



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 JAMES ENGELKE		Signature 	
Position	General Manager	Organisation	Kimberley Agricultural Investment Pty Ltd
Email	jengelke@kai-australia.com.au		
Address	Lot 398 (PO Box 2531)	Moonamang Road	
	KUNUNURRA	WA	6743
Date			
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	
Referral declaration for organisations, proponents and decision-making authorities: I, James Engelke, declare that I am authorised to refer this proposal on behalf of Kimberley Agricultural Investment 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)		Kimberley Agricultural Investment Pty Ltd (KAI)	
Australian Company Number(s) <input checked="" type="checkbox"/> OR Australian Business Number(s) <input type="checkbox"/>		154 270 194	
Contact for the proposal (if different from the referrer)			
<i>Please include: name; physical address; phone; and email.</i>			
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>		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Freehold owner – Carlton Plain, Lot 5000 on DP 56715	

If no, what authorisations / agreements / tenure is required and from whom?	
Proposal type	
<p>What type of proposal is being referred? 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>	<input checked="" type="checkbox"/> X significant – new proposal <input type="checkbox"/> significant – change to approved proposal (MS No./s: _____) <input type="checkbox"/> proposal under an assessed planning scheme <input type="checkbox"/> strategic <input type="checkbox"/> derived (Strategic MS No.: _____)
<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>Advice from Department of Environmental Regulation dated 12 June 2017, in relation to Preliminary Assessment Report prepared for</p> <ol style="list-style-type: none"> CPS 7399/1 - Carlton Plain CPS 7400/1 - Mantinea freehold CPS 7401/1 - Mantinea lease area CPS 7475/1 - Tarrara lease area
<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? 	
Proposal description	
Title of the proposal	Carlton Plain Stage 1
Name of the Local Government Authority in which the proposal is located.	Shire of Wyndham East Kimberley
<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>	Lot 5000 Carlton Hill Road, 40km NW of Kununurra.
<p>Proposal description – including the key characteristics of the proposal</p> <p><i>Provide as an attachment to the form</i></p>	Attached
<p>Have you provided electronic spatial data, maps and figure in the appropriate format?</p> <p><i>Refer to instructions at the front of the form</i></p>	<input checked="" type="checkbox"/> X Yes <input type="checkbox"/> No
What is the current land use on the property, and the extent (area in hectares) of the property?	<p>Carlton Plain currently utilised for pastoral grazing in conjunction with the Carlton Hill Station and Ivanhoe Station pastoral leases. Clearing proposed 3,086ha. Total freehold area 16,117ha.</p>

<p>Have you had pre-referral discussions with the OEPA? If so, quote the reference number and/or the OEPA contact.</p>	<p>Anthony Sutton, 13 June 2017. Sally Bowman, late June 2017. Sally Bowman and Melissa Lamb, July 2017. Reference CMS 17140</p>
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Part B: Environmental impacts

Environmental factors

<p>What are the likely significant environmental factors for this proposal?</p>	<ul style="list-style-type: none"> <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 checked="" type="checkbox"/> Landforms <input type="checkbox"/> Subterranean Fauna <input checked="" type="checkbox"/> Terrestrial Environmental Quality <input checked="" type="checkbox"/> Terrestrial Fauna <input checked="" type="checkbox"/> Hydrological Processes <input checked="" type="checkbox"/> Inland Waters Environmental Quality <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.

Supplementary report attached.

Part C: Other approvals and regulation

State and Local Government approvals

<p>Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>If this proposal has been referred by a decision-making authority, what approval(s) are required from you?</p>	<p>1. Decision under EP Act to determine whether assessment under Part IV of the EP Act is required. Letter from DER to EPA Chairman dated June 2017.</p>

Part C: Other approvals and regulation

State and Local Government approvals

2. Other approvals – see below.

Proposal activities e.g. clearing, dewatering, mining, processing, dredging,	Land tenure/access e.g. Crown land – LA Act, Min Act, CALM Act specify type	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>
Clearing and development activities	Carlton Plain	Native Vegetation Clearing Permits or Ministerial Approval	Environmental Protection Act 1986 – Part V
Location of water pumping stations on Ord River bank	Crown land locations for pump sites and pipelines	Easements	Lands Administration Act 1997 Section 144
Location of water pumping stations on Ord River bank	Crown land locations for pump sites	Bed and Banks permits	Rights in Water and Irrigation Act 1914 Section 21A.
Water supply	Via easements over crown land, secured as above	Water licence / annual water entitlement	Rights in Water and Irrigation Act Section 5C.

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 type="checkbox"/> Yes <input checked="" 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 <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 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: