



# Referral of a proposal to the EPA

If you think your proposal may have a significant effect on the environment, you are encouraged to discuss it with staff of the Office of the Environmental Protection Authority (OEPA) prior to referral. Discussions will clarify the EPA's information requirements and may also help reduce the effects that the proposal might have on the environment, particularly if the proposal is still at the planning stage.

## How do I refer my proposal to the EPA?

If you decide to refer your proposal to the EPA (or are required to), you are advised to complete the relevant referral form. The Environmental Impact Assessment (EIA) process formally begins when a proposal is properly referred to the EPA.

The EPA may refuse to accept a referral if:

- the proposal is clearly not a significant proposal;
- the referral form is incomplete;
- the proposal has previously been referred to the EPA;
- the proposal has already been fully implemented, or
- the environmental issues raised by the proposal have previously been assessed by the EPA in its assessment of a town planning scheme and the proposal complies with the assessed scheme and the scheme environmental conditions.

The EPA will notify the referrer if the referral has not been accepted.

If the referral is accepted, the EPA will publish the referral information on its website and provide a seven-day public comment period on each referred proposal before it makes a decision on whether or not to assess the proposal, and, if so, the level of assessment. As the referral information will be published, a referral should not contain information that is confidential.

Proponents should provide an electronic copy of the referral information submitted to the EPA at the time the proposal is referred, to enable the information to be readily uploaded onto the EPA website.

The EPA may issue a notice requesting further information.

Any member of the public may refer a significant proposal to the EPA. Further, a decision-making authority, which forms the view that a proposal appears to be significant, is required to refer the proposal.

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## How can I comment on referrals?

Current referred proposals open for comment are available on the EPA's consultation hub at <https://consultation.epa.wa.gov.au>

At this initial stage of the EIA process, comment is simply sought on whether or not the EPA should assess a proposal and, if so, what level of assessment is considered appropriate. If you wish to make a comment, you are asked to keep your comments succinct and to submit them using the online form. This will make the collation and analysis of public comments more thorough.

## Outcomes of referrals

Once a formal referral is submitted, the EPA has 28 days following receipt of all information to decide whether to assess the proposal and if so, the level of assessment and to publish its decision.

Where the EPA decides not to assess a proposal, the EPA expects proponents to ensure that appropriate measures are taken to meet the EPA's environmental objectives. Any person aggrieved by the EPA's decision not to assess a proposal, other than a decision that includes a recommendation that the proposal be dealt with under Part V, Division 2 of the *Environmental Protection Act 1986* (Clearing of Native Vegetation provisions), has 14 days from the date of publication of the EPA's decision in which to lodge an appeal with the Minister. Appeals under the Act are administered by the Office of the Appeals Convenor ([www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au)).

Where the EPA decides to assess a proposal, it will determine which of the following two levels of assessment will apply:

- a) Assessment on Proponent Information (API); or
- b) Public Environmental Review (PER).

There is no appeal on the EPA's decision to assess a proposal, however at the end of the EIA process there is a 14-day appeal period on the EPA's Report and recommendations to the Minister for Environment.

All EPA Reports are available [here](#).

Further information on the levels of assessment are available from the *Environmental Impact Assessment Administrative Procedures 2012*.

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For more information, contact:

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