

From: Ryan Djanegara
To: [StrategyandReform](#)
Cc: [Simon Hall](#)
Subject: Comments for the proposed guidance statements
Date: Friday, 26 February 2016 9:19:38 AM
Attachments: [image001.jpg](#)
[Pages from 23.02.2016 DSC Minutes.pdf](#)

To whom it may concern,

The Shire of Harvey has reviewed the proposed guidance statements prepared by the Department of Environment Regulation. The Shire has prepared a draft response which will be considered by Council on the Tuesday 1st March.

This response was reviewed by the Shire's Development Services Committee on the 23rd February 2016, and a copy of those minutes have been attached. The Shire's response will be as follows:

Draft Guidance Statement: Regulatory Assessment Framework – Division 3, Part V, Environmental Protection Act 1986

The Council is concerned that there isn't any formal feedback to the correspondence made by relevant stakeholders and how these comments will be incorporated into DER's decision making process. It is therefore considered appropriate that DER should include a feedback system as part of the application process whereby the relevant stakeholders are advised how their concerns or any issues raised will be addressed (whether this would equate to a refusal or approval with relevant conditions). This should be also be reflected in Figure 1 on Page 3 of the Guidance Statement.

In addition, Council is also concerned of the ongoing lack of adequate advice for planning applications that are being referred to DER. Whilst it is acknowledged that the process outlined in this framework relates to the assessment of works approvals and licenses for prescribed premises, there is a deficiency in the land use planning referral process. Currently DER has been advising the Shire that they will address any environmental concerns through their own assessment processes without providing any further technical advice. As previously identified in the Council's response, DER is legally obliged to provide environmental technical advice as part of the planning application process. This advice is necessary as part of our decision making process for the consideration of land uses that have an environmental concern.

Draft Guidance Statement: Regulatory Controls – Division 3, Part V, Environmental Protection Act 1986

The Council raises no concerns to the document.

Draft Guidance Statement: Environmental Risk Assessment Framework – Division 3, Part V, Environmental Protection Act 1986

The Council raises no concerns to the document.

Although the submission period is closed by the 26th February 2016, we request you consider this our formal submission until the Council's Ordinary Meeting which will occur on the 1st March 2016. After this meeting we will give you a formal response on letter head.

We appreciate you take our comments into consideration and thank you for the opportunity to respond to your documents. Thank you.

Regards

Ryan Djanegara

Planning Officer
SHIRE OF HARVEY

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