

METRONET on Swan Ferry Service Expansion – Perth to Applecross Decision Making Authorities (DMA) and processes

Under section 38G(4) of the *Environmental Protection Act 1986 (s38 EP Act)*, in deciding whether or not to assess a referred proposal, the Environmental Protection Authority (EPA) may take into account other statutory decision-making processes that can mitigate the potential impacts of the proposal on the environment. **Table 1** outlines the statutory approvals and decision making authorities, other than the EPA under s38of EP Act, that will mitigate the Proposal's potential impacts on the environment. **Table 2** outlines statutory processes and decision making authorities, other than the EPA under s38of EP Act, that will mitigate the Proposal's potential impact on environmental factors.

Table 1. Statutory Approvals and Decision Making Authorities (Other than EPA under s38 EP Act)		
Decision-making authority	Legislation or agreement regulating the activity	Approval required
Minister for Aboriginal Affairs (Department of Planning, Lands and Heritage)	<i>Aboriginal Heritage Act 1972</i>	<p>Impacts on Aboriginal Heritage</p> <ul style="list-style-type: none"> – s. 18 consent to impact an Aboriginal heritage site application or a permit under Section 18 of the AH Act, if there is any identified impact to Aboriginal heritage sites <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements.</p>
Minister for Aboriginal Affairs, (Department of Planning, Lands and Heritage) (The Minister or Registrar may grant this approval depending on the nature and impact of the activity).	<i>Aboriginal Heritage Regulations 1974</i>	<p>Impacts on Aboriginal Heritage</p> <ul style="list-style-type: none"> – Regulation 10 consent for minor works that disturbs the surface of the ground (i.e., ground excavations, geotechnical investigations, soil sampling) – Regulation 7 consent to bring plant and equipment onto a registered Aboriginal site. <p>Relevant to the initial investigative work to support construction of the physical elements 'Jetties and berthing terminals' and associated construction elements.</p>
Minister for Heritage, (Department of Planning, Lands and Heritage)	<i>Heritage Act 2018</i>	<p>Impacts on non-Aboriginal historic heritage places listed on the State Register of Heritage Places.</p> <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements.</p>
Minister for the Environment, (Chief Executive Officer and Department of Biodiversity, Conservation and Attractions)	<i>Biodiversity Conservation Act 2016</i>	<p>Impacts on Threatened species and ecological communities</p> <ul style="list-style-type: none"> – s.40 authorisation: Required to take or disturb threatened species (critically endangered, endangered, or vulnerable) listed under the BC Act – s.45 authorisation: Required to modify the occurrence of a threatened ecological community listed under the BC Act <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements.</p>
	<i>Conservation and Land Management Act 1984</i>	<p>Access and use of land vested in the conservation estate</p> <ul style="list-style-type: none"> – CALM Act 1984 only applies to Swan River where it overlaps with designated conservation or regional park areas. In the context of this project, that is Matilda Bay foreshore. <p>For full regulatory coverage, the <i>Swan and Canning Rivers Management Act 2006</i> applies (see below).</p> <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements in the Matilda Bay foreshore.</p>
	<i>Swan and Canning Rivers Management Act 2006</i> <i>Swan and Canning Rivers Management Regulations 2007</i>	<p>Development within the Swan River Trust Development Control Area (DCA)</p> <p>Part 4A - Management of land and waters</p> <ul style="list-style-type: none"> – River Reserve Lease <p>Part 2 – Exclusions from Development</p> <ul style="list-style-type: none"> – Application for works, acts, and activities that do not meet the definition of development under the SCRM Act <p>Regulation 16C – Scientific Studies</p> <ul style="list-style-type: none"> – Consent will be required to implement the various in-river and terrestrial scientific investigations required to inform the environmental values of the development footprints. <p>Division 3 – Offences under other Acts</p> <ul style="list-style-type: none"> – A regulation listed under other Actions can be enforced under the SCRM Act as if it were a regulation made under this Act. This includes Litter Regulations, Unauthorised discharges regulations and Controlled waste regulations. <p>Part 5 – Development in development control area</p> <ul style="list-style-type: none"> – Consistent with section 69(1)(a), part 5 applies to a development if it is proposed to be undertaken in the development control area. – Section 70(1) Development to be approved states that Subject to section 71, a person must not undertake or cause to be undertaken any development to which this Part applies without the approval of the Minister or, in the case of development of a class that the CEO is authorised to approve under section 85, the CEO. <p>Relevant to the physical elements 'Jetties and berthing terminals' and ongoing operation of the ferries and jetty terminals in the DCA.</p>

