



mainroads
WESTERN AUSTRALIA

Compliance Report

EPBC 2020/8725

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Western Australia.*

Karratha – Tom Price Road Stage 4

D24#346683

Reporting period: 24 January 2023 to 24 January 2024

Document Control

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Contents

Declaration of accuracy.....	4
1 Introduction.....	5
1.1 Project Background, Location and Status.....	5
1.2 Approval under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>	5
1.3 Purpose of this Report	5
2 Summary of Compliance	5
2.1 Corrective measures.....	5
2.2 New Environmental Risks.....	5
3 Appendices	29
Appendix A: Fauna Action Management Plan Approval Letter	30
Appendix B: DWER Invoice for 10% Payment of \$193,038.00 to PEOF	32
Appendix C: Evidence of Payment to the Pilbara Environmental Offsets Fund.....	35
Appendix D: Notification to the Department of Payment Made to DWER PEOF and Notification of Non-Compliance	37

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed  (approval holder)

Full name (please print) ANDREW IVES

Position (please print) PROJECT DIRECTOR

Organisation (please print including ABN/ACN if applicable) MAIN ROADS WA

Date 18 / 04 / 2024

1 Introduction

1.1 Project Background, Location and Status

Main Roads Western Australia (Main Roads) will shortly commence construction of the Karratha-Tom Price Road Stage 4 (KTP Stage 4), comprising 112 km of new road from the southern end of Stage 3 (Wallyinya Pool) to the Nanutarra Munjina Road (the Project). The Project was approved by the Commonwealth Minister for the Environment on 24 January 2023 (EPBC 2020/8725).

Main Roads will deliver the Project in stages, with commencement of the Action proposed for June 2024 with the first 10km stage of construction.

No construction or clearing activities were undertaken during the reporting period (24 January 2023 to 24 January 2024).

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

The Project was referred to the Department of Climate Change, Energy, the Environment and Water (The Department) in July 2020 for assessment under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Project was deemed to be a Controlled Action on 03 September 2020, due to its potential impacts on listed threatened species and communities. The Department granted conditional approval for the Project on 24 January 2023 (EPBC 2020/8725).

1.3 Purpose of this Report

This compliance report has been produced to satisfy Condition 25 of approval EPBC 2020/8725.

2 Summary of Compliance

One non-compliance with Condition 15(f) of EPBC 2020/8725 occurred during this reporting period and was reported to DCCEEW on 8 April 2024. This non-compliance was deemed to be an administrative error and has now been closed out.

Table 1 of this report details the project's compliance regarding each approval condition over the 12-month reporting period: 24 January 2023 to 24 January 2024.

2.1 Corrective measures

No corrective or remedial actions were deemed required and no environmental impacts occurred as a result of the non-compliance with Condition 15(f).

2.2 New Environmental Risks

No new environmental risks for the project have become apparent during the reporting period.

Table 1: Compliance with Conditions of EPBC Approval 2020/8725

Condition Number	Condition	Status	Evidence/Comments
1	To avoid and mitigate impacts to protected matters, the approval holder must not clear and/or impact outside the development envelope.	Not Applicable	The Action has not yet commenced and no clearing has been undertaken under EPBC 2020/8725.
2	<p>To avoid and mitigate impacts to listed terrestrial fauna, the approval holder must not clear and/or impact more than a combined total of 650 hectares of critical habitat and supporting habitat within the development envelope, which includes not clearing/impacting more than the following habitat types:</p> <ul style="list-style-type: none"> a. 0.2 hectares of Mesas, Caves, Cliffs and Free faces habitat b. 3.8 hectares of Rocky Gullies habitat c. 88.7 hectares Rocky Hills and Slopes habitat d. 135.0 hectares Floodplains habitat e. 85.7 hectares Eucalyptus fringed Major Drainage Lines habitat f. 0.03 hectares Melaleuca Forest/Major Drainage Lines habitat g. 0.2 hectares Man-made water bodies habitat h. 69.7 hectares of Grove Mulga habitat i. 16.1 hectares of Mulga Woodland Plain habitat 	Not Applicable	The Action has not yet commenced and no clearing has been undertaken under EPBC 2020/8725.

Condition Number	Condition	Status	Evidence/Comments
	<p>j. 10.4 hectares of Acacia xiphophylla shrublands over cracking clay habitat</p> <p>k. 157.5 ha of Mixed Acacia shrublands habitat</p> <p>l. 29.3 ha of Grassland plains with cracking clays habitat</p>		
3	To avoid and mitigate impacts to Ghost Bat, the approval holder must not clear or impact the viability of the Ghost Bat Caves within the development envelope.	Not Applicable	The Action has not yet commenced and no potential impacts to Ghost Bat Caves have occurred. As such, this condition is not yet relevant.
4	<p>To avoid and mitigate impacts to the Fringed Fire-bush, the approval holder must:</p> <p>a. not clear or impact the known individual of Fringed Fire-bush or any area within a 100-metre buffer around the known individual of Fringe Fire-bush;</p> <p>b. undertake weed management measures and monitoring at a minimum of every 6 months to ensure that the known individual of Fringed Fire-bush and within a 100-metre buffer around the known individual of Fringe Fire-bush does not have weed infestation for the life of the approval.</p>	Not Applicable	<p>The Action has not yet commenced and no potential impacts to Fringed Fire-bush or any area within a 100-metre buffer have occurred. As such, this condition is not yet relevant.</p> <p>Weed management measures and monitoring will commence when there are Project activities that have potential to cause an impact to the known individual of Fringe Fire-bush.</p>
5	To avoid and mitigate impacts to listed terrestrial fauna, the approval holder must submit the Fauna Action Management Plan for the Minister’s approval. The Fauna Action Management Plan must be consistent with EPBC Environmental Management Plan Guidelines. The Fauna Action Management Plan must be approved prior to the commencement of the action. If the Minister approves the Fauna Action Management Plan, then the approval holder must implement the approved Fauna Action	Compliant	The Minister approved the Fauna Action Management Plan (FAMP) on 31 March 2023 (Appendix A). Main Roads will implement the FAMP upon commencement of the Action.

