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EPBC Act Compliance Report

Pinjarra-Williams & Williams-Narrogin Hwy Maintenance Zone
Establishment Project, WA (EPBC 2016/7698) D24#262030

Reporting period: 2 February 2023 to 1 February 2024

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1 Introduction

1.1 Background

Main Roads Western Australia (Main Roads) is establishing a wider maintenance zone along Pinjarra-Williams Rd (M053) between 91.9 and 125.5 Straight Line Kilometre (SLK) and Williams-Narrogin Hwy (H053) between 0 and 31.4 SLK, in the Shire of Williams and Shire of Narrogin respectively (the Project). The wider maintenance zone will improve the safety of these two roads by removing hazardous trees and vegetation located close to the road. This will provide errant vehicles with a greater ability to recover from a runoff thereby reducing the likelihood of a serious injury or fatality.

Project implementation commenced on 2 February 2021. During the current reporting period no clearing activities were undertaken.

1.2 Approval under the *Environment Protection and Biodiversity Conservation Act 1999*

The Project was referred to the former Department of the Environment (now Department of Climate Change, Energy, the Environment and Water [the Department]) in March 2016 for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Project was determined to be a Controlled Action on 29 June 2016 due to its potential impacts on listed threatened species and communities. The Department granted approval for the Project on 3 December 2020 (EPBC 2016/7698), which included a number of conditions that Main Roads is required to fulfil.

1.3 Purpose of this Report

This compliance report has been produced to satisfy Condition 9 of approval EPBC 2016/7698.

Table 1 of this report assesses the Project's compliance against each approval condition over the 12-month reporting period: 2 February 2023 to 1 February 2024. Conditions deemed completed or no longer required (applicable) are shaded grey.

2 Compliance

Table 1: Compliance with Conditions of EPBC Approval 2016/7698

Condition Number	Condition	Status	Evidence/Comments
1	<p>To minimise impacts to EPBC Act listed Carnaby's Black Cockatoo (<i>Calyptorhynchus latirostris</i>), Forest Red-tailed Black Cockatoo (<i>Calyptorhynchus banksii naso</i>), and the Red-tailed Phascogale (<i>Phascogale calura</i>) the approval holder must:</p> <ol style="list-style-type: none"> Not clear more than a total of 7.36 hectare (ha) of land containing Black Cockatoo habitat or Red-tailed Phascogale habitat. Only clear within the project area outlined at Attachment A. Not clear more than 670 potential nesting trees or nesting trees, which includes a maximum of 45 trees with small to medium hollows as marked within the project area at Attachment A. Comply with Condition 8 of Western Australia Department of Water and Environmental Regulation (DWER) clearing permit CPS 7227/2 to minimise the impacts of dieback and weeds. 	Compliant	<ol style="list-style-type: none"> A total of 0.00 ha of land containing Black Cockatoo habitat and Red-tailed Phascogale habitat was cleared in the reporting period. A total of 1.97 ha has been cleared for the project to date (Appendix 1). No further clearing is planned for this project. All clearing undertaken to date was located in the project area. Prior to undertaking clearing, vegetation was manually measured from the road to confirm the clearing was located within 4 metres of the road, as per the approval. The clearing area is shown in Appendix 1. No potential nesting trees were cleared in the current reporting period. No trees with small to medium hollows were cleared in the current reporting period. A total of 196 potential nesting trees, which includes 15 trees with small to medium hollows, have been cleared for the project to date. All clearing completed to date was undertaken in dry soil conditions to reduce the risk of spreading weeds or dieback. All machinery were inspected prior to clearing and verified free of soil and vegetation. No soil, mulch or fill was brought into the clearing area. Machines and vehicles accessed the clearing area via the existing road. There were no vehicle movements outside of the clearing area.

Condition Number	Condition	Status	Evidence/Comments
2	<p>To mitigate the impacts to the Red-tailed Phascogale, the approval holder must do the following:</p> <ul style="list-style-type: none"> a. Have a suitably qualified field ecologist commence inspecting each of the 45 trees in the project area (Attachment A) that have small to medium size hollows and the areas that have known foraging habitat areas that support Red-tailed Phascogale populations (Attachment A) not more than 48 hours prior to the tree(s) and/or foraging habitat being cleared to ensure Red-tailed Phascogale are not utilising any of the small to medium size hollow(s) in any tree and foraging habitat when it is cleared. b. If a hollow(s) is being utilised by Red-tailed Phascogale, the approval holder must have a suitably qualified field ecologist monitor the hollow(s) to determine when the adult Red-tailed Phascogale has safely left the hollow(s) on its own accord before the tree is cleared. c. Not clear any tree still being utilised by Red-tailed Phascogale juveniles. A suitably qualified field ecologist will monitor the hollow(s) and be given sufficient authority to ensure that no clearing of any tree will commence until the Red-tailed Phascogale juveniles have safely left the hollow(s). d. Have a site supervisor present during clearing to observe for any Red-tailed Phascogale and if any Red-tailed Phascogale is observed then clearing must stop 	Compliant	<ul style="list-style-type: none"> a. Not applicable to the reporting period. No trees with small to medium hollows, or areas that have known foraging habitat were cleared during the reporting period. b. Not applicable to the reporting period. No trees with small to medium hollows, or areas that have known foraging habitat were cleared during the reporting period. c. Not applicable to the reporting period. No trees with small to medium hollows, or areas that have known foraging habitat were cleared during the reporting period. d. Not applicable to the reporting period. No clearing was completed in the current reporting period. e. Not applicable to the reporting period. No clearing was completed in the current reporting period. f. A total of 15 trees with small to medium hollows have been cleared for the project to date. Fourteen (14) salvaged branches containing small or medium hollows have been installed within the road reserve to date. Appendix 2 shows the locations of where tree limbs and logs have been installed. Limbs were installed in existing trees in areas of suitable vegetation (Wandoo with Sheoak where possible)

Condition Number	Condition	Status	Evidence/Comments
	<p>until the Red-tailed Phascogale(s) have safely moved out of the clearing area on its own accord.</p> <p>e. If any Red-tailed Phascogale(s) is injured, the approval holder must ensure the injured individual(s) is taken to a wildlife veterinary clinic within 8 hours.</p> <p>f. Salvage the logs and tree limbs with hollows from at least half of the 45 trees with small to medium hollows cleared and distribute these into the adjacent road reserves to provide potential habitat for Red-tailed Phascogale. When distributing these logs and tree limbs with hollows into the adjacent habitat, the disturbance and introduction to weeds and dieback must be minimised. Logs and tree limbs must be positioned in a manner that could be potentially useable by Red-tailed Phascogale, which includes correct orientation, a suitable height of the hollows for accessibility, and where they are not able to roll out of position.</p>		<p>and secured with wire to prevent dislodgement. Limbs were generally orientated horizontally to ensure the internal cavity was sheltered. Limbs were installed at a height that allowed for future access and maintenance. Photos of these limbs are also included in Appendix 2.</p>
3	<p>To mitigate the impacts to Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo the approval holder must do the following:</p> <p>a. Have a site supervisor present during the clearing to observe for any Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo that may be roosting in the trees and/or utilising the foraging habitat in the area to be cleared.</p> <p>b. If any Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo are found to be roosting or foraging</p>	Compliant	<p>a. Not applicable to the reporting period. No clearing was completed in the current reporting period.</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>in the area to be cleared, the site supervisor must be given sufficient authority to stop the clearing until the Black Cockatoo(s) have safely moved out of the area to be cleared on its own accord.</p> <p>c. If any Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo is injured, the approval holder must ensure injured individual(s) is taken to a wildlife veterinary clinic within 8 hours.</p>		<p>b. Not applicable to the reporting period. No clearing was completed in the current reporting period</p> <p>c. Not applicable to the reporting period. No clearing was completed in the current reporting period</p>
4	<p>To offset the loss of Carnaby's Black Cockatoo and Forest Red-tailed Black Cockatoo foraging and roosting habitat, and Red-tailed Phascogale habitat, which includes 670 potential nesting trees with 45 trees that have small to medium hollows, the approval holder must do the following:</p> <p>a. Prior to the commencement of the action, the approval holder must make a financial contribution to the Western Australia (WA) Department of Water and Environmental Regulation (DWER) Offsets Fund to fully fund the purchase of an offset site containing a minimum of 43.25 ha of Carnaby's Black Cockatoo, Forest Red-tailed Black Cockatoo, and Red-tailed Phascogale foraging habitat and potential nesting trees.</p> <p>b. Within 10 business days of making the financial contribution to the Western Australia (WA) Department of Water and Environmental Regulation (DWER) Offsets Fund, provide evidence to the Department which demonstrates how the contribution</p>	Compliant	<p>a. Complete - Details of the financial contribution to the DWER Offsets Fund are provided in previous Annual Compliance Report (2021-2022).</p> <p>b. Complete - Details of the financial contribution to the DWER Offsets Fund are provided in previous Annual Compliance Report (2021-2022).</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>complies with the requirements detailed at condition 4 (a).</p> <p>c. Within 12 months of the commencement of the action (or otherwise agreed by the Department in writing), the approval holder must provide the Department with the offset attributes and a shapefile.</p>		<p>c. Main Roads has consulted closely with the Department and DWER to finalise the offset site for this project over the course of the reporting period. Main Roads wrote to the Department on 8 March 2022 providing the offset attributes and shapefile. Main Roads subsequently advised the Department on 25 August 2022 that DWER had accepted the offset site for the state approval; at which point Main Roads sought written agreement from the Department confirming the offset site met the requirements of Condition 4. No response has been received.</p>
5	<p>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.</p>	Complete	<p>The action commenced on 2 February 2021 and the Department was notified on 15 February 2021.</p>
6	<p>If the commencement of the action does not occur before 12 August 2023, then 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.</p>	Not applicable	<p>The project was approved on 3 December 2020 and the action commenced on 2 February 2021.</p>
7	<p>The approval holder must maintain accurate and complete compliance records.</p>	Compliant	<p>Main Roads has maintained records in accordance with this condition and its legal obligations, under the <i>State Records Act 2000</i> (Western Australia).</p>

Condition Number	Condition	Status	Evidence/Comments
8	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 applicable	To date, no direction has been received from the Department to provide electronic copies of any compliance records.
9	<p>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:</p> <ul style="list-style-type: none"> 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; 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	<ul style="list-style-type: none"> a. To date, reports have been published on the Main Roads website within the relevant timeframes (refer https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/). This compliance report will be published on the Main Roads website prior to 3 May 2024. b. The Department has been (D22#460709) and will be notified by email within five business days of publication of this report. c. This report will remain publicly available on the Main Roads website until the expiration date of the project approval. d. No sensitive ecological data has been included in this report. e. No sensitive ecological data has been included in this report.
10	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	Compliant	No incidents or non-compliances are known to have occurred during the reporting period.

Condition Number	Condition	Status	Evidence/Comments
	<p>later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a. any condition which is or may be in breach; b. a short description of the incident and/or non-compliance; and 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. 		
11	<p>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:</p> <ul style="list-style-type: none"> 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	No incidents or non-compliances are known to have occurred during the reporting period.

3 Appendices

Appendix 1	Clearing area maps and clearing total
Appendix 2	Figure and photos of installed Red-tailed Phascogale habitat logs

Appendix 1 – Clearing Area Maps and Total

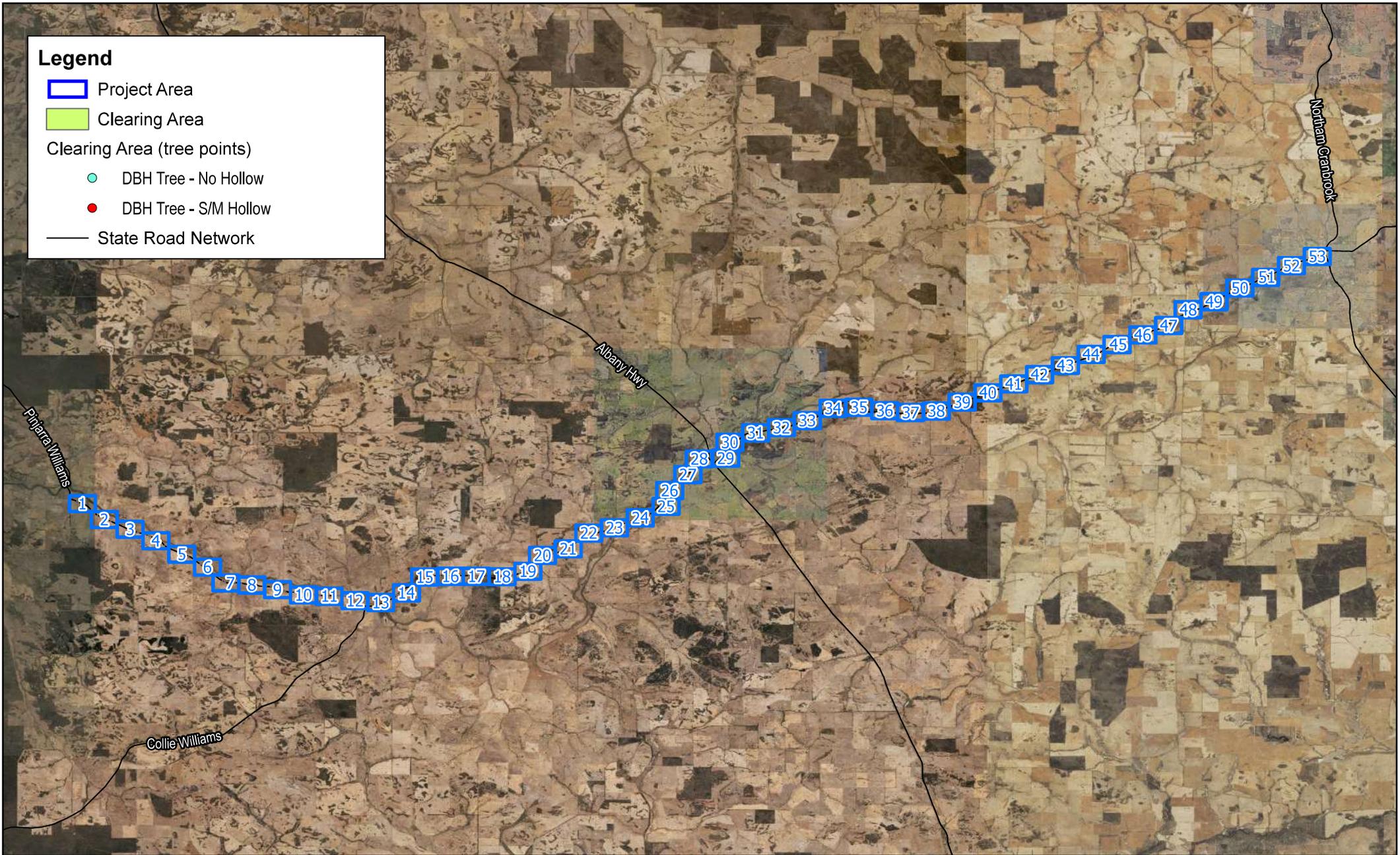
Table 1 - Clearing totals to date

Report No	Reporting Period	Total cleared land containing Black Cockatoo habitat and Red-tailed Phascogale habitat (ha)	Total number of potential nesting trees were cleared	Total number of trees cleared with small to medium hollows	Total number of small to medium hollows salvaged and installed in Road Reserve
1	02 Feb 2021 - 02 Feb 2022	1.80	166	15	0
2	02 Feb 2022 - 01 Feb 2023	0.17	30	0	14
3	02 Feb 2023 - 01 Feb 2024	0.00	0	0	0
Total		1.97	196	15	14

Appendix 2 – Figure and photos of installed Red-tailed Phascogale habitat logs

Legend

-  Project Area
-  Clearing Area
- Clearing Area (tree points)
 -  DBH Tree - No Hollow
 -  DBH Tree - S/M Hollow
-  State Road Network



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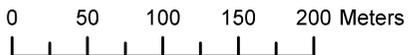
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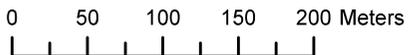




