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Published on: 14 December 2020

Statement No. 1155

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED**  
**(*Environmental Protection Act 1986*)**

**BUNBURY OUTER RING ROAD NORTHERN AND CENTRAL SECTIONS**

**Proposal:** The proposal includes the construction and operation of 19 kilometres of the Bunbury Outer Ring Road, located about 200 kilometres south of Perth and, at its closest point, about 6 kilometres south-east of Bunbury. The proposal consists of a dual carriageway connecting the Forrest Highway at Kingston to the South Western Highway, south of Centenary Rd in the Shire of Capel.

**Proponent:** Commissioner for Main Roads Western Australia  
Australian Business Number 50 860 676 021

**Proponent Address:** Waterloo Crescent  
EAST PERTH WA 6004

**Assessment Number:** 2215

**Report of the Environmental Protection Authority:** 1682

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described and documented in Table 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

**1 Proposal Implementation**

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the *Environmental Protection Act 1986*.

## **2 Contact Details**

2-1 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.

## **3 Time Limit for Proposal Implementation**

3-1 The proponent shall not commence implementation of the proposal after five (5) years from the date of this Statement, and any commencement, prior to this date, must be substantial.

3-2 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.

## **4 Compliance Reporting**

4-1 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.

4-2 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.

4-3 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.

4-4 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.

- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 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 Compliance Assessment Plan required by condition 4-1.

## **5 Public Availability of Data**

5-1 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.

5-2 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.

## 6 Terrestrial Fauna

6-1 Prior to **ground-disturbing activities** associated with the proposal the proponent shall undertake the following actions to minimise impacts to terrestrial fauna:

- (1) within seven (7) days prior to clearing, using a qualified and licensed terrestrial **fauna spotter(s)** with experience in surveying for black cockatoos, inspect all **potential nesting trees** with hollows within the development envelope to determine if any hollows are being used for nesting by **black cockatoos**;
- (2) if any hollows are in use by **black cockatoos** for nesting, the proponent shall not **disturb** or clear the nesting tree, or vegetation within a ten (10) metre radius of the nesting tree, until after the cockatoos have naturally completed nesting (young have fledged and dispersed) and an appropriately qualified terrestrial **fauna spotter** has verified that the hollow(s) are no longer being used by the **black cockatoos**; and
- (3) within thirty (30) days prior to clearing, using a qualified and licensed terrestrial **fauna spotter(s)** undertake a baseline study of suitable habitat within the development envelope and within the **western ringtail habitat areas** where **disturbance** is proposed, to:
  - (a) confirm the presence/absence and number of western ringtail possum and south-western brush-tailed phascogale; and
  - (b) submit a report to the CEO which includes the results from the baseline study (condition 6-1(3)(a)), outlining the actions to monitor and manage impacts to western ringtail possums prior to and following **disturbance** on advice of DBCA.

6-2 Prior to and during activities associated with the construction of the proposal the proponent shall undertake the following actions to minimise impacts to terrestrial fauna:

- (1) ensure the presence of appropriately qualified **fauna spotters** during clearing activities;
- (2) ensure appropriate protocols, including the actions required by condition 6-1(3)(b), are implemented within seven (7) days prior to clearing activities to avoid and minimise impacts to terrestrial fauna including, but not limited to, western ringtail possum and south-western brush-tailed phascogale;
- (3) if western ringtail possum and/or south-western brush-tailed phascogale are encountered during clearing activities, the proponent shall submit a report to the CEO and the DBCA within thirty (30) days, with the number of individuals encountered and any relocation conducted in accordance with

the requirements of the threatened fauna authorisation obtained under the *Biodiversity Conservation Act 2016*; and

- (4) ensure no foraging species for black cockatoos are planted within ten (10) metres of the road.

## **7 Terrestrial Fauna (Western Ringtail Possum)**

7-1 The proponent shall design and manage the ongoing implementation of the proposal to achieve the following environmental outcomes:

- (1) no more than 43.9 ha of western ringtail possum habitat is cleared; and
- (2) no project attributable adverse effects on the **viability** of the local western ringtail possum population in **western ringtail habitat areas** adjacent to and outside the development envelope.

7-2 To demonstrate that the outcome in condition 7-1(2) is being met the proponent shall complete a survey within the **western ringtail habitat areas** within thirty (30) days of completion of vegetation clearing, or if staged, after each distinct stage of clearing, and submit a report within sixty (60) days of completion of vegetation clearing to the CEO and DBCA. The report shall include an evaluation of the survey results against the baseline information collected by condition 6-1(3).

7-3 The proponent shall submit a report outlining how the outcomes in condition 7-1 are being met:

- (1) to the CEO and the DBCA within twelve (12) months from the commencement of clearing activities; and
- (2) subsequently as part of the Compliance Assessment Report in condition 4-6, or as otherwise agreed to in writing by the CEO.

7-4 Prior to clearing activities submit the location and configuration of fauna crossings for western ringtail possum to the CEO, including the actions to monitor and report on the utilisation of the fauna crossings.

## **8 Flora and Vegetation – Indirect impacts**

8-1 The proponent shall implement the proposal to achieve the following environmental outcome:

- (1) there are no project attributable indirect impacts to Threatened Ecological Communities (Herb rich shrublands in clay pans FCT08) and (*Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain FCT3c) and Priority Ecological Community (Banksia woodlands of the Swan Coastal Plain) (defined in Figure 4) outside and within twenty (20) metres of the development envelope.

- 8-2 The proponent shall undertake the following actions when implementing the proposal:
- (1) implement hygiene protocols consistent with the *Management of Phytophthora cinnamomi for Biodiversity Conservation in Australia, Part 2 National Best Practice Guidelines* as amended or replaced from time to time; and
  - (2) undertake weed control and management to prevent the introduction or spread of environmental weeds.
- 8-3 The proponent shall continue to implement the requirements of condition 8-2 during construction and for five (5) years from the completion of construction, or as otherwise agreed in writing by the CEO.

## 9 Inland Waters

- 9-1 The proponent shall manage the implementation of the proposal to maintain hydrological regimes and water quality in habitats that support the:
- (1) black-stripe minnow (*Galaxiella nigrostriata*) habitat (defined in Figure 2);
  - (2) Carter's freshwater mussel (*Westralunio carteri*) individuals or habitat (defined in Figure 3);
  - (3) Threatened Ecological Communities (Herb rich shrublands in clay pans FCT08) and (*Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain FCT3c) (defined in Figure 4); and
  - (4) Resource Enhancement Wetland Unique Feature ID 1708.
- 9-2 The proponent shall undertake the following actions when implementing the proposal:
- (1) no more than sixty (60) days prior to commencing construction of bridges, clearing of riparian vegetation or earthworks near or on the Collie, Ferguson and Preston Rivers, the proponent shall undertake a survey for Carter's freshwater mussel (*Westralunio carteri*) in areas to be **disturbed**;
  - (2) where Carter's freshwater mussel is found, the proponent shall submit a report to the CEO and the DBCA before undertaking the construction activities as referred to in 9-2(1). The report shall identify the number of individuals found and actions to manage impacts prior to and during construction, and any fauna authorisation obtained under the *Biodiversity Conservation Act 2016*;
  - (3) not construct bridge footings, drainage structures and abutments within the Collie, Ferguson or Preston rivers;

- (4) prior to the commencement of construction, undertake a study of the hydrological regime of the Threatened Ecological Communities and wetlands referred to in condition 9-1 and submit a report about the baseline and predicted post-development hydrologic regime to the CEO; and
  - (5) implement management measures to maintain the hydrological regimes at the Threatened Ecological Communities and wetlands in condition 9-1.
- 9-3 Upon commencement of construction the proponent shall undertake an annual study of the hydrological regime of Threatened Ecological Communities and wetlands referred to in condition 9-1, and compare the results to the baseline study required in condition 9-2, until the CEO has confirmed by notice in writing that the proponent has demonstrated that the requirements of conditions 9-1(3) and 9-1(4) have been met.
- 9-4 In the event that the surveys of hydrological regimes indicate that the requirements of conditions 9-1(3) and 9-1(4) are not being met the proponent shall in consultation with DBCA implement preventative and corrective actions and provide a report to the CEO within thirty (30) days under condition 4-6.

## **10 Social Surroundings (Noise)**

- 10-1 The proponent shall implement the proposal to meet the following environmental objective:
- (1) minimise operational noise impacts on existing noise sensitive receptors, as far as practicable.
- 10-2 At least six (6) months prior to the operation of the proposal and in order to meet the requirements of condition 10-1(1), the proponent shall prepare a Traffic Noise Management Plan to include:
- (1) outdoor noise **management targets**;
  - (2) indoor noise **management targets** to apply to noise sensitive receptors where the construction of noise walls is not feasible or practicable;
  - (3) the noise **management actions** to ensure the noise **management targets** are met during the operation of the proposal;
  - (4) where noise walls will be constructed, the location, height and timing of construction of the walls;
  - (5) where acoustic treatment of houses will be implemented, the standard of treatments, timing and evidence of consultation with affected stakeholders;

- (6) road design measures to minimise noise emissions where relevant and appropriate, including low noise road surfaces and selection of appropriate bridge expansion joints;
  - (7) post-construction noise monitoring to demonstrate that noise **management actions** meet the relevant outdoor noise **management targets**; and
  - (8) contingency actions in the event relevant noise **management targets** are not met.
- 10-3 The Traffic Noise Management Plan shall be approved by notice in writing from the CEO prior to the commencement of operation.
- 10-4 The proponent:
- (1) may review and revise the Traffic Noise Management Plan; or
  - (2) shall review and revise the Traffic Noise Management Plan when directed by the CEO by a notice in writing.
- 10-5 The proponent shall implement the approved Traffic Noise Management Plan, or the most recent version, which the CEO has confirmed by notice in writing satisfies the requirements of condition 10-2.
- 10-6 The proponent shall continue to implement the Traffic Noise Management Plan, or any subsequently approved revisions until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 10-1 is being and will continue to be met.
- 10-7 In the event of failure to implement **management actions** detailed in the approved Traffic Noise Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall immediately implement **management actions** to meet the requirements of condition 10-1.

## 11 Offsets

- 11-1 The proponent shall undertake offsets to achieve the objective of counterbalancing the significant residual impact as a result of the implementation of the proposal on the following environmental values:
- (1) 0.63 ha 'Herb rich shrublands on clay pans' (FCT08) threatened ecological community;
  - (2) 1.3 ha of '*Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain' (FCT3c) threatened ecological community;
  - (3) 3.7 ha of 'Banksia woodlands of the Swan Coastal Plain' priority ecological community;



- (4) 43.9 ha of habitat for western ringtail possum (*Pseudocheirus occidentalis*);
- (5) 17.7 ha of habitat for the south-western brush-tailed phascogale (*Phascogale tapoatafa wambenger*); and
- (6) 37.8 ha of habitat for Baudin's black cockatoo (*Calyptorhynchus baudinii*), Carnaby's black cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*).

### **Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan**

11-2 Within twelve (12) months of the publication of this Statement, or as otherwise agreed by the CEO, the proponent shall prepare and submit a Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan to the CEO.

11-3 The Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan required by condition 11-2 shall:

- (1) spatially define and map the vegetation condition of Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport which must contain:
  - (a) 14.5 ha of Banksia woodlands of the Swan Coastal Plain priority ecological community;
  - (b) 100 ha of habitat for western ringtail possum (*Pseudocheirus occidentalis*) and the south-western brush-tailed phascogale (*Phascogale tapoatafa wambenger*); and
  - (c) 93 ha of habitat for Baudin's black cockatoo (*Calyptorhynchus baudinii*), Carnaby's black cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*).
- (2) identify how Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport will be protected, being either the sites are ceded to the Crown for the purpose of management for conservation, or the sites are managed under other suitable mechanism for the purpose of conservation as agreed by the CEO by notice in writing;
- (3) specify the management body for ongoing management, including its role and confirmation in writing that the relevant management body accepts responsibility for its role for Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport;
- (4) identify the quantum of, and provide funds for, establishing the protecting mechanism and maintaining the offset for at least seven (7) years;

- (5) detail any **Ongoing Management Actions**, a timeframe for the actions to be undertaken, and funding arrangements for these actions, and any contingency actions to be undertaken on Lot 2 Boyanup Picton Road;
- (6) detail any **Ongoing Management Actions** and **On-ground Management Actions**, objectives and targets to be achieved including competition criteria, funding arrangements for these actions, and any contingency actions to be undertaken on Lot 104 Willinge Drive Davenport;
- (7) demonstrate how the **Ongoing Management Actions** and **On-ground Management Actions** to be undertaken on Lot 104 Willinge Drive Davenport will result in a tangible improvement to the environmental values being offset; and
- (8) detail the monitoring, reporting and evaluation mechanisms for actions identified under conditions 11-3(5) and 11-3(6).

11-4 The proponent:

- (1) may review and revise the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan; or
- (2) shall review and revise the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan as and when directed by the **CEO** by a notice in writing.

11-5 The proponent shall implement the latest revision of the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan that the CEO has confirmed in writing satisfies the requirements of condition 11-3.

11-6 The proponent shall continue to implement the Lot 2 Boyanup Picton Road and Lot 104 Willinge Drive Davenport Offset Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-1 has been met.

### **Land Acquisition and On-ground Management Offset Strategy**

11-7 Within twelve (12) months of the publication of this Statement, or as otherwise agreed by the CEO, the proponent shall prepare and submit a Land Acquisition and On-ground Management Offset Strategy to the CEO to counterbalance significant residual impacts to:

- (1) 23.8 ha of habitat for western ringtail possum (*Pseudocheirus occidentalis*) and the south-western brush-tailed phascogale (*Phascogale tapoatafa wambenger*);
- (2) 6.8 ha of habitat for Baudin's black cockatoo (*Calyptorhynchus baudinii*), Carnaby's black cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*);

- (3) 0.63 ha 'Herb rich shrublands on clay pans' (FCT08) threatened ecological community;
- (4) 1.3 ha of '*Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain' (FCT3c) threatened ecological community.

11-8 The Land Acquisition and On-ground Management Offset Strategy required by condition 11-7 shall:

- (1) identify any area(s) to be acquired and the manner in which all area(s) will be protected with **Ongoing Management Actions** and/or with **On-ground Management Actions** that contain the environmental values identified in condition 11-7;
- (2) demonstrate how the area(s) counterbalances the significant residual impact to the environmental values identified in condition 11-7 through application of the principles of the WA Environmental Offsets Policy 2011 and completion of the WA Offsets Template, as described in the WA Environmental Offsets Guidelines 2014, and the *Environment Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy Assessment Guide (October 2012), or any subsequent revisions of these documents;
- (3) identify how any area(s) of land acquired will be protected, being either the area(s) is ceded to the Crown for the purpose of management for conservation, or the area(s) are managed under other suitable mechanism for the purpose of conservation as agreed by the CEO;
- (4) specify the management body for ongoing management, including its role and confirmation in writing that the relevant management body accepts responsibility for its role for and land area identified in condition 11-8(1);
- (5) for any area(s) acquired, identify the quantum of, and provide funds for, the upfront works associated with establishing the area(s), including a contribution for maintaining the offset for at least seven (7) years after completion of purchase;
- (6) detail any **Ongoing Management Actions**, a timeframe for the actions to be undertaken, and funding arrangements for these actions, and any contingency actions to be undertaken on the area(s);
- (7) detail any **On-ground Management Actions**, objectives and targets to be achieved including completion criteria, funding arrangements for these actions, and any contingency actions to be undertaken on the area(s);

- (8) demonstrate how any **Ongoing Management Actions** and **On-ground Management Actions** to be undertaken on the area(s) will result in a tangible improvement to the environmental values being offset;
- (9) demonstrate how the area(s) and any actions taken on the area(s) is consistent with the objectives and targets with the objectives of the relevant Recovery Plans for the species or community;
- (10) detail the monitoring, reporting and evaluation mechanisms for actions identified under conditions 11-8(6) and 11-8(7); and
- (11) be prepared on advice of DBCA.

11-9 The proponent:

- (1) may review and revise the Land Acquisition and On-ground Management Offset Strategy; or
- (2) shall review and revise the Land Acquisition and On-ground Management Offset Strategy as and when directed by the CEO by a notice in writing.

11-10 The proponent shall implement the latest revision of the Land Acquisition and On-ground Management Offset Strategy that the CEO has confirmed in writing satisfies the requirements of condition 11-8.

11-11 The proponent shall continue to implement the Land Acquisition and On-ground Management Offset Strategy until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 11-7 has been met.

[signed on 14 December 2020]

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**

Table 1: Summary of the proposal

<b>Proposal title</b>	Bunbury Outer Ring Road Northern and Central Sections
<b>Short description</b>	The proposal includes the construction and operation of 19 kilometres of the Bunbury Outer Ring Road, located about 200 kilometres south of Perth and, at its closest point, about 6 kilometres south-east of Bunbury. The proposal consists of a dual carriageway connecting the Forrest Highway at Kingston to the South Western Highway, south of Centenary Rd in the Shire of Capel.

Table 2: Location and proposed extent of physical and operational elements

Element	Location	Proposed extent
<b>Physical elements</b>		
Freeway standard dual carriageway, grade separated interchanges, local road extensions and connections, bridges, drainage structures, noise walls, fauna crossings, and other road infrastructure including fencing, landscaping, principal shared path.	Located within the development envelope as shown in Figure 1	Clearing and disturbance of no more than 92 ha of native vegetation within a 625 ha development envelope.

Table 3: Abbreviations and Definitions

Acronym or Abbreviation	Definition or Term
black cockatoos	Carnaby's black cockatoo ( <i>Calyptorhynchus latirostris</i> ), forest red-tailed black cockatoo ( <i>Calyptorhynchus banksii naso</i> ) and Baudin's black cockatoo ( <i>Calyptorhynchus baudinii</i> )
potential nesting tree	Any existing tree of a species known to support black cockatoo breeding which either has a hollow or has a diameter at breast height of 500 millimetres or greater and therefore may develop a nest hollow.
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
DBCA	Department of Biodiversity, Conservation and Attractions
disturb / disturbance	is to be defined as per the definition of ' <b>disturb</b> ' in section 5 [subsection <b>disturb</b> — (a)(i)(ii)(iii) and (iv)] of the <i>Biodiversity Conservation Act 2016</i>
Environmental weeds	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , any plant listed on a National Weeds List and any weeds listed on the Department of Biodiversity, Conservation and Attractions South West Region Impact and Invasiveness Ratings list, as amended or replaced from time to time.

Acronym or Abbreviation	Definition or Term
fauna spotter	A person who is qualified and licensed under Section 40 of the <i>Biodiversity Conservation Act 2016</i>
ground-disturbing activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, digging (with mechanised equipment), blasting, earthmoving, vegetation clearance, grading, gravel extraction, construction of new or widening of existing roads and tracks.
ha	Hectare
Management actions	Identified actions undertaken to mitigate the impacts of implementation of a proposal on the environment and achieve the condition environmental objective.
Management targets	A measurable boundary of acceptable impact with proposal or site specific parameters, that assesses the efficacy of <b>management actions</b> against the condition environmental objective and beyond which <b>management actions</b> have to be reviewed and revised. Proposal- or site-specific parameters may include location, scale, time period, specific species/population/community and a relative benchmark (e.g. baseline or reference).
On-ground Management Actions	This includes revegetation (re-establishment of native vegetation in degraded areas) and rehabilitation (repair of ecosystem processes and management of weeds, disease or feral animals) with the objective to achieve a tangible improvement to the environmental values in the offset area.
Ongoing Management Actions	This includes any management actions (in addition to and longer-term than <b>on-ground management actions</b> ) required to ensure enduring conservation outcomes for the environmental values being offset. Actions may include fencing, fence maintenance and access management, weed control, firebreaks and feral animal control to maintain and/or improve environmental values of the offset.
viability	means the ability of the western ringtail possums to persist in a similar size and occupancy within the <b>western ringtail habitat areas</b>
western ringtail habitat areas	Areas within a minimum of 750 metres of the development envelope known to support or have the potential to support western ringtail possums ( <i>Pseudocheirus occidentalis</i> ). This includes stands of myrtaceous trees (predominantly Peppermint Trees ( <i>Agonis flexuosa</i> ) growing near watercourses or floodplains; stands of Marri ( <i>Corymbia calophylla</i> ) and / or Jarrah ( <i>Eucalyptus marginata</i> ); or riparian woodland vegetation within a minimum of 750 metres of the development envelope.

## Figures (attached)

Figure 1 Development envelope

Figure 2 Black-stripe minnow habitat

Figure 3 Carter's freshwater mussel locations

Figure 4 Threatened Ecological Communities *Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain (FCT3c), Herb rich shrublands on clay pans (FCT08) and Priority Ecological Community Banksia woodlands of the Swan Coastal Plain indirect impact areas

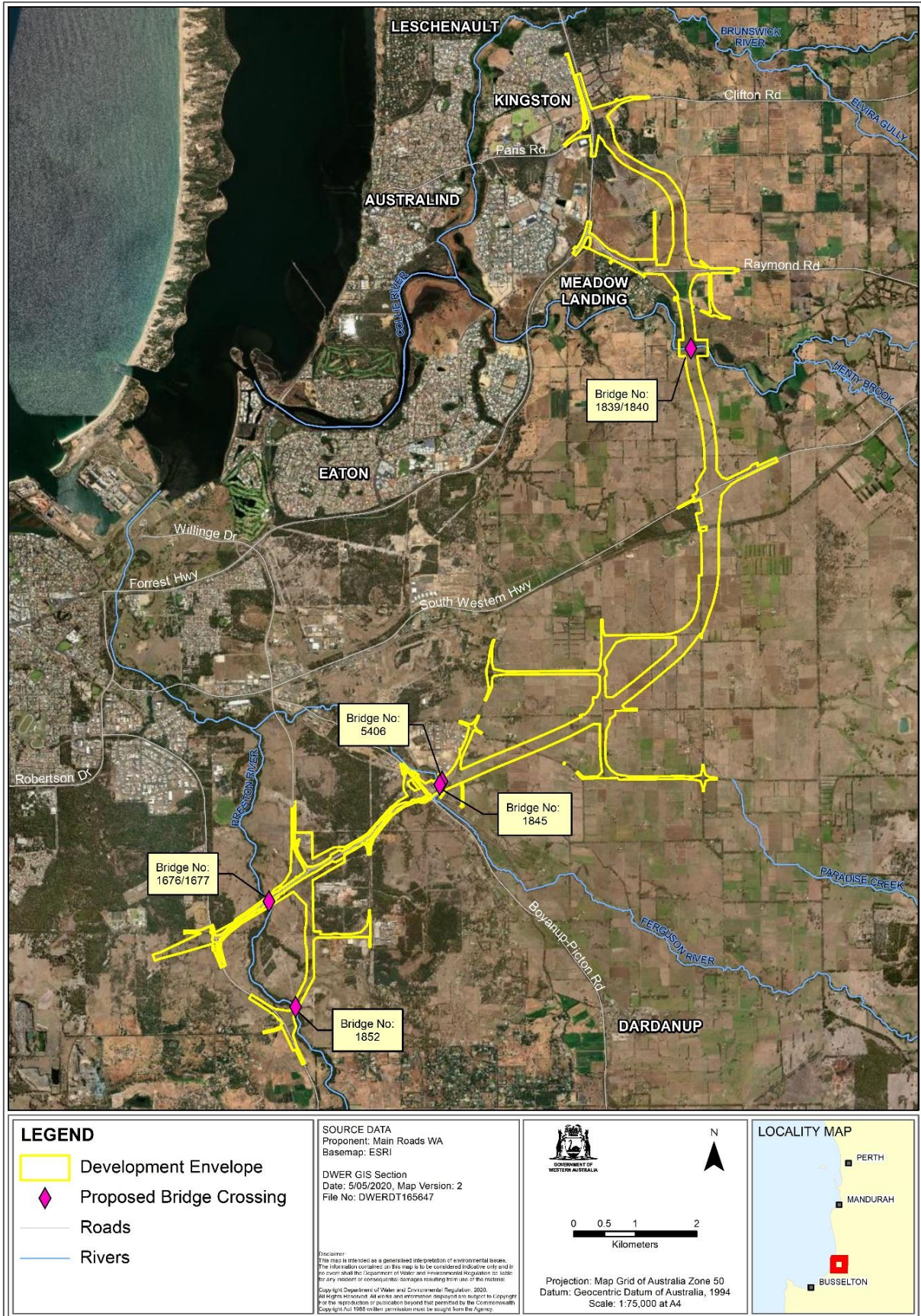


Figure 1: Development envelope



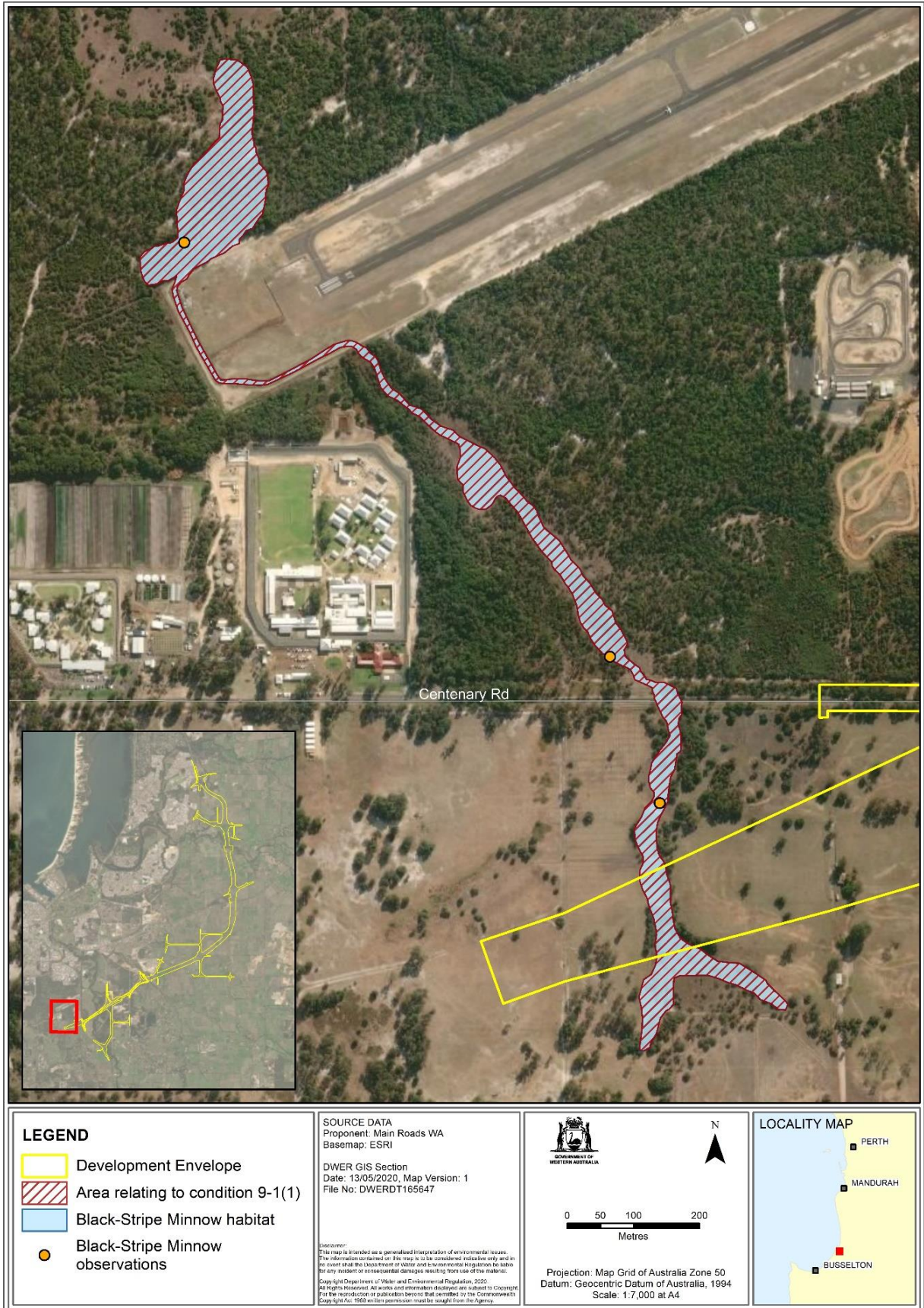
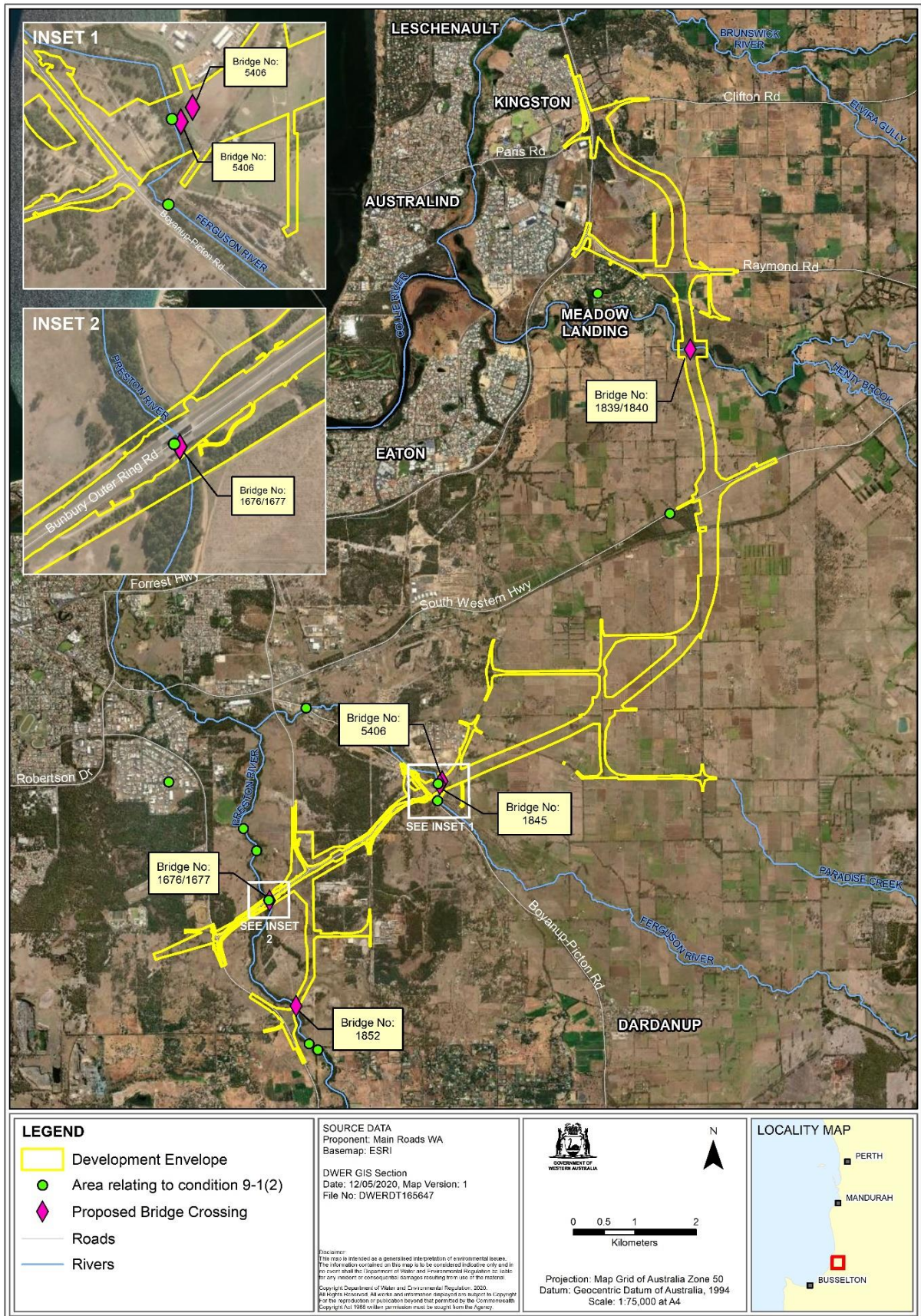


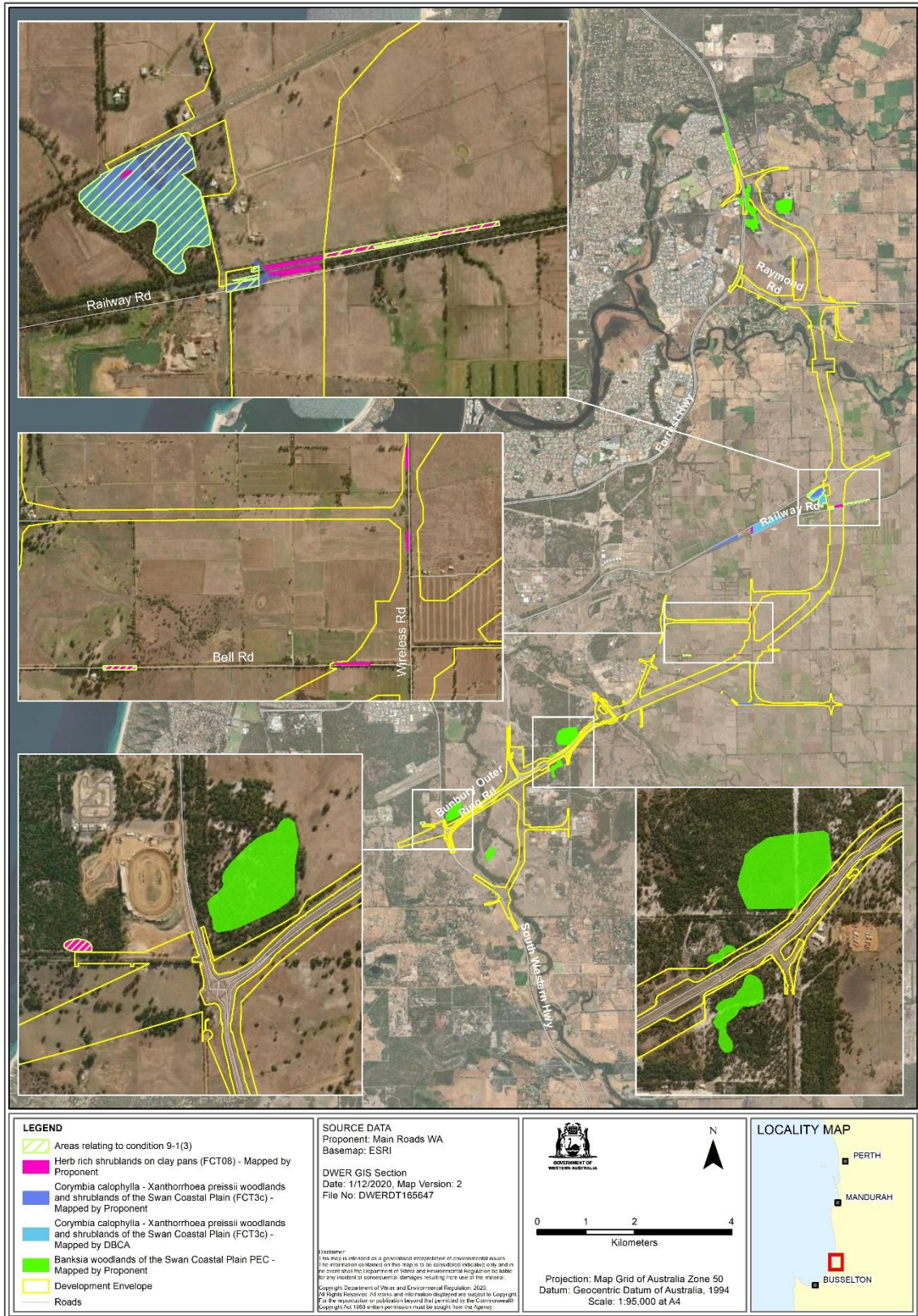
Figure 2: Black-stripe minnow habitat



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Unique Record ID:

Figure 3: Carter's freshwater mussel locations



**Figure 4: Threatened Ecological Communities *Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain (FCT3c), Herb rich shrublands on clay pans (FCT08) and Priority Ecological Community Banksia woodlands of the Swan Coastal Plain indirect impact areas**

## **Schedule 2**

Coordinates defining: the development envelope in Figure 1; black-stripe minnow habitat in Figure 2; Carter's freshwater mussel locations in Figure 3; and the areas of Threatened Ecological Communities requiring maintenance of hydrological regimes and the areas of Threatened and Priority Ecological Communities requiring management of indirect impacts in Figure 4, are held by the Department of Water and Environmental Regulation, Document Reference Number DWERDT383889.

## Attachment 1 to Ministerial Statement 1155

### Amendment to proposal and/or implementation conditions approved under Section 45C of the *Environmental Protection Act 1986*

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This Attachment replaces:

- Condition 7-1, condition 11-1 and condition 11-7
- Schedule 1 and Schedule 2

of Ministerial Statement 1155.

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**Proposal: Bunbury Outer Ring Road Northern and Central Sections**

**Proponent: Commissioner for Main Roads Western Australia**

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#### **Changes:**

- Decrease in the development envelope of 19 ha
  - Decrease in the extent of clearing of native vegetation of 8 ha
- 

**Condition 7-1, condition 11-1, condition 11-7 of MS 1155 are deleted and replaced with:**

7-1 The proponent shall design and manage the ongoing implementation of the proposal to achieve the following environmental outcomes:

- (1) no more than 41.3 ha of western ringtail possum habitat is cleared; and
- (2) no project attributable adverse effects on the **viability** of the local western ringtail possum population in **western ringtail habitat areas** adjacent to and outside the development envelope.

11-1 The proponent shall undertake offsets to achieve the objective of counterbalancing the significant residual impact as a result of the implementation of the proposal on the following environmental values:

- (1) 0.44 ha 'Herb rich shrublands on clay pans' (FCT08) threatened ecological community;
- (2) 1.3 ha of '*Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain' (FCT3c) threatened ecological community;
- (3) 3.7 ha of 'Banksia woodlands on the Swan Coastal Plain' priority ecological community;

- (4) 41.3 ha of habitat for western ringtail possum (*Pseudocheirus occidentalis*);
- (5) 16.6 ha of habitat for the south-western brush-tailed phascogale (*Phascogale tapoatafa wambenger*); and
- (6) 36.8 ha of habitat for Baudin's black-cockatoo (*Calyptorhynchus baudinii*), Carnaby's black-cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*)

11-7 Within twelve (12) months of the publication of this Statement, or as otherwise agreed by the CEO, the proponent shall prepare and submit a Land Acquisition and On-ground Management Offset Strategy to the CEO to counterbalance significant residual impacts to:

- (1) 21.2 ha of habitat for western ringtail possum (*Pseudocheirus occidentalis*) and the south-western brush-tailed phascogale (*Phascogale tapoatafa wambenger*);
- (2) 5.8 ha of habitat for Baudin's black-cockatoo (*Calyptorhynchus baudinii*), Carnaby's black-cockatoo (*Calyptorhynchus latirostris*) and forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*);
- (3) 0.44 ha 'Herb rich shrublands on clay pans' (FCT08) threatened ecological community;
- (4) 1.3 ha of 'Corymbia calophylla - Xanthorrhoea preissii woodlands and shrublands of the Swan Coastal Plain' (FCT3c) threatened ecological community.

Schedule 1 of MS 1155 is deleted and replaced with:

### Schedule 1

**Table 1: Summary of the proposal**

<b>Proposal Title</b>	Bunbury Outer Ring Road Northern and Central Sections
<b>Short Description</b>	The proposal includes the construction and operation of 19 kilometres of the Bunbury Outer Ring Road, located about 200 kilometres south of Perth and, at its closest point, about 6 kilometres south-east of Bunbury. The proposal consists of a dual carriageway connecting the Forrest Highway at Kingston to the South Western Highway, south of Centenary Rd in the Shire of Capel.

**Table 2: Location and proposed extent of physical and operational elements**

Element	Location	Proposed extent
<b>Physical Elements</b>		
Freeway standard dual carriageway, grade separated interchanges, local road extensions and connections, bridges, drainage structures, noise walls, fauna crossings, and other road infrastructure including fencing, landscaping, principal shared path.	Located within the development envelope as shown in Figure 1	Clearing and disturbance of no more than <b>84</b> ha of native vegetation within a <b>606</b> ha development envelope.

Note: Changes to the proposal are shown in **bold** text.

**Table 3: Abbreviations and Definitions**

Acronym or Abbreviation	Definition or Term
black cockatoos	Carnaby's black cockatoo ( <i>Calyptorhynchus latirostris</i> ), forest red-tailed black cockatoo ( <i>Calyptorhynchus banksii naso</i> ) and Baudin's black cockatoo ( <i>Calyptorhynchus baudinii</i> )
potential nesting tree	Any existing tree of a species known to support black cockatoo breeding which either has a hollow or has a diameter at breast height of 500 millimetres or greater and therefore may develop a nest hollow.
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.

Acronym or Abbreviation	Definition or Term
DBCAs	Department of Biodiversity, Conservation and Attractions
disturb / disturbance	is to be defined as per the definition of ' <b>disturb</b> ' in section 5 [subsection <b>disturb</b> — (a)(i)(ii)(iii) and (iv)] of the <i>Biodiversity Conservation Act 2016</i>
Environmental weeds	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , any plant listed on a National Weeds List and any weeds listed on the Department of Biodiversity, Conservation and Attractions South West Region Impact and Invasiveness Ratings list, as amended or replaced from time to time.
fauna spotter	A person who is qualified and licensed under Section 40 of the <i>Biodiversity Conservation Act 2016</i>
ground-disturbing activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, digging (with mechanised equipment), blasting, earthmoving, vegetation clearance, grading, gravel extraction, construction of new or widening of existing roads and tracks.
ha	Hectare
Management actions	Identified actions undertaken to mitigate the impacts of implementation of a proposal on the environment and achieve the condition environmental objective.
Management targets	A measurable boundary of acceptable impact with proposal or site specific parameters, that assesses the efficacy of <b>management actions</b> against the condition environmental objective and beyond which <b>management actions</b> have to be reviewed and revised. Proposal- or site-specific parameters may include location, scale, time period, specific species/ population/community and a relative benchmark (e.g. baseline or reference).
On-ground Management Actions	This includes revegetation (re-establishment of native vegetation in degraded areas) and rehabilitation (repair of ecosystem processes and management of weeds, disease or feral animals) with the objective to achieve a tangible improvement to the environmental values in the offset area.
Ongoing Management Actions	This includes any management actions (in addition to and longer term than <b>on-ground management actions</b> ) required to ensure enduring conservation outcomes for the environmental values being offset. Actions may include fencing, fence maintenance and access management, weed control, firebreaks and feral animal control to maintain and/or improve environmental values of the offset.
viability	means the ability of the western ringtail possums to persist in a similar size and occupancy within the <b>western ringtail habitat areas</b>



Acronym or Abbreviation	Definition or Term
western ringtail habitat areas	Areas within a minimum of 750 metres of the development envelope known to support or have the potential to support western ringtail possums ( <i>Pseudocheirus occidentalis</i> ). This includes stands of myrtaceous trees (predominantly Peppermint Trees ( <i>Agonis flexuosa</i> ) growing near watercourses or floodplains; stands of Marri ( <i>Corymbia calophylla</i> ) and / or Jarrah ( <i>Eucalyptus marginata</i> ); or riparian woodland vegetation within a minimum of 750 metres of the development envelope.

### Figures (attached)

Figure 1 Development envelope

Figure 2 Black-stripe minnow habitat

Figure 3 Carter's freshwater mussel locations

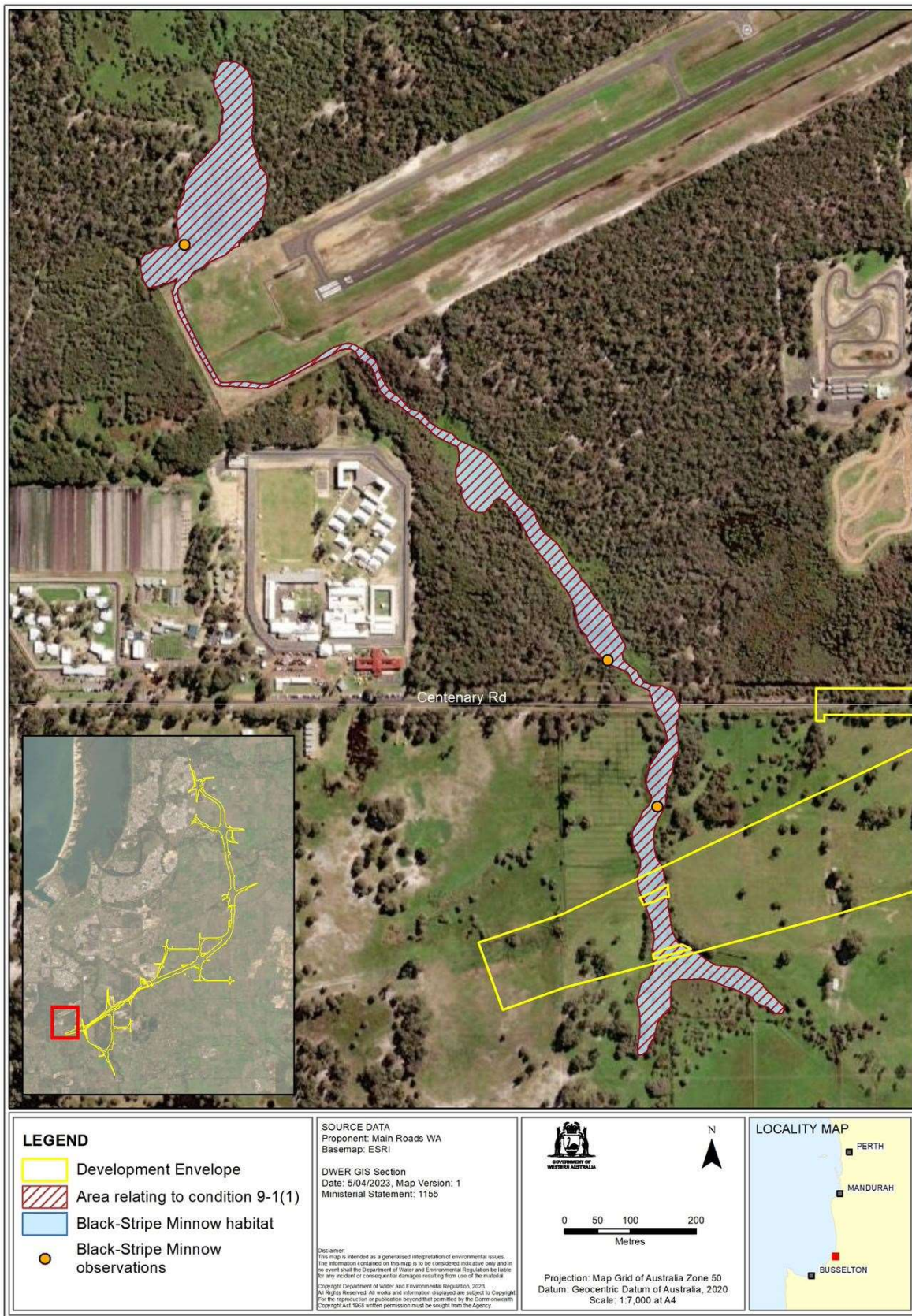
Figure 4 Threatened Ecological Communities *Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain (FCT3c), Herb rich shrublands on clay pans (FCT08) and Priority Ecological Community Banksia woodlands of the Swan Coastal Plain indirect impact areas



Figure 1: Development envelope

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Unique Record ID



**Figure 2 Black-stripe minnow habitat**

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Unique Record ID

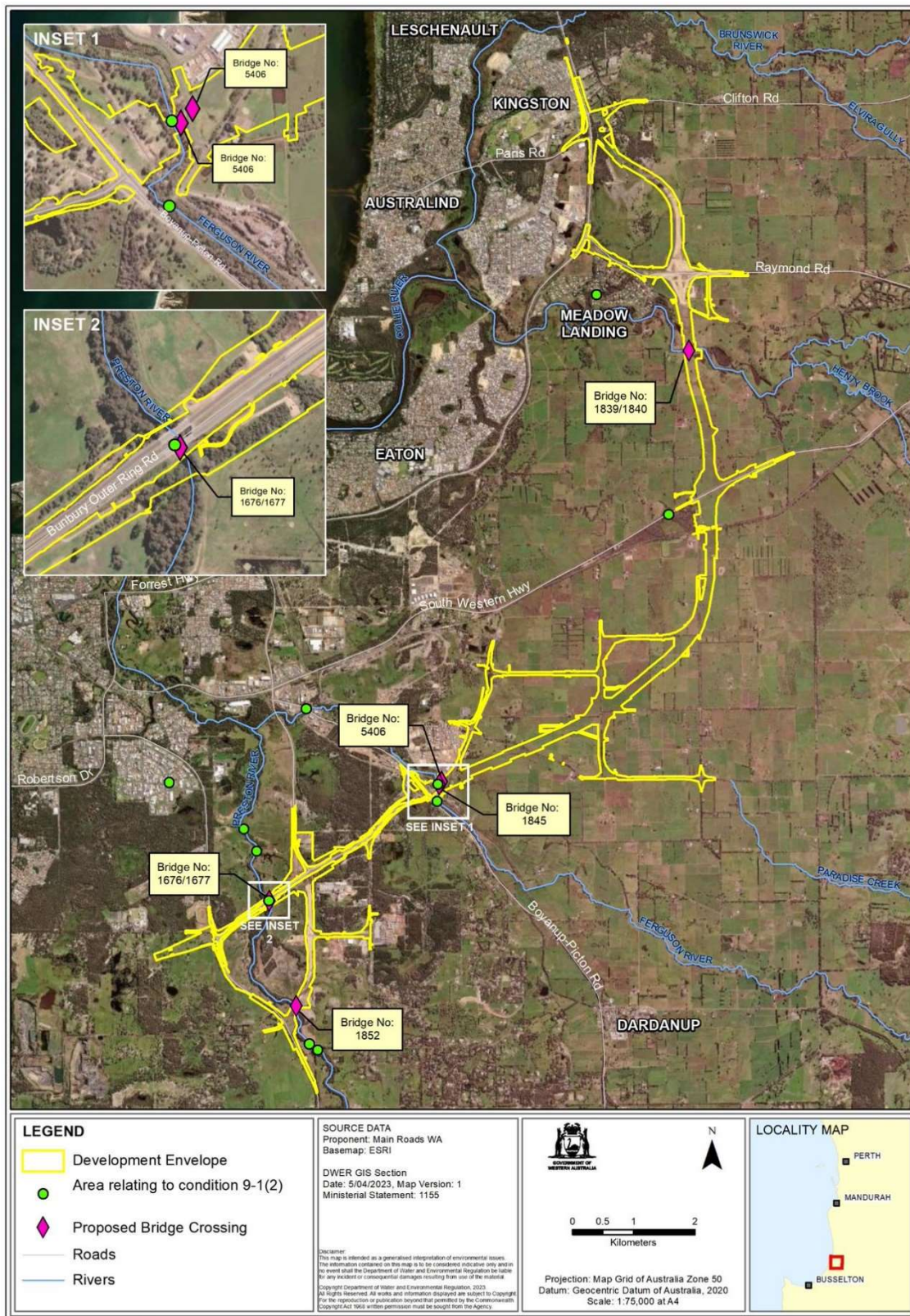
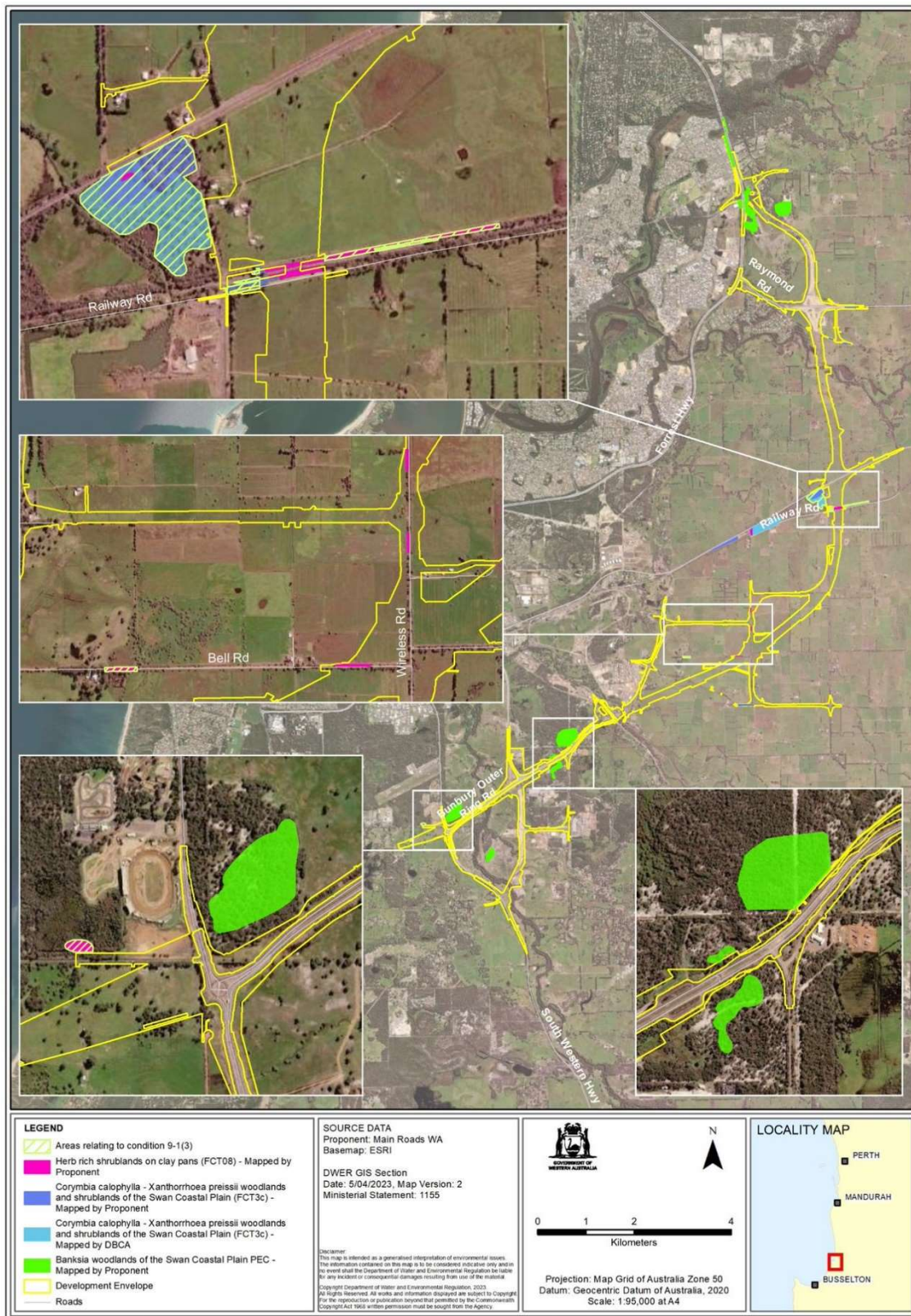


Figure 3 Carter’s freshwater mussel locations

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Unique Record ID



**Figure 4 Threatened Ecological Communities *Corymbia calophylla* *Xanthorrhoea preissii* woodlands and shrublands of the Swan Coastal Plain (FCT3c), Herb rich shrublands on clay pans (FCT08) and Priority Ecological Community *Banksia* woodlands of the Swan Coastal Plain indirect impact areas**

**Schedule 2**

Coordinates defining: the development envelope in Figure 1; black-stripe minnow habitat in Figure 2; Carter's freshwater mussel locations in Figure 3; and the areas of Threatened Ecological Communities requiring maintenance of hydrological regimes and the areas of Threatened and Priority Ecological Communities requiring management of indirect impacts in Figure 4, are held by the Department of Water and Environmental Regulation, Environment Online Document Reference Number DWER-801164602-5177

Signed 10 May 2023

**Prof Matthew Tonts**  
CHAIR  
Environmental Protection Authority  
under delegated authority

10 May 2023