Condition Number	Condition	Status	Evidence/Comments
	<p>Management Plan for the life of the approval. By implementing the Fauna Action Management Plan, the approval holder must achieve the following environmental objectives:</p> <p>a. Mitigate impacts to listed terrestrial fauna and the Fringe Fire-bush from feral animals by ensuring that the action does not increase or attract feral animals and undertake cane toad biosecurity measures to ensure that construction activity does not introduce cane toads into the development envelope.</p> <p>b. Mitigate inappropriate fire regime impacts to listed terrestrial fauna habitats.</p> <p>c. Ensure weed infestation does not impact on critical habitats and supporting habitats by exceeding the weed survey baselines extents presented in Karratha – Tom Price Road Stage 4 Preliminary Documentation and/or the establishment of new weed infestation within the development envelope by implementing the Weed Management measures.</p> <p>d. Maintain the viability of the Ghost Bat Caves by limiting human activity associated with the action within 200-metres of the Ghost Bat Caves and do not construct road pull over areas within 500-metres of the Ghost Bat Caves.</p> <p>e. Minimise impacts to Ghost Bat and Pilbara Leaf-nosed Bat through collision with barbed wire fences by not installing any barbed wire fences within the development envelope, excluding the lawful requirement where barbed wire is required by other legislation. All required barbed</p>		

Condition Number	Condition	Status	Evidence/Comments
	<p>wire under these legislative requirements within the development envelope must have the top strand replaced with single strand wire and have bat deflectors installed to deter bat interaction.</p> <p>f. Minimise artificial lighting impacts to listed terrestrial fauna by ensuring no permanent lighting is established in the development envelope during operation other than required for safety reasons and other legislation. All required artificial lighting used during construction activity must use directional and/or shielded lighting, avoid direct light spill onto critical habitats and supporting habitats and within 500-metres of the Ghost Bat Caves.</p> <p>g. Establish speed limits to mitigate vehicle strike impacts to listed terrestrial fauna from construction activity by not exceeding 80 kilometres per hour (kph) during the daylight hours and limiting speeds to 60 kilometres per hour (kph) at night within the development envelope. During operation, establish comprehensible signage alerting drivers to the likelihood of encountering protected matters on both sides of all roads where any vehicles enter critical habitat for the protected matters.</p> <p>h. Minimise impacts from clearing, interaction with construction activity and entrapment on listed terrestrial fauna by:</p> <ul style="list-style-type: none"> i. Undertaking clearing in a progressive manner to allow fauna to migrate away from clearing activities or machinery movements. ii. Not undertaking clearing within Mesas, Caves, Cliffs and Free faces habitat and Rocky Gullies habitat that is considered to be critical habitat for the Northern Quoll during the Northern Quoll breeding season. iii. Prior to the clearing of any Mesas, Caves, Cliffs and Free faces habitat and Rocky Gullies habitat that is considered to be critical habitat for the 		

Condition Number	Condition	Status	Evidence/Comments
	<p>Northern Quoll, conduct a pre-clearance survey by a trained fauna spotter. If the Northern Quoll is found in the surveys, then clearing must not commence until the identified Northern Quoll moves out of the clearing area of its own accord.</p> <ul style="list-style-type: none"> iv. Ensuring a trained fauna spotter is present during all clearing and who is authorised to halt or order the manner in which any clearing or other works are undertaken. v. Should a listed terrestrial fauna be spotted during clearing activities, the works must cease until the listed terrestrial fauna moves out of the way of the clearing by its own accord or is removed by a trained fauna handler before recommencing clearing. vi. Survey all potential breeding trees for the Grey Falcon within the Eucalyptus fringed Major Drainage Lines habitat within the development envelope during nesting season June to November. If Grey Falcon nesting is found, then the tree must be avoided. <p>i. Educate all personnel associated with the action and/or likely to enter the development envelope to undertake construction activity on the protected matters and the environmental obligations of this approval prior to them undertaking construction activity within the development envelope. This induction should include:</p> <ul style="list-style-type: none"> i. the above speed restrictions and that the above speed restrictions are enforced; and ii. how to avoid deliberate killing of Pilbara Olive Python due to mis-identification. 		
6	<p>The approval holder must have approval of a Noise and Vibration Management Plan by the Minister prior to any blasting occurring within 500 metres of a Ghost Bat Caves. The Noise and Vibration Management Plan must be consistent with the EPBC Environmental Management Plan</p>	Not Applicable	<p>The Action has not yet commenced and no blasting activities are currently proposed within 500 m of any Ghost Bat Caves.</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>Guidelines. If the Minister approves the Noise and Vibration Management Plan, then the approval holder must implement the approved Noise and Vibration Management Plan for the life of the approval. By implementing the Noise and Vibration Management Plan, the approval holder must ensure that the following environmental objectives are met:</p> <p>a. Sound pressure levels are below 70 dB(Z) at the Ghost Bat Caves entrances.</p> <p>b. Blasting does not impact the viability of the Ghost Bat Caves.</p>		
7	<p>To avoid impacts to protected matters and their habitats as a result of changes to groundwater and surface water, the approval holder must have approval of a Groundwater and Surface Water Operating Strategy from the Minister prior to the commencement of the groundwater abstraction activities. The Groundwater and Surface Water Operating Strategy must be consistent with the EPBC Environmental Management Plan Guidelines.</p> <p>The approved Groundwater and Surface Water Operating Strategy must be implemented for the life of the approval. By implementing the Groundwater and Surface Water Operating Strategy, the approval holder must ensure the following environmental objectives are met:</p> <p>a. Ensure that changes to hydrology of groundwater and surface water flows and changes of water quality attributed to the action does not impact listed terrestrial fauna, the known individual of Fringed Fire-bush, and no more than the critical habitats and supporting habitats limits specified in Condition 2 of this approval within the development envelope.</p>	Not Applicable	<p>A Groundwater and Surface Water Operating Strategy (GSWOS) was submitted to the Department for Minister approval on January 12 2024</p> <p>Groundwater abstraction activities will not commence until the GSWOS is approved by the Minister.</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>b. Abstract no more than a total of 0.4 gigalitres of water from groundwater bores within the development envelope for the life of the approval.</p> <p>c. Ensure no abstraction groundwater bores are established or used within a 500-metre radius of groundwater dependent ecosystems.</p> <p>d. Implement measures to limit impacts to groundwater levels and groundwater quality within the development envelope.</p> <p>e. Implement measures to install and construct the bridges, culverts, roadway embankments, and low-level floodways for construction and operation of the action that will:</p> <ul style="list-style-type: none"> i. Maintain hydrological regimes for the watercourses and groundwater dependent ecosystems, which align with the predicted models outlined in the Karratha – Tom Price Road Stage 4 Preliminary Documentation. ii. Ensure there is no decline in surface water quality as a result of sedimentation, erosion and/or chemical pollutants attributed to the construction activity and operation of the action. 		
8	<p>To meet the requirements of the objectives listed in Condition 7 of this approval, the approval holder must develop the Groundwater and Surface Water Operating Strategy to do the following:</p> <p>a. Develop a surface water monitoring program that undertakes baseline studies and then ongoing monitoring of the water quality both upstream and downstream for each of the watercourses that intersect with the development envelopment. The Groundwater and Surface Water Operating Strategy will need to provide details of thresholds and triggers,</p>	Compliant	A GSWOS has been developed to meet the requirements of this condition. The GSWOS has been submitted to the Department for Minister approval on 23 January 2024.

Condition Number	Condition	Status	Evidence/Comments
	<p>and management actions to meet the objectives of Condition 7 of this approval.</p> <p>b. Develop a monitoring program to gather evidence that the bridges, culverts, roadway embankments, and low-level floodways of the watercourses that intersect with the development envelopment have been appropriately designed to not cause shadow effects, erosion, scour, and there is on-going roadway embankment stability. The Groundwater and Surface Water Operating Strategy will need to have details of thresholds, triggers, and the management actions and/or remediation steps that will be put in place to meet the objectives of Condition 7 of this approval.</p> <p>c. Develop a groundwater monitoring program that captures groundwater levels, and the ongoing monitoring of groundwater levels and water quality during the abstraction of groundwater. The Groundwater and Surface Water Operating Strategy will need to provide details of thresholds and triggers, and management actions to meet the objectives of Condition 7 of this approval. The groundwater levels will need to be provided to the Department every 6 months.</p>		
9	<p>In the event of any exceedance of a threshold criterion specified in the Fauna Action Management Plan, Noise and Vibration Management Plan and/or Groundwater and Surface Water Operating Strategy, the approval holder must:</p> <p>a. Report the details of the location, nature, and magnitude of the exceedance in writing to the Department within five (5) business days of becoming aware of the exceedance.</p>	Not Applicable	The Action has not yet commenced.

Condition Number	Condition	Status	Evidence/Comments
	<p>b. Within two (2) business days, commence implementing the applicable threshold exceedance contingency actions specified in the Plan(s).</p> <p>c. Undertake an investigation to determine the cause of the threshold criterion exceedance and the extent of impact(s) to protected matter(s) and habitats. Provide the outcomes of this investigation in a report to the Department within twenty (20) business days of the exceedance being reported as required by condition 9(a) of this approval.</p> <p>d. Within 6 months of any such exceedance event(s), have the relevant Fauna Action Management Plan, Noise and Vibration Management Plan, and/or Groundwater and Surface Water Operating Strategy reviewed by an independent suitably qualified fauna expert and/or independent suitably qualified hydrologist and hydrogeologist to advise if one or all of the plan(s) will need to be revised and how to prevent the exceedance reoccurring.</p> <p>e. Within 10 months of detecting any exceedance of a threshold criterion related to protected matter(s), submit to the Department the advice of the report of the independent suitably qualified fauna expert and/or independent suitably qualified hydrologist and hydrogeologist and a version of the Fauna Action Management Plan, Noise and Vibration Management Plan and/or Groundwater and Surface Water Operating Strategy revised to address the advice from the review to the Department for Minister approval.</p> <p>f. If the revised Fauna Action Management Plan, Noise and Vibration Management Plan, and/or Groundwater and Surface Water Operating Strategy have not been provided to the Minister for approval within 18</p>		

Condition Number	Condition	Status	Evidence/Comments
	<p>months of detecting any exceedance of a threshold criterion or have not been suitably revised to meet the advice of independent suitably qualified fauna expert and/or independent suitably qualified hydrologist and hydrogeologist, the Minister may notify the approval holder that the plan(s) has/have not been submitted or is/are not suitable for approval. The Minister may, at least two months after so notifying the approval holder, approve a version of the plan(s) revised by the Department. The approval holder must implement the approved plan(s), for the remainder of the life of the approval or until a revised version of plan(s) have been provided in accordance with Conditions 32-38 of this approval.</p>		
10	<p>Within 6 months of detecting any exceedance of a threshold criterion related to protected matter(s), submit to the Department for the Minister’s approval, a Remediation Plan to address the impacts to protected matters identified in the report provided in Condition 9(c) of this approval. If approved, the Remediation Plan must be implemented for the life of the approval. The Remediation Plan must include:</p> <p>a. corrective action(s) to remediate impacts to protected matter(s) and their habitat, and;</p> <p>b. timeframes, completion criteria, and reporting schedules.</p>	Not Applicable	The Action has not yet commenced.
11	<p>If the Minister informs the approval holder in writing that it is not possible to adequately remediate the impacts on protected matter(s) of one or more exceedance outlined in the Remediation Plan (as required to be submitted in Condition 10 of this approval), then the approval holder must, within 3 months of receiving such advice from the Minister, submit to the Department, an Exceedance Offset Management Plan (EOMP) addressing the exceedance(s) as specified by the Minister in writing for</p>	Not Applicable	The Action has not yet commenced.

Condition Number	Condition	Status	Evidence/Comments
	the Minister’s approval. The EOMP must meet the requirements specified in Attachment G.		
12	If the EOMP has not been approved by the Minister within 6 months of the Minister informing the approval holder in writing as described in condition 11 of this approval, and the Minister notifies the approval holder that the EOMP is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the EOMP revised by the Department. The approval holder must implement the approved EOMP for the remainder of the life of this approval or a revised version of the EOMP is endorsed by the Minister.	Not Applicable	The Action has not yet commenced.
13	At least three months prior to each fifth anniversary of this approval decision, the approval holder must get the Fauna Action Management Plan and Groundwater and Surface Water Operating Strategy reviewed by independent suitably qualified fauna expert and/or independent suitably qualified hydrologist and hydrogeologist (respectively) to advise if the triggers and thresholds are still effective and meet industry standards, whether further mitigation measures need to be applied, and whether the management actions have been implemented. In the event the independent suitably qualified fauna expert and/or independent suitably qualified hydrologist and hydrogeologist recommends revisions to one or more of these plan(s), the approval holder must revise that/those plan(s) in accordance with the recommendations of the independent suitably qualified fauna expert and/or independent suitably qualified hydrologist and hydrogeologist. Each revised plan(s) must be submitted to the Department for Minister approval within 6 months of the five-year anniversary of this approval decision. The approval holder must implement each approved revised plan(s).	Not Applicable	The Department granted conditional approval for the Project on 24 January 2023.

Condition Number	Condition	Status	Evidence/Comments
14	To compensate for the residual significant impacts of clearing and/or impacts of critical habitat and supporting habitat for the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python, the approval holder must make financial contributions to the Pilbara Environmental Offsets Fund (PEOF).	Compliant	Main Roads contributed initial funds of \$193,038 (10% of the total contribution required to compensate residual impacts) on the 18 April 2023, into the Western Australian (WA) Department of Water and Environmental Regulation (DWER) Pilbara Environmental Offsets Fund (PEOF), which meets the requirements specified in this condition.
15	<p>In contributing to the PEOF the approval holder must:</p> <ul style="list-style-type: none"> a. Contribute funds toward an offset activity or activities that: <ul style="list-style-type: none"> i. reduces the rate of decline of the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python; ii. ensures a viable population of Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python remain in the Pilbara region; iii. has specified outcomes and performance indicators; timeframes and milestones for their achievement; iv. includes sufficient monitoring to detect achievement of performance indicators, milestones, and the outcomes; and v. requires regular reporting to the approval holder of the outcomes of the offset activity or activities their funding has contributed towards. b. Implement the approved Karratha-Tom Price Stage 4 Impact Reconciliation Procedure. The Karratha-Tom Price Stage 4 Impact Reconciliation Procedure may be revised and approved by DWER at any time, but the approval holder must seek endorsement from the Minister 	Compliant / Not Applicable / Non-compliance	<ul style="list-style-type: none"> (a) Compliant - Main Roads has contributed initial funds into the DWER PEOF. Contributions of funds into the DWER PEOF meet the requirements specified in this condition. (b) Not applicable - The approved Karratha-Tom Price Stage 4 Impact Reconciliation Procedure will be implemented upon commencement of the Action. (c) Not applicable – if required, the approved Karratha-Tom Price Stage 4 Impact Reconciliation Procedure will be revised in accordance with this condition. (d) Compliant – following the approval of the Impact Reconciliation Procedure (IRP) from the Minister, Main Roads made a payment of

Condition Number	Condition	Status	Evidence/Comments
	<p>prior to the approval of any revised Karratha-Tom Price Stage 4 Impact Reconciliation Procedure by DWER if the revisions relate to offset requirements for the protected matters outlined in Condition 14 of this approval.</p> <p>c. The Karratha-Tom Price Stage 4 Impact Reconciliation Procedure must be revised in accordance with the Impact Reconciliation Report Guidelines and include the financial contribution values described in Condition 15(e) of this approval for protected matters outlined in Condition 14 of this approval per hectare of critical habitat and supporting habitat cleared and/or impacted over the life of the approval.</p> <p>d. Following receipt of approval of the Karratha-Tom Price Stage 4 Impact Reconciliation Procedure by the Minister and prior to the commencement of the action, the approval holder must make a payment of 10 per cent of the total contribution that may be paid into the PEOF, which will contribute towards achieving the requirements of Condition 15(a) of this approval.</p> <p>e. Make biennial payments to the PEOF based on evidence of the actual clearing footprint. The first biennial reporting period shall commence from the commencement of the action. Biennial payments must be equivalent to or greater than the value of the following amounts, by adjustment in accordance with the CPI from the date of this approval decision until the date on which any payment is made, of:</p> <p>i. A minimum of \$3,306 AUD (excluding GST) per hectare of critical habitat.</p> <p>ii. A minimum of \$1,653 AUD (excluding GST) per hectare of supporting habitat.</p>		<p>\$193,038 (10% of the total contribution required) into the Department of Water and Environmental Regulation (DWER) Pilbara Environmental Offsets Fund (PEOF) (See Appendix B for DWER PEOF Invoice and Appendix C for evidence of payment).</p> <p>(e) Not applicable – the Action has not yet commenced.</p> <p>(f) Non-compliant - It was identified by Main Roads on 4 April 2024 that a notification in relation to submitting evidence of an initial 10% payment of \$193,038.00 to the PEOF, was not submitted to the Department within the 10 business days of the date of making the payment, in accordance with Condition 15(f). The non-compliance was attributed to an oversight and is deemed to be administrative only. Main Roads subsequently submitted evidence to the Department on 8 April 2024 of payment made in to the PEOF (Appendix D).</p> <p>(g) Compliant - Details of progress towards, or achievement of the</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>f. Submit evidence of each payment made to the Department within 10 business days of the date of making the payment.</p> <p>g. Include details of progress towards, or achievement of, the outcomes specified under condition 15(a) of this approval for the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python in each compliance report submitted to the Department.</p>		<p>outcomes specified under condition 15(a) for the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python can be found on the DWER PEOF website: Projects delivered through the Pilbara Environmental Offsets Fund Western Australian Government (www.wa.gov.au).</p>
16	Write to the Minister, within 10 business days of being aware or having concerns, that the offset outcomes specified for the PEOF project(s) may not be achieved for the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python.	Not Applicable	To date, no concerns have been raised regarding the achievement of the offset outcomes specified for the PEOF project(s) for the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat, and Pilbara Olive Python.
17	<p>Should the Minister determine that the PEOF is likely to fail for one or more protected matter(s), the Minister may write to the approval holder asking to provide evidence that failure has not occurred or is unlikely to occur and nominating a deadline by which this must be provided. If, after considering any information provided by the approval holder:</p> <p>a. The Minister determines that the PEOF has failed for one or all species named in Condition 14 of this approval, the approval holder must submit for the Minister’s approval, within 4 months of being notified by the Minister, an Offset Strategy consistent with the principles of the Environmental Offsets Policy to the satisfaction of the Minister.</p> <p>b. If the Offset Strategy has not been approved by the Minister in writing within 6 months of the notification by the Minister under condition 17(a) of this approval, and the Minister notifies the approval holder that the</p>	Not Applicable	To date, the Minister has not determined that the PEOF is likely to fail.

Condition Number	Condition	Status	Evidence/Comments
	<p>provided Offset Strategy is not suitable for approval, the Minister may, at least 2 months after so notifying the approval holder, approve a version of the Offset Strategy revised by the Department. The approval holder must commence implementation of the approved Offset Strategy within 2 months of the approval of the Offset Strategy by the Minister in writing, or another time as agreed in writing by the Minister. The approval holder must implement the approved Offset Strategy for the life of the approval.</p> <p>c. The Offset Strategy to be provided for the Minister’s approval, if required by condition 17(a) of this approval, must provide a framework for how the residual significant impacts from the approved action on the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat and Pilbara Olive Python will be offset and must detail:</p> <ul style="list-style-type: none"> i. how the strategy will achieve the outcomes required under Condition 15(a) of this approval; ii. how it accounts for relevant approved conservation advices, recovery plans and threat abatement plans; iii. the party to be responsible for implementing the proposed offset(s); iv. the location and nature of the proposed offset(s); v. objectives, outcomes, and timeframes for their achievement; vi. budget; vii. performance and completion criteria for evaluating conservation outcomes; viii. project monitoring (with indicators and measures) capable of detecting progress towards and achievement of the required outcomes; ix. reporting of specified outputs/offset activities, progress towards and achievement of the required outcomes, and evaluation of appropriateness of measures implemented; 		

Condition Number	Condition	Status	Evidence/Comments
	<ul style="list-style-type: none"> x. a description of the potential risks to the successful implementation of each proposed offset (including but not limited to environmental, administrative, financial, and governance risks); xi. a description of the measures that will be implemented to mitigate risk associated with each proposed offset and a description of the contingency actions that will be implemented if performance or completion criteria are not met; xii. processes to adaptively manage the proposed offset; xiii. how the proposed offset is consistent with the Environmental Offsets Policy; and xiv. how the approval holder will ensure that the measures to be implemented as part of the Offsets Strategy have no detrimental impact on any protected matters under the EPBC Act. 		
18	The approval holder must notify the Department electronically of the date of commencement of the action, within 10 business days of commencement of the action.	Not Applicable	The Action has not yet commenced.
19	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	Not Applicable	The Action has not yet commenced.
20	The approval holder must maintain accurate and complete compliance records.	Compliant	Main Roads maintains records in accordance with this condition and their legal obligations under the <i>WA State Records Act 2000</i> .
21	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	The Department has not yet requested electronic copies of compliance records.
22	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata	Not Applicable	No relevant data required to be submitted in this reporting timeframe. All data

Condition Number	Condition	Status	Evidence/Comments
	required under the conditions of this approval are prepared in accordance with the Department’s Guidelines for biological survey and mapped data (2018), or any subsequent official version or as otherwise specified by the Minister in writing.		required under the conditions of this approval will be prepared in accordance with the Department’s Guidelines for biological survey and mapped data (2018).
23	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the Department’s Guide to providing maps and boundary data for EPBC Act projects (2021), or any subsequent official version or as otherwise specified by the Minister in writing.	Not Applicable	No relevant data required to be submitted in this reporting timeframe. All data required under the conditions of this approval will be prepared in accordance with the Department’s Guide to providing maps and boundary data for EPBC Act projects (2021).
24	The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the Department within 12 months of the approval and/or in accordance with the requirements of the Fauna Action Management Plan, Noise and Vibration Management Plan and Groundwater and Surface Water Operating Strategy.	Not Applicable	As required, all relevant data will be submitted to the Department in accordance with the requirements of the Fauna Action Management Plan, Noise and Vibration Management Plan and Groundwater and Surface Water Operating Strategy.
25	The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.	Compliant	This is the first Annual Compliance Report for the Approval (for the reporting period 24 January 2023 to 24 January 2024).
26	Each compliance report must be consistent with the Department’s Annual Compliance Report Guidelines (2014), or any subsequent official version.	Compliant	This Annual Compliance Report has been prepared in accordance with the Department’s revised Annual Compliance Report Guidelines (2023).
27	Each compliance report must include:	Compliant / Not	a) Compliant – This Annual Compliance Report contains

Condition Number	Condition	Status	Evidence/Comments
	<p>a. Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents.</p> <p>b. One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.</p> <p>c. A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.</p>	Applicable	<p>accurate and complete details of compliance.</p> <p>b) Not applicable – no clearing has occurred during this reporting period.</p> <p>c) Not applicable – the requirements of the plans required under these conditions are not yet applicable. A schedule of approved plans being implemented will be provided with the 2024-2025 EPBC 2020/8725 Annual Compliance Report.</p>
28	<p>The approval holder must:</p> <p>a. Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required.</p> <p>b. Notify the Department electronically, within 5 business days of the date of publication that a compliance report has been published on the website.</p> <p>c. Provide the weblink for the compliance report in the notification to the department.</p> <p>d. Keep all published compliance reports required by these conditions on the website until the expiry date of this approval.</p>	Compliant	<p>a) This Annual Compliance Report will be published on the Main Roads website at the same time as the provision of this report to the Department.</p> <p>b) Main Roads will notify the Department within 5 business days of the date of publication that the compliance report has been published on the website.</p> <p>c) Main Roads will provide the weblink for the compliance report in the notification to the Department.</p> <p>d) Main Roads will keep all published compliance reports required by EPBC 2020/8725 on the Main Roads</p>

Condition Number	Condition	Status	Evidence/Comments
	<p>e. Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public.</p> <p>f. If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the Department within 5 business days of its publication on the website and notify the Department in writing what exclusions and redactions have been made in the version published on the website.</p>		<p>website until the expiry of the approval.</p> <p>e) Main Roads will exclude and redact sensitive ecological data from each compliance report.</p> <p>f) Main Roads will advise the Department any of exclusions and redactions made in the versions published on the website.</p>
29	<p>The approval holder must notify the Department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan.</p>	Compliant	<p>One non-compliance was recorded during the reporting period as outlined against Condition 15(f). In accordance with Condition 29 of EPBC 2020/8725, this non-compliance was reported to DCCEEW on 8 April 2024, within 2 business days of becoming aware of the non-compliance and details of the non-compliance were reported in accordance with Condition 30 (Appendix D).</p>
30	<p>The approval holder must specify in the notification:</p> <p>a. Any condition or commitment made in a plan which has been or may have been breached.</p> <p>b. A short description of the incident and/or potential non-compliance and/or actual non-compliance.</p>	Compliant	<p>One non-compliance was recorded during the reporting period as outlined against Condition 15(f). In accordance with Condition 29 of EPBC 2020/8725, this non-compliance was reported to DCCEEW on 8 April 2024 and details of the non-compliance were reported in accordance with Condition 30 (Appendix D).</p>

Condition Number	Condition	Status	Evidence/Comments
	c. The location (including co-ordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance.		
31	<p>The approval holder must provide to the Department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan. The approval holder must specify:</p> <p>a. Any corrective action or investigation which the approval holder has already taken</p> <p>b. The potential impacts of the incident and/or non-compliance and/or non-compliance</p> <p>c. The method and timing of any corrective action that will be undertaken by the approval holder.</p>	Not Applicable	One non-compliance was recorded during the reporting period as outlined against Condition 15(f). In accordance with Condition 31 of EPBC 2020/8725, further corrective or remedial actions were not deemed required and no environmental impacts occurred as a result of the non-compliance. The non-compliance was attributed to an oversight (now resolved) and is deemed to be administrative only. This was specified in the notification made to the Department on the 8 April 2024 (Appendix D).
32	The approval holder may, at any time, apply to the Minister for a variation to any of the plan(s) approved by the Minister, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.	Not Applicable	Main Roads has not submitted any applications in accordance with the requirements of section 143A of the EPBC Act under Condition 32.
33	The approval holder may choose to revise an action management plan approved by the Minister under Conditions 5, 6, 7 and 8 of this approval or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the EPBC Act, if the	Not Applicable	No action management plans required in accordance with Condition 5, 6, 7 or 8 were revised during this reporting period.

Condition Number	Condition	Status	Evidence/Comments
	taking of the action in accordance with the RAMP would not be likely to have a new or increased impact.		
34	The revised management plans must meet the environmental objectives of each of the plan(s) outlined in Conditions 5, 6, 7 and 8 of this approval.	Not Applicable	No action management plans required in accordance with Condition 5, 6, 7 or 8 were revised during this reporting period.
35	<p>If the approval holder makes the choice under condition 33 of this approval to revise an action plan(s) without submitting it for approval, the approval holder must:</p> <p>a. notify the Department in writing that the approved action management plan has been revised and provide the Department with:</p> <ul style="list-style-type: none"> i. an electronic copy of the RAMP; ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; iii. an explanation of the differences between the approved action management plan and the RAMP; iv. the reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact; v. written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department. <p>b. subject to condition 37 of this approval, implement the RAMP from the RAMP implementation date.</p>	Not Applicable	No action management plans required in accordance with Condition 5, 6, 7 or 8 were revised during this reporting period.

Condition Number	Condition	Status	Evidence/Comments
36	The approval holder may revoke their choice to implement a RAMP under condition 33 of this approval at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 33 of this approval, the approval holder must implement the action management plan in force immediately prior to the revision undertaken under condition 33 of this approval.	Not Applicable	No action management plans required in accordance with Conditions 5, 6, 7 or 8 were revised during this reporting period.
37	<p>If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact, then:</p> <p>a. condition 33 does not apply, or ceases to apply, in relation to the RAMP</p> <p>b. the approval holder must implement the action management plan specified by the Minister in the notice.</p>	Not Applicable	No action management plans required in accordance with Condition 5, 6, 7 or 8 were revised during this reporting period.
38	At the time of giving the notice under condition 37 of this approval, the Minister may also notify that for a specified period of time, condition 33 of this approval does not apply for one or more specified action management plans.	Not Applicable	The Minister has not yet notified that Condition 33 of EPBC 2020/8725 does not apply for any specified action management plan.
39	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every three-year period following the commencement of the action until this approval expires, unless otherwise specified in writing by the Minister.	Not Applicable	The Action has not yet commenced.
40	<p>For each independent audit, the approval holder must:</p> <p>a. Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting</p>	Not Applicable	The Action has not yet commenced.

Condition Number	Condition	Status	Evidence/Comments
	<p>the audit report to the Department prior to commencing the independent audit.</p> <p>b. Only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the Department.</p> <p>c. Submit the audit report to the Department for approval within the timeframe specified and approved in writing by the department.</p> <p>d. Publish each audit report on the website within 15 business days of the date of the department’s approval of the audit report.</p> <p>e. Keep every audit report published on the website until this approval expires.</p>		
41	Each audit report must report for the three-year period preceding that audit report.	Not Applicable	The Action has not yet commenced.
42	Each audit report must be completed to the satisfaction of the Minister and be consistent with the Department’s Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines (2019), or any subsequent official version.	Not Applicable	The Action has not yet commenced.
43	The approval holder must notify the Department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	Not Applicable	The approval has effect until the 30 June 2030.
44	Within 20 business days after the completion of the action, and, in any event, before this approval expires, the approval holder must notify the Department electronically of the date of completion of the action and provide completion data.	Not Applicable	The Action has not yet commenced.

3 Appendices

Appendix A: Fauna Action Management Plan Approval Letter



EPBC ref: 2020/8725

Ms Martine Scheltema
Manager Environment
WA Mains Roads
1 Waterloo Cres
EAST PERTH WA 6004

Dear Ms Scheltema

**Approval of Fauna Action Management Plan
Karratha, Tom Price Road Stage 4, WA**

Thank you for your email dated 23 March 2023 to the Department of Climate Change, Energy, the Environment and Water, seeking approval of the Karratha-Tom Price Road Stage 4 (EPBC 2020/8725), Fauna Action Management Plan, Revision 5, dated 23 March 2023, in accordance with conditions 5 of the above project under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Officers of the department have advised me on the Fauna Action Management Plan and the requirements of the condition of the approval has been met. On this basis, and as a delegate of the Minister for the Environment, I have decided to approve the Karratha-Tom Price Road Stage 4 (EPBC 2020/8725), Fauna Action Management Plan, Revision 5, dated 23 March 2023. This plan must now be implemented.

Please note that Main Roads Western Australia must have a separate approval of a Noise and Vibration Management Plan and a Groundwater and Surface Water Operating Strategy prior to the commencement of related activities as per conditions of approval 6 and 7 respectively.

As you are aware, the department has an active monitoring program which includes monitoring inspections, desktop document reviews and audits. Please ensure that you maintain accurate records of all activities associated with, or relevant to, the conditions of approval so that they can be made available to the department on request.

If you have any questions about this decision, please contact the project manager, Parash Subedi, by email to Parash.Subedi@dcceew.gov.au, and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

A handwritten signature in blue ink that reads "Kylie Calhoun".

Kylie Calhoun
Branch Head
Environment Assessments West (WA, SA, NT) Branch

31 March 2023

Appendix B: DWER Invoice for 10% Payment of \$193,038.00 to PEOF



Your ref: IW28110
Our ref: DWERT2341~9
Enquiries: peof@dwer.wa.gov.au

Main Roads Western Australia
PO Box 6202
EAST PERTH WA 6892
Attention: Accounts Payable
email: accountspayable@mainroads.wa.gov.au

Dear Mr John Morrell

**EPBC REFERRAL NO 2020/8725 – KARRATHA TOM PRICE ROAD STAGE 4
IMPACT RECONCILIATION PROCEDURE – PILBARA ENVIRONMENTAL OFFSET
FUND PAYMENT DUE**

The Pilbara Environmental Offsets Fund (the Fund) receipts biodiversity offset payments required under Parts 9 and 10 the *Environmental Protection and Biodiversity Conservation Act 1999* and Part IV of the *Environmental Protection Act 1986*.

The special purpose account for the Fund is administered by the Western Australian Department of Water and Environmental Regulation (DWER), under the *Financial Management Act 2006*.

The Commonwealth Department of Climate Change, Energy, Environment and Water requires proponents to pay an upfront payment for biodiversity offsets to be paid into the Fund.

In accord with this requirement, DWER issues Main Roads Western Australia with an invoice for upfront payment of **\$193,038.00 (incl GST)** as required by condition 15 (d) EPBC2020/8725 for the Karratha Tom Price Road Stage 4. Payment is **due by 4 May 2023**.

Condition 15(d) is to compensate for residual significant impacts to the Northern Quoll, Ghost Bat, Pilbara Leaf-nosed Bat, and Pilbara Olive Python.

If you have any queries in relation to the payment, please contact Clare Meredith on 6364 7816 clare.meredith@dwer.wa.gov.au or peof@dwer.wa.gov.au.

Yours sincerely

Clare Meredith
Pilbara Environmental Offsets Fund Manager
Strategy and Engagement Directorate
Att. Tax Invoice
6 April 2023



Locked Bag 10
Joondalup DC WA 6919

ABN: 28 420 443 065
Telephone: 08 6364 7000
Fax: 08 6364 7001
Email: Accounts.Receivable@dwer.wa.gov.au

Main Roads Western Australia
PO Box 6202
EAST PERTH WA 6892

Invoice No: RI004375
Date: 04/04/2023
Debtor Id: 60026
Due Date: 04/05/2023
Page : 1 of 1

Description	Units	Rate	Exclusive GST	GST	Amount
EPBC 2020/8725 KARRATH Tom Price Rd Stg4 CGBNQPOPPLBC	0.00	0.00	175,489.09	17,548.91	193,038.00
Total Amount Due:			\$175,489.09	\$17,548.91	\$193,038.00



PAYMENT METHODS

Please detach and return with remittance to: Department of Water and Environmental Regulation

Payments via EFT to the following Account:

Bank: Commonwealth Bank Australia
Acc Name: Department of Water and Environmental Regulation
BSB: 066-040
Acc No: 18300113



Credit Card payments made online by Mastercard & VISA only.
Maximum \$6,000 in any one transaction

Pay online at: www.dwer.wa.gov.au

Biller Code: 343137

Reference: RI004375



Payments may be made by Mail:

Mail this slip with your cheque or money order to:
Department of Water and Environmental Regulation,
Locked Bag 10, Joondalup DC WA 6919

	Biller Code:	343137
	Ref:	RI004375
Telephone & Internet Banking – BPAY®		
Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account. More info: www.bpay.com.au		
Invoice No: RI004375		
Debtor ID: 60026		
Amount: \$193,038.00		

Quoting the Invoice Number: **RI004375**

If Paying by EFT send Remittance Advice to:
Accounts.Receivable@dwer.wa.gov.au

Appendix C: Evidence of Payment to the Pilbara Environmental Offsets Fund



Scanning ▾ Work Queues ▾ Reports ▾

Invoice Information

Close		View Invoice		Refresh		Show Encoding Data	
Case Reference	AP471707	Current Status	---				
Supplier Name	Department of Water and Environmental Regulation	Supplier ID	51601				
Invoice Date	04 Apr 2023	Invoice Number	RI004375				
Invoice Total	193038.00	PO Number					
Date Paid	18/04/2023	TRIM ID	17814639				

Activity Name	Due Date	Assigned To	SLA
---------------	----------	-------------	-----

Date	User	Note
18/04/2023 14:23:52	System	Complete Case Finished
18/04/2023 14:23:44	System	Case Completed
18/04/2023 14:23:37	System	Complete Case Started
18/04/2023 14:23:24	System	Monitor For Invoice Payment Finished
17/04/2023 07:56:27	System	Waiting for confirmation of Payment Date
17/04/2023 07:56:18	System	Monitor For Invoice Payment Started
17/04/2023 07:56:06	System	Monitor Oracle Finished
17/04/2023 07:56:01	System	Success indicated by Oracle Interface
17/04/2023 07:18:47	System	Waiting for Response from Oracle Interface
17/04/2023 07:18:40	System	Monitor Oracle Started
17/04/2023 07:18:28	System	Data Upload Finished
17/04/2023 07:18:21	System	Data Uploaded

Appendix D: Notification to the Department of Payment Made to DWER PEOF and Notification of Non-Compliance



Amy Dalton
To EPBC Monitoring
Cc Tony Carlino

Reply Reply All Forward ...

Mon 8/04/2024 2:29 PM



Good afternoon,

Notification of payment into the Pilbara Environmental Offsets Fund:

In accordance with Condition 15(f) of EPBC 2020/8725, Main Roads Western Australia (Main Roads) as the proponent for the EPBC 2020/8725 Karratha – Tom Price Road Stage 4 project, is required to submit evidence to the Department of Climate Change, Energy, the Environment and Water (the Department) of each payment made into the Western Australian Department of Water and Environmental Regulation (DWER) Pilbara Environmental Offsets Fund (PEOF), within 10 business days of making the payment. Please be advised that a 10% upfront payment of \$193,038.00 (incl GST), as required by Condition 15(d), was made into the PEOF on 18 April 2023 by Main Roads. Please find attached evidence of the DWER invoice issued for the \$193,038.00 payment and confirmation of payment made into the PEOF from Main Roads accounting system.

Reporting a non-compliance:

In accordance with Condition 29 of EPBC 2020/8725, Main Roads is notifying the Department of a non-compliance with Condition 15(f) of EPBC 2020/8725.

Condition 15(f) states:

Submit evidence of each payment made to the Department within 10 business days of the date of making the payment.

Description of non-compliance:

It was identified by Main Roads on 4 April 2024 that a notification relating to submitting evidence of an initial 10% payment of \$193,038.00 (incl GST), was not submitted to the Department within the 10 business days of the date of making the payment, in accordance with Condition 15(f). The non-compliance was attributed to an oversight (now resolved) and is deemed to be administrative only. No environmental impacts occurred as a result of the non-compliance.

Location:

Not applicable (administrative).

In accordance with Condition 31 of EPBC 2020/8725, having regard to the information provided above, further corrective or remedial actions are not deemed required and no environmental impacts occurred as a result of the non-compliance.

Please provide confirmation of receipt of this notification and advise if additional information is required in the meantime.

Kind Regards,

Amy Dalton
Senior Environment Officer
Environment and Heritage
Planning and Technical Services Directorate
Tel: +61 8 9323 4279



Main Roads acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present