



Environmental Protection Act 1986

**Hon Stephen Dawson MLC**  
**Minister for Environment**

## **MINISTER'S APPEAL DETERMINATION**

### **APPEAL AGAINST REPORT AND RECOMMENDATIONS OF THE ENVIRONMENTAL PROTECTION AUTHORITY YANCHEP RAIL EXTENSION: PART 1 – BUTLER TO EGLINTON (EPA REPORT 1634)**

#### **Purpose of this document**

This document sets out the Minister's decision on an appeal lodged under section 100(1)(d) of the *Environmental Protection Act 1986* in objection to the Environmental Protection Authority's Report and Recommendations in respect to the above proposal. This document is produced by the Office of the Appeals Convenor for the Minister but is not the Appeals Convenor's own report, which can be downloaded from the Appeals Convenor's website at [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au).

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<b>Appellant:</b>	Quinns Rocks Environmental Group
<b>Proponent:</b>	Public Transport Authority of Western Australia
<b>Proposal description:</b>	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
<b>Minister's Decision:</b>	The Minister dismissed the appeal
<b>Date of Decision:</b>	14 June 2019

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#### **REASONS FOR MINISTER'S DECISION**

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The Public Transport Authority (the proponent) is proposing to construct and operate a 7.3 kilometre extension to the existing Joondalup railway line including two new stations at Alkimos and Eglinton.

The appeal against the EPA's report and recommendations requested the recommended conditions be changed in relation to the chosen mitigation option for maintaining fauna linkage values at the Alkimos Parks and Recreation Reserve crossing, and the opportunity to provide input into the development of an Environmental Management Plan (EMP).

The appeal was investigated by the Appeals Convenor on the Minister's behalf, which included a meeting with the appellant, as well as feedback from the EPA and the proponent.

In relation to the Reserve crossing, the Minister noted that the proposal design contemplated by the EPA involved construction of an embankment. The Minister understood that the need for an embankment was influenced by the natural topography with the majority of the crossing located within a low-lying area when compared to the surrounding landscape. The Minister also noted the proponent's expert advice that underpasses are generally best located through lower parts of the landscape such as valleys which often provide greater shelter for fauna.

Given the above, the Minister was satisfied that the EPA's recommendation to require a fauna underpass at the Alkimos Parks and Recreation Reserve crossing was appropriate. However, the Minister also agreed with the EPA that there was merit in the expertise of the appellant being called upon to ensure the design and operation of the underpass maximises the benefit to the widest range of affected native species.

To this end, the Minister has written to the Minister for Transport (as the Minister responsible for the proponent) requesting that the proponent closely liaises with the appellant through the next phases of the development of the EMP.

Having dismissed the appeal, the Minister will now consult with relevant decision-making authorities under section 45(1) of the *Environmental Protection Act 1986* as to whether or not the proposal should be implemented, and if so, the conditions to which the proposal's implementation should be subject.

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Note: this decision is published pursuant to the terms of section 110 of the *Environmental Protection Act 1986* and regulation 8 of the *Environmental Protection Regulations 1987*.

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