



MINISTER FOR THE ENVIRONMENT
EMPLOYMENT AND TRAINING

Ass # 1018

Bull # 837

State # 441

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

ALBANY HIGHWAY, BEDFORDALE HILL SECTION DUPLICATION (1018)

MAIN ROADS WESTERN AUSTRALIA

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, those made in response to issues raised following public submissions, and the supplementary commitments of 18 February 1997; provided that the commitments are not inconsistent with the conditions or procedures contained in this statement. In the event of any inconsistency, the conditions and procedures shall prevail to the extent of the inconsistency.

A copy of the proponent's commitments, as modified on 18 February 1997, 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.

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- 2-2 Where, in the course of the detailed implementation referred to in condition 2-1, the proponent seeks to change the designs, specifications, plans or other technical material submitted to the Environmental Protection Authority 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.

4 Environmental Management Programme

- 4-1 The proponent shall protect declared rare flora and fauna and other rare species; riparian and phreatophytic vegetation, and surface water in the project area.

- 4-2 To achieve the objectives of condition 4-1, prior to construction and in consultation with the Department of Conservation and Land Management and the Water and Rivers Commission, the proponent shall modify the Environmental Management Programme (as detailed in the Consultative Environmental Review, Ecologia 1996) to include provisions for the following:

- 1 the results of the Declared Rare Flora and Fauna surveys undertaken by the proponent and associated mitigation measures; and
- 2 the details of erosion/siltation control, drainage methods, Neerigen Brook deviation and monitoring, rehabilitation and associated on-going management,

to the requirements of the Department of Environmental Protection on advice of the Department of Conservation and Land Management and the Water and Rivers Commission.

- 4-3 The proponent shall implement the modified Environmental Management Programme referred to in condition 4-2.

5 Environmental Management

- 5-1 The proponent shall exercise all care and due diligence in managing the proposal to ensure the protection of the environment.

- 5-2 The proponent shall prepare and implement an environmental management plan and environmental management procedures in order to implement the proposal and shall manage the relevant environmental factors to ensure that the environmental objectives (Section 3 Environmental Protection Authority Bulletin 837) are met.

- 5-3 The plan referred to in condition 5-2 shall adopt quality assurance principles (such as those adopted in Australian Standards ISO 9000 series) and environmental management principles (such as those adopted in the voluntary Australian Standards ISO 14000 [draft] series), with appropriate monitoring, auditing and reporting to ensure compliance with these conditions and the on-going protection of the environment.

- 5-4 If, through the implementation of the environmental management procedures referred to in condition 5-2, the proponent identifies a relevant environmental factor not reported on in Environmental Protection Authority Bulletin 837, the proponent shall immediately report to the Minister for the Environment on that factor, providing a proposed objective and the suggested means for managing the factor to achieve the objective.

6 Time Limit on Approval

The environmental approval for the proposal is limited.

- 6-1 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.

Where the proponent demonstrates to the requirements of the Minister for the Environment on advice of the Department of Environmental Protection that the environmental parameters of the proposal have not changed significantly, then the Minister may grant an extension not exceeding five years.

7 Compliance Auditing

To help determine environmental performance and compliance with the conditions, periodic reports on the implementation of the proposal are required.

- 7-1 The proponent shall submit periodic Performance and Compliance Reports, in accordance with an audit programme prepared by the Department of Environmental Protection in consultation with the proponent.

Procedure

- 1 Unless otherwise specified, the Department of Environmental Protection is responsible for assessing compliance with the conditions contained in this statement and for issuing formal clearance of conditions.
- 2 Where compliance with any condition is in dispute, the matter will be determined by the Minister for the Environment.

Note

The Environmental Protection Authority reported on the proposal in Bulletin 837 in December 1996.


CHERYL EDWARDES (Mrs) MLA
MINISTER FOR THE ENVIRONMENT

13 MAR 1997

Proponent's Environmental Management Commitments

18 February 1997

ALBANY HIGHWAY BEDFORDALE HILL SECTION DUPLICATION (1018)

MAIN ROADS WESTERN AUSTRALIA

Schedule of Proponent Commitments

PHASE	ISSUE	OBJECTIVE	NUMBER	COMMITMENT	TO SATISFY	PERFORMANCE INDICATORS
All Phases	EMP	Implementation of effective Environmental Management Programme as per the CER	1	Implement the EMP contained within the CER.	DEP	As per results of auditing procedures
	EMP	Amend the EMP as per public comment	2	To amend the EMP as per comment received from public submissions of the CER. EMP to be incorporated into the Environmental Assessment and Management Plan required by MRWA processes.	DEP	N/A
Pre-Construction	DRF	Survey for occurrence of DRF in Bungendore Park impact area	3	To undertake a DRF survey and obtain any necessary approvals.	CALM	DRF survey completed and approved prior to construction
	Dieback Management	Determine occurrence of dieback within the study area	4	Dieback Survey.	CALM	Dieback survey completed prior to construction
	Dieback Management	Prepare a management strategy for dieback affected areas	5	Dieback Hygiene Management Plan prepared in accordance with CALM practice and policy.	DEP / CALM	Dieback Hygiene Management Plan completed and approved prior to construction
	Vegetation Clearance	Ensure that no unnecessary clearing of roadside vegetation occurs	6	To demarcate a limit-of-works on construction plans, and to peg this limit on site prior to construction commencing.	DEP	Compliance assessed through MRWA internal audit
	Noise Monitoring	Appropriate noise control measures for affected residences	7	Noise Monitoring and Management Strategy to satisfy MRWA noise level criteria.	DEP	Noise levels following completion of project within MRWA criteria
	Neerigen Brook Deviation	Confirmation of hydrological characteristics	8	To confirm channel characteristics of deviated section of Neerigen Brook.	DEP	Channel characteristics documented
Construction	Erosion Control	Protect Neerigen Brook from an increased sediment load	9	Erosion / siltation control measures to be implemented as per EMP.	DEP	Compliance assessed through MRWA internal audit
	Dieback Management	To prevent the spread of dieback in the project area	10	Implementation of Dieback Hygiene Management Plan as per Commitment 5.	DEP	Compliance with Dieback Hygiene Management Plan as assessed through MRWA internal audit process
	Maximise effectiveness of rehabilitation strategy	Vegetation and Topsoil Management	11	Implementation of measures documented within the EMP.	DEP	Completion Criteria for rehabilitation satisfied within 5 years of site disruption.
	Dust Control	Minimise nuisance to residents	12	Spraying of earthworks.	DEP	No complaints of dust generation received from local residents
	Drainage	Maintain environmental values of Neerigen Brook	13	Implement a drainage strategy to manage sediment and nutrient movement as per EMP.	DEP	Compliance assessed through MRWA internal audit
	Noise Control	Minimise nuisance to residents	14	Construction to occur between 7 am and 6 pm to a maximum of 60 hours per week.	DEP / City of Armadale	No noise complaints occurring outside specified construction hours
	Maximise effectiveness of rehabilitation strategy	Weed Control	15	To carry out weed eradication programme during rehabilitation works, to satisfy documented Completion Criteria.	DEP	Completion Criteria satisfied within 5 years of site disruption.
Post-construction	Landscaping and Rehabilitation	To landscape and rehabilitate all areas disturbed during roadworks	16	To implement landscape and rehabilitation guidelines to meet Completion Criteria documented within the EMP.	DEP	Completion Criteria satisfied within 5 years of site disruption.
	Landscaping and Rehabilitation	To monitor progress of rehabilitation in reference to documented Completion Criteria	17	To undertake monitoring of rehabilitation works twice per year for at least three years.	DEP / MRWA Landscape & Environment Branch	Monitoring report contents documenting extent to which Completion Criteria have been achieved
	Audit of CER	Preparation of PCRs on CER conditions and commitments	18	To prepare PCRs at major phases of the project, or on an annual basis.	DEP	Acceptance of PCRs by DEP.

Albany Highway, Bedfordale Hill Section Duplication (1018)

SUPPLEMENTARY COMMITMENTS - 18 FEBRUARY 1997

- 19 Stormwater road run-off from the Albany Highway, Bedfordale Hill Section Duplication, South of the Bedfordale Hill Road intersection, will be intercepted by a 75 cubic metre catchment pond, with an interceptor weir at the end of the pond for the retention of hydrocarbons, before being discharged into the Neerigen Brook.
- 20 Stormwater road run-off from the Albany Highway, Bedfordale Hill Section Duplication, North of the Bedfordale Hill Road intersection, will be discharged downstream from the last point at which Bedfordale residents take water from the (created but not dedicated) Neerigen Drain Reserve.