

Bunbury Outer Ring Road

Northern and Central Section

EPBC 2019 / 8471

Annual Compliance Report

Main Roads WA

Revision 0

17-May-22

SWGA-00-134-00-REP-0005



Document control record

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Document control						
Report title		EPBC 2019 / 8471 – BORR (North and Central Section) Annual Compliance Report				
Client		Main Roads WA				
Rev	Date	Revision details/status	Author	Reviewer	Verifier (if required)	Approver
A	26-Apr-22	SWGA Review	L. K.	S. W.		F. R.
B	9-May-22	Main Roads Review	E. R	Main Roads		F. R.
0	17-May-22	Issued	E. R	Main Roads		M. H.
Current revision		0				

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1 Executive Summary

This Annual Compliance Report addresses the compliance of the Bunbury Outer Ring Road (BORR) Northern and Central Section Project (the Action) with conditions set out in Approval EPBC 2019 / 8471.

Condition 19 of EPBC 2019 / 8471 require annual compliance assessment reports to be published.

The Annual Compliance Report incorporates a 12-month audit period from 24 February 2021 to 23 February 2022. This is the first Annual Compliance Report to be produced under EPBC 2019 / 8471.

2 Coversheet and Declaration of Accuracy

EPBC number: 2019/8471

Project name: Bunbury Outer Ring Road Northern and Central Sections

Report title: Bunbury Outer Ring Road Northern and Central Sections (EPBC 2019/8471) Annual Compliance Report, May 2022

Proponent /approval holder and ACN or ABN: Main Roads Western Australia (ABN 50860676021)

Proposed/approved action: Construction and operation of the Northern and Central sections of the Bunbury Outer Ring Road (BORR) Project

Location of the action: Forrest Highway to South Western Highway, within the City of Bunbury and Shires of Capel, Dardanup and Harvey

Date of preparation of the report: May 2022

Person accepting responsibility for the annual compliance report: Mark Hazebroek, A/Principal Project Director, Main Roads Western Australia

Declaration of accuracy

I declare that to the best of my knowledge, all the information contained in, or accompanying this document is complete, current and correct. I am duly authorised to sign this declaration on behalf of the proponent/approval holder. I am aware that:

a) giving false or misleading information is a serious offence under section 137. 1 of the *Criminal Code Act 1995* (Cth)

b) section 137.2 of the *Criminal Code Act 1995* (Cth) makes it an offence for a person to produce a document to another person in compliance or purported compliance with a law of the Commonwealth where the person knows that the document is false or misleading;

c) section 490 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) makes it an offence for an approval holder to provide information in response to an approval condition where the person is reckless as to whether the information is false or misleading; and

d) section 491 of the EPBC Act makes it an offence for a person to provide information or documents to specified persons who are known by the person to be performing a duty or carrying out a function under the EPBC Act or the Environment Protection and Biodiversity Conservation Regulations 2000 (Cth) (EPBC Regulations) where the person knows the information or document is false or misleading.

Signed: Mark Hazebroek

Full name: Mark Hazebroek, Acting / Principal Project Director

Organisation: Main Roads Western Australia (ABN 50 860 676 021)

Date 17 / 05 / 2022

3 Introduction

3.1 Background

A proposed action that may have a significant impact on a Matter of National Environmental Significance (MNES) requires approval from the Commonwealth under the *Environment Protection and Biodiversity Conservation Act, 1999* (EPBC Act).

The Proposal was referred to then Department of the Environment and Energy (DoEE) on 25 June 2019 (EPBC Act referral 2019/8471) as a potential Controlled Action under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) due to potential impacts on Matters of Nation Environmental Significance (MNES), primarily listed threatened species and communities:

- Western Ringtail Possum (*Pseudocheirus occidentalis*) (WRP) (Critically endangered)
- Carnaby's Cockatoo (*Calyptorhynchus latirostris*) (Endangered)
- Baudin's Cockatoo (*Calyptorhynchus baudinii*) (Endangered)
- Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*) (Vulnerable)
- Black-stripe Minnow (*Galaxiella nigrostriata*) (BSM) (Endangered)
- Carter's Freshwater Mussel (*Westralunio carteri*) (CFM) (Vulnerable)
- Banksia Woodlands of the Swan Coastal Plain ecological community (Banksia Woodlands TEC) (Endangered)
- Clay Pans of the Swan Coastal Plain (Clay Pans TEC) (Critically Endangered)
- *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain (*Corymbia* Woodlands TEC) (Endangered).

The DoEE provided advice on 18 October 2019 that the Proposal was considered a Controlled Action and that it would be assessed by Preliminary Documentation (DoEE, 2019). Under Commonwealth government reforms announced in December 2019, DoEE was consolidated with the Department of Agriculture to form the new Department of Agriculture, Water and Environment (DAWE), effective 1 February 2020.

Referral and Documentation for the Proposal was available for public comment from 28 May 2020 to 28 June 2020 inclusive.

A decision under sections 130(1) and 133 of the EPBC Act (C'th) to approve the BORR (Northern and Central Section) (EPBC 2019/8471) was issued on 21 of December 2020.

3.2 Purpose and scope

This Annual Compliance Report addresses the compliance of the Bunbury Outer Ring Road (BORR) Northern and Central Section Project (the Action) with conditions set out in Approval EPBC 2019 / 8471.

Condition 19 of EPBC 2019 / 8471 require annual compliance assessment reports to be published.

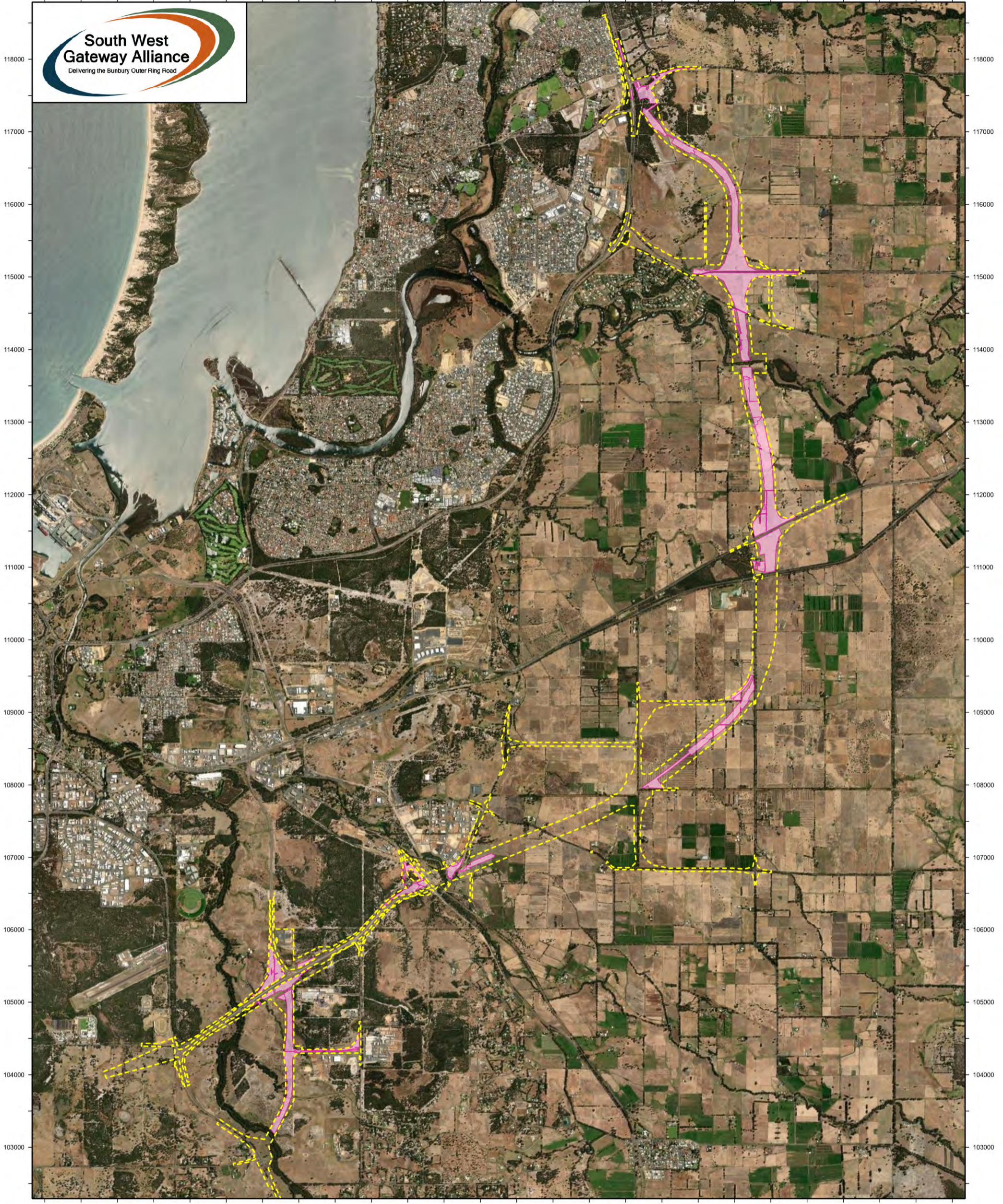
This Annual Compliance Report has been produced in compliance with EPBC 2019 / 8471 and endorsed by a delegate for the Commissioner for Main Roads.

The Annual Compliance Report incorporates a 12-month audit period from 24 February 2021 to 23 February 2022. This is the first Annual Compliance Report to be produced under EPBC 2019 / 8471.

3.3 Summary of Action

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).

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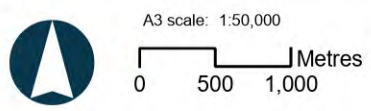


- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas



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.



Date: 6/05/2022 Version: 1 Author: N.W.
 Coordinate System: PCG94 Reviewed: E.R.

**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 1 - Proposal Location Overview**

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 are described in Table 1.

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

Element	Location
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.

4 Summary of the Proposals Implementation Status

4.1 Works during the reporting period

Main Roads awarded a contract to South West Gateway Alliance (SWGA) to design and construct the Project.

A decision under sections 130(1) and 133 of the EPBC Act (C'th) to approve the BORR (Northern and Central Section) (EPBC 2019/8471) was issued on 21 of December 2020.

Construction commenced on 24 February 2021. The design work is ongoing.

During the 12-month audit period of 24 February 2021 to 23 February 2022, clearing extents of key environmental aspects are summarised in Table 2 and shown in Figure 2.

Clearing of key environmental aspects as identified in EPBC 2019 / 8471 are well within the associated specified limits (Table 2).

Table 2. Clearing extents within BORR (Northern and Central Section) during the reporting period.

Environmental Aspect	Area / quantity specified in EPBC 2019 / 8471	Area / quantity cleared during the reporting period
Black cockatoo habitat	37.80 ha	7.61 ha
	no more than 710 trees with a diameter at breast height of greater than 500 mm	95
	no more than three suitable nest hollows	0
Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>) habitat	43.90 ha	9.70 ha
Black-stripe Minnow (<i>Galaxiella nigrostriata</i>) habitat	0.55 ha	0 ha
Threatened Ecological Community - Banksia Woodland of the Swan Coastal Plain	3.70 ha	0.54 ha
Threatened Ecological Community - Clay Pans of the Swan Coastal Plain (Herb rich shrublands on clay pans (FCT08)	0.63 ha	0 ha
Threatened Ecological Community - <i>Corymbia Callophylla</i> – <i>Xanthorrhoea preissii</i> woodlands and shrublands of the Swan Coastal Plan' (FCT3c).	1.3 ha	0.24 ha

5 Audit Plan

5.1 Purpose and scope

This Annual Compliance Report has been prepared to assess compliance with the conditions of EPBC 2019 / 8471 over the audit period.

This document is the first Annual Compliance Report for the Proposal.

The Annual Compliance Report specifically addresses Condition 19 of EPBC 2019 / 8471, which states:

19. *The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must include requirements (a) to (e) in Condition 19.*
 - a. publish each compliance report on the website within 60 business days following the relevant 12 month period;*
 - b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication. This notification must include documentary evidence of the date of publication of the report;*
 - c. keep all compliance reports publicly available on the website until this approval expires;*
 - d. exclude or redact sensitive ecological data from compliance reports published on the website; and*
 - e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.*

This Annual Compliance Report has been developed in accordance with the requirements set out in the 'Annual Compliance Report Guidelines', Commonwealth of Australia, 2014.

5.2 Audit Period

The first Annual Compliance Report addresses a compliance period of 24 February 2021 to 23 February 2022 and is required to be submitted by 18 May 2022.

5.3 Audit Criteria

Audit criteria were based on the EPBC 2019 / 8471 conditions of approval. The audit table (Appendix A) presents 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:

- EPBC 2019 / 8471 Condition reference number.
- Condition: Wording of the relevant implementation condition, procedure or commitment.
- Status: Notes about the fulfilment of compliance.
- Evidence comments: Additional details and supporting information to verify compliance status.

The Audit also assessed compliance with the following Action Management Plans associated with the Approval, and produced for the implementation of BORR North and Central for the management of conservation significant fauna:

- BORR North and Central (EPBC 2019/8471) Black Cockatoo Action Management Plan BORR-01-RP-EN-0019 – required to be implemented in accordance with condition 3 of EPBC 2019/8471.
- BORR North and Central (EPBC 2019/8471) Action Management Plan – Conservation Significant Fauna BORR-01-RP-EN-0021 (AMP-CSF) – required to be implemented in accordance with condition 4 of EPBC 2019/8471.

5.4 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.

6 Audit Results

6.1 Compliance with conditions

Compliance with the conditions of EPBC 2019 / 8471 for the Proposal has been assessed and reported using the Audit Table in Appendix A.

6.2 Non-compliance with conditions

Two non-compliances have previously been reported to DAWE and closed out during the audit period:

- Injury to fauna during clearing (August 2021).
- Non-compliance with reporting provisions for surveys (March 2022).

6.3 Subsidiary plans

Conditions of EPBC 2019 / 8471 require the implementation of two primary subsidiary plans (Table 3):

- BORR North and Central (EPBC 2019/8471) Black Cockatoo Action Management Plan BORR-01-RP-EN-0019 – required to be implemented in accordance with condition 3 of EPBC 2019/8471.
- BORR North and Central (EPBC 2019/8471) Action Management Plan – Conservation Significant Fauna BORR-01-RP-EN-0021 (AMP-CSF) – required to be implemented in accordance with condition 4 of EPBC 2019/8471.

Compliance with the above plans has been assessed and reported using the Audit Tables in Appendix B and C respectively.

Table 3. Subsidiary plans to be implemented under EPBC 2019 / 8471.

Condition	Plan	Appendix
3	<p>Black Cockatoo Action Management Plan (BORR-01-RP-EN-0019)</p> <p>This document sets out the environmental management actions to manage, monitor and mitigate the direct and potential indirect impacts of the Proposal on the following listed fauna taxa listed as 'Threatened' MNES:</p> <ul style="list-style-type: none"> • Carnaby's Cockatoo <i>Calyptorhynchus latirostris</i> (listed as 'Endangered') • Baudin's Cockatoo <i>Calyptorhynchus baudinii</i> (listed as 'Endangered') • Forest Red-tailed Black Cockatoo <i>Calyptorhynchus banksii naso</i> (listed as 'Vulnerable'). 	B
4	<p>Action Management Plan – Conservation Significant Fauna (BORR-01-RP-EN-0021)</p> <p>This document sets out the environmental management actions to manage, monitor and mitigate the direct and potential indirect impacts of the Proposal on the following fauna taxa listed as 'Threatened' MNES:</p> <ul style="list-style-type: none"> • Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>) (WRP) (Critically endangered) • Carter's Freshwater Mussel (<i>Westralunio carteri</i>) (CFM) (Vulnerable) • Black-stripe Minnow (<i>Galaxiella nigrostriata</i>) (BSM) (Endangered) • Also included in this plan is the State-listed South-western Brush-tailed Phascogale (<i>Phascogale tapoatafa</i>) (BTP) (listed as Conservation Dependent (Schedule 6) under the Western Australian <i>Biodiversity Conservation Act 2016</i>). 	C

6.4 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 Annual Compliance Reports (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 it has been determined that all conditions of EPBC 2019 / 8471 have been satisfactorily met.

Annual Compliance Reports 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*.

6.5 Public Availability of Compliance Reports

This Annual Compliance Report will be made publicly available by publishing this on the Main Roads Western Australia website.

7 Conclusion

7.1 Compliance of Proposal

The *Bunbury Outer Ring Road Northern and Central Section Project (EPBC 2019/8471)* was approved on 21 December 2021. Construction commenced on the 12 February 2021, and will continue for approximately three years. The current report addresses compliance of the Proposal during the initial 12-month reporting period.

8 Figures

Figure	Title
Figure 1	EPBC 2019 / 8471 – Proposal Location Overview
Figure 2	Ground Disturbance and Clearing Extents during the reporting period in relation to Western ringtail possum habitat and Threatened Ecological Community extents
Figure 3	Ground Disturbance and Clearing Extents during the reporting period in relation to Black cockatoo habitat and large trees (DBH ≥ 500 mm)

Figure 2. Ground disturbance and clearing extents during the reporting period (WRP, TEC).

Figure 3. Ground disturbance and clearing extents during the reporting period (Black cockatoo).

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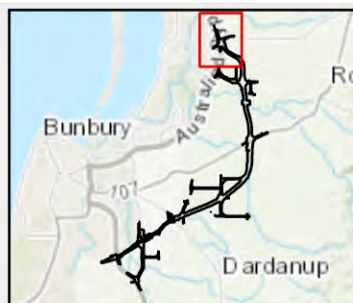
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Legend

- Proposal Approval Boundary
- Ground Disturbance and Clearing Areas
- Western Ringtail Possum Habitat
- TEC
- Banksia Woodland TEC
- PEC
- Banksia Woodland PEC

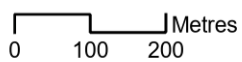


Notes:

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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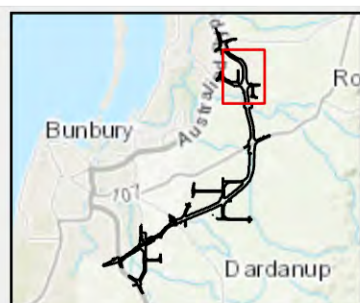
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 Coordinate System: PCG94 Reviewed: E.R.

**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)**

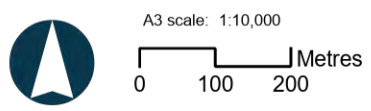
Figure 2 A- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat
 - TEC
 - Corymbia Woodland TEC (FCT3c)

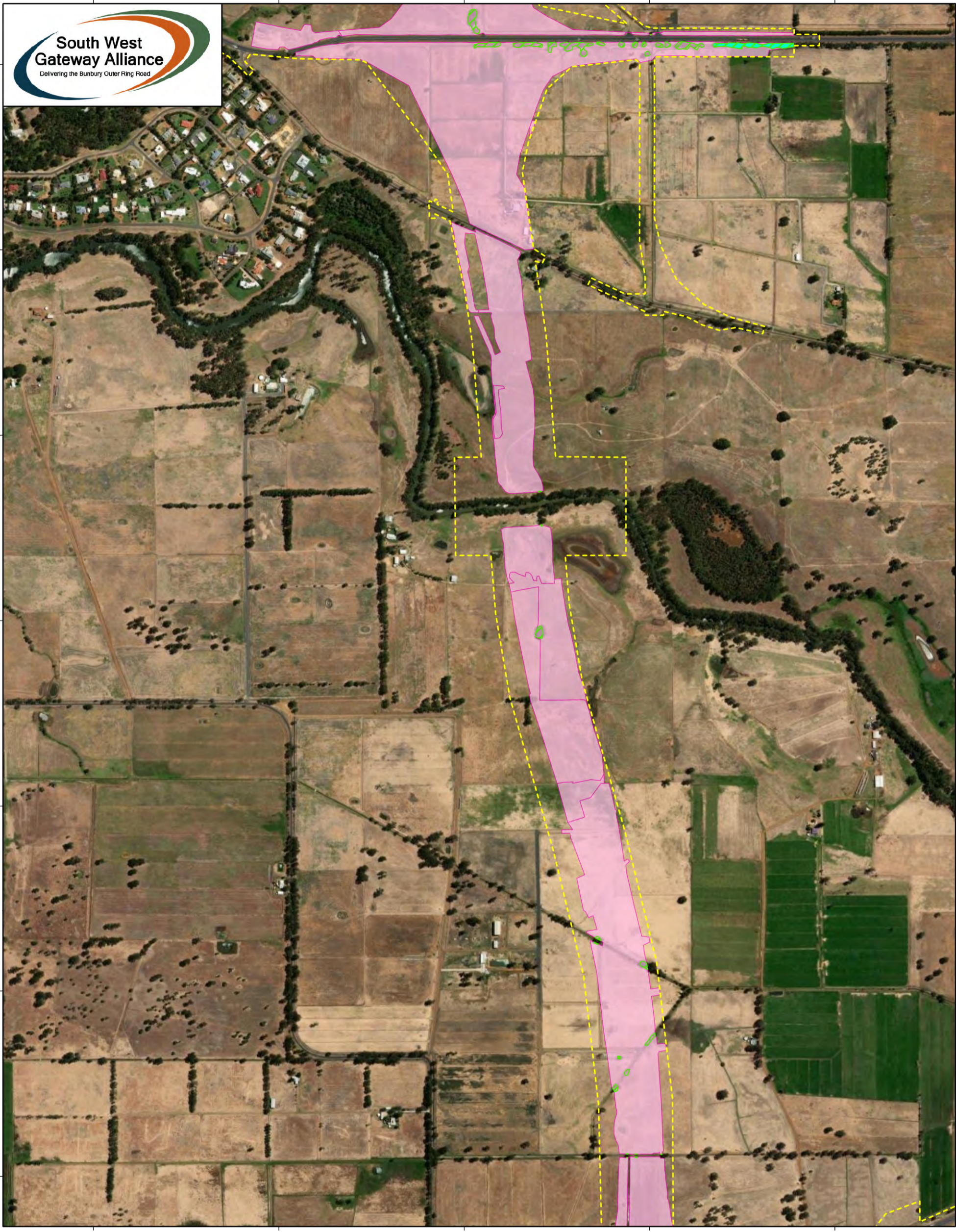


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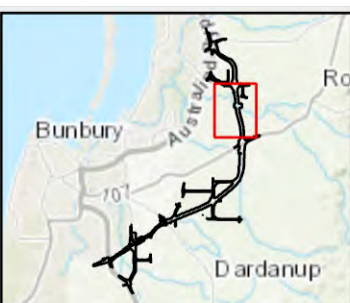


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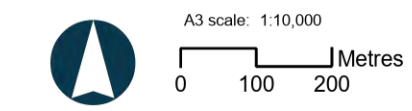
EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 2 B- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat
 - TEC
 - Corymbia Woodland TEC (FCT3c)



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.

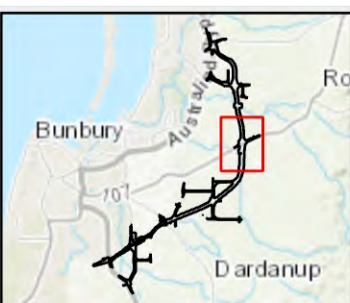


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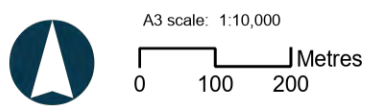
**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 2 C- Ground Disturbance and Clearing Extents**



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat

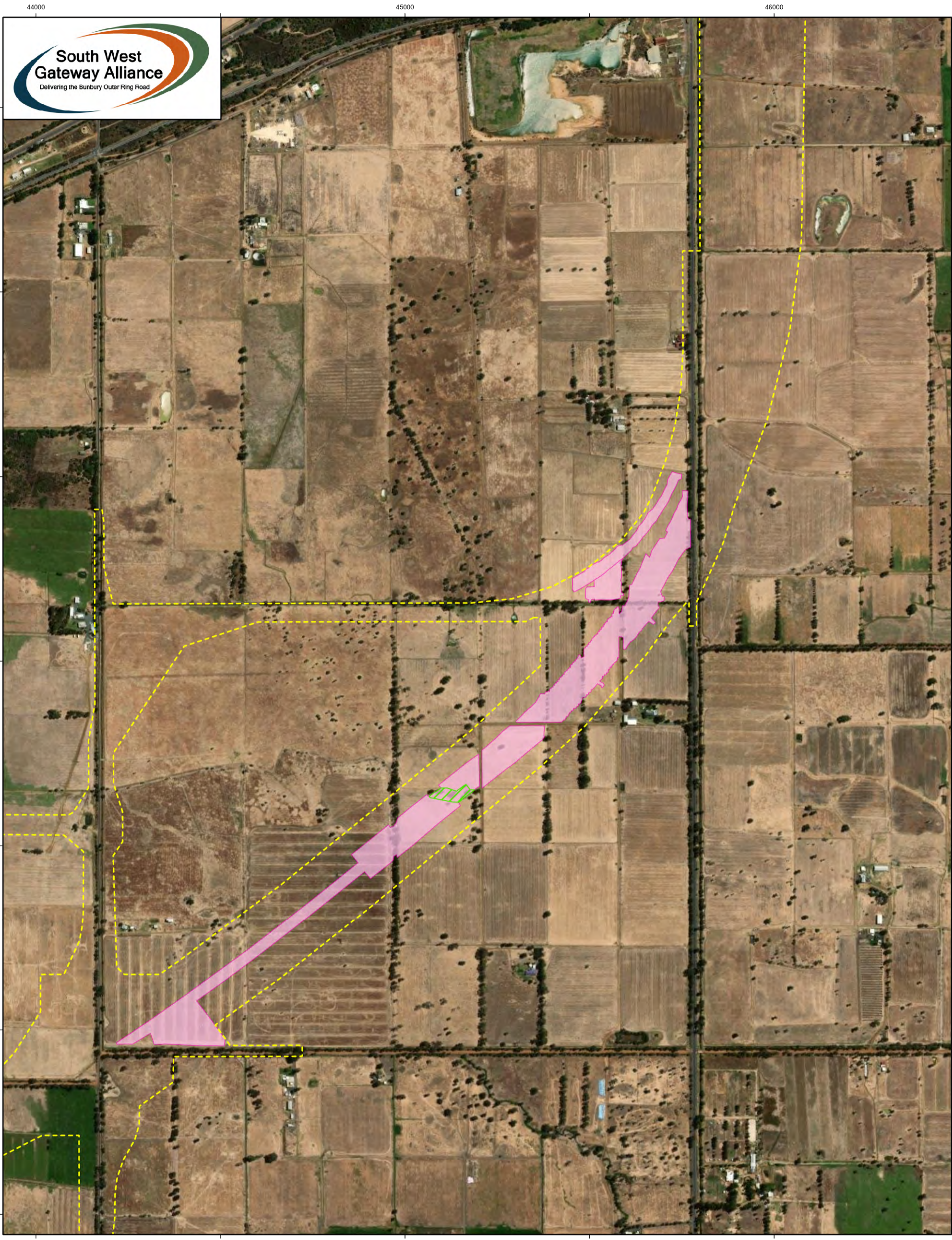


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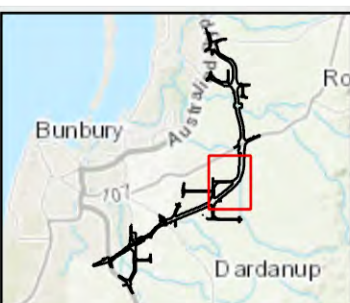


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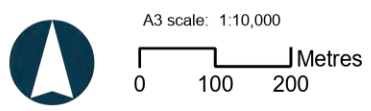
EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 2 D- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat



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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EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 2 E- Ground Disturbance and Clearing Extents

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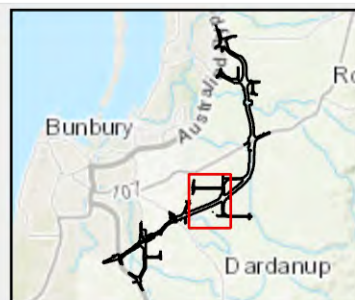
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Legend

-  Proposal Approval Boundary
-  Ground Disturbance and Clearing 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.

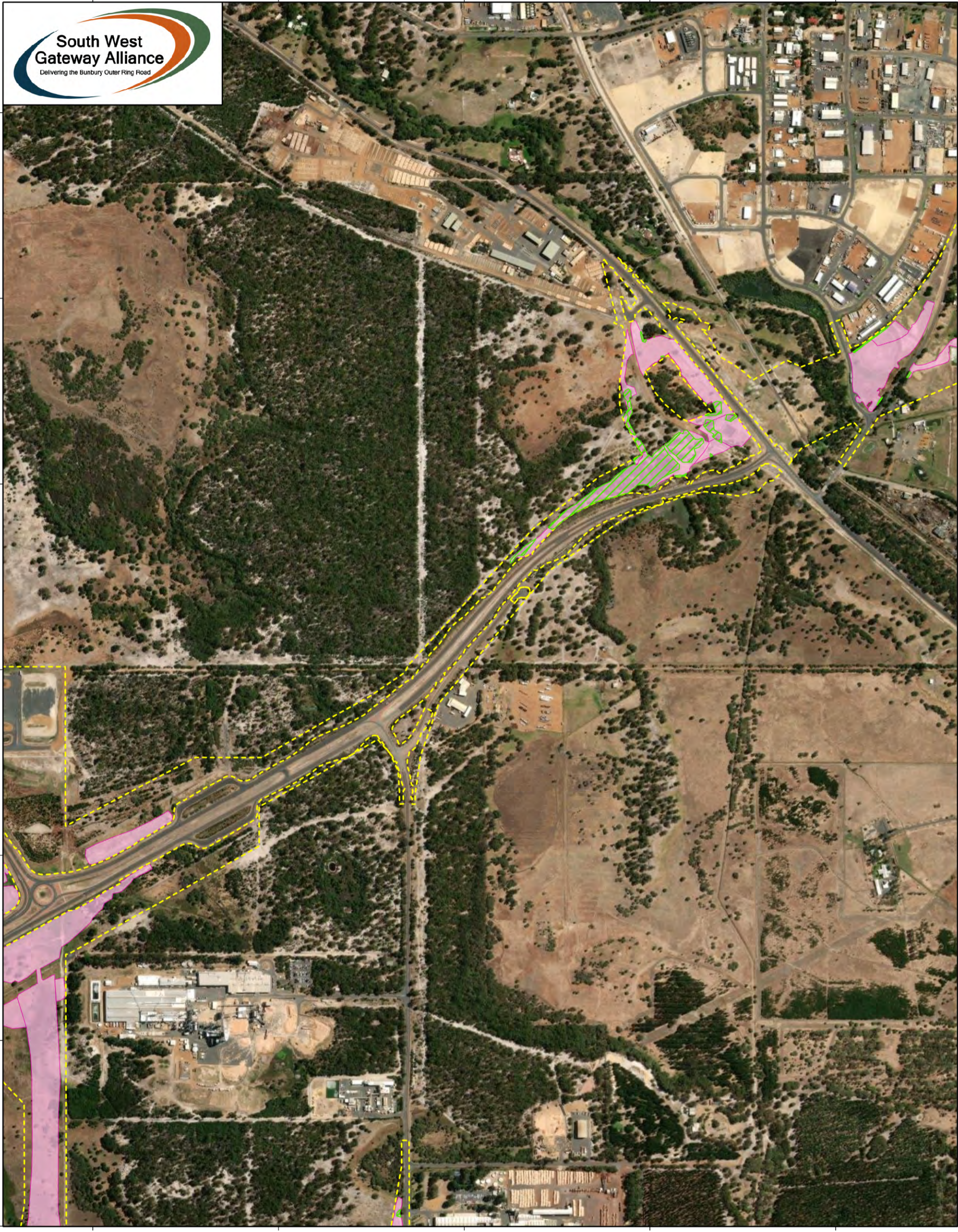


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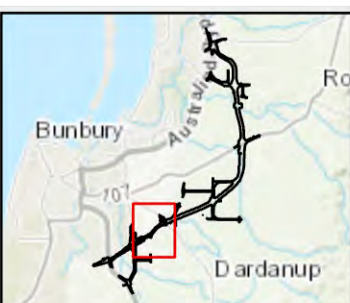
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 Bunbury Outer Ring Road (Northern and Central Section)**

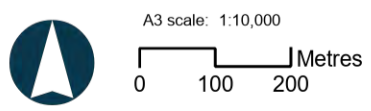
Figure 2 F- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat



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.



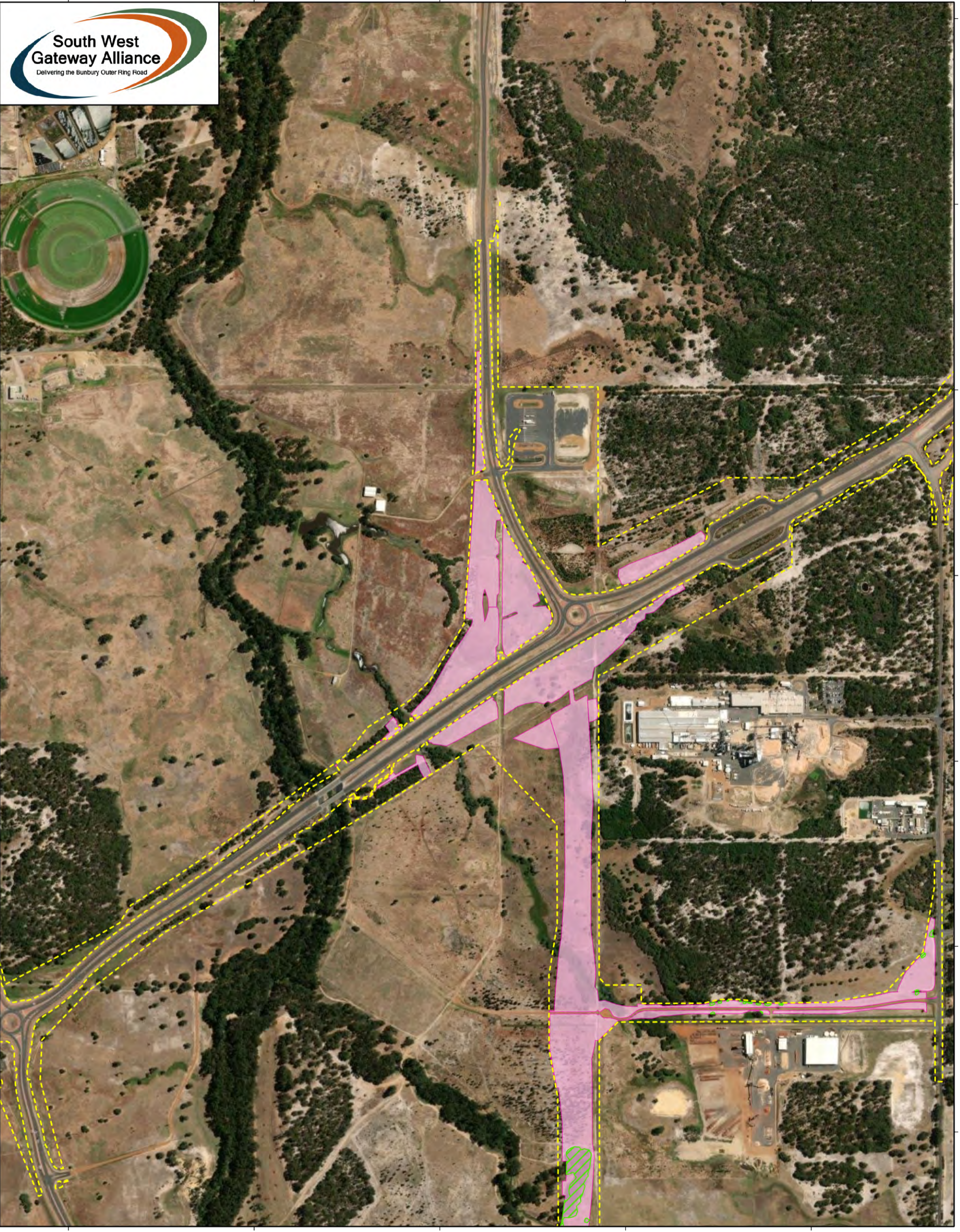
Date: 6/05/2022 Version: 1 Author: N.W.
 Coordinate System: PCG94 Reviewed: E.R.

**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 2 G- Ground Disturbance and Clearing Extents**

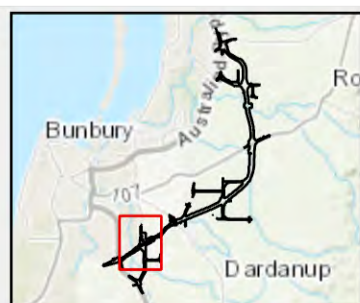
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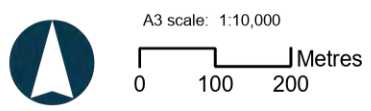
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- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat



Notes:
Sources: Data frame - Metro Maps (20210115) Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasysteisen, 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.

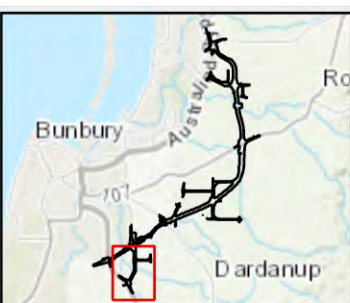


Date: 6/05/2022 Version: 1 Author: N.W.
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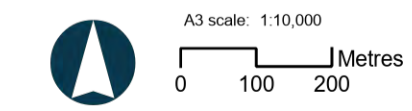
**EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 2 H- Ground Disturbance and Clearing Extents**



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Western Ringtail Possum Habitat



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.



Date: 6/05/2022 Version: 1 Author: N.W.
 Coordinate System: PCG94 Reviewed: E.R.

**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 2 I- Ground Disturbance and Clearing Extents**

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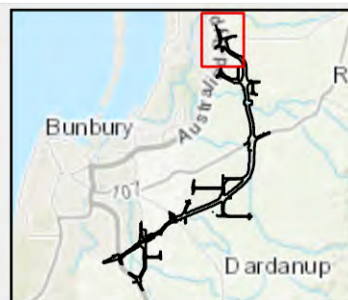
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Legend

- Proposal Approval Boundary
- Ground Disturbance and Clearing Areas
- Black Cockatoo Large Trees (DBH ≥ 500mm)
- ⊘ No Suitable Nest Hollows
- Black Cockatoo Foraging/Breeding Habitat

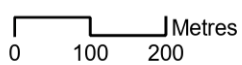


Notes:

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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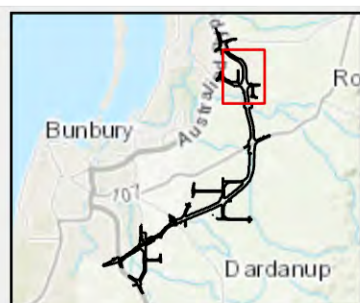
Date: 6/05/2022 Version: 1 Author: N.W.
 Coordinate System: PCG94 Reviewed: E.R.

**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)**

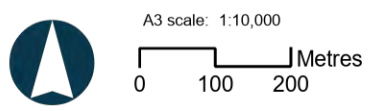
Figure 3 A- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Large Trees (DBH ≥ 500mm)
 - No Suitable Nest Hollows
 - Black Cockatoo Foraging/Breeding Habitat

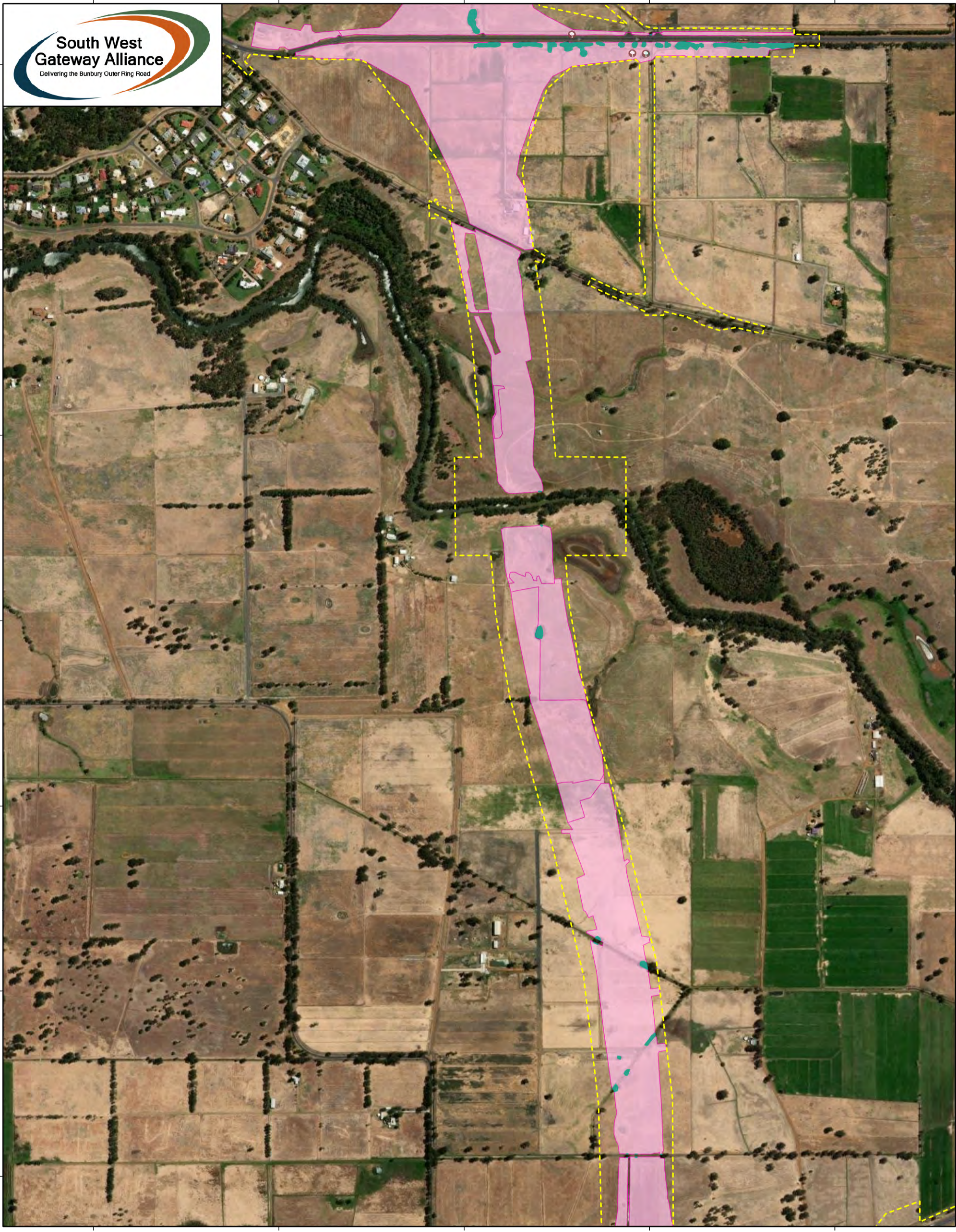


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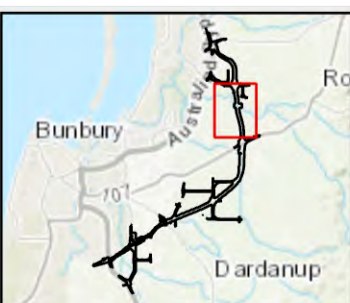


Date: 6/05/2022 Version: 1 Author: N.W.
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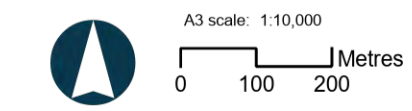
**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 3 B- Ground Disturbance and Clearing Extents**



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Large Trees (DBH \geq 500mm)
 - No Suitable Nest Hollows
 - Black Cockatoo Foraging/Breeding Habitat

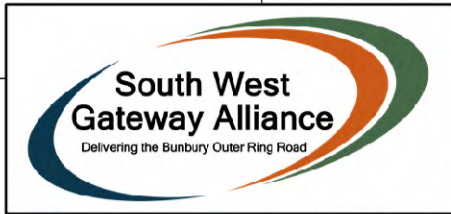


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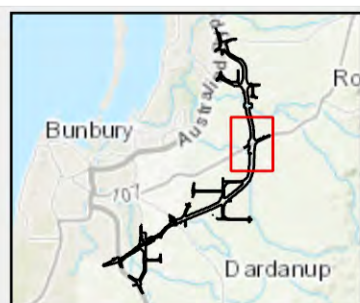


Date: 6/05/2022 Version: 1 Author: N.W.
 Coordinate System: PCG94 Reviewed: E.R.

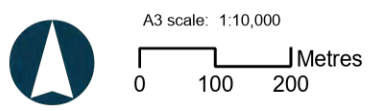
EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 3 C- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Foraging/Breeding Habitat

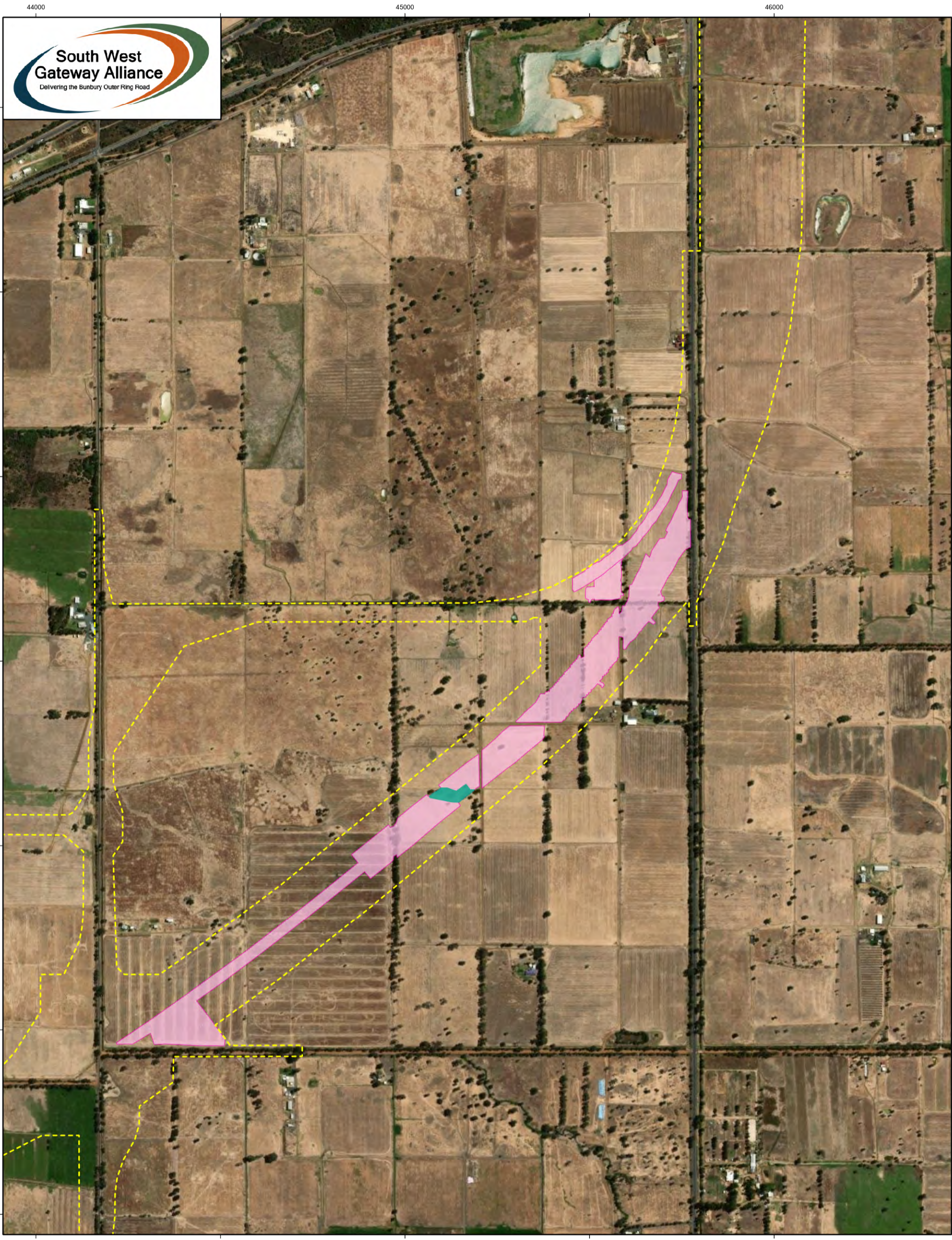


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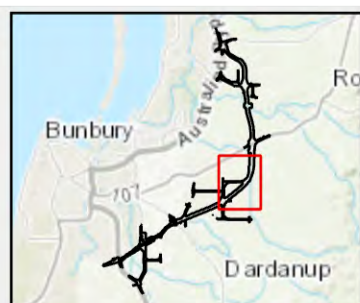


Date: 6/05/2022 Version: 1 Author: N.W.
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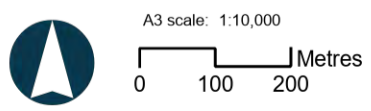
EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 3 D- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Foraging/Breeding Habitat



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 Reviewed: E.R.

EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 3 E- Ground Disturbance and Clearing Extents

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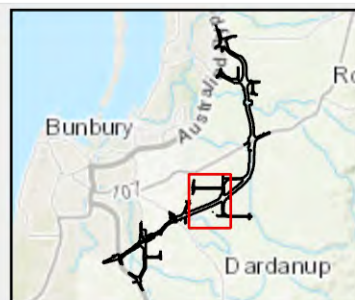
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Legend

-  Proposal Approval Boundary
-  Ground Disturbance and Clearing 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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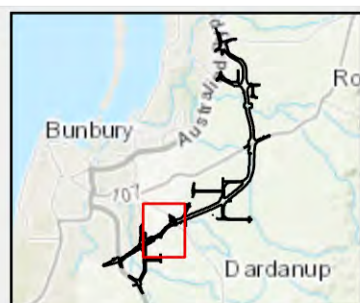
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**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)**

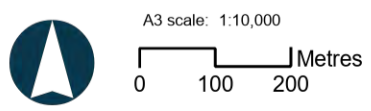
Figure 3 F- Ground Disturbance and Clearing Extents



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Large Trees (DBH ≥ 500mm)
 - No Suitable Nest Hollows
 - Black Cockatoo Foraging/Breeding Habitat



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.



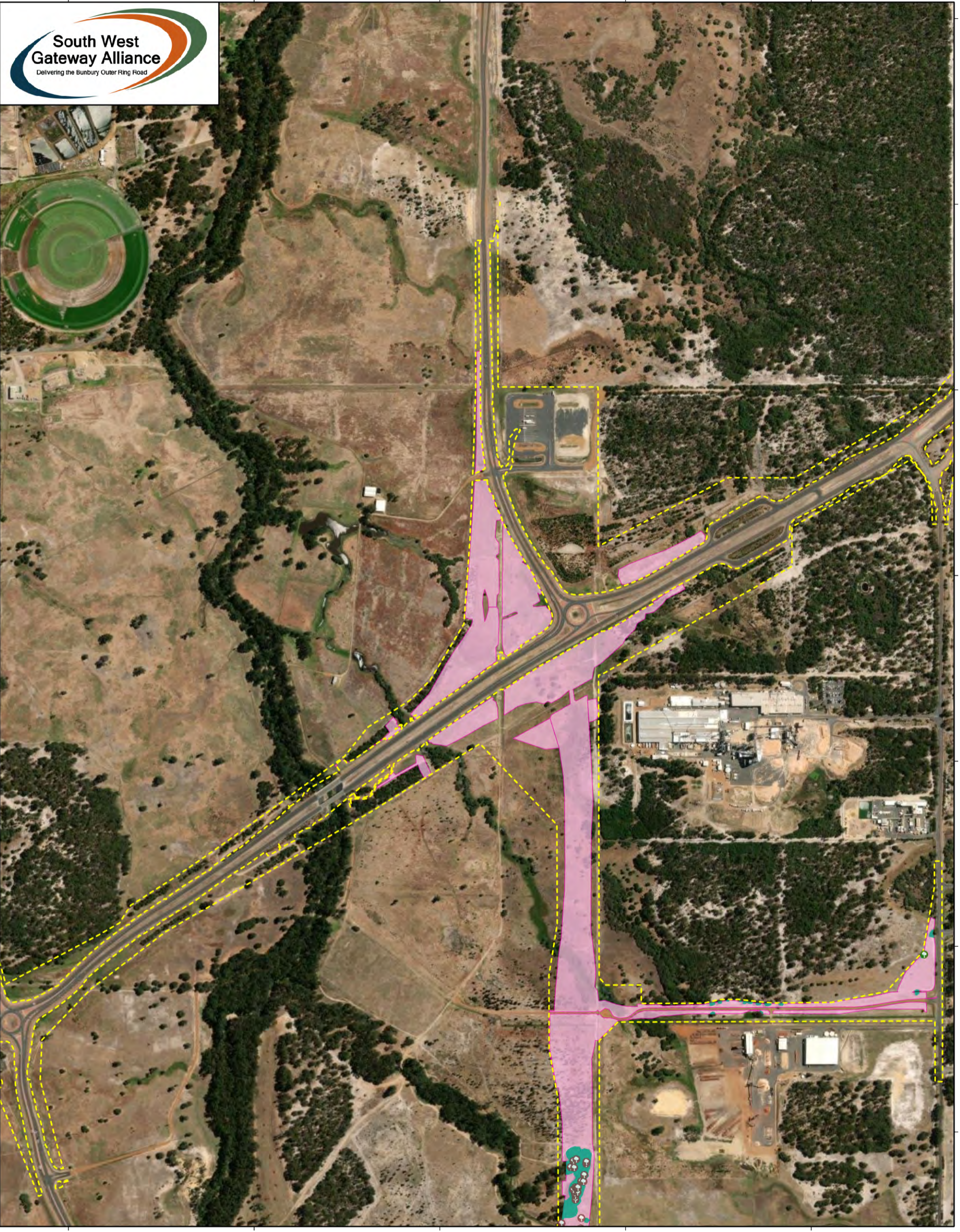
Date: 6/05/2022 Version: 1 Author: N.W.
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**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 3 G- Ground Disturbance and Clearing Extents**

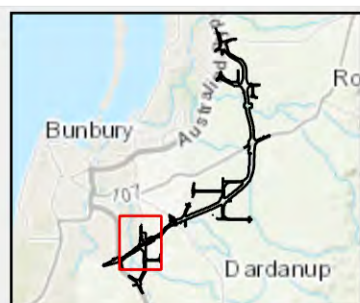
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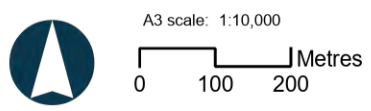
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- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Large Trees (DBH ≥ 500mm)
 - Hollow assessment rating - Ground assessed (Potentially suitable)
 - No Suitable Nest Hollows
 - Black Cockatoo Foraging/Breeding Habitat



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.