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Minister for Environment (Department of Water and Environmental Regulation)	<i>Contaminated Sites Act 2003</i> <i>Contaminated Sites Regulations 2006</i>	<ul style="list-style-type: none"> – Undertaking contaminated site investigations, management and remediation – Adherence to <i>Contaminated Sites Regulations 2006</i> <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements.</p>
	<i>Environment Protection (Noise) Regulations 1997</i>	<p>Noise impacts from construction activities (i.e., piling), Operational impacts</p> <ul style="list-style-type: none"> – Compliance with Noise Regulations <p>Relevant to the construction of the physical elements 'Jetties and berthing terminals' and operation of charging infrastructure at Matilda Bay.</p>
	<i>Environment Protection (Controlled Waste) Regulations 2004</i>	<p>Handling, storage, and transport of hazardous waste, or potentially contaminated waste (i.e. contaminated soil)</p> <p>Relevant to the construction of the physical elements 'Jetties and berthing terminals'.</p>
	<i>Environmental Protection Act 1986 (Part V, Division 2)</i> <i>Environmental Protection (Clearing of Native Vegetation) Regulations 2004</i>	<p>NVCP for clearing seagrass or exemptions for clearing.</p> <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements where these elements require clearing of native vegetation.</p>
Minister for Water (Department of Water and Environmental Regulation)	<i>Rights in Water and Irrigation Act 1914</i>	<p>Abstraction of groundwater for use during construction</p> <ul style="list-style-type: none"> – 5C Licence to take groundwater (dewatering) – 26D Licence for the construction of wells <p>Relevant to the construction of the physical elements 'Jetties and berthing terminals'.</p>
Minister for Planning and Western Australian Planning Commission	<i>Planning and Development Act 2005</i>	<ul style="list-style-type: none"> – Development approval is being sought via separate applications for the Elizabeth Quay, Matilda Bay and Applecross proposed ferry terminal sites under the <i>Planning and Development Act 2005</i>. The Matilda Bay and Applecross locations intersect with the Development Control Area (DCA) established under the <i>Swan and Canning Rivers Management Act 2006</i>. Applications for development approval at these locations will be determined by the Western Australian Planning Commission, on the advice of the Swan River Trust in accordance with Clause 30A(2)(a) of the Metropolitan Region Scheme. – Specific area measures for Swan Canning River System under Draft SPP2.9. and SPP 2.10 have been addressed in the application. – As a result, relevant DBCA policies under the SCRM Act were considered in relation to the application for development approval. <p>Relevant to the physical elements 'Jetties and berthing terminals' and associated construction elements.</p>
Minister for Transport (Department of Transport and Major Infrastructure)	<i>Jetties Act 1926 and Jetty Regulations 1940</i>	<p>Issuing jetty licenses for construction, maintenance and operation of private, commercial and community jetty use.</p> <p>Relevant to the physical elements 'Jetties and berthing terminals'.</p>
	<i>Western Australian Marine Act 1982 and Prevention of Collisions in State Waters Regulations 1983,</i>	<p>Whilst underway the <i>Western Australian Marine Act 1982</i> and <i>Prevention of Collisions in State Waters Regulations 1983</i> will apply to ferry operations. These are a framework for managing vessel traffic, preventing maritime accidents and maintain waterways safety. These regulations are based on the <i>International Regulations for Preventing Collisions at Sea 1972</i> (COLREGs) and apply to all vessels in State waters, including the Swan River.</p> <p>Relevant to ongoing operation of the ferries.</p>

Table 2. Statutory Processes and Decision Making Authorities (Other than EPA under s38 EP Act)					
Environmental impact	How is the impact regulated by other decision-making process(es)?	Limit(s) of the decision-making process(es) to regulate the impact eg time limits, excluded operations	Likely environmental outcome of decision-making process(es), and consistency with EPA objective	Conditions, enforcement, and review process required by decision-making process(es)	Stakeholder engagement in decision-making process(es)
<p>Benthic communities and Habitats (BCH)</p> <p>Direct impacts:</p> <ul style="list-style-type: none"> Loss of BCH from jetty installation construction activities (including piling) at Matilda Bay and Applecross, and removal of existing moorings (at Matilda Bay and Applecross only). In particular, removal of seagrass and/or available habitat for seagrass seasonal establishment. Permanent shading of BCH under the jetty structure leads to decreased light availability and suitable sites for Benthic Primary Producing Habitats (BPPH) (including seagrasses). <p>Indirect impacts:</p> <ul style="list-style-type: none"> Decreased light availability for BCH outside of the development envelope (DE), due to Total Suspended Solids (TSS) levels increasing in the water column causing decreased growth and/or cover loss of BPPH (during construction and operation phases). Increased smothering of BCH outside of the DE, as a result of the settlement of TSS onto BCH. Result may include cover loss due to the inability of BPPH to recover from smothering effects (during construction and operation phases). Pollution from accidental spills or discharges during construction or operation of the new ferries may detrimentally impact on the health of BCH. Loss of BCH outside of the DE, due to increased toxicity of settled sediments originating from construction-related TSS plumes (construction). 	<ul style="list-style-type: none"> Native Vegetation Clearing Permit under Part V of the EP Act River Reserve Lease and Part 5 development approval under the Swan and Canning Rivers Management Act 2006 (SCRM Act) - Requires assessment and approval of proposals within the Swan Canning DCA. Guided by the River Protection Strategy to safeguard ecological values including BCH. Offences relating to unauthorized discharges or littering can be enforced in accordance with the relevant legislation under the SCRM Act. 	<ul style="list-style-type: none"> NVCP expires within 3 to 5 years and must be re-applied for if clearing has not been undertaken. Applies only within the designated Riverpark and Development Control Area. Lease is for the operation and leasing of the portion of the DCA required for the jetty terminals. Does not override other environmental approvals. May not assess cumulative impacts. Offences will only apply if the thresholds for enforcement are reached for the relevant regulations. 	<ul style="list-style-type: none"> The process aims to avoid, minimize, and mitigate impacts on native vegetation. When properly applied, it supports the EPA's objective to maintain ecological integrity and protect biodiversity. Promotes long-term ecological health and protection of BCH. Aligns with EPA objectives through integrated river management. 	<ul style="list-style-type: none"> Permits may include conditions such as offset requirements, rehabilitation, and monitoring. DWER enforces compliance through inspections and penalties. Decisions can be appealed, and permits are subject to review and amendment Conditions may include habitat protection and rehabilitation. Enforced by DBCA under Part 7 of the Act. Strategy and approvals are subject to review and appeal. 	<p>Part V:</p> <ul style="list-style-type: none"> Third parties (e.g., community members, environmental groups) may lodge an appeal against the decision. Appeals are reviewed by the Minister for Environment, providing a formal avenue for stakeholder input. <p>SCRM Act:</p> <ul style="list-style-type: none"> The Swan River Trust engages stakeholders during the assessment of proposals within the river. Stakeholders include community groups, local residents, and other government bodies
<p>Marine Environmental Quality (MEQ)</p> <p>Direct impacts:</p> <ul style="list-style-type: none"> Mobilisation of sediments temporarily causing increased TSS and reduced water quality. <i>Alexandrium sp. Bloom</i> within silt curtains (Matilda Bay and Applecross only). Increased water toxicity from hazardous chemical spills. <p>Indirect impacts:</p> <ul style="list-style-type: none"> Mobilisation of sediments causing smothering of BPPH at settlement, affecting BPPH growth and/or survival. Mobilisation of sediments causing light reduction, affecting BPPH growth and/or survival in Biologically Important Areas (BIA's). Increased water toxicity and fouling of waterways from site waste released into Swan Canning estuary. <p><i>Acid Sulfate Soils (ASS) disturbance</i></p> <ul style="list-style-type: none"> Sediment mobilisation as a result of installation of new piles, removal of existing wooden piles (if required) and land excavation to construct the ferry terminals and associated infrastructure – this has the potential to expose ASS. 	<ul style="list-style-type: none"> River Reserve Lease and Part 5 development approval under the Swan and Canning Rivers Management Act 2006 (SCRM Act) - Requires assessment and approval of proposals within the Swan Canning DCA. Guided by the River Protection Strategy to safeguard ecological values including MEQ. <i>Planning and Development Act 2005 (PD Act)</i> 	<ul style="list-style-type: none"> Limited to defined river areas; may not assess cumulative impacts. excluded Operations: Minor works or exempt developments (e.g. certain public works or temporary structures) may not require full planning approval. Scope Limitations: The planning system may not assess all environmental risks in detail unless flagged in the application or through referrals. 	<ul style="list-style-type: none"> Promotes long-term ecological health and protection of MEQ. Aligns with EPA objectives through integrated river management. The planning system promotes sustainable land use and environmental protection through strategic planning and policy alignment. Outcomes depend on how well the development proposal addresses, soil erosion and sediment control, vegetation retention and contaminated site management 	<ul style="list-style-type: none"> Conditions may include habitat protection and rehabilitation. Enforced by DBCA under Part 7 of the Act. Strategy and approvals are subject to review and appeal. Conditions: Development approvals may include conditions such as erosion control plans, landscaping requirements, or soil remediation. Enforcement: Local governments or the WAPC can issue stop-work orders, fines, or require remediation for non-compliance. Review: Decisions can be appealed to the State Administrative Tribunal (SAT), and planning schemes are reviewed periodically. 	<p>See above for stakeholder consultation under SCRM Act.</p> <ul style="list-style-type: none"> Public Consultation: Required major development applications. This includes advertising and submission periods. Referral Agencies: Proposals may be referred to agencies like the Department of Biodiversity, Conservation and Attractions (DBCA) for input on environmental matters. Community Engagement: Local governments often conduct workshops, surveys, or public meetings for major developments.
<p>Marine Fauna</p> <p>Direct:</p> <ul style="list-style-type: none"> Vessel strikes, entanglement in construction equipment, underwater noise impacts from piling/hammering activity during jetty construction may affect marine fauna behaviors and spatial ranging. 	<ul style="list-style-type: none"> <i>Biodiversity Conservation Act 2016 (WA)</i> – Protects native species, including marine fauna such as dolphins and fish. <i>Swan and Canning Rivers Management Act 2006</i> – Oversees 	<ul style="list-style-type: none"> Excluded Operations: Minor works or low-impact activities may not trigger full aquatic assessments unless they exceed noise or disturbance thresholds. 	<ul style="list-style-type: none"> <i>Biodiversity Conservation Act 2016 (WA)</i> Environmental Outcomes: <ul style="list-style-type: none"> Protection of native marine fauna (e.g., dolphins, fish) through species listing and habitat conservation. 	<ul style="list-style-type: none"> Conditions: May include real-time noise monitoring, seasonal work restrictions, and fauna observers during construction 2. Enforcement: The Swan River Trust and DBCA can enforce compliance through inspections and penalties. 	<ul style="list-style-type: none"> Community Consultation: Required for major developments, including public comment periods and stakeholder workshops. Inter-agency Coordination: Involves DBCA, Department of Planning, and

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<p>- Direct destruction of marine fauna habitat as a result of piling installation during construction</p> <p>Indirect:</p> <ul style="list-style-type: none"> - Pollutants from construction vessels (such as sewage, waste or fuel) may lead to chemical toxins leaching into the waterways and being ingested by marine fauna leading to sickness or potential deaths. - Changes to one or more physico-chemical, toxicological and/or water turbidity parameters in receiving environment from suspended sediments, creating conditions unsuitable for marine fauna to reside. - Alexandrium sp. may bloom under certain conditions within silt curtains, posing a health risk to marine fauna and humans. Alexandrium sp. are considered irritant species. - Artificial lighting may interfere with natural behaviors of marine fauna. - Increased risk of introduction of Invasive Marine Species (IMS) could change the local ecology, impacting marine fauna species. 	<p>activities within the Swan River, including impacts on aquatic ecosystems.</p> <ul style="list-style-type: none"> - <i>Environmental Protection (Noise) Regulations 1997</i> – Applies to underwater noise impacts from construction. Management Plans are developed to mitigate underwater noise from piling, including safety zones and operational controls. - Swan River Trust (SRT) – Acts as the environmental watchdog for Swan River projects, especially where formal EPA assessment is not required. SRT manages environmental issues such as fauna displacement and water quality through endorsed environmental management plans. 	