

ENVIRONMENTAL PROTECTION ACT 1986, SECTION 5

6003. Hon Robyn McSweeney to the Parliamentary Secretary representing the Minister for the Environment

I refer to the Environmental Protection Act 1986, and ask —

Will the Minister consider the provisions of the *Environmental Protection Act 1986*, s5, be amended to exclude the provisions of the *State Administrative Tribunal Act 2004* from its operation, and that the Environmental Protection Authority becomes an advisory body to the State Administrative Tribunal whose decisions will be subject to public examination by the proponent of the application, and thus publicly have to justify its advice and opinions?

Hon SALLY TALBOT replied:

No. The Environmental Protection Authority (EPA) is an independent statutory authority which provides environmental advice to the Minister for the Environment. It is not a decision making authority which determines whether developments may proceed or not. The EPA's assessment process is transparent, all EPA advice is publicly available, and there are proponent and third party appeal provisions under the Environmental Protection Act 1986 regarding the EPA's advice.