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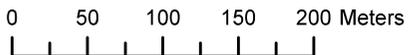
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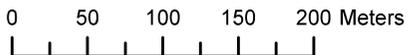
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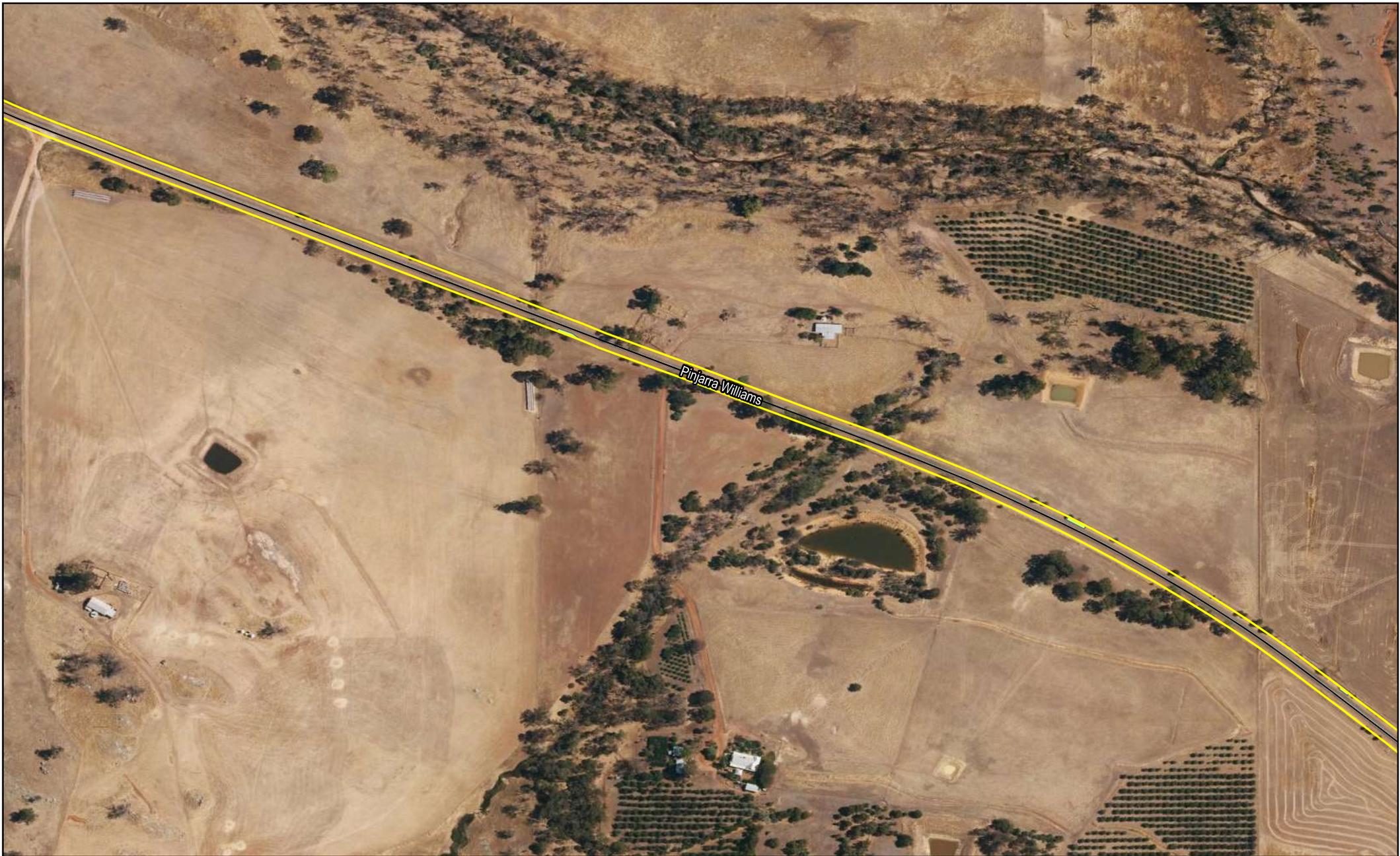
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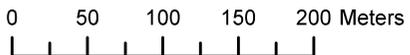




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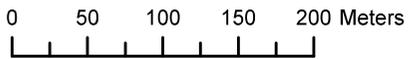
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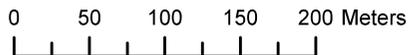
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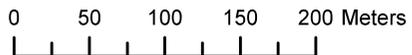
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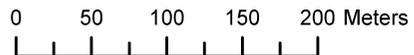


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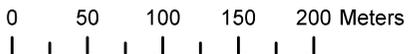
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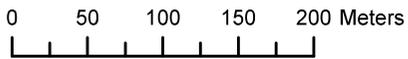




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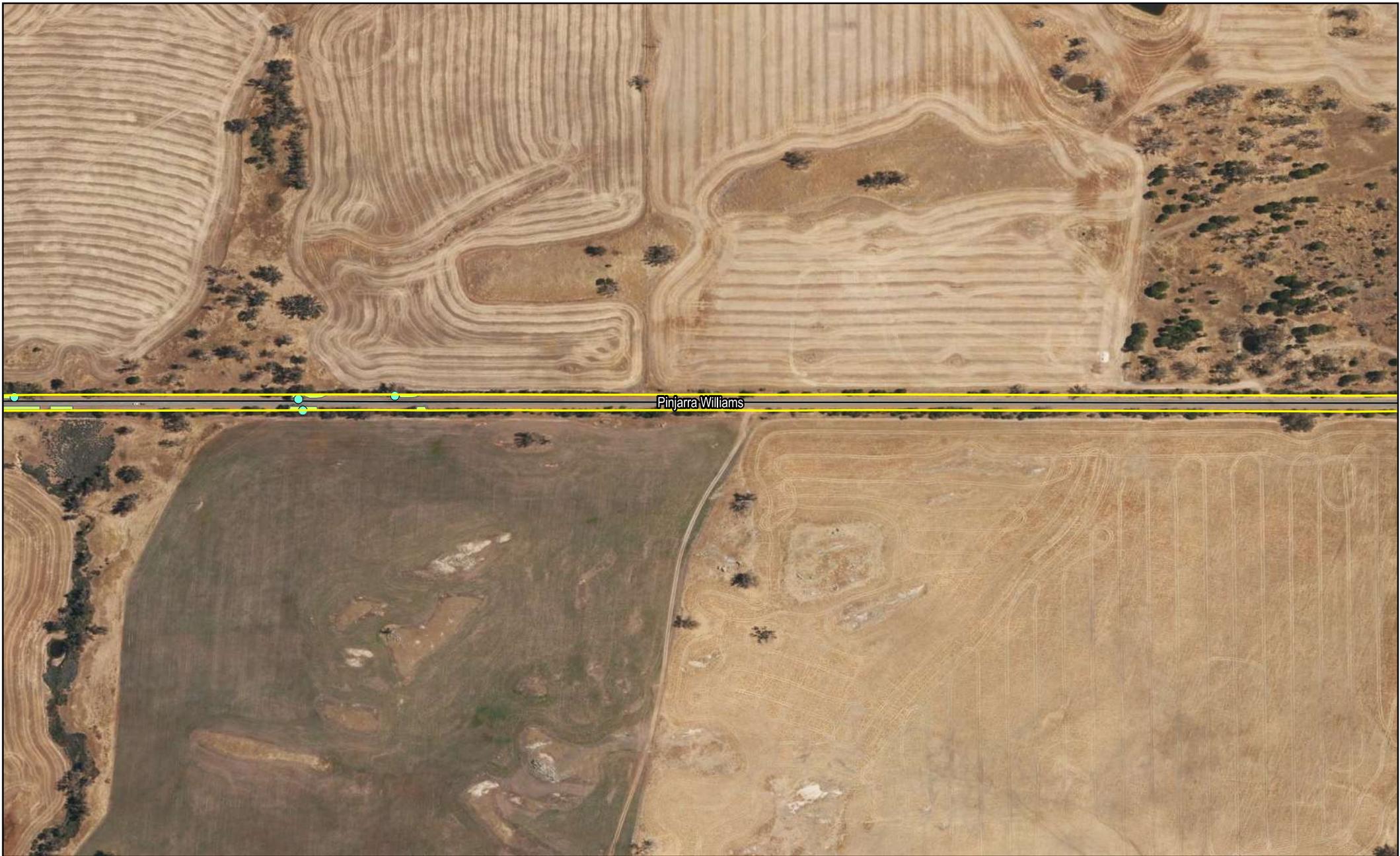
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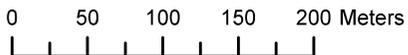
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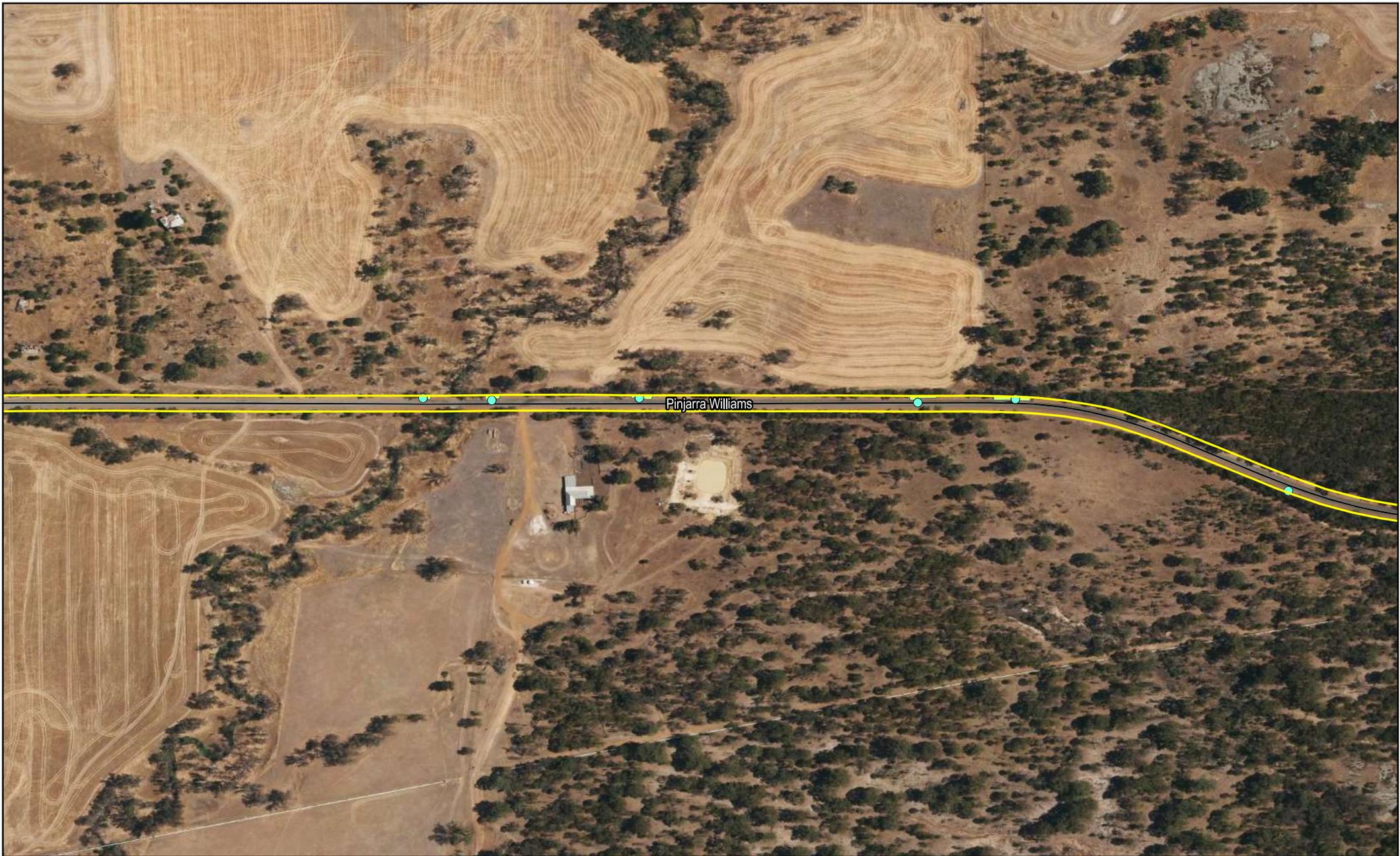
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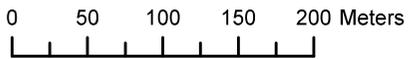




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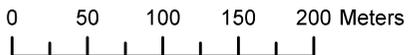
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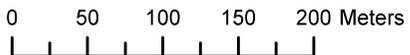
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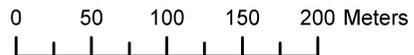


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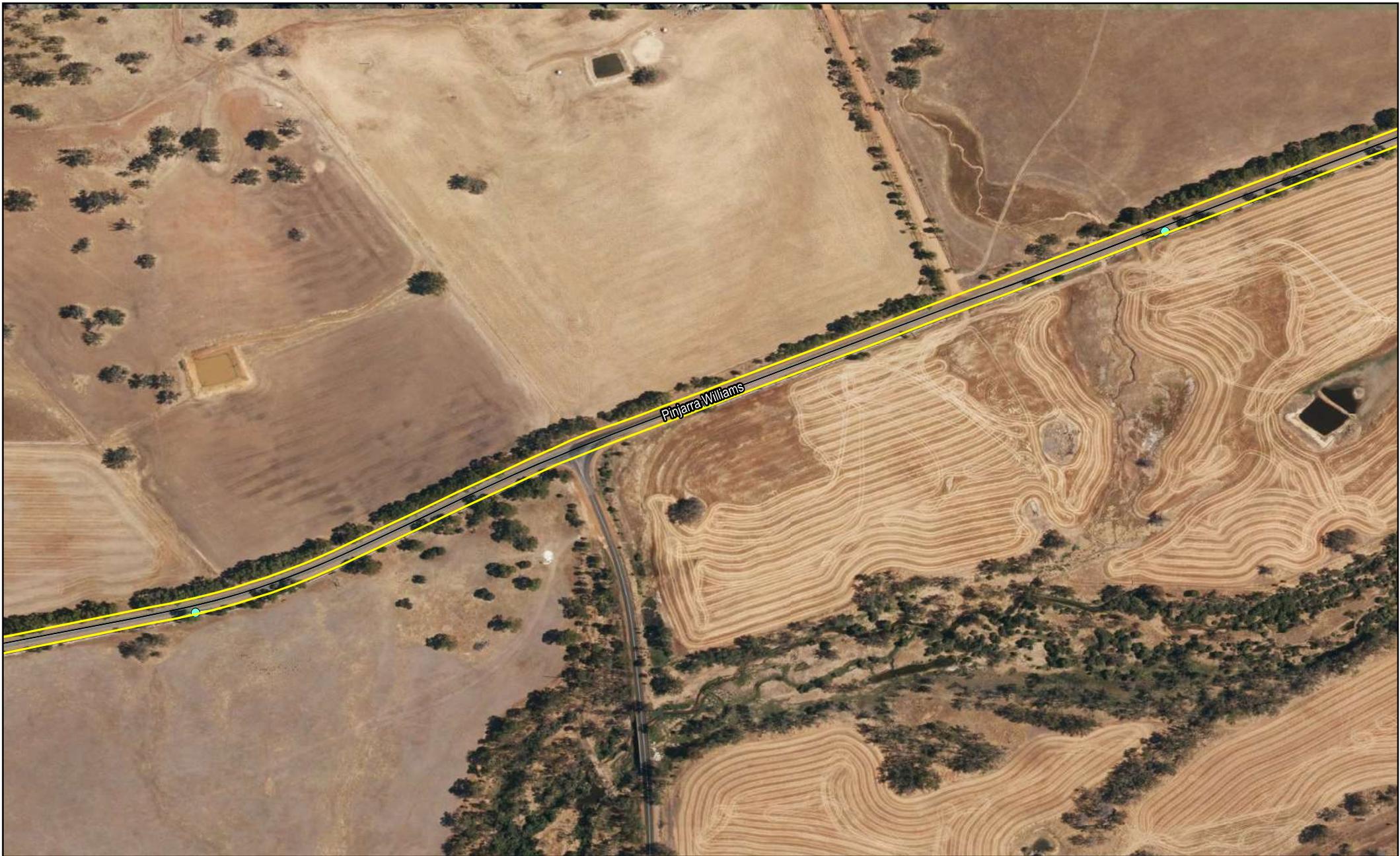
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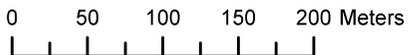
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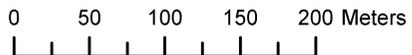
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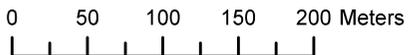
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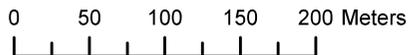
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Author: E200292



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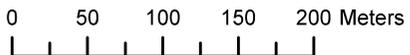




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Created Date: 20/04/2022
Author: E200292

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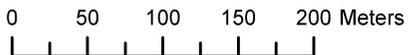
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Author: E200292

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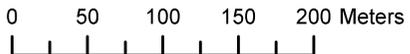
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Author: E200292

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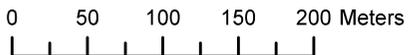
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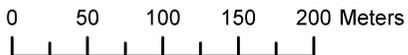
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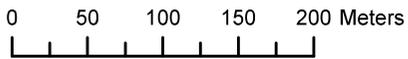
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Created Date: 20/04/2022
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Created Date: 20/04/2022
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0 50 100 150 200 Meters



