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25th November 2009

Mr Paul Vogel
Chair
Environmental Protection Authority
Locked Bag 33, Cloisters Square
Perth Western Australia 6850

Dear Paul

The Urban Development Institute of Australia (UDIA) is the peak body representing the urban land development industry in Australia and we pleased to provide comment on *Draft Environmental Assessment Guidelines, Environmental Impact Assessment Timelines for Proposals* recently tabled at the SRG meeting for the EIA process.

Comments are as follow:

- The guideline refers to S38 referrals only. It would be beneficial to at least note that the EPA intends to expand the scope to include S48 referrals as well (or develop a similar guideline as timelines for land development projects are critical for ensuring successful projects);
- The document's title should more accurately reflect what the document is about, that is "EIA Responsibilities and Timelines for S38 Proposals";
- 4.1.1 - The Guideline states that "...if EPA requires additional information to carry out assessment, it will request the proponent to prepare an Environmental Review document in accordance with scoping guideline prepared by EPA." This would seem totally inconsistent with "Assessment of Proponent Information". If insufficient information is provided in referral then a PER level assessment should be allocated, or the further information can be supplied in a less formal manner. The concern is that officers will regularly use this clause to unnecessarily delay an otherwise simple proposal.
- 4.1.1 - The Guideline states – a proposal will be deemed environmentally unacceptable if "proposal is inconsistent with established environmental guidelines, standards or policy frameworks...". The wording of this requirement will stifle innovation and thinking 'outside the box' that could potentially lead to a substantially better environmental outcome.
- 4.4.1 – The document is unnecessarily wordy, disjointed and repetitive.
- The timeframes for approvals, even the Assessment on Proponent Information (API), are still quite long based on "best case" timelines included in flow charts.
- Some of the review, notification and appeals timelines are governed by statutory requirements, however most time is lost in other areas outside those identified. These include:

- responses back from DMAs (unlikely to occur in two weeks as indicated – more likely 4 weeks)
- delays in EPA assessment (largely depends upon officer availability suggesting that additional resources in EPA are required)
- Minister's availability

In terms of the urban development industry where most sites have been subject to previous environmental review associated with the rezoning process, there could be consideration given to a more streamlined approval process with reduced review, appeal and referral requirements.

We trust you will find these comments instructive.

Yours sincerely

A handwritten signature in black ink, appearing to read "Debra Goostrey". The signature is stylized with a large initial "D" and a trailing flourish.

Debra Goostrey
Chief Executive Officer