



Environmental
Protection
Authority

Gorgon Gas Development Revised and Expanded Proposal: Barrow
Island Nature Reserve – inquiry under section 46 of the
Environmental Protection Act 1986 to amend Ministerial
Statement 800 relating to expert panels

Chevron Australia Pty Ltd

Report 1781
April 2025

Inquiry under section 46 of the *Environmental Protection Act 1986*

The Minister for Environment has requested that the Environmental Protection Authority (EPA) inquire into and report on the matter of amending implementation Condition 9 (Quarantine Expert Panel) and Condition 15 (Marine Turtle Expert Panel) of Ministerial Statement 800 relating to the Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve.

It is noted that a second s. 46 inquiry relating to Ministerial Statement 800 was requested by the Minister for Environment in April 2023 in relation to Conditions 10, 16 and 25 (Inquiry 2). Due to the inputs required from the respective expert panels into Conditions 10, 16 and 25, Inquiry 2 will be initiated by the EPA following the completion of this inquiry.

Section 46(6) of the *Environmental Protection Act 1986* requires the EPA to prepare a report that includes:

- (a) a recommendation on whether or not the implementation conditions to which the inquiry relates, or any of them, should be amended
- (b) any other recommendations that it thinks appropriate.

The following is the EPA's report to the Minister pursuant to s. 46(6) of the *Environmental Protection Act 1986*.



Darren Walsh
Chair

15 April 2025

Contents

1	Proposal.....	3
2	Requested amendments to the conditions.....	9
3	Inquiry into amending the conditions	10
4	Inquiry findings	11
4.1	Good Governance and Natural Resource Management	11
4.2	Scientific Expert Panels.....	12
4.3	Quarantine Expert Panel and Marine Turtle Expert Panel.....	14
5	Conclusions and recommendations	18
	Appendix B: Decision-making authorities	32
	References	33

1 Proposal

The EPA considers that the following proposals are relevant to this inquiry as they relate to the Gorgon Gas Development Revised and Expanded Proposal on Barrow Island.

Gorgon Gas Development Barrow Island Nature Reserve

The Gorgon Gas Development Barrow Island Nature Reserve proposal planned to extract, pipe, liquefy, and export 10 million tonnes per annum (Mtpa) of natural gas from the Greater Gorgon and Jansz gas fields using facilities offshore and on Barrow Island, Western Australia. The proposal included a 10 Mtpa liquefied natural gas (LNG) processing complex, a 300 terajoule per day domestic gas plant, and a carbon dioxide injection plant and associated infrastructure on Barrow Island nature reserve. The proponent for the proposal at the time of referral was Chevron Australia Pty Ltd (CAPL). The Environmental Protection Authority (EPA) assessed the proposal at the level of Environmental Review and Management Programme (ERMP) and published its report in June 2006 (Bulletin 1221). In this report, the EPA considered the following key environmental factors were relevant to the proposal:

- Terrestrial flora, fauna and vegetation communities
- Subterranean fauna
- Introduced non-indigenous organisms
- Marine biota, particularly flatback turtles and benthic primary producers
- Greenhouse gas injection and emissions
- Light, noise and vibration, particularly as they affect turtles
- Air quality
- Groundwater as it affects subterranean fauna.

The EPA concluded in Bulletin 1221 that the overall impacts of the proposal would be environmentally unacceptable and recommended that, from an environmental point of view, the proposal should not be permitted to proceed as proposed. The then Minister for Environment approved the proposal for implementation, subject to the implementation conditions of Ministerial statement 748 (MS 748) on 6 September 2007.

Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve

The Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve proposal provided for the construction of facilities for the development of the Greater Gorgon Gas Fields on the North-West Shelf, and the processing and export of 15 Mtpa of gas at a liquefied natural gas plant to be constructed on Barrow Island. The proponent for the proposal at the time of referral was CAPL.

The EPA assessed the proposal at the level of Public Environmental Review (PER) and in this report, the EPA considered the following key environmental factors were relevant to the proposal:

- Marine turtles
- Dredging, marine blasting and marine infrastructure
- Introduced non-indigenous organisms
- Subterranean fauna
- Greenhouse gases
- Air quality
- Noise.

In applying the EPA's Statement of environmental principles, factors, objectives and aims of EIA (EPA 2021a) these factors are now represented by:

- Marine fauna
- Marine environmental quality
- Terrestrial fauna
- Flora and vegetation
- Subterranean fauna
- Greenhouse gases
- Air quality
- Social surroundings.

The EPA concluded in Report 1323, published in April 2009, that having assessed newly identified and additional risks (including light, dredging, and blasting), the proposal could meet the EPA's objectives subject to the inclusion of stringent implementation conditions. The then Minister for Environment approved the proposal for implementation, subject to the implementation conditions of Ministerial Statement 800 (MS 800) on 10 August 2009.

Gorgon Gas Development Fourth Train Expansion Proposal

The Gorgon Gas Development Fourth Train Expansion Proposal proposed to expand the LNG production capacity of the existing proposal from 15 Mtpa to 20 Mtpa (nominal). The proponent for the proposal at the time of referral was CAPL. The EPA assessed the proposal at the level of PER and published its report in March 2015 (Report 1539). In this report, the EPA considered that the following key environmental factors were relevant to the proposal:

- Benthic communities and habitat and marine environmental quality
- Marine fauna
- Air quality and atmospheric gases.

In applying the EPA's Statement of environmental principles, factors, objectives and aims of EIA (EPA 2021a) these factors are now represented by:

- Benthic communities and habitats
- Marine environmental quality
- Marine fauna
- Air quality

The EPA concluded in Report 1539, that the proposal may be implemented to meet the EPA's objectives, provided the implementation of the proposal is carried out in accordance with the recommended conditions and procedures set out in Appendix 4. The then Minister for Environment approved the proposal for implementation, subject to the implementation conditions of Ministerial Statement 1002 (MS 1002) on 30 April 2015.

Gorgon Gas Development – Barrow Island: Additional Construction Laydown and Operations Support Area Project

The Gorgon Gas Development – Barrow Island: Additional Construction Laydown and Operations Support Area Project proposal is for the use of an additional 32 hectares (ha) of uncleared land, within a 36 ha development envelope, on Barrow Island for the purposes of an additional construction laydown and operations support area, required to support the construction and operation of the Gorgon Gas Development Proposal referred to in MS 800. The proponent for the proposal at the time of referral was CAPL.

The EPA assessed the proposal at the level of Assessment on Proponent Information – Category A (API-A) and published its report in January 2014 (Report 1499). In this report, the EPA considered that the following key environmental factors were relevant to the proposal:

- Flora and vegetation
- Terrestrial fauna
- Subterranean fauna
- Offsets (integrating factor).

In applying the EPA's Statement of environmental principles, factors, objectives and aims of EIA (EPA 2021a) these factors are now represented by:

- Flora and vegetation
- Terrestrial fauna
- Subterranean fauna.

The EPA concluded in Report 1499 that the proposal can be managed to meet the EPA's environmental objectives, provided the proposal is implemented consistent with the existing management plans established under the implementation conditions

of MS 800, with the addition of a condition related to offsets and an administrative condition relating to monitoring and reporting (Appendix 2 in Report 1499). The then Minister for Environment approved the proposal for implementation, subject to the implementation conditions of Ministerial Statement 965 (MS 965) on 2 April 2014.

The primary environmental approvals under Part IV of the *Environmental Protection Act 1986* (EP Act) for the Revised and Expanded Gorgon Gas Development: Barrow Island Nature Reserve are captured by the implementation conditions of MS 769 and MS 800.

Previously approved amendments to the proposal

Gorgon Gas Development Barrow Island Nature Reserve (MS 748)

There has been one change to the proposal under s. 45C of the EP Act:

- 1) Excavation of berthing pocket at the Barge Landing Facility, installation of additional communication facilities, relocation of the sweater intake, and modification of the Seismic Monitoring Program – approved on 22 May 2008 and defined by Attachment 1 to MS 748.

Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve (MS 800)

There have been seven changes to the proposal under s. 45C of the EP Act:

- 1) Amendment to clarify that discharge of waste from marine vessels will be in accordance with MARPOL 73/78¹ – approved on 23 February 2010 and defined by Attachment 1 to MS 800.
- 2) Change to the development and usage of boil off gas and an increase of seawater intake volume during the construction period – approved on 26 February 2010 and defined by Attachment 2 to MS 800.
- 3) The use of seawater for construction earthworks on the LNG treatment plant site – approved on 23 March 2010 and defined by Attachment 3 to MS 800.
- 4) Increase in construction duration and construction workforce – approved on 29 April 2011 and defined by Attachment 4 to MS 800.
- 5) Modification to the carbon dioxide (CO₂) pipeline from an above-ground installation to a buried installation – approved on 2 June 2011 and defined by Attachment 5 to MS 800.
- 6) Deletion of construction duration and construction workforce detailed in Attachment 4 and correction of a clerical error in Attachment 5 to MS 800 – approved on 26 June 2013 and defined by Attachment 8 to MS 800.
- 7) The temporary venting or flaring of gas liberated during the monoethylene glycol (MEG) regeneration process (MEG flash vapours) until the completion of commissioning of piping to route the MEG flash vapour to the condensate stabilisation overhead unit or until 31 December 2021 (whichever is earlier), and after that time when normal operations are not available (i.e. during periods of process shut-down and start-up, and upset conditions) – approved on 3 April 2020 and defined by Attachment 9 to MS 800.

¹ International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978.

- 8) Amendment of descriptions of Feed Gas Pipeline System and shore crossing to incorporate additional power/control infrastructure; Describe shore crossing point of domestic gas pipeline; Amendments to Schedule 3, removing items 6 (Carbon Dioxide Injection System) and 10 (Greenhouse Gas Abatement) as they are no longer relevant. Changes approved under s.45C on 24 October 2022.

Gorgon Gas Development Fourth Train Expansion Proposal (MS 1002)

There have been no changes to the proposal under s. 45C of the EP Act.

Gorgon Gas Development – Barrow Island: Additional Construction Laydown and Operations Support Area Project (MS 965)

There have been no changes to the proposal under s. 45C of the EP Act.

Jansz Feed Gas Pipeline: Barrow Island Nature Reserve (MS 769)

There have been no changes to the proposal under s. 45C of the EP Act.

Previously approved amendments to the conditions

Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve (MS 800)

There have been four changes to the implementation conditions under s. 46C of the EP Act:

- 1) Amendment to condition 17 of MS 800 by the addition of condition 17.7 which reads “The proponent shall implement the Plan.” – approved on 31 May 2011 and defined by Attachment 6 to MS 800.
- 2) Amendments to conditions 18, 20, and 21 of MS 800 – approved on 8 June 2011 via Ministerial Statement 865 (MS 865).
- 3) Deletion of existing condition 23A.3(ix) and replacement with revised version which reads “Decision schemes for evaluating monitoring data against the Environmental Quality Guidelines and Environmental Quality Standards referred to in condition 23A.3 vii. above;” – approved on 25 June 2013 and defined by Attachment 7 to MS 800.
- 4) Deletion of existing condition 26.2 of MS 800 and replacement with a revised version which required the proponent to implement all means practicable to inject CO₂, and a requirement for the proponent to capture at least 80 percent of reservoir CO₂. The change was approved on 29 May 2020 via Ministerial Statement 1136 (MS 1136).

Gorgon Gas Development Fourth Train Expansion Proposal (MS 1002)

There have been no changes to the implementation conditions of MS 1002.

Gorgon Gas Development – Barrow Island: Additional Construction Laydown and Operations Support Area Project (MS 965)

There have been no changes to the implementation conditions of MS 1002.

Jansz Feed Gas Pipeline: Barrow Island Nature Reserve (MS 769)

There has been one change to the conditions under s. 46C of the EP Act:

- 1) Deletion of existing condition 4: Compliance Reporting, condition 5: Environmental Performance Reporting, and condition 21: Submissions of Plans, Programs etc in MS 769 and replacement with revised versions of these conditions and the addition of Schedule 3 into MS 769 – approved on 4 May 2012 and defined by Attachment 1 in MS 769.

2 Requested amendments to the conditions

In March 2023, the Minister for Environment requested that the EPA inquire into and report on the matter of amending:

- Condition 9 – Establishing a Quarantine Expert Panel; and
- Condition 15 – Establishing a Marine Turtle Expert Panel

of Ministerial Statement 800 (MS 800) for the Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve.

The request seeks to ensure the scientific advisory groups established under Conditions 9 and 15 can provide independent and effective advice for the Minister for Environment and the proponent on matters relating to terrestrial and marine quarantine, and marine turtle monitoring and management.

