


# Form

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

### PART A: PROPONENT AND REFERRER INFORMATION AND PROPOSAL DESCRIPTION

#### Referrer information

<b>Who is referring this proposal?</b> <b>Bowman and Partners Environmental Pty Ltd</b>	<input checked="" type="checkbox"/> Proponent <input type="checkbox"/> Decision-making authority <input type="checkbox"/> Community member/third party
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<b>Name (print)</b> Martin Bowman	<b>Signature</b> 
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<b>Position</b>	Director/Principal consultant	<b>Organisation</b>	Bowman and Partners Environmental Pty Ltd
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<b>Email</b>	bpe@westnet.com.au	<b>Phone</b>	0408 942 909
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<b>Address</b>	PO Box 95	<b>Street Name</b>	
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	Dunsborough	WA	6218
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<b>Date</b>	17 <sup>th</sup> October 2023
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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
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Does the referrer confirm that they consent to receive correspondence electronically?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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Referral declaration for proponent and Authorised representative:  
I, Martin Bowman..... declare that I am authorised to refer this proposal on behalf of Catalano Green Energy Pty Ltd and further declare that the information contained in this form is true and not misleading.

Date:17<sup>th</sup> October 2023

#### Proponent information

<b>Name of the proponent/s</b> <i>Include Trading Name if relevant</i>	Catalano Green Energy Pty Ltd
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Australian Company Number(s) <input checked="" type="checkbox"/>	619319295
<b>OR</b>	
Australian Business Number(s) <input type="checkbox"/>	

#### Pre-referral discussions

<b>Have you had pre-referral discussions with the EPA (including the EPA Services of DWER)?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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<p><i>If so, provide name, date, and overview of discussions.</i> Brendan Kelly DWER re project in general and sewage management, and Simon Hill, Elizabeth Edwards and Benjamin Vogel from the Shire of Harvey regarding planning and environmental matters.</p>	
<p><b>Proposal information</b></p>	
<p><b>Proposal name</b></p>	<p>Tredrea Village Workers Accommodation, Tredrea Place, Myalup</p>
<p><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></p>	<p>Installation at low density of 101 portable single person worker accommodation modules, in a natural setting of remnant tuart forest with full compliance with the Conservation Advice for Tuart Woodlands and Forests of the Swan Coastal Plain TEC and other relevant legislation and policy.</p> <p>The facility is a temporary facility intended for domiciling workers only, and has no other commercial land uses proposed. There will be a small recreation area provided consisting of tennis and basketball courts.</p> <p>The individual accommodation modules will be fully self contained for living and will be connected by a small scale limited road network, designed only for limited low speed single passenger vehicle usage.</p> <p>In order to provide a quality facility comprising temporary accommodation in an economically sized and equipped living module set in an attractive landscape, the key design principle has been to <u>completely</u> retain the existing open forest rural landscape and position new structures specifically and only in areas which are now pasture grasses or weeds, and to retain every remaining native tree.</p> <p>The proponent recognises that the proposal will be implemented within an area which supports patches of Tuart Woodlands and Forests TEC of the Swan Coastal Plain. The site has been investigated and mapped in detail in regard to Tuart trees and patches and the proposed location of new structures is fully compliant with the intent for Tuart TEC protection as expressed by the published conservation advice for this TEC. Not one single tuart tree will be cleared or otherwise</p>

	<p>damaged, nor is there any requirement for clearing of other native vegetation. The proponent has determined that the proposal will not require referral under the EPBC Act in regard to the Tuart Forests and Woodlands of the Swan Coastal Plain TEC, and therefore does not intent referral.</p> <p>The site will be mainly unoccupied during weekly business hours as resident workers will leave the site to their place of local employment during these hours.</p> <p>The facility will be serviced by a reticulated sewerage system with a sophisticated small scale sewage treatment and on-site disposal system. This element of the proposal is being assessed by the Health Department and approval is anticipated.</p> <p>The proposal meets all relevant planning legislation and policy and is currently the subject of a development application under assessment by the Shire of Harvey, which is expected to be approved.</p> <p>The EPA's objectives for the factors of Flora and Vegetation, Inland Waters and Social Surroundings are met by the proposal. This is demonstrated by supporting documents provided with this referral. PLEASE SEE ATTACHED REPORTS</p>
<p><b>Have you provided electronic spatial data, maps, and figures in the appropriate format?</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p><b>What type of proposal is being referred?</b></p> <p><i>For significant amendment or derived proposal, provide the associated existing Ministerial statement number/s</i></p> <p><i>For a proposal under an assessed planning scheme, provide the scheme number and name</i></p>	<p><input type="checkbox"/> significant proposal. <i>Choose which type of significant proposal</i></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> new proposal</li> <li><input type="checkbox"/> significant amendment (proposal only)</li> <li><input type="checkbox"/> significant amendment (conditions only)</li> <li><input type="checkbox"/> significant amendment (proposal and conditions)</li> </ul> <p><input type="checkbox"/> strategic proposal</p> <p><input type="checkbox"/> derived proposal</p> <p><input type="checkbox"/> proposals of a prescribed class</p> <p><input type="checkbox"/> proposal under an assessed planning scheme</p> <p>Shire of Harvey District Planning Scheme No 1 and all planning policies under this scheme.</p>
<p><b>Proposal content:</b> Complete the corresponding template (<i>Proposal Content Document</i>) 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.</p>	

<b>Alternatives</b>	This site is patently ideal for the proposed temporary land use and there are no practical alternatives available to the proponent. The proposal will satisfy an existing shortfall which is expected to intensify, for worker accommodation in the locality, district and region.
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## 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 type="checkbox"/> Terrestrial Fauna <input checked="" type="checkbox"/> Inland Waters <input type="checkbox"/> Air Quality <input checked="" 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 **Please See Supplementary Report attached to this submission***

### Potential environmental impacts – for each environmental factor

1	<b>EPA policy and guidance</b>	Flora and Vegetation, Inland Waters, Greenhouse Gas Emissions, Social Surrounding.
2	<b>Receiving environment</b>	Parkland cleared grazing land with remnant tuart open woodland and forest, over grasses and weeds devoid of native ground level flora and natural habitats, and with large intervening areas of open pasture. There is a portion of mined out limestone terrain in the western sector of the Lot which except for a minor area intended for a solar energy facility. The proposal area is located in a rural setting and locality with local sand and limestone extraction sites and market gardens in the locality.
3	<b>Likely environmental impacts</b>	No significant impacts.

4	<p><b>Application of the mitigation hierarchy, including other statutory decision-making processes</b></p>	<p>Avoidance of impacts to Tuart forests, woodlands and individual trees, all other native vegetation and existing habitats and fauna.</p> <p>Avoidance of any significant permanent changes to landforms. Avoidance of impacts to groundwater quality. Reduction of per capita non-renewable energy reliance/consumption.</p> <p>Contribution to waste avoidance and minimisation and optimum use of embodied energy in building materials through selection of re-usable portable accommodation structures.</p> <p>Avoidance of impacts to social surroundings by compliance and/or appropriate response and management measures with all appropriate WAPC and Shire of Harvey TPS No 1 and associated policies and guidelines.</p>
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5	<b>Assessment and significance of residual impacts</b>	No residual impacts can be reasonably identified.
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6	Likely environmental outcomes	<p>No significant changes to the remnant environmental values of the site. Reduced risk of impacts of fire on vegetation, flora habitats and fauna populations due to introduction of worker's accommodation and commensurate upgrading to appropriate legal compliance of fire prevention and management capacity at the site.</p> <p>Reduction of per capita non-renewable energy usage by worker residents and on-site facilities, through the on-site construction and operation of a dedicated solar PVC farm to generate all electricity needs for the site.</p> <p>No reliance on Binningup Water Corporation WWTP (basic pond system only), and improved water management through the use of a dedicated high performance on-site sewage treatment plant with treated water directed to the atmosphere as water vapour created by natural evapotranspiration by the planted vegetation beds.</p> <p>The local siting of the wastewater treatment infrastructure will obviate the need to install and consume 3km of sewerage pipe connection to the existing WWTP and materials and energy usage will be commensurately reduced. It is understood that the existing Water Corporation's pond system which services Binningup is at capacity.</p> <p>Offsite manufacture of the residential living units in a dedicated light industrial area will vastly reduce the typical local social effects of construction machinery and workforce activities associated with residential construction.</p> <p>The living units are movable and are therefore completely re-usable, resulting in reduced waste generation potential and efficient use of materials embodied energy.</p>
<b>Holistic impact assessment</b>		

Outline the holistic impact assessment for the Proposal.

The proposal is for a new temporary use for the site which is consistent with every facet of the EPA's objectives for the environment.

The proposal imposes no risk to current environmental quality at the site, or in its local and district environmental and social setting.

The site has been used for grazing for decades, such that the remnant environmental values which remain, now consist of those commonly associated with grazing land in which large trees have been kept for shade, and heavy stocking has been practiced over decades.

The core of the proposed development is focussed on a gently sloping broad limestone ridge. There is open tuart woodland with underlying pasture, large areas of open pasture, occasional copses of peppermint trees in the main project area.

In the east of the site on lower sandplain land there is some marri forest and banksia woodland with only grasses and weeds at ground level.

Throughout the site, the prominent and distinguishing environmental features are the remaining mature trees and tall shrubs, and the complete absence of native flora species at ground level.

The available habitats comprise open tree canopy, trunks, branches and some trees with hollows and open grassland. The ongoing value of the tree habitats to arboreal fauna including perching, roosting, foraging and nesting will continue. The value of the tree habitat values in terms of supply of blossom, fruits, nuts and invertebrates will remain undiminished. As a result of the very low density of new physical structures within the site, it is reasonable to anticipate that any remnant native ground dwelling fauna which can utilise the remnant habitats and other environmental resources will be able to continue this utilisation.

A portion of the titled landholdings, in its western sector, has been used for the extraction of limestone, approved under local government legislation, and in accordance with Statement of Planning Policy 2.4 Basic Raw Materials. This portion of the land is not a part of this present proposal excepting a mined area which will be used to locate a solar PV at a location in its south-eastern corner. This facility will provide renewable energy to the proposed facility. The location is presently a flat area of grasses and weeds consistent with its post mining status.

The defining principal of design for the facility is that NO vegetation is to be cleared and the current "open parkland" landscape setting is retained, so that workers in accommodation can domicile in a natural and attractive surrounding environment.

The location of every living unit and every element of associated infrastructure has been determined so that no native vegetation needs to be cleared or otherwise impacted.

The establishment of portable modular living units means the structures could be readily removed and re-used in the future if by some unforeseeable circumstance that could be necessary. That means that the built residential structures to be located at the site, are completely re-usable.

Electricity for the site is to be sourced from a new solar PVC plant to be constructed on-site and managed and operated by the proponent, at no cost to the State. In this way the per capita usage by occupants of the site, of non-renewable energy will be minimal, directly in accordance with Commonwealth, State and Local Government legislation, policy and guidelines for energy management.

Water is to be sourced from on-site bores which will extract groundwater from the underlying shallow superficial aquifer, then treat this water as required to potable standard using an on-site system.

Wastewater generated by the workers on site is to be collected by reticulation then treated in a sophisticated on-site treatment system which will use evapotranspiration of treated wastewater as a “disposal method”. There will be no potential for any significant impact to local or regional groundwater quality. The location of the treated wastewater management area is not close to any significant wetlands or existing groundwater extraction points. It is approximately 750 east and upgradient of the nearest wetland which is a multiple use wetland at the western edge of the site.

Water usage within individual accommodation units will be minimised by the use of industry standard water efficient appliances.

Solid waste generated by occupants will be collected by an internally managed system, temporarily stored in an on-site enclosure compliant with Shire of Harvey policy and managed in accordance with the Shire of Harvey community waste management system. Accommodation level and facility-scale waste sorting practices to assist downstream recycling and processing will be provided.

#### **Cumulative environmental impact assessment**

Outline the relevant cumulative environmental impacts of the Proposal (based on scoping).

It is reasonable to conclude based on the scientifically fundamental construction and operational facets of the proposal, that there will be no cumulative environmental impact beyond the profile which could be identified for any individual existing resident or accommodation facility in the Shire of Harvey, in its present environmental and social setting.

#### **Consultation**

Outline the stakeholder identification and consultation process, and outcomes of consultation on the Proposal and its likely environmental effects.

The proponent and its consultants have undertaken an ongoing consultation process with the Department of Water and Environmental Regulation and the Shire of Harvey.

#### **Supporting documents**

Provide a list of the supporting documents

Environmental Report: Tredrea Workers Village, Bowman and Partners Environmental Pty Ltd, October 2023.

Treadrea Village Workforce Accommodation, Lot 28 Treadrea Place, Myalup, Allering and Associates, June 2023

Has the referrer provided survey information according to the [Instructions and Form: IBSA Data Packages](#) and/or the [Instructions and form: IMSA Data Packages](#)

Yes  
 No

**Conclusion**

Do you consider the proposal may have a significant effect on the environment?

There is no reasonable technical or scientific basis upon which it could be concluded that this proposal will have any significant negative effect on the environment. It is demonstrably compliant with every relevant EPA Environmental Factor.

On the contrary, there are several reasons which can attest to the conclusion that the project is indeed a proposal to create additional quality worker accommodation capacity in response to government's legislation policy and responsibility, to establish environmentally and socially sustainable residential living units for the current and future population, and in regard to the support of economic development in this locality and district and region.

Firstly, the each worker accommodation unit can be established with no requirement for native vegetation to be impacted in any way, and existing habitats and fauna which have survived previous use of the land for intensive grazing and in other parts limestone mining can and will continue to utilise the site.

Secondly, the energy use by workers will be provided from a renewable source, comprising a dedicated solar PVC electricity generation unit to be built and operated on the site by the proponent.

Thirdly, in the event that the land use needs to be changed, the living units are lightweight, mobile and transportable and are therefore totally recyclable.

Fourthly, in regard to social impacts, the planning analysis of the proposal in the context of the Shire of Harvey Planning Scheme No 2 and its policies and guidelines, and relevant State Government Planning Policy and Guidelines, indicates that the proposal will be appropriate for the objectives for the social setting in which it will exist.

**PART B: ASSESSMENT OF ENVIRONMENTAL IMPACTS FOR SIGNIFICANT AMENDMENTS ONLY. NOT APPLICABLE**

Type of significant amendment

- significant amendment to the approved proposal
- significant amendment to the implementation conditions
- significant amendment to both the proposal and the implementation conditions

<b>Information of the approved proposal</b>	
<b>Combined effects of the approved proposal and significant amendment</b>	
<b>Analysis of existing implementation conditions</b>	
<b>Previous changes to the Proposal and or implementation conditions</b>	
<b>Compliance</b>	
<b>Environmental Performance</b>	
<b>Control of implementation of significant amendment</b>	

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

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**

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**

Provide a table list of the decision-making authorities, associated legislation or agreement	Development Assessment Panel	Planning and (Development Assessment Panels)
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regulating the activity and the specific approval required. (Example table at the end of form)		Development Regulations, 2011
	Shire of Harvey	District Planning Scheme No 1 and adopted policies, draft Local Planning Scheme No.2
	Health Department of WA	Government Sewerage Policy, 2019
	Department of Planning Land and Heritage	SPP 3.7 Planning in Bushfire Prone Areas, 2023
	Department of Water and Environmental Regulation	Rights in Water and Irrigation Act, 1914
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)	<p>There is no scientifically rational basis on which to anticipate any significant environmental impacts. None were identified in Part B section 4.</p> <p>Government's requirements to ensure compliance with legislation and regulations under standard procedures will therefore not be tasked with establishing mitigation measures, as no significant environmental impacts are identifiable and require mitigation, following scientific analyses in the context of relevant legislation, regulations, policy and standards.</p>	
<b>Tenure and Local Government approvals</b>		
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.	No 79, (Lot 28), Tredrea Place Myalup, Shire of Harvey – nearest intersection is Taranto Road some 700m to the south.	
Name of the Local Government Authority in which the proposal is located.	Shire of 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?	Grazing. The total property area is 40 ha, however the proposal area, as described by aerial photography, planning diagrams and geospatial coordinates will be a lesser area (approximately 30ha) than the total lot area (40ha).	

<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>Certificate of Title Provided in Appendix 1 of the accompanying document Environmental Report to Support Section 38(1) Referral of Tredrea Workers Accommodation Village, Lot 27 Tredrea Place, Myalup, Bowman and Partners Environmental Pty Ltd, October 2023, in Appendix 2, Annexure 3.</p>
<p><b>Commonwealth Government approvals</b></p>	
<p>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)?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>Has the proposed action been referred? If yes, when was it referred and what is the reference number (EPBC No.)?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Date: _____</p> <p>EPBC No.: _____</p>
<p>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.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Decision – controlled action</p> <p><input type="checkbox"/> Decision – not a controlled action</p> <p>Not referred therefore not applicable.</p>
<p>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?</p>	<p><input type="checkbox"/> Yes - Bilateral <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes - Accredited</p>
<p>Is approval required from other Commonwealth Government/s for any part of the proposal?</p> <p><i>If yes, describe.</i></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Approval:</p>
<p><b>Decision-making authority referrals <u>ONLY</u></b></p>	
<p>What approval/s, under your authority, are required for this proposal? <i>Please provide details.</i></p>	

**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)

**Example table:** Other statutory decision-making process which can mitigate potential impacts on the environment

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)