



Western Highway Project Section 2 - Beaufort to Ararat, Victoria
 EPBC 2010/5471 Compliance Report- 1 July 2015 to 30 June 2016

- 2A Beaufort to Buangor
- 2B Buangor to Ararat
- BB Buangor Bypass
- BW Button Wrinklewort
- DELWP Department of Environment, Land, Water and Planning
- DGTSMP Dwarf Galaxias Threatened Species Management Plan
- DOE Department of Environment
- EPBC Environmental Protection and Biodiversity Conservation Act
- GEWVVP Grassy Eucalypt Woodland Victorian Volcanic Plain
- GSM Golden Sun Moth
- NTGVVP Natural Temperate Grassland Victorian Volcanic Plain
- SRF Spiny Rice Flower
- TSMP Threatened Species Management Plan

EPBC Approval Condition	TSMP Ref	Description	Complaint	Evidence
1		The person taking the action must ensure that the action does not occur outside of the project area as illustrated at Annex 1.	Yes	<p>All works have occurred within the Project Area except one area:</p> <p>An alternative alignment was identified for the southern section of Peacocks Rd during the development of the design by BMD for the Buangor Bypass.</p> <p>The alternative alignment involved shifting Peacocks Rd, together with its intersection with the Western Highway, approximately 30m to the west.</p> <p>An assessment of trees along Peacocks Rd was conducted by Ecological & Heritage Partners and concluded that:</p> <p>The proposed Peacocks Road realignment compared would result in the overall retention of 1.283 hectares of remnant vegetation and 40 Large Old Trees and would result in an overall reduction in Net Gain targets for Buangor Bypass section of the Western Highway project of 0.53 habitat hectares of remnant vegetation and 160 Large Old Trees to be protected.</p> <p>DELWP, Council and some local residents that have been made aware of the realignment of Peacocks Rd are supportive of VicRoads and BMD's effort to reduce the number of trees removed.</p>
2		The person taking the action must ensure that project activities do not impact more than five (5) Spiny Rice-flower plants.	Yes	<p>On 30/06/14 Spiny Rice Flowers were located within Woodnaggerak Reserve. VicRoads advised DoE on 01/07/14 of the discovery and confirmed the plants will be relocated in accordance with the TSMP and EPBC Approval Conditions. DoE confirmed this approved on 07/07/14 . Plants have now been relocated.</p>

3	SRF 1.3 BW 1.2 GSM 1.4	The person taking the action must ensure the approved Weed Management Plan is implemented.	Yes	2A The weed management plan was implemented on 3 July 2014. BB: Initiated Weed Management Plan at Commencement of Works on 15 December 2014 2B: not yet required as at 30 June 2016.
4		The person taking the action must in consultation with a suitably qualified ecologist revise the Threatened Species Management Plan(s) for the conservation and enhancement of the Spiny Rice-Flower, Button Wrinklewort, Golden Sun Moth habitat, and Dwarf Galaxias habitat in accordance with the requirements set out below, and submit the revised plan(s) for the Minister's approval. Construction activities must not commence within 100m of each of the matters identified above (as illustrated in Annex 1) until the Minister approves the revised plan(s) in relation to that matter.	Yes	Revised TSMP approved by DoE on 11 June 2014 for Spiny-Rice Flower, Button Wrinklewort and Golden-Sun Moth. TSMP approval for Dwarf Galaxias has occurred on 5 November 2014. An amendment to the Dwarf Galaxias TSMP was approved on 10 April 2015. Works have occurred within 100m of newly found Dwarf Galaxias habitat. The Dwarf Galaxias were protected in accordance with the DG TSMP.
	SRF 1.1	Preclearance survey- Spiny Rice-Flower.	N/A	2A Not required - however during the preclearance survey of the BW the locations of newly found SRF were noted. BB Not required 2B: Not yet required as at 30 June 2016.
	SRF 1.2	Translocation- Spiny Rice- Flower.	N/A	2A Not required BB Not required 2B: Not yet required
	SRF 1.4a	Restrict Access- Spiny Rice-Flower.	N/A	2A Not required BB Not required 2B: Not yet required as at 30 June 2016.
	SRF 1.4b	No-go zones Spiny Rice- Flower.	N/A	2A Not required BB Not required 2B: Not yet required
	BW 1.1	Preclearance Survey- Button Wrinklewort.	Yes	2A Preclearance Survey undertaken on 30/06/2014 at Woodnaggerak Site. BB Not required 2B: not yet required as at 30 June 2016.
	BW 1.3a	Permanent Fencing- Button Wrinklewort.	N/A	2A: Completed as required BB: Not required 2B: Not yet required as at 30 June 2016.
	BW 1.3b	No-go zones Button Wrinklewort.	N/A	2A: Completed as required BB: Not required 2B: not yet required as at 30 June 2016.

	GSM 1.2	Refine Detailed Design (Section 2B).	N/A	Ongoing
	GSM 1.6	No-go zones Golden Sun Moth habitat (Section 2A).	N/A	2A: Implemented BB: Implemented 2B: Not yet required as at 30 June 2016.
	SRF 1.4b BW 1.3b SRF 1.4b	Maintain no-go zones for threatened Species.	N/A	2A: Ongoing monitoring being completed by Contractor during weekly environmental checks BB: Ongoing monitoring being completed by Contractor during weekly environmental checks 2B: Not yet required as 30 June 2016.
	SRF 1.5	Maintain health of Spiny-Rice Flower.	N/A	2A: Ongoing monitoring being completed by Contractor during weekly environmental checks BB: Ongoing monitoring being completed by Contractor during weekly environmental checks 2B: Not yet required as at 30 June 2016.
	SRF 1.6	Manage grazing- Spiny Rice Flower.	N/A	2A: Ongoing monitoring being completed by Contractor during weekly environmental checks to ensure no grazing is occurring BB: Ongoing monitoring being completed by Contractor during weekly environmental checks to ensure no grazing is occurring 2B: Not yet required as at 30 June 2016.
	SRF 1.8	Manage rubbish- Spiny Rice Flower.	N/A	2A: Ongoing monitoring being completed by Contractor BB: Ongoing monitoring being completed by Contractor 2B: not yet required as 30 June 2016.
	BW 1.4 BW 1.5 BW 1.6	Maintain health of Button Wrinklewort.	N/A	2A: All known Button Wrinklewort is being monitored and appears in good health. BB: Not applicable 2B: Not yet required as at 30 June 2016.
	SRF 1.7	Manage fire regime- Spiny Rice-Flower.	N/A	Not required for expected impact of 2A, BB and 2B. Standard fire prevention measures being taken.
5		The person taking the action must ensure the approved Threatened Species Management Plan(s) is implemented.	N/A	2A: implemented BB: implemented 2B: Not required as at 30 June 2016.

6		The person taking the action must ensure that construction activities do not impact more than 11.14ha of GEVVVP.	Yes	<p>The following areas have been impacted as at June 2016 by Ecology and Heritage Partners</p> <p>2A: 5.251Ha</p> <p>BB: 3.109Ha</p> <p>2B: 2.569Ha</p>
7		<p>Unless approved by the Minister, the person taking the action must establish a 33.5ha GEVVVP Offset at the Dunkeld Property, to compensated for the loss of GEVVVP. Within 9 months of the date of this approval, the person taking the action must:</p> <p>a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 33.5ha GEVVVP Offset at the Dunkeld Property</p> <p>b) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement</p> <p>c) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the GEVVVP Offset, within 2 weeks of lodgement; and</p> <p>d) ensure that the Agreement is registered on the title on which the GEVVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.</p>	Yes	<p>33.5ha Offset at the Dunkeld Property established.</p> <p>Agreement entered into under Section 173 of the Planning and Environment Act 1987 on 27/06/2016.</p> <p>Signed copy of Agreement lodged with the Titles Office 07/07/2016. Signed copy of agreement and evidence of lodgement with the Titles Office submitted to the Department electronically 25/07/2016. Agreement registered on title 07/07/2016 - evidence of Agreement registration (on the title on which the GEVVVP Offset is located) submitted to the Department electronically 25/07/2016.</p> <p>7b) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with a signed copy of Agreement and evidence of lodgement with the titles office within two weeks.</p> <p>7c) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with the offset attributes, shapefile and map(s) within two weeks of Agreement lodgement.</p> <p>7d) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with evidence of registration of Agreement on the title with the titles office within two weeks. The Agreement was registered on the title on which the GEVVVP Offset is located.</p>

8		<p>Within 9 months of the date of this approval, the person taking the action must submit a draft GEVVVP Offset Management Plan to the Department for the Minister's approval. The GEVVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of GEVVVP within the GEVVVP Offset, and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline quality of GEVVVP within the GEVVVP Offset Management Plan</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of GEVVVP within the GEVVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the GEVVVP Offset Management Plan</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the GEVVVP Offset Management Plan indicated a degradation of the GEVVVP.</p>	N/A	<p>Offset management plan approved on 15 April 2014.</p> <p>2A: Tree clearing occurred in a GEVVVP no-go zone contrary to the offset management plan. This non-compliance occurred on 16 October 2014. The Department was notified on 17 October 2014. The Department closed the non-compliance as appropriate on 15 January 2015. No Australian flora were impacted.</p> <p>BB: Not applicable</p> <p>2B: Not applicable</p>
9		<p>The person taking the action must ensure the GEVVVP Offset(s) is managed in accordance with the approved GEVVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement.</p>	Yes	<p>GEVVVP offsets being managed in accordance with the Management Plan - except the one non-conformance detailed in EPCD approval condition 8.</p>
10		<p>The person taking the action must ensure that construction activities do not impact more than 5.25ha of NTGVVP.</p>	Yes	<p>The following areas have been impacted as at June 2015 by Ecology and Heritage Partners</p> <p>2A: 1.031Ha</p> <p>BB: Nil</p> <p>2B: 0.096Ha</p>

11	<p>Unless approved by the Minister, the person taking the action must establish a 20.3ha NTGVVP Offset at the Darlington Property, to compensated for the loss of NTGVVP. Within 9 months of the date of this approval, the person taking the action must:</p> <p>a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 20.3ha NTGVVP Offset at the Dunkeld Property</p> <p>b) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement</p> <p>c) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the NTGVVP Offset, within 2 weeks of lodgement; and</p> <p>d) ensure that the Agreement is registered on the title on which the NTGVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.</p>	Yes	<p>20.3ha NTGVVP Offset at the Darlington Property established. Agreement entered into under Section 173 of the Planning and Environment Act 1987 on 27/06/2016. Signed copy of Agreement lodged with the Titles Office 02/06/2015. Signed copy of agreement and evidence of lodgement with the titles office submitted to the Department electronically 25/07/2016. Offset attributes, shapefile and map(s) clearly defining the location and boundaries of the Offset submitted electronically (25/07/2016). Agreement registered on title 02/06/2015 - evidence of Agreement registration (on title) submitted to the Department electronically 25/07/2016.</p> <p>11b) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with a signed copy of Agreement and evidence of lodgement with the titles office within two weeks.</p> <p>11c) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with the offset attributes, shapefile and map(s) within two weeks of Agreement lodgement.</p> <p>11d) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to the administrative requirement to provide DOE with evidence of registration of Agreement on the title with the titles office within two weeks. The Agreement was registered on the title on which the NTGVVP Offset is located.</p>
12	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft NTGVVP Offset Management Plan to the Department for the Minister's approval. The NTGVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of NTGVVP within the NTGVVP Offset, and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline quality of NTGVVP within the NTGVVP Offset Management Plan</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of NTGVVP within the NTGVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the NTGVVP Offset Management Plan</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the NTGVVP Offset Management Plan indicated a degradation of the NTGVVP</p>	Yes	Offset management plan approved on 15 April 2014.

13	The person taking the action must ensure the NTGVVP Offset(s) is managed in accordance with the approved NTGVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement.	Yes	NTGVVP offsets being managed in accordance with the Management Plan
14	The person taking the action must ensure that construction activities do not impact more than 31.56ha of Golden Sun Moth habitat.	Yes	The following areas have been impacted as at June 2016 by Ecology and Heritage Partners 2A: 0.969Ha BB: 3.644Ha 2B: 6.850
15	Unless approved by the Minister, the person taking the action must establish a 100ha Golden Sun Moth Offset at the Darlington Property to compensate for the loss of Golden Sun Moth habitat. Within 9 months of the date of this approval, the person taking the action must: a) provide the Department with evidence that the property(s) identified to form the basis of the Golden Sun Moth Offset contain a viable population of Golden Sun Moth, and at least 100ha of known Golden Sun Moth habitat. Property(s) must be surveyed in accordance with EPBC Act policy statement 3.12- significant guidelines for the critically endangered golden sun moth (Synemon plans) by a suitably qualified ecologist b) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 100ha Golden Sun Moth Offset of known Golden Sun Moth habitat at the Darlington Property c) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement d) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the Golden Sun Moth Offset, within 2 weeks of lodgement; and e) ensure that the Agreement is registered on the title on which the Golden Sun Moth Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.	Yes	100ha Golden Sun Moth Offset at the Darlington Property established. Evidence that property contains a viable population of Golden Sun Moth and at least 100ha of known Golden Sun Moth habitat in accordance with the specified guidelines by a suitably qualified ecologist submitted to the Department. Agreement entered into under Section 173 of the Planning and Environment Act 1987 on 27/06/2016. Signed copy of Agreement lodged with the Titles Office 02/06/2015. Signed copy of agreement and evidence of lodgement with the titles office submitted to the Department electronically 25/07/2016. Offset attributes, shapefile and map(s) clearly defining the location and boundaries of the Offset submitted electronically (25/07/2016). Agreement registered on title 02/06/2015 - evidence of Agreement registration (on title) submitted to the Department electronically 25/07/2016.1 15c) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to notify provide DOE with a signed copy of Agreement and evidence of lodgement with the titles office within two weeks. 15d) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with the offset attributes, shapefile and map(s) within two weeks of Agreement lodgement. 15e) Not compliant. Notification of non-compliance to be sent by end of September 2016. Non-compliance relates to administrative requirement to provide DOE with evidence of registration of Agreement on the title with the titles office within two weeks. The Agreement was registered on the title on which the Golden Sun Moth Offset is located.

16	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft Golden Sun Moth Offset Management Plan to the Department for the Minister's approval. The Golden Sun Moth Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of Golden Sun Moth within the Golden Sun Moth Offset(s), and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline condition and extent of Golden Sun Moth habitat and population viability on the Golden Sun Moth Offset(s)</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of Golden Sun Moth habitat within the Golden Sun Moth Offset(s), including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the Golden Sun Moth Offset(s)</p>	N/A	Offset management plan approved.
17	<p>The person taking the action must ensure the GSM Offset(s) is managed in accordance with the approved GSM Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement</p>	Yes	GSM offsets being managed in accordance with the Management Plan .
18a)	<p>If the GEVVVP Offset as per condition 7, and/or the NTGVVP Offset as per condition 11, and/or the GSM Offset as per condition 15 cannot be secured as an offset within 9 months of the date of this approval, and or if information required by condition 15(a) fails to demonstrate a viable population of Golden Sun Moth at the Darlington Property to the Department's satisfaction, the person taking the action must establish a Contingency Offset(s) with Trust for Nature for the residual offset requirements of the relevance condition.</p> <p>a) within 10 months of the date of this approval, the person taking the action must provide the Department with a proposal for the Contingency Offset(s), for the Department's approval. The proposal must include a copy of the draft Agreement with Trust for Nature that documents the property(s) identified to form the basis of the Contingency Offset(s), prior to signature by any parties. The plan must also include details of how the size and quality of the matters present at the side of the proposed Contingency Offset(s) will provide for the residual offset requirements of this approval, supported by surveys in accordance with the Department's guidelines and by a suitably qualified</p>	N/A	Not required.

18b)	<p>b) within 24 months of the date of this approval, the person taking the action must:</p> <p>i. Enter into a written Agreement with Trust for Nature that documents the property(s) agreed by the Department to form the basis of the Contingency Offset(s). The person proposing to take the action must provide the Department with a signed copy of the Agreement and within 7 days of signature by all parties;</p> <p>ii. ensure that the properties(s) identified by Trust for Nature to form the basis of the Contingency Offset(s) are surveyed in accordance with the relevant survey guidelines by a suitably qualified ecologist to determine the baseline quality;</p> <p>iii. provide Trust for Nature with \$50,000 Australian dollars per hectare, for the number of hectares required by the Department for the Contingency Offset(s) (the funds), to be held until such time as the Contingency Offset(s) is approved by the Minister, at which time the money will form the basis of the payment to purchase environmental services from the landowner of the Contingency Offset(s). If the cost of purchasing the environmental services is greater than the funds, the person taking the action must provide additional funds to Trust for Nature as required. If the cost of purchasing the environmental services is less than the funds, the remaining funds must be returned to the person taking the action. The arrangements of the provision and expenditure of the funds must be set out in the Agreement;</p> <p>iv. enter into a Credit Trading Agreement with Trust for Nature and the landowner under the Nature Conservation Trust Act 1972, to secure</p>	N/A	Not yet required.
19	Within 30 calendar days after the commencement of construction activities, the person taking the action must advise the Department in writing of the actual date of commencement construction activities.	Yes	Construction activities commenced on 5 June 2014. DoE were notified in writing on 11 June 2014.
20	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans and make them available on request to the Department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Yes	EPBC 2010/5741 approval folder has been created within VicRoads Quickdocs file storing system. All associated records are being saved at this location.
21a	<p>2013/2014</p> <p>Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s).</p>	Yes	This compliance report was made available on the VicRoads website on 25 September 2014.

21b	2014/2015 Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s).	Yes	This compliance report was made available on the VicRoads website on 28 August 2015.
21c	2015/2016 Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s).	Yes	This compliance report was made available on the VicRoads website on 28 September 2016.
22	The person taking the action must notify the Department in writing of any non-compliance with conditions as soon as practicable and no later than 2 business days of becoming aware of the non-compliance.	N/A	VicRoads became aware of three administrative non-compliances on 26 September 2016 and the Department will be notified by 29 September 2016. Details of this non-compliance are as per EPBC approval conditions 7b, 7c, 7d, 11b, 11c, 11d, and 15c, 15d, 15e. Non-compliance relates to administrative requirements.
23	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	N/A	Not requested.
24	If the person taking the action wishes to carry out any activity otherwise in accordance with management plans as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approved the revised management plan, the management plan must be implemented in place of the management plan originally approved.	N/A	Not requested.

25		If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and ecological communities and wetlands of international importance to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.	N/A	Not requested.
26		Unless otherwise agreed to in writing by the Minister, the person taking the action must publish a copy of each approved management plan referred to in these conditions of approval on their website within 1 month of approval of the management plan. Each management plan(s) must be accessible to general members for a period of at least 10 years from the date of approval of the management plan(s). Any variation to management plans must be published on the website within 1 month of the variation being approved by the Minister.	Complaint	This approved TSMPs were made available on the VicRoads website on 3 July 2014.
27		If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Yes	The action substantially commenced on 5 June 2014.



Western Highway Project Section 2 - Beaufort to Ararat, Victoria
 EPBC 2010/5471 Compliance Report- 1 July 2014 to 30 June 2015

- 2A Beaufort to Buangor
- 2B Buangor to Ararat
- BB Buangor Bypass
- BW Button Wrinklewort
- DELWP Department of Environment, Land, Water and Planning
- DGTSMP Drawf Galaxias Threatened Species Management Plan
- DOE Department of Environment
- EPBC Environmental Protection and Biodiversity Conservation Act
- GEWVVP Grassy Eucalypt Woodland Victorian Volcanic Plains
- GSM Golden Sun Moth
- NTGVVP Natural Temperate Grassland Victorian Volcanic Plains
- SRF Spiny Rice Flower
- TSMP Threatened Species Management Plan

EPBC Approval Condition	TSMP Ref	Description	Complaint	Evidence
1		The person taking the action must ensure that the action does not occur outside of the project area as illustrated at Annex 1.	Yes	<p>All works have occurred within the Project Area except one area:</p> <p>An alternative alignment was identified for the southern section of Peacocks Rd during the development of the design by BMD for the Buangor Bypass.</p> <p>The alternative alignment involved shifting Peacocks Rd, together with its intersection with the Western Highway, approximately 30m to the west.</p> <p>An assessment of trees along Peacocks Rd was conducted by Ecological & Heritage Partners and concluded that:</p> <p>The proposed Peacocks Road realignment compared would result in the overall retention of 1.283 hectares of remnant vegetation and 40 Large Old Trees and would result in an overall reduction in Net Gain targets for Buangor Bypass section of the Western Highway project of 0.53 habitat hectares of remnant vegetation and 160 Large Old Trees to be protected.</p> <p>DELWP, Council and some local residents that have been made aware of the realignment of Peacocks Rd are supportive of VicRoads and BMD's effort to reduce the number of trees removed.</p>
2		The person taking the action must ensure that project activities do not impact more than five (5) Spiny Rice-flower plants.	Yes	<p>On 30/06/14 Spiny Rice Flowers were located within Woodnaggerak Reserve. VicRoads advised DoE on 01/07/14 of the discovery and confirmed the plants will be relocated in accordance with the TSMP and EPBC Approval Conditions. DoE confirmed this approved on 07/07/14 . Plants have now been relocated.</p>

3	SRF 1.3 BW 1.2 GSM 1.4	The person taking the action must ensure the approved Weed Management Plan is implemented.	Yes	2A The weed management plan was implemented on 3 July 2014. BB: Initiated Weed Management Plan at Commencement of Works on 15 December 2014 2B: not yet required
4		The person taking the action must in consultation with a suitably qualified ecologist revise the Threatened Species Management Plan(s) for the conservation and enhancement of the Spiny Rice-Flower, Button Wrinklewort, Golden Sun Moth habitat, and Dwarf Galaxias habitat in accordance with the requirements set out below, and submit the revised plan(s) for the Minister's approval. Construction activities must not commence within 100m of each of the matters identified above (as illustrated in Annex 1) until the Minister approves the revised plan(s) in relation to that matter.	Yes	Revised TSMP approved by DoE on 11 June 2014 for Spiny-Rice Flower, Button Wrinklewort and Golden-Sun Moth. TSMP approval for Dwarf Galaxias has occurred on 5 November 2014. An amendment to the Dwarf Galaxias TSMP was approved on 10 April 2015. Works have occurred within 100m of newly found Dwarf Galaxias habitat. The Dwarf Galaxias were protected in accordance with the DG TSMP.
	SRF 1.1	Preclearance survey- Spiny Rice-Flower.	N/A	2A Not required - however during the preclearance survey of the BW the locations of newly found SRF were noted. BB Not required 2B: Not yet required
	SRF 1.2	Translocation- Spiny Rice- Flower.	N/A	2A Not required BB Not required 2B: Not yet required
	SRF 1.4a	Restrict Access- Spiny Rice-Flower.	N/A	2A Not required BB Not required 2B: Not yet required
	SRF 1.4b	No-go zones Spiny Rice- Flower.	N/A	2A Not required BB Not required 2B: Not yet required
	BW 1.1	Preclearance Survey- Button Wrinklewort.	Yes	2A Preclearance Survey undertaken on 30/06/2014 at Woodnaggerak Site. Results to be submitted to DoE. BB Not required 2B: not yet required
	BW 1.3a	Permanent Fencing- Button Wrinklewort.	N/A	2A: Completed as required BB: not required 2B: not yet required

	BW 1.3b	No-go zones Button Wrinklewort.	N/A	2A: Completed as required BB: not required 2B: not yet required
	GSM 1.2	Refine Detailed Design (Section 2B).	N/A	Completed
	GSM 1.6	No-go zones Golden Sun Moth habitat (Section 2A).	N/A	2A: Implemented BB: Implemented 2B: Not yet required
	SRF 1.4b BW 1.3b SRF 1.4b	Maintain no-go zones for threatened Species.	N/A	2A: Ongoing monitoring being completed by Contractor during weekly environmental checks BB: Ongoing monitoring being completed by Contractor during weekly environmental checks 2B: not yet required
	SRF 1.5	Maintain health of Spiny-Rice Flower.	N/A	2A: Ongoing monitoring being completed by Contractor during weekly environmental checks BB: Ongoing monitoring being completed by Contractor during weekly environmental checks 2B: not yet required
	SRF 1.6	Manage grazing- Spiny Rice Flower.	N/A	2A: Ongoing monitoring being completed by Contractor during weekly environmental checks to ensure no grazing is occurring BB: Ongoing monitoring being completed by Contractor during weekly environmental checks to ensure no grazing is occurring 2B: not yet required
	SRF 1.8	Manage rubbish- Spiny Rice Flower.	N/A	2A: Ongoing monitoring being completed by Contractor BB: Ongoing monitoring being completed by Contractor 2B: not yet required
	BW 1.4 BW 1.5 BW 1.6	Maintain health of Button Wrinklewort.	N/A	2A: All known Button Wrinklewort is being monitored and appears in good health. BB: Not applicable 2B: not yet required
	SRF 1.7	Manage fire regime- Spiny Rice-Flower.	N/A	Not required for expected impact of 2A, BB and 2B. Standard fire prevention measures being taken.
5		The person taking the action must ensure the approved Threatened Species Management Plan(s) is implemented.	N/A	2A: implemented BB: implemented

6		The person taking the action must ensure that construction activities do not impact more than 11.14ha of GEWVVP.	Yes	The following areas have been impacted as at June 2015 by Ecology and Heritage Partners 2A: 5.251Ha BB: 3.109Ha 2B: no impact so far
7		Unless approved by the Minister, the person taking the action must establish a 33.5ha GEWVVP Offset at the Dunkeld Property, to compensate for the loss of GEWVVP. Within 9 months of the date of this approval, the person taking the action must: a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 33.5ha GEWVVP Offset at the Dunkeld Property b) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement c) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the GEWVVP Offset, within 2 weeks of lodgement; and d) ensure that the Agreement is registered on the title on which the GEWVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.	No	Currently in the final stages of purchase. Sourcing GEWVVP offset has proven to be more challenging than expected, hence the delay.

8		<p>Within 9 months of the date of this approval, the person taking the action must submit a draft GEVVVP Offset Management Plan to the Department for the Minister's approval. The GEVVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of GEVVVP within the GEVVVP Offset, and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline quality of GEVVVP within the GEVVVP Offset Management Plan</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of GEVVVP within the GEVVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the GEVVVP Offset Management Plan</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the GEVVVP Offset Management Plan indicated a degradation of the GEVVVP.</p>	N/A	<p>Offset management plan approved on 15 April 2014.</p> <p>2A: Tree clearing occurred in a GEVVVP no-go zone contrary to the offset management plan. This non-compliance occurred on 16 October 2014. The Department was notified on 17 October 2014. The Department closed the non-compliance as appropriate on 15 January 2015. No Australian flora were impacted.</p> <p>BB: Not applicable</p>
9		<p>The person taking the action must ensure the GEVVVP Offset(s) is managed in accordance with the approved GEVVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement.</p>	Yes	<p>GEVVVP offsets being managed in accordance with the Management Plan - except the one non-compliance detailed in EPCD approval condition 8.</p>
10		<p>The person taking the action must ensure that construction activities do not impact more than 5.25ha of NTGVVP.</p>	Yes	<p>The following areas have been impacted as at June 2015 by Ecology and Heritage Partners</p> <p>2A: 1.031Ha</p> <p>BB: Nil</p> <p>2B: no impact so far</p>

11		<p>Unless approved by the Minister, the person taking the action must establish a 20.3ha NTGVVP Offset at the Darlington Property, to compensated for the loss of NTGVVP. Within 9 months of the date of this approval, the person taking the action must:</p> <p>a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 20.3ha NTGVVP Offset at the Dunkeld Property</p> <p>b) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement</p> <p>c) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the NTGVVP Offset, within 2 weeks of lodgement; and</p> <p>d) ensure that the Agreement is registered on the title on which the NTGVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.</p>	No	Currently in the final stages of purchase. Sourcing NTGVVP offset has proven to be more challenging than expected, hence the delay.
12		<p>Within 9 months of the date of this approval, the person taking the action must submit a draft NTGVVP Offset Management Plan to the Department for the Minister's approval. The NTGVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of NTGVVP within the NTGVVP Offset, and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline quality of NTGVVP within the NTGVVP Offset Management Plan</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of NTGVVP within the NTGVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the NTGVVP Offset Management Plan</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the NTGVVP Offset Management Plan indicated a degradation of the NTGVVP</p>	Yes	Offset management plan approved on 15 April 2014.
13		<p>The person taking the action must ensure the NTGVVP Offset(s) is managed in accordance with the approved NTGVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement.</p>	Yes	NTGVVP offsets being managed in accordance with the Management Plan

14		The person taking the action must ensure that construction activities do not impact more than 31.56ha of Golden Sun Moth habitat.	Yes	The following areas have been impacted as at June 2015 by Ecology and Heritage Partners 2A: 0.97Ha BB: 3.64Ha 2B: no impact so far
15		Unless approved by the Minister, the person taking the action must establish a 100ha Golden Sun Moth Offset at the Darlington Property to compensate for the loss of Golden Sun Moth habitat. Within 9 months of the date of this approval, the person taking the action must: a) provide the Department with evidence that the property(s) identified to form the basis of the Golden Sun Moth Offset contain a viable population of Golden Sun Moth, and at least 100ha of known Golden Sun Moth habitat. Property(s) must be surveyed in accordance with EPBC Act policy statement 3.12- significant guidelines for the critically endangered golden sun moth (Synemon plans) by a suitably qualified ecologist b) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 100ha Golden Sun Moth Offset of known Golden Sun Moth habitat at the Darlington Property c) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement d) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the Golden Sun Moth Offset, within 2 weeks of lodgement; and e) ensure that the Agreement is registered on the title on which the Golden Sun Moth Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.	No	Currently in the final stages of purchase. Sourcing GSM offset has proven to be more challenging than expected, hence the delay.

16	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft Golden Sun Moth Offset Management Plan to the Department for the Minister's approval. The Golden Sun Moth Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of Golden Sun Moth within the Golden Sun Moth Offset(s), and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline condition and extent of Golden Sun Moth habitat and population viability on the Golden Sun Moth Offset(s)</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of Golden Sun Moth habitat within the Golden Sun Moth Offset(s), including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the Golden Sun Moth Offset(s)</p>	N/A	Offset management plan approved.
17	The person taking the action must ensure the GSM Offset(s) is managed in accordance with the approved GSM Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement	Yes	GSM offsets being managed in accordance with the Management Plan .
18a)	<p>If the GEVVVP Offset as per condition 7, and/or the NTGVVP Offset as per condition 11, and/or the GSM Offset as per condition 15 cannot be secured as an offset within 9 months of the date of this approval, and or if information required by condition 15(a) fails to demonstrate a viable population of Golden Sun Moth at the Darlington Property to the Department's satisfaction, the person taking the action must establish a Contingency Offset(s) with Trust for Nature for the residual offset requirements of the relevance condition.</p> <p>a) within 10 months of the date of this approval, the person taking the action must provide the Department with a proposal for the Contingency Offset(s), for the Department's approval. The proposal must include a copy of the draft Agreement with Trust for Nature that documents the property(s) identified to form the basis of the Contingency Offset(s), prior to signature by any parties. The plan must also include details of how the size and quality of the matters present at the side of the proposed Contingency Offset(s) will provide for the residual offset requirements of this approval, supported by surveys in accordance with the Department's guidelines and by a suitably qualified</p>	Yes	In final stages of purchase.

18b)		<p>b) within 24 months of the date of this approval, the person taking the action must:</p> <p>i. Enter into a written Agreement with Trust for Nature that documents the property(s) agreed by the Department to form the basis of the Contingency Offset(s). The person proposing to take the action must provide the Department with a signed copy of the Agreement and within 7 days of signature by all parties;</p> <p>ii. ensure that the properties(s) identified by Trust for Nature to form the basis of the Contingency Offset(s) are surveyed in accordance with the relevant survey guidelines by a suitably qualified ecologist to determine the baseline quality;</p> <p>iii. provide Trust for Nature with \$50,000 Australian dollars per hectare, for the number of hectares required by the Department for the Contingency Offset(s) (the funds), to be held until such time as the Contingency Offset(s) is approved by the Minister, at which time the money will form the basis of the payment to purchase environmental services from the landowner of the Contingency Offset(s). If the cost of purchasing the environmental services is greater than the funds, the person taking the action must provide additional funds to Trust for Nature as required. If the cost of purchasing the environmental services is less than the funds, the remaining funds must be returned to the person taking the action. The arrangements of the provision and expenditure of the funds must be set out in the Agreement;</p> <p>iv. enter into a Credit Trading Agreement with Trust for Nature and the landowner under the Nature Conservation Trust Act 1972, to secure</p>	N/A	Not yet required.
19		Within 30 calendar days after the commencement of construction activities, the person taking the action must advise the Department in writing of the actual date of commencement construction activities.	Yes	Construction activities commenced on 5 June 2014. DoE were notified in writing on 11 June 2014.
20		The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans and make them available on request to the Department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Yes	EPBC 2010/5741 approval folder has been created within VicRoads Quickdocs file storing system. All associated records are being saved at this location.
21a		<p>2013/2014</p> <p>Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s).</p>	Yes	This compliance report was made available on the VicRoads website on 25 September 2014.

21b	2014/2015 Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s).	Yes	This compliance report was made available on the VicRoads website on 28 August 2015.
22	The person taking the action must notify the Department in writing of any non-compliance with conditions as soon as practicable and no later than 2 business days of becoming aware of the non-compliance.	N/A	One non-compliance occurred on 16 October 2014 and the Department was notified on 17 October 2014. The Department closed the non compliance on 15 January 2015. Details of this non-compliance are as per EPBC approval condition 8.
23	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	N/A	Not requested.
24	If the person taking the action wishes to carry out any activity otherwise in accordance with management plans as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approved the revised management plan, the management plan must be implemented in place of the management plan originally approved.	N/A	Not requested.
25	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and ecological communities and wetlands of international importance to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.	N/A	Not requested.
26	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish a copy of each approved management plan referred to in these conditions of approval on their website within 1 month of approval of the management plan. Each management plan(s) must be accessible to general members for a period of at least 10 years from the date of approval of the management plan(s). Any variation to management plans must be published on the website within 1 month of the variation being approved by the Minister.	Complaint	This approved TSMPs were made available on the VicRoads website on 3 July 2014.

27	If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person talking the action must not substantially commence the action without the written agreement of the Minister.	Yes	The action substantially commenced on 5 June 2014.
----	---	-----	--

EPBC APPROVAL TRACKER (2010 5741)

			Requires date to be inserted (ASAP)			Compliance			
			Requires date to be inserted (in the future)						
EPBC Approval Condition	TSMP	Description	Start Date	Due Date	Date Complete	Status	2013/2014	2014/2015	QDs
1		The person taking the action must ensure that the action does not occur outside of the project area as illustrated at Annex 1.	5/06/2014	N/A	N/A	Open- Ongoing	As at 30/06/14, all work has occurred within the Project Area		
2		The person taking the action must ensure that project activities do not impact more than five (5) Spiny Rice-flower plants	5/06/2014	N/A	N/A	Open- Ongoing	As at 30/06/14, no Spiny Rice-Flower plants impacted however on 30/06/14 three additional plants were located within Woodnaggerak Reserve.	On 30/06/14 Spiny Rice Flower individuals were located within Woodnaggerak Reserve. VicRoads advised DoE on 01/07/14 of the discovery and confirmed the plants will be relocated in accordance with the TSMP and EPBC Approval Conditions. DoE confirmed this approved on 07/07/14	n2589817- Email confirming location within Woodnaggerak n2593701- VicRoads letter to DoE n2593706- DoE response n2719919- Translocation
3	SRF 1.3 BW 1.2 GSM 1.4	The person taking the action must ensure the approved Weed Management Plan is implemented	5/06/2014	N/A	N/A	Open- Ongoing	No action required due to construction activity being limited to compound	Met with Rebecca Grant on 10 October 2014 to discuss implementation of plan. Found to be compliant	
4		Submission of revised Threatened Species Management Plan for Spiny Rice-Flower	17/04/2014	N/A	11/06/2014	Closed	Revised TSMP approved by DoE on 11/06/2014	Refer 2013/2014	
	SRF 1.1	Preclearance survey- Spiny Rice-Flower				Open- Future	Not required for Section 2A	Not required for Section 2A	
	SRF 1.2	Translocation- Spiny Rice- Flower				Open- Future	Not required for Section 2A	Not required for Section 2A	
	SRF 1.4a	Restrict Access- Spiny Rice-Flower				Open- Future	Not required for Section 2A	Not required for Section 2A	
	SRF 1.4b	No-go zones Spiny Rice- Flower				Open- Future	Not required for Section 2A	Not required for Section 2A	
4		Submission of revised Threatened Species Management Plan for Button Wrinklewort	17/04/2014	N/A	11/06/2014	Closed	Revised TSMP approved by DoE on 11/06/2014	Refer 2013/2014	
	BW 1.1	Preclearance Survey- Button Wrinklewort (Woodnaggerak)	30/06/2014	N/A	30/06/2014	Closed	Preclearance Survey undertaken on 30/06/2014.	Refer 2013/2014	
	BW 1.1	results of above survey submitted to DoE (Woodnaggerak)	11/07/2014	25/07/2014		Open- Action Required	At 30/06/2014, no works occurred within 500m	Works commenced on 11/07/2014. Results submitted to DoE on 25/07/14	n2589817- Email confirming location within Woodnaggerak Reserve n2589832- Commencement n2603353- Submitted preclearance survey results to DoE
	BW 1.1	Preclearance Survey- Button Wrinklewort (Section 2B)				Open- Future	N/A- Not required for Section 2A	Not required for Section 2A	
	BW 1.1	results of above survey submitted to DoE (Section 2B)				Open- Future	N/A- Not required for Section 2A	Not required for Section 2A	
	BW 1.3a	Permanent Fencing- Button Wrinklewort (Woodnaggerak)				Open- Action Required	At 30/06/2014, no works occurred within 500m	Permanent fencing completed in July 2014. Fencing upgraded on 21 October 2014.	
	BW 1.3b	No-go zones Button Wrinklewort (Woodnaggerak)	9/07/2014		10/07/2014	Closed	At 30/06/2014, no works occurred within 500m	Completed in July 2014 prior to works	
	GSM 1.2	Refine Detailed Design (Section 2B)				Open- Future	N/A- Not required for Section 2A	Not required for Section 2A	
	GSM 1.6	No-go zones Golden Sun Moth habitat (Section 2A)	--/--/----		17/07/2014	Open- Action Required	At 30/06/2014, no works occurred within 500m	Not required for Section 2A	
	GSM 1.6	No-go zones Golden Sun Moth habitat (Buangor Bypass)				Open- Future	N/A- Not required for Section 2A	Not required for Section 2A	
	GSM 1.6	No-go zones Golden Sun Moth habitat (Section 2B)				Open- Future	N/A- Not required for Section 2A	Not required for Section 2A	
	SRF 1.4b BW 1.3b SRF 1.4b	Maintain no-go zones for threatened Species	5/06/2014	N/A	N/A	Open- Ongoing	At 30/06/2014, no works occurred within 500m	No Go Zones monitored daily	n2719919- Translocation Report
	SRF 1.5	Maintain health of Spiny-Rice Flower	19/09/2014	N/A	N/A	Open- Ongoing	At 30/06/2014, no works occurred within 500m	Spiny Rice-Flower translocated on 19 September 2014	nXXXXXXX- Inspection
	SRF 1.6	Manage grazing- Spiny Rice Flower				Open- Future	At 30/06/2014, no works occurred within 500m	Not required for Section 2A	
	SRF 1.8	Manage rubbish- Spiny Rice Flower		N/A	N/A	Open- Ongoing	At 30/06/2014, no works occurred within 500m	Not required for Section 2A	
	BW 1.4 BW 1.5 BW 1.6	Maintain health of Button wrinklewort	5/06/2014	N/A	N/A	Open- Ongoing	At 30/06/2014, no works occurred within 500m	As of 21 October 2014, not required	

	SRF 1.7	Manage fire regime- Spiny Rice-Flower				Open- Future	N/A- Not required for Section 2A	Not required for Section 2A	
4		Submission of revised Threatened Species Management Plan for Golden Sun Moth habitat	17/04/2014	N/A	11/06/2014	Closed	Revised TSMP approved by DoE on 11/06/2014	Not required for Section 2A	
4		Submission of revised Threatened Species Management Plan for Dwarf Galaxias	17/04/2014	N/A		Open- Action Required	N/A- Not required for Section 2A	Approved by DoE on --/--/----	n2719800- Draft Dwarf Galaxias Management Plan
5		The person taking the action must ensure the approved Threatened Species Management Plan(s) is implemented	5/06/2014	N/A	N/A	Open- Ongoing	As at 30/06/14, no works occurred within 100m of a Threatened Species occurred	DoE were notified of a possible non-compliance on 17 October 2014 regarding the clearing of GEVVVP. Waiting on response	n2715751- Letter
6		The person taking the action must ensure that construction activities do no impact more than 11.14ha of GEVVVP	17/04/2014	N/A	N/A	Open- Ongoing	As at 30/06/14, no GEVVVP had been removed	As at 21 October 2014, an estimated 6.68 hectares have been removed	
7		Unless approved by the Minister, the person taking the action must establish a 33.5ha GEVVVP Offset at the Dunkeld Property, to compensated for the loss of GEVVVP. Within 9 months of the date of this approval, the person taking the action must: a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 33.5ha GEVVVP Offset at the Dunkeld Property b) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement c) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the GEVVVP Offset, within 2 weeks of lodgement; and d) ensure that the Agreement is registered on the title on which the GEVVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration	17/04/2014	17/01/2015	25/07/2016	Open- Action Required	Not yet required	As at 21 October 2014, not yet required	
8		Within 9 months of the date of this approval, the person taking the action must submit a draft GEVVVP Offset Management Plan to the Department for the Minister's approval. The GEVVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of GEVVVP within the GEVVVP Offset, and must include: a) baseline data and other supporting evidence that documents the baseline quality of GEVVVP within the GEVVVP Offset Management Plan b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of GEVVVP within the GEVVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances) c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the GEVVVP Offset Management Plan d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and e) corrective actions and contingency measures to be implemented where monitoring under the GEVVVP Offset Management Plan indicated a degradation of the GEVVVP	17/04/2014	17/01/2015	N/A	Open- Action Required	Not yet required	As at 21 October 2014, not yet required	
9		The person taking the action must ensure the GEVVVP Offset(s) is managed in accordance with the approved GEVVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement		N/A		Open- Ongoing	Not yet required	As at 21 October 2014, not yet required	
10		The person taking the action must ensure that construction activities do not impact more than 5.25ha of NTGVVP	17/01/2014	N/A	N/A	Open- Ongoing	As at 30/06, no NTGVVP has been removed	As at 21 October 2014, an estimated 2.33 hectares have been removed	
11		Unless approved by the Minister, the person taking the action must establish a 20.3ha NTGVVP Offset at the Darlington Property, to compensated for the loss of NTGVVP. Within 9 months of the date of this approval, the person taking the action must: a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 20.3ha NTGVVP Offset at the Dunkeld Property b) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement c) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the NTGVVP Offset, within 2 weeks of lodgement; and d) ensure that the Agreement is registered on the title on which the NTGVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration	17/04/2014	17/01/2015	25/07/2016	Open- Action Required	Not yet required	As at 21 October 2014, not yet required	

12	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft NTGVVP Offset Management Plan to the Department for the Minister's approval. The NTGVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of NTGVVP within the NTGVVP Offset, and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline quality of NTGVVP within the NTGVVP Offset Management Plan</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of NTGVVP within the NTGVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the NTGVVP Offset Management Plan</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the NTGVVP Offset Management Plan indicated a degradation of the NTGVVP</p>	17/04/2014	17/01/2015		Open- Action Required	Not yet required	As at 21 October 2014, not yet required
13	The person taking the action must ensure the NTGVVP Offset(s) is managed in accordance with the approved NTGVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement		N/A		Open- Ongoing	Not yet required	As at 21 October 2014, not yet required
14	The person taking the action must ensure that construction activities do not impact more than 31.56ha of Golden Sun Moth habitat	N/A	N/A	N/A	Open- Ongoing	As at 30/06, no GSM habitat has been removed	As at 21 October 2014, an estimated 3.75 hectares have been removed
15	<p>Unless approved by the Minister, the person taking the action must establish a 100ha Golden Sun Moth Offset at the Darlington Property to compensate for the loss of Golden Sun Moth habitat. Within 9 months of the date of this approval, the person taking the action must:</p> <p>a) provide the Department with evidence that the property(s) identified to form the basis of the Golden Sun Moth Offset contain a viable population of Golden Sun Moth, and at least 100ha of known Golden Sun Moth habitat. Property(s) must be surveyed in accordance with EPBC Act policy statement 3.12- significant guidelines for the critically endangered golden sun moth (<i>Synemon plana</i>) by a suitably qualified ecologist</p> <p>b) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 100ha Golden Sun Moth Offset of known Golden Sun Moth habitat at the Darlington Property</p> <p>c) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement</p> <p>d) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the Golden Sun Moth Offset, within 2 weeks of lodgement; and</p>	17/04/2014	17/01/2015	25/07/2016	Open- Action Required	Not yet required	As at 21 October 2014, not yet required
16	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft Golden Sun Moth Offset Management Plan to the Department for the Minister's approval. The Golden Sun Moth Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of Golden Sun Moth within the Golden Sun Moth Offset(s), and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline condition and extent of Golden Sun Moth habitat and population viability on the Golden Sun Moth Offset(s)</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of Golden Sun Moth habitat within the Golden Sun Moth Offset(s), including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the Golden Sun Moth Offset(s)</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the Golden Sun Moth Offset Management Plan indicated a degradation of the Golden Sun Moth habitat</p>	17/04/2014	17/01/2015		Open- Action Required	Not yet required	As at 21 October 2014, not yet required
17	The person taking the action must ensure the NTGVVP Offset(s) is managed in accordance with the approved NTGVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement		N/A		Open- Ongoing	Not yet required	As at 21 October 2014, not yet required

18a)	<p>If the GEWVVP Offset as per condition 7, and/or the NTGVVP Offset as per condition 11, and/or the GSM Offset as per condition 15 cannot be secured as an offset within 9 months of the date of this approval, and or if information required by condition 15(a) fails to demonstrate a viable population of Golden Sun Moth at the Darlington Property to the Department's satisfaction, the person taking the action must establish a Contingency Offset(s) with Trust for Nature for the residual offset requirements of the relevance condition.</p> <p>a) within 10 months of the date of this approval, the person taking the action must provide the Department with a proposal for the Contingency Offset(s), for the Department's approval. The proposal must include a copy of the draft Agreement with Trust for Nature that documents the property(s) identified to form the basis of the Contingency Offset(s), prior to signature by any parties. The plan must also include details of how the size and quality of the matters present at the side of the proposed Contingency Offset(s) will provide for the residual offset requirements of this approval, supported by surveys in accordance with the Department's guidelines and by a suitably qualified ecologist; and</p>	17/04/2014	17/02/2015	Pending	Open- Ongoing	Not yet required	As at 21 October 2014, not yet required	
18b)	<p>b) within 24 months of the date of this approval, the person taking the action must:</p> <p>i. Enter into a written Agreement with Trust for Nature that documents the property(s) agreed by the Department to form the basis of the Contingency Offset(s). The person proposing to take the action must provide the Department with a signed copy of the Agreement and within 7 days of signature by all parties;</p> <p>ii. ensure that the properties(s) identified by Trust for Nature to form the basis of the Contingency Offset(s) are surveyed in accordance with the relevant survey guidelines by a suitably qualified ecologist to determine the baseline quality;</p> <p>iii. provide Trust for Nature with \$50,000 Australian dollars per hectare, for the number of hectares required by the Department for the Contingency Offset(s) (the funds), to be held until such time as the Contingency Offset(s) is approved by the Minister, at which time the money will form the basis of the payment to purchase environmental services from the landowner of the Contingency Offset(s). If the cost of purchasing the environmental services is greater than the funds, the person taking the action must provide additional funds to Trust for Nature as required. If the cost of purchasing the environmental services is less than the funds, the remaining funds must be returned to the person taking the action. The arrangements of the provision and expenditure of the funds must be set out in the Agreement;</p> <p>iv. enter into a Credit Trading Agreement with Trust for Nature and the landowner under the Nature Conservation Trust Act 1972, to secure Contingency Offset(s);</p> <p>v. provide the Department with a signed copy of the Credit Trading Agreement within 2 weeks of its signature by all parties; ensure that a Deed of Covenant for the Contingency Offset(s) is executed with Trust for Nature and is registered on the title documents of the site of the Contingency Offset(s) within 6 months of the date of signing the Credit Trading Agreement.</p> <p>vii. provide the Department with evidence of registration within 2 weeks of registration;</p> <p>viii. provide the Department with the offset attributes, shapefile and map clearly defining the location and boundaries of the Contingency Offset(s), within 2 weeks of registration; and</p> <p>ix. provide a Contingency Offset Management plan to the Department for the Minister's approval. The person taking the action must ensure that any Contingency Offset(s) are managed in accordance with an approved Contingency Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement</p>	17/04/2014	17/04/2016	Pending	Open- Ongoing	Not yet required	As at 21 October 2014, not yet required	
19	Within 30 calendar days after the commencement of construction activities, the person taking the action must advise the Department in writing of the actual date of commencement construction activities	5/06/2014	5/07/2014	11/06/2014	Closed	DoE advised on 11 June 2014	DoE advised on 11 June 2014	n2542453
20	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans and make them available on request to the Department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media	17/04/2014	N/A	N/A	Open- Ongoing	Ongoing	Ongoing	
21	Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s)	30/06/2014	30/09/2014		Open- Action Required		Not yet required	
22	The person taking the action must notify the Department in writing of any non-compliance with conditions as soon as practicable and no later than 2 business days of becoming aware of the non-compliance	17/04/2014	N/A	N/A	Open- Ongoing	Not yet required	On 17 October 2014, VicRoads notified DoE of an incident on site that occurred on 16 October 2014...	
23	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	17/04/2014	N/A	N/A	Open- Ongoing	Not yet requested	Not yet requested	

24	If the person taking the action wishes to carry out any activity otherwise in accordance with management plans as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approved the revised management plan, the management plan must be implemented in place of the management plan originally approved	17/04/2014	N/A	N/A	Open- Ongoing	Not required	Not required	
25	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and ecological communities and wetlands of international importance to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions	17/04/2014	N/A	N/A	Open- Ongoing	Not requested	Not requested	
26	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish a copy of each approved management plan referred to in these conditions of approval on their website within 1 month of approval of the management plan. Each management plan(s) must be accessible to general members for a period of at least 10 years from the date of approval of the management plan(s). Any variation to management plans must be published on the website within 1 month of the variation being approved by the Minister	11/06/2014	11/07/2014	3/07/2014	Closed	As of 30/06/14, application to web team has been made		n2589317
	as above for Dwarf Galaxias				Open- Action Required	Galaxias Threatened Species Management Plan had not been submitted to the Department. Works have not commenced within 100m of Dwarf Galaxias	Not yet required	
27	If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person talking the action must not substantially commence the action without the written agreement of the Minister	17/05/2014	17/05/2019	5/06/2014	Closed	The action substantially commenced on 03/07/14	The action substantially commenced on 03/07/14	n2542453



Western Highway Project Section 2 - Beaufort to Ararat, Victoria
 EPBC 2010/5471 Compliance Report- 5 June 2014 to 30 June 2014

EPBC Approval Condition	TSMP Ref	Description	Compliance	Evidence
1		The person taking the action must ensure that the action does not occur outside of the project area as illustrated at Annex 1.	Yes	All works have occurred within the Project Area. Works have been limited to construction of the site compound.
2		The person taking the action must ensure that project activities do not impact more than five (5) Spiny Rice-flower plants.	Yes	No Spiny Rice-Flower plants have been impacted however. 3 additional plants have been located within Woodnaggerak Reserve. These plants are to be protected until further advice is obtained from DoE.
3	SRF 1.3 BW 1.2 GSM 1.4	The person taking the action must ensure the approved Weed Management Plan is implemented.	Yes	The weed management plan is scheduled to be implemented on 3 July 2014. No soil disturbance has taken place other than establishment of the site compound which occurred on a previously cleared site (farming).
4		The person taking the action must in consultation with a suitably qualified ecologist revise the Threatened Species Management Plan(s) for the conservation and enhancement of the Spiny Rice-Flower, Button Wrinklewort, Golden Sun Moth habitat, and Dwarf Galaxias habitat in accordance with the requirements set out below, and submit the revised plan(s) for the Minister's approval. Construction activities must not commence within 100m of each of the matters identified above (as illustrated in Annex 1) until the Minister approves the revised plan(s) in relation to that matter.	Yes	Revised TSMP approved by DoE on 11 June 2014 for Spiny-Rice Flower, Button Wrinklewort and Golden-Sun Moth. TSMP approval for Dwarf Galaxias remains outstanding. No works have occurred within 100m of known Dwarf Galaxias habitat.

	SRF 1.1	Preclearance survey- Spiny Rice-Flower.	N/A	Not yet required.
	SRF 1.2	Translocation- Spiny Rice- Flower.	N/A	Not yet required.
	SRF 1.4a	Restrict Access- Spiny Rice-Flower.	N/A	Not yet required.
	SRF 1.4b	No-go zones Spiny Rice- Flower.	N/A	Not yet required.
	BW 1.1	Preclearance Survey- Button Wrinklewort.	Yes	Preclearance Survey undertaken on 30/06/2014 at Woodnaggerak Site. Results to be submitted to DoE within 14 days.
	BW 1.3a	Permanent Fencing- Button Wrinklewort.	N/A	Not yet required.
	BW 1.3b	No-go zones Button Wrinklewort.	N/A	Not yet required.
	GSM 1.2	Refine Detailed Design (Section 2B).	N/A	Not yet required.
	GSM 1.6	No-go zones Golden Sun Moth habitat (Section 2A).	N/A	Not yet required.
	GSM 1.6	No-go zones Golden Sun Moth habitat (Buangor Bypass).	N/A	Not yet required.
	GSM 1.6	No-go zones Golden Sun Moth habitat (Section 2B).	N/A	Not yet required.
	SRF 1.4b BW 1.3b SRF 1.4b	Maintain no-go zones for threatened Species.	N/A	Not yet required.
	SRF 1.5	Maintain health of Spiny-Rice Flower.	N/A	Not yet required.
	SRF 1.6	Manage grazing- Spiny Rice Flower.	N/A	Not yet required.
	SRF 1.8	Manage rubbish- Spiny Rice Flower.	N/A	Not yet required.
	BW 1.4 BW 1.5 BW 1.6	Maintain health of Button Wrinklewort.	N/A	Not yet required.
	SRF 1.7	Manage fire regime- Spiny Rice-Flower.	N/A	Not yet required.
5		The person taking the action must ensure the approved Threatened Species Management Plan(s) is implemented.	N/A	Not yet required (no works have commenced within 100m of known populations of Spiny-Rice Flower, Button Wrinklewort, Dwarf Galaxias or Golden Sun Moth.
6		The person taking the action must ensure that construction activities do no impact more than 11.14ha of GEVVVP.	Yes	No GEVVVP have been impacted.

7	<p>Unless approved by the Minister, the person taking the action must establish a 33.5ha GEWVVP Offset at the Dunkeld Property, to compensated for the loss of GEWVVP. Within 9 months of the date of this approval, the person taking the action must:</p> <ul style="list-style-type: none">a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 33.5ha GEWVVP Offset at the Dunkeld Propertyb) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgementc) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the GEWVVP Offset, within 2 weeks of lodgement; andd) ensure that the Agreement is registered on the title on which the GEWVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.	N/A	Not yet required.
---	--	-----	-------------------

8	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft GEWVVP Offset Management Plan to the Department for the Minister's approval. The GEWVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of GEWVVP within the GEWVVP Offset, and must include:</p> <p>a) baseline data and other supporting evidence that documents the baseline quality of GEWVVP within the GEWVVP Offset Management Plan</p> <p>b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of GEWVVP within the GEWVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances)</p> <p>c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the GEWVVP Offset Management Plan</p> <p>d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and</p> <p>e) corrective actions and contingency measures to be implemented where monitoring under the GEWVVP Offset Management Plan indicated a degradation of the GEWVVP.</p>	N/A	Not yet required.
9	<p>The person taking the action must ensure the GEWVVP Offset(s) is managed in accordance with the approved GEWVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement.</p>	N/A	Not yet required.
10	<p>The person taking the action must ensure that construction activities do not impact more than 5.25ha of NTGVVP.</p>	Yes	No NTGVVP have been impacted.

11	<p>Unless approved by the Minister, the person taking the action must establish a 20.3ha NTGVVP Offset at the Darlington Property, to compensated for the loss of NTGVVP. Within 9 months of the date of this approval, the person taking the action must:</p> <ul style="list-style-type: none">a) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 20.3ha NTGVVP Offset at the Dunkeld Propertyb) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgementc) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the NTGVVP Offset, within 2 weeks of lodgement; andd) ensure that the Agreement is registered on the title on which the NTGVVP Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.	N/A	Not yet required.
----	---	-----	-------------------

12	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft NTGVVP Offset Management Plan to the Department for the Minister's approval. The NTGVVP Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of NTGVVP within the NTGVVP Offset, and must include:</p> <ul style="list-style-type: none"> a) baseline data and other supporting evidence that documents the baseline quality of NTGVVP within the NTGVVP Offset Management Plan b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of NTGVVP within the NTGVVP Offset Management Plan, including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances) c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the NTGVVP Offset Management Plan d) information and commitments about monitoring and reporting on the improvements in condition of the offset site; and e) corrective actions and contingency measures to be implemented where monitoring under the NTGVVP Offset Management Plan indicated a degradation of the NTGVVP 	N/A	Not yet required.
13	<p>The person taking the action must ensure the NTGVVP Offset(s) is managed in accordance with the approved NTGVVP Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement.</p>	N/A	Not yet required.
14	<p>The person taking the action must ensure that construction activities do not impact more than 31.56ha of Golden Sun Moth habitat.</p>	Yes	No GSM habitat have been impacted.

15	<p>Unless approved by the Minister, the person taking the action must establish a 100ha Golden Sun Moth Offset at the Darlington Property to compensate for the loss of Golden Sun Moth habitat. Within 9 months of the date of this approval, the person taking the action must:</p> <p>a) provide the Department with evidence that the property(s) identified to form the basis of the Golden Sun Moth Offset contain a viable population of Golden Sun Moth, and at least 100ha of known Golden Sun Moth habitat. Property(s) must be surveyed in accordance with EPBC Act policy statement 3.12- significant guidelines for the critically endangered golden sun moth (<i>Synemon plana</i>) by a suitably qualified ecologist</p> <p>b) enter into Agreement with the landowner under section 173 of the Planning and Environment Act 1987, or a Trust for Nature covenant mechanism to secure 100ha Golden Sun Moth Offset of known Golden Sun Moth habitat at the Darlington Property</p> <p>c) provide the Department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement</p> <p>d) provide the Department with the offset attributes, shapefile and map(s) clearly defining the location and boundaries of the Golden Sun Moth Offset, within 2 weeks of lodgement; and</p> <p>e) ensure that the Agreement is registered on the title on which the Golden Sun Moth Offset is located. The Department must be provided with evidence of registration within 2 weeks of registration.</p>	N/A	Not yet required.
----	--	-----	-------------------

16	<p>Within 9 months of the date of this approval, the person taking the action must submit a draft Golden Sun Moth Offset Management Plan to the Department for the Minister's approval. The Golden Sun Moth Offset Management Plan must be prepared in consultation with a suitably qualified ecologist and provide for the conservation and enhancement of the viability of the population of Golden Sun Moth within the Golden Sun Moth Offset(s), and must include:</p> <ul style="list-style-type: none"> a) baseline data and other supporting evidence that documents the baseline condition and extent of Golden Sun Moth habitat and population viability on the Golden Sun Moth Offset(s) b) description, key performance indicator, and timeframe for implementing specific management actions to improve the condition of Golden Sun Moth habitat within the Golden Sun Moth Offset(s), including but not limited to control of weed and pest species, control of access to the protected land, strategic fire and grazing management (acknowledging that such impacts may be positive or negative depending on circumstances) c) measures to ensure that actions taken have no detrimental impact on the populations or habitat of other listed threatened species and communities that are likely to occur or utilise the Golden Sun Moth Offset(s) 	N/A	Not yet required.
17	<p>The person taking the action must ensure the GSM Offset(s) is managed in accordance with the approved GSM Offset Management Plan for a period of at least 10 years from the date of execution of the Agreement</p>	N/A	Not yet required.

18a)	<p>If the GEVVVP Offset as per condition 7, and/or the NTGVVP Offset as per condition 11, and/or the GSM Offset as per condition 15 cannot be secured as an offset within 9 months of the date of this approval, and or if information required by condition 15(a) fails to demonstrate a viable population of Golden Sun Moth at the Darlington Property to the Department's satisfaction, the person taking the action must establish a Contingency Offset(s) with Trust for Nature for the residual offset requirements of the relevance condition.</p> <p>a) within 10 months of the date of this approval, the person taking the action must provide the Department with a proposal for the Contingency Offset(s), for the Department's approval. The proposal must include a copy of the draft Agreement with Trust for Nature that documents the property(s) identified to form the basis of the Contingency Offset(s), prior to signature by any parties. The plan must also include details of how the size and quality of the matters present at the side of the proposed Contingency Offset(s) will provide for the residual offset requirements of this approval, supported by surveys in accordance with the Department's guidelines and by a suitably qualified</p>	N/A	Not yet required.
------	---	-----	-------------------

18b)	<p>b) within 24 months of the date of this approval, the person taking the action must:</p> <ul style="list-style-type: none"> i. Enter into a written Agreement with Trust for Nature that documents the property(s) agreed by the Department to form the basis of the Contingency Offset(s). The person proposing to take the action must provide the Department with a signed copy of the Agreement and within 7 days of signature by all parties; ii. ensure that the properties(s) identified by Trust for Nature to form the basis of the Contingency Offset(s) are surveyed in accordance with the relevant survey guidelines by a suitably qualified ecologist to determine the baseline quality; iii. provide Trust for Nature with \$50,000 Australian dollars per hectare, for the number of hectares required by the Department for the Contingency Offset(s) (the funds), to be held until such time as the Contingency Offset(s) is approved by the Minister, at which time the money will form the basis of the payment to purchase environmental services from the landowner of the Contingency Offset(s). If the cost of purchasing the environmental services is greater than the funds, the person taking the action must provide additional funds to Trust for Nature as required. If the cost of purchasing the environmental services is less than the funds, the remaining funds must be returned to the person taking the action. The arrangements of the provision and expenditure of the funds must be set out in the Agreement; iv. enter into a Credit Trading Agreement with Trust for Nature and the landowner under the Nature Conservation Trust Act 1972, to secure 	N/A	Not yet required.
19	Within 30 calendar days after the commencement of construction activities, the person taking the action must advise the Department in writing of the actual date of commencement construction activities.	Yes	Construction activities commenced on 5 June 2014. DoE were notified in writing on 11 June 2014.

20		The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans and make them available on request to the Department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Yes	EPBC 2010/5741 approval folder has been created within VicRoads Quickdocs file storing system. All associated records are being saved at this location.
21		2013/2014 Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish an annual report of compliance on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the annual report of compliance is published. The annual report of compliance must document the outcomes of the management plan(s) against the performance indicators of the management plan(s).	Yes	This compliance report was made available on the VicRoads website on 25 September 2014.
22		The person taking the action must notify the Department in writing of any non-compliance with conditions as soon as practicable and no later than 2 business days of becoming aware of the non-compliance.	N/A	Not yet required.
23		Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	N/A	Not requested.

24		If the person taking the action wishes to carry out any activity otherwise in accordance with management plans as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approved the revised management plan, the management plan must be implemented in place of the management plan originally approved.	N/A	Not yet required.
25		If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and ecological communities and wetlands of international importance to do so, the Minister may request that the person taking the action make specified revisions to the management plans specified in the conditions and submit the revised management plans for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans must be implemented. Unless the Minister has approved the revised management plans then the person taking the action must continue to implement the management plans originally approved, as specified in the conditions.	N/A	Not requested.
26		Unless otherwise agreed to in writing by the Minister, the person taking the action must publish a copy of each approved management plan referred to in these conditions of approval on their website within 1 month of approval of the management plan. Each management plan(s) must be accessible to general members for a period of at least 10 years from the date of approval of the management plan(s). Any variation to management plans must be published on the website within 1 month of the variation being approved by the Minister.	N/A	This approved TSMPs were made available on the VicRoads website on 3 July 2014.
27		If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Yes	The action substantially commenced on 5 June 2014.

DG at Fiery Creek
Website
preclearance survey
spiny rice flower