




# Environmental Protection Authority

EPA Referral Form

## Form for the referral of a proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*

Referrer information			
Who is referring this proposal?		<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party	
Name David Clarkson			
Position	Project Director	Organisation	Main Roads
Email	david.clarkson@mainroads.wa.gov.au		
Address	PO Box 6202		
	East Perth	W.A.	6202
Date	20 May 2020		
Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential? <i>Provide confidential information in a separate attachment.</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  Contaminated sites, CSBP infrastructure	
<b>Referral declaration for organisations, proponents and decision-making authorities:</b>  I, David John Clarkson, declare that I am authorised to refer this proposal on behalf of Main Roads Western Australia and further declare that the information contained in this form is true and not misleading.			
Part A: Proponent and proposal description			
Proponent information			
Name of the proponent/s (including Trading Name if relevant)		Main Roads Western Australia	
Australian Company Number(s) <input type="checkbox"/> <b>OR</b> Australian Business Number(s) <input checked="" type="checkbox"/>		ABN 50 860 676 021	
Contact for the proposal (if different from the referrer)		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Elizabeth Johnston	

<p><i>Please include: name, physical address, phone, and email.</i></p>	<p>34 Stirling Street Perth WA 6000 Ph (08) 9323 4945 Email: elizabeth.johnston@mainroads.wa.gov.au</p>
<p>Does the proponent have the legal access required for the implementation of all aspects of the proposal? <i>If yes, provide details of legal access authorisations / agreements / tenure.</i> <i>If no, what authorisations / agreements / tenure is required and from whom?</i></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No The powers of the Commissioner for Main Roads under the <i>Main Roads Act 1930</i> and delegated powers under the <i>Land Administration Act 1997</i> allow for access to, and acquisition of, lands required for construction of infrastructure.</p>
<p><b>Proposal type</b></p>	
<p><b>What type of proposal is being referred?</b> For a change to an approved proposal please state the Ministerial Statement number/s (MS No./s) of the approved proposal  For a derived proposal please state the Ministerial Statement number (MS No.) of the associated strategic proposal</p>	<p><input checked="" type="checkbox"/> significant – new proposal <input type="checkbox"/> significant – change to approved proposal (MS No./s: _____) <input type="checkbox"/> proposal under an assessed planning scheme <input type="checkbox"/> strategic <input type="checkbox"/> derived (Strategic MS No.: _____)</p>
<p>For a significant proposal:</p> <ul style="list-style-type: none"> <li>Why do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?</li> </ul>	<p>The Albany Ring Road Stage 2 and 3b is a locally significant project with considerable public interest.</p> <p>The Proposal has the potential to impact terrestrial ecology and social amenity. Main Roads considers the impacts manageable.</p> <p>Given the public interest and the scale and nature of the project, Main Roads considers it appropriate to refer the Proposal to the EPA</p>
<p>For a proposal under an assessed planning scheme, provide the following details:</p> <ul style="list-style-type: none"> <li>Scheme name and number</li> </ul> <p>For the Responsible Authority:</p> <ul style="list-style-type: none"> <li>What new environmental issues are raised by the proposal that were not assessed during the assessment of the planning scheme?</li> <li>How does the proposal not comply with the assessed scheme and/or the environmental conditions in the assessed planning scheme?</li> </ul>	<p>N/A</p>
<p><b>Proposal description</b></p>	
<p>Title of the proposal</p>	<p>Albany Ring Road Stage 2 and 3b</p>
<p>Name of the Local Government Authority in which the proposal is located.</p>	<p>City of Albany</p>
<p>Location:</p>	<p>Various lots between Albany Highway and Princess Royal Drive, from the South Western Highway, east of George St along</p>

