Broad observations about the review of the EP&A Act

1. The 1998 amendments bringing the BA system into the EP&A Act achieved none of the imagined benefits and made the system more complex, costly and cumbersome. This should be reviewed.

2. The continual amendments ("bolt-ons") to the Act have led to unnecessary complexities in the process. This should be reviewed and the bolt-ons properly integrated.

3. A hierarchy of development types based on those requiring more detailed assessment (category of development/environmental issues etc) should be established. The Queensland model is admirable in its simplicity.

4. There needs to be an alternative simple system dealing with less complex developments which do not fit into exempt or complying development. Applicants find exempt or complying development simply too hard.

5. State Environmental Planning Policies (SEPPs) have added confusion and complexities rather than simplified the process. This has raised issues about what is the consent authority, under which planning instrument consent is to be granted, the introduction of new terms not defined in existing legislation, for example "flood control lot". This should be reviewed and simple things like solar panels should not be included in the Infrastructure SEPP alongside developments such as power stations, rail sidings etc.

6. The blurred responsibilities between Part 4 and Part 5 should be clarified with a desirable returned to Part 4 dealing with private land and Part 5 dealing with Crown land and there should be a consistency of process, applications and self-assessment.

7. Urgent need to bring relevant parts of external legislation (e.g., Threatened Species, Bushfire) into the EP&A Act.

8. Streamline appeal processes.

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Secretary
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