The EPA notes that the scope of this inquiry is limited to the above conditions and the associated governance framework for the expert panels as required by the conditions of MS 800. The scope of the inquiry does not request the EPA to inquire into the appropriateness, or otherwise, of the advice provided by either expert panel to date.

It is noted that a second s. 46 inquiry relating to MS 800 was requested by the Minister for Environment in April 2023 in relation to Conditions 10, 16 and 25 (Inquiry 2). Due to the inputs required from the respective expert panels into the effectiveness of conditions 10, 16 and 25, Inquiry 2 will be initiated following the completion of this inquiry.

This report satisfies the requirements of the EPA's inquiry into amending Conditions 9 and 15 of MS 800.

3 Inquiry into amending the conditions

The EPA has discretion as to how it conducts an inquiry. In determining the extent and nature of this inquiry, the EPA had regard to information such as:

- the currency of its original assessments (Report 1221 and Report 1323)
- MS 800
- information provided by the proponent (CAPL 2024)
- advice from relevant decision-making authorities
- publicly available information and literature regarding best practice governance of committees, boards and scientific panels.

EPA procedures

The EPA followed the procedures in the *Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures 2024* (State of Western Australia 2024) and the *Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual* (EPA 2021).

4 Inquiry findings

Governance in natural resource management refers to the frameworks, processes, and practices that guide how natural resources are managed, utilised, and conserved (Barwick et al., 2014). It involves a range of stakeholders, including governments, local communities, and industry, working together to ensure sustainable and equitable development (Lockwood et al., 2010). Effective governance is crucial for addressing the complex challenges associated with natural resource management, such as environmental degradation, social conflicts, and economic dependencies (Bleischwitz & Bringezu, 2008; Lockwood et al., 2010).

Natural resource management pertains to the specific actions and strategies implemented to achieve the goals set by governance frameworks (Nicholson & Kiel, 2004). It involves the day-to-day operational tasks, resource allocation, and implementation of management practices (Kirkpatrick & Kiernan, 2006; Knight et al., 2006; Twinamatsiko et al., 2015)

This inquiry relates to the adequacy of the governance and procedures that underpin the scientific expert panels that provide advice on key environmental factors associated with the Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve. The effectiveness and appropriateness of management recommendations made by these panels is out of the scope of this inquiry.

4.1 Good Governance and Natural Resource Management

Effective governance in natural resource management is a cornerstone for achieving sustainable development and fostering appropriate environmental outcomes (Barwick et al., 2014; Lockwood et al., 2010). Good governance involves transparency, accountability, and the effective management of resources or development (Tatar et al., 2024). Good governance helps to build trust among stakeholders and ensure that the benefits of resource exploitation or proposals for development ultimately contribute to long-term sustainable outcomes. Effective governance frameworks also promote stakeholder participation, enabling a range of inputs into decision-making processes that may affect the environment (Fischer et al., 2007).

Good governance in natural resource management requires a multifaceted approach which encompasses a comprehensive framework of principles and practices designed to ensure that natural resources are managed not only efficiently but also equitably and sustainably (Dale et al., 2017). The significance of good governance in natural resource management cannot be overstated, particularly considering the pressing challenges associated with resource use and proposal development, which can lead to environmental degradation (Davies, 2016).

The core principles of good governance in natural resource management can be categorised into several key aspects which work together to promote effective and

equitable management of natural resources and sustainable development (Barwick et al., 2014; Huh, 2010; (Lockwood et al., 2010). These principles are:

- **Transparency:** ensuring that information related to resource management is accessible and clear to all stakeholders
- **Accountability:** establishing mechanisms for holding individuals and organisations responsible for their actions and decisions in resource management
- **Participation:** encouraging the involvement of all stakeholders, including local communities, in decision-making processes related to natural resources
- **Equity and Inclusiveness:** promoting fair treatment and equal opportunities for all stakeholders
- **Sustainability:** focusing on the long-term outcomes of natural resources, ensuring that management practices do not compromise future generations' ability to meet their needs
- **Rule of Law:** upholding legal frameworks and regulations that govern resource use and management, ensuring that they are enforced fairly and consistently
- **Integration:** coordinating across different sectors and scales to ensure that NRM strategies are holistic and consider ecological, social, and economic dimensions
- **Adaptive Management:** implementing flexible management practices that can adjust to changing conditions and new information, promoting resilience in resource management.

These principles ensure that decision-making processes are inclusive, transparent, and accountable, thereby enhancing the legitimacy and effectiveness of the environmental management measures being implemented.

4.2 Scientific Expert Panels

Scientific expert panels are groups of specialists convened to provide guidance, advice, or recommendations on specific scientific issues or topics (Cottingham et al., 2002). These panels typically consist of individuals with extensive knowledge and experience (i.e. subject matter experts) in relevant fields associated with the natural resource management issue in question, such as biology and ecology of specific species, environmental science, statisticians, and/or other specialists as required (Pascoe & Dichmont, 2017).

The overarching purpose of scientific expert panels generally includes the:

- Evaluation of research to assess the quality and relevance of scientific studies related to a particular issue
- Providing recommendations and offering evidence-based suggestions for management, or further research
- Risk assessment through the analysis of potential risks associated with certain management actions or technologies

- Guidance to inform decision-making which can assist regulatory agencies, and development proponents in making informed decisions based on scientific evidence
- Communicating scientific or technical knowledge to a range of stakeholders in an understandable manner.

These panels are often formed by governmental agencies, non-profit organisations, academic institutions, or international bodies to ensure that decisions are informed by the best available scientific knowledge.

Role and function of scientific expert panels

In Australia, scientific expert panels have been instrumental in addressing complex environmental challenges, particularly in the context of water resource management and biodiversity conservation/management (Cottingham et al., 2002; Oliver, 2002). Examples of scientific expert panels in Australia include: the "Reef 2050 Plan Independent Expert Panel" advising on the Great Barrier Reef (DCCEEW, 2025), the "Native Vegetation Scientific Expert Panel" in Queensland reviewing native vegetation management (OQCS, 2025), the "Independent Hydroclimate Science Expert Panel" focusing on strategic advice on future hydroclimate approaches to the Murray–Darling Basin Authority (MDBA, 2025), and the "Tuggerah Lakes Expert Panel" examining catchment management and water quality in a specific area (NSW, 2025). They serve as a mechanism for synthesising diverse scientific knowledge and expertise to inform decision-making processes (Cottingham et al., 2002).

While environmental expert panels play a crucial role in informing environmental management in Australia, they are not without challenges. Panels often face challenges due to gaps in existing knowledge, and the quality of data that is available to them, which can limit the effectiveness of their recommendations. Addressing these gaps through ongoing research and data collection is essential (Cottingham et al., 2002).

The integration of ethical expertise alongside scientific expertise can also help address value-based dilemmas and enhance the legitimacy of panel decisions (Littoz-Monnet, 2015). There is recognised risk of bureaucratic and/or proponent influence in panel processes, which can undermine the independence and objectivity of scientific advice. Ensuring clear boundaries and accountability mechanisms is important to maintain objectivity and ultimately beneficial environmental outcomes (Kim & Jang, 2018).

While best practice governance for scientific expert panels emphasises structured processes and diverse representation, it is also important to recognise the dynamic nature of scientific and management environments. Panels must remain adaptable to new information and changing contexts, ensuring that their recommendations remain relevant and effective. Additionally, fostering a culture of collaboration and open dialogue among panel members and stakeholders can enhance the quality and impact of their work (Grundmann, 2009; Krick, 2015).

Best practice in environmental expert panels

Best practice governance for scientific expert panels involves a structured approach that ensures the panels are effective, credible, and capable of integrating scientific expertise with management/regulatory needs. Integration of the key principles of good governance (Section 4.1) is imperative to ensure clear guidelines for panel composition, decision-making processes, and the incorporation of diverse perspectives.

Panel Composition and Selection

Panels should include a range of experts with diverse backgrounds to cover all relevant aspects of the issue at hand. This diversity helps in addressing complex problems comprehensively (Cottingham et al., 2002; Hokanson et al., 2018). The process for selecting panel members should be transparent and based on clear criteria to ensure credibility (Cottingham et al., 2002). In addition to scientific experts, panels could include stakeholders from relevant sectors, such as industry, government and relevant community groups, to ensure that multiple perspectives are considered (Krick, 2015). However, the inclusion of regulators and proponents may compromise the perceived independence and integrity of the panel, and there is a risk that regulatory/proponent development goals may be prioritised over scientific objectivity (Carrozza, 2015; Deaton, 2015; Meyer, 2013; Velander & Donà, 2024). Ensuring panels are used within a strong, transparent framework, and ensuring that regulators and proponents that participate in panels do not have voting capacity can mitigate this risk.

Decision-Making Processes

Panels should prioritise evidence-based decision-making, using the best available scientific data to inform their recommendations (Corcoran & Vandiver, 2006). Establishing a structured approach and clear protocols for how panels operate, including how evidence is evaluated and how decisions are made, is crucial for consistency and reliability (Cottingham et al., 2002).

Panels should effectively bridge the gap between scientific knowledge and regulatory decision-making processes, ensuring that scientific insights are translated into actionable decision-making recommendations (Grundmann, 2009). A governance framework for panels should incorporate principles of responsible research and innovation, balancing scientific advancement with ethical and societal considerations (Gianni et al., 2014). Ensuring diverse representation on a panel can assist in the achievement of this.

4.3 Quarantine Expert Panel and Marine Turtle Expert Panel

Implementation of the Gorgon Gas Development Revised and Expanded Proposal: Barrow Island Nature Reserve (the proposal) is primarily controlled by MS 800, which requires the establishment of expert panels to ensure the EPA's environmental objectives for key environmental factors are met. Conditions 9 and 15

of MS 800 requires the establishment of a quarantine (QEP) and marine turtle (MTEP) expert panel respectively.

MS 800 broadly defines the scope and role for each respective expert panel; however, the current conditions are silent on the protocols and processes which support the provision of advice to the proponent, environmental regulation agencies and Minister.

For both the QEP and MTEP, the proponent appoints the respective members of each expert panel, as well as nominating the candidates for the role of each panel's Independent Chair. Currently, both the QEP and MTEP are comprised of a mixture of proponent, environmental regulation agency and independent/academic members. MS 800 conditions have negligible requirements or protocols specified for membership, which raises questions regarding the independence of the expert panels that may potentially confound any advice being provided.

MS 800 requires the development of a Terms of Reference (ToR) for each panel, where the ToR should articulate the scope of work for the expert panel and how the members will work to provide advice. However, no requirements for the ToR are captured in the MS 800 conditions, with no guidance on the governance of the respective expert panels. This too has the potential to confound any advice being provided by the respective expert panel required under MS 800.

EPA assessment reports 1221 and 1323 do not explicitly discuss the recommendation for implementation conditions requiring the expert panels. However, the EPA assessment reports (1221 and 1323) do identify that the significance of potential impacts from the proposal necessitate the use of expert panels to ensure the most effective management and environmental outcomes are achieved and highlights the importance of appropriate expert panel governance. As such, the Minister for Environment requested the EPA to inquire into MS800 implementation Condition 9 (QEP) and Condition 15 (MTEP) to ensure that they are effective and act as an independent advisory group for the Minister and the proponent on matters relating to terrestrial and marine quarantine and marine turtle monitoring and management.

Comparison to best practice and governance principles

The key principles of good governance require clear guidelines for panel composition and decision-making processes (Section 4.1 and 4.2). In comparison, the existing conditions of MS 800 are vague and do not provide clear expectations for the proponent, environmental regulatory agencies and the expert panels themselves. While the role of the QEP and MTEP are set out in the respective conditions (9.2 and 15.2) and simple elements of membership are also specified (9.3 and 15.3), detailed expectations relating to the panels' governance and implementation are limited. This is exemplified by the ToR (required by Conditions 9.4 and 15.4) for the QEP and MTEP expert panels, where the ToR for both the QEP and MTEP are simplistic in nature and provide limited detail around the protocols and processes to ensure good governance.

The public availability of information relating to both the QEP and MTEP is limited and highlights deficiencies in the current governance framework for the expert panels that may be attributable to the lack of clear expectations in the existing conditions of MS 800. A review of the publicly available information² found that:

- membership lists and terms of reference while available, appear out of date
- supporting information for the ToR is not publicly available (e.g. Expert Panel Operating Guidelines) creating difficulties in understanding the governance arrangements that may/may not exist for the panels
- where additional information is published, such as panel reports or annual summaries, this information is limited and sporadic in nature. For example, only the 2018 MTEP annual summary is available and only a limited selection of MTEP meeting summaries are available.

The EPA notes that MS 800 does not currently require the public availability of QEP and MTEP related information, as this is not required by Condition 35 (Public Availability of Plans, Programs etc). While Condition 35 is out of the scope of this inquiry, provision for the requirement for public availability of QEP and MTEP expert panel information can be considered through amendments to Conditions 9 and 15.

The current inclusion (as specified in Condition 9.3 and 15.3) of proponent and environmental regulators in scientific expert panels is a nuanced issue that intersects with the principles of good environmental governance. The EPA recognises that having proponents and regulators embedded in expert panels can:

- bring valuable perspectives from proponents that align scientific advice with socio-economic and practical realities, potentially enhancing the relevance and applicability of environmental policies
- enhance the practical applicability of scientific advice, ensuring that policy recommendations are grounded in regulatory realities by leveraging the environmental regulatory experience.

The current inclusion of proponent and environmental regulator representatives within the QEP and MTEP challenges the objectivity and impartiality expected from scientific panels. Balancing these interests requires careful design of panel processes and structures to ensure that diverse perspectives are integrated without compromising objectivity and scientific integrity. This balance is crucial for achieving sustainable development goals, and ensuring consistency with the principles of transparency, accountability, and sustainability that underpin good environmental governance. The EPA advises that the existing requirements set out in the conditions of MS 800 relating to scientific expert panels do not adequately set out the processes and structures necessary to achieve objectivity and diversity in the operation of the expert panels. As such, the EPA recommends that both proponent and environmental regulator representatives have capacity to act as observers to the QEP and MTEP but not full membership.

² Chevron website: <https://australia.chevron.com/what-we-do/gorgon-project/environmental-approvals-and-expert-panels> (accessed 20 February 2025)

To ensure better alignment with best practice for scientific expert panel governance, the EPA recommends that Conditions 9 and 15 of MS 800 are amended to reflect clear guidelines for the selection and management of panel members, promoting transparency and accountability in the decision-making process, and ultimately provision of advice from the respective expert panels.

5 Conclusions and recommendations

Barrow Island is a unique island ecosystem in the state's north-west (Moro and Lagdon, 2013) which also supports the Gorgon Gas Development Revised and Expanded Proposal. MS 800 sets out the conditions and procedures that the proponent must adhere to during the project implementation, which is key to the effective management of the Barrow Island Class A nature reserve. A key element to MS 800 was the establishment of scientific expert panels to ensure effective management and environmental outcomes are achieved in line with the EPA's environmental objectives.

Effective expert panel governance involves establishing clear mandates, ensuring diverse expertise, fostering open communication, and maintaining transparency and accountability to ensure the panel's advice is valuable and impactful. As such the EPA is recommending amendments to the conditions associated with the QEP and MTEP.

Amendment to Conditions 9 and 15

The EPA considers it is appropriate to change Conditions 9 and 15 of MS 800 in order to incorporate best practice governance principles for scientific expert panels to ensure the most effective, credible, and capable integration of scientific expertise in the provision of advice to the proponent, regulatory agencies and the Minister. The EPA has recommended amendments to the conditions to provide clear and detailed requirements regarding panel composition, governance and decision-making processes.

Conclusions

In relation to the governance of the scientific expert panels required by MS 800, and considering the information provided by the proponent and relevant EPA policies and guidelines, the EPA concludes that:

- scientific expert panels need to operate effectively and independently, and the governance of the panels should include the integration of science and policy, the management of conflicts of interest, and the accountability of members/observers. These elements are critical in maintaining the credibility and effectiveness of the panels in providing advice into the regulatory decision-making process and the management of environmental impacts.

Recommendations

Having inquired into this matter, the EPA submits the following recommendations to the Minister for Environment under s. 46 of the EP Act:

1. While retaining the environmental requirements of the original conditions of MS 800, it is appropriate to amend implementation Conditions 9 and 15 and replace them with new implementation conditions.

2. After complying with s. 46(8) of the EP Act, the Minister may issue a statement of decision to amend Conditions 9 and 15 of MS 800 in the manner provided for in the attached recommended statement (Appendix B)

Appendix A: Recommended conditions

Recommended Environmental Conditions

STATEMENT TO AMEND THE IMPLEMENTATION CONDITIONS APPLYING TO A PROPOSAL

(Section 46 of the Environmental Protection Act 1986)

GORGON GAS DEVELOPMENT REVISED AND EXPANDED PROPOSAL:
BARROW ISLAND NATURE RESERVE

Proposal: The construction of facilities for the development of the Greater Gorgon Gas Fields on the North-West Shelf, and the processing and export of the gas at a liquefied natural gas plant to be constructed on Barrow Island, as more generally described in the Draft Environmental Impact Statement / Environmental Review and Management Programme for the Proposed Gorgon Development, the Final Environmental Impact Statement/ Response to Submissions on the Environmental Review and Management Programme; as amended under Section 45C; and as expanded and revised in the Public Environmental Review for the Gorgon Gas Development Revised and Expanded Proposal and the Response to Submissions: Gorgon Gas Development Revised and Expanded Proposal, Public Environmental Review.

Proponent: Chevron Australia Pty Ltd (ACN 086 197 757)

Proponent address: Level 24 QV1 Building, 250 St George's Terrace, Perth,
Western Australia 6000

Assessment number: 2367

Report of the Environmental Protection Authority: 1781

Preceding Statement/s relating to this proposal: 748, 769, 800, 865, 965, 1002,
1136 and 1198

Pursuant to section 45 of the *Environmental Protection Act 1986*, as applied by section 46(8), it has been agreed that the implementation conditions set out in Ministerial Statement No. 800, be amended as specified in this Statement.

Condition 9 and 15 of Ministerial Statement 800 are deleted and replaced with:

9 Quarantine Expert Panel

- 9.1 The Proponent must implement a **Quarantine Expert Panel (QEP)**, from the date of this statement, to provide advice to the Proponent and the **CEO** on:
- (1) terrestrial biosecurity and quarantine on Barrow Island; and,
 - (2) marine biosecurity and quarantine on Barrow Island; and,
 - (3) any other matter that may influence biosecurity on Barrow Island that is deemed required by the **CEO**.
- 9.2 The Proponent must **resource** the **QEP**.
- 9.3 The Proponent must continue to implement and **resource** the **QEP** required by condition 9.1, until the **CEO** confirms by notice in writing that **QEP** is no longer required.
- 9.4 The **QEP** must continue to operate in accordance with **Extant Terms of Reference (EToR)** until such time as the **confirmed Terms of Reference (ToR)**, as required by condition 9.5, has been approved by the **CEO**.
- 9.5 The Proponent must prepare and submit the **ToR** required by condition 9.6 within one (1) month from the date of this statement, for approval by the **CEO**. Where revisions have been requested by the **CEO**:
- (1) the Proponent must submit a revised **ToR** within one (1) month of the date of the request by the **CEO**.
- 9.6 The **QEP** must operate in accordance with the **confirmed ToR**, as defined by Condition 9.16.
- 9.7 The Proponent must ensure that within six (6) months from the date of this statement, **QEP** membership must not include persons who are **employed** by the Proponent or **environmental regulation agencies**.
- 9.8 Persons **employed** by the Proponent or **environmental regulation agencies** may act as **observers** to the **QEP**.
- 9.9 The Proponent or **environmental regulation agencies** may recommend a person as a **QEP** member to the **CEO**.
- 9.10 A person recommended as a **QEP** member must be approved by the **CEO**, provided the **CEO** is satisfied that the person has:
- (1) a suitable level of interest and experience in matters affecting terrestrial and marine biosecurity and quarantine; and,
 - (2) a suitable level of knowledge, skills, experience or qualifications in one (1) or more of the following fields:

- a) biosecurity management and quarantine control;
 - b) risk assessment and management;
 - c) surveillance and monitoring;
 - d) pest and disease identification;
 - e) **traditional ecological knowledge**;
 - f) statistics; or,
 - g) any other knowledge, skills, experience or qualifications deemed required by the **CEO**; and,
- (3) no **conflict of interest** that limits the ability of a recommended person to act as a **QEP** member or **QEP Chair**.
- 9.11 The Proponent or **environmental regulation agencies** may recommend a person as the **QEP Chair**.
- 9.12 The **QEP Chair** must be approved by the **CEO**, where the **CEO** is satisfied that the person has the requirements set out in condition 9.10.
- 9.13 The membership details of the **QEP**, must be recorded and maintained on a membership register, including but not limited to the:
- (1) names of members of the **QEP** and their professional affiliations;
 - (2) experience and qualifications of members;
 - (3) roles and responsibilities of **QEP** members;
 - (4) term of appointment for **QEP** members; and,
 - (5) any **conflicts of interest** of **QEP** members.
- 9.14 The details of **observers** of the **QEP** must be recorded and maintained on an **observer** register, including but not limited to the:
- (1) names of **observers** of the **QEP** and their professional affiliations;
 - (2) experience and qualifications of **observers**.
- 9.15 If the membership or **observer** registers are revised, the Proponent must provide the **CEO** with the updated member or observer register within seven (7) business days.
- 9.16 The **QEP ToR** must include, but not limited to:
- (1) background information describing the context for the **QEP**;
 - (2) a description clearly defining the specific roles the **QEP** is to perform;

- (3) a description of the **QEP** governance structure and how interactions with other advisory groups, other scientific experts, or **observers** will be managed;
- (4) a description of the processes for how **QEP** membership is established or revoked, the minimum number of **QEP** members to be maintained, and the processes and timeframes for reviewing membership and roles of members;
- (5) a description of the processes for how **QEP observers** are established or revoked, the maximum number of **QEP observers** to be maintained, and the processes and timeframes for reviewing an **observer's** membership and the roles of **observers**;
- (6) a description of **QEP decision-making** processes and policies, including protocols for **conflict of interest** and confidentiality;
- (7) a description of operational arrangements and processes, including but not limited to:
 - a) frequency of meetings;
 - b) meeting locations;
 - c) meeting records and minutes;
 - d) administrative protocols, including members and **observers** conduct requirements;
 - e) information management;
 - f) communication and advice protocols;
 - g) notification and timing of notifications of changes to membership and observer details required by condition 9.13 and 9.14; and,
 - h) costs and expenses associated with meetings.
- (8) description of procedures for reporting within the **QEP**, to the Proponent and **CEO**, including but not limited to how reporting is coordinated, communicated, and the timing of reporting.
- (9) a description of procedures for reviewing the **QEP** efficiency, effectiveness, and **ToR**.

9.17 The proponent:

- (1) may review and revise the **confirmed QEP ToR** provided it meets the relevant requirements of condition 9.15; and,
- (2) must review and revise the **confirmed QEP ToR**, as and when directed by the **CEO**, within one (1) month of the date of the direction.

- 9.18 If the Proponent is to implement revisions to the **confirmed QEP ToR** under condition 9.17(1), the proponent must one (1) month prior to implementing any revised **QEP ToR** provide to the **CEO** for approval:
- (1) the revised **QEP ToR** clearly showing the revisions; and,
 - (2) an explanation of and justification for the **QEP ToR** revisions.
- 9.19 The Proponent must cease to implement any revisions of the **confirmed QEP ToR** which the **CEO** notifies the proponent (at any time) in writing may not be implemented.
- 9.20 The Proponent must make publicly available, in a manner approved by the **CEO**, the:
- (1) **QEP** membership register;
 - (2) **QEP ToR**;
 - (3) all **QEP** meeting minutes, supporting information and reports relevant to the **QEP** function and operations required by Condition 9.1; and,
 - (4) all supporting materials related to **QEP ToR**.
- 9.21 If any data or information referred to in condition 9.20 contains:
- (1) trade secrets; or,
 - (2) confidential information (other than trade secrets) or commercially sensitive information that has commercial value to a person that would be, or could reasonably be expected to be, destroyed, or diminished if the confidential information were published; or,
 - (3) cultural information (other than trade secrets) that has value to a **Relevant Traditional Owner** that would be, or could reasonably be expected to be, destroyed, or diminished if the confidential information were published.

The Proponent, **QEP** members and **QEP observers** may submit a request for approval from the **CEO** to not make this data or information publicly available, and the **CEO** must approve the request where the **CEO** is satisfied that the data or information meets the criteria defined by condition 9.21(1), 9.21(2) or 9.21(3).

- 9.22 In making a request under condition 9.21, the Proponent, **QEP** member or **QEP observer** must provide the **CEO** with an explanation and reasons why the data or information should not be made publicly available.

15 Marine Turtle Expert Panel

- 15.1 The Proponent must implement a **Marine Turtle Expert Panel (MTEP)**, from the date of this statement, to provide advice to the Proponent and the **CEO** on:
- (1) marine turtle biology and ecology on Barrow Island; and,
 - (2) marine turtle monitoring and management on Barrow Island; and,

- (3) any other matter that may influence marine turtles on Barrow Island that is deemed required by the **CEO**.
- 15.2 The Proponent must **resource** the **MTEP**.
- 15.3 The Proponent must continue to implement and **resource** the **MTEP** required by condition 15.1, until the **CEO** confirms by notice in writing that **MTEP** is no longer required.
- 15.4 The **MTEP** must continue to operate in accordance with the **Extant Terms of Reference (EToR)** until such time as the **confirmed Terms of Reference (ToR)**, as required by Condition 15.5, has been approved by the **CEO**.
- 15.5 The Proponent must prepare and submit the **ToR** required by condition 15.6 within one (1) month from the date of this statement, for approval by the **CEO**. Where revisions have been requested by the **CEO**:
- (1) the Proponent must submit a revised **ToR** within one (1) month of the date of the request by the **CEO**.
- 15.6 The **MTEP** must operate in accordance with the **confirmed ToR**, as defined by condition 15.16
- 15.7 The Proponent must ensure that within six (6) months from the date of this statement, **MTEP** membership must not include persons who are **employed** by the Proponent or **environmental regulation agencies**.
- 15.8 Persons **employed** by the Proponent or **environmental regulation agencies** may act as **observers** to the **MTEP**.
- 15.9 The Proponent or **environmental regulation agencies** may recommend a person as a **MTEP** member to the **CEO**.
- 15.10 A person recommended as a **MTEP** member must be approved by the **CEO**, where the **CEO** is satisfied that the person has:
- (1) a suitable level of interest in, and experience of, matters affecting marine turtle biology and ecology, monitoring and management; and,
- (2) a suitable level of knowledge, skills, experience or qualifications in one (1) or more of the following fields:
- a) marine turtle biology and ecology;
- b) risk assessment and management;
- c) surveillance and monitoring;
- d) coastal geomorphology;

- e) coastal engineering;
 - f) **traditional ecological knowledge**;
 - g) statistics; or,
 - h) any other knowledge, skills, experience or qualifications deemed required and approved by the **CEO**; and,
- (3) no **conflict of interest** that limits the ability of a recommended person to act as a **MTEP** member or **MTEP Chair**.
- 15.11 The Proponent or **environmental regulation agencies** may recommend a person as the **MTEP Chair**.
- 15.12 The **MTEP Chair** must be approved by the **CEO**, where the **CEO** is satisfied that the person has the requirements set out in condition 15.10.
- 15.13 The membership details of the **MTEP**, must be recorded maintained on a membership register, including but not limited to the:
- (1) names of members of the **MTEP** and their professional affiliations;
 - (2) experience and qualifications of members;
 - (3) roles and responsibilities of **MTEP** members;
 - (4) term of appointment for **MTEP** members; and,
 - (5) any **conflicts of interest** of **MTEP** members.
- 15.14 The details of **observers** of the **MTEP**, must be recorded and maintained on an **observer** register, including but not limited to the:
- (1) names of **observers** of the **MTEP** and their professional affiliations;
 - (2) experience and qualifications of **observers**.
- 15.15 If the membership or **observer** registers are revised, the Proponent must provide the **CEO** with the updated member or **observer** register within seven (7) business days.
- 15.16 The **MTEP ToR** must include, but not limited to:
- (1) background information describing the context for the **MTEP**;
 - (2) a description clearly defining the specific roles the **MTEP** is to perform;
 - (3) a description of the **MTEP** governance structure and how interactions with other advisory groups, other scientific experts, or observers will be managed;
 - (4) a description of the processes for how **MTEP** membership is established or revoked, the minimum number of **MTEP** members to be maintained, and the processes and timeframes for reviewing membership and roles of members;
 - (5) a description of the processes for how **MTEP observers** are established or revoked, the maximum number of **MTEP observers** to be maintained, and the

processes and timeframes for reviewing an **observer's** membership and the roles of **observers**;

- (6) a description of **MTEP** decision-making processes and policies, including protocols for **conflict of interest** and confidentiality.
- (7) a description of operational arrangements and processes, including but not limited to:
 - a) frequency of meetings;
 - b) meeting locations;
 - c) meeting records and minutes;
 - d) administrative protocols, including members and **observers** conduct requirements;
 - e) information management;
 - f) communication and advice protocols;
 - g) notification and timing of notifications of changes to membership and observer details required by condition 15.13 and 15.14; and,
 - h) costs and expenses associated with meetings.
- (8) description of procedures for reporting within the **MTEP**, to the Proponent and **CEO**, including but not limited to how reporting is coordinated, communicated, and the timing of reporting.
- (9) a description of procedures for reviewing the **MTEP** efficiency, effectiveness, and **ToR**.

15.17 The proponent:

- (1) may review and revise the **confirmed MTEP ToR** provided it meets the relevant requirements of condition 15.15; and,
- (2) must review and revise the **confirmed MTEP ToR**, as and when directed by the **CEO**, within one (1) month of the date of the direction.

15.18 If the proponent is to implement revisions to **confirmed MTEP ToR** under condition 15.17(1), the proponent must one (1) month prior to implementing any revised **MTEP ToR** provide to the **CEO** for approval:

- (1) the revised **MTEP ToR** clearly showing the revisions; and,
- (2) an explanation of and justification for the **MTEP ToR** revisions.

15.19 The proponent must cease to implement any revisions of the **confirmed MTEP ToR** which the **CEO** notifies the proponent (at any time) in writing may not be implemented.

15.20 The Proponent must make publicly available, in a manner approved by the **CEO**, the:

- (1) **MTEP** membership register
- (2) **MTEP ToR**;
- (3) all **MTEP** meeting minutes, supporting information and reports relevant to the **MTEP** function and operations required by Condition 15.1; and,
- (4) all supporting materials related to **MTEP ToR**.

15.21 If any data or information referred to in condition 15.20 contains::

- (1) trade secrets; or,
- (2) confidential information (other than trade secrets) or commercially sensitive information that has commercial value to a person that would be, or could reasonably be expected to be, destroyed, or diminished if the confidential information were published; or,
- (3) cultural information (other than trade secrets) that has value to a **Relevant Traditional Owner** that would be, or could reasonably be expected to be, destroyed, or diminished if the confidential information were published,

The Proponent, **QEP** members and **QEP observers** may submit a request for approval from the **CEO** to not make this data or information publicly available, and the **CEO** must approve the request where the **CEO** is satisfied that the data or information meets the criteria defined by condition 9.21(1), 9.21(2) or 9.21(3).

15.22 In making a request under condition 15.20, the proponent must provide the **CEO** with an explanation and reasons why the data or information should not be made publicly available

Table 1: Abbreviations and definitions

Acronym or abbreviation	Definition or term
CEO	The Chief Executive Officer of the Department of the Public Service of the State responsible for the administration of section 48 of the <i>Environmental Protection Act 1986</i> , or the CEO's delegate.
Chair	An approved member of the QEP or MTEP appointed by the CEO to be the Chair, who is responsible for leading and facilitating the panel's discussions, ensuring the panel operates efficiently, and guiding the panel towards its objectives.
Confirmed	In relation to the Terms of Reference (ToR) required to be made and submitted to the CEO , means, at the relevant time, the submitted ToR that the CEO confirmed , by notice in writing, meets the requirements of the relevant condition.
Conflict of interest	<p>Instances where a member's personal and professional interests overlap, or may be perceived to overlap, with their duties as a QEP or MTEP member.</p> <p>A conflict of interest exists when a reasonable person might perceive that personal interests could be favoured over members duties. Personal interests include (but not limited to) personal relationships, business interests and secondary employment. Accepting gifts or hospitality may also present a conflict of interest.</p> <p>There are 3 types of conflicts of interest:</p> <ul style="list-style-type: none"> • Actual: A conflict happening now; • Potential: A personal interest that may present a conflict later; or, • Perceived: A reasonable third party may believe a member's personal interests could improperly influence a member's decisions now or in the future – whether this is the case or not.
Employed	<p>A person who has entered into or works under a contract of service with the Proponent or environmental regulation agencies, for the purposes of pecuniary gain. This does not include:</p> <ol style="list-style-type: none"> (a) any pecuniary gain associated with duties or work performed as members on the QEP and MTEP; or, (b) any pecuniary gain associated with historical duties or work performed more than 10 years prior to the date of this statement; or, (c) where, to the satisfaction of the CEO, no conflict of interest exists.

Environmental Regulation Agencies	<p>Any government entity which has responsibility for administering any provisions of the following legislation:</p> <ul style="list-style-type: none"> • the <i>Environmental Protection Act 1986</i> (EP Act); • the <i>Biodiversity Conservation Act 2016</i> (BC Act); • the <i>Conservation and Land Management Act 1984</i> (CALM Act); • the <i>Biosecurity and Agricultural Management Act 2007</i> (BAM Act); • the <i>Fish Resources Management Act 1994</i> (FRMA Act); • the <i>Biosecurity Act 2015</i> (B Act); and, • the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act).
Extant Terms of Reference (EToR)	<p>Terms of Reference for each expert panel, in existence prior to any the s.46 inquiry condition amendments.</p> <p>In relation to the QEP, the extant terms of refence is Doc Id: G1-NT-GDLX0000102, Revision 3, dated December 2016 (see https://australia.chevron.com/-/media/australia/our-businesses/documents/Quarantine-Expert-Panel-Terms-of-Reference_rev-3.pdf; accessed 20 February 2025).</p> <p>In relation to the MTEP, the extant terms of reference is Doc Id: G1-NT-GDLX0000103, Revision 3, dated March 2013 (see https://australia.chevron.com/-/media/australia/our-businesses/documents/gorgon-marine-turtle-expert-panel-terms-of-reference.pdf; accessed 20 February 2025).</p>
Decision-making	<p>The selection of a course of action among options. Where the selection process considers the <i>Ombudsman Western Australia: Guidelines on Decision Making (Revised April 2019)</i> – see https://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Binder-Decision-Making.pdf (accessed 20 February 2025)</p>
Marine Expert Panel (MTEP)	<p>Group of suitably qualified and experienced professionals who provide advice on marine turtle biology and ecology, monitoring and management.</p>
Member	<p>A person for the time being approved by the CEO as a member of the QEP or MTEP and includes the Chair.</p>
Observer	<p>A person or entity who attends meetings or reviews documents without having the right to vote or directly participate in decision-making but can observe and contribute to discussions where invited to do so by the Chair.</p>
Terms of Reference (ToR)	<p>A description of the roles, expectations, and purpose of individuals who are involved in the development and/or implementation of a scientific expert/advisory panel.</p>

Traditional ecological knowledge	The knowledge, practices, and beliefs about the relationships between people, plants, animals, natural phenomena, landscapes, and the timing of events for activities like hunting, fishing, and agriculture held by the Relevant Traditional Owners for a region.
Quarantine Expert Panel (QEP)	Group of suitably qualified and experienced professionals who provide advice on terrestrial and marine biosecurity.
Relevant Traditional Owners	In relation to the land or waters subject to the proposal, means one or more of the following: - a registered native title body corporate for the land or waters; or, - a registered native title claimant for the land or waters; or, - a group of persons with Aboriginal traditional and cultural associations with the land or waters.
Resource	Support (including but not limited to funding and administrative support) for QEP and MTEP members to ensure the ongoing efficient and effective functioning of the QEP and MTEP to meet the requirements of each panels ToR .

Appendix B: Decision-making authorities

The decision-making authorities in the table below have been identified for the purposes of s. 45 as applied by s. 46(8) of the *Environmental Protection Act 1986*.

Decision-Making Authority	Legislation (and approval)
1. Minister for Aboriginal Affairs	<i>Aboriginal Heritage Act 1972</i> – (Section 18 approval to disturb registered Aboriginal heritage sites)
2. Minister for Environment	<i>Biodiversity Conservation Act 2016</i> – (Section 40 authority to take or disturb threatened flora and fauna species)
3. Minister for Lands	<i>Land Administration Act 1997</i>
4. Minister for Mines and Petroleum	<i>Petroleum and Geothermal Energy Resources Act 1967</i>
5. Minister for State Development	<i>Barrow Island Act 2003</i> and the Gorgon Gas Processing and Infrastructure Project Agreement (the State Agreement)
6. Minister for Transport	<i>Marine and Harbours Act 1981</i>
7. Chief Dangerous Goods Officer, Department of Energy, Mines, Industry Regulation and Safety	<i>Dangerous Goods Safety Act 2004</i> – (Approvals for the construction and operation of a Major Hazard Facility and the storage and handling of dangerous goods)
8. Chief Executive Officer, Department of Water and Environmental Regulation	<i>Environmental Protection Act 1986</i> – (Part V Works Approval and Licence)
9. Trustees of the Western Australian Museum	<i>Maritime Archaeology Act 1973</i>

Note: In this instance, agreement is only required with DMA 1 - 6 since these DMA's are Ministers.

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