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Published on: 26 June 2019

Statement No. 1100

**STATEMENT THAT A PROPOSAL MAY BE IMPLEMENTED**  
**(*Environmental Protection Act 1986*)**

**YANCHEP RAIL EXTENSION PART 1 – BUTLER TO EGLINTON**

**Proposal:** The proposal is to construct and operate a 7.3 kilometre extension to the existing Joondalup railway line from Butler Station to the suburb of Eglinton in the City of Wanneroo.

**Proponent:** Public Transport Authority of Western Australia  
Australian Business Number 61 850 109 576

**Proponent Address:** Public Transport Centre, West Parade  
PERTH WA 6000

**Assessment Number:** 2157

**Report of the Environmental Protection Authority:** 1634

Pursuant to section 45 of the *Environmental Protection Act 1986*, it has been agreed that the proposal described and documented in Table 2 of Schedule 1 may be implemented and that the implementation of the proposal is subject to the following implementation conditions and procedures:

**1 Proposal Implementation**

1-1 When implementing the proposal, the proponent shall not exceed the authorised extent of the proposal as defined in Table 2 of Schedule 1, unless amendments to the proposal and the authorised extent of the proposal have been approved under the EP Act.

**2 Contact Details**

2-1 The proponent shall notify the CEO of any change of its name, physical address or postal address for the serving of notices or other correspondence within twenty-eight (28) days of such change. Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State.

### **3 Time Limit for Proposal Implementation**

- 3-1 The proponent shall not commence implementation of the proposal after five (5) years from the date on this Statement, and any commencement, prior to this date, must be substantial.
- 3-2 Any commencement of implementation of the proposal, on or before five (5) years from the date of this Statement, must be demonstrated as substantial by providing the CEO with written evidence, on or before the expiration of five (5) years from the date of this Statement.

### **4 Compliance Reporting**

- 4-1 The proponent shall prepare, and maintain a Compliance Assessment Plan which is submitted to the CEO at least six (6) months prior to the first Compliance Assessment Report required by condition 4-6, or prior to implementation of the proposal, whichever is sooner.
- 4-2 The Compliance Assessment Plan shall indicate:
  - (1) the frequency of compliance reporting;
  - (2) the approach and timing of compliance assessments;
  - (3) the retention of compliance assessments;
  - (4) the method of reporting of potential non-compliances and corrective actions taken;
  - (5) the table of contents of Compliance Assessment Reports; and
  - (6) public availability of Compliance Assessment Reports.
- 4-3 After receiving notice in writing from the CEO that the Compliance Assessment Plan satisfies the requirements of condition 4-2 the proponent shall assess compliance with conditions in accordance with the Compliance Assessment Plan required by condition 4-1.
- 4-4 The proponent shall retain reports of all compliance assessments described in the Compliance Assessment Plan required by condition 4-1 and shall make those reports available when requested by the CEO.
- 4-5 The proponent shall advise the CEO of any potential non-compliance within seven (7) days of that non-compliance being known.
- 4-6 The proponent shall submit to the CEO the first Compliance Assessment Report fifteen (15) months from the date of issue of this Statement addressing the twelve (12) month period from the date of issue of this Statement and then annually from the date of submission of the first Compliance Assessment Report, or as otherwise agreed in writing by the CEO.

The Compliance Assessment Report shall:

- (1) be endorsed by the proponent's Chief Executive Officer or a person delegated to sign on the Chief Executive Officer's behalf;
- (2) include a statement as to whether the proponent has complied with the conditions;
- (3) identify all potential non-compliances and describe corrective and preventative actions taken;
- (4) be made publicly available in accordance with the approved Compliance Assessment Plan; and
- (5) indicate any proposed changes to the Compliance Assessment Plan required by condition 4-1.

## **5 Public Availability of Data**

5-1 Subject to condition 5-2, within a reasonable time period approved by the CEO of the issue of this Statement and for the remainder of the life of the proposal the proponent shall make publicly available, in a manner approved by the CEO, all validated environmental data (including sampling design, sampling methodologies, empirical data and derived information products (e.g. maps)), management plans and reports relevant to the assessment of this proposal and implementation of this Statement.

5-2 If any data referred to in condition 5-1 contains particulars of:

- (1) a secret formula or process; or
- (2) confidential commercially sensitive information;

the proponent may submit a request for approval from the CEO to not make these data publicly available. In making such a request the proponent shall provide the CEO with an explanation and reasons why the data should not be made publicly available.

## **6 Flora and Vegetation – Indirect Impacts to ‘*Melaleuca huegelii* – *Melaleuca systena* shrublands on limestone ridges (Gibson et al. 1994 type 26a)’**

6-1 The proponent shall ensure that there are no proposal attributable **indirect impacts** to the occurrences of ‘*Melaleuca huegelii* – *Melaleuca systena* shrublands on limestone ridges (Gibson et al. 1994 type 26a)’ as shown in Figure 2 within five (5) years of the completion of construction of the proposal.

## **7 Terrestrial Fauna – Construction Impacts**

7-1 Prior to ground-disturbing activities associated with the proposal the proponent shall undertake the following actions to minimise impacts to terrestrial fauna:

- (1) during Carnaby's black cockatoo breeding season (1 July to 31 December), appropriately qualified and licensed terrestrial fauna spotter(s) with experience in surveying for black cockatoos shall inspect all potential nesting trees with hollows within seven (7) days prior to clearing of potential nesting trees, to determine if there are any hollows being used by Carnaby's black cockatoos; and
- (2) if any Carnaby's black cockatoo are found to be using hollows the proponent shall not clear the nesting tree, or vegetation within a 10 metre radius of the tree, until an appropriately qualified terrestrial fauna spotter has verified that the hollows are no longer being used by the Carnaby's black cockatoo.

7-2 During activities associated with the implementation of the proposal the proponent shall undertake as required the following actions to minimise impacts to terrestrial fauna:

- (1) undertake the trapping and relocation of ground dwelling conservation significant vertebrate fauna no more than seven (7) days prior to clearing activities;
- (2) ensure the presence of fauna spotters during clearing activities;
- (3) ensure that during trenching activities inspection for, and clearing of, fauna from open trenches by appropriately qualified and licensed fauna rescue personnel occurs at least twice daily and not more than one hour prior to backfilling of trenches, with the first daily inspection and clearing to be undertaken no later than three (3) hours after sunrise prior to any construction, and the second inspection and clearing to be undertaken daily between the hours of 3:00 pm and 6:00 pm;
- (4) ensure that open trench lengths do not exceed a length capable of being inspected and cleared by appropriately qualified and licensed fauna rescue personnel within the required times as set out in condition 7-2(3); and
- (5) provide egress points, ramps and/or fauna refuges that provide suitable shelter from the sun and predators for trapped fauna in open trenches at intervals not exceeding 50 metres.

## **8 Environmental Management Plan (Terrestrial Fauna, Flora and Vegetation and Landforms)**

8-1 The proponent shall ensure that the proposal is designed and constructed to meet the following objectives:

- (1) fauna linkage is maintained through the Alkimos Parks and Recreation Reserve following completion of construction of the proposal;

- (2) **indirect impacts** to flora and vegetation are minimised directly outside the development envelope, within the Alkimos Parks and Recreation Reserve; and
  - (3) **indirect impacts** to the Alkimos dune system are minimised directly outside the development envelope, within the Alkimos Parks and Recreation Reserve.
- 8-2 To verify that the requirements of condition 8-1 are being met, the proponent shall, prior to ground-disturbing activities within 50 metres of the Alkimos Parks and Recreation Reserve as delineated in Figure 3, prepare and submit an Environmental Management Plan to the satisfaction of the CEO, on advice of the City of Wanneroo and the Western Australian Planning Commission.
- 8-3 The Environmental Management Plan required by condition 8-2 shall:
- (1) specify risk-based management actions that will be implemented to meet the environmental objectives specified in condition 8-1;
  - (2) specify measurable management target(s) to determine the effectiveness of the risk-based management actions required by condition 8-3(1);
  - (3) include specific measures and plans for the fauna underpass that include, but are not limited to, dimensions, furniture, entry design, and drainage provisions;
  - (4) specify monitoring to measure the effectiveness of management actions against the management targets required by condition 8-3(2), including but not limited to, parameters to be measured and collection of baseline data;
  - (5) specify the location(s) directly outside the development envelope, frequency and timing of monitoring;
  - (6) specify a process for revision of management actions and changes to proposal activities, in the event that the management targets are not achieved. The process shall include an investigation to determine the cause of the management target(s) not being achieved; and
  - (7) provide the format and timing to demonstrate that condition 8-1 has been met for the reporting period in the Compliance Assessment Report required by condition 4-6 including, but not limited to:
    - (a) verification of the implementation of management actions; and
    - (b) reporting on the effectiveness of management actions against management target(s).

- 8-4 After receiving notice in writing from the CEO that the Environmental Management Plan satisfies the requirements of condition 8-3, the proponent shall:
- (1) implement the Environmental Management Plan prior to ground-disturbing activities within 50 metres of the Alkimos Parks and Recreation Reserve as delineated in Figure 3; and
  - (2) continue to implement the Environmental Management Plan until the CEO has confirmed by notice in writing that the proponent has demonstrated the objectives specified in condition 8-1 have been met.
- 8-5 In the event that monitoring or investigations indicate management target(s) specified in the Environmental Management Plan have not been achieved, the proponent shall:
- (1) provide a report to the CEO in writing within twenty-one (21) days of the identification of the management target not being achieved;
  - (2) investigate to determine the cause of the management targets not being achieved; and
  - (3) provide a report to the CEO within sixty (60) days of the reported identification of the management target not being achieved as required by condition 8-5(1). The report shall include:
    - (a) cause of management targets not being achieved;
    - (b) the findings of the investigation required by condition 8-5(2);
    - (c) details of revised and/or additional management actions to be implemented to achieve management target(s); and
    - (d) relevant changes to proposal activities.
- 8-6 In the event that monitoring or investigations indicate that one or more management actions specified in the Environmental Management Plan have not been implemented, the proponent shall:
- (1) report the failure to implement management action/s in writing to the CEO within seven (7) days of identification;
  - (2) investigate to determine the cause of the management action/s not being implemented;
  - (3) investigate to provide information for the CEO to determine potential environmental harm or alteration of the environment that occurred due to the failure to implement management actions; and
  - (4) provide a report to the CEO within twenty-one (21) days of the reporting required by condition 8-6(1). The report shall include:

- (a) cause for failure to implement management actions;
- (b) the findings of the investigation required by conditions 8-6(2) and 8-6(3);
- (c) relevant changes to proposal activities; and
- (d) measures to prevent, control or abate the environmental harm which may have occurred.

8-7 The proponent:

- (1) may review and revise the Environmental Management Plan, or
- (2) shall review and revise the Environmental Management Plan as and when directed by the CEO.

8-8 The proponent shall implement the latest revision of the Environmental Management Plan, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 8-3.

## **9 Social Surroundings**

9-1 The proponent shall implement the proposal to meet the following environmental objective:

- (1) minimise operational noise and vibration impacts on existing sensitive receptors as far as practicable.

9-2 At least three (3) months prior to the operation of the proposal, in order to meet the requirements of condition 9-1, the proponent shall revise the *Noise and Vibration Management Plan – Metronet – Yanchep Rail Extension* (Reference: 17074053-02; 30 May 2018) to include:

- (1) an update to Section 3.3 *Design and Construction of Noise Mitigation Measures*, to show the locations and minimum heights of noise walls as defined in Table 2 of Schedule 1; and
- (2) demonstration that the design and construction of noise mitigation measures will meet the noise and vibration management targets set out in Section 3.2 *Management Actions and Targets*.

9-3 The proponent shall implement the revised *Noise and Vibration Management Plan – Metronet – Yanchep Rail Extension*, or the most recent version, which the CEO has confirmed in writing, addresses the requirements of condition 9-1.

9-4 The proponent shall continue to implement the revised *Noise and Vibration Management Plan – Metronet – Yanchep Rail Extension*, or any subsequently approved revisions until the CEO has confirmed by notice in writing that the proponent has demonstrated that the objective in condition 9-1 is being and will

continue to be met and therefore the implementation of the management plan is no longer required.

- 9-5 In the event of failure to implement management actions detailed in the approved Noise and Vibration Management Plan, the proponent shall meet the requirements of condition 4-5 (Compliance Reporting) and shall implement the measures outlined in the approved Noise and Vibration Management Plan, including, but not limited to, actions and investigations to be undertaken.

## **10 Offsets**

- 10-1 The proponent shall undertake offsets with the objective of counterbalancing the significant residual impact on:

- (1) 0.94 hectares (direct and indirect impacts) Threatened Ecological Community SCP 26a '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)'; and
- (2) 48.2 hectares of Carnaby's black cockatoo foraging habitat and five (5) potential breeding trees,

as a result of the implementation of the proposal, as defined in Table 2 of Schedule 1 and delineated by coordinates in Schedule 2.

### **Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy**

- 10-2 Within twelve (12) months of the publication of this Statement, the proponent shall prepare and submit a Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy to the requirements of the CEO with the objective of counterbalancing the significant residual impact to 0.94 ha of Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' as shown in Figures 2 and 4.
- 10-3 The Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy as required by condition 10-2 shall:
- (1) identify an initially unprotected area or areas to be acquired and protected for conservation that contains vegetation commensurate with the values identified in condition 10-1(1);
  - (2) demonstrate how the proposed offset counterbalances the significant residual impact through consideration of the six principles and completion of the WA Offsets Template, as described in the *WA Environmental Offsets Policy 2011*, and the *Environment Protection and*



*Biodiversity Conservation Act 1999 Environmental Offsets Policy (October 2012)* in conjunction with the associated Offsets assessment guide;

- (3) identify the environmental values of the offset area(s);
  - (4) commit to a protection mechanism for any area(s) of land acquisition, being either the area(s) ceded to the Crown for the purpose of management for conservation, or the area(s) managed under other suitable mechanisms as agreed by the CEO;
  - (5) if any land is to be ceded to the Crown for the purpose of management for conservation, the proponent will identify:
    - (a) the quantum of, and provide funds for, the upfront works associated with establishing the conservation area;
    - (b) if required, the quantum of, and provide a contribution of funds for, the management of this area for seven (7) years after completion of purchase; and
    - (c) an appropriate management body for the ceded land.
  - (6) define the role of the proponent and/or any relevant management authority.
- 10-4 After receiving notice in writing from the CEO, on advice of the Department of Biodiversity, Conservation and Attractions, that the Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy satisfies the requirements of conditions 10-2 and 10-3, the proponent shall implement the approved Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy.
- 10-5 The proponent:
- (1) may review and revise the Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy; or
  - (2) shall review and revise the Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy as and when directed by the CEO.
- 10-6 The proponent shall implement the latest version of the Threatened Ecological Community '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' Land Acquisition Strategy, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 10-3.

## **Offset strategy – Carnaby’s black cockatoo**

10-7 Within twelve (12) months of the publication of this Statement, the proponent shall prepare and submit an Offset Strategy to the requirements of the CEO, with the objective of counterbalancing the significant residual impact to:

- (1) 48.2 hectares of Carnaby’s black cockatoo foraging habitat and five (5) potential breeding trees.

10-8 The Offset Strategy required by condition 10-7 shall:

- (1) identify an initially unprotected area or areas to be protected, managed and/or rehabilitated for conservation that contains the foraging and potential breeding habitat values identified in condition 10-7;
- (2) demonstrate how the proposed offset counterbalances the significant residual impact through consideration of the six principles and completion of the WA Offsets Template, as described in the WA Environmental Offsets Policy 2011, and the *Environment Protection and Biodiversity Conservation Act 1999* Environmental Offsets Policy (October 2012) in conjunction with the associated Offsets assessment guide;
- (3) identify the environmental values of the offset area(s);
- (4) commit to a protection mechanism for any area(s) of land acquisition, being either the area(s) ceded to the Crown for the purpose of management for conservation, or the area(s) managed under other suitable mechanisms as agreed by the CEO;
- (5) if any land is to be ceded to the Crown for the purpose of management for conservation, the proponent will identify:
  - (a) the quantum of, and provide funds for, the upfront works associated with establishing the conservation area;
  - (b) the quantum of, and provide a contribution of funds for, the management of this area for seven (7) years after completion of purchase; and
  - (c) an appropriate management body for the ceded land.
- (6) if rehabilitation is being proposed to offset those environmental values identified in condition 10-7, the proponent shall:
  - (a) outline the objectives and targets to be achieved, including completion criteria;
  - (b) management and/or rehabilitation actions and a timeframe for the actions to be undertaken;

- (c) funding arrangements and timing of funding for conservation activities; and
    - (d) monitoring requirements for activities.
  - (7) define the role of the proponent and/or any relevant management authority.
- 10-9 After receiving notice in writing from the CEO, on advice of the Department of Biodiversity, Conservation and Attractions, that the Offset Strategy satisfies the requirements of conditions 10-7 and 10-8, the proponent shall implement the approved Offset Strategy.
- 10-10 The proponent:
- (1) may review and revise the Offset Strategy; or
  - (2) shall review and revise the Offset Strategy as and when directed by the CEO.
- 10-11 The proponent shall implement the latest version of the Offset Strategy, which the CEO has confirmed by notice in writing, satisfies the requirements of condition 10-8.
- 10-12 In the event that the proponent demonstrates that an adequate offset has already been implemented and meets, or partially meets, the objectives of condition 10-7 in accordance with the *WA Environmental Offsets Policy 2011*, the CEO can determine the extent to which conditions 10-8 and 10-9 do, and do not apply, and will advise the proponent of this determination by notice in writing.
- 10-13 To meet the requirements of condition 10-12 the proponent shall submit an Offsets Reconciliation Report at least six (6) months prior to submission of the Offset Strategy required by condition 10-7 to demonstrate that the requirements of condition 10-7 have been met.

[signed on 26 June 2019]

Hon Stephen Dawson MLC  
**MINISTER FOR ENVIRONMENT**

Table 1: Summary of the Proposal

<b>Proposal Title</b>	Yanchep Rail Extension Part 1 – Butler to Eglinton
<b>Short Description</b>	The proposal is to construct and operate a 7.3 kilometre extension to the existing Joondalup railway line from Butler Station to the suburb of Eglinton in the City of Wanneroo. The proposal would also include two new intermodal (rail, bus, 'park and ride' 'kiss and ride', walk and cycle) transit stations at Alkimos and Eglinton, bridge infrastructure, construction and access areas

Table 2: Location and authorised extent of physical and operational elements

Column 1	Column 2	Column 3
Element	Location	Authorised Extent
Clearing and disturbance for construction of the railway, stations, principal shared path, drainage structures, construction laydown and access, fauna fencing, fauna underpass, bridges, noise walls.	Located within the development envelope as shown in Figure 1.	Clearing and disturbance of no more than 63.33 ha which includes no more than: <ul style="list-style-type: none"> <li>• 37.72 ha of native vegetation, including: <ul style="list-style-type: none"> <li>○ 0.53 ha of <i>Melaleuca huegellii</i> – <i>Melaleuca systena</i> shrublands on limestone ridges (Gibson et al. 1994 type 26a);</li> </ul> </li> <li>• 2.5 ha in the Alkimos Parks and Recreation Reserve;</li> <li>• 48.21 ha of Carnaby's black cockatoo habitat.</li> </ul>
Fauna underpass	Located within the development envelope as shown in Figure 1.	No more than 50 m in length.

**Table 3: Abbreviations and Definitions**

<b>Acronym or Abbreviation</b>	<b>Definition or Term</b>
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or his delegate.
EP Act	<i>Environmental Protection Act 1986</i>
Ground-disturbing activity	Activities that are associated with the substantial implementation of a proposal including but not limited to, digging (with mechanised equipment), blasting, earthmoving, vegetation clearance, grading, gravel extraction, construction of new or widening of existing roads and tracks. Ground-disturbing activities does not include Geotechnical investigations (including potholing for services and the installation of piezometers) and other preconstruction activities where no clearing of vegetation is required.
ha	Hectare
IBRA	Interim Biogeographic Regionalisation for Australia
Indirect impacts	Any potential impacts outside the development envelope as a result of the clearing and disturbance authorised in Table 2 of Schedule 1. This includes but is not limited to: hydrological change, weed invasion, altered fire regimes, introduction or spread of disease, changes in erosion/deposition/accretion and edge effects.
m	Metre
Management actions	Identified actions undertaken to mitigate the impacts of implementation of a proposal on the environment and achieve the condition environmental objective.
Management target	A measurable boundary of acceptable impact with proposal or site specific parameters, that assesses the efficacy of management actions against the condition environmental objective and beyond which management actions have to be reviewed and revised. Proposal- or site-specific parameters may include location, scale, time period, specific species/population/community and a relative benchmark (e.g. baseline or reference).
SCP	Swan Coastal Plain
Trenching activities	Trenches used for utilities such as communications. Trenches do not include excavation for the sinking of the railway line.

**Figures (attached)**

- Figure 1 Yanchep Rail Extension Part 1 – Butler to Eglinton development envelope (This figure is a representation of the coordinates shown in Schedule 2).
- Figure 2 Area of Gibson et al. 1994 type 26a relevant to condition 6-1 (This figure is a representation of the coordinates shown in Schedule 2).
- Figure 3 Boundary for submission of EMP as per condition 8-2.
- Figure 4 Area of Gibson et al. 1994 type 26a to be offset (This figure is a representation of the coordinates shown in Schedule 2).