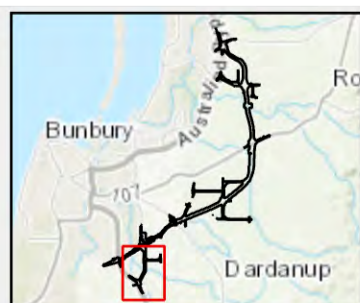


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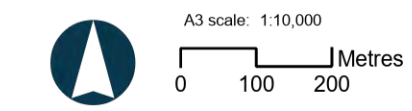
**EPBC 2019/8471
Bunbury Outer Ring Road (Northern and Central Section)
Figure 3 H- Ground Disturbance and Clearing Extents**



- Legend**
- Proposal Approval Boundary
 - Ground Disturbance and Clearing Areas
 - Black Cockatoo Large Trees (DBH ≥ 500mm)
 - Hollow assessment rating - Ground assessed (Potentially suitable)
 - No Suitable Nest Hollows
 - Black Cockatoo Foraging/Breeding Habitat



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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**EPBC 2019/8471
 Bunbury Outer Ring Road (Northern and Central Section)
 Figure 3 I- Ground Disturbance and Clearing Extents**

9 Appendices

Appendix	Title
Appendix A	EPBC 2019 / 8471 - Audit Table
Appendix B	Black Cockatoo Action Management Plan - Audit Table
Appendix C	Conservation Significant Fauna Action Management Plan - Audit Table
Appendix D	Ministerial Statement 1155 - Compliance Assessment Report (2021)
Appendix E	Ministerial Statement 1155 – Reports required under Conditions 6-9
Appendix F	EPBC 2019 / 8471 - Commencement letter

Appendix A

EPBC 2019 / 8471 - Audit Table

Appendix A: Audit Table for EPBC 2019 / 8471

Condition number	Condition	Compliance Status	Evidence / Comments
Condition 1.	<p>For the protection of listed threatened species and communities the approval holder must not clear more than:</p> <ul style="list-style-type: none"> a. 37.8 ha of habitat for Black Cockatoos, including no more than 710 trees with a diameter at breast height of greater than 500 mm and no more than a total of three suitable nest hollows; b. 43.9 ha of habitat for the Western Ringtail Possum (<i>Pseudocheirus occidentalis</i>); c. 0.55 ha of habitat for the Black-stripe Minnow (<i>Galaxiella nigrostriata</i>); d. 3.7 ha of Banksia Woodland of the Swan Coastal Plain Threatened Ecological Community; e. 0.63 ha of Clay Pans of the Swan Coastal Plain Threatened Ecological Community; and f. 1.3 ha of <i>Corymbia calophylla – Xanthorrhoea preissii</i> Woodlands and Shrublands of the Swan Coastal Plain Threatened Ecological Community. 	Compliant	<p>Table 1 This Annual Compliance Report</p>
Condition 2.	<p>For the protection of listed threatened species and communities the approval holder must not cause a long-term reduction in habitat quality, for any areas of habitat retained within the proposal area, or any adjacent areas of habitat, excluding those areas permitted to be cleared under condition 1.</p>	Compliant	Refer to Appendix B, C, E
Condition 3.	<p>For the protection of Black Cockatoos, the approval holder must implement the Black Cockatoo Action Management Plan.</p>	Compliant	Appendix B: Black Cockatoo AMP Audit Table
Condition 4.	<p>For the protection of the Western Ringtail Possum, Black-stripe Minnow and Carter's Freshwater Mussel (<i>Westralunio carteri</i>), the approval holder must implement the Conservation Significant Fauna Environmental Management Plan.</p>	Compliant	Appendix C: Conservation Significant Fauna AMP Audit Table
Condition 5.	<p>The approval holder must comply with and implement all conditions set out in Ministerial Statement No. 1155 to the extent they relate to protected matters.</p>	Compliant	Appendix D: MS1155 CAR
Condition 6.	<p>The approval holder must submit to the Department a copy of each report required under conditions 6 to 9 inclusive of Ministerial Statement No. 1155 as part of the first compliance report (required under condition 19 of this approval) after the relevant timing requirement specified in Ministerial Statement No. 1155.</p>	Compliant	Appendix E: Reports from CAR
Condition 7.	<p>To compensate for residual significant impacts to Western Ringtail Possum and Black Cockatoos, the approval holder must secure as offset areas the properties at Lot 2 Boyanup Picton Road, Lot 104 Willinge Drive, Davenport and State Forest No. 2, (illustrated as the areas shaded green, designated as 'BORR North offset property' and shaded orange, designated as 'Potential MRD rehabilitation areas' on the maps at Attachment A) in accordance with the Offset Strategy Plan.</p>	Not yet required	
Condition 8.	<p>The approval holder must submit for the Minister's approval, within 12 months of the date of this approval, an Offset Management Plan for the offset sites required under condition 7. The Offset Management Plan must be consistent with the Department's Environmental Management Plan Guidelines, listed in (a) to (g) in Condition 8.</p> <ul style="list-style-type: none"> a. the environmental objectives, relevant EPBC Act protected matter(s) and a reference to EPBC Act approval conditions to which the plan refers; b. a table of commitments made in the plan to achieve the objectives, and a reference to where the commitments are detailed in the plan; c. reporting and review mechanisms, and documentation standards to demonstrate compliance with the plan; d. an assessment of risks to achieving environmental objectives and risk management strategies that will be applied; e. impact avoidance, mitigation and/or repair measures, and their timing; and f. a monitoring program, which must include: <ul style="list-style-type: none"> i. measurable performance indicators; ii. the timing and frequency of monitoring to detect trigger values and changes in the performance indicators; iii. trigger values for corrective actions; and iv. proposed corrective actions, if trigger values are reached. g. links to referenced plans and applicable conditions of approval (including State approval conditions). <p>The Offset Management Plan as approved by the Minister must be implemented.</p>	Not yet required	
Condition 9.	<p>In addition to the requirements of condition 8, the Offset Management Plan must comply with inclusions (a) to (f) in Condition 9. If the Offset Management Plan is not able to demonstrate that the offset areas required under condition 7 contain sufficient areas of suitable habitat quality for the Western Ringtail Possum and Black Cockatoos to be consistent with the Offset Strategy Plan the approval holder must propose additional offset areas such that the full suite of offset areas contains sufficient habitat for the Western Ringtail Possum and Black Cockatoos.</p> <ul style="list-style-type: none"> a. demonstrate that the offset areas required under condition 7 contain sufficient habitat for the Western Ringtail Possum and Black Cockatoos, of sufficient habitat quality to be consistent with the Offset Strategy Plan; b. identify the securing mechanism by which each offset area will be permanently protected for conservation; c. detail the method by which any revegetation and/or rehabilitation will be undertaken in each offset area in order to achieve the targets for vegetation condition specified in the Offset Strategy Plan including details of: <ul style="list-style-type: none"> i. the timeframe for the revegetation and rehabilitation actions to be undertaken; ii. the funding arrangements under which the revegetation and rehabilitation actions will be undertaken; and iii. the name, qualifications and experience of the suitably qualified ecologist who will manage all revegetation and rehabilitation actions. d. detail ongoing management actions to ensure that, once any revegetation or rehabilitation target, as specified in the Offset Strategy Plan, is reached, each such target continues to be met or exceeded for at least 20 years, including details of: <ul style="list-style-type: none"> i. the funding arrangements under which the maintenance actions will be undertaken, and ii. the suitably qualified ecologist who will manage maintenance actions. 	Not yet required	

Condition number	Condition	Compliance Status	Evidence / Comments
	e. identify any contingency actions to be implemented should revegetation, rehabilitation or management actions fail; and f. detail monitoring, reporting and evaluation mechanisms for revegetation, rehabilitation and management actions and propose suitable reporting frameworks to the Department.		
Condition 10.	To compensate for residual significant impacts to the EPBC Act listed Clay Pans of the Swan Coastal Plain Threatened Ecological Community, the <i>Corymbia calophylla</i> – <i>Xanthorrhoea preissii</i> Woodlands and Shrublands of the Swan Coastal Plain Threatened Ecological Community, and any shortfalls in compensation for other EPBC Act protected matter/s identified in the offset areas required under condition 7, the approval holder must prepare a Land Acquisition and On-ground Management Offset Strategy in accordance with the conditions set out in the Report of the Environment Protection Authority 1682. See Condition 10, (a) to (d) for requirements. Specific conditions to be added with the approved MS. a. The approval holder must provide the Department with a copy of the Land Acquisition and On-ground Management Offset Strategy, or any subsequent revised version of the Land Acquisition and On-ground Management Offset Strategy, within 10 business days of the Western Australian Government providing written confirmation that the Land Acquisition and On-ground Management Offset Strategy (hereafter referred to as the approved Land Acquisition and On-ground Management Offset Strategy) meets the requirements of condition 11 of Ministerial Statement No. 1155. b. Concurrent with the submission of the copy of the approved Land Acquisition and On-ground Management Offset Strategy to the Department, or any subsequently approved revised version of that document, the approval holder must also provide the Department with a signed declaration that all the offset areas proposed in the approved Land Acquisition and On-ground Management Offset Strategy meet the requirements of the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy. c. The approved Land Acquisition and On-ground Management Offset Strategy must be provided to the Department within 12 months of the date of this approval. d. The approval holder must implement the approved Land Acquisition and On-ground Management Offset Strategy.	Not yet required	
Condition 11.	Within 12 months of the securing of any offset area(s) required under conditions 7 to 10 inclusive of this approval, or within 10 business days of determining they are suitable offset area(s) under this approval, whichever occurs first, the approval holder must provide the Department with spatial data in the form of shapefiles which demonstrate the exact location and boundary of the offset area(s) along with information detailing which EPBC Act protected matter/s is/are provided for by the offset.	Not yet required	
Condition 12	All offset area(s) required under the conditions of this approval must be secured, and any rehabilitation or revegetation actions specified within the Offset Management Plan or Land Acquisition and On-ground Management Offset Strategy must be commenced, within 24 months of the commencement of the action.	Not yet required	
Condition 13.	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Compliant	Appendix F: Commencement Letter
Condition 14.	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	Compliant	Appendix F: Commencement Letter
Condition 15.	The approval holder must maintain accurate and complete compliance records.	Compliant	Document control management system
Condition 16.	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	Not yet required	
Condition 17.	For submissions and publications for plans the approval holder must follow the steps (a) to (d) in Condition 17. a. submit plans electronically to the Department; b. unless otherwise agreed to in writing by the Minister publish each plan on the website within 20 business days of the date: i. of this approval, if the version of the plan to be implemented is specified in these conditions; or ii. that the plan is submitted to the Minister or the Department if the plan does not require the approval of the Minister but was not finalised before the date of this approval; or iii. that the plan is approved by the Minister (including plans approved on the date of this decision) or of the date a revised action management plan is submitted to the Minister or the Department, unless otherwise agreed to in writing by the Minister; c. exclude or redact sensitive ecological data from plans that are to be published on the website or provided to a member of the public; and d. keep plans published on the website until the end date of this approval.	Not yet required	
Condition 18.	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan or the conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan or the conditions of this approval.	Compliant	
Condition 19.	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must include requirements (a) to (e) in Condition 19. a. publish each compliance report on the website within 60 business days following the relevant 12 month period; b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication. This notification must include documentary evidence of the date of publication of the report; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.	Compliant	This Annual Compliance Report
Condition 20.	The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must include information listed in (a) to (c) of Condition 20. a. any condition which is or may be in breach; b. a short description of the incident and/or non-compliance; and	Compliant	This Annual Compliance Report Section 6.2: Notification of non-compliance

Condition number	Condition	Compliance Status	Evidence / Comments
	c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.		
Condition 21.	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying information listed in (a) to (c) of Condition 21. a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b. the potential impacts of the incident or non-compliance; and c. the method and timing of any remedial action that will be undertaken by the approval holder.	Compliant	This Annual Compliance Report Section 6.2: Notification of non-compliance
Condition 22.	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Not yet required	
Condition 23.	For each independent audit, the approval holder must comply with (a) to (c) of Condition 23. a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Not yet required	
Condition 24.	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not yet required	
Condition 25.	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under conditions 3 or 4, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.	Not yet required	
Condition 26	The approval holder may choose to revise an action management plan approved by the Minister under conditions 3 or 4, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.	Not yet required	
Condition 27	If the approval holder makes the choice under condition 26 to revise an action management plan without submitting it for approval, the approval holder must comply with (a) and (b) in Condition 27.	Not yet required	
Condition 28	The approval holder may revoke its choice to implement a RAMP under condition 26 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 26, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 26.	Not yet required	
Condition 29	If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then refer to (a) or (b) in Condition 29. a. condition 26 does not apply, or ceases to apply, in relation to the RAMP; and b. the approval holder must implement the action management plan specified by the Minister in the notice.	Not yet required	
Condition 30	At the time of giving the notice under condition 29, the Minister may also notify that for a specified period of time, condition 26 does not apply for one or more specified action management plans.	Noted	
Condition 31	The approval holder must notify the Department in writing of any proposed change to the conditions set out in the Report of the Environment Protection Authority 1682 referred to in these conditions within 2 business days of formally proposing a change or becoming aware of any proposed change. The approval holder must notify the Department in writing of any change to the conditions set out in the Report of the Environment Protection Authority 1682 referred to in these conditions, within 10 business days of a change to conditions being finalised.	Not yet required	
Condition 32	Within 30 business days after whichever is the earlier of: a. the completion of the action, or b. 60 business days before the end date of the period for which this approval has effect, the approval holder must notify the Department in writing and provide completion data. If the completion of the action is unlikely to occur before the end date of the period for which the approval has effect, the approval holder must submit to the Department, before the end date of the period for which the approval has effect, a request, in accordance with the requirements of section 145C of the EPBC Act, to extend the period of effect of the approval.	Not yet required	

Appendix B

Black Cockatoo Action Management Plan - Audit Table

Appendix B: Audit Table for *Black Cockatoo Action Management Plan (BC-AMP) (BORR-01-RP-EN-0019)* required to be implemented in accordance with Condition 3 of EPBC 2019 / 8471.

