

ENVIRONMENTAL PROTECTION AUTHORITY — PUBLIC NOTIFICATION SYSTEM

1551. Mr C.J. Tallentire to the Minister for Environment:

- (1) Is the Minister aware that an environment group recently exposed the fact that dozens of people who had signed up to the Environmental Protection Authority's public notification system, which has replaced its weekly newspaper advertisements, had not received any notifications for months?
- (2) Will the EPA apologise to people who had signed up to that system thinking that they were going to be kept up to date with referrals to, and assessment decisions made by, the EPA?
- (3) How many public notification systems does the EPA now have?
- (4) Do they all provide the same information, or do they provide different information?
- (5) If different, precisely in what ways and for what purpose?
- (6) Exactly how many people or organisations are listed on or signed up to each of these systems?
- (7) For each of the notification systems, which of the following matters of public interest are reported to the public:
  - (a) all projects referred to the EPA or called in by the EPA;
  - (b) all decisions of the EPA on whether to assess or not;
  - (c) all decisions of the EPA on what level of assessment will be applied;
  - (d) details of all opportunities for the public to provide comment or make submissions on proposals referred or assessments underway;
  - (e) the publication of reports and recommendations by the EPA; and
  - (f) any other decisions made by the EPA (or its Chairperson) relating to proposals referred or called in, including decisions to modify approvals and conditions without public notification or comment?
- (8) Can the Minister explain what is the difference in content, on the EPA website, between the page entitled *Public Notices: Chairman's Determination on Proposals Referred*, and the page, *Public Notices: Monday Advertisements*?
- (9) How can a member of the public know precisely, in totality and in a timely manner (so as to be able to participate in any relevant public comment opportunity):
  - (a) which proposals have been referred to the EPA;
  - (b) how and when to comment on the decision as to whether any proposal should be assessed by the EPA and at what level;
  - (c) what decision the EPA makes in relation to whether or not to assess;
  - (d) what decision the EPA makes in relation to the level of assessment;
  - (e) when and how the public can make comment on a proposal to be assessed;
  - (f) when the EPA finalises and publishes its report and recommendations;
  - (g) what conditions have (or have not) been recommended to be applied to implementation of any given proposal; and
  - (h) when and how the public may appeal any or all of the above decisions?
- (10) Is the Minister aware of how confusing the EPA system is now for the public?
- (11) Has the Minister made any representations to the EPA regarding what information is to be made available to the public and in what manner and what input the public can make and in what manner?
- (12) What steps will the Minister take to clarify, simplify and make more open and transparent the EPA's notification of its decisions and public input systems and processes?

**Mr A.P. Jacob replied:**

- (1)–(2) The Office of the Environmental Protection Authority (OEPA) became aware on 7 October 2013 that its email alert service for public comment periods was not functioning properly. The OEPA notified me of this matter on 7 October. The problem affected around 90 subscribers and has now been rectified.

- (3)–(5) The OEPA has steadily increased the availability of information through its website. The email alert service is used in addition to other channels of notification, including website publication, Twitter alerts, RSS feeds and, for Public Environment Review (PER) document comment periods, newspaper advertisements. Further detail is provided in the response to (7).
- (6) The OEPA does not track numbers of unique visitors to the website or consultation hub, and is precluded from knowing the number of people who may have subscribed to RSS feeds as this is confidential to the subscriber. As of 31 October 2013, there are 112 subscribers on the consultation hub’s mailing list and the EPA has 94 followers on Twitter.
- (7)
- (a) All new projects referred to the EPA or called in by the EPA are open for 7 days public comment on its online consultation hub. Notifications are distributed through the email subscription list, Twitter and the RSS feed.
  - (b)–(c) All decisions of the EPA on whether or not to assess a proposal or scheme, and the level of assessment, are published on the website, and notifications are distributed through Twitter and the RSS feed. The EPA’s decision not to assess a proposal is subject to a 14-day appeal period through the Office of the Appeals Convenor.
  - (d) All Public Environmental Review documents are advertised for public comment on the online consultation hub, with notifications provided through the email subscription list, Twitter and the RSS feed. The EPA’s *Administrative Procedures 2012* also oblige proponents to advertise PER documents in newspapers.
  - (e) All EPA reports and recommendations on proposals are made public and notifications are distributed through Twitter and the RSS feed. All reports on new proposals are subject to a 14-day appeal period through the Office of the Appeals Convenor.
  - (f) All EPA reports on inquiries under section 46 of the Environmental Protection Act (proposed change to conditions) and all decisions made under section 45C of the Environmental Protection Act (change to proposal after assessment) are published on the website. Notifications are distributed through Twitter and the RSS feed.
- (8) The page titled *Public Notices: Chairman’s Determinations on Proposals* provides a weekly record of determinations on levels of assessment by the Chairman of the EPA. The page titled *Public Notices: Monday Advertisements* provides a weekly record of levels of assessment set that have an appeal period, whether public advice has been given, and reports released by the EPA.
- (9)
- (a)–(f) This information is provided on the EPA’s website and via notifications as outlined in the response to (7).
  - (g) Ministerial Implementation Statements are published on the EPA’s website.
  - (h) Where relevant, the information on the EPA website indicates if appeals can be lodged. Further information on the appeals process is available on the Appeals Convenor’s website.
- (10)–(12) The OEPA regularly seeks feedback from stakeholders as part of its efforts to continuously improve the transparency and availability of information. Any feedback received by me or my office is provided to the OEPA.