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# REVIEW OF TIME REQUIRED FOR EIA

11 July 2003

## 1. INTRODUCTION

This is a review of the time taken for EIA in Western Australia for comparison with the time taken for the PER assessment of the Pinjar to Cataby transmission line. For the time required for undertaking EIA, two comparisons are made: one is a comparison with typical assessment of proposals; the second is with projects that have involved contentious issues.

In setting out the steps for comparison, it is necessary to make some minor adjustments to the other steps in the timetable provided by Western Power. This is to be able to make comparisons using the standard timing data collected by the DEP. Table 1 shows the Western Power information in relation to the DEP steps. While there are not as many categories in the DEP steps, it does provide a basis for making a comparison with other proposals.

The DEP also collects statistics on the time involved during the assessment according to who has the prime responsibility for that step in the process. This is assumed to be as follows:

- EPA has prime responsibility for:
  - setting level of assessment,
  - finalising the scoping document (after determination of appeals on level of assessment),
  - preparation of the EPA Bulletin (after response to submissions and issues raised by EPA have been received);
- Proponent has prime responsibility for:
  - preparation of the environmental report on the proposal (after the scoping document has been completed),
  - final response for submissions and issued raised by EPA (after closing date of public review period);
- Public has prime responsibility for:
  - appeal on level of assessment,
  - review of environmental report,
  - appeal on EPA Bulletin; and
- The Minister has prime responsibility for:
  - determination of appeals on level of assessment,
  - appeal process on EPA Bulletins (the work of the Appeals Convenor in reporting to the Minister),
  - determination of appeals on EPA Bulletins (the Minister's consideration of the appeal decision),
  - issuing of final authority.

Note that the task of finalising the scoping document has recently (2002) been transferred to the proponent. However for the analysis in this report the responsibility is with the EPA.

Table 2 sets out the timing analysis on this basis for the Pinjar to Cataby Transmission Line PER.

## **2. COMPARISON WITH OTHER ASSESSMENTS**

### **2.1 Typical Assessment Timelines**

For each quarter, DEP sets out the time required for assessments completed in that quarter. It also provides a breakdown according to the agency with prime responsibility for steps in EIA.

Table 3 sets out the assessment times for the quarter in which the Pinjar to Cataby Transmission Line PER was authorised (Jul-Sep 2002) and for the two quarters before and after. This analysis includes all forms of formal assessments. It includes assessments at lower levels than PER which can be expected to take less time to complete compared to PERs.

In comparison with the projects assessed during the time period of the Pinjar-to-Cataby Transmission Line PER the timings indicate:

- EPA took about four times the mean time for a typical assessment (186 days compared to 42 days).
- The proponent took about three times the mean time required for a typical assessment (341 days compared to 112 days).
- The public had about 2 1/2 times longer for review and appeals (56 days compared to 21 days).
- The Minister took the same time (133 days compared to 132 days), and
- The overall time was more than twice the typical time (715 days compared to 308 days).

### **2.2 Comparison with Significant Projects**

However it should be noted that the Pinjar-to-Cataby Transmission Line assessment was for a PER which is the second highest level of assessment. It is therefore more appropriate to compare this PER with other projects of a similar nature.

From a review of recently completed assessments, the time taken for other significant proposals has been compiled. Proposals that were put on hold were excluded. Timing data for the following proposals that were assessed in the same time frame as the Pinjar to Cataby transmission line were extracted:

- Construction of cargo wharf and associated cargo-handling facilities to the north of James Point Stage 1 (PER),
- Coral Coast Resort – Phase 1 Mauds Landing (PER),
- Lancelin to Cervantes Coast Road (PER),
- Methanex Methonal Complex, Burrup Peninsula (PER), and
- Koolyanobbing Iron Ore Expansion (PER).

The time for each of the steps identified in DEP's record is shown in Table 4. The comparisons with other PERs yield a different picture compared to the mean times for formal assessments.

- EPA time for the other PERs varies from 157 to 209 days compared to the Pinjar to Cataby transmission line PER time of 186 days. While the Pinjar to Cataby transmission line had the longest time for setting level of assessment (47 days), the time for finalising the scoping document (65 days) and EPA Bulletin preparation (74 days) were within the range for other PERs (32 to 150 days for scoping and 35 to 155 days for Bulletin preparation).
- The total Proponent Time varied substantially (from 123 to 862 days) with the Pinjar to Cataby transmission line taking 341 days of Proponent Time. The times for the proponent steps for the Pinjar to Cataby transmission line were similar times (133 days for PER completion and 208 for response for submissions) to the other PER (Koolyanobbing Iron Ore) where vegetation issues were of concern (174 days for PER completion and 196 days for response to submissions).
- For the Pinjar to Cataby transmission line, the public review periods were the PER minimums (14 days for appeal on level of assessment, 28 days for public review of PER and 14 days for appeal on EPA Bulletin). The Coral Coast Marina and Lancelin to Cervantes Road PERs had longer periods for the public review of the PER (84 days and 49 days respectively).
- The time required for Ministerial determinations for the Pinjar to Cataby transmission line PER (132 days) was also within the range for other PERs (60 to 228 days). (Note that two of the PERs, the Cargo Wharf at James Point and the Coral Coast Marina, are still to have their appeals determined).
- The Pinjar to Cataby transmission line PER had the longest appeal determination on level of assessment (42 days) but this was only marginally greater than that for the Coral Coast Marina PER (40 days).
- The final Ministerial determination (83 days) was the second shortest in the overall range from 58 to 220 days.

Thus for a PER, the time required to undertake the overall assessment for the Pinjar to Cataby transmission line is within the range of the assessment times for other PERs.

TABLE 1: COMPARISON OF WESTERN POWER AND DEP STEPS USED TO ANALYSE TIMING OF ASSESSMENTS FOR PINJAR TO CATABY TRANSMISSION LINE PER

<b>WESTERN POWER</b>		<b>DEP</b>	
<b>Event</b>	<b>Time from Previous Event (Days)</b>	<b>Time from Previous Event (Days)</b>	<b>Event</b>
WPC submits referral document			Proposal referred to EPA
WPC received level of assessment	47	47	Assessment decision made by EPA
Appeal period on level of assessment	14	56	
	5		Appeals process on Assessment Decision Finalised
WPC received draft guidelines		65	
WPC received final guidelines	102		Scoping document completed
WPC submits draft PER to DEP	125	133	
WPC received approval for publishing	8		Environment Review document completed
Public submissions period	28	28	Public Review Period
WPC received summary of submissions	38		
WPC submits response to submissions	91		
Request for further information	23	208	
Further information submitted	27		
WPC attends EPA meeting	29		Final Response to Submissions and EPA Issues
EPA's Bulletin released	74	74	EPA Assessment Report Released
Bulletin Appeal Period closes	14		
WPC received Bulletin appeals	1	38	
WPC submits responses	23		
			Appeals process on Assessment Reports finalised
WPC received determination of appeals	83	83	Ministerial Statement published
WPC received notice of approval	7	7	Final Authority/rejection issued

**TABLE 2: TIME TAKEN (DAYS) ACCORDING TO AGENCY WITH PRIME RESPONSIBLE FOR STEPS IN EIA FOR PINJAR TO CATABY TRANSMISSION LINE PER**

<b>STEP IN THE PROCESS</b>	<b>EPA</b>	<b>PROPONENT</b>	<b>PUBLIC</b>	<b>MINISTER</b>
Setting Level of Assessment	47			
Appeal on Level of Assessment			14	
Determination of Appeals				42
Finalisation of Scoping Document	65			
Preparation of Environmental Report		133		
Public Review of Environmental Report			28	
Final Response to Submissions		208		
Preparation of EPA Bulletin	74			
Appeal Process on EPA Bulletin			14	
Ministerial determination of Appeals				90
<b>TOTAL</b>	<b>186</b>	<b>341</b>	<b>56</b>	<b>132</b>

**TABLE 3: TIMING COMPARISON OF PINJAR TO CATABY TRANSMISSION LINE PER WITH OTHER ASSESSMENTS OF PROPOSALS**

<b>QUARTER</b>	<b>NUMBER OF ASSESSMENTS</b>	<b>TIME WITH AGENCY WITH PRIME RESPONSIBILITY</b>				
		<b>EPA</b>	<b>PROPONENT</b>	<b>PUBLIC</b>	<b>MINISTER</b>	<b>TOTAL</b>
Jan-Mar 2002	6	28	63	28	169	288
Apr-Jun 2002	7	21	14	14	119	168
Jul-Sep 2002	8	42	203	35	169	449
Oct-Dec 2002	12	56	126	21	91	294
Jan-Mar 2003	6	63	126	28	112	329
<i>Overall mean</i>	<i>39</i>	<i>42</i>	<i>112</i>	<i>21</i>	<i>133</i>	<i>308</i>
<b>Pinjar to Cataby PER</b>		<b>186</b>	<b>341</b>	<b>56</b>	<b>132</b>	<b>715</b>

**TABLE 4: TIMING COMPARISON OF PINJAR TO CATABY TRANSMISSION LINE PER WITH ASSESSMENT OF OTHER PERS**

STEP IN PROCESS	PINJAR TO CATABY				CARGO WHARF JAMES POINT				CORAL COAST MARINA				LANCELIN TO CERVANTES ROAD				METHANEX METHANOL COMPLEX				KOOLYANOBING IRON ORE			
	E	Pr	Pu	M	E	Pr	Pu	M	E	Pr	Pu	M	E	Pr	Pu	M	E	Pr	Pu	M	E	Pr	Pu	M
Setting Level of Assessment	47				9				2				24				9				12			
Appeal on Level of Assessment			14				14				14				14				14				14	
Determination of Appeals				42				-				40				-				-				26
Finalisation of Scoping Document	65				32				44				87				45				150			
Preparation of PER		133				206				101				384				81				174		
Public Review of PER			28				28				84				49				28				28	
Final Proponent Response		208				38				138				478				42				196		
EPA Bulletin Prepared	74				116				120				96				155				35			
Appeals Process			14				14				14				14				14				14	
Ministerial Determination				83				117*				143*				220				58				120
Final Authority Issued				7												8				2				3
TOTAL: EPA Proponent	186				157				166				207				209				197			
Public Minister		341				244				239				862				123				370		
			56				56				112				77				56				56	
				132				117*				183*				228				60				149
Overall	715				574*				700*				1339				448				772			

\* Appeals on these PERs are still to be determined