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Bussell Highway Duplication - Hutton to Sabina

Proposal EPBC 2020/8800

EPBC Act

Annual Compliance Report

11/08/2022 – 10/08/2023

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Document Control

Title	EPBC ACT: 2020/8800 Annual Compliance Report
Project	Bussell Highway Duplication (Hutton to Sabina)
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1 EXECUTIVE SUMMARY

Main Roads Western Australia (Main Roads) is upgrading approximately 12 km of single lane carriage way of the Bussell Highway to dual lane carriage way between Capel and Busselton (SLK 32.6 to SLK 44.0) (the Project). The duplication of the Bussell Highway will reduce road congestion (especially during peak travel periods) and provide improved road safety.

This Project was formally referred to the Department of Climate Change, Energy, the Environment and Water (DCCEEW, then Department of Agriculture, Water, and the Environment) by Main Roads in October 2020 under the provisions of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). DCCEEW determined the Project to be a "Controlled Action" due to impacts on Matters of National Environmental Significance (MNES), and it was assessed through preliminary documentation (EPBC 2020/8800). Main Roads WA was issued with conditional environmental approval on 30 June 2021.

The implementation of the Action commenced on 11th August 2021 and is being delivered by Main Roads South West Region.

During the reporting period (11th August 2022 to 10th August 2023), the following activities were undertaken:

- Clearing of native vegetation:
 - Western Ringtail Possum Habitat; 0.26 ha
 - Black Cockatoo Habitat; 0.22 ha; and
 - DBH Trees; 3 (no trees with hollows).
- On-going construction of roadworks and three bridges over the Abba, Ludlow, and Sabina rivers.

This Project is scheduled for completion in late in 2024.

This is the second annual compliance report for this EPBC Approval 2020/8800.

2 DECLARATION OF ACCURACY

2.1 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 Martine Scheltema

Full name (please print) Martine Scheltema

Position (please print) Director Environment and Heritage

Organisation (please print including ABN/ACN if applicable) 50 860 676 021

Date 30 / 10 / 23

3 PURPOSE

This Annual Compliance Report is prepared to satisfy the requirements of Condition 17 of Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval EPBC 2020/8800 for the Bussell Highway Duplication (Hutton to Sabina) Project (the Project).

Condition 17 of EPBC Approval 2020/8800 requires annual compliance assessment reports to be published on Main Roads' website within 60 business days following the relevant 12-month period. This annual compliance report has been produced in accordance with Condition 17 EPBC 2020/8800.

Annual Compliance Reporting

17. The approval holder must prepare a compliance report addressing each of the conditions of this approval 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:

- a. publish each compliance report on the website within 60 business days following the relevant 12-month period; and*
- 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 5 business days of the date of publication.*

This Annual Compliance Report (CAR) incorporates a 12-month audit period from 11th August 2022 to 10th August 2023. This is the second Annual Compliance Report to be produced under EPBC approval 2020/8800.

Compliance with the approval conditions is addressed in Table 1.

3.1 Summary of Action

The Project is located approximately 200 km south of Perth and occurs in the Shire of Capel and City of Busselton, see Appendix A.

The Bussell Highway is the main connection between Bunbury and Busselton through to Margaret River and Augusta in the southwest region of Western Australia. The Bussell Highway is an important transportation link for industry in relation to freight, agriculture, and tourism, and a commuter link.

The Bussell Highway between Bunbury and Busselton is 46 km in length, and it is dual carriageway in both directions, except for a 12.3 km section between Capel and the Sabina River (east of Busselton), which is a two-lane single carriageway with few overtaking lanes.

The current traffic flow and road usage exceeds the capacity of the single carriageway section of the Bussell Highway. Road users experience excessive traffic congestion and delays, especially during peak holiday periods and long weekends. There are also safety concerns regarding the capability of the single lane section of the highway due to the lack safe of overtaking opportunities and no median strip to allow for traffic separation.

The duplication of the Bussell Highway will increase traffic capacity and reduce travel times during peak (holidays and long weekends) periods. Road safety will also be significantly improved.

The Proposed Action is to construct a 12.3 km dual carriageway section of highway that will result in providing a complete dual carriageway between the southern cities of Bunbury and Busselton, inclusive of other road infrastructure including but not limited to bridges, culverts, lighting, noise barriers, fencing, landscaping and road safety barriers and signage. The northern end of the construction commences approximately 950 metres (m) west of Hutton Road and ties into the existing dual carriageway approximately 450 m west of the Sabina River crossing.

The majority of native vegetation clearing for the Project was undertaken during the previous reporting period (2021-2022). Less than 0.25 ha of native vegetation was cleared during the 2022-2023 reporting period.

3.2 Approval under the Environment Protection and Diversity Conservation Act 1999

This Project was formally referred to Department of Climate Change, Energy, the Environment and Water (DCCEEW, then Department of Agriculture, Water, and the Environment) in October 2020 (EPBC Act referral 2020/8800) as a potential "Controlled Action" under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) due to impacts on Matters of National Environmental Significance (MNES). On 3rd of November 2020, a delegate of the Minister for the Environment provided advice to Main Roads that the Project is a Controlled Action and that it will be assessed under the EPBC Act by preliminary documentation. The Department considered the proposed Action likely to have a significant impact on MNES, specifically:

- Black Cockatoos (Carnaby's cockatoo (*Zanda latirostris*) (endangered), Baudin's Cockatoo (*Zanda baudinii*) (endangered) and Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*) (vulnerable)) ('Black Cockatoos');
- Western Ringtail Possum (*Pseudocheirus occidentalis*) (critically endangered) ('WRP'); and
- Tuart (*Eucalyptus gomphocephala*) forests and woodlands of the Swan Coastal Plain Threatened ecological community (critically endangered) ('Tuart Woodlands TEC').

Main Roads WA obtained conditional approval (EPBC2020/8800) for the Bussell Highway Duplication Project (Hutton to Sabina) from DCCEEW on 30 June 2021.

3.3 Amendments

3.3.1 EPBC 2020/8800 Conditions 4d and 8

Main Roads engaged with DCCEEW in December 2021 on the timing to comply with Conditions 4d and 8 of the EPBC 2020/8800 approval relating to submission timeframes of the Offset Management Plan. On 26th June 2022, Main Roads sought to vary the conditions to and extend the submission due date of the Offset Management Plan from 12 months (June 2022) to 24 months, June 2023.

DCCEEW advised Main Roads on 27th October 2022, that further information was required regarding the variation of Conditions 4d and 8 and that Condition 6 would also require the same variation. Consistent with this advice, Main Roads requested this condition to be included in the variation.

Main Roads provided DCCEEW clarification regarding the current status of the required 7.4 ha revegetation area at Ludlow State Forest No. 2 for Western Ringtail Possum and also provided DCCEEW with updated information regarding offset discussions with the Department of Biodiversity

and Conservation (DBCA), which has been agreed in principle. DCCEEW contacted Main Roads in January 2023 regarding draft text for the approvals condition variations for the Project and requested additional information. In March 2023, DCCEEW requested Main Roads confirm that Lot 200 and 201 West Boundary Road, Manjimup were available as an environmental offset, and this was confirmed in March 2023. Main Roads has not received any further correspondence from DCCEEW regarding the variation request.

3.3.2 EPBC 2020/8800 Pre-Approval Documentation

Main Roads discovered an inadvertent error in the referral documentation for the Bussell Hwy Duplication Project (EPBC 2020/8800) in regard to the design of bridges that would be constructed for the Project. It was incorrectly stated that three clear span bridges would be constructed at the Ludlow, Abba and Sabina Rivers, however the bridge design reports included in the referral documentation stated, "at the time of the geotechnical site investigation, the preferred option had not been confirmed."

EPBC 2020/8800 Condition 3 required the preparation of the Vasse-Wonnerup Management Plan. In preparing this management plan it was inadvertently noted that the bridges would be clear span. In February 2022 Main Roads raised this error with DCCEEW and advised that the bridges to be constructed would be similar to the existing bridges at each location. To achieve this construction consistency, piles will be required for the new Abba and Ludlow River Bridges.

Main Roads consulted with DBCA and the Department of Water and Environmental Regulation (DWER) on the proposal to install piles for the new Abba and Ludlow River Bridges and both departments advised Main Roads they did not have any issues with the proposed bridge designs. As a consequence, Main Roads submitted an amended Vasse-Wonnerup Management Plan to DCCEEW in November 2022 for approval. Main Roads has not received any further correspondence from DCCEEW regarding this matter.

4 SCOPE OF THE PROJECT

The Proposed Action is to construct 12.3 km of carriageway to duplicate the Bussell Highway inclusive of but not limited to bridges, culverts, lighting, noise barriers, fencing, landscaping and road safety barriers and signage.

4.1 Status of the Project

The Action commenced in August 2021 and is expected to be completed in late 2024.

4.2 Compliance with Approval Conditions

Compliance with the approval conditions for the 2022-2023 reporting period is addressed in Table 1. The status of compliance was determined by Main Roads based on information provided by the construction contractor, Main Roads site superintendent and Main Roads records.

Approval conditions deemed completed or not applicable for this reporting period are shaded grey in Table 1.

Table 1: Compliance with Conditions of EPBC Approval 2020/8800

Conditions		Status	Comments
Avoidance and mitigation			
1	To avoid and mitigate impacts to listed threatened species and communities the approval holder must not: a. Clear more than 24.0 ha of western ringtail possum habitat. b. Clear more than 20.8 ha of habitat for black cockatoos, including no more than 124 trees with a diameter at breast height of greater than 500 mm.	C	Main Roads has cleared during this reporting period: a. 0.227 ha of the approved 24.0 ha of Western Ringtail Possum (WRP) habitat. The total project clearing has been 20.8 ha of WRP habitat. b. 0.224 ha of the approved 20.0 ha of Black Cockatoo habitat. The total project clearing of Black Cockatoo habitat has been 17.89 ha. A total of three trees with a diameter at breast height of greater than 500 mm (no trees with hollows) was cleared during the reporting period. In total, 111 trees with a diameter at breast height of greater than 500 mm have been cleared.
1	To avoid and mitigate impacts to listed threatened species and communities the approval holder must not: c. Clear more than one tree containing a suitable nesting hollow; and d. Clear more than 2.0 ha of tuart TEC.	CLD	c. Only one tree with a suitable nest hollow occurred within the Development Envelope and this was cleared during 2021-2022 compliance reporting period.; and d. 1.996 ha of the approved 2.0 ha of Tuart TEC clearing was completed during 2021-2022 compliance reporting period. No further TEC clearing has been undertaken.
2	To avoid and mitigate impacts to protected matters, the approval holder must implement all avoidance, mitigation and management measures identified in tables 6-2, 6-3, 6-6, 6-7, 6-10 and 6-11 of the preliminary documentation main report. If any western ringtail possum or black cockatoos are injured or killed during clearing and/or construction, any such incidents must be reported to the department within three business days. Table 6-2. SMART Performance Standards for Black Cockatoos. <ul style="list-style-type: none"> Amount of Black Cockatoo foraging habitat cleared. Number of trees with a DBH ≥500 mm. Number of trees with a DBH ≥500 mm which contain a potentially suitable nesting hollow(s) cleared. 	C	Main Roads has undertaken a minor amount of native vegetation clearing during this reporting period: <ul style="list-style-type: none"> 0.224 ha of the approved 20.8 ha Black Cockatoo habitat; and 3 suitable diameter at breast height (DBH) trees (no trees with suitable hollows).
2	Table 6-3. Black Cockatoos - Prior to Construction Apply Main Roads standard operational controls, which include hygiene management and fire management and provide for monitoring during construction.	C	Main Roads standard operational controls are incorporated into the Contractors deliverable documentation. The Construction Environmental Management Plan (CEMP) is reviewed by Main Roads and forms the basis of environmental compliance and management of the Project. The Contractors CEMP outlines preventative management actions for hygiene management across the Project to prevent the spread of weeds and Dieback. The CEMP discusses: <ul style="list-style-type: none"> Pre-start requirements for dieback and hygiene areas; Monitoring of mobile plant and vehicles to ensure they are clean on entry and exit (free from soil and vegetation, weeds, seeds and Dieback);

Conditions	Status	Comments
		<ul style="list-style-type: none"> • Restricting movement of plant and machines and other vehicles to the limits of vegetation clearing; and • Cleared materials are to be stockpiled and or disposed of at appropriate facilities; earthworks operations shall be conducted in conjunction with any specified Dieback control measures as detailed in MRWA specifications and included in the Contractors Project and HSE Induction Training packages. • The Contractors SOP outlines hygiene requirements: <ul style="list-style-type: none"> ○ When required an evaluation of a site must be conducted to establish the potential for weeds and to map areas of existing weed infestation prior to mobilisation; ○ Quarantine areas may be required to be installed, demarcated and appropriately signed to prevent access; ○ Quarantine areas must be communicated to workers at the site induction; and ○ All light vehicles and mobile plant must be washed regularly to prevent the spread of weeds, seeds and Dieback. <p>The Contractor's CEMP outlines management actions and controls for fire management across the Project, including:</p> <ul style="list-style-type: none"> • Ensuring activities involving hot works have a valid hot work permit and a fire watch person is in place; • Where practicable install spark arrestors to designated vehicles and plant machinery; • All vehicles including plant and equipment are to be fitted with fire extinguishers and restricted to designated cleared areas; • Regularly monitor to see if fire bans in place (DFES) or if there are vehicle movement bans (LGA) and take the necessary actions as advised by DFES and LGA; • Ensure that a water tanker and or fire fighter unit will be on site at all times during project construction; and • Fire management is also included in the Contractors Project and HSE Induction Training packages, Safety Management Plan and Emergency Management Response Plan. • The Contractors SOP also outlines further fire management requirements: <ul style="list-style-type: none"> ○ Fire breaks must be maintained as required around facilities; ○ All vehicles are to travel on designated roads, tracks and parking areas; and ○ No rubbish will be burnt, and no fires will be lit unless approved for the purpose of fire training and fire-fighting equipment must be available.

Conditions		Status	Comments
2	<p>Table 6-3. Black Cockatoos - Prior to Construction</p> <p>Contractor induction will include familiarisation with and discussion of Black Cockatoos, Phytophthora dieback management and hygiene management.</p>	C	<p>The Contractor's HSE Induction Training Module outlines the Project and the safety and environmental requirements.</p> <p>The Induction Training Modules:</p> <ul style="list-style-type: none"> • Recognises fauna (WRP & BC) as important biodiversity values; • Identifies that habitat areas required to be cleared are to be inspected and trees are also required to be inspected before clearing is undertaken; and • Specifies that all equipment is to be free from soil/s and has been checked for soil, seed, and weeds, and vehicles are to use designated roads. • Discusses what dieback is, and how it affects certain species of tree roots, how it is spread and mitigation measures to prevent any further Dieback contamination. General hygiene management measures are also outlined: <ul style="list-style-type: none"> ○ Establishing no-go zones restricting construction activities and vehicle movements; site inspections will be undertaken by a Supervisor and or HSE Advisor. All no-go zones will be marked on relative design drawing/s; ○ Weed Seed Dieback Inspection Certificate is required for entry into the Project, when a vehicle/machine travels off road, outside the project area or operates in areas where declared weeds present; and ○ Signage will be used as required for Dieback and weed areas placed appropriately at entrances and exits.
2	<p>Table 6-3. Black Cockatoos - Prior to Construction</p> <p>Prior to clearing, the final road design will be assessed against the proposed clearing area to ensure the required clearing area is no more than the approved area.</p>	C	<p>The final road design was assessed against the proposed clearing for the Project to ensure that clearing of vegetation was within the approved development area; analysis of survey shape files were reviewed against adjusted road design.</p>
2	<p>Table 6-3. Black Cockatoos - Prior to Construction</p> <p>Habitat to be cleared within the area of the Proposal area will be clearly demarcated in the field.</p>	C	<p>Clearing boundaries were surveyed and pegged by a competent Surveyor. These areas are distinctly marked with coloured tape and or flagging. Demarcation of areas is documented in the Contractors SOP.</p> <p>Fauna spotters daily pre-clearance checklists also documents demarcation used to identify specific areas within the Development Envelope of the Project.</p>
2	<p>Table 6-3. Black Cockatoos - Prior to Construction</p> <p>Where the tree with suitable nest hollow for Black Cockatoos will require clearing for the Proposal, the hollow will be visually inspected were safe and practicable. Where not in use the hollow will be 'blocked' to prevent breeding.</p>	CLD	<p>Only one tree with a suitable nest hollow occurred within the Development Envelope and this was cleared during 2021-2022 compliance reporting period.</p>

Conditions		Status	Comments
2	<p>Table 6-3. Black Cockatoos - Prior to Construction</p> <p>Where blocking of the nest hollow cannot be undertaken (e.g., timing, access), a pre-clearing fauna assessment will be undertaken by a suitably experienced person to determine if the hollow is being used by Black Cockatoos.</p>	CLD	Only one tree with a suitable nest hollow occurred within the Development Envelope and this was cleared during 2021-2022 compliance reporting period.
2	<p>Table 6-3. Black Cockatoos - During Construction</p> <p>A suitably experienced zoologist/environmental scientist will be on-site at all times during clearing of breeding habitat for Black Cockatoos and must maintain radio communication with machinery operators.</p>	C	<p>A suitably qualified, licenced, and experienced person was on site for clearing activities conducted in breeding habitat for Black Cockatoos. Clearing observations this is documented in fauna spotter daily clearing diaries.</p> <p>Radio communications is also documented in fauna spotters daily clearing diaries.</p>
2	<p>Table 6-3. Black Cockatoos - During Construction</p> <p>Where a suitable nest hollow has not been blocked and the preclearing fauna assessment has not identified any Black Cockatoo occupation of the nest hollow, prior to clearing the tree will be 'bumped gently' with a machine with the machine operator and zoologist to wait and observe the tree for a short time after. If no Black Cockatoo appears to be present following being bumped gently then the tree shall be pushed over slowly to minimise risk of injury to any undetected animal (if present).</p> <p>Where a suitable nest hollow has not been blocked and the preclearing fauna assessment identifies any Black Cockatoo occupation of the nest hollow (which may include nestlings), the tree with the nest hollow will not be cleared until after the completion of the breeding season. No vegetation within 10 m of the tree would be cleared until after the completion of the breeding season.</p>	N/A	Only one tree with a suitable nest hollow occurred within the Development Envelope and this was cleared during 2021-2022 compliance reporting period.
2	<p>Table 6-3. Black Cockatoos - During Construction</p> <p>Any Black Cockatoos showing signs of injury or illness will be promptly referred to an experienced wildlife veterinarian or approved wildlife rehabilitation facility.</p>	C	No Black Cockatoos have been injured or required veterinarian treatment during the reporting period.
2	<p>Table 6-3. Black Cockatoos - During Construction</p> <p>A post-clearing survey shall be undertaken to ensure no injured Black Cockatoo individuals are present.</p>	C	<p>Daily post clearing surveys are undertaken by a suitably qualified, licenced, and experienced person.</p> <p>No Black Cockatoos have been injured or required veterinarian treatment during the reporting period.</p>
2	<p>Table 6-3. Black Cockatoos - During Construction</p> <p>All Department of Fire and Emergency Services (DFES) and Local Government Authority (LGA) restrictions on fire and machinery movement will be strictly adhered to.</p>	C	The Project is registered for Total Fire Ban notifications. DFES and Local Government restrictions and exemption conditions in regard to fire bans, fire and machinery movement. When required these are communicated to Project operations via morning Pre-start, Safety Meetings, Toolbox's and or by the Contractors site Supervisors and Superintendents,

Conditions		Status	Comments
2	<p>Table 6-7. WRP - Prior to Construction</p> <p>Contractor induction will include familiarisation with and discussion of WRP, Phytophthora dieback management and hygiene management.</p>	C	<p>The Contractors Induction Training package:</p> <ul style="list-style-type: none"> • Outlines what Dieback is, what it does to certain species tree roots, how its spread and mitigation measures to prevent any further contamination. General hygiene management measures outlined include: <ul style="list-style-type: none"> ○ Establishing no-go zones restricting construction activities and limiting vehicle movements; site inspections will be undertaken by a Supervisor and or HSE Advisor. No go zones will be marked on design drawings; ○ Weed Seed Dieback Inspection Certificate is required for when a vehicle/machine travels off road, outside the Project area or operates in areas where there are declared weeds present; and ○ Signage will be used as required for Dieback and weed areas placed appropriately at entrances and exits. <p>The Contractor's Health and Safety Department maintains personnel onboarding and induction records.</p>
2	<p>Table 6-7. WRP - Prior to Construction</p> <p>Prior to clearing, the final road design will be assessed against the proposed clearing area to ensure the required clearing area is no more than the approved area.</p>	C	<p>The final road design was assessed against the proposed clearing for the Project to ensure that clearing of vegetation was within the approved development area; analysis of survey shape files were reviewed against adjusted road design.</p>
2	<p>Table 6-7. WRP - Prior to Construction</p> <p>Habitat to be cleared within the Proposal area will be clearly demarcated in the field.</p>	C	<p>All clearing boundaries, exclusion zones, habitat trees, and Heritage area/s are surveyed, pegged by a surveyor. Areas within the Development Envelope are distinctly marked with coloured flagging or tape.</p> <p>The Contractors SOP documents demarcation of certain areas to enable to differentiation.</p>
2	<p>Table 6-7. WRP - Prior to Construction</p> <p>Pre-clearing fauna assessment and spotlighting will be undertaken by a suitably qualified person over two nights within the five nights prior to clearing. Assessment is to include hollows, dreys, ground debris, dense ground-level vegetation, timber, and logs.</p>	C	<p>Pre-clearing fauna assessments and spotlighting were undertaken by suitably qualified, licenced, and experienced person over two nights within the five nights prior to clearing.</p>
2	<p>Table 6-7. WRP - During Construction</p> <p>A suitably experienced zoologist/environmental scientist will be on-site at all times during clearing of WRP habitat and must maintain radio communication with machinery operators.</p>	C	<p>A suitably qualified, licenced, and experienced person was on site for clearing activities undertaken in WRP habitat.</p> <p>Relevant observations are communicated between machine operators and fauna spotters via site radio. This is to ensure that any sighting/s of WRP/s (and other wildlife) is communicated directly between both parties to prevent any potential harm occurring to wildlife in the area.</p> <p>Positive radio communications with plant operators is documented in fauna spotter daily clearing diaries.</p> <p>The contractors Safety Management Plan also discusses radio communications.</p>
2	<p>Table 6-7. WRP - During Construction</p> <ul style="list-style-type: none"> • Vacant dreys will be removed prior to clearing where they are accessible. 	C	<p>Some vacant dreys were removed prior to clearing operations being undertaken.</p> <p>No trees with suitable hollows were identified during the reporting period.</p>

Conditions		Status	Comments
	<ul style="list-style-type: none"> Vacant tree hollows suitable for possums will be removed or blocked prior to clearing where they are accessible. 		
2	<p>Table 6-7. WRP - During Construction</p> <p>No night-time clearing of vegetation will occur.</p>	C	<p>Construction activities are restricted to daylight hours. The Contractor Training Induction package states "no work is to occur outside the nominated business hours.</p> <p>No night-time clearing of vegetation has occurred.</p>
2	<p>Table 6-7. WRP - During Construction</p> <p>Temporary traffic management measures including variable message boards will be implemented to alert road users to the possible presence of WRP on the roadway.</p>	C	<p>Temporary variable message boards (VMB) and the use of traffic control management are used as required when clearing operations are in close proximity to roads and highways.</p> <p>The VMB provide information to the road users prior to entering an area where clearing operations are being conducted nearby; and there may be possibility of wildlife in that area and or near the roadway.</p>
2	<p>Table 6-7. WRP - During Construction</p> <p>Cleared vegetation will be chipped immediately or transported at least 100 m from WRP habitat before further processing.</p>	C	<p>Cleared vegetation was chipped directly after being felled or transported at least 100 m from WRP habitat before further processing.</p>
2	<p>Table 6-7. WRP - During Construction</p> <p>Movement/disturbance of clearing stockpiles will be confined to the period between one hour after sunrise and one hour prior to sunset.</p>	C	<p>No movement or disturbance of clearing stockpiles occurred outside the period between one hour after sunrise and one hour prior to sunset.</p>
2	<p>Table 6-7. WRP - During Construction</p> <p>Habitat clearing is to commence from existing edge lines/roads and progress towards habitat that will be retained, where possible.</p>	C	<p>The Contractor's CEMP outlines the requirements of directional clearing.</p> <p>The 0.227 ha WRP habitat that was cleared during the reporting period was cleared in a directional manner towards adjacent habitat, which was documented in fauna spotters daily works diary.</p>
2	<p>Table 6-7. WRP - During Construction</p> <ul style="list-style-type: none"> If WRPs are observed during clearing operations, the tree containing the animal shall be left for up to 48 hours to allow for the animal to vacate, while clearing continues in adjacent vegetation. If the tree continues to be occupied after 48 hours, the animal will be coerced/moved to a safe area outside of the clearing footprint by the appointed zoologist/environmental scientist/fauna spotter. Trees, as noted above, that are observed to support WRP after 48 hours will be 'bumped gently' with a machine prior to felling. The operator and spotter will wait and observe the tree for a short time. If the animal remains in the tree, the tree shall be pushed over slowly onto vegetation within the clearing area that is yet to be cleared. The 'soft felling' of habitat trees will provide a 'cushion' for the vegetation being felled, minimising the risk of injury to the animal, and allowing any WRP present with the opportunity to safely vacate. 	C	<p>Daily post clearing surveys are undertaken by a suitably qualified, licenced, and experienced person.</p> <p>No trees with suitable hollows were cleared during the reporting period.</p>

Conditions	Status	Comments
<ul style="list-style-type: none"> Felled trees with hollows will be checked immediately for WRPs after felling and prior to further processing. If it is not possible to fully inspect the hollow the tree will be left on the ground overnight to allow time for any undetected fauna to vacate. 		
<p>2</p> <p>Table 6-7. WRP - During Construction</p> <ul style="list-style-type: none"> A post-clearing survey shall be undertaken immediately following each day's clearing operations and the following morning to identify the presence of any injured animals. 	C	<p>Fauna spotters complete daily post clearing surveys (daily diaries) immediately following that days clearing operations.</p> <p>No animals were injured or required ongoing care (veterinary or wildlife rehabilitation) during the reporting period.</p>
<p>2</p> <p>Table 6-7. WRP - During Construction</p> <p>Any WRP showing signs of injury or illness will be promptly referred to an experienced wildlife veterinarian or approved wildlife rehabilitation facility.</p>	N/A	<p>No animals were injured or required ongoing care (veterinary or wildlife rehabilitation).</p>
<p>2</p> <p>Table 6-10. – Tuart TEC</p> <p>Clearing of 2.0 ha of Tuart Woodlands TEC.</p>	CLD	<p>During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC.</p> <p>No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.</p>
<p>2</p> <p>Table 6-11. – Tuart TEC Prior to Construction</p> <p>Apply Main Roads standard operational controls, including hygiene and fire management procedures, such as machinery/vehicle clean down, weed treatments and restrictions on vehicle/machinery movements, and provide for monitoring during construction.</p>	CLD	<p>During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC.</p> <p>No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.</p>
<p>2</p> <p>Table 6-11. – Tuart TEC Prior to Construction</p> <p>Contractor induction will include familiarisation with and discussion of TEC vegetation, Phytophthora dieback management and hygiene management.</p>	CLD	<p>During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC.</p> <p>No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.</p>
<p>2</p> <p>Table 6-11. – Tuart TEC Prior to Construction</p> <p>Design refinement to minimise the area of TEC vegetation needed to be cleared for the Proposal (hold point).</p>	CLD	<p>During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC.</p> <p>No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.</p>
<p>2</p> <p>Table 6-11. – Tuart TEC Prior to Construction</p> <p>Prior to clearing, the final road design will be assessed against the proposed clearing area to ensure the required clearing area is no more than the approved area.</p>	CLD	<p>During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC.</p> <p>No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.</p>

Conditions		Status	Comments
2	Table 6-11. – Tuart TEC Prior to Construction Tuart Woodlands TEC vegetation to be cleared within the Proposal Area will be clearly demarcated in the field.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC Prior to Construction Declared Plants and WoNS within the Proposal Area will be removed or treated with herbicide.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC During Construction Demarcation of the active construction front of TEC vegetation areas will be maintained during the construction phase.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC During Construction Movement of machines and other vehicles will be restricted to the limits of the areas cleared within the Proposal Area or on designated tracks outside the area.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC During Construction Infestations of Declared Plants and WoNS within the Proposal Area will be removed or treated with herbicide.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC During Construction No re-fuelling of equipment will be conducted within 100 m of TEC vegetation.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC During Construction As far as practical, clearing activities will occur during the dry months to reduce the risk of spreading Phytophthora dieback.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.
2	Table 6-11. – Tuart TEC During Construction All DFES and LGA restrictions on fire and machinery movement will be strictly adhered to.	CLD	During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC. No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.

Conditions		Status	Comments
2	<p>Table 6-11. – Tuart TEC During Construction</p> <p>If any western ringtail possum or black cockatoos are injured or killed during clearing and/or construction, any such incidents must be reported to the department within three business days.</p>	CLD	<p>During 2021-2022 compliance reporting period Main Roads completed the clearing of 1.996 ha of the approved 2.0 ha of Tuart TEC.</p> <p>No further clearing has been undertaken of the Tuart Woodlands during the 2022-2023 reporting period.</p>
3	<p>To avoid and mitigate impacts to the Vasse-Wonnerup Ramsar wetland, and any listed migratory species that inhabit that wetland, the approval holder must implement the Vasse-Wonnerup Management Plan, for the duration of this approval.</p> <p>Table 6-3. During Construction</p> <p>Erosion and/or sedimentation incidents at or near rivers recorded by construction contractor and reported to Manager Environment within 24 hours of incident occurring. Report annually to DCCEEW (DAWE) as part of annual compliance reporting or in response to exceedance of an agreed trigger or threshold.</p> <p>Report annually to DAWE as part of annual compliance reporting or in response to exceedance of an agreed trigger or threshold.</p>	C	<p>Silt curtains are installed at waterways and regularly maintained.</p> <p>No significant incidents in regard to sedimentation and erosion that have the potential to impact the environment are known to have occurred during the compliance reporting period.</p>
3	<p>Table 6-3. During Construction</p> <p>Location of hydrocarbon storage and re-fuelling facilities</p>	C	<p>The Contractors Induction states:</p> <ul style="list-style-type: none"> • “100m” offset to waterways and TECs when refuelling. <p>Diesel and other hydrocarbons are not stored on site. Diesel is delivered to site in refuelling trucks. Limestone hard stands were initially built at a number of locations across the project for refuelling, and now the majority of works have a nearby gravel or limestone pavement hard-stand for refuelling. Spill trays are implemented during fuelling.</p>
3	<p>Table 6-3. During Construction</p> <p>Water quality (only required in the event of a hydrocarbon spill or erosion/sedimentation incident that directly impacts the Sabina, Abba, or Ludlow Rivers)</p> <p>Incidents potentially impacting water quality in any of the three listed rivers recorded by construction contractor and reported to Manager Environment within 24 hours of incident occurring</p> <p>Report annually to DAWE as part of annual compliance reporting or in response to exceedance of an agreed trigger or threshold</p>	C	<p>No hydrocarbon spills that may have had the potential to impact upon the Sabina, Abba or Ludlow Rivers are known to have occurred during the compliance reporting period.</p>
3	<p>Table 6-3. During Construction</p> <p>Occurrences of ASS contamination recorded by construction contractor and reported to Manager Environment monthly.</p> <p>Report annually to DAWE as part of annual compliance reporting or in response to exceedance of an agreed trigger or threshold</p>	C	<p>Excavation of potential acid sulphate soils at the Ludlow and Abba Rivers are managed under the Contractors Acid Sulphate Management Plan and Work Procedure.</p> <p>No acid sulphate soil contamination has been detected during the compliance reporting period.</p>

Conditions		Status	Comments
3	<p>Table 6-3. During Construction Appropriate management of potential ignition sources and fire response</p>	C	<p>Fire management measures in regard to potential ignition sources includes:</p> <ul style="list-style-type: none"> • The issue of Hot Works Permits; • Restricted vehicle movements; • Vehicle and mobile plant pre-starts; • Total Fire Ban exemption; • Contractor Safety Management Plan; and • Contractor Emergency Management Plan. <p>The Contractor's CEMP outlines operational controls regarding fire management across the Project and they include but are not limited to:</p> <ul style="list-style-type: none"> • Activities involving hot works, all hot works must have a valid hot work permit and where required a fire watch person is in place; • Where required spark arrestors are fitted to appropriate vehicles and machinery; • All vehicles, plant, and equipment to be fitted with fire extinguishers and restricted to designated cleared areas; • Water carts and a fire-fighting trailer will be available on the project; and • Fire watch is undertaken every 30 minutes up to 3 hours after work has ceased when there is a high risk of causing wildfire. <p>The contractors Safety Management Plan outlines fire prevention measures for the Project operations.</p> <p>Local Government and or FESA Total Fire Ban notifications are disseminated to site operations, via the Contractors Site Shift Supervisor and or Superintendent and recorded in their management diaries.</p>
3	<p>Table 6-3. During Construction Bushfire incidents impacting riparian vegetation or the Vasse-Wonnerup System Ramsar site reported to Manager Environment monthly Report annually to DCCEEW as part of annual compliance reporting or in response to exceedance of an agreed trigger or threshold</p>	C	<p>No bushfire fire incidents impacting riparian vegetation, or the Vasse-Wonnerup Ramsar System have been known to have occurred as a consequence of construction activities during the compliance reporting period.</p>
4	<p>To compensate for the residual significant impacts to western ringtail possums, black cockatoos and the tuart TEC, the approval holder must:</p> <p>a. acquire and secure for use as an offset site the entirety of Lots 200 and 201 West Boundary Road, Manjimup, Western Australia (being the areas respectively outlined red and yellow in Attachment B)</p> <p>b. acquire and secure for use as an offset site at least 8.78 ha of State Forest No. 2 near Busselton, Western Australia (of the areas outlined purple and green in Attachment C)</p>	C	<p>a. Main Roads has purchased offset Lots 200 and 201 West Boundary Road, Manjimup.</p> <p>b. and c. Main Roads is negotiating with DBCA regarding Lots 200 and 201, and Ludlow Tuart Forest (also known as State Forrest No.2) to finalise the offset package for these land parcels, and for the transfer of this land to DBCA and for DBCA to take over the total management of the offset responsibilities. As DBCA is responsible for the Ludlow Tuart Forest, the property is considered "acquired and secure".</p>

	Conditions	Status	Comments
	<p>c. secure the offset sites identified in conditions 4a and 4b, within 12 months of the date of this approval</p> <p>d. provide written evidence to the department that the offset sites identified in conditions 4a and 4b have been acquired and secured, within 12 months of the date of this approval; this written evidence must also identify the securing mechanism by which each offset site will be permanently protected for conservation.</p>		<p>d. The Certificate titles were provided by Main Roads to DCCEEW on 26/06/2022. These properties have been transferred to the ownership of the DBCA for management as part of the conservation estate.</p>
5	<p>To compensate for the residual significant impacts to western ringtail possums, black cockatoos and the tuart TEC, the approval holder must:</p> <p>a. manage 29 ha of vegetation at Lots 200 and 201, West Boundary Road, Manjimup to prevent degradation of black cockatoo habitat.</p> <p>b. manage 37 ha of vegetation at Lots 200 and 201, West Boundary Road, Manjimup to prevent degradation of western ringtail possum habitat.</p> <p>c. revegetate, rehabilitate, and manage 7.4 ha of vegetation in State Forest No. 2 to provide habitat for western ringtail possums.</p> <p>d. revegetate, rehabilitate, and manage 8.78 ha of areas in State Forest No. 2 to create and maintain 8.78 ha of tuart TEC.</p> <p>e. undertake all revegetation, rehabilitation, and management in accordance with the methods and reporting processes required by conditions 8, 9 and 10.</p>	C	<p>a. and b. Lots 200 and 201 are currently being managed for the purposes of conservation.</p> <p>c, d, and e. Main Roads has identified areas of Ludlow Tuart Forest in consultation with DBCA for the revegetation, rehabilitation, and management of land to provide habitat for WRP and Black Cockatoos. This land is expected to be available for the commencement of revegetation works in late 2023.</p>
6	<p>If the approval holder fails to secure the offset sites identified in Condition 4 or fails to secure the full area (in hectares) specified in Condition 5, within 12 months of the date of this approval, then the approval holder must submit a Contingency Offset Plan to the department for approval by the Minister. The Contingency Offset Plan must include, but not be limited to:</p> <p>a. An evaluation of the compensatory value provided by each new nominated offset proposal in accordance with the EPBC Environmental Offsets Policy, with explanation and evidence to support the choice of all input values for the Offsets Assessment Guide. If evidence is not provided to support input values for the Offsets Assessment Guide, then values must be proposed on a precautionary basis that assume lower conservation gains.</p> <p>b. Explanation as to how the Contingency Offset Plan is consistent with the EPBC Environmental Offsets Policy and, in addition to any other offset proposals, fully compensates for the residual significant impacts of the proposed action. The Contingency Offset Plan must also explain how it is consistent with the eight requirements in the EPBC Environmental Offsets Policy, or otherwise explain how better environmental outcomes will be achieved for each relevant protected matter by deviating from these eight requirements.</p> <p>c. A contingency process that will be implemented in every situation where a proposed offset site, which has not yet been secured by the approval holder, becomes unavailable or</p>	N/A	<p>A Contingency Management Plan is not required at this time.</p>

Conditions	Status	Comments
<p>unworkable. The contingency process must outline the steps that will be taken to secure one or more alternative offset site.</p> <p>d. Identify the securing mechanism by which the new nominated offset sites area will be permanently protected for conservation.</p> <p>e. An Offset Management Plan for each new offset site developed in accordance with the requirements of Condition 8. A single Offset Management Plan covering multiple new contingency offset sites may be provided.</p>		
<p>7</p> <p>The most recent Contingency Offset Plan approved by the Minister must be implemented from the date of its approval. If the Contingency Offset Plan has not been approved by the Minister in writing within 18 months of the date of this approval, and the Minister notifies the approval holder that the submitted Contingency Offset Plan is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Contingency Offset Plan revised by the department. The approval holder must implement the approved Contingency Offset Plan.</p>	N/A	A Contingency Offset Management Plan is not required at this time.
<p>8</p> <p>The approval holder must submit for the Minister’s approval, within 12 months of the date of this approval, an Offset Management Plan for each of the offset sites specified in conditions 4 and 5. Each Offset Management Plan must be consistent with the department’s Environmental Management Plan Guidelines and must include the following. A single Offset Management Plan covering all offset sites may be provided.</p> <p>a. A summary of the residual impacts to protected matters that will be compensated for by the offsets. This summary must include the size and habitat quality of all impact sites.</p> <p>b. The environmental objectives, relevant protected matters, and a reference to the EPBC Act approval conditions to which each Offset Management Plan refers.</p> <p>c. A table of commitments made in each Offset Management Plan to achieve the environmental objectives, and a reference to where the commitments are detailed in each Offset Management Plan.</p> <p>d. Reporting and review mechanisms, and documentation standards to demonstrate compliance with each Offset Management Plan.</p> <p>e. An assessment of risks to achieving environmental objectives and risk management strategies that will be applied.</p> <p>f. Impact avoidance, mitigation and/or repair measures, and their timing.</p> <p>g. A monitoring program, which must include:</p> <p>i. measurable performance indicators.</p> <p>ii. the timing and frequency of monitoring to detect trigger values and changes in the performance indicators.</p> <p>iii. trigger values for corrective actions.</p>	N/A	<p>Main Roads has substantially progressed the preparation of the Offset Management Plan through the purchase of Lots 200 and 201 West Boundary Road, Manjimup and the in-principal agreement of revegetation sites within the Ludlow Tuart Forest.</p> <p>Main Roads requested a variation to Condition 8 with DCCEEW on 26/06/2022 to extend the submission date from 12 months to 24 months.</p> <p>The time frame extension was requested due to the difficulties relating to obtaining and finalising offset sites and complications encountered whilst working with different entities related to the Ludlow State Forest to finalise offset land parcels.</p> <p>Main Roads has not received any correspondence from DCCEEW regarding the variation request for this Condition, nor this Condition being updated to reflect the variation request.</p>

Conditions	Status	Comments
<p>iv. proposed corrective actions, if trigger values are reached.</p> <p>h. Links to referenced plans and applicable conditions of approval (including State approval conditions).</p> <p>Each Offset Management Plan, as approved by the Minister in writing, must be implemented when approved by the Minister.</p>		
<p>9</p> <p>In addition to the requirements of Condition 8, each Offset Management Plan must:</p> <p>a. establish revegetation outcomes for the Ludlow State Forest No. 2 offset site to achieve the conservation targets identified in Condition 5 and that will:</p> <p>i. for the western ringtail possum, provide 7.4 ha of habitat that contains understorey and midstorey vegetation comprising Peppermint (<i>Agonis flexuosa</i>) and other native species, and must also contain connected canopy habitat formed by native species.</p> <p>ii. create 8.78 ha of "Moderate" quality tuart TEC as defined in Table 2 of the tuart TEC Conservation Advice.</p> <p>iii. prevent unauthorised access by erecting fencing around revegetated areas wherever possible and maintain such fencing.</p> <p>iv. undertake weed control to maintain a predominance of native species in understorey, midstorey and canopy vegetation for at least 20 years.</p> <p>v. minimise feral animal populations with ongoing management for at least 20 years.</p> <p>b. establish management outcomes for the West Boundary Road offset site in Manjimup to achieve the conservation targets identified in Condition 5 and that will:</p> <p>i. prevent unauthorised access and site degradation by erecting fencing around managed areas wherever possible and maintain such fencing.</p> <p>ii. undertake weed control to maintain a predominance of native species in understorey, midstorey and canopy vegetation for at least 20 years.</p> <p>iii. minimise feral animal populations with ongoing management for at least 20 years.</p> <p>c. include attached written agreement from DBCA to all measures in conditions 9a and 9b.</p> <p>d. sufficiently describe the methods by which revegetation and/or rehabilitation will be undertaken at each offset site to achieve the revegetation outcomes and identify:</p> <p>i. the timeframe for the revegetation and rehabilitation activities to be undertaken.</p> <p>ii. the funding arrangements under which the revegetation and rehabilitation actions will be undertaken.</p> <p>iii. the name, qualifications and experience of the suitably qualified expert who will manage all revegetation and rehabilitation actions.</p>	<p>N/A</p>	<p>Not Applicable (see comments above for Condition 8)</p>

	Conditions	Status	Comments
	<p>e. detail ongoing management actions to ensure that, once any revegetation or rehabilitation target, as specified in each Offset Management Plan, is reached, each such target continues to be met or exceeded for at least 20 years, including details of:</p> <p>i. the funding arrangements under which the maintenance actions will be undertaken.</p> <p>ii. the suitably qualified expert who will manage maintenance actions.</p> <p>f. identify any contingency actions to be implemented should revegetation, rehabilitation or management actions fail, which if agreed to by the department in writing, must be implemented.</p> <p>g. detail monitoring, reporting and evaluation mechanisms for revegetation, rehabilitation and management actions and propose suitable reporting frameworks to the department.</p>		
10	<p>If the Offset Management Plan for each of the offset sites specified has not been approved by the Minister in writing within 18 months of the date of this approval notice, and the Minister notifies the approval holder that one or more submitted Offset Management Plan is not suitable for approval, the Minister may, at least two months after so notifying the approval holder, approve a version of the Offset Management Plan revised by the department. The approval holder must implement each approved Offset Management Plan for the life of the approval.</p>	N/A	Not Applicable (see comments above for Condition 8)
11	<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>	CLD	Main Roads advised DCCEEW (by letter correspondence) on 25/08/2021 regarding the commencement date (11/08/2021) of the Action for the Project.
12	<p>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.</p>	CLD	The commencement date of the of 'the Action' was the 11/08/2021, which is within 5 years of the date of approval (21/12/2020).
13	<p>The approval holder must maintain accurate and complete compliance records.</p>	C	Main Roads has maintained all records in accordance with this condition and legal obligations, under the State Records Act 2000 (Western Australia).
14	<p>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.</p>	N/A	Main Roads has not received direction from the Department to provide electronic copies of compliance records.
15	<p>The approval holder must:</p> <p>a. submit plans electronically to the department.</p> <p>b. unless otherwise agreed to in writing by the Minister, publish each plan on the website within 20 business days of the date:</p> <p>i. of this approval, if the version of the plan to be implemented is specified in these conditions; or</p>	C	All Management Plans related to this EPBC 2020/8800 approval have been electronically submitted to the Department and published on Main Roads WA's website in March 2021.

Conditions		Status	Comments
	<ul style="list-style-type: none"> ii. that the plan is approved by the Minister; or iii. that a revised action management plan is submitted to the Minister or the department. c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and d. keep plans published on the website until the end date of this approval. 		
16	<p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan or conditions of this approval, are prepared in accordance with the department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the department in accordance with the requirements of the plan or the conditions of this approval.</p>	C	<p>Environmental data related to the construction of this approval has been prepared in accordance with DCCEEW's guidelines for biological surveys and mapped data.</p> <p>Main Roads has submitted required plans and associated documentation by electronic transfer to the Department as required by this approval.</p>
17	<p>The approval holder must prepare a compliance report addressing each of the conditions of this approval 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 5 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. 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. 	C	<ul style="list-style-type: none"> a. The action commenced on 11 August 2021. This report is the second compliance report for the Project and covers the reporting period from 10 August 2022 to 9 August 2023. This second compliance report will be published on the Main Roads website on 1st November 2023 which is within sixty business days following the approval of the Action (21/12/2020). The Department will be notified accordingly of the publication of the Annual Compliance Report. b. The Department was advised by Main Roads (via email) on 1st November 2022 that the first annual compliance report for 2021-2022 report was published on the Main Roads website on 1st November 2022. The Department will be notified by email within five business days of the date of publication of this second compliance report. c. This report and other previous compliance reports will remain publicly available on the Main Roads website until the expiration date (1/8/2056) of this approval. d. No sensitive ecological data has been excluded from this 2022-2023 compliance report. e. No sensitive ecological data has been excluded from this 2022-2023 compliance report.
18	<p>The approval holder must notify the department in writing of any incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than 2 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. 	C	<p>No incidents or non-compliances in regard to the conditions of this approval are known to have occurred within this reporting period.</p>

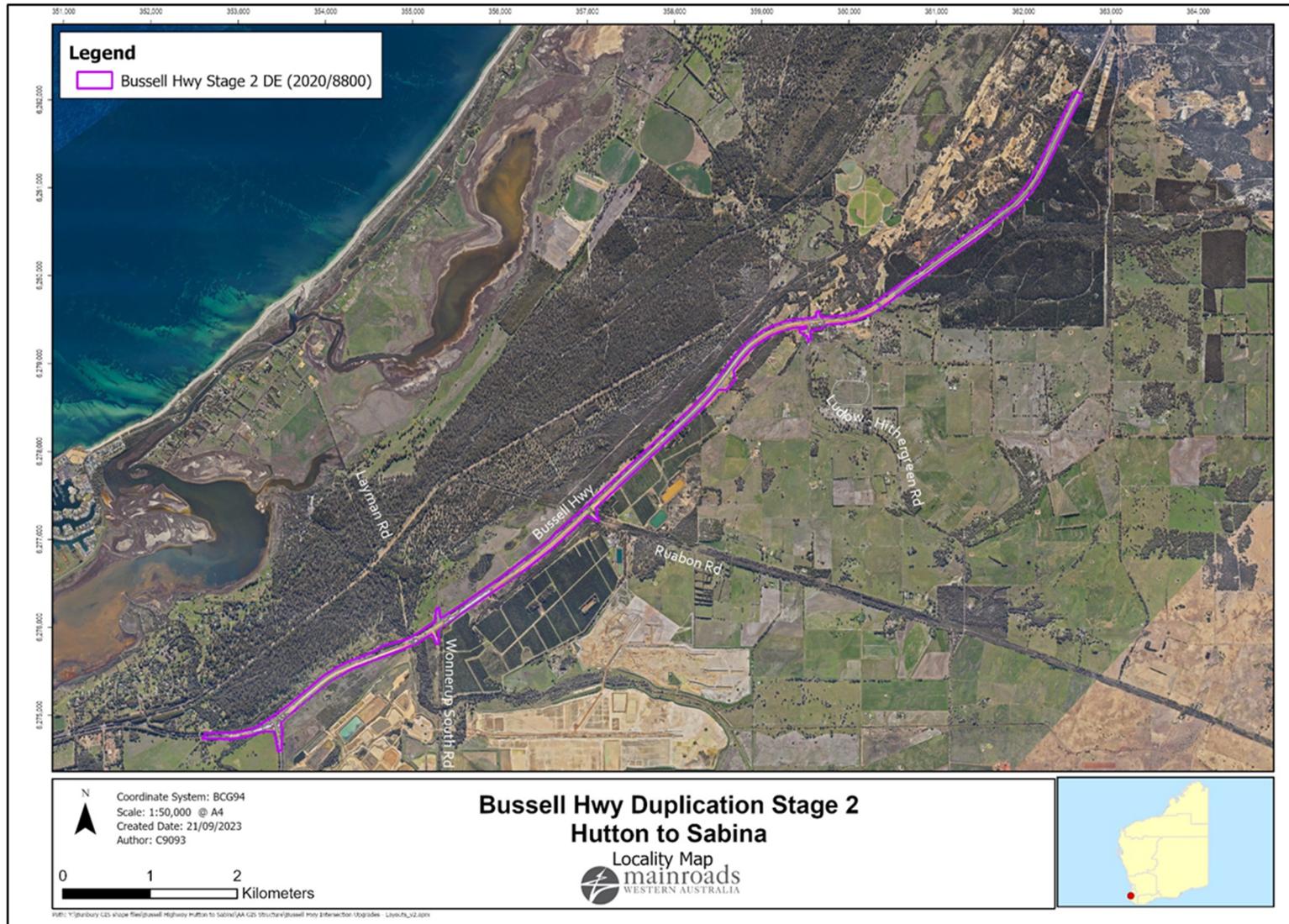
Conditions		Status	Comments
	<p>c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.</p>		
19	<p>The approval holder must provide to the department the details of 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> <p>a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future.</p> <p>b. the potential impacts of the incident or non-compliance.</p> <p>c. the method and timing of any remedial action that will be undertaken by the approval holder.</p> <p>d. the measures the approval holder will take to prevent a recurrence of the incident or non-compliance.</p>	C	No incidents or non-compliances in regard to the conditions of this approval are known to have occurred within this reporting period.
20	<p>The approval holder must ensure that independent audits of compliance with the conditions are as requested in writing by the Minister.</p>	N/A	Main Roads has not received a request from the Minister to undertake an independent compliance audit of this Action.
21	<p>For each independent audit, the approval holder must:</p> <p>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the department.</p> <p>b. only commence the independent audit once the audit criteria have been approved in writing by the department and the person or organisation that will undertake the independent audit.</p> <p>c. submit an audit report to the department within the timeframe specified in the approved audit criteria.</p>	N/A	Main Roads has not received a request from the Minister to undertake an independent compliance audit of this Action.
22	<p>The approval holder must publish the audit report on the website within 10 business days of receiving the department's approval of the audit report and keep the audit report published on the website until the end date of this approval.</p>	N/A	Main Roads has not received a request from the Minister to undertake an independent compliance audit of this Action.

Conditions		Status	Comments
23	<p>The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under conditions 8, 9 and 10, 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. The RAMP must not be implemented unless approved by the Minister in writing.</p>	C	<p>Main Roads discovered an inadvertent error in the referral documentation for the Bussell Hwy Duplication Project (EPBC 2020/8800) in regard to the design of bridges that would be constructed for the Project. It was incorrectly stated that three clear span bridges would be constructed at the Ludlow, Abba and Sabina Rivers, however the bridge design reports included in the referral documentation stated, "at the time of the geotechnical site investigation, the preferred option had not been confirmed."</p> <p>EPBC 2020/8800 Condition 3 required the preparation of the Vasse-Wonnerup Management Plan. In preparing this management plan it was inadvertently noted that the bridges would be clear span. In February 2022 Main Roads raised this error with DCCEEW and advised that the bridge construction would need to be consistent with the bridges that currently exist. To achieve this construction consistency piles will be required for the new Abba and Ludlow River Bridges.</p> <p>Main Roads consulted with DBCA and the Department of Water and Environmental Regulation (DWER) on the proposal to install piles for the new Abba and Ludlow River Bridges and both departments advised Main Roads they did not have any issues with the bridge designs being proposed. As a consequence, Main Roads submitted an amended Vasse-Wonnerup Management Plan to DCCEEW in November 2022 for approval. Main Roads has not received any further correspondence from DCCEEW regarding this matter.</p>
24	<p>Within 30 business days after whichever is the earlier of:</p> <ul style="list-style-type: none"> a. the completion of the action, or b. 60 business days before the end date of the period for which this approval has effect, c. the approval holder must notify the department in writing and provide completion data. <p>If the completion of the action is unlikely to occur before the end date of the period for which the approval has effect, the approval holder must submit to the department, before the end date of the period for which the approval has effect, a request, in accordance with the requirements of section 145C of the EPBC Act, to extend the period of effect of the approval.</p>	N/A	<p>This Action is still under construction and has not been completed.</p>

5 APPENDICES

Appendix	Title
Appendix A	Project Location Map

APPENDIX A: Project Location Map



Project Location: Bussell Highway Duplication - Dual Carriageway for Hutton to Sabina