



Environmental Protection Authority

EPA REFERRAL
FORM

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

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.

- Information is short, sharp and succinct.
- 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.
- 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 proposals¹ 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

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

¹ 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*.

23 SEP 2016	
For Information	<input type="checkbox"/>
For Discussion	<input type="checkbox"/>
For Action	<input type="checkbox"/>
Response please	<input type="checkbox"/>
GM Signature	<input type="checkbox"/>
Dir for GM (copy to G)	<input type="checkbox"/>
Dir Signature (copy to G)	<input type="checkbox"/>
Mgr Direct (copy to G)	<input type="checkbox"/>
Dir. AC	<input type="checkbox"/>
Dir. Bus Ops	<input type="checkbox"/>
Dir. SPPD	<input type="checkbox"/>
Dir. Strat Sup	<input type="checkbox"/>
Officer:	<input type="checkbox"/>
For:	<input type="checkbox"/>
At:	<input type="checkbox"/>

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, ...Phillip Bayley (full name) declare that I am authorised on behalf of.....Prakash Seth..... (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) Phillip Bayley	
Position	Director	Organisation	Bayley Environmental Services		
Email	bayley@iinet.net.au				
Address	30	Thomas Street			
	South Fremantle	WA	6162		
Date	1 September 2016				

(b) Decision-making authority

The EPA expects decision-making authorities to complete applicable sections of Part A of the form and provide the proponent an opportunity to provide additional information in Part B of the form where appropriate.

Wherever possible the DMA should obtain relevant spatial information from the proponent and provide this to the EPA with the referral.

DMA to complete before submitting form	
Completed all the questions in Part A (essential)	<input type="checkbox"/> Yes <input type="checkbox"/> No
Provided Part B to the proponent for completion	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed all other applicable questions	<input type="checkbox"/> Yes <input type="checkbox"/> No
Included Attachment 1 – any supporting information	<input type="checkbox"/> Yes <input type="checkbox"/> No
Enclosed an electronic copy of all referral information, including spatial data and contextual mapping	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the below Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No
What is the type of proposal being referred?	<input type="checkbox"/> significant proposal <input type="checkbox"/> significant proposal under an assessed scheme

Declaration

I,, (full name) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Position		Organisation	
Email			
Address	Street No	Street Name	
	Suburb	State	Postcode
Date			

(c) Third Party

Third parties are asked to have consideration for the Significance Test outlined in Part A Section 1.5 of this form before referring a significant proposal to the EPA. The EPA will only consider proposals that are likely, if implemented, to have a significant effect on the environment.

Third parties are to provide sufficient information to clearly identify the significant proposal, the proponent, and their reasons for referring the proposal. This can be done by completing as much of Part A of the form as possible, taking into consideration the information available. Third parties may wish to fill in Part B of the form to advance their own views of the significance of the environmental impacts and the need for EPA assessment.

In most cases the EPA will seek additional information from the proponent. This will be to confirm or amend the identity of the proponent, the proposal, and to allow the proponent opportunity to provide its views on the significance of the environmental impacts and the need for EPA assessment.

Third Party to complete before submitting form	
Complete all applicable questions in Part A and B	<input type="checkbox"/> Yes <input type="checkbox"/> No
Completed the Declaration	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do you consider the proposal requires formal environmental impact assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No

Declaration

I,, (full name) submit this referral to the EPA for consideration of the environmental significance of its impacts.

Signature		Name (print)	
Email			
Position		Organisation	
Address	Street No Street Name		
	Suburb	State	Postcode
Date			

PART A: Information on the proposal and the proponent

All fields of Part A must be completed by the proponent and/or decision-making authority for this document to be processed as a referral. Third party referrers are only expected to fill in the fields they have information for.

1 PROPONENT AND PROPOSAL DESCRIPTION

1.1 The proponent of the proposal

Proponent and/or DMA to complete	
Name of the proponent	Three Springs Solar Pty Ltd
Joint Venture parties (if applicable)	
Australian Company Number(s)	ABN 17 613 886 730
Postal Address <i>(Where the proponent is a corporation or an association of persons, whether incorporated or not, the postal address is that of the principal place of business or of the principal office in the State)</i>	PO Box 498 Spit Junction NSW 2088
Key proponent contact for the proposal <i>Please include: name; physical address; phone; and email.</i>	Prakash Seth A-10, 112-124 Cowles Rd Mosman NSW 2088 0407 946 126 sethpw@ozemail.com.au
Consultant for the proposal (if applicable) <i>Please include: name; physical address; phone; and email.</i>	Phillip Bayley Bayley Environmental Services 30 Thomas St, South Fremantle WA 6162 ph: 9335 9160 / 0427 808 633 bayley@iinet.net.au

1.2 Proposal

Proposal is defined under the EP Act to mean a "project, plan, programme policy, operation, undertaking or development or change of land use, or amendment of any of the foregoing, but does not include scheme". Before completing this section please refer to [Environmental Protection Bulletin 17 – Strategic and derived proposals \(EPB 17\)](#) and [Environmental Assessment Guideline for Defining the Key Characteristics of a proposal \(EAG 1\)](#).

Proponent and/or DMA to complete	
Title of the proposal	Three Springs Solar Farm
What project phase is the proposal at?	<input type="checkbox"/> Scoping <input checked="" type="checkbox"/> Feasibility <input type="checkbox"/> Detailed design <input type="checkbox"/> Other _____
Proposal type <i>More than one proposal type can be identified, however for filtering purposes it is recommended that only the primary proposal type is identified.</i>	<input checked="" type="checkbox"/> Power/Energy Generation <input type="checkbox"/> Hydrocarbon Based – coal <input type="checkbox"/> Hydrocarbon Based – gas <input type="checkbox"/> Waste to energy <input type="checkbox"/> Renewable – wind <input type="checkbox"/> Renewable – wave <input checked="" type="checkbox"/> Renewable – solar <input type="checkbox"/> Renewable – geothermal

Proponent and/or DMA to complete

- ☐ **Mineral / Resource Extraction**
 - ☐ Exploration – seismic
 - ☐ Exploration – geotechnical
 - ☐ Development
- ☐ **Oil and Gas Development**
 - ☐ Exploration
 - ☐ Onshore – seismic
 - ☐ Onshore – geotechnical
 - ☐ Onshore – development
 - ☐ Offshore – seismic
 - ☐ Offshore – geotechnical
 - ☐ Offshore – development
- ☐ **Industrial Development**
 - ☐ Processing
 - ☐ Manufacturing
 - ☐ Beneficiation
- ☐ **Land Use and Development**
 - ☐ Residential – subdivision
 - ☐ Residential – development
 - ☐ Commercial – subdivision
 - ☐ Commercial – development
 - ☐ Industrial – subdivision
 - ☐ Industrial – development
 - ☐ Agricultural – subdivision
 - ☐ Agricultural – development
 - ☐ Tourism
- ☐ **Linear Infrastructure**
 - ☐ Rail
 - ☐ Road
 - ☐ Power Transmission
 - ☐ Water Distribution
 - ☐ Gas Distribution
 - ☐ Pipelines
- ☐ **Water Resource Development**
 - ☐ Desalination
 - ☐ Surface or Groundwater
 - ☐ Drainage
 - ☐ Pipelines
 - ☐ Managed Aquifer Recharge
- ☐ **Marine Developments**
 - ☐ Port
 - ☐ Jetties
 - ☐ Marina
 - ☐ Canal
 - ☐ Aquaculture
 - ☐ Dredging

If other, please state below:

Proponent and/or DMA to complete	
	<input type="checkbox"/> Other _____
Proponent and/or DMA to complete	
Description of the proposal – describe the key characteristics of the proposal in accordance with EAG 1 .	Construction of a 100MW solar photovoltaic power station on cleared farmland.
Timeframe in which the proposal is to occur (including start and finish dates where applicable).	Construction is expected to begin in July 2017 and be complete by 2018.
Details of any staging of the proposal.	
What is the current land use on the property, and the extent (area in hectares) of the property?	Currently unused. Formerly used for broadacre grazing. Total property area 503.3549ha.
Have pre-referral discussions taken place with the OEPA? If yes, please provide the case number. If a case number was not provided, please state the date of the meeting and names of attendees.	No.
DMA (Responsible Authority) to complete	
For a proposal under an assessed scheme (as defined in section 3 of the EP Act , applicable only to the proponent and DMA) provide details (in an attachment) as to whether: <ul style="list-style-type: none"> The environmental issues raised by the proposal were assessed in any assessment of the assessed scheme. The proposal complies with the assessed scheme and any environmental conditions in the assessed scheme. 	

1.3 Strategic / derived proposals

Complete this section if the proposal being referred is a strategic proposal or you are seeking the proposal to be declared a derived proposal. Note: Only a proponent may refer a strategic proposal and seek a proposal to be declared a derived proposal.

Proponent to complete	
Is this referred proposal a strategic proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are you seeking that this proposal be declared a derived proposal?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you are seeking that this proposal be declared a derived proposal, what is the Ministerial Statement number (MS #) of the associated strategic proposal?	MS #: _____

1.4 Location

Proponents and DMAs must provide spatial data. Please refer to [EAG 1](#) for more detail.

Proponent, DMA and Third Party to complete	
Name of the Local Government Authority in which the proposal is located.	Shire of Three Springs
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.	Lots M761-M764 on Plan 3086 and Lot 50 on Diagram 7478 Bruce Rd, Three Springs
Have maps and figures been included with the referral (consistent with EAG 1 where appropriate)? <i>The types of maps and figures which need to be provided (depending on the nature of the proposal) include:</i> <ul style="list-style-type: none"> maps showing the regional location and context of the proposal; and figures illustrating the proposal elements. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proponent and DMA to complete	
Have electronic copies of spatial data been included with the referral? NB: Electronic spatial (GIS or CAD) data, geo-referenced and conforming to the following parameters: <ul style="list-style-type: none"> GIS: polygons representing all activities and named; CAD: simple closed polygons representing all activities and named; datum: GDA94; projection: Geographic (latitude/longitude) or Map Grid of Australia (MGA); format: ESRI geodatabase or shapefile, MapInfo Interchange Format, Microstation or AutoCAD.. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

1.5 Significance test and environmental factors

Proponent, DMA and Third Party to complete	
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 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 type="checkbox"/> Hydrological Processes <input type="checkbox"/> Inland Waters Environmental Quality <input type="checkbox"/> Air Quality & Atmospheric Gases

Proponent, DMA and Third Party to complete	
	<input type="checkbox"/> Amenity <input type="checkbox"/> Heritage <input type="checkbox"/> Human Health <input type="checkbox"/> Offsets <input type="checkbox"/> Rehabilitation and Decommissioning
Having regard to the Significance Test (refer to Section 7 of the <i>EIA Administrative Procedures 2012</i>) in what ways do you consider the proposal may have a significant effect on the environment and warrant referral to the EPA?	The project will be constructed entirely on cleared farmland. There will be no air, noise, odour or light emissions during operation. Potential impacts will be limited to the construction phase (noise, dust etc.), which will be managed under conditions of Development Approval.

1.6 Confidential information

All information will be made publically available unless authorised for exemption under the EP Act or subject to the Freedom of Information Act 1992.

Proponent to complete	
Does the proponent request that the EPA treat any part of the referral information as confidential? <i>Ensure all confidential information is provided in a separate attachment in hard copy.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

2 REGULATORY CONSIDERATIONS

This section applies to the Local, State and Commonwealth regulatory considerations for the referred proposal.

2.1 Government approvals

2.1.1 State or Local Government approvals

DMA to complete	
What approval(s) is (are) required from you as a decision-making authority?	
Is rezoning of any land required before the proposal can be implemented? If yes, please provide details.	<input type="checkbox"/> Yes <input type="checkbox"/> No

2.1.2 Regulation of aspects of the proposal

Complete the following to the extent possible.

Proponent to complete	
<p>Do you have 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>Three Springs Solar Pty Ltd has a contract of sale with the current owner, Mr B Colegate of Three Springs. The signed contract is attached in Appendix A. The settlement date is 1 October 2016.</p>

Outline both the existing approvals and approvals that will be / are being sought as a part of this proposal.

Proponent to complete			
Aspects* of the proposal	Type of approval	Legislation regulating this activity	Which State agency/entity regulate this activity?
Development	Development Approval	Planning & Development Act	Shire of Three Springs

*e.g. mining, processing, dredging

2.1.3 Commonwealth Government Environment Protection and Biodiversity Conservation Act 1999 approvals

Refer to the [assessment bilateral agreement](#) between the Commonwealth of Australia and the State of Western Australia for assistance on this section.

Proponent to complete	
1. 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><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>If no continue to Part A section 2.1.4.</i></p>
2. What is the status of the decision on whether or not the action is a controlled action?	<p><input type="checkbox"/> Proposal not yet referred</p> <p><input type="checkbox"/> Proposal referred, awaiting decision</p> <p><input type="checkbox"/> Assessed – controlled action</p> <p><input type="checkbox"/> Assessed – not a controlled action</p>
3. If the action has been referred, when was it referred and what is the reference number (Ref #)?	<p>Date: _____</p> <p>Ref #: _____</p>

Proponent to complete	
4. If the action has been assessed, provide the decision in an attachment. Has an attachment been provided?	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Do you request this proposal to be assessed under the bilateral agreement?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Complete the following to the extent possible for the Public Comment of EPBC Act referral documentation.

Proponent to complete	
6. Have you invited the public to comment on your referral documentation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. How was the invitation published?	<input type="checkbox"/> newspaper <input type="checkbox"/> website
8. Did the invitation include all of the following?	
(a) brief description of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(b) the name of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(c) the name of the proponent	<input type="checkbox"/> Yes <input type="checkbox"/> No
(d) the location of the action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(e) the matters of national environmental significance that will be or are likely to be significantly impacted	<input type="checkbox"/> Yes <input type="checkbox"/> No
(f) how the relevant documents may be obtained	<input type="checkbox"/> Yes <input type="checkbox"/> No
(g) the deadline for public comments	<input type="checkbox"/> Yes <input type="checkbox"/> No
(h) available for public comment for 14 calendar days	<input type="checkbox"/> Yes <input type="checkbox"/> No
(i) the likely impacts on matters of national environmental significance	<input type="checkbox"/> Yes <input type="checkbox"/> No
(j) any feasible alternatives to the proposed action	<input type="checkbox"/> Yes <input type="checkbox"/> No
(k) possible mitigation measures	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Were any submissions received during the public comment period?	<input type="checkbox"/> Yes <input type="checkbox"/> No
10. Have public submissions been addressed? If yes provide attachment.	<input type="checkbox"/> Yes <input type="checkbox"/> No

2.1.4 Other Commonwealth Government Approvals

Proponent, DMA and Third Party to complete			
Is approval required from other Commonwealth Government/s for any part of the proposal?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please complete the table below.</i>	
Agency / Authority	Approval required	Application lodged?	Agency / Local Authority contact(s) for proposal
Shire of Three Springs	Development Approval	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Sylvia Yandle (CEO)
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

3. SUPPORTING INFORMATION

Please attach copies of any relevant information on the proposal, supporting evidence and / or existing environmental surveys, studies or monitoring information undertaken and list the documents below.

Proponent, DMA and Third Party to complete	
Figure 1	Site and Surroundings
Figure 2	Site Plan
Appendix A	Contract of Sale
Appendix B	Environmental Factors - Report of environmental site survey

PART B: ENVIRONMENTAL FACTORS

The purpose of Part B is to assist the EPA to determine the significance of the likely environmental impacts of the proposal in accordance with the EPA's *Environmental Assessment Guideline for Environmental factors and objectives* (EAG 8) and *Environmental Assessment Guideline for Application of a significant framework in the EIA process* (EAG 9). Referrers completing Part B should refer closely to EAG 8 and EAG 9.

The EPA has prepared [Referral of a Proposal under s38 of the EP Act EAG No.16 - Appendix A](#) (Appendix A) to assist in identifying factors and completing the below table. Further guidance can be found in the guidance and policy documents cited in Appendix A under each factor.

How to complete Part B

For each environmental factor, that is likely to be significantly impacted by the implementation of the proposal, make a copy of the table below and insert a summary of the relevant information relating to the proposal. The table can be broken down into more than one table per factor, if the need arises. For example the hydrological processes factor can be presented in two separate tables, one for surface water and one for groundwater, or similarly one for construction and one for operations.

For complex proposals a supplementary referral report can be provided in addition to the referral form. If this option is chosen the table must still be completed (summaries are acceptable) to assist the Office of the EPA with statistical reporting and filtering proposals for processing.

Proponents expecting an API level of assessment must provide information in accordance with the EPA's *Environmental Assessment Guideline for Preparation of an API-A environmental review document* (EAG 14).

For each of the significant environmental factors, complete the following table (Questions 1 – 10).

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
1	Factor, as defined in EAG 8	None applicable.
2	EPA Objective, as defined in EAG 8	None applicable.
3	Guidance - what established policies, guidelines, and standards apply to this factor in relation to the proposal?	None applicable.
4	Consultation - outline the need for consultation and the outcomes of any consultation in relation to the potential environmental impacts, including: <ul style="list-style-type: none"> • anticipated level of public interest in the impact; • consultation with regulatory agencies; and • consultation with community. 	Consultation has been undertaken with Western Power, which has given in-principle support. Public consultation will occur through Shire planning approval process. Little public interest is expected.
5	Baseline information - describe the relevant characteristics of the receiving environment. <i>This may include: regional context; known environmental values, current quality, sensitivity to impact, and current level of cumulative impacts.</i>	Cleared farm paddocks with scattered trees and saltbushes in few salt-affected claypans.
6	Impact assessment - describe the potential impact/s that may occur to the environmental factor as a result of implementing the proposal.	None – development will avoid all native vegetation.