<p>a) street address, lot number, suburb, and nearest road intersection; or</p> <p>b) if remote the nearest town and distance and direction from that town to the proposal site.</p>	<p>the Lower Denmark Road to and including the Carlisle Street intersection.</p> <p>The Proposal Area covers approximately 137ha. Further details of the location are provided in the Referral Supporting Document attached, specifically Figure 1.</p>
<p>Proposal description – including the key characteristics of the proposal</p> <p><i>Provide as an attachment to the form</i></p>	<p>The key components of the Project include:</p> <ul style="list-style-type: none"> <li>• Construction of approximately 7 km of new dual carriage road</li> <li>• Grade separated interchanges with key existing roads (Albany Hwy and South Western Hwy)</li> <li>• Water retention basins and other drainage structures (i.e. culverts)</li> <li>• Landscaping and revegetation works</li> <li>• Modifications to local roads.</li> </ul> <p>Project staging may result in the South Western Highway interchange being constructed first as an at-grade intersection before being upgraded to a grade separated interchange.</p> <p>Additional information on the proposal description (including the key characteristics of the proposal) is detailed in the attached supporting document.</p>
<p>Have you provided electronic spatial data, maps and figure in the appropriate format?</p> <p><i>Refer to instructions at the front of the form</i></p>	<p><input checked="" type="checkbox"/> Yes                      <input type="checkbox"/> No</p> <p>A shapefile of the Proposal Area is submitted with this Referral Form.</p> <p>Figures providing relevant information to support consideration of the referral are provided in the attached EPA Referral Supporting Document.</p>
<p>What is the current land use on the property, and the extent (area in hectares) of the property?</p>	<p>The referral area is 137.7 ha.</p> <p>Current land use includes:</p> <ul style="list-style-type: none"> <li>• Local Roads Reserve</li> <li>• Major Roads Reserve</li> <li>• Parks and Recreation Zone</li> <li>• Rural Residential Zone</li> <li>• General agriculture Zone</li> <li>• Special Use Zone</li> </ul>
<p>Have you had pre-referral discussions with the EPA at DWER Services? If so, quote the reference number and/or the DWER contact.</p>	<p>Yes. Discussion held with Mr Hans Jacobs and Ms Tonja Boyd of the Department of Water and Environmental Regulation in Oct 2019 regarding the proposal.</p>

## Part B: Environmental impacts

### Environmental factors

What are the likely significant environmental factors for this proposal?

- Benthic Communities and Habitat
  - Coastal Processes
  - Marine Environmental Quality
  - Marine Fauna
  - Flora and Vegetation
  - Landforms
  - Subterranean Fauna
  - Terrestrial Environmental Quality
  - Terrestrial Fauna
  - Inland Waters
  - Air Quality
  - Social Surroundings
  - Human Health
- No factors are considered significant. The factors that have been discussed in detail within the attached supporting document include:
- Flora and vegetation
  - Terrestrial Environmental Quality
  - Inland Waters
  - Social Surrounds

*For each of the environmental factors identified above, complete the following table, or provide the information in a supplementary report*

### Potential environmental impacts

1	<b>EPA Factor</b>	All EPA Factors selected above
2	<b>EPA policy and guidance</b> - What have you considered and how have you applied them in relation to this factor?	See Section 4 in the attached EPA Referral Supporting Document for details of relevant EPA guidelines potential environmental impacts against relevant environmental factors.
3	<b>Consultation</b> – Outline the outcomes of consultation in relation to the potential environmental impacts	See Section 3 in the attached EPA Referral Supporting Document for details of stakeholder consultation for the Proposal.
4	<b>Receiving environment</b> – Describe the current condition of the receiving environment in relation to this factor.	See Section 4 and Appendix A, B, C and D in the attached EPA Referral Supporting Document for details of the receiving environment for the Proposal.
5	<b>Proposal activities</b> – Describe the proposal activities that have the potential to impact the environment	See Section 2 and Figure 1 (Appendix A) of the attached EPA Referral Supporting Document for details of the Proposal activities.

