



Environmental Protection Authority

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Mr James Noel
General Manager - Design & Construction
Burswood Nominees Limited
PO Box 500
VICTORIA PARK WA 6979

Our Ref A598641
Enquiries Gerard O'Brien
Phone 6467 5459

Dear Mr Noel

NOTICE UNDER SECTION 39A(3) *Environmental Protection Act 1986*

PROPOSAL: Crown Towers Project
LOCATION: Burswood
LOCALITY: Town of Victoria Park
PROPONENT: Burswood Nominees Limited
DECISION: Not Assessed – Public Advice Given

Thank you for your letter referring the above matter to the Environmental Protection Authority (EPA).

This proposal raises a number of environmental issues. However, the EPA has decided not to subject this proposal to the environmental impact assessment process and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the *Environmental Protection Act 1986* (EP Act). Nevertheless, the staff of the Office of the EPA has provided the attached advice to you as the proponent, and other relevant authorities on the environmental aspects of the proposal.

The EPA's decision to not assess the proposal is open to appeal. There is a 14-day period, closing 25 March 2013. Information on the appeals process is available through the Office of the Appeals Convenor's website, www.appealsconvenor.wa.gov.au, or by telephoning 6467 5190.

Yours sincerely

Anthony Sutton
Director
Assessment and Compliance Division

11 March 2013

Encl



Public Advice

SUMMARY

The Environmental Protection Authority (EPA) has received a referral from Crown Perth for the development of the proposed hotel Crown Towers (the proposal) on the Burswood Peninsula.

Although the proposal raises environmental issues, the EPA considers that the proposal is not likely to have a significant impact on the environment and does not warrant formal environmental impact assessment and the subsequent setting of formal conditions by the Minister for Environment under the *Environmental Protection Act 1986* (EP Act). The EPA considers that any potential environmental impacts of the proposal can be adequately addressed and managed by government departments through relevant legislation and the management plans that have been prepared.

PROPOSAL AND POTENTIAL ENVIRONMENTAL IMPACTS

The EPA notes that dewatering and surcharging techniques are not currently proposed for pre-construction site works. The EPA considers that the main environmental issues are associated with the construction site works including:

- the potential for cross contamination between groundwater aquifers due to piling activities;
- impacts to water quality due to mobilisation of landfill contaminants and leachate seeping into the groundwater and surface water bodies as a result of ground improvement works; and
- indirect surface water contamination due to ground disturbance and unmanaged storm water flows.

ADVICE AND RECOMMENDATIONS

1. Environmental Issues

- a. Hydrological Processes
- b. Inland Waters Environmental Quality

2. Advice and Recommendations regarding Environmental Issues

- a. Hydrological Processes
- b. Inland Waters Environmental Quality

The EPA considers that the Department of Environment and Conservation (DEC) and Department of Water (DoW) can manage and regulate potential impacts through the *Contaminated Sites Act 2003* and the *Rights and Water Irrigation Act 1914* respectively.

The EPA notes that the proposal is not within the Swan and Canning Rivers Development Control Area under the *Swan and Canning Rivers Management Act 2006*, and outside of the Metropolitan Region Scheme area. The EPA notes that the Swan

River Trust (SRT) has been consulted regarding the proposal and its impacts. The EPA recommends ongoing consultation with the SRT.

The EPA also notes and supports the preparation of the Environmental Management Plan and Contaminated Sites Management Plan by the proponent to manage the impacts listed above, specifically with regards to potential groundwater contamination. The EPA also notes that the Contaminated Sites Auditor has reviewed the Contaminated Sites Management Plan.

The EPA considers that these management plans should be finalized to the satisfaction of the DEC, DoW and SRT before any form of work begins on site.