

Warrell Creek to Nambucca Heads Pacific Highway Upgrade

Commonwealth Approval EPBC 2013/7101
Annual Compliance Report
February 2024 – February 2025

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Document control

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Terms and Abbreviations

BOS	Biodiversity Offset Strategy
CEMP	Construction Environmental Management Plan
Clear Milkvine	Marsdenia longiloba
Cryptic Forest Twiner	Tylophora Woollsii
DoEE	Federal Department of Environment and Energy
DPIE	State Department of Planning and Environment
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
FFMP	Flora and Fauna Management Plan
GBF	Giant Barred Frog
GBFMP	Giant Barred Frog Management Plan
Geolink	Geolink – Project Ecologist for WC2NH Project
GHFF	Grey-headed Flying-fox
Pacifico	Acciona Ferrovial Joint Venture (the TfNSW's road construction contractor for the project).
STQ	Spotted-Tail Quoll
TFMP	Threatened Flora Management Plan
WC2NH	Warrell Creek to Nambucca Heads Pacific Highway Upgrade Project

Contents

1. Introduction.....	3
1.1. Purpose of this document	3
1.2. Key dates.....	3
1.3. Responsibility for compliance	3
1.4. NSW planning approval	3
1.5. Definitions for action status conditions	4
1.6. Non Compliances with EPBC Conditions	4
2. Compliance Tracking Tables	5
2.1. Condition 1.....	5
2.2. Condition 2.....	7
2.3. Condition 3.....	8
2.4. Condition 4.....	23
2.5. Condition 5.....	24
2.6. Condition 6.....	25
2.7. Condition 7.....	26
2.8. Condition 8.....	27
2.9. Condition 9.....	28
2.10. Condition 10.....	29
2.11. Condition 11.....	30
2.12. Condition 12.....	31
2.13. Condition 13.....	33
2.14. Condition 14.....	34
2.15. Condition 15.....	35
2.16. Condition 16.....	36
2.17. Condition 17.....	37
2.18. Condition 18.....	38
2.19. Condition 19.....	39
2.20. Condition 20.....	41
2.21. Condition 21.....	42
2.22. Condition 22.....	43
2.23. Condition 23.....	44
2.24. Condition 24.....	45
2.25. Condition 25.....	46
2.26. Condition 26.....	47
Attachment 1 Ecological Monitoring Report 2024 -2025.....	48

1. Introduction

1.1. Purpose of this document

The purpose of this document is to facilitate demonstration by Transport for New South Wales (TfNSW) of satisfactory compliance with the Commonwealth approval conditions for the Warrell Creek to Nambucca Heads Pacific Highway Upgrade project (the Project) with particular reference to Condition 19 and 20. This report covers the eight reporting period from February 2024 to February 2025.

For each condition, one or more actions are identified which, once implemented, will achieve satisfactory compliance with the condition. Where appropriate, the timing for completion of individual actions is identified.

For each action, the minimum relevant documentation to support demonstration of compliance is identified. This documentation would inform any future compliance audit.

Where an approval condition makes reference to information being provided to the Commonwealth Minister for the Environment, the associated action(s) assumes that this information will be provided, in the first instance, to the Commonwealth Department of the Environment.

1.2. Key dates

The timing for compliance with certain approval conditions is linked to specific dates as follows:

- Commonwealth approval: 11 Dec 2014
- Start of construction: 9 Feb 2015
- Scheduled completion of construction: 9th April 2021
- Expiry of Commonwealth approval 31 Dec 2064

1.3. Responsibility for compliance

Responsibility for compliance with all approval conditions sits with TfNSW.

1.4. NSW planning approval

Condition 3 and 4 (of the Commonwealth approval) provides for the use of plans, strategies or reports required under the NSW approval to satisfy the requirements of the Commonwealth approval, subject to provision of a separate document demonstrating how the document addresses the relevant Commonwealth approval requirements.

Specialists in the fields of flora and fauna have been engaged by TfNSW and the construction contractor to undertake various ecology-related management activities with regard to complying with the NSW planning approval and the CEMP.

This document contains actions relevant to compliance with the NSW planning approval that are also considered to satisfy compliance with Commonwealth approval requirements.

1.5. Definitions for action status conditions

TBA	To Be Arranged - Further works required prior to starting action.
In progress	Action initiated but not yet complete.
Ongoing	Action in place but ongoing works required to ensure compliance.
Complete	Action completed.

1.6. Non Compliances with EPBC Conditions

No non-compliances against the approval conditions were identified during the ninth reporting period (February 2024 – February 2025).

2. Compliance Tracking Tables

The following sections provide a compliance status for the reporting period for the 26 conditions of approval. Note: where relevant, the conditions have been amended to reflect the current approval variation.

2.1. Condition 1

The approval holder must not clear more than:

- a) 17.80 hectares (ha) of **Slender Marsdenia/Clear Milkvine and Woolls Tylophora/Cryptic Forest Twiner habitat**;
- b) 106.6 ha of **Koala habitat**, including 86.50 ha critical to the survival;
- c) 106.6 ha of **Grey-headed Flying-fox habitat**, comprised of 103.50 ha of foraging habitat critical to survival and 3.10 ha of roosting habitat critical to survival;
- d) 114.1 ha of **Spotted-tail Quoll habitat**;
- e) 0.70 ha of **Giant Barred Frog habitat**;
- f) 3.40 ha of Australian Painted Snipe (*Rostratula australis*) wetland habitat;
- g) 5.3 ha of habitat for the Regent Honeyeater (*Anthochaera phrygia*) and Swift Parrot (*Lathamus discolor*) wintering habitat, comprising dry sclerophyll forests containing Swamp Mahogany; and
- h) 26.1 ha of Milky Silkpod (*Parsonsia dorrigoensis*) habitat, comprising Mixed Floodplain Forest, Flooded Gum Open Forest and White Mahogany/Grey Gum/Ironbark Open Forest.

	Action	Timing	Status	Compliance evidence
1.1	Progressive review of area cleared	Regularly during construction	Compliant	Record of clearing numbers provided in monthly report from Contractor to TFNSW. Refer to Table 1.1 below for clearing quantities for the reporting period.
1.2	Confirm clearing limitation targets have been met	Post-construction	Compliant	As built survey of actual clearing area. Table 1.1

Table 1.1: Clearing Quantities for the reporting period.

Habitat Type	Completed Clearing Quantities		
	Limit (ha) as per Condition 1 Approval	Clearing Quantity (ha)	Current Difference showing remaining habitat (ha) under Condition 1 Approval
Slender Marsdenia/Clear milkvine and Woolls Tylophora/Cryptic Forest Twiner habitat	17.80	17.65	0.15
Koala	106.60	83.44	23.16
Koala (Critical Habitat)	86.50	60.18	26.32
Grey-headed Flying-fox	106.60	83.44	23.17
Grey-headed Flying-fox (foraging habitat critical to survival)	103.50	81.33	22.17
Grey-headed Flying-fox (roosting habitat critical to survival)	3.10	2.10	1.00
Giant Barred Frog	0.7	0.64	0.06
Spotted –tail Quoll habitat	114.10	90.28	23.82
Australian Painted Snipe (Rostratula australis)	3.4	2.84	0.56
Regent Honeyeater (Anthochaera phrygia) and Swift Parrot (Lathamus discolor)	5.30	4.34	0.96
Parsonsia dorrigoensis (Milky Silkpod)	26.1	24.11	1.99

NOTE: The above clearing data represents clearing undertaken up to February 2021. Clearing quantities for all habitat types are below the limits as specified in condition one.

No further clearing will be undertaken as part of the project.

2.2. Condition 2

Within 30 days of the **complete on of construction**, the **approval holder** must:

- a) notify the **Minister** in writing of the **completion of construction**; and
- b) provide a report (supported by maps) that clearly shows the location of all **threatened species**, including the number of individuals of threatened flora and their **habitat cleared** as a result of **action**, which demonstrates compliance with Condition 1.

	Action	Timing	Status	Compliance evidence
2.1	Prepare works as executed Environmental and Clearing Plans to show extent of clearing.	Apr 2021	Complete	Report & supporting mapping
2.2	Calculate final clearing quantity and include in summary table.	Apr 2021	Complete	Report & supporting mapping
2.3	Provide written notification (letter) of completion of construction and report to Dept. of the Environment	Apr 2021	Complete	This Report Completed document transmittal form or equivalent

Completion of construction works was on 9th April 2020. A report was provided in the 2020/21 Annual report that demonstrated that TfNSW are compliant with condition one and two.

2.3. Condition 3

The **approval holder** must undertake the **action** and implement all mitigation measures in accordance with the **Koala Management Plan, Grey-headed Flying-Fox Management Plan, Spotted-tail Quoll Management Plan** and **Giant Barred Frog Management Plan**. These **Plans** must be implemented.

Action		Timing	Status	Compliance evidence
3.1	Implement the Koala Management Plan	Pre-construction, Construction and Operation	Compliant Ongoing	Sensitive Area Plans Koala Monitoring Reports Roadkill Quarterly/Annual Reports Biodiversity Offset Strategy Underpass Monitoring Reports Urban Design and Landscape Plan See summary below
3.2	Implement the Grey-Headed Flying Fox Management Plan	Pre-construction, Construction and Operation	Compliant	Sensitive Area Plans Ecological Monitoring Report Roadkill Quarterly/Annual Reports Biodiversity Offset Strategy Urban Design and Landscape Plan See summary below
3.3	Implement the Spotted-tail Quoll Management Plan	Pre-construction, Construction and Operation	Compliant Ongoing	Roadkill Quarterly Reports Biodiversity Offset Strategy Urban Design and Landscape Plan Underpass Monitoring Reports See summary below

3.4	Implement the Giant Barred Frog Management Plan	Pre-construction, Construction and Operation	Compliant Ongoing	Giant Barred Frog Monitoring Reports Roadkill Quarterly/Annual Reports Biodiversity Offset Strategy Urban Design and Landscape Plan Underpass Monitoring Reports See summary below
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Compliance Tracker

Table 3.1: Compliance with the Koala Management Plan

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Design Phase/Pre-construction	Minimise areas of Koala habitat to be cleared where feasible and reasonable during the detailed design phase.	The Project design has minimised clearing quantities as much as possible by ensuring the construction corridor is as narrow as possible. Ancillary sites have been located in areas where clearing is minimal.	Design Drawings
Pre-construction	All ancillary sites to be located outside of mapped Koala habitat.	Ancillary sites have been located in areas of minimal clearing and have minimised clearing of Koala habitat trees.	Sensitive Area Plans Ancillary Facility Register
Pre-Construction	Prior to any clearing taking place, the Project Ecologist will undertake an inspection of vegetation, to be cleared, to determine if work activities do not constitute "Construction" as defined in the planning approval under the NSW EP&A Act and are excluded from the Referral under the Federal EPBC Act.	Prior to construction commencing, only minor clearing (<150mm DBH) was undertaken. The Project Ecologist inspected all areas of clearing to ensure no Koala habitat was removed during Pre-construction activities.	Early Works Permits
Pre-Construction/	The limits of clearing are to be clearly marked on all relevant work plans and protective	The clearing limits have been included on the Sensitive Area Plans and	Sensitive Area Plans

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Construction	fencing erected to mark these limits (i.e. 'no-go' areas).	marked in the field using yellow flagging.	Early Works Permits Pre-clearing and Ground Disturbance Permits
Detailed Design/Pre-construction	Areas for Koala habitat restoration/connectivity are to be identified and included in the detailed design.	Habitat connectivity planting has been included in the Urban Design and Landscape Plan	Urban Design and Landscape Plan
Pre-construction/ Construction	Preparation of an EWMS would be undertaken for all work/construction activities and would include where necessary measures to minimise risk to Koalas.	An EWMS has been prepared for all work activities which includes measures to protect flora and fauna in accordance with the Flora and Fauna Management Plan (FFMP)	EWMS
	Induction of all personnel involved with pre-construction/construction activities would be undertaken to advise on Koala management requirements	Project Induction includes information about identification of Koala's on site.	Project Induction
	For any areas of vegetation to be cleared during the pre-construction stage of the Project, a suitably qualified ecologist will undertake a search for native fauna (including Koalas) in the vicinity of clearing immediately prior to clearing commencing. During the construction stage, pre-clearing surveys will be undertaken within 48 hours of any clearing commencing (These are to include spotlighting surveys within suitable habitat on the night prior to clearing operations commencing in a given area.) In the event that a Koala is identified within 50 metres of a works area, works will be rescheduled until the	The Project Ecologist undertakes inspections of all areas to be cleared and signs off on the Pre-clearing Inspection Checklist prior to commencement. No Koala's have been identified on site during clearing operations.	Pre-clearing and Ground Disturbance Permit

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	<p>construction stage of the Project.</p> <p>During the construction phase clearing works, the suitably qualified expert or an experienced wildlife handler under the supervision of the suitably qualified expert will be available to retrieve and provide appropriate care of any displaced matters of NES and release the fauna into adjacent habitats safe from construction work.</p> <p>Immediately prior to (within 2 hours) of clearing commencing in a given area, an additional ecologist inspection is to be undertaken to confirm that clearing areas remain free of fauna (including Koalas).</p> <p>Where Koalas are identified no works would be undertaken within 50 metres of the animal and the measures within the Fauna Management Protocol for Koalas (refer to Table 4.1 of Koala Management Plan) would be implemented.</p> <p>Should relocation of Koalas be required, a Koala Relocation Strategy included in Appendix C of the Koala Management Plan would be implemented.</p>		
Pre-construction and Construction	<p>Koala Management Protocol to be implemented requiring all personnel to report Koalas (including road kill).</p> <p>An assessment of future road kill risks including adaptive management actions is to be provided by the Project Ecologist where:</p> <ul style="list-style-type: none"> - A Koala is detected within/near the site, or - Koala road kill is detected. 	<p>No Koala roadkill has been identified on the Project during Pre-construction and Construction Phase of the Project.</p> <p>No concrete barriers have been placed through Koala habitat areas.</p>	Roadkill records and quarterly/annual reports.

