

# **Proposed bypass of Great Eastern Highway at Northam – Extension of time limit**

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**Main Roads Western Australia**

**Section 46 Report and recommendations  
of the Environmental Protection Authority**

**Environmental Protection Authority  
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## Summary and recommendations

Main Roads Western Australia (the proponent) wishes to extend the time limit of environmental approval for the proposed Great Eastern Highway Northam bypass (BSD, 1993). This report provides the Environmental Protection Authority's (EPA's) advice and recommendations to the Minister for the Environment on the environmental factors, conditions and procedures relevant to an extension of the time limit.

Section 46 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not proposed changes to conditions and procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

### Relevant environmental factors

The EPA's assessment of the relevant environmental factors considered in its previous assessment of the proposal (EPA, 1993) have not changed as a result of the proponent's request to extend the time limit of environmental approval. Therefore, it is the EPA's opinion that the following are the environmental issues relevant to the request, which require evaluation in the report:

- a) extension to the time limit of approval; and
- b) updating of other environmental conditions.

### Conclusion

The EPA has considered the request by the proponent to extend the time limit of environmental approval for the proposed Great Eastern Highway Northam bypass and has concluded that a three year extension should be allowed.

The EPA believes that the period since the proposal for the proposed Great Eastern Highway Northam bypass was originally assessed has not given rise to any changes that would cause the EPA to reconsider its previous assessment of the project or its previous recommendation as to the environmental acceptability of the project.

In addition to reporting on an extension to the time limit, the EPA considers that conditions attached to the environmental approval should be updated. Accordingly, it has also reported on the updating of conditions.

### Recommendations

The EPA submits the following recommendations to the Minister for the Environment:

1. That the Minister notes this report is pursuant to Section 46 of the *Environmental Protection Act 1986* and thus is limited to consideration of proposed changes to the environmental conditions (and does not permit changes to the original proposal).
2. That the Minister notes that the proposed change is an extension of time for implementation.
3. That the Minister notes that the EPA has concluded that:
  - the extension of time limit of approval for another three years is acceptable; and
  - the Environmental Conditions of approval should be updated to reflect current best practice.
4. That the Minister imposes the conditions and procedures set out in Appendix 4 of this report.

## **Conditions**

The EPA recommends that the following conditions, which are set out in detail in Appendix 4, be imposed if the proposed time limit extension for the proposed Great Eastern Highway Northam bypass is approved:

1. the existing Environmental Conditions applied to the project (Ministerial Statement 358 dated 24 June 1994), be subject to modifications necessary to:
  - extend the time limit of environmental approval;
  - update the statement into the current format; and
  - ensure compatibility with current environmental protection requirements.

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## **1. Introduction and background**

Main Roads Western Australia (the proponent) wishes to extend the time limit of environmental approval for the proposed Great Eastern Highway Northam bypass for a further three years.

The proposal was assessed by the Environmental Protection Authority (EPA) in 1993 at the level of Consultative Environmental Review and Main Roads Western Australia was nominated proponent.

The Minister for the Environment gave environmental approval for the project, subject to conditions, on 24 June 1994. Condition 5 of the Minister's statement of approval (Appendix 3) set a time limit of five years for commencing the project. After this period, any extension to that time limit would have to occur via a request to change the condition under Section 46 of the *Environmental Protection Act 1986*.

In accordance with Condition 5, Main Roads Western Australia has requested that the time limit of approval be extended for a further three years via a Section 46 change to conditions. This request was made on 21 April 1999, prior to the expiration date referred to in Condition 5.

Further details of the proposal and request are presented in Section 2 of this report. Section 3 discusses environmental factors relevant to the proposal. Conditions and procedures to which it should be subject if the Minister determines that it may be implemented are set out in Section 4. Section 5 presents the EPA's conclusions and Section 6 the EPA's recommendations.

The report also includes the following appendices: Appendix 1 provides a summary assessment of relevant environmental factors, Appendix 2 provides references, Appendix 3 contains the 1994 Ministerial conditions, Appendix 4 contains the conditions recommended by the EPA, and Appendix 5 provides issues raised by Posselt Nominees.

## **2. The proposal**

### **Approved proposal**

In 1992 Main Roads Western Australia proposed the construction of the Great Eastern Highway Northam bypass.

At the time of assessment, the EPA recommended that:

- Routes 6 and 6A are not environmentally acceptable because of their potential impact on the Avon River;
- Route 9 of the proposal to create a Great Eastern Highway bypass around the Town of Northam, as discussed during the process of interaction between the proponent, the Environmental Protection Authority, the public and the Government agencies that were consulted, is environmentally acceptable;
- the main environmental factor associated with Route 9 requiring detailed consideration is the protection of the Avon and Mortlock Rivers from adverse impacts caused by bridge construction; and
- bridge structures for Route 9 over the Avon and Mortlock Rivers should not adversely affect the hydrology and water quality of the rivers, and be designed according to a floodplain management strategy which meets the requirements of the Water Authority of Western Australia and the Waterways Commission (now Water and Rivers Commission).

The key characteristics of the proposal are summarised in Table 1. A more detailed description of the original proposal is contained in the EPA's assessment of the proposal (EPA, 1993) and in the Consultative Environmental Review (BSD, 1993). The environmental conditions imposed on the proposal in 1994 are contained in Appendix 3.

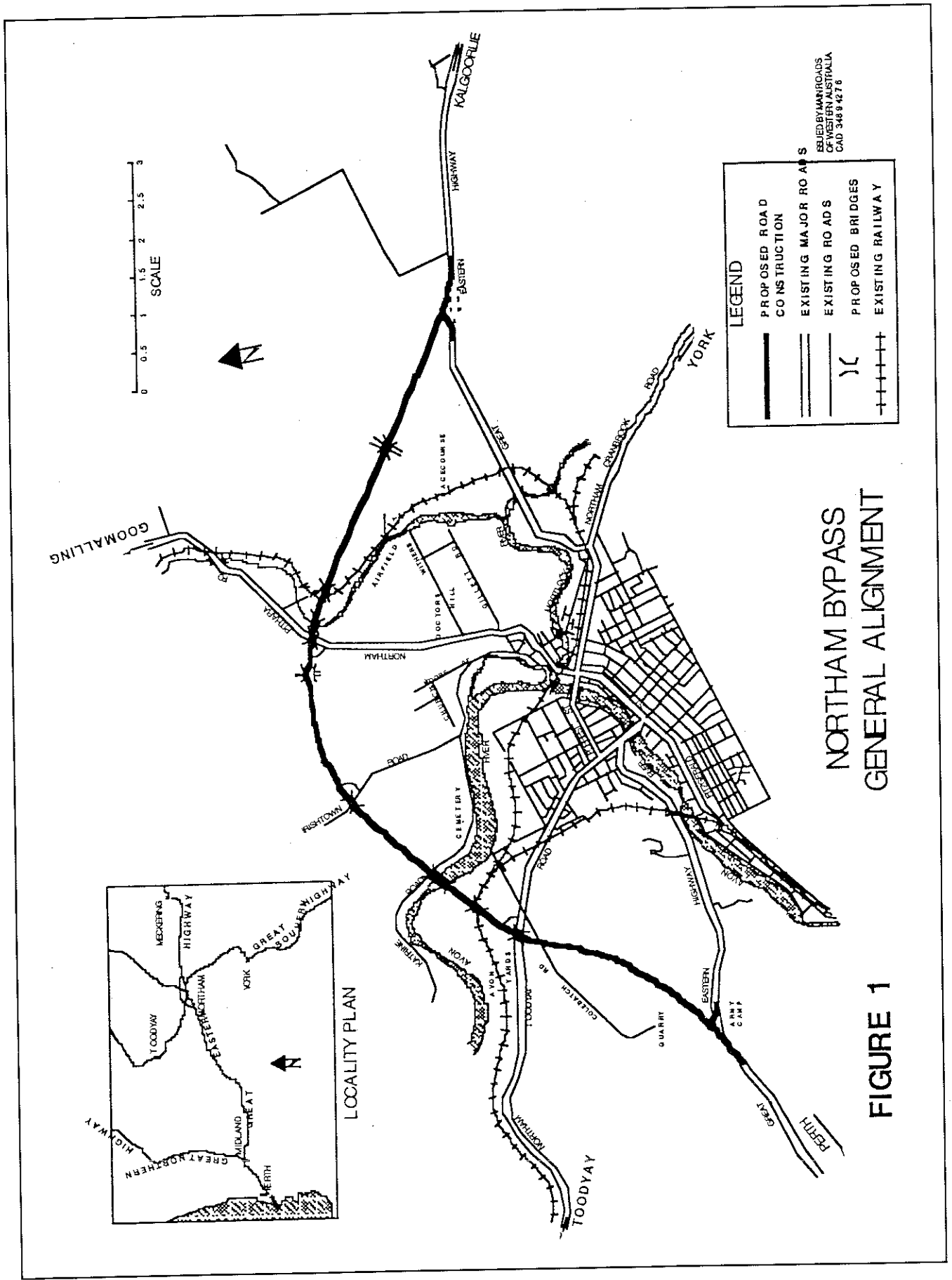


FIGURE 1

Figure 1. Northam bypass general alignment.



**Table 1. Summary of key proposal characteristics (Route 9)**

Element	Description
General description	<p>From the starting point to the west of Northam the route traverses an arc through rural farming land passing over the Northam-Pithara Road behind the Doctors Hill locality and north of the Northam Racecourse to link up with the existing Great Eastern Highway to the east of Northam.</p> <p>The final dual carriageway bypass including median strip and road reserve will be approximately 100 metres wide.</p>
Location	Starts at 88.9 straight line kilometres (SLK) from Perth and rejoins the existing highway at 102.00 SLK from Perth.
Bridges	Over the railway, Avon and Mortlock Rivers (to the north of the Town of Northam), Katrine Road and Irishtown Road.
Staging	<p>Stage 1 - single carriageway with land acquisitions and road reserves capable of eventually accommodating the second carriageway.</p> <p>Stage 2 - second carriageway.</p>

### **Proposed changes to environmental conditions**

The proponent wishes to extend the time limit of environmental approval for this proposal by three years because the proposal had not substantially commenced prior to the expiry date of Minister's statement of approval. Main Roads expects to have design and construction contract documentation completed in time for construction to commence by the end of the 2000 calendar year.

## **3. Environmental factors**

### **3.1 Relevant environmental factors**

Section 46 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not the proposed changes to conditions or procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

The relevant environmental factors considered by the EPA in its previous (1993) assessment of the proposal were:

- Watercourses - impacts on river floodplains and associated fringing vegetation;
- Vegetation - creation of corridors; and
- Public health and safety - presence of unexploded ordinance associated with the military live firing range;

Details on the relevant environmental factors and their assessment is summarised in Appendix 1. The description of each factor shows why it is relevant to the proposal and how it will be affected by the proposal. The EPA's assessment of these factors has not changed as a result of the proponent's request to extend the time limit of environmental approval. The EPA's assessment of the proposal has therefore not given rise to any changes which would cause the EPA to reconsider its previous assessment of the project and, in particular, its previous recommendation as to the environmental acceptability of the project.

It is the EPA's opinion that its inquiry into the proposed time limit extension should address the following issues:

- a) whether the requested extension to the time limit should be approved; and
- b) what changes to the existing environmental conditions might be required should an extension be granted.

These issues are discussed in Sections 3.2 and 3.3 of this report.

### **3.2 Extension of the time limit of approval**

#### **Description**

Approval for this project was initially limited to five years recognising that over time the predicted environmental impacts and their considered significance may change. Over five years, knowledge of the receiving environment may increase as a result of further studies, and the anticipated impacts on this environment may change as a result of increased understanding of interaction between the environment and the proposal. In addition, environmental regulations, standards, guidelines and accepted practices may also change.

#### **Assessment**

The EPA considers there have been no significant changes in the understanding of the receiving environment or revisions to the predicted impacts from those originally presented by the proponent and assessed by the EPA in 1993.

Although environmental standards in general have changed over the past five years there has not been any change which would significantly affect the proposal as described in the 1993 CER document (BSD, 1993).

Having particular regard to:

- the fact that the predicted environmental impacts of the proposal have not changed; and
- the absence of changes to environmental standards that would affect the implementation of the proposal;

it is the EPA's opinion that the requested extension of the time limit of environmental approval should be allowed.

### **3.3 Changes to other environmental conditions**

#### **Description**

Assessment of this proposal under Section 46 of the *Environmental Protection Act 1986* allows the EPA the opportunity to amend other environmental conditions in addition to the time limit condition (Condition 5, Appendix 3). The environmental conditions currently applicable to the Great Eastern Highway Northam bypass are included as Appendix 3.

#### **Assessment**

The EPA has taken the opportunity to review the environmental conditions set on this proposal with a view to:

- updating the statement into the current format; and
- ensuring compatibility with current environmental protection requirements.

The EPA's proposed changes to the existing conditions are set out in greater detail in Table 2. This table should be examined in conjunction with the original environmental conditions and proponent's commitments in Appendix 3 and the recommended draft conditions in Appendix 4.

The recommended draft conditions provide for adequate protection of the environment and for efficient and effective environmental auditing of compliance.

Having particular regard to:

- current formatting for Ministerial Conditions; and
- the need for compatibility with current environmental protection requirements;

it is the EPA's opinion that the revised Conditions should be implemented.

#### **4. Conditions**

Section 46 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on whether or not the proposed changes to conditions or procedures should be allowed. In addition, the EPA may make recommendations as it sees fit.

In developing recommended conditions for each project, the EPA's preferred course of action is to have the proponent provide an array of commitments to ameliorate the impacts of the proposal on the environment. The EPA acknowledges the proponent's intent behind the commitments, however the recommended draft conditions in this case supersede the requirement for additional commitments.

The EPA recommends that the following conditions, which are set out in formal detail in Appendix 4, be imposed if the proposed time limit extension for the proposed Great Eastern Highway Northam bypass is approved. The existing Environmental Conditions applied to the project (Ministerial Statement 358, 24 June 1994) be subject to modifications necessary to:

- extend the time limit of environmental approval;
- update the statement into the current format; and
- ensure compatibility with current environmental protection requirements.

#### **5. Conclusions**

The EPA has considered the request by Main Roads Western Australia to extend the time limit of environmental approval for the proposed Great Eastern Highway Northam bypass and has concluded that a three year extension should be allowed.

The EPA believes that the period since the relocation of the proposed Great Eastern Highway Northam bypass was originally assessed has not given rise to any changes that would cause the EPA to reconsider its previous assessment of the project or its previous recommendation as to the environmental acceptability of the project.

#### **6. Recommendations**

Section 46 of the *Environmental Protection Act 1986* requires the EPA to report to the Minister for the Environment on the environmental factors relevant to the proposal and on the conditions and procedures to which the proposal should be subject, if implemented. In addition, the EPA may make recommendations as it sees fit.

The EPA submits the following recommendations to the Minister for the Environment:

1. That the Minister notes this report is pursuant to Section 46 of the *Environmental Protection Act 1986* and thus is limited to consideration of proposed changes to the environmental conditions (and not changes to the original proposal).
2. That the Minister notes that the proposed change is an extension of time for implementation.
3. That the Minister notes that the EPA has concluded that:
  - the extension of time limit of approval for another three years is acceptable; and
  - the Environmental Conditions of approval should be updated to reflect current best practice.
4. That the Minister imposes the conditions and procedures set out in Appendix 4 of this report.

**Table 2 - Summary of proposed changes to environmental conditions.**

Orig. cond.	Requirements (summarised)	Evaluation	Recommended new condition
1	Fulfil commitments	Wording changed to contemporary format	<p><b>1 Proponent Commitments</b></p> <p>1-1 The proponent shall implement the consolidated environmental management commitments of April 1994 and documented in schedule 2 of this statement.</p> <p>1-2 The proponent shall implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of conditions and procedures in this and the previous statement issued for this proposal.</p>
2	Implement the proposal as described	Wording changed to contemporary format	<p><b>2 Implementation</b></p> <p>2-1 Subject to these conditions and procedures, the proponent shall implement the proposal as documented in schedule 1 of this statement.</p> <p>2-2 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.</p> <p>2-3 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is not substantial, those changes may be effected.</p>
3	No change of proponent without approval of the Minister for the Environment	Wording changed to contemporary format	<p><b>3 Proponent</b></p> <p>3-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.</p> <p>3-2 Any request for the exercise of that power of the Minister referred to in condition 3-1 shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement.</p> <p>3-3 The proponent shall notify the Department of Environmental Protection of any change of proponent contact name and address within 30 days of such change.</p>

5	Project to be commenced within five years or the approval shall lapse and be void.	Requested time limit extension should be granted. The project should now substantially commence within two years of the revised Ministerial Statement.	<p><b>4 Commencement</b></p> <p>4-1 The proponent shall provide evidence to the Minister for the Environment within two years of the date of this statement that the proposal has been substantially commenced.</p> <p>4-2 Where the proposal has not been substantially commenced within two years of the date of this statement, the approval to implement the proposal as granted in Statement No. 358 (24 June 1994) shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been substantially commenced.</p> <p>4-3 The proponent shall make application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond two years from the date of this statement, at least six months prior to the expiration of the two year period commencing on the date of this statement.</p> <p>4-4 Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding two years for the substantial commencement of the proposal.</p>
7	Compliance Auditing	Wording changed to contemporary format	<p><b>5 Compliance Auditing</b></p> <p>5-1 The proponent shall submit periodic Compliance Reports, in accordance with an audit programme prepared in consultation between the proponent and the Department of Environmental Protection.</p> <p>5-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions, procedures and commitments contained in this statement and for issuing formal, written advice that the requirements have been met.</p> <p>5-3 Where compliance with any condition, procedure or commitment is in dispute, the matter will be determined by the Minister for the Environment.</p>
New Condition	Environmental Management System	New condition reflects current expectation that all major projects should have an Environmental Management System in place to ensure that the proposal is implemented	<p><b>6 Environmental Management System</b></p> <p>6-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to ground-disturbing activities, the proponent shall demonstrate to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection that there is in place an Environmental Management System which includes the following elements:</p> <ol style="list-style-type: none"> <li>1 An environmental policy and corporate commitment to it;</li> <li>2 Mechanisms and processes to ensure: <ol style="list-style-type: none"> <li>(1) planning to meet environmental requirements;</li> </ol> </li> </ol>

		with good environmental management and a system that facilitates continual improvement.	<p>(2) implementation and operation of actions to meet environmental requirements;</p> <p>(3) measurement and evaluation of environmental performance; and</p> <p>3 Review and improvement of environmental outcomes.</p> <p>6-2 The proponent shall implement the environmental management system referred to in condition 6-1.</p>
4	Minimise environmental impacts of highway on the hydrology and water quality of the Avon and Mortlock River.	Wording changed to contemporary format	<p><b>7 Bridge Structures</b></p> <p>7-1 The proponent shall ensure that adverse impacts from realignment of the highway upon the hydrology and water quality of the Avon and Mortlock Rivers are minimised.</p> <p>7-2 Prior to ground-disturbing activities, the proponent shall prepare Final Alignment and Construction Plans to meet the objectives of condition 7-1, to the requirements of the Department of Environmental Protection on advice of the Water and Rivers Commission and the Avon River Management Authority.</p> <p>These Plan shall address:</p> <ol style="list-style-type: none"> <li>1 management of the Avon and Mortlock River floodplains affected by the proposal;</li> <li>2 management and rehabilitation of riverine vegetation affected by the proposal; and</li> <li>3 mitigation of the potential backwater effects of constructing bridges over the Avon and Mortlock Rivers.</li> </ol> <p>7-3 The proponent shall implement the Final Alignment and Construction Plans required by condition 7-2.</p>
6	Rehabilitation	Wording changed to contemporary format	<p><b>8 Rehabilitation Plan</b></p> <p>8-1 At least six months prior to the completion of construction, the proponent shall prepare a Rehabilitation Plan to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.</p> <p>This Plan shall address:</p> <ol style="list-style-type: none"> <li>1 removal of plant and infrastructure within three months following completion of construction;</li> <li>2 identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities; and</li> <li>3 the rehabilitation of the site within twelve months following the completion of construction.</li> </ol> <p>8-2 The proponent shall implement the Rehabilitation Plan required by condition 8-1 until such time as the Minister for the Environment determines that rehabilitation is complete.</p>





## **Appendix 1**

**Summary of assessment of relevant environmental factors**



## Summary of assessment of relevant environmental factors

RELEVANT FACTOR	RELEVANT AREA	EPA OBJECTIVES	EPA ASSESSMENT	EPA ADVICE
Watercourses - impacts on river floodplains and associated fringing vegetation	Avon and Mortlock Rivers in the vicinity of the bridge crossings.	Maintain the integrity, functions and environmental values of watercourses.	Route 9 could be environmentally acceptable if the bridges and associated works required for Route 9 were managed according to an acceptable floodplain development strategy. The backwater effect of a new bridge may contribute to flooding of nearby river banks and the floodplain area. The EPA considers that these concerns have been adequately addressed through the proponent commitment to comply with the Water Authority (now Water and Rivers Commission) maximum backwater surcharge constraints (Commitment 2). The EPA further recommends that bridges constructed over the watercourses should be designed so as not to adversely affect the hydrology and quality of the watercourse.	Having regard for: a) the commitment to comply with the Water and Rivers Commission maximum backwater surcharge constraints; b) the recommendation to ensure bridges constructed over watercourses should be designed so as not to adversely affect the hydrology and quality of the watercourse,  it is the EPA's opinion that the proposal can be managed to meet the EPA's objective of maintaining the integrity, functions and environmental values of watercourses.
Vegetation - creation of corridors	Wheatbelt vegetation in the vicinity of the Great Eastern Highway between Northam and Perth.	Maintain the abundance, species diversity, geographic distribution and condition of vegetation communities.	The EPA sees the construction of the new road as an opportunity to create a new corridor of native vegetation through an otherwise extensively cleared landscape. The EPA supports the Main Roads Commitment (Commitment 33) to use re-vegetation techniques along the road reserves to create suitable habitat areas and wildlife corridors. This opportunity is seen as a substantial benefit to the local environment.	Having regard for: a) the commitment to use re-vegetation techniques along road reserves to create habitat areas and wildlife corridors; and b) the extensively cleared landscape,  it is the EPA's opinion that the proposal can be managed to meet the EPA's objective of maintaining the abundance, species diversity, geographic distribution and condition of vegetation communities.
Public health and safety - presence of unexploded ordnance associated with the military live firing range	The proposed route of the bypass between the Northam Army Camp and the Northam/Toodyay Road.	Ensure that risk is managed to meet the EPA's criteria for individual fatality risk off-site and the DME's requirements in respect of public safety.	The Northam region has been used extensively by the military as a live firing training area resulting in numerous UXOs identified in the region. Main Roads has provided a commitment to commission a UXO survey of the proposed bypass route between the Northam Army Camp and the Northam/Toodyay Road prior to road construction (Commitment 4).	Having regard for: a) the commitment to undertake a UXO survey prior to construction of the road; and b) numerous UXOs associated with the military live firing training area being identified in the region,  it is the EPA's opinion that the proposal can be managed to meet the EPA's objective of ensuring that risk is managed to meet the EPA's criteria for individual fatality risk off-site and the DME's requirements in respect of public safety.



## **Appendix 2**

### **References**



Environmental Protection Authority (1993), Proposed bypass of Great Eastern Highway at Northam. Environmental Protection Authority Bulletin 715, June 1993.

BSD Consultants (BSD) (1993), Northam Bypass Consultative Environmental Review, Perth, Western Australia.





## **Appendix 3**

**Statement of environmental conditions of approval (24 June 1994)**





Ass # 756

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WESTERN AUSTRALIA

MINISTER FOR THE ENVIRONMENT

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED  
(PURSUANT TO THE PROVISIONS OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

GREAT EASTERN HIGHWAY NORTHAM BY-PASS (756)

MAIN ROADS WESTERN AUSTRALIA

Route 9 only of this proposal may be implemented subject to the following conditions:

**1 Proponent Commitments**

The proponent has made a number of environmental management commitments in order to protect the environment.

- 1-1 In implementing the proposal, the proponent shall fulfil the commitments made in the Consultative Environmental Review and in response to issues raised following public submissions, provided that the commitments are not inconsistent with the conditions or procedures contained in this statement. These commitments were consolidated in Environmental Protection Authority Bulletin 715 as Appendix 1, and subsequently modified on 18 April 1994. (A copy of the modified commitments of 18 April 1994 is attached.)

**2 Implementation**

Changes to the proposal which are not substantial may be carried out with the approval of the Minister for the Environment.

- 2-1 Subject to these conditions, the manner of detailed implementation of the proposal shall conform in substance with that set out in any designs, specifications, plans or other technical material submitted by the proponent to the Environmental Protection Authority with the proposal. Where, in the course of that detailed implementation, the proponent seeks to change those designs, specifications, plans or other technical material in any way that the Minister for the Environment determines on the advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

**3 Proponent**

These conditions legally apply to the nominated proponent.

- 3-1 No transfer of ownership, control or management of the project which would give rise to a need for the replacement of the proponent shall take place until the Minister for the Environment has advised the proponent that approval has been given for the nomination of a replacement proponent. Any request for the exercise of that power of the Minister shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the project in accordance with the conditions and procedures set out in the statement.

Published on

24 JUN 1994

#### **4 Bridge Structures**

- 4-1 The proponent shall ensure that adverse impacts from realignment of the highway upon the hydrology and water quality of the Avon and Mortlock Rivers are minimised.
- 4-2 Prior to any site works and in consultation with the Water Authority of Western Australia and the Avon River Management Authority, the proponent shall prepare final alignment and construction plans to meet the objective of condition 4-1.

These plans shall address, but not be limited to the following:

- 1 management of the Avon and Mortlock River floodplains affected by the proposal;
- 2 management and rehabilitation of riverine vegetation affected by the proposal; and
- 3 mitigation of the potential backwater effects of constructing bridges over the Avon and Mortlock Rivers.

- 4-3 The proponent shall implement any management and monitoring requirements arising from the plans required by condition 4-2.

#### **5 Time Limit on Approval**

The environmental approval for the proposal is limited.

- 5-1 If the proponent has not substantially commenced the project within five years of the date of this statement, then the approval to implement the proposal as granted in this statement shall lapse and be void. The Minister for the Environment shall determine any question as to whether the project has been substantially commenced. Any application to extend the period of five years referred to in this condition shall be made before the expiration of that period, to the Minister for the Environment by way of a request for a change in the condition under Section 46 of the Environmental Protection Act. (On expiration of the five year period, further consideration of the proposal can only occur following a new referral to the Environmental Protection Authority.)

#### **6 Rehabilitation**

- 6-1 Within three months of completion of construction, the proponent shall remove plant and installations used in the construction.
- 6-2 Within twelve months of completion of construction, the proponent shall commence rehabilitation of the site and its environs.

#### **7 Compliance Auditing**

In order to ensure that environmental conditions and commitments are met, an audit system is required.

- 7-1 To help verify environmental performance, the proponent shall prepare periodic Progress and Compliance Reports in consultation with the Environmental Protection Authority.

#### **Procedure**

- 1 The Environmental Protection Authority is responsible for verifying compliance with the conditions contained in this statement, with the exception of conditions stating that the

proponent shall meet the requirements of either the Minister for the Environment or any other government agency.

- 2 If the Environmental Protection Authority, other government agency or proponent is in dispute concerning compliance with the conditions contained in this statement, that dispute will be determined by the Minister for the Environment.



Paul Omodei MLA  
A/MINISTER FOR THE ENVIRONMENT

23 JUN 1994

# PROPONENT'S COMMITMENTS

as modified on 18 April 1994

## **GREAT EASTERN HIGHWAY NORTHAM BY-PASS (756)**

MAIN ROADS WESTERN AUSTRALIA

## ENVIRONMENTAL COMMITMENTS

### Objective

The objective for the preparation of environmental commitments for the proposed Route 9 alignment of the Northam Bypass is to provide necessary guidance on the management of potential environmental impacts. The environment commitments ascertain what management strategy is required, who will implement the strategy and the timing of implementation. Where appropriate, commitments which are required to be undertaken to the satisfaction of a regulatory authority, will have the abbreviation of the approval body shown in brackets after the commitment, e.g. (EPA), Environmental Protection Authority. A list of regulatory authorities and their abbreviations is provided at the end of this section.

The environmental commitments have been categorised into :-

- Preconstruction commitments
- During construction commitments
- Post construction commitments

### Preconstruction Commitments

- (1) Main Roads to negotiate with affected landowners, where land resumption is required, in order to arrange an equitable agreement and compensation for loss of property.
- (2) Main Roads to liaise with WAWA regarding the outcome of the Avon River Floodway Study and the implications of study findings with respect to the Route 9 alignment and compliance with WAWA's maximum backwater surcharge constraints (WAWA, EPA).
- (3) Main Roads to undertake public education and consultation should Route 9 be approved by all relevant authorities and pursued by Main Roads prior to the implementation of this alignment.
- (4) Main Roads to commission a UXO survey at the bypass route between its commencement north of the Northam Army Camp and the Northam/Toodyay Road.

### During Construction Commitments

- (5) Main Roads to make all contractors, associated with the construction of the Route alignment, aware of environmental commitments aimed at protecting the environment during construction and built these commitments into their work contracts.

- (6) Main Roads to ensure all re-contouring of embankments and batter slopes to be achieved to acceptable gradients in order to minimise erosion and subsequent siltation of watercourses (EPA, ARMA).
- (7) Main Roads to revegetate cleared areas of road reserve not required for Stage 1 road purposes (EPA, CALM, ARMA).
- (8) Main Roads to revegetate embankments and batter slopes susceptible to short term erosion impacts during the construction phase of the project (EPA, CALM, ARMA).
- (9) Main Roads to provide scour protection (e.g. rock reinforcement or similar) to all bridge and road embankments within the 100 year floodplain (EPA, ARMA, WAWA).
- (10) Scour protection structures to be monitored by Main Roads to examine their stability and durability with the results to be reported as appropriate.
- (11) Main Roads to ensure all major road structures are constructed to accommodate a 100 year ARI flood event and comply with backwater constraints set by the Water Authority (WAWA).
- (12) Main Roads to ensure all minor transverse structures such as culverts will be constructed to cater for a 50 year ARI storm event (WAWA).
- (13) Should drainage flows need to be dammed temporarily, Main Roads will ensure that the ponded water is treated appropriately before it is pumped downstream (WAWA, ARMA, EPA).
- (14) Main Roads to ensure stormwater drainage structures are constructed to design specifications to achieve necessary retention times and storage capacities to collect sediments and compensate stormwater runoff (ARMA, WAWA, EPA).
- (15) Main Roads to carefully plan and manage all earthworking and construction related activities in order to minimise loss of soil material and subsequent siltation along the Avon and Mortlock rivers (WAWA, EPA, ARMA).
- (16) Main Roads to restrict vegetation clearing and machinery movements to the road reserve area along important areas such as the Northam Scout Block and Avon River bank (EAP).
- (17) Main Roads to re-contour and prepare the ground surfaces of revegetation areas to appropriate standards in order to facilitate the successful establishment of indigenous plant species (EPA, CALM, ARMA).
- (18) In road reserve areas of the Route 9 alignment where noxious weed proliferation is obvious, Main Roads are to arrange the removal and burial of affected topsoils to borrow pits.



- (19) Main Roads shall prepare a revegetation programme outlining key areas to be revegetated, selected species and timetable for revegetation.
- (20) Main Roads will monitor the establishment of revegetation annually for a period of 2 years after practical completion of the bypass proposal. Results of monitoring will be included in the Annual Monitoring Report (EPA, ARMA, CALM).
- (21) If revegetation is not progressing to the satisfaction of approval authorities, Main Roads will implement appropriate measures to remedy revegetation establishment (EPA, ARMA, CALM).
- (22) Main Roads to ensure noise and vibration levels associated with blasting activities comply with standards set by the EPA's Pollution Control Division (EPA).
- (23) Main Roads are to undertake before and after inspections of houses in the vicinity of blasting in order to assess potential vibration disturbance (EPA).
- (24) Main Roads will ensure inconvenience caused by re-routing cross roads affected during construction of the bypass alignment will be kept to a minimum and provide appropriate signage to achieve this.
- (25) During construction, Main Roads shall notify relevant agencies such as the Northam Tourist Centre, Shire of Northam and Town of Northam regarding restricted access to the foreshore areas along the Avon River.
- (26) Main Roads to ensure earthworking is undertaken during suitable ground conditions or employ dust suppression measures, such as water carts, when dust levels become problematic (EPA).
- (27) Main Roads to implement approved contingency plan during the construction of the Bypass project in order to contain and/or recover chemical or fuel spillages.
- (28) Main Roads to seek input from the local community in regard to planning and rehabilitating the foreshore areas in an effort to incorporate community needs for this important recreation/conservation area (EPA, ARMA).

#### **Post-Construction Commitments**

- (29) Main Roads to ensure the revegetation of all road reserve, embankments and batter slopes, including those areas revegetated during construction, are revegetated with appropriate indigenous plant species (EPA, ARMA).
- (30) Main Roads to periodically check all minor transverse drainage structures for possible obstructions and if it is demonstrated that road construction has exacerbated local flooding, Main Roads are to investigate remedial measures.
- (31) Main Roads to periodically maintain stormwater drainage structures and remove material that may inhibit their function (ARMA, EPA).

- (32) If the chemical control of weeds is necessary prior, during or after revegetation, Main Roads shall take care to avoid contaminated runoff entering waterways (EPA, ARMA).
- (33) Main Roads shall revegetate road reserves with the intention of creating suitable habitat areas and providing wildlife corridors that minimise fauna road kills.
- (34) Main Roads to construct the infrastructure for information bays and enlist the support of local authorities, local businesses and the Northam Tourist Centre regarding the content of accompanying signage.
- (35) Main Roads to implement approved contingency plan during the construction phase of the project. During the post-construction phase of the project, the implementation of the contingency plan will be the responsibility of the relevant authorities (e.g. Police Department, Fire brigade, Town of Northam, Shire of Northam, EPA, ARMA, State Emergency Service, etc.).
- (36) Main Roads shall undertake annual monitoring of :-
- revegetation areas
  - scour protection structures within 100 year flood plain

for a 2 year period following practical construction of the Route 9 alignment. Results of the monitoring shall be submitted to relevant agencies as appropriate (EPA, ARMA, WAWA, CALM).

- \* Additional and/or modified commitments arising from submissions received during the Public Review period for the Northam Bypass CER.

#### **Commitment Abbreviations**

ARMA	Avon River Management Authority
CALM	Department of Conservation and Land Management
EPA	Environmental Protection Authority
WAWA	Water Authority Of Western Australia

## **Appendix 4**

### **Recommended Environmental Conditions**



**STATEMENT TO AMEND CONDITIONS APPLYING TO A PROPOSAL  
(PURSUANT TO THE PROVISIONS OF SECTION 46 OF THE  
ENVIRONMENTAL PROTECTION ACT 1986)**

**GREAT EASTERN HIGHWAY NORTHAM BY-PASS**

**Proposal:** The proposal is to create a Great Eastern Highway bypass around the Town of Northam, starting at 88.90 straight line kilometres (SLK) from Perth and re-joining the Highway at 102.00 SLK from Perth, as documented in schedule 1 of this statement.

