



Australian Government



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BUILDING OUR FUTURE

Roe Highway Extension to Murdoch Drive

Compliance Assessment Plan – Statement 1148

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1.0 Introduction

1.1 Background

Main Roads Western Australia (Main Roads) has constructed the Roe Highway Extension to the connection with Murdoch Drive. The proposal consists of the construction of a dual carriageway road with two lanes in each direction and all associated road connections, road furniture, lighting, drainage and structures.

Areas of the development envelope depicted in Figures 1a and 1b as rehabilitation Zone will be rehabilitated. In June 2018 it was decided that the portion of the Roe Highway Extension Project area to the west of Bibra Drive was to be an area of rehabilitation (Figure 1a and 1b). A Rehabilitation Management Plan (Roe 8 Cleared Areas) was prepared by the Rehabilitating Roe 8 Working Group and has been approved by the Minister for Transport. The portion of the project area to the east of Bibra Dive is the location of the works for the Murdoch Drive Connection. Table 1 contains the location and authorised extent of physical and operational elements from Schedule 1 of Ministerial Statement 1148 (MS1148).

Table 1 Location and authorised extent of physical and operational elements

Element	Location	Authorised Extent
Clearing and Disturbance	Located within the proposal development envelope as shown in figures 1(a) and 1(b). Includes clearing for road, drainage and noise walls.	Within the 174.6 ha development envelope: <ul style="list-style-type: none"> • 88.8 ha Construction and Operation Zone – clearing and disturbance of less than 26.7 ha • an 85.8 ha Rehabilitation zone – no additional clearing and disturbance.
Rehabilitation	Rehabilitation Zone located within the development envelope as shown on figures 1(a) and 1(b).	Areas cleared as part of the original proposal within the Rehabilitation Zone.

1.2 Purpose and scope

The Office of the Environmental Protection Authority (OEPA) Post Assessment Guideline No.2 – Preparing a Compliance Assessment Plan (PAG 2) (OEPA, 2012a) outlines the CEO's minimum requirements for a Compliance Assessment Plan (CAP). This CAP has been prepared in accordance with the guideline and is submitted pursuant to conditions 3-1 and 3-2 of Ministerial Statement No. 1148.

Condition 3-1 states:

The proponent shall prepare and maintain a Compliance Assessment Plan, which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 3-6, or no later than 2 April 2021.

Condition 3-2 states:

The Compliance Assessment Plan shall indicate:

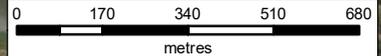
1. The frequency of compliance reporting.
2. The approach and timing of compliance assessments.
3. The retention of compliance assessments.
4. The method of reporting of potential non-compliances and corrective actions taken.
5. The table of contents of Compliance Assessment Reports.
6. Public availability of Compliance Assessment Reports.



Figure 1(a) Rehabilitation Zone within the Roe Highway Extension to Murdoch Drive development envelope



LEGEND
MS 1148 Rehabilitation Zone



2.0 Assessment and Reporting

2.1 Audit Table

An audit table has been prepared by the Department of Water and Environmental Regulation (DWER) for Ministerial Statement No. 1148 in accordance with the OEPA Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table (PAG 1) (OEPA, 2012b).

The audit table includes the following elements:

- Audit Code: Ministerial Statement reference number.
- Subject: The environmental subject/issue.
- Requirement: Wording of the relevant implementation condition, procedure or commitment.
- How: The way the proponent intends to achieve the requirement.
- Evidence: Information or data collected to verify compliance, i.e. report/letter/site inspection requirements.
- Phase: Project phase.
- Timeframe: Specific timing and/or location.
- Status: Notes about the fulfilment of compliance.
- Further Information: Additional details and supporting information to verify compliance status.

The audit table is included in Appendix A.

2.2 Frequency of compliance reporting

Condition 3-6 of MS1148 requires that Main Roads submits a Compliance Assessment Report (CAR) annually. The initial CAR will be submitted to the CEO by 2 October annually or as agreed in writing by the CEO, to address the preceding twelve (12) month period from 2 July.

The first CAR will address a compliance period of 2 July 2020 to 1 July 2021 and will be submitted to the CEO of the DWER by 2 October 2021. Subsequent CARs will address the compliance period from 2 July to 1 July with each report submitted to the CEO of the DWER by the annual date of 2 October following the conclusion of the compliance period.

2.3 Approach and timing of compliance assessments

Main Roads will assess compliance against all conditions of MS1148 1096 on an annual basis. The CAR will be prepared in accordance with the OEPA Post Assessment Guideline No. 3 – Post Assessment Guideline for Preparing a Compliance Assessment Report (PAG 3) (OEPA, 2012c).

In accordance with condition 3-6 of MS1148, the CAR will include the following:

1. Be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf.
2. Include a statement as to whether the proponent has complied with the conditions.
3. Identify all potential non-compliances and describe corrective and preventative actions taken.
4. Be made publicly available in accordance with this CAP.
5. Indicate any proposed changes to the CAP required by condition 3-1.

The assessment will be summarised in the audit table (Appendix A) and submitted as required by condition 3-6 of MS1148. Compliance will be assessed as detailed in the Audit Table.

2.3.3 Subsidiary plans

Conditions of MS1148 require the implementation of a number of subsidiary plans for post-construction monitoring relevant to the Construction and Operation Zone (Table 2). This monitoring is to be implemented for a period of three years or as otherwise agreed by the CEO.

Table 2 Subsidiary plans to be implemented by MS1148

Condition	Plan Implementation
5-2(1)	Section 2 and Appendix 1 of Drainage Monitoring and Management Plan
5-2(2)	Section 2 and Appendix 1 and the addendum of Wetlands Monitoring and Management Plan
5-2(3)	Section 3 of Flora and Vegetation Monitoring and Management Plan
5-7	The Vegetation Rehabilitation Plan for areas that have been temporarily cleared in the Construction and Operation Zone
7-1(1)	The Land Acquisition and Management Plan (20 years)
7-1(2)	The Typha orientalis Control Plan

2.4 Retention of compliance assessments

Main Roads will retain CARs (including all associated compliance assessments) and evidence used to verify compliance for the life of the proposal and then for a minimum of seven years after the end of the life of the proposal. Main Roads will continue to implement the proposal until the CEO has determined all conditions of MS1148 have been satisfactorily met.

CARs will be retained on Main Roads' Electronic Document and Records Management System (currently TRIM RM 8.3) that Main Roads is required to maintain and operate in accordance with its obligations under the *State Records Act 2000*.

2.5 Reporting of potential non-compliances and corrective actions

Where a non-compliance or potential non-compliance with the conditions of MS1148 is observed or detected, Main Roads will report the non-compliance to the CEO within seven (7) days of detecting the non-compliance in accordance with condition 4-5.

The Main Roads Project Manager, or their delegated representative, will be responsible for reporting potential non-compliances and corrective actions to the CEO.

Non-compliances or potential non-compliances will be detailed in the annual CAR.

All non-compliance correspondence and incident reports will be retained by Main Roads on its Electronic Document and Records Management System for at least the life of the project and seven (7) years after the life of the project.

2.6 Table of contents

The table of contents of the CAR will at a minimum include:

1. Introduction
2. Summary of proposal's implementation status
3. Statement of compliance
4. Details of declared compliance status
5. Non-compliances and corrective actions, if any

6. Supporting/verifying information/documentation
7. Proposed changes to CAP
8. Appendices including:
 - A. Statement of compliance prepared in accordance with the OEPA Post Assessment Form for a Statement of Compliance and endorsed by the proponent's Managing Director or a person delegated to sign on the Managing Director's behalf.
 - B. Ministerial Statement audit table in accordance with Appendix 1 of this CAP.
 - C. Subsidiary plans audit tables (potentially non-conformant items only).
 - D. Evidence (related to potential non-compliances/non-conformances only).
 - E. Summary table of evidence reviewed.
 - F. Other appendices may be included where relevant from time to time.

2.7 Public availability of Compliance Assessment Reports

Main Roads will make all CARs publicly available in accordance with condition 4-1 and the OEPA's Post Assessment Guideline No. 4 – Post Assessment Guideline for Making Information Publicly Available (PAG 4) (OEPA, 2012d).

CARs will be made available through the Main Roads webpage at <https://www.mainroads.wa.gov.au> and follow the links to the Murdoch Drive Connection page (<https://www.mainroads.wa.gov.au/projects-initiatives/projects/metropolitan/Murdoch-Drive-Connection/murdoch-drive-connection-environment/>).

3.0 References

OEPA. 2012a. Post Assessment Guideline for Preparing a Compliance Assessment Plan, Post Assessment Guideline No. 2. August. Office of the Environmental Protection Authority. Perth, Western Australia.

OEPA. 2012b. Post Assessment Guideline for Preparing an Audit Table, Post Assessment Guideline No. 1. August. Office of the Environmental Protection Authority. Perth, Western Australia.

OEPA. 2012c. Post Assessment Guideline for Preparing a Compliance Assessment Report, Post Assessment Guideline No. 3. August. Office of the Environmental Protection Authority. Perth, Western Australia.

OEPA. 2012d. Post Assessment Guideline for Making Information Publicly Available, Post Assessment Guideline No. 4. August. Office of the Environmental Protection Authority. Perth, Western Australia.

3.1 Abbreviations

CAP	Compliance Assessment Plan
CAR	Compliance Assessment Report
CEO	Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the Environmental Protection Act 1986, or his delegate.
Main Roads	Main Roads Western Australia
MS	Ministerial Statement
OEPA	Office of the Environmental Protection Authority
PAG 1	Post Assessment Guideline No. 1 – Post Assessment Guideline for Preparing an Audit Table
PAG 2	Post Assessment Guideline No.2 – Preparing a Compliance Assessment Plan
PAG 3	Post Assessment Guideline No. 3 – Post Assessment Guideline for Preparing a Compliance Assessment Report
PAG 4	Post Assessment Guideline for Making Information Publicly Available

Appendix 1: Audit Table

DWER Notes:

- Phases that apply in this table = Pre-Construction, Construction, Operation, Decommissioning, Overall (several phases).
- This audit table is a summary and timetable of conditions and commitments applying to this project. Refer to the Minister's Statement for full detail/precise wording of individual elements.
- Code prefixes: M = Minister's condition, P = Proponent's commitment. Acronyms list: CEO = Chief Executive Officer of DWER; DEC = Department of Environment Regulation; DPAW = Department of Parks and Wildlife; DIA = Department of Indigenous Affairs; DMP = Department of Mining and Petroleum; DWER = Department of Water and Environmental Regulation; EPA = Environmental Protection Authority; DoH = Department of Health; DoW = Department of Water, Minister for Env = Minister for the Environment; OEPA = Office of the Environmental Protection Authority.
- Compliance Status: C = Compliant, CLD = Completed, NA = Not Audited, NC = Non – compliant, NR = Not Required at this stage. Please note the terms VR = Verification Required and IP = In Process are only for OEPA use.

Audit Table for Ministerial Statement 1148

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1148:M1.1	Proposal Implementation	When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 in Schedule 1.	Implement Proposal as described in Schedule 1	Annual Compliance Assessment Report (CAR).	Overall	Ongoing.		
1148:M2.1	Contact Details	The proponent shall notify the CEO of any change of its name and physical, postal and electronic address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.	Submit written notification to the CEO of DWER	Written notification to the CEO of DWER	Overall	Within 28 days of any change of name and physical, postal and electronic address.		
1148:M3.1	Compliance Reporting	The proponent shall prepare and maintain a Compliance Assessment Plan, which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 3-6, or no later than 2 April 2021.	Prepare a Compliance Assessment Plan and submit to the CEO of DWER for approval.	Compliance Assessment Plan (CAP). CEO of DWER approval of CAP.	Overall	By 2 April 2021.		
1148:M3.2	Compliance Reporting	The Compliance Assessment Plan shall indicate: (1) the frequency of compliance reporting; (2) the approach and timing of compliance assessments; (3) the retention of compliance assessments; (4) the method of reporting of potential non-compliances and corrective actions taken; (5) the table of contents of Compliance Assessment Reports; and (6) public availability of Compliance Assessment Reports.	Prepare and submit to the CEO of DWER a CAP addressing all requirements	CAP. CEO of DWER approval of CAP.	Overall	Prior to implementation or six months prior to first compliance report.		
1148:M3.3	Compliance Reporting	After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 3-2, the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 3-1.	Undertake annual compliance assessments in accordance with the approved CAP.	Annual CAR.	Overall	Ongoing, annually.		
1148:M3.4	Compliance Reporting	The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 3-1 and shall make those reports available when requested by the CEO.	Prepare and retain Annual CARs in accordance with the approved CAP. Make CARs available to CEO of DWER on request.	Annual CAR.	Overall	As required by record keeping legislation.		
1148:M3.5	Compliance Reporting	The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.	Written correspondence to CEO of DWER within 7 days of any potential non-compliance.	Annual CAR. Correspondence to CEO of DWER advising of potential non-compliance.	Overall	Within 7 days of that non-compliance being known.		
1148:M3.6	Compliance Reporting	The proponent shall submit to the CEO, by 2 October annually or as agreed in writing by the CEO, Compliance Assessment Reports that address the preceding twelve (12) month period from 2 July. The Compliance Assessment Reports shall: (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf; (2) include a statement as to whether the proponent has complied with the conditions; (3) identify all potential non-compliances and describe corrective and preventative actions taken; (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 3-1.	Submit Annual CARs addressing all requirements annually to DWER.	Annual CAR. Transmittal documentation of CAR.	Overall	By 2 October 2021 and annually thereafter.		
1148:M4.1	Public Availability of Plans and Reports	Subject to condition 4-2, the proponent shall make publicly available on its website, and in any manner approved in writing by the CEO, the plans and reports referred to in conditions 3-1, 3-4, 3-6, 5-2, 5-7, 6-3 and 7-1.	Publish reports on Main Roads website, or provide reports as directed by the CEO of DWER.	Transmittal documentation of request for data. Website link (if posted on a website)	Overall	Ongoing.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1148:M4.2	Public Availability of Plans and Reports	If any parts of the plans and reports referred to in condition 4-1 contains particulars of: (1) a secret formula or process; or (2) confidential commercially sensitive information, the proponent may submit a request for approval from the CEO to not make those parts of the plans and reports publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.	Provide the CEO with an explanation and reasons why data should not be made publicly available.	Correspondence to the CEO of DWER requesting approval to not make data publicly available, if applicable.	Overall	Ongoing.		
1148:M5.1	Construction and Operation Zone (Murdoch Drive Connection)	The proponent shall ensure that: (1) impacts from ongoing operation of the proposal are managed such that groundwater quality is maintained relative to pre-construction conditions; (2) impacts to wetland quality associated with implementation of the proposal are minimised; and (3) ongoing implementation of the proposal does not cause any detectible adverse effects on flora and vegetation communities within areas of native vegetation adjacent to the Construction and Operation Zone.	Implement conditions 5-2, 5-3, 5-4, 5-5, 5-6,5-7 and 5-8.	Annual CAR.	Overall	Ongoing.		
1148:M5.2	Construction and Operation Zone (Murdoch Drive Connection)	In order to meet the objectives of condition 5-1 the proponent shall implement post-construction monitoring relevant to the Construction and Operation Zone, detailed in the following Plans, which the CEO has approved by notice in writing: (1) Section 2 and Appendix 1 of Drainage Management and Monitoring Plan; (2) Section 2, Appendix 1 and the Addendum of Wetlands Monitoring and Management Plan; and (3) Section 3 of Flora and Vegetation Monitoring and Management Plan.	Implement post-construction monitoring relevant to the Construction and Operation Zone detailed in condition 5-2.	Annual CAR.	Overall	Ongoing.		
1148:M5.3	Construction and Operation Zone (Murdoch Drive Connection)	If the post-construction monitoring indicates that the targets and actions specified in the Plans are not being met, the proponent shall implement the contingency actions in: (1) Section 3 of Drainage Management and Monitoring Plan; (2) Section 3 of Wetlands Monitoring and Management Plan; and (3) Section 4 of Flora and Vegetation Monitoring and Management Plan.	Implement the contingency actions in condition 5-3.	Annual CAR.	Overall	Ongoing.		
1148:M5.4	Construction and Operation Zone (Murdoch Drive Connection)	The proponent shall ensure the reporting requirements of the Plans are met as specified in: (1) Section 4 of Drainage Management and Monitoring Plan; (2) Section 4 of Wetlands Monitoring and Management Plan; and (3) Section 6 of Flora and Vegetation Monitoring and Management Plan.	Ensure the reporting requirements of the Plans are met as specified in condition 5-4.	Annual CAR.	Overall	Ongoing.		
1148:M5.5	Construction and Operation Zone (Murdoch Drive Connection)	The proponent shall continue to implement post-construction monitoring for three (3) years, or as otherwise agreed by notice in writing by the CEO, in order to assess whether the objectives specified in condition 5-1 have been achieved and until the CEO has advised in writing that post-construction monitoring is no longer required.	Continue to implement post-construction monitoring for three (3) years, or as otherwise agreed by notice in writing by the CEO.	Annual CAR. Approval notice from CEO of DWER.	Overall	For 3 years or as otherwise agreed by the CEO.		
1148:M5.6	Construction and Operation Zone (Murdoch Drive Connection)	The proponent shall: (1) determine whether ground disturbance or construction activities have resulted in the spread or introduction of any disease or pathogen, by undertaking appropriate mapping and monitoring during the first wet season (June to August) following the completion of construction; (2) submit a report to the CEO on the outcomes of the mapping and monitoring within three (3) months of the completion of mapping and monitoring; and (3) undertake remedial actions to manage or mitigate any spread or introduction attributable to the proposal.	Undertake disease or pathogen mapping and monitoring during the first wet season (June to August) following the completion of construction; (2) submit a report to the CEO on the outcomes of the mapping and monitoring within three (3) months of the completion of mapping and monitoring; and (3) undertake remedial actions to manage or mitigate any spread or introduction attributable to the proposal.	Annual CAR. Disease and Pathogen Report Transmittal document of Disease and Pathogen Report.	Overall	Submit report to the CEO 3 months of the completion of mapping and monitoring.		

Audit Code	Subject	Requirement	How	Evidence	Phase	Timeframe	Status	Further Information
1148:M5.7	Construction and Operation Zone (Murdoch Drive Connection)	The proponent shall implement the Vegetation Rehabilitation Plan for areas that have been temporarily cleared within the Construction and Operation Zone.	Implement the Vegetation Rehabilitation Plan for areas that have been temporarily cleared within the Construction and Operation Zone.	Annual CAR.	Overall	Ongoing.		
1148:M5.8	Construction and Operation Zone (Murdoch Drive Connection)	The proponent shall routinely inspect and maintain the fauna underpass constructed at the Kwinana Freeway Roe Highway intersection to ensure the underpass is performing effectively.	Inspect the Kwinana Freeway Roe Highway intersection fauna underpass for effective performance.	Annual CAR.	Overall	Ongoing.		
1148:M6.1	Rehabilitation Zone (Bibra Drive to Stock Road)	The proponent shall ensure that the direct and indirect impacts from clearing of native vegetation within the Rehabilitation Zone are rehabilitated so that the condition of the native vegetation is the same as it was prior to clearing within the Rehabilitation Zone.	Implement the Rehabilitating Roe 8 Rehabilitation Plan in consultation with the Rehabilitating Roe 8 Advisory Committee.	Annual CAR.	Overall	Ongoing.		
1148:M6.2	Rehabilitation Zone (Bibra Drive to Stock Road)	The proponent shall undertake ongoing consultation with the Rehabilitating Roe 8 Advisory Committee about the measures and actions required to meet the environmental outcome in condition 6-1.	Consult with the Rehabilitating Roe 8 Advisory Committee about the measures and actions required to meet the environmental outcome in condition 6-1.	Minutes from consultation meetings.	Overall	Ongoing.		
1148:M6.3	Rehabilitation Zone (Bibra Drive to Stock Road)	The proponent shall submit a progress report every five (5) years to the CEO to assess progress towards the achievement of the outcome in condition 6-1.	Prepare and submit a progress report to the CEO of DWER.	Progress Report.	Overall	By 6 February 2021 and then 2 October every 5 years.		
1148:M6.4	Rehabilitation Zone (Bibra Drive to Stock Road)	The first progress report shall be submitted within six (6) months of the publication of this Statement and then by 2 October every five (5) years thereafter or as agreed in writing by the CEO, until the CEO confirms by notice in writing that the outcome in condition 6-1 has been achieved and progress reporting may cease.	Prepare Rehabilitation progress Report within six (6) months of the publication of this Statement and then by 2 October every five (5) years thereafter or as agreed in writing by the CEO.	Progress Report.	Overall	By 6 February 2021 and then 2 October every 5 years.		
1148:M7.1	Offsets	In order to counterbalance the significant residual impacts of the proposal, the proponent shall continue to implement: (1) Land Acquisition and Management Plan; and (2) Typha orientalis Control Program.	Implement the (1) Land Acquisition and Management Plan; and (2) Typha orientalis Control Program.	Annual CAR	Overall	Ongoing.		
1148:M7.2	Offsets	The proponent shall continue to implement the Land Acquisition and Management Plan for twenty (20) years from 30 November 2016.	Implement the Land Acquisition and Management Plan for twenty (20) years from 30 November 2016.	Annual CAR.	Overall	Until 30 November 2036.		
1148:M7.3	Offsets	The proponent shall continue to implement the Typha orientalis Control Program until the CEO has provided notice in writing that the completion criteria of that Program have been achieved.	Implement the Typha orientalis Control Program until the CEO has provided notice in writing that the completion criteria of that Program have been achieved.	Annual CAR. Notice from CEO of DWER that the completion criteria is achieved.	Overall	Until the CEO has provided notice in writing that the completion criteria of that Program have been achieved.		