



Environmental Protection Authority

Referral of a Proposal by the Proponent to the Environmental Protection Authority under Section 38(1) of the *Environmental Protection Act 1986*.

EPA REFERRAL
FORM
PROPONENT

PURPOSE OF THIS FORM

Section 38(1) of the *Environmental Protection Act 1986* (EP Act) provides that where a development proposal is likely to have a significant effect on the environment, a proponent may refer the proposal to the Environmental Protection Authority (EPA) for a decision on whether or not it requires assessment under the EP Act. This form sets out the information requirements for the referral of a proposal by a proponent.

Proponents are encouraged to familiarise themselves with the EPA's *General Guide on Referral of Proposals* [see Environmental Impact Assessment/Referral of Proposals and Schemes] before completing this form.

A referral under section 38(1) of the EP Act by a proponent to the EPA must be made on this form. A request to the EPA for a declaration under section 39B (derived proposal) must be made on this form. This form will be treated as a referral provided all information required by Part A has been included and all information requested by Part B has been provided to the extent that it is pertinent to the proposal being referred. Referral documents are to be submitted in two formats – hard copy and electronic copy. The electronic copy of the referral will be provided for public comment for a period of 7 days, prior to the EPA making its decision on whether or not to assess the proposal.

CHECKLIST

Before you submit this form, please check that you have:

	Yes	No
Completed all the questions in Part A (essential).	✓	
Completed all applicable questions in Part B.	✓	
Included Attachment 1 – location maps.	✓	
Included Attachment 2 – additional document(s) the proponent wishes to provide (if applicable).	✓	
Included Attachment 3 – confidential information (if applicable).		✓
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but excluding confidential information.	✓	

Following a review of the information presented in this form, please consider the following question (a response is optional).

Do you consider the proposal requires formal environmental impact assessment?		
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not sure
If yes, what level of assessment?		
<input type="checkbox"/> Assessment on Proponent Information	<input type="checkbox"/> Public Environmental Review	

PROPONENT DECLARATION (to be completed by the proponent)

I, Greg Neylan declare that I am authorised on behalf of SKIRON OPCO Pty Ltd (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature	Greg Neylan
Position:	Company: SKIRON OPCO PTY LTD
Date:	22 nd May 2014

PART A - PROPONENT AND PROPOSAL INFORMATION

(All fields of Part A must be completed for this document to be treated as a referral)

1 PROPONENT AND PROPOSAL INFORMATION

1.1 Proponent

Name	SKIRON OPCO PTY LTD
Joint Venture parties (if applicable)	n.a.
Australian Company Number (if applicable)	166751784
Postal Address (where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State)	236 East Boundary Road, Bentleigh East Vic 3165
Key proponent contact for the proposal: <ul style="list-style-type: none">• name• address• phone• email	Greg Neylan 236 East Boundary Road, Bentleigh East Vic 3165 +61 428 925 193 greg.neylan@visionstream.com.au
Consultant for the proposal (if applicable): <ul style="list-style-type: none">• name• address• phone• email	Sinclair Knight Merz (Jacobs) Level 7, Durack Centre 263 Adelaide Terrace Perth, WA 6000 Ph: 08 9469 4151 Email: Adevos@globalskm.com

1.2 Proposal

Title	Project Fitzroy
Description	The Proponent is proposing to construct and operate an offshore submarine fibre optics cable network from Port Hedland to Darwin, to provide connectivity requirements for the current and emerging iron ore and oil and gas business.
Extent (area) of proposed ground disturbance.	n.a.
Timeframe in which the activity or development is proposed to occur (including start and finish dates where applicable).	Q3-Q4 2014 to Q2-Q3 2016
Details of any staging of the proposal.	The Proposal will be undertaken in three distinct phases. - Marine Route Survey

	<ul style="list-style-type: none"> - Horizontal Directional Drilling - Cable Lay and Commissioning Please refer to Section 2.4.3. of the supporting information document for further details.
Is the proposal a strategic proposal?	No
Is the proponent requesting a declaration that the proposal is a derived proposal? If so, provide the following information on the strategic assessment within which the referred proposal was identified: <ul style="list-style-type: none"> • title of the strategic assessment; and • Ministerial Statement number. 	No
Please indicate whether, and in what way, the proposal is related to other proposals in the region.	None
Does the proponent own the land on which the proposal is to be established? If not, what other arrangements have been established to access the land?	No, lease arrangement with relevant authority.
What is the current land use on the property, and the extent (area in hectares) of the property?	nil