6	<b>Mitigation</b> – Describe the measures proposed to manage and mitigate the potential environmental impacts.	See Section 4 of the attached EPA Referral Supporting Document for details of mitigation measures for the relevant environmental factors.
7	<b>Impacts</b> – Assess the impacts of the proposal and review the residual impacts against the EPA objective.	See Section 4 of the attached EPA Referral Supporting Document for details of potential environmental impacts on relevant environmental factors.
8	<b>Assumptions</b> - Describe any assumptions critical to your assessment e.g. particular mitigation measures or regulatory conditions.	<p>The following assumptions have been made in the preparation of the EPA Referral Supporting Document: Comprehensive site surveys have been undertaken to identify all key environmental values within the Proposal Area.</p> <ul style="list-style-type: none"> <li>• All surveys undertaken comply with the relevant EPA guidance statements.</li> <li>• All key environmental values and potential impacts that may result from the Proposal are well understood.</li> <li>• Slight alterations in the engineering road design and Proposal Area as advances in project’s development are made will be subject to ecological assessment where required and in accordance with the <i>Environmental Protection Act 1986</i>.</li> <li>• Areas of disturbance will be refined to reduce impacts of key environment factors where feasible.</li> <li>• Detailed Contaminated Sites Investigations will continue where required in accordance with the <i>Contaminated Sites Act 2003</i>.</li> <li>• Consultation with community groups and stakeholders will continue through the various development phases of the project lifecycle.</li> </ul>

## Part C: Other approvals and regulation

### State and Local Government approvals

Is rezoning of any land required before the proposal can be implemented?  Yes  No  
 If yes, please provide details. Freehold land will be converted to Road Reserve.

If this proposal has been referred by a decision-making authority, what approval(s) are required from you? N/A

Please identify other approvals required for the proposal:

Proposal activities e.g. clearing, dewatering, mining, processing, dredging	Land tenure/access e.g. Crown land, Mining lease, specify legislation for access if relevant	Type of approval e.g. Native Vegetation Clearing Permit, licence, mining proposal,	Legislation regulating the activity e.g. <i>EP Act 1986 – Part V, RiWI Act 1914, Mining Act 1979</i>
Impact to Matters of National Environmental Significance	Freehold lots and Reserves.	Referral of a Proposal – Approval type to be determined if the Proposal is deemed a Controlled Action	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cwlth)</i>
Sourcing of water for construction	To be determined at a later date	Licence to take	<i>Rights in Water and Irrigation Act 1914 (WA) (RIWI Act)</i>
Interference with bed and banks	Freehold lots and Reserves.	Bed and Banks Permit	RIWI Act
License to construct a bore	Freehold	License under 26D of the act to construct a bore for replacement/relocation of groundwater abstraction bore and four monitoring bores	RIWI Act
Modification of infrastructure on Prescribed Premises	Freehold	Works approvals and or licence amendment	<i>Environmental Protection Act 1986</i>
Disturbance of European Heritage site and materials	Freehold and Reserves	Consent from the City of Albany Government Heritage Property Disposal Process permits	<i>Local Government Act 1994 (WA)</i> <i>Heritage Act 2018 (WA)</i>
Land acquisition	Freehold lots and Reserves.	Administration of State Land Transfer of private land	<i>Land Administration Act 1997</i>
Authorisation to take (flora and fauna) and modify	Freehold and reserves.	Licence to take (for shepherding or handling injured fauna)	Authorisation to take (flora and fauna) and modify (TEC)

### Commonwealth Government approvals

Does the proposal involve an action that may be or is a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)?  Yes  No

Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?  Yes  No  
 Date:   Pending

## Part C: Other approvals and regulation

### State and Local Government approvals

	Yet to be referred EPBC No.: _Pending__
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes', check the appropriate box and provide the decision in an attachment.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decision – controlled action <input type="checkbox"/> Decision – not a controlled action
If the proposal is determined to be a controlled action, do you request that this proposal be assessed under the bilateral agreement or as an accredited assessment?	<input checked="" type="checkbox"/> Yes - Bilateral <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - Accredited
Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  Approval: