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Published on: 31 March 2025

Statement No. 595 as amended

**AMENDMENT OF AN APPROVED PROPOSAL AND CONDITIONS WITHOUT
INQUIRY OR ASSESSMENT
(*Environmental Protection Act 1986*)**

Construction and use of the Tonkin Highway Extension from Mills Road West,
Gosnells to South Western Highway, Mundijong

Proposal: The design, construction and use of approximately 32 kilometres (km) of highway from Mills Road West in Gosnells to South Western Highway in Mundijong, Western Australian (WA)

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

Proponent address: Don Aitken Centre, Waterloo Crescent
EAST PERTH WA 6004

Assessment number: 1367

Report of the Environmental Protection Authority: 1043

Introduction: Pursuant to section 45C(1)(c) of the *Environmental Protection Act 1986*, an amendment to the proposal and to the implementation conditions was approved on 27 March 2025, and the amended proposal must be implemented in accordance with the following implementation conditions and procedures.

Note: A description of the consolidated proposal (the existing proposal approved on 12 June 2002, as amended by the proposal amendments approved on 27 March 2025) is contained in the Proposal Content Document (March 2025).

Conditions 1, 2, 3, 4 and 5 of Ministerial Statement 595 issued on 12 June 2002 have been deleted and replaced with the following 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	480.6 ha, incorporating Stage One and Stage Two
Stage One	As shown in Figure 2	From Mills Road West, Gosnells to Thomas Road, Oakford
Stage Two	As shown in Figure 2	From Thomas Road, Oakford to South West Highway, Mundijong
Direct disturbance of native vegetation	Within the development envelope shown in Figure 1	65.2 ha, of which 32.6 ha is within Stage 2

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) 7.5 ha of **regionally significant bushland**, of which:
 - (i) 1.91 ha is within **Stage Two**;
 - (b) 0.1 ha of vegetation representative of *Corymbia calophylla* – *Kingia australis* woodlands on heavy soils (floristic community type 3a as originally described in Gibson et al. 1994) within **Stage Two**;
 - (c) 3.37 ha of vegetation representative of *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994) within **Stage Two**; and
 - (d) 87 individuals of *Morelotia australiensis* within **Stage Two**.

B1-2 The proponent must:

- (1) undertake weed control and management during **construction activities** to prevent the introduction or spread of **environmental weeds**;
- (2) 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;
- (3) **revegetate** all areas of native vegetation **disturbed**, but not reasonably expected to be required for ongoing operations, within the **Stage Two** development envelope within twenty-four (24) months of completion of construction activities;
- (4) ensure the revegetation required by condition B1-2(3) is consistent with **pre-construction vegetation density**;
- (5) undertake annual monitoring consistent with condition C3-1 and implement any **contingency measures** to ensure **revegetation** required by condition B1-2(3) will achieve the **pre-construction vegetation density** within five (5) years post construction; and

- (6) continue to undertake the monitoring required by condition B1-2(5) until the **CEO** confirms by notice in writing that it has been demonstrated that the **revegetation** required by condition B1-2(3) has successfully established.

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) 42.92 **ha** of foraging habitat for **black cockatoos** of which:
 - (i) 34.95 **ha** is within **Stage Two**;
 - (b) 317 **potential nesting trees** within **Stage Two**; and
 - (c) 2 **potential nesting trees** with **suitable hollows** within **Stage Two**.

B2-2 During **construction activities**, the proponent must undertake the following actions:

- (1) within seven (7) days prior to clearing, using a **fauna handler** with experience in surveying for **black cockatoos**, inspect all **potential nesting trees** with **suitable hollows** within **Stage Two** to determine if any hollows are being used for nesting by **black cockatoos**;
- (2) if any hollows are in use by **black cockatoos**, the proponent shall not **disturb** the **nesting tree**, or vegetation within a ten (10) metre radius of the **nesting tree**, until after the **black cockatoos** have naturally completed nesting (young have fledged and dispersed) and a **fauna handler** has verified that the hollow(s) are no longer being used by **black cockatoos**; and
- (3) ensure the presence of **fauna handler(s)** during clearing activities.

B2-3 The proponent must:

- (1) not plant known foraging species for **black cockatoos** within ten (10) metres of the road;
- (2) construct **fauna crossings** in the vicinity of:
 - (a) Cardup Brook;
 - (b) Manjedal Brook;
 - (c) Medulla Brook;

- (d) Mundijong Road; and
- (e) Wright Road;
- (3) ensure **fauna crossings** required by condition B2-3(2) are:
 - (a) designed to minimise the potential risk of predation; and
 - (b) able to be utilised by a variety of native fauna;
- (4) maintain **fauna crossings** along the alignment for the life of the proposal.

B3 Inland Waters

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

- (1) **disturb** no more than the following environmental values:
 - (a) 10.19 ha of **Conservation Category Wetlands**, of which:
 - (i) 2.83 ha is within **Stage Two**; and
 - (b) 29.00 ha of **Resource Enhancement Wetlands**, of which:
 - (i) 0.23 ha is within **Stage Two**;
- (2) ensure, that following construction, the water quality and hydrological regimes of wetlands and/or watercourses within or adjacent to **Stage Two** reflect preconstruction conditions.

B3-2 During construction within **Stage Two**, the proponent must:

- (1) ensure that no refuelling, chemical storage, or stockpiling occurs within fifty (50) metres of:
 - (a) **Conservation Category Wetlands**; and
 - (b) Cardup Brook.

B4 Social Surroundings (Noise Amenity)

B4-1 The proponent must ensure the implementation of the proposal following construction does not exceed the noise targets specified in Table 2 of *State Planning Policy 5.4 Road and Rail Noise*.

B5 Environmental Offsets

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

- (1) *Corymbia calophylla* – *Kingia australis* woodlands on heavy soils (floristic community type 3a as originally described in Gibson et al. 1994);
- (2) *Corymbia calophylla* – *Xanthorrhoea preissii* woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994);
- (3) **regionally significant bushland**; and
- (4) **Conservation Category Wetlands.**

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) ensure **on-ground management** enhances or improves the **vegetation condition** of ***Corymbia calophylla* communities** along Mundijong Road east to Paterson Road;
- (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 ***Corymbia calophylla* communities**;
- (4) 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;
- (5) ensure that **on-ground management** offsets for **Conservation Category Wetlands**:
 - (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**.

Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan)

- B5-3 The proponent must, in consultation with the **DBCA**, prepare a Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan) to demonstrate how the environmental outcomes and objectives in condition B5-2 will be achieved, and submit it to the **CEO**.
- B5-4 The Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan) required by condition B5-3 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 Area**) to be **acquired**, to be **acquired** with **on-ground management**, and/or for **on-ground management**, and contains the environmental value/s identified in condition B5-1;
 - (3) demonstrate how the environmental values within the **Proposed Offset Conservation Areas** will be maintained and improved or managed 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;
 - (4) demonstrate application of the *WA Environmental Offsets Metric* and the *WA Offsets Template*, as described in the *WA Environmental Offsets Guidelines*, or any subsequent revisions of these documents;
 - (5) indicate 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 mechanisms for the purpose of conservation;
 - (6) where **acquisition** is proposed:
 - (a) specify a timeframe associated with establishing the **Proposed Offset Conservation Areas**;
 - (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.
 - (7) where **on-ground management** is proposed:

- (a) state the targets for each environmental value to be achieved which will result in a **tangible improvement** to the environmental values being offset; and
 - (b) demonstrate the consistency of the targets with the environmental outcomes and objectives in condition B5-2 and the objectives of any relevant guidance, including but not limited to, recovery plans or area management plans.
- (8) where a **research offset** is proposed:
- (a) identify the objectives and intended outcomes of the proposed research;
 - (b) identify how the proposed research will result in a positive conservation outcome, and 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;
 - (c) demonstrate the consistency of the objectives and intended outcomes in condition B5-4(8)(a) with any relevant guidance, including but not limited to, recovery plans or area management plans, the principles of the *WA Environmental Offsets Policy*, the *WA Environmental Offsets Guidelines*, or any subsequent revisions of these documents;
 - (d) identify and justify how the research will support land **acquired** and/or **on-ground management** in achieving a positive conservation outcome; and
 - (e) identify the third party to carry out the work required to meet the outcomes of condition B5-4(8)(a), who is satisfactory for the role to the **CEO**.

Tonkin Highway Extension (Stage 2) Offset Environmental Management Plan

B5-5 Within twelve (12) months of receiving confirmation by the **CEO** that the Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan) required by condition B5-3 meets the requirements of condition B5-4, the proponent must prepare, and submit to the **CEO**, a Tonkin Highway Extension (Stage 2) Offset Environmental Management Plan that:

- (1) is consistent with the **confirmed** Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan) required by condition B5-3; and

- (2) demonstrates how the environmental outcomes and objectives in condition B5-2 will be achieved, and how this achievement will be substantiated.

B5-6 The Tonkin Highway Extension (Stage 2) Offset Environmental Management Plan must:

- (1) demonstrate how the Tonkin Highway Extension (Stage 2) Offset Environmental Management Plan is consistent with the **confirmed** Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan);
- (2) demonstrate that the environmental outcomes and objectives in condition B5-2 will be met;
- (3) be prepared in consultation with **DBCA**;
- (4) demonstrate that any floristic community type analysis of **Proposed Offset Conservation Areas** has been reviewed, and the findings supported by the **DBCA**;
- (5) spatially identify the **Proposed Offset Conservation Areas** and any other areas proposed as:
 - (a) **acquired** lands offset areas to receive **on-ground management** offset measures; and
 - (b) offset areas or lands to receive **on-ground management** offset measures;
- (6) demonstrate how the environmental values within the **Proposed Offset Conservation Areas** will be maintained, improved and/or managed 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;
- (7) demonstrate application of the principles of the *WA Environmental Offsets Policy*, or any subsequent revision of this document;
- (8) identify how the ongoing performance of the offset measures, and whether they are achieving the outcomes and objectives in condition B5-2, will periodically be made publicly available;
- (9) for the land **acquisition** offsets identified in condition B5-6(5) (a):
 - (a) demonstrate that the **Proposed Offset Conservation Areas** contain the minimum extents of the environmental values identified in condition B5-1 required to achieve the environmental outcomes and objectives in condition B5-2;

- (b) 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;
 - (c) specify the quantum of 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
 - (d) 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.
- (10) for **on-ground management** offsets identified in condition B5-6(5)(b):
- (a) state the targets for each environmental value to be achieved, including completion criteria, which will result in a **tangible improvement** to the environmental values being offset. For revegetation offsets relating to *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994), this must include, but not be limited to:
 - (i) species composition characteristic of *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994);
 - (ii) quadrat analysis capable of verifying that *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994) has been reestablished across the area subject to revegetation; and
 - (iii) adaptive management to inform successful revegetation for *Corymbia calophylla* - *Xanthorrhoea preissii* woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994);
 - (b) demonstrate the consistency of the targets with the environmental outcomes and objectives in condition B5-2 and the objectives of any relevant guidance, including but not limited to, recovery plans or area management plans;

- (c) detail the **on-ground management** actions, with associated timeframes for implementation and completion, to achieve the targets identified in condition B5-6(10)(a);
 - (d) detail the monitoring, reporting and evaluation mechanisms for the targets and actions identified under condition B5-6(10)(a) and condition B5-6(10)(c).
- (11) where **research offsets** are proposed, prepare a research program that:
- (a) identifies the objectives and intended outcomes, and specifies the deliverables and completion criteria;
 - (b) identifies how the research will result in a positive conservation outcome, and 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;
 - (c) demonstrate the consistency of the objectives in condition B5-6(11)(a) with any relevant guidance, including but not limited to, recovery plans or area management plans, the principles of the *WA Environmental Offsets Policy*, the *WA Environmental Offsets Guidelines*, or any subsequent revisions of these documents;
 - (d) identifies and justifies the how the research will support land **acquired** and/or **on-ground management** in achieving a positive conservation outcome;
 - (e) provides an implementation and reporting schedule, including an outline of key activities, all deliverables, stages of implementation, reporting of research results (including interim results), reporting on implementation status, and milestones towards completion criteria;
 - (f) identifies the governance arrangements including responsibilities for implementing, and oversight of, the research program, agreements with government agencies, agreements with any third parties, and contingency measures;
 - (g) identify how a 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
 - (h) identifies the third party to carry out the work required to meet the outcomes of condition B5-6(11)(a), 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:

- (i) 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** to values identified in condition B5-1 until the **CEO** has confirmed in writing that the Tonkin Highway Extension (Stage 2) Offset Strategy (Environmental Management Plan) required by condition B5-3 meets the requirements of condition B5-4.

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 Relevant to **Stage Two** 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 relevant to **Stage Two** 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 relevant to **Stage Two** are met;
- (4) outlines the results of the monitoring;
- (5) reports whether the proposal limitations and extents in Part A relevant to **Stage Two** were exceeded and (for any environmental outcomes to which condition C3-1(2) applies) whether the environmental outcomes in Part B relevant to **Stage Two** 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 condition B5-5 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 B5-5 is also required to include:
- (1) an assessment of wetland values and functions impacted during construction and gained through provision of offsets.
- 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;
- (7) advise timeframe in which contingency, rectification and other measures have and/or will be implemented; and
- (8) 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(7) 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 relevant to **Stage Two** 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 Public Availability of Data

D4-1 Subject to condition D4-2, 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.

D4-2 If:

- (1) any data referred to in condition D4-1 contains trade secrets; or
- (2) any data referred to in condition D4-1 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.

D4-3 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.

D5 Independent Audit

- D5-1 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**.
- D5-2 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 D5-1.
- D5-3 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.
- D5-4 The independent audit report required by condition D5-1 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 27 March 2025]

Darren Walsh

CHAIR

Delegate of the Environmental Protection Authority

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

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
Acquired/ 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	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.
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>).
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>
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.

Acronym or abbreviation	Definition or term
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 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.
<i>Corymbia calophylla</i> communities	<i>Corymbia calophylla</i> – <i>Kingia australis</i> woodlands on heavy soils (floristic community type 3a as originally described in Gibson et al. 1994) and/or <i>Corymbia calophylla</i> - <i>Xanthorrhoea preissii</i> woodlands and shrublands, Swan Coastal Plain (floristic community type 3c as originally described in Gibson et al. 1994.
DBCA	Department of Biodiversity, Conservation and Attractions
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 .
Disturb/ Disturbed	<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 the detriment of the flora, vegetation or fauna habitat.</p> <p>In relation to fauna, includes to have the effect of altering the natural behaviour of fauna to its detriment.</p>
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.
Fauna Crossing	Infrastructure to reduce fauna vehicle strike, habitat fragmentation and facilitate fauna movement.
Fauna Handler	A person who is qualified and licenced under section 40 of the Biodiversity Conservation Act 2016.
Ground Disturbing Activities	Any activity or activities undertaken in the implementation of the proposal, including any clearing, civil works or construction.

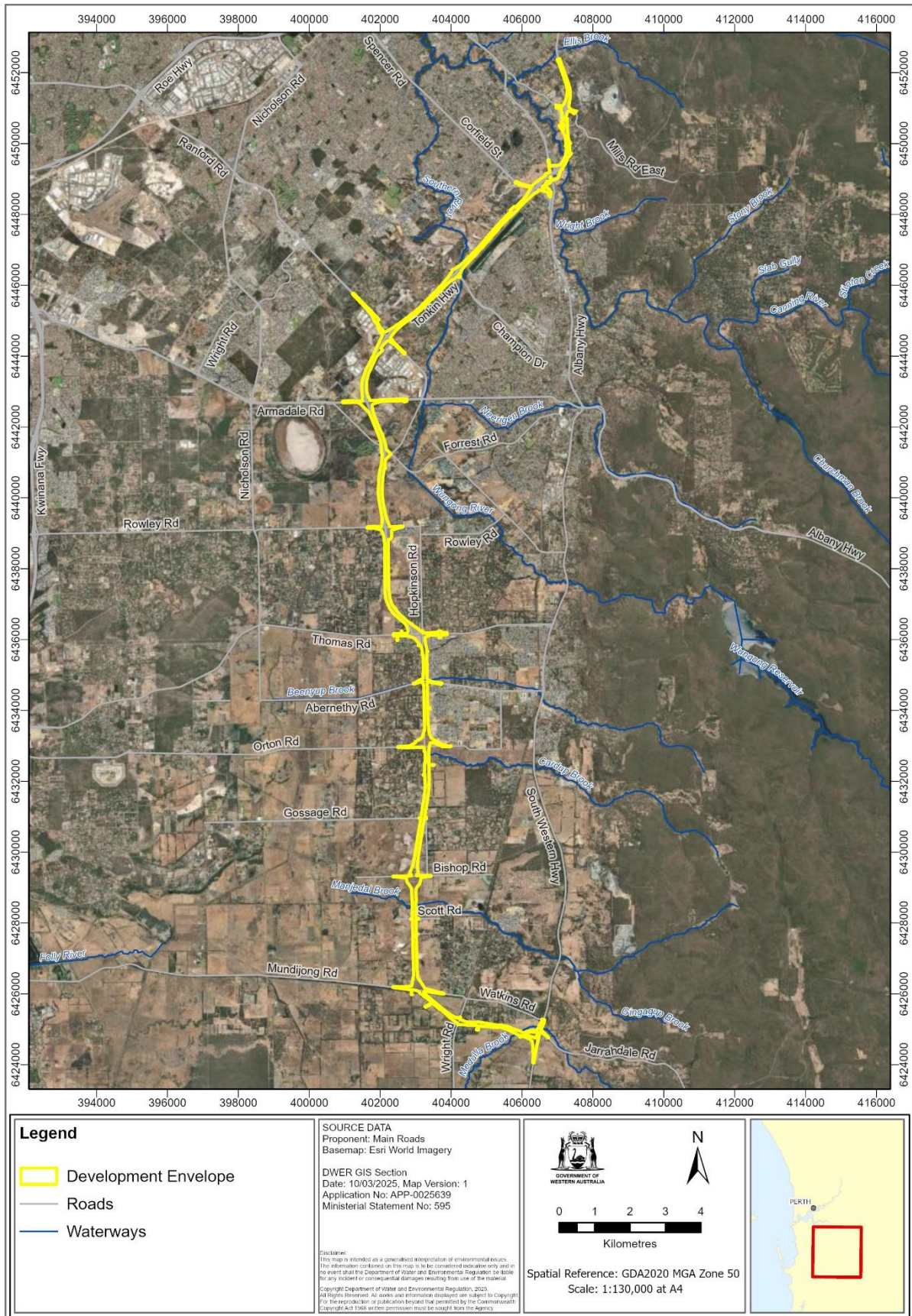
Acronym or abbreviation	Definition or term
Ha	Hectare
Management Action	The identified actions implemented with the intent of to achieving the environmental objective.
Management Target	A type of indicator to evaluate whether an environmental objective is being achieved.
Nesting Tree/s	Any existing tree with a hollow exhibiting evidence of use for nesting by black cockatoos .
On-ground Management	This includes revegetation 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.
Pre-construction Vegetation Density	The number of individual plants of a defined group that are present in a given area prior to Construction Activities (for example stems per ha).
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 Eucalyptus wandoo 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>
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.
Resource Enhancement Wetland	Wetlands classified as resource enhancement category wetlands in the Geomorphic Wetlands, Swan Coastal Plain dataset maintained by the DBCA.
Revegetate/ Revegetation/ Revegetated	Re-establishment of native vegetation/habitat in degraded areas.
Stage One	The portion of the proposal that extends from Mills Road West, Gosnells to Thomas Road, Oakford.
Stage Two	The portion of the proposal that extends from Thomas Road, Oakford to South West Highway, Mundijong.
Suitable Hollows	Any hollow with dimensions suitable for use for breeding by black cockatoos . Characteristics of hollows used by each species is available in the SPRAT database: https://www.environment.gov.au/cgi-bin/sprat/public/sprat.pl
Tangible Improvement	A perceptible, measurable and definable improvement that provides additional ecological benefit and/or value.
Threshold Criteria	The indicators that have been selected to represent limits of impact beyond which the environmental outcome is not being met.
Vegetation Condition	The condition of native vegetation rated in accordance with the Technical guidance – Flora and vegetation surveys for environmental impact assessment (EPA 2016) including any revision to this technical guidance.

Figures (attached)

Figure 1 Construction and Use of the Tonkin Highway Extension from Mills Road West, Gosnells to South Western Highway, Mundijong development envelope (This figure is a representation of the co-ordinates referenced in Schedule 1)

Figure 2. Tonkin Highway Extension **Stage One** and **Stage Two**.



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Figure 1 Construction and Use of the Tonkin Highway Extension from Mills Road West, Gosnells to South Western Highway, Mundijong development envelope

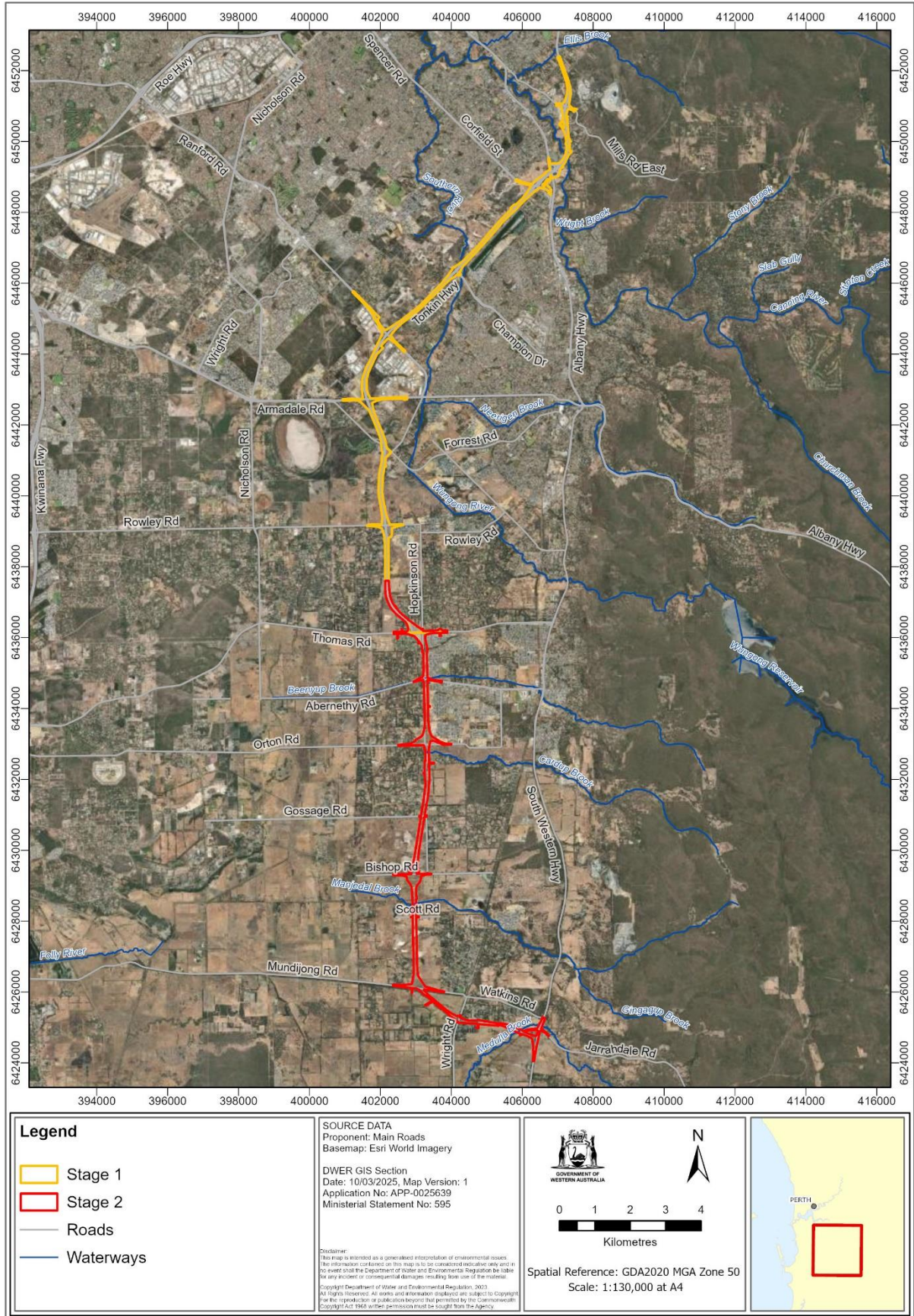


Figure 2 Tonkin Highway Extension Stage One and Stage Two

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. APP-0025639.