



Environmental Protection Authority

Annual Report
2022-23

Environmental Protection Authority

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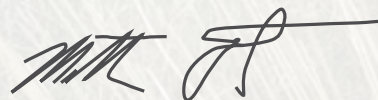
Cover image: Greater Brixton Street Wetlands
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Letter to the Minister

Hon. Reece Whitby MLA

Minister for Environment; Climate Action

In accordance with section 21 of the *Environmental Protection Act 1986*, I submit for your information and presentation to the Parliament of Western Australia, the annual report for the Environmental Protection Authority for the year ended 30 June 2023.



Prof. Matthew Tonts

Chair, Environmental Protection Authority

28 September 2023

We acknowledge the Traditional Custodians of the land upon which we live and work and pay our respects to their elders past and present. We recognise the practice of intergenerational care for Country and its relevance to our work. We seek to learn about and value traditional knowledge and practices in protecting the environment.

Contents

Message from the Chair	4
-------------------------------	---

At a glance 2022–23	6
----------------------------	---

Acronyms	7
-----------------	---

About the EPA	8
----------------------	---

Role of the EPA	8
-----------------	---

The Authority	10
---------------	----

Strategic activities and advice	12
--	----

New strategic plan guides work for the coming years	12
---	----

Advice to protect the Greater Brixton Street Wetlands	16
---	----

Review of greenhouse gas emissions guideline	17
--	----

Using best-practice tools and approaches	18
--	----

EPA engagement with public policy	19
-----------------------------------	----

Review of planning regulations	19
--------------------------------	----

Environmental impact assessments	20
---	----

Referred proposals and schemes	20
--------------------------------	----

Completed projects	20
--------------------	----

Reducing net greenhouse gas emissions	21
---------------------------------------	----

Assessment of Ningaloo Lighthouse Resort on the Exmouth Gulf	21
--	----

Critical minerals and environmental protection	22
--	----

Ensuring iron ore developments achieve environmental outcomes	23
---	----

Impact of salt projects on groundwater and surface water	24
--	----

Outcome of appeals	25
--------------------	----

Focus – environmental outcomes	26
---------------------------------------	----

Enhancing environmental values through biodiversity offsets	26
---	----

Growing pressure on native forests	27
------------------------------------	----

Green Energy directorate established	28
--------------------------------------	----

Looking forward	29
------------------------	----

Policy suite review	29
---------------------	----

Enhancing stakeholder engagement	30
---	----

Continuing strategic partnerships	30
-----------------------------------	----

Improving stakeholder engagement – creative and impactful communication and meaningful public consultation	32
--	----

Site visits and community meetings	33
------------------------------------	----

EPA meetings	34
--------------	----

Stakeholder Reference Group	36
-----------------------------	----

Consultation	36
--------------	----

Appendices	37
-------------------	----

Appendix 1: Referrals received and levels of assessment	37
---	----

Appendix 2: Completed EPA reports	38
-----------------------------------	----

Appendix 3: EPA guidelines and procedures published or revised in 2022–23	40
---	----

Message from the Chair



Professor Matthew Tonts
Chair, EPA

On behalf of the Environmental Protection Authority (EPA), I am pleased to present our annual report for 2022–23.

In March, we released our *Strategic Plan 2023–2026*. The plan recognises the increasing pressures on Western Australia's environment and aims to ensure we are providing contemporary and effective approaches to environmental protection.

The strategic plan focuses on continuous improvement of our assessments of major projects under Part IV of the *Environmental Protection Act 1986* (EP Act). We will develop new guidance on cumulative and holistic assessment, as well as advice for emerging industries, such as hydrogen, critical minerals and renewable energy projects.

The strategic plan also emphasises engagement with key science and research institutions and individuals with expert knowledge. This will ensure our work is informed by the latest environmental science and impact assessment practice. Importantly, we will also look at how we can better incorporate Indigenous environmental knowledge in our practices and policies.

Environmental impact assessments

This year, the EPA provided sound, independent environmental advice to government on 48 development proposals, while also developing guidance to improve environmental outcomes.

The strategic plan also seeks to promote and develop regional environmental protection frameworks. This will support the protection of environmental assets like the Swan Coastal Plain.

Western Australia faces increased environmental pressures from a sprawling population. Conducting environmental impact assessments with a more cumulative, holistic approach will ensure the EPA continues to meet its objectives under the EP Act.

Greater Brixton Street Wetlands

The Greater Brixton Street Wetlands is an area under pressure from cumulative impacts. This unique wetland within the cities of Kalamunda and Gosnells is home to more than 650 plant species and is an extraordinary example of biodiversity.

Under section 16(j) of the EP Act, the EPA provided public advice to enhance the area's long-term protection. In it we set out a clear expectation that proposals and planning schemes had to be compatible with protecting the environmental values of the wetlands, and that we would apply scrutiny if this were not demonstrated.



Greenhouse gas guidance

The EPA's revised greenhouse gas guidelines, released in April, have been updated to reflect the latest climate science, law and policy, and our view that substantial emission reductions are needed to achieve net zero by 2050.

Western Australia's process for environmental impact assessment under the EP Act leads the nation in assessing emissions from significant proposals. In fact, Western Australia has been the first jurisdiction to set enforceable conditions requiring the reduction of greenhouse gas emissions and the achievement of net zero by 2050 or earlier.

In April 2023, we also welcomed the passing of legislation that enables reform of the Australian Government's Safeguard Mechanism. We developed our revised guidance to ensure proponents consider the Safeguard Mechanism, thereby reducing the potential for regulatory duplication and reporting requirements.

We will continue to consider proposals on a case-by-case basis and take a flexible approach to support innovation and improvement in best-practice technologies.

Green energy assessments

The drive to decarbonise the state and national economies has led to a significant increase in the number of 'green energy' projects submitted to the EPA for environmental impact assessment.

The Government of Western Australia (State Government) has committed to establishing a Green Energy team dedicated to renewable energy proposals to support our environmental impact assessment work.

I'm hopeful that the pre-assessment work of proponents and other government agencies under the Green Energy initiative will mean the EPA is even better equipped to assess environmental outcomes.

New EPA member

This year has seen some changes to the membership of the EPA Board. Glen McLeod, a valuable member of the EPA, has stepped down. Glen oversaw some 250 environmental impact assessment reports and attended 116 EPA meetings during his tenure. I thank Glen for his nine years of outstanding service to the EPA.

I welcome Hamish Beck to the Board. Hamish joins me and my EPA colleagues – Deputy Chair Lee McIntosh, Professor Fiona Haslam McKenzie and Dr Jenny Pope – as we embark on delivering the goals of our new *Strategic Plan 2023–26*.

This presents some valuable and exciting opportunities for the EPA and the dedicated Department of Water and Environmental Regulation (DWER) EPA Services team who support our work.



At a glance 2022–23

The EPA is an independent statutory authority that provides advice on environmental matters direct to the Western Australian Minister for Environment.



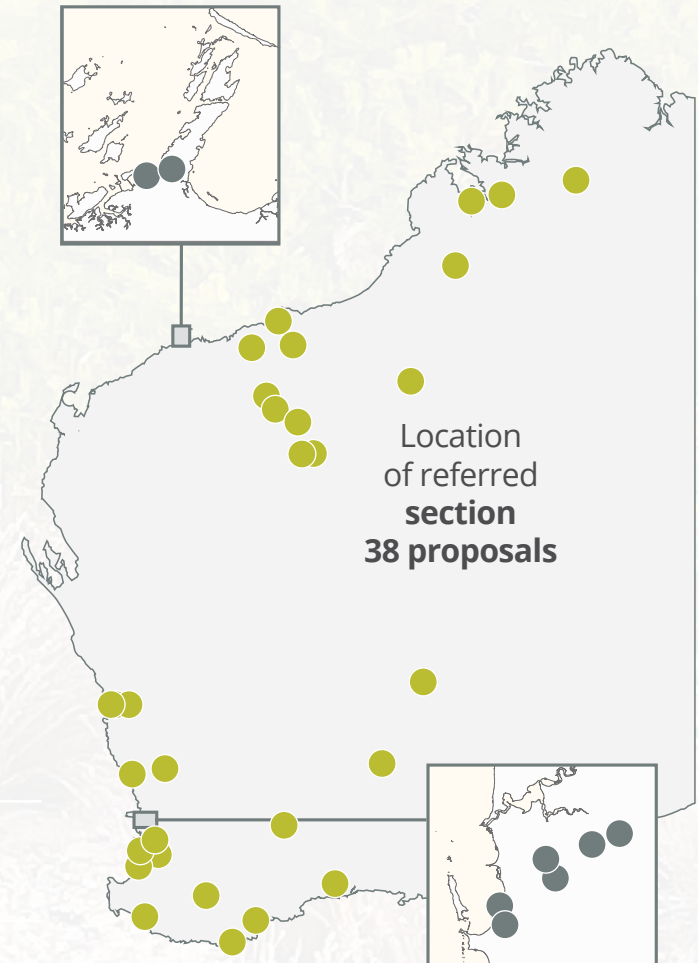
48 development proposals and 132 schemes were referred to the EPA for a decision on whether formal assessment was required



Determined to formally assess
18 referred proposals



Provided public advice for an additional
3 referred proposals and **32** referred schemes





Completed **17** formal assessments



Met with the **EPA Stakeholder Reference Group** quarterly



Published advice, guidance and instructions:

- Section 16(j) advice on *Environmental values and pressures for the Greater Brixton Street Wetlands on the Swan coastal plain*
- *Environmental factor guideline – Greenhouse gas emissions*, templates for management and summary plans for greenhouse gases
- *Environmental factor guideline – Social Surroundings*, and supporting *Interim Technical Guidance – Environmental impact assessment of Social Surroundings – Aboriginal cultural heritage*.

Shortened forms

DCCEEW	Department of Climate Change, Energy, the Environment and Water (Cwth)
DPLH	Department of Planning, Lands and Heritage (WA)
DWER	Department of Water and Environmental Regulation (WA)
EIA	environmental impact assessment
EP Act	<i>Environmental Protection Act 1986</i> (WA)
EPA/Authority	Environmental Protection Authority
IBSA	Index of Biodiversity Surveys for Assessments
SAEF	Shared Environmental Analytics Facility
UWA	The University of Western Australia
WA	Western Australia
WABSI	Western Australian Biodiversity Science Institute
WAMSI	Western Australian Marine Science Institution



Provided five submissions on key government initiatives:

Proposed policy framework guiding the use of diversification leases on Crown land

Safeguard Mechanism reforms

Aboriginal Cultural Heritage Act 2021 co-design phase 2 and phase 3

DWER environmental regulation reform

Australian Government Powering the Regions fund.





About the EPA

Role of the EPA

The Authority comprises five members appointed by the Governor of Western Australia on the recommendation of the Minister for Environment.

The EPA is independent, in that we are not subject to direction by the Minister, and our advice to the Minister is public. This independence is fundamental to our ability to provide sound, robust and transparent advice.

The EP Act governs the EPA's operations, stipulating the use of our best endeavours to protect the environment and to prevent, control and abate pollution and environmental harm. It defines the environment as 'living things, their physical, biological and social surroundings, and interactions between all of these'.

We are focused and innovative to ensure we are protecting the environment for present and future generations. As part of our functions, we:

- conduct environmental impact assessments
- consider and initiate the means of protecting the environment and the means of preventing, controlling and abating pollution and environmental harm
- prepare and seek approval for environmental protection policies
- prepare and publish guidelines for managing environmental impacts
- advise the Minister on environmental matters generally.





Lee McIntosh, Prof. Matthew Tonts, Hamish Beck, Dr Jenny Pope and Prof. Fiona Haslam McKenzie



The Authority



Professor Matthew Tonts
Chair

Appointed as the Chair in January 2021

Prof. Tonts has extensive national and international professional experience spanning the environmental, regional development and research sectors. Before commencing with the EPA, he held senior leadership positions at The University of Western Australia (UWA) and board positions across diverse sectors, including environmental management, business, international education and regional development.

Prof. Tonts' areas of expertise relate to environmental geography, land management, regional development and spatial planning. He has worked closely with Australian, state and local governments, as well as not-for-profits and the private sector on issues related to regional development, land use assessment, urban development and environmental management. He has also worked on a range of projects in collaboration with partners in Africa, North America, Europe and South-East Asia.

Prof. Tonts has a Doctor of Philosophy (Geography) from Curtin University and a Bachelor of Arts (Geography and Environmental Management) (first class honours) from Edith Cowan University. In 2020 he was elected a Fellow of the Academy of Social Sciences in Australia.



Lee McIntosh
Deputy Chair

**Appointed as the Deputy
Chair in November 2020**

Ms McIntosh has more than 20 years' experience practising as an environmental lawyer and has extensive experience in the corporate, government and community sectors. She has been active in several environmental law policy and reform initiatives, lectured and tutored in environmental law and worked across all areas of environmental law assessment and approvals.

Ms McIntosh has also held roles on several government and community boards and given advice on the environmental approval and social licence issues associated with some of Western Australia's most significant projects.

Ms McIntosh has a Master of Environmental Law from the University of Calgary, Canada, and a Bachelor of Laws (first class honours) and Bachelor of Science (Environmental Science) from Murdoch University.





Dr Jenny Pope

**Appointed as a member in
November 2018**

Dr Pope has 35 years' experience in environmental management and sustainability in Western Australia and internationally. She is currently Professor of Sustainability in Mining at the Harry Butler Institute at Murdoch University. Dr Pope began her career as an environmental process engineer in the water and oil and gas industries. Dr Pope then established a consultancy in Perth which has been operating for nearly 25 years. Dr Pope holds two international academic positions: Extraordinary Professor in Environmental Management at North-West University in South Africa, and Fellow of the University of Cambridge Institute for Sustainability Leadership in the UK.

Dr Pope has a Bachelor of Engineering (Chemical) with first class honours, a Graduate Diploma in Science (Biotechnology), a Postgraduate Certificate in Policy Studies (Ecologically Sustainable Development), and a PhD in Sustainability and Technology Policy. She is both a practitioner and an internationally recognised scholar of impact assessment, with more than 50 publications in the field. She is an active member of the International Association for Impact Assessment, the Environment Institute of Australia and New Zealand and the Environmental Consultants Association of WA.



Professor Fiona Haslam McKenzie

**Appointed as a member in
October 2019**

Prof. Fiona Haslam McKenzie is co-director and senior principal research fellow at UWA's Centre for Regional Development. Her current work examines the socioeconomic impact of the Australian staple economies, particularly the resources sector. Her international work is focused on mining activities in Canada, Chile and South Africa and a Department of Foreign Affairs and Trade teaching program across nine African nations.

Prof. Haslam McKenzie has a diverse academic background, including a PhD in Political Geography, a Bachelor of Commerce, a Bachelor of Arts and a Master of Philosophy from UWA. She has served on several government and private sector boards. She is currently leading the Regional Economic Development Program for the Co-operative Research Centre for Transformation in Mining Economies.

Prof. Haslam McKenzie has extensive experience in population and socioeconomic change, mining and the oil and gas industries, housing, regional economic development and the analysis of remote, regional and urban socioeconomic indicators. She also serves as a board member for the Regional Australia Institute.



Hamish Beck

**Appointed as a member in
February 2023**

Mr Beck has extensive strategic experience in planning, development and conservation. He has been Chair of the Swan River Trust since 2014, Chair of the Rottne Island Authority since 2021 and recently retired from the Cockburn Sound Management Council.

With experience in marine, terrestrial and environmental management, Mr Beck brings a diverse knowledge of complex environmental matters to the board. Mr Beck has held positions on the ASX-listed group Primewest and been involved with a broad range of committees, boards, trusts, development groups, foundations and not-for-profits.





Strategic activities and advice

New strategic plan guides work for the coming years

In March 2023, we released our *Strategic Plan 2023–26* to guide our work to better protect the Western Australian environment over the next three years.

The plan has the following priorities:

- Minimise the risk of environmental harm from climate change.
- Protect and enhance Western Australia's unique biodiversity.
- Ensure inter-generational protection of Western Australia's significant environmental assets.

Three main goals are defined:

1. Lead the ongoing enhancement of environmental impact assessment practices to deliver environmental protection outcomes.
2. Provide independent strategic advice that improves environmental protection and policy.
3. Promote and enhance knowledge that strengthens environmental protection.

A set of 11 key environmental strategies make up the cross-pillar strategy, as outlined on page 14.





Our goals & strategies

1



Lead the ongoing enhancement of environmental impact assessment practices to deliver environmental protection outcomes

- ▶ We will develop guidance that improves cumulative and holistic environmental impact assessment to deliver regional environmental protection outcomes
- ▶ We will evaluate the success of environmental impact assessment processes in predicting, and approval conditions in achieving, expected environmental protection outcomes
- ▶ We will facilitate meaningful public consultation processes in EIA and ensure that consultation outcomes inform EIA decision-making to achieve environmental protection outcomes

2



Provide independent strategic advice that improves environmental protection and policy

- ▶ We will publish strategic advice and guidance on emerging industries (such as hydrogen, critical minerals and renewable energy projects) to enable the environmental benefits of these industries to be realised in a way that is consistent with the EPA's objectives
- ▶ We will provide advice and advocacy across government and to the public and industry on key emerging environmental issues to ensure environmental protection
- ▶ We will publish an EPA position on the application of offsets at regional scales to ensure inter-generational environmental protection and enhancement

3



Promote and enhance knowledge that strengthens environmental protection

- ▶ We will proactively engage with key research partners and experts in institutions and government to jointly enhance and promote environmental protection knowledge and understanding
- ▶ We will establish targeted subject matter expert panels to provide contemporary scientific and other advice to support our decision-making processes
- ▶ We will promote the understanding and use of Indigenous values and traditional knowledge in our environmental practices and policies
- ▶ We will implement creative and impactful modes of communication to engage and educate on environmental protection

The EPA will promote the development of regional environmental protection frameworks for significant environmental assets such as the Swan Coastal Plain.

Key delivery strategies will include: environmental state and pressures analysis; cumulative and holistic impact assessment; stakeholder and community engagement.

Key outcomes will include: guidance and key indicators for ensuring environmental protection; advice for future environmental impact assessment; management and co-ordination recommendations for government and stakeholders.



