

THIS DOCUMENT

This document has been produced by the Office of the Appeals Convenor as an electronic version of the original Statement for the proposal listed below as signed by the Minister and held by this Office. Whilst every effort is made to ensure its accuracy, no warranty is given as to the accuracy or completeness of this document.

The State of Western Australia and its agents and employees disclaim liability, whether in negligence or otherwise, for any loss or damage resulting from reliance on the accuracy or completeness of this document.

Copyright in this document is reserved to the Crown in right of the State of Western Australia.

Reproduction except in accordance with copyright law is prohibited.

Published on: 18 August 2025

Statement No. 1249

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

TONKIN HIGHWAY GRADE SEPARATED INTERCHANGES
(HALE ROAD AND WELSHPOOL ROAD)

Proposal: Proposal is to upgrade Tonkin Highway from south of Roe Highway to approximately 1 km north of Kelvin Road to a six-lane dual carriageway. The Proposal will include construction of a half diamond with north facing ramps at the Hale Road intersection in Forrestfield and a grade separated interchange at the intersection of Tonkin Highway and Welshpool Road in Wattle Grove.

Proponent: The Commissioner for Main Roads Western Australia
Australian Company Number 50 860 676 021

Proponent address: Waterloo Crescent
EAST PERTH WA 6004

Assessment number: 2293

Report of the Environmental Protection Authority: 1769

Introduction: Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal entitled Tonkin Highway Grade Separated Interchanges (Hale Road and Welshpool Road) described in the 'Proposal Content Document' attachment of the referral of 11 March 2021, as amended by the change to proposal approved under s. 43A on 15 January 2024, may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

Conditions and procedures

Part A: Proposal extent

Part B: Environmental outcomes, prescriptions and objectives

Part C: Environmental management plans and monitoring

Part D: Compliance and other conditions

PART A: PROPOSAL EXTENT

A1 Limitations and Extent of Proposal

A1-1 The proponent must ensure that the proposal is implemented in such a manner that the following maximum extents are not exceeded:

Proposal element	Location	Maximum extent
Physical elements		
Development envelope	Figure 1	44.32 ha
Direct disturbance of native vegetation	Within the development envelope shown in Figure 1	15.08 ha

PART B – ENVIRONMENTAL OUTCOMES, PRESCRIPTIONS AND OBJECTIVES

B1 Flora and vegetation

B1-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcomes:

- (1) **disturb** no more than the following environmental values:
 - (a) 1.05 **ha** of vegetation representative of *Banksia attenuata* woodlands over species rich dense shrublands (floristic community type 20a as originally described in Gibson et al. 1994);
 - (b) 33 individuals of *Conospermum undulatum*;
 - (c) 8.34 **ha** of Bush Forever sites, of which 7.39 ha is considered **regionally significant bushland**;
 - (d) 2.62 ha of vegetation representative of Guildford Vegetation Complex;
 - (e) 0.21 **ha** Class A Reserve 49200;
 - (f) 2.37 **ha** of vegetation representative of Banksia woodlands of the Swan Coastal Plain ecological community (Priority 3(iii)) of which:
 - (i) 2.2 **ha** is Central *Banksia attenuata* – *Banksia menziesii* woodlands (FCT23a); and
 - (ii) 0.17 **ha** is Central *Banksia attenuata*-*Eucalyptus marginata* woodlands (SCP21a);
 - (g) 0.07 **ha** of vegetation representative of Low lying *Banksia attenuata* woodlands or shrublands ('floristic community type 21c') (Priority 3(i)); and
 - (h) 67 individuals of *Johnsonia pubescens* subsp. *cygnorum*;
- (2) no **adverse impacts** to native vegetation within fifty (50) metres outside the development envelope.

B1-2 The proponent must:

- (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 during **construction activities** to prevent the introduction or spread of **environmental weeds**.

B2 Terrestrial fauna

B2-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcome:

- (1) **disturb** no more than the following environmental values:
 - (a) 16.67 ha of **foraging habitat** for Carnaby's cockatoo (*Zanda latirostris*);
 - (b) 16.67 ha of **foraging habitat** for forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) and Baudin's cockatoo (*Zanda baudinii*); and
 - (c) 114 **potential nesting trees**.

B2-2 The proponent must:

- (1) not plant known foraging species for **black cockatoos** within ten (10) metres of the road.

B2-3 The proponent must implement the proposal to achieve the following environmental **objective**:

- (1) minimise the risk of physical injury or mortality from construction or operation on native fauna.

B3 Inland waters

B3-1 The proponent must ensure the implementation of the proposal achieves the following environmental outcome:

- (1) construct and operate the proposal to maintain the hydrological regime and water quality of:
 - (a) Yule Brook; and
 - (b) Woodlupine Brook.

