



## Instructions for the referral of a Proposal to the Environmental Protection Authority under Section 38 of the Environmental Protection Act 1986

### Purpose of these instructions

To assist referrers to fill out the EPA s38 referral form.

### Purpose of the Referral Form

The Environmental Protection Authority (EPA) requires that referrers use this form for all proposals referred to the EPA under section 38 of the EP Act, to decide whether it is a valid referral and so that it receives sufficient information about a proposal to decide whether or not to assess it.

### How to fill out this form

#### Advice

Proponents may contact the Office of the EPA if they need assistance to fill out this form.

Refer also to the **Administrative Procedures** and **Procedures Manual** for more information about the processes relating to the nomination of a proponent and change of a proponent.

#### Referrer information

##### Who is referring this proposal?

Check the relevant box as the EPA needs to know whether you are a proponent, decision-making authority or community member/third party.

##### Does the referrer request that the EPA treat any part of the referral information as confidential?

If you are a proponent, you may request that the EPA keep any or all of the proposal information confidential by checking the 'Yes' box.

Where the EPA agrees that the information is confidential, the EPA will not publish the confidential information as part of the referral information.

##### Referral declaration

For the EPA to accept a referral from an organisation, proponent or a decision-making authority, it must be signed by an authorised person – either a CEO or a person with evidence to act on behalf of the organisation.

#### Part A: Proponent and proposal description

##### Proponent Information

Complete the details and provide an Australian Company Number (or Australian Business Number for government agencies).

##### Proposal type

Check the relevant box for the type of proposal and any associated existing Ministerial Statement number/s, if relevant.

If you checked 'significant proposal' or 'proposal under an assessed planning scheme', please provide a brief justification (or reference to the section in the supplementary report that explains this). Refer to the EPA's **Statement of environmental principles, factors and objectives** for guidance on 'significance'.

## Proposal description

Provide a clear proposal description, including maps and spatial information.

### Proposal description

Provide a proposal description according to the EPA's **Instructions and template: Defining the key proposal characteristics**, including:

- *a general proposal description* that describes the key elements of a proposal that relate to the environment
- *key proposal characteristics* that quantify the limits or extent of the physical and operation elements (i.e. amount of clearing, rate of emissions and discharges etc).

### Spatial data, maps and figures

The EPA *requires* maps and figures in the referral.

Provide spatial data in GIS format, that is geo-referenced and conforms to the following parameters:

- Data type: closed polygons that represent the proposal boundary (development envelope) and the activity areas for all physical elements of the proposal (footprint).
- Attribution: Name the development envelope and each activity area in the attribute table of the spatial data.
- Format: ESRI geodatabase or shapefile.
- Coordinate System: GDA94 (datum) and projected into the appropriate Map Grid of Australia (MGA) zone.

Provide maps and figures that are clear and readable, of appropriate scale, in either jpeg or pdf format and of good resolution (> 300 ppi).

## Part B: Environmental impacts

The purpose of Part B is to provide sufficient detail for the EPA to decide whether or not to assess the proposal and if it decides to assess the proposal, the level of assessment.

### Environmental factors

Check the boxes for the environmental factors that the proposal may have a significant impact on.

For each individual factor:

- complete a separate 'Potential environmental impacts table', or
- provide the information in a supplementary report according to the **Instructions and template: Environmental Review Document**.

Refer to the EPA's *Statement of environmental Principles, Factors and Objectives* for the list of factors and the EPA's **Framework for environmental considerations in EIA** for guidance for each factor.

### Potential environmental impacts

Provide information about the anticipated environmental impacts of the proposal and the proposed application of the mitigation hierarchy to avoid, minimise, rehabilitate (and offset, if appropriate) those impacts.

## EPA policy and guidance

Refer to the EPA's guidance for each factor in the EPA's Framework for environmental considerations in EIA.

### Receiving environment

Describe the current condition, using appropriate baseline studies such as flora and vegetation surveys or water quality data.

This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.

If the proposal will impact increase a cumulative impact (such as on noise levels or air quality parameters) or on conservation significant species or communities, provide relevant information from other developments in the area.

### Proposal activities

List the proposal-specific activities that will impact this environmental factor, considering direct and indirect impacts (e.g. impacts to flora and vegetation can be from clearing, ground water drawdown and dust.

### Mitigation

Describe how you have applied the mitigation hierarchy (avoid, minimise, rehabilitate, offset) to reduce the potential environmental impacts of the proposal activities. Refer to the **WA Environmental offsets guidelines**:

- Avoid – avoid the adverse environmental impact
- Minimise – limit the degree or magnitude of the adverse impact
- Rehabilitate – restore the maximum environmental value that is reasonably practicable
- Offset – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.

### Assessment of impacts and identification of residual impacts

Evaluate the significance of the impacts (direct, indirect and cumulative) from the proposal activities on the environmental factor:

- quantify the predicted impacts (extent, duration, etc.) against the baseline condition acknowledging any uncertainty in predictions
- consider the impacts in a local and regional context, incorporating cumulative impacts; and
- compare against established environmental policies, guidelines, and standards.

Identify whether there may be residual impacts after applying the mitigation hierarchy and whether these are significant. If there may be significant residual impacts, discuss whether these may be offset under 'Management measures'.

## Part C: Other approvals and regulation

### State and Local Government approvals

The EPA needs accurate regulatory information to correctly identify decision-making authorities for the proposal. This information is important as it means that the relevant decision-making authorities are informed of decisions under the EP Act in relation to the proposal and the EPA confers with the correct decision-making authorities.

List the approvals required, e.g.:

Proposal activities	Land tenure/access	Type of approval	Legislation regulating the activity
Clearing		Native Vegetation Clearing Permit	<i>EP Act 1986 – Part V</i>
Water abstraction / Dewatering		Licence	<i>RiWI Act 1914</i>
Mining		Mining proposal	<i>Mining Act 1979</i>

### Commonwealth Government approvals

Complete this section if the proposal will potentially impact Matters of National Environmental Significance that are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

If the EPA decides to assess a proposal and the Commonwealth Department of the Environment and Energy has decided that the proposal is a controlled action, the proposal can be assessed by the EPA under the bilateral agreement between the State of WA and the Commonwealth Government, or as an accredited assessment.

If there are other approvals from the Commonwealth Government that may be required, such as a sea dumping permit, provide details in the box provided.

### Including a supplementary report/s

A referrer may include a supplementary report/s instead of completing the 'Potential environmental impacts' table in Part B: Potential environmental impacts. The EPA requests that the referrer follow the format of the **Environmental Review Document** template when preparing a supplementary report and that the referrer includes the following:

- appropriate detail required by part B in the supplementary report
- cross-references in the referral form to the appropriate section/s in the supplementary report.

### Submitting a completed Referral Form

Files must be below eight megabytes (8 MB) in size as they may be published on the EPA's website (exemptions apply) for public comment. To minimise file size, "flatten" maps and optimise pdf files.

The EPA prefers that referral forms (and any attachments and supplementary reports) are emailed but will also accept referrals submitted by post.

Email: [Registrar@epa.wa.gov.au](mailto:Registrar@epa.wa.gov.au)

or

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

#### Enquiries:

Telephone: 6145 0800

Fax: 6145 0895

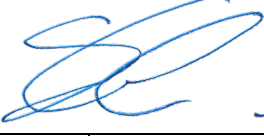
Email: [info@epa.wa.gov.au](mailto:info@epa.wa.gov.au)

Website: [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

**End of Instructions (remove before submitting Referral Form)**

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## Form for the referral of a proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*

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 John Canaris		Signature 		
Position	Managing Director	Organisation	Leichhardt Industrials Pty Ltd	
Email	<a href="mailto:john@canaris.com.au">john@canaris.com.au</a>			
Address	Street No. 1/338	Street Name Hay Street		
	Suburb Subiaco	State WA	Postcode 6008	
Date	05 December 2018			
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>Referral declaration for organisations, proponents and decision-making authorities:</b> I, John Canaris, declare that I am authorised to refer this proposal on behalf of Leichhardt Industrials Pty Ltd and further declare that the information contained in this form is true and not misleading.				
Part A: Proponent and proposal description				
Proponent information				
Name of the proponent/s (including Trading Name if relevant)		Leichhardt Industrials Pty Ltd		
Australian Company Number(s) <input checked="" type="checkbox"/> <b>OR</b> Australian Business Number(s) <input type="checkbox"/>		613 581 614		
Contact for the proposal (if different from the referrer)  <i>Please include: name; physical address; phone; and email.</i>		Phil Scott – Director, Preston Consulting Pty Ltd Level 3, 8/201 Adelaide Terrace East Perth WA 6004 <b>Phone:</b> 0418 954 467 <b>Email:</b> <a href="mailto:pscott@prestonconsulting.com.au">pscott@prestonconsulting.com.au</a>		

<p>Does the proponent have the legal access required for the implementation of all aspects of the proposal?</p> <p><i>If yes, provide details of legal access authorisations / agreements / tenure.</i></p> <p><i>If no, what authorisations / agreements / tenure is required and from whom?</i></p>	<p><input type="checkbox"/> Yes      <input checked="" type="checkbox"/> No</p> <p>Leichhardt and its agent Tracker Geoservices Pty Ltd have made seven Exploration Licences (E) applications, and one Prospecting Licence (P) application (four granted). These landholdings will form the basis for conversion to Mining Leases which will be administered by the Department of Mines, Industry Resources and Safety (DMIRS). The majority of the aspects of the proposal lie within Exploration Licences held by Leichhardt Industrials Pty Ltd:</p> <ul style="list-style-type: none"> <li>• E47/3072</li> <li>• E47/3301</li> <li>• E47/3956</li> <li>• E47/4015</li> <li>• E08/3042</li> <li>• P08/732</li> </ul> <p>The following leases are held by Tracker Geoservices:</p> <ul style="list-style-type: none"> <li>• E08/2887</li> <li>• E08/2782.</li> </ul> <p>Further tenure applications will be made under the Mining Act to support full implementation of the Proposal.</p> <p>Access to land and waters will be required in areas vested in the Pilbara Ports Authority (PPA) to implement the export operations for the Proposal. Authorisation to access these areas will be required from PPA (see approvals section).</p>
<p><b>Proposal type</b></p>	
<p><b>What type of proposal is being referred?</b></p> <p>For a change to an approved proposal please state the Ministerial Statement number/s (MS No./s) of the approved proposal</p> <p>For a derived proposal please state the Ministerial Statement number (MS No.) of the associated strategic proposal</p>	<p><input checked="" type="checkbox"/> significant – new proposal</p> <p><input type="checkbox"/> significant – change to approved proposal (MS No./s: _____)</p> <p><input type="checkbox"/> proposal under an assessed planning scheme</p> <p><input type="checkbox"/> strategic</p> <p><input type="checkbox"/> derived (Strategic MS No.: _____)</p>
<p>For a significant proposal:</p> <ul style="list-style-type: none"> <li>• Why do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?</li> </ul>	<p>The implementation of the Proposal may impact on the several Key Environmental Factors (discussed further in Part B).</p>
<p>For a proposal under an assessed planning scheme, provide the following details:</p> <ul style="list-style-type: none"> <li>• Scheme name and number</li> </ul> <p>For the Responsible Authority:</p> <ul style="list-style-type: none"> <li>• What new environmental issues are raised by the proposal that were not assessed during the assessment of the planning scheme?</li> <li>• How does the proposal not comply with the assessed scheme and/or the environmental conditions in the assessed planning scheme?</li> </ul>	<p>N/A</p>

Proposal description	
Title of the proposal	Eramurra Industrial Salt Project
Name of the Local Government Authority in which the proposal is located.	City of Karratha
Location: 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.	The Eramurra Industrial Salt Project is located in the Cape Preston East area, approximately 55 kilometres west-south-west of Karratha, in the Pilbara region of Western Australia. Access to the proposal is via the Great North West Coastal Highway and the 40 Mile Beach Road.
Proposal description – including the key characteristics of the proposal <i>Provide as an attachment to the form</i>	Please see Part A of the supporting information
Have you provided electronic spatial data, maps and figure in the appropriate format? <i>Refer to instructions at the front of the form</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Spatial data has been provided. Maps and figures have been included in Part A of the supporting information document.
What is the current land use on the property, and the extent (area in hectares) of the property?	The area comprising the Proposal is largely used for pastoral activities associated with Mardie Station. The coastal dunes and near shore marine waters are used for recreation, fishing and camping – focused on Gnoorea Point and Forty Mile Beach. The Yaburara & Mardudhunera People are legally recognised as the determined Native Title holders of the Project Area. The local area may be utilised by Traditional Owners for cultural activities. Within the western most portion of the Proposal area, PPA have reserved the land for port purposes. Development of Cape Preston East Port has not yet commenced. Further west and outside of the Proposal area is land used under the <i>Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Act 2002</i> .
Have you had pre-referral discussions with the OEPA? If so, quote the reference number and/or the OEPA contact.	Pre-referral meeting held with Peter Tapsell on 8 November 2018.
Part B: Environmental impacts	
Environmental factors	
What are the likely significant environmental factors for this proposal?	<input checked="" type="checkbox"/> Benthic Communities and Habitat <input type="checkbox"/> Coastal Processes <input checked="" type="checkbox"/> Marine Environmental Quality <input checked="" type="checkbox"/> Marine Fauna <input checked="" type="checkbox"/> Flora and Vegetation

	<input type="checkbox"/> Landforms <input type="checkbox"/> Subterranean Fauna <input checked="" type="checkbox"/> Terrestrial Environmental Quality <input checked="" type="checkbox"/> Terrestrial Fauna <input type="checkbox"/> Hydrological Processes <input checked="" type="checkbox"/> Inland Waters <input type="checkbox"/> Air Quality <input checked="" type="checkbox"/> Social Surroundings <input type="checkbox"/> Human Health
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*For the environmental factors identified above, complete the following table, or provide the information in a supplementary report. Please be sure to complete a separate table per factor identified above.*

Potential environmental impacts		
1	<b>EPA Factor</b>	Please refer to Part B of the supporting information document.
2	<b>EPA policy and guidance</b> - What have you considered and how have you applied them in relation to this factor?	
3	<b>Consultation</b> – Outline the outcomes of consultation in relation to the potential environmental impacts	
4	<b>Receiving environment</b> - Describe the current condition of the receiving environment in relation to this factor.	
5	<b>Proposal activities</b> – Describe the proposal activities that have the potential to impact the environment	
6	<b>Mitigation</b> - Describe the measures proposed to manage and mitigate the potential environmental impacts.	
7	<b>Impacts</b> - Assess the impacts of the proposal and review the residual impacts against the EPA objective.	
8	<b>Assumptions</b> - Describe any assumptions critical to your assessment <i>e.g. particular mitigation measures or regulatory conditions.</i>	



Part C: Other approvals and regulation			
State and Local Government approvals			
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	
If this proposal has been referred by a decision-making authority, what approval(s) are required from you?		N/A	
Proposal activities	Land tenure/access	Type of approval	Legislation regulating the activity
All activities	Mining Act tenure	EP Act Part IV approval (this referral)	<i>Environmental Protection Act 1986 (Part IV)</i>
		EPBC Act approval	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
		Mining Proposal and Mine Closure Plan	<i>Mining Act 1978</i>
All activities	State Agreement Act tenure	Project Management Plan	<i>Mines Safety and Inspection Act 1994</i>
Disturbance of Aboriginal Heritage sites (if unavoidable)	Mining Act tenure	Section 18 consent if any Heritage sites are unavoidable	<i>Aboriginal Heritage Act 1972</i>
Storage of dangerous goods (fuel and/or chemicals) on site	Mining Act tenure	Dangerous Goods Site Licence Security Risk Substance Storage Licence	<i>Dangerous Goods Safety Act 2004</i>
Groundwater abstraction	Mining Act tenure	5C Licence	<i>Rights in Water and Irrigation Act 1914</i>
Exploration for groundwater sources	Mining Act tenure	26D Licence	<i>Rights in Water and Irrigation Act 1914</i>
Solar salt manufacturing, sewage treatment and disposal, crushing and screening	Mining Act tenure	Works Approval and Licence	<i>Environmental Protection Act 1986 (Part V)</i>
Ancillary activities and export of product	PPA land lease or alternative	Lease or licence. Planning approval. Construction approval.	<i>Port Authorities Act 1999</i>
Activities unavoidably impacting a "site"	Mining Act tenure	Section 18 approval to disturb a site.	<i>Aboriginal Heritage Act 1972</i>
Commonwealth Government approvals			
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', 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	

Part C: Other approvals and regulation	
State and Local Government approvals	
	<input type="checkbox"/> Decision – not a controlled action
Do you request that this proposal be assessed under the bilateral agreement or as an accredited assessment?	<input checked="" type="checkbox"/> Yes - Bilateral <input type="checkbox"/> No <input 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: