

# 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>	Western Australian Land Authority
<b>Contact details (for the EPA's assessment of this proposal)</b> <i>Name, organisation, position, email, phone and address</i>	Tom Engelbrecht Senior Development Manager DevelopmentWA 40 The Esplanade, Perth WA 6000 T 08 9482 7803 Tom.engelbrecht@developmentwa.com.au
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, Tom Engelbrecht, declare that I am authorised to refer this proposal on behalf of DevelopmentWA 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>	Western Australian Land Authority (trading as DevelopmentWA)
Australian Company Number(s) <input type="checkbox"/> Australian Business Number(s) <input checked="" type="checkbox"/>	34 868 192 835
<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
<b>Proposal information</b>	
<b>Proposal name</b>	Kemerton General Industrial Area
<b>What is the proposal? (Include general description in the <a href="#">Instructions and template: How to identify the content of a proposal</a>)</b>	Development of a general industrial area

<b>Have you provided electronic spatial data, maps, and figures in the appropriate format?</b>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>What type of proposal is being referred?</b>  <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	
<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.		
<b>Alternatives</b>	<p>The Kemerton area has been the subject of considerable strategic planning over a long timeframe. The proposal area has consistently been identified as one of the less constrained parts of the greater Kemerton area and has been earmarked and subsequently zoned for support/ancillary industrial use, which this General Industrial Area proposal is consistent with, since prior to conception of the Greater Bunbury Region Scheme.</p> <p>Although also zoned for industry, DevelopmentWA has made the decision not to develop the northern portion of the Ancillary Industry zone for general industry purposes, due to this area being more environmentally constrained than the southern portion (the proposal area).</p>	

## 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 type="checkbox"/> Social Surroundings
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		<input type="checkbox"/> Human Health
For <b>each</b> of the environmental factors identified above, complete the following table, or provide the information in a supplementary report		
<b>Potential environmental impacts – for each environmental factor</b>		
1	<b>EPA policy and guidance</b>	Please see Attachment A- Kemerton General Industrial Area Environmental Overview
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>	
<b>Holistic impact assessment</b>		
Please see Section 8 of Attachment A- Kemerton General Industrial Area Environmental Overview		
<b>Cumulative environmental impact assessment</b>		
Please see Section 9 of Attachment A- Kemerton General Industrial Area Environmental Overview. For quantitative cumulative assessment relating specifically to Black Cockatoo habitat please refer to Appendix A (EPBC Preliminary documentation) of Attachment A.		
<b>Consultation</b>		
Please see Section 10 of Attachment A- Kemerton General Industrial Area Environmental Overview		
<b>Supporting documents</b>		
Attachment A: Kemerton General Industrial Area Environmental Overview. Includes Appendix A EPBC Preliminary documentation (ELA 2021) Appendix B Kemerton Southern GIA Approvals Biological Survey (ELA 2020) Appendix C Offset Strategy (ELA 2021)		
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>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Conclusion</b>		
Residual impacts have been largely avoided through previous strategic planning decisions and site specific proposed avoidance and mitigation measures. When considered in a regional context, the proposed clearing relates to small areas of already fragmented and moderately disturbed vegetation, and it is likely that EPA objectives would be met. However, given the potential cumulative impacts of greater Kemerton Strategic Industrial Area and the status of the species, impacts to Black Cockatoos may be significant and an offset is proposed.		

**PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR SIGNIFICANT AMENDMENTS ONLY**

N/A

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

N/A

**PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR DERIVED PROPOSALS ONLY**

N/A

**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)	Please see Section 11 of Attachment A
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).	

**Tenure and Local Government approvals**

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.	Street address 217 Devlin Road Wellesley and parts of Marriott Road reserve. Lot 20, 41 and 42 Marriott Road Wellesley, east of Kemerton Road intersection.
Name of the Local Government Authority in which the proposal is located.	Harvey
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?	Rural and road reserve 119 Ha
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Lot 20 is in the ownership of DevelopmentWA. Subdivision approval will provide for implementation of the Proposal within the road reserve. The Local authority has provided written agreement for DevelopmentWA to submit the subdivision.

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Date: <u>25/2/2021</u> EPBC No.: <u>2021/8883</u>
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Decision – controlled action See Attachment B <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 checked="" 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:
Decision-making authority referrals <u>ONLY</u>	
What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i>	

**Example Table:** 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)