



**PUBLIC**

Hon Sheila Mills MLC  
Chair  
Standing Committee on Environment and Public Affairs  
Parliament House  
PERTH WA 6000



Dear Ms Mills

**PETITION NO. 16 – LNG PROCESSING HUB ON THE KIMBERLEY COAST**

Thank you for your letter dated 5 March 2009 regarding Petition No. 16 – LNG Processing Hub on the Kimberley Coast.

As mentioned in your letter, the Premier, Hon Colin Barnett MLA, announced on 23 December 2008 that James Price Point has been chosen as the site for an LNG precinct in the Kimberley.

This announcement followed public comment on the Northern Development Taskforce (NDT) Site Evaluation Report released in October 2008, and the Environmental Protection Authority's (EPA) review of the NDT site evaluation process and the four short-listed sites. A copy of the EPA report that was released on 19 December 2008 (EPA Report 1306) is attached for your reference.

The selection of the preferred site for the LNG precinct marks the end of the first stage of a collaborative two-stage strategic assessment of plans for the LNG precinct, that meets the requirements of an agreement between the Western Australian and Australian Governments under the *WA Environmental Protection Act 1986* and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*. The decision on a preferred site also completes the role of the NDT established by the previous State Government.

The second phase is a formal environmental assessment by the EPA of a defined LNG precinct proposal and its associated activities. A formal assessment by the EPA requires the proponent to prepare publicly available documentation outlining the environmental issues relevant to the proposal and encourages the public to submit their views for the EPA's consideration prior to any recommendations being made by the EPA on the environmental acceptability of the proposal.

The EPA determined in April 2008 that the Kimberley LNG precinct proposal is a 'strategic proposal' under the provisions of the *Environmental Protection Act 1986* and will be assessed as a Strategic Environmental Assessment.

Under the *Environmental Protection Act 1986* a proposal is a 'Strategic Proposal' if and to the extent to which it identifies:

- a) a future proposal that will be a significant proposal; or
- b) future proposals likely, if implemented in combination with each other, to have a significant effect on the environment.

The environmental assessment of the strategic proposal will allow subsequent future proposals such as LNG processing plants to be considered as 'derived proposals' under the provisions of the *Environmental Protection Act 1986*. The desired objective of such a strategic assessment is that future derived proposals will not generally be subject to further assessment by the EPA, although any relevant Ministerial conditions attached to the approved strategic proposal would be attached to any derived proposal.

The next step in the environmental assessment process is for the proponent to prepare an environmental review document which sets out detailed plans for the development of an LNG precinct on the selected site, including the on-site and off-site environmental impacts of precinct development, port infrastructure, dredging, transport infrastructure, housing for construction and operational workforces and marine support facilities. The agreed process requires the environmental review document to be released for public comment for a period of 10 weeks.

The joint environmental assessment process and the associated timeline were broadly outlined in the NDT interim report released in June 2008 (see copy attached). Under the revised and updated timeframes, the environmental review document is now scheduled to be released for public comment in December 2009 and the EPA is expected to report on the environmental acceptability of the strategic proposal and the recommended environmental conditions in May 2010.

Assessment of the associated social impacts in the region will be undertaken by other arms of government and considered under the strategic assessment process.

Yours sincerely



Keiran McNamara  
DIRECTOR GENERAL

17 March 2009

Att 1 – EPA Report 1306 Kimberley LNG Precinct (December 2008)

Att 2 – Environmental Impact Assessment flowchart

Att 3 – Kimberley LNG Hub Strategic Assessment Timeframe. Appendix 5, NDT – Interim Report (June 2008)

## **Kimberley LNG Precinct**

Review of potential sites for a proposed multi-user liquefied natural gas processing precinct in the Kimberley region

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**Advice of the Environmental Protection Authority to the Minister for Planning  
(as the Minister for Environment's delegate) under Section 16(e) of the  
*Environmental Protection Act 1986***

**Environmental Protection Authority  
Perth, Western Australia  
Report 1306  
December 2008**

### Section 16(e) Advice Timelines

<b>Date</b>	<b>Progress stages</b>
<b>7/5/08</b>	<b>Request to provide Section 16(e) Advice</b>
<b>11/11/08</b>	<b>Close of public comment period on Northern Development Taskforce reports</b>
<b>25/11/08</b>	<b>Response to public submissions received</b>
<b>19/12/08</b>	<b>EPA section 16(e) advice released</b>

Report Released: 19/12/08

There is no appeal period on s16(e) advice.

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