The plan is adaptative for future change, while also addressing the pressing environmental issues that face the state. The EPA has begun work to implement several strategies from the plan including:

Improve cumulative and holistic impact assessments

While cumulative impacts have historically been considered in proposals, there is a clear need to improve the consistency and transparency of how these – and holistic impacts – continue to be assessed. It is also necessary to apply regional-scale approaches to environmental protection that consider cumulative effects and focus on strategic restoration and enhancement.

Recent assessments of development proposals on the Swan Coastal Plain show they sometimes struggle to meet the EPA factor objectives when significant cumulative effects on certain environmental values already exist. For example, incremental effects from the clearing of native vegetation contribute to habitat fragmentation, impacting on the conservation of significant species such as the black cockatoo. Suitable habitat for foraging and roosting is fragmenting as more and more pockets of land are cleared on the Swan Coastal Plain.

In the absence of landscape or regional approaches to environmental protection, the EPA must continue to consider proposals on a case-by-case basis with individual offset requirements. Through our *Strategic Plan 2023–26*, we have identified the need to establish regional environmental protection frameworks for significant environmental assets like the Swan Coastal Plain. A strategic approach for environmental protection and restoration that considers cumulative impacts on environmental values at the regional scale will be critical for the future of these sensitive environments.

Deliver strategic advice and guidance on emerging industries

The EPA will deliver strategic advice to government on key matters to achieve EPA factor objectives with respect to emerging industries such as hydrogen, critical minerals and renewable energy. We will also deliver strategic guidance to proponents to enable the environmental benefits of those industries to be realised in a manner consistent with achieving all of the EPA's objectives. We expect to provide advice and guidance on the need for protected and avoidance areas, shared infrastructure planning, expected environmental outcomes, cumulative and holistic assessment, regional offsets programs, and Aboriginal cultural values mapping where it relates to the environment.

Put forward an approach to regional offsets

The EPA will publish a position on applying offsets at a regional scale to ensure inter-generational environmental protection and enhancement. This will lead and complement other offsets work being undertaken at State and Australian Government levels. It will address the key principles and policy matters for ensuring offsets deliver regional environmental protection.

Incorporating Indigenous values and traditional knowledge in environmental impact assessment

Our strategic plan outlines the desire to promote the understandings and use of Indigenous values and traditional knowledge in our environmental practices and policies. As a crucial part of our stakeholder engagement, we want to ensure that Traditional Owners have input and are able to provide advice on scoping, consultation and options for outcomes and delivery strategies in environmental impact assessments and other guidance documents. During 2023–23, we made multiple submissions to the Department of Planning, Lands and Heritage on the proposed *Aboriginal Cultural Heritage Act 2021*, stating our desire for the new legislation and guidelines to provide an integrated, comprehensive and single cultural heritage assessment

process. This was followed by us updating our social surroundings guidance and the development of a supporting Interim Technical Guidance to provide additional information on how the EPA will consider Aboriginal cultural heritage under the EP Act. This space is an evolving one, and we are committed to engaging further with Traditional Owners and stakeholders to ensure the best environmental outcome possible in future developments.

Support the development of regional environmental protection frameworks

The EPA will help develop regional environmental protection frameworks for significant environmental assets.

The Swan Coastal Plain is a global biodiversity hotspot and home to most of the state's population. The region has come under increasing pressure from a range of activities such as urban expansion, property development and climate change, and we are currently assessing multiple significant proposals and planning schemes.

We have identified the Swan Coastal Plain as a significant environmental asset in our *Strategic Plan 2023–26*. We recognise its unique and world-class biodiversity, and we will support a regional environmental protection framework to help protect it for future generations.



Advice to protect the Greater Brixton Street Wetlands

In October 2022, we published our advice (under section 16(j) of the EP Act) on the environmental values of, and pressures on, one of the Swan Coastal Plain's last-remaining and most important wetlands: the Greater Brixton Street Wetlands.

Located at the base of the Darling Scarp 20 kilometres south of Perth's central business district, the wetlands cover about 215 hectares within the cities of Gosnells and Kalamunda. The wetlands are home to more than 650 plant species, including more carnivorous plants than in all of Europe and several rare and restricted species that no longer exist anywhere else. They also provide habitat for conservation-significant fauna, including the Carnaby's and forest red-tailed black cockatoos and the quenda.

We found multiple threats to the significant environmental values of the wetlands and found that continued piecemeal development might result in further damage to the area's unique and significant environmental values.

Our advice aims to ensure proponents of future activities and development minimise impacts on this valuable environmental asset. It shows that we expect proposals and planning schemes to be compatible with protecting the wetlands' environmental values. Explicit regard for Aboriginal knowledge, connection to Country and cultural and environmental values will also be required.

Our advice is designed to be clear and proactive to prevent further degradation of the wetlands.



Brixton Street Wetlands © Jenni Storey





Quajabin Peak © Adam Viskovich

Review of greenhouse gas emissions guideline

Our 2020 *Environmental factor guideline – Greenhouse gas emissions* outlined how we considered greenhouse gas emissions in the environmental impact assessment process at the time. We began a review of the guideline in 2021. We then sought feedback on a draft revised guideline from stakeholders and members of the community in mid-2022 and received more than 1,000 submissions. This comprehensive engagement process was designed to ensure the updated guideline was practical and consistent with the innovative approach needed to address climate change.

The revised guideline, published in April 2023, shows that we expect proponents to take all practicable measures to avoid and reduce their greenhouse gas emissions. It also reflects our ability to consider practicable measures to reduce overlap and avoid duplication with existing frameworks, including reforms of Australian emissions reduction legislation and policy.

Climate legislation and policy is rapidly evolving, and our revised guideline clearly acknowledges this. Climate science now demands the need for deep and substantial reductions in emissions this decade and achievement of net zero by 2050. Our updated guideline reflects this and is consistent with the Paris Agreement and the conclusions of the Intergovernmental Panel on Climate Change.



Using best-practice tools and approaches

Outcome-based conditions

The EPA has been moving to outcome-based conditions for more than 10 years. This year we consolidated our efforts by adopting a new way to set conditions to ensure a clear focus on monitoring and achieving environmental outcomes.

Outcome-based conditions must be achieved within a clear boundary, size, extent or limit, but we do not prescribe the process to be followed to achieve them. This puts the onus of responsibility on proponents to achieve the environmental outcomes specified in the conditions. The EPA prefers outcome-based conditions because they can provide:

- clarity on the environmental values to be protected, enhanced, conserved and maintained
- transparency as to the required environmental outcomes that proponents must achieve

- flexibility for proponents to identify how to achieve an environmental outcome – consistent with adaptive environmental management and continuous improvement
- a best-practice regulatory approach
- alignment with the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).

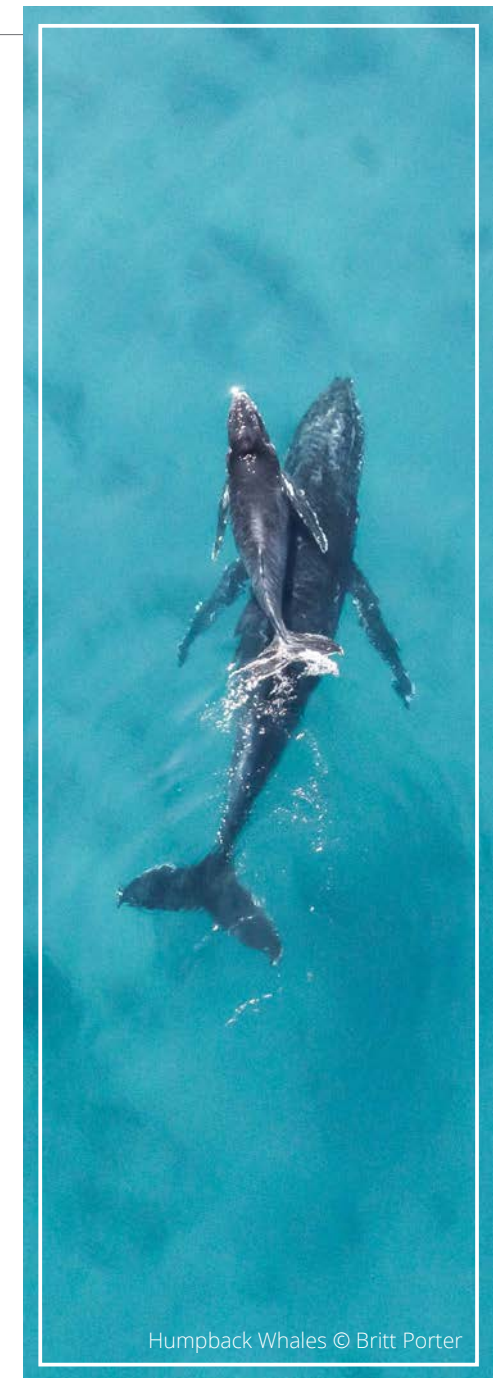
Consulting other decision-makers

Amendments to the EP Act in October 2021 allow the EPA and the Minister for Environment to consider the processes of other statutory decision-making authorities when making certain decisions. Following on from this, we released new guidance to provide transparency to the public and proponents about how we would assess the likelihood of those other processes achieving our objectives.

We encourage proponents to use the guidance to identify where the decision-making processes of other authorities might mitigate the potential impacts of their proposal on the environment to achieve the EPA's objectives. We have continued to engage with the other authorities to identify where their processes can deliver environmental protection consistent with our factor objectives, and to identify any opportunities for them to engage with the EPA and proponents to reduce the duplication of processes.

Going digital with Environment Online

DWER's Environment Online portal went live in August 2022, providing the first stage of a one-stop-shop digital platform for referrals, licences and permits. The EPA understands that in the future, the portal will allow users to submit, monitor and review submissions and approvals related to referrals under Part IV of the EP Act, native vegetation clearing, industry licences, water licences and permits, and waste.



Humpback Whales © Britt Porter



EPA engagement with public policy

Throughout 2022–23, the EPA helped develop effective state environmental policies and plans. We provided written submissions on the following:

- Proposed policy framework guiding the use of diversification leases on Crown land (September 2022)
- Safeguard Mechanism reforms (Sept 2022)
- *Aboriginal Cultural Heritage Act 2021* co-design phase 2 (Aug 2022) and phase 3 (Jan 2023)
- DWER environmental regulation reform (December 2022)
- Australian Government Powering the Regions fund (February 2023).

Greenhouse gas policy and legislative reforms have been a priority in 2022–23, resulting in the revision of our greenhouse gas guideline. A key consideration in developing EPA guidance is how it will interact with state and national frameworks. Consultation on the proposed reforms to the federal Safeguard Mechanism, established under the *National Greenhouse and Energy Reporting Act 2007*, began in August 2022 and coincided with our public consultation on the draft revised greenhouse gas emissions guideline. We support the Safeguard Mechanism reforms to help industry reduce emissions to meet Australia's climate targets. In our submission on the reforms, we highlighted several matters being considered through the Safeguard Mechanism that aligned with our position.

On the DWER environmental regulation reforms, we made a submission in support of industry regulation considering and conditioning greenhouse gas emissions under Part V of the EP Act. In our greenhouse gas guideline, we encouraged other statutory decision-making processes to regulate emissions to meet the EPA's objective to minimise the risk of environmental harm associated with climate change as much as possible. Our aim is to maximise the transparency, efficiency and effectiveness of state and Australian processes to deliver emissions reductions which protect Western Australia's environment, and we continue to engage with DWER on this matter.

In a submission on the DWER environmental regulation reforms, we supported the adoption of outcomes-based decision-making for industry regulation under Part V of the EP Act. We also suggested that a comprehensive review of activity categories could deliver significant gains for both regulatory efficiency and environmental outcomes. We noted that streamlining of Part V industry regulation alone, without considering how this would impact on Part IV of the EP Act, would not necessarily achieve the improved regulatory efficiency of end-to-end process and the environmental outcomes objectives.

In May 2022, the *Native vegetation policy for Western Australia* was published with input from our submission on the draft policy. We will continue to support the important actions identified in the policy's implementation plan.

Review of planning regulations

Regulations for prescribing schemes that do not require EPA assessment are proposed under a new section 48AAA of the EP Act.

The EP Act will be amended via changes to the *Planning and Development Act 2005* through the *Planning and Development Amendment Act 2020*.

The *Planning and Development Act 2005* currently requires all planning scheme amendments (schemes) to be referred to the EPA regardless of the level of impact on the environment. In many cases, schemes are not assessed on the basis that they have no impact on the environment.

DWER undertook public consultation on the draft regulations from 23 February to 14 April 2023. After the consultation summary report is prepared, we will consider the findings and the final draft regulations before providing our recommendations to the Minister for Environment.

These new regulations, expected later in 2023, present an opportunity for a reduced administrative burden and will provide space to focus on higher-priority work that benefits the environment.



Environmental impact assessments



Black cockatoo © Britt Porter

Referred proposals and schemes

During 2022–23, 46 development proposals were referred to us. The number of referrals from third parties has been trending up in the past few years: we received **13** last year and **14** this year.

During the year, we decided on **32** referred development proposals: **18** required formal assessment and **14** did not require further assessment. Of the **14** that did not require further assessment, we provided specific advice on environmental matters to three proponents.

During 2022–23, the EPA received **132** referred schemes and scheme amendments. The EPA decided on **121** referred schemes: **none** of them required formal assessment and **121** did not require further assessment. We provided advice and recommendations on environmental factors to the responsible authority on the environmental issues raised by **32** of the referred schemes that did not require further assessment.

See Appendix 1 for further information on our referral decisions this year.

Completed projects

During 2022–23, we completed the formal assessment of **17** development proposals and provided the assessment reports to the Minister. See Appendix 2 for the list of assessment reports completed in 2022–23 (which includes **10** new development proposals and **seven** amendments to the conditions of existing proposals).

The EPA uses its best endeavours to protect the environment and prevent, control and abate pollution and environmental harm. Our environmental impact assessment process systematically evaluates a proposal, its impacts on the environment and the mitigation measures to be applied. DWER officers work with proponents to ensure the mitigation hierarchy is applied and that impacts are avoided or at least minimised where they cannot be avoided. Often final proposals are significantly different and improved through the environmental impact assessment process. We then independently consider whether the final proposal should be implemented, based on whether the proposal and its expected environmental outcomes are likely to be consistent with the EPA's objectives for environmental factors.





Reducing net greenhouse gas emissions

The EPA's greenhouse guidance has resulted in the biggest emitters in Western Australia needing to make significant reductions. The Minister asked the EPA to review the conditions of Ministerial Statements for the Gorgon Gas Development and Jansz Feed Gas Pipeline ([Report 1729](#)), Wheatstone Development – Gas Processing, Export Facilities and Infrastructure ([Report 1732](#)) and Pluto Liquefied Natural Gas Development (Site B Option) ([Report 1734](#)) relating to greenhouse gas emissions. During 2022–23, we completed our assessment and recommended contemporary conditions to ensure net emissions were reduced over time and net zero was achieved by 2050.

We also identified greenhouse gas emissions as a key environmental factor in our assessment report for the Alkimos Seawater Desalination Plant ([Report 1739](#)). We assessed the proposal's emissions management plan, noting the commitment to minimise emissions through efficient design and equipment technologies and deliver net-zero scope 1 and 2 emissions during the construction and operations of the project. We recommended the proposal be implemented subject to conditions to ensure net-zero emissions from the start of operations through the project's life.

Assessment of Ningaloo Lighthouse Resort on Exmouth Gulf

The EPA assessed the Ningaloo Lighthouse Resort proposal last financial year, releasing its report in April 2023 ([Report 1737](#)). The proposal seeks to redevelop the previous caravan park, including new visitor accommodation and associated facilities, and to refurbish the Vlamingh Head Lighthouse Quarters. This was our first assessment since we released our strategic advice to the Minister for Environment on the potential cumulative impacts of proposed activities and developments on the environmental, social and cultural values of Exmouth Gulf.

The strategic advice set out the EPA's expectations when assessing the compatibility of activities and developments in Exmouth Gulf and surrounds. Although this proposal is outside Exmouth Gulf, consistent with the strategic advice, we had strong regard for the protection of Aboriginal heritage and culture and dark and clear sky values, as well as the Cape Range subterranean waterways

and marine turtle nesting activity in Lighthouse Bay. We recommended strict conditions to protect these values.

We also had regard for the potential cumulative impacts of the proposal on the surrounding values, including the neighbouring conservation estate, National Heritage Place and World Heritage Area. A caravan park has been operating at this location for more than 30 years, and the proponent applied the mitigation hierarchy to make as much use of the existing cleared area as possible. We considered the proposal's cumulative impacts, particularly on flora and vegetation, dark and clear sky values (including artificial lighting impacts both for marine turtles and the Space Surveillance Telescope), and the Cape Range subterranean waterways (through changes in groundwater quality). We concluded that the project would not significantly elevate potential cumulative impacts on these key environmental factors.





Numbat © Britt Porter

Critical minerals and environmental protection

The Earl Grey Lithium Project (Revised Proposal) ([Report 1730](#)) is in the Shire of Yilgarn, about 105 kilometres south-east of Southern Cross, and overlaps the south-west corner of the Great Western Woodlands.

The Great Western Woodlands constitute the largest-remaining area of unspoiled temperate woodlands in the world and are regarded internationally for their great biological richness. The woodlands support 3,000 flowering plant species, representing 20 per cent of Australia's known flora, as well as numerous species of reptiles, mammals, frogs and birds. The cultural significance for Aboriginal people is considerable, with records and stories spanning 22,000 years demonstrating a continuous connection with the land that has continued to the present day.

The proposal to undertake the mining and processing of the pegmatite-hosted lithium deposit at the Earl Grey Lithium Project was originally approved in November 2019 under Ministerial Statement 1118. The revised proposal (incorporating additional clearing) was approved in November 2022 under Ministerial Statement 1199.

The key environmental factors of concern for the revised proposal

were flora, vegetation and terrestrial fauna. Importantly, we considered the proposal's impact in the context of the cumulative impact on the woodlands. Our implementation conditions clearly specified limits on impact and extent and the requirement for rehabilitation and offsets. These were to demonstrate that the environmental values could be restored and managed to be consistent with the EPA's environmental factor objectives.

The Great Western Woodlands have faced historical pressures from mining and mineral exploration and these are increasing with the accelerating demand for critical minerals. These minerals are vital components for green energy technologies, including wind turbines and electric vehicles.

One of our objectives is to minimise the risk of environmental harm associated with climate change by reducing greenhouse gas emissions as far as possible. To this end, we support decarbonisation projects for protecting

the Western Australian environment. We consider that emissions reduction goals should be formulated alongside regional environmental protection frameworks. We also note that the other potentially significant environmental impacts of decarbonisation projects (e.g. biodiversity and/or water quality impacts resulting from land clearing) will need to be assessed and mitigated appropriately, just as they are for other major projects in the state.

To support this, one of the requirements of our new strategic plan is for the EPA to develop new guidance for assessing green energy proposals. The guidance will aim to encourage all proponents to fully consider and align their projects with the EPA's environmental factor objectives to create a smooth and efficient assessment process. This will help ensure that decarbonisation projects have fewer technical environmental assessment and management challenges, attract more public acceptance and trust, and meet key legislation and policy objectives.



Ensuring iron ore developments achieve environmental outcomes

The Pilbara has a wealth of biodiversity and diverse marine/terrestrial landscapes, numerous flora and fauna species and communities, and nationally listed wetlands. Yet the region is of vital economic importance both to Western Australia and the nation, hosting substantial mining operations and infrastructure development. The EPA's advice in *Cumulative environmental impacts of development in the Pilbara region* (EPA 2014) describes the number, size and type of current and future developments, and the impacts of other land uses and threatening processes. All of these demonstrate the importance of cumulative impact assessment for mining projects, including the Pilbara's iron ore mines.

By focusing on delivering key EPA strategies such as cumulative and holistic impact assessments, the effects of development proposals on the biodiversity and environmental values of the Pilbara region are likely to be mitigated.

Similar to the Pilbara region, cumulative impacts from mining and infrastructure developments in the Eastern Wheatbelt region have the potential to impact on the Greater Western Woodlands, which extend over 16 million hectares of land from Kalgoorlie to Esperance and the Nullarbor Plain.

The Parker Range (Mount Caudan) Iron Ore Haul Road proposal ([Report 1735](#)) is for the construction of a 52-kilometre road to provide a key infrastructure link for the iron ore projects of Mineral Resources Limited. We considered the proposal in the context of its potential to impact on the continuity of important habitat for more than eight native fauna species, including malleefowl and chuditch.

While the native vegetation clearing required to develop the road was considered small compared with the entire area of the woodlands, we recognised that the region's unique flora and fauna and species



Fortescue River in the Pilbara © Teresa Belcher

diversity had come under increasing pressure. While existing and future development can enhance and protect existing pristine habitat, supporting infrastructure that fragments the landscape can increase the spread and prevalence of pests, weeds and bushfires through the landscape.

Understanding the impacts of new developments in the context of cumulative and holistic impact assessment is key to retaining and protecting the unique ecology of the Great Western Woodlands bioregion.





Onslow Salt © Casey Webb

Impact of salt projects on groundwater and surface water

The Optimised Mardie Project ([Report 1740](#)) is a significant amendment to the Mardie Project, 80 kilometres south-west of Karratha, also in the Pilbara region. The project was originally referred to the EPA in April 2018 and approved by Ministerial Statement 1175 in 2021. The significant amendment is an expansion of the approved proposal to develop additional crystalliser and concentrator ponds, increase project throughput and include a port facility laydown area, secondary seawater intake and quarry. Key environmental factors for the proposal were benthic communities and habitats, marine fauna, inland waters, flora and vegetation, terrestrial fauna and social surroundings.

The greatest environmental concerns were about impacts to groundwater and surface water flows and subsequent indirect impacts to benthic communities and habitats. Benthic habitats are important for the juvenile life phases of key commercial and recreational fishery species and the threatened green sawfish. The assessment focused on environmental outcomes and continual improvement, with the optimised project presenting an opportunity to avoid and minimise impacts while providing greater confidence that residual and indirect impacts could be monitored and managed.

The now significantly improved environmental management plans, in combination with outcomes-based conditions, represent a suitable framework to monitor and manage direct and indirect impacts to intertidal and subtidal benthic communities and habitats. Maintenance of the health and ecological function of benthic communities and habitats is considered to ease the risk to the ecological values these habitats support. Further understanding of the connectivity between benthic communities and habitats and ecological values is expected as part of the Mardie Intertidal Offsets

Research Program, which has been expanded to include provisions for subtidal research to better understand the ecological function and representativeness of subtidal habitats. From a terrestrial perspective, impacts were further minimised through project design with residual impacts related to clearing offset through the Pilbara Environmental Offsets Fund.



Outcome of appeals

During 2022–23, the Minister for Environment issued 12 Ministerial Statements for proposals that were assessed by the EPA.


Of these, one Ministerial Statement featured significant changes to the conditions recommended by the EPA because of appeals against the EPA's assessment report (in this case, the Minister allowed the appeals in part).

When appeals are made, the EPA considers the issues raised and provides the Appeals Convenor with advice. This often includes suggestions for condition changes where we consider this would be an appropriate response to the concerns in the appeals.

The significant change resulting from the appeals process for 2022–23 includes a requirement, recommended by the EPA in response to the appeal, for a new condition for the proponent to install lighting to minimise light spill to adjacent fauna habitats, consistent with the Australian Government's *National light pollution guidelines for wildlife including marine turtles, seabirds and migratory shorebirds*.

Most of the conditions (98 per cent) provided in Ministerial Statements issued during 2022–23 did not undergo significant change because of the appeals process. Review of significant changes to conditions during the appeals process allows for continual improvement of the EPA's recommended conditions.





Focus — environmental outcomes

Enhancing environmental values through biodiversity offsets

Taking a strategic approach to biodiversity offsets

Biodiversity offsets continue to play an important role in the EPA's environmental impact assessment framework. However, a business-as-usual approach to their use in sensitive environments has become increasingly challenging. For several assessments undertaken throughout 2022–23, the acquisition of suitable land was either not possible or insufficient to counterbalance significant residual impacts. Because of this, a range of additional measures including on-ground management and research have been required. A strategic approach to offsets at a regional scale is needed and we have identified this as a key priority in our *Strategic Plan 2023–26*. This includes publishing an EPA position on the application of offsets at regional scales to ensure inter-generational environmental protection and enhancement.

In May 2022, the State Government released the *Native vegetation policy for Western Australia*, which incorporated crucial input from the EPA. Western Australia's sustainable future relies on our ability to address and reverse the decline of native vegetation. We were able to strengthen the policy's position on the assessment of cumulative impacts, the mitigation hierarchy and biodiversity offsets reform.

The EPA welcomes open engagement with the Australian Government as it undertakes significant reform relating to the Nature Positive Plan, including the development of National Environmental Standards such as environmental offsets.

Growing pressure on native forests

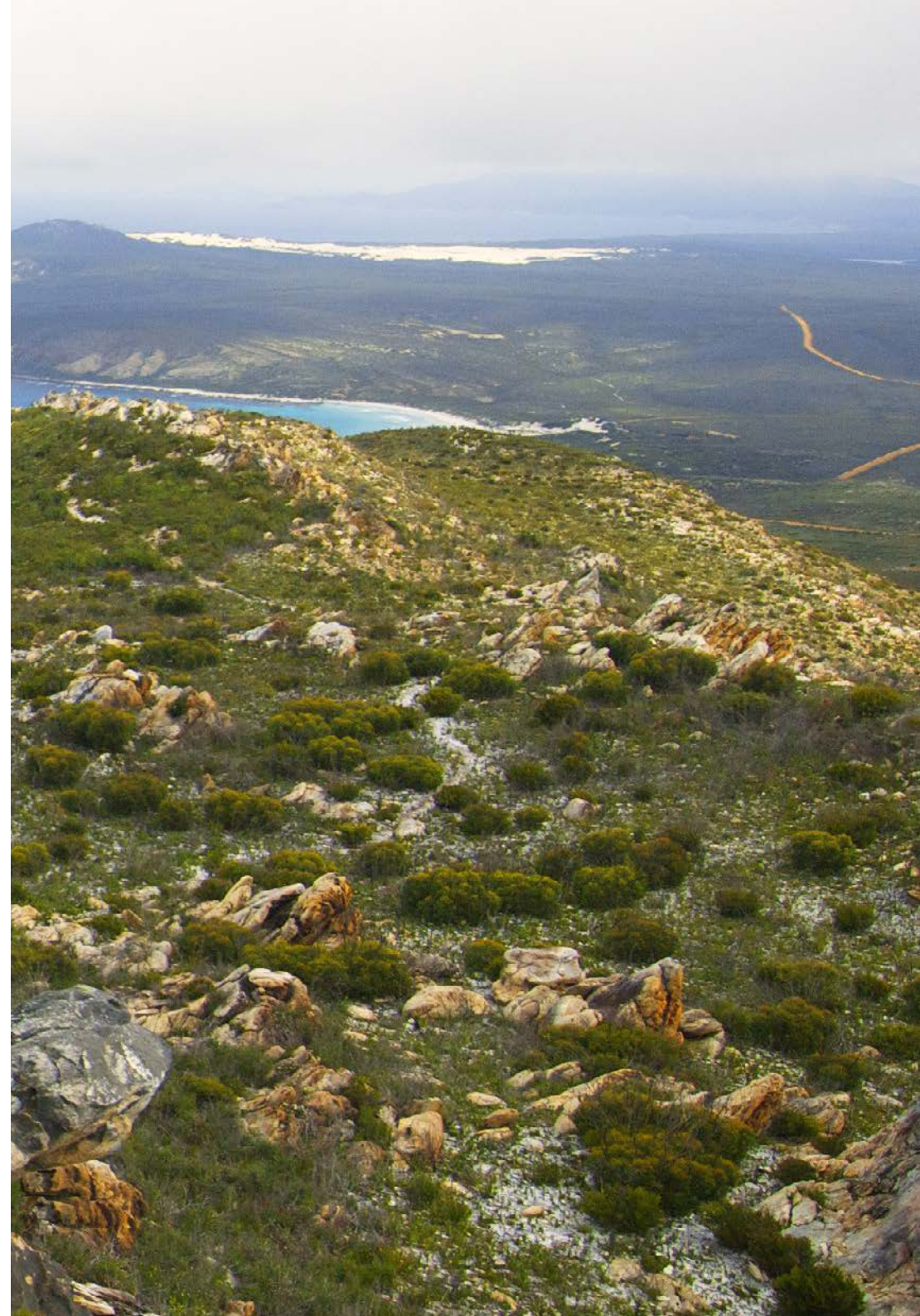
The most recent United Nations Intergovernmental Panel on Climate Change report highlighted Western Australia’s South West forests as a globally biodiverse hotspot. The vulnerability of our native forests to a growing range of environmental pressures will continue to underpin the EPA’s impact assessments of proposals in these areas.

For example, our Northern Jarrah Forest – which extends more than 250 kilometres from Toodyay to Collie – has become subject to an increasing number of new proposals as well as the expansion of existing mining operations. The forest is home to many important species and, in addition to its rich biodiversity, is the location of a drinking water catchment.

The EPA is currently assessing Alcoa of Australia Limited’s Pinjarra Alumina Refinery revised proposal, which involves more bauxite mining at the existing Huntly Mine. We have also received referrals for Alcoa’s proposed mining operations in the Darling Ranges between 2022–26 and 2023–27. South32 Worsley Alumina Pty Ltd’s proposal to expand its existing bauxite mining operations near Boddington is also being assessed.

The State Government will end native forest logging in the South West from 2024 as part of its proposed Forest Management Plan 2024–33. The decision does not extend to the supply of timber and forest products that become available through clearing associated with approved mining proposals. Because of this, the EPA will continue to play an important role in protecting this uniquely diverse environment.

In addition to mining and logging, the Northern Jarrah Forest faces many other cumulative impacts arising from activities such as agriculture, tourism and urban development. The impacts of climate change, including reduced rainfall, will be critical considerations for the EPA. A high level of assessment rigour and community engagement will also be needed to ensure we maintain the biodiversity and forest health of this highly valued area.





Albany wind farm © DWER

Green Energy directorate established

The number of referrals to the EPA for renewable energy and critical minerals proposals has markedly increased in the past few years. In December 2022 the State Government announced a whole-of-government Green Energy initiative to deal with the growing number of such proposals in Western Australia.

Green energy projects considered will include:

- conventional wind, solar and wave power generators
- renewable hydrogen industries
- lithium mining
- critical minerals processing
- construction, manufacturing and recycling of green energy products such as batteries, electrolyzers, solar panels and turbines.

A Green Energy directorate has been established within DWER to develop clear assessment pathways for proponents and support the EPA. This new directorate has been tasked to deliver timely assessments of green energy projects without compromising the state's unique environment. It will also work closely with us to develop new guidance for assessing green energy proposals, fulfilling one of the requirements of our new strategic plan.

Importantly, proponents with traditional mining or infrastructure proposals already before the EPA will continue to receive the same level of attention and resourcing.





Looking forward

Policy suite review

With the release of the EPA's strategic plan, we have set our goals and strategic priorities for 2023–26.

Implementation of the strategies has begun, with work underway on several priorities which seek to:

- improve cumulative and holistic impact assessments
- deliver strategic advice and guidance on emerging industries
- put forward an approach to regional offsets
- promote the understanding and use of Indigenous values and traditional knowledge
- support the development of regional environmental protection frameworks.

Some of these priorities will be delivered throughout 2023–24, while others are longer-term bodies of work to be delivered over the term of the strategic plan.

In addition to the strategic priorities, the EPA has identified several documents within its policy suite as a priority for implementation, review or development for 2023–24. We will:

- develop and finalise regulations for schemes that do not require referral to the EPA under section 48AAA of the EP Act
- continue to focus on environmental outcomes and outcomes-based conditions consistent with the EPA's interim guidance on these, and review the associated procedures to ensure robust monitoring of outcomes
- consider other decision-making authority processes which can meet the EPA's objectives, consistent with achieving greater environmental protection and efficiency of processes
- ensure continuous improvement for implementing the EPA's revised procedures suite from 2021
- undertake a legal and governance review of the EPA's procedures, following on from the Quinlan Review in 2016
- continue the reviews for:
 - *Environmental factor guideline*
 - *Subterranean fauna*
 - *Technical guidance – Sampling of short range endemic invertebrate fauna*
 - *Technical guidance – Marine fauna.*



Enhancing stakeholder engagement

Continuing strategic partnerships

During 2022–23, Prof. Matthew Tonts took over as Chair of the Shared Environmental Analytics Facility (SAEF). The project involves collaboration between the WA Biodiversity Science Institute (WABSI), the WA Marine Science Institution (WAMSI) and other partners to create a shared, robust, repeatable and sustainable environmental information value chain.

SAEF will transform environmental assessment, reporting and assurance for regional development. With State Government funding in 2022, the consortium has since developed a high-level roadmap and feasibility study to help position Western Australia as a leader in digital environmental assessments.

We continued to engage with both WAMSI and WABSI during 2022–23, building on early partnerships with WAMSI through work on cumulative impacts in the Exmouth Gulf environment and with WABSI through work on the Index of Biodiversity Surveys for



Assessments (IBSA), which was officially launched in 2018. IBSA captures and consolidates data in more than 500 biodiversity surveys that are conducted each year and is an important transparency initiative to make biodiversity data more accessible.

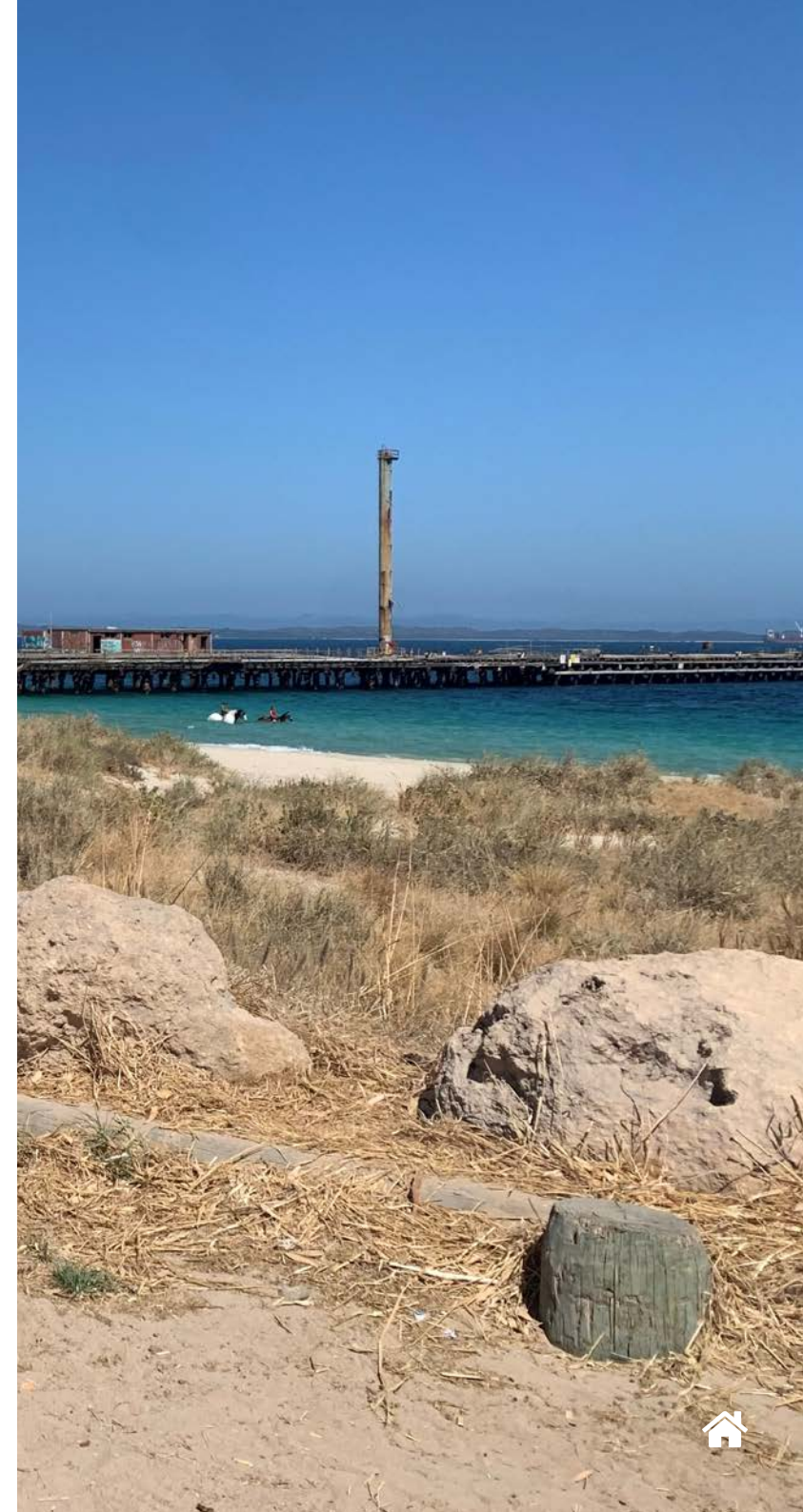
Established in 2020, the Cooperative Research Centre for Transformations in Mining Economies brings together more than 70 leading mining and mining service companies, regional development organisations, state and federal governments, and research partners. Collectively, they enable a balanced and coordinated investment into innovative research that addresses the complex challenges behind mine closure and relinquishment. EPA member Prof. Fiona Haslam McKenzie is the centre's Regional Economic Development program lead, bringing an important link to the work of the EPA.

The Environmental Consultants Association ran a two-day training course for environmental impact assessment practitioners, supported by the EPA and staff from DWER several times throughout the year.

The course provided attendees with valuable insight into the latest practice and approaches for environmental impact assessment in Western Australia and drew on transferable international learnings and best practice in impact assessment.

The 19th Heads of EPA meeting took place on 30–31 March in New Zealand. Both the EPA Chair and DWER's Director General attended the meeting to discuss a range of topics including the establishment of a national EPA, climate change and greenhouse emissions, and waste and recycling. The forum provides an important avenue to share information and learnings on some of the most challenging issues.

Looking to 2023–24, the EPA Chair is the keynote speaker at the 2023 Geographical Association of WA conference in August where he will speak about Perth and Peel @ 3.5 million – examining urbanisation, environmental protection and sustainable places.





Visit to Greater Brixton Street Wetlands © Jenni Storey



Improving stakeholder engagement – creative and impactful communication and meaningful public consultation

We will continue our significant and genuine engagement with the community, and plan to make this even better. Many objectives in our new *Strategic plan 2023–26* focus on improving stakeholder engagement at many levels – with the public, government, industry and Traditional Owners. We will aim for creative and impactful communication, as well as meaningful public consultation which informs our decision-making and helps achieve environmental protection outcomes.

A stakeholder engagement review is underway to consider our current and

historic engagement and to develop tools and approaches to ensure it stays effective. This will allow us to deliver more meaningful public participation in the environmental assessment process. One area for improvement is to create a suite of visual tools to explain processes and guidance.

There is also an opportunity to engage with the state's school curriculum, through which we can contribute to geography, humanities and social sciences lesson content and provide information on the environmental assessment process.



Site visits and community meetings

Site visits are an opportunity for the EPA to gain firsthand appreciation of the environmental setting and constraints of proposals, to listen to community concerns and to discuss aspects of proposals in the field with subject matter experts. Site visits are generally undertaken following the public review of a proponent's environmental review document. At this stage, with all the available technical and public information on hand, the EPA is well informed on important elements of the proposal in question and key environmental issues

EPA site visits 2022–23

Date	Destination	EPA participants
25 July 2022	Tonkin Grade Separated Interchange (Kelvin Road) – met on-site with Main Roads WA to discuss the interchange.	Matthew Tonts
28–29 July 2022	Pilbara Water Forum – Karratha and Millstream National Park – met with Traditional Owners to help understand traditional knowledge systems and water management in the Pilbara, particularly in the Fortescue catchment.	Matthew Tonts, Lee McIntosh
1–2 August 2022	South Flank/Yandicoogina – reviewed proposed projects including application of the strategic assessment and reviewed key issues and areas of interest.	Matthew Tonts
19 August 2022	Peel Harvey – flyover of region with Peel Harvey Catchment Council of Swan Coastal Plain Ramsar site (estuary and rivers) and Northern Jarrah Forest. Tour of Mandurah estuary with Peel Harvey Catchment Council Board.	Matthew Tonts, Lee McIntosh, Jenny Pope, Fiona Haslam McKenzie
5–10 September 2022	Collie River Catchment – met with scientists from UWA on environmental change in the catchment related to agriculture, mining and industry with a focus on rehabilitation and recovery.	Matthew Tonts
22 September 2022	Lot 902, Flynn Drive, Neerabup – met with the Borrello family on-site.	Matthew Tonts
11 November 2022	Geographe catchment – met with DWER on matters associated with water and environmental management.	Matthew Tonts
22 November 2022	Lynas Rare Earths Mt Weld Facility near Laverton – met to view the existing operations and proposed expansion.	Matthew Tonts
21 February 2023	Westport – met with managing director for a tour of Westport site including Anketell Road and the proposed container facility.	Matthew Tonts, Lee McIntosh, Jenny Pope, Fiona Haslam McKenzie
21 February 2023	BP Australia Sustainable Renewable Fuels Project – overview of site transition focusing on future energy projects and project overview of Kwinana Renewable Fuels (biorefinery) project.	Matthew Tonts, Lee McIntosh, Jenny Pope, Fiona Haslam McKenzie



Date	Destination	EPA participants
23 February 2023	Alkimos Water Precinct Gate – met to view the construction of a 100 gigalitre per year seawater desalination plant and a 4.9 gigalitre per year groundwater treatment plant at the Alkimos water precinct, before consideration of the draft EPA assessment report at the March meeting.	Matthew Tonts, Lee McIntosh, Fiona McKenzie
3 April 2023	Medcalf site – met to view the Medcalf project which proposes to develop a vanadium, titanium and iron mining operation about 100 kilometres west of Norseman.	Lee McIntosh, Jenny Pope
4 April 2023	Rio Tinto's West Angelas Significant Amendment – attended social surroundings workshop – Yinhawangka Country.	Matthew Tonts
17 April 2023	Proposed Burrup Common User Transmission Line Corridor (Port Hedland) – met to discuss a proposal to expand and connect the North West Interconnected System electricity network by constructing a transmission line between the Dampier substation and the Burrup Strategic Industrial Area.	Matthew Tonts
8–9 May 2023	McPhee Creek Iron Ore Mine – met to consider the environmental impacts of the proposal.	Matthew Tonts, Fiona McKenzie
12–14 June 2023	Vanadium Projects – met to view Gabanintha and Australian Vanadium proposals (near Meekatharra). The EPA also met with representatives of the Yugunga-Nya Native Title Aboriginal Corporation	Matthew Tonts, Hamish Beck

EPA meetings

During 2022–23, the Authority met as a board 10 times. At these meetings, we met proponents of development proposals, received briefings from specialists on strategic environmental matters and continued to review governance documents. The Authority finalised its advice on development proposals, strategic matters and submissions on draft government policies. In addition, a considerable amount of meeting time was devoted to the revision of the Authority's environmental factor guideline on greenhouse gas emissions.

Two Authority meetings were conducted entirely via Teams and one was held in Mandurah. The option to participate via Teams has allowed members to contribute to deliberations even though they may be unable to do so in person. Teams also allows for officers to attend as observers to witness the final stage of their assessment or for the purposes of education.

The Authority also made one decision without meeting, in accordance with the provisions of the new section 14A of the EP Act.

Professor Matthew Tonts and Ms Lee McIntosh provided leadership, as Chair and Deputy Chair respectively, throughout the year. In December 2022, the Authority said farewell to Mr Glen McLeod, who retired from the Authority after just over nine years of service. In February 2023, Mr Hamish Beck was welcomed as a new Authority member.



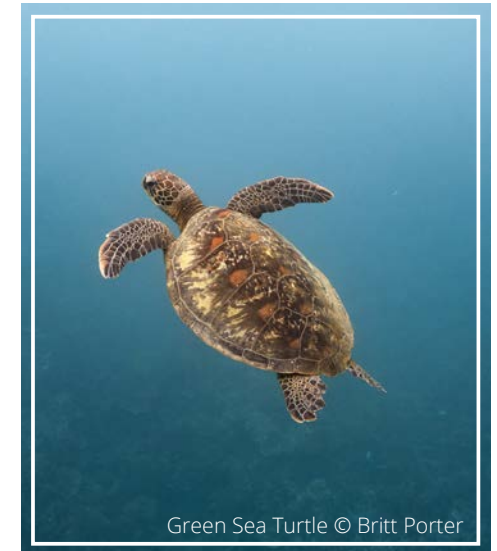
EPA meetings 2022–23

	Matthew Tonts	Lee McIntosh	Glen McLeod	Jenny Pope	Fiona Haslam McKenzie	Hamish Beck
28 July 2022 Teams	✓(T)	✓(T)	✓(T)	✓(T)	✓(T)	
18 August 2022 Mandurah	✓	✓		✓	✓	
15 September 2022 Prime House	✓	✓	✓	✓	✓	
20 October 2022 Teams	✓(T)	✓(T)	✓(T)	✓(T)	✓(T)	
17 November 2022 Prime House	✓	✓	✓	✓	✓	
15 December 2022 Prime House	✓	✓	✓	✓	✓	
16 February 2023 Prime House	✓	✓		✓	✓	✓
16 March 2023 Prime House	✓	✓(T)		✓	✓	✓
27 April 2023 Prime House	✓	✓		✓	✓	✓
18 May 2023 Prime House	✓	✓		✓(T)	✓	✓
Participation	10	10	5	10	10	4

Authority decisions without meeting (section 14A)

16 June 2023 Email circular	✓	✓	✓	✓	✓	
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(T) attended via Teams



Stakeholder Reference Group

The EPA's Stakeholder Reference Group (SRG) invites representation from key external stakeholders and peak industry bodies. Members have the opportunity to provide input to our guidelines, processes and performance. During the year, the SRG met four times.

On 30 June 2023, core membership of the SRG comprised:

Conservation

Conservation Council of WA
Environmental Defenders Office
The Wilderness Society of WA
Environmental Institute of Australia and New Zealand
Environmental Consultants Association Natural Resources Management WA

Resources industry

Association of Mining and Exploration Companies
Australian Petroleum Production and Exploration Association
Chamber of Commerce and Industry WA
Chamber of Minerals and Energy of WA

Other industry

Urban Development Institute of Australia – WA Division
WA Local Government Association
Pastoralists and Graziers Association of WA
WAFarmers

The SRG provided valued input into the revised *Environmental factor guideline – Greenhouse Gas Emissions*.

Consultation

Providing opportunities for genuine public engagement is an important stage in the EPA's environmental impact assessments.

The EPA initially publishes the details of a proposal at the referral stage. This is the first opportunity for the community to engage with the process. The referral is available for a seven-day public comment period, after which the EPA considers submissions and advice obtained and decides on whether to assess the proposal and, if so, the level of assessment. During the 2022–23 financial year, there were more than 7,000 submissions relating to 51 proposals via the EPA's Consultation Hub.

During environmental impact assessments, the EPA provides further consultation opportunities. In August, an eight-week opportunity to provide comments on the Worsley Mine Expansion – Revised Proposal was extended by two weeks. The EPA decided that the complex nature and large volume of documentation supporting the public consultation warranted the extension to allow the community enough time to understand the information. The proposal's environmental review attracted more than 650 submissions.

Seeking public feedback is key to ensuring the EPA's policy and guidance competently supports the protection of the environment and the creation of strategic advice under the EP Act.

One of the biggest public responses for the year – more than 360 submissions – arose during an eight-week opportunity to provide comments on the EPA's revised *Environmental factor guideline – Greenhouse gas emissions*, which brought valuable feedback and helped shape the final guidance.

Number of comments received via the consultation hub:

Type of consultation	Number	Number of comments*
Proposals under assessment	20	1,177
Seven-day comment on referrals	31	6,006
EPA guidance	1	362

* Table reflects submissions made via the EPA's Consultation Hub.



Appendices

Appendix 1: Referrals received and levels of assessment

Proposals under section 38 of the *Environmental Protection Act 1986*

Total proposals referred to the EPA under section 38	48
Determinations on whether to assess proposals referred and, if so, the level of assessment	31
Assess – Referral Information (no public review)	2
Assess – Referral Information (with public review)	12
Assess – Environmental Review (no public review)	0
Assess – Public Environmental Review	4
Derived proposal	0
Not Assessed – Public advice given	3
Not Assessed – No advice given	9
Not Assessed – Managed under Part V	1

Schemes and scheme amendments under section 48A of the *Environmental Protection Act 1986*

Total schemes referred to the EPA under section 48A	132
Determinations on the level of assessment for schemes referred	121
Scheme Assessed (Environmental Review)	0
Scheme incapable of being made environmentally acceptable	0
Not Assessed – Public advice given	32
Not Assessed – No advice given	89



Appendix 2: Completed assessment reports

EPA assessment reports completed in 2022–23

Report number	Public Environmental Review	Proponent	Date signed by EPA Chair
1737	Ningaloo Lighthouse Resort Project	ZIZ Resorts Pty Ltd	27 March 2023
1738	Great Southern Landfill	Alkina Holdings Pty Ltd	11 May 2023
1739	Alkimos Seawater Desalination Plant	Water Corporation	15 May 2023
1742	Great Northern Highway – Bindoon Bypass	Commissioner of Main Roads Western Australia	16 June 2023
Report number	Referral Information (no public review)	Proponent	Date signed by EPA Chair
1728	Reassessment of Extension of Existing Transport Depot, Lot 14 (No 1527) Great Northern Highway, Upper Swan	Mr Adrian Brajkovich	16 August 2022
Report number	Referral Information (with public review)	Proponent	Date signed by EPA Chair
1730	Earl Grey Lithium Project (Revised Proposal)	Covalent Lithium Pty Ltd	6 October 2022
1733	Ashburton Infrastructure Project	Onslow Infracore Pty Ltd	9 February 2023
1735	Parker Range (Mt Caudan) Iron Ore Haul Road Proposal	Polaris Metals Pty Ltd	13 February 2023
1736	Manuwaru Red Dog Highway Revised Proposal	Commissioner of Main Roads Western Australia	21 March 2023
1740	Optimised Mardie Project	Mardie Minerals Pty Ltd	8 June 2023



Report number	Amendment to conditions – section 46 inquiry	Proponent	Date signed by EPA Chair
1729	Jansz Feed Gas Pipeline, Gorgon Gas Development Revised and Expanded Proposal, Additional Construction Laydown and Operations Support Area, and Gorgon Gas Development Fourth Train Expansion Proposals – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial statements 769, 800, 965 and 1002	Chevron Australia Pty Ltd	23 September 2023
1731	Thornlie-Cockburn Link – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial statement 1114 as amended by Ministerial Statement 1160	Public Transport Authority of Western Australia	24 November 2022
1732	Wheatstone Development – Gas Processing, Export Facilities and Infrastructure – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend the implementation conditions of Ministerial Statement 873 relating to the emission of greenhouse gases	Chevron Australia Pty Ltd	31 January 2023
1734	Pluto Liquefied Natural Gas Development (Site B Option) Burrup Peninsula, Shire of Roebourne – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 757	Woodside Energy Ltd	3 March 2023
1741	West Pilbara Iron Ore Project, Stage 1 Mine Area – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 1027	API Management Pty Ltd	8 June 2023
1743	Tubridgi Gas Field Development, near Onslow – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 112	AGI Development Group Nominees Pty Ltd	22 June 2023
1744	Cyclone Mineral Sands Project – inquiry under section 46 of the <i>Environmental Protection Act 1986</i> to amend Ministerial Statement 1052	Lost Sands Pty Ltd	27 June 2023



Appendix 3: EPA guidelines and procedures published or revised in 2022–23

EPA guidelines and procedures published or revised in 2022–23

1. Procedures for environmental impact assessment
1a. Instructions and templates
Instructions – request to amend implementation conditions under section 46 of the <i>Environmental Protection Act 1986</i> (August 2022)
Instructions on how to prepare <i>Environmental Protection Act 1986</i> Part IV environmental management plans – greenhouse gas environmental management plan and greenhouse gas summary plan templates added (April 2023)
Referral template – include new table to provide information about how specific proposal impacts may be mitigated to be consistent with the EPA's factor objective by other decision-making processes
Environmental scoping document (ESD) template – as for the referral template
Environmental review document (ERD) template – as for the referral template. Amendments also included consolidated requirements from environmental scoping document instructions.
Instruction – change nominated proponent under section 38I of the EP Act (not yet published)
2. Environmental considerations in environmental impact assessment
Update: <i>Statement of principles, factors, objectives and aims of EIA</i> (April 2023)
2a. Factors and technical guidance: Air
Review: <i>Environmental factor guideline – Greenhouse gas emissions</i> (April 2023)
2b. Factors and Technical Guidance: People
Update: <i>Environmental factor guideline – Social Surroundings</i> (June 2023)
Published: <i>Interim Technical Guidance – Environmental impact assessment of Social Surroundings – Aboriginal cultural heritage</i> (June 2023)



3. Advice and reference material

3a. Strategic advice

Environmental values and pressures for the Greater Brixton Street Wetlands on the Swan Coastal Plain; advice in accordance with section 16(j) of the *Environmental Protection Act 1986* (October 2022)

3b. Guidance for planning and development*

EPA submission to DPLH – *Aboriginal Cultural Heritage Act 2021* co-design phase 2 (August 2022)

EPA Submission to DCCEEW – Safeguard Mechanism reforms (September 2022)

EPA submission to DPLH – Use of diversification leases on Crown land (September 2022)

EPA Submission to DWER – Environmental regulation (December 2022)

EPA submission to DPLH – *Aboriginal Cultural Heritage Act 2021* co-design phase 3 (January 2023)

EPA Submission to DCCEEW – Powering the Regions fund (February 2023)

* Note these dates reflect the submission date, not the date it was published on the EPA website



Crab at Ningaloo © Britt Porter





Bold Park © Britt Porter

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