



Australian Government



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Compliance Assessment Report

High Street Upgrade
Ministerial Statement 1096
23 May 2020 – 22 May 2021

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1. Introduction

Main Roads Western Australia (Main Roads) is currently implementing the High Street Upgrade proposal in accordance with Ministerial Statement 1096 (MS 1096). Implementation of the proposal commenced in October 2019 with construction commencing on 16 March 2020 and is expected to continue until late 2021.

This is the second Compliance Assessment Report (CAR) for MS 1096 and covers the period of 23 May 2020 to 22 May 2021.

1.1. Proposal Background

The proposal includes the construction of a roundabout at the Stirling Highway and High Street intersection in Fremantle, a new westbound carriageway of High Street between Carrington Street and Stirling Highway, realignment of approaches to Stirling Highway and High Street, pedestrian crossing points, a new service road for residents north of High Street and local road realignments. The proposal also includes the installation of noise walls, drainage, lighting, electricals, utilities and associated road infrastructure.

1.2. Proposal Approvals

The Proposal was formally assessed under Part IV of the *Environmental Protection Act 1986* and approved under MS 1096 on 23 May 2019.

In March 2020 Main Roads submitted a request to amend the Proposal under Section 45C (s45C) of the *Environmental Protection Act 1986*. The amended Proposal was approved by the Chairman of the Environmental Protection Authority on 22 April 2020.

Main Roads submitted a second request to amend the Proposal under s45C on 26 August 2020 (C01) by clearing an additional 10 "trees with a Diameter at Breast Height (DBH) > 500 mm to be retained". On 26 November 2020, EPA Services advised Main Roads that they could not proceed with the consideration of the s45C submitted on 26 August 2020 (C02). This was due to an outstanding non-compliance issued by the Department of Water and Environmental Regulation (DWER) (C03) relating to an incident that impacted four of the "trees with a DBH >500mm to be retained" in the application. EPA Services suggested Main Roads submit a new s45C application without the four trees that were subject to the non-compliance.

Main Roads revised the s45C and re-submitted it on 30 November 2020 (C04), omitting the four trees that were the subject of the non-compliance, but including the other six "trees with a DBH >500mm to be retained". The EPA Chair approved the amendments on 3 February 2021 (C05).

2. Summary of Implementation Status

The Proposal is currently in the construction phase. Construction is expected to continue until late 2021.

2.1. Works to date

Pre-construction activities commenced in October 2019 with the demolition of Main Roads owned houses at the intersection of Stirling Highway and High Street.

Clearing of native vegetation and large amenity trees commenced on 16 March 2020. All native vegetation within the Development Envelope was cleared in the previous reporting period. Clearing of large amenity trees with a DBH > 500 mm is complete, with all the 92 trees permitted to be cleared having been removed (S01).

Note that City of Fremantle removed "Veg 598". Whilst this tree was within the Development Envelope and marked as "To be retained", it was on a City of Fremantle managed street. They deemed the tree to be unsafe and removed it. Main Roads notified DWER Compliance of this on 19 June 2020 (E01, E02).

Clearing has been staged for construction purposes. Prior to each stage of clearing a qualified terrestrial native fauna spotter inspected the development envelope for Black Cockatoo breeding activity, in particular nesting. No breeding activity was observed (E03).

A non-compliance with condition 1-1 occurred on 30 July 2020. See Section 3.3 for details and timeline of the non-compliance.

Road construction activities are well progressed and noise wall construction is underway.

Noise wall construction to 23 May 2021 (refer to D01 for noise wall designation):

- Extent and height of noise walls constructed to May 2021
 - N1 – 170m
 - N2 – 145m
 - N4 – 145m
 - N5 – 195m
 - N6 – 55m
 - N8 – 75m
 - N10 – 45m

The landscaping design has been finalised, however will not be fully implemented until the winter of 2022 (D02).

2.2. Planned Activities

In the next reporting period, the construction work will be completed. Construction, including noise wall installation, is expected to be completed by late 2021.

Some landscaping will be installed in the winter of 2021. Most of the landscaping will be undertaken in the winter of 2022.

3. Statement of Compliance

3.1. Proposal and Proponent Details

Proposal Title	High Street Upgrade
Statement Number	1096
Proponent Name	Main Roads Western Australia
Proponent's Australian Company Number (where relevant)	50 860 676 021

3.2. Statement of Compliance Details

Reporting Period	23/05/20 to 22/05/21
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Implementation phase(s) during reporting period (please tick ✓ relevant phase(s))							
Pre-construction	<input type="checkbox"/>	Construction	<input checked="" type="checkbox"/>	Operation	<input type="checkbox"/>	Decommissioning	<input type="checkbox"/>

Audit Table for Statement addressed in this Statement of Compliance is provided at Attachment:	Appendix B
<p>An audit table for the Statement addressed in this Statement of Compliance must be provided as Attachment 2 to this Statement of Compliance. The audit table must be prepared and maintained in accordance with the Department of Water and Environmental Regulation (DWER) <i>Post Assessment Guideline for Preparing an Audit Table</i>, as amended from time to time. The 'Status Column' of the audit table must accurately describe the compliance status of each implementation condition and/or procedure for the reporting period of this Statement of Compliance. The terms that may be used by the proponent in the 'Status Column' of the audit table are limited to the Compliance Status Terms listed and defined in Table 1 of Attachment 1.</p>	

Were all implementation conditions and/or procedures of the Statement complied with within the reporting period? (please tick ✓ the appropriate box)			
No (please proceed to Section 3)	<input checked="" type="checkbox"/>	Yes (please proceed to Section 4)	<input type="checkbox"/>

3.3. Details of Non-compliance(s) and/or Potential Non-compliance(s)

The information required Section 3 must be provided for each non-compliance or potential non-compliance identified during the reporting period covered by this Statement of Compliance.

Non-compliance/potential non-compliance 4-1

Which implementation condition or procedure was non-compliant or potentially non-compliant?	
1-1	
Was the implementation condition or procedure non-compliant or potentially non-compliant?	
Non-compliant	
On what date(s) did the non-compliance or potential non-compliance occur (if applicable)?	
30 July 2020	
Was this non-compliance or potential non-compliance reported to the Chief Executive Officer, DWER?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Reported to DWER verbally Date _____ <input checked="" type="checkbox"/> Reported to DWER in writing Date 17/08/2020	<input type="checkbox"/> No
What are the details of the non-compliance or potential non-compliance and where relevant, the extent of and impacts associated with the non-compliance or potential non-compliance?	
<p>The Structural Root Zone (SRZ) of four trees with a DBH >500mm to be retained was impacted upon during road box-out, resulting in a non-compliance with condition 1-1 of MS 1096. These four trees were identified in Schedule 1 of MS 1096 as trees to be retained.</p> <p>During initial clearing, service installation and "road prep" the Tree Protection Zone (TPZ) of the four trees (VEG584, 344, 343, 334), was pegged out by surveyors. Subsequently during further arborist approved tree-pruning and top-soil strip the TPZ survey pegs were removed. Then on 30 July 2020 a grader operator was instructed to continue the full-width box-out of the western alignment of High St (chainage MCHW1520 -1540 & MCHW1405). This activity exposed some fibrous roots of the four trees.</p>	
What is the precise location where the non-compliance or potential non-compliance occurred (if applicable)? (please provide this information as a map or GIS co-ordinates)	
See Figure 1 in the incident investigation report (R01).	
What was the cause(s) of the non-compliance or potential non-compliance?	
<p>The incident has occurred due to the failure of a number of processes.</p> <p>There were a number of contributing factors and failures that led to this incident occurring. These included:</p> <ul style="list-style-type: none"> • Initial removal of the TPZ pegs • Failure to re-establish TPZ following topsoil strip • The GPS design model not showing the TPZ cut outs • An acting construction supervisor on the day of the incident 	

- A lack of formal approval to proceed with the full box-out
- A misunderstanding by the acting construction supervisor who believed the hold point had been released for the full box out

What remedial and/or corrective action(s), if any, were taken or are proposed to be taken in response to the non-compliance or potential non-compliance?

- Exposed tree roots were pruned by a qualified arborist
- Cones to be replaced by star pickets and green flagging tape to delineate the SRZ of the trees.
- Corrective actions raised at construction crew pre-start
- Signage to be placed on green flagging
- Daily visual checks of green flagging to ensure it is in good condition.
- Monthly audits carried out by surveyor on site to ensure all trees to be retained have been correctly flagged
- Where vehicle access is still required within the TPZ's, extra material (soil) is to be placed on the SRZ to prevent damage.
- Clearing work method statement to be updated based on latest advice from Arborist.
- Update GPS design model to show TPZ cut outs for boxing out.
- Veg 334, Veg 343 and Veg 344 were monitored for health 1 year after incident.