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	Prior to the construction of fauna passage locations and installation of fauna fence, where continuous lines of jersey barriers are to be installed, gaps are to be provided to allow escape of any animals off the highway. Where gaps cannot be provided, a suitable material will be placed over the barrier to allow Koalas to climb over the barrier.		
Pre-construction/ Construction/ Operation	Appropriate habitat offsets to be identified by including targeted Koala surveys (GeoLINK 2014) using recognised survey approaches to confirm usage of potential offset properties.	Offset properties set up Koala's identified on Norton Property. Refer to CoA 14 for further details	Monitoring Records
Construction Operation	<p>Progressive rehabilitation of identified areas (refer to Appendix B of the Koala Management Strategy) during the construction stage using collected topsoil and seed at specific sites and to develop different successional stages of rehabilitation. Key rehabilitation measures would include:</p> <ul style="list-style-type: none"> - Progressive revegetation/rehabilitation during the construction phase using collected topsoil and seed at specific sites and to develop different successional stages of rehabilitation. - Planting of locally occurring species, including plants representative of groundcover, understorey and canopy strata. - Planting of preferred food trees for native fauna, including appropriate eucalypt species for the Koala. - Plantings are to be undertaken around fauna 	<p>Progressive rehabilitation of the site has commenced. The worksite will be rehabilitated in accordance with the Urban Design and Landscape Plan.</p> <p>Landscape rehabilitation is monitored monthly with a quarterly report developed during the third year of construction.</p> <p>Weed management is undertaken in accordance with the Weed and Pathogen Management Plan (WPMP).</p>	<p>Urban Design and Landscape Plan</p> <p>Site Inspection Records</p> <p>TFNSW Specification G36 Weed Management Records</p>

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	<p>crossing structures to optimise utilisation of these structures.</p> <ul style="list-style-type: none"> - Monitoring and maintenance of plantings. - Managing and controlling weeds. 		
Pre-Construction Detailed Design/ Construction	<p>EPA will be consulted during the detailed design phase on fauna crossing structure specific requirements for fauna furniture and treatments in and around fauna crossing structures. This will include, but not necessarily be limited to requirements for refuge poles and/or horizontal rails, pathways and appropriate plantings and/or \sizing /placement of scour rock & treatment of the substrate e.g. soil and/or mulch over the concrete floor and apron.</p> <p>Advice will be provided by the project ecologist on fauna furniture to be installed within fauna crossing structures.</p>	<p>The EPA/Fisheries have been consulted with and have provided input into the detailed design of the fauna crossing structures including the fauna furniture design.</p> <p>The Fauna Connectivity Report prepared by TFNSW includes detailed information of the consultation process undertaken with the EPA and Fisheries in relation to the fauna crossing structures.</p> <p>The Project has made prototype panels to demonstrate different types of stone pitching that was to be placed in the low flow channel of Butchers Creek. The prototype panels were shown to the EPA and Fisheries to determine the preferred option for frog and fish passage in this waterway.</p> <p>The fauna furniture design has been demonstrated on site using a prototype and shown to the EPA. The EPA are satisfied with the general arrangement.</p> <p>The fauna drop down design has been demonstrated on site using a prototype and shown to the EPA. The</p>	<p>Detailed Design Drawings</p> <p>ERG Minutes</p> <p>Fauna Connectivity Report</p> <p>Underpass Monitoring Reports</p>

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
		EPA are satisfied with the general arrangement.	

Table 3.2: Compliance with Grey Headed Flying Fox Management Plan

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Pre-construction	Identify exclusion zones and install exclusion fencing or marking. Exclusion fencing or marking is intended to exclude construction activities from occurring in flying-fox habitat.	Orange flagging and no-go zone signage placed prior to the commencement of construction activities. Flagging was removed when confirmation received that the flying foxes were not utilising the roost on site.	Inspection records Sensitive Area Plans
Detailed Design/ Pre-construction	Minimise through detailed design the incidence of clearing vegetation containing Swamp Mahogany, Melaleuca quinquenervia, Banksia integrifolia and Eucalyptus tereticornis that contribute to foraging habitat during known food bottle necks (i.e. winter period).	The width of the road corridor through the flying fox roost area has been minimised. The total quantity of clearing foraging habitat for GHFF has been minimised.	Sensitive Area Plans Detailed Design Drawings
Pre-construction/ Construction	Construction related infrastructure to be planned and sited within cleared or disturbed areas of the ancillary site. Particularly away from water sources and flying-fox movements areas.	Ancillary sites have been located away from the GHFF roost area and potential habitat.	Consistency review documents for Ancillary site facilities. Ancillary Facility Register
Construction	Pre-clearing and clearing surveys of all vegetation within the clearing footprint conducted as per protocol. Implement contingency plan for moving flying-fox out of the clearing corridor during vegetation	Pre-clearing and ground disturbance permits have been signed off by the Project Ecologist prior to commencing clearing activities. Project Ecologist present during clearing operations in GHFF habitat. No GHFF have been moved	Pre-clearing and ground disturbance checklists.

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	clearing/construction, refer to Appendix C of the GHFF Management Plan.	from the Project site for clearing operations	
Detailed Design	To minimise the risk of flying-fox vehicle strike during take-off from roosting/foraging, road corridor revegetation and ornamental planting is not to include plants that flower prolifically and produce nectar food sources likely to attract flying-foxes.	The Urban Design and Landscape Plan has considered revegetation that is suitable for the GHFF. Tree species have been located away from the sides of the roadway. Fauna exclusion fencing has been designed for this area.	Urban Design and Landscape Plan Road Furniture Design Package (RF01)
Construction	Exclusion zones fenced off and/or clearly marked. Fencing and marking monitored with breaches repaired.	The clearing limits have been clearly marked with yellow flagging and no-go zone signage. Rural fencing has been installed to prevent access beyond the Project Boundary into the exclusion zone.	Inspection records
Construction	Installation of temporary exclusion fencing around ancillary facilities.	No Ancillary Site Facilities have been placed in the vicinity of GHFF habitat.	Sensitive Area Plans
Construction	Impacts to the flying-fox camp from construction noise, vibration and light would be managed through maintaining exclusion zone buffers and fencing. Only low noise / low disturbance construction activities to occur within the exclusion zone buffer during mid-September to the following April. Inclusion of cross drainage and the provision of a permeable, free draining rock platform in the vicinity of the camp. Implement contingency plan for moving flying-fox out of the clearing corridor and 100 metre buffer during vegetation clearing/ construction, refer to Appendix C of the GHFF Management Plan.	No GHFF have been detected using the camp since prior to the commencement of construction. The GHFF colony has been detected using an alternative roost location and have not returned to the roost adjacent to the worksite. During the last reporting period, the GHFF Management Plan has been updated to permit the project to undertake activities such as haulage through the site buffer zone if the GHFF population returns to the roost site. This update was approved in January 2017.	GHFF Monitoring Reports
Construction	Implement water quality procedures from the CEMP.	Regular inspections of the erosion and sediment controls in the area is ongoing throughout construction. Water quality	Inspection records Water Quality

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
		monitoring is currently ongoing.	Monitoring Records

Table 3.3: Compliance with Spotted-tail Quoll Management Plan

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Detailed Design and Construction	Minimise areas of vegetation (STQ habitat) to be cleared where feasible and reasonable during the detailed design and construction phase. Design changes (e.g. additional ancillary facilities, batch plants etc. to avoid clearing of vegetation (STQ habitat)).	The Project design has minimised clearing quantities as much as possible by ensuring the construction corridor is as narrow as possible. Ancillary sites have been located in areas where clearing is minimal and avoids STQ habitat.	Detailed Design Ancillary Facility Register
Pre-construction	All ancillary sites to be located outside of STQ habitat.	Ancillary sites have been located in areas where clearing is minimal and avoids STQ habitat.	Ancillary Site Facility Consistency Reviews Ancillary Facility Register
Pre-construction	Prior to any clearing taking place, the Project Ecologist will undertake an inspection of vegetation to be cleared to determine if work activities do not constitute "Construction" as defined in the planning approval under the NSW EP&A Act and are excluded from the Referral under the Federal EPBC Act.	Prior to construction commencing, only minor clearing (<150mm DBH) was undertaken. The Project Ecologist inspected all areas of clearing to ensure no STQ habitat was removed during Pre-construction activities.	Early Works Permits
Construction	The limits of clearing are to be clearly marked on all relevant work plans and protective fencing erected to mark these limits (i.e. no-go areas). Fauna habitat resources for the STQ to be marked by the ecologist and retained within areas adjacent to the clearing footprint and within the Project boundary where appropriate.	The clearing limits have been included on the Sensitive Area Plans and marked in the field using yellow flagging. Habitat resources are marked by the Project Ecologist where appropriate	Sensitive Area Plans Pre-clearing and Ground Disturbance Permit

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Detailed Design	Areas for STQ habitat restoration/connectivity are to be identified and included in the detailed design.	Habitat connectivity planting has been included in the Urban Design and Landscape Plan	Urban Design and Landscape Plan
Construction	Preparation of an EWMS would be undertaken for all work activities and would include where necessary measures to minimise risk to the STQ.	An EWMS has been prepared for all work activities which includes measures to protect flora and fauna in accordance with the Flora and Fauna Management Plan (FFMP).	EWMS
	Induction of all personnel involved with activities would be undertaken to advise of STQ management requirements.	Project Induction includes information about identification of STQ on site.	Project Induction
	For any area of vegetation to be cleared during the pre-construction stage of the project, a suitably qualified ecologist will undertake a search for native fauna (including STQ) in the vicinity of clearing immediately prior to clearing commencing. During construction a suitably qualified ecologist will undertake pre-clearing surveys for threatened fauna species (including STQs) prior to (within 48 hours) any clearing commencing. For the STQ, these would focus on dens, large hollow-bearing trees, scats and any other potential habitat features such as rock formations. Immediately prior to (within 2 hours) of clearing commencing within a given clearing area an additional ecologist inspection is to be undertaken to confirm that clearing areas remain free of fauna (including STQs). In the event that a STQ is identified, no works would be undertaken within 200 metres of the animal and the measures within the Fauna Management Protocol for STQs (refer to Table 4.1) would be implemented. For any STQ detected on/near the	The Project Ecologist undertakes inspections of all areas to be cleared and signs off on the Pre-clearing Inspection Checklist prior to commencement. No STQ have been identified on site during clearing operations.	Pre-clearing and ground disturbance Permit

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	site the protocol shown in Table 4.1 is to be implemented.		
Construction	STQ Management Protocol (Table 4-1) to be implemented requiring all personnel to report STQs (including road kill). Assessment of future road kill risk including adaptive management actions to be provided by Project Ecologist where STQ road kill is detected.	No STQ roadkill has been identified on the Project.	Roadkill records and quarterly reports
Construction	<p>Progressive rehabilitation of identified areas refer to Appendix C) during the construction stage using collected topsoil and seed at specific sites and to develop different successional stages of rehabilitation. Key rehabilitation measures would include:</p> <ul style="list-style-type: none"> - Progressive revegetation/rehabilitation during the construction phase using collected topsoil and seed at specific sites and to develop different successional stages of rehabilitation. -Planting of locally occurring species, including plants representative of groundcover, understorey and canopy strata. - Plantings are to be undertaken around fauna crossing structures to optimise utilisation of these structures. - Monitoring and maintenance of plantings. Managing and controlling weeds. 	Progressive rehabilitation of the site has commenced. The site will be rehabilitated in accordance with the Urban Design and Landscape Plan which includes habitat connectivity planting around the fauna passage structures.	<p>Inspection records</p> <p>Urban Design and Landscape Plan</p>

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Detailed Design and Construction	<p>EPA will be consulted during the detailed design phase on fauna crossing structure specific requirements for fauna furniture and treatments in and around fauna crossing structures. This will include, but not necessarily be limited to requirements for refuge poles and/or horizontal rails, pathways and appropriate plantings and/or sizing /placement of scour rock & treatment of the substrate e.g. soil and/or mulch over the concrete floor and apron.</p> <p>Advice will be provided by the project ecologist on fauna furniture to be installed within fauna crossing structures.</p>	<p>The EPA/Fisheries has been consulted with and have provided input into the detailed design of the fauna crossing structures including the fauna furniture design.</p> <p>The fauna furniture design has been demonstrated on site using a prototype and shown to the EPA. The EPA are satisfied with the general arrangement.</p> <p>The fauna drop down design has been demonstrated on site using a prototype and shown to the EPA. The EPA are satisfied with the general arrangement.</p>	Detailed design drawings

Table 3.4 Compliance with the Giant Barred Frog Management Plan

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
Pre-construction	No areas of Giant Barred Frog habitat to be cleared during preconstruction	No areas of GBF were cleared during pre-construction	Early Works Permits
Pre-construction/ Construction	All ancillary sites to be located outside of mapped Giant Barred Frog habitat.	Ancillary sites are located outside of the mapped GBF habitat.	Sensitive Area Plans Ancillary Facility Register
Pre-construction/ Construction	Perform field surveys at nominated biodiversity offset sites	Offset properties have been surveyed and area of potential habitat assessed	Shown on draft offset management plans
Construction	Any design changes required during the construction stage would minimise clearing of Giant Barred Frog habitat where feasible and reasonable	The clearing of GBF habitat has been minimised where possible. Only necessary infrastructure has been placed in the GBF habitat area.	Sensitive Area Plans
Construction	Preparation of an EWMS would be undertaken for all construction activities to clearly communicate relevant	An EWMS has been prepared for all work activities which includes measures to protect flora	EWMS Project Induction

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	<p>measures within this plan to work crews</p> <p>Ongoing induction of all personnel involved with construction activities would be undertaken to advise of Giant Barred Frog management requirements</p> <p>Early Works – Establishing Site Controls (Temporary Frog Fencing) (4.4.2)</p> <p>Pre-clearing Survey for Giant Barred Frogs (4.4.3)</p> <p>Clearing Supervision in Giant Barred Frog areas</p> <p>Dewatering Procedures in Giant Barred Frog areas (4.5.5)</p> <p>Permanent Frog Fencing (4.5.6)</p> <p>Unexpected Finds Procedure (4.5.7) (4.5.4)</p> <p>All mitigation measures applied during construction as per Table 5-1</p>	<p>and fauna in accordance with the Flora and Fauna Management Plan (FFMP).</p> <p>Project Induction includes information about identification of GBF on site.</p> <p>Temporary frog fencing has been installed prior to the commencement of clearing.</p> <p>The Project Ecologist undertakes inspections of all areas to be cleared and signs off on the Pre-clearing Inspection Checklist prior to commencement.</p> <p>The Project Ecologist has supervised the clearing operations in the GBF habitat.</p> <p>Surveys are undertaken with input sought from the Project Ecologist when the frog fencing is reinstated after a flood event.</p>	<p>Pre-clearing and Ground Disturbance Permit</p> <p>Site Inspection Record</p> <p>Urban Design and Landscape Plan</p>
Construction	<p>Giant Barred Frog road kill to be reported to the Project Ecologist during daily/weekly monitoring</p> <p>An assessment of future road kill risks including adaptive management actions is to be provided by the Project Ecologist where:</p> <ul style="list-style-type: none"> - A Giant Barred Frog is detected within/ near the site; or - Giant Barred Frog road kill is detected 	No GBF roadkill has been identified on the Project.	Roadkill records and quarterly report.
Construction Operation	Progressive rehabilitation of identified areas (refer to Appendix C of the GBF Management Plan) Key rehabilitation measures will include planting of the northern	Progressive rehabilitation of the site has commenced. The site will be rehabilitated in accordance with the Urban Design and Landscape Plan which considers GBF habitat in the	<p>Urban Design and Landscape Plan</p> <p>Giant Barred Frog</p>

Timing	Mitigation Measure	Implementation Comment	Compliance Evidence
	bank of Upper Warrell Creek on either side of the bridge Progressive revegetation/ rehabilitation during construction Use of locally endemic native species representative of those currently growing along Upper Warrell Creek Monitoring and maintenance of plantings Managing and controlling weeds	rehabilitation of Upper Warrell Creek.	Monitoring Reports.

The Ecological Monitoring Annual Report 2024 - 2025 provided in Attachment 1 contains the results of the monitoring undertaken for the Management Plans during the reporting period.

2.4. Condition 4

To mitigate impacts to **threatened species**, the **approval holder** must submit the Flora and Fauna Management Sub Plan and Construction Environment Management Plan to the **Department** for approval prior to **commencement**. The Plans must include the additional mitigation measures not included in the **management plans** and as described in the **Biodiversity Offset Strategy**. The approved **plans** must be implemented.

	Action	Timing	Status	Compliance evidence
4.1	Submit Flora and Fauna Management Plan and Construction Environment Management Plan to the Department	Prior to commencement	Compliant Complete	The CEMP and FFMP were submitted to DoEE on the 17 & 22 December 2014.
4.2	Plans must include the additional mitigation measures not included in the management plans as described in the Biodiversity Offset Strategy.	Prior to commencement	Compliant Complete	The plans were accepted by DoEE on the 9 January 2015.
4.3	Implement the FFMP and CEMP	Construction	Compliant Complete	Compliance with the FFMP and CEMP is continuously monitored on site. The Project has an independent Environmental Representative to monitor compliance with these documents.

2.5. Condition 5

In the event of any inconsistency, ambiguity or discrepancy between the **management plans** and the Flora and Fauna Management Plan or the Construction Environmental Management Plan, the **management plans** have precedence.

	Action	Timing	Status	Compliance evidence
5.1	Identify discrepancies in the CEMP/FFMP and Management Plans	Construction	Compliant Complete	No discrepancies noted

2.6. Condition 6

Prior to commencement, the approval holder must amend the monitoring program proposed in the Threatened Flora Management Plan to:

- a) include detailed monitoring methodology designed to monitor the success of the management and mitigation measures proposed for pre-construction, construction and operations; and
- b) ensure all performance thresholds, corrective actions and monitoring/timing frequency are specific, measurable, auditable, enforceable and time-bound to monitor the success of the management and mitigation measures proposed.

Action	Timing	Status	Compliance evidence
6.1 Update the TFMP to include detailed monitoring methodology designed to monitor the success of the management and mitigation measures	Prior to commencement	Compliant Complete	The TFMP has been approved by DoEE on the 9 January 2015;
6.2 Update the TFMP to ensure all performance thresholds, corrective actions and monitoring/timing frequency are specific, measurable auditable, enforceable and time-bound	Prior to commencement	Compliant Complete	The TFMP has been approved by DoEE on the 9 January 2015.

2.7. Condition 7

The **approval** holder must not **commence** the **action** until the **Threatened Flora Management Plan** has been approved by the **Minister**. The approved **Threatened Flora Management Plan** must be implemented.

	Action	Timing	Status	Compliance evidence
7.1	The action must not commence until the TFMP is approved by the Minister	Prior to commencement	Compliant Complete	The TFMP was approved by DoEE on the 9 January 2015.
7.2	Implement the TFMP	Construction Operation Phase	Compliant Ongoing	Translocation Annual Report Ecological Monitoring Report

Further details on the monitoring undertaken during the reporting period are provided in the Annual Ecological Monitoring Report in Attachment 1.

2.8. Condition 8

The **approval holder** must monitor all mitigation measures until they are demonstrated to be successful, and with written agreement from the **Department**.

	Action	Timing	Status	Compliance evidence
8.1	Monitor implementation of the mitigation measures	Construction and Operation	Compliant Ongoing	Ecological Monitoring Annual Report This Report
8.2	Obtain written agreement from the Department that all mitigation measures have been demonstrated as successful	Completion of construction and operation	TBA	Written agreement with the Department

2.9. Condition 9

If **MNES** not previously identified and reported to the **Department**, are found in the **action** area, the **approval holder** must notify the **Department** in writing within five business days of finding the **MNES**, and within a further 30 business days, the **approval holder** must outline in writing how **impacts** to these **MNES** will be avoided, mitigated and/or **offset**.

	Action	Timing	Status	Compliance evidence
9.1	Notify the Department in writing within five business days of finding MNES	Pre-Construction, Construction, Operation	Ongoing	No additional EPBC listed species have been identified during the reporting period.
9.2	Outline in writing within 30 business days how the impacts to MNES will be avoided, mitigated and/or offset	Pre-Construction, Construction, Operation	Ongoing	No additional EPBC listed species have been identified during the reporting period.

2.10. Condition 10

Prior to **commencement**, all **management plans** must be made publicly available on the **approval holder's website**, for 10 years following **commencement**. The monitoring results must also be made available on request for the duration of the **approval**.

	Action	Timing	Status	Compliance evidence
10.1	Upload Management Plans on to the public website	Construction Operation	Compliant Complete	All management plans uploaded to the TFNSW website.
10.2	Monitoring results must be made available on request for the duration of the approval	Construction Operation	Compliant Ongoing	Monitoring results are available on request.

2.11. Condition 11

The **approval** holder must make all monitoring results required by the **management plans** publicly available on the **approval holder's website** within two months of the monitoring event, for 10 years following **commencement**. The monitoring results must also be made available on request for the duration of the **approval**.

Action		Timing	Status	Compliance evidence
11.1	All monitoring results to be uploaded to the Project website	Construction	Compliant	Monitoring data has been published on the project website in accordance with the timeframes at the link at Note 1.
		Operation	Ongoing	
				Monitoring results are available on request.

<https://www.pacifichighway.nsw.gov.au/project-sections/port-macquarie-to-coffs-harbour/warrell-creek-to-nambucca-heads>

2.12. Condition 12

To compensate for the loss of threatened species habitat, within 12 months of the approval of the action, the approval holder must submit to the Minister for approval a Biodiversity Offset Package. The Package must:

- a) provide known **habitat** and compensate for the residual significant **impacts** on the **threatened species** and their **habitat** in Condition 1a) to e);
- b) demonstrate consistency with and meets the requirements of the **EPBC Act Environmental Offsets Policy**;
- a) detail the **offset attributes** (including maps in electronic Geographic Information System (GIS) format with accompanying **shapefiles**), site descriptions environmental values relevant to **threatened species** being **offset**, connectivity with other **habitat** and biodiversity corridors;
- b) include detailed surveys and quantitative and qualitative descriptions of any proposed **offset areas** which clearly identify **baseline** conditions. This must include:
 - i. a **baseline** description (prior to any management activities) of the current **quality** of the **habitat** for each relevant **threatened species** in each **offset area**, including the location of survey points (GPS reference);
 - ii. the quantity (in hectares) of suitable **habitat** present within the **offsets areas** for the **threatened species** the **quality** of the **habitat** for the relevant **threatened species** found within the **offset areas**;
 - iii. vegetation condition mapping; and
 - iv. photo reference points.
- c) be prepared by a **suitably qualified ecologist**;
- d) include conservation and management measures for long-term protection and adaptive management of the **offsets** to improve **habitat** for **threatened species** within the **offset areas** from **baseline** conditions, including but not limited to:
 - i. a map showing **offset areas** to be managed;
 - ii. conservation management actions for each **offset area** and the details of methods to be used;
 - iii. **offset** management must be consistent with **threat abatement plans** for **threatened species**;
 - iv. the timing of management activity for each **offset area** and anticipated timeframes for achieving performance objectives;
 - v. clear performance measures and performance indicators for each **offset area** including contingency actions, criteria for triggering contingency actions and a commitment to the implementation of these actions in the event that performance objectives are not met that will enable maintenance and enhancement of **habitat** within the **offset area**, as well as contribute to the better protection of individuals and/or populations of **threatened species** and their **habitat**;
 - i. a monitoring program to assess the effectiveness of the management actions measured against the **baseline** condition. This must include, but not be limited to, control sites and periodic ecological surveys to be undertaken by a **suitably qualified ecologist**;
 - ii. a risk assessment and a description of the contingency measures that would be implemented to mitigate these risks;
 - iii. details of the various parties responsible for the management, monitoring and implementing the management activities,

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- including their experience and qualifications and employment or engagement status; and
 - iv. details of qualifications and experience of persons responsible for undertaking monitoring, review, and implementation of the Biodiversity Offset Package, including the role of the **independent expert** in preparing, reviewing, and implementing the Biodiversity Offset Package; and
 - a description of protection and funding arrangements or agreements including work programs and responsible entities

Action	Timing	Status	Compliance evidence
12.1 Submit a BOP to Minister of DoEE for approval	Within 12 months of the approved action	Compliant Complete	The action was approved on 11 December 2014. The Biodiversity Offset Package was submitted for approval on 11 December 2015.

2.13. Condition 13

The **approval holder** must implement the approved Biodiversity Offset Package within 24 months of the date of this **approval**.

Action		Timing	Status	Compliance evidence
13.1	Implement the actions approved under the BOP	Within 24 months off approval	Compliant –	<p>The BOP was approved by DoEE on 5/7/2017 and has been implemented.</p> <p>The Norton offset site was secured as a BioBanking Agreement on 18 February 2019 and the Swain offset site was secured as a BioBanking Agreement on 22 February 2019.</p> <p>Ecosystem credits from the WC2NH area of both Norton and Swain were retired on 2 September 2021.</p> <p>The Boambee SF offset area was gazetted as the Yuraarla Flora Reserve on 15 April 2020.</p>

A revised draft was submitted to DoEE for approval in November 2016. The revised Plan was approved by DoEE on 5 July 2017.

2.14. Condition 14

If an **offset** site proposed as a part of the Offset Package is already required to be protected as a result of a separate **EPBC Act** approval, only the management actions which can be demonstrated to be additional to those required for the separate approval, can be considered as an **offset** for this project. The legal protection of the site and management action required for separate approvals cannot be considered a part of the **offsets**, in accordance with the **Environmental Offsets Policy**.

Action	Timing	Status	Compliance evidence
14.1 Allocate offsets under the BOP from one section of a designated property. No cross over of allocation to occur.	Pre During and post construction	Compliant	There is no overlap between the WC2NH offset areas and any other project's offset areas.

To comply with the EPBC Act offset policy, TFNSW has allocated separate areas of the Norton property (503 ha in total) to each project as follows:

NH2U: 281 ha (includes 5 ha domestic exclusion area)
WC2NH: 185 ha
OH2K: 37 ha

A map showing the area dedicated to each property was included in the revised draft of WC2NH OMP (submitted for approval November 2016) and the NGOMP for NH2U. This will give DoEE confidence that no doubling or cross over of allocations between the approved projects has or will occur.

To-date in assessing the OH2K OMP and earlier drafts of the NGOMP and WC2NH OMP, DoEE have not raised any concerns with this approach.

2.15. Condition 15

The **approval holder** must, within 36 months of the **approval** of the Biodiversity Offset Package, register a legally binding conservation mechanism to provide long-term protection to the **offsets** approved by the **Minister** in the Biodiversity Offset Package, which prohibits any activities that are not conservation activities from being undertaken in the **offsets**.

Action	Timing	Status	Compliance evidence
15.1 Register within 36 months of the approval of the Biodiversity Offset Package, a legally binding conservation mechanism to provide long-term protection to the offsets approved by the Minister in the Biodiversity Offset Package, which prohibits any activities that are not conservation activities from being undertaken in the offsets	36 months from BOP approval date	Ongoing	The BOP was approved by DoEE on 5 July 2017 and has been implemented (see table below).

The WC2NH Biodiversity Offset Package was approved by DoEE in July 2017. TFNSW has finalised securing the offset properties as follows:

Offset property (tenure)	Offset mechanism	Status
Norton (TFNSW)	Bio Banking Agreement (provides a legally binding conservation mechanism under the Threatened Species Conservation Act)	BioBanking Agreement have been executed by OEH and registered on title on 18 February 2019. Ecosystem credits from the WC2NH area of the property were retired on 2 September 2021.
Boambee (Forestry Corporation NSW)	Newly declared Flora Reserve which provides a legally binding conservation mechanism under the Forestry Act.	The Boambee SF offset area was gazetted as the Yuraarla Flora Reserve on 15 April 2020.
Swain (private)	Bio Banking Agreement.	BioBanking Agreement have been executed by OEH and registered on title on 22 February 2019. Ecosystem credits from the WC2NH area of this site were retired on 2 September 2021. See Attachment 2.

TFNSW sought a variation to this condition, providing detail on the progress with implementing the package and requesting a further 24 months to finalise the protection mechanisms on the 3 offset sites. This variation was approved by DoEE on 25 September 2018.

2.16. Condition 16

If within 6 years, after impacts to Grey-headed Flying-fox habitat, the results of the monitoring required in the Grey-headed Flying-fox Management Plan, show that the Macksville Grey-headed Flying-fox Camp is abandoned by the Grey-headed Flying-fox, between September and May for two consecutive years, the approval holder must then offset the entire 23.50 ha roosting habitat critical to survival within 24 months, rather than 3.10 ha required by Condition 1.

Note: The provision of the additional offset, if required, would be additional to the requirements of Condition 13-16.

Action	Timing	Status	Compliance evidence
16.1 Monitoring GHFF camp. From monitoring results, determine if camp unoccupied continually for 2 consecutive years within a 6 year monitoring period. If unoccupied provide for the full 23.50 Ha offset area else provide for the 3.1 Ha.	Completion by 30 th September 2023 (pending Commonwealth Approval)	Ongoing	<p>Monitoring of the Macksville Greyheaded Flying-fox Camp found it to be abandoned by the Grey-headed Flyingfox, between September and May for two consecutive years on 31 May 2017. DAWE conditionally approved the offset proposal for the Bellingen Island Camp and Ainsworth foraging site on 25 November 2021.</p> <p>The final Bellingen Island Camp Management Plan has been provided to the Commonwealth Post Approvals on 4th March 2024 for Delegate Approval. The Cth DCCEEW approved the Management Plan on the 11th June 2024. TfNSW executed the Deed with Bellingen Shire Council in February 2025.</p> <p>The BSA for the Ainsworth Foraging Site is on track to be submitted to the BCT in June 2025.</p>

2.17. Condition 17

Within 14 days after the **commencement** of the **action**, the person taking the **action** must advise the **Department** in writing of the actual date of **commencement**.

	Action	Timing	Status	Compliance evidence
17.1	Advice in writing to be provided to DoEE 14 days prior to the commencement of the action.	14 days prior to the commencement of the action	Complete	A letter was provided to DoEE by TFNSW on the 17 February 2015. The Commencement date for the action was the 9 February 2015.

2.18. Condition 18

The **approval holder** must notify the **Department** in writing of potential non-compliance with any condition of this **approval** as soon as practical and within no later than two business days of becoming aware of the non-compliance. The notice provided to the **Department** under this condition must specify:

- a) the condition which the **approval holder** has potentially breached;
- b) the nature of the non-compliance; and
- c) when and how the **approval holder** became aware of the non-compliance.

Further to providing any such notice, the **approval holder** must provide the following information within 10 business days of becoming aware of a potential non-compliance:

- a) how the non-compliance will affect the anticipated impacts of the **approved action**, in particular how the non-compliance will affect the impacts on the **MNES**;
- b) the measures the **approval holder** will take to address the impacts of the non-compliance on the **MNES** and rectify the non-compliance; and
- c) the time by when the **approval holder** will rectify the non-compliance.

	Action	Timing	Status	Compliance evidence
18.1	Details of any non-compliance to be reported to DoEE within 2 business days of being made aware of the non-compliance	Construction Operation	Compliant Ongoing.	No non-compliances were identified or reported to the Department during the reporting period.

2.19. Condition 19

Within three months of every 12 month anniversary of the **commencement** of the **action**, the **approval holder** must publish a report on its **website** addressing compliance with each of the conditions of this **approval**, including implementation of any **management plan, package** as specified in the conditions. **Documentary** evidence providing proof of the date of publication must be included in the published **compliance report**. The **compliance report** must remain on the **website**, for 10 years following **commencement**. The monitoring results must also be made available on request for the duration of the **approval**. Reports of any non-compliance must also be included in the annual **compliance report**.

Action	Timing	Status	Compliance evidence
24.1 Prepare compliance report and upload to project website	By 9 May 2016	Compliant	Report uploaded to project website. Advice provided to Dept. on date of publication.
24.2 Prepare compliance report and upload to project website	By 9 May 2017	Compliant	Report uploaded to project website. Advice provided to Dept. on date of publication.
24.3 Prepare compliance report and upload to project website	By 9 May 2018	Compliant	Report uploaded to project website. Advice provided to Dept. on date of publication.
24.4 Prepare compliance report and upload to project website	By 9 May 2019	Compliant	Report uploaded to project website. Advice provided to Dept. on date of publication.
24.5 Prepare compliance report and upload to project website	By 9 May 2020	Compliant	Report uploaded to project website. Advice provided to Dept. on date of publication.
24.6 Prepare compliance report and upload to project website	By 9 May 2021	Compliant	Report uploaded to project website. Advice provided to Dept. on date of publication.
24.7 Prepare compliance report and upload to project website	By 9 May 2022	Compliant	This report uploaded to project website. Advice provided to Dept. on date of publication.
24.8 Prepare compliance report and upload to project website	By 9 May 2023	Compliant	This report uploaded to project website. Advice provided to Dept. on date of publication.
24.9 Prepare compliance report and upload to project website	By 9 May 2024	Compliant	This report uploaded to project website. Advice provided to Dept. on date of publication.

Action	Timing	Status	Compliance evidence
24.10 Prepare compliance report and upload to project website	By 9 May 2025	Compliant	This report uploaded to project website. Advice provided to Dept. on date of publication.

Compliance reports are published at https://www.pacifichighway.nsw.gov.au/document-library?keyword=Warrell%20Creek%20to%20Nambucca%20Heads&date_from=&date_to=

2.20. Condition 20

The **approval holder** must maintain accurate **compliance records** substantiating all activities associated with or relevant to the conditions of **approval**, including measures taken to implement the **management plans, package** required by this **approval**, and make them available upon request to the **Department**. Such **compliance 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.

Action	Timing	Status	Compliance evidence
20.1 Maintain compliance records for the management plans	Construction, operation	Ongoing	Compliance records are maintained on the relevant TfNSW document management systems, available on the Project Website.
20.2 Maintain compliance records for the Biodiversity Offset Strategy	Construction, operation	Ongoing	<p>Compliance records regarding offset security mechanisms and credit retirement reports are maintained on the relevant TfNSW document management systems.</p> <p>The Norton property was on-sold on 11 March 2021. Both the Norton and Swain properties are protected under stewardship agreements managed by the Biodiversity Conservation Trust. This involves annual monitoring and reporting to ensure that the land owner is managing the property in accordance with the management action plan attached to the stewardship agreement.</p>

2.21. Condition 21

Upon the direction of the **Minister**, the **approval holder** must ensure that an independent audit of compliance with the conditions of **approval** is conducted and a report submitted to the **Minister**. The audit must not commence unless and until the **Minister** has approved the independent auditor and audit criteria. The audit report must address the criteria to the satisfaction of the **Minister**.

	Action	Timing	Status	Compliance evidence
21.1	Prepare independent audit of compliance with the conditions of approval if directed by the Minister to do so.	When Directed	TBA	An independent audit of the conditions of approval has not been required during the reporting period.

2.22. Condition 22

If the **approval holder** wishes to carry out any activity otherwise than in accordance with a **management plans, strategy, package** as specified in the conditions, the **approval holder** must submit to the **Department** for the **Minister's** written approval a revised version of that **management plan, package**. The varied activity must not commence until the **Minister** has approved the varied **management plan, package** in writing. The **Minister** will not approve a varied **management plan, package** unless the revised **management plan, package** would result in an equivalent or improved environmental outcome over time. If the **Minister** approves the revised **management plan, package** that **management plan, package** must be implemented in place of the **management plan, package** originally approved.

Action	Timing	Status	Compliance evidence
22.1 Provide updated management plan or package for approval	Construction	Compliant	STQ Management Plan and Koala Management Plan varied on 22 January 2015.
	Operation	Ongoing	STQ Management Plan and Koala Management Plan varied on 3 October 2016.
			GHFF Management Plan, STQ Management Plan and Koala Management Plan were updated to change the road kill monitoring program prior to the partial opening of Stage 2A. The updated plans were approved by DoEE on 12 of January 2018.

2.23. Condition 23

If the **Minister** believes that it is necessary or convenient for the better protection of **MNES** to do so, the **Minister** may request that the **approval holder** make specified revisions to a **management plan, package** required by the conditions and submit the revised **management plan, package** for the **Minister's** written approval. The **approval holder** must comply with any such request. The revised **management plan, package** must be implemented. Until the **Minister** has approved a revised **management plan, package**, the **approval holder** must continue to implement the previously approved **management plan, package**, as specified in the conditions.

Action		Timing	Status	Compliance evidence
23.1	Update the Management Plan or Package in response to a direction from the Minister and provide for approval.	As directed	TBA	No updates to the management plans or package have been required.

2.24. Condition 24

If, at any time after five years from the date of this **approval**, the **approval holder** has not **commenced** the **action**, then the **approval holder** must not **commence** the **action** without the written agreement of the **Minister**.

Action		Timing	Status	Compliance evidence
24.1	Notify the Minister of the commencement of the action	Prior to Commencement	Compliant Complete	TFNSW notified the Minister of the commencement of the action on the 17 February 2015.

2.25. Condition 25

Unless otherwise agreed to in writing by the **Minister**, the **approval holder** must publish the **management plans, package**, monitoring data in these conditions of **approval** on its **website**. Each **management plans, package**, monitoring data must be published on the **website** within one month of being approved (unless otherwise specified in these conditions) or within one month of data collection.

	Action	Timing	Status	Compliance evidence
25.1	Publish management plans on the Project Website	Construction Operation	Complete Compliant	Management Plans uploaded onto the project website
25.2	Publish the Biodiversity Offset Package on the Project Website	Construction Operation	Complete Compliant	The Biodiversity Offset Package has been published on the project website
25.3	Publish monitoring data onto the website	Construction Operation	Compliant Ongoing	Monitoring data has been published on the project website in accordance with the timeframes.

2.26. Condition 26

The **approval holder** must notify the **Department** within 5 business days of publishing the **management plan, package**, monitoring data on their website and the **management plan, package**, monitoring data must remain on the website for the life of this **approval**.

Action		Timing	Status	Compliance evidence
26.1	Management plans uploaded on TFNSW website	With 5 days	Compliant Complete	The CEMP TFMP and FFMP were uploaded on the project web site on 17 February 2015. Plan revisions have been uploaded onto the project website with notification provided to DoEE within 5 business days of publication.
26.2	Monitoring data	Within 2 months of receipt	Compliant Ongoing	TFNSW provides email notification to the Department's 'EPBC Monitoring' mailbox within 5 days of publishing relevant information onto the project website

Attachment 1 Ecological Monitoring Report 2024 - 2025

Species / mitigation monitored	Report title
No further monitoring / reporting required.	No further monitoring / reporting required.