



Application for Works Approval

Part V Division 3 of the *Environmental Protection Act 1986*

Choose an item.	W6447/2020/1
Applicant	CPB Contractors Pty Limited Trading as NEWest Alliance
ACN	000 893 667
File Number	DER2020/000333
Premises	Yanchep Rail Extension Pippidinnny Road EGLINGTON Legal description Lot 800 on Deposited Plan 404604 As defined by the coordinates in Schedule 2 of the Works Approval
Date of Report	30 April 2021
Decision	Works approval granted

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A/MANAGER – RESOURCE INDUSTRIES
REGULATORY SERVICES

an officer delegated under section 20 of the *Environmental Protection Act 1986* (WA)

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1. Decision summary

This Decision Report documents the assessment of potential risks to the environment and public health from emissions and discharges during the construction and operation of the Premises. As a result of this assessment, Works Approval W6447/2020/1 has been granted.

2. Scope of assessment

2.1 Regulatory framework

In completing the assessment documented in this Decision Report, the department has considered and given due regard to its Regulatory Framework and relevant policy documents which are available at <https://dwer.wa.gov.au/regulatory-documents>.

2.2 Application summary and overview of Premises

On 10 August 2020, CPB Contractors Pty Limited (the applicant) submitted an application for a works approval to the department under section 54 of the *Environmental Protection Act 1986* (EP Act).

The application is to undertake construction works relating to crushing and screening of material at the Premises. The Premises is approximately 40 km north of the Perth central business district.

The Premises relates to category 12 and assessed design capacity under Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations) which are defined in Works Approval W6447/2020/1. The infrastructure and equipment relating to the premises category and any associated activities which the department has considered in line with *Guidance Statement: Risk Assessments* (DER 2017) are outlined in Works Approval W6447/2020/1.

The Yanchep Rail Extension (YRE) Project is an extension to the Northern Suburbs Railway (also known as the Joondalup line) in Perth's northern suburbs. It's approximately 40 km north of the Perth central business district and includes 14.5 km of railway beyond the existing Butler Station and three new stations at Alkimos, Eglington and Yanchep.

The design of the YRE project requires a considerable volume of material be extracted from existing ground levels, which includes limestone. A contract condition requires that the applicant reuse the limestone in permanent and temporary construction works associated with the project. As such, the applicant has applied for a works approval to process the extracted material using a mobile crushing and screening plant located within the approved project footprint.

The selected area for the crusher and screener and previously been cleared under Ministerial Statement 1100 and will eventually be used as a carpark for the future Eglington station.

The equipment can screen/crush 1,800 to 2,000 tonnes per day giving a maximum design capacity of 657,000 to 730,000 tonnes per year. The estimated throughput is 295,000 tonnes in a single year of operation.

The operational activities associated with the project include the following:

- Tipping of excavated limestone from articulated dump trucks.
- Use of a loader to stockpile excavated limestone.
- Use of a loader/excavator to load limestone in portable screening and crushing equipment.

- Screening and crushing.
- Stockpiling of crushed material directly from screening/crushing equipment.
- Stockpile management using a loader.
- Loading of crushed limestone onto articulated dump trucks by loader/excavator.
- Cartage of crushed limestone to required locations within Yanchep Rail Extension footprint.
- Periodic spraying of water from water carts onto pad and stockpiles.

2.3 Part IV of the EP Act

The overall YRE project was assessed under Part IV of the EP Act with two Ministerial Statements issued. Ministerial Statement (MS) 1100 was approved on 26 June 2019 and is for Part 1 of the YRE project. This MS requires the proponent to minimize impacts from construction on flora and vegetation, landforms, terrestrial fauna and social surrounding. This includes the need to minimize impacts of noise and vibration during construction and operation of the railway. The conditions relating to noise and vibration, however, are not related to the construction and operation of the crushing and screening plant. These emissions will be assessed under the Part V works approval.

MS 1129 was issued on 14 April 2020 and was for Part 2 of the YRE Project. The crushing and screening activities assessed under this works approval are not located within the envelope for Part 2 of the YRE.

3. Risk assessment

The department assesses the risks of emissions from prescribed premises and identifies the potential source, pathway and impact to receptors in accordance with the *Guideline: Risk Assessments* (DER 2017).

To establish a Risk Event there must be an emission, a receptor which may be exposed to that emission through an identified actual or likely pathway, and a potential adverse effect to the receptor from exposure to that emission.

3.1 Source-pathways and receptors

3.1.1 Emissions and controls

The key emissions and associated actual or likely pathway during premises construction and operation which have been considered in this Decision Report are detailed in Table 1 below. Table 1 also details the proposed control measures the applicant has proposed to assist in controlling these emissions, where necessary.

Table 1: Proposed applicant controls

Emission	Sources	Potential pathways	Proposed controls
Construction			
Dust	Equipment and infrastructure placement and associated vehicle movement	Air/windborne pathway	Implement dust suppression measures on unsealed roads and access tracks, cleared areas and at other locations at times of high dust risk, including: -use of water carts on unsealed roads and

Emission	Sources	Potential pathways	Proposed controls
			<p>tracks;</p> <p>-use of water-assisted dust sweepers on access and local roads to remove material, as necessary.</p> <p>-an on-site speed limit of 40km per hour to be adhered to at all times;</p> <p>-wind break fencing to be installed to prevent dust spreading in high risk areas, such as approved stockpile locations and along existing fence line along Pippidiny Road.</p>
Noise and vibration	Equipment and infrastructure placement and associated vehicle movement	Air/windborne pathway	-Noise produced during construction phase will be limited to the placement of limestone pad and erection of windbreak fencing and will be undertaken during normal working hours.
Operation			
Dust	Crushing of material, vehicle movements, lift-off from stockpiles and/or stored product, earthworks etc.	Air/windborne pathway	<p>Implement dust suppression measures on unsealed roads and access tracks, cleared areas and at other locations at times of high dust risk, including:</p> <p>-windbreak fencing</p> <p>-presence of a water cart during crushing/screening activities along the pad and access points, and of stockpiles;</p> <p>-preconditioning of limestone material with water prior to crushing/screening plant;</p> <p>-Inbuilt dust suppression (wet spray system) on the crushing/screening plant;</p> <p>-Regular inspections and maintenance of plant;</p> <p>-Changing operating procedures to reduce dust creation (eg cessation of crushing/screening operations under certain wind conditions);</p> <p>-Daily visual inspections for nuisance dust by the Area Supervisor; and</p> <p>-an on-site speed limit of 40km per hour to be adhered to at all times;</p> <p>An application is currently with the City of Wanneroo to close Pippidiny Rd to public traffic for the duration of the construction of a rail bridge over the road. This proposed closure will encompass the proposed crushing/screening period and should it be approved, the applicant does not intend to erect windbreak fencing as the main receptor (ie passing traffic) will no longer be present.</p>

Emission	Sources	Potential pathways	Proposed controls
Noise	Crushing and screening of material	Air/windborne pathway	<p>Proposed hours of construction and operation for the crushing and screening (including associated activities) will be 0700 to 1900, Monday to Saturday (excluding public holidays).</p> <p>Noise assessment based on modelling shows that noise screening may be required to achieve compliance with <i>Environmental Protection (Noise) Regulations 1997 (Noise Regulations)</i> at the residences north of the facility.</p> <p>Operate in accordance with <i>Noise Regulations</i>.</p> <p>The following management measures will be used:</p> <ul style="list-style-type: none"> -using lowest-noise work practices and equipment which meet the requirements of the job. -locating site buildings, access roads and positioning plant such that the minimum disturbance occurs to the locality. -installing broadband reversing alarms on construction vehicles and machinery in preference to 'beeper' reversing alarms. -limiting unnecessary use of loud equipment and generation of unnecessary noise. -noise monitoring will be undertaken during commissioning phase at the potentially affected residential receptors greater than 100 m north of Marmion Ave. If monitoring demonstrates that assigned noise levels are being exceeded, then noise screening will be employed.
Leachate	Contaminated stormwater and runoff	Seepage to soil and groundwater	All runoff to be retained within the YRE footprint. This will be achieved via the use of windrows and/or cut-off drains along the project boundary.

3.1.2 Receptors

In accordance with the *Guideline: Risk Assessment* (DER 2017), the Delegated Officer has excluded employees, visitors and contractors of the applicant's from its assessment. Protection of these parties often involves different exposure risks and prevention strategies, and is provided for under other state legislation and Figure 1 below provides a summary of potential human and environmental receptors that may be impacted as a result of activities upon or emission and discharges from the prescribed premises (*Guideline: Environmental Siting* (DER 2016)).

Table 2: Sensitive human and environmental receptors and distance from prescribed activity

Human receptors	Distance from prescribed activity
Residential receptors within suburb of Eglington	Approximately 615 m to the nearest residence from the northern edge of the footprint for crushing and screening activities within the premises boundary
Pipidinny Road	Directly adjacent to the north of the premises boundary
Environmental receptors	Distance from prescribed activity
Threatened Ecological Community	Banksia woodlands of the SCP (EPBC TEC) immediately south of the premises boundary
	Malaleuca huegelii – M. acerosa shrublands on limestone ridges (TEC) 350m east-south-east of the premises boundary.

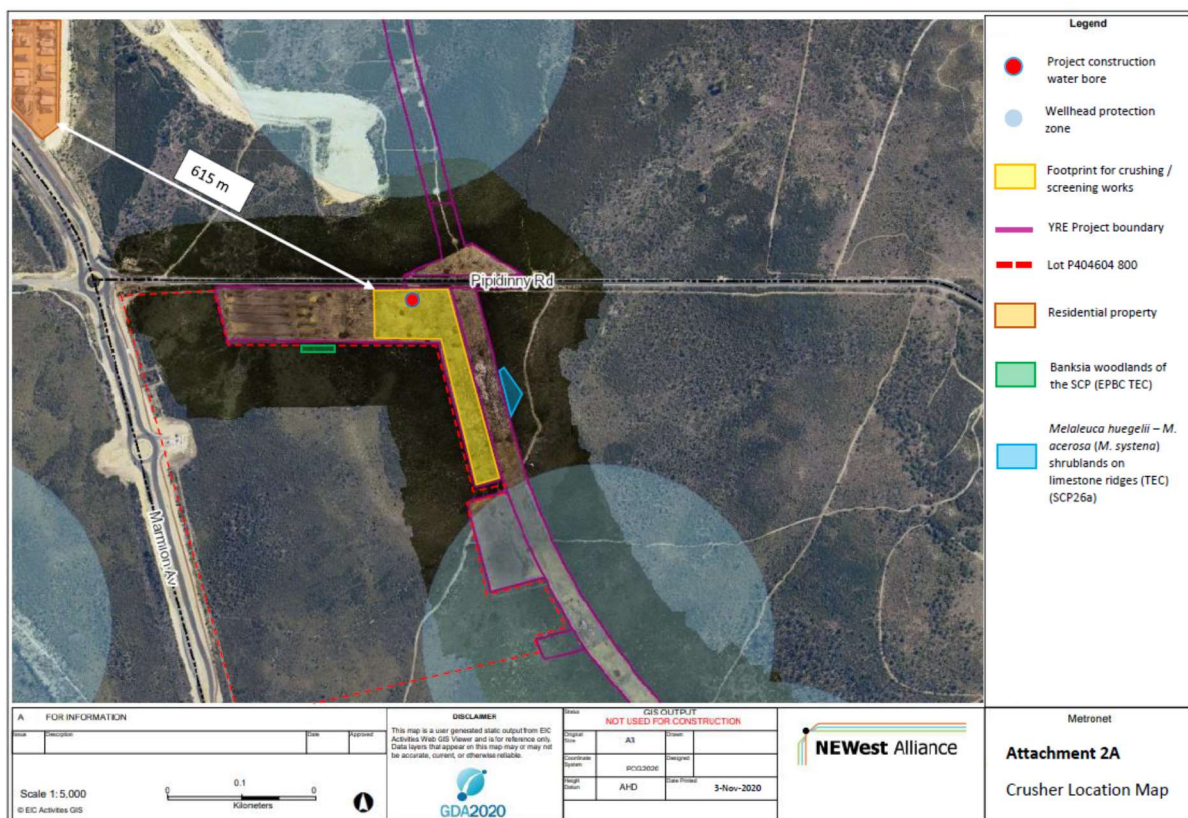


Figure 1: Distance to sensitive receptors

3.2 Risk ratings

Risk ratings have been assessed in accordance with the *Guideline: Risk Assessments* (DER 2017) for each identified emission source and takes into account potential source-pathway and receptor linkages as identified in Section 3.1. Where linkages are in-complete they have not been considered further in the risk assessment.

Where the applicant has proposed mitigation measures/controls (as detailed in Section 3.1), these have been considered when determining the final risk rating. Where the Delegated Officer considers the applicant's proposed controls to be critical to maintaining an acceptable level of risk, these will be incorporated into the works approval as regulatory controls.

Additional regulatory controls may be imposed where the applicant's controls are not deemed sufficient. Where this is the case the need for additional controls will be documented and justified in Table 3.

Works Approval W6447/2020/1 that accompanies this Decision Report authorises construction and time-limited operations. The conditions in the issued Works Approval, as outlined in Table 3 have been determined in accordance with *Guidance Statement: Setting Conditions* (DER 2015).

A licence is required following the time-limited operational phase authorised under the works approval to authorise emissions associated with the operation of the Premises i.e. crushing and screening activities. A risk assessment for the operational phase has been included in this Decision Report, however licence conditions will not be finalised until the department assesses the licence application.

Table 3: Risk assessment of potential emissions and discharges from the Premises during construction, time limited operations and operation

Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
Construction								
Placement of screen and associated equipment including vehicle movements (reversing beepers).	Dust	Air/windborne pathway causing impacts to health and amenity	Residences approximately 615m north	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1 <u>Conditions 2 and 3</u>	Standard construction and reporting conditions apply
	Noise		Traffic on Pippidinny Rd adjacent to the premises boundary	Refer to Section 3.1	C = Minor L = Unlikely Medium Risk	Y	Condition 1	N/A
Operation (including time-limited-operations)								
Screening, crushing, unloading, loading and storage of material Vehicle movements	Dust	Air/windborne pathway causing impacts to health and amenity	Residences approximately 615m north Traffic on Pippidinny Rd adjacent to the premises boundary	Refer to Section 3.1	C = Moderate L = Unlikely Medium Risk	Y	Condition 1 <u>Conditions 4, 5, 17, 18 and 19</u>	Standard construction and reporting conditions apply
	Noise	Air/windborne pathway causing impacts to health and amenity	Residences approximately 615m north Traffic on Pippidinny Rd adjacent to the premises boundary	Refer to Section 3.1	C = Moderate L = Possible Medium Risk	Y	<u>Conditions 4 and 5</u> Condition 6 <u>Condition 7 – 16</u> <u>Conditions 17, 18 and 19</u>	Reporting conditions apply for noise monitoring during time-limited operations. The noise assessment report provided by the applicant predicted marginal exceedance of the assigned noise levels at noise sensitive receivers located greater than 100m from Marmion Avenue to the north. To address this, the applicant has proposed a noise screening in the form of a solid site barrier on the northern site property boundary in the vicinity of the crushing plant, or a localised solid screen around the crushing plant. The applicant intends to undertake operational noise measurements at the premises to confirm

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Risk Event					Risk rating ¹ C = consequence L = likelihood	Applicant controls sufficient?	Conditions ² of works approval	Justification for additional regulatory controls
Source/Activities	Potential emission	Potential pathways and impact	Receptors	Applicant controls				
								<p>predicted noise levels and determine the use of the noise screen.</p> <p>This approach is supported. The works approval provides the applicant time limited operations for 90 days. During this limited operating time, the applicant is required to engage a person competent in noise assessment to monitor and report the noise measurements to the department. The results of this noise assessment will inform the operational risk for noise emissions and be taken into account for the application made by the applicant to operate the premises under a licence.</p> <p>In the event that the noise monitoring program indicates that operations do not meet the assigned levels in the Noise Regulations, the applicant will be required to prepare a report outlining how they intend to resolve the issue/s to no longer exceed the assigned noise levels.</p>
	Sediment laden stormwater	Overland runoff potentially causing ecosystem disturbance or impacting surface water quality	Banksia woodland immediately south of premises boundary.	Refer to Section 3.1	C = Minor L = Rare Low Risk	Y	Condition 1	N/A

Note 1: Consequence ratings, likelihood ratings and risk descriptions are detailed in the *Guidance Statement: Risk Assessments* (DER 2017).

Note 2: Proposed applicant controls are depicted by standard text. **Bold and underline text** depicts additional regulatory controls imposed by department.

4. Consultation

Table 4 provides a summary of the consultation undertaken by the department.

Table 4: Consultation

Consultation method	Comments received	Department response
Application advertised on the department's website 19 October 2020	No submissions were received.	N/A
Residential receptors located within the Eglinton area were notified of the proposal by letters sent on 15 October 2020	No submissions were received from residential receptors.	N/A
City of Wanneroo advised of proposal on 15 October 2020	<p>The City of Wanneroo replied on 22/10/2020 with no objection to the proposed works, provided they do not adversely impact on any surrounding residents, business or City infrastructure and are carried out in accordance with the Yanchep Rail Extension Construction Environmental Management Plan and the City's Local Planning Policy 4.18: Earthworks and Sand Drift.</p> <p>The City of Wanneroo advised that in the City's opinion the works are exempt from planning approval but recommended the Works Approval be referred to Department of Planning, Lands and Heritage for further comment.</p>	<p>The City of Wanneroo's comments are noted.</p> <p>Following on from the comments, the Works Approval Application was referred to the Department of Planning, Lands and Heritage for comment on 28 October 2020. See below for further detail.</p>
Department of Planning, Lands and Heritage advised of proposal on 28 October 2020	<p>The Department of Planning, Lands and Heritage replied on 18/11/2020 and raised no objections to the proposal and provided the following comment:</p> <p>"Please be reminded that the application should adhere to the approved <i>Report and Recommendations of the Environmental Protection Authority for Yanchep Rail Extension: Part 1 – Butler to Eglinton</i> dated May 2019"</p>	Noted.
Applicant was provided with draft documents on 31 March 2021.	A response was received on 21 April 2021 from the applicant confirming no comments on the draft documents.	N/A

5. Conclusion

Based on the assessment in this Decision Report, the Delegated Officer has determined that a works approval will be granted, subject to conditions commensurate with the determined controls and necessary for administration and reporting requirements.

References

1. CPB Contractors Pty Ltd and Downer EDI Works Pty Ltd 2020, *Works Approval Application*, Perth, Western Australia
2. Department of Environment Regulation (DER) 2016, *Guideline: Environmental Siting*, Perth, Western Australia.
3. DER 2017, *Guideline: Risk Assessments*, Perth, Western Australia.
4. DER 2015, *Guidance Statement: Setting Conditions*, Perth, Western Australia.
5. NEWest Alliance 2001, *YRE Limestone Crushing Plant Noise Assessment – Metronet Stage 1 natives: Yanchep Railway Extension and Thornlie-Cockburn Link*, Perth, western Australia

Appendix 1: Application validation summary

SECTION 1: APPLICATION SUMMARY (as updated from validation checklist)		
Application type		
Works approval	<input checked="" type="checkbox"/>	
Date application received	10/08/2020	
Applicant and Premises details		
Applicant name/s (full legal name/s)	CPB Contractors Pty Ltd – Downer EDI Works Ptd Ltd Trading as NEWest Alliance	
Premises name	Yanchep Rail Extension	
Premises location	Lot on Plan P404604 800 (Lot 800 on Plane 404604) Land ID Number 4264604	
Local Government Authority	City of Wanneroo	
Application documents		
HPCM file reference number:	DER2020/000333	
Key application documents (additional to application form):	Location Map Indicative layout YRE Construction EMP Yanchep Rail Extension: Part 1 – Butler to Eglington Finlay 694 Superrak (screen) specs McCloskey J50 Jaw Crusher specs Capital Cost Extract ALT Meeting Minutes 20200116 ASIC Business Name Extract	
Scope of application/assessment		
Summary of proposed activities or changes to existing operations.	Construction of the Yanchep Rail Extension project on behalf of the Public Transport Authority. Crushing and screening of limestone	
Category number/s (activities that cause the premises to become prescribed premises)		
Table 1: Prescribed premises categories		
Prescribed premises category and description	Proposed production or design capacity	Proposed changes to the production or design capacity (amendments only)
Category 12: Screening etc. of material	295,000 tonnes	N/A
Legislative context and other approvals		
Has the applicant referred, or do they intend to refer, their proposal to the EPA under Part IV of the EP Act as a significant proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Referral decision No: Managed under Part V <input checked="" type="checkbox"/> Assessed under Part IV <input type="checkbox"/>

Does the applicant hold any existing Part IV Ministerial Statements relevant to the application?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Ministerial statement No: 1100 EPA Report No:
Has the proposal been referred and/or assessed under the EPBC Act?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Reference No: Deeds of Agreement are in place between developers and PTA to utilise their EPBC Act approvals
Has the applicant demonstrated occupancy (proof of occupier status)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Certificate of title <input checked="" type="checkbox"/> General lease <input type="checkbox"/> Expiry: Mining lease / tenement <input type="checkbox"/> Expiry: Other evidence <input type="checkbox"/> Expiry:
Has the applicant obtained all relevant planning approvals?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	If N/A explain why? Approvals have been sought for the larger YRE project.
Has the applicant applied for, or have an existing EP Act clearing permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Cleared under MS 1100
Has the applicant applied for, or have an existing CAWS Act clearing licence in relation to this proposal?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Application reference No: N/A Licence/permit No: N/A
Has the applicant applied for, or have an existing RIWI Act licence or permit in relation to this proposal?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Licence/permit No: GWL204161(2)
Does the proposal involve a discharge of waste into a designated area (as defined in section 57 of the EP Act)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Name: N/A
Is the Premises situated in a Public Drinking Water Source Area (PDWSA)?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Name: Perth coastal and Gwelup underground Water Pollution Control Area Priority: P3 Are the proposed activities/ landuse compatible with the PDWSA (refer to WQPN 25)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>

Is the Premises subject to any other Acts or subsidiary regulations (e.g. <i>Dangerous Goods Safety Act 2004</i> , <i>Environmental Protection (Controlled Waste) Regulations 2004</i> , <i>State Agreement Act xxxx</i>)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	As part of the larger YRE project: Aboriginal Heritage Act 1972 Planning and Development Act 2005 Dangerous Goods Safety Act 2005 Rights in Water and Irrigation Act 1914 Environmental Protection (Noise) Regulations 1997
Is the Premises within an Environmental Protection Policy (EPP) Area?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises subject to any EPP requirements?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	N/A
Is the Premises a known or suspected contaminated site under the <i>Contaminated Sites Act 2003</i> ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Classification: N/A Date of classification: N/A