Management Plan Reference No.	Management Action	Performance Target	Comments / Evidence	Compliant	
Prior to construction Section 6.1 Table 7	Habitat to be cleared within the area of the Proposal Area will be demarcated in the field to ensure clearing only occurs within the approved clearing area.	<ul style="list-style-type: none"> Avoid direct impacts to Black Cockatoos Avoid clearing outside the approved footprint Reduce clearing of Black Cockatoo habitat to the extent practicable in final design. Preclude potential breeding within the area of the Proposal prior to construction 	<p>SWGA has a detailed ground disturbance and clearing protocol outlined in the <i>SWGA Construction Environmental Management Plan (SWGA-00-134-20-MPL-0001)</i>, and reflected in the and <i>SWGA Ground Disturbance and Clearing Permit</i>.</p> <p>This includes demarcation of clearing areas prior to clearing utilising licenced surveyors, and pink flagging tape applied to survey pegs at nominal 15 m spacing or otherwise required based on site conditions.</p> <p>Prior to clearing, the clearing areas are subject to walk-through inspections involving representatives from all major relevant disciplines (environment, engineering, construction, survey, machine operators, fauna spotters, Aboriginal heritage monitors, independent quality certifiers, client) boundaries.</p>	Compliant	
	The final design will avoid trees with suitable nest hollows where possible.		<p>SWGA design teams utilise environmental spatial data, including the locations of the trees with suitable nest hollows for Black cockatoos, and overlay these layers within the CAD systems against the design.</p> <p>Additionally, the SWGA Environmental Team reviews all design reports and drawings produced.</p> <p>SWGA can confirm that currently, all trees identified as containing suitable nest trees have been retained.</p>	Compliant	
	Where any of the three trees with suitable nest hollows for Black Cockatoo will require clearing for the Proposal, the hollow will be visually inspected where safe and practicable. Where not in use the hollow will be 'blocked' to prevent breeding.			Given all trees identified as containing suitable nest trees have been retained, no "blocking" of any nest hollows has been undertaken to date.	Compliant
	Where blocking of the nest hollows cannot be undertake (e.g. timing, access), a pre-clearing fauna assessment will be undertaken by a suitably experienced person to determine if the hollows are being used by Black cockatoos.			The SWGA have several suitably qualified sub-consultants engaged to undertake the pre-clearing assessment. All engaged sub-consultants are recognised zoologists or ecologists with prior experience in undertaking Black Cockatoo habitat assessments and hollow inspections.	Compliant
During construction Section 6.1 Table 7	A suitably experienced zoologist / environmental scientist will be on-site at all times during clearing of breeding habitat for Black Cockatoos and must maintain radio communication with machinery operators.	<ul style="list-style-type: none"> Avoid direct impacts to Black Cockatoos Avoid clearing outside the approved footprint Avoid abandonment of breeding hollows within the Proposal Area 	<p>SWGA have several suitably qualified sub-consultants engaged to undertake the pre-clearing, during clearing and post clearing assessments. All engaged sub-consultants are recognised zoologists or ecologists with prior experience in undertaking Black Cockatoo habitat assessments and hollow inspections. They have been onsite during all clearing of native vegetation.</p>	Compliant	
	<ul style="list-style-type: none"> Where a suitable nest hollow within the area of the Proposal has been blocked prior to the Black Cockatoo breeding season, the tree may be felled as part of the standard vegetation clearing process Where a suitable nest hollow within the area of the Proposal has not been blocked and the pre-clearing fauna assessment has not identified Black Cockatoo occupation of the nest hollow, prior to clearing the tree, the tree will be 'bumped gently' with a machine with the machine operator and zoologist then to wait and observe the tree for a short time after. If no Black Cockatoo appears to be present then the tree may be pushed over slowly to minimise risk of injury to any undetected animal (if present) Where suitable nest hollow within the area of the Proposal has not been blocked and the pre-clearing fauna assessment identifies Black Cockatoo occupation of the nest hollow (which may include chicks (young)), the tree with the nest hollow will not be cleared until after the chick/s have left the nest. No vegetation within 10 m of the tree will be cleared until after the hollow is vacant 		Given all trees identified as containing suitable nest trees have been retained, no "blocking" of any nest hollows has been undertaken to date.	Compliant	
	Any Black Cockatoos observed within the Proposal Area showing signs of injury or illness will be promptly taken to an experienced wildlife veterinarian or approved wildlife rehabilitation facility.			<p>No Black cockatoos have been encountered during clearing activities.</p> <p>SWGA has access to a number of experienced wildlife veterinarians and wildlife carers should they be required.</p>	Compliant
	A post-clearing survey shall be undertaken to ensure no injured Black Cockatoo individuals are present.			The SWGA have several suitably qualified sub-consultants engaged to undertake the pre-clearing, during clearing and post clearing assessments. All engaged sub-consultants are recognised zoologists or ecologists with prior experience in undertaking Black Cockatoo habitat assessments and hollow inspections. They have been onsite during all clearing of native vegetation.	Compliant

Management Plan Reference No.	Management Action	Performance Target	Comments / Evidence	Compliant
Post construction Section 6.1 Table 7	Where space and access allows, revegetation and landscaping of cleared areas within the Proposal Area with suitable endemic native species will be undertaken to provide foraging habitat for Black Cockatoos (excluding 10 m buffer from nearest traffic lane).	Rehabilitation provides suitable foraging habitat within 10 years of completion.	The Proposal includes detailed landscaping and rehabilitation design and implementation utilising endemic species.	Compliant

Appendix C

Conservation Significant Fauna Action Management Plan - Audit Table

Appendix C: Audit Table for Action Management Plan – Conservation Significant Fauna (AMP-CSF) (BORR-01-RP-EN-0021) required to be implemented in accordance with Condition 4 of EPBC 2019 / 8471.

Management Plan Reference No.	Species	Management Action	Performance Target	Comments / Evidence	Compliant
Prior to construction Section 6.1 Table 6-1	<ul style="list-style-type: none"> Western Ringtail Possum (WRP, <i>Pseudocheirus occidentalis</i>) South-western brush tailed Phascogale (BPH, <i>Phasogale tapoatafa</i>) 	Prior to clearing, the final road design will be assessed against the proposed clearing area to ensure the required clearing area is no more than the approved area.	<ul style="list-style-type: none"> Avoid direct impacts to WRP and BPH individuals Avoid clearing outside the approved footprint Reduce clearing of WRP and BPH habitat to the extent practicable in final design Preclude use of refuge sites within the Proposal Area prior to construction 	The road design is within the specified clearing limits for the Proposal (Table 2).	Compliant
		All WRP and BPH habitat that is to be retained within the development envelope will be surveyed and delineated prior to site works to ensure it is conserved		SWGA has a detailed ground disturbance and clearing protocol outlined in the <i>SWGA Construction Environmental Management Plan</i> (SWGA-00-134-20-MPL-0001), and reflected in the and <i>SWGA Ground Disturbance and Clearing Permit</i> . This includes demarcation of clearing and exclusion areas prior to clearing utilising licenced surveyors. Prior to clearing, the clearing areas are subject to walk-through inspections involving representatives from all major relevant disciplines (environment, engineering, construction, survey, machine operators, fauna spotters, Aboriginal heritage monitors, independent quality certifiers, client) boundaries.	Compliant
		No night-time clearing of vegetation will occur		Normal construction hours are 7am – 5pm, Monday to Friday (excluding Public Holidays). No out of hours work in relation to clearing activities has or will be undertaken.	Compliant
		<ul style="list-style-type: none"> Cleared vegetation will be chipped immediately or transported at least 100 m from WRP and BPH habitat before further processing. Movement / disturbance of clearing stockpiles will be confined to the period one hour after sunrise and /or one hour prior to sunset. 		Clearing, particularly within Category 1 areas, has included the down-sizing and mulching (chipping) of cleared vegetation on the same day that it is cleared; or transportation at least 100 m from WRP and BPH habitat before further processing, where chipping has not been possible.	Compliant
		<ul style="list-style-type: none"> All buildings requiring demolition for the Proposal will be inspected for WRP and BPH for two days prior to demolition works Where WRP or BPH are observed, or suspected, to be in any building to be demolished attempts shall be made to capture the animal prior to the demolition works commencing An experienced zoologist / environmental scientist / fauna-spotter will be on-site at all times during the demolition of buildings suspected or observed to house WRP or BPH Any pest animal baits used in buildings to be demolished will be in bait stations. 		All demolition activities have included a pre-demolition inspection and risk assessment, conducted by a specialised fauna management consultancy (SW Environmental). No WRP or BPH have been recorded prior to or during demolition activities. All pest animal baiting has involved the use of appropriate bait stations.	Compliant
During construction Section 6.1 Table 6-1	<ul style="list-style-type: none"> Western Ringtail Possum (WRP, <i>Pseudocheirus occidentalis</i>) South-western brush tailed Phascogale (BPH, <i>Phasogale tapoatafa</i>) 	Sensitive Clearing Protocols Spotlighting of potential WRP and BPH habitat will be undertaken by a suitably experienced person for two nights immediately prior to clearing.	<ul style="list-style-type: none"> Avoid direct impacts to WRP and BTP Avoid clearing outside the approved footprint Avoid indirect impacts to WRP in adjacent habitat Maintain connectivity between known WRP and BTP habitat areas 	SWGA have engaged highly experienced biologists to undertake the pre-clearing, clearing and post clearing assessments. All engaged sub-consultants are recognised zoologists or ecologists with prior experience in assessment and management of WRP during construction activities (SW Environmental personnel each have around 20 years' experience in this regard). All clearing of native vegetation including potential WRP and BPH habitat has included pre-clearing nocturnal surveys in the two nights immediately prior to clearing utilising specialised fauna consultants with specific experience in relation to WRP/BPH surveys.	Compliant
		<ul style="list-style-type: none"> Pre-clearing fauna searches shall be conducted immediately prior to and during clearing operations and will include hollows, dreys, ground debris, dense ground-level vegetation, fallen timber and logs Vacant dreys will be removed prior to clearing where they are accessible Vacant tree hollows suitable for WRP or BPH will be removed or blocked prior to clearing where they are accessible 		All clearing of native vegetation has involved specialised fauna consultants with specific experience in relation to WRP/BPH being present on site during the clearing activities. Pre-clearing fauna searches have been conducted immediately prior to and during clearing operations. Vacant dreys / vacant tree hollows suitable for WRP or BPH, have been removed prior to clearing where they were accessible.	Compliant
		<ul style="list-style-type: none"> If WRP or BPH are observed during clearing operations, the tree containing the animal shall be left for up to 48 hours to allow for the animal to vacate, while clearing continues in adjacent vegetation. If the tree continues to be occupied after 48 hours, the animal will be coerced / moved to a safe area outside of the clearing footprint by the appointed zoologist / environmental scientist / fauna spotter. Trees, as noted above, that are observed to support WRP and / or BPH after 48 hours will be 'bumped gently' with a machine prior to felling. The operator and spotter will wait and observe the tree for a short time. If the animal remains in the tree it shall be pushed over slowly onto vegetation within the clearing area that is yet to be cleared. The 'soft felling' of habitat trees will provide a 'cushion' for the vegetation being felled, minimising the risk of injury to the animal, and allowing any WRP and BPH present with the opportunity to safely vacate. 		When observed during clearing operations, trees containing WRP have been left for a minimum of 48 hours. No BPH have been observed during clearing activities. Trees observed to support WRP after 48 hours have been treated in accordance with the sensitive clearing protocols, and on advice by specialised fauna consultants with specific experience in relation to management of WRP.	Compliant
		<ul style="list-style-type: none"> Felled trees with hollows will be checked immediately for fauna after felling and prior to further processing. If it is not possible to fully inspect the hollow the tree will be left on the ground overnight to allow time for any undetected fauna to vacate. 		All clearing of native vegetation has involved specialised fauna consultants with specific experience in relation to WRP/BPH being present on site during the clearing activities.	Compliant

Management Plan Reference No.	Species	Management Action	Performance Target	Comments / Evidence	Compliant
		<ul style="list-style-type: none"> Vacant dreys within felled trees will be destroyed immediately to prevent animals re-entering them 		<p>A component of their daily activities on site is an inspection of trees and vegetation immediately on felling to inspect for fauna.</p> <p>If it is not possible to fully inspect the trees, hollows or vegetation, these are left as a minimum overnight to allow time for any undetected fauna to vacate.</p> <p>Vacant dreys within felled trees are immediately dismantled to prevent animals re-entering them.</p>	
		A post-clearing survey shall be undertaken immediately following each day's clearing operations and the following morning to identify the presence of any injured animals		All clearing of native vegetation has involved specialised fauna consultants with specific experience in relation to WRP/BPH being present on site during the clearing activities. A component of their daily activities on site is a post-clearing inspection to review cleared areas, and to identify any potential injured animals.	Compliant
		<ul style="list-style-type: none"> Clearing will be conducted congruent with the habitat clearing categories as detailed in Table 1-2 and shown in Figure 2 (Appendix A) Habitat clearing is to be staged, commencing from existing edge lines / roads and progressing towards habitat that will be retained to direct WRP and BPH towards these areas as per the proposed clearing staging (Figure 3, Appendix A) 		Clearing has been congruent with the habitat clearing categories and staging.	Compliant
		Possum fencing (temporary and permanent) will be installed adjacent at known habitat areas to exclude WRP and BPH moving onto the road. The fencing will be 1.5 m high and be constructed to prevent possums being able to climb it or dig under it.		The Proposal design reports and drawings include the requirements for installation of fauna fencing in accordance with Appendix A of the CSF-AMP, with installation ongoing within the Proposal area.	Compliant
During construction Section 6.1 Table 6-1	<ul style="list-style-type: none"> Western Ringtail Possum (WRP, <i>Pseudocheirus occidentalis</i>) South-western brush tailed Phascogale (BPH, <i>Phasogale tapoatafa</i>) 	Terrestrial Fauna Handling Fauna handling will only be conducted by a suitably experienced persons i.e. zoologist / fauna spotter	<ul style="list-style-type: none"> Avoid direct impacts to WRP and BTP Avoid clearing outside the approved footprint Avoid indirect impacts to WRP in adjacent habitat Maintain connectivity between known WRP and BTP habitat areas 	All clearing of native vegetation has involved specialised, qualified and appropriately licenced fauna consultants, with specific experience in relation to WRP/BPH, being present on site during the clearing activities.	Compliant
		<ul style="list-style-type: none"> Any WRP and BPH showing signs of injury or illness will be caught, bagged and taken to an experienced wildlife veterinarian or approved wildlife rehabilitation facility. If an injured WRP and BPH has not already been captured, then the appointed fauna-spotter must attempt to capture the animal for the purposes of veterinary assessment and treatment All treatment of injured fauna will be undertaken by a veterinarian 		SWGA has access to a number of experienced wildlife veterinarians and wildlife carers should they be required.	Compliant
		<ul style="list-style-type: none"> Road construction activities (i.e. activities undertaken after clearing has been completed) adjacent to WRP and BPH habitat will only be undertaken during daylight hours 		Normal construction hours are 7am – 5pm, Monday to Friday (excluding Public Holidays). No out of hours work in relation to clearing activities has or will be undertaken.	Compliant
		<ul style="list-style-type: none"> Install permanent possum rope bridges / underpasses at key location(s) to enable fauna including WRP and BPH to move between retained habitat areas, see Figure 4 (Appendix A), including but not limited to: <ul style="list-style-type: none"> Across the existing Forrest Highway to facilitate movement within existing habitat east and west of the highway Across Clifton Road to facilitate movement north to the Brunswick River Across the Proposal Area at the Paris Road interchange to facilitate movement to the Brunswick River At the Picton Boyanup interchange to connect retained vegetation At the Collie, Ferguson and Preston Rivers to facilitate movement along the riverine vegetation The final underpass designs will incorporate the following features known to encourage use by fauna and reduce the risk of predation: <ul style="list-style-type: none"> Connection to nearby habitat via overhead rope hawsers and poles (minimum 2.5 m high) Objects for fauna to shelter on, under or in (furniture) will be locally sourced and will include sand, mulch, logs and rocks Revegetation using fast growing species at underpass entrances to provide cover for animals approaching, entering and leaving the underpasses Natural flooring such as sand or gravel Possum fencing to direct fauna towards the underpass entrance Dual-use underpasses will have a concrete substrate and will not contain furniture (furniture would be washed away by drainage flows) 		The Proposal design reports and drawings include the requirements for installation of possum rope bridges and underpasses in accordance with the requirements of the CSF-AMP.	Compliant

Management Plan Reference No.	Species	Management Action	Performance Target	Comments / Evidence	Compliant
		<ul style="list-style-type: none"> Install possum fence adjacent to known habitat areas to limit WRP and BPH access to the Proposal Area, see Figure 4 (Appendix A). The possum fence will be 1.5 m high and constructed to prevent WRP being able to climb it or dig under it, congruent with Figure 6 (Appendix A). The Proposal Area boundary will be fenced according to the detailed design to restrict pedestrian and vehicular access to retained WRP and BPH habitat 		The Proposal design reports and drawings include the requirements for installation of fauna fencing in accordance with Appendix A of the CSF-AMP, with installation ongoing within the Proposal area.	Compliant
Post construction Section 6.1 Table 6-1		Not applicable (monitoring and as-needed corrective action activities only)			Not yet required
Prior to construction Section 6.1 Table 6-2	Carter's Freshwater Mussel (CFM, <i>Westralunio cateri</i>)	Inspection of known CFM habitat for CFM individuals. Changes to the Proposal design mean that no direct impact to CFM habitat is anticipated as no bridge abutment piers are located in the water course. Translocation of CFM is therefore unlikely to be required and would only be triggered in response to sedimentation of water ways resulting from construction activities. If required, translocation procedures will be developed in consultation with DBCA or the Fisheries Branch of the Department of Primary Industries and Regional Development.	Avoid direct impacts to CFM	Direct impact to CFM habitat is not anticipated. Ongoing quarterly and targeted surveys for CFM will be undertaken, and liaison with DBCA as required. Controls and monitoring will be undertaken for any potential sedimentation of water ways resulting from construction activities.	Compliant
During construction Section 6.1 Table 6.2		<ul style="list-style-type: none"> Design and construction of drainage to maintain surface water flows and groundwater regimes consistent with the pre-disturbance condition (baseline) as far as practicable Prior to any interruption of current surface water flows, culverts will be installed. 	<ul style="list-style-type: none"> Avoid direct impacts to CFM; Maintain water quality levels within specified guidelines; 	No construction has yet occurred in immediate proximity to the Collie, Preston or Fergusson Rivers. All drainage design is based on maintaining, where practical, existing flow rates and hydrological regimes. Prior to any interruption of current surface water flows, culverts will be installed.	Compliant
		<ul style="list-style-type: none"> Where possible, initial earthworks in CFM habitat will occur during summer months (Oct-April) when water levels are at their lowest Install silt curtains up and downstream of the Collie, Ferguson and Preston River bridge construction areas Long term hydrocarbon storage (i.e. hydrocarbons which shall not be used that day or not stored within equipment waiting to be used) or re-fuelling of equipment (with the exception of stationary plant) will not be permitted within 50 m of CFM habitat The Construction Contractor will prepare a Spill Response Procedure for oil, chemical or hazardous material spill events to ensure any spill is contained effectively and cleaned up appropriately and efficiently with approved materials 	<ul style="list-style-type: none"> Avoid changes in hydrology from baseline conditions; Avoid indirect impacts to CFM 	<p>No construction has yet occurred in immediate proximity to the Collie, Preston or Fergusson Rivers. Where possible, earthworks in CFM habitat will occur during summer months (Oct-Apr).</p> <p>In addition to quarterly surveys for CFM within the Proposal area, targeted surveys for CFM have occurred in the Collie River (Appendix E), although CFM have not been recorded in the section where the BORR crosses the Collie River.</p> <p>Appropriate control measures are a component of all proposed activities in proximity to water-features or watercourses, particularly those potentially containing conservation significant fauna.</p> <p>The SWGA Construction Environmental Management Plan (SWGA-00-134-00-MPL-001) contain management measures in relation to:</p> <ul style="list-style-type: none"> Erosion and sediment controls (Section 4.9) – including the installation of silt fences and booms Hydrocarbon management (Section 4.9, 4.11) – including restrictions associated with the storage of hydrocarbons within 50 m of waterways, drainage lines and areas prone to flooding. <p>Spill response (Section 4.11).</p>	Compliant
Prior to construction Section 6.1 Table 6-3	Black-stripe Minnow (BSM, <i>Galaxiella nigrostriata</i>)	Not applicable (monitoring activities only)			Not applicable
During construction Section 6.1 Table 6-3		<ul style="list-style-type: none"> Install a suitable culvert to maintain habitat connectivity for BSM (small watercourse) during construction at the drainage line where it has been located at the southern end of the Proposal. Culverts will be installed prior to any interruption of current surface water flows or fish pathways. Through detailed design, maintain hydrologic connections between BSM habitat areas to enable fish movement. Design and construction of drainage to maintain surface water flows and groundwater regimes consistent with the pre-disturbance condition (baseline) as far as practicable 	<ul style="list-style-type: none"> Avoid clearing outside the approved footprint Maintain connectivity between potential BSM habitat areas Maintain water quality levels within specified guidelines Avoid changes in hydrology from baseline conditions Avoid indirect impacts to BSM in adjacent habitat 	No construction has yet occurred in proximity to BSM habitat (west of SW Hwy). Drainage design is based on maintaining existing surface water flow, flow rates and hydrological regimes.	Compliant
		<ul style="list-style-type: none"> Where possible, initial earthworks in BSM habitat will occur during summer months (Oct-April) when wetlands are dry and water levels are at their lowest Install silt curtains or fences on the banks at bridge crossing point that have adjacent aquatic habitat Long term hydrocarbon storage (i.e. hydrocarbons which shall not be used that day or not stored within equipment waiting to be used) or re-fuelling of equipment (with the exception of stationary plant) will not be permitted within 50 m of BSM habitat The Construction Contractor will prepare a Spill Response Procedure for oil, chemical or hazardous material spill events to ensure any spill is 		<p>No construction has yet occurred west of SW Hwy in proximity to BSM habitat. Where possible, initial earthworks in BSM habitat will occur during summer months (Oct-Apr).</p> <p>Appropriate control measures are a component of all proposed activities in proximity to water-features or watercourses, particularly those potentially containing conservation significant fauna.</p> <p>The SWGA Construction Environmental Management Plan (SWGA-00-134-00-MPL-001) contain management measures in relation to:</p> <ul style="list-style-type: none"> Erosion and sediment controls (Section 4.9) – including the installation of silt fences and booms 	Compliant

Management Plan Reference No.	Species	Management Action	Performance Target	Comments / Evidence	Compliant
		contained effectively and cleaned up appropriately and efficiently with approved materials.		<ul style="list-style-type: none"> Hydrocarbon management (Section 4.9, 4.11) – including restrictions associated with the storage of hydrocarbons within 50 m of waterways, drainage lines and areas prone to flooding. Spill response (Section 4.11). 	

Appendix D

Ministerial Statement 1155 - Compliance Assessment Report (2021)

Bunbury Outer Ring Road

North and Central Sections

Ministerial Statement 1155

Compliance Assessment Report

Main Roads WA

Revision 0

11-Mar-22

SWGA-00-134-00-REP-0002



Document control record

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Document control						
Report title		Ministerial Statement 1155 Compliance Assessment Report				
Client		Main Roads WA				
Rev	Date	Revision details/status	Author	Reviewer	Verifier (if required)	Approver
A	28-Feb-22	SWGA Review	M. D.	L. K.		F. R.
B	6-Mar-22	Main Roads Review	E. R	Main Roads		F. R.
0	11-Mar-22	Issued	E. R	Main Roads		M. H.
Current revision		0				

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Appendix A

Statement of Compliance

Appendix B

MS 1155 Audit Table

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

Table 2. Clearing areas.

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

Table 4. Subsidiary plans to be implemented by MS1155.

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

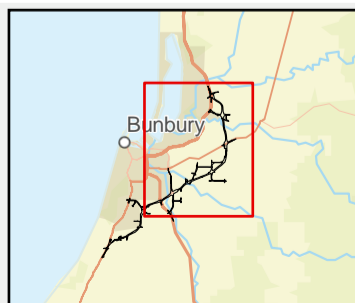
The proponent for the Proposal is Main Roads Western Australia (Main Roads).



Author: NCW

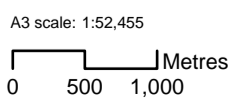
Legend

- 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.



Date: 14/02/2022 Version: 1 Job No:
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.

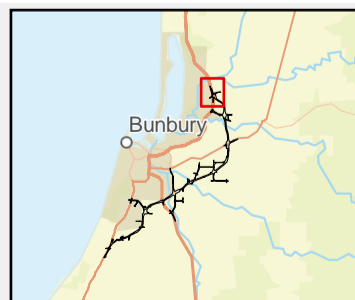
Environmental Aspect	Area in Ministerial Statement 1155 (ha)	Area cleared in this reporting period (ha)	Total area cleared (ha)
Native vegetation	92 ha within a 625 ha Development Envelope	13.41	13.41
Threatened Ecological Communities – Herb rich shrublands on clay pans (FCT08)	0.63	0	0
Threatened Ecological 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

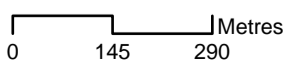
- Ministerial Approval Boundary
- Ground Disturbance Areas
- Vegetation Unit**
- Agonis flexuosa Closed Woodland over pasture grasses
- Isolated Trees of Eucalyptus species / Agonis flexuosa and Melaleuca species in paddocks
- Low woodland of Eucalyptus rudis and Melaleuca raphiophylla
- Mosaic of Melaleuca 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, 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.

A3 scale: 1:11,000

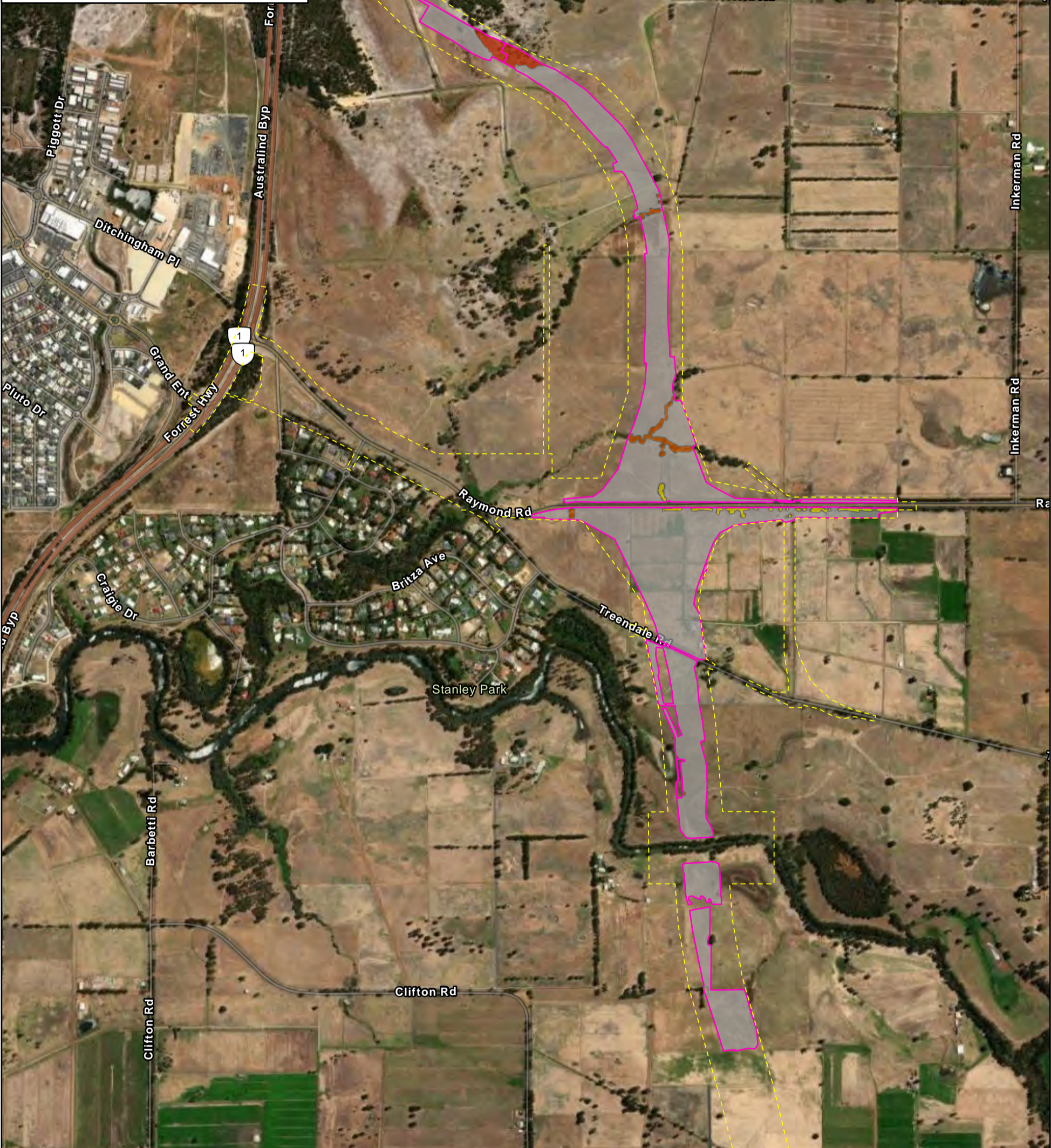


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Coordinate System: PCG94

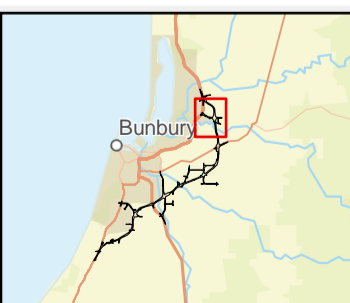
Bunbury Outer Ring Road

Figure 2 - BORR North & Central A: Native Vegetation and Clearing Areas

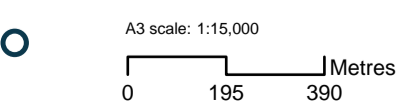


Author: NCW

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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Coordinate System: PCG94

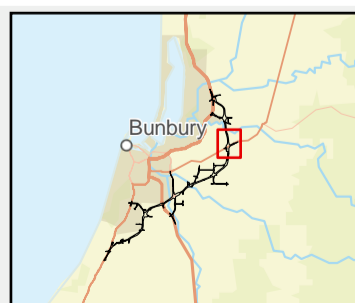
Bunbury Outer Ring Road
Figure 2 - BORR North & Central B: Native Vegetation and Clearing Areas



Author: NCW

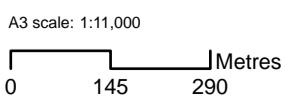
Legend

- 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



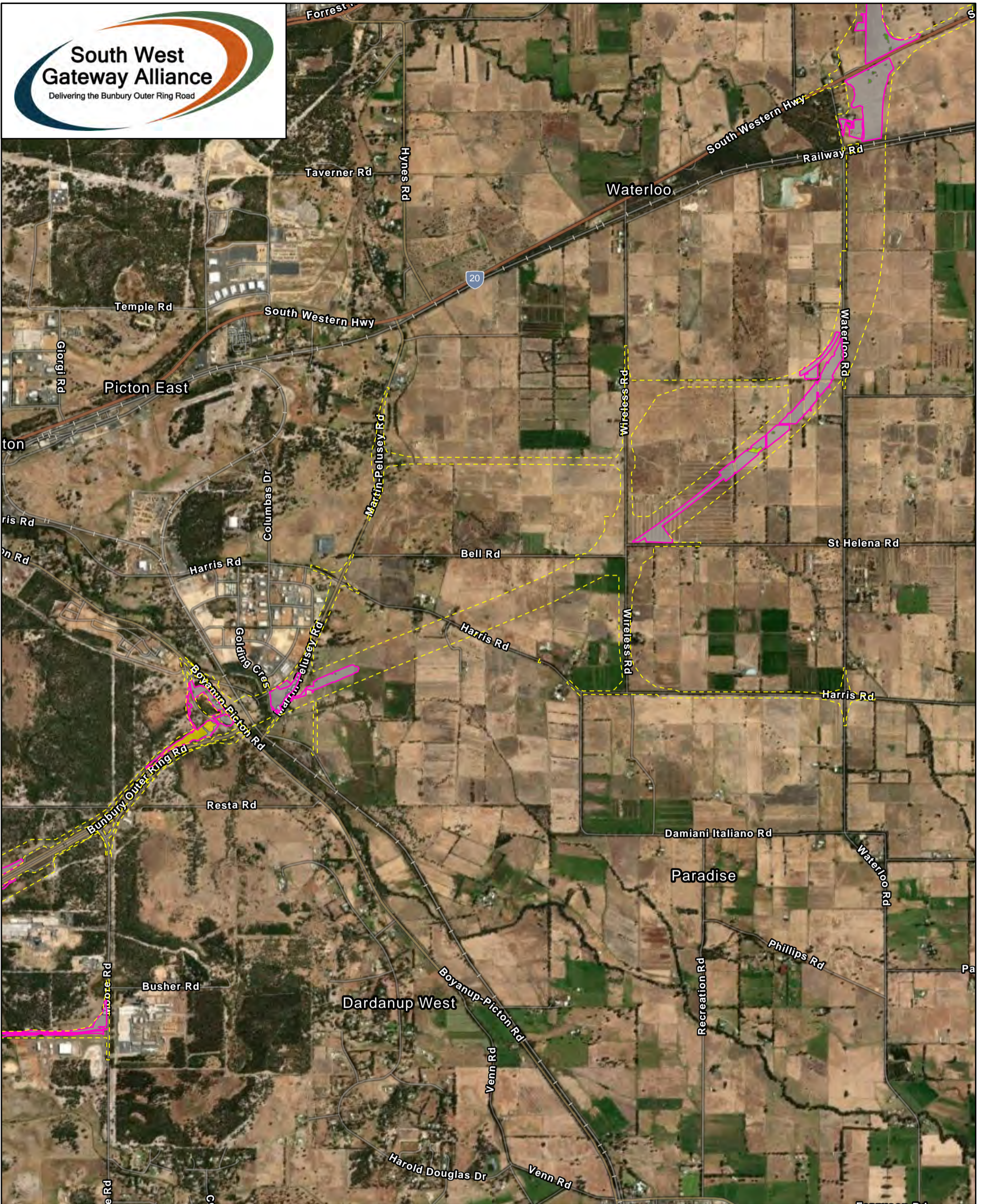
Notes:

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.



Date: 14/02/2022 Version: 1 Job No:
Coordinate System: PCG94

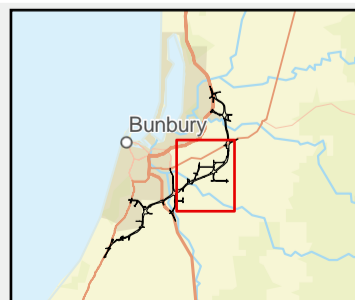
Bunbury Outer Ring Road
Figure 2 - BORR North & Central C:
Native Vegetation and Clearing Areas



Author: NCW

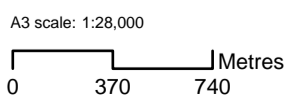
Legend

- - - 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



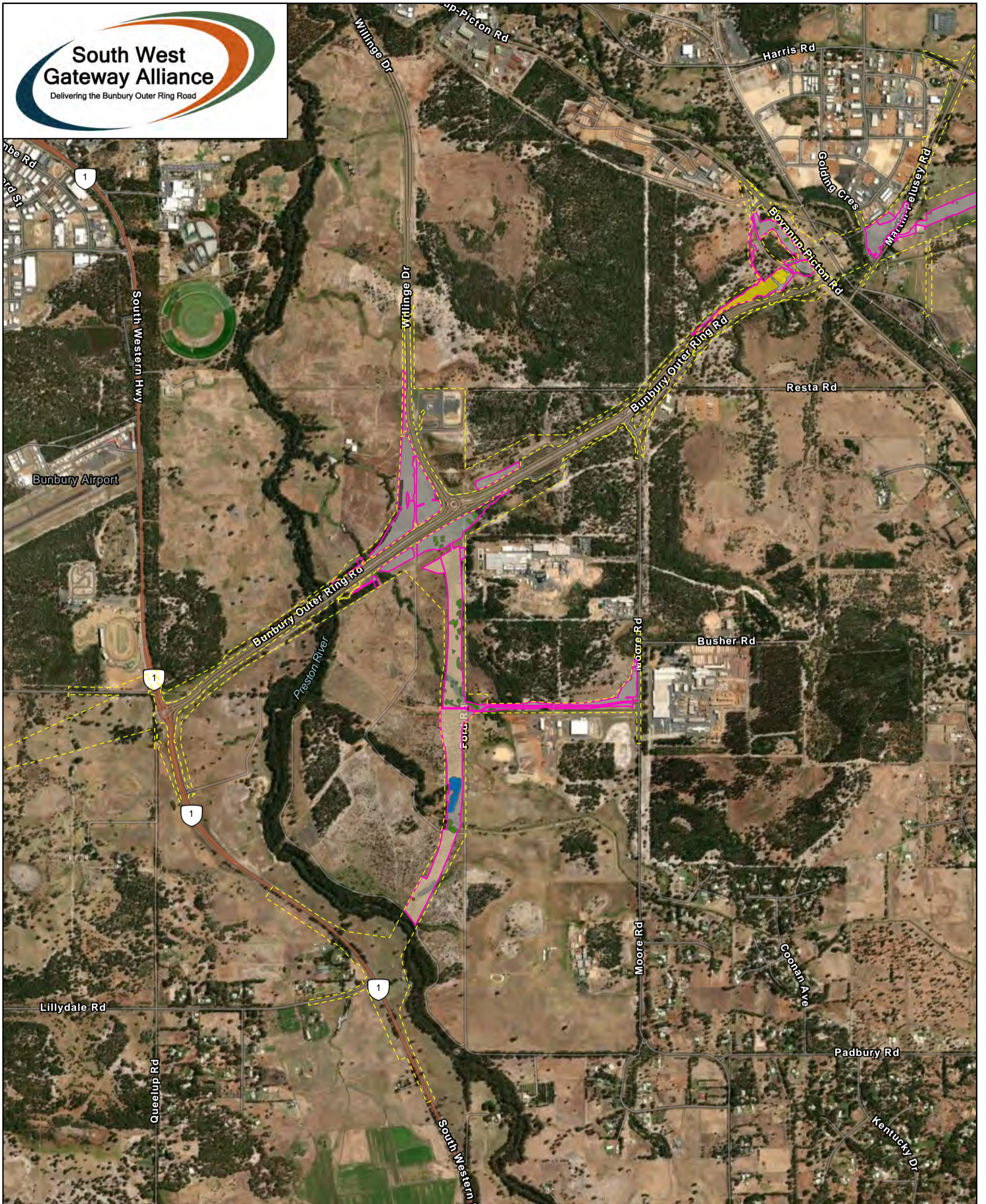
Notes:

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.



Date: 14/02/2022 Version: 1 Job No:
Coordinate System: PCG94

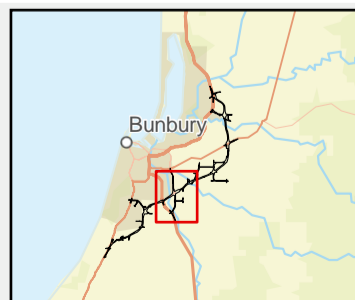
Bunbury Outer Ring Road
Figure 2 - BORR North & Central D:
Native Vegetation and Clearing Areas



Author: NCW

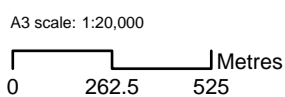
Legend

- 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, 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.



Date: 14/02/2022 Version: 1 Job No:
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: *MR*

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. 	<p>Undertake baseline survey for WRP and south-western brush-tailed phascogale within 30 days prior to clearing.</p> <p>Prepare WRP Monitoring and Management Plan, including DBCA advice.</p>	<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	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	
		(4) ensure no foraging species for black cockatoos are planted within ten (10) metres of the road.	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 Phytophthora cinnamomi for Biodiversity	Implement Weed and Hygiene Management Plan.	This CAR. SWG A 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 'Corymbia calophylla - Xanthorrhoea preissii 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.

South West Gateway Alliance
Suite 3, 3 Craig Street, Burswood
Western Australia 6100



Appendix E

Ministerial Statement 1155 - Reports required under Conditions 6-9

The following reports have been provided as part of this Annual Compliance Reporting.

Cond.	Evidence Reference	Description
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_20220504_Report	BORR 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).
	C9-1,2_20220324_Memo	Targeted Conservation Significant Aquatic Fauna Monitoring Report (Q1, 2022).
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.
	C9-3_20220311_Report	MS1155 Annual TEC/PEC Monitoring Report.

Appendix F

EPBC 2019 / 8471 - Commencement letter

Kirchner, Linda

From: MCCARTHY Neil (SEO) <neil.mccarthy@mainroads.wa.gov.au>
Sent: Thursday, 3 February 2022 5:20 PM
To: MCCARTHY Neil (SEO)
Subject: FW: EPBC 2019/8471 - Advice of Commencement of Action

From: MCCARTHY Neil (SEO) <neil.mccarthy@mainroads.wa.gov.au>
Sent: Friday, 26 February 2021 6:18 PM
To: postapproval@awe.gov.au
Subject: EPBC 2019/8471 - Advice of Commencement of Action

Good Evening

As required under Condition 13 of the Conditions of Approval for the Bunbury Outer Ring Road – Northern and Central Sections (EPBC 2019/8471), I wish to advise that commencement of the action was commenced on 24 February 2021.

I wish to discuss this matter or require any additional information please let me know.

Regards

Neil

Neil McCarthy
Senior Environmental Officer
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