




Environmental Protection Authority

EPA Referral Form

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 Harvey Water <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party	
Name Bradd Hamersley		Signature 	
Position	CEO	Organisation	Harvey Water
Email	BHamersley@harveywater.com.au		
Address	1	Turnbull Street	
	Harvey	WA	6220
Date	3 rd February 2021		
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	
Referral declaration for organisations, proponents and decision-making authorities: I, Bradd Hamersley, declare that I am authorised to refer this proposal on behalf of Harvey Water 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)		Harvey Water	
Australian Company Number(s) <input type="checkbox"/> OR Australian Business Number(s) <input checked="" type="checkbox"/>		<ul style="list-style-type: none"> • 16 181 051 928 (South West Irrigation Asset Cooperative) • 54 498 176 490 (South West Irrigation Management Cooperative) 	
Contact for the proposal (if different from the referrer) <i>Please include: name, physical address, phone, and email.</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Does the proponent have the legal access required for the implementation of all aspects of the proposal?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

<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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>See table below for list of landholders intersecting with the proposal and access agreements in place.</p> <table border="1" data-bbox="922 286 1465 1305"> <thead> <tr> <th>Pipeline route portion</th> <th>Tenure / Owner</th> <th>Access agreement</th> </tr> </thead> <tbody> <tr> <td>Thampapillai Road to Rosamel Rd</td> <td>Shire of Harvey</td> <td>Development approval</td> </tr> <tr> <td>Rosamel Road</td> <td>Shire of Harvey</td> <td>Development approval</td> </tr> <tr> <td>Rosamel Road to Forrest Highway</td> <td>DBCA</td> <td>Access approved subject to relevant environmental surveys and statutory approvals</td> </tr> <tr> <td>Forrest Highway Crossing</td> <td>MRWA</td> <td>Agreement in writing (email), MRWA will visit site and provide conditions following grant of (conditional) DA from Shire</td> </tr> <tr> <td>Forrest Highway to Springhill Road</td> <td>Galati Group</td> <td>Licence for land access signed</td> </tr> <tr> <td>Springhill Road to Parkfield Drain</td> <td>DPLH</td> <td>Access approved subject to relevant environmental surveys and statutory approvals</td> </tr> <tr> <td>Parkfield Drain to Ocean</td> <td>Coonawarra Nominees</td> <td>Licence for land access signed</td> </tr> </tbody> </table>	Pipeline route portion	Tenure / Owner	Access agreement	Thampapillai Road to Rosamel Rd	Shire of Harvey	Development approval	Rosamel Road	Shire of Harvey	Development approval	Rosamel Road to Forrest Highway	DBCA	Access approved subject to relevant environmental surveys and statutory approvals	Forrest Highway Crossing	MRWA	Agreement in writing (email), MRWA will visit site and provide conditions following grant of (conditional) DA from Shire	Forrest Highway to Springhill Road	Galati Group	Licence for land access signed	Springhill Road to Parkfield Drain	DPLH	Access approved subject to relevant environmental surveys and statutory approvals	Parkfield Drain to Ocean	Coonawarra Nominees	Licence for land access signed
Pipeline route portion	Tenure / Owner	Access agreement																							
Thampapillai Road to Rosamel Rd	Shire of Harvey	Development approval																							
Rosamel Road	Shire of Harvey	Development approval																							
Rosamel Road to Forrest Highway	DBCA	Access approved subject to relevant environmental surveys and statutory approvals																							
Forrest Highway Crossing	MRWA	Agreement in writing (email), MRWA will visit site and provide conditions following grant of (conditional) DA from Shire																							
Forrest Highway to Springhill Road	Galati Group	Licence for land access signed																							
Springhill Road to Parkfield Drain	DPLH	Access approved subject to relevant environmental surveys and statutory approvals																							
Parkfield Drain to Ocean	Coonawarra Nominees	Licence for land access signed																							
<p>Proposal type</p>																									
<p>What type of proposal is being referred?</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"> Why do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA? 	<p>The construction and ongoing operation of the Brine Pipeline and Outfall has the potential to impact marine benthic communities and marine environmental quality, terrestrial flora, vegetation and fauna, terrestrial environment quality, inland water systems and social surroundings. Harvey Water considers the potential for impact to be minor, however given the potential for public interest and the nature of the project, Harvey Water</p>																								

	considers it appropriate to refer the proposal to the EPA to be considered for assessment.
<p>For a proposal under an assessed planning scheme, provide the following details:</p> <ul style="list-style-type: none"> • Scheme name and number <p>For the Responsible Authority:</p> <ul style="list-style-type: none"> • 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? 	N/A
Proposal description	
Title of the proposal	Brine Pipeline and Outfall
Name of the Local Government Authority in which the proposal is located.	Shire of Harvey
<p>Location:</p> <p>a) street address, lot number, suburb, and nearest road intersection; or</p> <p>b) if remote the nearest town and distance and direction from that town to the proposal site.</p>	<p>The Proposal requires construction of approximately 9.5 km of pipeline, connecting to an existing 1.5 km section. The final pipeline is approximately 11 km in length and extends from the Kemerton Strategic Industry Area to the Indian Ocean, within the Shire of Harvey. Further details of the location are provided in the Section 38 Referral Supporting Document attached, specifically in Figure 1 and Table 1-1.</p>
<p>Proposal description – including the key characteristics of the proposal</p> <p><i>Provide as an attachment to the form</i></p>	<p>The Proposal is to construct and operate a pipeline and ocean outfall to dispose of brine wastewater from customers located in the Kemerton Strategic Industrial Area to the Indian Ocean.</p> <p>The Proposal requires construction of approximately 9.5 km of pipeline, connecting to an existing 1.5 km section. The final pipeline is approximately 11 km in length and extends from the Kemerton Strategic Industry Area to the Indian Ocean, within the Shire of Harvey.</p> <p>The pipeline will convey up to 500 megalitres per year (ML/year) or up to 15 litres/second (L/s) of brine wastewater to a single outlet diffuser outfall in the Indian Ocean. The brine wastewater will have an estimated salinity of approximately 11.900 milligrams per litre total Dissolved Solids (mg/L TDS) and a density slightly less than that of ambient seawater.</p> <p>The Proposal will sit within a development envelope of 17.16 ha with a maximum development footprint of 8.50 ha. The Proposal will require clearing of up to a</p>

	<p>maximum of 0.27 ha of native vegetation associated with road verges for installation.</p> <p>Further details including key characteristics of the proposal are provided in the Executive Summary and Section 2 of the Section 38 Referral Supporting Document attached.</p>
<p>Have you provided electronic spatial data, maps and figure in the appropriate format? <i>Refer to instructions at the front of the form</i></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>What is the current land use on the property, and the extent (area in hectares) of the property?</p>	<p>Land use of the pipeline route comprises of road reserves, access tracks, firebreaks and agricultural land, with surrounding land comprising native vegetation and agricultural lands.</p> <p>The Proposal will sit within a development envelope of 17.16 ha with a maximum development footprint of 8.50 ha. The Proposal will require clearing of up to a maximum of 0.27 ha of native vegetation associated with road verges for installation.</p>
<p>Have you had pre-referral discussions with the EPA at DWER Services? If so, quote the reference number and/or the DWER contact.</p>	<p>Yes, Harvey Water has met with EPA Services and DWER officers for a pre-referral meeting on 13th November 2020</p>

Part B: Environmental impacts

Environmental factors

What are the likely significant environmental factors for this proposal?

- Benthic Communities and Habitat
- Coastal Processes
- Marine Environmental Quality
- Marine Fauna
- Flora and Vegetation
- Landforms
- Subterranean Fauna
- Terrestrial Environmental Quality
- Terrestrial Fauna
- Inland Waters
- Air Quality
- Greenhouse Gas Emissions
- Social Surroundings
- Human Health

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

Potential environmental impacts

1	EPA Factor	See attached Section 38 Referral Supporting Document Section 4.2 for details of identification of environmental factors. See also sections 5 to 11 for detailed discussion of the identified factors.
2	EPA policy and guidance - What have you considered and how have you applied them in relation to this factor?	See attached Section 38 Referral Supporting Document Section 4.1 for application of EP Act principles and Section 4.2 for details of identification of environmental factors. See also sections 5 to 11 for detailed discussion of the application of EPA policy and guidance for identified factors.
3	Consultation – Outline the outcomes of consultation in relation to the potential environmental impacts	See attached Section 38 Referral Supporting Document Section 3 for details of stakeholder consultation for the proposal.
4	Receiving environment – Describe the current condition of the receiving environment in relation to this factor.	See attached Section 38 Referral Supporting Document Section 5 to 11 and Appendix A, B, C and D and for details of the receiving environment for the proposal.
5	Proposal activities – Describe the proposal activities that have the potential to impact the environment	See attached Section 38 Referral Supporting Document Section 2 for an overview and Section 5 to 11 for specific details of the Proposal activities.
6	Mitigation – Describe the measures proposed to manage and mitigate the potential environmental impacts.	See attached Section 38 Referral Supporting Document Section 5 to 11 and Appendix E for details of mitigation measures for the relevant environmental factors.

7	Impacts – Assess the impacts of the proposal and review the residual impacts against the EPA objective.	See attached Section 38 Referral Supporting Document Section 5 to 11 for details of potential environmental impacts against relevant environmental factors.
8	Assumptions - Describe any assumptions critical to your assessment e.g. particular mitigation measures or regulatory conditions.	<p>The following assumptions have been made in the preparation of the Section 38 Referral Supporting Document:</p> <ul style="list-style-type: none"> • Comprehensive and adequate site surveys have been undertaken to identify all key environmental values within the Proposal Area. All survey undertaken comply the relevant EPA guidance statements • All key environmental values, and the potential impact the proposal may have on them, within the Proposal Area are well understood.

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>
Construction dewatering	Licence to construct wells	DWER	<i>Rights in Water and Irrigation Act 1914 (Section 26D)</i>
Pipeline construction	Development approval	Shire of Harvey	<i>Planning and Development Act 2005</i>
Construction access to unallocated crown land (coastal strip)	Licence	Minister for Lands, Department of Planning, Lands and Heritage (DPLH)	<i>Land Administration Act 1997 (Section 91)</i>
Pipeline construction	Consent to disturb Aboriginal heritage sites (if required)	Minister for Aboriginal Affairs, DPLH	<i>Aboriginal Heritage Act 1972 (Section 18)</i>
Vegetation Clearing	Native Vegetation Clearing Permit	DWER	<i>Environmental Protection Act 1986 (Section 51)</i>

Commonwealth Government approvals

Does the proposal involve an action that may be or is a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)?

Yes

No

Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?

Yes

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.

Yes

No

Decision – controlled action

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?

Yes - Bilateral

No

Yes - Accredited

Is approval required from other Commonwealth Government/s for any part of the proposal?

Yes

No

If yes, describe.

Approval: