GOVERNMENT OF WESTERN AUSTRALIA

Environmental Protection Authority

Environmental Protection Act 1986

Section 38G(1)(b)

NOTICE OF DECISION NOT TO ASSESS PROPOSAL

PERSON TO WHOM THIS NOTICE IS GIVEN:

(a) City of Wanneroo
23 Dundebar Road
WANNEROO WA 6065

(b) Toxics Free Australia
[redacted]

(c) Relevant decision-making authorities, see Attachment 1

PROPOSAL TO WHICH THIS NOTICE RELATES:
Neerabup Resource Recovery Precinct Stage 1

Pursuant to s. 38G(1) of the *Environmental Protection Act 1986* (EP Act), the Environmental Protection Authority (EPA) has decided the following:

Referral examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – Other statutory decision-making processes can mitigate the potential impacts of the proposal on the environment.

The EPA has examined the proposal and carried out preliminary investigations and inquiries and considers that the proposal raises a number of environmental issues. However, the environmental effect of the proposal is not so significant as to require assessment by the EPA, and the subsequent setting of formal conditions by the Minister for Environment under Part IV of the EP Act. Nevertheless, the EPA expects that the proposal will be implemented in an environmentally responsible way to ensure consistency with the EPA objectives for environmental factors.

The EPA considers that the potential impacts of the proposal can be mitigated by the following statutory decision-making processes:

- Potential impacts from native vegetation clearing to Flora and Vegetation and Terrestrial Fauna can be mitigated by Part V Division 2 of the EP Act (clearing permits).
- Potential impacts to air quality, social surroundings, inland waters and terrestrial environmental quality can be mitigated by Department of Water and Environmental Regulation – Part V of the EP Act – Division 3 – Prescribed Premises, works approval and licence.

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The Department of Water and Environmental Regulation will be notified of the EPA's decision for this proposal and the EPA's expectations of the outcome of their statutory decision-making process.

APPEAL RIGHTS:
This decision is not appealable.



Darren Walsh
CHAIR
Delegate of the Environmental Protection Authority

Attachment 1

Relevant decision-making authorities (DMAs)

DMA	Legislation and approval
Chief Dangerous Goods Officer, Department of Local Government, Industry Regulation and Safety	*Dangerous Goods Safety Act 2004* - storage and handling of dangerous goods
Chief Executive Officer, Department of Water and Environmental Regulation	*Environmental Protection Act 1986* - Part V works approval and licence - Part V clearing permit