



mainroads  
WESTERN AUSTRALIA

**EPBC 2018/8367**

**Mitchell Freeway  
Extension Hester Ave  
to Romeo Rd**

*We're working for  
Western Australia.*

EPBC 2018/8367 Annual  
Compliance Report 2021/22

June 2022

D22#673891  
June 2022

# Contents

<b>1</b>	<b>INTRODUCTION</b> .....	<b>4</b>
1.1	EPBC 2018/8367 Approval Background .....	4
1.2	Purpose .....	4
<b>2</b>	<b>COMPLIANCE</b> .....	<b>5</b>
	Appendix 1 Non-compliance Reports for EPBC 2018/8367 Condition 2.....	15
	Appendix 2 Mitchell Freeway Extension EPBC 2018/8367 Compliance Audit 2021 .....	16
	Appendix 3 Notification of compliance with EPBC 2018/8367 Condition 4 .....	21

## Brief Amendments

<b>Report Compilation &amp; Review</b>	<b>Name and Position</b>	<b>Document Revision</b>	<b>Date</b>
Author:	Cliff Bennison Environment Officer	Draft v1	June 2022
Reviewer:	John Braid Principal Environment Officer	Draft v1	June 2022

## 1 INTRODUCTION

Mitchell Freeway is the main arterial road that connects the northern suburban areas with Perth's central business district. The freeway currently terminates at Hester Avenue. The Mitchell Freeway Extension (Project) to which this compliance report relates, is located within the City of Wanneroo and consists of the extension of the freeway from Hester Avenue to Romeo Road. The Project also includes duplication of the corresponding section of Wanneroo Road.

The Mitchell Freeway extension works include:

- Constructing a new 5.6 km four lane freeway (two lanes in each direction)
- Completion of northbound on ramp and southbound off ramp at Hester Avenue interchange
- Grade separated interchange at Lukin Drive
- Rail tunnel for the existing rail to exit the freeway median to Butler train station
- Terminate freeway at Romeo Road with a grade separated interchange
- Principal Shared Path on the western side of the freeway
- Romeo Road constructed as dual carriageway with 2 lanes east to Wanneroo Road
- Footpaths/shared paths proposed for Romeo Road
- New/upgraded at-grade intersections at Romeo Road/Wanneroo Road.

The Wanneroo Road upgrade works include:

- Constructing a 5.5 km dual carriageway from Dunstan Road to Trian Road. Existing carriageway to be used where possible
- Intersection improvement to Wanneroo Road and Nowergup Road
- Improvements to the old Wanneroo Road alignment currently acting as a service road
- Modifications to formalise the service road providing safe access and egress to adjoining properties.

### 1.1 EPBC 2018/8367 Approval Background

The Project was referred to the then Department of the Environment and Energy (now Department of Agriculture, Water and Environment; DAWE) for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as the Project was considered to impact matters of national environmental significance (MNES) that include Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community (BWSCP TEC), Carnaby's Cockatoo (*Calyptorhynchus latirostris*) habitat and Forest Red-tailed Black Cockatoo (FRTBC, *Calyptorhynchus banksii naso*) habitat.

The Project was determined by DAWE to be a 'Controlled Action' and was assessed through Preliminary Documentation. The DAWE issued approval of the Project on 10 July 2020 (EPBC 2018/8367) and included a number of conditions that Main Roads Western Australia (Main Roads) is required to fulfil.



### 1.2 Purpose

Construction of the Project commenced on 12 April 2021. This compliance report has been produced as required by Condition 11 of EPBC approval 2018/8367. Table 1 of this report outlines the compliance with each approval condition over the past 12 month period, 12 April 2021 to 12 April 2022.

## 2 COMPLIANCE

Table 1. 2021/2022 Compliance with EPBC 2018/8367

Condition Number	Condition Description	Status
1	<p>To minimise impacts to EPBC Act listed species and ecological communities, the approval holder must not clear more than 165 hectares of vegetation within the development envelope. Within the development envelope, the approval holder must not clear more than:</p> <ul style="list-style-type: none"> <li>a) 50.07 ha of Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community</li> <li>b) 132.07 ha of foraging habitat for the Carnaby's Black Cockatoo;</li> <li>c) 104.25 ha of foraging habitat for the Forest Red-Tailed Black Cockatoo; and</li> <li>d) 328 potential breeding trees for the Carnaby's Black Cockatoo</li> </ul>	<p><b>Compliant.</b></p> <p>Clearing to date has comprised 82.28 ha of vegetation within the Development Envelope, including:</p> <ul style="list-style-type: none"> <li>• 20.24 ha of Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community</li> <li>• 67.78 ha of foraging habitat for the Carnaby's Black Cockatoo;</li> <li>• 50.74 ha of foraging habitat for the Forest Red-Tailed Black Cockatoo; and</li> <li>• 88 potential breeding trees for the Carnaby's Black Cockatoo</li> </ul> <p>The extent of the clearing is shown in Figures 1 to 4.</p>
2	<p>To avoid and mitigate the impacts of fragmentation and Dieback on the Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community, the approval holder must install and maintain a fence along the entire boundary of the development envelope with the Neerabup National Park. The fence must be at least 1.8 metres high, capable of excluding uncontrolled access, completed within twelve months of the commencement of the action and maintained for the life of the approval.</p>	<p><b>Not Compliant.</b></p> <p>On 21 April 2022 while collecting information for this annual compliance report it was identified that Main Roads is not fully compliant with condition 2 of EPBC 2018/8367. The fence along the eastern boundary of the Mitchell Freeway has been installed. There has also been a fence installed along Romeo Rd, and along Wanneroo Road to approximately 300 m south of the Romeo Rd and Wanneroo Rd intersection. However, there is an approximately 4.8km section along Wanneroo Road where a fence has not yet been installed.</p> <p>In accordance with condition 12 of EPBC 2018/8367 this non-compliance was reported to DAWE 22 April 2022 and details of the non-compliance were reported in accordance with condition 13 of the approval on 5 May 2022 (Appendix 1).</p> <p>The non-compliance occurred due to a misunderstanding regarding the scope of the construction contract. The project includes funded works that are under construction and Optional Works that are not yet contracted (Figure 5). The section of fence yet to be constructed is aligned with the Optional Works for duplication of Wanneroo Rd shown in blue in the figure below. Since the Optional Works are not part of the main construction contract, it was not clear to the construction contractor that the entire fence had to be constructed regardless of whether or not the Optional Works were commissioned. Since construction of the Optional Works has not commenced, this non-compliance has not impacted access to the National Park in this area, and there have been no resulting impacts to MNES.</p> <p>Main Roads intends to install the remaining section of fence as soon as practicable. However, it will take time to procure materials and conduct the fence installation works which are constrained by:</p> <ul style="list-style-type: none"> <li>• Vegetation clearing in the road reserve required to obtain access to the ultimate alignment of the fence.</li> <li>• High voltage services including overhead transmission lines and telecommunications</li> <li>• Geology which is expected to include rocky limestone that can take longer to excavate to dig in fences</li> </ul> <p>After considering these constraints and the associated work programme, it is anticipated the fence could take up to 6 months to install and should be installed no later than 31 December 2022.</p> <p>The fence is constructed to a minimum of 1.8 m and is capable of preventing uncontrolled access to the National Park. Examples of the fencing installed along the boundary are provided in the photos below. Along Romeo Road where</p>

Condition Number	Condition Description	Status
		<p>earthworks are yet to be conducted, a temporary fence that meets the specification condition 2 of EPBC 2018/8367 has been installed. This will be replaced with a permanent fence once earthworks are complete.</p>  
3	<p>In order to avoid and mitigate the impacts of Dieback, weeds, fire and nutrient cycling on the Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community, the approval holder must implement the Construction Environmental Management Plan from the commencement of the action for the life of the approval.</p>	<p><b>Compliant.</b></p> <p>Construction has been conducted in accordance with the Construction Environmental Management Plan. An environmental compliance audit was conducted on 27 July 2021. The audit included an assessment of compliance against EPBC 2018/8367 conditions as well as other approvals. The audit confirmed the Main Roads was compliant against obligations in its permits compliance with this condition. The audit report and associated assessment against to EPBC 2018/8367 conditions is attached as Appendix 2.</p>

Condition Number	Condition Description	Status
4	<p>To avoid and mitigate the impacts of contamination from surface water runoff on EPBC Act listed species and ecological communities, the approval holder must:</p> <ul style="list-style-type: none"> <li>a) Locate all infiltration basins inside of the development envelope;</li> <li>b) Ensure that all infiltration basins are designed and constructed so as to be able to capture and infiltrate surface water runoff from a 1 year minimum Average Recurrence Period rainfall event;</li> <li>c) Prevent surface water runoff in areas adjacent to the Banksia Woodlands of the Swan Coastal Woodland Threatened Ecological Community; and</li> <li>d) Submit the design(s) for all stormwater drainage works adjacent to the Neerabup National Park for review by the Western Australian Department of Biodiversity, Conservation and Attractions. The approval holder must not commence construction of stormwater drainage works until the Western Australian Department of Biodiversity, Conservation and Attractions has confirmed in writing that the design(s) will effectively manage stormwater drainage. The approval holder must provide the confirmation to the Department in writing prior to the commencement of the stormwater drainage works.</li> </ul>	<p><b>Compliant.</b></p> <p>Main Roads has been in close contact with the Western Australian Department of Biodiversity, Conservation and Attractions (DBCA) throughout the stormwater drainage design process. Designs were provided to DBCA at various stages of development e.g. 15%, 85%, 100% etc. DBCA have confirmed in writing that they are satisfied with the 100% design. This confirmation is attached as Appendix 3. For transparency we have included in Appendix 3 a copy of the review comments that were resolved to DBCA's satisfaction.</p> <p>This condition required Main Roads to submit designs for stormwater drainage works adjacent to the Neerabup National Park to DBCA for review and provide confirmation to the Department in writing prior to the commencement of the stormwater drainage works. This confirmation was provided to DAWE on 5 November 2021, prior to commencement of drainage works.</p>
5	<p>To compensate for the residual significant impact on EPBC Act listed species and ecological communities, the approval holder must submit an Offsets Strategy for approval by the Minister within twenty-four months from the commencement of the action. The Offsets Strategy must:</p> <ul style="list-style-type: none"> <li>a) Identify a suitable environmental offset(s) for the Banksia Woodlands of the Swan Coastal Plain, Carnaby's Black Cockatoo and Forest Red-Tailed Black Cockatoo that satisfies the requirements of the Department's EPBC Act Environmental Offsets Policy;</li> <li>b) Includes detailed baseline information and achievable goals for habitat quality improvement demonstrating how the proposed offset(s) meet the requirements of the Department's EPBC Act Environmental Offsets Policy;</li> <li>c) Specify the management and monitoring activities to be undertaken, including any management and monitoring targets to be met, at the offset site(s);</li> <li>d) Specify goal/s, timeframes and budget for implementation of management and monitoring activities;</li> <li>e) Specify how management and monitoring results will be reported to the Department and the public;</li> <li>f) Specify management and monitoring triggers and corrective actions that will be implemented in the event that targets are not met;</li> <li>g) Details of how the offset(s) will be protected in perpetuity.</li> </ul> <p>The approval holder must not continue to clear habitat for EPBC Act listed species and ecological communities after thirty months from the commencement of the action unless the Offset Strategy has been approved in writing by the Minister. The approved Offset Strategy must be implemented for the remainder of the life of the approval.</p>	<p><b>Compliant.</b></p> <p>The Offset Strategy is in development and will be submitted to DAWE within 24 months of commencement of action, that is prior to 12 April 2023.</p>

Condition Number	Condition Description	Status
6	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	<p><b>Compliant.</b></p> <p>Commencement of the action was on 12 April 2021 and Main Roads notified the Department in writing on 15 April 2021, advising of the commencement (evidence of this has been previously supplied to the Department).</p>
7	The approval holder must maintain accurate and complete compliance records.	<p><b>Compliant.</b></p> <p>Main Roads has maintained records in accordance with this condition and their legal obligations under the <i>State Records Act 2000</i> (Western Australia).</p>
8	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	<p><b>Compliant.</b></p> <p>To date, no request for compliance records has been received.</p>
9	<p>The approval holder must:</p> <ul style="list-style-type: none"> <li>a) submit plans electronically to the Department;</li> <li>b) publish each plan on the website within 20 business days of the date of this approval decision, or the date that the plan is approved by the Minister, unless otherwise agreed to in writing by the Minister;</li> <li>c) exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and</li> <li>d) keep plans published on the website until the end date of this approval.</li> </ul>	<p><b>Compliant.</b></p> <p>No plans submitted approval post-approval. The Construction Environmental Management Plan included in the Preliminary Documentation for EPBC 2018/8367 was published on Main Roads website at <a href="https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/metropolitan/Mitchell-freeway-extension/">https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/metropolitan/Mitchell-freeway-extension/</a>.</p>
10	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.	<p><b>Compliant.</b></p> <p>No monitoring data collection required to date. All monitoring data will be prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department.</p>
11	<p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> <li>a) publish each compliance report on the website within 60 business days following the relevant 12 month period;</li> <li>b) notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication;</li> <li>c) keep all compliance reports publicly available on the website until this approval expires;</li> <li>d) exclude or redact sensitive ecological data from compliance reports published on the website; and</li> <li>e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.</li> </ul>	<p><b>Compliant.</b></p> <p>This compliance report has been prepared and submitted to meet this condition. The compliance report will be published on the Main Roads website at <a href="https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/">https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/</a>.</p>



Condition Number	Condition Description	Status
12	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> <li>a) any condition which is or may be in breach;</li> <li>b) a short description of the incident and/or non-compliance; and</li> <li>c) c. the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.</li> </ul>	<p><b>Compliant.</b></p> <p>One non-compliance was recorded. On 21 April 2022 while collecting information for this annual compliance report it was identified that Main Roads is not fully compliant with condition 2 of EPBC 2018/8367. In accordance with condition 12 of EPBC 2018/8367 this non-compliance was reported to DAWE 22 April 2022 and details of the non-compliance were reported in accordance with condition 13 of the approval on 5 May 2022.</p>
13	<p>The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> <li>a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</li> <li>b) the potential impacts of the incident or non-compliance; and</li> <li>c) c. the method and timing of any remedial action that will be undertaken by the approval holder.</li> </ul>	<p><b>Compliant.</b></p> <p>One non-compliance was recorded. On 21 April 2022 while collecting information for this annual compliance report it was identified that Main Roads is not fully compliant with condition 2 of EPBC 2018/8367. In accordance with condition 12 of EPBC 2018/8367 this non-compliance was reported to DAWE 22 April 2022 and details of the non-compliance were reported in accordance with condition 13 of the approval on 5 May 2022.</p>
14	<p>The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p>	<p><b>Compliant.</b></p> <p>To date, no request for compliance audits has been received.</p>
15	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> <li>a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;</li> <li>b) only commence the independent audit once the audit criteria have been approved in writing by the Department; and</li> <li>c) c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.</li> </ul>	<p><b>Compliant.</b></p> <p>To date, no request for compliance audits has been received.</p>
16	<p>The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.</p>	<p><b>Compliant.</b></p> <p>To date, no request for compliance audits has been received.</p>
17	<p>Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.</p>	<p><b>Compliant.</b></p> <p>The action is currently being implemented. The Department will be notified within 30 days of completion.</p>

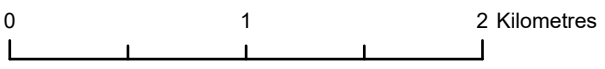


**Legend**



- EPBC 2018/8367 Development Envelope
- EPBC 2018/8367 Clearing 2021/2022

N  
 Coordinate System: GDA 1994 MGA Zone 50  
 Scale: 1:32,000 @ A4  
 Created Date: 24/06/2022  
 Author: c8410