What measures, if any, were in place to prevent the non-compliance or potential non-compliance before it occurred? What, if any, amendments have been made to those measures to prevent re-occurrence?

The TPZ for each tree with DBH >500 mm to be retained was to have been pegged and taped to clearly identify the TPZ. As noted above and in the investigation report (R01), the TPZ pegs and tape had been removed. The "box out" was not supposed to have occurred until the construction contractor received release of a "hold point" by Main Roads. As noted above and in the investigation report, this hold point was not released, but the works were undertaken.

The TPZ pegs and tape was reinstated around all trees to be retained. These were then subjected to daily inspections and monthly audits to ensure that the pegs and tape was in place as required (M01).

Please provide information/documentation collected and recorded in relation to this implementation condition or procedure:

- in the reporting period addressed in this Statement of Compliance; and
- as outlined in the approved Compliance Assessment Plan for the Statement addressed in this Statement of Compliance.

(the above information may be provided as an attachment to this Statement of Compliance)

The incident investigation report provided by Main Roads to DWER Compliance is attached (R01). Evidence of daily visual checks and monthly audits of TPZ tape is attached (M01).

DWER Compliance's response to the incident investigation report is provided at C06. This letter requires Main Roads to report on the health of Veg 334, Veg 343 and Veg 344 in this Compliance Assessment Report (CAR). DWER will consider its regulatory response once it has reviewed the CAR.

Treeswest Pty Ltd inspected the health of Veg 334, Veg 343 and Veg 344 on 21 June 2021 (R02). Veg 334 is in good condition, showing no signs of stress. Veg 344 is showing some signs of stress and probably requires pruning to mitigate the possibility of limb failure onto the road. Veg 343 is also showing signs of stress and requires pruning to minimise the risk of limbs or debris falling. All three trees have been retained and will continue to be managed.

For additional non-compliance or potential non-compliance, please duplicate this page as required.

3.4. Proponent Declaration

I, Mohammad Siddiqui (Project Director) (*full name and position title*) declare that I am authorised on behalf of Main Roads Western Australia (*being the person responsible for the proposal*) to submit this form and that the information contained in this form is true and not misleading.

Signature:.....

Date: 9/8/21

Please note that:

- it is an offence under section 112 of the *Environmental Protection Act 1986* for a person to give or cause to be given information that to his knowledge is false or misleading in a material particular; and
- the Chief Executive Officer of the DWER has powers under section 47(2) of the *Environmental Protection Act 1986* to require reports and information about implementation of the proposal to which the statement relates and compliance with the implementation conditions.

3.5. Submission of Statement of Compliance

One hard copy and one electronic copy (preferably PDF on CD or thumb drive) of the Statement of Compliance are required to be submitted to the Chief Executive Officer, DWER, marked to the attention of Manager, Compliance (Ministerial Statements).

Please note, the DWER has adopted a procedure of providing written acknowledgment of receipt of all Statements of Compliance submitted by the proponent, however, the DWER does not approve Statements of Compliance.

3.6. Contact Information

Queries regarding Statements of Compliance, or other issues of compliance relevant to a Statement may be directed to Compliance (Ministerial Statements), DWER:

Manager, Compliance (Ministerial Statements)

Department of Water and Environmental Regulation

Postal Address: Locked Bag 10
Joondalup DC
WA 6919

Phone: (08) 6364 7000

Email: compliance@dwer.wa.gov.au

3.7. Post Assessment Guidelines and Forms

Post assessment documents can be found at www.epa.wa.gov.au

Each page (including Attachment 2) must be initialled by the person who signs Section 4 of this Statement of Compliance. INITIALS: 

ATTACHMENT 1

Table 1 Compliance Status Terms

Compliance Status Terms	Abbrev	Definition	Notes
Compliant	C	Implementation of the proposal has been carried out in accordance with the requirements of the audit element.	This term applies to audit elements with: <ul style="list-style-type: none"> ongoing requirements that have been met during the reporting period; and requirements with a finite period of application that have been met during the reporting period, but whose status has not yet been classified as 'completed'.
Completed	CLD	A requirement with a finite period of application has been satisfactorily completed.	This term may only be used where: <ul style="list-style-type: none"> audit elements have a finite period of application (e.g. construction activities, development of a document); the action has been satisfactorily completed; and the DWER has provided written acceptance of 'completed' status for the audit element.
Not required at this stage	NR	The requirements of the audit element were not triggered during the reporting period.	This should be consistent with the 'Phase' column of the audit table.
Potentially Non-compliant	PNC	Possible or likely failure to meet the requirements of the audit element.	This term may apply where during the reporting period the proponent has identified a potential non-compliance and has not yet finalized its investigations to determine whether non-compliance has occurred.
Non-compliant	NC	Implementation of the proposal has not been carried out in accordance with the requirements of the audit element.	This term applies where the requirements of the audit element are not "complete" have not been met during the reporting period.
In Process	IP	Where an audit element requires a management or monitoring plan be submitted to the DWER or another government agency for approval, that submission has been made and no further information or changes have been requested by the DWER or the other government agency and assessment by the DWER or other government agency for approval is still pending.	The term 'In Process' may not be used for any purpose other than that stated in the Definition Column. The term 'In Process' may not be used to describe the compliance status of an implementation condition and/or procedure that requires implementation throughout the life of the project (e.g. implementation of a management plan).

4. Details of Declared Compliance Status

Main Roads is currently non-compliant with the conditions of MS 1096, pending DWER's assessment of this CAR following the non-compliance of 30 July 2020. In DWER's response of 27 October 2020 (C06) to Main Roads submission of an investigation report on 18 September 2020 (R01) into the non-compliance, DWER stated they would consider their regulatory response once they had reviewed this CAR.

Evidence of compliance with the conditions of MS 1096 have been described in the audit table at Appendix B.

5. Supporting/verifying information/documentation

Supporting/verifying information used to prepare this CAR is shown in Table 2. This information is provided in an electronic package with the email submission of this CAR.

Table 2: Supporting/verifying information for 2021 CAR.

Document reference	Document Title
C01	MS 1096 S45C Amendment 26 August 2020
C02	High Street Upgrade - s45C - Request to change proposal - Letter to Proponent - DWER rejection 26 Nov 20
C03	Statement 1096 High Street Upgrade Notice of Non-compliance Condition 1-1
C04	MS 1096 s45C Amendment 30 November 2020
C05	Section 45C approval 2 March 2021
C06	Statement 1096 - Resolution of Non-Compliance (002)
D01	Location Plan from ST-200 Noise & Retaining Walls Combined Drawings Package - IFC - Signed
D02	Urban & Landscape Design Drawings High St Upgrade
E01	MS1096 High St Upgrade - Clearing of amenity trees by others, 19 June 2020
E02	High St Upgrade - Horrie Long & Wood St email trail between City of Fremantle and Georgiou
E03	Black Cockatoo Inspection all High St Clearing 2020_21
M01	Site monitoring data – daily checks and monthly audits of TPZ
R01	MS1096 High St Upgrade Non-Compliance Investigation Report
R02	TreesWest Monitoring Report 210621
S01	ArcGIS Pro Layer File "High_St_Sig_Trees_Removed"

6. Other Information

There is no other information to provide as part of this CAR.

No changes to the approved Compliance Assessment Plan are proposed.

Appendix A: Compliance status of key characteristics

Table 2: Compliance Status of Key Characteristics

Audit Code	Subject	Requirement	Status	Further Information	
1096:M1.1	Proposal Implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act	Non-Compliant	The proposal has been implemented in accordance with all elements outlined in the Authorised Extent of Table 2 of Schedule 1, except for the retention of specified trees with DBH >500mm	
		Key Characteristic	Description		
		Clearing of native vegetation	Up to 0.63 ha	Compliant	All native vegetation clearing was undertaken in the previous reporting period.
		Retain specified trees with DBH >500mm	As shown in Figures 1.1 to 1.3 of Schedule 1	Non-Compliant	C04; C05; C06; E01; E02; M01; R01; R02; S01
		Construction of Noise Walls	Heights and extents as shown in Figures 1.1 to 1.3 of Schedule 1	Compliant	Under construction. Extent of noise walls constructed by section (D1): <ul style="list-style-type: none"> • N1 – 170m • N2 – 145m • N4 – 145m • N5 – 195m • N6 – 55m • N8 – 75m • N10 – 45m
		Construction of Noise Walls	Within 18 months of commencement of construction	Compliant	Construction commenced in March 2020. Noise walls are to be installed by September 2021.

Each page of Appendix A & B must be initialled by the person who signs Section 4 of the Statement of Compliance.
INITIALS: _____

Appendix B: Audit Table

AUDIT TABLE

PROPOSAL: High Street Upgrade

STATEMENT: 1096

Note:

- Phases that apply in this table = Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition, P = Proponent's commitment.
- Acronyms list: CEO = Chief Executive Officer of OEPA; DEC = Department of Environment Regulation; DPAW = Department of Parks and Wildlife; DIA = Department of Indigenous Affairs; DMP = Department of Mining and Petroleum; DWER = Department of Water and Environmental Regulation; EPA = Environmental Protection Authority; DoH = Department of Health; DoW = Department of Water, Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority.
- Compliance Status: C = Compliant, CLD = Completed, NA = Not Audited, NC = Non – compliant, NR = Not Required at this stage. Please note the terms VR = Verification Required and IP = In Process are only for DWER use.

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1096:M1.1	Proposal Implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act	Implement project pursuant to Table 2 in Schedule 1 of Ministerial Statement No. 1096.	CAR. Plans and/or spatial data of extent of noise walls – noise walls under construction Plans and/or spatial data of extent trees removed – (S01) Non-compliance correspondence, investigation report and monitoring report	Overall	Life of proposal.	NC	C04; C05; C06; E01; E02; M01; R01; R02; S01 DWER to determine regulatory response to NC following review of this CAR.
1096:M2.1	Contact Details	The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.	Notify the CEO in writing of any change to proponent details.	Copy of written notification to CEO of any change in proponent details.	Overall	Within twenty-eight (28) days of any change of name, physical address or postal address.	NR	
1096:M3.1	Time Limit for Proposal Implementation	The proponent shall not commence implementation of the proposal after five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial.	Provide evidence to the CEO in writing to demonstrate the proposal has substantially commenced.	CAR.	Overall	Substantially commence proposal by 23 May 2024.	CLD	Proposal has been substantially commenced
1096:M3.2	Time Limit for Proposal Implementation	Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.	Provide evidence to the CEO in writing to demonstrate the proposal has substantially commenced.	Copy of written notification to CEO of substantial commencement. This may be in the form of the first CAR following commencement of construction.	Overall	Provide written evidence by 23 May 2024.	CLD	Previous CAR was formal notification of substantial commencement within 5 years.

1096:M4.1	Compliance Reporting	The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.	Submit a Compliance Assessment Plan (CAP).	CAP and written evidence of submission. 2020 CAR	Overall	Submit CAP by 23 February 2020 or prior to implementation of the proposal, whichever is sooner.	CLD	CAP was approved by DWER on 26 June 2019.
1096:M4.2	Compliance Reporting	The Compliance Assessment Plan shall indicate: (1) the frequency of compliance reporting; (2) the approach and timing of compliance assessments; (3) the retention of compliance assessments; (4) the method of reporting of potential non-compliances and corrective actions taken; (5) the table of contents of Compliance Assessment Reports; and (6) public availability of Compliance Assessment Reports.	Submit CAP.	CAP – 2020 CAR	Overall	Submit CAP by 23 February 2020 or prior to implementation of the proposal, whichever is sooner.	C	CAP was approved by DWER on 26 June 2019.
1096:M4.3	Compliance Reporting	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.	Once approval is received from the CEO, commence compliance assessment in accordance with the CAP.	CEO letter approving the CAP – 2020 CAR.	Overall	After receiving notice in writing from the CEO that CAP satisfies the requirements of condition 4-2.	C	CAP was approved by DWER on 26 June 2019.
1096:M4.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.	Retain CAR's and make available when requested by the CEO.	CAR.	Overall	When requested by the CEO.	C	2020 CAR available on Main Roads website.
1096:M4.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.	Notify the CEO of potential non-compliances in writing and/or verbally. Any verbal notification must be followed by written notification.	Written notification. CAR.	Overall	Within seven (7) days of a non-compliance being known.	C	Non-compliance reported within 7 days of that non-compliance being known.
1096:M4.6	Compliance Reporting	The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO. The Compliance Assessment Report shall: (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf; (2) include a statement as to whether the proponent has complied with the conditions; (3) identify all potential non-compliances and describe corrective and preventative actions taken; (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and (5) indicate any proposed changes to the	Submit a CAR within required timeframe reporting on the previous 12 months.	CAR.	Overall	Submit first Compliance Assessment Report by 23 August 2020 then annually thereafter.	C	First CAR submitted prior to 23 August 2020. 2020 CAR available on Main Roads website.

		Compliance Assessment Plan required by condition 4-1.						
1096:M5.1	Public Availability of Data	Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.	All environmental plans and reports required by MS1096 will be made publicly available by publishing them on Main Roads website for the duration of the project and for six months following the completion of construction. Requests for information after this time will be addressed in accordance with DWER guidelines for making information publicly available.	CAR.	Overall	Within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal.	C	Main Roads has published the previous CAR and the environmental review document on its website.
1096:M5.2	Public Availability of Data	If any data referred to in condition 5-1 contains particulars of: (1) a secret formula or process; or (2) confidential commercially sensitive information; the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	Submit a request for approval from the CEO to not make sensitive information publicly available.	Copy of written request to CEO. CEO approval.	Overall	Life of proposal.	NR	No request submitted from Main Roads.
1096:M6.1	Terrestrial Fauna	The proponent shall ensure that the proposal is undertaken in a manner that avoids, where possible, and minimises direct and indirect impacts as far as practicable to Black Cockatoos.	Comply with condition 6-2 and condition 1.	CAR.	Overall	Life of proposal.	C	
1096:M6.2	Terrestrial Fauna	In order to meet the objectives of condition 6-1, the proponent shall: (1) ensure that if clearing is to be undertaken, a qualified terrestrial native fauna spotter shall thoroughly inspect the development envelope for Black Cockatoo breeding activity, in particular nesting, and if the area within the development envelope is found to be in use, clearing in the area shall be postponed until such time as determined suitable by the CEO, on the advice of the Department of Biodiversity, Conservation and Attractions. (2) ensure that no Black Cockatoo foraging habitat are included within 10 m of the constructed roads in the landscaping design and planting for the proposal.	Inspection of potential Black Cockatoo breeding trees for breeding activity prior to clearing. No potential Black Cockatoo foraging species are to be planted within 10m of the road carriageway.	CAR. Pre-clearing inspection report(s) – E03. Landscaping design drawings (prior to implementation) – landscaping design complete (D02). Landscaping monitoring reports post landscaping implementation –not yet required.	Overall	Life of proposal.	C	Tony Kirby has conducted pre-clearing inspections (reference). The landscaping design has been finalised (D02). No planting of landscaping has occurred.

Appendix C: Supporting/verifying information/documentation

Supporting/verifying information used to prepare this CAR is shown in Table C1. This information is provided in an electronic package with the email submission of this CAR.

Table C1: Supporting/verifying information for 2021 CAR.

Document reference	Document Title
C01	MS 1096 S45C Amendment 26 August 2020
C02	High Street Upgrade - s45C - Request to change proposal - Letter to Proponent - DWER rejection 26 Nov 20
C03	Statement 1096 High Street Upgrade Notice of Non-compliance Condition 1-1
C04	MS 1096 s45C Amendment 30 November 2020
C05	Section 45C approval 2 March 2021
C06	Statement 1096 - Resolution of Non-Compliance (002)
D01	Location Plan from ST-200 Noise & Retaining Walls Combined Drawings Package - IFC - Signed
D02	Urban & Landscape Design Drawings High St Upgrade
E01	MS1096 High St Upgrade - Clearing of amenity trees by others, 19 June 2020
E02	High St Upgrade - Horrie Long & Wood St email trail between City of Fremantle and Georgiou
E03	Black Cockatoo Inspection all High St Clearing 2020_21
M01	Site monitoring data – daily checks and monthly audits of TPZ
R01	MS1096 High St Upgrade Non-Compliance Investigation Report
R02	TreesWest Monitoring Report 210621
S01	ArcGIS Pro Layer File "High_St_Sig_Trees_Removed"