




# Environmental Protection Authority

## 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 (print) <b>Mark Savich</b>		Signature 	
Position	<b>CEO and Executive Director</b>	Organisation	<b>Agrimin Limited</b>
Email	<b>msavich@agrimin.com.au</b>		
Address	<b>2C</b>	<b>Loch Street</b>	
	<b>Nedlands</b>	<b>WA</b>	<b>6009</b>
Date	<b>21 December 2018</b>		
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 Agrimin's Stakeholder Consultation Register is a confidential document. It has been provided as Attachment A.	
<b>Referral declaration for organisations, proponents and decision-making authorities:</b>  I, <b>Mark Savich</b> , declare that I am authorised to refer this proposal on behalf of <b>Agrimin Limited</b> 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)		Agrimin Limited	
Australian Company Number(s) <input checked="" type="checkbox"/>		122 162 396	
Contact for the proposal (if different from the referrer) <i>Please include: name, physical address, phone, and email.</i>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Sarah Osborne 41 Bishop St, Jolimont Western Australia, 6014 08 6382 4542 <a href="mailto:sarah.osborne@stantec.com">sarah.osborne@stantec.com</a>	
Does the proponent have the legal access required for the implementation of all aspects of the proposal?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p><b>If yes, provide details of legal access authorisations / agreements / tenure.</b></p> <p><b>If no, what authorisations / agreements / tenure is required and from whom?</b></p>	<p>Agrimin currently holds Exploration Licences and Miscellaneous Licences associated with the Proposal area:</p> <ul style="list-style-type: none"> <li>• E80/4887</li> <li>• E80/4888</li> <li>• E80/4889</li> <li>• E80/4890</li> <li>• E80/4893</li> <li>• E80/4995</li> <li>• E80/5055</li> <li>• E80/5124</li> <li>• E80/5172 (pending)</li> <li>• L80/87</li> <li>• L80/88</li> <li>• L80/95 (pending)</li> <li>• L80/96 (pending)</li> </ul> <p>The relevant mining tenure will be obtained under the <i>Mining Act 1978</i> to support mining and processing activities.</p>
<b>Proposal type</b>	
<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>	<ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> significant – new proposal</li> <li><input type="checkbox"/> significant – change to approved proposal (MS No./s: _____)</li> <li><input type="checkbox"/> proposal under an assessed planning scheme</li> <li><input type="checkbox"/> strategic</li> <li><input type="checkbox"/> derived (Strategic MS No.: _____)</li> </ul>
<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>Refer to <b>Section 4</b> of the Supplementary Report</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>
<b>Proposal description</b>	

Title of the proposal	Mackay Sulphate of Potash Project
Name of the Local Government Authority in which the proposal is located.	Shire of East Pilbara Local Government Area
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 Proposal is located within Western Australia, 600 km west of Alice Springs and approximately 1000 km south of Halls Creek by road.
Proposal description – including the key characteristics of the proposal <i>Provide as an attachment to the form</i>	Refer to <b>Section 2.3</b> of the Supplementary Report
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
What is the current land use on the property, and the extent (area in hectares) of the property?	Mineral Exploration The Proposal is within the Kiwirrkurra determination area (Determination Number: WCD2001/002) under the Native Title Act 1993 (NT Act). Agrimin has signed a Native Title Agreement (WAD6019/1998) with the Tjamu Tjamu Registered Native Title Body Corporate for the Kiwirrkurra People (refer to Section 2.3.1 of Supplementary Report). The Proposal is also located within Part III Aboriginal Reserve 24923 that was created under the Aboriginal Affairs Planning Authority Act 1972 (refer to Section 2.3.1 of Supplementary Report). <b>Extent of area: 289,188 ha</b>
Have you had pre-referral discussions with the EPA at DWER Services? If so, quote the reference number and/or the DWER contact.	Yes. Agrimin has had pre-referral discussion with Mr Chris Stanley and Mr Peter Tapsell of the EPA. <b>Refer to Attachment A – Agrimin Stakeholder Register not for Public Release</b>

## Part B: 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"/> Social Surroundings <input type="checkbox"/> Human Health
<p><i>For <b>each</b> of the environmental factors identified above, complete the following table, or provide the information in a supplementary report</i></p>		
Potential environmental impacts		
1	<b>EPA Factor</b>	Refer to <b>Section 4</b> of the Supplementary Report
2	<b>EPA policy and guidance</b> - What have you considered and how have you applied them in relation to this factor?	Refer to <b>Section 4</b> of the Supplementary Report
3	<b>Consultation</b> – Outline the outcomes of consultation in relation to the potential environmental impacts	Refer to <b>Section 3</b> of the Supplementary Report <b>Attachment A – Agrimin Stakeholder Register not for Public Release</b>
4	<b>Receiving environment</b> – Describe the current condition of the receiving environment in relation to this factor.	Refer to <b>Section 4</b> of the Supplementary Report
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 e.g. particular mitigation measures or regulatory conditions.	

## Part C: Other approvals and regulation

### State and Local Government approvals

Is rezoning of any land required before the proposal can be implemented?

Yes

No

If yes, please provide details.

If this proposal has been referred by a decision-making authority, what approval(s) are required from you?

N/A

Please identify other approvals required for the proposal:

Proposal activities e.g. clearing, dewatering, mining, processing, dredging	Land tenure/access e.g. Crown land, Mining lease, specify legislation for access if relevant	Type of approval e.g. Native Vegetation Clearing Permit, licence, mining proposal,	Legislation regulating the activity e.g. <i>EP Act 1986 – Part V, RiWI Act 1914, Mining Act 1979</i>
Mackay SOP Project Development (including infrastructure corridors)	<i>Mining Act 1978:</i> mining leases and miscellaneous licences	Section 38 Referral to the EPA	Section 38 of the <i>Environmental Protection Act 1986</i> (EP Act)
		EPBC Act Referral to the DoEE	<i>Environmental Protection and Biodiversity Conservation Act 1999</i>
		Grant of Mining Lease	<i>Mining Act 1978</i>
		Grant of Miscellaneous Licences	<i>Mining Act 1978</i>
		Native Title Agreement	<i>Native Title Act 1993</i>
		Land Access Agreement	DPLH
		Aboriginal Heritage Sites	<i>Aboriginal Heritage Act 1979</i>
Mining and Processing	<i>Mining Act 1978:</i> mining leases	Mining Proposal and Mine Closure Plan	Division 3 of Part IV of the <i>Mining Act 1978</i>
		Dangerous Good Licence	<i>Dangerous Good Safety Act 2004</i>
		Project Management Plan	<i>Mines Safety and Inspection Act 1994</i>  Mining Safety & Inspection Regulations 1995
Clearing of Native Vegetation	<i>Mining Act 1978:</i> mining leases and miscellaneous licences	Native Vegetation Clearing Permit	Part V of the EP Act
Process plant construction and operations	<i>Mining Act 1978:</i> mining leases	Works Approval	Part V of the EP Act Environmental Protection Regulations 1987
		Operating Licence	Part V of the EP Act
Construction of trenches and bores for process water supply	<i>Mining Act 1978:</i> mining leases	Application for 26D Licence	Section 26D <i>Rights in Water and Irrigation Act 1914</i> (RiWI Act)
Groundwater abstraction	<i>Mining Act 1978:</i> mining leases	Application for a 5C Licence	Section 5C RiWI Act

Part C: Other approvals and regulation			
Support infrastructure (wastewater treatment)	<i>Mining Act 1978:</i> mining leases and miscellaneous licences	Application to Construct or Install an Apparatus for the Treatment of Sewage	<i>Health Act of 1911</i> Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations of 1974
<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 Refer to <b>Section 5.0</b> and <b>Section 6.0</b> of the Supplementary Report	
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.: _____ The proposal will be referred under the <i>EPBC Act 1999</i> concurrently to this s38 referral under the <i>EP Act 1986</i> .	
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 the 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:	