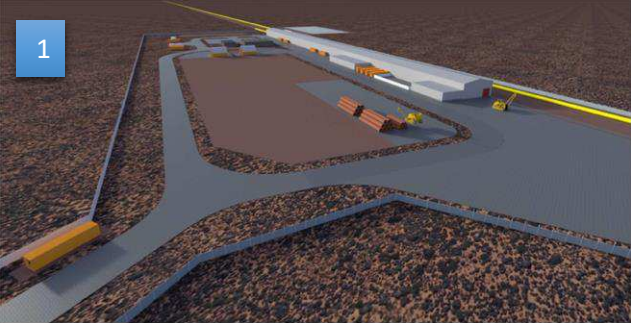
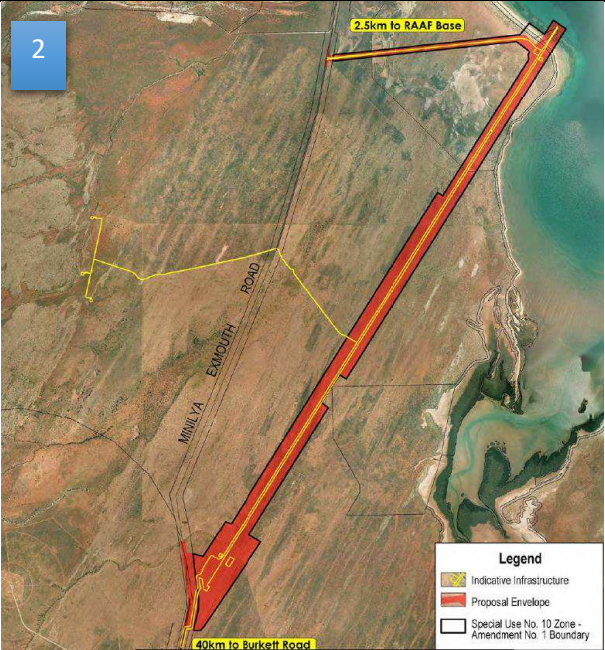



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1. ICR34526 (21/10)	<p><b>Object</b></p> <p>The Exmouth gulf is home to too many marine species, including turtles, whales and their calves, sharks, manta rays, coral and sponge species to name but a few. Also, it is nursery for reef fish on the World Heritage listed Ningaloo Reef.</p> <p>Oil and gas development of any kind would have a negative impact on the pristine waters of the gulf and ultimately its marine inhabitants. It should be a world heritage listed area along with the Ningaloo Reef, as recent Canberra University studies have attested to.</p> <p>In the long run tourism would also be negatively impacted, as the first thing you would see as you flew into Exmouth over the gulf would be the infrastructure associated with the pipeline production.</p> <p>Tourists flying over the gulf always comment on the beautiful pristine nature of their first sight of the Exmouth Gulf.</p>	<p>A Landscape and Visual Impact Assessment (LVIA) was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance (WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (Environmental Review (ER) <b>Attachment 2R(1)</b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (ER Attachment 2R). The Proposal’s launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (ER Attachment 2R).</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area.</p> <p>A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected following the scheme amendment and development of the Proposal.</p> <p>The scheme amendment proposes to rezone the land to ‘Special Use 10’ which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. Oil and gas development, if not subject to the Mining Act or a State Agreement Act, would be interpreted to be an ‘Industry’ use, which is not a use listed in Special Use 10.</p> <p>Future development within the amendment area would be visible from the air, similar to other facilities and sites in the locality including Department of Defence facilities, RAAF Base Learmonth, Learmonth Solar Observatory, Minilya-Exmouth Road and Burkett Road. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected</p> <p>The land immediately surrounding the Scheme Amendment area is zoned ‘Rural’, and a number of small-scale tourism land uses are discretionary including bed and breakfast, camping ground, holiday accommodation, holiday house, and nature-based park. Surrounding land is subject to a pastoral lease, and pastoral leases can achieve pastoral related tourism under a permit. Once tourism goes beyond pastoral-related tourism, a general lease and addressing Native Title and separation from a pastoral lease would be required. A general lease would need road access (gazetted road or easement), and would be released to the public for bidding.</p>	<p>As mentioned by the proponent, this element has been addressed in the ERD assessment 2209.</p> <p>It is considered the key element of change, primarily as viewed only from a south approach aircraft landing, would be that of the construction buildings located to the south and inland from the Learmonth airport &amp; south of the observatory (<i>see diagram 1-3 below</i>). In addition, it is noted that there would be a visual window of visual impact during any launch whereby infrastructure around the beach would affect the viewshed, it is considered that boat/ship activity would have little impact to the visual amenity to that of the existing.</p> <p>It is considered that future development pockets would be visible from the air, the two main pockets being structure/s on the coast and to the south of the airport and to the east side of Minilya-Exmouth Road, it is noted however that there are numerous existing structures i.e. defence structures, observatory etc. within flight path approach view shed, in part, the adverse visual amenity impact might be addressed from some tree planting, however this would not eliminate the impact entirely. However, on balance, it is considered that the visual impact would not significantly affect the existing view and there might be opportunity to consider tree planning to offset this in part during any future development application stage.</p> 


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			<div><div>2</div></div> <div><div>3</div></div>
2. IPA34631 (28/10)	<p><b>Object</b></p> <p>I would like to object to this change of Zoning for the pipeline bundle construction facility.</p> <p>It is irresponsible to risk the longevity of our tourism industry on the development of the Exmouth gulf, one of which industries is the 26 million per anum whale shark industry.</p> <p>Although this project may create year-round work, it will undoubtedly be for a small number of people. More so this Zone change sets a dangerous precedent for development in the Exmouth Gulf, a place of world heritage values and vast biodiversity. Exmouth should not change zones in the Exmouth gulf that would allow heavy industry to enter and do irreversible damage to our community, way of life and environment.</p>	<p>The scheme amendment proposes to rezone the land to ‘Special Use 10’ which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. Heavy industry would be an ‘Industry’ use, which is not a use listed in Special Use 10.</p>	<p>There are many factors that may contribute to marine life longevity i.e. over fishing, diving, existing prawn trawling activity etc. The <b>EPA</b> will assess operational impacts in the reporting in the PERD and ERD in this regard.</p> <p>The planning framework plays an important part in creating balance between where we live and employment availability, every town/village has industry/light industry zone to provide employment and land for commercial activities. The extra consideration for Exmouth is that of the marine environment, the <b>EPA</b> will assess the environmental reporting in this regard and make a balanced determination based on the reporting it has before it.</p>
3. ICR34898 (19/11)	<p><b>Object</b></p> <p>I object to the industrialisation of the Gulf. We dive and explore Exmouth Gulf extensively and believe this area should be preserved for the greater good of the biodiversity that exists in this area. The gulf feeds the Ningaloo Reef which is already World Heritage Listed.</p> <p>The Gulf should be added to the World Heritage List to preserve this area for future generations and the biodiversity it provides for this region.</p> <p>Visitor numbers are increasing every year due to the amazing experiences people are provided in this pristine area of the world.</p>	<p>The scheme amendment proposes to rezone the land to ‘Special Use 10’ which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. ‘Industry’ is not a use listed in Special Use 10. Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared</p>	<p>There are many factors that may contribute to marine life longevity i.e. over fishing, diving, existing prawn trawling activity etc. The <b>EPA</b> will assess impacts in the reporting in the PERD and ERD in this regard.</p> <p>State agencies, I believe, have reviewed this suggestion historically and a marine protection zone but nothing has been forthcoming in this regard to date.</p>

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	I can provide photos of this amazing area especially at Heron Point where the proposal for Subsea 7 is currently awaiting approval. Please don't hesitate to contact me if you would like the further information mentioned above. Unfortunately I can't upload the file to this submission as it doesn't seem to accept the file.	to a more general zoning, like 'Industry' and works to avoid precedence for industrialisation of the Exmouth Gulf.	The planning framework plays an important in creating balance between where we live and employment availability, every town/village has industry/light industry zone to provide employment and land for commercial activities. The extra consideration for Exmouth is that of the marine environment, the <b>EPA</b> will assess the environmental reporting in this regard and make a balanced determination based on the reporting it has before it.
4. ICR34901 (19/11)	<b>Object</b>  The gulf should be left as is for future generations to be able to enjoy it.	Noted.	Noted.
5. ICR34902 (19/11)	<b>Object</b>  I object the proposed amendment which will start to the industrialisation of a part the gulf of Exmouth with World Heritage Values. Specially being on the doorstep of the Bay of Rest which is also recognised by the EPA as an area of very high importance as stated in the attachment 2A Learmonth habitat survey page 7, submitted to the EPA. The Exmouth gulf is an important nursery for the healthy Ningaloo reef and habitat of dugongs which are protected under the Australian Government's Environment Protection and Biodiversity Act 1999 and international Memorandum of Understanding (MoU) on the Conservation and Management of Dugongs and their Habitats throughout their Range was developed under the CMS. Australia is a signatory to the MoU which entered into force on 31 October 2007. The MoU is designed to facilitate national level and transboundary actions that will lead to the conservation of dugong populations and their habitats.	<p>The scheme amendment proposes to rezone the land to 'Special Use 10' which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. 'Industry' is not a use listed in Special Use 10. . Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like 'Industry' and works to avoid precedence for industrialisation of the Exmouth Gulf.</p> <p>The Shire's processing of the Scheme Amendment is to be in accordance with the Planning and Development Act 2005, which requires completion of environmental assessment under the Environmental Protection Act 1986. The Amendment cannot be considered for approval by the Minister for Planning until that occurs.</p> <p>The mangroves along the south-western end of Exmouth Gulf are described in the EPA's Guidance Statement 1 (EPA 2001) as 'Area 1: Bay of Rest' and are classified as being of 'Very High' importance (ER <b>Attachment 2A</b>). The amendment area does not overlap with the Bay of Rest, the 'Area 1' mangroves, or the sparse seagrass habitat, representing potential Dugong foraging habitat, mapped to the south of Heron Point. No impacts to Dugong are expected as a result of the proposed amendment.</p>	The proponent comments are acknowledged and supported. The <b>EPA</b> will review all available data/reporting including the Bay of Rest and dugong reporting, responsibilities and protection as legislated.
6. ICR34903 (20/11)	<b>Object</b>  This area encompassing Ningaloo World Heritage area Exmouth Gulf needs to revered and protected. It is not appropriate to allow industrialisation of the Gulf. People come from all over the world to enjoy this area not to see infrastructure such as Subsea 7. Exmouth Gulf is a biodiversity hotspot. It needs protection. I am concerned that if this development goes ahead it will set a precedent for further industrialisation. According to the Council, the research centre being established at the Ningaloo Centre will conduct world class research and bring millions of dollars into town. Surely this will generate jobs and is more in tune with the amazing natural resource at our doorstep.	The scheme amendment proposes to rezone the land to 'Special Use 10' which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. 'Industry' is not a use listed in Special Use 10. Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like 'Industry' and works to avoid precedence for industrialisation of the Exmouth Gulf.	It is noted that there are existing pockets of land along the Gulf coast zoned General industry, it is also noted that none are large enough to house any form of larger scale industrial activity. The planning framework allows consideration for zoning changes; however, this proposal is complex and requires review by several government agencies in deciding effects and impacts prior to making any formal decision.
7. ICR34934 (21/11)	<b>Object</b>	Noted.	Noted.
8.	<b>Object</b>	Noted.	

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ICR34935 (22/11)	Don't allow Subsea 7 at all		Noted
9. ICR34997 (24/11)	<p><b>Object</b></p> <p>The land at the proposed rezoning site for subsea 7 pipeline development should be left fallow and kept as a natural wilderness area. This is in line with Exmouth being a tourism hub recognized for its natural beauty &amp; un-industrialised area, being very important to endangered wildlife, let's not turn this place into port he'd land/Karratha.</p> <p>We live here because of how it is now; we don't want this and any further heavy industrial development.</p>	<p>All vegetation types mapped during surveys of the amendment area were considered typical of the Carnarvon bioregion. There are no Threatened Ecological Communities (TECs) or Priority Ecological Communities (PECs) within 10 km of the amendment area (<b>ER Section 5.4.3.1</b>). Eight introduced species were recorded within the survey area, representing approximately 6% of the total taxa (<b>ER Section 5.4.3.6</b>).</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road. It is not a 'natural wilderness area'.</p> <p>The scheme amendment proposes to rezone the land to 'Special Use 10' which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. 'Industry' is not a use listed in Special Use 10. Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like 'Industry' and works to avoid precedence for industrialisation of the Exmouth Gulf.</p>	<p>Agree with applicants response.</p> <p>The subject land forms part of Exmouth Gulf Station which holds a lease to run live stock throughout, thus balanced consideration is required to take into account existing land degradation through stock activities etc.</p> <p>Endangered wildlife is covered in the reporting, as mentioned opposite in the proponent's comment/s, notwithstanding the <b>EPA</b> will take this into account throughout its assessment also.</p>
10. ICR34999 (25/11)	<p><b>Object</b></p> <p>I believe this scheme amendment has the potential to allow significant damage to one of our increasingly rare relatively pristine ecosystems. This does no match the values of Exmouth which has thrived off the ecotourism associated with the globally significant natural environment by which it is surrounded. Across the globe we have seen a rise in the awareness of the issues present in the human impact on the natural environment and this movement will continue to grow. For this scheme amendment to go ahead, would be a huge backwards step for Exmouth which will be witnessed by many within Australia and across the globe, including the growing international tourism market which has benefited this town increasingly in the last few years. I urge you to consider the long term impacts of this action and strive for a sustainable model rather than industrial development to benefit the industry which has the potential to destroy the very thing that has allowed Exmouth to have its name on the map internationally.</p>	<p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019, and it has been observed from those meetings that there is support within Exmouth for the project.</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road and the area has been disturbed by a previous prawn farming proposal. It is not considered a 'relatively pristine ecosystem'.</p>	<p>The land-based proposal, i.e. land use is primarily being considered in this part (Marine environment and operational matters will be assessed by the EPA)</p> <p>The <b>EPA</b> will fully assess the environmental reporting in this regard.</p> <p>Global environmental concerns, generally, noted and acknowledged.</p> <p>The <b>EPA</b> will assess any impacts on operational activity.</p>
11. ICR35000 (25/11)	<p><b>Object</b></p> <p>I urge You to recommend refusal of Subsea 7's Learmonth Pipeline Fabrication Facility proposal due to its unacceptable impacts on the Exmouth Gulf environment and recognising the interconnectedness of the Gulf and Ningaloo Reef.</p> <p>Exmouth Gulf is an area of the highest environmental value and biodiversity, as confirmed by recent scientific analysis. The Gulf provides significant year-round habitat for a range of threatened marine species, including dugongs, manta rays, whales and dolphins, hawksbill turtles, short-nosed sea snakes, migratory shorebirds and more. It is also the nursery and critical habitat for species that are important to nearby Ningaloo Reef including mangrove jacks and shovelnose rays. The Gulf is a critical resting area and nursing ground for the world's largest humpback whale population.</p> <p>Exmouth Gulf contains globally significant habitats including an extensive undisturbed arid zone mangrove ecosystem and ancient fossil coral reefs as well as extensive coral communities, seagrass meadows and sponge gardens. Leading scientists and institutions acknowledge the Gulf's globally significant values, with the UNESCO World Heritage Committee recommending that it be considered for inclusion in the</p>	<p>The amendment area can be broadly described as a 10 km long linear shape, over a portion of the Exmouth Gulf Station pastoral lease and Crown land. The Special Use No. 10 zone intersects with:</p> <ul style="list-style-type: none"><li>The Minilya-Exmouth Road near the RAAF Base Learmonth, to provide for road access to the launchway.</li><li>The Minilya-Exmouth Road near the Naval Communications Station Harold E. Holt Site C, to provide for access to the fabrication building and</li></ul>	<p>Noted and interconnectivity between Ningaloo reef and the Gulf acknowledged.</p> <p>There are many factors that might contribute to marine life development or otherwise i.e. over fishing, diving, existing prawn trawling activity etc. The <b>EPA</b> will assess impacts in the reporting in the PERD and ERD in this regard. Getting the balance right in limiting adverse impacts is key in the reporting that the <b>EPA</b> is to assess.</p>

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	<p>Ningaloo World Heritage area. It is particularly concerning that these habitats have yet to be comprehensively mapped and described, making potentially significant and irreversible environmental impacts difficult to fully assess and regulate.</p> <p>Subsea 7’s heavy engineering proposal threatens important habitats and species in Exmouth Gulf, including:</p> <ul style="list-style-type: none"><li>• Up to 18 million square metres of direct damage and disturbance to the seabed – including fragile corals and sponges – from the launch and towing of the 10km pipelines, dragging hundreds of ballast chains. Towing these pipelines through the Ningaloo World Heritage area presents a further risk to this world-renowned environment.</li><li>• Towing operations would expose marine mammals to increased risk of boat strike and displacement from important habitat and feeding grounds. Concentrated shipping, including service vessels and tugs, would also expose wildlife to underwater noise which is a particular threat to cetaceans that rely on acoustics for feeding, navigating or communicating with calves.</li><li>• Largescale clearing of native vegetation and habitat for mammals, reptiles and birds from the construction of the pipeline fabrication facility, access roads and two 10km railway lines.</li><li>• Negative social impacts of the project, including on the visual landscape of this beautiful area and on its recreational uses, such as fishing, boating, diving, birdwatching and photography. Given the extent of industrialisation and impacts just to the north in the Pilbara, we should not underestimate the importance of intact, natural heritage and landscapes like those at Heron Point and the Bay of Rest.</li></ul> <p>All these impacts mean that the proposal cannot meet the EPA’s objectives of protecting flora and vegetation, maintaining marine and terrestrial biological diversity and ecological integrity, and protecting social surroundings from significant harm.</p> <p>This industrial proposal is incompatible with the rich biodiversity and undeveloped marine and coastal environments of Exmouth Gulf. We need to stop this unnecessary industrialisation and instead preserve and build the resilience of Exmouth Gulf’s globally significant natural environment, and the nature-based tourism that it supports, for current and future generations.</p> <p>In summary, the proposal presents a high risk of unacceptable damage to the ecological integrity of Exmouth Gulf and the Ningaloo Reef World Heritage area, and I urge the EPA to recommend refusal of the proposal.</p>	<p>associated infrastructure and services.</p> <ul style="list-style-type: none"><li>• A small extent of coastline near Heron Point for the launch way.</li></ul> <p>The proposed amendment does not overlap with the Bay of Rest, any mangroves or seagrass habitat or ‘sponge gardens’ (refer <b>ER Figure 5-6</b>).</p> <p>Up to 176 ha of native vegetation will be cleared within the amendment area (and within the adjacent road reserve for the Minilya-Exmouth Road) for the development of infrastructure associated with the Proposal. The flora and vegetation within the amendment area are common and widespread, with all vegetation communities well represented outside of the amendment area.</p> <p>The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (<b>ER Attachment 2R</b>). The Proposal’s launchway will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b>ER Attachment 2R</b>).</p> <p>Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p> <p>The Shire of Exmouth adopted Scheme Amendment 1 and it has been advertised in accordance with the regulations. The Amendment cannot be considered for approval until a decision has been made in respect of the Environmental Review and conditions, if any, are to be incorporated with the scheme amendment. The Amendment is not an approval of any development, but to rezone the land.</p> <ul style="list-style-type: none"><li>• The quoted area of seabed is not in the Amendment area;</li><li>• The quoted towing operations are not in the Amendment area;</li><li>• The Amendment does not result in clearing of land, but it would facilitate development potential that can involve clearing. Development of land within the zone would be considered in relation to clearing.</li><li>• The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</li></ul> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of</p>	<p>State and other agencies, have reviewed this suggestion historically and a marine protection zone but nothing has been forthcoming in this regard to date.</p> <p>The planning framework assists creating balance between where we live and employment availability, every town/village has industry/light industry zone to provide employment and land for commercial activities. The extra consideration for Exmouth is that of the marine environment, the <b>EPA</b> will assess the environmental reporting in this regard and make a balanced determination based on the reporting it has before it.</p> <p>The <b>EPA</b> will assess this through the reporting associated with the PERD reference 2208.</p> <p>The clearing of vegetation and/or associated habitat loss will be assessed by the EPA via both the PERD (Ref: 2208) and ERD (Ref: 2209).</p> <p>The <b>EPA</b> assessment of environmental reporting will review the environmental impacts and the marine environments.</p>



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		100 metres from any lot boundary with frontage to Minilya-Exmouth Road.	
12. ICR35001 (26/11)	<p><b>Object</b></p> <p>I believe this scheme amendment has the potential to significantly damage one of our rare and pristine ecosystems. Exmouth thrives off its ecotourism, and will be able to do so for the foreseeable future. Unless this scheme amendment goes ahead. You don’t have to look far to see what industrializing an area does to the town and especially the environment.</p> <p>Onslow is the perfect example of what devastating things industrialization of a delicate ecosystem can do, not just to the environment but to the town as Onslow used to be a great destination same as Exmouth but now it’s just an oil and gas station.</p> <p>This scheme amendment does no match the values of Exmouth which has thrived off the ecotourism associated with the globally significant natural environment by which it is surrounded. Across the globe we have seen a rise in the awareness of the issues present in the human impact on the natural environment and this movement will continue to grow. For this scheme amendment to go ahead, would be a huge backwards step for Exmouth which will be witnessed by many within Australia and across the globe, including the growing international tourism market which has benefited this town increasingly in the last few years. I urge you to consider the long-term impacts of this action and strive for a sustainable model rather than industrial development to benefit the industry which has the potential to destroy the very thing that has allowed Exmouth to have its name on the map internationally.</p>	<p>The scheme amendment proposes to rezone the land to ‘Special Use 10’ which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. ‘Industry’ use would not be permitted, as this is not a use listed in Special Use 10. Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like ‘Industry’ and works to avoid precedence for industrialisation of the Exmouth Gulf.</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road and the area has been disturbed by a previous prawn farming proposal. It is not considered a ‘rare and pristine ecosystem’.</p>	<p>Noted. The significance of the gulf and surrounds is why such significant environmental reporting is required to assess what impacts may occur. The <b>EPA</b> will assess all PER and ER documentation and present its findings to the relevant Ministers who will be charged with making a final decision on the matter.</p> <p>It is noted that the scheme amendment shows a new use definition of ‘Pipeline fabrication Facility’ with the proposed zone also having the use ‘Marine support facility’, the new use is unique to this particular project. However, possible impacts of start-up and operational processes are of concern which has required a very high level of environmental reporting which will be reviewed by both the Minister for Planning and Minister for the Environment prior to any decision being issued. Notwithstanding, operational conditions could be included for ongoing monitoring and reporting by the <b>EPA</b>.</p>
13. ICR35002 (27/11)	<p><b>Object</b></p> <p>This will have lasting impacts on our unique and pristine environment.... Visually, culturally and environmentally!</p> <p>we really want to industrialise Exmouth?? That’s why we all live here and not Karratha!</p> <p>There a few long term jobs being promised. The amount of existing jobs that rely on eco tourism would be a huge potential loss for our beautiful town if this industrial endeavour it allowed to happen.</p> <p>more Ningaloo’s nursery no more untouched nature etc etc!</p> <p>could the shire be so short sighted??</p> <p>Please be leaders not money grabbing short sighted capitals like much of our country. This our chance to make a stand keep the gulf as rural and coastal reserve! This is why we all here....</p> <p>PLEASE! Do not change the zoning!!</p> 	<p>Do</p> <p>No</p> <p>How</p> <p>is</p> <p>live</p> <p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019, attended by Shire of Exmouth personnel, and it has been observed from those meetings that there is support within Exmouth for the project.</p> <p>The Scheme Amendment is being assessed separately by the EPA as an environmental review. The Amendment cannot be considered for approval until a decision has been made in respect of the Environmental Review and conditions, if any, are to be incorporated with the scheme amendment. The Amendment is not an approval of any development, but to rezone the land.</p>	<p>The shire also values the unique environment of the Exmouth Gulf and acknowledges the importance of tourism for the town. Achieving a balance is difficult especially when it involves any environmental degradation, only once the <b>EPA</b> have accessed all the facts, risks and reporting documentation will a direction be given.</p>
14. ICR35004 (27/11)	<p><b>Object</b></p> <p>Please say no to Proposed Scheme Amendment No.1 to Local Planning Scheme No.4</p> <p>As a tourism operator in the Exmouth Gulf. I expose travellers from all over the world to the untouched wilderness of the Exmouth Gulf. Of the places we visit Whitmore island, Bay of Rest and Herron Point areas are our favourite destinations. This is largely due to abundance of wildlife and untouched wilderness values that are unique to the area.</p> <p>The travellers that we service come to us from all over Australia and the World. Our guests have researched thoroughly before embarking on their travels. They tell me they choose to sail with us because they have a desire to visit an area that:-</p> <ul style="list-style-type: none"><li>• Allows them to be close to nature</li><li>• Observe the abundance wildlife</li></ul>		<p>There are many factors that might contribute to marine life development or otherwise i.e. over fishing, diving, existing prawn trawling and damage this might cause etc. The <b>EPA</b> will assess impacts in the reporting in the PERD and ERD in this regard. Getting the balance to not allow any further adverse impacts is key the reporting that the <b>EPA</b> is to assess.</p> <p>The planning framework assists in creating balance between where we live and employment availability, every</p>

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	<ul style="list-style-type: none"> <li>• Observing whales behaving in a manor unique to Exmouth Gulf</li> <li>• Its untouched beauty</li> <li>• Its remoteness</li> <li>• It has world heritage values.</li> <li>• To be somewhere all you can hear is nature</li> </ul> <p>Clearly the industrialisation of the gulf would be a complete contradiction to all of these drivers. Can you imagine a travellers disappointment as they fly into Exmouth and the first thing they out the window of the plane is a huge industrial facility. Another major concern of mine is the noise associated with this project. During both the construction and the manufacturing phases the disruption through noise also runs counter to tourist expectations. Although Subsea7 states it will not be scheduling towing during the whale visiting period they will still be constructing and manufacturing during these times. The noise pollution associated will inevitably have a negative affect for the visiting wildlife as well as the experience for our visitors from all over the world. Personally, I am very concerned by the impact this may have on all the wildlife that now frequent the area particularly the Humpback Whales and Dugong.</p> <p>I acknowledge that West Australia has prospered from the minerals industry and the industry that supports. I also recognise that in doing so we have sacrificed so much of natural beauty and compromised the biodiversity of the state particularly our coast line. Never to be returned.</p> <p>Tourism is now WAs second biggest industry and is growing all the time. The Ningaloo currently being recognised as the jewel in the crown. it is imperative that we preserve important natural biodiverse hot spots like the Bay of Rest. The decision you have to make will give Exmouth/Ningaloo an opportunity to be the town that said no to industry. In doing so saying yes to our biodiversity and yes to a sustainable growth in eco-tourism. By saying no we also gives us an opportunity to market ourselves as the town that values it natural assets. In doing giving us a sustainable future!</p> <p>A no decision will also give a local government an opportunity illustrate that they recognise the value in the natural attributes of the it region and give an opportunity to further promote and extend our immerging tourism industry, diversifying for the future of the state and the region. This brave shire can show good custodian ship of the it resources while demonstrating their economic worth.</p> <p>What I have documented are obviously the concerns from a tourism operator and how the proposal could affect my business and its guests. This however is only half the story. I moved to Exmouth for precisely the same reasons I have already stated as being drivers for tourism. I love my home, I love my community, I love my workplace, I love the nature that I continually encounter. The industrialisation of the gulf is an absolute contradiction of the reason I choose to leave a comfortable existence in Fremantle and take the risk of creating a new business and life in Exmouth.</p> <p>Thank you for taking the time to read my personal submission. I have tried to speak of the concerns and contradictions this proposal creates. I have deliberately left the Protect Ningaloo submission as it speaks of the issues that I passionately support from a personal point of view.</p> <p>Exmouth Gulf is an area of the highest environmental value and biodiversity, as confirmed by recent scientific analysis. The Gulf provides significant year-round habitat for a range of threatened marine species, including dugongs, manta rays, whales and dolphins, hawksbill turtles, short-nosed sea snakes, migratory shorebirds and more. It is also the nursery and critical habitat for species that are important to nearby Ningaloo Reef including mangrove jacks and shovelnose rays. The Gulf is a critical resting area and nursing ground for the world’s largest humpback whale population.</p> <p>Exmouth Gulf contains globally significant habitats including an extensive undisturbed arid zone mangrove ecosystem and ancient fossil coral reefs as well as extensive coral communities, seagrass meadows and sponge gardens. Leading scientists and institutions acknowledge the Gulf’s globally significant values, with the UNESCO World Heritage Committee recommending that it be considered for inclusion in the Ningaloo World Heritage area. It is particularly concerning that these habitats have yet to be comprehensively mapped and described, making potentially significant and irreversible environmental impacts difficult to fully assess and regulate.</p> <p>Subsea 7’s heavy engineering proposal threatens important habitats and species in Exmouth Gulf, including:</p> <ul style="list-style-type: none"> <li>• Up to 18 million square metres of direct damage and disturbance to the seabed – including fragile corals and sponges – from the launch and towing of the 10km pipelines, dragging hundreds of ballast chains. Towing these pipelines through the Ningaloo World Heritage area presents a further risk to this world-renowned environment.</li> </ul>	<p>The Scheme Amendment is not an approval of any development, but to rezone the land. The particulars regarding development would be assessed at the time an application for development approval is submitted to the Shire.</p> <p>Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like 'Industry' and works to avoid precedence for industrialisation of the Exmouth Gulf.</p> <p>A Landscape and Visual Impact Assessment (LVIA) was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance (WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (Environmental Review (ER) <b>Attachment 2R(1)</b>). Analysis of impacts from these vantage points indicated that visual impacts would be minor to negligible.</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected following the scheme amendment and development of the Proposal.</p>	<p>town/village has industry/light industry zone to provide employment and land for commercial activities. The extra consideration for Exmouth is that of the marine environment, the <b>EPA</b> will assess the environmental reporting in this regard and make a balanced determination based on the reporting it has before it.</p> <p>Concur with the proponent comments and the reporting as qualified in ER <b>attachment 2R(1)</b>.</p> <p>The operational elements of the proposal will be addressed by the <b>EPA</b> as part of works licencing requirements.</p> <p><b>EPA</b> will assess this through the reporting associated with the PERD reference 2208 and ER reference 2209.</p>

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	<ul style="list-style-type: none"><li>• Towing operations would expose marine mammals to increased risk of boat strike and displacement from important habitat and feeding grounds. Concentrated shipping, including service vessels and tugs, would also expose wildlife to underwater noise which is a particular threat to cetaceans that rely on acoustics for feeding, navigating or communicating with calves.</li><li>• Largescale clearing of native vegetation and habitat for mammals, reptiles and birds from the construction of the pipeline fabrication facility, access roads and two 10km railway lines.</li><li>• Negative social impacts of the project, including on the visual landscape of this beautiful area and on its recreational uses, such as fishing, boating, diving, birdwatching and photography. Given the extent of industrialisation and impacts just to the north in the Pilbara, we should not underestimate the importance of intact, natural heritage and landscapes like those at Heron Point and the Bay of Rest.</li></ul> <p>All these impacts mean that the proposal cannot meet the EPA’s objectives of protecting flora and vegetation, maintaining marine and terrestrial biological diversity and ecological integrity, and protecting social surroundings from significant harm.</p> <p>This industrial proposal is incompatible with the rich biodiversity and undeveloped marine and coastal environments of Exmouth Gulf. We need to stop this unnecessary industrialisation and instead preserve and build the resilience of Exmouth Gulf’s globally significant natural environment, and the nature-based tourism that it supports, for current and future generations.</p> <p>In summary, the proposal presents a high risk of unacceptable damage to the ecological integrity of Exmouth Gulf and the Ningaloo Reef World Heritage area, and I urge the EPA to recommend refusal of the proposal.</p>	<p>Noise will be generated during the construction phase of the Proposal by the various plant and vehicles operating. No loud noise sources, such as piling or blasting, are proposed. Noise generation during the operational phase of the Proposal will be minimal, and will be predominantly limited to inside or adjacent to the fabrication shed.</p> <p>Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p>	<p>The clearing of vegetation and/or associated habitat loss will be assessed by the <b>EPA</b> via both the PERD (Ref: 2208) and ERD (Ref: 2209).</p>
15. ICR35005 (28/11)	<p><b>Support</b></p> <p>The Chamber thanks the Shire of Exmouth CEO for the opportunity to add to the discussion around the proposed Scheme Amendment (SA1) to Local Planning Scheme No.4 for a 'Learmonth Pipeline Fabrication Facility' (Subsea7). Whilst the Chamber is unable to provide any scientific data, we would like to make the observation that for the past 15 odd years Oil and Gas have been developing these pipe bundles out at sea around the Northwest Cape using a myriad of vessels that generally burn fuel 24/7 for months at a time. The risk of an environmental impact we believe has been greater with this offshore developing of Pipe Bundles than there will be with a land-based plant.</p> <p>The area proposed for this development historically has been pastoral which had been used with little to no environmental concerns. The impact of bovine and ovine animals will have altered the areas value as a native fauna and flora hotspot requiring preservation.</p> <p>The development of a launch site for the bundles will create a new fish haven and we would ask that the end of life use that this facility might stay rather than be removed, as with all FADS they become home to an array of fish and sea creatures creating its own micro reef.</p> <p>The Chamber understands that the economic benefit does not come into the normal consideration for a proposed scheme amendment but we would ask that it form a small part of the assessment for this reason. Exmouth at present relies almost entirely on tourism for employment and income generation with a few people employed in the defence area. The significance of this is that the only way at present to increase employment and income is to increase the number of tourists who create their own environmental impacts, by creating a new income base we may be able to reduce our reliance on tourism and reduce the impact on the natural environment.</p> <p>We have a concern that a small group being led by a minor celebrity using the term Protect Ningaloo and a paid organiser is trying to influence the EPA decision and lobby Ministers of the State and Federal Government to stop the development. This group is not reflecting the views of the local people that we speak to, the majority of locals that have spoken to the Chamber are concerned that this outside based group rallying television and other public celebrities will have success at stopping this project and taking away the jobs they see as the future for their children.</p> <p>We thank the Shire of Exmouth CEO for their consideration of this submission we believe that an approval will be both beneficial for environment and the local community.</p>	<p>Support for the amendment is noted.</p> <p>Agree – current use as pastoral station and grazing/clearing impacts are noted.</p> <p>Opportunities for the launch way to remain at the end of project life can be discussed with stakeholders and regulators at a later date. The current position from Subsea 7 is that the launch way would be removed.</p>	<p>Noted and acknowledged submitters comment.</p> <p>Noted and agree, however, ongoing and post environmental reporting will address this matter as and when required.</p> <p>Noted, however the environmental reporting of the PERD (ref: 2208) will address the losses and gains.</p> <p>Agree that an increase in tourist number also brings with it environmental adverse impacts.</p> <p>The <b>EPA</b> will review and assess all the facts presented in the environmental reporting.</p>
16. OCR23861 ICR35006 (28/11)	<p><b>No Objection</b></p> <p>Thank you for the opportunity to comment on the proposed amendment. The Department of Primary Industries and Regional Development (DPIRD) provides the following comments.</p> <p><u>Zoning and land use</u></p> <p>The amendment would change an area of less than 440ha from Rural Land Use zone to Special Use No. 10. This area is currently under pastoral lease and has been mapped by DPIRD as predominately Cardabia Land System. This area if fully developed to carry livestock has an estimated capacity to run on average 40 - 70 dry sheep equivalents or 6 -10 cattle units. The removal of this land from the pastoral estate will not cause a significant impact to agriculture in the Exmouth region.</p>	<p>Agree</p>	<p>Noted and concur.</p>



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	<p>DPIRD notes the Shire of Exmouth makes available on their website relevant reports including the <i>Scheme Amendment Request Local Planning Scheme No. 4 Learmonth Pipeline Fabrication Facility</i>. This Amendment Report at section 2.1 .1 <i>Site Selection</i> states, "the client has a land use agreement with the Pastoral leaseholder for the project site. The project site would be expected to have minimal to no impact on surrounding pastoral activities", and at section 4.3 <i>Pastoral Lease</i> "this land use agreement will run for the term of the Pastoral Lease".</p> <p>The Commissioner of Soil and Land Conservation notes that section 5.2.3.2 <i>Overland flow paths</i> identifies three non-perennial swamps and four minor ephemeral watercourses which intersect the site and that flood modelling of the site post development indicates surface water flow patterns and changes to flow velocities are not expected to alter any natural scour or sediment deposition characteristics of the area. Also section 5.2.2 <i>Geology and soils</i> concluded that there is no identified risk of disturbing Acid Sulphate Soil during site works.</p> <p>Noting the above DPIRD does not object to the proposed scheme amendment.</p>	<p>Noted, the subject land is not regarded to be a priority for grazing. DPIRD notes the low impact in relation to overland flow paths and acid sulphate soil risk.</p>	<p>Noted.</p> <p>Noted.</p>
17. ICR35007 (28/11)	<p><b>Objection</b></p> <p>We need a balance of development &amp; energy sources; some areas are suited to development &amp; others needed protection. The Exmouth area &amp; Ningaloo reef provides more value &amp; natural energy undeveloped - please leave it as it is for the future.</p>	<p>Noted, the amendment area is not in proximity of the Ningaloo reef.</p>	<p>Noted.</p>
18. ICR35008 (29/11) ICR35080 (30/11)	<p><b>Objection</b></p> <p>I am an Exmouth resident with a huge love of Exmouth Gulf and am writing to express my personal concerns.</p> <p>I have experience in the tourist industry in Western Australia. ██████████ myself and ██████████ developed multi award winning tourism businesses in Kalbarri. Together we worked to promote Kalbarri through involvement with Kalbarri Visitor Centre, Sky West, Tour Operators both in Kalbarri and Australia wide, Tourism WA and more groups and operators. ██████████ was awarded the ██████████ for his tourism work. The work we did together promoted not only our businesses but Kalbarri as a whole.</p> <p>I see the same huge potential for tourism growth in Exmouth, as long as it is done properly. We have a unique national treasure on our doorstep which could be a tourism goldmine if it's done carefully. There's already so many great tourism ventures happening in Exmouth, I hope they can continue to prosper.</p> <p>I am very concerned about the proposed "Scheme Amendment 1" as I do not believe any part of Exmouth Gulf is suitable for industrial development of any kind. This is not compatible with developing eco-tourism and wilderness experiences, preserving endangered species for future generations, and caring for the World Heritage areas of the Ningaloo.</p> <p>I recreate in the pristine waters of the Bay of Rest and the southern waters of Exmouth Gulf every chance I get. This is a very beautiful and significant part of the world and one which is spiritually significant to me.</p> <p>Visual impacts associated with the presence of large industrial activity, vessels, equipment and Bundle towheads visible from the beach that reduce the values of the area associated with being a 'wilderness experience' are unacceptable. Having an ugly industrial development at the proposed site, conflicts with my personal values and is unacceptable. Herron Point is an iconic and treasured spot amongst Exmouth locals.</p> <p>I am concerned that it is going to be very difficult to access the southern waters of the Gulf by boat during a Subsea 7 launch. There will be restricted access on days when launching and towing is occurring, and I believe these waters will only be accessible by road. Also at certain times of the year there are limited good-weather days to use these waters, so Subsea 7's exclusion for consecutive days at the Heron Point area, as well as a rolling exclusion zone throughout the Gulf until the operation is complete will limit access to those wanting to enjoy these waters.</p> <p>The risk of damage to the World Heritage area is something that cannot be qualified or predicted with accuracy. Precautions to avoid accidents or incidents can never be 100% certain. Any incident in a World Heritage would be unforgivable.</p> <p>Please do not allow the proposed Scheme Amendment 1.</p> <p>Thank you for the opportunity to comment on this proposal.</p>	<p>The LVIA completed by Subsea 7 for the Proposal followed methods consistent with contemporary guidance (WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (<b><i>ER Attachment 2R(1)</i></b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal's fabrication facility will be visible from along the Minilya-Exmouth Road (<b><i>ER Attachment 2R</i></b>). The Proposal's launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b><i>ER Attachment 2R</i></b>).</p> <p>To maintain the current accessibility to this area of Heron Point, Subsea 7 proposes that no access restrictions to the launch way area will be in force for the large majority of the site operation. The proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment. However, Subsea 7 nominate that during a Bundle launch (up to 3 per year, lasting for 1-2 days each, a rolling exclusion zone will be in operation around a Bundle as it leaves Exmouth Gulf. Thus, access to the southern waters of Exmouth Gulf may not be possible for 3 days a year, without a significant detour. Notices regarding any upcoming launches will be well publicised and communicated to ensure that this closure is well understood.</p> <p>The land surrounding the Scheme Amendment area is zoned 'Rural', and a number of small-scale tourism land uses are discretionary in the rural zone including bed and breakfast,</p>	<p>Noted.</p> <p>Noted.</p> <p>There are existing portions of land zoned light industry and general industry which is a requirement in the planning framework to support commercial activities. Your concerns for more land made available for general industry is noted. The <b>EPA</b> will assess the environmental impacts prior to making its decision.</p> <p>Visual impacts noted; however, it is also noted that there are numerous unsightly structures that are currently visible both from the road and air. There maybe tree planting measures that could mitigate some adverse visual impact.</p> <p>Once the outcome of this proposal is known, the shire will endeavour to work with landowners to see if formal public access is possible at various locations.</p> <p>The <b>EPA</b> will review and assess the available environmental reporting as per the PER documentation (Ref: 2208).</p>


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		<p>camping ground, holiday accommodation, holiday house, and nature-based park.</p> <p>Surrounding land is subject to a pastoral lease, and pastoral leases can achieve pastoral related tourism under a permit. Once tourism goes beyond pastoral-related tourism, a general lease would be necessary, and would need road access (gazetted road or easement). It is not known whether tourism operators are considering any projects in proximity to the Amendment area.</p> <p>Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like 'Industry' and works to avoid precedence for industrialisation of the Exmouth Gulf.</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity.</p> <p>It is understood that anecdotally the Exmouth community tend to drive along the Exmouth Gulf to access areas near the project site for fishing and other coastal recreation. Subsea 7 has indicated a launch way crossing in to the site to ensure access is maintained. During a launch, crossing is not likely to be possible, and a launch is understood to occur over the duration of one day.</p>	
19. ICR35009 (28/11)	<p><b>Object</b></p> <p>We run a beach seine fishing operation from our lease in the Exmouth Gulf and have been here for 46 years catching and supplying locally caught fresh seafood.</p> <p>A large percentage of our fishing grounds are in close proximity to the proposed pipe laying facility at Heron Point; so obviously we have concerns as to the effect this proposal could have on the fish stocks in the gulf.</p> <p>Most fish species we target are migratory, travelling through the gulf following the shoreline. When they come up against unnatural barriers they mill around and turn back. In the past we have felt the effects from the Exmouth Marina Development and the Wheatstone Project where large structures have been built out into the sea blocking fish off. It takes years for the fish stocks to adjust to these man made walls hindering their progress.</p> <p>We would like to know what research has been undertaken by SS7 on the migratory fish stocks that their proposed development will effect. We would also like to know why this proposal needs to be so close to The Bay Of Rest.</p> <p>These mangrove areas are such delicate ecosystems. It seems quite irresponsible to mix industry with nursery.</p> <p>Several years ago the Shire of Exmouth released the Exmouth South Structure Plan; Heron Point was earmarked as the least favourable for deep water access out of several sites that were chosen for consideration. Why now is it the favoured site when there are obviously better places to put SS7.</p> <p>We are not against progress in the gulf however there is a lot at stake as this kind of industry could do irreparable damage to the environment we live in and unavoidably affect our livelihood.</p> <p>If this industrialisation proposal goes ahead we will be seeking legal advice for compensation in the event of any losses to our business.</p>	<p>The top of the proposed launch way will be a maximum of 2 m above the level of the existing seabed, adjacent to the shoreline, and 0.5 m above the level of the existing seabed towards the offshore end of the launch way (this means it would be well below the sea surface). Migrating fish are expected to be able to readily navigate past (over or around) the launch way.</p> <p>The mangroves along the south-western end of Exmouth Gulf are described in the EPA's Guidance Statement 1 (EPA 2001) as 'Area 1: Bay of Rest' and are classified as being of 'Very High' importance (ER Attachment 2A). The amendment area does not overlap with the Bay of Rest or the 'Area 1' mangroves. The site selection process for the Proposal is not relevant to the proposed scheme amendment but is discussed within Subsea 7's Environmental Review Document (ERD).</p> <p>Section 2.1.1 of the Scheme Amendment 1 report discussed site selection. Site selection was discussed for due to the essential characteristics for the facility, including a 10 kilometre long stretch of straight and flat land for the pipelines to be fabricated and conveyed; gentle sloping aspect of the landform to the ocean, a sandy beach and an acceptable seabed profile for</p>	<p>It is understood that there are no exclusive fishing rights in this regard.</p> <p>The <b>EPA</b> will review the reporting in this regard; however, the proposal would not appear to have an adverse effect on fish stocks as opposed to over fishing.</p>

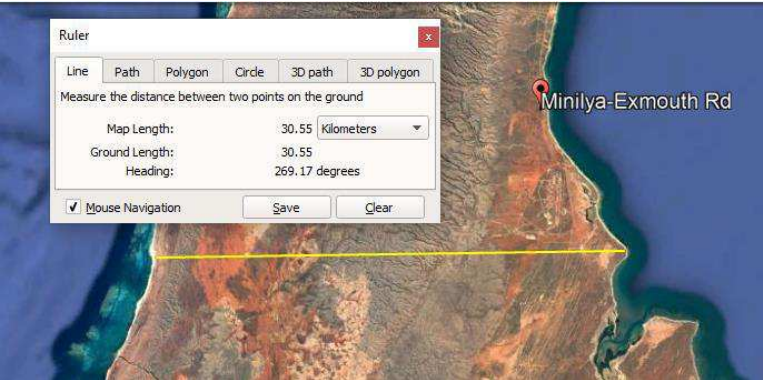
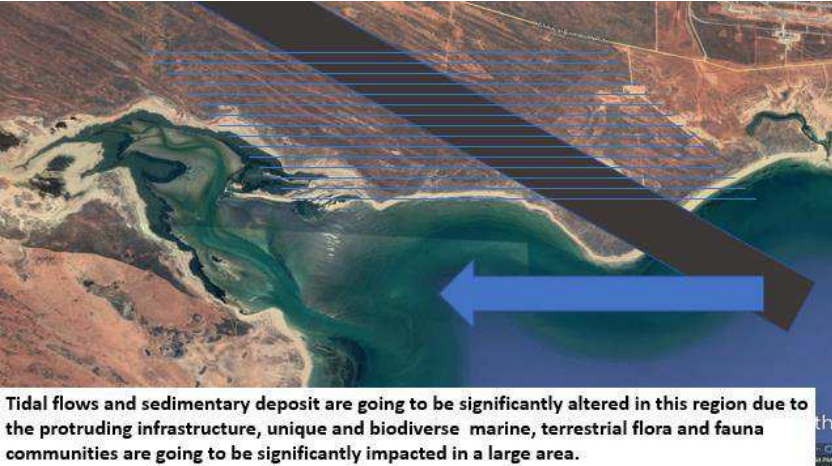
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		<p>launches; and a sheltered coastal location to mitigate against wind, waves and swell. Sites with the characteristics required for the project are very limited and the number of sites that are in proximity to a town and other facilities are almost non-existent. After an extensive site selection process, Learmonth was the only site investigated that met the essential criteria for the proposed development. As an additional benefit, Learmonth is close to a population centre for a commuting workforce. The project site is also within viable distance to oil and gas fields. There are no sensitive land uses in proximity to the project site.</p> <p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019. Feedback was received from local fishing businesses that could be contacted, in relation to maintaining beach access and impacts on local fishing businesses.</p>	
20. ICR35010 (29/11)	<p><b>Concerns</b></p> <p>I am writing to you with concerns for your proposed land zoning changes.</p> <p>Firstly, the current rural and foreshore reserve areas have obviously been listed as special 'reserves' at some point in time because of their uniqueness and wilderness beauty. They are home to many species of native plants, mammals, reptiles and birds. This includes vulnerable migratory birds that travel 1000kms to rest along the foreshore of the Exmouth gulf and in the area, you are planning to change to special use zone.</p> <p>There are very few special untouched wilderness areas around the world these days, but Exmouth Gulf is one. By changing the zone for this project, you will be setting a precedent for other (maybe larger) companies to apply for zoning changes to build more industry projects in and around the Exmouth Gulf. If you are going to change this zone from foreshore reserve to special use for this project then why would you turn down another company, paying you more money, in the future whether that be in 2, 5 or 15 years.</p> <p>What you choose to do with this land now will set a precedent for Exmouth's' future, do you want to open the doors to Industry and Exmouth is turned into a town similar to Onslow or Karratha or do you want to decide Exmouth and Ningaloo could be a worldwide known mecca for marine life, untouched beaches, conservation and natural beauty that people would (and do) pay lots of money to come visit. The choice is in your hands</p> <p>I understand that towns need economic growth to continue and expand but we don't need to sacrifice our pristine areas for this to occur, we can encourage economic growth through sustainable tourism and show case our amazing town like many other towns around the world have done successfully.</p> <p>Again, there is not many of these 'special' places around the world left and really it is up to our choices today to decide what type of town Exmouth will be for future generations who may want to enjoy its beauty like we all do today.</p> <p>If you haven't had a chance to spend much time at Heron Point, I thought I would share with you just a photo that we took of some of the corals at the site where the break wall is proposed to be built. We also saw, turtles, sting rays, alligator fish, flute mouth fish, wrasse, nudibranchs, feather stars, puffer fish and many hard and soft corals in a short swim.</p> <p>Thanks for your time</p>	<p>The rural zoning was a result of changing from 'Pastoral' zone under the previous (now revoked) scheme to a 'Rural' zone in LPS 4. This still recognised the use of the land as a pastoral lease.</p> <p>A 'Rural' zoning is a model zone under the <i>Planning and Development (Local Planning Schemes) Regulation 2015</i>. The 'Foreshore' reserve is also a model local scheme reserve under the Regulations.</p> <p>A special use zone is for the purposes of facilitating special categories of land uses which do not sit comfortably within any other zone, and to enable the local government to impose specific conditions with the special use. This is consistent with orderly and proper planning principles.</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road and the area has been disturbed by a previous prawn farming proposal. It is not considered an untouched wilderness.</p> <p>During surveys of migratory shorebirds within the Shorebird 2020 'Bay of Rest North' survey area commissioned by Subsea 7, no migratory birds were recorded foraging within the amendment area. In January 2019, during the non-breeding season, five migratory shorebirds, consisting of Bar-tailed godwit (4) and Oriental plover (1), were recorded roosting at high tide within the amendment area (<b>ER Section 5.6.3.4</b>). The habitats of the amendment area clearly support small numbers of shorebirds but the habitats seem much less suitable for shorebirds compared with other parts of the Exmouth Gulf, where significantly greater numbers of birds have been recorded.</p>	<p>The <b>ER</b> report section <b>5.6.3.4</b> outlines studies and findings undertaken during October 2018 and January 2020, in those surveys, it was reported that no counts of any migratory species exceeded the internationally or nationally significant criteria of 1% or 0.1% of the flyway population, respectively.</p>
21. ICR35013	<b>Object</b>		

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(29/11)	<p>Good Morning,</p> <p>I am writing to send my comment in regards to the change of land and using to proposed ‘Special Use No. 10’.</p> <p>I believe The Scheme Amendment process relies almost completely on Subsea 7’s documents and during the past year has worked extremely closely with Subsea 7 to enable this project. This is a cause for concern.</p> <p>The Shire of Exmouth has a responsibility to its community with regard to changes that impact social amenity, health and wellbeing. TPS 4 is supposed to promote development that is consistent with the planning objectives and recommendations in the Local Planning Strategy. This should take into consideration public health, conservation of the natural environment, improvements in lifestyle and amenity.</p> <p>Special Use No. 10 is not consistent with the objectives of LPS 4. The Shire Of Exmouth want to amend the LPS 4 to include the definition of “Pipeline Fabrication Facility”. However, Special Use No. 10 does not event permit a marine support facility or telecommunications infrastructure unless the Shire exercises its discretion and grants this. The changes to the definition are not consistent with the zoning or with the LPS 4 objectives.</p> <p>The rezoning do not reflect the long-term planning strategies for the Ningaloo Coast or World Heritage Area values, that include sustainable development and planning for the future, particularly with regard to climate change impacts for people and the environment. Hope you will take in consideration the comments of the community of Exmouth for the decisions ahead.</p>	<p>The proposal is to rezone the amendment area to Special Use 10 and to facilitate three land uses: Marine support facility; Pipeline fabrication facility; and Telecommunications Infrastructure.</p> <p>Development approval would be required prior to commencement of works. Development approval would be subject to conditions of approval.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p>	<p>The environmental reporting has primarily been managed by MBS Environmental, an independent environmental consultancy company employed by Subsea7 and its consultants to provide an independent review of the proposed project. The reporting will be thoroughly scrutinised by the <b>EPA</b> and cross-referenced and/or reviewed if required.</p> <p>A special use zone is only considered where a unique land use cannot comfortably fit within any existing zoning. Any development within a special use zone would require both a development application to the local authority and a works approval application to the <b>EPA</b>.</p>
22. ICR35017 (29/11)	<p><b>Object</b></p> <p>Dear Sir/Madam,</p> <p>I have been conducting surveys in Exmouth Gulf and along the Ningaloo Coast since 2012. I survey many of the Birdlife Australia sites monthly.</p> <p>Five Critically Endangered Species can be found in the Exmouth Gulf.</p> <p>(As listed under the EPBC Act 1999)</p> <ul style="list-style-type: none"><li>• Eastern Curlew (<i>Numenius madagascariensis</i>)</li><li>• Curlew Sandpiper (<i>Calidris ferruginea</i>)</li><li>• Bar-tailed Godwit (<i>Limosa lapponica menzbieri</i>)</li><li>• Great Knot (<i>Calidris tenuirostris</i>)</li><li>• Short-nosed Sea Snake (<i>Aipysurus apraefrontalis</i>)</li></ul> <p>The shorelines and tidal flats of the Exmouth Gulf provide important feeding and roosting areas for species of migratory and resident Shorebirds. Four are listed as being Critically Endangered, two endangered and one vulnerable.</p> <p>Other vulnerable species include the Green Turtle, Humpback Whale and Fairy Tern.</p> <p>I understand that Subsea 7’s proposal will result in the damage of 1840 hectares in the Exmouth Gulf.</p> <p>The Bay of Rest provides very important feeding and roosting sites for Shorebirds.</p> <p>Such disturbance caused by Subsea 7’s proposal could have significant environmental impact on the tidal flats (feeding areas) and roosting sites in the Exmouth Gulf.</p> <p>Exmouth Gulf and the Islands are of International significance (threshold of 1% estimated population in the East Asian-Australasian Flyway[EAAF]) to a number of Shorebirds.</p> <p>In 2012 the Exmouth Gulf was of International significance to two species. The Grey-tailed Tattler (&gt;2% of EAAF) and the Pied Oystercatcher).</p> <p>As a result of these ongoing surveys the Exmouth Gulf is now of International Significance to an additional four species.</p> <p>One, the Eastern Curlew is listed as Critically Endangered. Ruddy Turnstones, Sanderling and Sooty Oystercatchers are the other species.</p> <p>The Exmouth Gulf is of National Significance (threshold of 0.1% estimated population in the East Asian-Australasian Flyway) for 8 species. [Bar-tailed Godwit(Critically Endangered) (73 short of being included as International Significance), Grey Plover, Common Greenshank, Great Knot (Critically Endangered), Terek, Whimbrel, Greater Sand Plover (Vulnerable) and Lesser Sand Plover(Endangered) ]. The Curlew Sandpiper (Critically Endangered) will be added to this list.</p> <p>The significance threshold for the Curlew Sandpiper (Critically Endangered) is 90. This threshold has been halved since 2013.</p> <p>In February 2019, I recorded 152 between Heron Point and Doole Island in the Exmouth Gulf.</p>	<p>During surveys of migratory shorebirds within the Shorebird 2020 ‘Bay of Rest North’ survey area commissioned by Subsea 7, no migratory birds were recorded foraging within the amendment area. In January 2019, during the non-breeding season, five migratory shorebirds, consisting of Bar-tailed godwit (4) and Oriental plover (1), were recorded roosting at high tide within the amendment area (<b>ER Section 5.6.3.4</b>). The habitats of the amendment area clearly support small numbers of shorebirds but the habitats seem much less suitable for shorebirds compared with other parts of the Exmouth Gulf, where significantly greater numbers of birds have been recorded.</p> <p>The Scheme Amendment 1 intersects with the coast at Heron Point, to deliberately provide a zoned interface to the water. The quoted area of Exmouth Gulf is not within the amendment area. The amendment area does not overlap with the Bay of Rest.</p>	<p>The <b>ER</b> report section <b>5.6.3.4</b> outlines studies and findings undertaken during October 2018 and January 2020, in those surveys, if was reported that no counts of any migratory species exceeded the internationally or nationally significant criteria of 1% or 0.1% of the flyway population, respectively.</p> <p>This element of the proposal will be assessed / reviewed by the <b>EPA</b>.</p>



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	<p>In 2013, I photographed a pair of Short-nosed Sea Snakes on the Ningaloo Reef near Exmouth. The identity of the Sea Snakes was confirmed by James Cook University in Queensland. This Critically Endangered species was last seen on the Ashmore Reef in 1998 and thought to be extinct.</p> <p>Recent surveys have established that there is a population in Exmouth Gulf.</p> <p>I respectfully request that the Exmouth Shire Council reject the Local Planning Scheme 4 Amendment for Exmouth Gulf.</p>		<p>It is noted that an ABC report dated 22 Dec 2015 reported a discovery of the ‘short-nosed sea snake on Ningaloo Reef: <a href="https://www.abc.net.au/news/2015-12-22/extinct-sea-snakes-discovered-at-ningaloo/7047906">https://www.abc.net.au/news/2015-12-22/extinct-sea-snakes-discovered-at-ningaloo/7047906</a> (07/01/2020 - KT)</p> <p>Additionally – James Cook University posted a media release 22 July 2019: <a href="https://www.jcu.edu.au/news/releases/2019/july/exmouth-gulf-a-global-hotspot-for-sea-snakes">https://www.jcu.edu.au/news/releases/2019/july/exmouth-gulf-a-global-hotspot-for-sea-snakes</a> (07/01/2020 - KT) - stating that there are breeding populations on Ningaloo and Exmouth Gulf of Short-nosed sea snake.</p> <p>Notwithstanding, what is not known is where in the Gulf such breeding area is and whether the proposed launch area infrastructure would propose any adverse threats in this regard.</p> <p>The <b>EPA</b> will review its research on this subject matter.</p>
23. ICR35021 (29/11)	<p><b>Object</b></p> <p>I am writing in response to the proposed rezoning of lots 223, 234, 235 and 1586 to make way for industrialisation in these current foreshore reserves.</p> <p>I urge the Shire of Exmouth to reconsider rezoning these areas now and into the future. They should remain “rural and foreshore reserve”. Opening this area up to industrialisation will have far reaching negative impacts not just in Exmouth but for all Australians and people around the globe. I would hope the Shire of Exmouth joins the fight to protect the Exmouth Gulf and also refuses to support Subsea 7’s Learmonth Pipeline Fabrication Facility proposal; due to its unacceptable impacts on the Exmouth Gulf environment and recognising the interconnectedness of the Gulf and Ningaloo Reef.</p> <p>The Federal and State Government have committed to protecting the Ningaloo Reef World Heritage Area’s. It would be great to see Local Government also be committed to this. This includes the Ningaloo Reef and Cape Range National Park so very close to this proposal and intrinsically linked to the Gulf region through locality and globally significant values that should also be considered for inclusion in the World Heritage Areas in this region.</p> <p>The World Heritage listing recognises the outstanding universal value of the area's diverse and abundant marine life, its amazing cave fauna and the spectacular contrast between the colourful underwater scenery and the arid and rugged land of the Cape Range.</p> <p>The World Heritage Committee has inscribed a smaller boundary for the Ningaloo Coast than originally nominated. The boundary encompasses what the World Heritage Committee considered to be the Ningaloo Coast's key marine and terrestrial values of outstanding universal value.</p> <p>The Ningaloo Coast World Heritage area boundary excludes all areas under pastoral lease. This does not However reduce the uniqueness and vulnerability of the Gulf region. Most Pastoralists in the region have for many years been protecting the biodiversity of flora and fauna on their leases, this includes the marine life on their boundaries. They have actively been working with environmental management plans and put a lot of time and effort into land remediation works that protect areas from runoff, reducing silt loads to improve resilience of sea grass meadows, resilience of endangered and vulnerable turtle habitats and efforts to improve water quality.</p> <p>The local Landcare groups, pastoralists and biosecurity groups including Rangelands NRM have had many projects over many years to protect biodiversity and the land in this region. A proposal such as this will undo that work of many years, potentially creating larger significant issues for all community and business in the region.</p> <p>Exmouth Gulf is an area of the highest environmental value and biodiversity, as confirmed by recent scientific analysis. The Gulf provides significant year-round habitat for a range of threatened marine species, including dugongs, manta rays, whales and dolphins, hawksbill turtles, short-nosed sea snakes, migratory shorebirds and more. It is also the nursery and critical habitat for species that are important to</p>	<p>Decisions have not been made in relation to Subsea 7’s referral under the EPBC Act, the EP Act, nor the outcomes of the Environmental Review for Scheme Amendment 1.</p> <p>It is noted that approximately 0.69% of the amendment area would be rezoned from ‘Foreshore’ reserve. The majority of area to be rezoned is ‘Rural’ zone (approximately 96.3%).</p> <p>Decisions have not been made in relation to Subsea 7’s referral under the EPBC Act, the EP Act, nor the outcomes of the Environmental Review for Scheme Amendment 1.</p> <p>It is noted that approximately 0.69% of the amendment area would be rezoned from ‘Foreshore’ reserve. The majority of area to be rezoned is ‘Rural’ zone (approximately 96.3%).</p> <p>The values of Exmouth Gulf are noted, and potential impacts addressed, within Subsea 7’s ERD. The scheme amendment poses a negligible risk to the values of Exmouth Gulf. Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p> <p>An LVIA was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance ((WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (<b><i>ER Attachment 2R(1)</i></b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the</p>	<p>The marine and associated environment is dealt with by the <b>EPA</b> pursuant to the concurrently advertised <b><i>PERD Ref: 2208</i></b>.</p> <p>The local government is committed in protecting the NRWHA and surrounding environment. The local government also reviews all scientific facts and study’s applicable to this area which will also assist with allowing the <b>EPA</b> to make an informed decision.</p> <p>Noted and appreciated.</p>

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	<p>nearby Ningaloo Reef including mangrove jacks and shovelnose rays. The Gulf is a critical resting area and nursing ground for the world’s largest humpback whale population.</p> <p>Exmouth Gulf contains globally significant habitats including an extensive undisturbed arid zone mangrove ecosystem and ancient fossil coral reefs as well as extensive coral communities, seagrass meadows and sponge gardens. Leading scientists and institutions acknowledge the Gulf’s globally significant values, with the UNESCO World Heritage Committee recommending that it be considered for inclusion in the Ningaloo World Heritage area. It is particularly concerning that these habitats have yet to be comprehensively mapped and described, making potentially significant and irreversible environmental impacts difficult to fully assess and regulate.</p> <p>Subsea 7’s heavy engineering proposal threatens important habitats and species in Exmouth Gulf, including:</p> <ul style="list-style-type: none"><li>• Up to 18 million square metres of direct damage and disturbance to the seabed – including fragile corals and sponges – from the launch and towing of the 10km pipelines, dragging hundreds of ballast chains. Towing these pipelines through the Ningaloo World Heritage area presents a further risk to this world-renowned environment.</li><li>• Towing operations would expose marine mammals to increased risk of boat strike and displacement from important habitat and feeding grounds. Concentrated shipping, including service vessels and tugs, would also expose wildlife to underwater noise which is a threat to cetaceans that rely on acoustics for feeding, navigating or communicating with calves.</li><li>• Largescale clearing of native vegetation and habitat for mammals, reptiles and birds from the construction of the pipeline fabrication facility, access roads and two 10km railway lines.</li><li>• Negative social impacts of the project, including on the visual landscape of this beautiful area and on its recreational uses, such as fishing, boating, diving, birdwatching and photography. Given the extent of industrialisation and impacts just to the north in the Pilbara, we should not underestimate the importance of intact, natural heritage and landscapes like those at Heron Point and the Bay of Rest.</li></ul> <p>All these impacts mean that the proposal cannot meet the EPA’s objectives of protecting flora and vegetation, maintaining marine and terrestrial biological diversity and ecological integrity, and protecting social surroundings from significant harm.</p> <p>This industrial proposal is incompatible with the rich biodiversity and undeveloped marine and coastal environments of Exmouth Gulf. We need to stop this unnecessary industrialisation and instead preserve and build the resilience of Exmouth Gulf’s globally significant natural environment, and the nature-based tourism that it supports, for current and future generations.</p> <p>The aesthetic qualities that draws people from around the world and every day Australians that enjoy this beautiful relatively untouched region will be gone forever. Sub Sea 7 in their reports only stood looking out to sea and said we can already see a boat or two out there so we will make no difference. Consider when you fly over this region and its beauty is breathtaking, there will now be a monstrosity of industry that will take up a significant portion of land in this region. Refer to the image below of “the current view of the area”.</p>  <p>To put the size of the operation into perspective, directly from the gulf (proposed area of operation) across to the Ningaloo Reef is only approximately 30 km. Refer to image below.</p>	<p>Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (<b>ER Attachment 2R</b>). The Proposal’s launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b>ER Attachment 2R</b>).</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p>	

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	<div></div> <p>The proposed area and launch and towing of 10 km pipelines in this region are going to cause a major disturbance and is a significant proportion of the total area in the Shire of Exmouth. Land and coastal waters included.</p> <div></div> <p>Tidal flows and sedimentary deposit are going to be significantly altered in this region due to the protruding infrastructure, unique and biodiverse marine, terrestrial flora and fauna communities are going to be significantly impacted in a large area.</p> <p>Again the 18 million square metres of direct damage and disturbance to the seabed – including fragile corals and sponges – from the launch and towing of the 10km pipelines, dragging hundreds of ballast chains. Towing these pipelines through the Ningaloo World Heritage area presents a further risk to this world-renowned environment. It is a risk too big to take, accidents do happen and even with careful operations the damage will already be done, and the environment altered with a flow on effect to biodiversity.</p> <p>In summary, the proposal presents a high risk of unacceptable damage to the ecological integrity of Exmouth Gulf and the Ningaloo Reef World Heritage area, and I urge the Shire of Exmouth to not rezone these areas as this opens industrialisation in this area and potential for proposals such as the Sub Sea 7 projects. This should not go ahead now or in the future.</p>		<p>The local government primary focus in assessing the proposal is land use and effects, the marine and operational environments will be dealt with pursuant to the <b>PERD</b> by the <b>EPA</b>. The local government will make its recommendation for the land use component whilst the EPA will make its determination to the Ministers regarding the marine environment primarily.</p>
24. ICR35034 (29/11)	<p><b>Concerns/Comments</b></p> <p>I refer to the proposed Scheme Amendment prepared by the Shire of Exmouth to support the amendment to Local Planning Scheme 4 (LPS4) which seeks to rezone a portion of Lot 233 and Lot 1586 Minilya-Exmouth Road, Learmonth from ‘Pastoral’ to ‘Special Use No. 10’ Zone. The special use zone would enable the development of a pipeline fabrication facility for the proposed Subsea 7 project. The subject site is approximately 3km due east of the Defence Rough Range Receive Station and to the south east of RAAF Learmonth.</p> <p>The Department of Defence (Defence) previously wrote to Council on 2 February 2018 (see attached) and raised concerns regarding the proposed amendment to LPS4, as the proposal would enable land uses that would likely generate radio frequency interference that would adversely impact the operational capability of the Rough Range Receive Station.</p> <p>Further to this correspondence, Defence remains concerned that the manufacturing element of the Subsea 7 proposal would likely impact on the operational capability of the Rough Range (High Frequency) Receive Station. As such, Defence would not support any proposal that would impact on the operational integrity of the HF Receive Station. Note that this view is informed by a site protection plan that was developed to aid in minimising radio frequency interference on the Receive station by identifying incompatible land uses that should not be approved within certain. protective zones.</p>	<p>The ongoing liaison with Department of Defence is supported, to ensure both operations can be compatible. It is noted that the Guidance Fact Sheet does not represent a planning instrument.</p> <p>The Amendment is not an approval of any development, but to rezone the land. Detailed design of a development can consider providing information regarding the matters raised in the submission in respect of manufacturing methods, power generation and supply, types of equipment and radio frequencies.</p>	<p>Noted and concur with applicants’ comments.</p> <p>It is noted that the original Scheme Amendment No.32 to Town Planning Scheme No.3 included more uses: Industry, Industry-Light, Public Utility, Warehouse/Storage, Pipeline fabrication facility, Marine support facility. The proponent was requested to amend this by reducing the uses to: Marine support facility, pipeline fabrication facility and Telecommunications infrastructure, hereby limiting potential for other uses outside the subsea7 project proposal.</p>





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	<p>I am aware that members from Exmouth Council met with representative from Defence on 11 July 2018 to discuss the proposal. The outcome of the meeting was that Defence would engage with representatives from Subsea 7 to gain further detail on the proposal and to identify possible constraints and means to negate negative capability impacts associated with the proposal.</p> <p>Subsequent to this engagement, Defence seeks to ensure that land use planning in the vicinity of its establishments adequately consider and address the presence and impact of Defence activities. To determine the likely impact of the Subsea 7 proposal on the Receive Station, Defence requires further clarification / details on various elements of the proposal including:</p> <ul style="list-style-type: none"><li>• Detail on the type of equipment that would be used to undertake construction of the development.</li><li>• Detail on the type of manufacturing that would be undertaken once the development was completed (e.g. type of welding);</li></ul> <p>Detail on proposed power sources intended to power the site; and</p> <ul style="list-style-type: none"><li>• Proposed measures to mitigate against any adverse impact on the Rough Range Receive Station limiting man-made radio frequency interference emitting from the development site to a sufficiently low level (including for example either shielding of emissions or relocation of the facility to a site further away from the Receive Station.</li></ul> <p>Note that Defence has had preliminary engagement with the developers of the project and is happy to continue to meet with the developers to discuss our concerns and seek clarification on the issues identified above.</p> <p>Please also note that Defence has previously provided Exmouth Council guidance on the development restrictions associated with the HF Modernisation Facility (on 30 October 2009 and 2 February 2018). This correspondence recommended two proactive initiatives for protecting the operational integrity of the facility including</p> <ul style="list-style-type: none"><li>• <b>Information guidance:</b> Defence developed a Guidance Fact Sheet for Council use that identified 1) the location of the HFMOD site and 2) a method of assessing development proposals in order to ensure that they do not create land use conflict with the HMOD site.</li><li>• <b>Planning Scheme Amendment:</b> Defence recommended that Council introduce a planning scheme amendment to include the development restrictions outlined in the Information Guidance Fact Sheet.</li></ul> <p>Defence continues to advocate in support of the adoption of these initiatives by Council and would greatly appreciate the opportunity to discuss progress with regards to their implementation.</p> <p>Attachment : 1. Defence correspondence dated 2 February 2018</p>		
25. ICR35067 (29/11)	<p><b>Object</b></p> <p>I urge the Shire of Exmouth not to allow oil and gas development proposals, or any other proposals that could damage the marine and terrestrial environments of Exmouth Gulf.</p>	<p>The scheme amendment proposes to rezone the land to ‘Special Use 10’ which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. Oil and gas development, if not subject to the Mining Act or a State Agreement Act, would be interpreted to be an ‘Industry’ use, which is not a use listed in Special Use 10.</p>	<p>All the scientific facts and environmental reporting will be taken into consideration. The local governments primary role in the decision making is the change of the land use and any affects this may present. The non-terrestrial i.e. marine environmental impacts and operational elements of the proposal will be considered primarily by the <b>EPA</b> and other Ministers who will make the final determination.</p>
26. ICR35068 (29/11)	<p><b>Object</b></p> <p>The Shire of Exmouth has a responsibility to its community with regard to changes that impact social amenity, health and wellbeing. The Scheme Amendment process relies almost completely on Subsea 7’s documents and surveys. This is a grave concern as it shows that the Shire of Exmouth has not done their own due diligence to assess whether this amendment is appropriate. They are relying heavily on information gathered by Subsea 7 which, in itself has been gathered poorly for a development such as this. Any information presented by Subsea 7 is done so in such a manner as to facilitate the approval of the proposal. The Shire of the Exmouth should be seeking full, non-biased information from multiple sources before rushing into approval of this amendment. Indeed, they should be gathering much more information before they even consider the amendment let alone try to push it through in order to facilitate one specific proposal. The general conclusions made by Subsea7 in regards to the impacts this proposal will have on the ecosystems and environment of Heron Point, Bay of Rest, and the Exmouth Gulf are largely based on their own assumptions which they have deemed acceptable themselves. These conclusions do not appear to be based in any quantifiable fact for the most part. It is concerning that the Shire of Exmouth has taken these conclusions (basically Subsea 7’s opinions) and accepted them as fact in their decision to push for this amendment. Heron Point is magical. It is the first thing that visitors to our home see when they fly in to Learmonth airport and it is the first glimpse of the sea that you get when you drive in from hours in the arid, dusty red desert. It conveys a sense of peace, of isolation, of true and untouched natural beauty. It is the very essence of what travellers seek when they come to our small dot on the map. It is the ethos of our community and the stirring each of us feels in our hearts to be surrounded by the raw beauty of nature.</p>	<p>The proposal is to rezone the amendment area to Special Use 10 and to facilitate three land uses: Marine support facility; Pipeline fabrication facility; and Telecommunications Infrastructure.</p> <p>The Scheme Amendment documented its consideration against relevant economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p>The Amendment cannot be considered for approval until a decision has been made in respect of the Environmental Review and conditions, if any, are to be incorporated with the scheme amendment. The Amendment is not an approval of any development, but to rezone the land.</p>	<p>Concur – the operational elements will be assessed by the Environmental Protection Agency (<b>EPA</b>) whilst the land use change will be the primary focus of the local authority and the Department of Planning, Lands and Heritage (DPLH). The EPA will determine whether it requires any further environmental reporting.</p> <p>The environmental reporting has primarily been managed by MBS Environmental, an independent environmental consultancy company employed by Subsea7 and its consultants to provide an independent review of the proposed project. The reporting will be thoroughly scrutinised by the <b>EPA</b> and cross-referenced and/or reviewed if required.</p>





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	<p>Allow this to be churned up and covered by "progress" and the spirit of this entire place will fade into yet another Pilbara industry town. This facility will be like a bad tattoo; a scar that never heals. Keep industrialization north of us please. We don't want it here.</p>	<p>Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road and the area has been disturbed by a previous prawn farming proposal.</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area.</p>	<p>A special use zone is only considered where a unique land use cannot comfortably fit within any existing zoning. Any development within a special use zone would require both a development application to the local authority and a works approval application to the <b>EPA</b>.</p> <p>The local government is fully aware of the environmental responsibilities, and of its obligations to maintain a viable population in the township. The <b>EPA</b> and the local government have worked extensively in achieving a high level of environmental reporting to present all known environmental facts, data and risks involved.</p> <p>All local governments throughout the state are required to have future earmarked land available for residential expansion and with this commercial &amp; industrial land must also be allocated. The local government is fully aware of the intricate and often sophisticated balances it must make when considering such significant changes to the landscape setting of the area and any known research facts that may produce any adverse impacts. The local government final recommendation to the Minister for Transport; Planning; and lands will be albeit a small part of the decision-making process.</p>
27. ICR35069 (29/11)	<p><b>Concerns</b></p> <p>Concerns regarding the Scheme Amendment</p> <p>Environmental concerns include:</p> <ul style="list-style-type: none"><li>• Proposed changes to the coastal processes from construction of the launch way will cause coastal erosion on the southern side of it and are shown in Subsea 7’s documentation to extend into the Bay of Rest. Coastal accretion on the northern side of the launch way is said to require sand-bypassing in order to maintain the launch way for operation.</li><li>• The launch and tow operations will increase turbidity and sediment movement causing damage habitat. There are also impacts from this sediment movement that will occur over time and are likely to change the shoreline and impact marine habitats in waters adjacent to and surrounding the proposal.</li><li>• Inundation of inland areas is identified by Subsea 7 as a potential impact resulting from the removal of dunes in order to facilitate construction of the launch way. If this occurs it will cause damage to flora and vegetation inland, change the inland water flows and presents a serious problem in the event of an extreme weather event. Climate change modelling suggests increased severity and regularity of extreme events.</li><li>• The nearby mangrove system is listed in the Directory of Wetlands, it is recognized by the EPA to be of high ecological value and requiring protection. There are likely consequences and impacts if rezoning and industrialisation of the area occur:<ul style="list-style-type: none"><li>o damage to the mangrove system through pollution.</li><li>o loss of species due to water use: Rhizophera species mangrove trees due to reduced access to fresh water. This species is unique to the area because it depends of freshwater and we don’t understand enough about where it is acquired and how it affects it survival.</li><li>o Changing the inland water flows of the coastal plain from construction has the potential to impact the mangroves and waterways in the long-term.</li></ul></li><li>• Potential damage to the World Heritage listed Cape Range Karst system. Subsea 7 found stygofauna in the area, but not within the Development Envelope. Stygofauna exist in extremely small ‘tubules’ in the soil that can be only centimetres big. There is not enough evidence to support the assumption that the subterranean waterways are not going to be impacted by this development. More work needs to be done before a risk like this is taken. Other potential impacts to the subterranean waterways include pollution of waterways from chemical spills; or drawing too much water from the system</li><li>♣Climate change hasn’t been given any consideration. The impact of climate change on mangroves, benthic habitats, marine life, migratory</li></ul>	<p>The proposal is to rezone the amendment area to Special Use 10 and to facilitate three land uses: Marine support facility; Pipeline fabrication facility; and Telecommunications Infrastructure.</p> <p>The Scheme Amendment documented its consideration against relevant economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p>The Amendment cannot be considered for approval until a decision has been made in respect of the Environmental Review and conditions, if any, are to be incorporated with the scheme amendment. The Amendment is not an approval of any development, but to rezone the land.</p> <p>The Scheme Amendment proposes a development condition to require details for stormwater management. Inundation of inland areas is a natural occurrence due to the geology and weather events that cause overland flows from the Cape Range eastwards towards the Gulf. The Environmental Review noted that development would have regard for overland flow paths and floodplain catchments.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p>	<p>As part of the Environmental Review Documentation (<b>ERD</b>) a study is provided, <b><i>Attachment 2C – ‘Shoreline Movement Assessment’</i></b> which uses the existing Learmonth Jetty as an example to inform of how the coastal processes work in this general locality. It is considered that this can be managed adequately without significant detrimental impacts.</p> <p>Coastal erosion or sediment migration etc. could be made a condition requirement of any <b>EPA</b> works licence to ensure that this does not present a long-term or unknown issue moving forwards. The same would be applicable to further dune damage created by a storm event/surge.</p> <p>Noted and concur with the proponents’ comment in relation to the mangrove systems to the south.</p> <p>In relation to stygofauna, significant reporting was presented in the <b>ERD ref: 2209</b> Attachments 2L, 2M and 2N, commentary is provided in the <b>ER report, s.5.5</b> and <b><i>figure 5-17</i></b> showing location of Stygofauna sampling Bores within and adjacent to the Amendment area.</p>

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	<p>birds, should have been taken into consideration here. The environment of Exmouth Gulf has an important role to play in providing habitat for many endangered species. The Gulf’s heat-resistant corals are likely to become increasingly important as sea temperatures rise.</p> <p>Social impacts from:</p> <ul style="list-style-type: none"><li>• restricted access on days when launching and towing is occurring. These are likely to be the same good-weather days that locals and visitors want to use the area for recreation. This includes exclusion for consecutive days at the Heron Point area, as well as a rolling exclusion zone throughout the Gulf until the operation is complete.</li><li>• Even outside of launch operations access to Heron Point and Bay of Rest will be constrained – i.e., users will have to travel through the SS7 site and be subject to control. Tracks will be inside the site and subject to control and surveillance by SS7.</li><li>• Visual impacts associated with the presence of large industrial activity, vessels, equipment and Bundle towheads visible from the beach that reduce the values of the area associated with being a ‘wilderness experience’.</li><li>• Tourism impacts associated with the loss of wilderness values that drive the Exmouth Gulf charters – including operations that occur during humpback whale season (July to the end of November). This includes visual amenity and loss of economically important environment. SS7 can still operate for 40 weeks of the year – most of the tourist season</li><li>• Fishing charters that utilise Heron Point because it is an area special to catch and release operators</li><li>• Aquarium collector has identified Heron Point as a place of importance regarding filter feeders.</li><li>• The risk of damage to World Heritage values</li><li>• Risk to tourism branding as a result of industrialisation. This includes the natural beauty and aesthetic values that have earned this area iconic tourism status</li></ul> <p>Scheme Amendment changes</p> <p>♣ do not reflect the Shire of Exmouth stated planning policy in Town Planning Scheme 4 (TPS 4)</p> <ul style="list-style-type: none"><li>• The Shire of Exmouth has a responsibility to its community with regard to changes that impact social amenity, health and wellbeing. The Scheme Amendment process relies almost completely on Subsea 7’s documents and during the past year has worked extremely closely with Subsea 7 to enable this project. This is a cause for concern.</li><li>• TPS 4 is supposed to promote development that is consistent with the planning objectives and recommendations in the Local Planning Strategy. This should take into consideration public health, conservation of the natural environment, improvements in lifestyle and amenity. Amendment doesn’t reflect this.</li><li>• The Foreshore Reserve zones are set aside to provide protection of natural values; to enable a range of recreational uses, cultural and community activities; to promote community education of the environment; uses that are compatible with or support the amenity of reservation.</li><li>• It is a real concern that the Shire is proposing to rezone this area to be used in a way completely inconsistent with the current local reserve zoning.</li><li>• The rezoning is not consistent with the Rural zone objectives either. These objectives are supposed to demonstrate benefit that are compatible with the surrounding rural uses.</li><li>• Special Use No. 10 is not consistent with the objectives of LPS 4. The Shire Of Exmouth want to amend the LPS 4 to include the definition of “Pipeline Fabrication Facility”. However, Special Use No. 10 does not event permit a marine support facility or telecommunications infrastructure unless the Shire exercises its discretion and grants this. The changes to the definition are not consistent with the zoning or with the LPS 4 objectives.</li><li>• The rezoning do not reflect the long-term planning strategies for the Ningaloo Coast or World Heritage Area values, that include sustainable development and planning for the future, particularly with regard to climate change impacts for people and the environment</li></ul>	<p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>It is predicted that sand would accumulate along the northern side of the launch way, above the low tide mark, until sediment on the beach berm starts to move across the structure. Due to the temporary reduction in sand migrating to the shoreline to the south, some narrowing or possible loss of the small perched beach formations to the south of the launch way could occur. Given the relatively slow rates of sediment transport and the monitoring and management to be implemented by Subsea 7, the environmental values of the coast will be protected.</p> <p>Wapet Creek and the connection of this system to the salt flats inland from the site already provides an avenue for ingress of seawater during extreme events. It is expected that this area would be at least partially inundated prior to any breach of the launch way cut. Nevertheless, for more severe events, or those that cause more rapid fluctuations in sea level, the ingress of seawater through the launch way cut could occur, potentially resulting in scour of the adjoining area. Such an event might be associated with the nearby passage of a cyclone. Following any event that causes significant re-profiling of the dune system, Subsea 7 would be required to reinstate the dune structure and stabilise the cut embankments stabilised.</p> <p>The mangroves along the south-western end of Exmouth Gulf are described in the EPA’s Guidance Statement 1 (EPA 2001) as ‘Area 1: Bay of Rest’ and are classified as being of ‘Very High’ importance (ER Attachment 2A). The amendment area does not overlap with the Bay of Rest or the ‘Area 1’ mangroves.</p> <p>No direct loss of stygofauna individuals or habitat will occur as a result of the construction of onshore infrastructure as the proposed excavations are shallow (up to 1 m), so will not impact stygofauna habitat, and will mainly occur in areas unlikely to support stygofauna. Groundwater abstraction within or adjacent to the amendment area is not proposed.</p> <p>To maintain the current accessibility to this area of Heron Point, Subsea 7 proposes that no access restrictions to the launch way area will be in force for the large majority of the site operation. To provide for ongoing access to Heron Point and the Bay of Rest a launch way crossing has been incorporated into the launch way design that allows off-road vehicles to safely drive</p>	<p>The nearest public access from Minilya-Exmouth road to the Gulf coast is via Learmonth Jetty access road located approximately 6km north of the subject site. It is considered that with an estimated 3 launches per year at 36 hours per launch, the restricted access equates to an overall yearly access loss of 1.2%, this could be managed appropriately and considered a relatively minor matter and not surmountable.</p> <p>The water-based launch component is relation to possible boating/shipping obstruction, is considered a small-time component with the primary operations taking part on land.</p> <p>The environmental reporting has primarily been managed by MBS Environmental, an independent environmental consultancy company employed by Subsea7 and its consultants to provide an independent review of the proposed project. The reporting will be thoroughly scrutinised by the <b>EPA</b> and cross-referenced and/or reviewed if required.</p> <p>A special use zone is only considered where a unique land use cannot comfortably fit within any existing zoning. Any development within a special use zone would require both a development application to the local authority and a works approval application to the <b>EPA</b>. Decision making will be based on facts and scientific data/reporting.</p> <p>Any Special use zone consideration will not generally be consistent with any local planning scheme in that it normally involves a land use that cannot readily be accommodated within any existing zones. The proposed new use ‘Pipeline fabrication Facility’ is relatively unique and specifically only for the purpose of the SubSea7 proposed operations.</p>

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		<p>over the launch way. The crossing will be of a low-profile design that is not prohibitive for any 4WD vehicle that is able to drive on the beach. The launch way area will have an access restriction imposed during Bundle launch activities. This is expected to be for 1-2 days per launch, for an average of two launches per year (and not more than three). Notices regarding any upcoming launches will be well publicised and communicated to ensure that this closure is well understood. As an additional measure, signage will also be erected in the approaches to the beach crossing to ensure that the temporary closure is known. During launch operations, access to the Bay of Rest will be maintained via an alternative access route. At present, there is direct access to the Bay of Rest from Minilya-Exmouth Road via an access track that extends across the proposed infrastructure alignment. To ensure continued access, Subsea 7 will create a new access track that runs from Minilya-Exmouth Road, to the intersection of the existing track and the Bundle tracks, running parallel to the Proposal site (refer ER <b>Figure 5-28</b>). This will not lead to ‘control’ or ‘surveillance’ of track users.</p> <p>An LVIA was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance ((WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (<b>ER Attachment 2R(1)</b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (<b>ER Attachment 2R</b>). The Proposal’s launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b>ER Attachment 2R</b>).</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area.</p>	
28. ICR35070 (29/11)	<p><b>Object</b></p> <p>I am writing with regard to the submission invitation on the Local Planning Scheme 4 Amendment 1 Environmental Review.</p> <p>I attended the public Council Meeting at which the commissioner by his single “vote” passed the scheme amendment just two weeks prior to a council being elected. This took place after an appeal to request the proposal to be put before a newly elected council. This request was flagrantly cast aside. In my mind this did not seem in accordance with protocol or robust procedure.</p> <p>Now we are invited to make submissions upon this scheme amendment without any public consultations or explanations between the Shire of Exmouth and the community. Although we have of course witnessed the presence of Shire of Exmouth representatives and elected council at all the Subsea 7 community engagements that have taken place in the Shire facilities. Section 3.2 of CMS17595 lists the Key Stakeholders as if this document has been written by Subsea 7 and not the Shire of Exmouth. The table of engagements with stakeholders lists meeting</p>	<p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is</p>	<p>The original Scheme Amendment No.32 to Town Planning Scheme No.3 automatically fell away at the gazettal of the new Local Planning Scheme No.4.</p> <p>It is noted that the original Scheme Amendment No.32 to Town Planning Scheme No.3 included more uses: Industry, Industry-Light, Public Utility, Warehouse/Storage, Pipeline fabrication facility, Marine support facility. The proponent was requested to amend this by reducing the uses to: Marine support facility, pipeline fabrication facility and</p>

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	<p>held by Subsea 7. This indicates that there is an established relationship between Subsea 7 and the Shire of Exmouth which presents a conflict of interest.</p> <p>I believe the scheme amendment should not be allowed to proceed.</p> <p>Exmouth Gulf is an area of the highest environmental value and biodiversity, as vindicated by the World Heritage Committee who commented that the interconnectedness of the Exmouth Gulf with the Ningaloo Reef gave merit to Exmouth Gulf being added to the World Heritage status. With the exclusion of Exmouth Gulf from the status we are faced with having to protect the area again and again from proposals that might compromise its integrity.</p> <p>I have been diving the shallows up to 6 metres depth just north of Heron Point and the map in section 5.1.3.2 does not indicate any extent of the reef with macroalgae. The map shows soft sediment along the whole extent of Heron Point but this is not the case. This map if used in isolation could present a very skewed view of the reality. There is a proliferation of sponges, macroalgae and coral that supports a large array of biodiversity.</p> <div></div> <p>The map at 5.1.6.1 gives a much better indication of this habitat. The fact that the launch way will transect through the macroalgae bed and the pavement reef means that a corridor of habitat is broken up. This cannot be good for the species that travel up and down the corridor.</p> <p>The benthic habitats seem to tolerate a level of turbidity but we don't know what increase in turbidity they are resilient to. Compounding the natural level of turbidity may push towards a tipping point of their survival.</p> <p>There are species of megafauna that occupy Exmouth Gulf, some seasonally, like the resting humpback whales, oceanic and reef mantas, dugongs, turtles as well as many species of shark. There have been sightings of blue whale and pygmy blue whale on occasion too. There seems to be very little consideration of the effect that noise, lighting and risk of boat strikes may have. If zooplankton can be killed by seismic sounds (<i>Robert McCauley, Curtin University</i>) what effect does increased noise have on any of the species in the Gulf?</p> <p>More and more we see that unspoilt wilderness areas are important, not only for the flora and fauna to proliferate and thrive but also for our mental health. The importance of reconnecting with nature is shown to build our resilience and reduce depression. The area is known as a local camping retreat, with no facilities. It offers a true wilderness experience for locals and visitors. Industrialisation is not compatible with this area.</p> <p>The building of a pipeline fabrication facility will affect the amenity value of this area. When the flights come into Learmonth Airport they fly over the Exmouth Gulf which is a beautiful sight to behold. For this vision to be met with the 10km rail-line and a factory, this will adversely affect the initial impression of this area of World Heritage value.</p> <p>If coming by road, there will be more large trucks to service the facility. The roads are not rated for road-trains and the roads are not sufficiently wide to enable easy passing of large trucks and this may compromise road safety as well as make the journey less enjoyable.</p> <p>The proposed facility will be servicing the oil and gas industry which is an industry we should be moving away from to reduce our carbon footprint and protect the longevity of our reef systems. The climate change impact on our reef should be considered in its wider context. We should be encouraging industry that will move us towards a carbon neutral position for the town. Of course, our remote location means that this is a challenge but one we should not shirk away from.</p> <p>With the Australian icon of the Great Barrier Reef already downgraded to poor we need to look at ways to mitigate climate change acceleration by not enabling fossil fuel industries to expand in our region. Ningaloo Reef still has the World Heritage values intact and we don't wish to compromise those values by not protecting the area. The Exmouth Gulf provides the nursery ground for so many of the species that inhabit Ningaloo Reef.</p> <p>We need to protect the tourism values that so many visitors come here to enjoy. Exmouth Gulf and Ningaloo Reef is a significant jewel in WA's crown.</p>	<p>to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019, and it has been observed from those meetings that there is support within Exmouth for the project.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>Main Roads WA has been consulted with by Subsea 7's project team in relation to heavy vehicle configurations and the route. The sightlines along Minilya-Exmouth Road were checked by Main Roads WA which indicated that entry points to the facility were to provide sufficient sight lines, which was accommodated and the acceptable entry points are within the amendment area. The ultimate access points and traffic management would be undertaken as part of detailed design. Scheme Amendment 1 incorporates conditions for Special Use 10, including details to be addressed as part of a development application, including access from Minilya-Exmouth Road in consultation with Main Roads WA.</p> <p>Habitats within the amendment area are well represented elsewhere and the predicted losses due to the proposed launch way represent a small proportion of the habitat present off Heron Point. The launch way structure is expected to rapidly become colonised by macroalgae and filter feeder and it would then represent habitat of similar value to that currently occurring in the area.</p>	<p>Telecommunications infrastructure, hereby limiting potential for other uses outside the subsea7 project proposal making it more specifically for this unique project.</p> <p>The proponent worked extensively with council in facilitating public walk in sessions, and extensive documentation and reports where made available to the public via the <b>EPA's PERM – 2208</b> and the Shires <b>ERD reference 2209</b>.</p> <p>The <b>EPA</b> will cross reference this information.</p> <p>Reporting of affected habitats has been provided in <b>ER attachments 2R</b>, which will be reviewed by the <b>EPA</b>.</p> <p>It is noted that there are no managed camping areas around this locality currently.</p> <p>Minilya-Exmouth Road is controlled by main Road WA, it is a primary Distributor Road with speed limit of 110km/h and can support road trains and indeed does and has done for many years now, noting the road train assembly area to the west side of the Ingram Street Industrial area.</p> <p>Agree.</p> <p>Agree.</p>



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	<p>The current Foreshore Reserve zones are set aside to provide protection of natural values to enable a range of recreational uses, cultural and community activities. They are set aside to promote community education of the environment and uses that are compatible with or support the amenity of reservation. Rezoning this land does not set aside the reserves and puts the area at risk.</p> <p>This rezoning will potentially contribute further to climate change acceleration and certainly not to the abatement measures that are needed.</p> <p>For the future generations that will inhabit this region consideration must be carefully thought through. For the future of a liveable climate some tough decisions need to be made.</p> <p>I urge you to consider the part that you must play in this decision and consider the long-term environment over the short-term economy.</p> <p>Thank you for reading my submission.</p> <div></div>	<p>No seagrass, mangrove or filter feeder (including corals) habitat occurs within the amendment area. <b>ER Figure 5-6</b> shows an overlay of the amendment area, and proposed launch way footprint, over the benthic habitats. Subsea 7 has proposed measures to manage turbidity during launch way construction. Impacts to turbidity will be limited to within 50 m of the construction footprint, and will be managed by Subsea 7 to avoid impacts to benthic habitats beyond this distance.</p> <p>An LVIA was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance ((WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (<b>ER Attachment 2R(1)</b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (<b>ER Attachment 2R</b>). The Proposal’s launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b>ER Attachment 2R</b>).</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area. Neither will be visible from the World Heritage Area.</p>	<p>Foreshore reserves are set aside for a range of recreational uses and also for purposes required pursuant to State Planning Policy 2.6 – <i>State Coastal Planning Policy</i>, the objectives of which are the provide guidance for decision-making within the coastal zone including managing development and land use change; establishment of foreshore reserves; and to protect, conserve and enhance coastal values. This policy recognises and responds to regional diversity in coastal types; requires that coastal hazard risk management and adaptation is appropriately planned for; and encourages innovative approaches to managing coastal hazard risk. There are instances whereby state and/or federal significant projects might require a managed risk in breaking through primary dune systems, the beach launch infrastructure could potentially act as a buffer and/wave breaker in an event balancing out any new hole in the dune system.</p>
29. ICR35071 (29/11)	<p>Please do not go ahead with the Subsea 7 approval for the pipeline launch at Exmouth.</p> <p>Exmouth and Ningaloo Reef hold a dear place in the heart of myself and my family, with the most incredible memories created there on our trip around the country 8 years ago.</p> <p>Though it was 8 years ago, we all still clearly recall being absolutely gobsmacked at the beauty of the hidden gems in that little pocket of WA. The life on the reef was absolutely incredible, and we all left feeling so blessed to have experienced what we did.</p> <p>To know that a corporate entity cares so little about the beauty that our nation holds, that they would launch pipeline from such a beautiful and untouched area is sickening.</p> <p>Using the most cost-effective launch site at the cost of permanent damage to a biological system that was there before us, and will hopefully be there after us, is absolutely appalling, and I am sorry to hear that their proposal was submitted.</p> <p>Please do the right thing for our country, and our flora and fauna, and deny this proposal.</p>	<p>It is noted that the scheme amendment is not in proximity of the Ningaloo reef.</p>	<p>Both the local government and the Environmental Protection Authority thoroughly review all the facts and submissions before it before making an informed decision on the matter. The local government primarily focus on the land use component which is the initial supplementary decision with the EPA and several Minister making a final balance decision thereafter.</p>
30. ICR35072 (29/11)	<p><b>Object</b></p> <p>As a former long term resident of over 21years, I hope I will be able to comment on the proposed changes with some insight into this matter.</p> <p>The current proposal to change and amend Zoning, Planning Schemes and any other Local order, to allow industrial activities in the bottom</p>	<p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its</p>	<p>Noted.</p>

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	<p>of the Gulf, is not supported, because of its negative impacts on so many levels.</p> <p>a) Environmental ( which I have addressed in a separate submission to the EPA )</p> <p>b) Social Economical</p> <p>This proposal is a short sited, short lived and (again), promising but not delivering the best for Exmouth.</p> <p>Only blind sited or naive or paid people may support this, or people who have no idea about the treasures under water they will destroy, nor the damage they will do in my opinion to the Exmouth Community.</p> <p>I have been here before, twice to be correct.</p> <p>First as a Vice President of the █████ when we had meetings with the people of the proposed "Resort" at Coral Bay, being sold to us as the best thing to ever to happen for Exmouth. I called the Save Ningaloo Campaign to address the Chamber, informing us about the risks and threats. The Chamber was for once properly informed and decided NOT to support the project. The Shire followed the next day!</p> <p>Later it was the Salt Proposal, which was apparently the saviour of Exmouth, offering hundreds of jobs, but when really scrutinized 16 permanent jobs for Exmouth, may have come out of it, but would have destroyed the Gulf, the Nursery of Ningaloo Reef. One of the points most people disregard when offered short term profits is that it comes at a price.</p> <p>The Social Demographics of Exmouth will change from the current one to an influx of Mining and Industrial workers. With is will come in my opinion the least desired outcome, as seen in Karratha, Dampier and other industrialized areas. Drugs, Alcohol Abuse, Domestic Violence, Crime and in particular theft will increase. Exmouth prides itself to be a world class ECO Tourism Town, now the cleanest and most liveable Outback town in WA, if not in OZ!</p> <p>We have something not many other places have. A one road only access and a remote location which isolates us and makes it pretty unattractive for crime to move in at a larger scale. However, this will rapidly change once this proposal will go ahead. All the people (especially the Shire Councillors who have lived here long enough to remember that the doors of houses were open and cars had the keys in the ignition) should reflect on what is really at stake here. The Gulf will be stuffed up, but the lifestyle of the people in Exmouth will be altered and in the wrong direction. Exmouth is so close to be the shining star in the otherwise destroyed, industrialized and commercialized world. This lifestyle is at stake and no money can buy or create that!</p> <p>Make no mistake, this proposal is a test. This is set to be a precedent to open the door to industrialize the region.</p> <p>We may go again into the spiral of increased real estate prices, high demand for services, FOR A SHORT TIME and all will look fine for SHORT TIME and be beneficial for a few. But the real price the community and natural environment has to pay is unacceptable to me.</p> <p>c) Social Demographic</p> <p>It is clear to everyone in the world that when a region is industrialized, major changes occur. First a different "mob" comes into town, with a certain attitude that from now on things will be different. Certain other elements of the Community will sell and move due to the change.</p> <p>As crime and misbehaviour will increase other community segments will leave as well, e.g. families. This will set a range of things in motion we are all too aware off as we have seen in our neighbouring towns. We always looked somewhat envy, jealous up north, but after the collapse of the Mining Boom, I think we can all agree we are rather happy to be where we are right now.</p> <p>d) The Oil and Gas Industry</p> <p>I think no matter how you look at this, the Oil and Gas Industry is a dying industry. It may last a bit longer, may shorter but with the current developments in the world and here in Australia, the renewable energy sector is the future.</p> <p>Why on earth would a Shire bet on a dying horse, in due cause risking its real future?</p> <p>e) Alternatives:</p> <p>I don't know how many times I need to write this, but I hope at some time in the future, ( rather sooner than later ) the Sire and people of Exmouth will finally actively plan their future instead of being always in the reactive position when large scale project promise wealth and power!</p> <p>Any active research into industries which would be compatible with the natural environment and (Hang on!!!) actually supports it, not destroy it, would be welcome!</p> <p>Just to name a few areas which come to my mind are:</p> <p>Heath (especially recovery from injuries), Skin and respiratory illnesses where patience can be cured and recover much faster. This industry is a billion-dollar industry elsewhere in the world and supports a range of entertainment demands, Internet, offers better health facilities and services and much more.</p> <p>Retirement: If anyone needs any example, look at Florida especially to Ft Lauderdale. Say no more.</p> <p>Renewable Energy Industries. Solar and Wind, Geothermal we have it all in abundance.... why not use it.</p> <p>Research and Development: Marine is obvious, but also Aero Tech and Space. Why not make more use of Learmonth?</p> <p>Int Airport: If vision is lacking, here is an ambitious one. Turn Exmouth into a International Airport Hub, offering the best stop over facilities, entertainment and services inbound and outbound, all fuelled with world's leading renewable energy!</p> <p>However, if we are realistic for a moment, then we will have to conclude, that a heavy-duty industrialization will not set us apart from our neighbours and why not add this proposal in an already industrialized region, with infrastructure and services already in place. Yes we may (again) have the perfect spot, the most efficient and effective, profitable place etc... etc. ... etc... but I think in the long run we can do much much better, without the risks we face!</p> <p>Summary:</p>	<p>consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p>	<p>The environmental impacts will primarily be reviewed by the <b>EPA</b> and associated Ministers.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Local governments have to make lawful decisions based on facts and Acts following the legislative framework.</p> <p>The local authority is invested in sustainability and has been working closely with Horizon Power in exploring renewable energy options.</p> <p>Noted.</p> <p>See earlier comment about renewable energy.</p> <p>The local government is actively involved in encouraging marine research and exploring options for its airport and aerodrome.</p>

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	<p>Again, the temptation of a short-term gain with the risk of destroying our surrounding nature, as well as our life style is at hand. I urge the Shire NOT to allow this to happen and instead look actively into alternatives and invite complimentary industries into the region! It is and always has been possible to have an intact eco system AND a prosperous community with great commercial activity and profits. I trust in a decision for the long term, not the short-term monetary gain, which is MAYBE at hand.</p>		<p>Noted.</p> <p>The final decision of any initiated Scheme Amendment rests with the Minister for Transport, Planning and Lands. The local government will advise its recommendation in respect to only the land use component whilst the EPA will advise the Minister/s on all other matters.</p>
<p>31. ICR35073 (29/11)</p>	<p><b>Object</b></p> <p>Cape Conservation Group provide the following submission with regard to the abovementioned scheme amendment. We submit that given the high ecological value of the area and its current value in association with the World Heritage Area (Wilson 1994) and its listing in the Directory of Wetlands, that this Scheme Amendment change is not in line with planning and policies for the area and should not be adopted.</p> <p><b>1. Assessment Process and Consultation</b></p> <p>CCG would like to register its continued disappointment in the Assessment and Consultation Process.</p> <p>In 2017, the Commissioner had the responsibility of overseeing the Council until a new one could be elected. Prior to new Shire Councillors being elected, and in the final weeks of his tenure Commissioner put forward the Scheme Amendment 32. At that time, few in the community were aware of the proposal by Subsea 7 or understood that the intention of the Scheme Amendment was simply to enable Subsea 7’s Pipeline Fabrication Facility proposal.</p> <p>CCG is a stakeholder in this process and has not been consulted either in writing or meeting by the Shire of Exmouth with regard to Scheme Amendment 1. We note that Section 3.3.2 includes a Table of consultation with stakeholders regarding the Scheme Amendment, however, this is only a replication of consultation undertaken by Subsea 7 in relation to its own Proposal. Its appearance in this Scheme Amendment Review Document is misleading and only serves to highlight the confusion of interests at the heart of this process. It is difficult to see how interests of the Shire’s residents and ratepayers are served by an Amendment clearly designed to advance those of a single corporation. There are few signs of impartiality in the Shire’s position, which is concerning. The Shire appears to be amending its own policy to promote the interests of the Proponent and in doing so appears to contradict its own planning framework and fails to uphold its responsibilities to safeguard the environmental values of the area.</p> <p><b>2. Other Approvals and Regulations</b></p> <p><b>Unallocated Crown Land (UCL)</b></p> <p>The Shire of Exmouth’s amendments to TPS 4 represent a shift away from the State Planning Policies for the Ningaloo Coast and its responsibility to protect key conservation areas. Any planning for conservation or public recreational areas has been removed for the Heron Point area and there is no representation or acknowledgement of the planning responsibilities for the Ningaloo Coast or World Heritage Area. This is in contrast to the Exmouth South Structure Plan (<b>ESSP</b> 2013) which recognized that, under the Ningaloo Coast Regional Strategy Carnarvon to Exmouth (WAPC, 2004) the Gulf waters from Wapet Creek mouth southward were classified as</p> <p>‘Remote’ in terms of landscape, recreation and tourism values and included in a recommendation to become a marine protected area (ESSP, 2013, Plan 5). At the time of the ESSP (2013), the UCL foreshore reserve was acknowledged as an area for public recreation area and the lease for Exmouth Gulf Station was set to expire in 2015. The Shire of that time were considering these areas for inclusion in the public conservation estate (for addition to the Cape Range National Park. The ESSP, <i>Plan 2</i>, highlights the areas that were deemed valuable and to be set aside for conservation and recreational values, and these include a marine reserve between Gales Bay and Wapet Creek and inclusion of parts of Heron Point and the Foreshore as public recreation.</p> <p>The area of proposed zoning change is within and adjacent to environmentally sensitive areas: the mangroves are protected; its waters are of maximum to high ecological value, and it is adjacent to the World Heritage Area. This rezoning is at odds with the all of these factors. The Shire has a responsibility to uphold the conservation values of the area and the community’s social and cultural values associated with Heron Point and Exmouth Gulf more generally. Such rezoning must be rejected on this basis.</p> <p><b>Foreshore Reserve</b></p> <p>The Shire have a responsibility pursuant to State Planning Policy 2.6 and the Regional Planning Policies for the Ningaloo Coast. Any changes to the zoning of this area must take consideration of the purpose of the Foreshore reserve which includes the “<i>protection of natural values, a range of active and passive recreational uses, cultural and community activities, activities promoting community education of the environment and/or uses that are compatible with and or support the amenity of reservation.</i>”</p>	<p>The proposed amendment does not overlap with the Bay of Rest, any mangroves or seagrass habitat or the World Heritage Area. The proposed scheme amendment will not result in a change to the maximum level of ecological value attributed to the waters off Heron Point and around the southern and eastern shores of Exmouth Gulf. The proposed construction of a launch way, as a component of the Proposal, is not predicted to impact the maximum level of ecological value attributed to the waters off Heron Point and around the southern and eastern shores of Exmouth Gulf.</p> <p>The coastal hazard risk assessment was completed in accordance with State Coastal Planning Policy (SPP 2.6; WAPC 2013). The studies associated with the future development of the launch way predicted no significant impacts to the local wave or current conditions (<b><i>ER Section 5.2.6.2</i></b>). No significant indirect impacts to longshore and cross-shore sediment dynamics are expected. Sediment transport along this section of the coastline is predominately from north to south and over the longer-term an accretion on the northern side of the launch way would be expected (<b><i>ER Section 5.2.6.3</i></b>). Sediment deposition on the northern side of the launch way would temporarily impact the quantity of sediment available to the south. However, the response of the southern shoreline will be limited by the presence of rock on Heron Point and along the shoreline further south. Due to the presence of this rock, limited changes to the shoreline are expected to the south of the launch way. Any changes that do occur are likely to be limited to a narrowing or possible loss of the small perched beach formations that exist seaward of the onshore rock platforms and bluffs (<b><i>ER Section 5.2.6.3</i></b>). The assessment included consideration of the potential impact of a significant beach erosion event (i.e. 100-year storm), the potential for continuation of observed trends in shoreline movement, the impacts of sea level rise and included a provision for uncertainty (an additional allowance of 0.2 m/year) (<b><i>ER Section 5.2, ER Attachment 2D</i></b>). Sand bypassing is nominated by Subsea 7 as a potential management measure to alleviate any issues relating to the local interruption of sediment transport.</p> <p>The possibility of inundation of inland areas due to dune removal and possibility of dune destabilisation has been considered and assessed. Wapet Creek is currently connected to the salt flats inland from the site and this area would be at least partially inundated prior to any breach of the launch way cut. Nevertheless, for more severe events, or those that cause</p>	<p>The current scheme amendment consultation process involved several communities drop in sessions, extensive advertising by the local government via the Environmental Review documentation and reports (ERD 2209) which was run concurrently with the Environmental protection Agency (<b>EPA</b>) Public Environmental Review Documents and reports (<b>PERD – 2208</b>) both for a period of 60 days.</p> <p>All stakeholders including Cape Conservation Group were sent a letter informing of the Scheme Amendment 1 advertising and shire website link. The CCC letter was posted to PO BOX 1029 dated 02 October 2019. The proposed scheme amendment was also advertised in the Pilbara News and the West Australian Newspaper.</p> <p>The local government primary decision making recommendation is that of land use whilst the EPA reviews all other matters, the local government must follow a statutory planning framework in assessing s Scheme Amendment proposal largely governed by the <i>Planning and Development Act 2005</i> and the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, whilst the EPA makes its assessment pursuant to the <i>EP Act and associated Regulations guiding its decision making</i>.</p> <p>To date there has been no marine protected area established pursuant to legislation.</p> <p>Refer to earlier comment relating to the legal responsibility in reviewing any scheme amendment and development proposals that have to be based on known facts and planning considerations pursuant to the Planning Act and associated regulations.</p> <p>Foreshore reserves serve multi-faceted purposes with significant value whereby any act adding to the degradation of primary dunes must be balanced very carefully, there will always be instances whereby state</p>

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	<p>The Heron Point area is used by tourism operators for education, one Company has operated here for more than 20 years and uses the Heron Point area for school students’ education and recreational activities. Local fly-fishing operators, whale watching and fishing charters and recreational fishers also value Heron Point and rely on its health for their businesses.</p> <p>Changing the zoning of the foreshore to Special Use No. 10 (‘marine support facility’, pipeline fabrication facility’ and ‘telecommunications infrastructure’) would allow industry that is not supported by the current zoning nor does it support the above objectives.</p> <p><b>Rural Land Zone</b></p> <p>CCG regard the rezoning of Rural land to Special Use No. 10 as a departure from the objectives of rural zones and find it is inconsistent with the use proposed for this area in the Amendment.</p> <p><b>3. Key Environmental Factors and Impacts</b></p> <p>The Shire has said that there will not be any harm to the environment from this scheme amendment, but this is based on the assumption that Subsea 7 has demonstrated this in its Environmental Review Documents. CCG’s view is that Subsea 7 have not met the EPA’s work requirements and have not demonstrated this outcome. Key environmental factors that are likely to be impacted by the Scheme Amendment and proposed pipeline fabrication facility include:</p> <ul style="list-style-type: none"><li>• Changes to coastal processes from construction of the launch way and its permanence. This includes erosion on the southern side, with erosion noted to extends into the Bay of Rest; and accretion on the northern side that will require sand-bypassing.</li><li>• Coastal process changes do not take into account further erosion or damage that may be caused by extreme tidal events, tidal forcing, extreme weather events, higher tides, changes in currents.</li><li>• Dune removal is proposed for launch way construction. The loss of dunes that are present as a result of aeolian and marine interaction and covered in vegetation that acts as stabilisers of sand is of concern.</li><li>• The Proponent has raised the matter of likely inundation of inland areas due to dune removal which raises serious concerns regarding impacts to inland vegetation, flora and fauna.</li><li>• The potential for inundation through the dune, the loss of flora and vegetation, is also likely to cause destabilisation and resuspension of the sand. These changes have the potential to change its ecology, reduce habitat for migratory birds and other terrestrial animals, and impact inland water flows.</li><li>• Dune removal does not take into account further erosion from extreme weather conditions or events, or climate change.</li><li>• Exmouth Gulf is an arid-zone estuary. Its ecosystem relies strongly on the intermittent extreme weather events to recharge the marine water and inland water systems. Changes to the inland water flows as a result of construction and the proposed removal of dunes may cause restriction or redirection of current flows. It has the potential to change the inputs into this system and produce direct, indirect and cumulative impacts to its ecosystem integrity.</li><li>• Only a few sites were examined by Subsea 7 with regard to finding stygofauna, and many of these were within the Development Envelope or bores. Some stygofauna were recorded present. Stygofauna can be present in centimetre size tubes and have the potential to be at different locations within the proposed 440 ha Scheme Amendment Envelope. This raises high level concerns about the potential impacts the subterranean waterways that may exist in the Heron Point area. These waterways are connected to the Cape Range Karst system. Impacts from industrial development are likely but not limited to: damage from construction, pollution of waterways, chemical spills and excessive drawdown. Such damage once it occurs is irreversible and management of the impact would be extremely difficult if possible at all.</li><li>• The mangrove system is listed in the Australian Directory of Important Wetlands and is recognized internationally for environmental values and migratory bird populations. The mangroves of Exmouth Gulf, including Bay of Rest, Gales Bay and Wapet Creek are recognized by the EPA to be of high ecological value and serious consideration must be given to potential risks of damage associated with the rezoning of land for industrial use. These include loss of mangroves from pollution, loss of water quality, chemicals, acid sulphate soil disturbance, changes to marine water flows and quality, changes to sediment deposition. Rhizophera sp. is also present in the mangroves and, unlike other species, utilize freshwater for survival. Drawdown on aquifers has the potential to harm this species, and more information needs to be gathered to understand how it may be affected by such change.</li><li>• Disturbance of acid sulphate soils in this area is documented as a potential and serious risk to the environment and human health.</li><li>• Visual impacts associated with the presence of large industrial activity, vessels, industrial equipment, and Bundle Towheads visible from the water and from points of higher elevation.</li><li>• Loss of World Heritage value associated with visual impacts from industrial construction and operation, vehicles and structures, to the natural and aesthetic beauty of the area.</li></ul>	<p>more rapid fluctuations in sea level, the ingress of seawater through the launch way cut could occur, potentially resulting in scour of the adjoining area (<b><i>ER Attachment 2D</i></b>). Such an event might be associated with the nearby passage of a cyclone. Following any event that causes significant re-profiling of the dune system during the operation of the Proposal (when the cut is in place), the dune structure would be reinstated by Subsea 7, and the cut embankments stabilised. No long-term impacts to dune stability are expected as a result of the development of the Proposal. At the end of the service life of the facility, the dune will be reinstated and monitored for stability by Subsea 7.</p> <p>No changes to freshwater inflows to Exmouth Gulf will occur as a result of the scheme amendment. Flood waters following a heavy rainfall event would either flow eastwards to the coast or infiltrate into the ground and enter marine waters adjacent to the coast.</p> <p>No direct loss of stygofauna individuals or habitat will occur as a result of the construction of onshore infrastructure as the proposed excavations are shallow (up to 1 m), so will not impact stygofauna habitat, and will mainly occur in areas unlikely to support stygofauna. Groundwater abstraction within or adjacent to the amendment area is not proposed. The discharge of treated wastewater within the amendment area is part of the proposed future development. Given the minor volumes of treated wastewater proposed to be discharged, the low nutrient concentrations, and the large distance between the amendment area and the habitats found to support stygofauna (6-7 km), an impact to stygofauna from altered groundwater flows or quality is considered unlikely, even in the event of a significant wastewater plume (which is not expected given the very low volumes of wastewater) (<b><i>ER Section 5.5.5</i></b>).</p> <p>Acid sulphate soils were not recorded following an investigation across the amendment area (ER Attachment 2T).</p> <p>The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (ER Attachment 2R). The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The Proposal’s launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (ER Attachment 2R). Neither will be visible from the World Heritage Area.</p> <p>Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p> <p>2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations</i></p>	<p>significant infrastructure requirements may need to break through such systems, in those instances conditional offsets and careful on-going monitoring is normally required.</p> <p>The purpose of Special use zones is specifically for uses that do not comfortably fit within any existing zone. The proposed protect is unique and thus warrants consideration under a Special use zone.</p> <p>The shire is not aware of the alleged statement whereby the local government stated that there will be no harm to the environment. The local government is however aware that there will be environmental damage on land through clearing which is addressed in the reporting and will be thoroughly assessed by the <b>EPA</b>.</p> <p>These elements are addressed in the various environmental reporting currently being assessed by the <b>EPA</b>.</p>



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	<ul style="list-style-type: none"><li>Impacts to tourism associated with the loss of wilderness values in Exmouth Gulf. These include fishing charters, aquarium collectors, divers, recreational fishers. The wilderness experience is one of the Gulf’s biggest assets. Recreational fishermen acknowledge Bay of Rest to be a ‘bucket list’ experience. Some of the proposed operations will occur within whale watching season, and all occur across the migratory bird migration/foraging/nesting season as well as the turtle breeding migration.</li><li>The risk of damage to World Heritage values and tourism branding as a result of industrialising this area is a serious concern with regard to economic and environmental assets.</li></ul> <p><b>Learmonth Solar Observatory</b></p> <p>No consideration has been given to this is a strategically important facility. The Learmonth Solar Observatory is subject to inter-governmental agreements and makes a vital contribution to global science. It is important that potential encroachments or impacts from surrounding land uses are taken into account when considering land use plans and development proposals, particularly uses that have the potential to generate radio frequency interference.</p> <p><b>4. Guiding Principles for the Ningaloo Coast</b></p> <p>State Planning Policy (SPP2.6) for the Ningaloo coast has guiding principles that must be used to assess all future planning and development for the Ningaloo coast to ensure the protection and sustainable use of the environment for the future. It is incumbent on the current Shire of Exmouth to address this Proposal in relation to these principles and give regard to sustainability principles, tourism or the attractiveness of the region as a natural and remote place. Despite this, industrial activity for Exmouth Gulf including a deep-water port, Ashburton Salt, limestone mining and Woodside vessels utilising the Gulf. No serious consideration has been given to the environmental impacts associated with this increase in industrial activity nor the impact it will have on the World Heritage Area values, its brand, or associated tourism businesses that stand to be impacted by such developments.</p> <p><b>Conclusion</b></p> <p>The Shire has a responsibility to the conservation values of the area and the community’s social and cultural values associated with Heron Point and Exmouth Gulf more generally. The Shire should have taken into consideration the protection of natural values, active and passive recreational uses, cultural and community activities, activities promoting community education of the environment and uses that are compatible with and or support the values of the area.</p> <p>No consideration has been given to the potential impacts on the nationally and internationally important Learmonth Observatory and the impacts that may occur from industrialisation of Exmouth Gulf.</p> <p>Of even greater concern is the fact that no serious consideration has been given to the climate change implications of this Amendment and the Proposal it is designed to aid. No consideration has even been given to the possible impacts of climate change on the area in question, including the Proponent’s own infrastructure. Cape Conservation Group submits that the proposed Scheme Amendment 1 rezoning should be rejected.</p>	<p>2015, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p><b>UCL</b></p> <p>The Exmouth South Structure Plan (TME 2013) recognised that an aquaculture proposal by Cape Seafarms Pty Ltd was considered by the EPA and recommended to the Minister for the Environment for approval with conditions. The aquaculture proposal was situated on Lot 233 Minilya-Exmouth Road near the coastline. At the time, Lot 233 was set up as a Crown Reserve created for Marine Based Industry Purposes. The Exmouth South Structure Plan states that the Crown reserve “<i>maintains the opportunity for other aquaculture proposals or other types of marine based industry to be considered</i>”. A number of factors were also listed for consideration including: the marine protected areas; the remote status of the land in tourism and landscape terms; the subterranean waterways nearby; and Aboriginal sites generally in the area. These matters were addressed in section 5 of the scheme amendment report. The advertised Local Planning Strategy identified Lot 233 as an Aquaculture Site; however, the final version had removed the aquaculture site designation and replaced it as ‘Rural’. Therefore, a form of industrial activity (aquaculture) had been recognised and contemplated in the general location of the project site. The project site would contribute to a smaller footprint and ‘visual presence’ of activity at the coastline compared to an aquaculture site, as the manufacturing facilities are 10 km from the coast.</p> <p><b>Foreshore Reserve</b></p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p><b>Rural zone</b></p> <p>Within the Zoning Table for the ‘Rural’ zone, a very limited range of land uses can be considered. By way of example, the range of industry land uses that are understood to be considered include ‘Garden Centre’, ‘Industry - Cottage’, ‘Industry - Extractive’, ‘Industry - Primary Production’, ‘Mining Operations’, ‘Renewable Energy Facility’ and ‘Transport Depot’. The proposal is not considered to comfortably fit into any of these land uses.</p> <p>Whilst unlisted uses could be proposed and assessed on their merits, applying for an unlisted use would not remove risk to the</p>	<p>The solar observatory was consulted as part of the Scheme Amendment 1 proposal, and If or when a development proposal and any associated radio frequencies infrastructure proposal come into fruition then the solar observatory will be consulted in this regard also.</p> <p>This is covered in the <b>ER</b> reporting documentation.</p>

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		<p>project until the very end of the planning process – it would be incumbent on a favourable assessment and determination by the responsible decision-making authority. Given the unique characteristics of the proposal, and in consultation with the Shire of Exmouth, Department of Planning, Lands and Heritage, and Environmental Protection Authority, a scheme amendment was initiated as the preferred planning process.</p> <p><b>Key Environmental Factors and Impacts</b></p> <p>The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>The Shire’s processing of the Scheme Amendment is to be in accordance with the <i>Planning and Development Act 2005</i>, which requires completion of environmental assessment under the <i>Environmental Protection Act 1986</i>. The Amendment cannot be considered for approval by the Minister for Planning until that occurs.</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>The Scheme Amendment includes a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>Inundation of inland areas is a natural occurrence due to the geology and weather events that cause overland flows from the Cape Range eastwards towards the Gulf. Scheme Amendment 1 incorporates conditions for Special Use 10, including details to be addressed as part of a development application, including details for stormwater management and coastal management.</p> <p><b>Learmonth Solar Observatory</b></p> <p>Section 2.2.3 of the Scheme Amendment report referred to Learmonth Solar Observatory. The fabrication activities would be carried out inside buildings that would be at the southern end of the proposed ‘Special Use’ zone. Uses that may have the potential to generate radio frequency interference will be</p>	

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		<p>located some distance (approximately 10 kilometres) away from the Observatory.</p> <p><b>Ningaloo Coast</b> Section 3.5.4 of the Scheme Amendment report referred to SPP 6.3 <i>Ningaloo Coast</i> and the key objectives and guiding principles of that policy were referenced against the proposal.</p>	
32. ICR35074 29/11	<p><b>Object</b></p> <p>I am opposed to the proposed amendment (Amendment 1) seeks to rezone up to 440 ha of land in Learmonth (the ‘Amendment area’) from Rural zone and Foreshore reserve to Special Use No. 10 zone. As I have read, Amendment 1 is directly related to the proposal by Subsea 7 Australia Contracting Pty Ltd (Subsea 7) to construct and operate the Learmonth Pipeline Fabrication Facility.</p> <p>I urge the Shire of Exmouth not to rezone this land and not to support the Subsea 7 proposal to build a Pipeline Fabrication Facility near Learmonth, as this project would unacceptably impact the shallow marine system of Exmouth Gulf and affect the terrestrial and marine biodiversity, as well as the ecological integrity of the system. The Subsea 7 proposal to build and transport pipes for the oil and gas industry should not be allowed at this location because, as discussed in detail below, it will result in unacceptable damage to sensitive ecosystems within part of Exmouth Gulf and have negative consequences for Ningaloo Reef (the gulf is the nursery for many reef organisms). It is possible that another location may be more suitable and have a reduced impact on our shared environment.</p> <p>I am very concerned about the Subsea 7 proposal to build the oil and gas pipe assembly plant and launch site at Heron Point, on Exmouth Gulf. Despite what the company says about the small footprint, it will severely impact a pristine shallow estuary, beach and adjacent bushland as the steel pipes are produced onshore, brought to the coast, and dragged across the seabed for about 1.5 kilometres. The negative impacts of the project continue because once the 10 km-long pipes are afloat, ballast chains will impact the seabed in the Gulf and organisms within the highly productive water column affecting fish and marine mammals. Then they will be towed by tugs through the whale nursery and dugong foraging grounds and dragged through the World Heritage Ningaloo Marine Park before being hauled to offshore platforms up to 2000 kilometres away. While launches are only scheduled to happen several times a year, the potential is for it still to have a major impact given the results of a recent study on the effects of increased ship traffic and acoustic disturbances on whale behaviour in this region [Bejder et al., 2019, Nature Scientific Reports, v. 9, p. 771]. Marine mammals can be displaced from a habitat or feeding area because of underwater noise, boat activity and the accompanying increased risk of boat strikes, especially when they are with young or juveniles. It is not surprising that many tourism operators (who rely on the reef and especially whale sharks for their livelihood), recreational fishers, locals, and scientists are extremely concerned about this proposal.</p> <p>It is time to protect and preserve the extraordinary ecosystems that make up the Ningaloo Region by prioritizing Ningaloo Reef and the Exmouth Gulf. This involves applying the precautionary principle at all levels of planning (local, State, federal) so that we save the region's amazing biodiversity upon which future jobs, Aboriginal cultural heritage, and food sustainability all depend. Industry will be a part of the mix, but should not be put before or hold greater importance than these other essential values. As a community, we need to make decisions that inherently elevate the essential roles our environment plays in our lives, and those of future generations, including all its many benefits.</p> <p>Ningaloo Reef and the Exmouth Gulf estuary is a significant and unique integrated system in north-western WA, as recognized by its inclusion on the World Heritage List. The mangrove areas, adjacent shallow waters with seagrass and sponge communities, and the reef comprise parts of critically interconnected nurseries for fish, sharks, and dugong, and home to hundreds of species of sea life. Humpback whales come to nurse their calves and rest during migration, and people also travel here to see dugongs, marine turtles and manta rays and therefore actively support Exmouth's sustainable eco-tourism businesses. As a marine scientist, it is particularly worrying that many of these areas have not yet been thoroughly described or mapped which means that some species could be endangered by industrial development – in fact, there is the potential to cause irreversible environmental impacts. As a result, we need to know more about what is there now in order to adequately regulate any activity or industry.</p> <p>I am also very concerned about the native vegetation and wildlife habitat that would be bulldozed in order to build the service roads and pipe fabrication buildings, as well as two 10 km railway lines. Clearing of native vegetation means a reduction in habitat for mammals, reptiles and birds both in the cleared development “footprint” and in adjacent areas, that may affect their feeding or breeding, which in turn would impact the strength of their community and their ability to respond to stresses on the population due to climate change.</p> <p>The following issues in the SubSea 7 proposal are also of concern:</p> <ul style="list-style-type: none"><li>• Disturbance to productive intertidal and benthic habitats as ballast chains drag through, and then continue to affect shallow marine regions within the highly productive photic zone. Subsea 7 argues that the “offshore Operations Area is composed of low relief (flat) soft sediment (mud) habitat. This habitat does not represent ‘biodiverse’ or ‘structurally complex’ habitat.” However, soft sediment low relief habitat can still contain a significant amount of biodiversity and all habitat is important for the region's productivity, especially as climate change continues</li></ul>	<p>It is noted that approximately 0.69% of the amendment area would be rezoned from ‘Foreshore’ reserve. The majority of area to be rezoned is ‘Rural’ zone (approximately 96.3%).</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>Given the unique characteristics of the development, the Scheme Amendment 1 proposes a Special Use 10 zone to address requirements to ensure development is suitable for the locality. This ensures the zone is more fit-for-purpose compared to a more general zoning, like ‘Industry’ and works to avoid precedence for industrialisation of the Exmouth Gulf. A special use zone is for the purposes of facilitating special categories of land uses which do not sit comfortably within any other zone, and to enable the local government to impose specific conditions with the special use. This is consistent with orderly and proper planning principles.</p> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>Scheme Amendment 1 incorporates conditions for Special Use 10, including details to be addressed as part of a development application, including details for a potable and non-potable water supply; details for waste water treatment; and details for stormwater management.</p> <p>The amendment area does not overlap with the Bay of Rest, the ‘Area 1’ mangroves, or the sparse seagrass habitat mapped to the south of Heron Point.</p> <p>Predicted benthic habitat losses as result of the launch way footprint are as follows:</p> <ul style="list-style-type: none"><li>• Soft sediment (0.2 ha) (&lt; 0.1% of that mapped within the Heron Point local assessment unit (LAU)).</li><li>• Reef with macroalgae (0.3 ha) (0.1% of that mapped within the</li></ul>	<p>The marine impacts will be assessed by the EPA pursuant to the advertised <b>PERD</b> ref: 2208, in conjunction with the <b>ERD</b> reference 2209.</p> <p>Refer to above comment.</p> <p>Noted.</p> <p>This will be assessed by the <b>EPA</b> and the PERD reference 2208 reporting.</p> <p>In part, <b>ERD 2209, attachment K</b> reports on pre-clearing and detailed flora and vegetation and targeted report. The <b>EPA</b> will make an informed decision on this after its assessment.</p>

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	<p>to create uncertainty and negatively affect some areas dramatically during cyclone or extreme warming events. Preserving areas such as this intact build resilience into the ecosystem to recover after an unexpected environmental stress.</p> <ul style="list-style-type: none"><li>• The volume of groundwater to be abstracted – up to 12 ML/year (Section 2.3.2) – will substantially reduce the groundwater for other users, including the environment, given the extremely low annual rainfall in this region (~2.5 cm, BOM <a href="http://www.bom.gov.au/climate/averages/tables/cw_005007.shtml">http://www.bom.gov.au/climate/averages/tables/cw_005007.shtml</a>). The proposal states that “it is not expected that changes in groundwater levels that may result from abstraction of groundwater will impact flora and vegetation.” (p. lv) How is it possible that flora and vegetation would not be impacted in an area with such low annual rainfall? Where is the scientific evidence to support this statement?</li><li>• The large fleet required to launch and transport each pipeline bundle (Section 2.3.8.1) – a command vessel, 3 tug boats, 2 guard vessels, work and support boats – all produce noise, atmospheric emissions, and oil and other ship fluids will leak into this highly-productive and unique marine environment, which creates an unacceptable risk. An actual spill would be catastrophic. Again, it points to the need to find an alternate suitable location for this facility so that there are reduced potential impacts on our shared environment should the unthinkable happen. While the proponent argues that two other sites were rejected, there is no reason to believe that they are the only two alternative sites. In fact, the Onslow area looks to be an ideal location based on the government’s own information (<a href="https://www.jtsi.wa.gov.au/what-we-do/offer-project-support/infrastructure/onslowtown-infrastructure---pilbara/infrastructure">https://www.jtsi.wa.gov.au/what-we-do/offer-project-support/infrastructure/onslowtown-infrastructure---pilbara/infrastructure</a>) and would be closer to the NW shelf.</li><li>• Although the proposal states that the bundle technology represents significant innovation compared to standard offshore pipeline technology, with numerous safety, performance, cost, and environmental benefits (Section 2.4.4), it’s proposed location is unacceptable given the sensitivity of Exmouth Gulf and local region.</li><li>• There are many other negative social impacts including disruption to visual amenity and birdwatching at/near Heron Point and Bay of Rest, both on land and in the nearshore region – and then also along the entire transport route to deep water. Too many areas in WA have already been industrialized – we need to protect this pristine part of Exmouth Gulf and look for alternative ways to create local jobs and increase revenue for the Shire.</li></ul> <p>A major concern is that IF this rezoning occurs and the Subsea 7 development proposal is granted, more related industry will be allowed and/or promoted on the basis that the cost of infrastructure would provide greater financial benefits if there were additional users. It would become another 'self-perpetuating argument' promulgated by the Department of Jobs, Tourism, Science and Innovation, just as the Department of State Development argued in the past for additional industry to be place on the Burrup Peninsula, rather than on the Maitland Industrial Estate (where much less Aboriginal heritage and rock art would have been destroyed.) To prevent that ill-founded logic, it is necessary to stop this proposal now! Proposals that would not be contemplated at Ningaloo Reef are now being actively promoted for Exmouth Gulf.</p> <p>In closing, I return to my original points that the Shire, together with the State and WA citizens, must take responsibility for preserving the biodiversity and richness of Exmouth Gulf for current and future users by retaining the current zoning use of this land. It is past time for accepting the destruction of our shared environment. We can no longer afford to squander our natural resources for the short-term profit of a few companies who provide relatively few jobs over the long term and have had a devastating effect on the State, in terms of creating boom and bust cycles, destroying the social fabric of communities by relying on FIFO workers, and so on. Instead, the Shire along with the State government should be actively supporting Exmouth's sustainable eco-tourism businesses which provide ongoing jobs and help build stronger communities while preserving the natural ecosystem. There are alternative ways to create local jobs and increase revenue for the Shire.</p> <p>We need to preserve Exmouth Gulf’s globally significant biodiversity and promote nature-based tourism rather than industry. If the Subsea 7 proposal were to go ahead, there is a real risk that unintended consequences could imperil the fragile, integrated and highly productive ecosystem. I urge the Exmouth Shire not to rezone the land, for the sake of current and future generations, local indigenous people who are connected to the land and gulf, and the larger global community which depends on us to protect the very special Exmouth Gulf and the Ningaloo Reef World Heritage area.</p> <p>I am opposed to the proposed amendment (Amendment 1) that seeks to rezone up to 440 ha of land in Learmonth (the ‘Amendment area’) from Rural zone and Foreshore reserve to Special Use No. 10 zone. I urge the Shire of Exmouth not to rezone this land and not to support the Subsea 7 proposal to build a Pipeline Fabrication Facility near Learmonth, as this project would unacceptably impact the shallow marine system of Exmouth Gulf and affect the terrestrial and marine biodiversity, as well as the ecological integrity of the system.</p>	<p>Heron Point LAU).</p> <ul style="list-style-type: none"><li>• Pavement reef (0.1 ha) (3.2% of that mapped within the Heron Point LAU) (ER Section 5.1.6.1).</li></ul> <p>Overall the potential cumulative impacts to benthic habitats are low and no impact to biological diversity and ecological integrity is predicted (ER Section 5.1.8). No significant impacts at a local or regional (i.e. wider Exmouth Gulf or Ningaloo Reef) are expected.</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road.</p> <p>Up to 176 ha of native vegetation will be cleared within the amendment area (and within the adjacent road reserve for the Minilya-Exmouth Road) for the development of infrastructure associated with the Proposal (ER Section 5.4.5.1). A large proportion of the pre-European extents of the broad vegetation types within the region (Shepherd et al. 2001) remain:</p> <ul style="list-style-type: none"><li>• Cape Range 117 (Grass steppe – Hummock grassland <i>Triodia</i> spp.) remains at 87.8%.</li><li>• Coastal Dunes 662 (Hummock grassland; shrub steppe; mixed <i>Acacia</i> scrub and dwarf scrub with soft spinifex and <i>Triodia basedowii</i>) remains at 99.6% (ER Section 5.4.5.1).</li></ul> <p>The Development footprint utilises cleared and degraded areas where possible. All significant fauna identified were migratory/marine birds including the Lesser sand plover, Caspian tern, Lesser crested tern and Crested tern. Potential impacts to coastal wader habitat (Fauna Habitat – Beach) are considered very limited, particularly at a regional scale. No fauna breeding sites were identified during surveys (<b>ER Attachment 20</b>) and only minimal numbers of migratory birds were found to use the shoreline adjacent to the amendment area.</p> <p>Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p>	<p>Noted, however shipping activities are covered under different legislation.</p> <p>It is considered that any bundle pipeline produced would be new/clean material and not contain oil/spill materials.</p> <p>Noted.</p> <p>The local government will make its recommendations to the planning Minister based on land use changes as proposed. The major element of the environmental concerns will be assessed by the <b>EPA</b>.</p>
33. ICR35075 30/11	<p><b>Object</b></p> <p>Changing the land use at Heron Point from 'rural' and 'foreshore reserve' to 'special use no 10' is of great concern because the proposed use of the land by Subsea 7 is not consistent with the current zoning in regard to recreational use and amenity, protection of the natural environment and the world renowned biodiversity of the Gulf waters and foreshore.</p> <p>Relying almost exclusively on the data by 360 Environmental, who were commissioned by the proponent, suggests that the Shire considers this proposal is a done deal.</p>	<p>Whilst unlisted uses could be proposed and assessed on their merits under current zoning, applying for an unlisted use would not remove risk to the project until the very end of the planning process – it would be incumbent on a favourable assessment</p>	<p>Noted – given the uniqueness of the proposed project it is reasonable planning protocol to add an element of clarity to such a large potential project, Whilst unlisted uses could be proposed and assessed on their merits under current</p>

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	<p>Systems in nature do not operate in isolation, they are interconnected. The construction and use of this pipe building and bundle launching facility will have impacts FAR BEYOND THE DEVELOPMENT ENVELOPE on water quality, both in the Gulf and in the local groundwater and Karst systems because of sediment disturbance with resulting acidification, and from possible contamination by diesel and chemicals used, especially in the event of flooding which we know occurs fairly regularly in the area, but will be increased because of removal of sand dunes by Subsea 7 to build the launch way There will be foreshore erosion and other problems around the launch way, disturbance of migratory birds and migrating cetaceans, even the possibility of collision with resting humpback whales and calves by the leading tug. Subsea 7 have stated the tugs will take avoidance action 'if practicable'.</p> <p>All of this has the potential to have a negative effect on Ningaloo tourism. People don't come to Exmouth to see heavy industry especially if it is to facilitate the oil and gas industry. Oil and gas companies throughout our Northwest have done without this facility for 50 years, this is purely an opportunistic business proposal by Subsea 7. It is not needed now or in the future.</p> <p>Subsea 7 will not supply enough local jobs to compensate for those lost in the tourism industry if this Scheme Amendment is approved to allow the proposal. This is a serious consideration for the people of Exmouth.</p> <p>I urge the elected councillors of Exmouth Shire to reject this Scheme Amendment</p>	<p>and determination by the responsible decision-making authority. Given the unique characteristics of the proposal, and in consultation with the Shire of Exmouth, Department of Planning, Lands and Heritage, and Environmental Protection Authority, a scheme amendment was initiated as the preferred planning process.</p> <p>A special use zone is for the purposes of facilitating special categories of land uses which do not sit comfortably within any other zone, and to enable the local government to impose specific conditions with the special use. This is consistent with orderly and proper planning principles.</p> <p>Potential environmental impacts associated with the development and operation of the proposed launch way are discussed in detail within the <b>ER</b>. Given the short-term and 'pulse' nature of the expected sediment resuspension during launch way construction, significant changes to water quality, leading to losses of benthic habitats, are not expected. Within the immediate vicinity of the launch way footprint (&lt;50 m) some changes in water quality (turbidity) are expected and this area has been defined as a Zone of Moderate Impact (ZoMI) within which impacts on benthic organisms may occur, but are recoverable within a period of five years following completion of construction. Given the tolerance of the recorded habitats (which are frequently subject to turbid waters during spring tides or onshore wind conditions), any impacts resulting from the up to six months' construction duration are expected to be more short-term (&lt;1 year).</p> <p>No acid sulphate soils have been recorded (ER Attachment 2O) so sediment 'acidification' is unlikely. The risk of spills of diesel during the construction phase will be managed through use of appropriate handling and storage procedures.</p> <p>Subsea 7's proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p>	<p>zoning, applying for an unlisted use would not remove risk to the project until the very end of the planning process</p> <p>The final decision of any scheme amendment resides with the Minister for Planning.</p> <p>The environmental reporting will be considered by the local government and ultimately by the <b>EPA</b>.</p>
34. ICR35076 30/11	<p>Scheme Amendment change do not reflect the Shire of Exmouth stated planning policy in Town Planning Scheme 4 (TPS 4)</p> <ul style="list-style-type: none"><li>• The Shire of Exmouth has a responsibility to its community with regard to changes. The Scheme Amendment process relies almost completely on Subsea 7's documents and during the past year has worked extremely closely with Subsea 7 to enable this project. This is a cause for concern.</li><li>• It is a real concern that the Shire is proposing to rezone this area to be used in a way completely inconsistent with the current local reserve zoning.</li></ul> <p>Important - the sight of large industrial activity reduce the values of the area associated with being a 'wilderness experience' which in turn results with the loss of wilderness values.</p> <ul style="list-style-type: none"><li>• Possibly damages World Heritage values</li><li>• Risk to tourism because of industrialisation.</li></ul>	<p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p>	<p>Local governments are required to collaboratively work with all stakeholders which includes any proponent who puts forward any scheme amendment or development proposal. Substantial work and changes have occurred since the original proposal under Scheme No.3 which have added further requirements and restrictions.</p>



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		The proposed amendment does not overlap with the Bay of Rest, any mangroves or seagrass habitat or the World Heritage Area.	
35. ICR35077 30/11	<p><b>Concerns</b></p> <p>Public comment for a project with the potential to affect such a large number of local stakeholders should be more substantial. Information should be presented in a much more public forum and in clear easy to understand language to allow all stakeholders to gain proper understanding of how the project may impact them.</p> <p>1. Benthic communities and Habitat: Although the footprint proposed by the launching facility may be small in comparison to the Gulf, the location of the site may be of critical importance for the health of the surrounding area. Research into the connection between the coastal area surrounding the site and the bay of rest is insufficient and therefore an accurate assessment of the impact the facility may have on the benthic communities cannot be given with the current information provided.</p> <p>The evidence to prove the impacts on the region as a result of the development has been through computer modelling. There is insufficient data on this region to develop accurate modelling software.</p> <p>2. Coastal Processes: The effect on coastal processes this project may have has been listed as “possible”. This appears a gross understatement. Lessons learnt from the Exmouth marina development and the Coral Bay launching facility should be taken into consideration. The risk to critical shorebird and mangrove communities within the area as a result of the construction of this launch way requires further investigation. Despite sand by-pass plans, the obstruction of natural sand movement and the resulting impacts should be fully understood before this amendment is approved.</p> <p>Further to this the sand build up within the launch way site will have significant impact on the benthic communities and extend well beyond the launch way footprint. The alteration of such an area and how it will affect the currents and wave movement and therefore the ability of benthic invertebrates to maintain diversity through the region needs to be further investigated.</p> <p>3. The development location is adjacent to “Foreshore Reserve” and should only be reclassified if the development is consistent with the “purpose of the reserve”. The evidence so far presented does not prove that the proposal is consistent with the adjacent reserve.</p> <p>As a further concern the proposed area is not supported by any suitable methods for access and egress from the site. Infrastructure to support such a project is not present and the current road access being Manilya-Exmouth Road and Burkett Road are unsuitable to support any increase in heave vehicle movement which may result from the construction and continued use of the area.</p> <p>4. Subterranean fauna: Although there was no evidence of subterranean fauna being found on the actual site, further research needs to be carried out in this area. Plans to draw up to 12ML of underground water from the Cape Range area where significant World Heritage listed subterranean fauna are present and the potential impact on this, must be completed to a satisfactory level before this amendment is approved.</p> <p>5. Storage and management of wastewater and the inherent risk of inundation in the event of a flood or storm surge appears a significant risk and from the information presented there is no evidence to suggest the measures being undertaken will be sufficient. The costs associated with maintaining the dune and floodplains, groundwater and estuaries once the project is underway, does not appear to be taken into proper consideration</p> <p>6. The use of the only other existing launch way in Wick Scotland to determine any possible impacts on the region is dangerous to say the least. The environments are not comparable and neither are the potential impacts to the cultural and social nature of the area. Coastal and intertidal morphology is not comparable, the coastal processes which will be affected will vary significantly between sites and the access and maintenance of each site is vastly different due to the significant road and rail system in place in Scotland compared to the current site in the bay of rest.</p>	<p>The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>Public advertising was conducted in accordance with the <i>Regulations</i>.</p> <p>The Shire’s processing of the Scheme Amendment is to be in accordance with the Planning and Development Act 2005, which requires completion of environmental assessment under the Environmental Protection Act 1986. The Amendment cannot be considered for approval by the Minister for Planning until that occurs.</p> <p>Main Roads WA has been consulted with by Subsea 7’s project team in relation to heavy vehicle configurations and the route. The sightlines along Minilya-Exmouth Road were checked by Main Roads WA which indicated that entry points to the facility were to provide sufficient sight lines, which was accommodated and the acceptable entry points are within the amendment area. Scheme Amendment 1 incorporates conditions for Special Use 10, including details to be addressed as part of a development application, including details for a potable and non-potable water supply; details for waste water treatment; details of access from Minilya-Exmouth Road in consultation with Main Roads WA; and details for stormwater management.</p> <p>Predicted benthic habitat losses as result of the launch way footprint are as follows:</p> <ul style="list-style-type: none"><li>• Soft sediment (0.2 ha) (&lt; 0.1% of that mapped within the Heron Point LAU).</li><li>• Reef with macroalgae (0.3 ha) (0.1% of that mapped within the Heron Point LAU).</li><li>• Pavement reef (0.1 ha) (3.2% of that mapped within the Heron Point LAU) (<b><i>ER Section 5.1.6.1</i></b>).</li></ul> <p>Overall the potential cumulative impacts to benthic habitats are low and no impact to biological diversity and ecological integrity is predicted (<b><i>ER Section 5.1.8</i></b>). There is no evidence to suggest that the habitats adjacent to Heron Point are of particular importance compared to the same habitat types to the north</p>	<p>During the early part of 2019, the EPA publicly advertised the project. However, due to changes proposed this process had to produced more reporting and was subsequently advertised in the form of the Environmental Review (<b>ER</b>) document – Local Government, and the Public Environmental Review (<b>PER</b>) which primarily address the operation impacts of a given project. Additionally, there was drop in public sessions held at the shire, extensive advertising was undertaken and all available report were made available to the public.</p> <p>The environmental elements of concern are address in the <b>ER</b> documentation as noted by the consultant’s comments opposite.</p>

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		<p>and south. No significant impacts at a local or regional (i.e. wider Exmouth Gulf or Ningaloo Reef) are expected.</p> <p>The coastal hazard risk assessment was completed in accordance with State Coastal Planning Policy (SPP 2.6; WAPC 2013). The studies associated with the future development of the launch way predicted no significant impacts to the local wave or current conditions (<b>ER Section 5.2.6.2</b>). No significant indirect impacts to longshore and cross-shore sediment dynamics are expected. Sediment transport along this section of the coastline is predominately from north to south and over the longer-term an accretion on the northern side of the launch way would be expected (ER Section 5.2.6.3). Sediment deposition on the northern side of the launch way would temporarily impact the quantity of sediment available to the south. However, the response of the southern shoreline will be limited by the presence of rock on Heron Point and along the shoreline further south. Due to the presence of this rock, limited changes to the shoreline are expected to the south of the launch way. Any changes that do occur are likely to be limited to a narrowing or possible loss of the small perched beach formations that exist seaward of the onshore rock platforms and bluffs (ER Section 5.2.6.3). The assessment included consideration of the potential impact of a significant beach erosion event (i.e. 100-year storm), the potential for continuation of observed trends in shoreline movement, the impacts of sea level rise and included a provision for uncertainty (an additional allowance of 0.2 m/year) (ER Section 5.2, ER Attachment 2D). Sand bypassing is nominated by Subsea 7 as a potential management measure to alleviate any issues relating to the local interruption of sediment transport.</p> <p>No direct loss of stygofauna individuals or habitat will occur as a result of the construction of onshore infrastructure as the proposed excavations are shallow (up to 1 m), so will not impact stygofauna habitat, and will mainly occur in areas unlikely to support stygofauna. Groundwater abstraction is not proposed within or adjacent to the amendment area.</p> <p>No wastewater storage is proposed as a part of the Proposal.</p> <p>The possibility of inundation of inland areas due to dune removal and possibility of dune destabilisation has been considered and assessed. Wapet Creek is currently connected to the salt flats inland from the site and this area would be at least partially inundated prior to any breach of the launch way cut. Nevertheless, for more severe events, or those that cause more rapid fluctuations in sea level, the ingress of seawater through the launch way cut could occur, potentially resulting in scour of the adjoining area (ER Attachment 2D). Such an event might be associated with the nearby passage of a cyclone. Following any event that causes significant re-profiling of the dune system during the operation of the Proposal (when the cut is in place), the dune structure would be reinstated by Subsea 7, and the cut embankments stabilised. No long-term impacts to dune stability are expected as a result of the development of the</p>	

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		Proposal. At the end of the service life of the facility, the dune will be reinstated and monitored for stability by Subsea 7.	
36. ICR35078 30/11	<p><b>Object</b></p> <p>I would like to express my concerns regarding the local planning scheme amendment and the potential approval of Subsea 7’s pipeline facility. It’s not hard to see that the cons outweigh the pros. A handful of people will benefit financially at the cost of environmental processes, the effects of which, environmentally and subsequently financially, have not been sufficiently investigated. Of particular concern are the launch and tow operations that involve dragging chains along the seabed causing structural damage and the associated increased water turbidity from vessel operations. Another concern are additional developments which we are unaware of that may be approved down the track. For example, the rumours of a deep-water port.</p> <p>Exmouth’s greatest asset, the reason I live here, is its pristine marine environment. Low impact eco-tourism is booming and has been growing significantly year after year. This is the way forward for Exmouth and should be our focus. To potentially jeopardise this for financial gains is unacceptable.</p> <p>In life there are needs and wants. While a handful of people may want this to go ahead, they do not need it. I certainly do not want or need it. Exmouth is doing great without it and does not need it. I have heard and even considered the arguments that much worse has already happened. E.g. trawler operations and marina development. This may be the case but is not a reason to make this proposal acceptable. Moving forward we need to minimise negative environmental impacts wherever possible and I object to the local planning scheme amendment.</p>	<p>The Scheme Amendment documented its consideration against relevant economic, social, cultural and environmental matters as part of the rezoning.</p>	<p>As with any development project, the environmental reporting will be assessed and the statutory planning legal framework will be followed, and only after such time will the local government make it recommendations to the Planning Minister. The final decision on the proposal however rests with the EP Minister.</p> <p>Noted.</p> <p>Noted and agree that potential adverse effects require mitigation and management.</p>
37. ICR35079 30/11	<p><b>Object</b></p> <p>I disagree with the Shires submission to rezone the land at Heron Point from Rural to Special Use, to allow Subsea 7 to build their pipeline facility.</p> <p>This area should stay as Rural to ensure the existing environment stays intact.</p> <p>The gulf is vital to the health of the Ningaloo Reef. Tourism is one of the main money makers for Exmouth.</p> <p>This proposal will damage 5700 square meters of shoreline and 18 MILLION square meters in the Gulf. This is irreversible damage. The World Heritage area will be under threat.</p> <p>Exmouth is one of the top holiday destinations in the world, why would you want to wreck it by opening the door to industrialisation? Tourists come to Exmouth because of the way it is, its slow pace and its beautiful, relatively untouched environment. I have been working and living on the Ningaloo for the last 7 years in the tourism industry and I DO NOT approve of this proposal or the Subsea 7’s pipeline facility. It concerns me that the Exmouth Shire is even considering approving anything to do with Subsea 7. It will wreck the town of Exmouth and it will put jobs like mine at risk.</p> <p>Exmouth should be leading the way in Eco tourism, renewables and sustainability. We don't want Exmouth to become another Karratha or a Port Hedland.</p> <p>I urge you to object this project entirely. Say NO to Subsea 7.</p>	<p>Whilst unlisted uses could be proposed and assessed on their merits under current zoning, applying for an unlisted use would not remove risk to the project until the very end of the planning process – it would be incumbent on a favourable assessment and determination by the responsible decision-making authority. Given the unique characteristics of the proposal, and in consultation with the Shire of Exmouth, Department of Planning, Lands and Heritage, and Environmental Protection Authority, a scheme amendment was initiated as the preferred planning process.</p> <p>A special use zone is for the purposes of facilitating special categories of land uses which do not sit comfortably within any other zone, and to enable the local government to impose specific conditions with the special use. This is consistent with orderly and proper planning principles.</p>	<p>Noting that the proposal is not that of the shire, the shire is assessing the proposal jointly with the <b>EPA</b>.</p> <p>Noted.</p> <p>The <b>EPA</b> will make the environmental assessment.</p> <p>It is noted that there is a fine balance to be maintained in a fragile environment.</p> <p>Noted.</p> <p>The shire has been in discussions of late in review and renewables.</p>
38. ICR35081 30/11	<p><b>Comment</b></p> <p>This amendment to change the zoning of land around the proposed subsea 7 area. Is against the large majority of residents of the Exmouth region. The subsea 7 proposal is not for the Exmouth Gulf. The town has such an amazing opportunity to be a part of the renewable future creating more jobs than subsea 7 and jobs that last longer into the future.</p>	<p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019, and it has been observed from those meetings that there is support within Exmouth for the project.</p>	<p>Noted and noted that community engagement was undertaken extensively.</p>
39. ICR35083 30/11	<p><b>Comment</b></p> <p>We need to think about the future of this amazing place. Once the damage is done we can’t undo it.</p>	<p>Noted.</p>	<p>Noted.</p>
40. ICR35082 30/11	<p><b>No Objection</b></p> <p>Thank you for consulting with Main Roads on the proposal to amend the above Local Planning Scheme by:</p> <p>1. Rezoning Part of Lots 233 Minilya-Exmouth Road and Part of Lot 1586 Minilya-Exmouth Road, Leamouth from ‘Rural’ to ‘Special Use 10’;</p> <p>2. Reclassify Lot 234 on Plan 193858 and part of Unallocated Crown Land from ‘Foreshore Reserve’ to ‘Special Use 10’;</p> <p>3. Rezoning part of Lot 235 on Plan 193858 from no zone to ‘Special Use 10’;</p>		

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	<p>4. Amend the Scheme Map accordingly;</p> <p>5. Amending ‘Scheme 4 – Special Use Zones’ to include SU10 and the relevant conditions.</p> <p>Main Roads has no objection to the proposed scheme amendment and wishes to advise on amending the wording to condition e);</p> <p>e) Completion of a ‘Traffic Impact Assessment’ to the satisfaction of Main Roads, to determine access arrangements onto the Exmouth Minilya Road.</p> <p>In regard to the amended wording, Main Roads provides the following advice;</p> <p>Main Roads recommends the applicant should contact Main Roads as early as possible to further scope the work required to compete the Traffic Impact Assessment (TIA) to Main Roads satisfaction. The TIA shall be accompanied with a 15% Design. To date there have been initial discussions with the applicant’s consultants in regards to access locations and heavy vehicle route planning.</p>	<p>Main Roads WA has been consulted with by Subsea 7’s project team in relation to heavy vehicle configurations and the route. The sightlines along Minilya-Exmouth Road were checked by Main Roads WA which indicated that entry points to the facility were to provide sufficient sight lines, which was accommodated and the acceptable entry points are within the amendment area. Scheme Amendment 1 incorporates conditions for Special Use 10, including details to be addressed as part of a development application, including access from Minilya-Exmouth Road in consultation with Main Roads WA.</p> <p>The recommendations of Main Roads WA would be appropriate for consideration as a modification to the amendment.</p>	<p>Noted.</p> <p>Amendment of condition 3 (e) will be included in a final recommendation presented to Council.</p>
<b>41. ICR35084 30/11</b>	<p><b>Object</b></p> <p>I object to the proposed rezoning near heron point. The area around heron point holds huge ecological significance and is entwined with the health of the Ningaloo reef. Rezoning the land would open it up to industrialisation and impact the environment negatively, as well as the booming tourism industry already established in the area.</p>	Noted.	The environmental reporting of the <b>ER</b> and <b>PER</b> will inform the outcome and final Ministerial decision.
<b>42. ICR35085 30/11</b>	<p><b>Object</b></p> <p>As a regular visitor to Exmouth, I highly object to the change of land use and zoning from ‘Rural’ and ‘Foreshore Reserve’, to proposed ‘Special Use No. 10’.</p> <p>I believe that this is not taking the environmental impacts into consideration, nor is it considering the impact that this change in land use will have on the aesthetic and tourism impacts that this will have.</p> <p>There are places along the coastline where industry should be located but along the Exmouth Gulf is not one of them.</p> <p>This is a place of high biodiversity values, unique in the world for the marine abundance found along the coastline of Exmouth Gulf. Please do not allow this land use change to be implemented. We need to protect wild places like this for the future and for the values it holds as a place that does not have industrial development along it’s coast.</p> <p>The Exmouth Gulf is a unique and wild landscape and people all over the world want to be able to experience a beautiful place such as this. The value of tourism for Exmouth cannot be under estimated.</p>	<p>Section 2.1.1 of the Scheme Amendment 1 report discussed site selection. Site selection was discussed for due to the essential characteristics for the facility, including a 10 kilometre long stretch of straight and flat land for the pipelines to be fabricated and conveyed; gentle sloping aspect of the landform to the ocean, a sandy beach and an acceptable seabed profile for launches; and a sheltered coastal location to mitigate against wind, waves and swell. Sites with the characteristics required for the project are very limited and the number of sites that are in proximity to a town and other facilities are almost non-existent. After an extensive site selection process, Learmonth was the only site investigated that met the essential criteria for the proposed development. As an additional benefit, Learmonth is close to a population centre for a commuting workforce. The project site is also within viable distance to oil and gas fields. There are no sensitive land uses in proximity to the project site.</p>	<p>Noted.</p> <p>The <b>ER</b> and <b>PER</b> environmental reporting does indeed take into consideration the environmental impacts which will inform the final decision by the relevant Ministers.</p> <p>Noted.</p>
<b>43. ICR35086 30/11</b>	<p><b>Concern</b></p> <p>I am writing to voice my concerns about the proposed Scheme amendment for Subsea 7’ development.</p> <p>I would hope Exmouth Shire council has better vision for Exmouth than to allow industry like Karratha and Port Hedland in the Gulf. Having worked in the oil and gas industry, I know the power these multinational companies have over the small naive towns they are developing. They virtually control the towns once they are established.</p> <p>It seems like Exmouth Council wants this to go ahead and this is a concern to me. I don’t believe the whole town’s views have been considered and accommodated regarding this development.</p> <p>We live in an incredibly pristine and unique place and I cannot believe this proposal is even being suggested.</p> <p>Please look at the bigger picture and do not allow the proposed scheme amendment to go ahead, therefore stopping the proposed Subsea7 development.</p>	<p>The scheme amendment proposes to rezone the land to ‘Special Use 10’ which provides for three land uses: marine support facility, pipeline fabrication facility, and telecommunications infrastructure. Oil and gas development, if not subject to the Mining Act or a State Agreement Act, would be interpreted to be an ‘Industry’ use, which is not a use listed in Special Use 10.</p> <p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019, and it has been observed from those meetings that there is support within Exmouth for the project.</p> <p>The amendment area is located partially on Lot 233 (P219618) and Lot 1586 (P72986), which are subject to the Exmouth Gulf</p>	The local government assesses the planning facts related to the proposed land use element. The overarching environmental impacts will be assessed by the <b>EPA</b> .

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		Pastoral Lease. As such it has been grazed (by sheep) for many years and is crossed by fences and access tracks. A gas pipeline also runs parallel to the Minilya-Exmouth Road. It is not a ‘incredibly pristine and unique place’.	
44. ICR35087 30/11	<p><b>Object</b></p> <p>I have read the proposal and have concerns not only with the potential impact of the marine environment but also specifically the land-based rezoning from Rural to Special Purpose.</p> <p>I am against a further industrial node given the existing and expanding areas in the last 20 years. We have seen the opening of the Ingham St industrial area, the rezoning of Kailis area for future development of a lay down yard and now further south so close to the bay of rest another industrial development. (points 8/9/10) This new area was not included in the strategic intent and does not expand the existing industrial areas, nor do I think this is an "appropriate location". There is a significant difference in the amount of infrastructure in this development versus continuing use for rural development. Isn't there currently consideration for Wilderness camping in the existing pastoral lease for the promotion of tourism which this development would ruin the wilderness experience?</p> <p>This year has seen a record number of tourists to our area, drawn to the uniqueness of the Ningaloo Reef and the spectacular unspoilt beauty of the Exmouth Gulf. We were voted the top tourist town for 2019 and only this weekend my visitors from the UK were raving about how spectacular the view was flying in and seeing no development on the landscape and the beauty of the bottom of the gulf. The proposal addresses the visual impact from land by mentioning 100m setbacks but it does not address the visual impact to visitors flying in as it is right on the approach path to land at Learmonth. Which sets the stage for their holiday experience.</p> <p>The Shire is quoted in regards to the Strategic planning that it acknowledges the community values for retaining and protecting important view sheds and areas of natural or ecological importance. I believe that the bottom of the Gulf is one of those areas that should be protected from development. There has not been enough research down on the bottom of the Gulf to contradict the belief that this is the nursery that drives our Ningaloo Reef nor the impact of unique wildlife. The Shire has indicated that a priority should be supporting future research to understand and protect our region, indicating such by recently entering into the Peppercorn lease with Minderoo's Flourishing Oceans Institute to attract world class leading researchers. In that decision we were asked the question could we afford not to offer this lease versus the benefits. In this rezoning of this land I asked the question can we afford TO? Without enough research and knowledge of the area to irrefutably guarantee that there will be no impact can we afford to take the risk. Too many of us residents live here because of the untouched beauty of the area, the lack of industry and rely on the tourism/fishing industry for our income. I am conservative in nature and do not wish to take this risk so thus object to this proposal.</p>	<p>The land immediately surrounding the Scheme Amendment area is zoned ‘Rural’, and a number of small-scale tourism land uses are discretionary including bed and breakfast, camping ground, holiday accommodation, holiday house, and nature-based park. Surrounding land is subject to a pastoral lease, and pastoral leases can achieve pastoral related tourism under a permit. Once tourism goes beyond pastoral-related tourism, a general lease and addressing Native Title and separation from a pastoral lease would be required. A general lease would need road access (gazetted road or easement), and would be released to the public for bidding.</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>Subsea 7's proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline, including from the air, is not expected.</p>	<p>The proposal will be assessed on its planning merits under the legal framework by the shire whilst the environmental component will be assessed under the EP Act by the <b>EPA</b>.</p> <p>It is considered the key element of change, primarily as viewed only from a south approach aircraft landing, would be that of the construction buildings located to the south and inland from the Learmonth airport &amp; south of the observatory. In addition, it is noted that there would be a visual window of visual impact during any launch whereby infrastructure around the beach would affect the viewshed, it is considered that boat/ship activity would have little impact to the visual amenity to that of the existing.</p> <p>It is considered that future development pockets would be visible from the air, the two main pockets being structure/s on the coast and to the south of the airport and to the east side of Minilya-Exmouth Road, it is noted however that there are numerous existing structures i.e. defence structures, observatory etc. within flight path approach view shed, in part, the adverse visual amenity impact might be addressed from some tree planting, however this would not eliminate the impact entirely. However, on balance, it is considered that the visual impact would not significantly affect the existing view and there might be opportunity to consider tree planning to offset this in part during any future development application stage.</p>
45. ICR35088 30/11	<p><b>Object</b></p> <p>Object. We need to protect the tourism draw.</p>	Noted.	Noted.
46. ICR35089 30/11	<p>Object</p> <p>Leave the bottom of the gulf untouched for all to enjoy its natural beauty. I am against industrialisation of the gulf, we have enough industry further north. I don't think the economic benefits of a couple of jobs outweigh the potential loss of a unique wilderness area. It is not like it won't be seen given it is right on the flight path for landing into Exmouth.</p>	Subsea 7's proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the	A balanced recommendation will be made by the local government and the <b>EPA</b> will thoroughly assess the environmental impacts.





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	<p>o Changing the inland water flows of the coastal plain from construction has the potential to impact the mangroves and waterways in the long-term.</p> <ul style="list-style-type: none"><li>• Potential damage to the World Heritage listed Cape Range Karst system. Subsea 7 found stygofauna in the area, but not within the Development Envelope. Stygofauna exist in extremely small ‘tubules’ in the soil that can be only centimetres big. There is not enough evidence to support the assumption that the subterranean waterways are not going to be impacted by this development. More work needs to be done before a risk like this is taken. Other potential impacts to the subterranean waterways include pollution of waterways from chemical spills; or drawing too much water from the system</li><li>▪ Climate change hasn’t been given any consideration. The impact of climate change on mangroves, benthic habitats, marine life, migratory birds, should have been taken into consideration here. The environment of Exmouth Gulf has an important role to play in providing habitat for many endangered species. The Gulf’s heat-resistant corals are likely to become increasingly important as sea temperatures rise.</li></ul> <p><b>Social impacts</b> from:</p> <ul style="list-style-type: none"><li>• restricted access on days when launching and towing is occurring. These are likely to be the same good-weather days that locals and visitors want to use the area for recreation. This includes exclusion for consecutive days at the Heron Point area, as well as a rolling exclusion zone throughout the Gulf until the operation is complete.</li><li>• Even outside of launch operations access to Heron Point and Bay of Rest will be constrained – i.e., users will have to travel through the SS7 site and be subject to control. Tracks will be <i>inside</i> the site and subject to control and surveillance by SS7.</li><li>• Visual impacts associated with the presence of large industrial activity, vessels, equipment and Bundle towheads visible from the beach that reduce the values of the area associated with being a ‘wilderness experience’.</li><li>• Tourism impacts associated with the loss of wilderness values that drive the Exmouth Gulf charters – including operations that occur during humpback whale season (July to the end of November). This includes visual amenity and loss of economically important environment. SS7 can still operate for 40 weeks of the year – most of the tourist season</li><li>• Fishing charters that utilise Heron Point because it is an area special to catch and release operators</li><li>• Aquarium collector has identified Heron Point as a place of importance regarding filter feeders.</li><li>• The risk of damage to World Heritage values</li><li>• Risk to tourism branding as a result of industrialisation. This includes the natural beauty and aesthetic values that have earned this area iconic tourism status</li></ul> <p><b>Scheme Amendment changes</b></p> <ul style="list-style-type: none"><li>▪ do not reflect the Shire of Exmouth stated planning policy in Town Planning Scheme 4 (TPS 4)</li></ul> <p>The Shire of Exmouth has a responsibility to its community with regard to changes that impact social amenity, health and wellbeing. The Scheme Amendment process relies almost completely on Subsea 7’s documents and during the past year has worked extremely closely with Subsea 7 to enable this project. This is a cause for concern.</p> <ul style="list-style-type: none"><li>• TPS 4 is supposed to promote development that is consistent with the planning objectives and recommendations in the Local Planning Strategy. This should take into consideration public health, conservation of the natural environment, improvements in lifestyle and amenity. Amendment doesn’t reflect this.</li><li>• The Foreshore Reserve zones are set aside to provide protection of natural values; to enable a range of recreational uses, cultural and community activities; to promote community education of the environment; uses that are compatible with or support the amenity of reservation.</li><li>• It is a real concern that the Shire is proposing to rezone this area to be used in a way completely inconsistent with the current local reserve zoning.</li><li>• The rezoning is not consistent with the Rural zone objectives either. These objectives are supposed to demonstrate benefit that are compatible with the surrounding rural uses.</li><li>• Special Use No. 10 is not consistent with the objectives of LPS 4. The Shire Of Exmouth want to amend the LPS 4 to include the definition of “Pipeline Fabrication Facility”. However, Special Use No. 10 does not event permit a marine support facility or telecommunications infrastructure unless the Shire exercises its discretion and grants this. The changes to the definition are not consistent with the zoning or with the LPS 4 objectives.</li></ul>	<p>Department of Defence could also restrict access to Learmonth RAAF Base / Airport, which also would impact tourism.</p> <p><b>Scheme Amendment changes</b></p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p>Whilst unlisted uses could be proposed and assessed on their merits, applying for an unlisted use would not remove risk to the project until the very end of the planning process – it would be incumbent on a favourable assessment and determination by the responsible decision-making authority. Given the unique characteristics of the proposal, and in consultation with the Shire of Exmouth, Department of Planning, Lands and Heritage, and Environmental Protection Authority, a scheme amendment was initiated as the preferred planning process.</p> <p>It is predicted that sand would accumulate along the northern side of the launch way, above the low tide mark, until sediment on the beach berm starts to move across the structure. Due to the temporary reduction in sand migrating to the shoreline to the south, some narrowing or possible loss of the small perched beach formations to the south of the launch way could occur. Given the relatively slow rates of sediment transport and the monitoring and management to be implemented by Subsea 7, the environmental values of the coast will be protected.</p> <p>Wapet Creek and the connection of this system to the salt flats inland from the site already provides an avenue for ingress of seawater during extreme events. It is expected that this area would be at least partially inundated prior to any breach of the launch way cut. Nevertheless, for more severe events, or those that cause more rapid fluctuations in sea level, the ingress of seawater through the launch way cut could occur, potentially resulting in scour of the adjoining area. Such an event might be associated with the nearby passage of a cyclone. Following any event that causes significant re-profiling of the dune system, Subsea 7 would be required to reinstate the dune structure and stabilise the cut embankments stabilised.</p> <p>The mangroves along the south-western end of Exmouth Gulf are described in the EPA’s Guidance Statement 1 (EPA 2001) as ‘Area 1: Bay of Rest’ and are classified as being of ‘Very High’ importance (ER Attachment 2A). The amendment area does not overlap with the Bay of Rest or the ‘Area 1’ mangroves.</p> <p>No direct loss of stygofauna individuals or habitat will occur as a result of the construction of onshore infrastructure as the proposed excavations are shallow (up to 1 m), so will not impact stygofauna habitat, and will mainly occur in areas unlikely to</p>	<p>Noted and concur with the proponents’ comment in relation to the mangrove systems to the south.</p> <p>In relation to stygofauna, significant reporting was presented in the <b>ERD ref: 2209</b> Attachments 2L, 2M and 2N, commentary is provided in the <b>ER report, s.5.5</b> and <b>figure 5-17</b> showing location of Stygofauna sampling Bores within and adjacent to the Amendment area.</p> <p>The nearest public access from Minilya-Exmouth road to the Gulf coast is via Learmonth Jetty access road located approximately 6km north of the subject site. It is considered that with an estimated 3 launches per year at 36 hours per launch, the restricted access equates to an overall yearly access loss of 1.2%, this could be managed appropriately and considered a relatively minor matter and not surmountable.</p> <p>The water-based launch component is relation to possible boating/shipping obstruction, is considered a small-time component with the primary operations taking part on land.</p> <p>The environmental reporting has primarily been managed by MBS Environmental, an independent environmental consultancy company employed by Subsea7 and its consultants to provide an independent review of the proposed project. The reporting will be thoroughly scrutinised by the <b>EPA</b> and cross-referenced and/or reviewed if required.</p> <p>A special use zone is only considered where a unique land use cannot comfortably fit within any existing zoning. Any development within a special use zone would require both a development application to the local authority and a works approval application to the <b>EPA</b>. Decision making will be based on facts and scientific data/reporting.</p> <p>Any Special use zone consideration will not generally be consistent with any local planning scheme in that it</p>

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	<ul style="list-style-type: none"><li>• The rezoning do not reflect the long-term planning strategies for the Ningaloo Coast or World Heritage Area values, that include sustainable development and planning for the future, particularly with regard to climate change impacts for people and the environment.</li><li>• The Shire of Exmouth has a responsibility to its community with regard to changes that impact social amenity, health and wellbeing. The Scheme Amendment process relies almost completely on Subsea 7's documents and during the past year has</li></ul>	<p>support stygofauna. Groundwater abstraction within or adjacent to the amendment area is not proposed.</p> <p>To maintain the current accessibility to this area of Heron Point, Subsea 7 proposes that no access restrictions to the launch way area will be in force for the large majority of the site operation. To provide for ongoing access to Heron Point and the Bay of Rest a launch way crossing has been incorporated into the launch way design that allows off-road vehicles to safely drive over the launch way. The crossing will be of a low-profile design that is not prohibitive for any 4WD vehicle that is able to drive on the beach. The launch way area will have an access restriction imposed during Bundle launch activities. This is expected to be for 1-2 days per launch, for an average of two launches per year (and not more than three). Notices regarding any upcoming launches will be well publicised and communicated to ensure that this closure is well understood. As an additional measure, signage will also be erected in the approaches to the beach crossing to ensure that the temporary closure is known. During launch operations, access to the Bay of Rest will be maintained via an alternative access route. At present, there is direct access to the Bay of Rest from Minilya-Exmouth Road via an access track that extends across the proposed infrastructure alignment. To ensure continued access, Subsea 7 will create a new access track that runs from Minilya-Exmouth Road, to the intersection of the existing track and the Bundle tracks, running parallel to the Proposal site (refer ER Figure 5-28). This will not lead to 'control' or 'surveillance' of track users.</p> <p>An LVIA was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance ((WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (<b><i>ER Attachment 2R(1)</i></b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal's fabrication facility will be visible from along the Minilya-Exmouth Road (<b><i>ER Attachment 2R</i></b>). The Proposal's launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b><i>ER Attachment 2R</i></b>).</p> <p>Subsea 7's proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area.</p>	<p>normally involves a land use that cannot readily be accommodated within any existing zones. The proposed new use 'Pipeline fabrication Facility' is relatively unique and specifically only for the purpose of the SubSea7 proposed operations.</p>
50. ICR35096	Object		

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30/11	<p>Please see attachment for a few points as to the reasons for my objection.</p> <p>Please consider all submissions with an open mind, so if this Development is ever approved, that all legislation is adequately in place to ensure it's done "right" in such a special natural place.</p> <p>I've left myself short of time to complete this with absoluteness, however my parting thought is that please apply the "Precautionary Principle" in regards to any doubts as to environmental impact.</p> <p>Lastly, Thank you for regarding my submission:</p> <p><i>Existing Zoning- Foreshore Reserve</i></p> <p>I disagree with the statement on the Proponents application in regards to the change in zoning from Foreshore reserve to Special Use, that "it is considered the proposal has a negligent impact on the 'Foreshore' reserve." Even though there is only a small land requirement, for the launch way, it is the interruption to the natural coastline strip that is undesirable and of significantly more than a 'negligible' impact as the proponent claims. The 'Foreshore reserve' is used for the specific objectives outlined in the LPS 4, being</p> <p>"to provide for a range of active and passive recreation uses....and uses that are compatible with and/or support the amenity of the reservation".</p> <p><i>State Planning Policy 2.6 Coastal Planning Policy.</i></p> <p>This Policy is clear in its objectives, with objective 2 the only one to reference commercial development, but stresses that the coast b used for <b>sustainable</b> development. This is not a sustainable development to a coastline. The negative coastal impact potential is considerable, and irreversible.</p> <p>In addition, the Coastal Hazard Risk Management and Adaptation has not been addressed. By stating the "coastal hazard risks will be determined at a later date" (Scheme Amendment Request p4) does not sell the rezoning as a reliable change, especially with the reassurance that Subsea 7 has 40 years' experience, which is all based in Scotland, a landscape vastly different and not comparable in the least with that of Exmouth Gulf.</p> <p><i>State Planning Policy 6.3 Ningaloo Coast</i></p> <p>This states that one of its key objectives is to "preserve and protect the natural environment". The fact that such high-level scrutiny from the EPA has been demanded by the public and State Agencies, is an indication that this area does have environmental values worth protecting. I urge the Local Council to reject the rezoning application, until such time that the EPA has given an affirmation that all the Fauna Management and Risk Mitigation plans proposed by the proponent are accurate. The impression I gained from reading the ERD is that Subsea 7 feels the impacts are mostly insignificant. This is worrisome as often the conclusions were not based on reliable data, due to the fact that this data is not available, e.g. Benthic communities.</p> <p><i>Proposed Rezoning Conditions</i></p> <ol style="list-style-type: none"><li>1. Setback is inadequate. If this development is approved, the least we can do is respect our tourists right to enter our town without new industrial eyesore to digest. The existing industrial infrastructure along Exmouth-Manilya Road has historical value and a contribution to tourism. New industry amenity just devalues nature-based tourism, the core industry for our town. Setback should be behind dunes or out of sight from the Main Road.</li><li>3. The DA requirements for the local government satisfaction- this is not nearly specific enough. There needs to be standards for adhering to in all of these conditions. It is my advice that There are clearly named Regulations for conditional approval before the rezoning is allowed. If this development goes ahead, there cannot be any grey areas as to how these aspects (a-g) are managed.</li></ol>	<p><i>Foreshore reserve</i></p> <p>It is understood that anecdotally the Exmouth community tend to drive along the Exmouth Gulf to access areas near the project site for fishing and other coastal recreation. Subsea 7 has indicated a launch way crossing in to the site to ensure access is maintained. During a launch, crossing is not likely to be possible, and a launch is understood to occur over the duration of one day.</p> <p><i>SPP 2.6 Coastal Planning Policy</i></p> <p>A coastal hazard risk assessment was undertaken in respect of coastal processes.</p> <p><i>SPP 6.3 Ningaloo Coast</i></p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p>The Shire of Exmouth adopted Scheme Amendment 1 and it has been advertised in accordance with the Regulations. The Amendment cannot be considered for approval until a decision has been made in respect of the Environmental Review and conditions, if any, are to be incorporated with the scheme amendment. The Amendment is not an approval of any development, but to rezone the land.</p> <p><i>Rezoning conditions</i></p> <ol style="list-style-type: none"><li>1. The 100m setback is consistent with Local Planning Scheme No. 4.</li><li>2. The Special Use zone conditions are not to be read exclusively; they are to be read in conjunction with the Local Planning Scheme No. 4 and the Deemed Provisions.</li></ol>	<p>Noted.</p> <p>This element will be assessed by the <b>EPA</b>.</p> <p>It is considered that coastal risk management and reporting would normally form part of the development process should this matter progress that far.</p> <p>There is an 100m viewshed requirement to be addressed with the Local Planning Scheme, <b>CL5.7 – Special Control Area 6</b>.</p> <p>For projects proposals such as this there are two main conditional / regulated components, 1) development application and associated conditions and 2) <b>EPA</b> Works / Operational licencing and associated conditions.</p>

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		A coastal hazard risk assessment has been completed in accordance with State Coastal Planning Policy (SPP 2.6; WAPC 2013). The assessment included consideration of the potential impact of a significant beach erosion event (i.e. 100-year storm), the potential for continuation of observed trends in shoreline movement, the impacts of sea level rise and included a provision for uncertainty (an additional allowance of 0.2 m/year) ( <b>ER Section 5.2, ER Attachment 2D</b> ).	
51. ICR35097 30/11	<p><b>Concerns</b></p> <p>Recfishwest place the highest priority on preserving the future of recreational fishing experiences and the aquatic environment these experiences depend. Western Australian recreational fishers contribute over \$2.4 billion each year into the W.A. economy with interstate and international visitors also injecting a considerable amount of additional money in important tourism areas such as Exmouth.</p> <p>Most nations around the world contain specific areas of importance that are considered sacred and special. In Western Australia, Exmouth and surrounding waters is one of these areas. With its fish rich shallow waters, mangrove lined creek system, numerous shoals and scattered reefs the fantastic fishing and wilderness experiences on offer in Exmouth Gulf are world class. The Gulf is one of the state's few remaining accessible wilderness areas in Western Australia. This area attracts dedicated sports fishers from around the country and around the world.</p> <p>Extremely high biodiversity within the Exmouth Gulf provides unique opportunities for fishers. Within the Gulf there are many islands, shallow flats and reef that hold a wide array of popular species and fishing opportunities. On the eastern side of the gulf is an abundance of pristine mangrove creeks that hold prized sportfish such as barramundi, mangrove jack, giant herring and queenfish. The Gulf's eastern shores have also been recognised by the Commonwealth government as a nationally important wetland.</p> <p>The intertidal systems of the Gulf contain numerous important recreationally targeted species including trevally, flathead, whiting and mud crabs. The deeper waters of the Gulf harbour prized demersal species such as coral trout, red emperor, blue-bone, various cods as well as multiple species of crustaceans.</p> <p>The pelagic sports fishing opportunities of the Gulf are also world class. Sailfish are plentiful in late spring as they feed on the tonnes of baitfish that aggregate in the Gulf. Juvenile marlin has also been regularly encountered right up in the shallows. January 2018 saw an Australian first when a Blue Marlin "grander" (the name given to a fish weighing more than 1000 pounds) was caught in Exmouth cementing Exmouth's reputation as a "bucket list" destination for fishers from around the world.</p> <p>Since the early 2000's, the Gulf has seen a significant growth in flats-fishing including catch and release fly fishing for highly sought-after species such as Permit, Bonefish and Giant Trevally. Opportunities such as this are rare in Australia and currently the south-west portion of Exmouth Gulf is the only area in Western Australia that is able to offer this experience. Fishing tours tailored to this experience are dependent on this area continuing to produce high abundances of the fish and satisfying a genuine wilderness experience.</p> <p>The Bay of Rest contains one of the most accessible mangrove systems in the Gascoyne with the current track off the Minilya -Exmouth Road allowing people to drive right to the lower reaches of Wapet Creek or launch a dinghy off the shore right into the Bay of Rest where fishers can catch a wide variety of popular species. Nowhere else in W.A. offers the same level of access to this particular experience.</p> <p>In addition to the expected seabed disturbance of up to 1,817.7ha Recfishwest is concerned the Subsea 7 proposal will reduce access to this area and adversely impact the highly valued wilderness experiences the area currently provides. While the Subsea 7 proposal has stated that current access to Heron Point would be maintained via a launch way crossing there remain access issues that a simple launch way crossing will not be able to solve.</p> <p>Heron Point is often used to access the Bay of Rest along the narrow-perched beaches to the South of the proposed launch area. The Coastal Processes Assessment (Attachment 2D) provided as part of the Environmental Review documentation has stated that shoreline erosion as a result of this proposal is likely to involve <i>a narrowing or possible loss of the small perched beach formations that exist seaward of the onshore rock platforms and bluffs</i>. The erosion of these perched beaches will make access to the Bay of Rest from the proposed bundle launch area impractical and an important and popular experience will have been lost irrespective of whether there is a launch way crossing or not.</p> <p>The proposal will also restrict several tracks that currently access the Bay of Rest from the Minilya- Exmouth Road citing '<i>safety reasons</i>.' The proposal has promised a new access track will be constructed within the project envelope running alongside the proposed pipeline track. While this new track will only mean a 2km detour for one of the current tracks it will mean a 20km detour from another of the most popular tracks which is currently closer to Exmouth town. Furthermore, this detour will see people having to drive alongside the proposed rail line. Driving with 10km of pipes outside your passenger window surrounded by fences is no way to create memorable wilderness experiences.</p> <p>The industrialisation of Exmouth's lower gulf is non compatible with the area's wilderness values. The very idea of developing an industrial footprint over one of the last truly accessibly wilderness areas in W.A. seems ludicrous. I thank the Shire for the opportunity to comment on</p>	<p>The amendment is on the western coast of Exmouth Gulf and does not impact on mangroves on the eastern coast, which is partly located in the Shire of Exmouth and partly located in the Shire of Ashburton.</p> <p>It is understood that anecdotally the Exmouth community tend to drive along the Exmouth Gulf to access areas near the project site for fishing and other coastal recreation. Subsea 7 has indicated a launch way crossing in to the site to ensure access is maintained. During a launch, crossing is not likely to be possible, and a launch is understood to occur over the duration of one day. In addition, access through the pastoral lease would be incumbent on the pastoral leaseholder providing access.</p> <p>To maintain the current accessibility to this area of Heron Point, Subsea 7 proposes that no access restrictions to the launch way area will be in force for the large majority of the site operation. To provide for ongoing access to Heron Point and the Bay of Rest a launch way crossing has been incorporated into the launch way design that allows off-road vehicles to safely drive over the launch way. The crossing will be of a low-profile design that is not prohibitive for any 4WD vehicle that is able to drive</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>It is noted that public access is only currently available via the Learmonth jetty road.</p> <p>Reference is made the <b>ER</b> reporting.</p> <p>As mentioned earlier the only public access to the beach in this locality is currently via the Learmonth jetty road.</p> <p>Noted.</p>




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	<p>this proposal and I would once again like to reiterate Recfishwest’s concerns about loss of access and wilderness values associated with this proposal. Should you require any further information in this regard, please do not hesitate to contact me on 9246 3366.</p>	<p>on the beach. The launch way area will have an access restriction imposed during Bundle launch activities. This is expected to be for 1-2 days per launch, for an average of two launches per year (and not more than three).</p> <p>Notices regarding any upcoming launches will be well publicised and communicated to ensure that this closure is well understood. As an additional measure, signage will also be erected in the approaches to the beach crossing to ensure that the temporary closure is known. During launch operations, access to the Bay of Rest will be maintained via an alternative access route. At present, there is direct access to the Bay of Rest from Minilya-Exmouth Road via an access track that extends across the proposed infrastructure alignment. To ensure continued access, Subsea 7 will create a new access track that runs from Minilya-Exmouth Road, to the intersection of the existing track and the Bundle tracks, running parallel to the Proposal site (refer ER Figure 5-28).</p> <p>Any erosion of minor perched beaches which may occur due to the trapping of sediment to the north of the launch way (unlikely as Subsea 7 has committed to regular coastal monitoring and the completion of sand bypassing if required) would be unlikely to block access along the shoreline. These beaches are constrained by rock platform to the seaward and rock outcrops to the landward, and if the shoreline is passable now it is likely to remain passable in the future.</p>	
52. ICR35098 30/11	<p><b>Concerns</b></p> <p>I have been a ‘local’ for over 18 years. I have worked here in many different jobs mainly involving tourism nature-based roles. I was fortunate to be employed as eco-tour guide, a dive master, worked with Parks &amp; Wildlife and more. In this time, I learnt why it is that the area is so unique, diverse and a place that is untouched from the industrialisation that many other northwest cities face. A truly remarkable place.</p> <p>I have very grave concerns for the area that has been allocated for possible site for Subsea7 facility. There are many reasons as to why this should not go ahead and I have added these below. As for many in this town, it came as huge surprise that our local Shire would even support the notion of such a huge industry facility that jeopardises not only the land and the area it is built on but also the potential risks that this project will bring to the sensitive and fragile area of the Exmouth Gulf. Like many others I am concerned that what this will open up to further industrialisation of the Gulf.</p> <p>My belief is that this proposal only gained traction whilst our Shire was in ‘caretaker’ mode. One person allocated to this role took it upon himself to overturn a section of a long-term pastoral lease next to an unallocated crown land and open the way for Subsea 7 to start their plans. This caretaker was meant to just caretake and look after the shire whilst the situation cleared. This on its own should make all within the Shire and all decision makers on this proposal to sit back and say was that right? Was that even legal? How and why was this not investigated?</p> <p>It is also very clear to all scientists and alike who have completed studies of the Exmouth Gulf to clearly show that this is a huge link to Ningaloo Reef from Exmouth Gulf. Many indigenous people have told the story of how the Yannarie salt plains feeds the gulf when rains happen and this then feeds onto the reef. The science will show that clearly in years to come this vital link and what if us, the people that should be protecting the area are the same people that are responsible for destroying it? What do we say to our children and their children, when they say “What we’re you thinking?”.</p> <p>The Ningaloo Reef isn’t out to destroy, like the Exmouth Gulf, it doesn’t belong to us. We are merely caretakers/guardians and if we choose to call this place home then we all must protect this natural wonder! Protection of this pristine area should be foremost our priority over any money or ‘job protection’ that anyone feels SubSea 7 will bring to the area.</p> <p>Let’s focus on what is right for the area, keep tourism afloat and tell industry if you want in then you’ll need to look elsewhere like just over the gulf to Onslow and so forth. Let us be that town that said NO! This will give the Shire so much creed, a shoe that showed they put the</p>	<p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p><b>Environmental concerns</b></p> <p>Scheme Amendment 1 incorporates conditions for Special Use 10, including details to be addressed as part of a development application, including details for stormwater management and coastal management.</p> <p><b>Social impacts</b></p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The</p>	<p>Noted.</p> <p>Noted.</p>



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	<p>area and the protection of it first, over potential money that really isn’t needed or possibly going receive. We’ve survived this long and we can survive as we are for a lot longer! Make tourism your priority and assist all agencies to protect the area, and not put in the area in further danger!</p> <p>Concerns regarding the Scheme Amendment</p> <p><b>Environmental concerns</b> include:</p> <ul style="list-style-type: none"><li>• Proposed changes to the coastal processes from construction of the launch way will cause coastal erosion on the southern side of it and are shown in Subsea 7’s documentation to extend into the Bay of Rest. Coastal accretion on the northern side of the launch way is said to require sand-bypassing in order to maintain the launch way for operation.</li><li>• The launch and tow operations will increase turbidity and sediment movement causing damage habitat. There are also impacts from this sediment movement that will occur over time and are likely to change the shoreline and impact marine habitats in waters adjacent to and surrounding the proposal.</li><li>• Inundation of inland areas is identified by Subsea 7 as a potential impact resulting from the removal of dunes in order to facilitate construction of the launch way. If this occurs it will cause damage to flora and vegetation inland, change the inland water flows and presents a serious problem in the event of an extreme weather event. Climate change modelling suggests increased severity and regularity of extreme events.</li><li>• The nearby mangrove system is listed in the Directory of Wetlands, it is recognised by the EPA to be of high ecological value and requiring protection. There are likely consequences and impacts if rezoning and industrialisation of the area occur:<ul style="list-style-type: none"><li>o damage to the mangrove system through pollution.</li><li>o loss of species due to water use: Rhizophera species mangrove trees due to reduced access to fresh water. This species is unique to the area because it depends of freshwater and we don’t understand enough about where it is acquired and how it affects it survival.</li><li>o Changing the inland water flows of the coastal plain from construction has the potential to impact the mangroves and waterways in the long-term.</li></ul></li><li>• Potential damage to the World Heritage listed Cape Range Karst system. Subsea 7 found stygofauna in the area, but not within the Development Envelope. Stygofauna exist in extremely small ‘tubules’ in the soil that can be only centimetres big. There is not enough evidence to support the assumption that the subterranean waterways are not going to be impacted by this development. More work needs to be done before a risk like this is taken.</li></ul> <p>Other potential impacts to the subterranean waterways include pollution of waterways from chemical spills; or drawing too much water from the system</p> <ul style="list-style-type: none"><li>• Climate change hasn’t been given any consideration. The impact of climate change on mangroves, benthic habitats, marine life, migratory birds, should have been taken into consideration here. The environment of Exmouth Gulf has an important role to play in providing habitat for many endangered species. The Gulf’s heat-resistant corals are likely to become increasingly important as sea temperatures rise.</li></ul> <p><b>Social impacts</b> from:</p> <ul style="list-style-type: none"><li>• restricted access on days when launching and towing is occurring. These are likely to be the same good-weather days that locals and visitors want to use the area for recreation. This includes exclusion for consecutive days at the Heron Point area, as well as a rolling exclusion zone throughout the Gulf until the operation is complete.</li><li>• Even outside of launch operations access to Heron Point and Bay of Rest will be constrained – i.e., users will have to travel through the SS7 site and be subject to control. Tracks will be <i>inside</i> the site and subject to control and surveillance by SS7.</li><li>• Visual impacts associated with the presence of large industrial activity, vessels, equipment and Bundle towheads visible from the beach that reduce the values of the area associated with being a ‘wilderness experience’.</li><li>• Tourism impacts associated with the loss of wilderness values that drive the Exmouth Gulf charters – including operations that occur during humpback whale season (July to the end of November). This includes visual amenity and loss of economically important environment. SS7 can still operate for 40 weeks of the year – most of the tourist season</li><li>• Fishing charters that utilise Heron Point because it is an area special to catch and release operators</li><li>• Aquarium collector has identified Heron Point as a place of importance regarding filter feeders.</li><li>• The risk of damage to World Heritage values</li></ul>	<p>assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>It is understood that anecdotally the Exmouth community tend to drive along the Exmouth Gulf to access areas near the project site for fishing and other coastal recreation. Subsea 7 has indicated a launch way crossing in to the site to ensure access is maintained. During a launch, crossing is not likely to be possible, and a launch is understood to occur over the duration of one day.</p> <p><b>Scheme Amendment changes</b></p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p> <p>It is predicted that sand would accumulate along the northern side of the launch way, above the low tide mark, until sediment on the beach berm starts to move across the structure. Due to the temporary reduction in sand migrating to the shoreline to the south, some narrowing or possible loss of the small perched beach formations to the south of the launch way could occur. Given the relatively slow rates of sediment transport and the monitoring and management to be implemented by Subsea 7, the environmental values of the coast will be protected.</p> <p>Wapet Creek and the connection of this system to the salt flats inland from the site already provides an avenue for ingress of seawater during extreme events. It is expected that this area would be at least partially inundated prior to any breach of the launch way cut. Nevertheless, for more severe events, or those that cause more rapid fluctuations in sea level, the ingress of seawater through the launch way cut could occur, potentially resulting in scour of the adjoining area. Such an event might be associated with the nearby passage of a cyclone. Following any event that causes significant re-profiling of the dune system, Subsea 7 would be required to reinstate the dune structure and stabilise the cut embankments stabilised.</p> <p>The mangroves along the south-western end of Exmouth Gulf are described in the EPA’s Guidance Statement 1 (EPA 2001) as ‘Area 1: Bay of Rest’ and are classified as being of ‘Very High’ importance (<b><i>ER Attachment 2A</i></b>). The amendment area does not overlap with the Bay of Rest or the ‘Area 1’ mangroves.</p>	<p>As part of the Environmental Review Documentation (<b>ERD</b>) a study is provided, <b><i>Attachment 2C – ‘Shoreline Movement Assessment’</i></b> which uses the existing Learmonth Jetty as an example to inform of how the coastal processes work in this general locality. It is considered that this can be managed adequately without significant detrimental impacts.</p> <p>Coastal erosion or sediment migration etc. could be made a condition requirement of any <b>EPA</b> works licence to ensure that this does not present a long-term or unknown issue moving forwards. The same would be applicable to further dune damage created by a storm event/surge.</p> <p>Noted and concur with the proponents’ comment in relation to the mangrove systems to the south.</p> <p>In relation to stygofauna, significant reporting was presented in the <b>ERD ref: 2209</b> Attachments 2L, 2M and 2N, commentary is provided in the <b>ER report, s.5.5</b> and <b><i>figure 5-17</i></b> showing location of Stygofauna sampling Bores within and adjacent to the Amendment area.</p> <p>The nearest public access from Minilya-Exmouth road to the Gulf coast is via Learmonth Jetty access road located approximately 6km north of the subject site. It is considered that with an estimated 3 launches per year at 36 hours per launch, the restricted access equates to an overall yearly access loss of 1.2%, this could be managed appropriately and considered a relatively minor matter and not surmountable.</p> <p>The water-based launch component is relation to possible boating/shipping obstruction, is considered a small-time component with the primary operations taking part on land.</p>

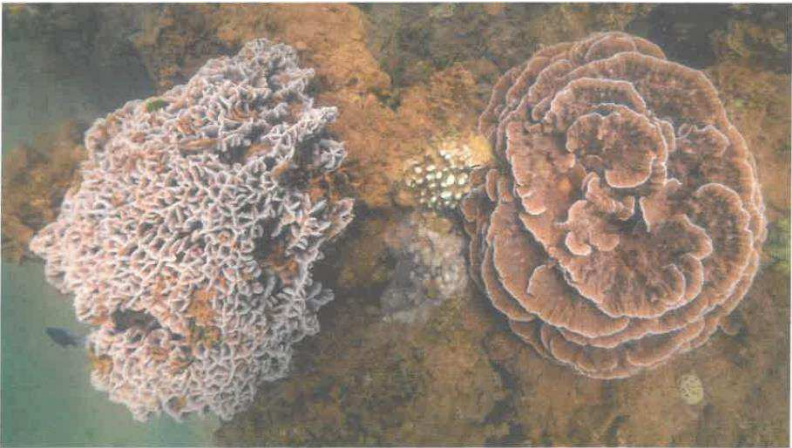

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	<p>• Risk to tourism branding as a result of industrialisation. This includes the natural beauty and aesthetic values that have earned this area iconic tourism status</p> <p><b>Scheme Amendment changes</b></p> <p>• do not reflect the Shire of Exmouth stated planning policy in Town Planning Scheme 4 (TPS 4)</p> <p>• The Shire of Exmouth has a responsibility to its community with regard to changes that impact social amenity, health and wellbeing. The Scheme Amendment process relies almost completely on Subsea 7’s documents and during the past year has worked extremely closely with Subsea 7 to enable this project. This is a cause for concern.</p> <p>• TPS 4 is supposed to promote development that is consistent with the planning objectives and recommendations in the Local Planning Strategy. This should take into consideration public health, conservation of the natural environment, improvements in lifestyle and amenity. Amendment doesn’t reflect this.</p> <p>• The Foreshore Reserve zones are set aside to provide protection of natural values; to enable a range of recreational uses, cultural and community activities; to promote community education of the environment; uses that are compatible with or support the amenity of reservation.</p> <p>• It is a real concern that the Shire is proposing to rezone this area to be used in a way completely inconsistent with the current local reserve zoning.</p> <p>• The rezoning is not consistent with the Rural zone objectives either. These objectives are supposed to demonstrate benefit that are compatible with the surrounding rural uses.</p> <p>• Special Use No. 10 is not consistent with the objectives of LPS 4. The Shire Of Exmouth want to amend the LPS 4 to include the definition of “Pipeline Fabrication Facility”.</p> <p>However, Special Use No. 10 does not event permit a marine support facility or telecommunications infrastructure unless the Shire exercises its discretion and grants this.</p> <p>The changes to the definition are not consistent with the zoning or with the LPS 4 objectives.</p> <p>• The rezoning do not reflect the long-term planning strategies for the Ningaloo Coast or World Heritage Area values, that include sustainable development and planning for the future, particularly with regard to climate change impacts for people and the environment.</p>	<p>No direct loss of stygofauna individuals or habitat will occur as a result of the construction of onshore infrastructure as the proposed excavations are shallow (up to 1 m), so will not impact stygofauna habitat, and will mainly occur in areas unlikely to support stygofauna. Groundwater abstraction within or adjacent to the amendment area is not proposed.</p> <p>To maintain the current accessibility to this area of Heron Point, Subsea 7 proposes that no access restrictions to the launch way area will be in force for the large majority of the site operation. To provide for ongoing access to Heron Point and the Bay of Rest a launch way crossing has been incorporated into the launch way design that allows off-road vehicles to safely drive over the launch way. The crossing will be of a low-profile design that is not prohibitive for any 4WD vehicle that is able to drive on the beach. The launch way area will have an access restriction imposed during Bundle launch activities. This is expected to be for 1-2 days per launch, for an average of two launches per year (and not more than three). Notices regarding any upcoming launches will be well publicised and communicated to ensure that this closure is well understood. As an additional measure, signage will also be erected in the approaches to the beach crossing to ensure that the temporary closure is known. During launch operations, access to the Bay of Rest will be maintained via an alternative access route. At present, there is direct access to the Bay of Rest from Minilya-Exmouth Road via an access track that extends across the proposed infrastructure alignment. To ensure continued access, Subsea 7 will create a new access track that runs from Minilya-Exmouth Road, to the intersection of the existing track and the Bundle tracks, running parallel to the Proposal site (refer ER Figure 5-28). This will not lead to ‘control’ or ‘surveillance’ of track users.</p> <p>An LVIA was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance ((WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (<b><i>ER Attachment 2R(1)</i></b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal’s fabrication facility will be visible from along the Minilya-Exmouth Road (<b><i>ER Attachment 2R</i></b>). The Proposal’s launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b><i>ER Attachment 2R</i></b>).</p> <p>Subsea 7’s proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the</p>	<p>The environmental reporting has primarily been managed by MBS Environmental, an independent environmental consultancy company employed by Subsea7 and its consultants to provide an independent review of the proposed project. The reporting will be thoroughly scrutinised by the <b>EPA</b> and cross-referenced and/or reviewed if required.</p> <p>A special use zone is only considered where a unique land use cannot comfortably fit within any existing zoning. Any development within a special use zone would require both a development application to the local authority and a works approval application to the <b>EPA</b>. Decision making will be based on facts and scientific data/reporting.</p> <p>Any Special use zone consideration will not generally be consistent with any local planning scheme in that it normally involves a land use that cannot readily be accommodated within any existing zones. The proposed new use ‘Pipeline fabrication Facility’ is relatively unique and specifically only for the purpose of the SubSea7 proposed operations.</p>

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		existing Learmonth jetty, located 6 km to the north of the amendment area.	
53. ICR35033 28/11	<p><b>Object</b></p> <p>After review of the documents relating to this mooted rezoning, it is my view that it should not be adopted on the basis of its many problems, gaps and flaws outlined below.</p> <p><b>KEY ENVIRONMENTAL PRINCIPLES AND FACTORS</b></p> <p><b>The Precautionary Principle</b></p> <p>The documents supplied indicate substantial, immediate and ongoing impacts to intertidal and subtidal benthos at the Heron Point launch site to the extent of over 5000 square metres. This includes destruction of pavement reef, hard and soft corals, sponges and other filter feeders. These elements are habitat to at least 86 species of fish from 41 families.1</p> <p>The documents supplied suggest significant data gaps in fauna and benthic environments and poor knowledge of coral communities at Heron Point and within Exmouth Gulf more broadly. In light of acknowledged disturbance to the benthos of Exmouth Gulf of 18 million square metres, this is a large and heavy footprint with the likelihood of impacts causing degradation or serious damage over the life of the Proposal.</p> <p>The documents supplied do not include substantial modelling of marine mammal and megafauna interaction with marine disturbance on this unprecedented scale.</p> <p>In deference to the Precautionary Principle it is unsafe to approve such use on the basis of incomplete data and a lack of full scientific certainty about environmental impacts.</p> <p><b>Intergenerational Equity</b></p> <p>This Amendment is designed specifically to allow a use allied to the oil-and-gas industry. Scientific consensus is clear regarding the damage carbon pollution is doing to the Earth's atmosphere and climate stability. The extraction and burning of fossil fuels is one of the most significant contributors to global heating. Global heating is already contributing to the degradation of coral reefs worldwide as well as to ocean acidification, rises in sea level and climatic extremes.</p> <p>The fossil fuel industry offshore from Exmouth, particularly the LNG industry, is the single largest contributor to Australia's rising CO2 emissions. At a moment in history when governments worldwide acknowledge the need to reduce emissions for the sake of future generations, this trend is unacceptable; it presents a danger to the prospects of the communities of the future – at Exmouth, and in Western Australia more broadly.</p> <p>This Amendment is designed to facilitate a delivery system for fuels known to be already contributing to environmental degradation and likely to cause widespread, if not catastrophic damage to Ningaloo Reef if current trends, policies and practices persist</p> <p>The Shire of Exmouth is responsible to a community that depends socially and economically upon the health and integrity of a World Heritage property. By actively and uncritically promoting an enterprise that threatens the prospects of Ningaloo Reef, the Shire has not fulfilled its obligation to intergenerational equity. The children and grandchildren of this community will be expected to bear the negative environmental and social consequences to which this Amendment will contribute.</p> <p><b>Polluter pays principle</b></p> <p>No attention is paid in this document to the contribution of this use to the release of dangerous carbon dioxide and methane emissions. In those terms there is no prospect of the Proponent, or indeed its accessory, the Shire of Exmouth, "bearing the cost of containment, avoidance or abatement". There are no provisions for the decommissioning of this infrastructure at sea at the end of this project's life. Similarly, the costs and likelihood of realistic rehabilitation of inshore benthos are not discussed. These are clear contraventions of the Polluter Pays Principle.</p> <p><b>ENVIRONMENTAL IMPACTS</b></p> <p>This Amendment seeks to allow a use that has direct impacts to an environment of high conservation value. There is substantial social value and public interest attached to that conservation value. None of these values and interests are sufficiently addressed in this Amendment.</p> <p>A brief list of environmental impacts is listed below.</p> <p>Benthic habitat</p> <p>This Amendment seeks to allow a use that includes destruction of 5700m<sup>2</sup> of intertidal and subtidal habitat at Heron Point. Pavement reef, hard and soft corals, sponges and other filter-feeders will be excavated, crushed by concrete and rock, buried under sediment and scoured</p>	<p><b>Conflicts with Shire Policy</b></p> <p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>The Shire’s processing of the Scheme Amendment is to be in accordance with the <i>Planning and Development Act 2005</i>, which requires completion of environmental assessment under the <i>Environmental Protection Act 1986</i>. The Amendment cannot be considered for approval by the Minister for Planning until that occurs.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning</p> <p>Subsea 7’s proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p> <p>The benthic habitats off Heron Point (within the amendment area), within the adjacent area (Heron Point local assessment</p>	<p>This informative submission and environmental commentary will be assessed by the <b>EPA</b> utilising the <b>ERD</b> and <b>PERD</b> information and as reference opposite by the consultant.</p>


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	<p>by launch operations. In a nursery environment for fish, elasmobranchs and crustaceans, this is significant and unacceptable damage, especially to species with narrow home ranges.</p> <p>While the Proponent claims not to expect, or to have knowledge of, corals being present at the launch site, there is ample evidence of Acropora, Turbinaria and Porites corals being present there in addition to several species of soft corals. The launch site supports at least 86 species of fish. It is frequented by humpback and bottlenose dolphins as well as dugongs, all of whom rely on this habitat for foraging and refuge.</p>  <p>Corals and diverse fish species, Heron Point launch Development Envelope, November, 2019. (Aqua Research &amp; Monitoring Services)</p> <p>This Amendment seeks to support the disturbance of at least 18 million square metres of seabed in Exmouth Gulf. Most of this damage will be caused by dragging of heavy-gauge chains across the soft- bottom communities of the benthos. Just to be clear: each link of these larger chains is in excess of 300mm; there will be hundreds of these chains over a length of 10km. They will drag along the bottom for over 44km. 4. (NB the Proposal still contains contradictory measurement of this distance)</p> <p>Damage to benthic communities in the towpath will be recurring. Any recovery between towing operations will be undone by fresh damage. The likelihood of this damage actually being restricted to the towpath as currently marked is small. Tow operations will be conducted over decades under varying tidal and wind conditions by different crews and supervisors. It is therefore reasonable to expect tow operations to exceed the currently advertised footprint. Damage on such a scale in an ecosystem of such high value is not acceptable.</p> <p>This Amendment seeks to allow a use that presents a genuine and direct risk to the benthos of the Ningaloo World Heritage area. Any mishap during transit will cause unacceptable damage to benthic communities within the Ningaloo Marine Park. Transits through the NWH will occur repeatedly over decades. The likelihood of executing transits over this time scale without mishap and damage are small. Risks from this use are therefore not acceptable. Mitigation measures and modelling for adverse outcomes are not nearly adequate.</p> <p><b>Coastal processes</b></p> <p>The Proposal supported by this Amendment acknowledges negative impacts to coastal processes. Erosion and deposition either side of the launch way are likely to have impacts on the intertidal flats and oyster reefs immediately south of Heron Point.</p> <p>Dune excavation is likely to have negative long-term consequences in an area susceptible to terrestrial flooding and coastal inundation. With extreme weather events expected to become more likely, the loss of foredune protection renders this site and hinterland even more vulnerable. Major movements of soil and sediment from this site over time do not bode well for the Bay of Rest.</p> <p>Negative impacts to coastal processes are added pressures to the ecosystem that are unwanted and unwarranted.</p> <p><b>Marine Environmental Quality</b></p> <p>The Proponent for whom this Amendment has been drafted appears to be confused about the underlying characteristics of the environment it seeks to operate within. For example, in Attachment 2F, p.8 the document states that the Gulf's "physical parameters (temperature, salinity, and dissolved oxygen) are typical of the north western Australian coastline". According to my research this assertion is incorrect. Exmouth Gulf is a reverse-estuary. Its salinity increases closer to land.5 Misconceptions of this kind do not inspire confidence in the Proponent's other assertions.</p> <p>It is widely understood that soft-bottom communities are susceptible to changes in sedimentation and water quality. Fitzpatrick et al suggest that increased sediment loads may not just alter biotic assemblage structure and ecological function; they can result in losses of biodiversity and productivity.</p> <p>These factors are significant in light of the scale and duration of turbidity likely to result from construction as well as from repeated launch and tow operations over decades. Offshore, by the Proponent's own account, turbidity levels will be three times higher than normal.</p>	<p>unit) and offshore have been thoroughly characterised and mapped (<b>ER Section 5.1, ER Attachments 2A and 2B</b>). No significant coral communities were recorded off Heron Point – the habitat type ‘Reef with macroalgae and filter feeders’ included individual sponges, soft corals and hard corals but no ‘coral reef’ structure (<b>ER Attachment 2A</b>).</p> <p>Predicted benthic habitat losses as result of the launch way footprint are as follows:</p> <ul style="list-style-type: none"> <li>• Soft sediment (0.2 ha) (&lt; 0.1% of that mapped within the Heron Point LAU).</li> <li>• Reef with macroalgae (0.3 ha) (0.1% of that mapped within the Heron Point LAU).</li> <li>• Pavement reef (0.1 ha) (3.2% of that mapped within the Heron Point LAU) (ER Section 5.1.6.1).</li> </ul> <p>Overall the potential cumulative impacts to benthic habitats are low and no impact to biological diversity and ecological integrity is predicted (<b>ER Section 5.1.8</b>). No significant impacts at a local or regional (i.e. wider Exmouth Gulf or Ningaloo Reef) are expected.</p> <p>Marine fauna was not a preliminary key environmental factor required to be assessed within the ER. The outcomes of systematic, and opportunistic, marine fauna surveys are presented in the ERD for the Proposal.</p> <p>Sediment transport along this section of the coastline is predominately from north to south and over the longer-term an accretion on the northern side of the launch way would be expected (<b>ER Section 5.2.6.3</b>). Sediment deposition on the northern side of the launch way would temporarily impact the quantity of sediment available to the south. However, the response of the southern shoreline will be limited by the presence of rock on Heron Point and along the shoreline further south. Due to the presence of this rock, limited changes to the shoreline are expected to the south of the launch way. Any changes that do occur are likely to be limited to a narrowing or possible loss of the small perched beach formations that exist seaward of the onshore rock platforms and bluffs (<b>ER Section 5.2.6.3</b>). Sand bypassing is nominated by Subsea 7 as a potential management measure to alleviate any issues relating to the local interruption of sediment transport.</p> <p>The possibility of inundation of inland areas due to dune removal and possibility of dune destabilisation has been considered and assessed. Wapet Creek is currently connected to the salt flats inland from the site and this area would be at least partially inundated prior to any breach of the launch way cut. Nevertheless, for more severe events, or those that cause more rapid fluctuations in sea level, the ingress of seawater through the launch way cut could occur, potentially resulting in scour of the adjoining area (<b>ER Attachment 2D</b>). Such an event might be associated with the nearby passage of a cyclone. Following any event that causes significant re-profiling of the dune system during the operation of the Proposal (when the cut</p>	



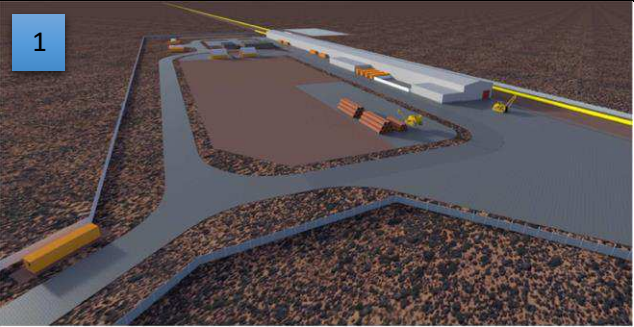


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	<p>Inshore, near the launch site, where tugs will be operating in shallow water, levels are likely to be much higher, and this massively elevated turbidity will persist for two days at a time.</p> <p>The turbidity modelling provided may have inspired more confidence had it been conducted on a more realistic scale over different seasonal conditions on a like-for-like basis, with an appropriate sample of chains of a gauge matching those proposed in this use. From this modelling the Proponent's expectations of low impacts cannot be substantiated.</p> <p>It is evident that the use allowed by this Amendment will contribute to degraded water quality as a result of increased turbidity from construction as well as from launch and tow operations.</p> <p>Launch way construction will take place over 6 months at Heron Point. It is particularly hard to have confidence in modelling of water quality of this element of the Proposal, given its selectivity and omissions. There is insufficient information supplied as to the number of, and likely impacts of vessels present at the site during construction. The experience of citizens close to Wheatstone and the testimony of observers of construction at Gorgon would suggest construction plumes will be larger, longer-lasting and more damaging than the Proponent suggests.</p> <p>At the level of worst outcomes, turbidity poses a considerable risk to the environment in the environs of Heron Point. Similarly, high turbidity is a genuine and unwelcome risk to coral communities between the Bay of Rest and Point Lefroy. Even at moderate level outcomes, the oyster reefs immediately south of Heron Point are exposed to high levels of turbidity. Within the Gulf tow route, there is insufficient certainty around likely outcomes to be confident that impacts will be as "minor" as the Proponent expects.</p> <p>Damage at the levels promised is not acceptable. The balance of probabilities suggests higher impacts than promised.</p>  <p>Acoropora coral at the Heron Point launch site- almost certain to be destroyed by construction and launch operations. (image: Andre Rerekura)</p>  <p>Turbinaria coral, Bay of Rest</p>	<p>is in place), the dune structure would be reinstated by Subsea 7, and the cut embankments stabilised. No long-term impacts to dune stability are expected as a result of the development of the Proposal. At the end of the service life of the facility, the dune will be reinstated and monitored for stability by Subsea 7.</p> <p>Potential environmental impacts associated with the development of the proposed launch way are discussed in detail within the ER. Given the short-term and ‘pulse’ nature of the expected sediment resuspension during launch way construction, significant changes to water quality, leading to losses of benthic habitats, are not expected. Within the immediate vicinity of the launch way footprint (&lt;50 m) some changes in water quality (turbidity) are expected and this area has been defined as a Zone of Moderate Impact (ZoMI) within which impacts on benthic organisms may occur, but are recoverable within a period of five years following completion of construction. Given the tolerance of the recorded habitats types, any impacts resulting from the up to six months’ construction duration are expected to be more short-term (&lt;1 year). No impacts to water quality in the Bay of Rest is expected, and this will be ensured through monitoring and appropriate management of the launch way construction programme.</p> <p>The EPA guidelines recommend that flora surveys within the Eremaean region are completed 6-8 weeks post wet season (March – June, or 6-8 weeks after significant rainfall events), and that supplementary surveys be completed during the dry season (after winder rainfall is available). Flora composition changes with time, particularly seasonally as a result of changes in conditions such as rainfall. Therefore, botanical surveys completed at different times of the year will often produce varying results, such is the case for this Survey Area. Three field surveys were completed at different times of year (<b>ER Attachment 2K</b>):</p> <ul style="list-style-type: none"><li>• The first survey was conducted during May which is within the recommended flora survey period for the Eremaean Province, however, after low rainfall, meaning that not many annual species were recorded, and some species were unable to be identified due to lack of fruiting or flowering material.</li><li>• The second survey was conducted in September which is outside of the suggested flora survey period for the Eremaean Province, and after low rainfall, meaning that not many annual species were recorded, and some species were unable to be identified due to lack of fruiting or flowering material.</li><li>• The third survey was conducted</li></ul>	

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	<div></div> <p>Corals from the Bay of Rest-Point Lefroy reef system just south of Heron Point. Likely to be impacted by elevated turbidity from construction and launch/tow operations. Exmouth Gulfs heat-resistant corals are the subject of increasing research interest in light of global coral bleaching events associated with global heating. <b>(images: Andre Rerekura)</b></p> <p><b>Marine Fauna</b></p> <p>No comprehensive or credible modelling to impacts on marine mammals and other megafauna has been supplied. This Amendment aids and abets a substantial increase in industrial pressure. It introduces industrial infrastructure to the waters of Exmouth Gulf on a scale unprecedented: an industrial train over 10km in length that projects downward through the water column for over 6 metres. Included in this industrial mass is 10kms of pipeline, hundreds of heavy chains, 2-3 oceangoing tugs, towlines and support vessels managing and upholding a substantial exclusion zone.</p> <p>The physical mass and noise of this juggernaut in its entirety is not easy to convey, but it is vast. The acoustic and spatial pressures associated with this activity are substantial, and yet no modelling has been provided to give insight into how it will impact whales, dugongs, dolphins, turtles, and manta rays.</p> <p>This use covers 40 weeks of the year in an environment recognised as a global hotspot for megafauna. Exmouth Gulf supports one of the last stable populations of dugongs. It is one of the world's most significant humpback whale refuges and it supports many other species of cetaceans, including orcas, southern right whales, pseudo-orcas and resident populations of sousa and bottlenose dolphins. In addition, it supports five species of sea turtle, including Critically Endangered hawksbill turtles. Manta rays, which are integral to the local tourism economy, depend on the Gulf, and whalesharks, on which Exmouth and Ningaloo are massively dependent, are known to use the Gulf too.</p> <p>A concerning number of whalesharks and whales in the waters of Ningaloo and Exmouth Gulf are being observed with discernible boat-strike injuries. I have no data to hand that suggests the resource industry is likely to cause any more boat-strike injuries than other marine industries, but the offshore oil-and-gas industry is already known to contribute to a problematic level of acoustic disturbance from seismic surveys, extraction operations and shipping. In recent years oil-and-gas vessels have begun using Exmouth Gulf right through the humpback whale migration season. They have been doing so without authority and have been successfully referred to the EPA. The introduction of even <i>more</i> industrial disturbance is unwelcome.</p> <div></div>	<p>in August, outside of the recommended months for the Eremaean Province, however, six weeks after a significant rainfall event (72 mm), meaning that annual species were present within the Survey Area, and many perennial species were flowering, allowing for identification of species which were unable to be identified during the first and second surveys.</p> <p>Thus the survey timing and effort is considered appropriate. The samphire community is not considered a TEC. Calytrix sp., potentially a new species, was found to occur on a rocky hill top near the northern end of the Survey Area (outside of the Project Envelope). Additional targeted searches were undertaken to locate more populations of the species; however, none were found. It is considered unlikely that the appropriate habitat, or this species, occurs within the amendment area.</p> <p>13 flora species were found to occur as an extension of their normal known range. None were considered likely to be disjunct populations or even rare isolated sub-species.</p> <p>A Landscape and Visual Impact Assessment (LVIA) was completed by Subsea 7 for the Proposal, following methods consistent with contemporary guidance ((WAPC 2007, Landscape Institute 2013). Vantage points and potential sensitive receptors were identified using desktop analysis, a review of local topography and input from stakeholders. Eight vantage points were assessed, following endorsement by the EPA (Environmental Review (ER) <b>Attachment 2R(1)</b>). The results of the LVIA (photomontages and viewshed analysis) suggest that the Proposal's fabrication facility will be visible from along the Minilya-Exmouth Road (<b>ER Attachment 2R</b>). The Proposal's launch way will be visible from adjacent beach areas, but is expected to blend in with the regional landscape in the same way as the current Learmonth Jetty which is a significantly higher structure (<b>ER Attachment 2R</b>).</p> <p>Subsea 7's proposed fabrication shed (and associated laydown area and offices) and Bundle track and launch way will be visible from the air. The fabrication shed will be located 10 km from the Exmouth Gulf shoreline, in proximity to (approximately 2.5 km to the south east) of Royal Australian Air Force (RAAF) base Learmonth. The Bundle track corridor will look like a train line. The launch way will look similar to, though longer than, the existing Learmonth jetty, located 6 km to the north of the amendment area. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>To maintain the current accessibility to this area of Heron Point, Subsea 7 proposes that no access restrictions to the launch way area will be in force for the large majority of the site operation. To provide for ongoing access to Heron Point and the Bay of</p>	<p>Unauthorised vessel activities within the Gulf should be reported to the appropriate authorities for investigation.</p>




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	<p>Heavy vessel use of Exmouth Gulf, often unauthorised, has extended throughout the humpback migration season. Acoustic and spatial pressures are an ongoing and increasing concern. Use of DPS in particular has had unwelcome impacts of public amenity. (image: Grant Griffin)</p> <p>The level of noise generated by large vessels in waters as shallow as Exmouth Gulf is not well understood by those who have not experienced it. Vessels using Dynamic Positioning Systems in the vicinity of the Exmouth township in 2018 caused levels of noise distressing to residents and visitors for a distance of 10km. This industrial noise was the subject of considerable discussion and complaint. Industrial noise levels disturbing to humans over such distances are likely to cause substantial distress to cetaceans and other marine mammals.</p> <p>Introducing more pressure to a marine mammal refuge like Exmouth Gulf is imprudent and difficult to reasonably justify. The Gulf is an established cetacean refuge precisely because of its underlying conditions of calm and quiet. Added industrial pressures, and the likelihood of those new pressures increasing over time, can only degrade conditions for cetaceans. Research by Bejder et al suggests added disturbance from shipping and industrial marine activity is a threat to migratory survival for humpback whales in particular. Resting behaviour at or near the surface makes these creatures hard to spot and causes them to be particularly vulnerable to boat strike. An increase in industrial boating traffic in Exmouth Gulf elevates the likelihood of boat strikes.</p> <p>The risk posed by the use sought by this Amendment is unacceptable.</p>  <p>Bottlenose and humpback dolphins are a regular presence at Heron Point, as are dugongs. Duringthe winter months, resting and nursing humpback whales are present in inshore waters in numbers. (image: Andre Rerekura)</p> <p><b>Flora and vegetation</b></p> <p>The Cape Range peninsula is arid with a far higher level of evaporation than it receives in rainfall. Nevertheless, this landscape is affected by both southern, temperate rainfall influences and tropical rainfall events. This helps explain the diversity of flora of the region. Even so, it is widely acknowledged among senior botanists that much more study is required to understand and document the complexity of the region, particularly between the Bay of Rest and Wapet Creek.</p> <p>Given the limits to the surveys undertaken by the Proponent, including the period of low rainfall during which they were conducted, it is not safe to assume that clearing of 172 hectares of vegetation in this area will have modest and manageable impacts on these communities. As elsewhere in these documents, impacts are presented as minor in part because of the superficial apprehension of the land in question. This especially evident here, where the terrestrial environment is viewed largely in terms of surfaces, and where surveying is kept within inorganic (i.e. arbitrary) boundaries.</p> <p>I am a layperson without expertise, but even I am surprised to see a landscape and its vegetation being presented as a flat, one-dimensional plane without reference to what lies around the Development Envelope and particularly <b>what</b> lies beneath it. There is a complex interplay between surrounding wetlands of significance and the subterranean waterways beneath the Development Envelope. More research is required around the dependence of <i>Rhizophera</i> species on the availability of fresh water. Given the significance of these species in an Environmentally Sensitive Area, the likely link to subterranean waterways is yet to be resolved. Those waterways extend into and beyond the Development Envelope.</p> <p>The vegetation of the Development Envelope must depend to some extent on subterranean waterways. How will drawdown of water impact?</p>	<p>Rest a launch way crossing has been incorporated into the launch way design that allows off-road vehicles to safely drive over the launch way. The crossing will be of a low-profile design that is not prohibitive for any 4WD vehicle that is able to drive on the beach. The launch way area will have an access restriction imposed during Bundle launch activities. This is expected to be for 1-2 days per launch, for an average of two launches per year (and not more than three). Notices regarding any upcoming launches will be well publicised and communicated to ensure that this closure is well understood. As an additional measure, signage will also be erected in the approaches to the beach crossing to ensure that the temporary closure is known. During launch operations, access to the Bay of Rest will be maintained via an alternative access route. At present, there is direct access to the Bay of Rest from Minilya-Exmouth Road via an access track that extends across the proposed infrastructure alignment. To ensure continued access, Subsea 7 will create a new access track that runs from Minilya-Exmouth Road, to the intersection of the existing track and the Bundle tracks, running parallel to the Proposal site (<b>refer ER Figure 5-28</b>). This will not lead to access being ‘constrained and controlled’ by Subsea 7.</p>	

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	<p>I note that the samphire community present is on or near its peripheral limits. This is regarded as a Threatened Ecological Community.</p> <p><i>Calytrix sp. Learmonth</i>, a Priority 1 species, appears to have been recorded in this area, but the proponent's survey records it as not observed within the Development Envelope. It is not safe to assume from this that the species is not present. This is also the case for several other species found within the Priority Flora Search Area but not recorded within the Development Envelope.</p> <p>13 species within the Development Envelope were found to occur as an extension of their normal known range. It would be useful to know whether any or all of these are likely to be disjunct populations or even rare isolated sub-species. There are data gaps that should preclude further clearing in this area until its values are more properly understood. On the basis of these surveys it is not safe to say that the native vegetation occurring here is adequately represented elsewhere.</p> <p>Knowing the significance and sensitivity of the area, and on the evidence provided, it does not seem prudent to allow vegetation clearing at this site on such a scale.</p> <p>I note that added land-clearing associated with new access tracks does not appear to be accounted for in these documents.</p> <p><b>CLIMATE CHANGE</b></p> <p>This Scheme Amendment is designed to accommodate a use related to the extraction and burning of fossil fuels. No consideration is given to direct and indirect contribution to climate change as a result of this use. No consideration is given to likely impacts to the corals of Ningaloo Reef and Exmouth Gulf as a result of this use. No consideration is even given to local impacts for the proponent's site and infrastructure in the expected event of increased extreme weather as a result of global heating. In the 1980s, such omissions in policy documents would be forgivable, but in 2019, in the midst of a rapidly developing climate emergency, this absence of consideration is bewildering and unacceptable. That this use should be encouraged and endorsed by a Shire with local stewardship over, and benefits from, one of the world's last healthy coral reefs is deeply irresponsible and very likely to bring the community into disrepute.</p> <p><b>LOSSES OF AMENITY</b></p> <p>The Scheme Amendment as presented allows for significant losses to amenity of ratepayers and tourists for the sake of the Proponent. These include costs to:</p> <ul style="list-style-type: none"><li><i>i.</i> Visual amenity and aesthetic values from air, land and sea</li><li><i>ii.</i> Spatial amenity for recreational users and tourism operators in Exmouth Gulf</li><li><i>iii.</i> Habitat amenity for recreational users and tourism operators at Heron Point and environs as a result of destroyed or degraded benthos</li><li><i>iv.</i> Physical access to Heron Point and the Bay of Rest</li></ul> <p>Despite assertions about access being maintained, access to Heron Point and Bay of Rest will be constrained and controlled by the Proponent through whose industrial site ratepayers, residents and tourists must transit. For this reason and all those above, the experience of Heron Point, Bay of Rest and the Gulf more widely will never be the same again. Ratepayer access to these places is to be traded away to a commercial entity by the Shire of Exmouth.</p> <p><b>CUMULATIVE IMPACTS</b></p> <p>There are likely to be significant social and environmental impacts that accumulate and interact as a result of this Scheme Amendment. The developer-led planning evident in this process will further erode faith in local government after a period of disorder and rehabilitation. Losses of access and amenity in a sensitive and highly-valued area will only add to this erosion. Beyond the confines of the Shire, decisions seen to enable the oil-and-gas industry to gain a foothold so close to the Ningaloo World Heritage area will be met with widespread dismay on a national level. Shire decisions to allow and encourage more industrial pressure in a waterway famous as a cetacean refuge and integral to the sustainable tourism industry that underpins the local economy will add derision to dismay. This will bring dishonour to the Exmouth community. The hard-won and carefully curated tourism brand of Ningaloo will be tarnished. The established and sustainable family businesses that rely on the good health of the environment and the Ningaloo brand will be put at risk by the use allowed by this Amendment. This includes tourism businesses that directly rely upon the environs of Heron Point, the Bay of Rest and the Gulf more broadly. It includes those who rely upon the Ningaloo World Heritage area, which includes part of the Gulf, and it includes those who rely upon the good health and good name of the Ningaloo Reef.</p> <p>By pressing for this use and this enabling Amendment, the Shire can be seen to be acting against the interests of many of its ratepayers and residents in favour of the speculative actions of a single foreign entity.</p>		<p>It is considered the key element of change, primarily as viewed only from a south approach aircraft landing, would be that of the construction buildings located to the south and inland from the Learmonth airport &amp; south of the observatory (<i>see diagram 1-3 below</i>). In addition, it is noted that there would be a visual window of visual impact during any launch whereby infrastructure around the beach would affect the viewshed, it is considered that boat/ship activity would have little impact to the visual amenity to that of the existing.</p> <p>It is noted that the only public access road in the vicinity is via the Learmonth jetty Road</p> <p>It is considered that future development pockets would be visible from the air, the two main pockets being structure/s on the coast and to the south of the airport and to the east side of Minilya-Exmouth Road, it is noted however that there are numerous existing structures i.e. defence structures, observatory etc. within flight path approach view shed, in part, the adverse visual amenity impact might be addressed from some tree planting, however this would not eliminate the impact entirely. However, on balance, it is considered that the visual impact would not significantly affect the existing view and there might be opportunity to consider tree planning to offset this in part during any future development application stage.</p>

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	<p>There is a real likelihood that this Amendment and the Proposal it serves to enable, will ease the way for more industrial development of this waterway. This likelihood is buttressed by the new stance of the Shire which is eager to collaborate with the offshore oil-and-gas industry, is keen to establish a Deepwater port at Mowbowra Creek for a supply base, and is hoping to increase the role of extractive industries like limestone mining in the Cape Range.</p> <p>Tourism, which has supported the town of Exmouth for over 30 <b>years</b> no longer enjoys the attention and support of the local Chamber of Commerce and Industry at the levels it once did. Sadly, this appears to also be the case within the Shire Council. Policy changes of this nature constitute a significant cultural change in the local civic leadership. This is a developing social context that can already be seen to have cumulative impacts, including an increasing openness to trading off conservation values and outcomes in favour of industrial development. These cumulative impacts include the relationship the Shire has developed with Subsea 7 and the development of the Amendment in question.</p> <p>The interaction of all these factors - environmental, civil, social and regulatory- are very likely to produce cumulative impacts to the social and environmental values of the Shire and its assets. They can and should be avoided. Neither this Amendment or the use it seeks to enable are necessary.</p> <p><b>CONFLICTS WITH EXISTING SHIRE POLICY</b></p> <p>This Scheme Amendment appears to be in conflict with several element of the Shire's Town Planning Scheme 4. It is difficult to read this Amendment on its face as a document produced with the Shire's residents and ratepayers as its sole and primary interest. Resident amenity, health and wellbeing appear to be secondary to the interests of Subsea 7, whose documents and assertions are relied upon almost exclusively in the Amendment.</p> <p>TPS 4 provides for development consistent with the objectives of the LPS which take into full account conservation imperatives, provide improved public amenity, lifestyle and health. This Scheme Amendment provides for costs to all those values.</p> <p>The foreshore at Heron Point is being reserved for a use in conflict with local reserve zoning which is supposed to provide protection of natural values, enable recreational uses, cultural and community activities, promote community education about the environment. Current reserve zoning is for uses that support amenity or are compatible with it. This Amendment is designed for a use that constrains amenity and recreational use. It is designed to allow for an industrial use that may <i>allow</i> such use and which reduces natural values.</p> <p>In seeking to amend LPS 4 to allow industrial use in a Rural zone, the Shire does not extend the interests of rural uses.</p> <p>In Special Use No. 10 it is clear these amendments are made for the sake of a proponent, not arrived at by general principle from within a broader planning strategy. This is developer-led, special provision planning that sets a poor precedent likely to erode faith in both the Shire's LPS and the Shire's future fidelity to the principles of that LPS.</p> <p>This Amendment fails to reflect the sustainable development and future-based planning needs of the Ningaloo Coast or the World Heritage area. It completely ignores likely climate change impacts inherent in the use this Amendment <b>allows</b> and encourages.</p> <p><b>WHOSE INTEREST IS BEING SERVED BY THIS SCHEME AMENDMENT?</b></p> <p>The document under assessment is declared "the property of the Shire of Exmouth and its affiliates and subsidiaries" yet there is very little evidence to suggest that much of it has been generated by the Shire.</p> <p>It is noteworthy to add that the Shire of Exmouth seems to have largely, if not entirely, absolved itself of the requirement to conduct public consultations on this matter. It refers retrospectively to its Strategic Community Plan - Exmouth 2030, in which 80% of residents and ratepayers did not participate, but almost all of the public consultation and stakeholder engagement undertaken for this shire Amendment has been the work of the Proponent. It is quite startling to learn the degree to which a commercial entity is allowed to undertake public consultation on behalf of the very authority it is seeking allowances from. Very few residents and ratepayers will have understood that what has been presented as the Shire's public consultation (Section 3.3.2) is in fact Subsea 7's.</p> <p>Similarly, the Shire of Exmouth has not undertaken independent environmental studies to support and justify its own Scheme Amendment. It has relied solely upon the studies and promotional material provided by the corporation set to benefit from this Amendment.</p> <p>As a ratepayer in the Shire of Exmouth and a resident of the community, it is difficult to see how, on its face, this document can be said to dispassionately represent the interests of the community first and foremost. To the contrary, it seems designed primarily to serve the interests of Subsea 7. In arguing for any secondary benefits to the community, it relies upon the assertions of the Proponent, many of which cannot be substantiated.</p> <p>The Shire process leading up to the provision of this document by Subsea 7 on its behalf has been troubling. This has been the case since early 2017 when the Shire was in disarray and found itself under the sole guidance of an appointed commissioner. The Proponent was able to form a relationship with the Shire during a period of exceptional circumstance and limited public oversight. During this period, the Shire was without an elected Council and able to establish an official narrative around the Subsea 7 development that went largely unchallenged</p>		<div>1</div>  <div>2</div>  <div>3</div>  <p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p>



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	<p>and unscrutinised until late in 2017. The Proponent's interests were not harmed by the election of a largely-inexperienced Council in October of that year. Community-based attempts to increase transparency around this relationship were resisted. When some community groups and ratepayers were able, eventually, to challenge the official narrative around this development and the zoning changes proposed in its favour, they were met with steadily increasing levels of defensiveness, secrecy and hostility from the Shire.</p> <p>Since 2017, it has been deeply concerning to see developer-led zoning and planning decisions being made by local government in Exmouth.</p> <p>Similarly, it is unsettling to witness a provincial Shire President consistently representing the interests of a foreign corporation to local ratepayers as well as to the national public through the media. This is not to suggest impropriety, but it presents a confusion of interest that is unwelcome and unhealthy.</p> 		<p>The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>The Shire's processing of the Scheme Amendment is to be in accordance with the <i>Planning and Development Act 2005</i>, which requires completion of environmental assessment under the <i>Environmental Protection Act 1986</i>. The Amendment cannot be considered for approval by the Minister for Planning until that occurs.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning</p> <p>Subsea 7's proposed operational activities associated with the Proposal (i.e. Bundle launch and tow activities) are not relevant to the assessment of the proposed amendment.</p> <p>Noted.</p>
54. ICR34998 24/11	<p>The land should remain for public use on the coast and not inhibit either public amenity or coastal visual amenity. I oppose any development in this site. It should become a nature reserve if anything for quiet enjoyment.</p>	<p>The subject land is currently zoned 'Rural' and a coastal strip of unallocated Crown land is reserved 'foreshore'. The rural land is subject to a Pastoral lease. The 'Rural' zone provides for land use and development in accordance with the Zoning Table and relevant provisions of the scheme.</p>	<p>Noted.</p>



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		<p>The ‘foreshore’ reserve allows for use and development in accordance with the scheme provisions under Part 2 of the Scheme.</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity. A significant impact to the landscape and visual amenity values of the Exmouth Gulf and adjacent coastline is not expected.</p> <p>The Scheme Amendment included a development condition where buildings (excluding gatehouse and incidental structures) shall be setback a minimum of 100 metres from any lot boundary with frontage to Minilya-Exmouth Road.</p> <p>It is understood that anecdotally the Exmouth community tend to drive along the Exmouth Gulf to access areas near the project site for fishing and other coastal recreation. Subsea 7 has indicated a launch way crossing in to the site to ensure access is maintained. During a launch, crossing is not likely to be possible, and a launch is understood to occur over the duration of one day.</p>	
55. ICR35099 02/12	<p>Why would a council who are "representing and supporting their community" encourage a project that 10s of thousands have given their own time to try and stop and express their concern?</p> <p>Why would a council who are "representing and supporting their community" support a project that is going to massively impact the local industry, local jobs and the reason most people are in Exmouth; the one of a kind thriving marine environment.</p> <p>The Ningaloo draws in 10s of thousands every year and the Gulfs health is imperative to the health of the reef and marine life.</p> <p>Stop supporting this ridiculously detrimental project!!</p>		<p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>Subsea 7 has undertaken community engagement as outlined in section 3.4 of the Environmental Review between 2017-2019, and it has been observed from those meetings that there is support within Exmouth for the project.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p>

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No./Reference	Submitters Comment/s	Subsea 7 Comments	Responsible Authority Comments
56. ICL35220	<p>Key Environmental Factor</p> <p>1 BCH addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>2 Coastal processes addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>3 Marine environmental quality addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>4 Flora and vegetation addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>5 Subterranean fauna addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>6 Terrestrial fauna addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>7 Inland Waters addressed in the ERD: Learmonth Pipeline Fabrication Facility (Assessment No. 2208)</p> <p>8 Social Surroundings</p> <p>The Committee notes the Ningaloo Coast Regional Strategy Carnarvon to Exmouth (NCRS), as the overarching strategy for guiding planning and development proposals along the Ningaloo Coast in support of an integrated approach to the “protection, conservation, management and presentation” of the OUV of the NCWHA. The WAPC Statement of Planning Policy No. 6.3 Ningaloo Coast (2004) (SPP 6.3) is inherently linked to the NCRS and essential for assessment of land-use planning effects on the OUV of the NCWHA i.e. through the application of:</p> <p>- the precautionary principle “Where there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason to postpone measures to prevent environmental degradation...”</p> <p>- the assessment of cumulative impacts “All planning and development must consider its cumulative impact. ... The ad hoc establishment of developments along the Ningaloo coast has the potential to erode the remote and environmental values of the area over time .... If there is an unacceptable cumulative impact, the development should not go ahead.”</p> <p>The Committee notes the importance of the NCRS for overarching strategic planning protection for the NCWHA. The Committee recommends that all land-use planning adjacent to and nearby the NCWHA specifically address the potential downstream effects of the proposed land-use on the OUV of the NCWHA.</p> <p>The Committee notes the change in land use zoning (from 'Rural' and 'Foreshore Reserve' to 'Special Use 10') to facilitate the development proposal, is a direct contradiction to the Shire of Exmouth Local Planning Strategy (April 2019) - strategy 10. (Industrial Strategies-Industrial Land Outside Townsite), “Limit the expansion of industrial development outside the industrial nodes identified by the strategy, acknowledging the community values for retaining and protecting important viewsheds and areas of natural or ecological importance.”</p> <p>The Shire of Exmouth has facilitated numerous development envelopes already along the west coast of the Exmouth Gulf, for example the Navy Pier, Kallis, Mowbowra Creek, and the Exmouth Marina without consideration of the cumulative impacts should all those operations be utilised to their full capacity. The amendment for the Learmonth Pipeline Fabrication Facility development could very likely be approved without consideration of a clear overarching guidance document for the NCWHA, currently provided by the Ningaloo Coast Regional Strategy Carnarvon to Exmouth) (NCRS), including the assessment of cumulative impacts of developments proposals over time and space.</p> <p>The Committee notes amendments for development proposals highlights the ‘ad hoc’ nature of decision making around the future of the region and the need for a consensus around long term vision for it. Amending LPS 4 (for the specific reason of development proposals) has the potential to significantly impact the aesthetic value of the NCWHA. The cumulative impact from individual developments/operations over time and space and its potentially detrimental effect on the OUV of the World Heritage property should be considered.</p>	<p>Noted.</p> <p>The Scheme Amendment area is in the Learmonth area which has existing infrastructure including RAAF Base Learmonth / Airport, Naval Communications Station Harold E Holt Area C, Learmonth Observatory. The Scheme Amendment area is immediately west of a decommissioned Defence site adjacent to the Bay of Rest.</p> <p>Section 2.1.1 of the Scheme Amendment 1 report discussed site selection. Site selection was discussed for due to the essential characteristics for the facility, including a 10 kilometre long stretch of straight and flat land for the pipelines to be fabricated and conveyed; gentle sloping aspect of the landform to the ocean, a sandy beach and an acceptable seabed profile for launches; and a sheltered coastal location to mitigate against wind, waves and swell. Sites with the characteristics required for the project are very limited and the number of sites that are in proximity to a town and other facilities are almost non-existent. After an extensive site selection process, Learmonth was the only site investigated that met the essential criteria for the proposed development. As an additional benefit, Learmonth is close to a population centre for a commuting workforce. The project site is also within viable distance to oil and gas fields. There are no sensitive land uses in proximity to the project site.</p> <p>It should be noted that numerous development envelopes along the west coast of the Exmouth Gulf were subject to environmental assessment by the EPA by multiple proponents, including the Limestone Quarry Learmonth, the Exmouth Boat Harbour Extensions to Exmouth Marina Harbour (Department of Transport), and the Cape Seafarms Aquaculture project.</p> <p>The Landscape and Visual Impact Assessment and Peer Review considered impacts during construction and operation, such as the visibility of structures, dust emission, and artificial light. The assessment demonstrates the limited/minimal impact to the visual amenity.</p> <p>The visual prominence of the development would likely less visually prominent compared to other significant development in Learmonth, including the Harold E Holt Area C Rough Range Receiver and the RAAF Base Learmonth / Airport. The site’s vegetation condition is assessed as completely degraded in</p>	<p>Noted.</p> <p>Scheme Amendment 1 was considered at the Ordinary Council Meeting held on 28 March 2019, with the elected Council in attendance. The process of public advertising of scheme amendments is set out in the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, where the local government is firstly to resolve to initiate the complex amendment. Consent to advertise of a complex amendment is to be given by the Western Australian Planning Commission; advertising cannot occur until such time the Environmental Protection Authority has advised the local government the environmental review has been undertaken in accordance with instructions. The 60-day advertising period was then able to be commenced by the local government once these processes by the WAPC and EPA had been completed.</p> <p>The Scheme Amendment documented its consideration against relevant strategies in the Local Planning Strategy, outlined its consideration against the objectives of the Foreshore reserve and the Rural zone, and against relevant State Planning Policies including (but not limited to) SPP 2.7 <i>State Coastal Planning Policy</i> and SPP 6.3 <i>Ningaloo Coast</i>. The Amendment refers to economic, social, cultural and environmental matters that have been considered as part of the preparation of the rezoning.</p>

Shire of Exmouth Schedule of Submissions			
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	<p>The Committee recommends, in line with the NRCS, the proponent consider the cumulative impacts of the amendment to land use zoning to accommodate the development proposal. The application of the precautionary principle should be inherently considered.</p> <p>The Committee recommends existing guidelines for development proposals clearly convey the role and responsibilities of local government in supporting the State Government in its World Heritage management obligations (to protect the OUV of the NCWHA).</p> <p>The Ningaloo Coast Strategic Management Framework (NCSMF) provides an overarching structure to meet the obligations for protection and management of the Ningaloo Coast. The frameworks operation guidelines state, “legislative and regulatory measures at national and local levels provide for the conservation of the property and protection against development and change that might negatively impact the outstanding universal value or the integrity of the property,” (NCSMF, 2011).</p> <p><a href="#">Attachment - 1</a></p>	<p>locations for existing tracks and roads and historical clearing for previous aquaculture project venture. The visual appearance could be of a building in excess of 100 metres from Minilya-Exmouth Road, and a 10km long track. In the broader regional context, this is no more influential than Minilya-Exmouth Road</p> <p>The Amendment cannot be considered for approval until a decision has been made in respect of the Environmental Review and conditions, if any, are to be incorporated with the scheme amendment. The Amendment is not an approval of any development, but to rezone the land.</p>	