

# Form

## Referral of a proposal under s. 38 of the EP Act

PART A: PROPONENT AND REFERRER INFORMATION AND PROPOSAL DESCRIPTION	
<b>Referrer information</b>	
<b>Who is referring this proposal?</b>	<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party
<b>Name of the referrer</b> <i>Name of the person or organisation referring</i>	Pilbara Energy (Generation) Pty Ltd
<b>Contact details (for the EPA's assessment of this proposal)</b> <i>Name, organisation, position, email, phone and address</i>	Karen Boyce Manager Energy Project Approvals, Fortescue Future Industries 6 Bennett Street East Perth WA 6004 kboyce@fmgl.com.au 0412 832 068
Does the referrer request that the EPA treat any part of the proposal information in the referral as confidential? <i>Provide confidential information in a separate attachment.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Declaration</b> I, Karen Boyce declare that I am authorised to refer this proposal on behalf of Pilbara Energy (Generation) Pty Ltd and further declare that the information contained in this form is true and not misleading.	
<b>Proponent information</b>	
<b>Name of the proponent/s</b> <i>Include Trading Name if relevant</i>	Pilbara Energy (Generation) Pty Ltd
Australian Company Number(s) <input checked="" type="checkbox"/>	631 303 305
Australian Business Number(s) <input type="checkbox"/>	
<b>Pre-referral discussions</b>	
<b>Have you had pre-referral discussions with the EPA (including the EPA Services of DWER)?</b> <i>If so, provide name, date, and overview of discussions.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No A pre-referral meeting was held with DWER EPA Services representatives Rachel Vukmirovic and Cassie Bell on Tuesday 25 <sup>th</sup> January 2022. The proponent provided an overview of the proposal and sought feedback.

Proposal information	
Proposal name	Uaroo Renewable Energy Hub
What is the proposal? (Include general description in the <a href="#">Instructions and template: How to identify the content of a proposal</a> )	<p>The Proposal is to construct and operate a renewable energy generation project in the Pilbara, consisting of wind turbines and infill solar, to power the Fortescue Metals Group mining operations.</p> <p>See the attached Supporting Information document for additional information on the proposal.</p>
Have you provided electronic spatial data, maps, and figures in the appropriate format?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<p>What type of proposal is being referred?</p> <p><i>For significant amendment or derived proposal, provide the associated existing Ministerial statement number/s</i></p> <p><i>For a proposal under an assessed planning scheme, provide the scheme number and name</i></p>	<input checked="" type="checkbox"/> significant proposal. <i>Choose which type of significant proposal</i> <input checked="" type="checkbox"/> new proposal <input type="checkbox"/> significant amendment (proposal only) <input type="checkbox"/> significant amendment (conditions only) <input type="checkbox"/> significant amendment (proposal and conditions) <input type="checkbox"/> strategic proposal <input type="checkbox"/> derived proposal <input type="checkbox"/> proposals of a prescribed class <input type="checkbox"/> proposal under an assessed planning scheme
<p><b>Proposal content:</b> Complete the corresponding template (Proposal Content Document) from the <a href="#">Instructions and template: How to identify the content of a proposal</a> for the type of proposal identified above. The completed form <b>must be</b> submitted with the referral.</p>	
Alternatives	Alternative proposal concepts are discussed in Section 2.5 of the Supporting Information document.

## PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS

Environmental factors	
What are the likely significant environmental factors for this proposal?	<input type="checkbox"/> Benthic Communities and Habitat <input type="checkbox"/> Coastal Processes <input type="checkbox"/> Marine Environmental Quality <input type="checkbox"/> Marine Fauna <input checked="" type="checkbox"/> Flora and Vegetation <input type="checkbox"/> Landforms <input type="checkbox"/> Subterranean Fauna <input type="checkbox"/> Terrestrial Environmental Quality <input checked="" type="checkbox"/> Terrestrial Fauna <input checked="" type="checkbox"/> Inland Waters

	<input type="checkbox"/> Air Quality <input type="checkbox"/> Greenhouse Gas Emissions <input checked="" type="checkbox"/> Social Surroundings <input type="checkbox"/> Human Health
<p><i>For each of the environmental factors identified above, complete the following table, or provide the information in a supplementary report</i></p>	
<p><b>Potential environmental impacts – for each environmental factor</b></p>	
1	<b>EPA policy and guidance</b>
2	<b>Receiving environment</b>
3	<b>Likely environmental impacts</b>
4	<b>Application of the mitigation hierarchy</b>
5	<b>Assessment and significance of residual impacts</b>
6	<b>Likely environmental outcomes</b>
<p>Refer to the attached Uaroo Renewable Energy Hub Referral Supporting Information document.</p>	
<p><b>Holistic impact assessment</b></p>	
<p>Refer to Section 4.7 in the attached Uaroo Renewable Energy Hub Referral Supporting Information document.</p>	
<p><b>Cumulative environmental impact assessment</b></p>	
<p>Refer to Section 4.8 in the attached Uaroo Renewable Energy Hub Referral Supporting Information document.</p>	
<p><b>Consultation</b></p>	
<p>Refer to Section 3.5 in the attached Uaroo Renewable Energy Hub Referral Supporting Information document.</p>	
<p><b>Supporting documents</b></p>	
<p>Provide a list of the supporting documents</p> <ul style="list-style-type: none"> <li>Uaroo Renewable Energy Hub Referral Supporting Information, January 2022</li> </ul>	
<p>Has the referrer provided survey information according to the <a href="#">Instructions and Form: IBSA Data Packages</a> and/or the <a href="#">Instructions and form: IMSA Data Packages</a></p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p><b>Conclusion</b></p>	
<p>Do you consider the proposal may have a significant effect on the environment?</p> <p>Yes.</p>	

## PART C: OTHER APPROVALS AND REGULATION

### Decision-making authorities and their approvals

Provide a table list of the decision-making authorities, associated legislation or agreement regulating the activity and the specific approval required. (Example table at the end of form)

Refer to Section 5 in the attached Uaroo Renewable Energy Hub Referral Supporting Information document.

Provide a summary of the statutory decision-making processes you consider can mitigate the potential impacts of the proposal on the

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environment. (Note: this should be a summary of the information provided in Part B section 2.4).	
<b>Tenure and Local Government approvals</b>	
Location of proposal: a) street address, lot number, suburb, and nearest road intersection; or b) if remote, the nearest town and distance and direction from that town to the proposal site.	Uaroo and Emu Creek Pastoral Stations 20 km west of Nanutarra Roadhouse and 120 km south of Onslow off the North West Coastal Highway.
Name of the Local Government Authority in which the proposal is located.	Shire of Ashburton
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the current land use on the property, and the extent (area in hectares) of the property?	Pastoral activities
Does the proponent have the legal access required for the implementation of all aspects of the proposal? <i>If yes, provide details of legal access authorisations / agreements / tenure.</i> <i>If no, what authorisations / agreements / tenure is required and from whom?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No The proponent has miscellaneous licence applications (under section 91-94 of the <i>Mining Act 1978</i> ) within the Development Envelope. Access agreements with the relevant landholders are currently under negotiation, including with Dampier Bunbury Pipeline. The proposal is wholly located within the Thalanyji Native Title Determination Area (WCD2008/003). Buurabalayji Thalanyji Aboriginal Corporation (BTAC) is the prescribed body corporate for the determined Thalanyji native title holders. Fortescue and BTAC are currently negotiating a Heritage Agreement.
<b>Commonwealth Government approvals</b>	
Does the proposal involve an action that may be or is a controlled action under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date: _____ EPBC No.: _____
If referred, has a decision been made on whether the proposed action is a controlled action? If 'yes',	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decision – controlled action

check the appropriate box and provide the decision in an attachment.	<input type="checkbox"/> Decision – not a controlled action
If the proposal is determined to be a controlled action, do you request that this proposal be assessed under a Bilateral Agreement or as an accredited assessment?	<input type="checkbox"/> Yes - Bilateral <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes - Accredited
Is approval required from other Commonwealth Government/s for any part of the proposal? <i>If yes, describe.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Approval:
<b>Decision-making authority referrals <u>ONLY</u></b>	
What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i>	

**Table 1:** Other approvals

Decision-making authority	Legislation or Agreement regulating the activity	Approval required (and specify which proposal element the approval is related to)	Whether and how statutory decision-making process can mitigate impacts on the environment? (Yes/No and summary of reasons. Include a separate line item for each relevant impact, and discuss how the EPA's factor objective will be met)
DMIRS	<i>Mining Act 1978</i>	<ul style="list-style-type: none"> <li>• Mining Proposal</li> <li>• Mine Closure Plan</li> </ul>	For the management of activities on Mining Act tenure.
DWER	<i>Environmental Protection Act 1986 Pt. V</i>	<ul style="list-style-type: none"> <li>• Works Approval</li> <li>• Environment Licence for controlled work or prescribed activities</li> </ul>	It is expected the Proposal will trigger a Part V EP Act Licence to regulate potential impacts and emissions from the following categories: <ul style="list-style-type: none"> <li>• Category 12/70 – Screening of material.</li> <li>• Category 52 – Electric power generation.</li> <li>• Category 54 – Sewage Facility.</li> <li>• Category 73 – Bulk storage of chemicals</li> <li>• Category 77 – Concrete batching or cement products manufacturing.</li> </ul>
DWER	<i>Rights in Water and Irrigation Act 1914</i>	<ul style="list-style-type: none"> <li>• 26D Licence to construct or alter a well</li> <li>• 5C Licence to take water</li> </ul>	For sustainable abstraction and use of groundwater resources.

Decision-making authority	Legislation or Agreement regulating the activity	Approval required (and specify which proposal element the approval is related to)	Whether and how statutory decision-making process can mitigate impacts on the environment? (Yes/No and summary of reasons. Include a separate line item for each relevant impact, and discuss how the EPA's factor objective will be met)
DPLH	<i>Aboriginal Heritage Act 1972 or Aboriginal Cultural Heritage Act 2021</i>	<ul style="list-style-type: none"> <li>• Section 18 Approval to disturb a registered heritage site, or</li> <li>• approved Aboriginal Cultural Heritage Management Plan</li> </ul>	For the management of activities which may impact on Aboriginal heritage values where these are unavoidable.
DBCA	<i>Biodiversity Conservation Act 2016</i>	<ul style="list-style-type: none"> <li>• Licence to take flora / fauna</li> </ul>	For the management of activities which impact on threatened flora and fauna
DAWE	<i>Environment Protection and Biodiversity Conservation Act 1999</i>	<ul style="list-style-type: none"> <li>• Environmental impacts on Matters of National Environmental Significance</li> </ul>	An accredited assessment (or bilateral) through the EPA to address potential impacts to MNES.