



Environmental Protection Act 1986

**Hon Stephen Dawson MLC  
Minister for Environment**

## **MINISTER'S APPEAL DETERMINATION**

### **APPEALS AGAINST REPORT AND RECOMMENDATIONS OF THE ENVIRONMENTAL PROTECTION AUTHORITY PLUTO NORTH WEST SHELF INTERCONNECTOR PIPELINE (EPA REPORT 1639)**

#### **Purpose of this document**

This document sets out the Minister's decision on appeals lodged under section 100(1)(d) of the *Environmental Protection Act 1986* in objection to the Environmental Protection Authority's Report and Recommendations in respect of the above proposal. This document is produced by the Office of the Appeals Convenor for the Minister but is not the Appeals Convenor's own report, which can be downloaded from the Appeals Convenor's website at [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au).

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<b>Appellants:</b>	Mary Gray; Conservation Council of Western Australia Inc.
<b>Proponent:</b>	DDG Operations Pty Ltd
<b>Proposal description:</b>	Clearing and development for the purpose to construct and operate the Pluto North West Shelf Interconnector, a 3.3 kilometre long steel buried natural gas pipeline, in the industrialised section of the Burrup Peninsula in the Pilbara Region in Western Australia.
<b>Minister's Decision:</b>	The Minister dismissed the appeals
<b>Date of Decision:</b>	17 October 2019

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#### **REASONS FOR MINISTER'S DECISION**

The EPA's report on the proposal the subject of these appeals was published on 4 June 2019. The EPA identified three key environmental factors relevant to the implementation of the proposal, being Social Surroundings (Aboriginal heritage and culture), Flora and Vegetation, and Terrestrial Fauna. After considering the information provided, the EPA concluded the proposal may be implemented in accordance with its recommended conditions.

The key concerns raised by the appeals were that the EPA's assessment was inadequate and did not take into account the role that the development of the pipeline will have in facilitating an increase in liquefied natural gas (LNG) production in the Burrup region. Appellants submitted that the proposal has the potential to contribute to the State's cumulative greenhouse gas emissions and impact on the Murujuga National Park rock art.

Having considered the information before him, including the appeals and submissions, the Minister was of the view that the EPA's assessment of the proposal was appropriate. This was on the basis that the implementation of the proposal will not increase emissions above those already approved through the relevant provisions of the *Environmental Protection Act 1986* (EP Act).

In coming to this decision, the Minister noted that the EPA is currently assessing (through a Public Environmental Review), a proposal to extend the life of operations for the Karratha Gas Plant. The Minister was advised that while the production capacity of the plant will not increase as a result of that proposal, the EPA has identified Air Quality as a key environmental factor and has required the proponent to (among other things) characterise direct and indirect greenhouse gas emissions and assess the relative contribution to regional, state, national and international greenhouse gas emissions.

In relation to cumulative impacts, the EPA advised that it assessed the proposal as referred, which is for the construction and operation of a buried pipeline for transporting natural gas. The EPA considered that air emissions from the proposal, including greenhouse gases, relate only to short-term construction activity and are expected to be minimal. In this regard, the EPA recommended that the proponent implement a Construction Environmental Management Plan (CEMP), which is directed at managing impacts associated with noise and dust.

Regarding risks to Murujuga rock art, the State Government recently released its Murujuga Rock Art Strategy which outlines the long-term framework to guide the protection of the rock art. The EPA advised that it considered the Strategy during its assessment of the proposal and will also consider it when assessing other industrial developments in the area.

On the current proposal, the EPA advised that implementation of the CEMP and a Cultural Heritage Management Plan would minimise impacts on air quality and Aboriginal heritage values from the proposal.

In relation to greenhouse gases, the EPA advised that carbon dioxide emissions from the Karratha Gas Plant are regulated under Ministerial Statement 536 and noted that the Pluto LNG Plant is regulated through Ministerial Statement 757 which also addresses carbon dioxide emissions. Relevantly, the EPA had advised that the construction of the pipeline will not increase the emissions from either of the two facilities irrespective of the source or volume of gas being transferred.

Taking into account the information presented to him, the Minister was of the view that the EPA appropriately considered the environmental impacts of the proposal. The Minister therefore dismissed the appeals.

The decision as to whether or not the proposal is to be implemented, and the conditions which apply to any such implementation, will be made under section 45 of the EP Act following the determination of the appeals. This process will be commenced as soon as possible after this decision.

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Note: this decision is published pursuant to the terms of section 110 of the *Environmental Protection Act 1986* and regulation 8 of the *Environmental Protection Regulations 1987*.

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