

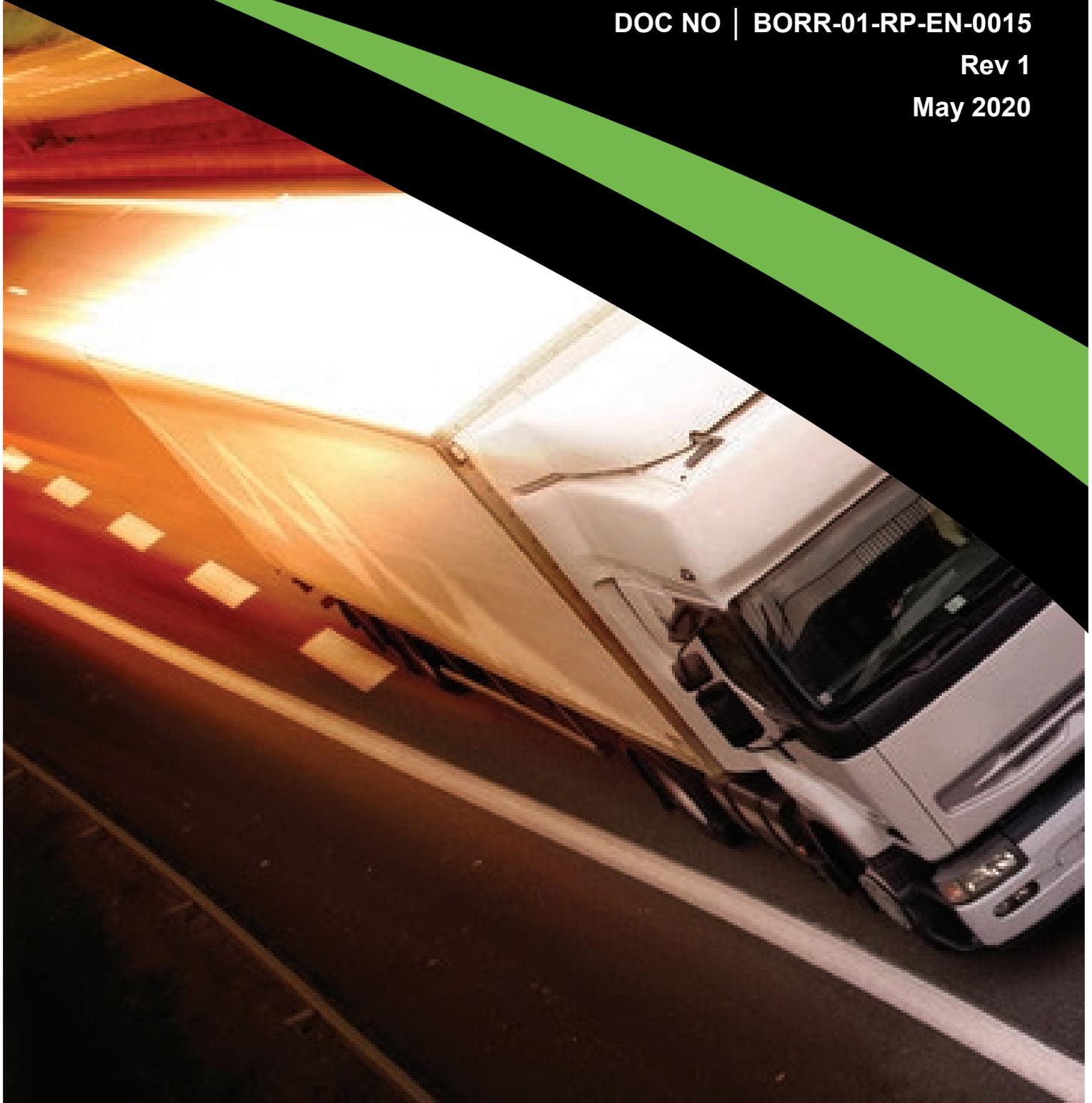


# **BORR Northern and Central Sections Additional Information for Preliminary Documentation – EPBC Ref: 2019/8471**

**DOC NO | BORR-01-RP-EN-0015**

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## EXECUTIVE SUMMARY

The Commissioner of Main Roads Western Australia (Main Roads) is proposing to construct and operate the Northern and Central sections of the Bunbury Outer Ring Road (BORR) project. BORR is a planned Controlled Access Highway linking the Forrest Highway and Bussell Highway. The completed project will provide a high standard route for access to the Bunbury Port, improve road user safety and facilitate proposed development to the east of the City of Bunbury. BORR provides an effective bypass of Bunbury for inter-regional traffic. The proposed BORR comprises three sections:

- 'BORR Northern Section' – Forrest Highway to Boyanup-Picton Road
- 'BORR Central Section' – Boyanup-Picton Road to South Western Highway (an existing four km section which was completed in May 2013, along with a three km extension of Willinge Drive southwards to South Western Highway)
- 'BORR Southern Section' – South Western Highway (near Bunbury Airport) to Bussell Highway.

This document refers to BORR Northern and Central Sections only (the Proposal). The Proposal, described in greater detail in Section 1, includes the construction and operation of 19 km of new freeway standard dual carriageway and associated bridges, interchanges and other road infrastructure including, but not limited to, culverts, lighting, noise barriers, fencing, landscaping, road safety barriers and signs. The Proposal is located approximately 200 km south of Perth and, at its closest point, approximately six km south-east of Bunbury. The 625 ha Proposal Area occurs within the City of Bunbury and the Shires of Dardanup and Harvey. Approximately 87 % of land within the Proposal Area is cleared for agriculture. Pockets of native vegetation occur within the Proposal Area in road reserves, along sections of the Collie, Ferguson and Preston Rivers, or as isolated patches on properties. The Proposal Area excludes areas within BORR Central Section which was constructed in 2013.

In June 2019, Main Roads referred the Proposal to the Environmental Protection Authority (EPA) of Western Australia (WA) for assessment under Section 38 of the *Environmental Protection Act 1986* (EP Act). The referral included an Environmental Referral Supporting Document (BORR IPT, 2019) which describes the receiving environments, potential impacts and mitigation strategies to address the identified impacts. The Proposal was advertised for a seven day public comment period on 14 June 2019. The EPA determined that the Proposal would be assessed on Referral Information with additional information required under Section 40(2)(a) of the EP Act on 3 July 2019. Additional information required under Section 40(2)(a) of the EP Act was provided to the EPA on 5 March 2020 and released for public review on the 13 March 2020.

The Proposal was formally referred to the then Commonwealth Department of the Environment and Energy (DoEE) on 25 June 2019 (EPBC Act referral 2019/8471) 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). DoEE provided advice in October 2019 that the Proposal is considered a Controlled Action and that it would be assessed by preliminary documentation.

Under Commonwealth government reforms announced in December 2019, DoEE was consolidated with the Department of Agriculture to form the new Department of Agriculture, Water and Environment (DAWE), effective 1 February 2020. DAWE is the Commonwealth Department with primary EPBC Act regulatory authority. This Additional Information Request for Preliminary Documentation will therefore be submitted to DAWE for assessment.

## Purpose of this document

This document has been prepared to address DoEE's 18 October 2019 request (Appendix B) for further information to support assessment of a controlled action by preliminary documentation.

## Description of protected matters within the proposed action area

Section 2 of this document includes a description of the existing environment, including discussion of protected matters. MNES listed under the EPBC Act relevant to the Proposal and potential resulting impacts that are, or have the potential to be, in the Proposal Area and surrounds are:

- Banksia Woodlands of the Swan Coastal Plain ecological community (Endangered) (Banksia Woodlands TEC)
- Clay Pans of the Swan Coastal Plain (Critically Endangered) (Clay Pans TEC)
- *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain (Endangered) (Corymbia Woodlands TEC)
- Tuart (*Eucalyptus gomphocephala*) Woodlands and Forests of the Swan Coastal Plain ecological community (Critically Endangered)
- Forest Red-tailed Black Cockatoo (*Calyptorhynchus banksii naso*) (Vulnerable)
- Baudin's Cockatoo (*Calyptorhynchus baudinii*) (Endangered)
- Carnaby's Cockatoo (*Calyptorhynchus latirostris*) (Endangered)
- Western Ringtail Possum (*Pseudocheirus occidentalis*) (Critically endangered)
- Balston's Pygmy Perch (*Nannatherina balstoni*) (Vulnerable)
- Black-stripe Minnow (*Galaxiella nigrostriata*) (Endangered)
- Carter's Freshwater Mussel (*Westralunio carteri*) (Vulnerable)
- King Spider-orchid (*Caladenia huegelii*) (Endangered)
- Tall Donkey Orchid (*Diuris drummondii*) (Vulnerable)
- Dwarf Bee-orchid (*Diuris micrantha*) (Vulnerable)
- Glossy-leafed Hammer Orchid (*Drakaea elastica*) (Endangered)
- Dwarf Hammer-orchid (*Drakaea micrantha*) (Vulnerable)
- Keighery's Eleocharis (*Eleocharis keigheryi*) (Vulnerable).

Subsequent to the referral of the Proposal to the WA EPA and DoEE, additional floristic and vegetation surveys were undertaken. A targeted *Drakaea* survey of selected sites was completed in August 2019. In response to additional information requested by the DoEE and WA EPA, a targeted survey for *Banksia* Woodland TEC/PECs and confirmation of vegetation types in previously unsurveyed gaps in the Survey Area was completed in August 2019. Ecoedge (2019a) also undertook a Clay Pans TEC assessment in July-August 2019 (Table 2-1) specific to the EPA request for additional information. All previous and additional studies conducted are summarised in Table 2-2.

Additional targeted aquatic fauna surveys were undertaken in 2019 to further survey habitat and presence for Balston's Pygmy Perch, CFM and Black Striped Minnow.

Further discussion and description of potential impacts of the Proposal on threatened fauna species including WRP and Black Cockatoos is also provided.

## Assessment of Impacts

Section 3 includes an assessment of potential direct and indirect impacts on protected matters determined to be present in the direct footprint of the Proposal or proximate to potential indirect impacts.

Assessments are included for:

- Threatened Communities
  - Banksia Woodlands TEC (Section 3.1.1)

- Clay Pans TEC (Section 3.1.2)
- Corymbia Woodlands TEC (Section 3.1.3)
- Fauna
  - Forest Red-tailed Black Cockatoo (Section 3.2.1)
  - Baudin’s Cockatoo (Section 3.2.1)
  - Carnaby’s Cockatoo (Section 3.2.1)
  - Western Ringtail Possum (Section 3.2.2)
  - Balston’s Pygmy Perch (Section 3.2.3)
  - Black-stripe Minnow (Section 3.2.4)
  - Carter’s Freshwater Mussel (Section 3.2.5)
- Flora
  - King Spider-orchid (Section 0)
  - Tall Donkey Orchid (Section 3.3.2)
  - Dwarf Bee-orchid (Section 3.3.3)
  - Glossy-leafed Hammer Orchid (Section 3.3.4)
  - Dwarf Hammer-orchid (Section 3.3.5)
  - Keighery’s Eleocharis (Section 3.3.6)

Where appropriate and consistent with guidance, protected matters have been assessed against the MNES Significant Impact Guidelines (DoE, 2013).

### Avoidance and Mitigation Measures

Section 4 outlines avoidance through design changes that have been implemented since referral of the Proposal and management measures proposed. Substantial changes to the Proposal design have been made since referral in June 2019 to reduce impacts on TECs, conservation significant fauna, and conservation significant flora, as appropriate and necessary to avoid and minimise impacts on the environment.

Main Roads does not consider that a standalone Environmental Management Plan (EMP) for TECs is warranted based on the quanta of impacts (now estimated to be 5.7 ha as compared to the previously referred total of 8.2 ha) and consequently no TEC EMP been prepared. Main Roads has included management, monitoring and mitigation measures for TECs in this additional information document.

This document does include an EMP to manage, monitor and mitigate direct and indirect impacts to conservation significant fauna species including Western Ringtail Possum, Carter’s Freshwater Mussel, Black-stripe Minnow and Brush-tailed Phascogale to meet the requirement of the State EPA. In addition, a Black Cockatoo Action Management Plan (AMP), covering the three species of threatened Black Cockatoo within the Proposal Area (Baudin’s, Carnaby’s, and Forest Red-tailed Black Cockatoo), has been prepared.

Both the Conservation Significant Fauna EMP (BORR IPT, 2020d)(Appendix H) and the Black Cockatoo AMP (BORR ITP, 2020e)(Appendix I) will require approval under s133 of EPBC Act.

### Offsets

Section 5 provides a summary of the offset package to counterbalance the significant residual impacts to Banksia Woodlands TEC, Clay Pans TEC, WRP and Black Cockatoo species. The offsets proposed are based on preliminary offset calculations using the EPBC Act Offset Assessment Guide, as presented in Appendix J.

### **Economic and Social Matters**

Section 6 describes the Proponents funding commitments towards the Proposal, including identification of Commonwealth funding contributions for the Proposal. Discussion of the economic and social costs and benefits of the Proposal subject to State assessment are also reviewed in detail, including the Stakeholder Consultation process undertaken by the Proponent to engage affected stakeholders and decision making authorities during the development of the Proposal.

### **Ecologically sustainable development**

Section 7 assesses consideration of EPBC Act principles of ecologically sustainable development undertaken in the development of the Proposal.

### **Environmental record of the person proposing to take the action**

Section 8 documents Main Roads' record of environmental management and certification of Main Roads' environmental management system. This includes compliance with Main Roads' environment and heritage compliance obligations under prior Commonwealth approvals.

### **Other approvals and conditions**

Section 9 reviews requirements for approval or conditions that apply, or that are likely to apply, to the Proposal from Western Australia state agencies that exist outside of approval under the EPBC Act.

### **Relevant Policies and Publications**

Section 10 assesses the relevant recovery plans and threat abatement plans that have been considered during the preparation of the Proposal.

### **Information Sources**

Section 11 assesses the reliability and potential for uncertainties in the technical studies undertaken in preparation of the Proposal.

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## ACRONYMS

AHD	Australian Height Datum
AH Act	<i>Aboriginal Heritage Act 1972</i>
ANZECC	Australian and New Zealand Environment and Conservation Council
ARI	Assessment on Referral Information
ASS	Acid Sulfate Soils
BC Act	<i>Biodiversity Conservation Act 2016</i>
BORR	Bunbury Outer Ring Road
CCW	Conservation Category Wetlands
CEMP	Construction Environmental Management Plan
CRG	Community Reference Group
DAWE	Department of Agriculture, Water and the Environment
DBCA	Department of Biodiversity, Conservation and Attractions
DBH	Diameter Breast Height
DoEE	Department of the Environment and Energy
DoW	Department of Water
DPaW	Department of Parks and Wildlife
DPLH	Department of Planning, Lands and Heritage
DPIRD	Department of Primary Industries and Regional Development
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities
DWER	Department of Water and Environmental Regulation
EMP	Environmental Management Plan
EP Act	<i>Environmental Protection Act 1986</i>
EPA	Environmental Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
GBRS	Greater Bunbury Region Scheme
GKB	Gnaala Karla Booja People
GKB NTC	Gnaala Karla Booja Native Title Claim group
GoWA	Government of Western Australia
IBRA	Interim Biogeographic Regionalisation of Australia
ILM	Investment Logic Mapping
IPT	Integrated Project Team
KSIA	Kemerton Strategic Industrial Area

MCA	Multi-Criteria Assessment
MNES	Matters of National Environmental Significance
MSE	Mechanically Stabilised Earth
PEC	Priority Ecological Community
PSP	Principal Shared Path
RDASW	Regional Development Australia South West
RIWI Act	<i>Rights in Water and Irrigation Act 1914</i>
SCP	Swan Coastal Plain
SPP 5.4	<i>State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning</i>
SWDC	South West Development Commission
TEC	Threatened Ecological Community
TSSC	Threatened Species Scientific Committee
WA	Western Australia
WAHERB	Western Australian Herbarium
WAPC	Western Australian Planning Commission
WoNS	Weeds of National Significance

## DEFINED TERMS

TERM	DEFINITIONS
<b>BORR Sections</b>	<p>BORR includes three sections (North, Central and South), which are referred to as:</p> <p>The 'BORR Northern Section' – section between Forrest Highway (north) and Boyanup-Picton Road (south).</p> <p>The 'BORR Central Section' – section that has already been constructed, between Boyanup-Picton Road (north) and South Western Highway (south).</p> <p>The 'BORR Southern Section' – section between South Western Highway (north) and Bussell Highway (south).</p>
<b>Conservation Wetland</b>	Wetlands which support a high level of attributes and functions.
<b>Main Roads</b>	Main Roads Western Australia
<b>Multiple Use Wetland</b>	Wetland with few important ecological attributes and functions remaining.
<b>Proposal</b>	Main Roads proposes to construct the Bunbury Outer Ring Road (BORR) Northern and Central Sections from Forrest Highway (north) to South West Highway (south), at its closest point approximately six km from East Bunbury, in the South West Region of Western Australia (WA) (referred to as the Proposal).
<b>Proposal Area</b>	<p>The Proposal Area is located within the City of Bunbury and Shires of Dardanup and Harvey, at its closest point approximately six km from East Bunbury and 200 km south of Perth.</p> <p>The Proposal Area extends 19 km between Forrest Highway and South Western Highway.</p> <p>The Proposal Area covers 625 hectares (ha) and includes existing road reserves, agricultural land and native vegetation.</p>
<b>Resource Enhancement Wetland</b>	Wetlands which may have been partially modified but still support substantial ecological attributes and functions.
<b>Site</b>	As per the Proposal Area.
<b>Survey Area</b>	The Survey Area includes all sites of significance that occur both within the Proposal Area and wherever relevant, outside the Proposal Area, in order to determine both direct and indirect impacts.
<b>Swan Coastal Plain</b>	Low-lying coastal plain in the south west of Australia mainly covered with woodlands, with rare landscape features such as Holocene dunes and wetlands.

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- Appendix L ISO 14001:2015 Environmental Management Systems Certificate of Confidence
- Appendix M Main Roads WA Environmental Policy

<i>Document Control</i>					
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