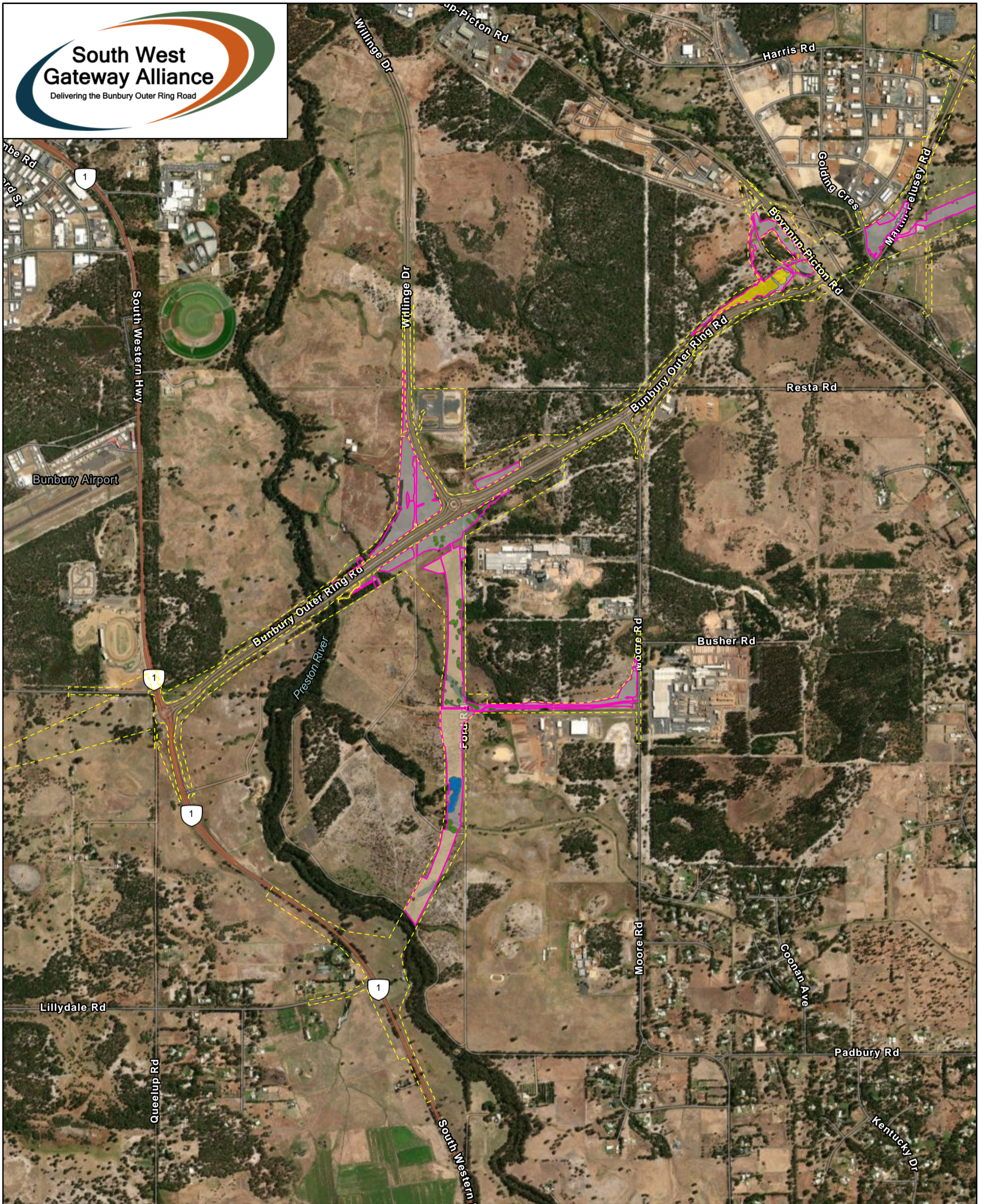
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Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Metro Maps Imagery January 2020, Inset - Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.



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Coordinate System: PCG94

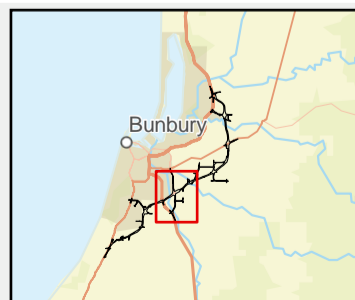
Bunbury Outer Ring Road
Figure 2 - BORR North & Central D:
Native Vegetation and Clearing Areas



Author: NCW

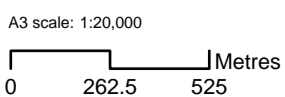
Legend

- - - Ministerial Approval Boundary
- - - Ground Disturbance Areas
- Vegetation Unit**
- Isolated Trees of Eucalyptus species / Agonis flexuosa and Melaleuca species in paddocks
- Open Forest of Corymbia calophylla and Eucalyptus rudis over Agonis flexuosa along the Preston River
- Open woodland of Corymbia calophylla over introduced grasses in road reserves and paddocks
- Very open woodland of Melaleuca raphiophylla over introduced grasses and herbs in paddocks and road reserves
- Woodland of Eucalyptus rudis and Corymbia calophylla over Melaleuca raphiophylla
- Highly modified / Cleared
- Non native vegetation
- Revegetation / Planted



Notes:

Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasystemen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Metro Maps Imagery January 2020, Inset - Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community.



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Coordinate System: PCG94

Bunbury Outer Ring Road
Figure 2 - BORR North & Central E: Native Vegetation and Clearing Areas

3 Audit Plan

3.1 Purpose and scope

This document is the first CAR for the Proposal. The CAR has been prepared to address conditions 4-3 and 4-6 of MS1155, which state:

- 4-3 *After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.*
- 4-6 *The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (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, or as otherwise agreed in writing by the CER*

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.*

Condition 4-1 of MS 1155 referred to above states:

The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.

This CAR has been developed to align with the structure indicated in the Compliance Assessment Plan (CAP; SWGA 2021), which was prepared in accordance with the requirements condition 4-2 and the Office of the Environmental Protection Authority (OEPA) Post Assessment Guideline for Preparing a Compliance Assessment Plan, Post Assessment Guideline No. 2 (OEPA, 2012).

This CAR has been prepared to assess compliance with the conditions set out in Schedule 1 of MS 1155 over the audit period.

The proposed table of contents from the CAP is presented in Table 2. The table includes reference to sections in the CAR that correspond to the required content.

Table 3. Table of contents for Compliance Assessment Reporting as outlined in the CAP.

Heading	Description	Section
Introduction	Brief about the Proposal, including: <ul style="list-style-type: none"> • Proposal background • Proposal approvals • Proponent details 	Section 1
Summary of proposal's implementation status	Summary of the current implementation status of the Proposal, specifically milestones/achievements within the audit period.	Section 2
Statement of compliance	Statement of whether the proponent has complied with the conditions	Appendices A-F
Details of declared compliance status	Endorsed by Main Roads Managing Director or a person delegated to sign on the Managing Director's behalf	Appendix A
Non-compliances and corrective actions, if any	Identify all non-compliances and corrective actions	Appendix D
Supporting/ verifying information/ documentation	Detailed Reporting for Monitoring and Management Plans. Complete list in Appendix.	Appendix E
Appendices	<ul style="list-style-type: none"> A. Statement of compliance prepared in accordance with the OEPA Post Assessment Form for a Statement of Compliance and endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director's behalf. B. Ministerial Statement audit table in accordance with Appendix 1 of the CAP. C. Subsidiary plans audit tables (potentially non-conformant items only). D. Evidence (related to potential non-compliances/non-conformances only). E. Summary table of evidence reviewed. F. Relevant survey reports and/or monitoring and management plans prepared to demonstrate compliance. <p>Other appendices may be included where relevant from time to time.</p>	Appendices A-F

This CAR has been prepared to assess compliance with the conditions set out in Schedule 1 of MS 1155 over the audit period. This CAR includes:

- Statement of compliance prepared in accordance with the OEPA *Post Assessment Form for a Statement of Compliance and endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director's behalf* (Appendix A).
- Ministerial Statement audit table in accordance with Appendix 1 of the CAP (Appendix B).
- Subsidiary plans audit tables (potentially non-conformant items only) (Appendix C).
- Evidence (related to potential non-compliances/non-conformances only) (Appendix D).
- Summary table of evidence reviewed (Appendix E).
- Relevant survey reports and/or monitoring and management plans prepared to demonstrate compliance (Appendix F).

3.2 Audit Period

The first CAR addresses a compliance period of 14 Dec 2021 to 13 Dec 2022 and will be submitted to the CEO of the DWER by 14 March 2022. Subsequent CARs will address the compliance period from 14 December to 13 December with each report submitted to the CEO of the DWER by the annual date of 14 March following the conclusion of the compliance period.

3.3 Audit Criteria

Audit criteria were based on the MS 1155 conditions of approval. The audit table in Appendix B presents all the approval conditions and the performance of the Proposal to these conditions for the audit period. The audit table contains each condition separated into audit elements for auditing purposes (i.e. the audit criteria) and includes the following headings:

- Audit Code: Ministerial Statement reference number.
- Subject: The environmental subject/issue.
- Requirement: Wording of the relevant implementation condition, procedure or commitment.
- How: The way the proponent intends to achieve the requirement.
- Evidence: Information or data collected to verify compliance, i.e. report/letter/site inspection requirements.
- Phase: Proposal phase.
- Timeframe: Specific timing and/or location.
- Status: Notes about the fulfilment of compliance.
- Further Information: Additional details and supporting information to verify compliance status.

3.4 Methodology

The audit was conducted by reviewing relevant documentation produced by SWGA, external contractors and Main Roads. Advice from Main Roads was sought where necessary to determine the status and evidence of compliance. The review of all documents was undertaken by SWGA.

A comprehensive list of documents reviewed for this CAR is presented in Appendix E.

3.5 Terminology

The 'Status' field of the audit table in Appendix B and Appendix C describes the implementation of the action and compliance with the condition, procedure or commitment. Although the CEO of the DWER makes the final determination of compliance, it is necessary to update this field each audit period, as the Proposal progresses. DWER has prepared updated guidance related to the preparation of compliance audits, including generic expressions that are used to identify the status of each item as defined in Appendix B.

4 Audit Results

4.1 Compliance with conditions

A Statement of Compliance in relation to the conditions of MS 1155 for the period addressed in the CAR has been included in Appendix A.

Compliance with the conditions of MS 1155 for the Proposal has been assessed and reported using the Audit Table in Appendix B.

A potential non-compliance (PNC) has been identified in relation to Condition 7.2, which requires:

To demonstrate that the outcome in condition 7-1(2) is being met the proponent shall complete a survey within the western ringtail habitat areas within thirty (30) days of completion of vegetation clearing, or if staged, after each distinct stage of clearing, and submit a report within sixty (60) days of completion of vegetation clearing to the CEO and DBCA. The report shall include an evaluation of the survey results against the baseline information collected by condition 6-1(3).

The potential non-compliance is administrative in nature and relates to the submission of documents to DWER. Main Roads has undertaken 15 separate stages of clearing within Western Ringtail Possum habitat areas. Pre and post clearing fauna surveys have been undertaken for all 15 stages. However five of those surveys have yet to be finalised and submitted, and are now outside of the 60 day time limit for submission. No Western Ringtail Possums were encountered in the five stages where reports were not submitted. (Appendix D).

Condition 11 of MS1155 relates to the environmental offsets for the Proposal and requires the submission of an Environmental Offset Plan (Condition 11-2) and a Land Acquisition and On-ground Management Offset Strategy (Condition 11-7) within 12 months of the publication of Statement 1155. Permission has been obtained for an extension to the timeframe allocation. This extension request was submitted to the CEO of DWER on 13 December 2021, and confirmed by DWER on 3 February 2022 that The Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan must be submitted by 14 June 2022; and The Land Acquisition and On-ground Management Offset Strategy must be submitted by 14 June 2023.

4.2 Proposed Changes to Compliance Assessment Plan

This CAR is consistent with the approved CAP. This is the first CAR to be produced under MS 1155 and no changes are proposed.

4.3 Subsidiary plans

Conditions of MS1155 require the implementation of a number of subsidiary plans (Table 4), referenced in the Audit Table (Appendix B).

Table 4. Subsidiary plans to be implemented by MS1155.

Condition	Plan Implementation
4.1, 4.2	Compliance Assessment Plan.
8-2	Weed and Soil Hygiene (Dieback) Management Plan.
10-2	Traffic Noise Management Plan.
11-2	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan.
11-7	Land Acquisition and On-ground Management Offset Strategy.

4.4 Retention of Compliance Statements

All Compliance Assessment Reports will be retained by Main Roads in accordance with relevant record keeping legislation including the:

- *State Records Act, 2000.*
- *Evidence Act, 1906.*
- *Electronic Transactions Act, 2011.*
- *Freedom of Information Act, 1992.*

Main Roads will retain CARs (including all associated compliance assessments) and evidence used to verify compliance for the life of the proposal and then for a minimum of seven years after the end of the life of the proposal. Main Roads will continue to implement the proposal until the CEO has determined all conditions of MS1155 have been satisfactorily met.

CARs will be retained on Main Roads' Electronic Document and Records Management System that Main Roads is required to maintain and operate in accordance with its obligations under the *State Records Act, 2000*.

4.5 Public Availability of Compliance Reports

In line with Condition 5-1 and the *Post Assessment Guideline 4: Making Information Publicly Available* (OEPA 2012d), compliance assessment reports will be made publicly available by publishing them on the Main Roads Western Australia website. This will occur within 14 days of the report being submitted to the CEO.

5 References

Minister for Environment. 2020. Ministerial Statement 1155 – Bunbury Outer Ring Road Northern and Central Sections, accessed 05 January 2021,

https://www.epa.wa.gov.au/sites/default/files/Ministerial_Statement/1682%20Statement%20for%20publishing%20-%20Bunbury%20Outer%20Ring%20Road%20North%20and%20Central%20Sections.pdf

OEPA. 2012a. Post Assessment Guideline for Preparing a Compliance Assessment Plan, Post Assessment Guideline No. 2. August. Office of the Environmental Protection Authority. Perth, Western Australia.

OEPA. 2012b. Post Assessment Guideline for Preparing an Audit Table, Post Assessment Guideline No. 1. August. Office of the Environmental Protection Authority. Perth, Western Australia.

OEPA. 2012c. Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No. 3. August. Office of the Environmental Protection Authority. Perth, Western Australia.

OEPA. 2012d. Post Assessment Guideline for Making Information Publicly Available, Post Assessment Guideline No. 4. August. Office of the Environmental Protection Authority. Perth, Western Australia.

SWGA, 2021. Compliance Assessment Plan, South West Gateway Alliance, Perth Western Australia.

6 Appendices

Appendix	Title
Appendix A	Statement of Compliance
Appendix B	Ministerial Statement 1155 Audit Table
Appendix C	Subsidiary plans audit tables (potential non-compliance/non-conformance only)
Appendix D	Evidence (related to potential non-compliance/non-conformance only)
Appendix E	Summary table of evidence

Appendix A

Statement of Compliance

Statement of Compliance

1 Proposal and Proponent Details

Proposal Title	<i>Bunbury Outer Ring Road Northern and Central Sections</i>
Statement Number	<i>1155</i>
Proponent Name	<i>Main Roads Western Australia</i>
Proponent's Australian Company Number (where relevant)	50 860 676 021

2 Statement of Compliance Details

Reporting Period	<i>14/12/20 to 13/12/21</i>
------------------	-----------------------------

Implementation phase(s) during reporting period (please tick ✓ relevant phase(s))			
Pre-construction	<input checked="" type="checkbox"/>	Construction	<input checked="" type="checkbox"/>
Operation	<input type="checkbox"/>	Decommissioning	<input type="checkbox"/>

Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment:	B
<p>An audit table for the Statement addressed in this Statement of Compliance must be provided with this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Office of the Environmental Protection Authority's (OEPA) <i>Post Assessment Guideline for Preparing an Audit Table</i>, as amended from time to time. The 'Status Column' of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in The CAP.</p>	

Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box)	
No (please proceed to Section 3)	<input checked="" type="checkbox"/> Yes (please proceed to Section 4)

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance. INITIALS: *MD*

3 Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance

Which implementation condition or procedure was non-compliant or potentially non-compliant?
M7.2.
Was the implementation condition or procedure non-compliant or potentially non-compliant?
Potentially non-compliant
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?
Refer below.

Was this non-compliance or potential non-compliance reported to the General Manager, OEPA?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Reported to OEPA verbally Date _____ <input checked="" type="checkbox"/> Reported to OEPA in writing Date <u>_11/03/2022</u>	<input type="checkbox"/> No

What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?
<p>A potential non-compliance (PNC) has been identified in relation to Condition 7.2, which requires:</p> <p><i>“To demonstrate that the outcome in condition 7-1(2) is being met the proponent shall complete a survey within the western ringtail habitat areas within thirty (30) days of completion of vegetation clearing, or if staged, after each distinct stage of clearing, and submit a report within sixty (60) days of completion of vegetation clearing to the CEO and DBCA. The report shall include an evaluation of the survey results against the baseline information collected by condition 6-1(3).”</i></p> <p>Main Roads has undertaken 15 separate stages of clearing within Western Ringtail Possum habitat areas. Pre and post clearing fauna surveys have been undertaken for all 15 stages. However five of those surveys have yet to be finalised and submitted, and are now outside of the 60 day time limit for submission. No Western Ringtail Possums were encountered in the five stages where reports were not submitted.</p> <p>On 10 March 2022 Main Roads became aware of a potential non-compliance with condition 7-2 of MS1155 during the final stages of compiling the Compliance Assessment Report (CAR).</p> <p>The potential non-compliance is administrative in nature and has not resulted in any environmental harm.</p>
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)
Administrative potential non-compliance and therefore no specific location.
What was the cause(s) of the non-compliance or potential non-compliance?
Administrative.

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance. INITIALS: MR

<p>What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?</p>
<ol style="list-style-type: none"> 1. An environmental incident investigation will be conducted. Based on the outcome of the investigation appropriate corrective actions will be implemented. 2. Submission of outstanding WRP survey reports.
<p>What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?</p>
<p>To be confirmed following investigation.</p>
<p>Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:</p> <ul style="list-style-type: none"> • in the reporting period addressed in this Statement of Compliance; and • as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance. <p>(the above inform action may be provided as an attachment to this Statement of Compliance)</p>
<p>Incident is under investigation and further information will be provided to DWER once the investigation is complete.</p>

Proponent Declaration

I, MARK HAZEBROEK (PROJECT DIRECTOR) (full name and position title) declare that I am authorised on behalf of the Commissioner of Main Roads Western Australia (being the person responsible for the proposal) to submit this form and that the information contained in this form is true and not misleading.

Signature:.....Mark Hazebroek Date:.....11/3/2022

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

4 Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

5 Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)**Department of Water and Environmental Regulation**

Postal Address: Locked Bag 33
Cloisters Square
PERTH WA 6850

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

6 Post Assessment Guidelines and Forms

Post assessment documents can be found at www.epa.wa.gov.au

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance. INITIALS: MH

ATTACHMENT 1

Table 1 Compliance Status Terms

Compliance Status Terms	Abbrev	Definition	Notes
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> ongoing requirements that have been met during the reporting period; and requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> audit elements have a finite period of application (e.g. construction activities, development of a document); the action has been satisfactorily completed; and the Office of the Environmental Protection Authority (OEPA) has provided written acceptance of 'completed' status for the audit element.
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'Phase' column of the audit table.
Potentially Non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.	This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element are not "complete" have not been met during the reporting period.

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance. INITIALS: MH

Compliance Status Terms	Abbrev	Definition	Notes
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the OEPA or another government agency for approval, that submission has been made and no further information or changes have been requested by the OEPA or the other government agency and assessment by the OEPA or other government agency for approval is still pending.	<p>The term 'In Process' may not be used for any purpose other than that stated in the Definition Column.</p> <p>The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).</p>

Each page (including Attachment 2) must be initialed by the person who signs Section 4 of this Statement of Compliance. INITIALS: *M*

Appendix B

MS 1155 Audit Table

Appendix B - Ministerial Statement 1155 Audit Table

Note:

- Phases that apply in this table = Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition, P = Proponent's commitment.
- Acronyms list: CEO = Chief Executive Officer of OEPA; DEC = Department of Environment Regulation; DPAW = Department of Parks and Wildlife; DIA = Department of Indigenous Affairs; DMP = Department of Mining and Petroleum; DWER = Department of Water and Environmental Regulation; EPA = Environmental Protection Authority; DoH = Department of Health; DoW = Department of Water, Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority.
- Compliance Status: C = Compliant; CLD = Completed; NA = Not Audited; NC = Non – compliant; NR = Not Required at this stage; PNC = Potentially non-compliant. Please note the terms VR = Verification Required and IP = In Process are only for OEPA use.

