

10 March 2016

Ms Kathryn Schell  
Principal Environmental Officer  
Infrastructure Branch  
Office of the Environmental Protection Authority  
The Atrium, Level 8, 168 St Georges Terrace  
Perth, WA 6000

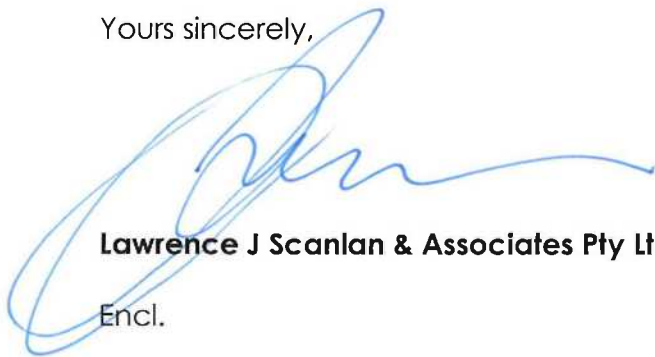
Dear Kathryn,

**Referral Under Section 38 – Cottesloe Pier Pty Ltd**

Please find attached the completed EPA referral form and the Preliminary Environmental Impact Assessment prepared by 360 Environmental together with an electronic copy of these documents.

We trust that the attached documentation is complete but please contact this office should you require any further information.

Yours sincerely,



**Lawrence J Scanlan & Associates Pty Ltd**

Encl.

Office of the Environmental Protection Authority	
File: .....	
21 MAR 2016	
A:	<input type="checkbox"/> For Information
fa:	<input type="checkbox"/> For Discussion
Officer:	<input type="checkbox"/> For Action
<input type="checkbox"/> Dir.AC	Response please:
<input type="checkbox"/> Dir. Bus Ops	<input type="checkbox"/> GM Signature
<input type="checkbox"/> Dir. SPPD	<input type="checkbox"/> Dir for GM (copy to GM)
<input type="checkbox"/> Dir. Strat Sup	<input type="checkbox"/> Dir Signature (copy to GM)
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## Environmental Protection Authority

EPA REFERRAL  
FORM

### Referral of a Proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*.

#### PURPOSE OF THIS FORM

Section 38 of the *Environmental Protection Act 1986* (EP Act) makes provision for the referral to the Environmental Protection Authority (EPA) of a proposal (significant proposals, strategic proposals and proposals under an assessed scheme) by a proponent, a decision making authority (DMA), or any other person.

The purpose of this form is to ensure that EPA has sufficient information about a proposal to make a decision about the nature of the proposal and whether or not the proposal should be assessed under Part IV of the EP Act. Information provided in the referral form must be brief (no more than 30 pages), sharp and succinct to achieve the purposes of this form.

This form does not prevent the referrer from providing a supplementary referral report. Should a referrer choose to submit a supplementary referral report please ensure the following.

- i. Information is short, sharp and succinct.
- ii. Attachments are below eight megabytes (8 MB) as they will be published on the EPA's website (exemptions apply) for public comment. To minimise file size, "flatten" maps and optimise pdf files.
- iii. Cross-references are provided in the referral form to the appropriate section/s in the supplementary referral report.

This form is to be used for all proposals<sup>1</sup> which can be referred to the EPA under section 38 of the EP Act; i.e. referrals from: **proponents** of proposals (significant proposals, strategic proposals, derived proposals, proposals under an assessed scheme); **DMAs** (significant proposals); and **third parties** (significant proposals).

This form is divided into several sections, including; Referral requirements and Declaration; Part A - Information of the proposal and proponent; and Part B Environmental Factors. Guidance on successfully completing this form is provided throughout the form and is also available in the EPA's *Environmental Assessment Guideline for Referral of a Proposal under s38 of the EP Act* (EAG 16).

#### Send completed forms to

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

or

Email: [Registrar@epa.wa.gov.au](mailto:Registrar@epa.wa.gov.au)

#### Enquiries

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

Telephone: 6145 0800

Fax: 6145 0895

Email: [info@epa.wa.gov.au](mailto:info@epa.wa.gov.au)

Website: [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

<sup>1</sup> Please note that this form consolidates and replaces the following forms: *Referral of a Proposal by the Proponent to the EPA under section 38(1) of the EP Act*; *Referral of a Proposal by a third party to the EPA under section 38(1) of the EP Act*; and *Referral of a development proposal to the EPA by the decision making authority*.

## Referral requirements and Declaration

The following section outlines the referral information required from a proponent, decision making authority and third party.

### (a) Proponents

Proponents are expected to complete all sections of the form and provide GIS spatial data to enable the EPA to consider the referral. Spatial GIS data is necessary to inform the EPA's decision.

The EPA expects that a proponent will address Part B of the form as thoroughly as possible to demonstrate whether or not the EPA's objectives for environmental factors can be met.

If insufficient information is provided the EPA will request more information and processing of the referral will commence once the information is provided or the EPA decides to make a precautionary determination on the available information.

Proponent to complete before submitting form	
Completed all the questions in Part A (essential)	X Yes <input type="checkbox"/> No
Completed all the questions in Part B	X Yes <input type="checkbox"/> No
Completed all other applicable questions	X Yes <input type="checkbox"/> No
Included Attachment 1 – any additional document(s) the proponent wishes to provide	X Yes <input type="checkbox"/> No
Included Attachment 2 – confidential information (if applicable)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but clearly separating any confidential information	X Yes <input type="checkbox"/> No
Completed the Declaration	X Yes <input type="checkbox"/> No
What is the type of proposal being referred? <i>* a referred proposal seeking to be declared a derived proposal</i>	X significant <input type="checkbox"/> strategic <input type="checkbox"/> derived* <input type="checkbox"/> under an assessed scheme
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes   X No
If yes, what level of assessment? <i>API = Assessment of Proponent Information</i> <i>PER = Public Environmental Review</i>	<input type="checkbox"/> API Category A <input type="checkbox"/> API Category B <input type="checkbox"/> PER


**NB:** The EPA may apply an Assessment on Proponent Information (API) level of assessment when the proponent has provided sufficient information about:

- the proposal;
- the proposed environmental impacts;
- the proposed management of the environmental impacts; and
- when the proposal is consistent with API criteria outlined in the [Environmental Impact Assessment \(Part IV Division 1 and 2\) Administrative Procedures 2012](#).

If an API A formal level of assessment is considered appropriate, please refer to Environmental Assessment Guideline No. 14 *Preparation for an Assessment on Proponent Information (Category A) Environmental Review Document EAG 14 (EAG14)*.

## Declaration

I, LAWRENCE JOHN SCANLAN, (full name) declare that I am authorised on behalf of COTTESLOE PIER PTY. LTD. (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature				Name (print) Lawrence Scanlan
Position		Organisation	Lawrence J Scanlan & Associates Pty. Ltd.	
Email	cottpier@scanlan.com.au			
Address	79	King Street		
	Perth	WA	6000	
Date	15 <sup>th</sup> MARCH. 2016.			

## (b) Decision-making authority

The EPA expects decision-making authorities to complete applicable sections of Part A of the form and provide the proponent an opportunity to provide additional information in Part B of the form where appropriate.

Wherever possible the DMA should obtain relevant spatial information from the proponent and provide this to the EPA with the referral.

DMA to complete before submitting form	
Completed all the questions in Part A (essential)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provided Part B to the proponent for completion	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any supporting information	<input type="checkbox"/> Yes <input type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the below Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred?	<input type="checkbox"/> significant proposal <input type="checkbox"/> significant proposal under an assessed scheme

## Declaration

I, ....., (*full name*) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Position		Organisation	
Email			
Address	Street No.	Street Name	
	Suburb	State	Postcode
Date			

### (c) Third Party

Third parties are asked to have consideration for the Significance Test outlined in Part A Section 1.5 of this form before referring a significant proposal to the EPA. The EPA will only consider proposals that are likely, if implemented, to have a significant effect on the environment.

Third parties are to provide sufficient information to clearly identify the significant proposal, the proponent, and their reasons for referring the proposal. This can be done by completing as much of Part A of the form as possible, taking into consideration the information available. Third parties may wish to fill in Part B of the form to advance their own views of the significance of the environmental impacts and the need for EPA assessment.

In most cases the EPA will seek additional information from the proponent. This will be to confirm or amend the identity of the proponent, the proposal, and to allow the proponent opportunity to provide its views on the significance of the environmental impacts and the need for EPA assessment.

Third Party to complete before submitting form	
Complete all applicable questions in Part A and B	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No

### Declaration

I, ....., (*full name*) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Email			
Position		Organisation	
Address	Street No.	Street Name	
	Suburb	State	Postcode
Date			

## PART A: Information on the proposal and the proponent

All fields of Part A must be completed by the proponent and/or decision-making authority for this document to be processed as a referral. Third party referrers are only expected to fill in the fields they have information for.

### 1 PROPONENT AND PROPOSAL DESCRIPTION

#### 1.1 The proponent of the proposal

Proponent and/or DMA to complete	
Name of the proponent	Cottesloe Pier Pty Ltd
Joint Venture parties (if applicable)	N/A
Australian Company Number(s)	266 155 639
Postal Address <i>(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)</i>	79 King Street, Perth, WA 6000
Key proponent contact for the proposal  <i>Please include: name; physical address; phone; and email.</i>	Lawrence Scanlan 79 King Street, Perth, WA 6000 9321 0166 cottpier@scanlan.com.au
Consultant for the proposal (if applicable)  <i>Please include: name; physical address; phone; and email.</i>	Michelle Rhodes 360 Environmental Pty Ltd 10 Bermondsey Street West Leederville 9388 8360 MichelleRhodes@360environmental.com.au

#### 1.2 Proposal

Proposal is defined under the EP Act to mean a "project, plan, programme policy, operation, undertaking or development or change of land use, or amendment of any of the foregoing, but does not include scheme". Before completing this section please refer to [Environmental Protection Bulletin 17 – Strategic and derived proposals \(EPB 17\)](#) and [Environmental Assessment Guideline for Defining the Key Characteristics of a proposal \(EAG 1\)](#).

Proponent and/or DMA to complete	
Title of the proposal	Cottesloe Pier
What project phase is the proposal at?	<input type="checkbox"/> Scoping <input checked="" type="checkbox"/> Feasibility <input type="checkbox"/> Detailed design <input type="checkbox"/> Other _____
Proposal type  <i>More than one proposal type can be identified, however for filtering purposes it is recommended that only the primary proposal type is identified.</i>	<input type="checkbox"/> <b>Power/Energy Generation</b> <input type="checkbox"/> Hydrocarbon Based – coal <input type="checkbox"/> Hydrocarbon Based – gas <input type="checkbox"/> Waste to energy <input type="checkbox"/> Renewable – wind <input type="checkbox"/> Renewable – wave

**Proponent and/or DMA to complete**

- ☐ Renewable – solar
- ☐ Renewable – geothermal

☐ **Mineral / Resource Extraction**

- ☐ Exploration – seismic
- ☐ Exploration – geotechnical
- ☐ Development

☐ **Oil and Gas Development**

- ☐ Exploration
- ☐ Onshore – seismic
- ☐ Onshore – geotechnical
- ☐ Onshore – development
- ☐ Offshore – seismic
- ☐ Offshore – geotechnical
- ☐ Offshore – development

☐ **Industrial Development**

- ☐ Processing
- ☐ Manufacturing
- ☐ Beneficiation

☐ **Land Use and Development**

- ☐ Residential – subdivision
- ☐ Residential – development
- ☐ Commercial – subdivision
- ☐ Commercial – development
- ☐ Industrial – subdivision
- ☐ Industrial – development
- ☐ Agricultural – subdivision
- ☐ Agricultural – development
- ☐ Tourism

☐ **Linear Infrastructure**

- ☐ Rail
- ☐ Road
- ☐ Power Transmission
- ☐ Water Distribution
- ☐ Gas Distribution
- ☐ Pipelines

☐ **Water Resource Development**

- ☐ Desalination
- ☐ Surface or Groundwater
- ☐ Drainage
- ☐ Pipelines
- ☐ Managed Aquifer Recharge

☐ **Marine Developments**

- ☐ Port
- X Jetties
- ☐ Marina
- ☐ Canal



Proponent and/or DMA to complete	
	<input type="checkbox"/> Aquaculture <input type="checkbox"/> Dredging <i>If other, please state below:</i> <input type="checkbox"/> Other _____
Proponent and/or DMA to complete	
Description of the proposal – describe the key characteristics of the proposal in accordance with <u>EAG 1</u> .	Jetty and boardwalk structure extending off the current Cottesloe groyne, including underwater observatory, café, swimming area and fishing jetty.
Timeframe in which the proposal is to occur (including start and finish dates where applicable).	Construction: March 2017 to December 2017
Details of any staging of the proposal.	None
What is the current land use on the property, and the extent (area in hectares) of the property?	The project area is currently zoned 'Parks and Recreation' (onshore component) and 'Waterways' (offshore component) 0.7 ha
Have pre-referral discussions taken place with the OEPA?  If yes, please provide the case number. If a case number was not provided, please state the date of the meeting and names of attendees.	No
DMA (Responsible Authority) to complete	
For a proposal under an assessed scheme (as defined in <u>section 3 of the EP Act</u> , applicable only to the proponent and DMA) provide details (in an attachment) as to whether: <ul style="list-style-type: none"> <li><i>The environmental issues raised by the proposal were assessed in any assessment of the assessed scheme.</i></li> <li><i>The proposal complies with the assessed scheme and any environmental conditions in the assessed scheme.</i></li> </ul>	

### 1.3 Strategic / derived proposals

*Complete this section if the proposal being referred is a strategic proposal or you are seeking the proposal to be declared a derived proposal. Note: Only a proponent may refer a strategic proposal and seek a proposal to be declared a derived proposal.*

Proponent to complete	
Is this referred proposal a strategic proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you seeking that this proposal be declared a derived proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you are seeking that this proposal be declared a derived proposal, what is the Ministerial Statement number (MS #) of the associated strategic proposal?	MS #: _____

## 1.4 Location

Proponents and DMAs must provide spatial data. Please refer to EAG 1 for more detail.

Proponent, DMA and Third Party to complete	
Name of the Local Government Authority in which the proposal is located.	Town of Cottesloe
Location: a) street address; lot number; suburb; and nearest road intersection; or b) if remote the nearest town; and distance and direction from that town to the proposal site.	Lot 383, Cottesloe
Have maps and figures been included with the referral (consistent with <u>EAG 1</u> where appropriate)? <i>The types of maps and figures which need to be provided (depending on the nature of the proposal) include:</i> <ul style="list-style-type: none"> <li>maps showing the regional location and context of the proposal; and</li> <li>figures illustrating the proposal elements.</li> </ul>	X Yes <input type="checkbox"/> No
Proponent and DMA to complete	
Have electronic copies of spatial data been included with the referral? <b>NB:</b> <i>Electronic spatial (GIS or CAD) data, geo-referenced and conforming to the following parameters:</i> <ul style="list-style-type: none"> <li>GIS: polygons representing all activities and named;</li> <li>CAD: simple closed polygons representing all activities and named;</li> <li>datum: GDA94;</li> <li>projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA);</li> <li>format: ESRI geodatabase or shapefile, MapInfo Interchange Format, Microstation or AutoCAD..</li> </ul>	X Yes <input type="checkbox"/> No

## 1.5 Significance test and environmental factors

Proponent, DMA and Third Party to complete	
What are the likely significant environmental factors for this proposal?	X Benthic Communities and Habitat X Coastal Processes X Marine Environmental Quality X Marine Fauna <input type="checkbox"/> Flora and Vegetation <input type="checkbox"/> Landforms <input type="checkbox"/> Subterranean Fauna <input type="checkbox"/> Terrestrial Environmental Quality <input type="checkbox"/> Terrestrial Fauna <input type="checkbox"/> Hydrological Processes <input type="checkbox"/> Inland Waters Environmental Quality

Proponent, DMA and Third Party to complete	
	<input type="checkbox"/> Air Quality & Atmospheric Gases <input checked="" type="checkbox"/> Amenity <input checked="" type="checkbox"/> Heritage <input type="checkbox"/> Human Health <input type="checkbox"/> Offsets <input type="checkbox"/> Rehabilitation and Decommissioning
Having regard to the Significance Test (refer to Section 7 of the <i>EIA Administrative Procedures 2012</i> ) in what ways do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?	<p>The construction of the proposal could impact the marine environment through the disturbance of habitats, marine fauna or heritage values, and impact amenity through visual and noise impacts.</p> <p>The operation of the proposal could pose a risk to environmental quality or coastal processes.</p>

## 1.6 Confidential information

*All information will be made publically available unless authorised for exemption under the EP Act or subject to the Freedom of Information Act 1992.*

Proponent to complete	
Does the proponent request that the EPA treat any part of the referral information as confidential?  <i>Ensure all confidential information is provided in a separate attachment in hard copy.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## 2 REGULATORY CONSIDERATIONS

*This section applies to the Local, State and Commonwealth regulatory considerations for the referred proposal.*

### 2.1 Government approvals

#### 2.1.1 State or Local Government approvals

DMA to complete	
What approval(s) is (are) required from you as a decision-making authority?	
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 2.1.2 Regulation of aspects of the proposal

Complete the following to the extent possible.

Proponent to complete	
Do you have 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>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Outline both the existing approvals and approvals that will be / are being sought as a part of this proposal.

Proponent to complete			
Aspects* of the proposal	Type of approval	Legislation regulating this activity	Which State agency /entity regulate this activity?
Construction	Approval to undertake works within a Fish Habitat Protection Area	Fish Resources Management Act 1994	Department of Fisheries
Construction	Approval to construct a jetty	Jetties Act 1926 (WA)	Department of Transport
Construction and operation	Planning Approval	Planning and Development Act 2005	Town of Cottesloe
Construction	Access to project area	Land Administration Act 1997	Department of Lands

\*e.g. mining, processing, dredging

## 2.1.3 Commonwealth Government Environment Protection and Biodiversity Conservation Act 1999 approvals

Refer to the assessment bilateral agreement between the Commonwealth of Australia and the State of Western Australia for assistance on this section.

Proponent to complete	
1. Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <i>If no continue to Part A section 2.1.4.</i>
2. What is the status of the decision on whether or not the action is a controlled action?	<input checked="" type="checkbox"/> Proposal not yet referred <input type="checkbox"/> Proposal referred, awaiting decision <input type="checkbox"/> Assessed – controlled action <input type="checkbox"/> Assessed – not a controlled action

Proponent to complete	
3. If the action has been referred, when was it referred and what is the reference number (Ref #)?	Date: _____ Ref #: _____
4. If the action has been assessed, provide the decision in an attachment. Has an attachment been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Do you request this proposal to be assessed under the bilateral agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Complete the following to the extent possible for the Public Comment of EPBC Act referral documentation.

Proponent to complete	
6. Have you invited the public to comment on your referral documentation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. How was the invitation published?	<input type="checkbox"/> newspaper <input type="checkbox"/> website
8. Did the invitation include all of the following?	
(a) brief description of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(b) the name of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(c) the name of the proponent	<input type="checkbox"/> Yes <input type="checkbox"/> No
(d) the location of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(e) the matters of national environmental significance that will be or are likely to be significantly impacted	<input type="checkbox"/> Yes <input type="checkbox"/> No
(f) how the relevant documents may be obtained	<input type="checkbox"/> Yes <input type="checkbox"/> No
(g) the deadline for public comments	<input type="checkbox"/> Yes <input type="checkbox"/> No
(h) available for public comment for 14 calendar days	<input type="checkbox"/> Yes <input type="checkbox"/> No
(i) the likely impacts on matters of national environmental significance	<input type="checkbox"/> Yes <input type="checkbox"/> No
(j) any feasible alternatives to the proposed action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(k) possible mitigation measures	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Were any submissions received during the public comment period?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Have public submissions been addressed? If yes provide attachment.	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 2.1.4 Other Commonwealth Government Approvals

Proponent, DMA and Third Party to complete			
Is approval required from other Commonwealth Government/s for any part of the proposal?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, please complete the table below.</i>	
Agency / Authority	Approval required	Application lodged?	Agency / Local Authority contact(s) for proposal
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

## 3. SUPPORTING INFORMATION

Please attach copies of any relevant information on the proposal, supporting evidence and / or existing environmental surveys, studies or monitoring information undertaken and list the documents below.

Proponent, DMA and Third Party to complete			
(1)	Preliminary Environmental Impact Assessment (PEIA)	360 Environmental	Review of existing environment, identification of preliminary environmental factors and assessment of potential impacts

## PART B: ENVIRONMENTAL FACTORS

The purpose of Part B is to assist the EPA to determine the significance of the likely environmental impacts of the proposal in accordance with the EPA's *Environmental Assessment Guideline for Environmental factors and objectives* (EAG 8) and *Environmental Assessment Guideline for Application of a significant framework in the EIA process* (EAG 9). Referrers completing Part B should refer closely to EAG 8 and EAG 9.

The EPA has prepared *Referral of a Proposal under s38 of the EP Act EAG No.16 - Appendix A* (Appendix A) to assist in identifying factors and completing the below table. Further guidance can be found in the guidance and policy documents cited in Appendix A under each factor.

### ***How to complete Part B***

For each environmental factor, that is likely to be significantly impacted by the implementation of the proposal, make a copy of the table below and insert a summary of the relevant information relating to the proposal. The table can be broken down into more than one table per factor, if the need arises. For example the hydrological processes factor can be presented in two separate tables, one for surface water and one for groundwater, or similarly one for construction and one for operations.

For complex proposals a supplementary referral report can be provided in addition to the referral form. If this option is chosen the table must still be completed (summaries are acceptable) to assist the Office of the EPA with statistical reporting and filtering proposals for processing.

Proponents expecting an API level of assessment must provide information in accordance with the EPA's *Environmental Assessment Guideline for Preparation of an API-A environmental review document* (EAG 14).

For each of the significant environmental factors, complete the following table (Questions 1 – 10).

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <u>EAG 8</u>	Benthic Communities and Habitat
2	EPA Objective, as defined in <u>EAG 8</u>	To maintain the structure, function, diversity, distribution and viability of benthic communities and habitats at local and regional scales
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	Environmental Assessment Guideline No. 3
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	Refer PEIA
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	Refer PEIA
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	Potential indirect impacts BPPH, including nearby reef habitat, during construction activities (refer PEIA)
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	The location was selected to avoid direct impacts to benthic primary producer habitat.



Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li><i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li><i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li><i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>Potential indirect impacts to benthic habitat during construction due to locally increased turbidity (refer PEIA).</p>
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><i>X meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	

*In circumstances where there was some uncertainty on the level of significance of a particular factor it is recommended that a brief summary (no longer than 1 - 2 paragraphs) is provided on the steps taken to determine why a factor was not considered to be significant.*

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <u>EAG 8</u>	Coastal Processes
2	EPA Objective, as defined in <u>EAG 8</u>	To maintain the morphology of the subtidal, intertidal and supratidal zones and the local geophysical processes that shape them
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	EPB 18 – Sea level rise
4	Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including: <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	Refer PEIA
5	Baseline information - describe the relevant characteristics of the receiving environment. <i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i>	Refer PEIA
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	Potential impact to longshore sediment transport leading to altered sediment budget along the adjacent coastline
7	Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed: <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	Construction using piles to allow free water flow through structure, and the absence of solid barrier to sediment movement, are expected to minimise the magnitude of potential impacts.

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li><i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li><i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li><i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>A significant impact, leading to change in adjacent beach profile, is not expected (refer PEIA).</p>
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><i>X meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <u>EAG 8</u>	Marine Environmental Quality
2	EPA Objective, as defined in <u>EAG 8</u>	To maintain the quality of water, sediment and biota so that the environmental values, both ecological and social, are protected
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	EAG 15 Protecting the Quality of Western Australia's Marine Environment
4	Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including: <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	Refer PEIA
5	Baseline information - describe the relevant characteristics of the receiving environment.  <i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i>	Refer PEIA
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	Potential chemical or waste spills during construction and operations.  Potential contamination from building materials.
7	Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed: <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	All construction personnel briefed on waste management and spill response procedures prior to commencing any activities  No refuelling of equipment to occur on site  Protocols in place in case of a hydrocarbon spill  Selection of low-toxicity building materials including corrosion treatments.

**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>A significant impact to environmental quality is not expected (refer PEIA).</p>
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><i>X meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <u>EAG 8</u>	Marine Fauna
2	EPA Objective, as defined in <u>EAG 8</u>	To maintain the diversity, geographic distribution and viability of fauna at the species and population levels
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	Refer PEIA
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	Refer PEIA
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	Potential impacts to marine fauna associated with underwater noise generated during marine piling (construction phase)
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>Implementation of appropriate underwater noise management measures including:</p> <ul style="list-style-type: none"> <li>• Observation zone</li> <li>• Suspension/exclusion zone</li> <li>• Soft-start</li> <li>• Marine Fauna Observations (refer PEIA).</li> </ul>

**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li><i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li><i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li><i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>A significant impact to marine fauna is not expected (refer PEIA).</p>
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><i>X meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <u>EAG 8</u>	Amenity
2	EPA Objective, as defined in <u>EAG 8</u>	To ensure that impacts to amenity are reduced as low as reasonably practicable
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	EAG 13 – Consideration of environmental impacts from noise
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>Consultation with community.</i></li> </ul>	Refer PEIA
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	Refer PEIA
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	<p>Impacts to amenity could occur from:</p> <ul style="list-style-type: none"> <li>• Construction equipment visible during the construction phase</li> <li>• Reduced ability for recreation (walking and fishing) on the existing groyne during construction period</li> <li>• • Reduced ability for aquatic recreation (e.g. swimming, surfing, and kayaking) in the vicinity of construction activities</li> <li>• Construction noise impacts to beach users and local residents</li> </ul>
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>The impacts to amenity will be managed by:</p> <ul style="list-style-type: none"> <li>• Construction phase limited to the “off season” for beach use</li> <li>• Construction activities undertaken in accordance with Environmental Protection (Noise) Regulations 2007 (and will only occur between 7am-7pm on weekdays)</li> <li>• Informative signs to inform the public on process and timing</li> </ul>

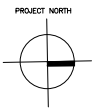


**Proponent to complete. DMA and Third Party to complete to the best of their knowledge.**

8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li><i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li><i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li><i>Comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>A significant to local amenity is not expected (refer PEIA).</p>
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><i>X meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in <u>EAG 8</u>	Heritage
2	EPA Objective, as defined in <u>EAG 8</u>	To ensure that historical and cultural associations, and natural heritage, are not adversely affected
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	GS 41 – Assessment of Aboriginal Heritage
4	<p>Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including:</p> <ul style="list-style-type: none"> <li>• <i>anticipated level of public interest in the impact;</i></li> <li>• <i>consultation with regulatory agencies; and</i></li> <li>• <i>consultation with community.</i></li> </ul>	Refer PEIA
5	<p>Baseline information - describe the relevant characteristics of the receiving environment.</p> <p><i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i></p>	Refer PEIA
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	Potential disturbance to registered site 435
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> <li>• <i>Avoidance - avoiding the adverse environmental impact altogether;</i></li> <li>• <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i></li> <li>• <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i></li> <li>• <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i></li> </ul>	<p>Design footprint to avoid known areas of Aboriginal heritage significance</p> <p>Consult with Aboriginal communities and native title claimants</p> <p>Determine the need for a Section 18 <i>Aboriginal Heritage Act 1979</i> approval</p> <p>Ground disturbing work to be monitored for skeletal or archaeological material</p> <p>Site workers briefed on cultural significance of the area and appropriate procedures in the event of a discovery of an artefact or burial site.</p>

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> <li>• <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i></li> <li>• <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i></li> <li>• <i>comparison against any established environmental policies, guidelines, and standards.</i></li> </ul>	<p>Potential impact to listed site during construction</p>
9	<p>EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to <u>EAG 9</u></p>	<p><i>X meets the EPA's objective</i></p> <p><input type="checkbox"/> <i>may meet the EPA's objective</i></p> <p><input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i></p>
10	<p>Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i></p>	



TITLE  
SITE PLAN

PROJECT  
PROPOSED UNDERWATER OBSERVATORY  
Cottesloe Pier

LAWRENCE SCANLAN  
ASSOCIATES PTY LTD  
ARCHITECTS

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