

Stan Scott

Thank you for the opportunity to comment on the proposed changes to the EP Act.

I am making this submission in my own name, not on behalf of the Shire of Toodyay.

One of the issues I rubbed up against during my stint in Perenjori was the effect of Section 41 of the Act - ***Decision-making authority not to approve proposal until certain events occur***

The effect of this section is that when a major project lodges its Environmental Impact Assessment all activity stops in the approval space while the EPA works through its processes and the appeals processes are exhausted. If the aim is to have an efficient process there should be provision for parallel processing. Section 41 could require that any decision made by a decision making authority during the assessment period could have a condition to the effect that – ***This approval is subject to the applicant obtaining environmental approval under the Environmental Protection Act. If the applicant does not obtain environmental approval under the Environmental Protection Act this approval will have no effect. If any conditions of approval under the Environmental Protection Act are inconsistent with this approval the EPA approval shall prevail to the extent of any inconsistency.*** Obviously the wording may be different but the intent is clear.

What we have instead is sequential processing which adds significantly to the time taken for a project approval without necessarily adding any value. Whether or not a proponent pursues parallel processing and the risk of wasted money and effort if the environmental approval is not forthcoming becomes a business decision for the applicant. I have not seen any evidence that the hiatus as a result of Section 41 actually leads to improved environmental outcomes.

Best Regards

Stan Scott