1.3 Location

Name of the Shire in which the proposal is located.	Town of Port Hedland
For urban areas: <ul style="list-style-type: none"> • street address; • lot number; • suburb; and • nearest road intersection. 	Lot 2052 on Deposited Plan 174448 (Volume LR3013 Folio 695),
For remote localities: <ul style="list-style-type: none"> • nearest town; and • distance and direction from that town to the proposal site. 	Not applicable
Electronic copy of spatial data - GIS or CAD, geo-referenced and conforming to the following parameters: <ul style="list-style-type: none"> • GIS: polygons representing all activities and named; • CAD: simple closed polygons representing all activities and named; • datum: GDA94; • projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA); • format: Arcview shapefile, Arcinfo coverages, Microstation or AutoCAD. 	Enclosed?: Yes

1.4 Confidential Information

Does the proponent wish to request the EPA to allow any part of the referral information to be treated as confidential?	No
If yes, is confidential information attached as a separate document in hard copy?	n.a.

1.5 Government Approvals

Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.		No	
Is approval required from any Commonwealth or State Government agency or Local Authority for any part of the proposal? If yes, please complete the table below.		Yes	
Agency/Authority	Approval required	Application lodged Yes / No	Agency/Local Authority contact(s) for proposal
Commonwealth Department of the	Referral of proposed action under the	No	n.a.

Environment (DoE)	Environment Protection and Biodiversity Act 1999		
Northern Territory Environmental Protection Authority	Submission of a Notice of Intent (NOI) of the Proposed action under the Northern Territory Environmental Assessment Act	No	n.a.
Australian Communications and Media Authority (ACMA)	Approval to Install Cable in Commonwealth Waters	No	n.a.

PART B - ENVIRONMENTAL IMPACTS AND PROPOSED MANAGEMENT

2. ENVIRONMENTAL IMPACTS

Describe the impacts of the proposal on the following elements of the environment, by answering the questions contained in Sections 2.1-2.11:

- 2.1 flora and vegetation;
- 2.2 fauna;
- 2.3 rivers, creeks, wetlands and estuaries;
- 2.4 significant areas and/ or land features;
- 2.5 coastal zone areas;
- 2.6 marine areas and biota;
- 2.7 water supply and drainage catchments;
- 2.8 pollution;
- 2.9 greenhouse gas emissions;
- 2.10 contamination; and
- 2.11 social surroundings.

These features should be shown on the site plan, where appropriate.

For all information, please indicate:

- (a) the source of the information; and
- (b) the currency of the information.

2.1 Flora and Vegetation

2.1.1 Do you propose to clear any native flora and vegetation as a part of this proposal?

[A proposal to clear native vegetation may require a clearing permit under Part V of the EP Act (Environmental Protection (Clearing of Native Vegetation) Regulations 2004)]. Please contact the Department of Environment and Conservation (DEC) for more information.

- (please tick) Yes **If yes**, complete the rest of this section.
 No **If no**, go to the next section

2.1.2 How much vegetation are you proposing to clear (in hectares)?

2.1.3 Have you submitted an application to clear native vegetation to the DEC (unless you are exempt from such a requirement)?

- Yes No **If yes**, on what date and to which office was the application submitted of the DEC?

2.1.4 Are you aware of any recent flora surveys carried out over the area to be disturbed by this proposal?

Yes

No

If yes, please attach a copy of any related survey reports and provide the date and name of persons / companies involved in the survey(s).

If no, please do not arrange to have any biological surveys conducted prior to consulting with the DEC.

2.1.5 Has a search of DEC records for known occurrences of rare or priority flora or threatened ecological communities been conducted for the site?

Yes

No

If you are proposing to clear native vegetation for any part of your proposal, a search of DEC records of known occurrences of rare or priority flora and threatened ecological communities will be required. Please contact DEC for more information.

2.1.6 Are there any known occurrences of rare or priority flora or threatened ecological communities on the site?

Yes

No

If yes, please indicate which species or communities are involved and provide copies of any correspondence with DEC regarding these matters.

2.1.7 If located within the Perth Metropolitan Region, is the proposed development within or adjacent to a listed Bush Forever Site? (You will need to contact the Bush Forever Office, at the Department for Planning and Infrastructure)

Yes

No

If yes, please indicate which Bush Forever Site is affected (site number and name of site where appropriate).