**EPBC 2018/8367 Compliance**  
 Vegetation Clearing April 2021 - April 2022  
 Figure 1

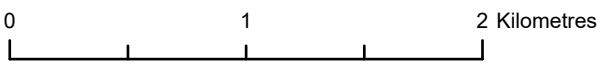




 EPBC 2018/8367 Development Envelope  
 Banksia Woodlands TEC Cleared

N  
 Coordinate System: GDA 1994 MGA Zone 50  
 Scale: 1:32,000 @ A4  
 Created Date: 24/06/2022  
 Author: c8410

**EPBC 2018/8367 Compliance**  
 Banksia Woodlands TEC Clearing  
 April 2021 - April 2022  
 Figure 2

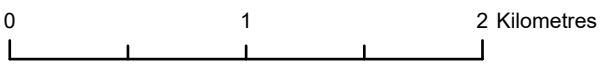




- EPBC 2018/8367 Development Envelope
- Carnaby's Foraging Habitat Cleared
- Carnaby's Cockatoo Potential Breeding Trees Cleared

N Coordinate System: GDA 1994 MGA Zone 50  
 Scale: 1:32,000 @ A4  
 Created Date: 24/06/2022  
 Author: c8410

**EPBC 2018/8367 Compliance**  
 Carnaby's Cockatoo Habitat Clearing  
 April 2021 - April 2022  
 Figure 3

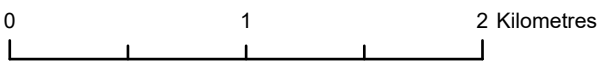




EPBC 2018/8367 Development Envelope  
 FRTBC Foraging Habitat Cleared

N  
 Coordinate System: GDA 1994 MGA Zone 50  
 Scale: 1:32,000 @ A4  
 Created Date: 24/06/2022  
 Author: c8410

**EPBC 2018/8367 Compliance**  
 Forest-Redtailed Black Cockatoo Habitat  
 Clearing April 2021 - April 2022  
 Figure 4



# MITCHELL FREEWAY EXTENSION

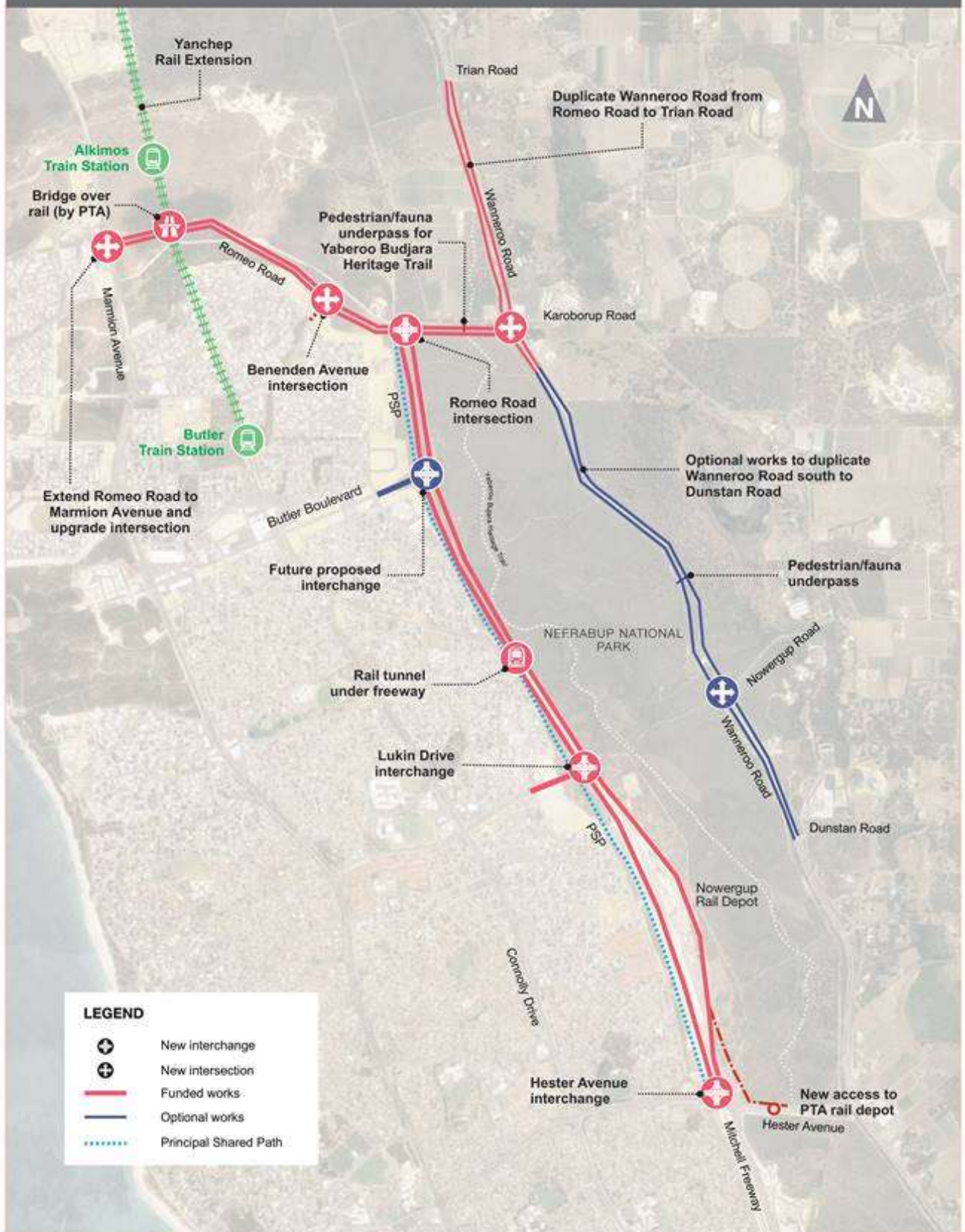


Figure 5 Mitchell Freeway Extension Hester Ave to Romeo Rd Works Overview

**Appendix 1 Non-compliance Reports for EPBC 2018/8367 Condition 2**

## **BENNISON Cliff (Con)**

---

**From:** BENNISON Cliff (Con)  
**Sent:** Thursday, 5 May 2022 12:50 PM  
**To:** 'EPBCMonitoring@awe.gov.au'  
**Cc:** BRAID John (PEO)  
**Subject:** RE: CM: EPBC 2018/8367 Notification of Non-Compliance

Good afternoon,

Main Roads Western Australia as the proponent for EPBC 2018/8367 Mitchell Freeway Extension and Wanneroo Road Upgrade reported a non-compliance under condition 12 of that approval on 22 April 2022. The non-compliance related to Condition 2 of EPBC 2018/8367, which requires the approval holder to install and maintain a fence along the entire boundary of the development envelope with the Neerabup National Park.

This email is to provide the Department with the details of the incident in accordance with the requirements of condition 13 of EPBC 2018/8367 within 10 business days of Main Roads becoming aware of the incident.

Condition 13 states:

The approval holder must provide to the **Department** the details of any **incident** or non-compliance with the conditions or commitments made in **plans** as soon as practicable and no later than **10 business days** after becoming aware of the **incident** or non-compliance, specifying:

- a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;
- b) the potential impacts of the **incident** or non-compliance; and
- c) the method and timing of any remedial action that will be undertaken by the approval holder.

### **Description of non-compliance:**

On 21 April 2022 while collecting information for the annual compliance report required under condition 11 of EPBC 2018/8367 it was identified that Main Roads is not fully compliant with condition 2 of EPBC 2018/8367, which requires Main Roads to install and maintain a fence along the entire boundary between the EPBC 2018/8367 Development Envelope and Neerabup National Park by 12 April 2022. The fence has been installed along most of the boundary, but there is an approximately 4.8km section along Wanneroo Road where a fence has not yet been installed.