<ul style="list-style-type: none"> - Scope Limitations: These processes may not fully assess cumulative impacts unless flagged during stakeholder engagement or through inter-agency review. 	<ul style="list-style-type: none"> - Regulation of activities that may harm threatened species or ecological communities. - Implementation of biodiversity offsets and recovery plans. <p>The Act aligns with the EPA’s objective to protect marine fauna.</p> <ul style="list-style-type: none"> - Swan and Canning Rivers Management Act 2006 <p>Environmental Outcomes:</p> <ul style="list-style-type: none"> - Monitoring and reporting of ecosystem health indicators such as water quality (nitrogen, phosphorus, chlorophyll-a, dissolved oxygen), seagrass health and fish community indices <p>Strong alignment with EPA objectives for aquatic ecosystems and marine fauna. The Act supports long-term ecological integrity through performance-based indicators and adaptive management.</p> <ul style="list-style-type: none"> - Environmental Protection (Noise) Regulations 1997 <p>Environmental Outcomes:</p> <ul style="list-style-type: none"> - Regulation of underwater construction noise (e.g., piling) to prevent harm to marine fauna. - Use of noise modelling, soft-start procedures, and exclusion zones to reduce physiological and behavioral impacts on species like dolphins. <p>Supports the EPA’s objective to protect marine fauna by mitigating acoustic disturbances. Outcomes depend on effective implementation and real-time monitoring.</p> <ul style="list-style-type: none"> - Swan River Trust <p>Environmental Outcomes:</p> <ul style="list-style-type: none"> - Oversight of environmental management plans for projects in the Swan River. - Review and endorsement of mitigation strategies for impacts on marine fauna and aquatic habitats. - Coordination of stakeholder engagement and inter-agency input. - SRT acts as a localised environmental guardian, ensuring consistency with EPA principles even when formal Part IV assessment is not triggered. - SRT promotes ecosystem health through collaborative governance and science-based decision-making. 	<ul style="list-style-type: none"> - Review: Management plans are reviewed periodically and updated based on monitoring data and stakeholder feedback. 	<p>Department of Water and Environmental Regulation to ensure comprehensive oversight.</p>
<p>Social Surroundings</p> <p>Noise, vibration and visual impacts</p> <ul style="list-style-type: none"> - Airborne noise and vibration during construction has the potential to adversely affect the amenity of nearby sensitive receivers (e.g. residents, users of Swan River) 	<p>Noise and vibration:</p> <ul style="list-style-type: none"> - <i>Environmental Protection (Noise) Regulations 1997:</i> <ul style="list-style-type: none"> • sets assigned noise levels for different types of premises and times of day. 	<p>Time limits:</p> <ul style="list-style-type: none"> - Construction noise is typically allowed during daytime hours (e.g., 7am–7pm weekdays). - Exemptions may be granted for nightwork under Division 6 Approvals. 	<ul style="list-style-type: none"> - To ensure impacts are minimised to acceptable levels, noise management plans and mitigation measures (e.g., quieter piling techniques) are implemented. - Visual impact assessments ensure developments are consistent with local 	<ul style="list-style-type: none"> - Noise limits, operating hours, and mitigation measures are imposed via development approvals or noise management plans. - Local governments and DWER can issue abatement notices, fines, or require modifications. 	<ul style="list-style-type: none"> - <i>Planning and Development Act 2005</i> – allows for public consultation during development application. - The Noise Regulations are prescribed standards under the <i>Environmental Protection Act 1986</i>, and they are enforced directly by

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<ul style="list-style-type: none"> - Potential underwater noise impacts on river dolphins from piling (this is addressed in the Marine Fauna section above). - Operational noise and vibration resulting from ferry movement over the river and at the terminal charging station. - Visual impacts on surrounding viewpoints, particularly within the foreshore area. 	<ul style="list-style-type: none"> • Includes provisions for construction noise. • Local Government can review and approve Noise Management Plans for out-of-hour noise activities. <p>Visual impacts:</p> <ul style="list-style-type: none"> - <i>Planning and Development Act 2005</i> <ul style="list-style-type: none"> • Visual impacts are considered through local planning schemes and development approvals. • Local governments assess visual amenity impacts during the development application process. 	<ul style="list-style-type: none"> - Certain noise emissions (e.g., from vessels in public waters) are exempt from the Noise Regulations 	<ul style="list-style-type: none"> - character and heritage values. - These outcomes are consistent for EPA objectives for noise, vibration and visual impacts. 	<ul style="list-style-type: none"> - Approvals can be amended or revoked. - Stakeholders can appeal decisions under the State Administrative Tribunal. 	<ul style="list-style-type: none"> - local governments or the Department of Water and Environmental Regulation (DWER), depending on the type of noise source. - There is no statutory requirement within the Regulations themselves for public consultation or stakeholder engagement when applying or enforcing noise limits
<p>Social Surroundings</p> <p>Aboriginal cultural heritage</p> <ul style="list-style-type: none"> - The Proposal has the potential to impact one Registered Aboriginal Cultural Heritage Site – the Swan River (ID 3536) located within the Proposal DE. 	<ul style="list-style-type: none"> - <i>Aboriginal Heritage Act 1972</i> – A section 18 consent is required to disturb or impact a registered Aboriginal site. - Aboriginal Cultural Heritage Committee (ACHC): Reviews applications and makes recommendations to the Minister. - Ministerial Decision: The Minister decides whether to grant consent, with or without conditions. 	<ul style="list-style-type: none"> - Activities not impacting registered sites may not require Section 18 consent. - Emergency work may be exempt under certain conditions. 	<ul style="list-style-type: none"> - The process aims to avoid or minimize harm to Aboriginal heritage. - If harm is unavoidable, it must be authorised and mitigated. - Outcomes are generally consistent with EPA objectives for protecting social surroundings, including cultural heritage 	<ul style="list-style-type: none"> - May include archaeological surveys, monitoring, or avoidance zones. - Conditions can be amended or revoked if new information arises. - Unauthorised damage is an offence under Section 17. - Penalties include fines and prosecution. - Native Title parties and proponents can seek review of Section 18 decisions via the State Administrative Tribunal (SAT). - The Premier can intervene in decisions of state or regional significance. 	<ul style="list-style-type: none"> - Consultation with Traditional Owners, Native Title parties and Local Aboriginal communities is strongly encouraged before submitting a Section 18 application. - The Aboriginal Cultural Heritage Committee includes majority Aboriginal representation, ensuring cultural perspectives are central to decision making.
<p>Social Surroundings</p> <p>Historic heritage</p> <p>The Applecross ferry terminal is proximate to Raffles Hotel (Heritage Place No. 1544), and Canning Bridge (ID 16178) which are listed on the State Register of Heritage Places, listed in a Heritage Agreement.</p>	<ul style="list-style-type: none"> - <i>Heritage Act 2018</i> – impacts on historic heritage are managed through a structured framework that complements other environmental and planning legislation. - <i>Planning and Development Act 2005</i>: Requires local governments to seek advice from the Heritage Council when preparing or amending planning schemes involving heritage-listed places 	<ul style="list-style-type: none"> - Minor works may be exempt from referral to the Council, as defined in the Heritage Regulations. - Interim registrations under the old Act lapse if not confirmed within two years under the new Act. 	<ul style="list-style-type: none"> - The Act promotes conservation, adaptive reuse, and enhancement of heritage places, aligning with EPA objectives of preserving cultural environments. - Development proposals are assessed for their impact on heritage values such as aesthetic, historical, scientific, and social significance, ensuring environmental outcomes are culturally sensitive 	<ul style="list-style-type: none"> - Repair orders: The Minister can issue orders to secure and maintain deteriorating heritage properties, subject to review by the State Administrative Tribunal. - Penalties: Unauthorised impacts (e.g., demolition or alteration) can incur fines up to \$1 million, 1 year imprisonment, and \$50,000 daily penalties. - Review mechanisms: Disputes over heritage agreements or repair orders can be taken to the State Administrative Tribunal. 	<ul style="list-style-type: none"> - Relevant councils are consulted before registration; Council advice and Minister’s decisions must be published for transparency. - Open consultations are held for amendments to heritage listings and statements of significance. - Local governments and agencies such as the Department of Planning, Lands and Heritage are delegated responsibilities under the Act.