

Sample Literature Review 1

Research question

How can temporal aspects of the Environmental Impact Assessment and planning approvals process for State Significant Infrastructure (SSI) projects be improved?

Literature review

The tensions between achieving efficient timeframes for environmental impact assessment (EIA) and planning approvals, and the need for a robust and effective process are well documented (Middle & Middle, 2010; Snell & Cowell, 2006). The tensions are also apparent in politics and media. This is demonstrated when governments respond to strong community (and media) demand for particular infrastructure projects by committing to commence construction within relatively short periods of time, often within their term of government. Media articles by Saulwick (2011) and Breen (2011) provide examples of such public timing commitments.

While there is limited published literature on EIA timeframes, data on jurisdictions other than NSW include a Western Australian review by Middle & Middle (2010) that identified the average time for ‘Full EIAs’ as 890 days. Internationally, Dill (2006) identified around six years for her study in the United States, while an older study by the European Commission (1998) indicated that ‘Project EIAs’ are usually completed within two years in the United Kingdom.

The tensions between the desire for expeditious project approval and the timeframes actually taken have led to successive amendments to planning legislation to ‘streamline’ the process. NSW Government planning reforms undertaken in the mid-2000s represent the most significant changes to the planning system since the planning legislation commenced in NSW 25 years ago (DIPNR, 2005). These reforms were intended to make it simpler, more efficient and more effective. However, they were met with significant criticism in the media (Farrelly, 2006; Harley, 2007), academic literature (Ghamen, 2008; Carroll, 2005) and amongst community advocacy groups (EDO, 2011). The common criticism is that expediency has been at the cost of thorough consideration.

There is also a separate body of literature that examines the effectiveness and cost-effectiveness of EIA processes both locally (Macintosh, 2009; Annandale & Taplin, 2003) and internationally (see Wood, 2003; Cashmere et al, 2009; Oosterhuis, 2007). While they identify variable findings on effectiveness, generally constrained by the difficulty in obtaining accurate data, they confirmed that EIA costs and timeframes were often significant.

Improving administration and practice

A range of improvements regarding the more administrative and management practices that support the EIA process have also been pursued.

In NSW, a number of infrastructure agencies have had procedures and guidelines in place for EIA for more than a decade, including Sydney Water (1995) and Roads and Maritime Services (RTA, 2001). These are subject to continuous improvement, being updated and improved based on applied and practical learnings, experience, and examples of best practice. There also exists a substantial body of literature which describes the EIA process in various jurisdictions and provides both practical and theoretical guidance on its undertaking (see Elliott & Thomas, 2009; Eccleston, 2000; James, 1995; Macintosh, 2010).

However, there appears less academic literature discussing or proposing improvements to the administrative processes involved between agency and proponent that are so critical to the practice of environmental impact assessment.

In jurisdictions with more established EIA systems, such as the United States, the most salient example may be the *Environmental Stewardship and Transportation Infrastructure Project Reviews* under executive order 13274. This involved interagency taskforces working cooperatively on integrated planning and identified realistic timeframes for agencies to develop and review projects (ICF, 2005).

However, there is conjecture in the literature about the effectiveness of these attempts to streamline the environmental process. Dill (2005) and STPP (2002) argue that this is because the major causes of delay are often not EIA-related factors but issues related to local communities, or funding- and priority-related delays. Notwithstanding, delays in the assessment and approvals process remain the cause of delays for a significant number of projects.

An examination of the Australian literature identifies multi-jurisdictional processes as an area for improvement, focussing on greater Commonwealth-State cooperation (James, 1995;

Macintosh, 2010), while in Queensland, a recent review of the approvals process for mining and petroleum tenures identified a range of recommendations including improved accountability for agency approval timeframes (DEEDI, 2011).

However, despite the integral nature of the engagement between government agencies and infrastructure authorities during the environmental assessment and approvals process there appears to be little examination in the literature into opportunities to improve these engagement processes and practices. The implementation of interagency working groups has the capacity to achieve significant reductions to the timeframes and costs associated with EIA in NSW and other jurisdictions.

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