

Environmental Protection Act 1986

Section 43A

**NOTICE OF DECISION TO CONSENT TO AMEND A REFERRED PROPOSAL
DURING ASSESSMENT**

PERSON TO WHOM THIS NOTICE IS GIVEN

(a) Commissioner for Main Roads Western Australia (ABN: 508 606 760 21)
PO Box 6202
EAST PERTH WA 6892

PROPOSAL TO WHICH THIS NOTICE RELATES:

Great Northern Highway Muchea to Wubin Upgrade – Stage 2 – Bindoon Bypass
Assessment No. 2135

Pursuant to s. 43A of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority (EPA) gives approval to the assessment of the proposal being completed in respect of the proposal as amended in accordance with the proponent's request:

- to amend the development envelope to remove areas identified as being no longer required to implement the proposal
- to amend the alignment with consideration for environmental values and stakeholder consultation
- to update the extent of impacts following additional studies and investigations.

The amended proposal content document and figures are attached.

EFFECT OF THIS NOTICE:

1. The assessment of the proposal is to be completed in respect of the proposal as amended in accordance with the decision set out in this notice.
2. The proposal as amended in accordance with this notice is taken to have been referred to the EPA under s. 38 of the EP Act.

RIGHTS OF APPEAL:

There are no rights of appeal under the EP Act in respect of this decision.

A handwritten signature in blue ink, appearing to read 'MT', followed by a stylized flourish.

Prof. Matthew Tonts
Delegate of the Environmental Protection Authority
CHAIR

7 July 2022

Attachment 1- Amended proposal content document and figure

Proposal Content Document

Table 1: General proposal content description

Proposal title	Great Northern Highway – Bindoon Bypass
Proponent name	Main Roads Western Australia
Short description	The Proposal is to construct and operate a new 47 km section of the Great Northern Highway (GNH) within the Shires of Chittering and Gingin. The Proposal bypasses the town of Bindoon located approximately 70 km north east of Perth, WA. The Proposal consists of a combination of four-lane dual carriageway, four-lane single carriageway, two-lane single carriageway and a bridge across the Brockman River. The Proposal diverts from the existing GNH at the Chittering Roadhouse, runs west of Bindoon, re-joining the existing GNH north of Calingiri Road.

Table 2: Proposal content elements

Proposal element	Location / description	Maximum extent, capacity or range
Physical elements		
Construction and ongoing maintenance of a highway standard dual carriageway road, with all associated bridges, culverts, road furniture, drainage, signage, lighting and other infrastructure including side roads and road connections	Figure 1	Clearing and disturbance of no more than 490 ha of native vegetation within an 848.5 ha development envelope.
Proposal elements with greenhouse gas emissions		
Construction elements:		
Scope 1:	194,603 tCO ₂ e	
Scope 2:	NA	
Scope 3:	23,138 tCO ₂ e	

Operation elements:	
Scope 1:	425.85 tCO ₂ e per year 21,279 tCO ₂ e (50 years) from maintenance activities
Scope 2:	None
Scope 3:	51,085.64 tCO ₂ e per year 2,554,282 tCO ₂ e (50 years) from road users and maintenance activities

Figure 1 - Amended proposal



Summary of reasons for decision – request to amend a referred proposal during assessment under s. 43A of the *Environmental Protection Act 1986*

Proposal title: Great Northern Highway Muchea to Wubin Upgrade – Stage 2 – Bindoon Bypass

Assessment Number: 2135

Date request to amend referred proposal under s. 43A received: 13-06-2022

Proponent: Commissioner for Main Roads Western Australia

Proposal referral date: 06-09-2017

Level of assessment: Assess – Public Environmental Review

Existing referred proposal:

The proposal is to construct and operate a new 47 km section of the Great Northern Highway (GNH) within the Shires of Chittering and Gingin. The Proposal bypasses the town of Bindoon located approximately 70 km north east of Perth, WA. The Proposal consists of a combination of four-lane dual carriageway, four-lane single carriageway, two-lane single carriageway and a bridge across the Brockman River. The Proposal diverts from the existing GNH at the Chittering Roadhouse, runs west of Bindoon, re-joining the existing GNH north of Calingiri Road.

The proposal has been previously amended via s. 43A of the *Environmental Protection Act 1986* (EP Act) in 2018.

The proposal is currently in the assessment stage.

Short description of amendment(s) sought:

Since 2018, the proponent's level of confidence in the location of the alignment has increased and large areas of the development envelope are no longer required.

Further, in response to matters raised by stakeholders and taking into consideration the results of additional detailed biological surveys, other minor changes to the alignment are required.

As a result, the proponent is proposing to amend the development envelope and indicative footprint as set out in Table 1.

Together with the application to amend the proposal, the proponent has submitted a Proposal Content Document (PCD) along with a comparison to the existing proposals key characteristics (as per the s. 43A in 2018), provided at Attachment 1.

Decision:

Amendments to the proposal as set out in Attachment 1 are approved.

Environmental factors relevant to the amendment:

- Flora and Vegetation
- Terrestrial Fauna
- Inland Waters

Summary of likely changes to environmental impacts from proposed amendments

The proposed amendments would result in a reduction of the extent of native vegetation clearing compared to the current proposal (from 506 ha to 490 ha) and likely decreases in impacts to environmental values as set out in Table 1.

Detailed biological surveys undertaken since the previous s. 43A in 2018, have better defined the environmental values within the development envelope.

The proposed amendments do not alter the key environmental factors likely to be impacted by the proposal and is likely to result in a decrease in residual impacts compared to the existing proposal. The proposed amendments will likely improve the expected environmental outcomes with respect to biodiversity impacts as a result of the proposal, when compared to the current proposal. The expected environmental outcomes will be considered as part of the assessment.

Table 1 - Summary of likely changes to environmental impacts from proposed amendment

Amendment sought	Changes to environmental impacts
<p>Change to development envelope:</p> <ul style="list-style-type: none">- Reduction in size by 2,558.5 ha as shown in Figure 1 <p>Change to indicative disturbance footprint:</p> <ul style="list-style-type: none">- Reduction in size by 117.2 ha	<p>Likely decreased impacts to:</p> <ul style="list-style-type: none">- native vegetation- <i>Banksia attenuata</i> woodlands over species rich dense shrublands (floristic community type (FCT) 20a) threatened ecological community (TEC)- <i>Corymbia calophylla</i> - <i>Eucalyptus marginata</i> woodlands on sandy clay soils of the southern Swan Coastal Plain (FCT 3b) (northern expression) TEC- Swan Coastal Plain <i>Banksia attenuata</i> - <i>Banksia menziesii</i> woodlands (FCT 23b) priority ecological community (PEC)- Banksia Woodlands of the Swan Coastal Plain PEC- Banksia woodland of the Gingin area restricted to soils dominated by yellow to orange sands PEC- Carnaby's cockatoo habitat- forest red-tailed black cockatoo habitat- black cockatoo nesting trees.

Holistic assessment

The connections and interactions between the impacts, and the overall impact of the proposal on the environment as a whole as a result of the amended proposal is not expected to be substantially different to the existing referred proposal.

Summary of consultation

- The Environmental Review Document was published for public consultation for 6 weeks, which closed on 6 July 2020. The EPA has provided to the proponent a summary of submissions received. The proponent is currently preparing its response to those submissions.

- The proponent has indicated that the proposed amendments to the development envelope since the public review period take into account the extent of land likely to be needed for the road reserve.
- The EPA has sought advice from the Department of Biodiversity, Conservation and Attractions (DBCA) in relation to a revised FCT analysis submitted by the proponent. The DBCA have confirmed the revised FCT analysis is appropriate and meets guidance.

Summary of consideration of amendment

The EPA has considered whether, if the proposal were already approved, the amendment would be a significant amendment. This has included considering the likely significance of:

- the effects of the proposed amendment on its own
- the effects of the proposed amendment in the context of the existing referred proposal
- cumulative environmental impacts
- holistic impacts.

The EPA has considered whether it has sufficient information about the proposed amendment to be able to reasonably proceed with assessment of the amended proposal with or without performing any additional functions at this stage.

The EPA has considered whether the amended proposal will still be substantially the same character as the existing referred proposal.

Approval – not a significant amendment

The EPA considers the amended proposal to be substantially the same character as the existing referred proposal and does not consider that the amendment would be a significant amendment if the proposal were already approved. The EPA considers it has enough information to reasonably proceed with assessment of the amended proposal without performing any additional functions at this stage. The EPA considers the amendments are not significant due to the likely decreases in environmental impacts as outlined in Table 1.

Attachments

1. Amended Proposal Content Document showing amendments
2. Figure showing amendments

Appeals: Decision not appealable.



Prof. Matthew Tonts

CHAIR

Delegate of the Environmental Protection Authority

Date: 7 July 2022

Attachment 1 Proposal Content Document showing amendments

Proposal Content Document

Table 1: General proposal content description

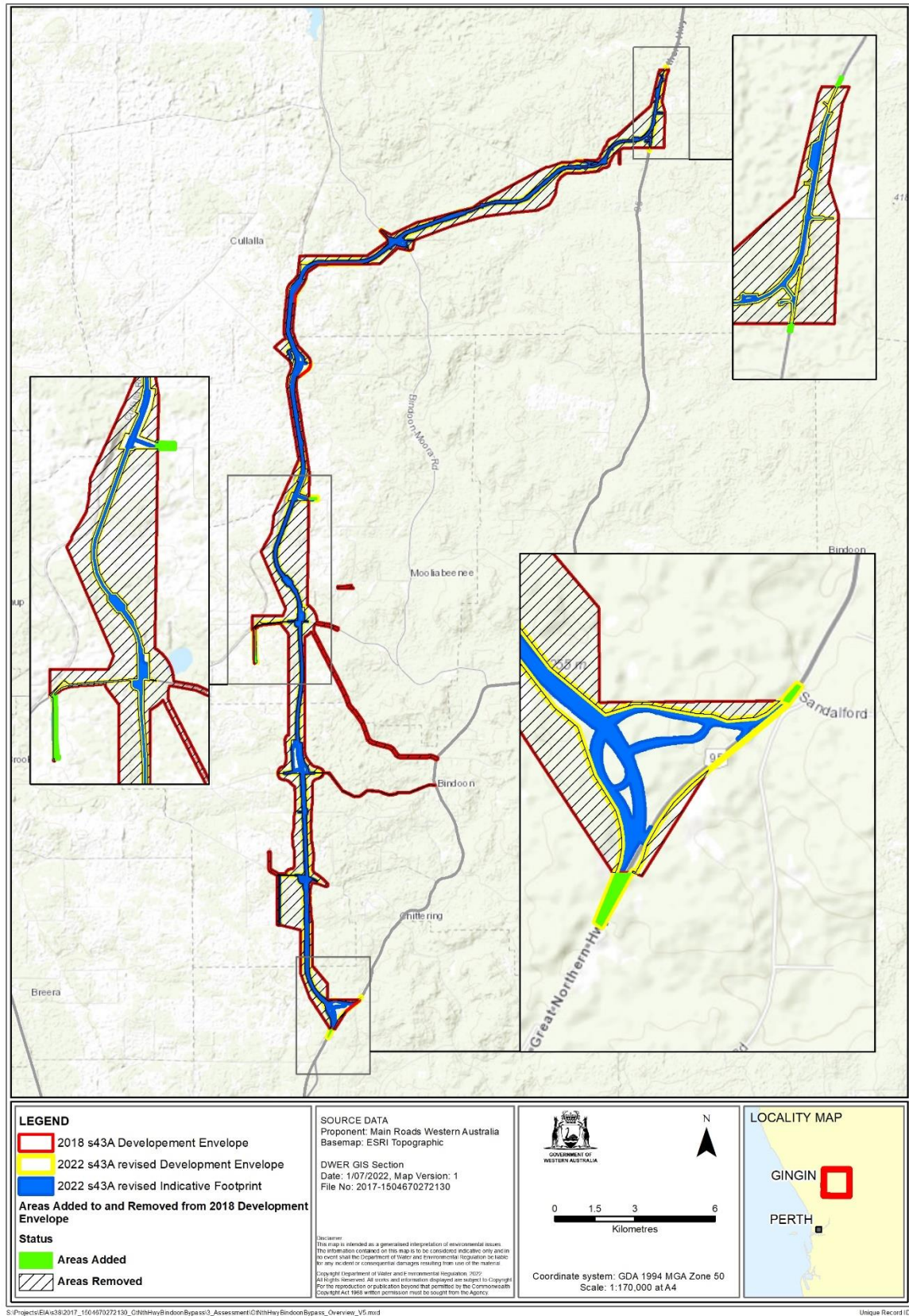
Proposal title	Great Northern Highway – Bindoon Bypass
Proponent name	Main Roads Western Australia
Short description	The Proposal is to construct and operate a new 47 km section of the Great Northern Highway (GNH) within the Shires of Chittering and Gingin. The Proposal bypasses the town of Bindoon located approximately 70 km north east of Perth, WA. The Proposal consists of a combination of four-lane dual carriageway, four-lane single carriageway, two-lane single carriageway and a bridge across the Brockman River. The Proposal diverts from the existing GNH at the Chittering Roadhouse, runs west of Bindoon, re-joining the existing GNH north of Calingiri Road.

Table 2: Proposal content elements

Proposal element	Location / description	Existing Proposal extent (as per 2018 s43A)	Proposed 43A amendment	Combined extent, capacity or range
Physical elements				
Construction and ongoing maintenance of a highway standard dual carriageway road, with all associated bridges, culverts, road furniture, drainage, signage, lighting and other infrastructure including side roads and road connections	Figure 1	<p>Clearing and disturbance of no more than 625 ha consisting of up to 144 ha of native vegetation and 362 ha of scattered trees over pasture. This includes up to:</p> <ul style="list-style-type: none"> 55 ha of Priority 2 PEC Banksia woodland of the Gingin area restricted to soils dominated by yellow to orange sands 2.7 ha of Conservation Category Wetlands. 144 ha of habitat for Black Cockatoos. <p>within a 3,407 ha Development Envelope</p>	<p>Reduction in development envelope by 2,558.5 ha</p> <p>Reduction in native vegetation clearing by 16 ha</p> <p>Avoidance of all Priority 2 PEC Banksia woodland of the Gingin area restricted to soils dominated by yellow to orange sands (resulting from improved mapping following detailed survey)</p> <p>Increase in clearing of Black Cockatoo habitat by 60.8 ha. This increase is a result of improved mapping following detailed survey</p>	Clearing and disturbance of no more than 490 ha of native vegetation within an 848.5 ha development envelope.

Proposal elements with greenhouse gas emissions		
Construction elements:		
Scope 1:	194,603 tCO ₂ e	No change
Scope 2:	None	No change
Scope 3:	23,138 tCO ₂ e	No change
Operation elements:		
Scope 1:	425.85 tCO ₂ e per year 21,279 tCO ₂ e (50 years) from maintenance activities	No change
Scope 2:	None	No change
Scope 3:	51,085.64 tCO ₂ e per year 2,554,282 tCO ₂ e (50 years) from road users and maintenance activities	No change

Figure 1 showing amendments



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