**Proponent:** Main Roads Western Australia

**Proponent Address:** Wheatbelt North Region, Yilgarn Avenue, Northam WA 6401

**Assessment Number:** 1284

**Previous Assessment Number:** 756

**Previous Statement Number:** Statement No. 358 (published on 24 June 1994)

**Report of the Environmental Protection Authority:** Bulletin 968

**Previous Report of the Environmental Protection Authority:** Bulletin 705,  
November 1993

The implementation of this proposal (Route 9 only) to which the above reports of the Environmental Protection Authority relate is now subject to the conditions and procedures which replace all previous conditions and procedures:

## **Procedures**

### **1 Proponent Commitments**

- 1-1 The proponent shall implement the consolidated environmental management commitments of April 1994 and documented in schedule 2 of this statement.
- 1-2 The proponent shall implement subsequent environmental management commitments which the proponent makes as part of the fulfilment of conditions and procedures in this and the previous statement issued for this proposal.

## **2 Implementation**

- 2-1 Subject to these conditions and procedures, the proponent shall implement the proposal as documented in schedule 1 of this statement.
- 2-2 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is substantial, the proponent shall refer the matter to the Environmental Protection Authority.
- 2-3 Where the proponent seeks to change any aspect of the proposal as documented in schedule 1 of this statement in any way that the Minister for the Environment determines, on advice of the Environmental Protection Authority, is not substantial, those changes may be effected.

## **3 Proponent**

- 3-1 The proponent for the time being nominated by the Minister for the Environment under section 38(6) or (7) of the Environmental Protection Act 1986 is responsible for the implementation of the proposal until such time as the Minister for the Environment has exercised the Minister's power under section 38(7) of the Act to revoke the nomination of that proponent and nominate another person in respect of the proposal.
- 3-2 Any request for the exercise of that power of the Minister referred to in condition 3-1 shall be accompanied by a copy of this statement endorsed with an undertaking by the proposed replacement proponent to carry out the proposal in accordance with the conditions and procedures set out in the statement.
- 3-3 The proponent shall notify the Department of Environmental Protection of any change of proponent contact name and address within 30 days of such change.

## **4 Commencement**

- 4-1 The proponent shall provide evidence to the Minister for the Environment within three years of the date of this statement that the proposal has been substantially commenced.
- 4-2 Where the proposal has not been substantially commenced within three years of the date of this statement, the approval to implement the proposal as granted in Statement No. 358 (24 June 1994) shall lapse and be void. The Minister for the Environment will determine any question as to whether the proposal has been substantially commenced.
- 4-3 The proponent shall make application to the Minister for the Environment for any extension of approval for the substantial commencement of the proposal beyond three years from the date of this statement, at least six months prior to the expiration of the three year period commencing on the date of this statement.

4-4 Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Environmental Protection Authority that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding three years for the substantial commencement of the proposal.

## **5 Compliance Auditing**

5-1 The proponent shall submit periodic Compliance Reports, in accordance with an audit programme prepared in consultation between the proponent and the Department of Environmental Protection.

5-2 Unless otherwise specified, the Chief Executive Officer of the Department of Environmental Protection is responsible for assessing compliance with the conditions, procedures and commitments contained in this statement and for issuing formal, written advice that the requirements have been met.

5-3 Where compliance with any condition, procedure or commitment is in dispute, the matter will be determined by the Minister for the Environment.

## **Environmental conditions**

### **6 Environmental Management System**

6-1 In order to manage the environmental impacts of the project, and to fulfil the requirements of the conditions and procedures in this statement, prior to mining within the extended mining area, the proponent shall demonstrate to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection that there is in place an environmental management system which includes the following elements:

- 1 An environmental policy and corporate commitment to it;
- 2 Mechanisms and processes to ensure:
  - (1) planning to meet environmental requirements;
  - (2) implementation and operation of actions to meet environmental requirements;
  - (3) measurement and evaluation of environmental performance; and
- 3 Review and improvement of environmental outcomes.

6-2 The proponent shall implement the environmental management system referred to in condition 6-1.

### **7 Bridge Structures**

7-1 The proponent shall ensure that adverse impacts from realignment of the highway upon the hydrology and water quality of the Avon and Mortlock Rivers are minimised.

7-2 Prior to ground-disturbing activities, the proponent shall prepare Final Alignment and Construction Plans to meet the objectives of condition 7-1, to the requirements of the Department of Environmental Protection on advice of the Water and Rivers Commission and the Avon River Management Authority.

These Plan shall address:

- 1 management of the Avon and Mortlock River floodplains affected by the proposal;
- 2 management and rehabilitation of riverine vegetation affected by the proposal; and
- 3 mitigation of the potential backwater effects of constructing bridges over the Avon and Mortlock Rivers.

7-3 The proponent shall implement the Final Alignment and Construction Plans required by condition 7-2.

## **8 Rehabilitation Plan**

8-1 At least six months prior to the completion of construction, the proponent shall prepare a Rehabilitation Plan to the requirements of the Environmental Protection Authority on advice of the Department of Environmental Protection and the Department of Conservation and Land Management.

This Plan shall address:

- 1 removal of plant and infrastructure within three months following completion of construction;
- 2 identification of contaminated areas, including provision of evidence of notification to relevant statutory authorities; and
- 3 the rehabilitation of the site within twelve months following the completion of construction.

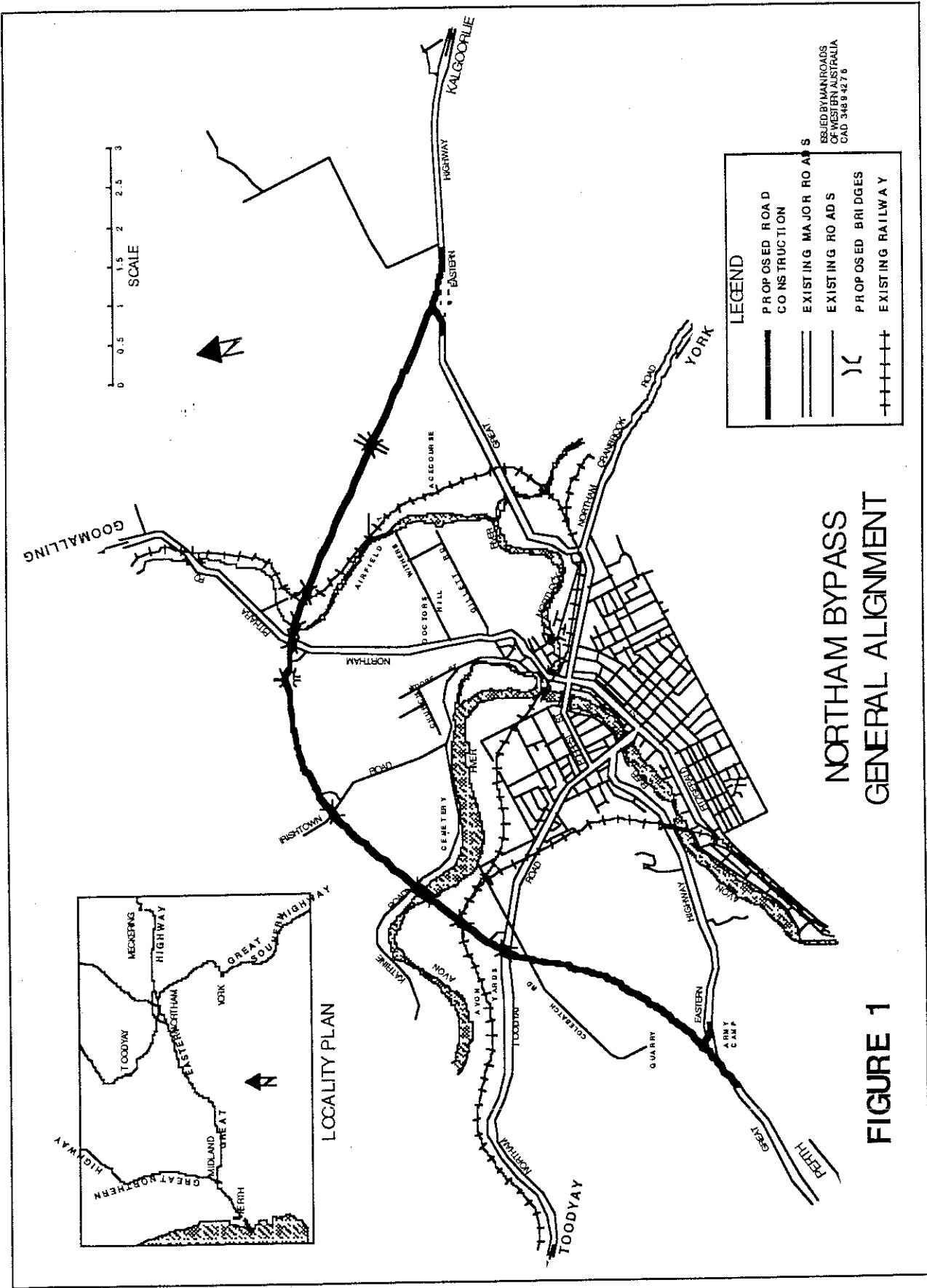
8-2 The proponent shall implement the Rehabilitation Plan required by condition 8-1 until such time as the Minister for the Environment determines that rehabilitation is complete.



## Schedule 1

**Table 2 - Summary of key proposal characteristics (Route 9)**

<b>Element</b>	<b>Description</b>
General description	<p>From the starting point to the west of Northam the route traverses an arc through rural farming land passing over the Northam-Pithara Road behind the Doctors Hill locality and north of the Northam Racecourse to link up with the existing Great Eastern Highway to the east of Northam.</p> <p>The final dual carriageway bypass including median strip and road reserve will be approximately 100 metres wide.</p>
Location	Starts at 88.9 straight line kilometres (SLK) from Perth and rejoins the existing highway at 102.00 SLK from Perth.
Bridges	Over the railway, Avon and Mortlock Rivers (to the north of the Town of Northam), Katrine Road and Irishtown Road
Staging	<p>Stage 1 - single carriageway with land acquisitions and road reserves capable of eventually accommodating the second carriageway.</p> <p>Stage 2 - second carriageway.</p>



**Proponent's Environmental Management Commitments**

as modified on April 1994

**Great Eastern Highway Northam By-pass  
(756/1284)**

Main Roads Western Australia

## ENVIRONMENTAL COMMITMENTS

### Objective

The objective for the preparation of environmental commitments for the proposed Route 9 alignment of the Northam Bypass is to provide necessary guidance on the management of potential environmental impacts. The environment commitments ascertain what management strategy is required, who will implement the strategy and the timing of implementation. Where appropriate, commitments which are required to be undertaken to the satisfaction of a regulatory authority, will have the abbreviation of the approval body shown in brackets after the commitment, e.g. (EPA), Environmental Protection Authority. A list of regulatory authorities and their abbreviations is provided at the end of this section.

The environmental commitments have been categorised into :-

- Preconstruction commitments
- During construction commitments
- Post construction commitments

### Preconstruction Commitments

- (1) Main Roads to negotiate with affected landowners, where land resumption is required, in order to arrange an equitable agreement and compensation for loss of property.
- (2) Main Roads to liaise with WAWA regarding the outcome of the Avon River Floodway Study and the implications of study findings with respect to the Route 9 alignment and compliance with WAWA's maximum backwater surcharge constraints (WAWA, EPA).
- (3) Main Roads to undertake public education and consultation should Route 9 be approved by all relevant authorities and pursued by Main Roads prior to the implementation of this alignment.
- (4) Main Roads to commission a UXO survey at the bypass route between its commencement north of the Northam Army Camp and the Northam/Toodyay Road.

### During Construction Commitments

- (5) Main Roads to make all contractors, associated with the construction of the Route alignment, aware of environmental commitments aimed at protecting the environment during construction and built these commitments into their work contracts.

- (6) Main Roads to ensure all re-contouring of embankments and batter slopes to be achieved to acceptable gradients in order to minimise erosion and subsequent siltation of watercourses (EPA, ARMA).
- (7) Main Roads to revegetate cleared areas of road reserve not required for Stage 1 road purposes (EPA, CALM, ARMA).
- (8) Main Roads to revegetate embankments and batter slopes susceptible to short term erosion impacts during the construction phase of the project (EPA, CALM, ARMA).
- (9) Main Roads to provide scour protection (e.g. rock reinforcement or similar) to all bridge and road embankments within the 100 year floodplain (EPA, ARMA, WAWA).
- (10) Scour protection structures to be monitored by Main Roads to examine their stability and durability with the results to be reported as appropriate.
- (11) Main Roads to ensure all major road structures are constructed to accommodate a 100 year ARI flood event and comply with backwater constraints set by the Water Authority (WAWA).
- (12) Main Roads to ensure all minor transverse structures such as culverts will be constructed to cater for a 50 year ARI storm event (WAWA).
- (13) Should drainage flows need to be dammed temporarily, Main Roads will ensure that the ponded water is treated appropriately before it is pumped downstream (WAWA, ARMA, EPA).
- (14) Main Roads to ensure stormwater drainage structures are constructed to design specifications to achieve necessary retention times and storage capacities to collect sediments and compensate stormwater runoff (ARMA, WAWA, EPA).
- (15) Main Roads to carefully plan and manage all earthworking and construction related activities in order to minimise loss of soil material and subsequent siltation along the Avon and Mortlock rivers (WAWA, EPA, ARMA).
- (16) Main Roads to restrict vegetation clearing and machinery movements to the road reserve area along important areas such as the Northam Scout Block and Avon River bank (EAP).
- (17) Main Roads to re-contour and prepare the ground surfaces of revegetation areas to appropriate standards in order to facilitate the successful establishment of indigenous plant species (EPA, CALM, ARMA).
- (18) In road reserve areas of the Route 9 alignment where noxious weed proliferation is obvious, Main Roads are to arrange the removal and burial of affected topsoils to borrow pits.

- (19) Main Roads shall prepare a revegetation programme outlining key areas to be revegetated, selected species and timetable for revegetation.
- (20) Main Roads will monitor the establishment of revegetation annually for a period of 2 years after practical completion of the bypass proposal. Results of monitoring will be included in the Annual Monitoring Report (EPA, ARMA, CALM).
- (21) If revegetation is not progressing to the satisfaction of approval authorities, Main Roads will implement appropriate measures to remedy revegetation establishment (EPA, ARMA, CALM).
- (22) Main Roads to ensure noise and vibration levels associated with blasting activities comply with standards set by the EPA's Pollution Control Division (EPA).
- (23) Main Roads are to undertake before and after inspections of houses in the vicinity of blasting in order to assess potential vibration disturbance (EPA).
- (24) Main Roads will ensure inconvenience caused by re-routing cross roads affected during construction of the bypass alignment will be kept to a minimum and provide appropriate signage to achieve this.
- (25) During construction, Main Roads shall notify relevant agencies such as the Northam Tourist Centre, Shire of Northam and Town of Northam regarding restricted access to the foreshore areas along the Avon River.
- (26) Main Roads to ensure earthworking is undertaken during suitable ground conditions or employ dust suppression measures, such as water carts, when dust levels become problematic (EPA).
- (27) Main Roads to implement approved contingency plan during the construction of the Bypass project in order to contain and/or recover chemical or fuel spillages.
- (28) Main Roads to seek input from the local community in regard to planning and rehabilitating the foreshore areas in an effort to incorporate community needs for this important recreation/conservation area (EPA, ARMA).

#### **Post-Construction Commitments**

- (29) Main Roads to ensure the revegetation of all road reserve, embankments and batter slopes, including those areas revegetated during construction, are revegetated with appropriate indigenous plant species (EPA, ARMA).
- (30) Main Roads to periodically check all minor transverse drainage structures for possible obstructions and if it is demonstrated that road construction has exacerbated local flooding, Main Roads are to investigate remedial measures.
- (31) Main Roads to periodically maintain stormwater drainage structures and remove material that may inhibit their function (ARMA, EPA).

- (32) If the chemical control of weeds is necessary prior, during or after revegetation, Main Roads shall take care to avoid contaminated runoff entering waterways (EPA, ARMA).
- (33) Main Roads shall revegetate road reserves with the intention of creating suitable habitat areas and providing wildlife corridors that minimise fauna road kills.
- (34) Main Roads to construct the infrastructure for information bays and enlist the support of local authorities, local businesses and the Northam Tourist Centre regarding the content of accompanying signage.
- (35) Main Roads to implement approved contingency plan during the construction phase of the project. During the post-construction phase of the project, the implementation of the contingency plan will be the responsibility of the relevant authorities (e.g. Police Department, Fire brigade, Town of Northam, Shire of Northam, EPA, ARMA, State Emergency Service, etc.).
- (36) Main Roads shall undertake annual monitoring of :-
- revegetation areas
  - scour protection structures within 100 year flood plain
- for a 2 year period following practical construction of the Route 9 alignment. Results of the monitoring shall be submitted to relevant agencies as appropriate (EPA, ARMA, WAWA, CALM).
- \* Additional and/or modified commitments arising from submissions received during the Public Review period for the Northam Bypass CER.

#### Commitment Abbreviations

ARMA	Avon River Management Authority
CALM	Department of Conservation and Land Management
EPA	Environmental Protection Authority
WAWA	Water Authority Of Western Australia





## **Appendix 5**

**Consideration of Posselt Nominees objections (27 April 1999)**



Issue	EPA Advice
The proposal has not substantially commenced within five years of the original approval.	In accordance with Condition 5, Main Roads Western Australia has requested that the time limit of approval be extended for a further three years via a Section 46 change to conditions. This request was made on 21 April 1999, prior to the expiration date referred to in Condition 5.
Taking of agricultural land when other land is available for road purposes.	The EPA has considered the Main Roads proposal for the Great Eastern Highway Northam bypass and provided recommendations on the environmental acceptability of this proposal.
The apparent weight given to community views during the assessment of the Main Roads proposal when community views on a particular subject are prone to change at short notice.	The community's views on the environmental acceptability of proposals before the EPA are taken into account during the assessment process. These views are considered with other technical information and expert advice to assist the EPA to provide recommendations to the Minister for the Environment regarding the environmental acceptability of a proposal.
A failure to recognise that the EPA process recommends on environmental reasons alone ignoring commercial considerations.	The role of the EPA under the <i>Environmental Protection Act (1986)</i> is to provide advice to the Minister for the Environment on the environmental acceptability of proposals. The Minister then weighs this advice with other matters before making a decision on the acceptability of the proposal.
Failure of EPA to demonstrate same latitude as in Jervois Bay Project in suggesting ways of making Route 6 environmentally acceptable.	Main Roads presented the EPA with three road routes for consideration and assessment. The EPA assessed the alternative routes and found one to be environmentally acceptable.
The use of the proposed vegetation corridor to support recommendations when in other situations the EPA has not accepted the retention of vegetation corridors as adequate justification for proposals.	The EPA considers that the creation of a corridor of native vegetation in an area within which none currently exists is likely to be of some benefit to the environment. This situation is very different to one where there is a proposal to clear a large area of existing native vegetation leaving only a narrow corridor in its place. In the latter situation there is clearly a net loss of environmental value compared to a gain for the environment in the former situation.
Failure of EPA and Ministers to recognise an opportunity to improve riverine environment from present degraded condition.	Rehabilitation of riverine environments is a significant issue which is being addressed by state and local government agencies and the community via several avenues. In considering the proposal by Main Roads WA the EPA took into account a number of environmental factors as detailed in Bulletin 715 and provided its recommendations accordingly.
Failure of EPA and Ministers to acknowledge previous modifications to floodplain.	The proposal before the EPA was for the construction of a road. Three alternative routes were considered and one of which was found to be environmentally acceptable. In making this assessment the EPA considered a range of environmental factors as detailed in Bulletin 715.
EPA acted outside own guidelines set for CER in not fully assessing the social implications of the approved route.	In examining the social implications of the proposal the EPA considered the impacts on directly affected landholders and residents adjacent to the proposal before providing advice and recommendations to the Minister for the Environment.
EPA/DEP and Minister's failure and neglect to consider greenhouse gas emissions (should have in line with Australia's National Program on Climate Change 1992).	The National Greenhouse Strategy (1998) outlines measures in relation to best practice in transport, land use planning, travel demand and traffic management. The changed contribution to greenhouse gases from this proposal is minor and may be positive as a result of reduced congestion, improved traffic flows and roadside revegetation.
A cost benefit analysis was not conducted for the proposal.	The role of the EPA under the <i>Environmental Protection Act (1986)</i> is to provide advice to the Minister for the Environment on the environmental acceptability of proposals. The Minister then weighs this advice with other

Issue	EPA Advice
	matters before making a decision on the acceptability of the proposal.
The EPA failed to adequately address the social impact on individual landowners.	In considering social implications of the proposal the EPA considered the impacts on affected landholders and residents adjacent to the proposal. The EPA then provided appropriate advice and recommendations to the Minister for the Environment.
HGM and MRWA published a public information brochure with misleading statement that "the CER report requested by the EPA concluded that Routes 6 and 6a (which ran along the Avon River) were environmentally unacceptable".	It should be noted that the CER report is prepared by the proponent (in this case consultants acting on behalf of Main Roads WA) as their response to the Guidelines released by the EPA. The EPA considers the information provided in the CER with information and advice from a range of other sources before providing its recommendations to the Minister in the EPA Bulletin.