Proponent to complete. DMA and Third Party to complete to the best of their knowledge.		
7	<p>Mitigation measures - what measures are proposed to mitigate the potential environmental impacts? The following should be addressed:</p> <ul style="list-style-type: none"> • <i>Avoidance - avoiding the adverse environmental impact altogether;</i> • <i>Minimisation - limiting the degree or magnitude of the adverse impact;</i> • <i>Rehabilitate – restoring the maximum environmental value that is reasonably practicable; and</i> • <i>Offsets – actions that provide environmental benefits to counterbalance significant residual environmental impacts or risks of a project or activity.</i> 	Development will avoid all native vegetation.
8	<p>Residual impacts – review the residual impacts against the EPA objectives.</p> <p><i>It is understood that the extent of any significant residual impacts may be hard to quantify at the referral stage. Referrers are asked to provide, as far as practicable, a discussion on the likely residual impacts and form a conclusion on whether the EPA's objective for this factor would be met if residual impacts remain. This will require:</i></p> <ul style="list-style-type: none"> • <i>quantifying the predicted impacts (extent, duration, etc.) acknowledging any uncertainty in predictions;</i> • <i>putting the impacts into a regional or local context, incorporating knowable cumulative impacts; and</i> • <i>comparison against any established environmental policies, guidelines, and standards.</i> 	None.
9	EPA's Objective – from your perspective and based on your review, which option applies to the proposal in relation to this factor? Refer to EAG 9	<input checked="" type="checkbox"/> <i>meets the EPA's objective</i> <input type="checkbox"/> <i>may meet the EPA's objective</i> <input type="checkbox"/> <i>is unlikely to meet the EPA's objective</i>
10	Describe any assumptions critical to your conclusion (in Question 9). e.g. <i>particular mitigation measures or regulatory conditions.</i>	None.

In circumstances where there was some uncertainty on the level of significance of a particular factor it is recommended that a brief summary (no longer than 1 - 2 paragraphs) is provided on the steps taken to determine why a factor was not considered to be significant.

