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WESTERN AUSTRALIA

# EPBC Annual Compliance Report

EPBC 2016/7761

*We're working for  
Western Australia.*

Great Northern Highway Upgrade Stage 2:  
Muchea to Wubin

**D24#981526**

**Reporting period: 29 May 2023 to 29 May 2024**

# Document Control

Report Compilation & Review		Position	Document Revision	Date
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Author:	Senior Environment Officer		Rev 0	23 August 2024

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## 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 MAIN ROADS WA

Date 23/08/2024

# 1 Introduction

## 1.1 Project Background, Location and Status

Great Northern Highway forms part of the National Highway Network and provides a strategic freight link between Perth and the State's north. Between 2000 and 2009, Stage One of the Great Northern Highway Muchea to Wubin Upgrade Project was completed, which saw 76 km of the highway upgraded. In 2014 a comprehensive planning review was undertaken of the full Muchea to Wubin link along the highway. A series of construction packages were prioritised following the review, which included town bypasses and road upgrades between Walebing (SLK 147) to Wubin (SLK 258). This comprised Stage 2 of the Great Northern Highway Muchea to Wubin Upgrade Project (the Project).

The Project was proposed to improve road safety, increase freight efficiency and reduce traffic delays, improve travel times and access, improve roadside amenities, and enhance the environmental value of roadsides.

The Project was completed in 2022. No construction or clearing activities were undertaken during the reporting period (29 May 2023 to 29 May 2024).

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

The Project was referred to the Department of the Environment and Energy (DoEE; 'the Department'; now the Department of Climate Change, Energy, the Environment and Water) in 2016 for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The referral was determined to be a controlled action due to its potential impacts on listed threatened species and communities. The referred works were subsequently assessed through Preliminary Documentation. The Department issued conditional approval for these works to proceed on 19 February 2018 (EPBC 2016/7761).

## 1.3 Purpose of this Report

This compliance report has been produced to satisfy Condition 10 of the EPBC 2016/7761 approval.

# 2 Summary of Compliance

The Project was found to be fully compliant with the requirements of the EPBC 2016/7761. Table 1 of this report details the Project's compliance with regard to each approval condition over the 12-month reporting period (29 May 2023 to 29 May 2024).

## 2.1 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 2016/7656**

Condition Number	Condition	Status	Evidence/Comments																														
1	The approval holder must not clear more than 30 hectares of Carnaby's Black Cockatoo habitat and 15 hectares of Eucalypt Woodlands TEC within the project area shown as Attachment 1.	Compliant	<div>The Carnaby's Black Cockatoo habitat and Eucalypt Woodlands TEC clearance to date is detailed below.</div> <table><tr><th>Year</th><th>Carnaby's Cockatoo Habitat (ha)</th><th>Eucalypt Woodlands TEC (ha)</th></tr><tr><td>2018</td><td>12.5</td><td>0.6</td></tr><tr><td>2019</td><td>2.29</td><td>2.14</td></tr><tr><td>2020</td><td>2.14</td><td>3.52</td></tr><tr><td>2021</td><td>0</td><td>0</td></tr><tr><td>2022</td><td>0.81</td><td>0.14</td></tr><tr><td>2023</td><td>0</td><td>0</td></tr><tr><td>2024</td><td>0</td><td>0</td></tr><tr><td>Total Cleared</td><td>18.09</td><td>6.4</td></tr><tr><td>Remaining Allowance</td><td>11.91</td><td>8.6</td></tr></table>	Year	Carnaby's Cockatoo Habitat (ha)	Eucalypt Woodlands TEC (ha)	2018	12.5	0.6	2019	2.29	2.14	2020	2.14	3.52	2021	0	0	2022	0.81	0.14	2023	0	0	2024	0	0	Total Cleared	18.09	6.4	Remaining Allowance	11.91	8.6
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2	The approval holder must not clear any suitable nesting hollow or known nesting hollow for the Carnaby's Black Cockatoo.	Compliant	No suitable nesting hollows or known nesting hollows for Carnaby's Black Cockatoo have been cleared in the Development Envelope.																														
3	Within 7 days prior to clearing of any area of Carnaby's Black Cockatoo habitat, the approval holder must investigate all potential nesting trees within the area to be cleared to determine if there are any hollows additional to those identified in Condition 2 that are being utilised, or are capable of being utilised, by the Carnaby's Black Cockatoos for nesting. The investigation must be undertaken by a suitably qualified person.	Compliant	<div>a) No clearing of any Carnaby's Black Cockatoo habitat occurred in the reporting period.</div> <div>b) No Carnaby's Black Cockatoo suitable hollows were cleared during the reporting period.</div>																														

Condition Number	Condition	Status	Evidence/Comments
	<p>a. If any Carnaby's Black Cockatoo(s) is detected utilising any hollow in any tree, the approval holder must:</p> <ul style="list-style-type: none"> <li>i. clearly identify and mark the newly identified nesting tree; and</li> <li>ii. only clear the newly identified nesting tree, or vegetation within a 10 metre radius of the tree, if a suitably qualified person has verified that the hollows in the tree are no longer being used by Carnaby's Black Cockatoos.</li> </ul> <p>b. For each cleared hollow that is being utilised, or capable of being utilised by Carnaby's Black Cockatoo, that is additional to the nesting hollows identified in Condition 2, the proponent must install at least three (3) artificial nesting hollows, where the artificial nesting hollows must be:</p> <ul style="list-style-type: none"> <li>i. installed within a 12 km radius of the cleared nesting tree(s);</li> <li>ii. constructed, positioned, erected and maintained in accordance with relevant artificial hollow guidance, to maximise the likelihood that the artificial nesting hollows are utilised by the Carnaby's Black Cockatoo;</li> <li>iii. installed before the commencement of the following breeding season for the Carnaby's Black Cockatoo; and</li> </ul> <p>inspected and maintained at least annually to check for condition and evidence of Carnaby's Black Cockatoo usage.</p>		

Condition Number	Condition	Status	Evidence/Comments
4	<p>To mitigate impacts to the Carnaby's Black Cockatoo and the Eucalypt Woodlands TEC, the approval holder must prepare and submit a Construction Environmental Management Plan (CEMP) for the approval of the Minister. The approval holder must not commence the action unless the Minister has approved the CEMP.</p> <p>The CEMP must be prepared in accordance with the Department's Environmental Management Plan Guidelines and include, but not be limited to:</p> <ul style="list-style-type: none"> <li>a. design principles and practices to minimise clearing of Carnaby's Black Cockatoo habitat and the Eucalypt Woodlands TEC – for example, road micro-alignment, traffic management alternatives to side roads;</li> <li>b. measures to prevent impacts to Carnaby's Black Cockatoo habitat and the Eucalypt Woodlands TEC during construction, including to: <ul style="list-style-type: none"> <li>i. prevent and/or control site access, weeds, <i>Phytophthora</i> dieback, erosion, dust and fire;</li> <li>ii. minimise the impacts of excavation activities to the lateral root system of the Eucalypt Woodlands TEC; and</li> <li>iii. delineate vegetation to be retained through, for example, the erection of temporary fencing or signage to avoid accidental clearing or disturbance outside of the impact area.</li> </ul> </li> </ul>	Compliant	<p>The Minister approved the CEMP on 11 May 2018. Main Roads subsequently implemented the approved CEMP. No changes have been made to the CEMP since the initial approval by the Minister.</p>

Condition Number	Condition	Status	Evidence/Comments
	<ul style="list-style-type: none"> <li>c. management measures, including in relation to fencing and access controls, to permanently restrict human and stock access to adjacent road reserves;</li> <li>d. objectives, targets and completion criteria for post construction rehabilitation measures such as site clean-up and weed management, including information on the mapping, monitoring and removal of noxious weeds;</li> <li>e. objectives, targets and completion criteria for landscaping and revegetation works on cleared areas of land and redundant sections of carriageway, with flora species to be planted that are identified as known foraging and breeding habitat for the Carnaby's Black Cockatoo (this should include detail on site preparation works, seedling planting programs, success rates, ongoing management post establishment and details of replanting requirements if success rates are not achieved):               <ul style="list-style-type: none"> <li>i. flora species identified as known foraging and breeding habitat for the Carnaby's Black Cockatoo must not be planted within 10 metres of the road carriageway to reduce the risk of vehicle strike.</li> </ul> </li> <li>f. clear objectives and performance indicators for all management actions, mitigation measures and practices prescribed by the CEMP including details of the monitoring to be undertaken to demonstrate the effectiveness of the measures;</li> </ul>		

Condition Number	Condition	Status	Evidence/Comments
	<p>g. corrective actions for circumstances where an action, mitigation measure or practice prescribed by the CEMP fails to meet, or is unlikely to meet, its prescribed objective, and trigger action points at which these corrective actions will be implemented; and</p> <p>h. timeframes for implementing the above measures.</p> <p>If the Minister approved the CEMP, then the approved CEMP must be implemented.</p>		
5	To mitigate impacts to habitat for the <i>Eremophila pinnatifida</i> the approval holder must implement condition 8 of Clearing Permit CPS 7231/1.	Not Applicable	Works triggering the implementation of Condition 8 of Clearing Permit CPS7231/3 (clearing of Population 3 of <i>Eremophila pinnatifida</i> ) have not occurred to date during construction of the Project.
6	To compensate for the loss of up to 30 hectares of Carnaby's Black Cockatoo habitat, the approval holder must, within one (1) year after the commencement of the action, provide the Department with the offset attributes, shapefiles and textual descriptions and maps to clearly define the location and boundaries of the offset area identified in Attachment 3, that the approval holder has transferred to the DBCA.	Compliant	<p>Main Roads allocated 159 ha of the previously acquired Lot 1, 1395 Banovich Road, Hill River to meet the requirements of this offset. The property has been added to the conservation estate and is being managed by the Department of Biodiversity, Conservation and Attractions (DBCA). The details of this site as required under this condition, including offset attributes, shapefiles and a textual description, were provided to the Department by email (Post Approvals) on 8 November 2018.</p> <p>This condition is now considered completed.</p>
7	To compensate for the loss of up to 15 hectares of Eucalypt Woodlands TEC, the approval holder must, within	Complete	a) Main Roads acquired Lot 500, Yenyening Lakes Road, Brookton, on which 134.1 ha of Eucalypt

Condition Number	Condition	Status	Evidence/Comments
	<p>one (1) year of the commencement of the action, or as otherwise agreed to by the Minister:</p> <ul style="list-style-type: none"> <li>a. submit to the Minister for approval the details of an offset site(s) that: <ul style="list-style-type: none"> <li>i. is to be acquired and managed for conservation;</li> <li>ii. includes a minimum of 134.1 hectares of Eucalypt Woodlands TEC at Lot 500, Yenyening, Western Australia ;</li> </ul> </li> <li>and</li> <li>iii. meets the requirements of the EPBC Environmental Offsets Policy.</li> <li>b. make a financial contribution to an approved conservation fund to fully fund the purchase and management for conservation of the approved offset site;</li> <li>c. provide written evidence to the Department that the financial contribution: <ul style="list-style-type: none"> <li>i. has been made to the approved conservation fund;</li> </ul> </li> <li>and</li> <li>ii. has fully funded the purchase and management of the offset site.</li> <li>d. provide the Department with the offset attributes, shapefiles and textual descriptions and maps to clearly define the location and boundaries of the offset site.</li> </ul>		<p>Woodlands TEC occur. Details of the offset site were provided to the Department by email (Vaughn Cox and Post Approvals) on 24 May 2019.</p> <ul style="list-style-type: none"> <li>b) Main Roads made a financial payment to DBCA on 28 July 2021 for the management for conservation of the Lot 500, Yenyening offset site.</li> <li>c) Main Roads has previously provided evidence to the Department by email the requirements of this condition on 28 September 2024.</li> <li>d) Offset attributes, shapefiles, a textual description of the offset area were provided to the Department by email (Vaughn Cox and Post Approvals) on 24 May 2019.</li> </ul>
8	Within 30 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Compliant	<p>The action commenced on 29 May 2018, with written notification provided to the Department by email on 31 May 2018.</p> <p>This condition is now considered completed.</p>

Condition Number	Condition	Status	Evidence/Comments
9	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the plan required by this approval (Condition 4), and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act or used to verify compliance with the conditions of this approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Compliant	Main Roads has maintained records in accordance with this condition and their legal obligations under the <i>WA State Records Act 2000</i> .
10	Within three months of every 12-month anniversary of the commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. Reports must remain on the website for the life of this approval. The approval holder must continue to comply with this condition until such time as agreed to in writing by the Minister.	Compliant	This 2023 - 2024 Annual Compliance Report will be published on the Main Roads website at the same time as the provision of this report to the Department.
11	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement	Not applicable	The Minister has not yet directed Main Roads to conduct an independent audit of compliance with EPBC 2016/7761 conditions of approval.

Condition Number	Condition	Status	Evidence/Comments
	of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.		
12	<p>The approval holder may choose to revise a management plan approved by the Minister under condition 4 without submitting it for approval under section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact. If the approval holder makes this choice they must notify the Department in writing that the approved plan has been revised and provide the Department, at least four weeks before implementing the revised plan, with:</p> <ul style="list-style-type: none"> <li>a. an electronic copy of the revised plan;</li> <li>b. an explanation of the differences between the revised plan and the approved plan; and</li> </ul> <p>the reasons the approval holder considers that taking the action in accordance with the revised plan would not be likely to have a new or increased impact.</p>	Not applicable	The approved CEMP has not been revised to date.
13	The approval holder may revoke their choice under condition 12 at any time by notice to the Department. If the approval holder revokes the choice to implement a revised plan, without approval under section 143A of the Act, the plan approved by the Minister must be implemented.	Not applicable	The approved CEMP has not been revised as allowed for under condition 12. Condition 13 has therefore not come into effect.
14	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 revised plan would be likely to have a new or increased impact, then:	Not applicable	The approved CEMP has not been revised to date.

Condition Number	Condition	Status	Evidence/Comments
	<p>a. Condition 12 does not apply, or ceases to apply, in relation to the revised plan; and</p> <p>b. The approval holder must implement the plan approved by the Minister.</p> <p>To avoid any doubt, this condition does not affect any operation of conditions 12 and 13 in the period before the day the notice is given.</p>		
15	Conditions 12, 13 and 14 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised plan to the Minister for approval.	Not applicable	The approved CEMP has not been revised to date.
16	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans referred to in these conditions of approval on their website for the duration of this approval. Each management plan must be published on the website within 1 month of being approved by the Minister or being submitted under condition 12 and must remain on the website for the life of this approval.	Compliant	<p>The approved CEMP was first published on Main Roads' website on 25 May 2018. <a href="https://www.mainroads.wa.gov.au/globalassets/community-environment/environment/construction-reports/great-northern-highway-upgrade-walebing-to-wubin-construction-environmental-management-plan.pdf">The plan is available here.</a></p> <p>(<a href="https://www.mainroads.wa.gov.au/globalassets/community-environment/environment/construction-reports/great-northern-highway-upgrade-walebing-to-wubin-construction-environmental-management-plan.pdf">https://www.mainroads.wa.gov.au/globalassets/community-environment/environment/construction-reports/great-northern-highway-upgrade-walebing-to-wubin-construction-environmental-management-plan.pdf</a>)</p>