2.1.8 What is the condition of the vegetation at the site?

2.2 Fauna

2.2.1 Do you expect that any fauna or fauna habitat will be impacted by the proposal?

(please tick)

Yes

If yes, complete the rest of this section.

No

If no, go to the next section.

Please refer to Section 6 of the attached Supporting Information Document for more details of the Environmental impact assessment relating to potential impacts to Marine Fauna

2.2.2 Describe the nature and extent of the expected impact.

Please refer to Section 6 of the attached Supporting Information Document for more details of the Environmental impact assessment relating to potential impacts to Marine Fauna

2.2.3 Are you aware of any recent fauna surveys carried out over the area to be disturbed by this proposal?

- Yes No **If yes**, please attach a copy of any related survey reports and provide the date and name of persons / companies involved in the survey(s).
If no, please do not arrange to have any biological surveys conducted prior to consulting with the DEC.

BHP Billiton Iron Ore undertook marine turtle surveys as part of the proposed Outer Harbour Development. Please refer to Section 6 of the attached Supporting Information Document for more details of the Environmental impact assessment relating to potential impacts to Marine Fauna

2.2.4 Has a search of DEC records for known occurrences of Specially Protected (threatened) fauna been conducted for the site?

- Yes No (please tick)

2.2.5 Are there any known occurrences of Specially Protected (threatened) fauna on the site?

- Yes No **If yes**, please indicate which species or communities are involved and provide copies of any correspondence with DEC regarding these matters.

Threatened Species

There are no Threatened species under the *Wildlife Conservation Act 1950* (WC Act).

Other Listed Fauna

Other listed fauna under the WC Act that may potentially be present include:

- One Priority 1 species
- Two Priority 4 species
- Nine schedule 1 species
- One Schedule 4 species

Please refer to Table 1 in Appendix C of the supporting information document for this referral.

2.3 Rivers, Creeks, Wetlands and Estuaries

2.3.1 Will the development occur within 200 metres of a river, creek, wetland or estuary?

- (please tick) Yes **If yes**, complete the rest of this section.
 No **If no**, go to the next section.

2.3.2 Will the development result in the clearing of vegetation within the 200 metre zone?

- Yes No **If yes**, please describe the extent of the expected impact.

2.3.3 Will the development result in the filling or excavation of a river, creek, wetland or estuary?

- Yes No **If yes**, please describe the extent of the expected impact.

2.3.4 Will the development result in the impoundment of a river, creek, wetland or estuary?

- Yes No **If yes**, please describe the extent of the expected impact.

2.3.5 Will the development result in draining to a river, creek, wetland or estuary?

Yes ✓ No **If yes**, please describe the extent of the expected impact.

2.3.6 Are you aware if the proposal will impact on a river, creek, wetland or estuary (or its buffer) within one of the following categories? (please tick)

Conservation Category Wetland	<input type="checkbox"/> Yes	✓ No	<input type="checkbox"/> Unsure
Environmental Protection (South West Agricultural Zone Wetlands) Policy 1998	<input type="checkbox"/> Yes	✓ No	<input type="checkbox"/> Unsure
Perth's Bush Forever site	<input type="checkbox"/> Yes	✓ No	<input type="checkbox"/> Unsure
Environmental Protection (Swan & Canning Rivers) Policy 1998	<input type="checkbox"/> Yes	✓ No	<input type="checkbox"/> Unsure
The management area as defined in s4(1) of the <i>Swan River Trust Act 1988</i>	<input type="checkbox"/> Yes	✓ No	<input type="checkbox"/> Unsure
Which is subject to an international agreement, because of the importance of the wetland for waterbirds and waterbird habitats (e.g. Ramsar, JAMBA, CAMBA)	<input type="checkbox"/> Yes	✓ No	<input type="checkbox"/> Unsure

2.4 Significant Areas and/ or Land Features

2.4.1 Is the proposed development located within or adjacent to an existing or proposed National Park or Nature Reserve?

Yes ✓ No **If yes**, please provide details.

2.4.2 Are you aware of any Environmentally Sensitive Areas (as declared by the Minister under section 51B of the EP Act) that will be impacted by the proposed development?

Yes ✓ No **If yes**, please provide details.

2.4.3 Are you aware of any significant natural land features (e.g. caves, ranges etc) that will be impacted by the proposed development?

Yes ✓ No **If yes**, please provide details.

2.5 Coastal Zone Areas (Coastal Dunes and Beaches)

2.5.1 Will the development occur within 300metres of a coastal area?

- (please tick) Yes **If yes**, complete the rest of this section.
 No **If no**, go to the next section.

2.5.2 What is the expected setback of the development from the high tide level and from the primary dune?

The project is not subject to development approval, however setback is approximately 250m

2.5.3 Will the development impact on coastal areas with significant landforms including beach ridge plain, cusped headland, coastal dunes or karst?

- Yes No **If yes**, please describe the extent of the expected impact.

2.5.4 Is the development likely to impact on mangroves?

- Yes No **If yes**, please describe the extent of the expected impact.

2.6 Marine Areas and Biota

2.6.1 Is the development likely to impact on an area of sensitive benthic communities, such as seagrasses, coral reefs or mangroves?

- Yes No **If yes**, please describe the extent of the expected impact.

2.6.2 Is the development likely to impact on marine conservation reserves or areas recommended for reservation (as described in *A Representative Marine Reserve System for Western Australia*, CALM, 1994)?

- Yes No **If yes**, please describe the extent of the expected impact.

2.6.3 Is the development likely to impact on marine areas used extensively for recreation or for commercial fishing activities?

- Yes No **If yes**, please describe the extent of the expected impact, and provide any written advice from relevant agencies (e.g. Fisheries WA).

2.7 Water Supply and Drainage Catchments

2.7.1 Are you in a proclaimed or proposed groundwater or surface water protection area?

(You may need to contact the Department of Water (DoW) for more information on the requirements for your location, including the requirement for licences for water abstraction. Also, refer to the DoW website)

Yes ✓ No **If yes**, please describe what category of area.

2.7.2 Are you in an existing or proposed Underground Water Supply and Pollution Control area?

(You may need to contact the DoW for more information on the requirements for your location, including the requirement for licences for water abstraction. Also, refer to the DoW website)

Yes ✓ No **If yes**, please describe what category of area.

2.7.3 Are you in a Public Drinking Water Supply Area (PDWSA)?

(You may need to contact the DoW for more information or refer to the DoW website. A proposal to clear vegetation within a PDWSA requires approval from DoW.)

Yes ✓ No **If yes**, please describe what category of area.

2.7.4 Is there sufficient water available for the proposal?

(Please consult with the DoW as to whether approvals are required to source water as you propose. Where necessary, please provide a letter of intent from the DoW)

Yes ✓ No (please tick)

2.7.5 Will the proposal require drainage of the land?

Yes ✓ No **If yes**, how is the site to be drained and will the drainage be connected to an existing Local Authority or Water Corporation drainage system? Please provide details.

2.7.6 Is there a water requirement for the construction and/ or operation of this proposal?

(please tick) Yes **If yes**, complete the rest of this section.

 ✓ No **If no**, go to the next section.

2.7.7 What is the water requirement for the construction and operation of this proposal, in kilolitres per year?

2.7.8 What is the proposed source of water for the proposal? (e.g. dam, bore, surface water etc.)

2.8 Pollution

2.8.1 Is there likely to be any discharge of pollutants from this development, such as noise, vibration, gaseous emissions, dust, liquid effluent, solid waste or other pollutants?

(please tick) Yes **If yes**, complete the rest of this section.

No **If no**, go to the next section.

2.8.2 Is the proposal a prescribed premise, under the Environmental Protection Regulations 1987?

(Refer to the EPA's *General Guide for Referral of Proposals to the EPA under section 38(1) of the EP Act 1986* for more information)

Yes No **If yes**, please describe what category of prescribed premise.

2.8.3 Will the proposal result in gaseous emissions to air?

Yes No **If yes**, please briefly describe.

2.8.4 Have you done any modelling or analysis to demonstrate that air quality standards will be met, including consideration of cumulative impacts from other emission sources?

Yes No **If yes**, please briefly describe.

2.8.5 Will the proposal result in liquid effluent discharge?

Yes No **If yes**, please briefly describe the nature, concentrations and receiving environment.

Drilling fluids may be released to the marine environment during horizontal directional drilling. Analysis was undertaken to quantify the volume of drilling fluids that may potentially be released to the surrounding environment and was estimated to be between: 20 – 30 m³.

Please refer to Section 6 of the attached supporting information document for the impact assessment relating to the discharge of drilling fluids during Horizontal Directional Drilling.