B3-2 The proponent must implement the proposal to meet the following environmental objective and environmental outcome:

- (1) minimise impacts to the hydrological regime and water quality of wetlands adjacent to the development envelope; and

- (2) no **adverse impacts** to water dependent ecological communities within fifty (50) metres outside the development envelope including:
 - (a) **GBSW**; and
 - (b) **SCP10a**.

Drainage Management and Monitoring Plan (Environmental Management Plan)

B3-3 The proponent must prepare a *Drainage Management and Monitoring Plan* (Environmental Management Plan) that satisfies the requirements of condition C4 and demonstrates how the inland waters environmental objective in condition B3-2(1) will be achieved, and submit the plan to the **CEO**.

B3-4 The proponent must:

- (1) not undertake dewatering; and
- (2) ensure no refuelling, chemical or hydrocarbon storage, or stockpiling occurs within fifty (50) metres of:
 - (a) **GBSW**;
 - (b) **SCP10a**;
 - (c) Yule Brook; or
 - (d) Woodlupine Brook.

B4 Social surroundings (Noise)

- (1) The proponent must ensure the implementation of the proposal is consistent with *State Planning Policy 5.4 Road and Rail Noise*.

B5 Offsets

B5-1 The proponent must implement offsets to counterbalance the significant residual impacts of the proposal on the following environmental values:

- (1) *Banksia attenuata* woodlands over species rich dense shrublands (floristic community type 20a as originally described in Gibson et al. 1994);
- (2) *Conospermum undulatum*;
- (3) Guildford Vegetation Complex;
- (4) **regionally significant bushland**;
- (5) Banksia woodlands of the Swan Coastal Plain ecological community (Priority 3);

- (6) **foraging habitat** for Carnaby's cockatoo (*Zanda latirostris*);
- (7) **foraging habitat** for forest red-tailed black cockatoo (*Calyptorhynchus banksii naso*) and Baudin's cockatoo (*Zanda baudinii*);
- (8) **potential nesting trees**;
- (9) **GBSW**;
- (10) **Conservation Category Wetlands**; and
- (11) Class A Reserve 49200.

B5-2 The proponent must ensure the implementation of the offsets achieves the following environmental outcomes and objectives:

- (1) counterbalance the significant residual impacts to the environmental values identified in condition B5-1;
- (2) enhance or improve the **vegetation condition** of areas representative of **SCP20a**, and where present its vegetated buffers;
- (3) ensure **land acquisition** and/or **on-ground management** offsets include threat abatement, **revegetation** and/or **rehabilitation** activities to achieve a positive environmental benefit to Banksia woodlands of the Swan Coastal Plain ecological community (Priority 3) and **foraging habitat** for **black cockatoos**;
- (4) ensure **revegetation** provides **self-sustaining foraging habitat** for **black cockatoos**;
- (5) ensure **land acquisition** offsets contain at least three (3) times the number of **potential nesting trees** cleared by the proposal;
- (6) ensure that **on-ground management** offsets for **regionally significant bushland**:
 - (a) contain at least two (2) times the extent of **regionally significant bushland** impacted;
 - (b) contain the same vegetation communities and/or vegetation complexes as the environmental value being impacted; and
 - (c) contain, after the implementation of **on-ground management**, a **vegetation condition** that is equivalent to or better than the environmental value being impacted;
- (7) for the **on-ground management** offsets for environmental values of **GBSW**, **Conservation Category Wetlands**, Class A Reserve 49200 and Guildford Vegetation Complex, ensure that offsets:

- (a) contain sufficient areas to meet the objective in condition B5-2(1); and
 - (b) attain a Good or better **vegetation condition** as a result of **on-ground management**;
- (8) undertake research that will advance the current knowledge of *Conospermum undulatum* species population and ecology. The research must include, but not be limited to:
- (a) a regional baseline population survey for *Conospermum undulatum*;
 - (b) population modelling in consultation with **DBCA** based on the regional population survey required by condition B5-2(8)(a) to identify priority populations and/or subpopulations of *Conospermum undulatum* for **on-ground management**;
 - (c) implementation of **on-ground management** in consultation with **DBCA** to improve the resilience of populations and/or subpopulations of *Conospermum undulatum*, at priority locations identified by the population modelling required by condition B5-2(8)(b); and
 - (d) development and implementation of a propagation and augmentation trial in consultation with **DBCA**; and
- (9) undertake research that will contribute to the scientific knowledge and understanding of the groundwater and surface water systems of the **GBSW** and their interactions to inform and enhance **on-ground management** outcomes in the **GBSW**.

Tonkin Highway Grade Separated Interchanges Hale Road and Welshpool Road Environmental Offsets Strategy (Environmental Management Plan)

B5-3 The proponent must, in consultation with **DBCA** and the relevant Local Government Authority, revise the *Tonkin Highway Grade Separated Interchanges Hale Road and Welshpool Road Environmental Offsets Strategy* (June 2024) (Environmental Management Plan) to satisfy the requirements of condition C4 and demonstrate how the environmental outcomes and objectives in condition B5-2 will be achieved, and how this achievement will be substantiated, and submit it to the **CEO**.

B5-4 The *Tonkin Highway Grade Separated Interchanges Hale Road and Welshpool Road Environmental Offsets Strategy* (Environmental Management Plan) must:

- (1) demonstrate that the environmental outcomes and objectives in condition B5-2 will be met;

- (2) identify an area, or areas, (the **Proposed Offset Conservation Areas**) to be **acquired**, to be **acquired** with **on-ground management**, and/or for **on-ground management**, that contain/s the environmental value/s identified in condition B5-1;
- (3) demonstrate that any floristic community type analysis undertaken to identify the environmental values within the **Proposed Offset Conservation Areas** has been reviewed, and the findings supported by **DBCA**;
- (4) demonstrate how the environmental values within the **Proposed Offset Conservation Areas** will be maintained and improved in order to counterbalance the significant residual impact to the environmental values in condition B5-1 and achieve the environmental outcomes and objectives in condition B5-2;
- (5) demonstrate application of the principles of the WA Environmental Offsets Policy as described in the *WA Environmental Offsets Guidelines*, and the *WA Environmental Offsets Metric*;
- (6) identify how the ongoing performance of the offset measures, and whether they are achieving the outcomes and objectives in conditions B5-1 and B5-2, will periodically be made publicly available;
- (7) identify how the **Proposed Offset Conservation Areas** 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;
- (8) for offsets **acquired** specify:
 - (a) a timeframe and works associated with establishing the **Proposed Offset Conservation Areas**, including a contribution for maintaining the offset for at least twenty (20) years after completion of purchase; and
 - (b) identify the **relevant management body** for the on-going management of the **Proposed Offset Conservation Areas**, including its role, and the role of the proponent, and confirmation in writing that the **relevant management body** accepts responsibility for its role;
- (9) where **on-ground management** is proposed:
 - (a) state the targets for each environmental value to be achieved by **on-ground management**, including completion criteria which will

result in a **tangible improvement** to the environmental values listed in condition B5-1.

For **revegetation** offsets relating to **black cockatoo** environmental values, this must include, but not be limited to:

- (i) completion criteria to measure (at a minimum) the objective in condition B5-2(4) has been achieved and the vegetation/structure provides high-quality value **foraging habitat** as relevant to each species of **black cockatoo**;
 - (ii) adaptive management to ensure successful **revegetation**;
 - (b) demonstrate the consistency of the targets with the environmental objectives and outcomes in condition B5-1 and condition B5-2 and the objectives of any relevant guidance, including but not limited to, recovery plans, conservation advices, or area management plans where relevant;
 - (c) detail the **on-ground management** actions with associated timeframes for implementation and completion, to achieve the targets identified in condition B5-4(9)(a);
 - (d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions identified under condition B5-4(9)(a); and
- (10) include a procedure for incorporating the findings of the research required by condition B5-2(8) and condition B5-2(9) into future revisions of the *Tonkin Highway Grade Separated Interchanges Hale Road and Welshpool Road Environmental Offsets Strategy* (Environmental Management Plan).

Research Offset Plans (Environmental Management Plans)

B5-5 The proponent must, in consultation with **DBCA**, prepare and submit to the **CEO research offset** plans (environmental management plans) that demonstrate how the environmental objectives in condition B5-2(8) and condition B5-2(9) will be achieved and substantiated. The research plans must:

- (1) identify how the research will either improve management and protection or address priority knowledge gaps that have been identified as a research priority needed to improve management and protection, for the environmental values identified in condition B5-1(2) and condition B5-1(9) as relevant to each respective **research offset** program;
- (2) demonstrate the consistency of the objectives in condition B5-2(8) and condition B5-2(9) with any relevant guidance, including but not limited to, recovery plans or area management plans where available, the principles

of the *WA Environmental Offsets Policy*, the *WA Environmental Offsets Guidelines*, the *WA Environmental Offsets Metric* or any subsequent revisions of these documents;

- (3) identify and justify how the **research offset** will support future strategic conservation benefit and **on-ground management** in achieving a positive conservation outcome;
- (4) specify the research deliverables and completion criteria, and provide an implementation and reporting schedule, including an outline of key activities, stages of implementation, reporting of research results (including interim results), reporting on implementation status, and milestones towards completion criteria;
- (5) identify the governance arrangements including responsibilities for implementing, and oversight of, each respective research program, agreements with government agencies, agreements with any third parties, and **contingency measures**;
- (6) identify how each respective research program summary, and the results (including interim results) of the research program will be communicated and/or published in an open access format; and
- (7) identify the third party to carry out the work required to meet the objectives in condition B5-2(8) and condition B5-2(9) for each respective research program, who is satisfactory for the role to the **CEO**. In applying to the **CEO** for endorsement of the selected third parties, the proponent shall provide:
 - (a) demonstration of the track record, experience, qualifications and competencies of the proposed third party to carry out the work and achieve the outcomes.

PART C – ENVIRONMENTAL MANAGEMENT PLANS AND MONITORING

C1 Environmental Management Plans: Conditions Related to Commencement of Implementation of the Proposal

C1-1 The proponent must:

- (1) not undertake **ground disturbing activities** that would **disturb** wetlands within or adjacent to the development envelope until the **CEO** has **confirmed** in writing that the *Drainage Management Plan* (Environmental Management Plan) required by condition B3-3 meets the requirements of that condition and condition C4;
- (2) not undertake **ground disturbing activities** that would **disturb** the environmental values in condition B5-1 until the **CEO** has **confirmed** in writing that the *Tonkin Highway Grade Separated Interchanges Hale Road and Welshpool Road Environmental Offsets Strategy* (Environmental Management Plan) required by condition B5-3 meets the requirements of that condition and condition C4; and
- (3) submit the Research Offset Plans (*Environmental Management Plans*) required by condition B5-5 within twelve (12) months of the *Tonkin Highway Grade Separated Interchanges Hale Road and Welshpool Road Environmental Offsets Strategy* (Environmental Management Plan) required by condition B5-3 being **confirmed** by the **CEO**.

C2 Environmental Management Plans: Conditions Relating to Approval, Implementation, Review and Publication

C2-1 Upon being required to implement an environmental management plan under Part B, or after receiving notice in writing from the **CEO** under condition C1-1 that the environmental management plan(s) required in Part B satisfies the relevant requirements, the proponent must:

- (1) implement the most recent version of the **confirmed** environmental management plan; and
- (2) continue to implement the **confirmed** environmental management plan referred to in condition C2-1(1), other than for any period which the **CEO** confirms by notice in writing that it has been demonstrated that the relevant requirements for the environmental management plan have been met, or are able to be met under another statutory decision-making process, in which case the implementation of the environmental management plan is no longer required for that period.

C2-2 The proponent:

- (1) may review and revise a **confirmed** environmental management plan provided it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan;
- (2) must review and revise a **confirmed** environmental management plan and ensure it meets the relevant requirements of that environmental management plan, including any consultation that may be required when preparing the environmental management plan, as and when directed by the **CEO**; and
- (3) must revise and submit to the **CEO** the **confirmed** Environmental Management Plan if there is a material risk that the outcomes or objectives it is required to achieve will not be complied with, including but not limited to as a result of a change to the proposal.

C2-3 Despite condition C2-1, but subject to conditions C2-4 and C2-5, the proponent may implement minor revisions to an environmental management plan if the revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.

C2-4 If the proponent is to implement minor revisions to an environmental management plan under condition C2-3, the proponent must provide the **CEO** with the following at least twenty (20) business days before it implements the revisions:

- (1) the revised environmental management plan clearly showing the minor revisions;
- (2) an explanation of and justification for the minor revisions; and
- (3) an explanation of why the minor revisions will not result in new or increased **adverse impacts** to the environment or result in a risk to the achievement of the limits, outcomes or objectives which the environmental management plan is required to achieve.

C2-5 The proponent must cease to implement any revisions which the **CEO** notifies the proponent (at any time) in writing may not be implemented.

C2-6 **Confirmed** environmental management plans, and any revised environmental management plans under condition C2-4(1), must be published on the proponent's website and provided to the **CEO** in electronic form suitable for on-line publication by the Department of Water and Environmental Regulation within twenty (20) business days of being implemented, or being required to be implemented (whichever is earlier).

C3 Conditions Related to Monitoring

C3-1 The proponent must undertake monitoring capable of:

- (1) substantiating whether the proposal limitations and extents in Part A are exceeded; and
- (2) **detecting** and substantiating whether the environmental outcomes identified in Part B are achieved (excluding any environmental outcomes in Part B where an environmental management plan is expressly required to monitor achievement of that outcome).

C3-2 The proponent must submit as part of the Compliance Assessment Report required by condition D2, a compliance monitoring report that:

- (1) outlines the monitoring that was undertaken during the implementation of the proposal;
- (2) identifies why the monitoring was capable of substantiating whether the proposal limitation and extents in Part A are exceeded;
- (3) for any environmental outcomes to which condition C3-1(2) applies, identifies why the monitoring was scientifically robust and capable of **detecting** whether the environmental outcomes in Part B are met;
- (4) outlines the results of the monitoring;
- (5) reports whether the proposal limitations and extents in Part A were exceeded and (for any environmental outcomes to which condition C3-1 (2) applies) whether the environmental outcomes in Part B were achieved, based on analysis of the results of the monitoring; and
- (6) reports any actions taken by the proponent to remediate any potential non-compliance.

C4 Environmental Management Plans: Conditions Related to Management Actions and Targets for Objective Based Conditions

C4-1 The environmental management plans required under B3-3 and B5-3 must contain provisions which enable the achievement of the relevant objectives of those conditions and substantiation of whether the objectives are reasonably likely to be met, and must include:

- (1) **management actions**;
- (2) **management targets**;
- (3) **contingency measures** if **management targets** are not met; and
- (4) reporting requirements.

C4-2 The environmental management plan required under condition B3-3 is also required to include:

- (1) detailed design and figures showing the location and configuration of drainage infrastructure in relation to relevant environmental values;
- (2) a monitoring program capable of determining the effectiveness of drainage infrastructure in achieving the environmental objective specified in condition B3-2(1); and
- (3) demonstration that the drainage design is consistent with the principles of the WA Better Urban Water Management Framework and WA Stormwater Management Manual.

C4-3 Without limiting condition C2-1, the failure to achieve an environmental objective, or implement a **management action**, regardless of whether **contingency measures** have been or are being implemented, represents a non-compliance with these conditions.

PART D – COMPLIANCE, TIME LIMITS, AUDITS AND OTHER CONDITIONS

D1 Non-compliance Reporting

D1-1 If the proponent becomes aware of a potential non-compliance, the proponent must:

- (1) report this to the **CEO** within seven (7) days;
- (2) implement **contingency measures**;
- (3) investigate the cause;
- (4) investigate environmental impacts;
- (5) advise rectification measures to be implemented;
- (6) advise any other measures to be implemented to ensure no further impact; and
- (7) provide a report to the **CEO** within twenty-one (21) days of being aware of the potential non-compliance, detailing the measures required in conditions D1-1(1) to D1-1(6) above.

D1-2 Failure to comply with the requirements of a condition, or with the content of an environmental management plan required under a condition, constitutes a non-compliance with these conditions, regardless of whether the **contingency measures**, rectification or other measures in condition D1-1 above have been or are being implemented.

D2 Compliance Reporting

D2-1 The proponent must provide an annual Compliance Assessment Report to the **CEO** for the purpose of determining whether the implementation conditions are being complied with.

D2-2 Unless a different date or frequency is approved by the **CEO**, the first annual Compliance Assessment Report must be submitted within fifteen (15) months of the date of this Statement, and subsequent reports must be submitted annually from that date.

D2-3 Each annual Compliance Assessment Report must be endorsed by the proponent's Chief Executive Officer, or a person approved by proponent's Chief Executive Officer to be delegated to sign on the Chief Executive Officer's behalf.

D2-4 Each annual Compliance Assessment Report must:

- (1) state whether each condition of this Statement has been complied with, including:

- (a) exceedance of any proposal limits and extents;
 - (b) achievement of environmental outcomes;
 - (c) achievement of environmental objectives;
 - (d) requirements to implement the content of environmental management plans;
 - (e) monitoring requirements;
 - (f) implement **contingency measures**;
 - (g) requirements to implement adaptive management; and
 - (h) reporting requirements;
- (2) include the results of any monitoring (inclusive of any raw data) that has been required under Part C in order to demonstrate that the limits in Part A, and any outcomes or any objectives are being met;
 - (3) provide evidence to substantiate statements of compliance, or details of where there has been a non-compliance;
 - (4) include the corrective, remedial and preventative actions taken in response to any potential non-compliance;
 - (5) be provided in a form suitable for publication on the proponent's website and online by the Department of Water and Environmental Regulation; and
 - (6) be prepared and published consistent with the latest version of the Compliance Assessment Plan required by condition D2-5 which the **CEO** has **confirmed** by notice in writing satisfies the relevant requirements of Part C and Part D.

D2-5 The proponent must prepare 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 D2-2, or prior to implementation of the proposal, whichever is sooner.

D2-6 The Compliance Assessment Plan must include:

- (1) what, when and how information will be collected and recorded to assess compliance;
- (2) the methods which will be used to assess compliance;

- (3) the methods which will be used to validate the adequacy of the compliance assessment to determine whether the implementation conditions are being complied with;
- (4) the retention of compliance assessments;
- (5) the table of contents of Compliance Assessment Reports, including audit tables; and
- (6) how and when Compliance Assessment Reports will be made publicly available, including usually being published on the proponent's website within sixty (60) days of being provided to the **CEO**.

D3 Contact Details

D3-1 The proponent must 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.

D4 Time Limit for Proposal Implementation

D4-1 The proposal must be **substantially commenced** within five (5) years from the date of this Statement.

D4-2 The proponent must provide to the **CEO** documentary evidence demonstrating that they have complied with condition D4-1 no later than thirty (30) days after **substantial commencement**.

D4-3 If the proposal has not been **substantially commenced** within the period specified in condition D4-1, implementation of the proposal must not be commenced or continued after the expiration of that period.

D5 Public Availability of Data

D5-1 Subject to condition D5-2, within a reasonable time period approved by the **CEO** upon the issue of this Statement and for the remainder of the life of the proposal, the proponent must make publicly available, in a manner approved by the **CEO**, all validated environmental data collected before and after the date of this Statement relevant to the proposal (including sampling design, sampling methodologies, monitoring and other empirical data and derived information products (e.g. maps)), environmental management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

D5-2 If:

- (1) any data referred to in condition D5-1 contains trade secrets; or

- (2) any data referred to in condition D5-1 contains particulars of confidential information (other than trade secrets) that has commercial value to a person that would be, or could reasonably be expected to be, destroyed or diminished if the confidential information were published,

the proponent may submit a request for approval from the **CEO** to not make this data publicly available and the **CEO** may agree to such a request if the **CEO** is satisfied that the data meets the above criteria.

D5-3 In making such a request the proponent must provide the **CEO** with an explanation and reasons why the data should not be made publicly available.

D6 Independent Audit

D6-1 The proponent must arrange for an independent audit of compliance with the conditions of this statement, including achievement of the environmental outcomes and/or the environmental objectives and/ or environmental performance with the conditions of this statement, as and when directed by the **CEO**.

D6-2 The independent audit must be carried out by a person with appropriate qualifications who is nominated or approved by the **CEO** to undertake the audit under condition D6-1.

D6-3 The proponent must submit the independent audit report with the Compliance Assessment Report required by condition D2, or at any time as and when directed in writing by the **CEO**. The audit report is to be supported by credible evidence to substantiate its findings.

D6-4 The independent audit report required by condition D6-1 is to be made publicly available in the same timeframe, manner and form as a Compliance Assessment Report, or as otherwise directed by the **CEO**.

[signed on 18 August 2025]

Hon. Matthew Swinbourn BA LLB MLC

MINISTER FOR THE ENVIRONMENT; COMMUNITY SERVICES; HOMELESSNESS

Key decision-making authorities consulted under section 45(2):

Minister for Water Minister for Aboriginal Affairs Minister for Mines and Petroleum Minister for Transport; and Ports
--

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
Acquired/ land acquisition	The protection of environmental values on an area of initially unprotected land for the purpose of conservation through improved security of tenure or restricting the use of land (e.g. ceding land to the Crown or perpetual conservation covenants). This includes upfront costs of establishing the offset site and the on-going management of costs of maintaining the offset for the long term (20 years).
Adverse impact/ adversely impacted	<p>Negative change that is neither trivial nor negligible that could result in a reduction in health, diversity or abundance of the receptor/s being impacted, or a reduction in environmental value. Adverse impacts can arise from direct or indirect impacts, or other impacts from the proposal.</p> <p>With specific reference to flora and vegetation, this includes but is not limited to:</p> <ul style="list-style-type: none"> • detectable decline in the health, species diversity and plant density of native vegetation from the introduction or spread of weeds/disease, and edge effects that is attributable to the proposal; and • mortality of <i>Conospermum undulatum</i>, <i>Banksia mimica</i>, <i>Andersonia gracilis</i> and <i>Johnsonia pubescens subsp. Cygnorum</i> from the introduction or spread of weeds/disease, and edge effects that is attributable to the proposal.
Black cockatoo/s	Carnaby's cockatoo (<i>Zanda latirostris</i>), forest red-tailed black cockatoo (<i>Calyptorhynchus banksii naso</i>), and Baudin's cockatoo (<i>Zanda baudinii</i>).
Detecting/ Detectable	The smallest statistically discernible effect size that can be achieved with a monitoring strategy designed to achieve a statistical power value of at least 0.8 or an alternative value as determined by the CEO .
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 the CEO's delegate.
Confirmed	<p>In relation to a plan required to be made and submitted to the CEO, means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p> <p>In relation to a plan required to be implemented without the need to be first submitted to the CEO, means that plan until it is revised, and then means, at the relevant time, the plan that the CEO confirmed, by notice in writing, meets the requirements of the relevant condition.</p>

Acronym or abbreviation	Definition or term
Conservation Category Wetlands	Wetlands classified as conservation management category wetlands in the Geomorphic Wetlands, Swan Coastal Plain dataset maintained by the DBCA .
Construction activities	Activities that are associated with the substantial implementation of a proposal including but not limited to, earthmoving, vegetation clearing, grading or construction of right of way. Construction activities do not include Geotechnical investigations (including potholing for services and the installation of piezometers) and other preconstruction activities where no clearing of vegetation is required.
Contingency measures	Planned actions for implementation if it is identified that an environmental outcome, environmental objective, threshold criteria, or management target are likely to be, or are being, exceeded. Contingency measures include changes to operations or reductions in disturbance or adverse impacts to reduce impacts and must be decisive actions that will quickly bring the impact to below any relevant threshold, management target and to ensure that the environmental outcome and/or objective can be met.
DBCA	Department of Biodiversity, Conservation and Attractions
Disturb/ disturbance	<p>Means directly has or materially contributes to the disturbance effect on health, diversity or abundance of the receptor/s being impacted or on an environmental value.</p> <p>In relation to flora, vegetation or fauna habitat, includes to result in the death, destruction, removal, severing or doing substantial damage to its detriment.</p> <p>In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.</p>
Environmental value	A beneficial use, or ecosystem health condition.
Environmental weeds	Any plant declared under section 22(2) of the <i>Biosecurity and Agriculture Management Act 2007</i> , any plant listed on the Weeds of National Significance List and any weeds listed on the Department of Biodiversity, Conservation and Attractions' Swan Region Impact and Invasiveness Ratings list, as amended, or replaced from time to time.
Foraging habitat	<p>Black cockatoo foraging habitat as described in the report and supporting spatial data in the:</p> <ul style="list-style-type: none"> • <i>Tonkin Grade Separated Interchanges. Biological Survey and Targeted Black Cockatoo Habitat Assessment. Prepared for Main Roads Western Australia by Woodman Environmental (2021); and</i>

Acronym or abbreviation	Definition or term
	<ul style="list-style-type: none"> • <i>Tonkin Highway Corridor (Roe Highway to Kelvin Road). Targeted Flora and Black Cockatoo Hollow Assessment by GHD (2021)</i>
GBSW	Greater Brixton Street Wetlands as defined in the Directory of Important Wetlands of Australia as the Brixton Street Swamps.
Ground disturbing activities	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.
Ha	Hectare
Management action	The identified actions implemented with the intent of to achieving the environmental objective.
Management target	A type of indicator to evaluate whether an environmental objective is being achieved.
On-ground management	This includes revegetation (re-establishment of native vegetation in degraded areas) and/or rehabilitation (in the context of repair of ecosystem processes including actions such as, but not limited to, management of weeds, disease, or feral animals) with the objective to achieve a tangible improvement to the environmental values in the offset area.
Potential nesting trees	Trees of a species known to support black cockatoo that have a suitable diameter at breast height (DBH) to develop a nest hollow, but do not currently have suitable hollows. Trees suitable to develop a nest hollow in the future are 500 mm DBH or greater, or for <i>Eucalyptus wandoo</i> 300 mm or greater.
Proposed Offset Conservation Areas	The area of land identified in condition B5-4(2).
Regionally significant bushland	<p>All bushland (which may include wetland areas) within a Bush Forever area that meets the Bush Forever criteria for regional significance in:</p> <p>Government of Western Australia 2000a, Bush Forever Volume 1, Western Australian Planning Commission, Perth, Western Australia.</p> <p>Government of Western Australia 2000b, Bush Forever Volume 2, Department of Environmental Protection, Perth, Western Australia.</p>
Rehabilitate/ rehabilitation	Repair of ecosystem processes and management of weeds, disease or feral animals.
Relevant management body	A party or parties that has a role in the establishment and/or ongoing management of the Proposed Offset Conservation Area . Note: This includes the role of the proponent.

Acronym or abbreviation	Definition or term
Research offset	A program or study that must be reasonably related to the impact and is designed to result in a positive conservation outcome. It may include improving the management and protection of existing conservation estate, adding to existing State Government initiatives, policies, or strategies, or addressing priority knowledge gaps.
Revegetate/ revegetation	Re-establishment of native vegetation/habitat in degraded areas.
Self-sustaining	Refers to vegetation that can survive (continue indefinitely) without on-going management actions such as watering, weed control or infill planting.
SCP10a	Shrublands on dry clay flats (floristic community type 10a as originally described in Gibson et al. 1994) as identified in the report and supporting spatial data in the: <i>Tonkin Grade Separated Interchanges. FCT Analysis of TGSI Floristic Data. Prepared for Main Roads Western Australia by Umwelt (Australia) Pty Limited 2022</i>
SCP20a	<i>Banksia attenuata</i> woodlands over species rich dense shrublands (floristic community type 20a as originally described in Gibson et al. 1994).
Substantially commenced/ substantial commencement	Substantial commencement is more than the preparatory works for a proposal and generally includes ground disturbance activities which are solely attributed to proposal elements described in the proposal content document, and a substantial portion of the total disturbance and infrastructure works physically commenced.
Tangible improvement	A perceptible, measurable and definable improvement that provides additional ecological benefit and/or value.
Vegetation Condition	The condition of native vegetation rated in accordance with the <i>Technical guidance – Flora and vegetation surveys for environmental impact assessment (EPA 2016)</i> including any revision to this technical guidance.

Figures (attached)

Figure 1 Tonkin Highway Grade Separated Interchanges (Hale Road and Welshpool Road) development envelope (This figure/map is a representation of the coordinates referenced in Schedule 1)

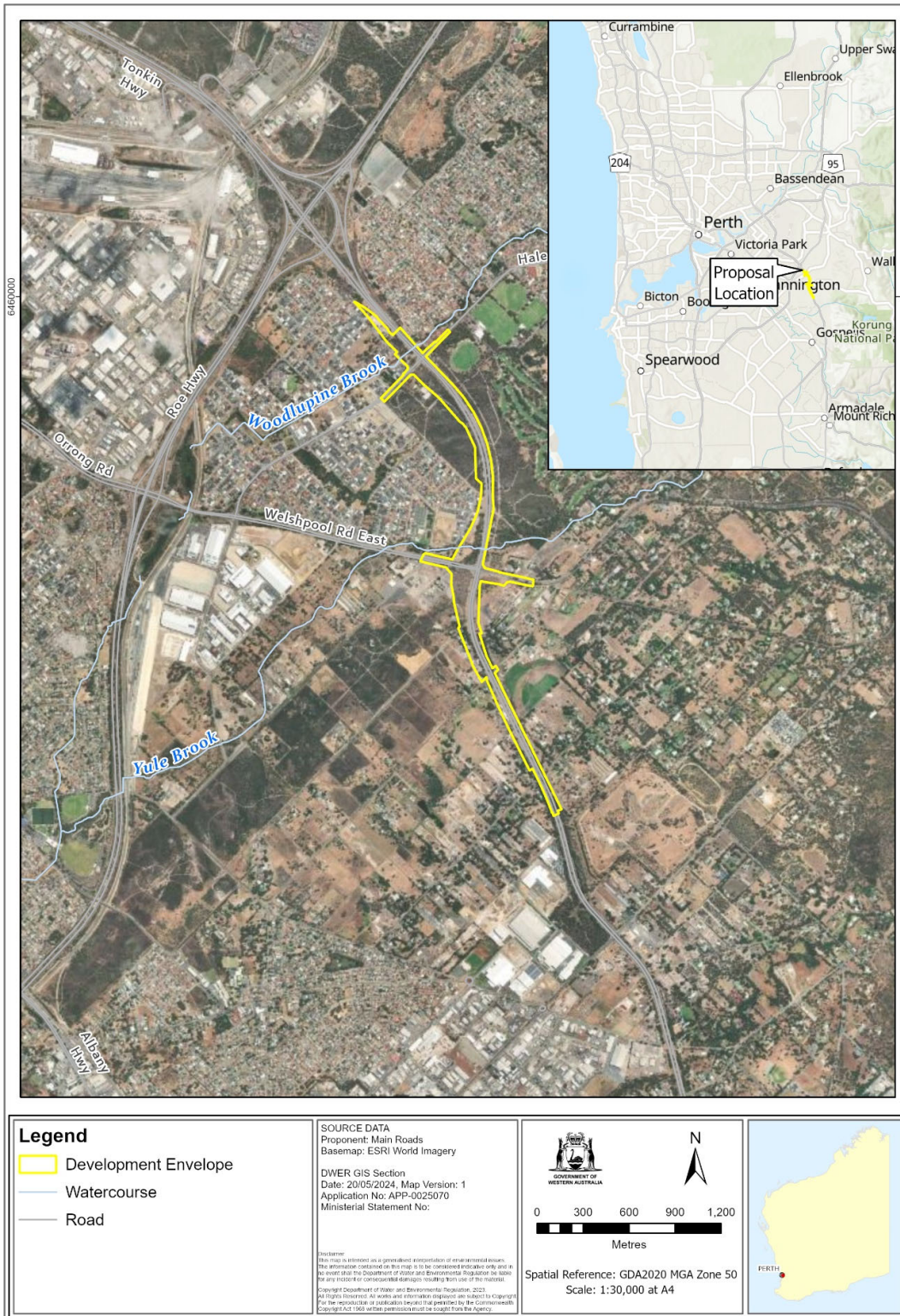


Figure 1 Tonkin Highway Grade Separated Interchanges (Hale Road and Welshpool Road) development envelope

Schedule 1

All co-ordinates are in metres, listed in Map Grid of Australia Zone 50 (MGA Zone 50), datum of Geocentric Datum of Australia 2020 (GDA2020).

Spatial data depicting the figures are held by the Department of Water and Environmental Regulation. Record no. DWER-801164602-332156.

Attachment 1 to Ministerial Statement 1249

Amendment to proposal approved under section 45C of the *Environmental Protection Act 1986*

This Attachment replaces condition B4 of Ministerial Statement 1249

Proposal: Tonkin Highway Grade Separated Interchanges (Hale Road and Welshpool Road)

Proponent: The Commissioner for Main Roads Western Australia

Changes:

- Amendment in order to correct a clerical mistake or unintentional error or omission in condition B4 Social surroundings (Noise):
 - to change condition (1) to condition B4-1.

Condition B4 is deleted and replaced with:

B4 Social surroundings (Noise)

B4-1 The proponent must ensure the implementation of the proposal is consistent with *State Planning Policy 5.4 Road and Rail Noise*.

[Signed 18 February 2026]

Darren Walsh

CHAIR

Environmental Protection Authority

For the Minister for the Environment under Notice of Delegation under section 18 of the Environmental Protection Act 1986