

# Bunbury Outer Ring Road

## Southern Section

Ministerial Statement 1191

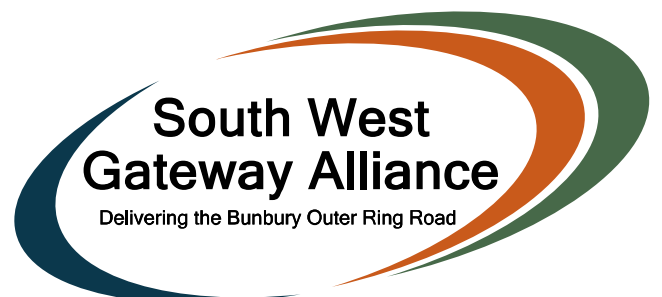
Compliance Assessment Plan

**Main Roads WA**

Revision: 1

20-Jul-22

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# Document control record

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## Endorsement

I, **Martine Scheltema, Manager Environment, Main Roads Western Australia**, (full name and position title) declare that I am authorised on behalf of Commissioner of Main Roads (being the person responsible for the proposal) to submit this plan and that the information contained in this plan is true and not misleading.

Signature: *Martine Scheltema* ..... Date: *20/07/22* .....

Document control						
<b>Report title</b>		Bunbury Outer Ring Road (Southern Section) – MS1191 Compliance Assessment Plan				
<b>Client</b>		Main Roads Western Australia				
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# 1 Introduction

## 1.1 Background

The Commissioner of Main Roads Western Australia (MRWA) has been granted conditional approval for the Bunbury Outer Ring Road Southern Section (the Proposal) under Part IV Division 2 (section 45) of the *Environmental Protection Act 1986* by the Minister for Environment. The Proposal is subject to the implementation conditions of Ministerial Statement 1191 (MS 1191) which was issued on 31<sup>st</sup> May 2022 (Minister for Environment, 2022). Condition 12-1 of MS 1191 requires MRWA to prepare and maintain a Compliance Assessment Plan (CAP).

## 1.2 Purpose and scope

This document outlines the requirements for ensuring the implementation of the Proposal is in accordance with MS 1191. The document has been prepared to satisfy the requirements of condition 12-1 and 12-2 of MS 1191.

The content, structure, and level of detail of this CAP is consistent with the requirements of condition 12-2 of MS 1191:

### **MS 1191: Condition 12-1**

*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 12-6, or prior to implementation of the proposal, whichever is sooner.*

### **MS 1191: Condition 12-2**

*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.*

This CAP has been prepared in accordance with the requirements of condition 12-2 and the Office of the Environmental Protection Authority (OEPA) *Post Assessment Guideline for Preparing a Compliance Assessment Plan, Post Assessment Guideline No. 2* (OEPA, 2012a).

### 1.3 Proposal Overview

The Proposal includes the construction and operation of 10.5 kilometres of the Bunbury Outer Ring Road Southern Section, located about 200 km south of Perth. The 200 hectare development envelope occurs mainly within the Shire of Capel (including the localities of Gelorup, North Boyanup and Statham), and a small component within the City of Bunbury. The location and extent of the Proposal is summarised in Table 1 and Figure 1.

**Table 1. Location and authorised extent physical and operational elements (Ministerial Statement 1191)**

Element	Location	Authorised Extent
Freeway standard dual carriageway, grade separated interchanges and vehicle bridges, regional distributor roads, local road modifications, drainage structures, and other infrastructure, including but not limited to, noise walls, screen walls, fauna-crossings and land-bridges, possum rope-bridges, pedestrian underpass/overpass, principle shared path, lighting, fencing, signage and safety barriers.	Located within the development envelope as shown in Figure 1.	Clearing and disturbance of no more than 71.5 ha of native vegetation within a 200 ha development envelope.



**LEGEND**

- Proposal Area
- Retention Vegetation Area
- Clearing Exclusion Areas
- Major Road



Paper Size ISO A3  
 0 250 500 750 1,000  
 Meters  
 Map Projection: Transverse Mercator  
 Horizontal Datum: GDA 1994  
 Grid: GDA 1994 Perth Coastal Grid 1994



Main Roads Western Australia  
 Bunbury Outer Ring Road Southern Section

Proposal Area

Project No. 61-37041  
 Revision No. 4  
 Date 19/08/2021

**FIGURE 1**

**Figure 1. Bunbury Outer Ring Road (Southern Section) – Ministerial Statement 1191 Proposal Area**

## 2 Assessment and Reporting

### 2.1 Audit Table

An audit table has been prepared for Ministerial Statement No. 1191 in accordance with the OEPA Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table (PAG 1) (OEPA, 2012b).

The audit table has been separated into the following elements:

- **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.

The audit table is included in Appendix A.

### 2.2 Frequency of Compliance Reporting

Condition 12-6 of Ministerial Statement No. 1191 requires that MRWA submit a compliance assessment report (CAR) annually. The initial CAR will be submitted on 31st August 2023, 15 months from the issue date of Ministerial Statement No.1191, for the 12 month period from the issue date of the Statement. Subsequent CARs will be submitted by each year, which is annually from the date of submission of the first CAR as required by condition 12-6.

The compliance assessment will be documented in a Compliance Assessment Report that is prepared in accordance with *Post Assessment Guideline No. 3: Post Assessment Guideline for Preparing a Compliance Assessment Report* (OEPA 2012c).

### 2.3 Approach and Timing of Compliance Assessments

Main Roads will assess compliance against all conditions of MS 1191 on an annual basis. The CAR will be prepared in accordance with the OEPA Post Assessment Guideline No. 3 – Post Assessment Guideline for Preparing a Compliance Assessment Report (PAG 3) (OEPA, 2012b).

In accordance with condition 12-6 of MS 1191, the CAR will include the following:

- Be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf.
- Include a statement as to whether the proponent has complied with the conditions.
- Identify all potential non-compliances and describe corrective and preventative actions taken.
- Be made publicly available in accordance with this CAP.
- Indicate any proposed changes to the CAP required by condition 12-1.

## 2.4 Retention of Compliance Statements

All Compliance Assessment Reports will be retained by MRWA 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.*

These reports will be retained for the life of the project.

All compliance assessment reports will be made available when requested by the CEO.

## 2.5 Reporting Non-compliances and Corrective measures

The CEO will be advised within seven working days of a potential noncompliance being known in accordance with the Condition 12-5 of MS 1191.

Where corrective and/or preventative actions have been taken to mitigate non-compliances or potential non-compliances, the CEO will be advised in writing. The correspondence will record the following:

- The date(s) any non-compliance or potential non-compliance occurred, where applicable.
- Details of any non-compliance or potential non-compliance.
- An assessment of the extent of and impacts associated with any non-compliance or potential non-compliance, where applicable.
- The precise location of any non-compliance or potential non-compliance, where applicable.
- A determination of the cause(s) of any non-compliance or potential non-compliance.
- A description of the remedial and/or corrective action(s), if any, taken or proposed to be taken in response to any non-compliance or potential non-compliance.
- What measures, if any, were in place to prevent the non-compliance or potential noncompliance before it occurred and what, if any, amendments have been made to those measures to prevent re-occurrence.

In addition, for each non-compliance or potential non-compliance that was identified, and the associated corrective/remedial or preventative action taken, the information required in Section 3 of Post Assessment Form 2 for Statement of Compliance (SoC) will be included in the SoC for that reporting period.

## 2.6 Table of Contents of Compliance Assessment Reports

The indicative table of contents for the CAR is described below. The structure has been prepared in accordance with *Post Assessment Guideline No. 3 Preparing a Compliance Assessment Report* (OEPA, 2012b).

The table of contents of the CAR will at a minimum include:

- Introduction
- Summary of proposal's implementation status
- Statement of compliance
- Details of declared compliance status
- Non-compliances and corrective actions if any
- Supporting/verifying information/documentation



- Proposed changes to CAP
- Appendices including:
  - 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.
  - Ministerial Statement audit table in accordance with Appendix 1 of this CAP.
  - Subsidiary plans audit tables (potentially non-conformant items only).
  - Evidence (related to potential non-compliances/non-conformances only).
  - Summary table of evidence reviewed.
  - Relevant survey reports and/or monitoring and management plans prepared to demonstrate compliance.
  - Other appendices may be included where relevant from time to time.

## 2.7 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.

In the event that MRWA submits a request to exclude information from being publicly available, the compliance assessment report will be published 14 days after receiving a response from the CEO advising of the outcome of this request. The compliance assessment report will include supporting information that demonstrates compliance with each implementation condition as detailed in the 'how' and 'evidence' columns of the audit table (Attachment A).

### 3 Abbreviations

Table 2. Abbreviations

Term	Definition
AM Plan	Amenity Management Plan
BPh	South-Western Brush-Tailed Phascogale
CAP	Compliance Assessment Plan
CAR	Compliance Assessment Report
CEO	Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
CFM Plan	Construction Fauna Management Plan
DBCA	Department of Biodiversity, Conservation and Attractions
EPR	Environmental Performance Report
GIS	Geographic Information System
HFM Plan	Habitat Fragmentation Management Plan
MRWA	Main Roads Western Australia
MS	Ministerial Statement
TNM Plan	Traffic Noise Management Plan
OEPA	Office of the Environmental Protection Authority
OM Plan	Offsets Management Plan
PAG 1	Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table
PAG 2	Post Assessment Guideline No.2 – Preparing a Compliance Assessment Plan
PAG 3	Post Assessment Guideline No. 3 – Post Assessment Guideline for Preparing a Compliance Assessment Report
PAG 4	Post Assessment Guideline for Making Information Publicly Available
PEC	Priority Ecological Community
SoC	Statement of Compliance
SWGA	South West Gateway Alliance
TEC	Threatened Ecological Community
TNM Plan	Traffic Noise Management Plan
WRP	Western Ringtail Possum

## 4 References

Minister for Environment. 2022. Ministerial Statement 1191 – Bunbury Outer Ring Road Southern Sections, accessed 31 May 2022,

[https://www.epa.wa.gov.au/sites/default/files/Ministerial\\_Statement/1714%20Statement%20for%20publishing%20-%20Bunbury%20Outer%20Ring%20Road%20Southern%20Section.pdf](https://www.epa.wa.gov.au/sites/default/files/Ministerial_Statement/1714%20Statement%20for%20publishing%20-%20Bunbury%20Outer%20Ring%20Road%20Southern%20Section.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.

# Appendix A - Audit Table MS 1191

## 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 Proposal. 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. Please note the terms VR = Verification Required and IP = In Process are only for OEPA use.

**Table 3. Audit Table for Ministerial Statement 1191**

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1191:M1.1	Limitations and extent of proposal	When implementing the proposal, the proponent shall ensure the proposal does not exceed the following extents: Clearing and disturbance of no more than 71.5 ha of native vegetation within a 200 ha development envelope.	Implement Proposal in accordance with limitations and extents	Annual Compliance Assessment Report (CAR)	Overall	Ongoing		
1191:M2.1	Inland Waters	The proponent shall implement the proposal to achieve the following environmental outcomes: (1) clear no more than: (a) 0.2 ha of Conservation Category Wetlands; and (b) 1.4 ha of Resource Enhancement Wetlands. (2) no project attributable impacts to the hydrological regime and water quality of the following values when compared to preconstruction baseline conditions: (a) Five Mile Brook (incorporating Multiple Use Wetland UFI-1163 and Conservation Category Wetland UFI-931); (b) Conservation Category Wetland (UFI-14478); (c) Resource Enhancement Wetlands (UFI-1117 and UFI-15493) and; (d) black-stripe minnow ( <i>Galaxiella nigrostriata</i> ) habitats defined and mapped in the proponent's Action Management Plan Conservation Significant Fauna (Revision 2 August 2021) that are within or adjoins the development envelope, except for the black-stripe minnow habitats permitted to be cleared in condition 4-1(1)(e).	Implement Conditions M2-2 and M2-3 Implement Proposal and clearing in accordance with limitations and extents of Condition M2-1(1)	Annual CAR	Overall	Ongoing		
1191:M2.2	Inland Waters	Prior to ground-disturbing activities, the proponent shall undertake monitoring of the hydrological regimes of the values listed in condition 2-1(2) and submit a report to the CEO about the preconstruction baseline conditions and predicted post-development hydrological regime.	Prepare Hydrological Regime Report	Baseline Hydrological Regime Report	Pre-construction	Prior to ground-disturbing activities		
1191:M2.3	Inland Waters	The proponent shall continue to undertake monitoring of hydrological regime and water quality during and post-construction until the CEO is satisfied that the proponent has demonstrated the outcomes in condition 2-1(2) have been met.	Monitoring of hydrological regimes and water quality	Annual Hydrological Regime Report Annual CAR	Overall	During construction, and until the CEO is satisfied that the proponent has demonstrated the outcomes in Condition M2-1(2) have been met		
1191:M2.4	Inland Waters	The proponent shall annually submit an Environmental Performance Report as part of the Compliance Assessment Report required by condition 12-6, that shall: (1) outline the monitoring that was undertaken during the implementation of the proposal; (2) outline the results of the monitoring undertaken to report whether that the environmental outcomes specified in condition 2-1(2) were achieved; (3) report whether that the outcomes in condition 2-1(2) were achieved; and (4) outline any management actions undertaken during the implementation of the proposal to meet the outcomes in condition 2-1(2).	Prepare an annual Environmental Performance Report (EPR) in relation to Inland Waters	EPR as part of Annual CAR	Overall	By 31 August 2023 and annually thereafter		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1191:M2.5	Inland Waters	The proponent shall not construct bridge footings, drainage structures and abutments within the Five Mile Brook.	The Proposal shall be designed and constructed in accordance with Condition M2-5.	Annual CAR	Overall	Ongoing		
1191:M3.1	Flora and Vegetation	The proponent shall implement the proposal to achieve the following environmental outcomes: (1) clear no more than: (a) 23.4 ha of vegetation representative of the Banksia Woodlands of the Swan Coastal Plain Priority Ecological Community (PEC) ( <i>Banksia Woodlands</i> ); (b) 4.4 ha of vegetation representative of the Tuart ( <i>Eucalyptus gomphocephala</i> ) woodlands and forests of the Swan Coastal Plain PEC (Tuart Woodlands); and (c) 4.5 ha of vegetation representative of the Southern Swan Coastal Plain <i>Eucalyptus gomphocephala</i> – <i>Agonis flexuosa</i> Woodlands PEC (Tuart-Peppermint Woodlands), overlapping the Tuart Woodlands PEC. (2) ensure there are no project attributable indirect impacts, when compared to preconstruction baseline conditions, to Banksia Woodlands, Tuart Woodlands and Tuart-Peppermint Woodlands within twenty (20) metres outside the development envelope (defined in Figure 2a and Figure 2b) and within the clearing exclusion areas (defined in Figure 1).	Implement Proposal and clearing in accordance with limitations and extents of Condition M3-1(1) Implement Conditions M3-2 and M3-3 with regard to Baseline and Annual PEC Reports Implement Condition M3-5	Annual CAR Baseline and Annual PEC Reports Design, survey and GIS files	Overall	Until the CEO is satisfied that the proponent has demonstrated the outcomes in Condition M3-1(2) have been met		
1191:M3.2	Flora and Vegetation	Prior to ground-disturbing activities, the proponent shall undertake monitoring of the values listed in condition 3-1(2) and submit a report about the preconstruction baseline conditions to the CEO.	Prepare and submit Baseline PEC report.	Baseline PEC Report	Pre-construction	Prior to ground-disturbing activities		
1191:M3.3	Flora and Vegetation	The proponent shall continue to undertake monitoring during and postconstruction until the CEO is satisfied that the proponent has demonstrated the outcomes in condition 3-1(2) has been met.	Annual PEC Report	Annual PEC Report Annual CAR	Overall	Until the CEO is satisfied that the proponent has demonstrated the outcomes in condition 3-1(2) has been met.		
1191:M3.4	Flora and Vegetation	The proponent shall annually submit an Environmental Performance Report as part of the Compliance Assessment Report required by condition 12-6, that shall: (1) outline the monitoring that was undertaken during the implementation of the proposal; (2) outline the results of the monitoring undertaken to report whether that the environmental outcomes specified in condition 3-1(2) were achieved; (3) report whether that the outcomes in conditions 3-1(1) and 3-1(2) were achieved; and (4) outline any management actions undertaken during the implementation of the proposal to meet the outcomes in conditions 3-1(1) and 3-1(2).	Prepare an annual Environmental Performance Report (EPR) in relation to Flora and Vegetation	EPR as part of Annual CAR	Overall	By 31 August 2023 and annually thereafter		
1191:M3.5	Flora and Vegetation	The proponent shall undertake the following actions within the development envelope during construction and for five (5) years post-construction: (1) implement hygiene protocols consistent with the Management of <i>Phytophthora cinnamomi</i> for Biodiversity 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.	Implement Dieback Management Plan Implement weed control and management	Dieback Management Plan Annual CAR	Overall	During construction and for 5 years post-construction.		
1191:M4.1	Terrestrial Fauna (Construction)	The proponent shall implement the proposal to achieve the following environmental outcomes: (1) clear no more than: (a) 60.9 ha of habitat for western ringtail possum; (b) 60.9 ha of black cockatoo foraging and breeding habitat;	Implement Proposal and clearing in accordance with limitations and extents of Condition M4-1(1)	Annual CAR Design, survey and GIS files	Overall	During implementation of the proposal		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<ul style="list-style-type: none"> <li>(c) 1088 black cockatoo potential nesting trees, and 11 trees with suitable hollows;</li> <li>(d) 39.2 ha of habitat for south-western brush-tailed phascogale; and</li> <li>(e) 5.5 ha of habitat for black-stripe minnow.</li> </ul>						
1191:M4.2	Terrestrial Fauna (Construction)	<p>Prior to ground-disturbing activities the proponent shall undertake the following actions:</p> <ul style="list-style-type: none"> <li>(1) within seven (7) days prior to clearing, using a qualified and licensed terrestrial fauna spotter with experience in surveying for black cockatoos, inspect all potential nesting trees hollows within the development envelope to determine if any hollows are being used for nesting by black cockatoos;</li> <li>(2) if any hollows are in use by black cockatoos, 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 black cockatoos; and</li> <li>(3) within seven (7) days prior to clearing (or if staged, prior to each stage) implement pre-clearance protocols to minimise impacts to terrestrial fauna.</li> </ul>	<p>Undertake Black cockatoo surveys in accordance with Condition M4-2(1) within 7 days prior to clearing</p> <p>Implement pre-clearing protocols of Conditions M4-2(1) and M4-2(2)</p>	<p>Survey Report</p> <p>Annual CAR</p>	<p>Pre-construction &amp; Construction</p>	<p>Prior to ground-disturbing activities for each stage of clearing.</p>		
1191:M4.3	Terrestrial Fauna (Construction)	<p>During the construction of the proposal the proponent shall:</p> <ul style="list-style-type: none"> <li>(1) ensure the presence of appropriately qualified fauna spotters during clearing activities;</li> <li>(2) not clear or cause any project attributable indirect impacts to the clearing exclusion areas as defined in Figure 1; and</li> <li>(3) ensure foraging species for black cockatoos are not planted within ten (10) metres of the road.</li> </ul>	<p>Engage appropriately qualified fauna spotters during clearing activities</p> <p>Implement Condition M4-3(2) and M4-3(3)</p>	<p>Annual CAR</p>	<p>Construction</p>	<p>During the construction of the proposal.</p>		
1191:M4.4	Terrestrial Fauna (Construction)	<p>The proponent must install one artificial black cockatoo nesting hollow for each suitable hollow that cannot be avoided in the 11 trees with suitable hollows identified in condition 4-1(1)(c).</p>	<p>Install artificial black cockatoo nesting hollows</p>	<p>Annual CAR</p>	<p>Overall</p>	<p>Prior to commencement of the next black cockatoo breeding season following clearing. Breeding season is considered to be from March to December see: <a href="https://museum.wa.gov.au/explore/online-exhibitions/cockatoo-care">https://museum.wa.gov.au/explore/online-exhibitions/cockatoo-care</a></p>		
1191:M4.5	Terrestrial Fauna (Construction)	<p>Each artificial black cockatoo nesting hollow required by condition 4-4 must be installed prior to commencement of the next black cockatoo breeding season following clearing.</p>	<p>Install artificial black cockatoo nesting hollows required under Condition M4-4 prior to commencement of the next black cockatoo breeding season following clearing.</p>	<p>Annual CAR</p>	<p>Overall</p>	<p>Prior to commencement of the next black cockatoo breeding season following clearing. Breeding season is considered to be from March to December see: <a href="https://museum.wa.gov.au/explore/online-exhibitions/cockatoo-care">https://museum.wa.gov.au/explore/online-exhibitions/cockatoo-care</a></p>		
1191:M4.6	Terrestrial Fauna (Construction)	<p>The artificial black cockatoo nest hollow(s) required by condition 4-4 of must:</p> <ul style="list-style-type: none"> <li>(1) be installed at the locations identified by DBCA within property locations as set out and described in Table 1 of condition 9-2.</li> <li>(2) be designed and placed in accordance with the specifications details in How to design and place artificial hollows for Carnaby's cockatoo (DPAW Fauna Notes 2015), or any subsequent DBCA revision of this guideline; and</li> <li>(3) be monitored and maintained in accordance with the specifications detailed in How to monitor and maintain artificial hollows for Carnaby's cockatoo (DPAW Fauna Notes 2015), or any subsequent DBCA revision of this guideline, for a period of at least ten (10) years.</li> </ul>	<p>Design and install artificial black cockatoo nesting hollow required under Condition M4-4 in consultation with DBCA and according the DBCA guidelines.</p> <p>Monitor artificial nesting hollows for a period of 10 years.</p>	<p>Correspondence from DBCA</p> <p>Annual CAR &amp; EPR</p>	<p>Overall</p>	<p>Prior to commencement of the next black cockatoo breeding season following clearing and monitored and maintained for at least 10 years.</p>		
1191:M4.7	Terrestrial Fauna (Construction)	<p>The proponent shall annually submit an Environmental Performance Report as part of the Compliance Assessment</p>	<p>Prepare an annual Environmental Performance Report (EPR) in relation to Condition M4-7</p>	<p>EPR as part of Annual CAR</p>	<p>Overall</p>	<p>Annually for at least 10 years.</p>		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>Report required by condition 12-6, for a period of at least ten (10) years, that shall:</p> <ol style="list-style-type: none"> <li>(1) outline the monitoring and maintenance that was undertaken in accordance with the specifications detailed in How to monitor and maintain artificial hollows for Carnaby's cockatoo (DPAW Fauna Notes 2015), or any subsequent DBCA revision of this guideline; and</li> <li>(2) outline the results of the monitoring and maintenance undertaken.</li> </ol>						
1191:M5.1	Construction Fauna Management Plan	<p>The proponent shall implement the proposal to achieve the following environmental objective:</p> <ol style="list-style-type: none"> <li>(1) during construction, minimise and manage project attributable adverse impacts to conservation significant terrestrial fauna including western ringtail possum and south-western brush-tailed phascogale.</li> </ol>	Implement Construction Fauna Management (CFM) Plan.	Annual CAR CFM Plan	Construction	During construction.		
1191:M5.2	Construction Fauna Management Plan	<p>The proponent shall prepare a Construction Fauna Management Plan and submit to the CEO prior to ground-disturbing activities. This Plan shall:</p> <ol style="list-style-type: none"> <li>(1) specify the passive relocation management actions to be implemented prior to and during clearing;</li> <li>(2) define the low-risk clearing timeframe for western ringtail possum applicable to Category 1 Clearing Areas and append supplementary survey evidence to justify the chosen timeframe;</li> <li>(3) specify monitoring that: <ol style="list-style-type: none"> <li>(a) includes a baseline survey to be undertaken within thirty (30) days prior to clearing (or if staged, prior to each clearing stage) to confirm presence/absence and number of western ringtail possum and south-western brush-tailed phascogale individuals within the development envelope and at receival sites. The baseline survey shall be prepared and undertaken on advice of DBCA during the preparation of the Construction Fauna Management Plan;</li> <li>(b) records whether threatened or priority fauna is encountered during clearing, and reports to the CEO and DBCA within thirty (30) days after clearing (or each clearing stage) on the number of individuals relocated in accordance with any requirements of the lawful authority obtained under the <i>Biodiversity Conservation Act 2016</i>;</li> <li>(c) evaluates the suitability, adequacy and effectiveness of passive relocation management actions at reducing impacts to western ringtail possum individuals displaced by clearing from Category 1 Clearing Areas defined in Figure 3;</li> <li>(d) evaluates impacts to residential western ringtail possum individuals at receival sites; and</li> <li>(e) uses monitoring methods including, but not limited to, radio telemetry with robust sample sizes (the minimum number of tagged animals to be determined in consultation with DBCA).</li> </ol> </li> <li>(4) identify and spatially define the study area(s) and reference sites proposed for monitoring and evaluation and provide rationale for the location of the sites;</li> <li>(5) specify management actions; management targets; monitoring locations, methodologies, indicators and timing; and actions and investigations in the event of a failure to meet a management target to demonstrate that the objective in condition 5-1 will be met; and</li> <li>(6) be prepared in consultation with the DBCA and in accordance with any requirements of a lawful authority obtained under the <i>Biodiversity Conservation Act 2016</i>.</li> </ol>	Prepare CFM Plan	CFM Plan Annual CAR	Pre-construction	Prior to ground-disturbing activities.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1191:M5.3	Construction Fauna Management Plan	The proponent shall annually submit an Environmental Performance Report as part of the Compliance Assessment Report required by condition 12-6, that shall: <ul style="list-style-type: none"> <li>(1) outline the monitoring that was undertaken during the implementation of the Construction Fauna Management Plan required in condition 5-2;</li> <li>(2) outline the results of the monitoring undertaken to report whether that the environmental objective specified in condition 5-1(1) was achieved;</li> <li>(3) report whether that the objective in condition 5-1(1) was achieved; and</li> <li>(4) outline any management actions undertaken during the implementation of the Construction Fauna Management Plan required in condition 5-2 to meet the objective in condition 5-1(1).</li> </ul>	Prepare an annual Environmental Performance Report (EPR) in relation to Construction Fauna Management (Condition M5-3)	EPR as part of Annual CAR	Overall	By 31 August 2023 and annually thereafter.		
1191:M5.4	Construction Fauna Management Plan	The proponent shall not commence ground-disturbing activities until the CEO has confirmed in writing that the Construction Fauna Management Plan satisfies the requirements of condition 5-2.	Prepare and submit CFM Plan Approval of CFM Plan by CEO	Correspondence from CEO Annual CAR	Pre-construction	Prior to ground-disturbing activities.		
1191:M5.5	Construction Fauna Management Plan	The proponent shall implement the latest revision of the Construction Fauna Management Plan approved by the CEO.	Implement latest version of CFM Plan Undertake baseline fauna survey for WRP and BPh within 30 days prior to clearing Record and report priority fauna encountered during clearing Monitoring including radio-telemetry surveys	Annual CAR CFM Plan Pre-clearing fauna survey reports. Priority fauna records and reports Monitoring surveys Correspondence with CEO	Overall	Until the CEO has confirmed that the proponent has demonstrated that the requirements of the Construction Fauna Management Plan have been achieved.		
1191:M5.6	Construction Fauna Management Plan	The proponent: <ul style="list-style-type: none"> <li>(1) may review and submit proposed amendments to the Construction Fauna Management Plan; or</li> <li>(2) shall review and submit proposed amendments to the Construction Fauna Management Plan when directed by the CEO.</li> </ul>	CFM Plan reviewed as required	CFM Plan	Overall	As required or when directed by the CEO.		
1191:M5.7	Construction Fauna Management Plan	The proponent shall continue to implement the Construction Fauna Management Plan as approved by the CEO in writing, until the CEO has confirmed by written notice that the proponent has demonstrated that the requirements of the Construction Fauna Management Plan have been achieved.	Implement CFM Plan	CFM Plan Annual CAR Correspondence from CEO	Overall	Until the CEO has confirmed that the proponent has demonstrated that the requirements of the Construction Fauna Management Plan have been achieved.		
1191:M6.1	Habitat Fragmentation Management Plan	The proponent shall ensure the implementation of the proposal achieves the following environmental objectives: <ul style="list-style-type: none"> <li>(1) minimise the impacts of habitat fragmentation that are attributable to the proposal on western ringtail possum; and</li> <li>(2) minimise the impacts from predation that are exacerbated by the proposal on western ringtail possum.</li> </ul>	Implement Habitat Fragmentation Management (HFM) Plan in accordance with Condition M6-3	Annual CAR HFM Plan	Overall	Ongoing		
1191:M6.2	Habitat Fragmentation Management Plan	The proponent shall ensure the implementation of the proposal achieves the following environmental outcome: <ul style="list-style-type: none"> <li>(1) abundance and persistence of the western ringtail possum in the receival sites returns to pre-disturbance levels within a maximum of fifteen (15) years from the commencement of construction.</li> </ul>	Implement HFM Plan	Annual CAR HFM Plan	Overall	Within a maximum of 15 years from the commencement of construction		
1191:M6.3	Habitat Fragmentation Management Plan	The proponent shall prepare a Habitat Fragmentation Management Plan and submit to the CEO prior to ground-disturbing activities. This Plan shall: <ul style="list-style-type: none"> <li>(1) when implemented, substantiate and ensure that conditions 6-1 and 6-2 are being met; Fauna crossings, land-bridges and fragmentation</li> <li>(2) specify the locations, dimensions and designs of fauna crossings to reconnect terrestrial fauna habitats, including</li> </ul>	Prepare and submit HFM Plan, including consultation with DBCA.	HFM Plan Consultation with DBCA	Pre-construction	Prior to ground-disturbing activities		



Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>tree-canopy connections to fauna crossings for western ringtail possum (and brush-tailed phascogale);</p> <p>(3) specify the locations and designs of a minimum of two (2) fauna land bridges, which are to be:</p> <p>(a) a minimum width of five (5) metres at the Yalinda Drive traffic bridge; and</p> <p>(b) between five (5) and ten (10) metres at the dedicated fauna land bridge east of Yalinda Drive (to be determined in consultation with DBCA).</p> <p>(4) specify the revegetation and maintenance requirements of the fauna land bridges to maximise utilisation by western ringtail possums and ensure revegetation is self-sustaining or otherwise managed to ensure its ongoing survival;</p> <p>(5) specify monitoring methodologies to evaluate the effectiveness and utilisation of fauna crossings and fauna land bridges by western ringtail possum against the objectives in condition 6-1 which must include, but not be limited to, monitoring of DNA scat analysis and camera-monitoring;</p> <p>(6) specify monitoring methodologies to evaluate the project attributable effects of fragmentation on the demographics and genetics of the local western ringtail possum population and the effectiveness of minimisation measures to demonstrate whether the objective in condition 6-1(1) and outcome in condition 6-2 will be met; Predator control</p> <p>(7) specify actions to undertake targeted predator control to reduce predation impacts to conservation significant fauna, to be implemented:</p> <p>(a) one (1) month prior to clearing;</p> <p>(b) during construction of the proposal; and</p> <p>(c) at entrances/exits to fauna crossings and fauna land bridges for a minimum of five (5) years post-construction, subject to the five (5) yearly review required by condition 6-3(12); Abundance and persistence of western ringtail possum</p> <p>(8) specify monitoring methodologies to evaluate the abundance and persistence of the western ringtail possum at the receival sites to demonstrate whether the outcome in condition 6-2 will be met; Protection and enhancement of adjacent habitat</p> <p>(9) demonstrate how the habitat within the clearing exclusion areas (excluding the 'Grey Giant' Heritage Place No. 26059 site) and vegetation retention areas (defined in Figure 4) in Gelorup will be maximised for benefits to western ringtail possums and, where relevant, include provisions to establish revegetation of degraded areas;</p> <p>(10) include provisions to monitor revegetation required by condition 6-3(9), and undertake maintenance and remedial measures as required to demonstrate it is self-sustaining and habitat is maximised for benefits to western ringtail possums;</p> <p>(11) outline the long-term management and protection mechanism of the clearing exclusion areas and the vegetation retention areas as defined in Figure 4; General plan provisions</p> <p>(12) be implemented for a minimum of fifteen (15) years post-construction, or otherwise agreed to by the CEO and on advice of DBCA following review of effectiveness every five (5) years;</p> <p>(13) specify management actions; management targets; monitoring locations, methodologies, indicators and timing; and contingency actions and investigations in the</p>						

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>event of a failure to meet a management target to demonstrate that the objectives in condition 6-1 and outcome in condition 6-2 will be met; and</p> <p>(14) be prepared in consultation with DBCA and in accordance with any requirements of a lawful authority obtained under the <i>Biodiversity Conservation Act 2016</i>.</p>						
1191:M6.4	Habitat Fragmentation Management Plan	The proponent shall include a report of a peer review carried out by an independent person or independent persons with suitable technical experience to review the Draft Habitat Fragmentation Management Plan, required under condition 6-3, to report on the adequacy of that content to achieving the objectives and outcome specified in conditions 6-1 and 6-2.	Engage an independent person to undertake peer review. Submit peer review of HFM Plan to CEO	Peer review of HFM Plan Correspondence with CEO	Pre-construction	Prior to ground-disturbing activities.		
1191:M6.5	Habitat Fragmentation Management Plan	<p>The proponent shall submit an Environmental Performance Report as part of the Compliance Assessment Report required by condition 12-6, following the review of effectiveness every five (5) years, required by condition 6-3(12), that shall:</p> <p>(1) outline the monitoring that was undertaken during the implementation of the Habitat Fragmentation Management Plan required in condition 6-3;</p> <p>(2) outline the results of the monitoring undertaken to report whether that the environmental objectives and outcome specified in conditions 6-1 and 6-2 was achieved;</p> <p>(3) report whether that the objectives and outcome specified in conditions 6-1 and 6-2 was achieved; and</p> <p>(4) outline any management actions undertaken during the implementation of the Habitat Fragmentation Management Plan required in condition 6-3 to meet the objectives and outcome specified in conditions 6-1 and 6-2.</p>	Prepare an annual Environmental Performance Report (EPR) in relation to the HFM Plan	EPR as part of Annual CAR	Overall	Every 5 years.		
1191:M6.6	Habitat Fragmentation Management Plan	The proponent shall include a report of a peer review carried out by an independent person or independent persons with suitable technical experience to review the Environmental Performance Reports, required under condition 6-5, with the report and to report on the adequacy of that content to achieving the objectives and outcome specified in conditions 6-1 and 6-2.	Peer review of EPR required under Condition M6-5	Peer review and report included with EPR Annual CAR	Overall	Every 5 years.		
1191:M6.7	Habitat Fragmentation Management Plan	The proponent shall not commence ground-disturbing activities until the CEO has confirmed in writing that the Habitat Fragmentation Management Plan satisfies the requirements of condition 6-3.	Prior to ground-disturbing activities, confirmation from CEO that HFM Plan satisfies Condition M6-3	HFM Plan Correspondence from CEO	Pre-construction	Prior to ground-disturbing activities.		
1191:M6.8	Habitat Fragmentation Management Plan	The proponent shall implement the latest revision of the Habitat Fragmentation Management Plan approved by the CEO.	Implement latest version of HFM Plan	HFM Plan Annual CAR	Overall	When HFM Plan has been updated.		
1191:M6.9	Habitat Fragmentation Management Plan	<p>The proponent:</p> <p>(1) may review and submit proposed amendments to the Habitat Fragmentation Management Plan; or</p> <p>(2) shall review and submit proposed amendments to Habitat Fragmentation Management Plan when directed by the CEO.</p>	Review HFM Plan as required	HFM Plan Correspondence from CEO	Overall	As required or when directed by the CEO.		
1191:M6.10	Habitat Fragmentation Management Plan	The proponent shall continue to implement the Habitat Fragmentation Management Plan as approved by the CEO in writing, until the CEO has confirmed by written notice that the proponent has demonstrated that the environmental objectives and outcomes detailed in conditions 6-1 and 6-2 of the Habitat Fragmentation Management Plan have been achieved.	Implement HFM Plan	Annual CAR HFM Plan Correspondence from CEO	Overall	Until the CEO has confirmed that the proponent has demonstrated that the objectives and outcomes in conditions 6-1 and 6-2 of the Habitat Fragmentation Management Plan have been achieved.		
1191:M7.1	Social Surroundings (Noise)	<p>The proponent shall implement the proposal to meet the following environmental objective:</p> <p>(1) minimise operational noise impacts on existing noise sensitive receptors, as far as practicable.</p>	Implement Conditions M7-2 to M7-7	Annual CAR TNM Plan	Overall	Ongoing		
1191:M7.2	Social Surroundings (Noise)	<p>At least six (6) months prior to the operation of the proposal and in order to meet the requirements of condition 7-1, the proponent shall prepare a Traffic Noise Management Plan to include:</p> <p>(1) outdoor noise management targets;</p>	Prepare Traffic Noise Management (TNM) Plan	Annual CAR TNM Plan	Construction	At least 6 months prior to the operation of the proposal.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<ul style="list-style-type: none"> <li>(2) indoor noise management targets to apply to noise sensitive receptors where the construction of noise walls is not feasible or practicable;</li> <li>(3) the noise management actions to ensure the noise management targets are met during the operation of the proposal;</li> <li>(4) where noise walls will be constructed, the location, height and timing of construction of the walls;</li> <li>(5) where acoustic treatment of houses will be implemented, the standard of treatments, timing and evidence of consultation with affected stakeholders;</li> <li>(6) road design measures to minimise noise emissions where relevant and appropriate, including low noise road surfaces and selection of appropriate bridge expansion joints;</li> <li>(7) post-construction noise monitoring to demonstrate that noise management actions meet the relevant outdoor noise management targets; and</li> <li>(8) contingency actions in the event relevant noise management targets are not met.</li> </ul>						
1191:M7.3	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 TNM Plan.	Correspondence confirming approval of TNM Plan Annual CAR TNM Plan	Construction	Prior to the commencement of operation.		
1191:M7.4	Social Surroundings (Noise)	The proponent: <ul style="list-style-type: none"> <li>(1) may review and revise the Traffic Noise Management Plan; or</li> <li>(2) shall review and revise the Traffic Noise Management Plan when directed by the CEO by notice in writing.</li> </ul>	TNM Plan will be reviewed annually and revised if required or as directed by the CEO.	Annual CAR TNM Plan	Overall	As required or when directed by the CEO.		
1191:M7.5	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 7-2.	Implement TNM Plan.	Annual CAR TNM Plan	Overall	Until the CEO has confirmed that the proponent has demonstrated that the objective in condition 7-1 is being and will continue to be met.		
1191:M7.6	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 7-1 is being and will continue to be met.	Implement Traffic Noise Management Plan.	Annual CAR TNM Plan	Overall	Until the CEO has confirmed that the proponent has demonstrated that the objective in condition 7-1 is being and will continue to be met.		
1191:M7.7	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 12-6 (Compliance Reporting) and shall immediately implement management actions to meet the requirements of condition 7-1.	Traffic Noise Corrective Actions Report. Revised Traffic Noise Management Plan.	Annual CAR Traffic Noise Corrective Actions Report	Overall	Immediately implement management actions.		
1191:M8.1	Social Surroundings (Amenity Management Plan)	The proponent shall demonstrate that the proposal is designed and constructed in order to meet the following environmental objective: <ul style="list-style-type: none"> <li>(1) minimise the impacts to social connectivity and visual amenity.</li> </ul>	Implement Amenity Management (AM) Plan in accordance with Condition M8-3	AM Plan	Overall	Ongoing		
1191:M8.2	Social Surroundings (Amenity Management Plan)	The proponent shall demonstrate that the proposal is implemented to meet the following environmental outcome: <ul style="list-style-type: none"> <li>(1) ensure no project attributable direct or indirect impacts to significant trees.</li> </ul>	Implement Amenity Management (AM) Plan in accordance with Condition M8-3 Conduct surveys and monitoring of significant trees	Annual CAR AM Plan Significant Tree Survey Reports	Overall	Ongoing		
1191:M8.3	Social Surroundings (Amenity Management Plan)	The proponent shall prepare an Amenity Management Plan and submit to the CEO within twelve (12) months of the issue of the statement. The Plan shall include, but not be limited to: <ul style="list-style-type: none"> <li>(1) outcomes of consultation undertaken with the local community and relevant stakeholders regarding: <ul style="list-style-type: none"> <li>(a) the specifications and locations of amenity infrastructure such as screen-walls, noise-walls, vegetative screening, landscaping, revegetation,</li> </ul> </li> </ul>	Prepare AM Plan	AM Plan Annual CAR	Overall	By 31 May 2023.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>pedestrian overpasses/underpasses, walking trails, foot/cycle paths, and any other relevant infrastructure;</p> <p>(2) a map of the amenity infrastructure to be constructed/installed;</p> <p>(3) the roles and responsibilities for on-going maintenance of the amenity infrastructure; and</p> <p>(4) information to demonstrate how the objective in condition 8-1 and outcome in condition 8-2 will be achieved by the Amenity Management Plan.</p>						
1191:M8.4	Social Surroundings (Amenity Management Plan)	After submitting the Amenity Management Plan and receiving approval by notice in writing from the CEO the proponent shall implement the Amenity Management Plan.	Implement AM Plan	Annual CAR Correspondence with CEO	Overall	After receiving approval by the CEO.		
1191:M8.5	Social Surroundings (Amenity Management Plan)	Following construction, the proponent shall prepare and submit a report to demonstrate that the requirements of the Amenity Management Plan have been implemented and the objective of condition 8-1 and outcome of condition 8-2 has been achieved.	Prepare and submit a report on AM Plan implementation	Report (Condition M8-5) Correspondence with CEO	Operation	Following construction.		
1191:M9.1	Offsets	<p>The proponent shall implement offset measures to counterbalance the significant residual impacts to the following environmental values:</p> <p>(1) 60.9 ha of habitat for western ringtail possum;</p> <p>(2) 60.9 ha of black cockatoo foraging and breeding habitat;</p> <p>(3) 39.2 ha of habitat for south-western brush-tailed phascogale;</p> <p>(4) 23.4 ha of Banksia Woodlands of the Swan Coastal Plain PEC (Banksia Woodlands);</p> <p>(5) 4.4 ha of Tuart (<i>Eucalyptus gomphocephala</i>) woodlands and forests of the Swan Coastal Plain PEC (Tuart Woodlands); and</p> <p>(6) 4.5 ha of Southern Swan Coastal Plain <i>Eucalyptus gomphocephala</i> – <i>Agonis flexuosa</i> Woodlands PEC (Tuart-Peppermint Woodlands), overlapping the Tuart Woodlands PEC.</p>	Implement Conditions M9-2 to M9-14	Annual CAR	Overall	Ongoing		
1191:M9.2	Offsets	To meet the requirement of condition 9-1 the proponent shall undertake offset measures to the extents and at the locations as set out and described in Table 1.	Implement offset measures in accordance with Table 1 and the BORR Southern Section Offset Management (OM) Plan	Annual CAR	Overall	Ongoing		
1191:M9.3	Offsets	<p>Within twelve months of the commencement of ground-disturbing activities, the proponent shall revise the existing Bunbury Outer Ring Road (BORR) Southern Section Offset Management Plan to the requirements of the CEO, and to meet the following objectives:</p> <p>(1) counterbalance the significant residual impacts listed in condition 9-1;</p> <p>(2) improve connectivity of western ringtail possum habitats;</p> <p>(3) ensure a net-gain in western ringtail possum populations in secure conservation tenure within fifteen (15) years from the commencement of construction; and</p> <p>(4) demonstrate a strategic conservation benefit for the western ringtail possum species.</p>	Revise OM Plan and submit to CEO	OM Plan Annual CAR	Overall	Within twelve months of the commencement of ground-disturbing activities.		
1191:M9.4	Offsets	<p>The BORR Southern Section Offset Management Plan shall:</p> <p>(1) demonstrate that the objectives in condition 9-3 will be met;</p> <p>(2) describe how the offset measures will be implemented consistent with condition 9-2;</p> <p>(3) be prepared in consultation with DBCA, the Shire of Capel and the Shire of Dardanup;</p> <p>(4) consistent with condition 9-2, spatially identify the areas (Proposed Offset Conservation Areas) of:</p>	Prepare OM Plan	OM Plan Annual CAR	Overall	Within twelve months of the commencement of ground-disturbing activities.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<ul style="list-style-type: none"> <li>(a) acquired lands offset areas to receive on-ground management and/or revegetation offset measures;</li> <li>(b) DBCA lands to receive on-ground management and revegetation offset measures.</li> </ul> <p>(5) demonstrate how the environmental values within the Proposed Offset Conservation Areas will be maintained and improved in order to counterbalance the significant residual impact to the environmental values in condition 9-1 through application of the principles of the WA Environmental Offsets Policy and completion of the WA Offsets Template, as described in the WA Environmental Offsets Guidelines, and the Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy Assessment Guide, or any subsequent revisions of these documents.</p> <p>(6) for the land acquisition offsets identified in condition 9-2:</p> <ul style="list-style-type: none"> <li>(a) demonstrate that the Proposed Offset Conservation Areas contain the minimum extents of the environmental values identified in condition 9-2;</li> <li>(b) identify how the Proposed Offset Conservation Areas 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;</li> <li>(c) specify the quantum of works associated with establishing the Proposed Offset Conservation Areas, including a contribution for maintaining the offset for at least twenty (20) years after completion of purchase or approval of the offset management plan where relevant; and</li> <li>(d) identify the relevant management body for the on-going management of the Proposed Offset Conservation Areas, including its role, and the role of the proponent, and confirmation in writing that the relevant management body accepts responsibility for its role.</li> </ul> <p>(7) For revegetation and/or on-ground management offsets identified in condition 9-2:</p> <ul style="list-style-type: none"> <li>(a) state the completion criteria for revegetation and/or on-ground management for each offset site, which will demonstrate attainment of the 'future quality with offset' score in Schedule 3. For revegetation offsets relating to western ringtail possum environmental values, this shall include, but not be limited to: <ul style="list-style-type: none"> <li>(i) western ringtail possum target densities;</li> <li>(ii) completion criteria to measure (at a minimum) ringtail possum abundance/distribution, habitat structure and vegetation condition; and</li> <li>(iii) adaptive management to inform successful habitat revegetation for western ringtail possum.</li> </ul> </li> <li>(b) demonstrate the consistency of the targets with the objectives of any relevant guidance, including but not limited to, recovery plans or area management plans;</li> <li>(c) detail the on-ground management actions, with associated timeframes for implementation and completion, to achieve the targets identified in condition 9-4(7)(a); and</li> </ul>						

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
		<p>(d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions identified under conditions 9-4(7)(a) and 9-4(7)(c).</p> <p>(8) for the predator control program within the Ludlow Tuart State Forest/Tuart Forest National Park (consistent with the proponent's Offset Strategy Revision 3 August 2021):</p> <p>(a) state the targets to be achieved by the predator control program which will result in a tangible improvement to the environmental values being offset;</p> <p>(b) demonstrate the consistency of the targets with the objectives of any relevant guidance, including but not limited to, recovery plans or area management plans;</p> <p>(c) detail the on-ground management actions, with associated timeframes for implementation and completion to achieve the targets identified in condition 9-4(8)(a), and how the implementation of the predator control program will facilitate the achievement of the objectives in conditions 9-3(3) and 9-3(4); and</p> <p>(d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions, including but not limited to, a review of the program's effectiveness to demonstrate that the objective of conditions 9-3(3) and 9-3(4) will be met.</p> <p>(9) (9) for the establishment of a Wildlife Carer's Peppermint Orchard:</p> <p>(a) identify the location of the Wildlife Carer's Peppermint Orchard and state the completion criteria for this offset measure in accordance with DBCA requirements; and</p> <p>(b) detail the monitoring, reporting and evaluation mechanisms to demonstrate the completion criteria identified under condition 9-4(9)(a) will be met.</p>						
1191:M9.5	Offsets	<p>The proponent:</p> <p>(1) may review and revise the BORR Southern Section Offset Management Plan; or</p> <p>(2) shall review and revise the BORR Southern Section Offset Management Plan as and when directed by the CEO by a notice in writing.</p>	OM Plan will be reviewed annually and revised if required or as directed by the CEO.	Revised OM Plan Annual CAR	Overall	As required or when directed by the CEO.		
1191:M9.6	Offsets	The CEO shall confirm in writing that the BORR Southern Section Offset Management Plan satisfies the requirements of conditions 9-3 and 9-4 <sup>1</sup> .	Develop and submit OM Plan	Correspondence from CEO	Pre-construction	Within twelve months of the commencement of ground-disturbing activities.		
1191:M9.7	Offsets	The proponent shall implement the latest revision of the BORR Southern Section Offset Management Plan approved by the CEO.	Implement latest version of OM Plan	Annual CAR OM Plan	Overall	Until the CEO has confirmed that the proponent has demonstrated that the objectives in condition 9-3 are being met.		
1191:M9.8	Offsets	The proponent shall continue to implement the BORR Southern Section Offset Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objectives in condition 9-3 are being met.	Implement OM Plan	Annual CAR Correspondence from CEO	Overall	Until the CEO has confirmed that the proponent has demonstrated that the objectives in condition 9-3 are being met.		
1191:M9.9	Offsets	When a notification to the CEO occurs in accordance with condition 12-5, the proponent shall provide a report to the CEO within sixty (60) days if the actions, objectives, or targets in the BORR Southern Section Offset Management Plan are unable to be met, and provide details and timing of contingency actions to be undertaken, to the satisfaction of the CEO.	Prepare and submit a report to CEO	Report (Condition M9-9) Correspondence from CEO	Overall	Within 60 days if the actions, objectives, or targets in the BORR Southern Section Offset Management Plan are unable to be met.		
1191:M9.10	Offsets	The proponent shall report to the CEO on the outcomes of the contingency actions as required by condition 9-9 within sixty (60) days of completion.	Prepare and submit a report to CEO	Report (Condition M9-10)	Overall	Within 60 days of completion of the contingency actions.		

<sup>1</sup> This condition has been amended as part of the s45C signed 22/6/2022

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1191:M9.11	Offsets	The proponent shall continue to implement contingency actions as required by condition 9-9 until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objectives in condition 9-3 are being met.	Implement contingency actions required under Condition M9-9	Correspondence from CEO	Overall	Until the CEO has confirmed that the proponent has demonstrated that the objectives in condition 9-3 are being met.		
1191:M9.12	Offsets	If, after receiving the Environmental Performance Report required by condition 6-5 the CEO determines that the proposal has not met the environmental outcome in condition 6-2 and has resulted in an additional significant residual impact to western ringtail possum, and after notifying the proponent in writing, the proponent must undertake an additional offset to counterbalance the significant residual impact from the additional impact to western ringtail possum in habitats adjoining the development envelope.	Implement additional offsets and revise OM Plan	Correspondence with CEO OM Plan Annual CAR	Overall	Upon the request of the CEO.		
1191:M9.13	Offsets	Within twelve (12) months of receiving notice in writing from the CEO that an additional offset is required under condition 9-12, the proponent shall update the BORR Southern Section Offset Management Plan required by condition 9- 3 to include additional offsets to counterbalance the significant residual impacts to western ringtail possums.	Update OM Plan to include additional offsets requirements and submit to CEO.	Updated OM Plan Annual CAR Correspondence from CEO	Overall	Within 12 months of receiving notice from the CEO that an additional offset is required under condition 9-12.		
1191:M9.14	Offsets	The proponent shall implement the latest version of the BORR Southern Section Offset Management Plan, which the CEO has confirmed in writing satisfies the requirements of condition 9-4.	Implement latest version of OM Plan	OM Plan Annual CAR Correspondence from CEO	Overall	As required when OM Plan is updated		
1191:M10.1	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 changes to contact details	Written notification to CEO	Overall	Within 28 days of a change of name, physical address or postal address.		
1191:M11.1	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 M11-2.	Written notification to CEO	Overall	By 31 May 2027.		
1191:M11.2	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	Written notification to CEO	Overall	By 31 May 2027.		
1191:M12.1	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 12-6, or prior to implementation of the proposal, whichever is sooner.	Prepare a Compliance Assessment Plan and submit to the CEO for approval	Compliance Assessment Plan (CAP). CEO approval of CAP.	Overall	By 28 February 2023 or prior to implementation.		
1191:M12.2	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 a CAP addressing all requirements.	CAP CEO approval of CAP	Overall	By 28 February 2023 or prior to implementation.		
1191:M12.3	Compliance Reporting	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 12-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 12-1.	Undertake compliance assessments in accordance with the approved CAP.	Annual CAR	Overall	Ongoing		
1191:M12.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 12-1 and shall make those reports available when requested by the CEO.	Prepare and retain annual compliance assessment reports in accordance with the approved CAP. Make CARs available to CEO on request.	Annual CAR	Overall	Ongoing		
1191:M12.5	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 within 7 days of any potential non-compliance.	Annual CAR	Overall	Within 7 days of that non-compliance being known.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
				Correspondence to CEO advising of potential non-compliances.				
1191:M12.6	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"> <li>(1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;</li> <li>(2) include a statement as to whether the proponent has complied with the conditions;</li> <li>(3) identify all potential non-compliances and describe corrective and preventative actions taken;</li> <li>(4) be made publicly available in accordance with the approved Compliance Assessment Plan; and</li> <li>(5) indicate any proposed changes to the Compliance Assessment Plan required by condition 12-1.</li> </ol>	Submit Annual CAR	Annual CAR Transmittal documentation of CAR.	Overall	By 31 August 2023 and annually thereafter.		
1191:M13.1	Public Availability of Data	Subject to condition 13-2, 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 on Main Roads Western Australia website or provide reports as directed by the CEO.	Transmittal documentation of request for data. Website link.	Overall	Ongoing		
1191:M13.2	Public Availability of Data	<p>If any data referred to in condition 13-1 contains particulars of:</p> <ol style="list-style-type: none"> <li>(1) a secret formula or process; or</li> <li>(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.</li> </ol>	Provide the CEO with an explanation and reasons why data should not be made publicly available.	Correspondence with CEO, request for confidentially, if applicable.	Overall	Ongoing		



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