2.8.6 If there is likely to be discharges to a watercourse or marine environment, has any analysis been done to demonstrate that the State Water Quality Management Strategy or other appropriate standards will be able to be met?

Yes **If yes**, please describe. ✓ No

Please refer to Section 6 of the attached supporting information document for the impact assessment relating to the discharge of drilling fluids during Horizontal Directional Drilling.

2.8.7 Will the proposal produce or result in solid wastes?

✓ Yes No **If yes**, please briefly describe the nature, concentrations and disposal location/ method.

Drill cuttings will be generated by the HDD process and will exit the borehole near the surface. The majority of drilling will be directed onshore at the HDD entry site and therefore only a small volume of the drill cuttings are expected to exit at the seabed. All fluids and cuttings recovered onshore will be disposed of at a licenced facility.

2.8.8 Will the proposal result in significant off-site noise emissions?

Yes No **If yes**, please briefly describe.

2.8.9 Will the development be subject to the Environmental Protection (Noise) Regulations 1997?

Yes No **If yes**, has any analysis been carried out to demonstrate that the proposal will comply with the Regulations?

Please attach the analysis.

2.8.10 Does the proposal have the potential to generate off-site, air quality impacts, dust, odour or another pollutant that may affect the amenity of residents and other “sensitive premises” such as schools and hospitals (proposals in this category may include intensive agriculture, aquaculture, marinas, mines and quarries etc.)?

Yes No **If yes**, please describe and provide the distance to residences and other “sensitive premises”.

2.8.11 If the proposal has a residential component or involves “sensitive premises”, is it located near a land use that may discharge a pollutant?

Yes No Not Applicable

If yes, please describe and provide the distance to the potential pollution source

2.9 Greenhouse Gas Emissions

2.9.1 Is this proposal likely to result in substantial greenhouse gas emissions (greater than 100 000 tonnes per annum of carbon dioxide equivalent emissions)?

Yes No **If yes**, please provide an estimate of the annual gross emissions in absolute and in carbon dioxide equivalent figures.

2.9.2 Further, if yes, please describe proposed measures to minimise emissions, and any sink enhancement actions proposed to offset emissions.

2.10 Contamination

2.10.1 Has the property on which the proposal is to be located been used in the past for activities which may have caused soil or groundwater contamination?

Yes ✓ No Unsure **If yes**, please describe.

2.10.2 Has any assessment been done for soil or groundwater contamination on the site?

Yes ✓ No **If yes**, please describe.

2.10.3 Has the site been registered as a contaminated site under the *Contaminated Sites Act 2003*? (on finalisation of the CS Regulations and proclamation of the CS Act)

Yes ✓ No **If yes**, please describe.

2.11 Social Surroundings

2.11.1 Is the proposal on a property which contains or is near a site of Aboriginal ethnographic or archaeological significance that may be disturbed?

Yes ✓ No Unsure **If yes**, please describe.

2.11.2 Is the proposal on a property which contains or is near a site of high public interest (e.g. a major recreation area or natural scenic feature)?

Yes ✓ No **If yes**, please describe.

2.11.3 Will the proposal result in or require substantial transport of goods, which may affect the amenity of the local area?

Yes ✓ No **If yes**, please describe.

3. PROPOSED MANAGEMENT

3.1 Principles of Environmental Protection

3.1.1 Have you considered how your project gives attention to the following Principles, as set out in section 4A of the EP Act? (For information on the Principles of Environmental Protection, please see EPA Position Statement No. 7, available on the EPA website)

- | | | |
|--|---|-----------------------------|
| 1. The precautionary principle. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. The principle of intergenerational equity. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. The principle of the conservation of biological diversity and ecological integrity. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Principles relating to improved valuation, pricing and incentive mechanisms. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. The principle of waste minimisation. | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Please refer to Table 3.3 of the supporting information document for further details on how the principles of environmental protection have been considered.

3.1.2 Is the proposal consistent with the EPA's Environmental Protection Bulletins/Position Statements and Environmental Assessment Guidelines/Guidance Statements (available on the EPA website)?

- Yes No

3.2 Consultation

3.2.1 Has public consultation taken place (such as with other government agencies, community groups or neighbours), or is it intended that consultation shall take place?

- Yes No **If yes**, please list those consulted and attach comments or summarise response on a separate sheet.

Please refer to Section 5 of the supporting information document for further details on the stakeholder consultation undertaken to date.