Figures

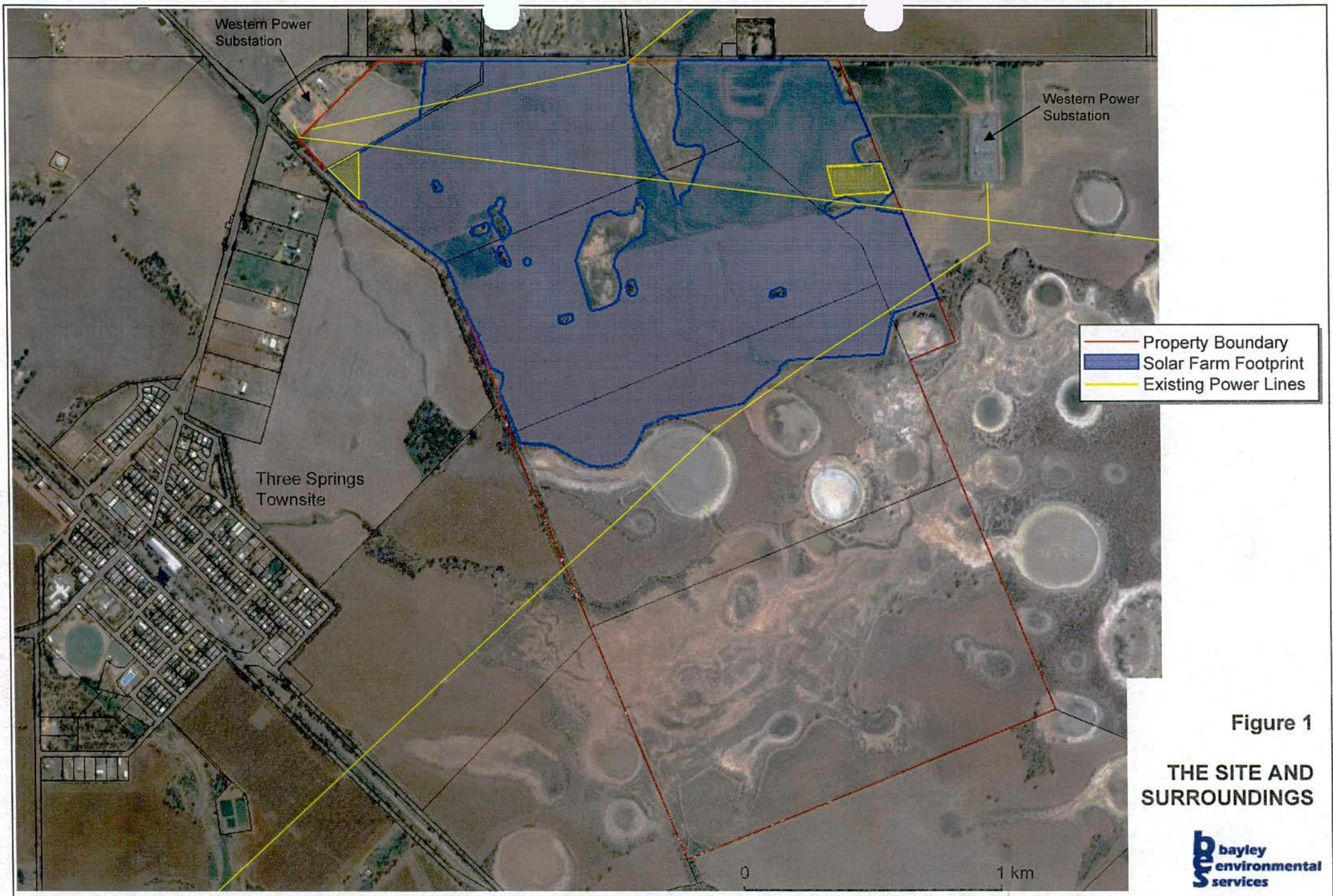


Figure 1
THE SITE AND
SURROUNDINGS

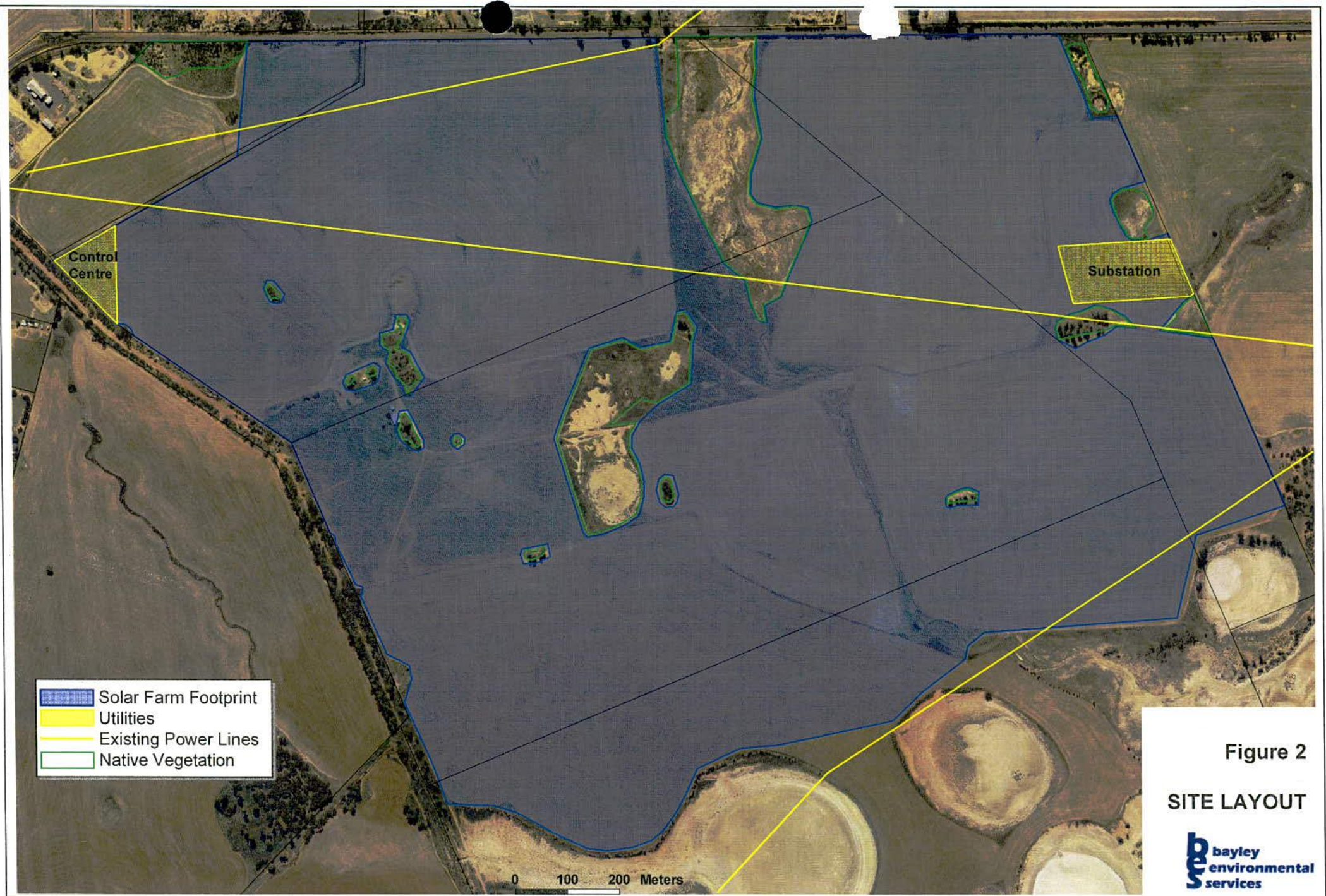


Figure 2
SITE LAYOUT

Appendix A

Contract of Sale

Appendix A

Contract of Sale



REIWA
REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA

RURAL CONTRACT FOR SALE OF LAND OR STRATA TITLE BY OFFER AND ACCEPTANCE

09/11 809

APPROVED BY
THE REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA (INC.)
CONTRACT 11/REIWA/2011
FOR USE BY REIWA MEMBERS

TO:

NOTICE: Contracts must be lodged with the Office of State Revenue for duty assessment within two (2) months of the date the last person executes the Contract.



Primaries
REAL ESTATE
GERALDTON

Licensed Real Estate and Business Agent
Taiboni Nominees Pty Ltd ABN 89 264 253 976
t/as PRIMARIES REAL ESTATE GERALDTON
84 40 Chapman Road, Geraldton WA 6530
Ph: (08) 9921 1066 Fax: (08) 9921 6670

As Agent for the Seller / Buyer

THE BUYER (FULL NAME AND ADDRESS) **Three Springs Solar Pty Ltd ABN 17 613 886 730**
of PO Box 498 SPIT JUNCTION NSW 2088

OFFERS TO PURCHASE (as joint tenants/tenants in common specifying the undivided shares) the Land and Property Chattels set out in the Schedule ("the Property") with vacant possession unless stated otherwise in the Special Conditions at the Purchase Price on the terms set out in the Schedule, the Conditions and the Special Conditions

SCHEDULE

The Property at:

Three Springs WA and being 502 ha or thereabouts in area
See Annexure for Title Particulars

Lot Deposited/Survey/Strata/Diagram/Plan Whole/Part Vol Folio

A deposit of \$ **35,000.00** of which \$ **Nil** is paid now and **35,000.00** to be paid within **7** days of acceptance

to be held by **Primaries Real Estate Geraldton Trust Account**

("the Deposit Holder"). The balance of the Purchase Price to be paid on the Settlement Date.

Purchase Price **\$1,078,000 inclusive of GST**

Settlement Date **1 October 2016**

Property Chattels including

FINANCE CLAUSE IS APPLICABLE

LENDER

(NB: If blank, can be any Lender)

LATEST TIME: 4pm on:

AMOUNT OF LOAN:

SIGNATURE OF BUYER

FINANCE CLAUSE IS NOT APPLICABLE

Signature of the Buyer if Finance Clause IS NOT applicable

[Signature]

SPECIAL CONDITIONS

- A) Condition 6.1(b)(2) of the 2011 General Conditions is deleted.
- B) Condition 9.1(c) of the 2011 General Conditions is deleted. Boundary fencing may not be on the boundary of the Land and may be on convenience lines.
- C) Condition 9.1(e) of the 2011 General Conditions is deleted. The Seller will farm the Property in a normal farming manner consistent with the district but the Property may change due to seasonal conditions and cropping activities prior to Settlement.
- D) The Property is sold on a farm GST exempt basis. Machinery and Livestock however are sold for the price referred to in the Schedule plus GST and must be paid in addition to the Purchase Price for the Property, by the Buyer to the Seller by Bank Cheque at Settlement in exchange for a tax invoice. If for any reason the Commissioner of Taxation does not accept the sale as farm GST exempt then the Buyer will pay the GST to the Seller who will give the Buyer a tax invoice.
- E) The Seller represents and warrants that the Seller is not aware of any contaminated site or any contamination on the Property other than those described in any Special Condition. If there is a contaminated site or contamination on the Property then the Buyer at Settlement assumes responsibility for any remediation that is or maybe required. The Buyer indemnifies the Seller in relation to any contamination upon the Property. This clause survives Settlement.
- F) The special conditions printed below this line apply to this Contract.

See Annexure for further special conditions

RURAL CONTRACT FOR SALE OF LAND OR STRATA TITLE BY OFFER AND ACCEPTANCE

09/11 609

CONDITIONS

1. SUBJECT TO FINANCE

If the Buyer signs the "Finance Clause is not Applicable" box in the Schedule, or if no information is completed in the "Finance Clause is Applicable" box in the Schedule, then this Clause 1 does not apply to the Contract.

If any information is completed in or the Buyer signs the "Finance Clause is Applicable" box in the Schedule, then this Clause 1 applies to the Contract.

1.1 Buyer's Obligation to Apply for Finance and Give Notice to the Seller

- The Buyer must:
 - immediately after the Contract Date make a Finance Application to the Lender using, if required by the Lender, the Property as security; and
 - use all best endeavours in good faith to obtain Finance Approval.
- If the Buyer does not comply with Clause 1.1(a) or 1.1(b) then the Contract will not come to an end under Clause 1.2 and the Buyer may not terminate the Contract under Clause 1.3. The rights of the Seller under this Clause 1.1 will not be affected if the Buyer does not comply with Clause 1.1.
- The Buyer must immediately give to the Seller or Seller Agent:
 - an Approval Notice if the Buyer obtains Finance Approval; or
 - a Non Approval Notice if the Finance Application is rejected.

1.2 No Finance Approval by the Latest Time: Non Approval Notice Given

- This Contract will come to an end without further action by either Party 1 on or before the Latest Time:
- written Finance Approval has not been obtained or the Finance Application has been rejected; and
 - the Buyer gives a Non Approval Notice to the Seller or Seller Agent.

1.3 No Finance Approval by the Latest Time: No Notice Given

- If by the Latest Time:
- the Buyer has not given an Approval Notice to the Seller or Seller Agent; and
 - the Buyer has not given a Non Approval Notice to the Seller or Seller Agent;
- then this Contract will be in full force and effect unless and until either the Seller gives written Notice of termination to the Buyer or the Buyer terminates this Contract by giving a Non Approval Notice to the Seller or Seller Agent.

1.4 Finance Approval: Approval Notice Given

- If by the Latest Time, or if Clause 1.5 applies, before the Contract is terminated:
- Finance Approval has been obtained; and
 - the Buyer has given an Approval Notice to the Seller or Seller Agent;
- then this Clause 1 is satisfied and this Contract is in full force and effect.

1.5 Notice Not Given by Latest Time: Seller's Right to Terminate

- If by the Latest Time the Buyer has not given an Approval Notice or a Non Approval Notice to the Seller or Seller Agent, then at any time until an Approval Notice or a Non Approval Notice is given, the Seller may terminate this Contract by written Notice to the Buyer.

1.6 Buyer Must Keep Seller Informed: Evidence

- If requested in writing by the Seller or Seller Agent the Buyer must:
 - advise the Seller or Seller Agent of the progress of the Finance Application; and
 - provide evidence in writing of the making of a Finance Application in accordance with Clause 1.1 (a) and of any loan offer made, or any rejection; and
 - if applicable, advise the Seller or Seller Agent of the reasons for the Buyer not accepting any loan offer.
- If the Buyer does not comply with this request within 2 Business Days then the Buyer authorises the Seller or Seller Agent to obtain from the Lender the information referred to in Clause 1.6(a).

1.7 Right To Terminate

- If a Party has the right to terminate under this Clause 1, then:
- termination must be effected by written Notice to the other Party;
 - Clauses 23 and 24 of the 2011 General Conditions do not apply to the right to terminate; upon termination the Deposits and any other monies paid by the Buyer must be repaid to the Buyer;
 - upon termination neither Party will have any action or claim against the other for breach of this Contract, except for a breach of Clause 1.1 by the Buyer.

1.8 Waiver

- The Buyer may waive this Clause 1 by giving written notice to the Seller or Seller Agent at any time before the Latest Time, or if Clause 1.5 applies, before the Contract is terminated. If waived this Clause is deemed satisfied.

1.9 Definitions

- In this Clause:
- Amount of Loan** means either the amount referred to in the Schedule or any lesser amount of finance referred to in the Finance Application. If the amount referred to in the Schedule is blank, then the amount will be an amount equivalent to the Purchase Price.
- Approval Notice** means a Notice in writing given by the Buyer or the Lender to the Seller, or Seller Agent to the effect that Finance Approval has been obtained.
- Finance Application** means an application made by or on behalf of the Buyer to the Lender to lend any monies payable under the Contract.
- Finance Approval means:**
- a written approval by the Lender of the Finance Application or a written offer to lend or a written notification of an intention to offer to lend made by the Lender; and
 - for the Amount of Loan; and
 - which is unconditional or subject to terms and conditions for finance of a nature similar to that applied for by the Buyer; or
 - which the Buyer has accepted by written communication to the Lender, but a condition which is in the sole control of the Buyer to satisfy will be treated as having been accepted for the purposes of this definition; or
 - if the condition is other than as referred to in paragraphs (1) and (2) above includes:
 - an acceptable valuation of any property;
 - entering a particular loan to value ratio;
 - the sale of another property; or
 - the obtaining of mortgage insurance; and has in fact been satisfied.

Latest Time means

- the time and date referred to in the Schedule; or
- if no date is nominated in the Schedule, then 4pm on the day falling 15 Business Days after the Contract Date.

Lender means:

- the lender nominated in the Schedule; or
- if no lender is nominated in the Schedule, any bank, building society, credit union or other institution which makes loans and in each case carries on business in Australia.

Non Approval Notice means a Notice in writing given by the Buyer or the Lender to the Seller, or Seller Agent to the effect that the Finance Application has been rejected or Finance Approval has not been obtained.

- Acceptance of this offer will be sufficiently communicated to the Buyer if verbal or written notification is given by the Seller or Seller Agent to the Buyer that the acceptance has been signed by the Seller;
- The 2011 General Conditions are incorporated into this Contract so far as they are not varied by or inconsistent with the Conditions or Special Conditions of this Contract;
- If GST is applicable to this transaction then the relevant GST provision should be outlined in the Special Conditions or in an attached GST Annexure, which forms part of this Contract.

BUYER (If a corporation, then the Buyer executes this Contract pursuant to s.127 of the Corporations Act.)

[Signature]

[Signature] Witness

Date *19/08/16*

THE SELLER (FULL NAME AND ADDRESS) ACCEPTS the Buyer's offer **Bradley John Colegate**
31 Dryandra Way, Thornlie WA 6108

(If a corporation, then the Seller executes this Contract pursuant to s.127 of the Corporations Act.)

[Signature]

[Signature] Witness

Date *19/8/16*

JOINT FORM A true copy of this document has been received by each of the Parties - together with a copy of the 2011 General Conditions.

[Signature]

STRATA DISCLOSURES

If the Property is a Strata Lot, then the Buyer acknowledges having received the Form 28 Disclosure Statement before signing this Contract.

CONVEYANCER The Parties nominate their Representative below to act on their behalf and consent to Notices being served to that Representative's facsimile number.

BUYER'S REPRESENTATIVE	SELLER'S REPRESENTATIVE
Name	
Signature	

Annexure to contract on property known as Lots M761, M762, M763 and M764 on Plan 3086 Certificate of Title Volume 1886 Folio 98 and Lot 50 on Diagram 7478 Certificate of Title Volume 1886 Folio 98 between Bradley John Colegate as Seller and Three Springs Solar Pty Ltd ABN 17 613 886 730 as Buyer

1. Title Particulars

Lots M761, M762, M763 and M764 on Plan 3086 contained in Certificate of Title Volume 1886 Folio 98.

Lot 50 on Diagram 7478 contained in Certificate of Title Volume 1886 Folio 98.

2. The Buyer acknowledges being made aware of easements that will remain on the title post settlement


(A) Transfer T1449/1911, 8363/1924 AND 21/1910

(B) C284936 and Easement E117047

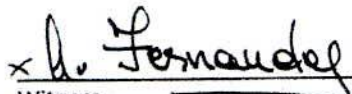
3. The Buyer is aware that the growing crop does not form part of this contract and will be removed prior to 20 December 2016.

x 
Buyer

Buyer

x 
Seller

Seller

x 
Witness

Witness

x 
Witness

Witness

x 19/08/16
Date

Date

x 19-8-16
Date

Date

WESTERN



AUSTRALIA

REGISTER NUMBER N/A	
DATE OF ISSUE N/A	DATE OF PREVIOUS EDITION N/A

RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
1886
FOLIO
98

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTRAR OF TITLES



THIS IS A MULTI-LOT TITLE

LAND DESCRIPTION:

LOTS M 761, M 762, M 763 & M 764 ON PLAN 3086
LOT 50 ON DIAGRAM 7478

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

BRADLEY JOHN COLEGATE OF THREE SPRINGS

(T J078619) REGISTERED 9 NOVEMBER 2004

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

- EXCEPT AND RESERVING METALS, MINERALS, GEMS AND MINERAL OIL SPECIFIED IN TRANSFER T1449/1911, 8363/1924 AND 21/1910
- *C284936 EASEMENT TO MINISTER FOR WATER RESOURCES FOR THE PURPOSE OF EXERCISING CERTAIN PIPELINE RIGHTS AS SET OUT IN THE SAID TRANSFER. SEE INSTRUMENT C284936 REGISTERED 12.1.1982.
- *E117047 EASEMENT TO THE STATE ENERGY COMMISSION OF WESTERN AUSTRALIA FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING AND USING ELECTRICITY EQUIPMENT IN, UPON AND ACROSS THE SAID PORTION OF THE WITHIN LAND AS SET OUT IN THE SAID TRANSFER. SEE INSTRUMENT E117047 AND SKETCH ON VOLUME 1886 FOLIO 98. REGISTERED 1.6.1989.
- *THE LAND THE SUBJECT OF THIS CERTIFICATE OF TITLE EXCLUDES ALL PORTIONS OF THE LOT DESCRIBED ABOVE EXCEPT THAT PORTION SHOWN IN THE SKETCH OF THE SUPERSEDED PAPER VERSION OF THIS TITLE. SEE VOLUME 1886 FOLIO 98. AS TO LOT M764 ON PLAN 3086 ONLY
- *J078620 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 9.11.2004.
- *K698066 CAVEAT BY BARRY JAMES COUPER, MARLENE ELLEN COUPER, JAMES QUENTIN COUPER, SANDRA GAYE COUPER LODGED 28.8.2008.
- *L534369 CAVEAT BY KARARA POWER PTY LTD LODGED 19.1.2011.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

