

***Environmental Protection Act 1986***

**Section 40(2)(a)**

**NOTICE REQUIRING INFORMATION FOR ASSESSMENT**

**PERSON TO WHOM THIS NOTICE IS GIVEN**

The Commissioner for Main Roads Western Australia ABN 50 860 676 021  
PO BOX 6202  
**EAST PERTH 6202**

**PROPOSAL TO WHICH THIS NOTICE RELATES:**

Bunbury Outer Ring Road (southern section)

Pursuant to section 40(2)(a) of the *Environmental Protection Act 1986*, I, as a delegate of the Environmental Protection Authority (EPA), require that you provide the EPA with the following information for its assessment.

**1. Issue 1 – provide consideration of alternative alignments**

- Provide further detail of consideration given to alternative alignments.
- In comparing alternative alignments, provide justification for the chosen alignment for BORR southern, in accordance with the relevant EPA's objectives for Flora and Vegetation, Terrestrial Fauna, Inland Waters and Social Surroundings.

**2. Issue 2 – clarify impacts to Flora & Vegetation and Terrestrial Fauna**

**Flora & Vegetation**

- Update referral information to confirm impacts to Flora and Vegetation within the unsurveyed areas.
- Undertake additional surveys to confirm occurrence and impacts to threatened ecological communities (TECs) / priority ecological communities (PECs) or threatened/priority flora within the unsurveyed area; and update referral information and mapping accordingly.
- Undertake additional surveys to confirm occurrence and impacts to 'Tuart (*Eucalyptus gomphocephala*) woodlands and forests of the Swan Coastal Plain ecological community' (Critically endangered – *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act))
  - ensure that Commonwealth listed communities are distinguished from State listed communities in all referral documentation, mapping and spatial data.

- Provide an updated assessment of the composition and condition of directly impacted TECs/PECs as well as any indirectly impacted TECs/PECs and the viability of remaining occurrences following the implementation of the proposal.
- In light of any updated impacts to TECs/PECs, revise the mitigation measures accordingly.
- Identify requirements for an environmental management plan (EMP) (see also Issue 3 below) for any remaining viable TECs/PECs or threatened/priority flora that will be indirectly impacted as a result of the proposal to ensure the EPA's objective for flora and vegetation will be met.

### Terrestrial Fauna

- Update referral information to confirm impacts to Terrestrial Fauna within the unsurveyed areas.
- Undertake additional surveys (and update referral information, mapping and GIS) to confirm impacts to conservation significant fauna:
  - confirm occurrence of black-stripe minnow and/or suitable habitat for black-stripe minnow within the Proposal Area and adjacent areas that may be affected by the proposal
  - confirm and quantify any direct impacts to black-stripe minnow such as clearing of habitat
  - confirm and quantify any indirect impacts such as changes to hydrological regimes, changes in water quality, habitat degradation, habitat fragmentation etc.
  - confirm impacts to black cockatoos and western ringtail possum.
- Provide an assessment of any updated (direct, indirect and cumulative) impacts to conservation significant fauna, revise the mitigation measures accordingly and provide a threatened fauna EMP (see also Issue 3 below) to ensure the EPA's objective for Terrestrial Fauna will be met.

## **3. Issue 3 – environmental management plans**

### Flora & Vegetation

- If any remaining viable TECs/PECs or populations or threatened/priority flora are fragmented or otherwise indirectly impacted by the implementation of the proposal, provide an EMP to manage, monitor and mitigate the impacts.  
*Note: this EMP should be specific to the management-based or outcome-based provisions for impacted TECs and include measures that go beyond or are additional to the generic actions (e.g. weeds, dieback) that the EPA would expect Main Road's to manage in its standard Construction Environmental Management Plan.*
- Management actions may include (but not limited to):
  - managing and/or rehabilitating TEC buffer zones and or supporting vegetation to protect against threatening processes
  - management to ensure vegetation is not adversely impacted by changes to hydrology and/or drainage as a result of the proposal

- access control to protect TECs from vehicles, rubbish dumping, arson and other illegal activities
- control of invasive weeds and dieback management that are additional to those proposed as part of a standard Construction Environmental Management Plan.

### Terrestrial Fauna

- Update referral information and append a fauna management plan to manage, monitor and mitigate direct and indirect impacts to conservation significant species, particularly:
  - western ringtail possum - (\*critically endangered, \*\*critically endangered)
  - black striped minnow - (\*endangered, \*\*endangered)
  - south-western brush-tailed phascogale - (\*\*conservation dependant)

*\*EPBC conservation status; \*\*WA conservation status*

- Provide maps and detailed justification for mitigation measures including, but not limited to, the location, dimensions, shape and number of proposed fauna underpasses/overpasses, if any. Include and describe best practice design attributes of proposed fauna underpasses or overpasses to maximise effectiveness and minimise the risk of predation of fauna using the underpass/overpass.

### General guidance

- Ensure that EMPs include the environmental objective(s) and outcome-based or management-based provisions and follow the framework as outlined in the EPA's guidance for developing EMPs ie: ([Instructions on how to prepare Environmental Protection Act 1986 Part IV Environmental Management Plans](#)).
- Demonstrate that any management actions in the EMPs are consistent with all other relevant guidelines such as recovery plans, interim recovery plans, conservation advices, threat abatement plans etc.

## **4. Issue 4 – provide additional information for avoidance, minimisation and mitigation of impacts to social surroundings**

### Social surroundings – noise

- Please provide modelling predictions and analysis of impacts from noise, including likely impacts during, worst, best and most likely case scenarios
- Provide detail about any proposed noise mitigation e.g noise walls, bunds etc.

### Social surroundings – amenity

- Provide a landscape and visual impact assessment study based on recognised methodology
- Provide a further detailed assessment of impacts to amenity values, demonstrating the application of the mitigation hierarchy to avoid, minimise and mitigate impacts

(Note, as per EPA Social Surrounding Factor Guideline, that amenity values include both visual amenity, and the ability for people to live and recreate within their surroundings without any unreasonable interference with their health, welfare, convenience and comfort)

- consider impacts to amenity values in the context of potential loss of social connectivity from the proposed road separating the Gelorup south community from the north community

#### Social surroundings – Aboriginal heritage and culture

- Provide outstanding Aboriginal cultural heritage and ethnographic surveys of the Proposal Area outlining proposed impacts, any avoidance, minimisation and mitigation measures; and outline any requirements under the *Aboriginal Heritage Act 1972*.

### **5. Issue 5 – offsets strategy**

- Identify, describe and quantify the potential residual impacts (direct, indirect and cumulative) on the identified key environmental factors Flora & Vegetation and Terrestrial Fauna, that will occur following implementation of the proposal after considering and applying avoidance and minimisation measures.
- Determine the significance of any residual impacts on the identified key environmental factors using the WA Environmental Offsets Guidelines (2014) and application of the Residual Impact Significance Model on p.11.
- Where significant residual impacts remain, propose an offset strategy to counter-balance the residual impacts of the proposal that is consistent with the WA Environmental Offsets Policy and Guidelines and where residual impacts relate to threatened species or communities the *Environment Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy.

### **6. Issue 6 – revise IBSA data & GIS data**

- Provide a revised IBSA data package to reflect any updated survey work as listed above for Flora & Vegetation and Terrestrial Fauna.
- Ensure the IBSA data package meets the [IBSA Data Requirements](#)
- Update any GIS data if changes occur as a result of any new information.

The EPA will be releasing the complete Referral Information documentation for public review. EPA Services is happy to discuss the most appropriate format for this as Main Roads prepares the revised information.

Your response should be sent by email to [registrar@dwer.wa.gov.au](mailto:registrar@dwer.wa.gov.au) marked for the attention of the person cited in the covering letter. Please quote the case number **CMS17691** on any further correspondence.

Please advise the EPA by 29 Nov 2019 when you expect the updated Referral Information will be available for the EPA to continue its assessment. The assessment officer for this proposal is Pip Marshall, who can be contacted on [pip.marshall@dwer.wa.gov.au](mailto:pip.marshall@dwer.wa.gov.au) or 6357 7329.

The EPA will not proceed with its assessment of the proposal until you have provided the requested information and it is considered to be adequate, or if you advise the EPA that the further information is not available and/or cannot be obtained.

Yours sincerely



**Tom Hatton**  
CHAIRMAN

21 October 2019