Table. Audit Table for Ministerial Statement 1155

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1155:M1.1	Proposal Implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the Environmental Protection Act 1986.	Implement Proposal as described in Schedule 1. Refer to CAR Section 2.1	Annual Compliance Assessment Report (CAR) Evidence: - Clearing areas (Figures) - Clearing areas (Shapefiles)	Overall.	Ongoing.	C	
1155:M2.1	Contact Details	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 twenty-eight (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.	Submit written notification to the CEO of DWER.	Not required.	Overall.	Within 28 days of any change of its name, physical address or postal address.	NR	Main Roads Western Australia remains the Proponent.
1155:M3.1	Time Limit for Proposal Implementation	The proponent shall not commence implementation of the proposal after five (5) years from the date of this Statement, and any commencement, prior to this date, must be substantial.	Implement the proposal and condition 3-2.	This CAR.	Overall.	By 14 December 2025.	C	
1155:M3.2	Time Limit for Proposal Implementation	Any commencement of implementation of the proposal, on or before five (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 five (5) years from the date of this Statement.	Submit written notification to the CEO of DWER.	This CAR.	Overall.	By 14 December 2025.	C	This CAR is considered to be written confirmation that the Proposal has substantially commenced.
1155:M4.1	Compliance Reporting	The proponent shall prepare and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.	Prepare a Compliance Assessment Plan and submit to the CEO of DWER for approval.	Compliance Assessment Plan (CAP). CEO of DWER approval of CAP. CAR Evidence: - C4-1_20210104_Report - C4-1_20210107_Letter - C4-1_20210113_Letter	Overall.	Submit CAP by 14 September 2021 or prior to implementation of the proposal, whichever is sooner.	C	CAP submitted to DWER on 7 January 2021. CAP approved by DWER on 13 January 2021.
1155:M4.2	Compliance Reporting	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.	Prepare and submit to the CEO of DWER a CAP addressing all requirements.	Compliance Assessment Plan (CAP). CEO of DWER approval of CAP. CAR Evidence (refer Condition 4-1): - C4-1_20210104_Report - C4-1_20210107_Letter - C4-1_20210113_Letter	Overall.	Submit CAP by 14 September 2021 or prior to implementation of the proposal, whichever is sooner.	C	CAP submitted to DWER on 7 January 2021. CAP approved by DWER on 13 January 2021.
1155:M4.3	Compliance Reporting	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Undertake annual compliance assessments in accordance with the approved CAP.	This CAR.	Overall.	Ongoing, annually	C	
1155:M4.4	Compliance Reporting	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.	Prepare and retain Annual CARs in accordance with the approved CAP. Make CARs available to CEO of DWER on request.	This CAR. Additional report provision as requested.	Overall.	When requested by the CEO.	C	
1155:M4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.	Written correspondence to CEO of DWER within 7 days of any potential non-compliance.	This CAR. Main Roads e-mail advice to DWER of 11 March 2022 re potential non-compliance with Condition 7.2.	Overall.	Within 7 days of a non-compliance being known.	C	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1155:M4.6	Compliance Reporting	<p>The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (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, or as otherwise agreed in writing by the CEO. The Compliance Assessment Report shall:</p> <ol style="list-style-type: none"> (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. 	Submit Annual CARs addressing all requirements annually to DWER.	This CAR.	Overall.	Submit first CAR by 14 March 2022 then annually thereafter.	C	
1155:M5.1	Public Availability of Data	Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal, the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.	Publish reports on Main Roads website, or provide reports as directed by the CEO of DWER.	As specified in the CAP, this CAR and its appendices will be placed on the Main Roads WA website within 14 days of the report being submitted to DWER.	Overall.	Within a reasonable time period approved by the CEO.	C	
1155:M5.2	Public Availability of Data	<p>If any data referred to in condition 5-1 contains particulars of:</p> <ol style="list-style-type: none"> (1) a secret formula or process; (2) confidential commercially sensitive information; the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available. 	Provide the CEO with an explanation and reasons why data should not be made publicly available.	Not applicable.	Overall.	Ongoing.	C	
1155:M6.1	Terrestrial Fauna	<p>Prior to ground-disturbing activities associated with the proposal the proponent shall undertake the following actions to minimise impacts to terrestrial fauna:</p> <ol style="list-style-type: none"> (1) within seven (7) days prior to clearing, using a qualified and licensed terrestrial fauna spotter(s) with experience in surveying for black cockatoos, inspect all potential nesting trees with hollows within the development envelope to determine if any hollows are being used for nesting by black cockatoos; (2) if any hollows are in use by black cockatoos for nesting, the proponent shall not disturb or clear the nesting tree, or vegetation within a ten (10) metre radius of the nesting tree, until after the cockatoos have naturally completed nesting (young have fledged and dispersed) and an appropriately qualified terrestrial fauna spotter has verified that the hollow(s) are no longer being used by the black cockatoos; and 	Undertake black cockatoo hollow inspection 7 days prior to clearing.	<p>This CAR.</p> <ol style="list-style-type: none"> (1) Five potential nesting trees with hollows were rechecked on 24/02/21 and 25/02/21 by SW Environmental and the SWGA Environmental Manager. No evidence of nesting was noted. None of the trees have been disturbed during work related to the project. (2) no evidence of nesting was noted as above. <p>CAR Evidence:</p> <ul style="list-style-type: none"> - C6-1_20210304_Letter 	Pre-construction.	Inspect all potential nesting trees within 7 days prior to clearing.	C	
		<ol style="list-style-type: none"> (3) within thirty (30) days prior to clearing, using a qualified and licensed terrestrial fauna spotter(s) undertake a baseline study of suitable habitat within the development envelope and within the western ringtail habitat areas where disturbance is proposed, to: <ol style="list-style-type: none"> a) confirm the presence/absence and number of western ringtail possum and south-western brush-tailed phascogale; and b) submit a report to the CEO which includes the results from the baseline study (condition 6-1(3)(a)), outlining the actions to monitor and manage impacts to western ringtail possums prior to and following disturbance on advice of DBCA. 	Undertake baseline survey for WRP and south-western brush-tailed phascogale within 30 days prior to clearing. Prepare WRP Monitoring and Management Plan, including DBCA advice.	<p>This CAR.</p> <p>Annual Fauna (WRP,BPh) Report</p> <p>CAR Evidence:</p> <p>'Pre-clearing' Fauna Survey Reports (Biota Environmental Sciences).</p> <p>Example report:</p> <ul style="list-style-type: none"> - C6-1_20210315_Letter Report <p>WRP Monitoring and Management Plans prepared for areas where WRP/BPh were recorded within proposed clearing areas.</p> <p>Example reports:</p>	Pre-construction; Construction	Undertake baseline study within 30 days prior to clearing.	C	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
				- C6-1_20210714_Report - C6-1_20210716_Report				
1155:M6.2	Terrestrial Fauna	Prior to and during activities associated with the construction of the proposal the proponent shall undertake the following actions to minimise impacts to terrestrial fauna: (1) ensure the presence of appropriately qualified fauna spotters during clearing activities; (2) ensure appropriate protocols, including the actions required by condition 6-1(3)(b), are implemented within seven (7) days prior to clearing activities to avoid and minimise impacts to terrestrial fauna including, but not limited to, western ringtail possum and south-western brush-tailed phascogale; (3) if western ringtail possum and/or south-western brush-tailed phascogale are encountered during clearing activities, the proponent shall submit a report to the CEO and the DBCA within thirty (30) days, with the number of individuals encountered and any relocation conducted in accordance with the requirements of the threatened fauna authorisation obtained under the Biodiversity Conservation Act 2016; and (4) ensure no foraging species for black cockatoos are planted within ten (10) metres of the road.	Implement WRP Monitoring and Management Plan as per condition 6-1 (3)(b). Prepare Post-clearing Terrestrial Fauna Report. BC Act Licence to disturb Threatened Fauna.	This CAR. Nocturnal pre-clearing fauna surveys and diurnal fauna surveys during clearing (SW Environmental). WRP Monitoring and Management Plans prepared for areas where WRP/BPh were recorded within proposed clearing areas. Example reports: - C6-2_20210714_Report - C6-2_20210716_Report	Construction	Ensure appropriate protocols, including the actions required by condition 6-1(3)(b), are implemented within 7 days prior to clearing activities. Submit a report to the CEO and the DBCA within thirty 30 days of western ringtail possum and/or south-western brush-tailed phascogale being encountered.	C	
			Landscaping and Rehabilitation Plans.	Not applicable at this stage.	Overall	Ongoing	NR	
1155:M7.1	Terrestrial Fauna (Western Ringtail Possum)	The proponent shall design and manage the ongoing implementation of the proposal to achieve the following environmental outcomes: (1) no more than 43.9 ha of western ringtail possum habitat is cleared; and (2) no project attributable adverse effects on the viability of the local western ringtail possum population in western ringtail habitat areas adjacent to and outside the development envelope.	Design and manage the project in accordance with the WRP Monitoring and Management Plan to limit clearing and adverse effects as per condition 7-1.	This CAR. Annual Fauna (WRP,BPh) Report.	Overall.	By 14 March 2022 then annually thereafter	C	
