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WESTERN AUSTRALIA

EPBC Annual Compliance Report

EPBC 2018/8367

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Western Australia.*

Mitchell Freeway Extension and
Wanneroo Road Upgrade

Reporting Period April 2024 to
April 2025

D25#546318
June 2025

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Brief Amendments

Report Compilation & Review	Name and Position	Document Revision	Date
Author:	Senior Environment Officer	Rev A	June 2025
Reviewer:	CRSP Principal Environment Officer	Rev A	June 2025
Author:	Senior Environment Officer	Rev 0	June 2025
Approved	CRSP Principal Environment Officer	Rev 0	June 2025

Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed Martine Scheltema

Full name (please print) Martine Scheltema

Position (please print) Director Environment and Heritage

Organisation (including ABN/ACN if applicable) Main Roads WA (ABN 50 860 676 021)

Date 20/06/2025

1 INTRODUCTION

1.1 Description of Activities

Mitchell Freeway is the main arterial road that connects Perth's northern suburban areas with Perth's central business district. The Mitchell Freeway Extension and Wanneroo Road Duplication (the Project) is located within the City of Wanneroo.

The project consists of the extension of the freeway from its previous terminus at Hester Avenue to Romeo Road and the duplication of a 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 two 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. The existing carriageway will 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.

Construction works on the Mitchell Freeway extension are complete and the Mitchell Freeway Extension from Hester Avenue to Romeo Road was opened to road users on 10 July 2023.

Vegetation clearing for the Wanneroo Road upgrade works commenced in late May 2024, with construction works expected to be completed by the end of 2026.

1.2 Location of the Approved Action

The location of the approved action is shown in Figure 1.



Figure 1. Location of Approved Action

1.3 EPBC 2018/8367 Approval Background

The Action was referred to the then Department of the Environment and Energy (now Department of Climate Change, Energy, the Environment and Water (DCCEEW)) for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as the Action was considered to impact matters of national environmental significance (MNES), including 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 to be a 'Controlled Action' under the EPBC Act and was assessed through Preliminary Documentation. Conditional approval of the Action was received on 10 July 2020 (EPBC 2018/8367) and included a number of conditions that Main Roads Western Australia (Main Roads) is required to fulfil.

Following a request from Main Roads for a Section 143 amendment, approval was issued to vary condition 5 of the approval under section 143 of the EPBC Act on the 21 March 2024. The variation was: "Delete condition 5 attached to the approval and substitute with the condition specified below."

5. 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:

- 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;*
- 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;*
- c) Specify the management and monitoring activities to be undertaken, including any management and monitoring targets to be met, at the offset site(s);*
- d) Specify goal/s, timeframes and budget for implementation of management and monitoring activities;*
- e) Specify how management and monitoring results will be reported to the Department and the public;*
- f) Specify management and monitoring triggers and corrective actions that will be implemented in the event that targets are not met;*
- g) Details of how the offset(s) will be protected in perpetuity.*

The approval holder must not continue to clear habitat for EPBC Act listed species and ecological communities after 12 October 2024 unless the Offset Strategy has been approved in writing by the Minister. The approved Offset Strategy.

On 21 August 2024 DCCEEW commenced a compliance audit on the to assess compliance with the requirement and conditions of the approval, with the analysis and audit findings completed in October 2024. The compliance audit was primarily undertaken by 'desktop review' of documentation and evidence provided by Main Roads. An on-site audit was conducted on 9 and 12 September 2024 and included an opening meeting, interviews with Main Roads personnel, document review, a site visit of the project area and a closing meeting. No new matters were identified during the audit.

On the 3 February 2025 approval was issued to vary condition 5 of the approval under section 143 of the EPBC Act. The variation was: "Delete condition 5 attached to the approval and substitute

with the condition specified below. Add conditions 5A, 5B and 5C to the approval as specified below."

5. To compensate for the residual significant impact on EPBC Act listed species and ecological communities, the approval holder must, prior to 10 February 2025, submit an Offsets Strategy for approval by the Minister. The Offsets Strategy must:

- a) identify 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;
- b) include detailed baseline information for Banksia Woodlands of the Swan Coastal Plain, Carnaby's Black Cockatoo and Forest Red-Tailed Black Cockatoo habitat quality at the proposed offset(s);
- c) specify measurable and timebound goals for Banksia Woodlands of the Swan Coastal Plain, Carnaby's Black Cockatoo and Forest Red-Tailed Black Cockatoo habitat quality improvement at the proposed offset(s) that meet the requirements of the Department's EPBC Act Environmental Offsets Policy;
- d) specify the management and monitoring activities and targets to be implemented, and interim habitat quality targets to be achieved, at the offset site(s);
- e) specify goal/s and timeframes for implementing management and monitoring activities;
- f) specify how management and monitoring activities, and habitat quality improvement, will be reported to the Department and the public;
- g) specify management and monitoring triggers and corrective actions that will be implemented in the event that targets are not met; and
- h) details of how the offset(s) will be protected in perpetuity.

5A. Following submission of the Offset Strategy, if the Minister makes a written request to the approval holder to make specified revisions to the Offset Strategy to address the requirements of condition 5, the approval holder must revise the Offset Strategy and re-submit the Offset Strategy to the department in accordance with any such request.

5B. The approval holder must implement the Offset Strategy approved by the Minister until the expiry of this approval.

5C. The approval holder must achieve the timebound goals for habitat quality improvement at the proposed offset(s), as specified in the Offset Strategy approved Minister.

1.4 Purpose of this Report

This Annual Compliance Report (ACR) has been produced to satisfy Condition 11 of EPBC approval 2018/8367 and covers the period from 13 April 2024 to 12 April 2025.

This report assesses compliance with all conditions of the approval and will be published on the Main Roads website.

2 SUMMARY OF COMPLIANCE

The Project was found to be fully compliant with the requirements of the EPBC Approval 2018/8367.

Table 1 in Appendix A of this report details the Project's compliance with regard to each approval condition over the 12-month reporting period: 13 April 2024 to 12 April 2025.

If a condition falls outside of the scope of the current reporting period, it is considered "Not Applicable" (N/A).

Conditions deemed completed are shaded grey.

2.1 New Environmental Risks

No new environmental risks for the project were identified during the reporting period.

APPENDICES

Appendix A: Compliance Table

Table 1. 2024/2025 Compliance with EPBC 2018/8367

Condition Number	Condition Description	Status	Evidence/Comments
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"> a) 50.07 ha of Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community b) 132.07 ha of foraging habitat for the Carnaby's Black Cockatoo; c) 104.25 ha of foraging habitat for the Forest Red-Tailed Black Cockatoo; and d) 328 potential breeding trees for the Carnaby's Black Cockatoo 	Compliant	<p>Clearing to date has comprised 103.07 hectares of vegetation within the Development Envelope, including:</p> <ul style="list-style-type: none"> a) 31.36 ha of Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community (8.5 ha of Banksia Woodlands of the Swan Coastal Plain Threatened Ecological Community was cleared during the reporting period); b) 85.52 ha of foraging habitat for the Carnaby's Black Cockatoo (12.7 ha of foraging habitat for the Carnaby's Black Cockatoo was cleared in the reporting period); c) 67.67 ha of foraging habitat for the Forest Red-Tailed Black Cockatoo (12 ha of foraging habitat for the Forest Red-Tailed Black Cockatoo was cleared in the reporting period); and d) 174 potential breeding trees for the Carnaby's Black Cockatoo (30 potential breeding trees were cleared during the reporting period). <p>The extent of the clearing to date is shown in Figures 2 to 5 (see Appendix B).</p>
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.	Compliant	As previously reported, 1.8 m fence to meet the requirement of Condition 2 was installed on 31 December 2022.
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.	Compliant	Clearing activities in the reporting period were undertaken in accordance with the Construction Environmental Management Plan (CEMP) that was produced by the clearing contractor, Garli Pty Ltd. The CEMP was produced in accordance with and directly referenced the Mitchell Freeway Extension – Hester Ave to Romeo Rd, Wanneroo Rd Duplication – Dunstan Rd to Trian Rd Construction Environmental Management Plan (GHD, 2021). The CEMP was reviewed by Main Roads, for its suitability, in May 2024. A copy of this can be provided upon request.
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"> a) Locate all infiltration basins inside of the development envelope; 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; 	Compliant	<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 was provided with the 2022 Compliance Report.</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>

Condition Number	Condition Description	Status	Evidence/Comments
	<ul style="list-style-type: none"> c) Prevent surface water runoff in areas adjacent to the Banksia Woodlands of the Swan Coastal Woodland Threatened Ecological Community; and 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. 		
5	<p>To compensate for the residual significant impact on EPBC Act listed species and ecological communities, the approval holder must, prior to 10 February 2025, submit an Offsets Strategy for approval by the Minister. The Offsets Strategy must:</p> <ul style="list-style-type: none"> a) identify 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; b) include detailed baseline information for Banksia Woodlands of the Swan Coastal Plain, Carnaby's Black Cockatoo and Forest Red-Tailed Black Cockatoo habitat quality at the proposed offset(s); c) specify measurable and timebound goals for Banksia Woodlands of the Swan Coastal Plain, Carnaby's Black Cockatoo and Forest Red-Tailed Black Cockatoo habitat quality improvement at the proposed offset(s) that meet the requirements of the Department's EPBC Act Environmental Offsets Policy; d) specify the management and monitoring activities and targets to be implemented, and interim habitat quality targets to be achieved, at the offset site(s); e) specify goal/s and timeframes for implementing management and monitoring activities; f) specify how management and monitoring activities, and habitat quality improvement, will be reported to the Department and the public; g) specify management and monitoring triggers and corrective actions that will be implemented in the event that targets are not met; and h) details of how the offset(s) will be protected in perpetuity. 	Compliant	<p>Main Roads submitted an Offset Strategy for approval by the Minister on 7 August 2024.</p> <p>While the strategy was submitted prior to the most recent Section 143 variation (dated 3 February 2025); the Strategy addresses requirements 5(a) – 5(h).</p>

Condition Number	Condition Description	Status	Evidence/Comments
5A	Following submission of the Offset Strategy, if the Minister makes a written request to the approval holder to make specified revisions to the Offset Strategy to address the requirements of condition 5, the approval holder must revise the Offset Strategy and re-submit the Offset Strategy to the department in accordance with any such request.	Compliant	On the 20 March 2025, DCCEEW emailed Main Roads requesting further information to ensure the strategy aligns with the EPBC Environmental Offset Policy and provides an accurate reflection of the impacts. Main Roads is developing a response in line with the Department's current approach to offsets.
5B	The approval holder must implement the Offset Strategy approved by the Minister until the expiry of this approval.	N/A	Refer to comments on 5A.
5C	The approval holder must achieve the timebound goals for habitat quality improvement at the proposed offset(s), as specified in the Offset Strategy approved Minister.	N/A	Refer to comments on 5A.
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.	Compliant	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).
7	The approval holder must maintain accurate and complete compliance records.	Compliant	Main Roads has maintained records in accordance with this condition and their legal obligations under the <i>State Records Act 2000</i> (Western Australia).
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	To date, no request for compliance records has been received.
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.	Compliant	No plans have been submitted for approval post-approval. The Construction Environmental Management Plan included in the Preliminary Documentation for EPBC 2018/8367 was published on Main Roads website at https://www.mainroads.wa.gov.au/projects-initiatives/all-projects/metropolitan/Mitchell-freeway-extension/ .
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.	Compliant	No monitoring data has been collection during the reporting period. All future 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.

Condition Number	Condition Description	Status	Evidence/Comments
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"> a) publish each compliance report on the website within 60 business days following the relevant 12 month period; 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; c) keep all compliance reports publicly available on the website until this approval expires; d) exclude or redact sensitive ecological data from compliance reports published on the website; and 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. 	Compliant	<p>This compliance report has been prepared and submitted to meet this condition. This compliance report will be published on the Main Roads website at https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/ (under "Mitchell Freeway Extension – Hester Avenue to Romeo Road").</p>
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"> a) any condition which is or may be in breach; b) a short description of the incident and/or non-compliance; and 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. 	N/A	<p>There have not been any incidents or non-compliance with the conditions or the commitments made in plans, during the reporting period.</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"> 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) c. the method and timing of any remedial action that will be undertaken by the approval holder. 	N/A	<p>There have not been any incidents or non-compliance with the conditions or the commitments made in plans, during the reporting period.</p>

Condition Number	Condition Description	Status	Evidence/Comments
14	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	N/A	To date, no request for compliance audits has been received.
15	For each independent audit, the approval holder must: <ul style="list-style-type: none"> a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b) only commence the independent audit once the audit criteria have been approved in writing by the Department; and c) c. submit an audit report to the Department within the timeframe specified in the approved audit criteria. 	N/A	To date, no request for compliance audits has been received.
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	To date, no request for compliance audits has been received.
17	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	N/A	The action is currently being implemented. The Department will be notified within 30 days of completion.

Appendix B Figures

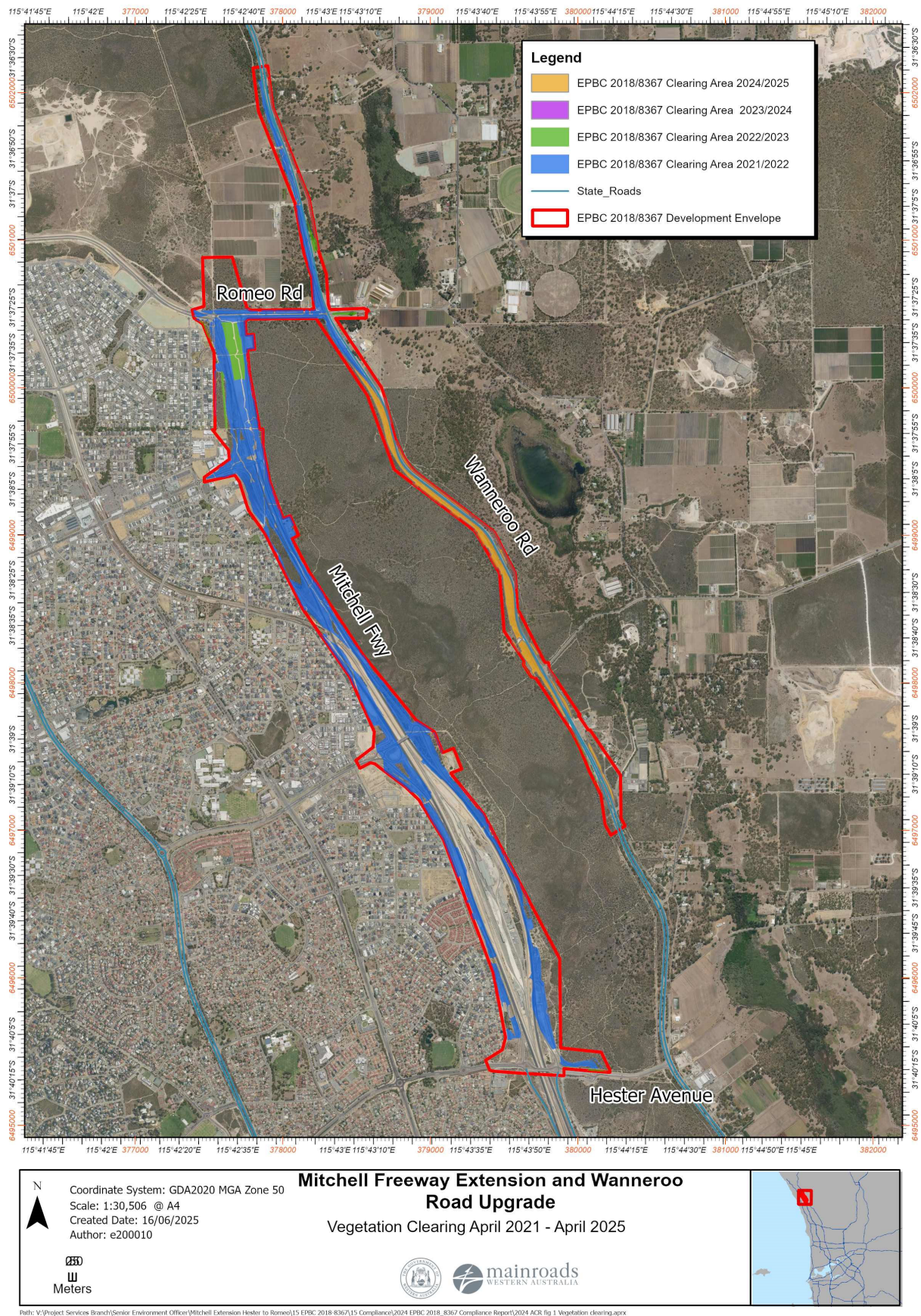


Figure 2 Total Clearing

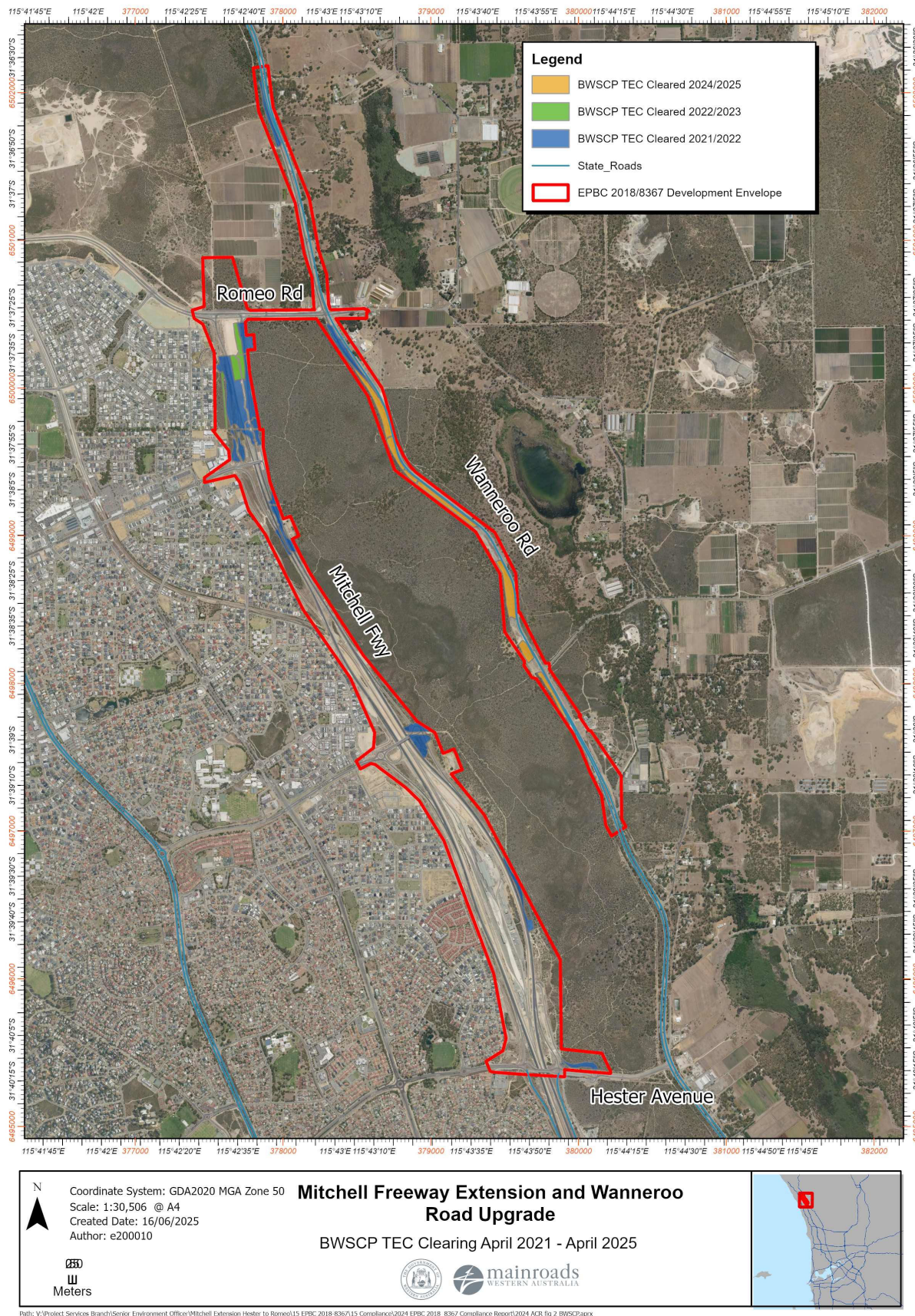


Figure 3 Banksia Woodlands TEC Clearing

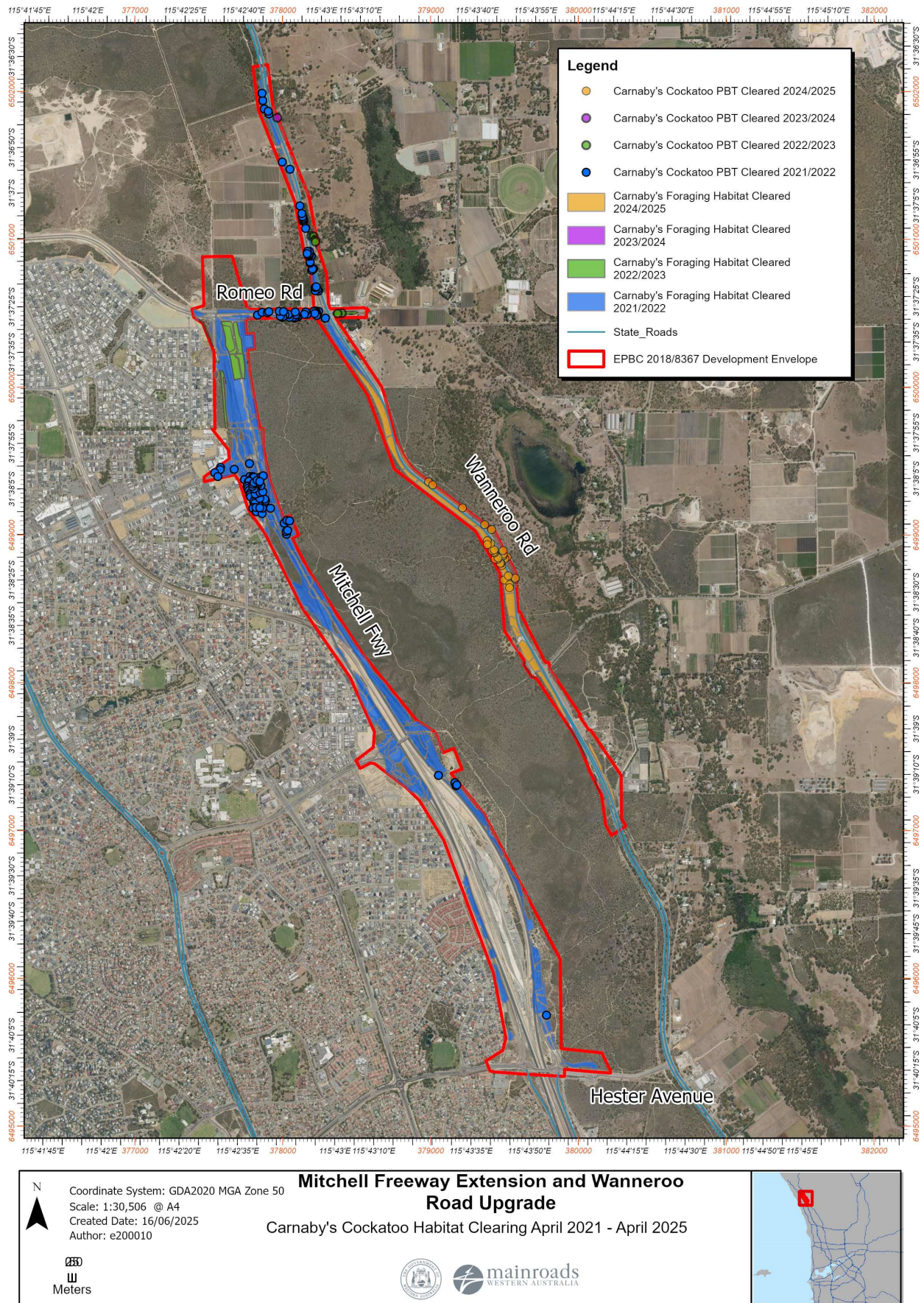


Figure 4 Carnaby's Cockatoo Habitat Clearing

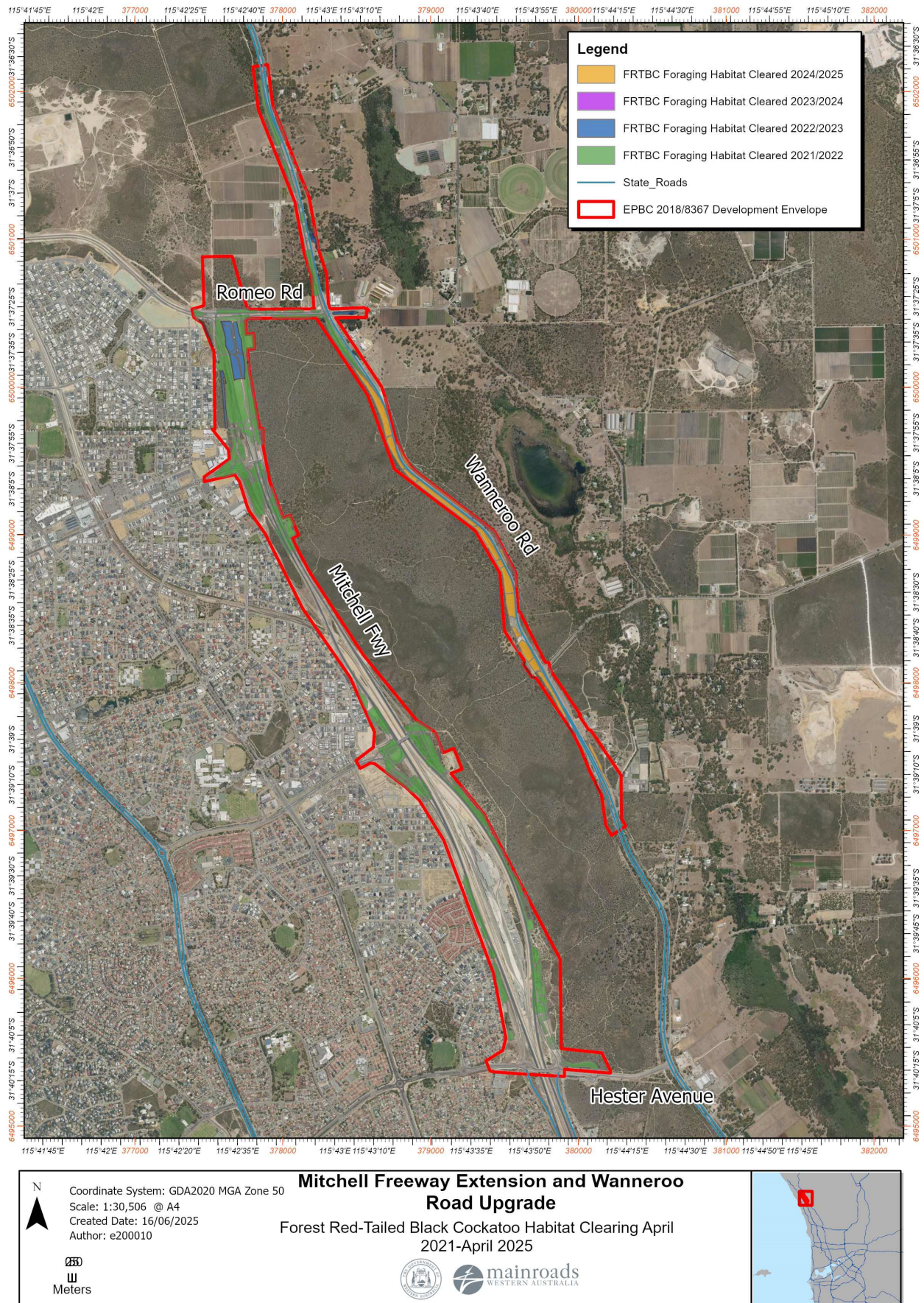


Figure 5 FRTBC Habitat Clearing