The non-compliance occurred due to a misunderstanding regarding the scope of the construction contract. The project includes funded works that are under construction and Optional Works that are not yet contracted (see figure below). The section of fence yet to be constructed is aligned with the Optional Works for duplication of Wanneroo Rd shown in blue in the figure below. Since the Optional Works are not part of the main construction contract, it was not clear to the construction contractor that the entire fence had to be constructed regardless of whether or not the Optional Works were commissioned.

Construction of the Optional Works has not been awarded and no construction works have commenced in this section of the project.

### **Corrective action or investigation which the approval holder has already taken or intends to take in the immediate future**

Main Roads intends to install the remaining section of fence between the EPBC 2018/8367 development envelope and Neerabup National Park boundary as soon as practicable.

### **The potential impacts of the incident or non-compliance**

There are no potential impacts to MNES as a result of this non-compliance. No construction works have commenced for the Optional Works, therefore the action has not impacted access to the National Park in this area.



**The method and timing of any remedial action that will be undertaken by the approval holder**

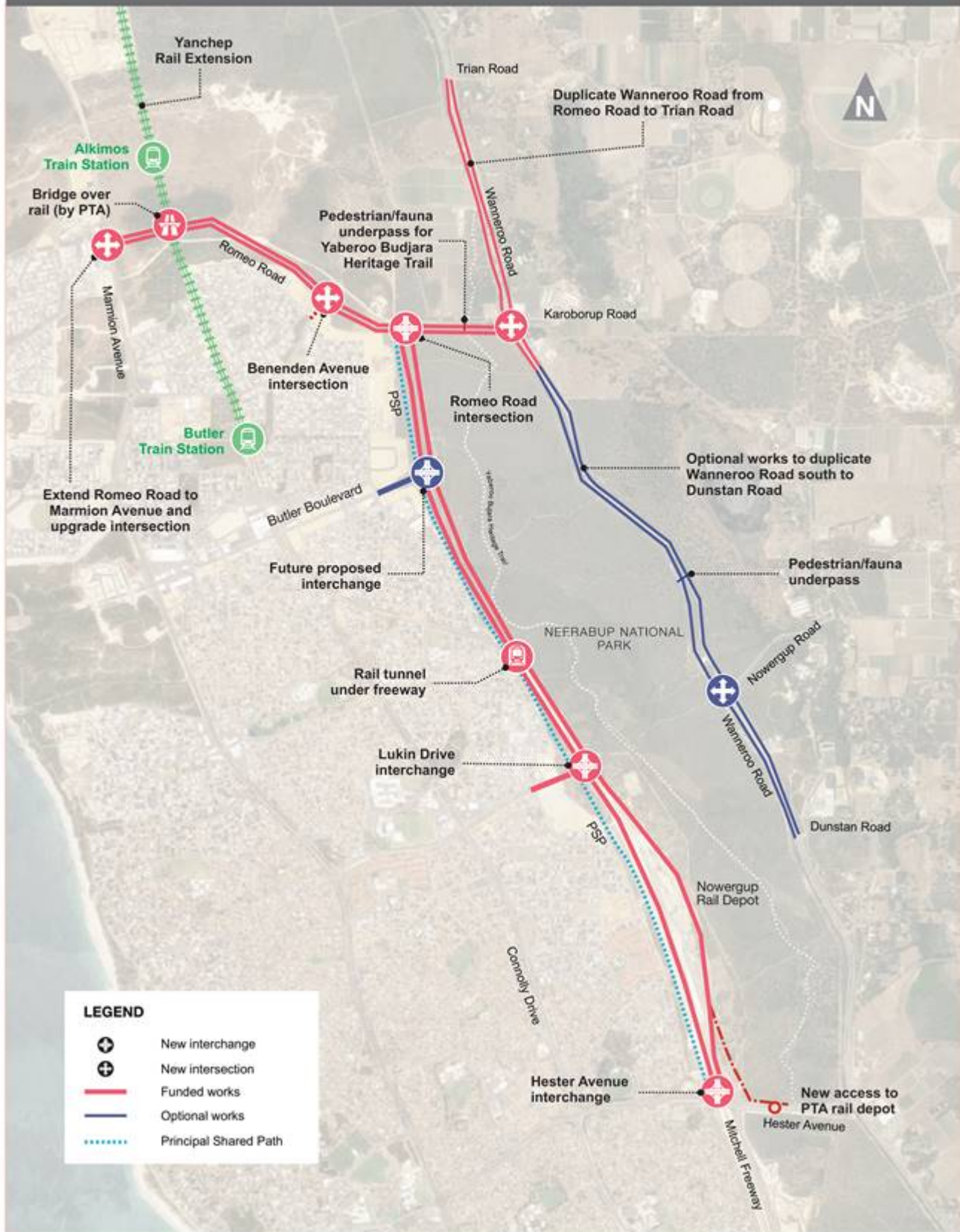
Main Road intends to install the fence as soon as practicable. However, it will take time to procure materials and conduct the fence installation works which are constrained by:

- Vegetation clearing in the road reserve required to obtain access to the ultimate alignment of the fence.
- High voltage services including overhead transmission lines and telecommunications
- Geology which is expected to include rocky limestone that can take longer to excavate to dig in fences

After considering these constraints and the associated work programme, it is anticipated the fence could take up to 6 months to install and should be installed no later than 31 December 2022.

If you require any further information please contact me by email or phone.

# MITCHELL FREEWAY EXTENSION



Kind regards

**Cliff Bennison**

**Environment Contractor**

Office of Major Transport Infrastructure Delivery (OMTID)

Work days: Tuesday - Friday

Tel: +61 9323 6133

34 - 50 Stirling Street Perth WA 6000



Department of Transport  
Main Roads Western Australia  
Public Transport Authority

---

**From:** BENNISON Cliff (Con)

**Sent:** Friday, 22 April 2022 11:05 AM

**To:** EPBCMonitoring@awe.gov.au

**Cc:** BRAID John (PEO) <john.braid@mainroads.wa.gov.au>

**Subject:** CM: EPBC 2018/8367 Notification of Non-Compliance

Good morning

Main Roads Western Australia as the proponent for EPBC 2018/8367 Mitchell Freeway Extension and Wanneroo Road Upgrade is notifying the Department of a non-compliance with conditions of EPBC 2018/8367 under condition 12 of that approval.

Condition 12 states:

The approval holder must notify the **Department** in writing of any: **incident**; non-compliance with the conditions; or non-compliance with the commitments made in **plans**. The notification must be given as soon as practicable, and no later than two **business days** after becoming aware of the **incident** or non-compliance. The notification must specify:

- a. any condition which is or may be in breach;
- b. a short description of the **incident** and/or non-compliance; and
- c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.

**Any condition which is or may be in breach**

Condition 2 - To avoid and mitigate the impacts of fragmentation and **Dieback** on the **Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community**, the approval holder must install and maintain a fence along the entire boundary of the **development envelope** with the **Neerabup National Park**. The fence must be at least 1.8 metres high, capable of excluding uncontrolled access, completed within twelve months of the **commencement of the action** and maintained for the **life of the approval**.

**Description of Non-compliance:**

On 21 April 2022 while collecting information for the annual compliance report required under condition 11 of EPBC 2018/8367 it was identified that Main Roads is not fully compliant with condition 2 of EPBC 2018/8367, which requires Main Roads to install and maintain a fence along the entire boundary between the development envelope and Neerabup National Park by 12 April 2022. The a fence has been installed along most of the boundary, but there is a section along Wanneroo Road where the fence has not yet been installed. No works associated with the approved action have been conducted in this area.

**Location**

Part of the boundary between the EPBC 2018/8367 Development Envelope and Neerabup National Park along Wanneroo Road in Nowergup.

**Condition 13 Reporting**

Main Roads will provide a report in accordance with the requirements of Condition 13 regarding the non-compliance by Friday 6 May 2022 to DAWE, 10 business days following the incident.

Please provide confirmation of receipt of this notification.

Kind regards

**Cliff Bennison**

**Environment Contractor**

Office of Major Transport Infrastructure Delivery (OMTID)

Work days: Tuesday - Friday

Tel: +61 9323 6133

34 - 50 Stirling Street Perth WA 6000



Department of Transport  
Main Roads Western Australia  
Public Transport Authority

**Appendix 2 Mitchell Freeway Extension EPBC 2018/8367 Compliance Audit 2021**

## AUDIT REVIEW RECORD

Item	Criteria	Question	Evidence provided	Finding	Comments or further actions
1	To minimise impacts to EPBC Act listed species and ecological communities, the approval holder must not clear more than 165 hectares of vegetation within the development envelope. Within the development envelope, the approval holder must not clear more than: <ul style="list-style-type: none"> <li>a. 50.07 ha of Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community (location of this community is mapped in Attachment B);</li> <li>b. 132.07 ha of foraging habitat for the Carnaby's Black Cockatoo;</li> <li>c. 104.25 ha of foraging habitat for the Forest Red-Tailed Black Cockatoo; and</li> <li>d. 328 potential breeding trees for the Carnaby's Black Cockatoo (location of these trees is mapped in Attachment E).</li> </ul>	Please can you show that your clearing approval process ensures that the maximum clearing limits set by the EPBC Act Approval (EPBC Act Referral 2018/8367) are not exceeded?	The site visit demonstrated that the Contractor had minimised clearing by: <ol style="list-style-type: none"> <li>1. Only clearing to the limits of earthworks, not the limits of the development envelope.</li> <li>2. Leaving pockets of vegetation that was outside of the earthworks even it is remained in the main body of the project development envelope.</li> </ol>	Compliant	The areas noted in the approval were the areas measured within the development envelope. As less than the development envelope has been cleared, the areas approved will not be exceeded.
2	To avoid and mitigate the impacts of fragmentation and Dieback on the Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community, the approval holder must install and maintain a fence along the entire boundary of the development envelope with the Neerabup National Park. The fence must be at least 1.8 metres high, capable of excluding uncontrolled access, completed within twelve months of the commencement of the action and maintained for the life of the approval.	Is the fence constructed? If not, what controls are in place to prevent/manage access from the site to the Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community?	The fence was largely constructed. The fence corridor was cleared, then the clearing followed to allow fauna to escape back into the National Park, then the fence was erected close behind the clearing.	Compliant	
3	In order to avoid and mitigate the impacts of Dieback, weeds, fire and nutrient cycling on the Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community, the approval holder must implement the Construction Environmental Management Plan from the commencement of the action for the life of the approval.	Please provide the dates of clearing commencement and approval of the Contractor's Environmental Management Plan	Notification of 'start of action' presented by Main Roads. Document ref: 16/4295 D21#374839 sent on the 15 April 2021	Compliant	
4	To avoid and mitigate the impacts of contamination from surface water runoff on EPBC Act listed species and ecological communities, the approval holder must:				
4a	Locate all infiltration basins inside of the development envelope;			Compliant	
4b	Ensure that all infiltration basins are designed and constructed so as to be able to capture and infiltrate surface water runoff from a 1 year minimum Average Recurrence Period rainfall event;	Please show that the drainage design has considered the location, volume, storage capacity, and long term silting of the basins to meet this criteria.		Not assessed	This should be re-assessed in 12 months.
4c	Prevent surface water runoff in areas adjacent to the Banksia Woodlands of the Swan Coastal Woodland Threatened Ecological Community; and	What controls do you have in place for the management of stormwater run-off?	The ground was shaped away from the Banksia Woodlands. Where this was not possible, a bund was formed on the clearing boundary to prevent water escaping the clearing footprint.	Compliant	

4d	Submit the design(s) for all stormwater drainage works adjacent to the Neerabup National Park for review by the Western Australian Department of Biodiversity, Conservation and Attractions. The approval holder must not commence construction of stormwater drainage works until the Western Australian Department of Biodiversity, Conservation and Attractions has confirmed in writing that the design(s) will effectively manage stormwater drainage. The approval holder must provide the confirmation to the Department in writing prior to the commencement of the stormwater drainage works.	Please demonstrate that the stormwater drainage design has been approved by Dept BDCA.	This was not assessed as the drainage design was not complete, although evidence of correspondence with DBCA was shown that demonstrated that the lines of communication around drainage design are open.	Not assessed	This should be re-assessed in 12 months.
5	Offset strategy for approval by the Minister within 24 months	Has the offset strategy been approved?	Main Roads are currently developing their offset strategy.	Not assessed	This should be re-assessed in 12 months.
6	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Please provide evidence that the Department has been notified of the commencement of clearing.	Letter ref: 16/4295 D21#374879 dated 15 April 2021 from Cliff Bennison was presented.	Compliant	
7	The approval holder must maintain accurate and complete compliance records.		The clearing is ongoing. The Contractor's Monthly Report was witnessed which include a number of environmental metrics including amount and type of clearing.	Compliant	This should be re-assessed in 12 months.
8	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.			N/A	No request has been made. It is recommended that this is re-assessed in 12 months.
9	The approval holder must: a. submit plans electronically to the Department; b. publish each plan on the website within 20 business days of the date of this approval decision, or the date that the plan is approved by the Minister, unless otherwise agreed to in writing by the Minister; c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and d. keep plans published on the website until the end date of this approval			N/A	
10	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.			Not assessed	It is recommended that this is re-assessed in 12 months

11	<p>The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> <li>a. publish each compliance report on the website within 60 business days following the relevant 12 month period;</li> <li>b. notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication;</li> <li>c. keep all compliance reports publicly available on the website until this approval expires;</li> <li>d. exclude or redact sensitive ecological data from compliance reports published on the website; and</li> <li>e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.</li> </ul>			Not assessed	The action started on 12 April 2021, so it is recommended that this is assessed in 12 months.
12	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> <li>a. any condition which is or may be in breach;</li> <li>b. a short description of the incident and/or non-compliance; and</li> <li>c. the location (including co-ordinates), date, and time of the incident and/or non-compliance.</li> </ul> <p>In the event the exact information cannot be provided, provide the best information available</p>		There were no non-compliances against this approval.	N/A	This should be re-assessed in 12 months.
13	<p>The approval holder must provide to the <b>Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</b></p> <ul style="list-style-type: none"> <li>a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</li> <li>b. the potential impacts of the <b>incident or non-compliance; and</b></li> <li>c. the method and timing of any remedial action that will be undertaken by the approval holder.</li> </ul>			N/A	This should be re-assessed in 12 months.
14	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister		This audit was not requested by the Minister.	N/A	This should be re-assessed in 12 months.
15	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> <li>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;</li> <li>b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and</li> <li>c. submit an audit report to the Department within the timeframe specified in the approved audit criteria</li> </ul>			N/A	This should be re-assessed in 12 months.



16	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.			N/A	This should be re-assessed in 12 months.
17	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data		The clearing is ongoing.	Not assessed	This should be re-assessed in 12 months.



# LOFOTO

CONSTRUCTION PARTNERS



## **Audit Report**

### **Environmental Management Compliance of Contract 13/19 Mitchell Freeway Extension (Hester Ave to Romeo Rd)**

Report No.: LFT-2113-REP-AUD-0005

Date: 2<sup>nd</sup> August 2021

LOOK  
FORWARD  
TOGETHER

## Contents

Contents.....	2
1 Executive Summary.....	3
2 Audit information.....	4
3 Scope of the Audit.....	4
4 Audit Findings .....	5
4.1 Site Inspection.....	5
4.2 Approvals and Notifications.....	7
4.3 Audits and Certification .....	8
4.4 Noncompliances and incident reports.....	8
4.5 Clearing and Topsoil Management .....	8
4.6 Hygiene .....	9
4.7 Water .....	9
4.8 Offsets .....	10
4.9 Vibration .....	10
5 Summary .....	10
6 Acknowledgements.....	10

## 1 Executive Summary

Matthew Jewell (Auditor) was engaged by Main Roads WA (MRWA) through the Contract No. 26/20 Audit Panel to conduct an Environmental Management Compliance audit of the Mitchell Freeway Extension (Hester Ave to Romeo Rd) project under MRWA Project & Task No: 21112799 / 11.02.

The audit assessed the compliance of both MRWA, as the permit holder, and Mitchell Extension JV (MEJV), as the Contractor, against their obligations.

The audit was to assess compliance with the conditions placed upon the project by the various following applicable permits:

- Ministerial Statement 629
- EPBC Approval 2018-8367
- CPS 8753/1
- CPS 8826/1
- CPS 8861/2

The permit holder for the above permits is MRWA, who have a number of reporting obligations under these permits.

MRWA have discharged the 'on-site' obligations of the permits to the Contractor, Mitchell Extension JV) via the following:

- Scope of Works and Technical Criteria.

The Auditor found the project to be compliant against the obligations placed upon it by the permits.

The Auditor raised one noncompliance against the Contractor for failing to meet a clause in the Scope of Works and Technical Criteria.

## 2 Audit information

Auditor		Matthew Jewell		
Project		Mitchell Freeway Extension (Hester Ave to Romeo Rd)		
Audit Reference		LFT-2113-REP-AUD-0005		
Auditor		Matthew Jewell		
Date		Tuesday 27 <sup>th</sup> July 2021		
Opening meeting		9:00am		
Closing meeting		4:10pm		
Attendee	Role	Organisation	Opening Meeting	Closing Meeting
Matthew Jewell	Auditor	Lofoto	✓	✓
Cliff Bennison	Environmental Officer	MRWA	✓	✓
Yossarian Taylor	Environmental Manager	MEJV	✓	✓
John Braid	Principal Environmental Officer	MRWA	✓	
Ken Wu	Project Engineer	MRWA	✓	
Ben Sims	Contract Manager	MRWA	✓	✓
Aaron Livingstone	Project Manager	MEJV	✓	✓
			✓	✓
Noncompliances		1		
Observations		4		
Opportunities for improvement		2		

The record of attendance at the opening and closing meeting is recorded on LFT-2113-REC-ATT-0004.

## 3 Scope of the Audit

The audit followed the Audit Agenda (LFT-2113-AGN-AUD-0002) with the following changes:

1. The site inspection was conducted in the morning to allow John Braid (Principal Environmental Officer, MRWA) to partake in the site visit before another commitment.
2. Vibration was addition to the original audit agenda.

In consideration to the time of year, compliance to obligations around fire management and dust management were not assessed.

## 4 Audit Findings

### 4.1 Site Inspection

In general, the site presented well, particularly given the amount of recent rain. The clearing along the main alignment was largely complete. The fencing between the site and Neerabup National Park was approximately 95% installed, with the fauna netting installed on 90% of the fence. The remaining fence installation was ongoing. As the site was largely sand, with limestone sheeting in place in certain areas to allow truck access, the requirement for dieback management has been removed from access and egress points, although access and egress is limited to a few locations along the project, all with limestone sheeting.

A review of the clearing activities showed that areas of clearing were well marked-out, as was an area of weeds to be treated separately. Clearing operations on Romeo Rd were going in one direction to allow fauna to escape. The fauna spotter that should have been ahead of the excavator was not present, although he was contacted immediately and brought back to position. This has been noted as an **Observation** No. 1 on the CPS 8753-1 tab of the Audit Review Record.

The Contractor has managed to save several meaningful pockets of vegetation that fall outside of the earthworks footprint, and reduces the overall clearing amount, plus reduces the offset required.



*Evidence of fence installed, and an area of vegetation saved from clearing within the DE.*



*Observation No. 2*

Most of the stockpiles are marked with the location from which they were won and their status as either 'degraded (high weed load) or 'conserved' (low weed load). This means that the weed contamination is prevented as different controls are placed on each stockpile. It was noted that there were a few stockpiles of mulch/topsoil/subsoil that were not marked. This was recorded as **Observation No. 2** on the STWC tab of the Audit Review Record. It is recommended that all stockpiles are marked as required by the Weed and Topsoil Management Plan.

The site compounds were well established, although there were several puddles at the Lukin Dr compound. It was observed at the fuel station at Lukin Dr that the overflow sump was full of rainwater and represented a risk should there be a fuel spill. This has been noted as **Observation No. 3** on the SWTC tab of the Audit Review Record. It is recommended that this sump be drained and disposed of off-site by a licensed carrier.



*Observation No. 3*

It was also observed at the Romeo Rd compound that the hydrocarbons bin had approximately 200mm of water inside it, possibly from the lid being propped open during wet weather and will require draining and disposal off-site by a licensed carrier. This has been recorded as **Observation No. 4** on the SWTC tab of the Audit Review Record.

The clearing to the scope areas along Wanneroo Rd have yet to commence, although the trees have been marked for clearing.

The management of water on site was found to be generally good, with the ground shaped away from vegetation where possible, and bunds use to maintain any water within the site boundaries.

There was some mud carried out on to the public highway by the trucks egressing the site, however this was managed by twice daily visits of a roadsweeper. The Auditor witnessed the roadsweeper conducting his afternoon clean of the area. The mud on the road was not considered excessive, and the roadsweeper visits were deemed appropriate.

#### 4.2 Approvals and Notifications

The Contractor's Environmental Management Plan (EMP) Rev 5 has received approval from Main Roads WA via Letter TRN-813-JO16-0043. The Auditor noted that some of the sub-plan references to Appendix A was incorrect, as these sub-plans had been given a section number in the main EMP. Also, in some of the sub-plans, the reporting requirements referred to Section 6.1, which is incorrect. The reporting requirements are Section 7.1 in the EMP. This has been recorded as **Opportunity for Improvement No. 1** on the SWTC tab of the Audit Review Record.

Main Roads WA have notified the 'start of action' via Document ref: 16/4295 D21#374839 sent on the 15 April 2021 to Dept. of Water, Agriculture and Environment.



The Environmental Policies of both Contractor members of the Mitchell Extension JV, BMD and Georgiou, was available and the Environmental Management Plan meets the stated aims of the policies.

Under SWTC 9.2(b) the Contractor must develop an Environmental Management Commitment Statement which must be signed by the Contractor's Key Personnel. Under STWC9.2(c), the Commitment Statement must be prominently displayed on the notice board. The required Commitment Statement had not been developed. This was raised as **Non-compliance No. 1** and is recorded on the SWTC tab of the Audit Review Record. It is recommended that the Commitment Statement be developed based on the Environmental Policies of the JV companies, signed by the key personnel, and prominently displayed.

The Site Induction contains plenty of information regarding the environmental constraints

#### 4.3 Audits and Certification

Michael Dickson (BMD National Environmental Manager) audited the EMP on 3rd June 2021. The Auditor viewed the audit report.

Phil Roche (BMD Regional HSE Manager) conducted a HSE audit on 12th & 14th May 2021 which included environmental inspections. The Auditor viewed the audit report from this audit.

There were no noncompliances identified during the above audits.

#### 4.4 Noncompliances and incident reports

There were no noncompliances recorded to date and no environmental incidents recorded.

#### 4.5 Clearing and Topsoil Management

The audit carried out an in-depth review of the clearing process. The Contractor's Environmental Manager described the process which was used prior to clearing.

The area for clearing is marked out by the survey team.

Then there was a Black Cockatoo Checklist for areas that contains trees suitable for Black Cockatoo nesting or foraging, which was completed by Scott Walker of 360 Environmental. The Auditor witnessed a completed Black Cockatoo Checklist.

There was also fauna trapping for three days prior to any clearing. The Auditor witnessed an email from Lukas of 360 Environmental that summarised the times and fauna trapped ahead of clearing. As is usual on major infrastructure projects, 360 Environmental are compiling all the data into a report that can be used for reporting against the Ministerial Statement and EPA approvals, where necessary.

Once all the fauna searching and trapping has finished, a Hold Point is released by MRWA, and the Contractor raises a Ground Penetration Permit. This permit collates all the conditions around the clearing as well as hazards such as in-ground services, for use in the field.

The clearing on Romeo Rd was witnessed as described in Section 4.1.

Records of clearing were witnessed through the Contractor's Monthly Report, which details type and amount of vegetation cleared, although further background survey data detailing location is available for reporting against the various permits.

Based on the findings of this audit, the clearing has met the requirements of the permits and SWTC.

#### 4.6 Hygiene

The Contractors' Weed and Topsoil Management Plan has been developed to ensure maximum use of topsoil and mulch won from site and protection of the project against long-term weed problems. There are also areas that are dieback free which have been protected from possible dieback infestation through contamination.

The process for plant inspection prior to site entry is described and records of weed/seed inspections were witnessed.

Once the vegetation is mulched and the topsoil stripped, the stockpiles should be marked with their status. This ensures that topsoil and mulch remains in the zone from which it was created.

Although the status of the site means that dieback management is not currently required, the records of entry/exit from dieback free zones was witnessed. The number of entry/exits in any one day seemed in the right ballpark for the operations that would have been conducted on site at the time.

Based on the findings of this audit, the hygiene management has met the requirements of the permits and SWTC.

#### 4.7 Water

Although there has been some significant rainfall lately, the site was well managed, with only a few puddles at the Lukin Dr compound as noted in Section 4.1.

There are some specific requirements around water in the permits. The design element of the permits is in hand and the Auditor witnessed correspondence with Jim Livingstone (Dept. Water and Environmental Regulation) regarding drainage design.

The subject of acid sulphate soils (ASS) was discussed as the Consultant reports deem them a very low risk on this project, due to the predominantly limestone nature of the ground and the significant depth to groundwater. It was noted that the EMP had specific requirements to raise ASS in the induction and revisit the subject of ASS through Toolbox Talks and Prestarts. The Auditor considers this unnecessary and suggests these induction/Toolbox/Prestart requirements be removed from the EMP. This is recorded as **Opportunity for Improvement No. 2** on the SWTC tab of the Audit Review Record.

Based on the findings of this audit, the water management has met the requirements of the permits and SWTC to date.

#### 4.8 Offsets

The Auditor spoke with MRWA's Principal Environmental Officer regarding the status of the offsets. They are currently a work-in-progress and it is recommended that they are reviewed in 12 months to check on that progress.

#### 4.9 Vibration

The Contractor currently has two vibration monitoring stations adjacent to the boundary near residential property. The process for triggering alerts was described and evidence of a trigger over 5mm/sec, matched to a complaint from a member of the public, was shown. The corrective action of stopping the machines and implementing a revised construction methodology was recorded and no further complaints were received.

Based on the findings of this audit, the requirement of SWTC 9.4(k) have been met.

### 5 Summary

Based on the findings of this audit, the Auditor deems the project to be compliant with its obligations under the permits.

Apart from the requirement for the Environmental Management Commitment Statement, the Auditor deems the Contractor compliant with its obligations under the SWTC.

### 6 Acknowledgements

The Auditor would like to thank Cliff Bennison (Environmental Officer, MRWA) and Yossarian Taylor (Environmental Manager, Mitchell Extension JV) for their cooperation in this audit and the open and honest responses given.

**Appendix 3 Notification of compliance with EPBC 2018/8367 Condition 4**

## **BENNISON Cliff (Con)**

---

**From:** BENNISON Cliff (Con)  
**Sent:** Friday, 5 November 2021 8:46 AM  
**To:** EPBCMonitoring@environment.gov.au  
**Subject:** EPBC 2018/8367 - condition 4d now closed  
**Attachments:** DR-03 - Drainage Connecting - 85 - Design Review Comments - DBCA - GBJV Response\_B .xlsx;  
RE: Mitchell Extension - DR-03 Drainage Connecting 85% Closeout Comments

Good morning

I have attached written evidence of compliance with Condition 4d for EPBC 2018/8367 - Mitchell Freeway Extension and Wanneroo Road Upgrade, Western Australia.

This condition required Main Roads to submit designs for stormwater drainage works adjacent to the Neerabup National Park to the Western Australian Department of Biodiversity, Conservation and Attractions (DBCA) for review and provide confirmation to the Department in writing prior to the commencement of the stormwater drainage works.

Main Roads has been in close contact with DBCA throughout the stormwater drainage design process. Designs were provided to DBCA at various stages of development e.g. 15%, 85%, 100% etc. For transparency, DBCA comments and MRWA responses from the 85% design are provided in the attached spreadsheet. These have been addressed to the satisfaction of DBCA and DBCA have confirmed in writing that they are satisfied with the 100% design (see attached email). This matter is now closed.

Kind regards

**Cliff Bennison**  
**Environment Officer**  
Office of Major Transport Infrastructure Delivery (OMTID)  
Work days: Tuesday - Friday  
Tel: +61 9323 6133  
34 - 50 Stirling Street Perth WA 6000



Department of Transport  
Main Roads Western Australia  
Public Transport Authority

## BENNISON Cliff (Con)

---

**From:** Michael Roberts <michael.roberts@dbca.wa.gov.au>  
**Sent:** Thursday, 4 November 2021 11:36 AM  
**To:** Kelly Galvin  
**Cc:** Yossarian Taylor; Brian Norris  
**Subject:** RE: Mitchell Extension - DR-03 Drainage Connecting 85% Closeout Comments

Hi Kelly

I can confirm that DBCA has no further comments in relation to the DR-03 Drainage Connecting %100 Design report.  
Regards

**Michael Roberts** | A/Planning Officer | Land Planning Program |

Department of Biodiversity, Conservation and Attractions  
Parks and Wildlife Service  
P 9442 0309



---

**From:** Kelly Galvin <Kelly.Galvin@mejv.com.au>  
**Sent:** Thursday, 4 November 2021 11:06 AM  
**To:** Michael Roberts <michael.roberts@dbca.wa.gov.au>  
**Cc:** Yossarian Taylor <Yossarian.Taylor@mejv.com.au>; Brian Norris <Brian.Norris@mejv.com.au>  
**Subject:** RE: Mitchell Extension - DR-03 Drainage Connecting 85% Closeout Comments

[External Email] This email was sent from outside the department – be cautious, particularly with links and attachments.  
Thanks for the confirmation Michael

Can you advise if you will be providing further comments on the DR-03 Drainage Connecting %100 Design?

Regards

**Mitchell  
Extension**

**Kelly Galvin**  
Document Controller  
Mitchell Extension Joint Venture

+61 448 805 514  
[Kelly.Galvin@mejv.com.au](mailto:Kelly.Galvin@mejv.com.au)  
1 Santorini Promenade, Alkimos WA 6038  
PO Box 644, Belmont, WA, 6984

---

**From:** Michael Roberts <[michael.roberts@dbca.wa.gov.au](mailto:michael.roberts@dbca.wa.gov.au)>  
**Sent:** Thursday, 4 November 2021 11:02 AM

To: Kelly Galvin <[Kelly.Galvin@mejv.com.au](mailto:Kelly.Galvin@mejv.com.au)>

Cc: Yossarian Taylor <[Yossarian.Taylor@mejv.com.au](mailto:Yossarian.Taylor@mejv.com.au)>; Brian Norris <[Brian.Norris@mejv.com.au](mailto:Brian.Norris@mejv.com.au)>

Subject: RE: Mitchell Extension - DR-03 Drainage Connecting 85% Closeout Comments

Hi Kelly

I can confirm that the comment raised previously by DBCA in relation to DR-03 Drainage Connecting 85% Closeout Comments has now been addressed.

Regards

**Michael Roberts** | Planning Officer (Land Use) |

Department of Biodiversity, Conservation and Attractions  
Parks and Wildlife Service  
Swan Coastal District  
5 Dundee Road Wanneroo WA 6065  
P 9303 7755



---

From: Kelly Galvin <[Kelly.Galvin@mejv.com.au](mailto:Kelly.Galvin@mejv.com.au)>

Sent: Thursday, 4 November 2021 10:10 AM

To: Michael Roberts <[michael.roberts@dbca.wa.gov.au](mailto:michael.roberts@dbca.wa.gov.au)>

Cc: Yossarian Taylor <[Yossarian.Taylor@mejv.com.au](mailto:Yossarian.Taylor@mejv.com.au)>; Brian Norris <[Brian.Norris@mejv.com.au](mailto:Brian.Norris@mejv.com.au)>

Subject: Mitchell Extension - DR-03 Drainage Connecting 85% Closeout Comments

[External Email] This email was sent from outside the department – be cautious, particularly with links and attachments.

Morning Michael

Can you please review the attached Design Register and advise Closeout Comments to Consultant Response to DBCA 85% tab.

I've spoken with Yossi and Brian and they advised that DBCA comment on the 85% tab was addressed in a Teams Meeting on 02 July 2021.

Additionally can you advise if DBCA has any further comments to the 100% Drainage Connecting Package, issued on 11 August 2021 Transmittal TRN-813-J016-01250.

Can you please confirm that it's DBCA's view that the design will effectively manage stormwater drainage?

Please also note MEJV will issue a formal letter in the near future to confirm Approval of overall Design by DBCA.

Regards



**Kelly Galvin**  
Document Controller  
Mitchell Extension Joint Venture

+61 448 805 514  
[Kelly.Galvin@mejv.com.au](mailto:Kelly.Galvin@mejv.com.au)  
1 Santorini Promenade, Alkimos WA 6038  
PO Box 644, Belmont, WA, 6984

---

*This message is confidential and is intended for the recipient named above. If you are not the intended recipient, you must not disclose, use or copy the message or any part of it. If you received this message in error, please notify the sender immediately by replying to this message, then delete it from your system.*



MITCHELL FREEWAY EXTENSION - HESTER AVE TO ROMEO ROAD  
MRWA CONTRACT NO 13/19  
DBCA Review Comments



Design Lot Title:	DR-02	Drainage Freeway
Reviewer Company:	DBCA	Design Stage (15%, 85%)
		15% Design
		Date Received:
		12/03/2021
Reviewer Name/ Contact Details	Michael Roberts	Date Responded:
		26/03/2021
Importance 1 = Observation only / Minor issue 2 = Comments / Queries 3 = Critical issue	If required, for second round of comments/response use <b>red</b> text. For third round use <b>green</b> text.	

Item	Document Reference	Importance	Reviewer's Comment / Query	Designer's Response	Reviewer's Close-Out Name/Date
1	GBJV-02-DR-DRG-0101		Will the new entry-road to the BGC/Quarry site to the south of Hester Ave be curbed? Or will the road be designed so that stormwater sheetflows off the road onto the adjacent batter and eventually into the adjacent National Park. During the previous Mitchell Freeway stage there were issues with sheetflow of fine sand material, weeds and rubbish ending up in the adjacent National Park along the entry road which resulted in the smothering of vegetation and other impacts. DCBA would like the entry road designed so that there is adequate room at the toe of the batter to catch all of the material flowing off the road surface. Ideally limestone rocks or other material could be used to slow the velocity of the surface flow off the road. Alternativley the road could be curbed with the water directed towards a drainage basin adjacent to the road within the National Park. DBCA would be amenable to a small amount of clearing of vegetation to accomodate this new drainage structure outside of the project boundary.	The new works to the BGC Quarry Site access will be kerbed, with runoff directed toward the kerb on the south / National Park side. Therefore runoff could be directed to a drainage basin adjacent to the access.  Approximate catchment area is 3000 m2. An indicative drainage basin size is 5 m by 10 m, 1 m deep with 1V:3H side slopes. The overall footprint would be approximately 15 m by 20 m allowing for fencing etc. This assumed a 10 year ARI storage in the basin. The basin could be reduced in size if a lower design standard is adopted.	DBCA would like to progress the potential for a drainage basin on the southern side of the BGC Quarry Rd during future design stages.
2	GBJV-02-DR-DRG-000		It appears that the batter of the southbound road will spill into the Neerabup National Park outside of the road reserve boundary. Can you confrim this is the case? DCBA would not support any batter spilling into the National Park. All batters should be designed to be contained entirely inside the boundaries of the road reserve.	Review of the 85% design shows the southbound carrigeway batter extending outside of the road reserve boundary for 65 m between Cha. 39065 and 39130. The design will be reviewed and retaining wall or steeper batter slope considered to remain within the boundary.	Noted.
3	Drainage -Mitchell Freeway and Lukin Drive15% Design Report - Section 9.5		In regards to the request for the disposal of stormwater during major flood events from the Mitchell Freeway reserve to the adjacent Neerabup National Park, DBCA provides in-principle agreement for events greater than 10 year ARI to overflow in a controlled manner into the adjcant Neerabup National Park for infiltration. With regards to reducing the risk of erosion to the adjacent conservation estate, basins should have a designed outflow 'spillway' that will not scour or destroy itself when a major event overtops it and be suitably revegetated as soon as possible after establishment. It is the expectation of DBCA that remedial actions are taken in the event of erosion events which show evidence of impacting the values of the National Park. This is particularly relevent during the construction phase of the project prior to the establishment of revegetation of batters, drainage structures and other sediment sources.	Noted. The disposal of runoff into Neerabup National Park will be further reviewed during the 85% design stage.	Noted.



MITCHELL FREEWAY EXTENSION - HESTER AVE TO ROMEO ROAD  
 MRWA CONTRACT NO 13/19  
 DBCA Review Comments -85%



Design Lot Title:	DR-03	Drainage Connecting
Reviewer Company:	DBCA	Design Stage (15%, 85%)
		85% Design
		Date Received:
		2/06/2021
Reviewer Name/ Contact Details	Michael Roberts	Date Responded:
		16/06/2021
Importance 1 = Observation only / Minor issue 2 = Comments / Queries 3 = Critical issue	If required, for second round of comments/response use red text. For third round use green text.	

Item	Document Reference	Importance	Reviewer's Comment / Query	Designer's Response	Reviewer's Close-Out Name/Date
1	GBJV-03-DRG-0003		At 15% Design stage, MEJV advised that disposal of runoff into Neerabup National Park would only be via overflow from drainage basins and that this will be confirmed during the 85% design stage. Its noted that Drainage Plan GBJV-03-DRG-0003 displays a culvert RI01 on the southern side of Romeo Rd adjacent to the Neerabup National Park. Will this culvert collect stormwater and drain it to the northern side of Romeo Road ? If the plan is for the stormwater to flow to the south there would be a requiremnet for drainage control to prevent scouring or excessive point source drainage water being deposited into the park.	The drainage culvert RI01 to RI02 shown on Drainage Plan GBJV-03-DRG-0003 is a 600 mm diameter culvert that allows for runoff from south of Romeo Road (runoff will be trapped against the embankment of Romeo Road on the south side) to flow to north side of Romeo Road as the natural low point is on the north side of Romeo Road. The outlet on the north side is into a concrete apron then into rock protection in order to prevent any scour. The runoff flowing through this culvert is only from the Neerabup National Park south of Romeo Road and the Romeo Road batters over about 100 metres. The pavement of Romeo Road and the paths are drained via pollution control devices to the north side of Romeo Road and will not flow to the south side of Romeo Road. The pollution control devices are two Humesceptor STC 3 that remove suspended sediments and floating pollutants such as hydrocarbons. The outlet is via bubble up pits where run off will rise up out of the pits rather than flowing horizontal and result in scour or erosion.	

2					
3					
4					