



## Environmental Protection Authority

GOVERNMENT OF  
WESTERN AUSTRALIA

### Referral of a Proposal to the Environmental Protection Authority under Section 38 of the *Environmental Protection Act 1986*.

EPA REFERRAL  
FORM

#### PURPOSE OF THIS FORM

Section 38 of the *Environmental Protection Act 1986* (EP Act) makes provision for the referral to the Environmental Protection Authority (EPA) of a proposal (significant proposals, strategic proposals and proposals under an assessed scheme) by a proponent, a decision making authority (DMA), or any other person.

The purpose of this form is to ensure that EPA has sufficient information about a proposal to make a decision about the nature of the proposal and whether or not the proposal should be assessed under Part IV of the EP Act. Information provided in the referral form must be brief (no more than 30 pages), sharp and succinct to achieve the purposes of this form.

This form does not prevent the referrer from providing a supplementary referral report. Should a referrer choose to submit a supplementary referral report please ensure the following.

- i. Information is short, sharp and succinct.
- ii. Attachments are below eight megabytes (8 MB) as they will be published on the EPA's website (exemptions apply) for public comment. To minimise file size, "flatten" maps and optimise pdf files.
- iii. Cross-references are provided in the referral form to the appropriate section/s in the supplementary referral report.

This form is to be used for all proposals<sup>1</sup> which can be referred to the EPA under section 38 of the EP Act; i.e. referrals from: **proponents** of proposals (significant proposals, strategic proposals, derived proposals, proposals under an assessed scheme); **DMAs** (significant proposals); and **third parties** (significant proposals).

This form is divided into several sections, including; Referral requirements and Declaration; Part A - Information of the proposal and proponent; and Part B Environmental Factors. Guidance on successfully completing this form is provided throughout the form and is also available in the EPA's *Environmental Assessment Guideline for Referral of a Proposal under s38 of the EP Act* (EAG 16).

#### Send completed forms to

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

or

Email: [Registrar@epa.wa.gov.au](mailto:Registrar@epa.wa.gov.au)

#### Enquiries

Office of the Environmental Protection Authority  
Locked Bag 10, East Perth WA 6892

Telephone: 6145 0800

Fax: 6145 0895

Email: [info@epa.wa.gov.au](mailto:info@epa.wa.gov.au)

Website: [www.epa.wa.gov.au](http://www.epa.wa.gov.au)

<sup>1</sup> Please note that this form consolidates and replaces the following forms: *Referral of a Proposal by the Proponent to the EPA under section 38(1) of the EP Act*; *Referral of a Proposal by a third party to the EPA under section 38(1) of the EP Act*; and *Referral of a development proposal to the EPA by the decision making authority*.

## Referral requirements and Declaration

The following section outlines the referral information required from a proponent, decision making authority and third party.

### (a) Proponents

Proponents are expected to complete all sections of the form and provide GIS spatial data to enable the EPA to consider the referral. Spatial GIS data is necessary to inform the EPA's decision.

The EPA expects that a proponent will address Part B of the form as thoroughly as possible to demonstrate whether or not the EPA's objectives for environmental factors can be met.

If insufficient information is provided the EPA will request more information and processing of the referral will commence once the information is provided or the EPA decides to make a precautionary determination on the available information.

Proponent to complete before submitting form	
Completed all the questions in Part A (essential)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed all the questions in Part B	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any additional document(s) the proponent wishes to provide	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 2 – confidential information (if applicable)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping but clearly separating any confidential information	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Completed the Declaration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred? <i>* a referred proposal seeking to be declared a derived proposal</i>	<input checked="" type="checkbox"/> significant <input type="checkbox"/> strategic <input type="checkbox"/> derived* <input type="checkbox"/> under an assessed scheme
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, what level of assessment? <i>API = Assessment of Proponent Information</i> <i>PER = Public Environmental Review</i>	<input type="checkbox"/> API Category A <input type="checkbox"/> API Category B <input type="checkbox"/> PER


**NB:** The EPA may apply an Assessment on Proponent Information (API) level of assessment when the proponent has provided sufficient information about:

- the proposal;
- the proposed environmental impacts;
- the proposed management of the environmental impacts; and
- when the proposal is consistent with API criteria outlined in the Environmental Impact Assessment (Part IV Division 1 and 2) Administrative Procedures 2012.

If an API A formal level of assessment is considered appropriate, please refer to Environmental Assessment Guideline No. 14 *Preparation for an Assessment on Proponent Information (Category A) Environmental Review Document EAG 14 (EAG14)*.

**Declaration**

I, Simon Carter....., (full name) declare that I am authorised on behalf of IB Operations..... (being the person responsible for the proposal) to submit this form and further declare that the information contained in this form is true and not misleading.

Signature		Name (print)	<u>SIMON CARTER</u>		
Position	<u>CEO</u>	Organisation	<u>IB Operations</u>		
Email	<u>scarter@fmgl.com.au</u>				
Address	Street No. <u>87</u>	Street Name	<u>Adelaide Tce</u>		
	Suburb <u>East Perth</u>	State <u>WA</u>	Postcode	<u>6009</u>	
Date	<u>RECEIVED BY EMAIL 23 SEPTEMBER 2015</u>				