Figure 1 Yanchep Rail Extension Part 1 – Butler to Eglinton development envelope.

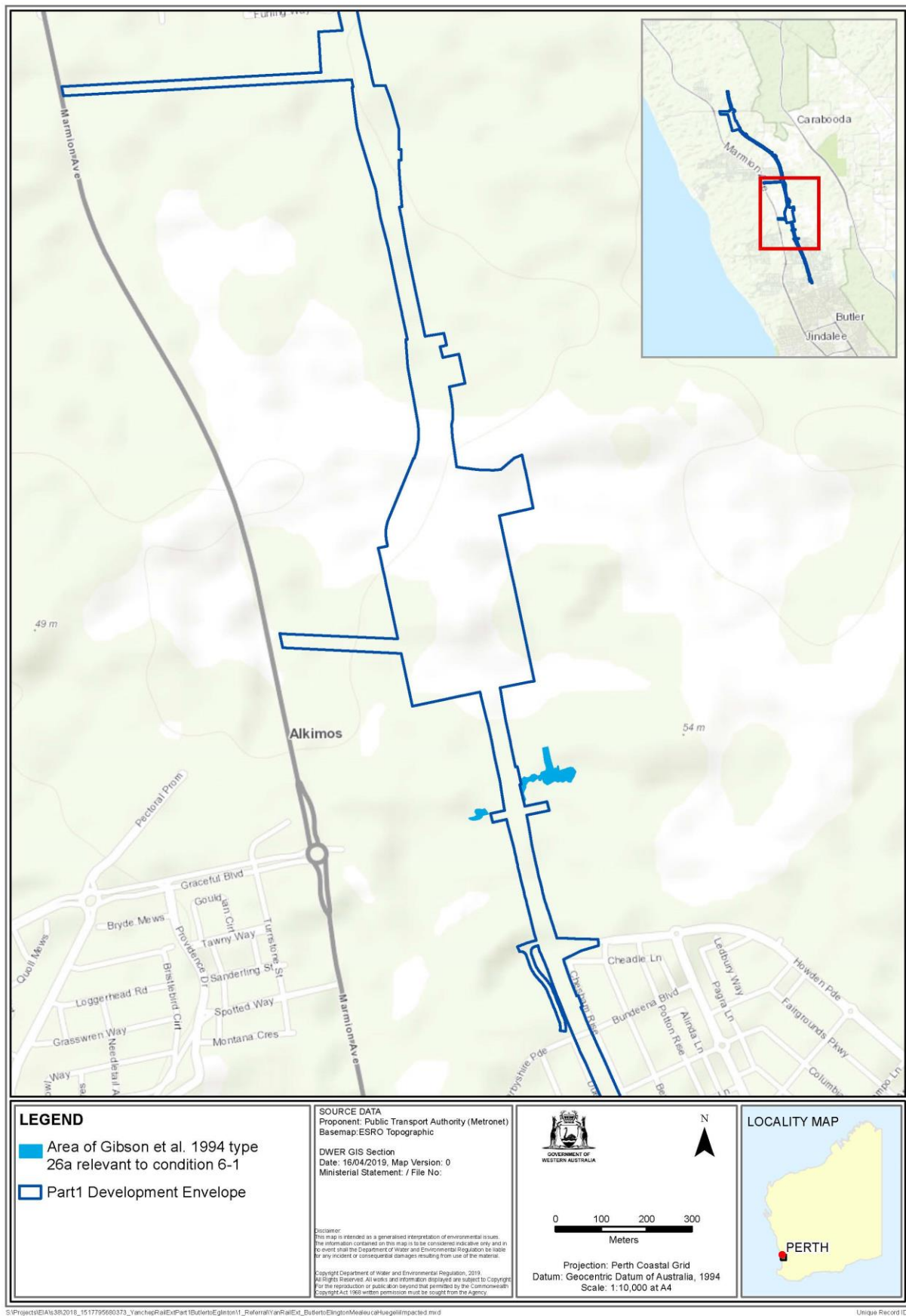


Figure 2 Area of 'Melaleuca huegelii – Melaleuca systema shrublands on limestone ridges (Gibson et al. 1994 type 26a)' relevant to condition 6-1.



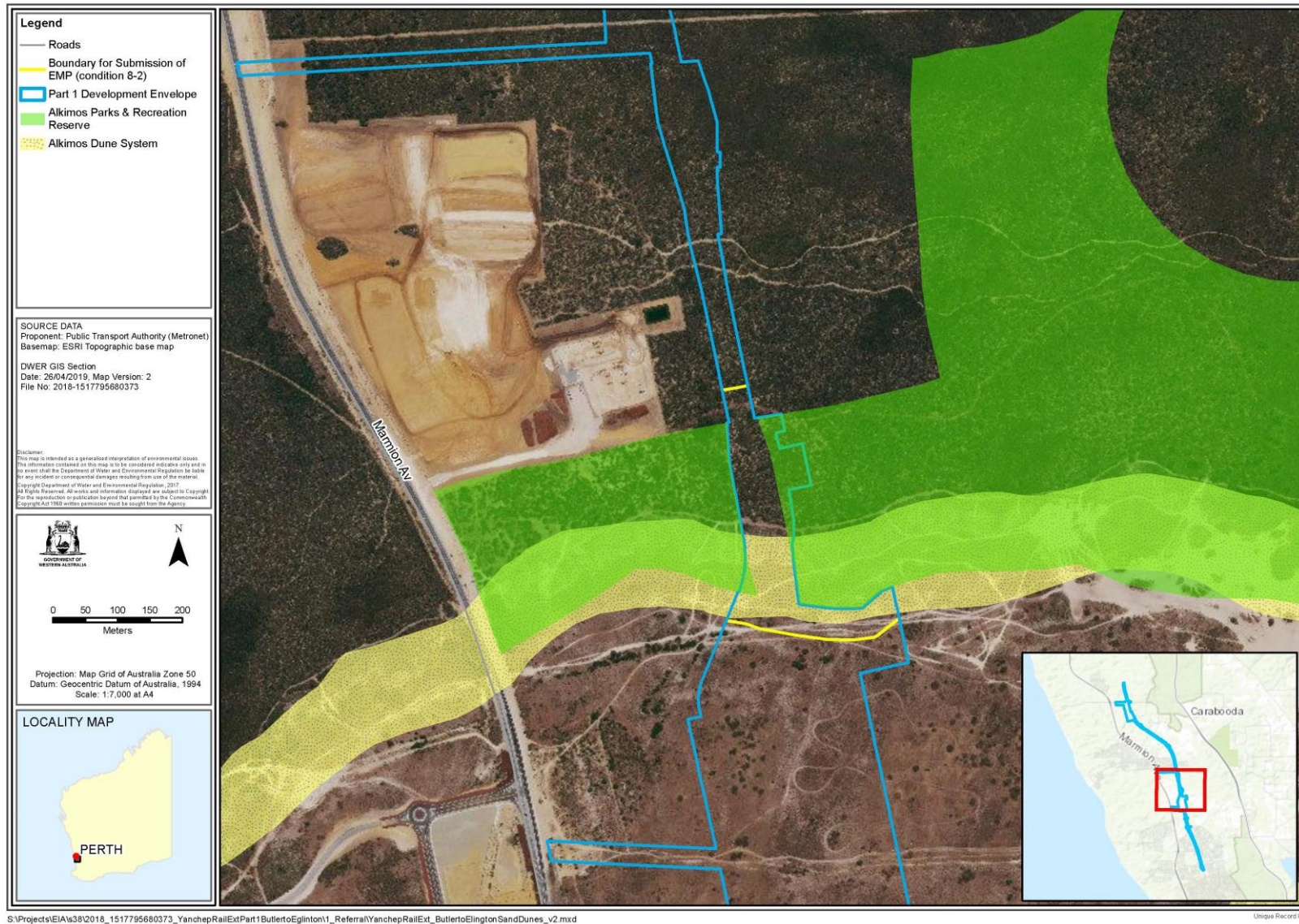


Figure 3 Boundary for submission of EMP as per condition 8-2.





Figure 4 Area of '*Melaleuca huegelii* – *Melaleuca systema* shrublands on limestone ridges (Gibson et al. 1994 type 26a)' to be offset.

## **Schedule 2**

Coordinates defining the Yanchep Rail Extension Part 1 – Butler to Eglinton Development Envelope in Figure 1 are held by the Department of Water and Environmental Regulation, Document Reference Number 2019-1556529410511

Coordinates defining the locations of Threatened Ecological Community SCP 26a in Figures 2 and 4 are held by the Department of Water and Environmental Regulation, Document Reference Number 2019-1556529410511