1155:M7.2	Terrestrial Fauna (Western Ringtail Possum)	To demonstrate that the outcome in condition 7-1(2) is being met the proponent shall complete a survey within the western ringtail habitat areas within thirty (30) days of completion of vegetation clearing, or if staged, after each distinct stage of clearing, and submit a report within sixty (60) days of completion of vegetation clearing to the CEO and DBCA. The report shall include an evaluation of the survey results against the baseline information collected by condition 6-1(3).	Complete post-clearing survey within WRP habitat areas and prepare report.	This CAR. Annual Fauna (WRP,BPh) Report CAR Evidence: 'Post-Clearing' Fauna Survey Reports (Biota Environmental Sciences). Example Reports: - C7-2_20210423_Letter Report - C7-2_20211026_Letter Report	Overall.	Complete survey within the western ringtail habitat areas within 30 days of completion of vegetation clearing and submit a report within 60 days of completion of vegetation clearing.	PNC	Post-clearing surveys have been completed. There were five locations where submission of the survey reports are outside the 60 day reporting period.
1155:M7.3	Terrestrial Fauna (Western Ringtail Possum)	The proponent shall submit a report outlining how the outcomes in condition 7-1 are being met: (1) to the CEO and the DBCA within twelve (12) months from the commencement of clearing activities; and (2) subsequently as part of the Compliance Assessment Report in condition 4-6, or as otherwise agreed to in writing by the CEO.	Prepare report detailing ongoing WRP survey results for the 12 months post-commencement of clearing within WRP habitat areas.	This CAR. Annual Fauna (WRP,BPh) Report	Overall.	Submit a report within 12 months from the commencement of clearing activities and subsequently as part of the CAR.	C	
1155:M7.4	Terrestrial Fauna (Western Ringtail Possum)	Prior to clearing activities submit the location and configuration of fauna crossings for western ringtail possum to the CEO, including the actions to monitor and report on the utilisation of the fauna crossings.	WRP Monitoring and Management Plan.	This CAR. CAR Evidence: - C7-4_20210215_Memo	Pre-construction.	Prior to clearing activities.	C	
1155:M8.1	Flora and Vegetation – Indirect Impacts	The proponent shall implement the proposal to achieve the following environmental outcome: (1) there are no project attributable indirect impacts to Threatened Ecological Communities (Herb rich shrublands in clay pans FCT08) and (<i>Corymbia calophylla</i> – <i>Xanthorrhoea preissii</i> woodlands and shrublands of the Swan Coastal Plain FCT3c) and Priority Ecological Community (Banksia woodlands of the Swan Coastal Plain) (defined in Figure 4) outside and within twenty (20) metres of the development envelope.	TEC/PEC Monitoring and Management Plan. Ongoing quarterly groundwater and condition survey of TEC/PEC areas. Implement condition 8-2.	This CAR. Annual TEC/PEC Monitoring Report.	Overall.	Ongoing.	C	
1155:M8.2	Flora and Vegetation – Indirect Impacts	The proponent shall undertake the following actions when implementing the proposal: (1) implement hygiene protocols consistent with the Management of <i>Phytophthora cinnamomi</i> for Biodiversity	Implement Weed and Hygiene Management Plan.	This CAR. SWGAs Weed and Hygiene (Dieback) Management Plan	Overall.	Ongoing.	C	Annual dieback re-assessment completed by Great Southern Biologic on 1-2 February 2022. Final report pending.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		Conservation in Australia, Part 2 National Best Practice Guidelines as amended or replaced from time to time; and (2) undertake weed control and management to prevent the introduction or spread of environmental weeds.						
1155:M8.3	Flora and Vegetation – Indirect Impacts	The proponent shall continue to implement the requirements of condition 8-2 during construction and for five (5) years from the completion of construction, or as otherwise agreed in writing by the CEO.	Implement Weed and Hygiene Management Plan.	This CAR. SWGA Weed and Hygiene (Dieback) Management Plan	Overall.	During construction and for 5 years from the completion of construction.	C	
1155:M9.1	Inland Waters	The proponent shall manage the implementation of the proposal to maintain hydrological regimes and water quality in habitats that support the: (1) black-stripe minnow (<i>Galaxiella nigrostriata</i>) habitat (defined in Figure 2); (2) Carter's freshwater mussel (<i>Westralunio carteri</i>) individuals or habitat (defined in Figure 3);	Implementation of the Drainage and Wetland Monitoring and Management Plan. Implementation of TEC/PEC Monitoring and Management Plan. Implement conditions 9-2.	This CAR. Targeted Conservation Significant Aquatic Fauna Monitoring. CAR Evidence: - C9-1_20210628_Memo - C9-1_20210623_Memo - C9-1_20210915_Memo - C9-1_20220208_Report	Overall.	Ongoing	C	
		(3) Threatened Ecological Communities (Herb rich shrublands in clay pans FCT08) and (<i>Corymbia calophylla</i> – <i>Xanthorrhoea preissii</i> woodlands and shrublands of the Swan Coastal Plain FCT3c) (defined in Figure 4); and (4) Resource Enhancement Wetland Unique Feature ID 1708.		This CAR. Annual TEC/PEC Monitoring Report. Annual Hydrological Regimes Report	Overall.	Ongoing	C	
1155:M9.2	Inland Waters	The proponent shall undertake the following actions when implementing the proposal: (1) no more than sixty (60) days prior to commencing construction of bridges, clearing of riparian vegetation or earthworks near or on the Collie, Ferguson and Preston Rivers, the proponent shall undertake a survey for Carter's freshwater mussel (<i>Westralunio carteri</i>) in areas to be disturbed; (2) where Carter's freshwater mussel is found, the proponent shall submit a report to the CEO and the DBCA before undertaking the construction activities as referred to in 9-2(1). The report shall identify the number of individuals found and actions to manage impacts prior to and during construction, and any fauna authorisation obtained under the Biodiversity Conservation Act 2016;	Pre-Construction Aquatic Fauna surveys. Implementation of Aquatic Fauna Monitoring and Management Plan. Implementation Drainage and Wetland Monitoring and Management Plan.	This CAR. Targeted Conservation Significant Aquatic Fauna Monitoring. CAR Evidence: - C9-2_20211018_Memo - C9-2_20210628_Memo - C9-2_20210623_Memo - C9-2_20210915_Memo - C9-2_20220208_Report	Overall.	Undertake a survey for Carter's freshwater mussel no more than 60 days prior to commencing construction of bridges, clearing of riparian vegetation or earthworks near or on the Collie, Ferguson and Preston Rivers. Submit a report to the CEO and the DBCA before undertaking the construction activities where Carter's freshwater mussel is found.	C	
		(3) not construct bridge footings, drainage structures and abutments within the Collie, Ferguson or Preston rivers;	'As-constructed' drawings.	Not applicable.	Overall.	Ongoing	NR	Exclusion zones are in place at Collie, Ferguson or Preston Rivers. 'As-constructed' drawings not yet available.
		(4) prior to the commencement of construction, undertake a study of the hydrological regime of the Threatened Ecological Communities and wetlands referred to in condition 9-1 and submit a report about the baseline and predicted post-development hydrologic regime to the CEO; and	Baseline TEC/PEC hydrological survey report.	This CAR. Hydrological Regimes Report. CAR Evidence: - C9-2_20210127_Report	Overall.	Undertake a study of the hydrological regime of the TECs and wetlands referred to in condition 9-1.	C	
		(5) implement management measures to maintain the hydrological regimes at the Threatened Ecological Communities and wetlands in condition 9-1.	TEC/PEC Monitoring and Management Plan. Ongoing quarterly groundwater and condition survey of TEC/PEC areas.	This CAR.	Overall.	Ongoing	C	
1155:M9.3	Inland Waters	Upon commencement of construction the proponent shall undertake an annual study of the hydrological regime of Threatened Ecological Communities and wetlands referred to in condition 9-1, and compare the results to the baseline study required in condition 9-2, until the CEO has confirmed by notice in writing that the proponent has demonstrated that the requirements of conditions 9-1(3) and 9-1(4) have been met.	Implementation of TEC/PEC Monitoring and Management Plan.	This CAR. Annual Hydrological Regimes Report. Annual TEC/PEC Monitoring Report.	Overall.	Upon commencement of construction and then annually until the CEO has confirmed by notice in writing that the proponent has demonstrated that the requirements of conditions 9-1(3) and 9-1(4) have been met.	C	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1155:M9.4	Inland Waters	In the event that the surveys of hydrological regimes indicate that the requirements of conditions 9-1(3) and 9-1(4) are not being met the proponent shall in consultation with DBCA implement preventative and corrective actions and provide a report to the CEO within thirty (30) days under condition 4-6.	Preparation and submission of Preventative and Corrective Actions Report.	Not applicable.	Overall.	Provide a report to the CEO within 30 days of the surveys of hydrological regimes indicating that the requirements of conditions 9-1(3) and 9-1(4) are not being met.	NR	Not triggered during the reporting period.
1155:M10.1	Social Surroundings (Noise)	The proponent shall implement the proposal to meet the following environmental objective: (1) minimise operational noise impacts on existing noise sensitive receptors, as far as practicable.	Implement conditions 10-2, 10-3, 10-4, 10-5, 10-6 and 10-7.	Not applicable.	Overall.	Ongoing.	NR	
1155:M10.2	Social Surroundings (Noise)	At least six (6) months prior to the operation of the proposal and in order to meet the requirements of condition 10-1(1), the proponent shall prepare a Traffic Noise Management Plan to include: (1) outdoor noise management targets; (2) indoor noise management targets to apply to noise sensitive receptors where the construction of noise walls is not feasible or practicable; (3) the noise management actions to ensure the noise management targets are met during the operation of the proposal; (4) where noise walls will be constructed, the location, height and timing of construction of the walls; (5) where acoustic treatment of houses will be implemented, the standard of treatments, timing and evidence of consultation with affected stakeholders; (6) road design measures to minimise noise emissions where relevant and appropriate, including low noise road surfaces and selection of appropriate bridge expansion joints; (7) post-construction noise monitoring to demonstrate that noise management actions meet the relevant outdoor noise management targets; and (8) contingency actions in the event relevant noise management targets are not met.	Implement Traffic Noise Management Plan.	Not applicable.	Overall.	At least 6 months prior to the operation of the proposal.	NR	
1155:M10.3	Social Surroundings (Noise)	The Traffic Noise Management Plan shall be approved by notice in writing from the CEO prior to the commencement of operation.	Submission of Traffic Noise Management Plan.	Not applicable.	Overall	Prior to the road being opened to the public.	NR	
1155:M10.4	Social Surroundings (Noise)	The proponent: (1) may review and revise the Traffic Noise Management Plan; or (2) shall review and revise the Traffic Noise Management Plan when directed by the CEO by a notice in writing.	Traffic Noise Management Plan will be reviewed annually and revised if required or as directed by the CEO.	Not applicable.	Overall.	When directed by the CEO by a notice in writing.	NR	
1155:M10.5	Social Surroundings (Noise)	The proponent shall implement the approved Traffic Noise Management Plan, or the most recent version, which the CEO has confirmed by notice in writing satisfies the requirements of condition 10-2.	Implement Traffic Noise Management Plan.	Not applicable.	Overall.	Once the Traffic Noise Management Plan has been approved.	NR	
1155:M10.6	Social Surroundings (Noise)	The proponent shall continue to implement the Traffic Noise Management Plan, or any subsequently approved revisions until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 10-1 is being and will continue to be met.	Implement Traffic Noise Management Plan.	Not applicable.	Overall.	Until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 10-1 is being and will continue to be met.	NR	
1155:M10.7	Social Surroundings (Noise)	In the event of failure to implement management actions detailed in the approved Traffic Noise Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall immediately implement management actions to meet the requirements of condition 10-1.	Traffic Noise Corrective Actions Report. Revised Traffic Noise Management Plan.	Not applicable.	Overall.	Immediately in the event of failure to implement management actions detailed in the approved Traffic Noise Management Plan.	NR	
1155:M11.1	Offsets	The proponent shall undertake offsets to achieve the objective of counterbalancing the significant residual impact as a result of the	Implementation conditions 11-2 to 11-11.	Annual CAR. Offset Strategy and Offset Management Plan.	Overall.	Ongoing.	NR	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>implementation of the proposal on the following environmental values:</p> <ol style="list-style-type: none"> (1) 0.63 ha 'Herb rich shrublands on clay pans' (FCT08) threatened ecological community; (2) 1.3 ha of '<i>Corymbia calophylla - Xanthorrhoea preissii</i> woodlands and shrublands of the Swan Coastal Plain' (FCT3c) threatened ecological community; (3) 3.7 ha of 'Banksia woodlands of the Swan Coastal Plain' priority ecological community; (4) 43.9 ha of habitat for western ringtail possum (<i>Pseudocheirus occidentalis</i>); (5) 17.7 ha of habitat for the south-western brush-tailed phascogale (<i>Phascogale tapoatafa wambenger</i>); and (6) 37.8 ha of habitat for Baudin's black cockatoo (<i>Calyptorhynchus baudinii</i>), Carnaby's black cockatoo (<i>Calyptorhynchus latirostris</i>) and forest redtailed black cockatoo (<i>Calyptorhynchus banksii naso</i>). 		<p>Condition 11 of MS1155 relates to the environmental offsets for the project and requires the submission of an:</p> <ul style="list-style-type: none"> - Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan (Condition 11-2) that must be submitted by 14 June 2022; and a - Land Acquisition and On-ground Management Offset Strategy (Condition 11-7) that must be submitted by 14 June 2023 				
1155:M11.2	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan	<p>Within twelve (12) months of the publication of this Statement [i.e. By 14 December 2021], or as otherwise agreed by the CEO, the proponent shall prepare and submit a Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan to the CEO</p>	<p>Submit Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Management Plan.</p>	<p>This CAR. CAR Evidence:</p> <ul style="list-style-type: none"> - C11-2_20211213_Letter - C11-2_20220203_Letter 	Overall.	<p>Permission has been obtained for an extension to the timeframe allocation. This extension request was submitted to the CEO of DWER on 13 December 2021, and confirmed by DWER on 3 February 2022 that The Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan must be submitted by 14 June 2022.</p>	C	
1155:M11.3	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan	<p>The Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan required by condition 11-2 shall:</p> <ol style="list-style-type: none"> (1) spatially define and map the vegetation condition of Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport which must contain: <ul style="list-style-type: none"> ▪ 14.5 ha of Banksia woodlands of the Swan Coastal Plain priority ecological community; ▪ 100 ha of habitat for western ringtail possum (<i>Pseudocheirus occidentalis</i>) and the south-western brush-tailed phascogale (<i>Phascogale tapoatafa wambenger</i>); and ▪ 93 ha of habitat for Baudin's black cockatoo (<i>Calyptorhynchus baudinii</i>), Carnaby's black cockatoo (<i>Calyptorhynchus latirostris</i>) and forest red-tailed black cockatoo (<i>Calyptorhynchus banksii naso</i>). (2) identify how Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport will be protected, being either the sites are ceded to the Crown for the purpose of management for conservation, or the sites are managed under other suitable mechanism for the purpose of conservation as agreed by the CEO by notice in writing; (3) specify the management body for ongoing management, including its role and confirmation in writing that the relevant management body accepts responsibility for its role for Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport; (4) identify the quantum of, and provide funds for, establishing the protecting mechanism and maintaining the offset for at least seven (7) years; 	<p>Develop and implement Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Management Plan.</p>	Not applicable.	Overall.	<p>Permission has been obtained for an extension to the timeframe allocation. This extension request was submitted to the CEO of DWER on 13 December 2021, and confirmed by DWER on 3 February 2022 that The Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan must be submitted by 14 June 2022.</p>	NR	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>(5) detail any Ongoing Management Actions, a timeframe for the actions to be undertaken, and funding arrangements for these actions, and any contingency actions to be undertaken on Lot 2 Boyanup Picton Road;</p> <p>(6) detail any Ongoing Management Actions and On-ground Management Actions, objectives and targets to be achieved including competition criteria, funding arrangements for these actions, and any contingency actions to be undertaken on Lot 104 Willinge Drive Davenport;</p> <p>(7) demonstrate how the Ongoing Management Actions and On-ground Management Actions to be undertaken on Lot 104 Willinge Drive Davenport will result in a tangible improvement to the environmental values being offset; and</p> <p>(8) detail the monitoring, reporting and evaluation mechanisms for actions identified under conditions 11-3(5) and 11-3(6).</p>						
1155:M11.4	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan	<p>The proponent:</p> <p>(1) may review and revise the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan; or</p> <p>(2) shall review and revise the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan as and when directed by the CEO by a notice in writing.</p>	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Management Plan will be reviewed annually and revised if required, or as directed by the CEO.	Not applicable.	Overall.	As required or when directed by the CEO by a notice in writing.	NR	
1155:M11.5	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan	The proponent shall implement the latest revision of the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan that the CEO has confirmed in writing satisfies the requirements of condition 11-3.	Implement latest version of Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Management Plan.	Not applicable.	Overall.	Until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-1 has been met.	NR	
1155:M11.6	Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan	The proponent shall continue to implement the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-1 has been met.	Implement latest version of Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Management Plan.	Not applicable.	Overall.	Until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-1 has been met.	NR	
1155:M11.7	Land Acquisition and On-ground Management Offset Strategy	<p>Within twelve (12) months of the publication of this Statement, or as otherwise agreed by the CEO, the proponent shall prepare and submit a Land Acquisition and On-ground Management Offset Strategy to the CEO to counterbalance significant residual impacts to:</p> <p>(1) 23.8 ha of habitat for western ringtail possum (<i>Pseudocheirus occidentalis</i>) and the south-western brush-tailed phascogale (<i>Phascogale tapoatafa wambenger</i>);</p> <p>(2) 6.8 ha of habitat for Baudin's black cockatoo (<i>Calyptorhynchus baudinii</i>), Carnaby's black cockatoo (<i>Calyptorhynchus latirostris</i>) and forest redtailed black cockatoo (<i>Calyptorhynchus banksii naso</i>);</p> <p>(3) 0.63 ha 'Herb rich shrublands on clay pans' (FCT08) threatened ecological community;</p> <p>(4) 1.3 ha of 'Corymbia calophylla - Xanthorrhoea preissii woodlands and shrublands of the Swan Coastal Plain' (FCT3c) threatened ecological community.</p>	<p>Prepare and Submit a Land Acquisition and On-ground Management Offset Strategy.</p> <p>Implement conditions 11-8 to 11-11.</p>	<p>This CAR.</p> <p>CAR Evidence:</p> <ul style="list-style-type: none"> - C11-2_20211213_Letter - C11-2_20220203_Letter 	Overall.	Permission has been obtained for an extension to the timeframe allocation. This extension request was submitted to the CEO of DWER on 13 December 2021, and confirmed by DWER on 3 February 2022 that The Land Acquisition and On-ground Management Offset Strategy must be submitted by 14 June 2023.	C	
1155:M11.8	Land Acquisition and On-ground Management Offset Strategy	<p>The Land Acquisition and On-ground Management Offset Strategy required by condition 11-7 shall:</p> <p>(1) identify any area(s) to be acquired and the manner in which all area(s) will be protected with Ongoing Management Actions and/or with On-ground Management Actions that contain the environmental values identified in condition 11-7;</p> <p>(2) demonstrate how the area(s) counterbalances the significant residual impact to the environmental values identified in condition 11-7 through application of the principles of the WA Environmental Offsets Policy 2011 and completion of the WA Offsets Template, as described in the WA Environmental Offsets Guidelines 2014, and the Environment Protection and Biodiversity Conservation Act</p>	Land Acquisition and On-ground Management Offset Strategy.	Not applicable.	Overall.	Permission has been obtained for an extension to the timeframe allocation. This extension request was submitted to the CEO of DWER on 13 December 2021, and confirmed by DWER on 3 February 2022 that The Land Acquisition and On-ground Management Offset Strategy must be submitted by 14 June 2023.	NR	

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>1999 Environmental Offsets Policy Assessment Guide (October 2012), or any subsequent revisions of these documents;</p> <p>(3) identify how any area(s) of land acquired will be protected, being either the area(s) is ceded to the Crown for the purpose of management for conservation, or the area(s) are managed under other suitable mechanism for the purpose of conservation as agreed by the CEO;</p> <p>(4) specify the management body for ongoing management, including its role and confirmation in writing that the relevant management body accepts responsibility for its role for and land area identified in condition 11-8(1);</p> <p>(5) for any area(s) acquired, identify the quantum of, and provide funds for, the upfront works associated with establishing the area(s), including a contribution for maintaining the offset for at least seven (7) years after completion of purchase;</p> <p>(6) detail any Ongoing Management Actions, a timeframe for the actions to be undertaken, and funding arrangements for these actions, and any contingency actions to be undertaken on the area(s);</p> <p>(7) detail any On-ground Management Actions, objectives and targets to be achieved including completion criteria, funding arrangements for these actions, and any contingency actions to be undertaken on the area(s);</p> <p>(8) demonstrate how any Ongoing Management Actions and On-ground Management Actions to be undertaken on the area(s) will result in a tangible improvement to the environmental values being offset;</p> <p>(9) demonstrate how the area(s) and any actions taken on the area(s) is consistent with the objectives and targets with the objectives of the relevant Recovery Plans for the species or community;</p> <p>(10) detail the monitoring, reporting and evaluation mechanisms for actions identified under conditions 11-8(6) and 11-8(7); and</p> <p>(11) be prepared on advice of DBCA.</p>						
1155:M11.9	Land Acquisition and On-ground Management Offset Strategy	<p>The proponent:</p> <p>(1) may review and revise the Land Acquisition and On-ground Management Offset Strategy; or</p> <p>(2) shall review and revise the Land Acquisition and On-ground Management Offset Strategy as and when directed by the CEO by a notice in writing.</p>	The Land Acquisition and On-ground Management Offset Strategy will be reviewed annually and revised if required, or as directed by the CEO.	Not applicable.	Overall.	As required or when directed by the CEO by a notice in writing.	NR	
1155:M11.10	Land Acquisition and On-ground Management Offset Strategy	The proponent shall implement the latest revision of the Land Acquisition and On-ground Management Offset Strategy that the CEO has confirmed in writing satisfies the requirements of condition 11-8.	Implement the latest version of the Land Acquisition and On-ground Management Offset Strategy.	Not applicable.	Overall.	Until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-7 has been met.	NR	
1155:M11.11	Land Acquisition and On-ground Management Offset Strategy	The proponent shall continue to implement the Land Acquisition and On-ground Management Offset Strategy until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-7 has been met.	Implement the latest version of the Land Acquisition and On-ground Management Offset Strategy.	Not applicable.	Overall.	Until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-7 has been met.	NR	

Appendix C

Subsidiary Plan Audit Table (related to potential non-compliance/ non-conformance only)

Not required

Appendix D

Evidence (related to potential non-compliance/ non-conformance only)

Appendix D. Evidence Summary - potential non-compliance with condition 7-2 of MS 1155.

On 10 March 2022 Main Roads became aware of a potential non-compliance with condition 7-2 of MS 1155 during the final stages of compiling the 2020-2021 Compliance Assessment Report (CAR) as required under condition 4-6.

Condition 7-2 states:

To demonstrate that the outcome in condition 7-1(2) is being met the proponent shall complete a survey within the western ringtail habitat areas within 30 days of completion of vegetation clearing, or if staged, after each distinct stage of clearing and submit a report within 60 days of completion of vegetation clearing to the CEO and DBCA. The reports will include an evaluation of the survey results against the baseline information collected by condition 6-1(3).

Main Roads has undertaken 15 separate stages of clearing within western ringtail possum habitat areas. Surveys have been undertaken for all 15 stages. Main Roads did not submit five of the required post-clearing reports within the required 60 day time limit for submission.

No western ringtail possums were encountered in the five stages where reports were not submitted and there has been no environmental harm caused by this potential non-compliance.

Main Roads advised the Department of Water and Environmental Regulation of this potential non-compliance via e-mail on 11 March 2022.

An environmental incident investigation will be conducted, and based on the outcome of the investigation appropriate corrective actions will be implemented.

Appendix E

Evidence Summary Table

Appendix E. Evidence Summary Table.

Cond.	Evidence Reference	Description
M1-1	C1-1_Clearing areas (Figures).	Figures for Ground disturbance and clearing areas during this CAR audit period (14 December 2021 – 13 December 2022).
	C1-1_Clearing areas (Shapefiles)	Shapefile for Ground disturbance and clearing areas during this CAR audit period (14 December 2021 – 13 December 2022).
M4-1,2	C4-1_20210104_Report	MS1155 Compliance Assessment Plan (CAP).
	C4-1_20210107_Letter	CAP Submission Letter to DWER on 7 January 2021.
	C4-1_20210113_Letter	CAP Approval Letter from DWER on 13 January 2021.
M6-1(1,2)	C6-1_20210304_Letter	Inspection of potential nesting trees for Black cockatoo.
M6-1(3)	C6-1_20210315_Letter Report	'Pre-clearing' Fauna Survey Letter Report (Biota Environmental Sciences): example for survey area REF04 Willinge – Lillydale.
	C6-1_20210714_Report	Monitoring and Management Plan for WRP/BPh for proposed clearing at BORR over Boyanup-Picton Road.
	C6-1_20210716_Report	Monitoring and Management Plan for WRP/BPh for proposed clearing at Paris-Clifton Interchange.
M6-2	C6-2_20210714_Report	Monitoring and Management Plan for WRP/BPh for proposed clearing at BORR over Boyanup-Picton Road.
	C6-2_20210716_Report	Monitoring and Management Plan for WRP/BPh for proposed clearing at Paris-Clifton Interchange.
M7-1,2,3	C7-1,2,3_20220311_Report	BORR MS1155 Annual WRP/BPh Report.
M7-2	C7-2_20210423_Letter Report	'Post-clearing' Fauna Survey Letter Report (Biota Environmental Sciences): example for survey area REF01 Willinge.
	C7-2_20211026_Letter Report	'Post-clearing' Fauna Survey Letter Report (Biota Environmental Sciences): example for survey area REF08 Boyanup-Picton.
M7-4	C7-4_20210215_Memo	Location and configuration of fauna crossings for western ringtail possum.
M8-1	C8-1_20220311_Report	MS1155 Annual TEC/PEC Monitoring Report.
M8-2	C8-2_20210701_Plan	BORR (N/C) Weed and Hygiene (Dieback) Management Plan.
M9-1,2	C9-1_20220310_Report	MS1155 Annual Hydrological Regime Report.
	C9-1_20220311_Report	MS1155 Annual TEC/PEC Monitoring Report.
	C9-1,2_20210628_Memo	Targeted Conservation Significant Aquatic Fauna Monitoring Report (Q1, 2021).
	C9-1,2_20210623_Memo	Targeted Conservation Significant Aquatic Fauna Monitoring (Q2, 2021).
	C9-1,2_20210915_Memo	Targeted Conservation Significant Aquatic Fauna Monitoring (Q3, 2021).
	C9-1,2_20220208_Report	Targeted Conservation Significant Aquatic Fauna Monitoring (Annual, 2021).
M9-2	C9-2_20211018_Memo	Survey report for Carter's Freshwater Mussel at the proposed BORR - Collie River crossing.
	C9-2_20210127_Report	MS1155 Hydrological Regime Report.
M9-3	C9-3_20220310_Report	MS1155 Annual Hydrological Regime Report.

Cond.	Evidence Reference	Description
	C9-3_20220311_Report	MS1155 Annual TEC/PEC Monitoring Report.
M11-2,7	C11-2_20211213_Letter	Offsets - extension of time request to the CEO of DWER on 13 December 2021
	C11-2_20220203_Letter	Offsets - extension of time confirmed by DWER on 3 February 2022.

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