END OF PAGE 1 - CONTINUED OVER

[Signature]
x *Pr*

RECORD OF CERTIFICATE OF TITLE

REGISTER NUMBER: N/A

VOLUME/FOLIO: 1886-98

PAGE 2

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

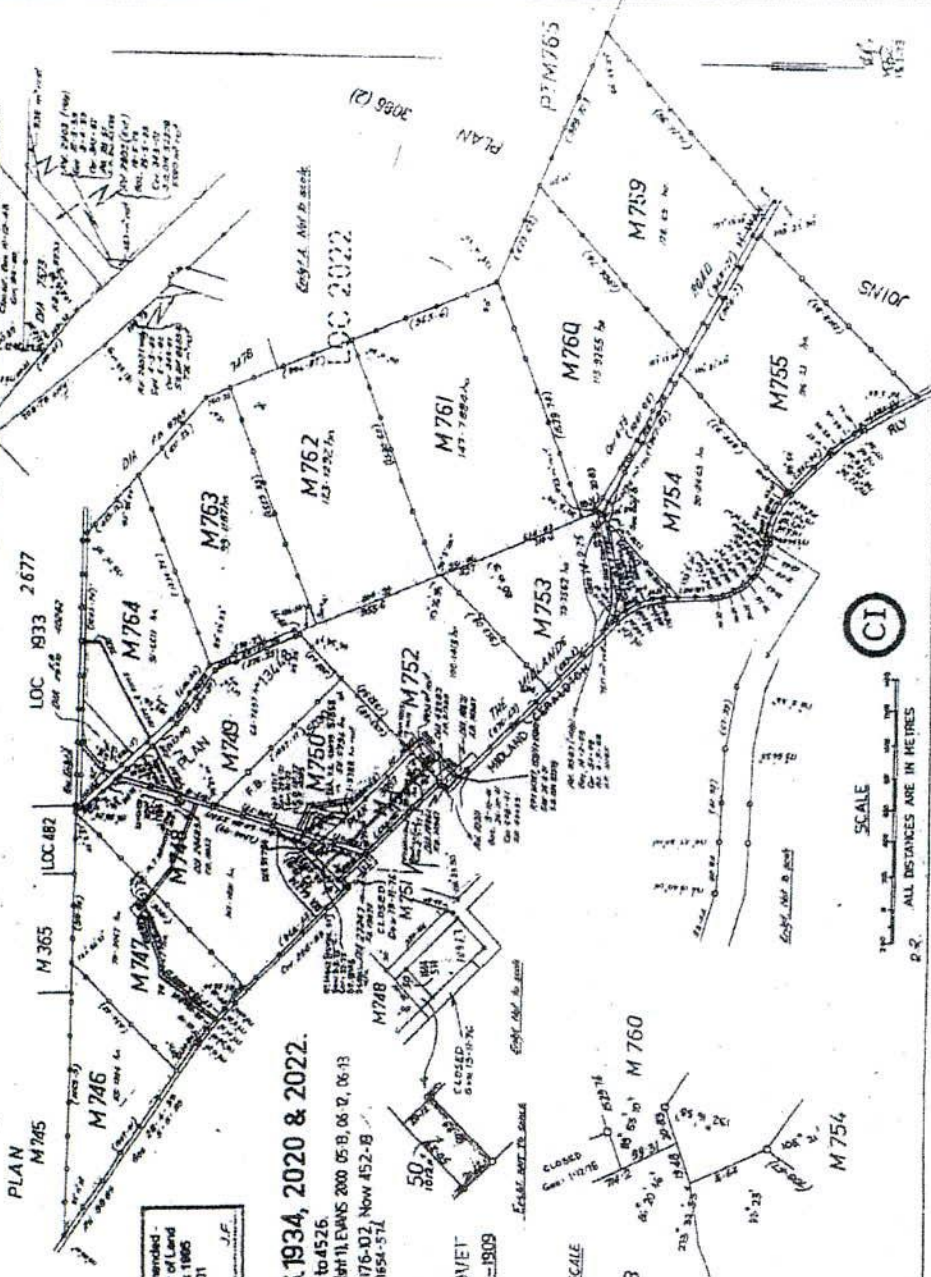
SKETCH OF LAND: D7478/P3086.
PREVIOUS TITLE: 1752-792.
PROPERTY STREET ADDRESS: 764 BRUCE RD, WOMARDEN (M 764/P3086).
LOCAL GOVERNMENT AREA: SHIRE OF THREE SPRINGS

NOTE 1: K701637 LAND DESCRIPTION AMENDED ON ORIGINAL CERTIFICATE OF TITLE - BUT NOT SHOWN ON CURRENT EDITION OF THE DUPLICATE
NOTE 2: INCLUDES CLOSED ROAD LAND ACT 1933
NOTE 3: M630397 DEPOSITED PLAN (INTEREST ONLY) 401806 LODGED AS TO LOT M 762 ON P 3086 ONLY
NOTE 4: M630405 DEPOSITED PLAN (INTEREST ONLY) 401807 LODGED.


x BF

PLAN 2677 PLAN 3086(1)
2 SHEETS

PLAN 482



Land Parcel identifier amended -
Regulation 8 of Transfer of Land
(Queensland) Regulations 1995
Corr. 1775-2000-01
Date: 13.3.09 J.F.

PT OF VICTORIA LOCs. 1934, 2020 & 2022.
F.Bs. 4520 to 4526.
INDEX PLANS 278, 282, 305, 590, 592, 611, EVANS 200 05.8, 06.12, 06.13
CS. 1. 229-403, 229-110, 176-02, Now 452-B
1654-571

APPROVED
31-8-1909

ENGL. NOT TO SCALE

PLAN 3086 (1)
2 SHEETS

X R/R

Appendix B

Environmental Factors – Report of environmental site survey

ENVIRONMENTAL FACTORS

An environmental site survey of the project site was carried out by Bayley Environmental Services in July 2016. The following briefly summarises the findings of that survey and associated desktop investigations.

Landforms and Soils

The project site is set on largely flat to slightly undulating land which slopes gently down from a maximum elevation of about 275m AHD at the north-west corner to about 245m AHD at the southern boundary. The soils are predominantly clayey sands, with salt-affected sandy clays in low-lying areas. The extent of salt-affected land is reportedly growing, making the property progressively less viable for farming.

Hydrology

The surface drainage of the site is generally from north to south via a small number of ill-defined claypans and ill-defined, ephemeral drainage lines. Over most of the site, drainage would be by means of sheet runoff under heavy rainfall.

Several large and small claypans occur on the site and are subject to shallow ponding of water during wet conditions.

A large chain of salt lakes known as the Yarra Yarra Lakes is located to the east and south of the project site, to which the drainage from the site is directed.

Vegetation and Flora

The project site is fully cleared of native vegetation except for scattered clumps of native trees and saltbushes in salt-affected claypans. The project footprint will avoid all areas of native vegetation.

One species of Declared Rare Flora, *Daviesia bursarioides* (Three Springs Daviesia), has been recorded within the Three Springs – Perenjori Road reserve approximately 50m north-west of the project site. There is no habitat for this species within the fully cleared project footprint.

Fauna

There is no habitat for native fauna within the project footprint except for those species that are able to tolerate completely disturbed environments. During the site inspection, signs of extensive feeding by Butler's Corellas (*Cacatua pastinator butleri*) were

observed in salt-affected claypans, where they were feeding on Guildford Grass bulbs. Butler's Corella is native to the north of Western Australia but has expanded its range southward and is a declared pest in the northern Wheatbelt.

Tracks and droppings of kangaroos were also observed around some claypans. Other species observed on site included Crested Pigeon, Pied Butcherbird, Australian Magpie. All of these were observed in isolated remnant trees, which will not be affected by the project.

Aboriginal and European Heritage

The Yarra Yarra Lakes are registered as Aboriginal heritage (mythological) sites under the *Aboriginal Heritage Act 1972*. The Act prohibits disturbance of any registered Aboriginal heritage site without the permission of the Minister for Aboriginal Affairs. The project will not affect or disturb the Yarra Yarra Lakes and so no permission under the Act is considered necessary.

The site inspection found no indication of the presence of any European heritage structures, places or values on the site.