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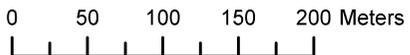
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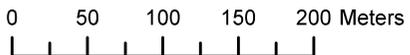
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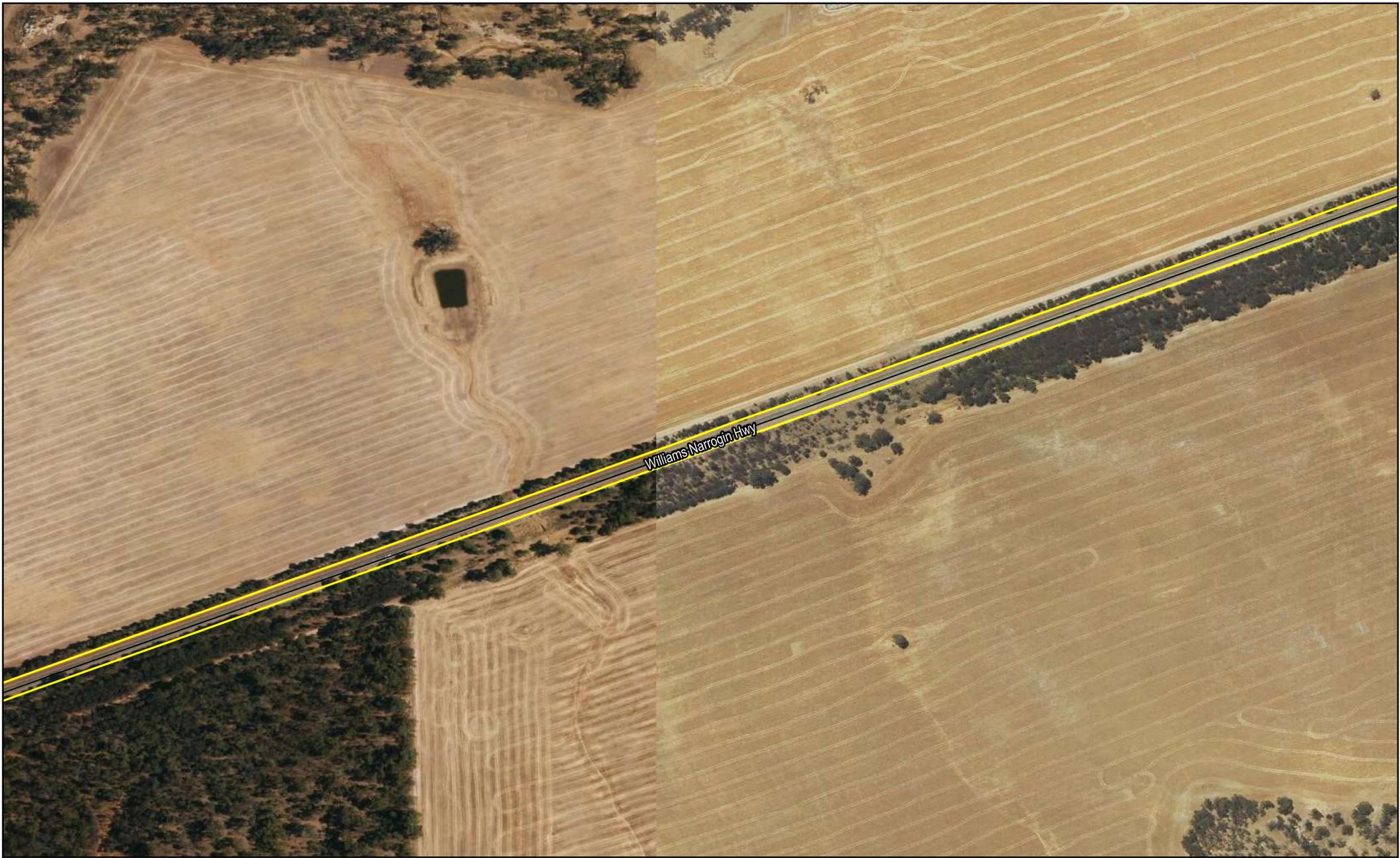
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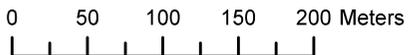
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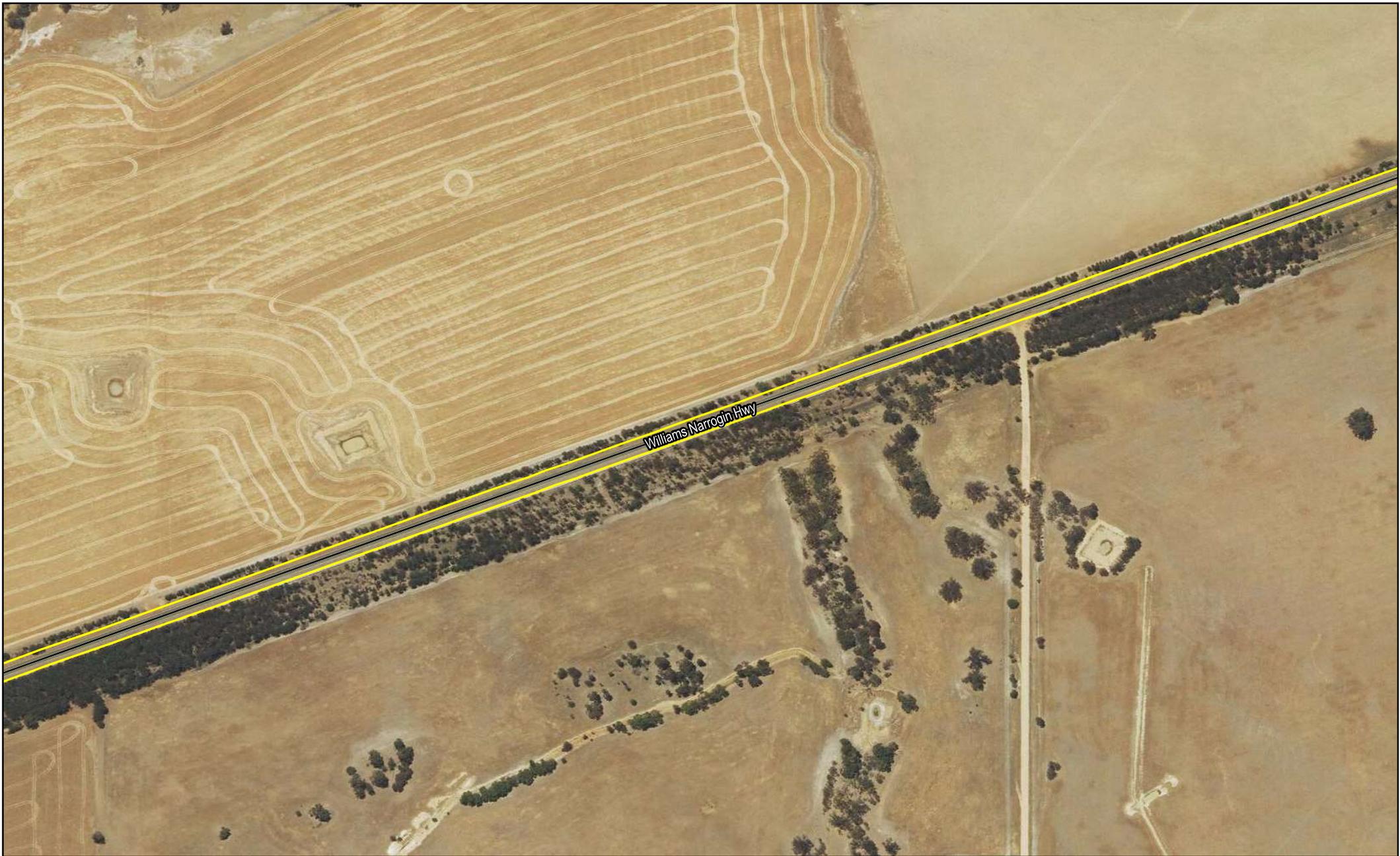


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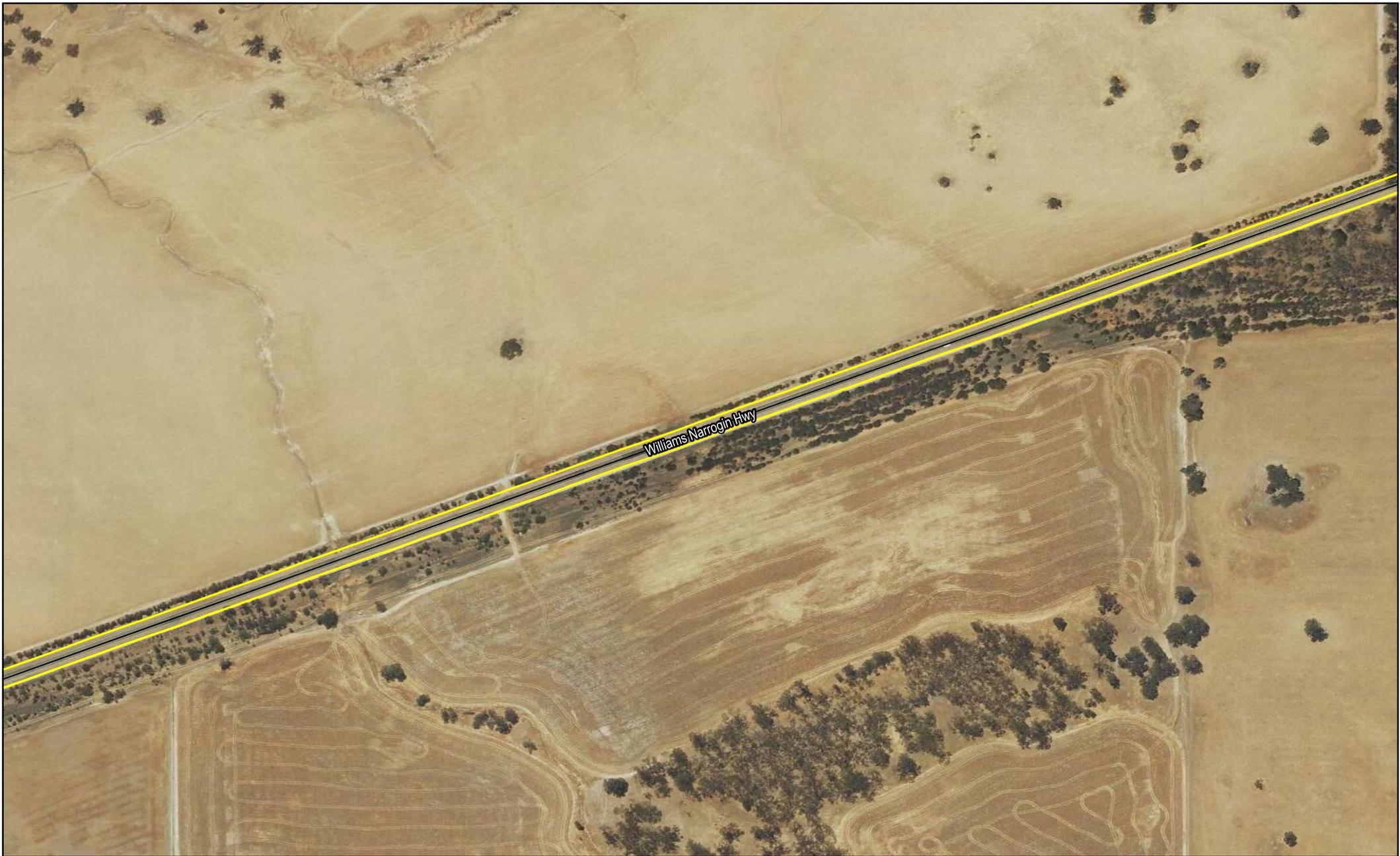
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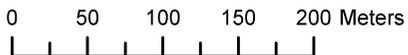
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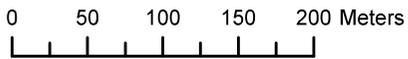
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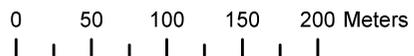




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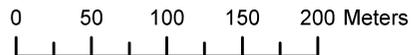


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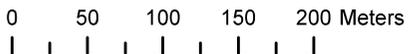
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Created Date: 20/04/2022
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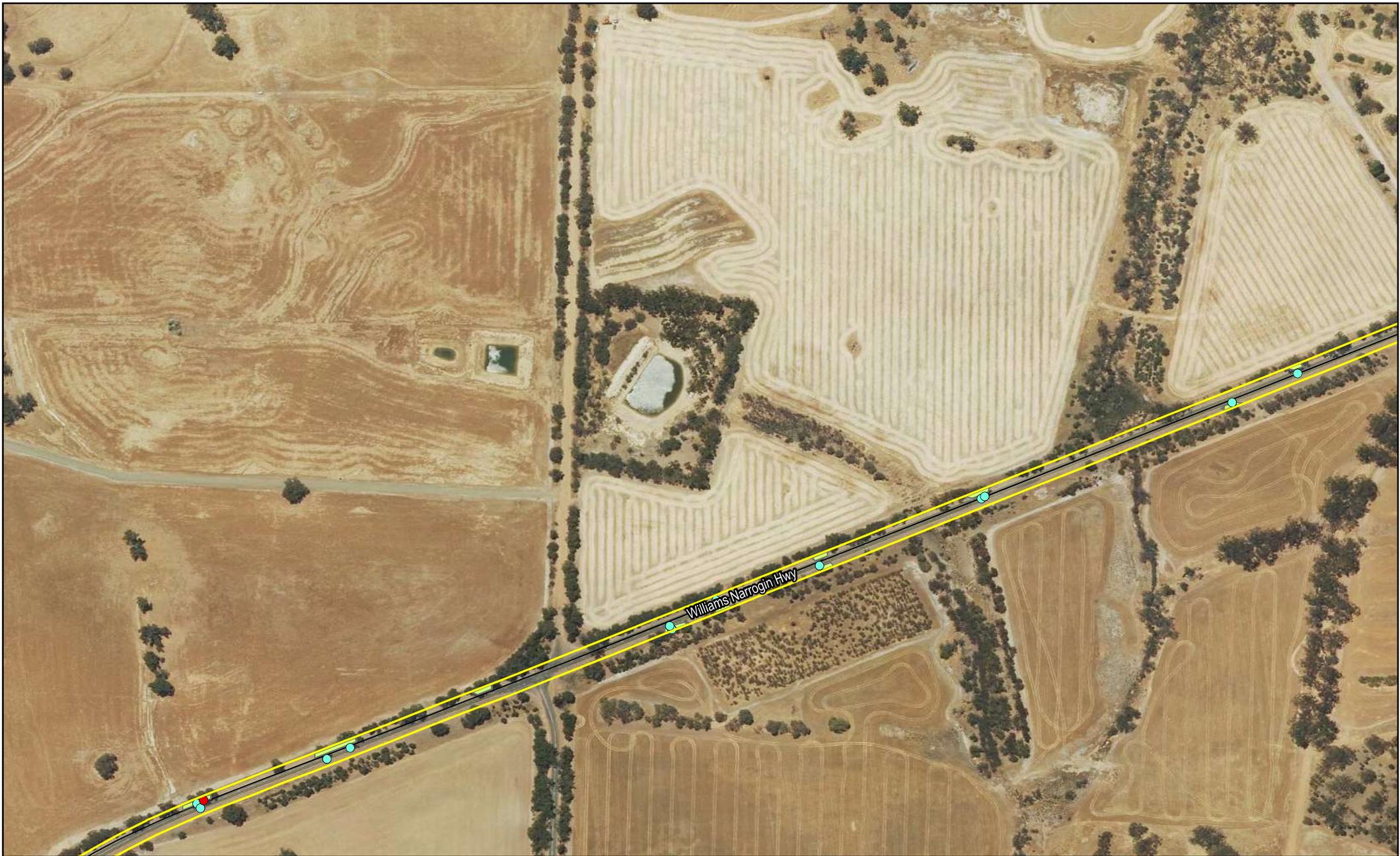
Maintenance Zone Establishment Project

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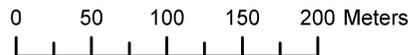


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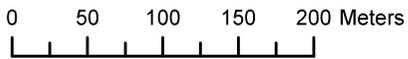
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Maintenance Zone Establishment Project

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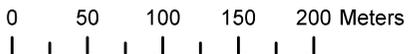
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Author: E200292

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N
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0 50 100 150 200 Meters



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Williams Narrogin Hwy



Coordinate System: GCS GDA 1994
Scale: 1:5,000 @ A4
Created Date: 20/04/2022
Author: E200292

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0 50 100 150 200 Meters



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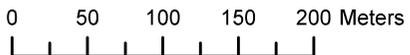




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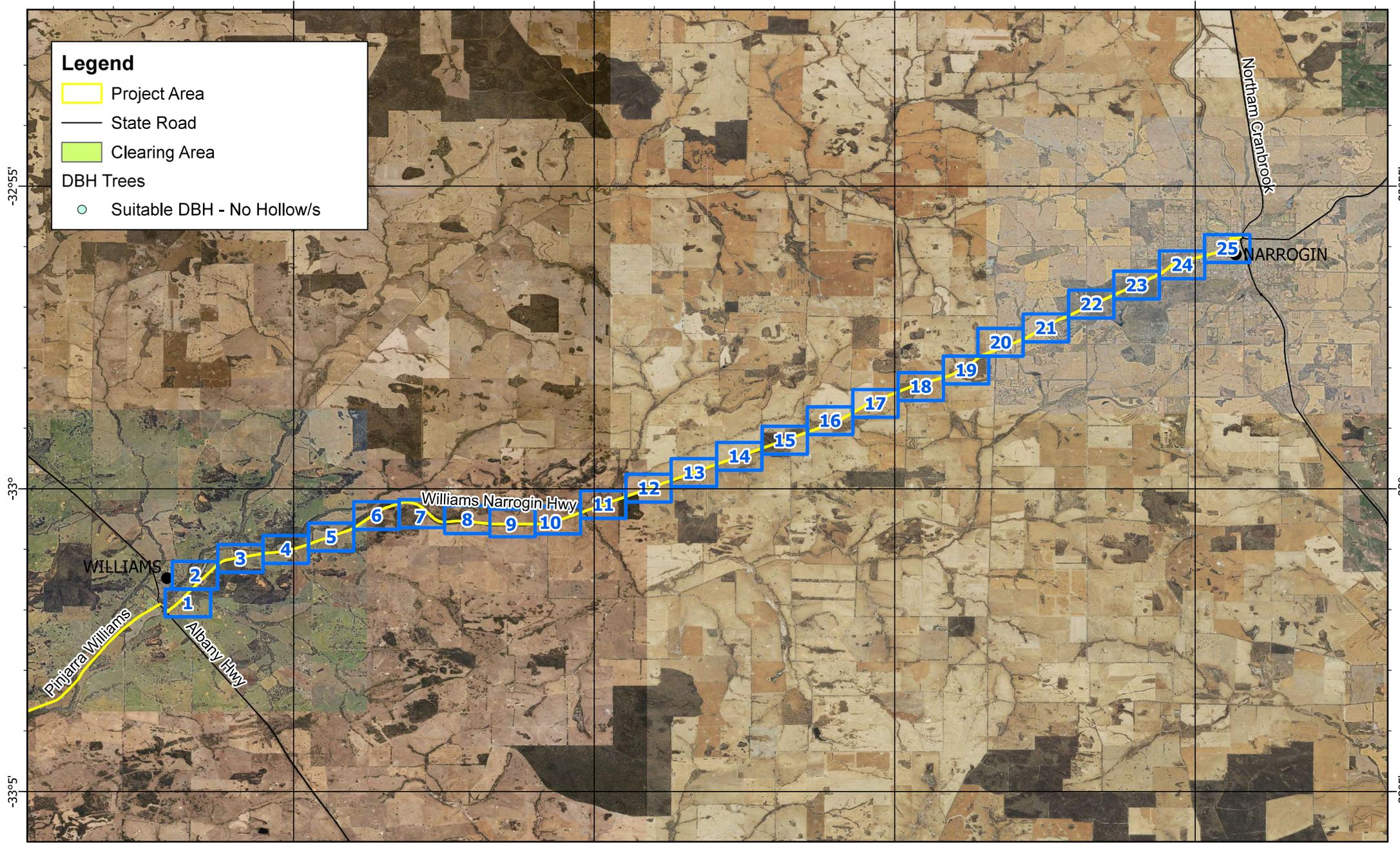
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Legend

-  Project Area
-  State Road
-  Clearing Area
- DBH Trees
 -  Suitable DBH - No Hollow/s




 Coordinate System: GCS GDA 1994
 Scale: 1:150,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

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Legend

- Project Area
- State Road
- Clearing Area

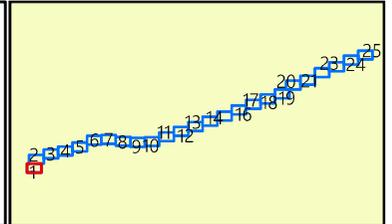
DBH Trees

- Suitable DBH - No Hollow/s

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EPBC 2016/7698 - Maintenance Zone Establishment Project

Clearing to date 2024

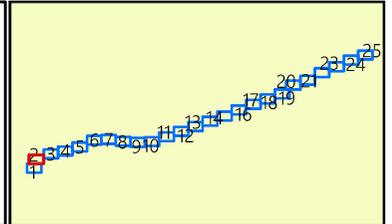
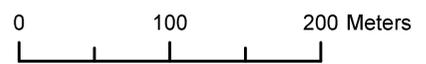




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Clearing to date 2024

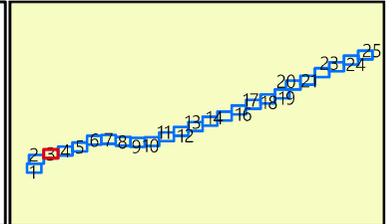
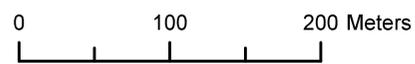




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Clearing to date 2024

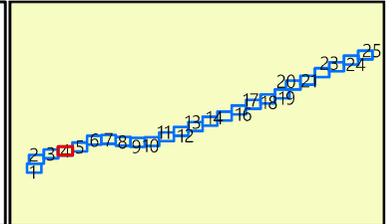
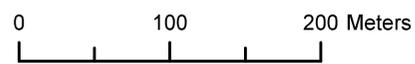




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Clearing to date 2024

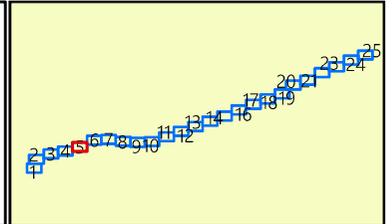
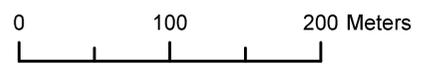




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116°56'5" 116°56'10" 116°56'15" 116°56'20" 116°56'25" 116°56'30" 116°56'35" 116°56'40" 116°56'45"

-33°0'15"
-33°0'20"
-33°0'25"
-33°0'30"
-33°0'35"
-33°0'40"

-33°0'15"
-33°0'20"
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Legend

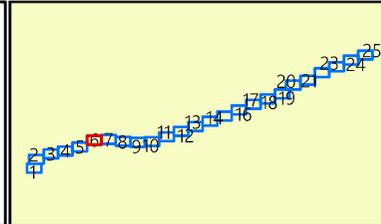
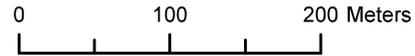
-  Project Area
-  State Road
-  Clearing Area
- DBH Trees
 -  Suitable DBH - No Hollow/s



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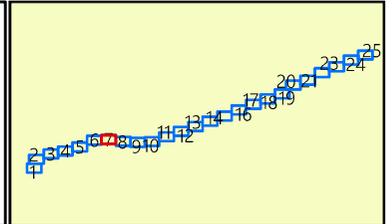
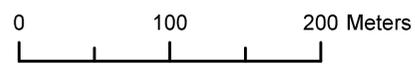
Legend

- Project Area
- State Road
- Clearing Area
- DBH Trees
- Suitable DBH - No Hollow/s

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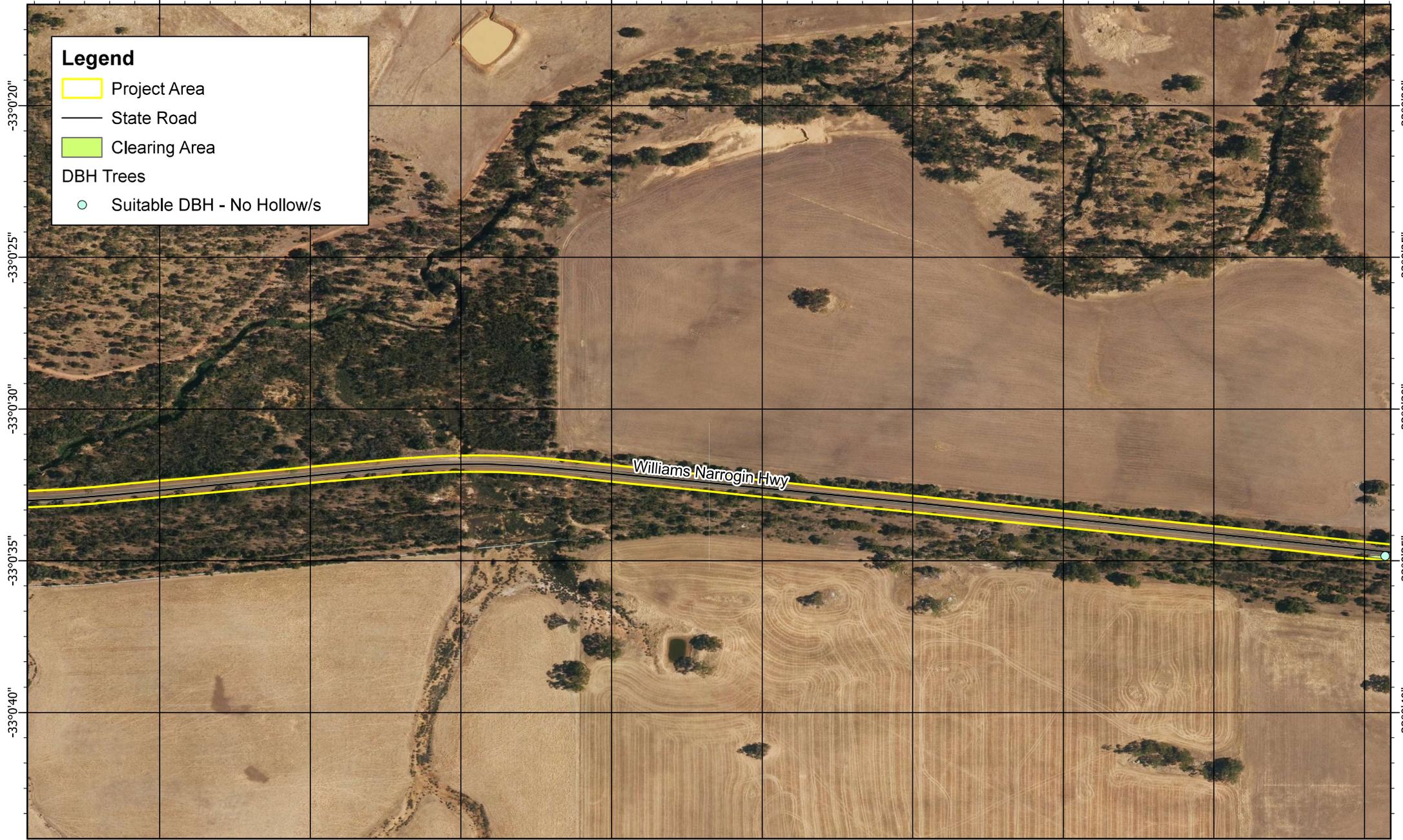
Clearing to date 2024



116°57'35" 116°57'40" 116°57'45" 116°57'50" 116°57'55" 116°58' 116°58'5" 116°58'10" 116°58'15"

Legend

-  Project Area
-  State Road
-  Clearing Area
- DBH Trees
 -  Suitable DBH - No Hollow/s

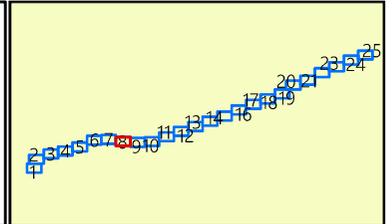


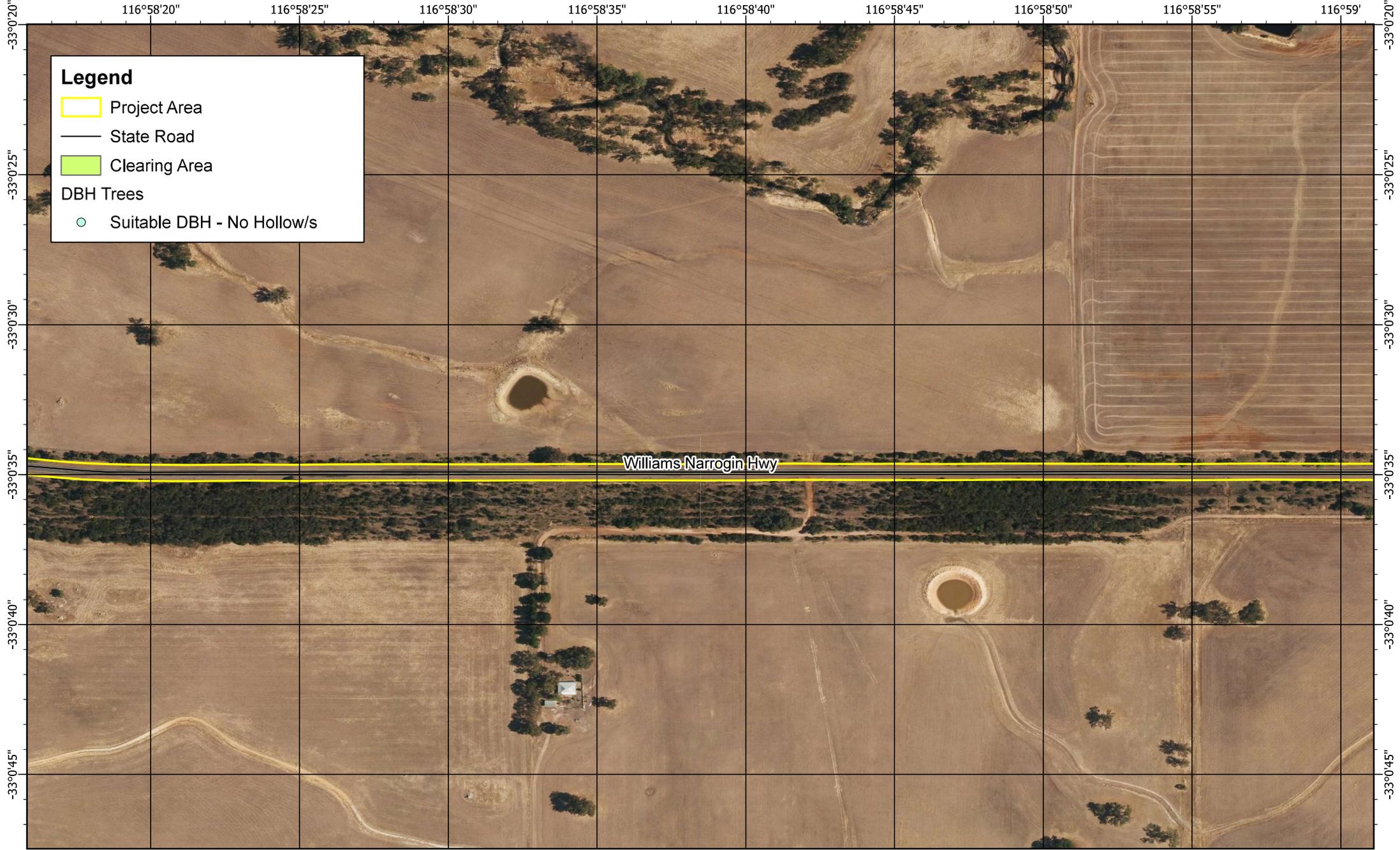

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 Scale: 1:5,000 @ A4
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 Author: E200292

0 100 200 Meters

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Legend

- Project Area
- State Road
- Clearing Area
- DBH Trees
- Suitable DBH - No Hollow/s

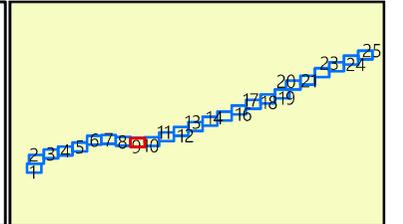
Williams Narrogin Hwy

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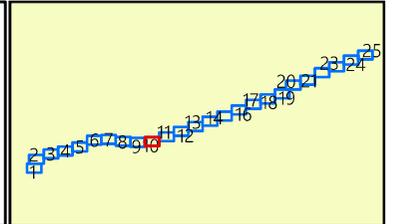
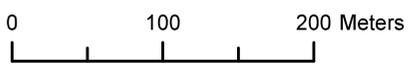




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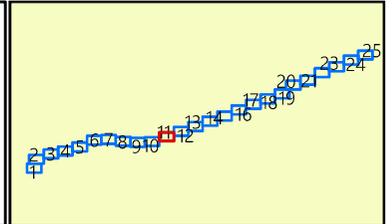
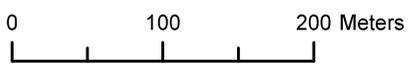




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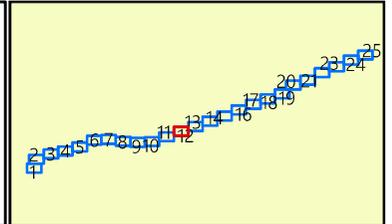
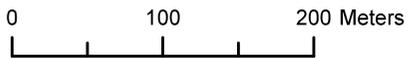




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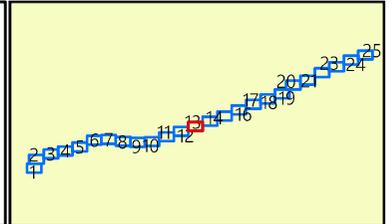
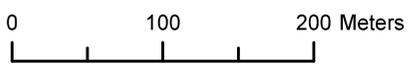


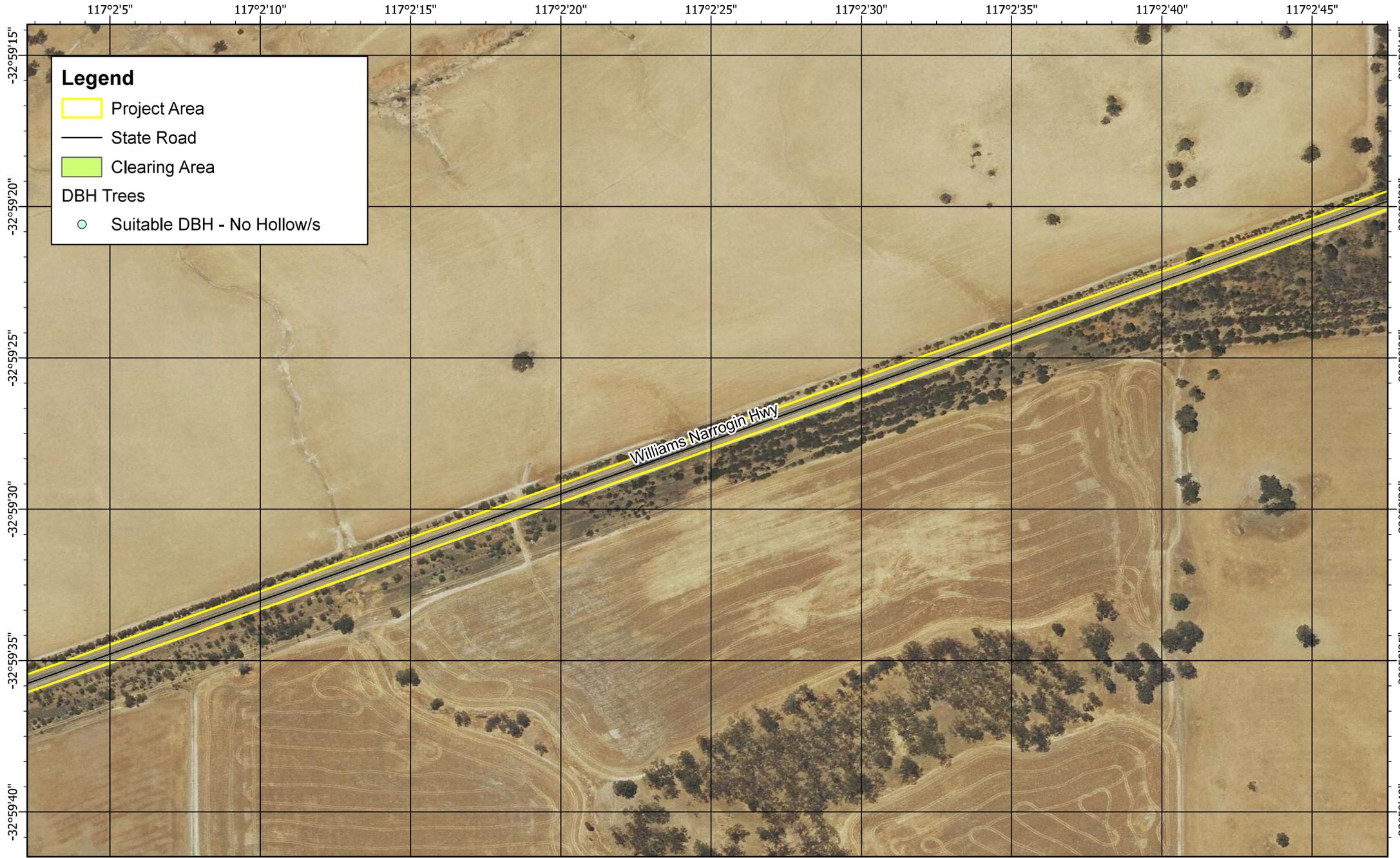


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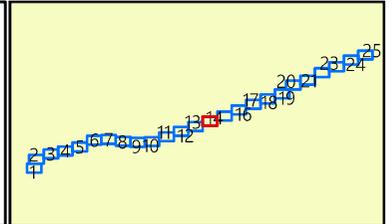
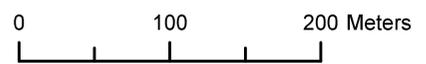


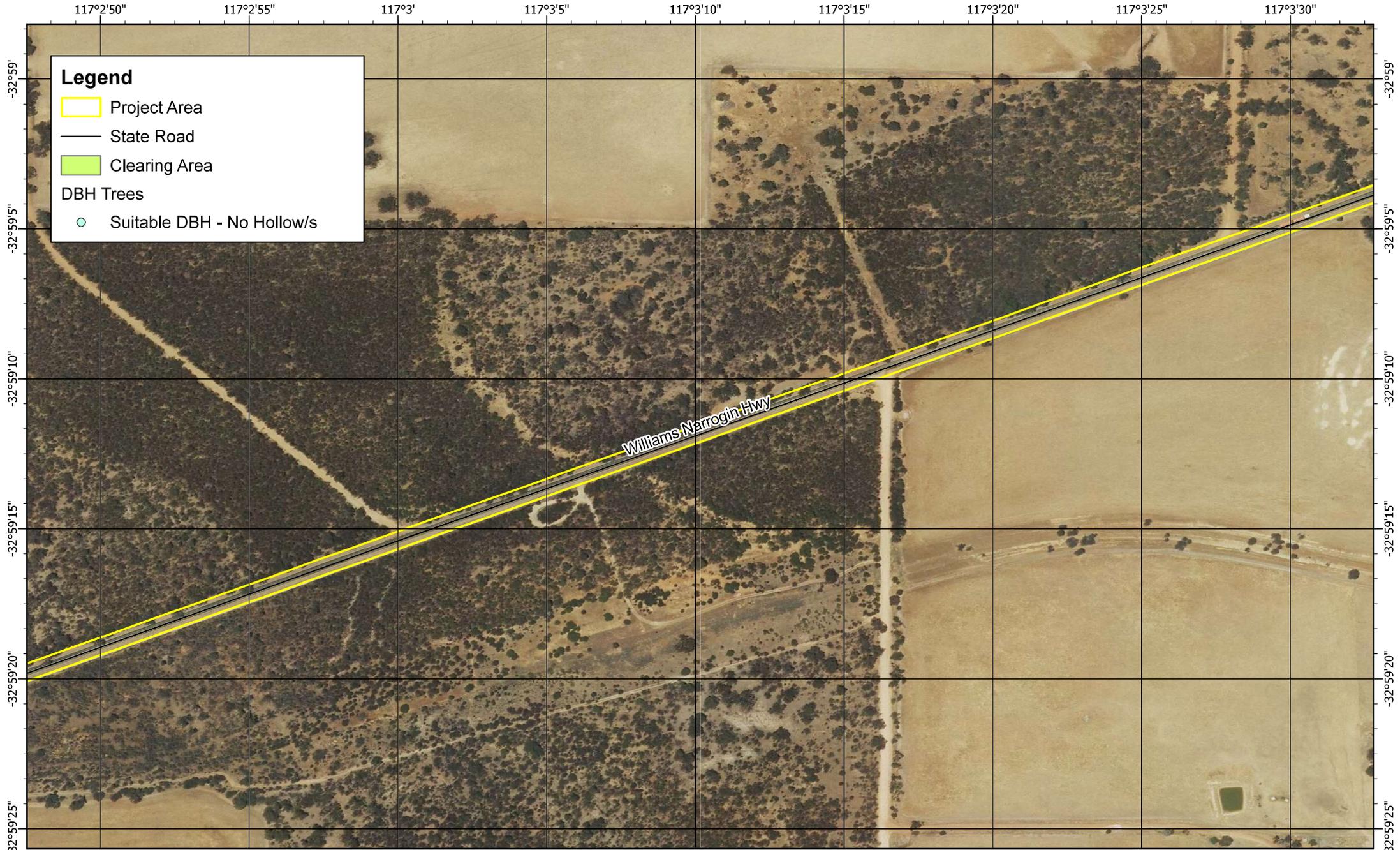


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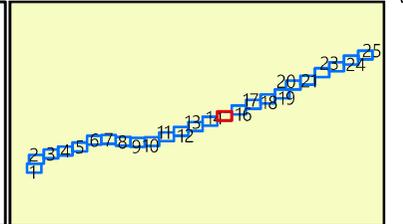
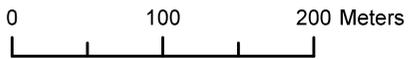


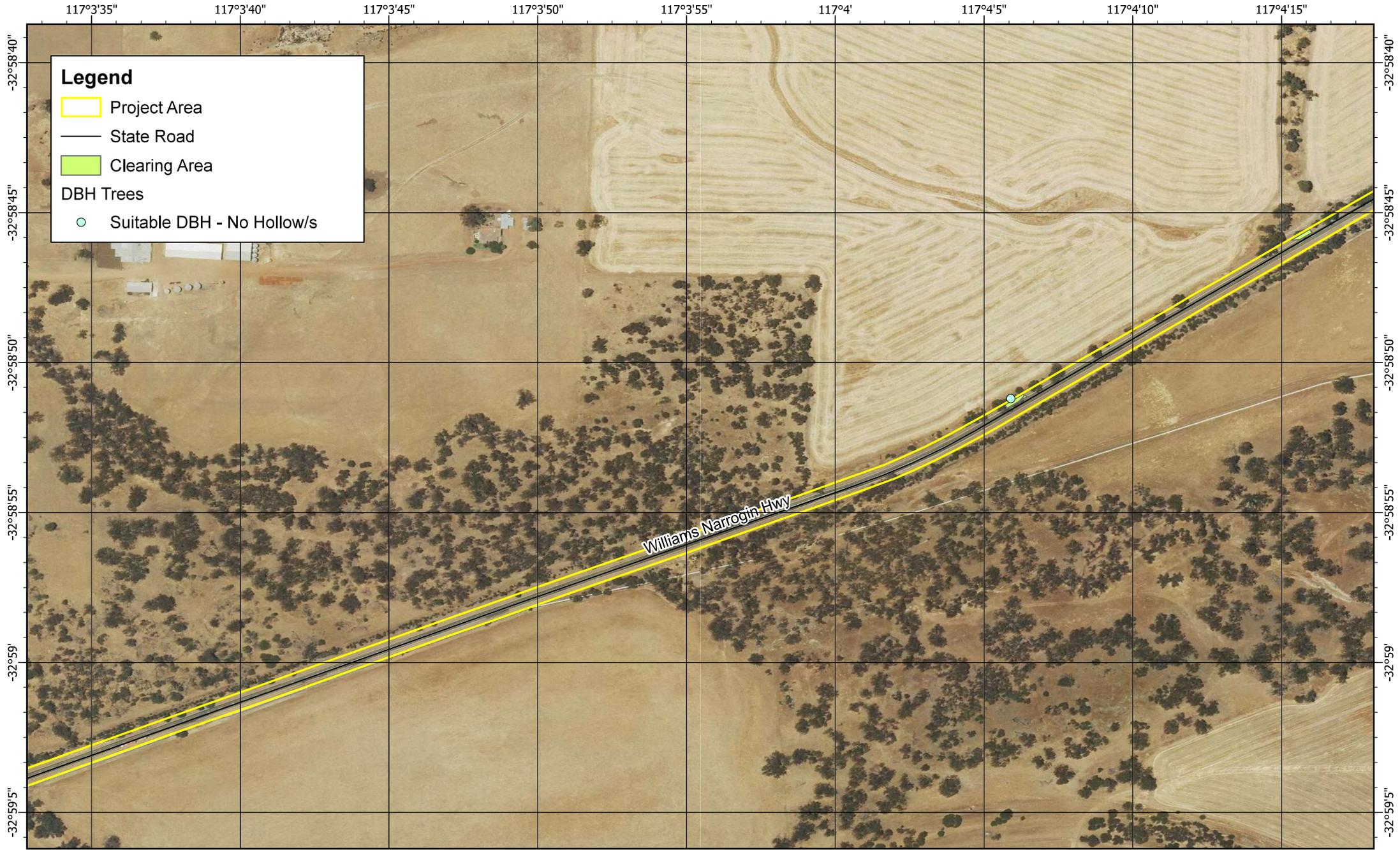


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Clearing to date 2024

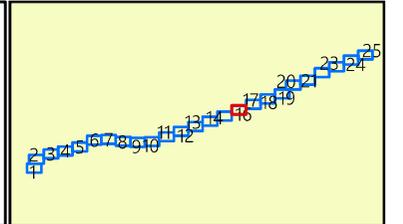
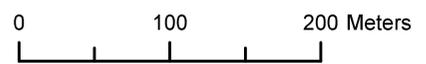


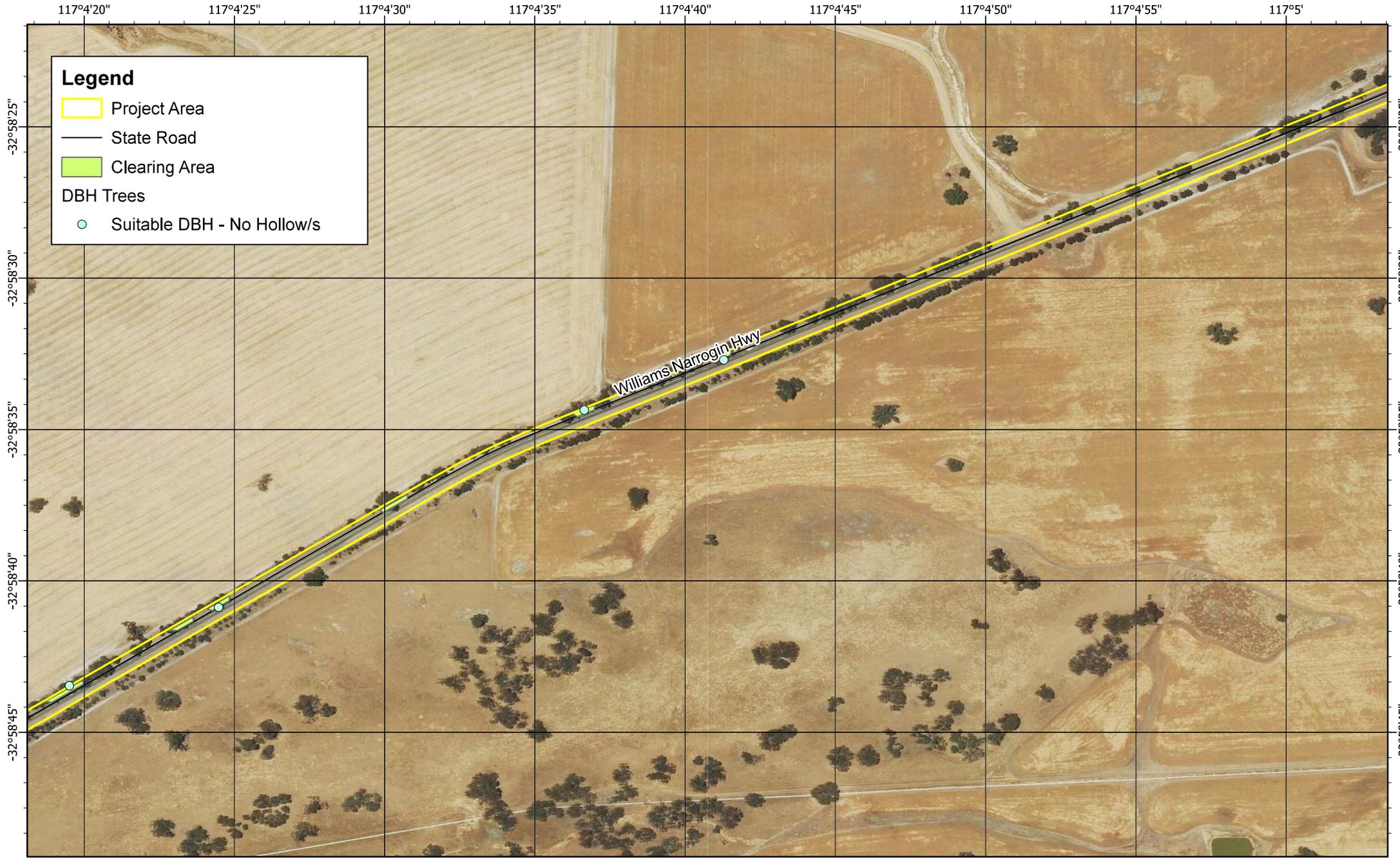


Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

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Clearing to date 2024





Legend

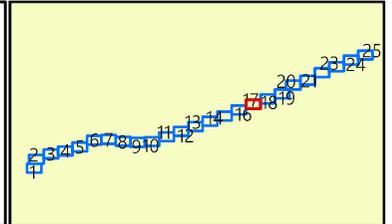
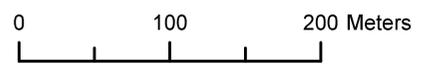
- Project Area
- State Road
- Clearing Area
- DBH Trees
- Suitable DBH - No Hollow/s

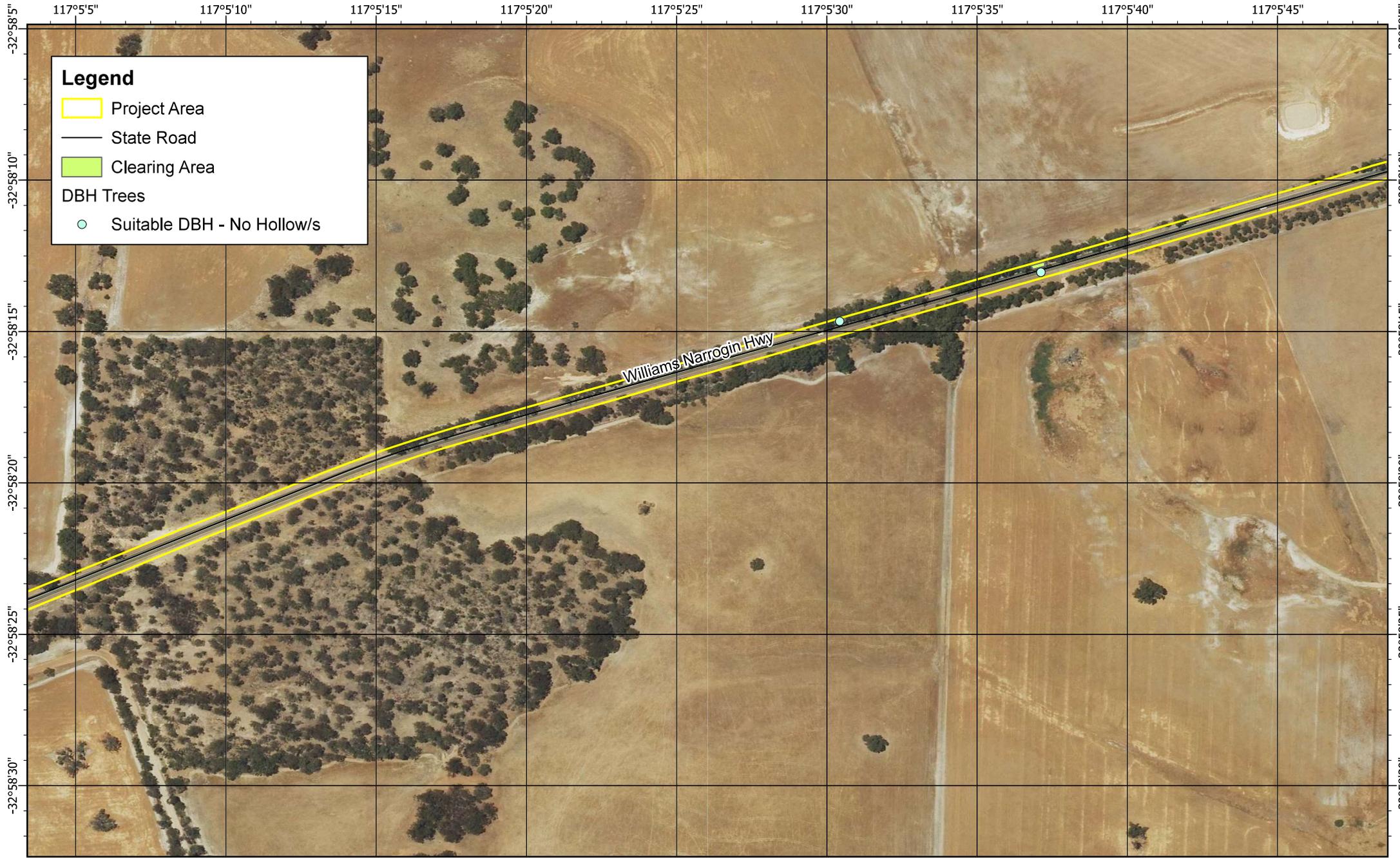
Williams Narrogin Hwy

N
 Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

EPBC 2016/7698 - Maintenance Zone Establishment Project

Clearing to date 2024



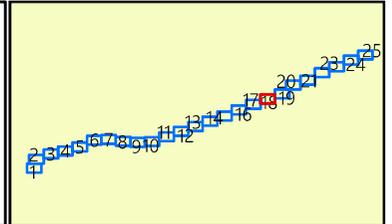


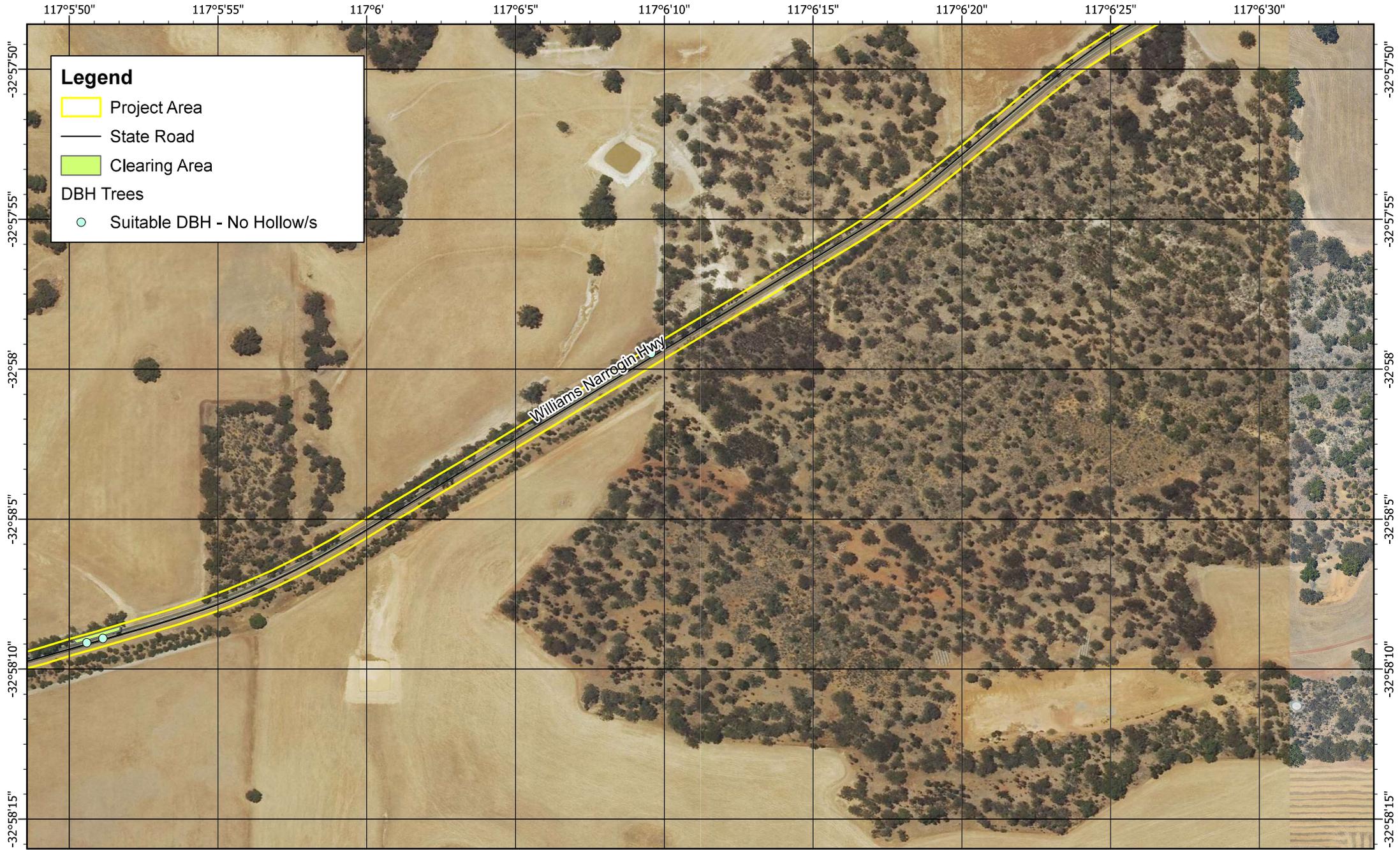
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 Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

0 100 200 Meters

EPBC 2016/7698 - Maintenance Zone Establishment Project

Clearing to date 2024

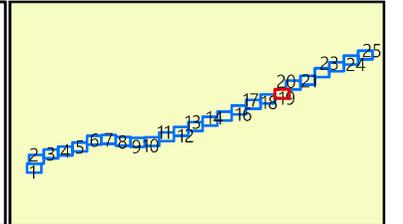
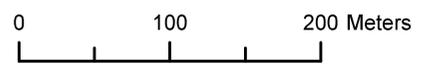




Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

EPBC 2016/7698 - Maintenance Zone Establishment Project

Clearing to date 2024



Legend

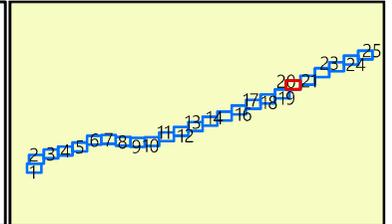
-  Project Area
-  State Road
-  Clearing Area
- DBH Trees
-  Suitable DBH - No Hollow/s




 Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

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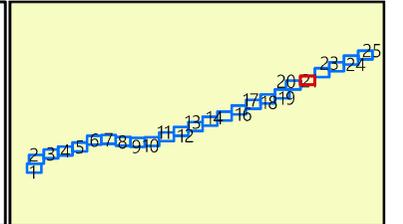
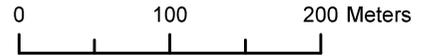


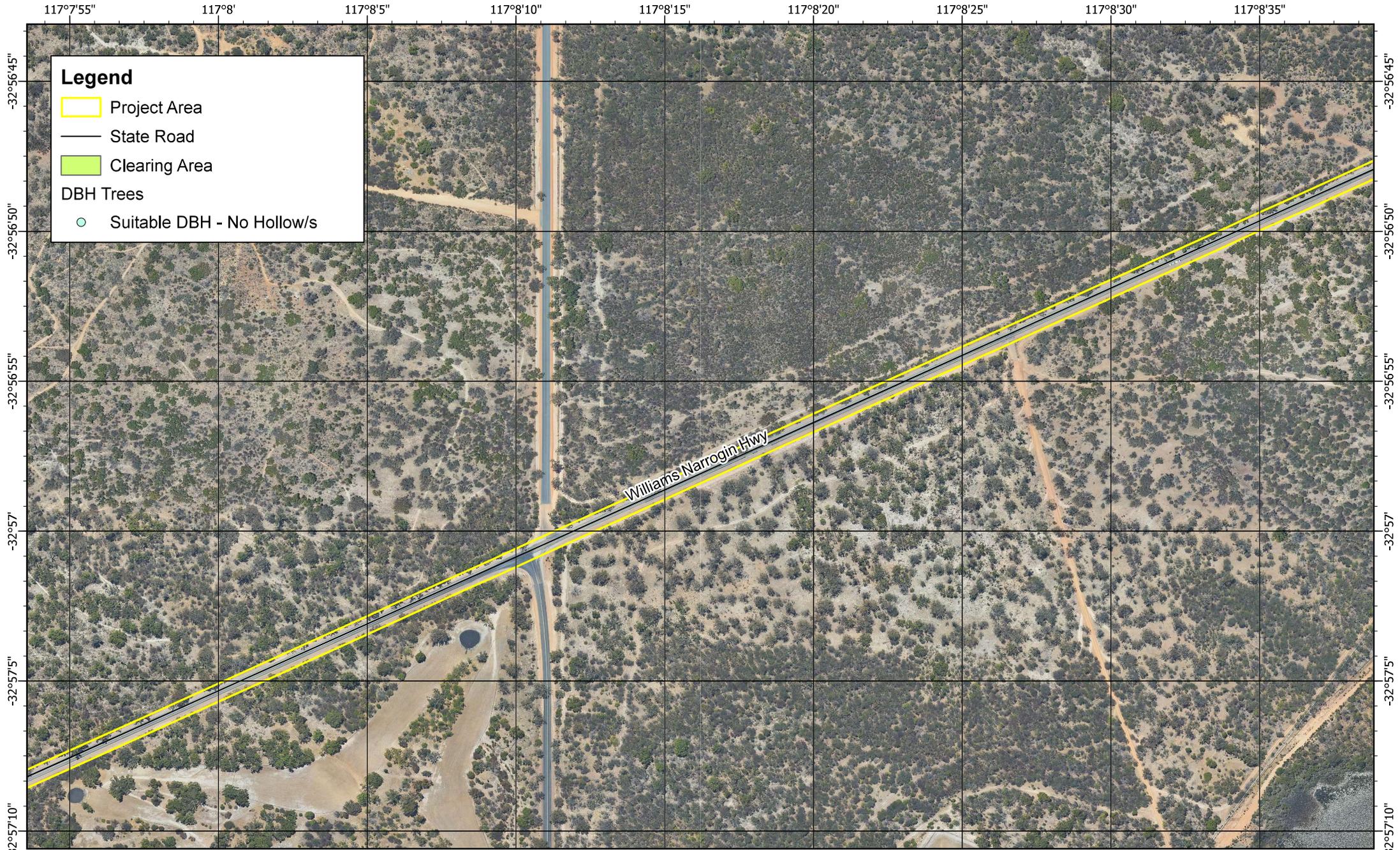


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 Created Date: 24/04/2023
 Author: E200292

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Clearing to date 2024

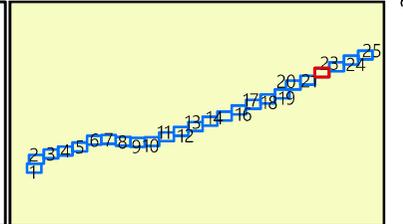
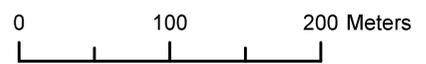


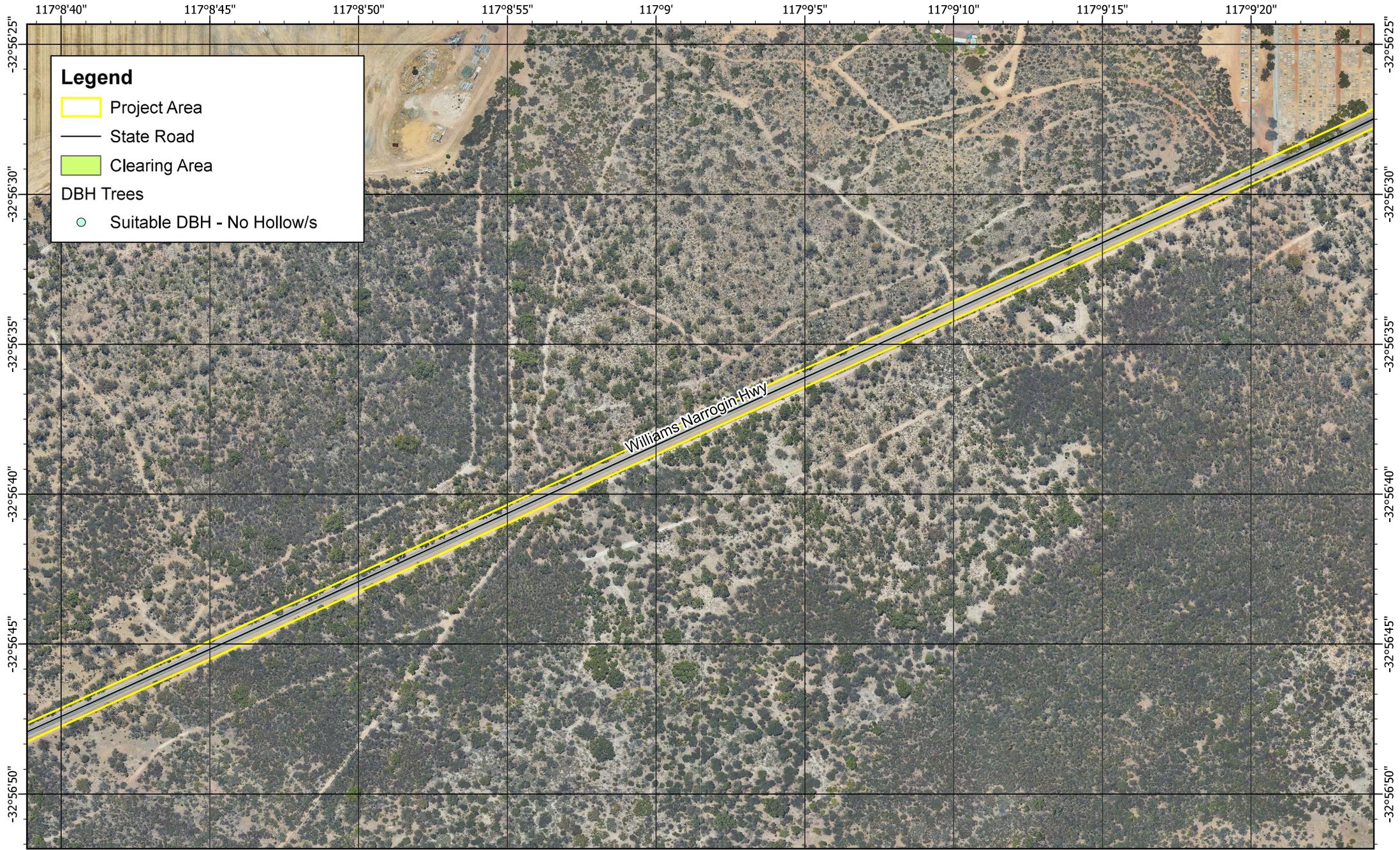


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 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

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Clearing to date 2024

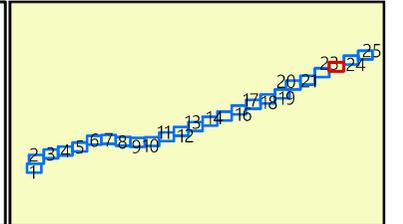
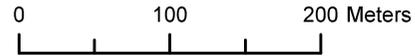


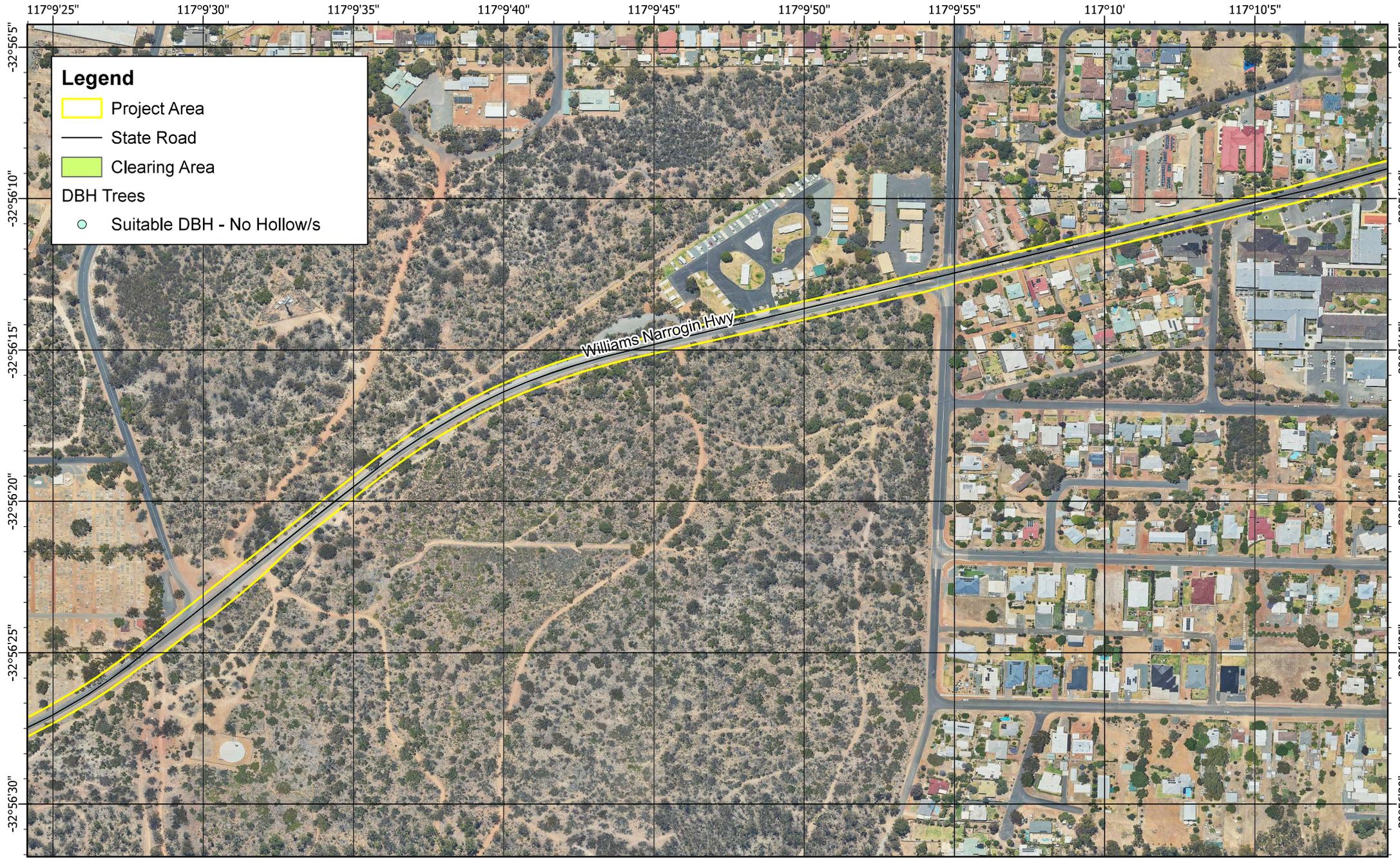


Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

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Clearing to date 2024

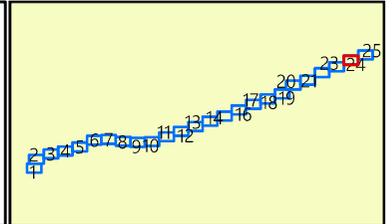
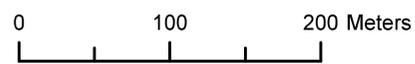


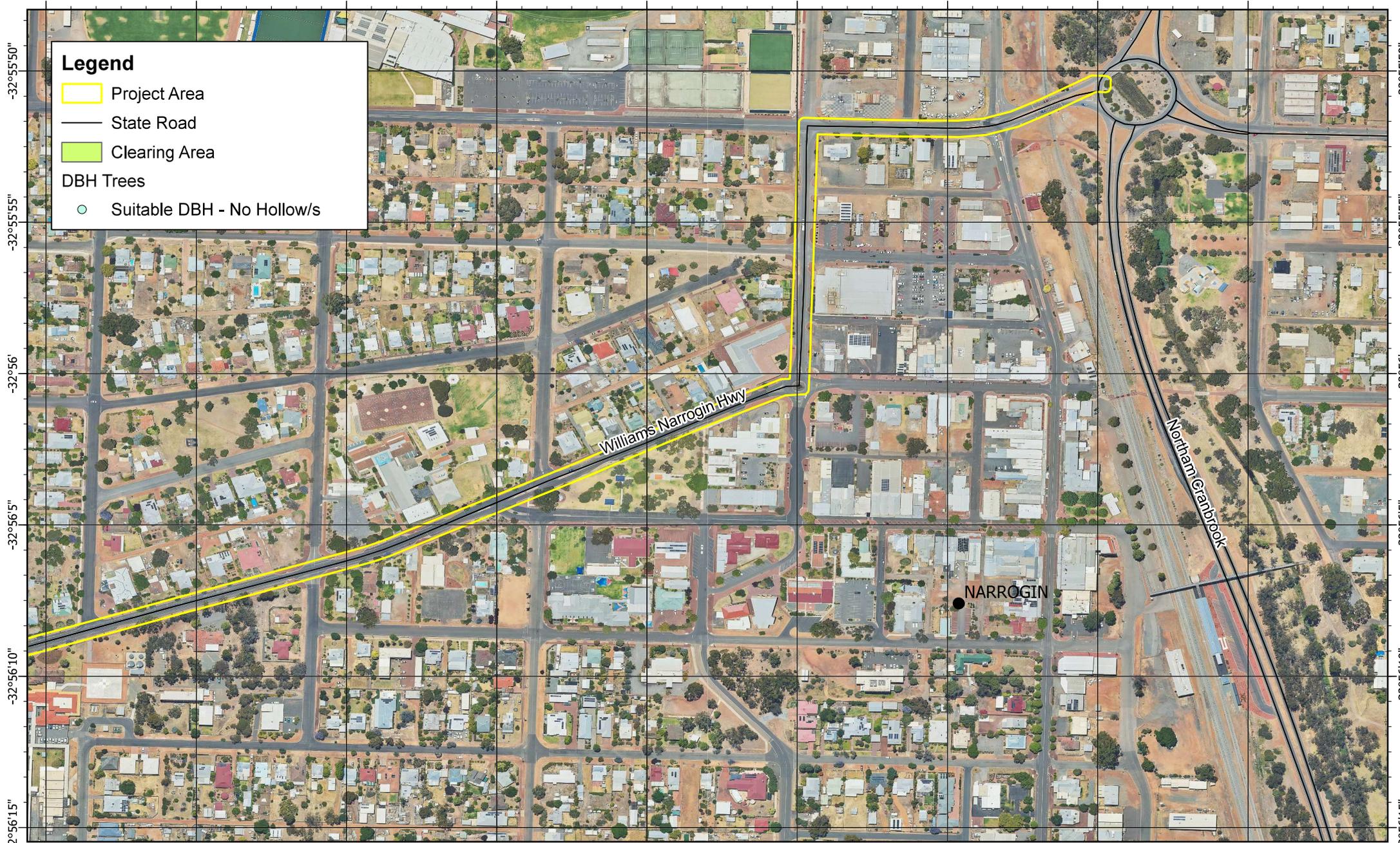


Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

EPBC 2016/7698 - Maintenance Zone Establishment Project

Clearing to date 2024





Legend

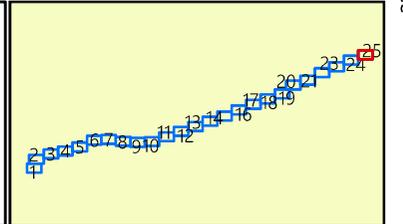
- Project Area
- State Road
- Clearing Area
- DBH Trees
- Suitable DBH - No Hollow/s

N
 Coordinate System: GCS GDA 1994
 Scale: 1:5,000 @ A4
 Created Date: 24/04/2023
 Author: E200292

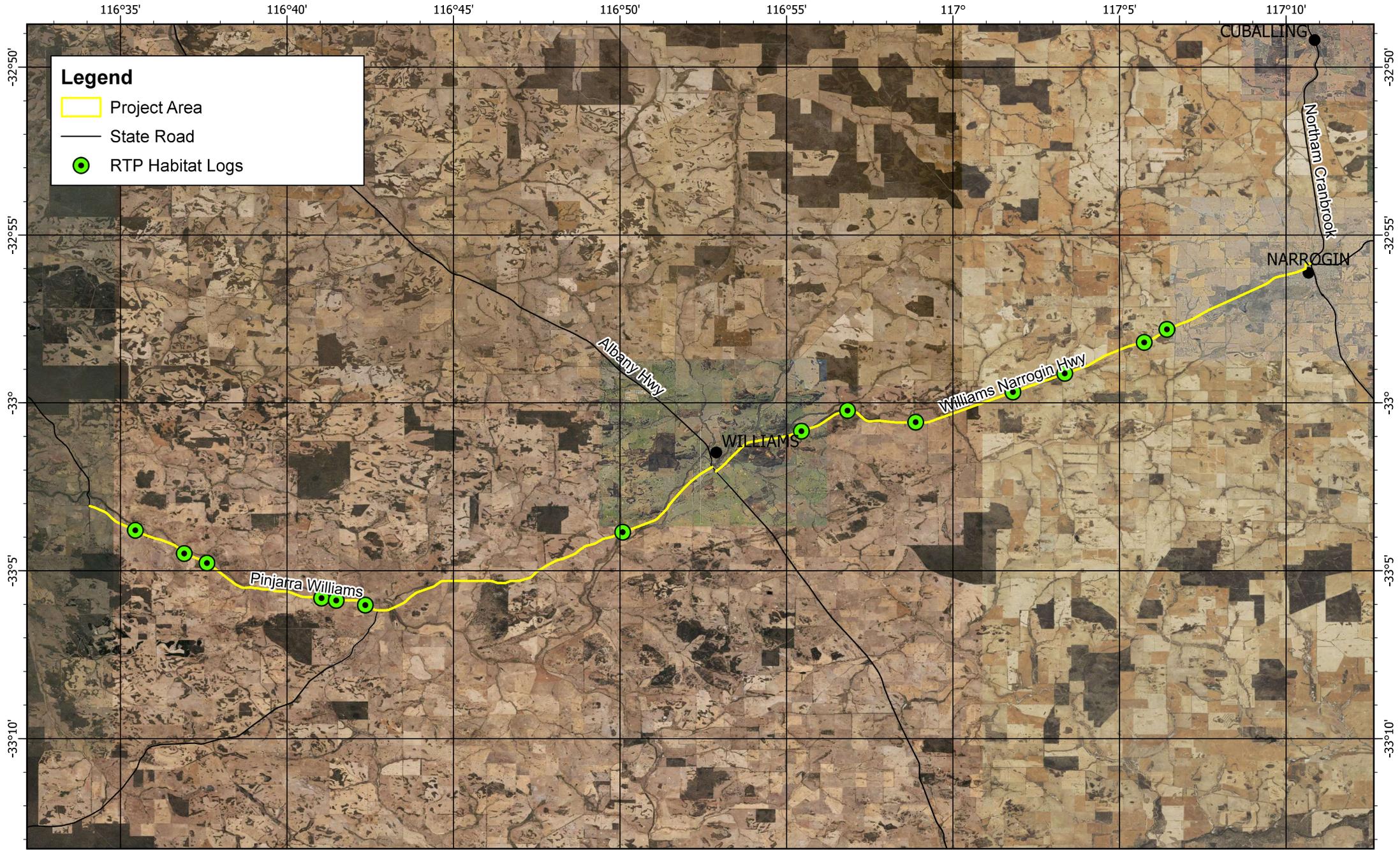
0 100 200 Meters

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Clearing to date 2024



Appendix 2 – Red-tailed Phascogale Habitat Logs



Legend

- Project Area
- State Road
- RTP Habitat Logs

N
 Coordinate System: GCS GDA 1994
 Scale: 1:267,971 @ A4
 Created Date: 24/04/2023
 Author: E200292

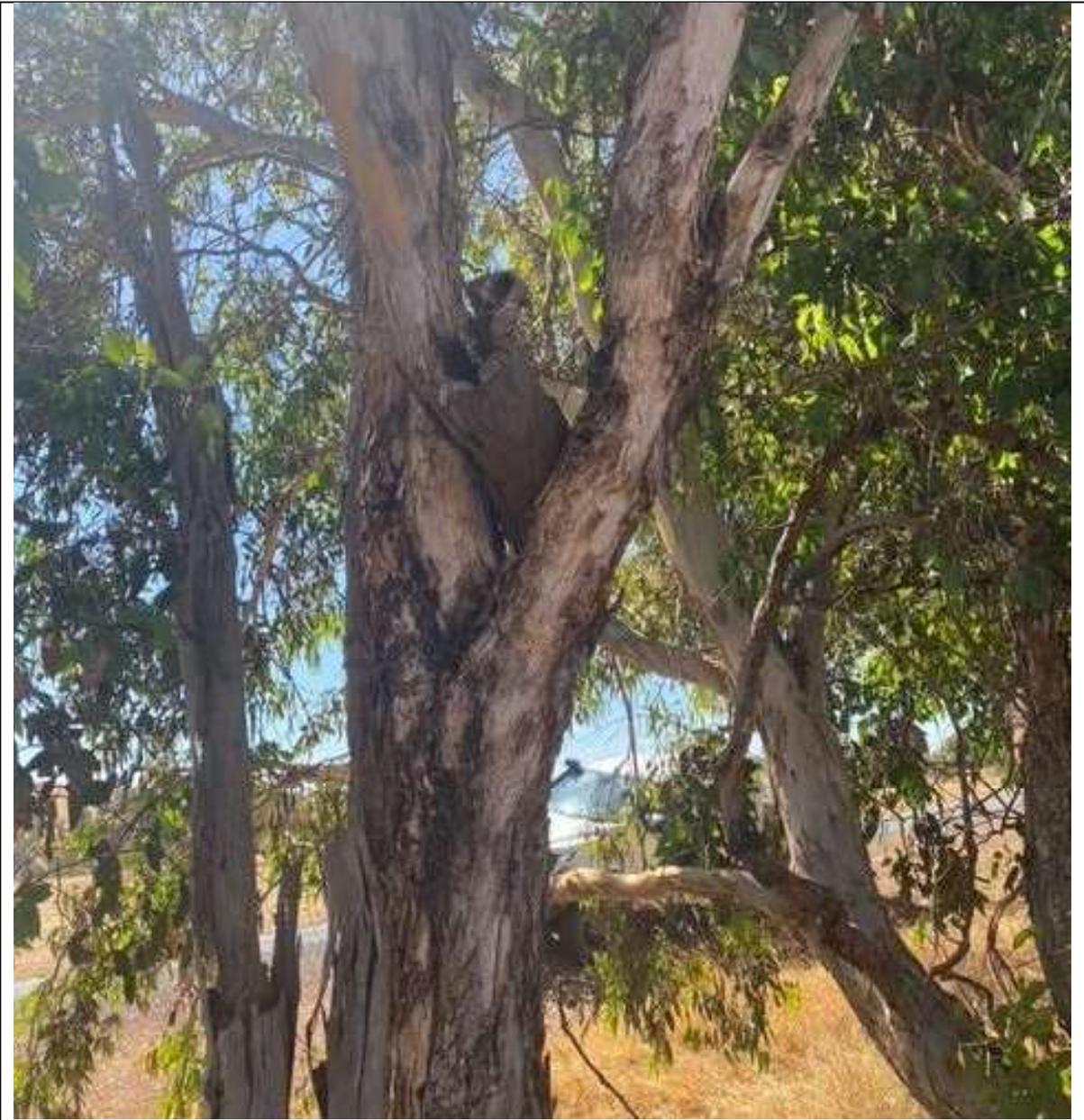
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TRP Habitat Logs - Records to date (2024)

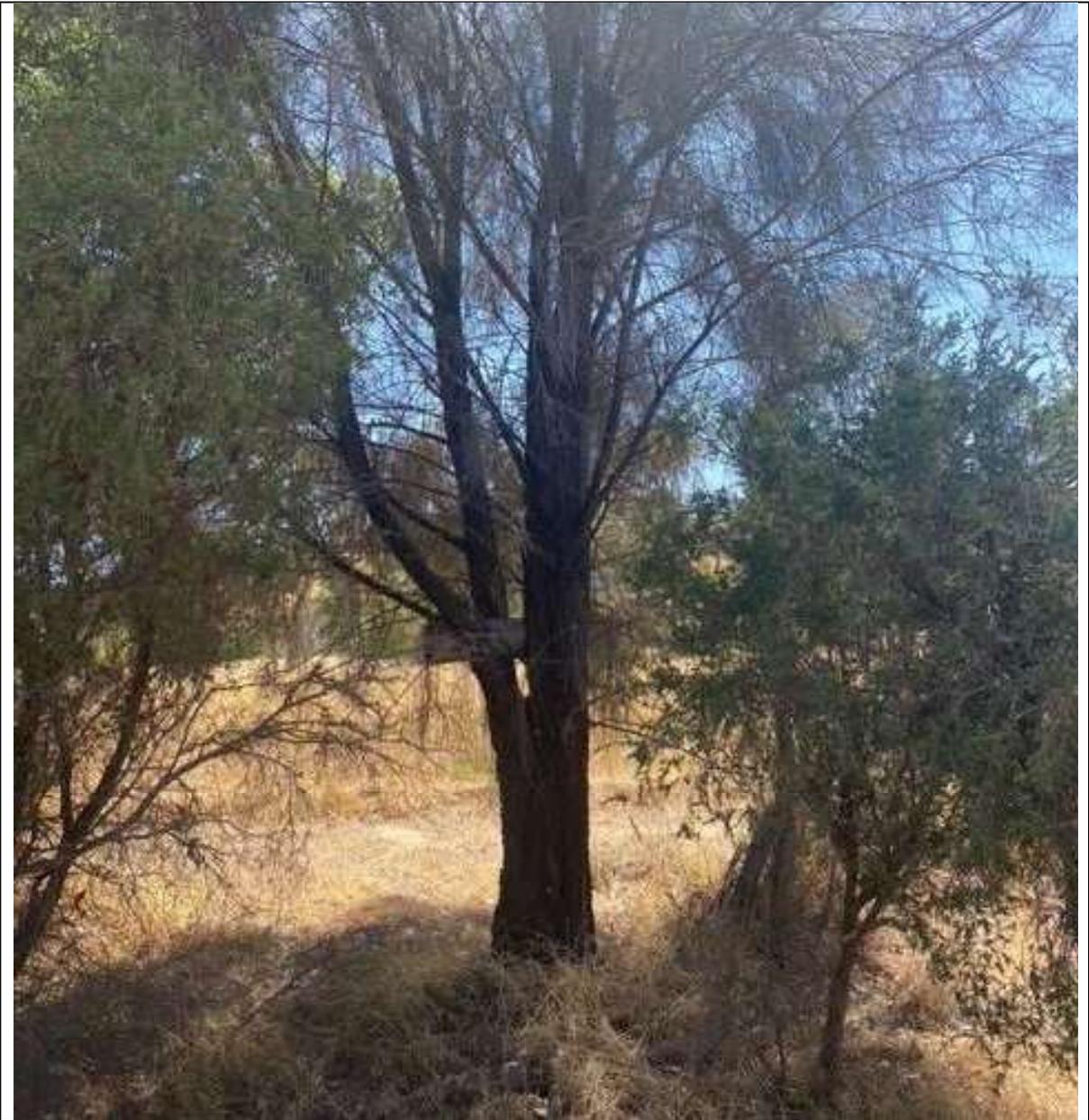




Pinjarra Williams Rd – SLK 98.33



Pinjarra Williams Rd – 97.28 SLK



Pinjarra Williams Rd – 94.50 SLK



Pinjarra Williams Rd – 104.48 SLK



Pinjarra Williams Rd – 104.99 SLK



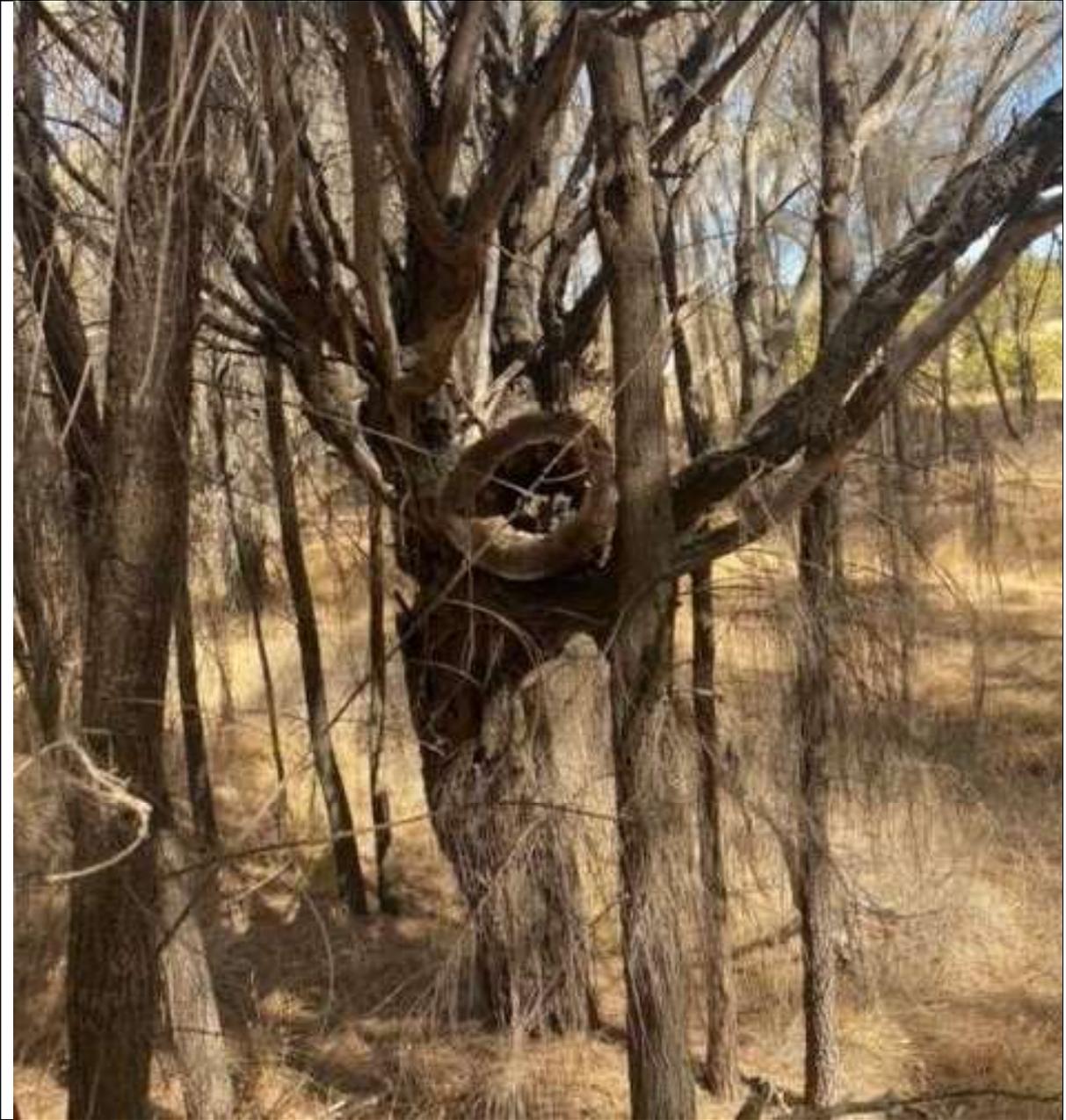
Pinjarra Williams Rd – 119.87 SLK



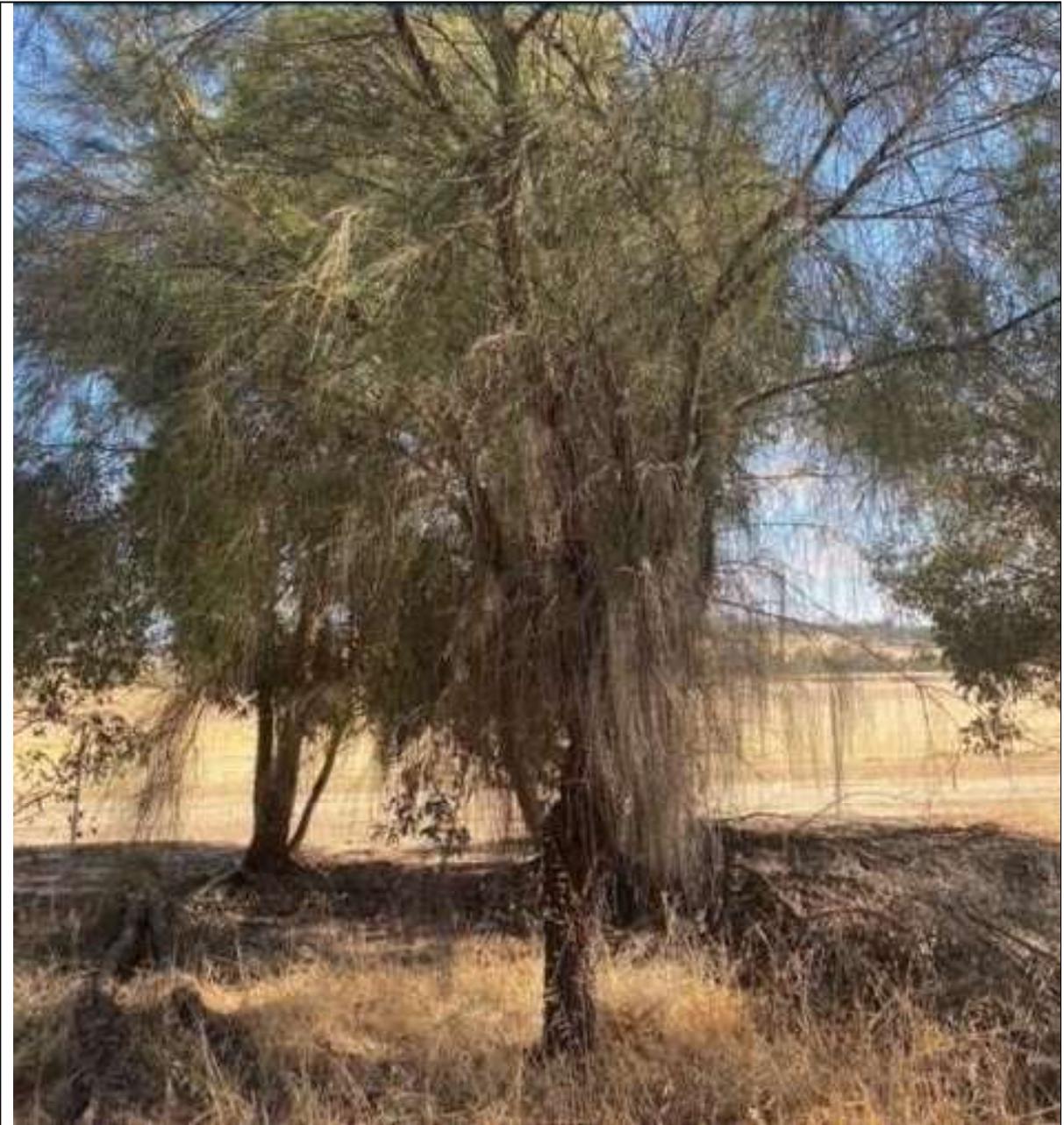
Pinjarra Williams Rd – 106.44 SLK



Williams Narrogin Hwy – 7.26 SLK



Williams Narrogin Hwy – 4.80 SLK



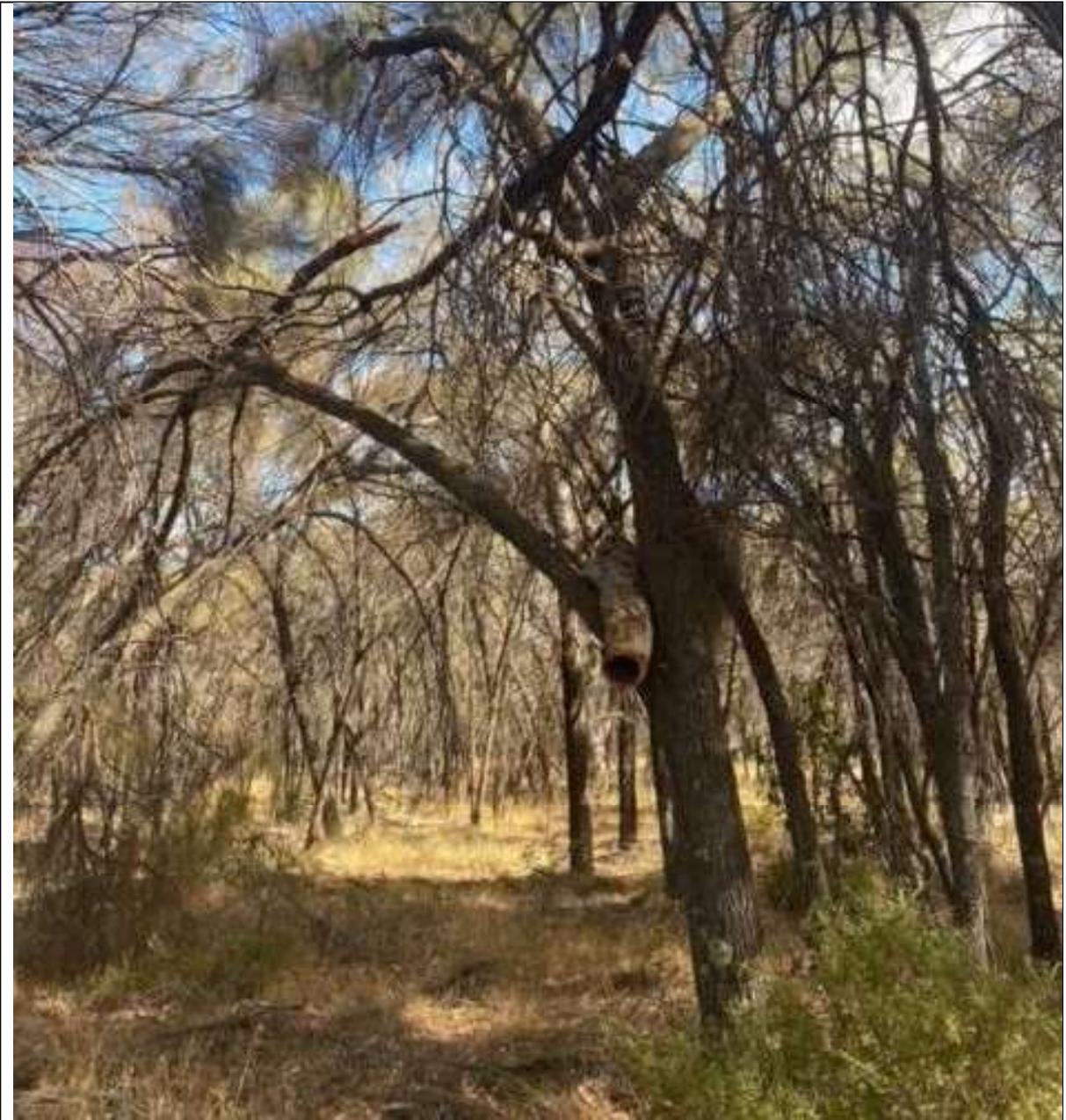
Williams Narrogin Hwy – 15.55 SLK



Williams Narrogin Hwy – 10.67 SLK



Williams Narrogin Hwy – 22.30 SLK



Williams Narrogin Hwy – 18.18 SLK



Williams Narrogin Hwy – 23.72 SLK