


Form

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

| PART A: PROPONENT AND REFERRER INFORMATION AND PROPOSAL DESCRIPTION | | | |
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| Referrer information | | | |
| Who is referring this proposal? | | <input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party | |
| Name Rochelle Lupton <i>Name of the person or organisation referring</i> | | Signature  | |
| Position | Environment Lead | Organisation | Regional Power Corporation t/a Horizon Power |
| Email | Rochelle.lupton@horizonpower.com.au | Phone | 0435042502 |
| Address | Lot 1966 | Stovehill Road | |
| | Karratha | WA | 6714 |
| Date | 5/5/2025 | | |
| 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Does the referrer confirm that they consent to receive correspondence electronically? | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| Referral declaration for proponent and Authorised representative: I, Rochelle Lupton declare that I am authorised to refer this proposal on behalf of Regional Power Corporation and further declare that the information contained in this form is true and not misleading. Date:5/5/2025 | | | |
| Proponent information | | | |
| Name of the proponent/s <i>Include Trading Name if relevant</i> | | Regional Power Corporation t/a Horizon Power | |
| Australian Company Number(s) | <input type="checkbox"/> | 57 955 011 697 | |
| OR Australian Business Number(s) | <input checked="" type="checkbox"/> | | |

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| Pre-referral discussions | |
| Have you had pre-referral discussions with the EPA (including the EPA Services of DWER)? <i>If so, provide name, date, and overview of discussions.</i> | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Horizon Power met with Alicia Dudzinska and Troy Sinclair on 17 September 2024 |
| Proposal information | |
| Proposal name | Broome Future Energy System |
| What is the proposal? (Include general description in the Instructions and template: How to identify the content of a proposal) | <p>Horizon Power is proposing to construct the Broome Future Energy System (FES) in Broome in the Kimberley region of WA (the Proposal). The Proposal will ensure security of energy supply to Broome after the expiry of the current Power Purchase Agreement. As part of this future energy supply, Horizon Power is targeting higher renewables and a reduction in emissions as part of the decarbonisation strategy for the town.</p> <p>The Broome FES will consist of ground-mounted solar PV system, battery energy storage systems (BESS) and a network connection route. The solar PV and BESS will be installed at a site approximately 10 km north of Broome. A network connection route will follow Broome Cape Leveque Road, Broome Highway, Old Broome Road and Fredrick Street to connect the solar PV and BESS to the existing substation on Fredrick Street in Broome. The network connection will either be an overhead or underground electrical distribution or transmission line and will be up to 16 km long.</p> |
| Have you provided electronic spatial data, maps, and figures in the appropriate format? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| What type of proposal is being referred? <i>For significant amendment or derived proposal, provide the associated existing Ministerial statement number/s</i> <i>For a proposal under an assessed planning scheme, provide the scheme number and name</i> | <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 |

Proposal content: Complete the corresponding template (Proposal Content Document) from the [Instructions and template: How to identify the content of a proposal](#) for the type of proposal identified above. The completed form **must be** submitted with the referral.

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| Alternatives | See Section 2.3 of Supporting document |
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PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS

Environmental factors

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| 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 |
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For **each** of the environmental factors identified above, complete the following table, or provide the information in a supplementary report

Potential environmental impacts – for each environmental factor

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| 1 | EPA policy and guidance | See Section 6.1 of Supporting Documentation |
| 2 | Receiving environment | See Section 6 of Supporting Documentation |
| 3 | Likely environmental impacts | See Section 6 of Supporting Documentation |
| 4 | Application of the mitigation hierarchy, including other statutory decision-making processes | See Section 6 of Supporting Documentation |
| 5 | Assessment and significance of residual impacts | See Section 6 of Supporting Documentation |
| 6 | Likely environmental outcomes | See Section 6 of Supporting Documentation |

Holistic impact assessment

See Section 8 of Supporting Documentation

Cumulative environmental impact assessment

See Section 9 of Supporting Documentation

Consultation

See Section 4 of Supporting Documentation

Supporting documents

- Proposal Content Document

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| <ul style="list-style-type: none"> • Environmental Protection Authority Referral Supporting Documentation • Broome Future Energy System Environmental Management Plan | |
| Has the referrer provided survey information according to the Instructions and Form: IBSA Data Packages and/or the Instructions and form: IMSA Data Packages | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Conclusion | |
| <p>Do you consider the proposal may have a significant effect on the environment?</p> <p>The proposed Broome Future Energy System is not expected to have a significant residual impact following the application of the avoidance, mitigation and management actions.</p> | |

PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR SIGNIFICANT AMENDMENTS ONLY

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| Type of significant amendment | <input type="checkbox"/> significant amendment to the approved proposal <input type="checkbox"/> significant amendment to the implementation conditions <input type="checkbox"/> significant amendment to both the proposal and the implementation conditions |
| Information of the approved proposal | |
| Combined effects of the approved proposal and significant amendment | |
| Analysis of existing implementation conditions | |
| Previous changes to the Proposal and or implementation conditions | |
| Compliance | |
| Environmental Performance | |
| Control of implementation of significant amendment | |

PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR A PROPOSAL UNDER AN ASSESSED SCHEME ONLY

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| What new environmental issues are raised by the proposal that were not assessed during the assessment of the planning scheme? | |
| How does the proposal not comply with the assessed scheme and/or the environmental conditions in the assessed planning scheme? | |

PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR DERIVED PROPOSALS ONLY

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| Demonstrate how the proposal will meet the environmental outcomes defined through the assessment of the strategic proposal | |
| Provide an analysis of the existing implementation conditions of the related strategic proposal in relation to the derived proposal | |

PART C: OTHER APPROVALS AND REGULATION

Decision-making authorities and their approvals

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| 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) | See Section 3.2 of the Supporting Documentation |
| Provide a summary of the statutory decision-making processes you consider can mitigate the potential impacts of the proposal on the environment. (Note: this should be a summary of the information provided in Part B section 2.4). (Example table at the end of form) | See Section 3.2 of the Supporting Documentation and table at end of form |

Tenure and Local Government approvals

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| 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. | See Section 3.2.1 of Supporting Documentation See shapefiles See Figure 2-1 of Supporting Documentation |
| Name of the Local Government Authority in which the proposal is located. | Shire of Broome |
| 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? | See Section 3.2.1 of Supporting Documentation |
| 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 See Section 3.2.1 of Supporting Documentation |

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| Commonwealth Government approvals | |
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| 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 The proposal will be referred to the Department of Climate Change, Energy, the Environment and Water in May 2025. |
| 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', check the appropriate box and provide the decision in an attachment. | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Decision – controlled action <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: |
| Decision-making authority referrals <u>ONLY</u> | |
| What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i> | |

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| Environmental impact | How is the impact regulated by other decision-making process(es)? | Limit(s) of the decision-making process(es) to regulate the impact eg time limits, excluded operations | Likely environmental outcome of decision-making process(es), and consistency with EPA objective | Conditions, enforcement, and review process required by decision-making process(es) | Stakeholder engagement in decision-making process(es) |
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| Potential impacts to Aboriginal cultural heritage | All Proposal activities must be undertaken in accordance with the Aboriginal Heritage Act 1972 (AH Act), which regulates disturbance, damage or removal of registered Aboriginal cultural heritage sites. | The Aboriginal Heritage Act 1972 applies to all Aboriginal heritage, whether registered, lodged or publicly unknown. Without appropriate due diligence and management, there is a risk to publicly unknown heritage. | <p>Horizon Power undertakes heritage surveys with relevant traditional owners prior to ground disturbing activities to ensure it can practice site avoidance. As such there will be no planned disturbance, damage, impact or removal of any Aboriginal Heritage sites as part of Proposal activities.</p> <p>Should unknown heritage sites be uncovered during the proposed activities, they will be handled in accordance with the AH Act and any other applicable legislation, Horizon Power’s Aboriginal Cultural Heritage Management Policy, and in consultation with Traditional Owners. Any necessary approval under the AH Act only regulates impacts to registered sites, not other cultural heritage values and as such is only partially aligned with EPA objectives for Social Surrounds. Consultation with the traditional owners is being undertaken to mitigate risk to cultural</p> | Conditions, enforcement and review processes under the AH Act are limited to section 18 approvals. As Horizon Power practices site avoidance, and works closely with the Traditional Owners to ensure there are no impacts to heritage as a result of Horizon Power’s activities, it is not anticipated that a section 18 AH Act | Yawuru PBC Board including Elders were consulted regarding the Proposal on 15 May 2024, 23 May 2024, 20 February 2025 and 13 March 2025. |

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| | | | heritage aspects that are not protected under the AH Act. | approval will be required. | |
| Clearing of the project at a specific location | The access to portions of the DE will be governed and managed by a licence and management order under the <i>Land Administration Act 1997</i> (LA Act). | The requirements of the LA Act are administrative and unlikely to mitigate impacts to the environment, however will constrain the location where aspects of the Proposal can be constructed. | The decision making process will limit the location of the Proposal. | No conditions, enforcements, of review processes are expected. | Engagement with DPLH has been undertaken regarding the land tenure requirements. |
| Terrestrial fauna | Authorisation to Take or Disturb Threatened Fauna is required under the <i>Biodiversity Conservation Act 2016</i> . | This authorisation only applies to Threatened species and not Priority species. | Any conditions attached to the approved Authorisations will be adhered to during clearing and disturbance works. This is consistent with EPA Objective for Terrestrial Fauna. | Reporting is typically required for any disturbance undertaken to Threatened fauna. | Stakeholder engagement has not been undertaken with DBCA for terrestrial fauna as this licence is an administrative requirement for all disturbance to Threatened fauna species, the requirements of licencing are well understood. |
| Pollution | The Proposal may include the construction and operation of solar infrastructure, new concrete batching plant, wastewater treatment plant and other | The Works Approvals and Licensing process only applies to Prescribed Premises and activities. | The Works Approvals and Licensing process has been designed to prevent, control, abate, and mitigate pollution or environmental harm. It sets limits and focuses on management controls to minimise impacts on the environment from emissions | Reporting is typically required for any disturbance undertaken and annual | Stakeholder engagement has not been undertaken, this approval would be applied for by the construction contractor once the construction requirements are understood. |

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| | <p>supporting infrastructure which may require approval from Department of Water and Environment Regulation (DWER) through a works approval/licence application under Part V of the <i>Environmental Protection Act 1986</i> (EP Act).</p> | | <p>associated with the proposed prescribed activities and categories under Part V of the EP Act. Assessment of the Works Approval and subsequent Licence applications includes a risk assessment of the identified emissions and discharges and their potential to cause environmental harm. This is consistent with EPA objectives for Flora and Vegetation, Terrestrial Fauna, Social Surrounds, Human Health and Air Quality.</p> | <p>reporting may be required.</p> | |
| | <p>The Proposal may require utilisation of Dangerous Goods. A Dangerous Goods Site Licence will be obtained under the Dangerous Good Safety (Major Hazard Facilities) Regulations 2007 (WA).</p> | <p>The Licence only applies to Dangerous Goods as defined under the Regulations.</p> | <p>A Dangerous Goods Licence is likely to be required for operation of the Proposal if Dangerous Goods are required to be stored on site. This is consistent with EPA objectives for Social Surrounds and Human Health.</p> | <p>Reportable situations are defined under the Reporting and investigating incidents and other situations involving dangerous goods: Guideline. Enforcement, offences and penalties apply.</p> | <p>Stakeholder engagement has not been undertaken, this approval would be applied for by the construction contractor once the construction requirements are understood.</p> |

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| <p>Impacts to bed and banks, and extraction of water</p> | <p>The Proposal may include groundwater abstraction for dewatering during construction and construction of a bore to supply water for construction purposes. These activities may require approval from DWER through Section 5C and 26D Licences under the <i>Rights in Water and Irrigation Act 1914</i> (RIWI Act).</p> | <p>The RIWI Act only applies in Proclaimed areas.</p> | <p>These approvals set limits on the location and quantity of water abstraction to ensure impacts to groundwater levels and quality are minimised. Relevant licences related to the Proposal include licence to:</p> <ul style="list-style-type: none"> • take water (a 5C groundwater or surface water licence) • construct wells, including bores and soaks (a 26D licence). <p>As part of the approval process, impacts on the water environment will be considered and assessed. The RIWI Act licencing requirements are consistent with the EPA objectives for Inland Waters.</p> | <p>These licences have terms, conditions and limits which must be complied with. Reporting is often required under the licence.</p> | <p>Stakeholder engagement has not been undertaken, this approval would be applied for by the construction contractor once the construction requirements are understood.</p> |
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