

Public record pursuant to s. 39 of the *Environmental Protection Act 1986*

Proposal title: Metronet on Swan Ferry Service Expansion: Perth to Applecross

Proposal description: The proposal is for the expansion of the Swan River Ferry Network. The proposal is located within and adjacent to the Swan River, and will include:

- installation of a floating pontoon at the existing Elizabeth Quay ferry terminal
- construction of a new jetty and ferry terminal at Matilda Bay with onshore electric charging infrastructure, public ablution facilities, bus embayment and roundabout
- construction of a new jetty and ferry terminal at Applecross with associated pedestrian access
- operation of ferry services between Elizabeth Quay, Matilda Bay and Applecross terminals.

Reference number: APP-0031291

Date referral received: 22-09-2025

Date more information received: 24-10-2025

Referrer: Public Transport Authority of Western Australia

Proponent: Public Transport Authority of Western Australia

Potential significant effects: There are potential impacts to **marine fauna** from underwater noise emissions during construction; **marine environmental quality** and **benthic communities and habitats** from construction activities; **coastal processes** from additional permanent infrastructure within the marine environment and potential vessel wake; **terrestrial fauna** and **flora and vegetation** from the clearing of seagrasses and fauna habitat; and **social surroundings** (Aboriginal heritage, noise, social and recreational amenity) from construction and operation of the expanded ferry route.

Preliminary environmental factors: marine fauna, benthic communities and habitat, marine environmental quality, coastal processes, flora and vegetation, terrestrial fauna, and social surroundings

Public comment on referral information:

Do not assess:	25
Assess: a) Referral information	5
b) Environmental review - no public review	6
c) Public environmental review	257
<i>Total submissions:</i>	293

Decision: s. 38G(1) – Not assess – Public advice given

Summary of reasons pursuant to s. 38G(1)(c)

The EPA has decided not to assess the proposal because:

- The EPA considers the likely environmental effects of the proposal are not so significant or unmitigated as to warrant formal assessment under Part IV of the *Environmental Protection Act 1986* (EP Act).
- The EPA's decision has been made on the basis of the proponent implementing the proposal in accordance with the Proposal Content Document, and the mitigation and management measures outlined in the Referral Information.

- The EPA has considered the potential environmental impacts of the proposal at the proposed locations, which have been historically modified and altered by development. The EPA has also considered the small spatial extent of the proposal.
- The EPA considers that environmental impacts associated with the construction of the proposal are likely to be localised, of short duration (6–12-month construction period proposed), and can be regulated under other decision-making processes (see subsection below). In addition, the proponent has committed to preparing and implementing environmental management plans (including site-specific construction environmental management plans) which will include measures to mitigate and manage construction impacts to environmental values. This includes measures to:
 - prevent adverse impacts to river users and marine fauna from underwater noise emissions (piling)
 - reduce noise emissions from charging stations to levels consistent with the surrounding environment
 - contain mobilised sediment and manage turbidity/smothering risk to seagrasses
 - treat, manage and dispose of acid sulfate soils (if discovered) and impose pollutant controls
 - monitor benthic communities and habitats, water quality, and any changes to the foreshore from modified coastal processes (including as a result of vessel wake)
 - landscape and enhance the foreshore environments post-construction.
- The EPA considers that environmental impacts associated with ongoing operation of the proposal are likely to be small in extent. The EPA also notes that the proponent has committed to preparing and implementing an operational environmental management plan, which will include management controls for the ongoing use and operation of the proposed facilities (and monitoring and reporting against these controls). The EPA has taken into account the ability of other decision making processes to regulate aspects of the proponent’s operational management plan (see below).
- The EPA does not consider that the proposal impacts will combine or interact in a holistic way which requires assessment by the EPA.

Taking into account decision-making processes under the Planning and Development Act 2005 (PD Act)

- Construction of the proposal has the potential to impact on the environmental, social and visual amenity values of the Matilda Bay and Applecross foreshore areas, and Elizabeth Quay.
- These types of impacts on environmental, social and visual amenity values can be mitigated and managed through conditions of development approval granted by the Western Australian Planning Commission (WAPC) under the PD Act, on the advice of the Department of Biodiversity, Conservation and Attractions consistent with its policies regarding the environmental values of the Swan River.
- The EPA notes that in considering development applications, the WAPC will have regard for relevant state planning policies (SPPs) (including the *SPP 2.10 – Swan-Canning River System*), public submissions received during advertising periods, and advice provided by other government agencies.

- In the case of this proposal, given that the proposal intersects with the Swan Canning development control area (DCA), development applications for the proposal sites (and any associated development conditions) will be determined by the WAPC on the advice of the Swan River Trust (the Trust) and the Department of Biodiversity, Conservation and Attractions (DBCA), as the entities responsible for the management of the Swan and Canning river reserves and park. The EPA notes that the WAPC determination must be consistent with any advice received by the Trust.
- DBCA has informed the EPA that it will be providing advice to the WAPC regarding mitigating impacts associated with underwater noise (associated with hammer piling) to recreational users and marine fauna.
- The EPA is further advised that in addition to the proponent's commitment to avoid noise-generating works on Sundays and public holidays, DBCA will be considering recommending that this be extended to Saturdays to reduce impact to recreation activities at Matilda Bay. The EPA supports this advice to further minimise impacts on amenity.

Taking into account decision-making processes under the Swan and Canning Rivers Management Act 2006 (SCRM Act)

- The proposal has the potential to intensify existing land uses within the Swan River reserve and park, including through the establishment of a new and regular ferry service.
- Increases in speed limits and establishment of a new and regular ferry service has the potential to alter the intensity and degree of exposure of the river foreshore to wake-generated waves.
- The EPA has taken into account the requirement for development applications of this type to be referred to DBCA for assessment under Part 5 of the SCRM Act. The EPA also noted that in accordance with Part 4A of the SCRM Act, the proponent will require a river reserve lease for the new ferry terminals.
- As part of determining whether to provide a river reserve lease or approval to develop in the Swan Canning DCA, DBCA will consider relevant SPPs (including *SPP 2.9 – Planning for Water (Draft)* and *SPP 2.10 – Swan-Canning River System*), the *Swan Canning River Protection Strategy*, Swan Canning DCA policies, plans and guidelines, and whether any conditions are required to manage and mitigate potential impacts.
- In this regard, DBCA has advised the EPA of its expectations that future environmental management plans submitted by the proponent in support of a Part 5 development application will contain measures capable of ensuring that potential impacts of the proposal to the environmental and social values of the Swan River reserve and park will be adequately managed. This includes site-specific construction environmental management plans (CEMPs), operational environmental management plans (OEMP), surface water management plans, foreshore management plans, and landscape plans.

Taking into account decision-making processes under the Conservation and Land Management Act 1984 (CALM Act)

- The EPA considered that the potential impacts of the proposal will occur within the Matilda Bay Reserve, which is vested with the Conservation and Parks Commission and managed by DBCA in accordance with the CALM Act.
- As such, the use and development of the reserve for the proposal will require development approval under the CALM Act, and a potential permit, lease and/or licence from DBCA under the *Conservation and Land Management Regulations 2002*.
- DBCA has advised the EPA that DBCA's *Corporate Policy 42 – Planning for Land Use, Development and Permitting Affecting the Swan Canning Development Control Area and Architectural Design Guidelines for Developments at Matilda Bay Reserve* are likely to be relevant to its consideration of any future application to develop the proposal at Matilda Bay Reserve, and whether any conditions of approval are likely to be required.
- DBCA has also advised the EPA of its expectations that the proponent's future environmental management plans will contain measures capable of ensuring that the potential environmental and social impacts of the proposal will be adequately managed.

Taking into account decision-making process under the Part V of the EP Act (clearing permit)

- Construction of the proposal requires the removal of 0.63 hectares (ha) of seagrasses and macroalgae at the Matilda Bay and Applecross sites.
- The proponent has submitted an application to the Department of Water and Environmental Regulation (DWER) for a permit to clear the vegetation under Part V Division 2 of the EP Act.
- In assessing the application, DWER will consider the application of the mitigation hierarchy and the ten clearing principles outlined in the EP Act, and whether any conditions should be prescribed to manage potential impacts to vegetation.

The EPA notes that construction of the proposal has the potential to impact on Aboriginal heritage values associated with the Swan River (ID: 3536), including creation and dreaming narrative associations. Authority is required under the *Aboriginal Heritage Act 1972* to disturb a registered Aboriginal heritage site. Consent from the Minister for Aboriginal Affairs (or delegate) is also required for minor works that may disturb the ground surface of a registered Aboriginal heritage site, and to bring plant and equipment onto a registered site.

The EPA considers that the above decision-making processes are likely to be able to facilitate the regulation and management of potential impacts of the proposal, to ensure that any residual impacts after the application of the proponent's mitigation measures will be minor, highly localised, and will not result in significant environmental outcomes.

Public advice

Advice to other decision-making authorities

The EPA publishes the following public advice for the benefit of other decision-making authorities to ensure that their statutory decision-making processes achieve and assure environmental outcomes consistent with the EPA's environmental factor objectives:

- To mitigate potential impacts associated with erosion, scouring, and sediment transport that may result from changes to vessel wake or other coastal processes, the EPA supports conditions to implement management actions in accordance with approved construction and operation environmental management plans as a component of any future development approval provided under the PD Act and/or SCRM Act. The EPA expects that such plans will require the proponent to implement monitoring and assessment of the foreshore environment before, during and after construction, and at regular intervals during ongoing ferry operations. Should monitoring and assessment identify adverse impacts, management and/or remediation actions should be undertaken by the proponent commensurate with the level of impact.
- The EPA supports the investigation and implementation of additional noise mitigation measures to reduce the risk of underwater noise impacts to river users and marine fauna from piling during construction. The proponent has indicated that additional measures may be available to further mitigate this risk, including bubble curtains, isolation casings, and double pile sleeves. The EPA recommends that future mitigation measures selected are integrated in the proponent's proposed environmental management plans, with the expectation that these plans will constitute a condition of future development approval under the PD Act and/or SCRM Act.
- The EPA recognises the high level of visitation at the Matilda Bay proposal site, and its important social and recreational values. The EPA considers the proposed exclusion of noise-generating construction works during peak periods (weekends and public holidays) is a key measure for facilitating continued community use and enjoyment of the river and foreshore. The EPA recommends this for consideration as a future condition of development approval under the PD Act and would support extension of restrictions to include Saturdays.
- The EPA has considered the proponent's noise assessment results, which indicate that noise emitted from the charging units at Matilda Bay can be effectively contained to areas associated with the facility. The EPA supports the implementation of noise screening measures to manage noise from electrical charging infrastructure to levels consistent with the surrounding environment and expects development approval processes under the PD Act and CALM Act to condition the proposal consistent with this proponent commitment.
- The EPA supports the replacement of any removed black cockatoo habitat trees from the proposal sites at a 3:1 ratio. The EPA advises that replacement trees should comprise species that provide commensurate habitat values for black cockatoos and should not be planted within 10 m of any existing or proposed road reserves. The EPA recommends the formalisation of this mitigation measure in the proponent's future foreshore and/or landscape management plans, with the expectation that these plans will constitute a condition of future development approval under the PD Act and/or CALM Act.

Advice to proponent

- The EPA supports the proponent's investigation of new measures to enhance seagrass habitat at the proposal sites that may be impacted through implementation of the proposal. Potential measures may include installation of habitat panels on existing river infrastructure or the proposed jetty pylons, or introduction of floating habitats.

Implementation of selected measures should occur within a short timeframe following completion of construction and the commencement of operations.

- The EPA also supports the proponent's intent to establish a stakeholder reference group to advise on the safe and equitable access and use of the river and foreshore following construction. The EPA considers that it might be appropriate for the scope of the reference group to be extended to engage on future foreshore landscaping and/or amenity aspects. This would allow for stakeholders to assist in creating a future foreshore and river environment that best suits the community needs, and for feedback to be provided on the ongoing interaction between proposal operations and river users. The EPA supports the establishment of a reference group with such a scope.

Material information considered by the EPA in this decision

The EPA has considered the following material information in making its decision:

- The referral (22 September 2025)
- Environmental Review Document (18 September 2025) and appendices
 - Appendix A: BMT 2025a, Sediment Sampling Report
 - Appendix B: GHD 2025a, Biological Survey Report
 - Appendix C: AECOM 2025a, Black Cockatoo Habitat Assessment
 - Appendix D: GHD 2025b, Preliminary Site Investigation – Applecross
 - Appendix E: GHD 2025c, Preliminary Site Investigation – Elizabeth Quay
 - Appendix F: GHD 2025d, Preliminary Site Investigation – Matilda Bay
 - Appendix G: BMT 2025b, Benthic Communities and Habitat Mapping Report
 - Appendix H: BMT 2025c, Assessment of Dredging Requirements
 - Appendix I: AECOM 2025b, Construction Environmental Management Plan
 - Appendix J: SLR 2025, Construction and Operation Environmental Noise Assessment
 - Appendix K: Element 2025, Photomontages
 - Appendix L: Seashore Engineering 2025, Preliminary Coastal Processes Impact Assessment
- Comments received during the 7-day public comment period.
- Advice from DBCA on its statutory decision-making roles and processes.
- Advice from the Department of Water and Environmental Regulation regarding the applicability of native vegetation clearing provisions under Part V of the EP Act.
- EP Act s.3, s.4, Part IV, Admin Procedures, and EPA factor and technical guidance.

Appeals: There are no rights of appeal under the EP Act in respect of this decision.



Darren Walsh

Chair

Delegate of the Environmental Protection Authority

Date: 05 November 2025