

Impact Assessment evolution or revolution? It depends on whom you ask

Session #79b Let's talk about this –
Evolution or revolution for IA
Wednesday 2 May 2019

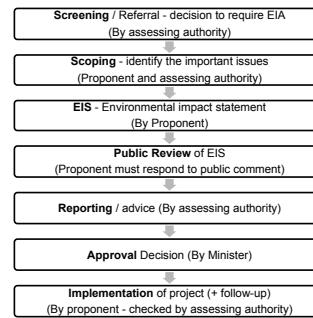
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[1]

Overview of the EIA process

Basic EIA process



Stakeholders

Proponent, regulator
Proponent, consultants, regulator
Proponent, regulator, consultants, researchers, community, non-government organisations
Regulator
Proponent, regulator, consultants, researchers

[2]

Figure Source: Adapted from Sadler, 1996

Introduction

The direction that EIA takes in the future will largely depend on stakeholders engaged in the process.

Different stakeholders will have different expectations of EIA, which can lead to conflict throughout the EIA process (Beanlands and Duinker, 1983; Elliott, 2014; Fuller, 1999; Morgan, 1998; Morrison-Saunders, 2018; Sadler, 1996).

There may be more to expectations than has previously been considered.

Understanding of stakeholder expectations has the potential to assist in determining the best way forward for future IA practice.

[3]

From the headlines...

Angry residents vow to block Roe 8 construction
- ABC News (23 Oct 2015)

Perth wetlands group wins court challenge against controversial Roe 8 highway extension
- ABC News (16 Dec 2015)

WA environmental watchdog needs radical reform, review finds
- ABC News (17 May 2016)

Roe 8: Perth's environmental flashpoint in the WA election
- The Conversation (9 Mar 2017)

WA election: Labor win stops Roe 8 in its tracks
- Financial Review (13 Mar 2017)

[4]

EIA stakeholders

Stakeholder type	Typical role/s
Proponent	Project planning and development. Development of EIS/ESD. Implementation of proposal.
Regulator	Administration of the EIA process including the development of policies and guidance materials.
Local resident	Provide additional information on local issues of interest.
Environmental NGOs	Provide additional information on local environmental issues of interest.
Consultants	Provide technical expertise throughout the EIA process.
Academics	Contribute to the theoretical discourse of EIA by presenting evidence for how (and why) EIA can be most effective.

[5]

Conceptualising expectations

Definition of expectations are numerous and diverse (Huron, 2008; Sitzia & Wood, 1997).

Expectation is *'a belief that something should happen in a particular way, or that someone or something should have particular qualities or behaviour'* (Macmillan Dictionary, 2017).

In the context of EIA an expectation is defined as *a belief that EIA should happen in a particular way, or have particular qualities.*



[6]

Stakeholder expectations

With the EIA literature two bodies of work are relevant to stakeholder expectations:

1. Studies that suggest general expectations based on the author's knowledge and experience of EIA.
2. Studies that imply expectations based on empirical research.

[7]

General expectations (i)

Table 8.1 Objectives of different participants in EIA.

Developer	Decision authority	Local resident	Local environmental group
Speed decision process	Resolve conflict so as to reduce appeals	Stop or delay an unwelcome proposal	Stop or delay an unwelcome proposal
Ensure a focus on significant issues	Speed implementation process	Input local knowledge to the decision process	Input detailed knowledge to decision process
Reduce or eliminate protest	Add to professional knowledge	Ensure personal interests are protected	Ensure alternative knowledge and expertise is input to decision
Bring people onto their side	Introduce additional information and knowledge to the decision process	Change proposals to minimize personal and community disbenefits	Protect local environmental objectives
Ensure control over the information process	Provide an additional check on project proponents	Provide a check on local decision authority	Provide a check on local decision authority
Enhance company/organisational image	Enhance confidence of politicians to take a decision	Ensure people are listened to	Protect broader environmental objectives of the group and affiliated groups
Ensure a permission to develop	Inform and educate people about the development/planning process		

Table source: (Petts, 1999; p.150)

[8]

General expectations (ii)

Table 8.1 Objectives of different participants in EIA

Developer	Decision-authority	Local resident	Local environmental group
Speed decision process	Resolve conflict so as to reduce appeals	Stop or delay an unwelcome proposal	Stop or delay an unwelcome proposal
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Table source: (Petts, 1999; p. 150)

Highlights the pluralistic nature of EIA (Morrison-Saunders et al. 2013).

[9]

Empirical research (i)

Varies in focus and context.

Examples from WA:

- Practitioner perspectives on **what influences EIA quality** (Morrison-Saunders, Annandale & Cappelluti, 2001).
- Practitioner perspectives on the **role of science in EIA** (Morrison-Saunders & Bailey, 2003).
- Practitioner perspectives on the **role of informal strategic advice** (s.16 of EP Act) (Martin & Morrison-Saunders, 2015).

Implicit in nature i.e. engaging stakeholders on various aspects of EIA.

Expectations may be inferred from the results and recommendations within these studies.

[10]

Empirical research (ii)

What influences EIA quality in WA (Morrison-Saunders et al., 2001).

Study result:

'...social, economic, and political considerations were frequently identified as major nonscientific factors influencing the decision-making process' (p.324)

Implied expectations that:

Several factors (i.e. environment, socio-economic) should form the basis of EIA decision-making [Proponents, Consultants, Regulators, Other government agencies]

[11]

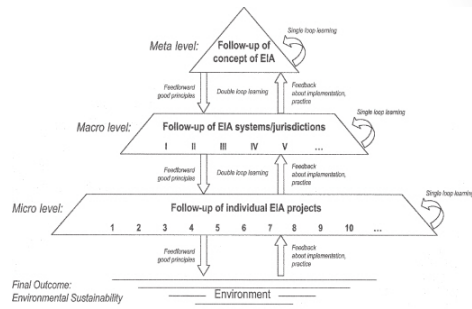
Expectations types

Utilising the dimensions of effectiveness (Bond et al. 2015; Pope et al., 2018) to frame expectation types:

- 1. Procedural effectiveness:** Have appropriate processes been followed that reflect institutional and professional standards and procedures?
- 2. Substantive effectiveness:** To what extent does the assessment lead to changes in process, actions, learning or outcomes?
- 3. Transactive effectiveness:** To what extent, and by whom, is the outcome of conducting the assessment considered to be worth the time and cost involved?
- 4. Legitimacy:** Was the assessment process perceived to be legitimate by a wide range of stakeholders?

[12]

Expectation level



EIA follow-up at different levels and their relationships (Arts and Morrison Saunders, 2004; p.631)

[13]

Stakeholder Expectations Framework

An expectation is a belief that EIA should happen in a particular way, or have particular qualities

Dimensions	Procedural expectation: a belief that the EIA process should be undertaken in accordance with institutional and professional standards and procedures.
	Transactive expectation: a belief that the EIA process should be efficient in terms of time and cost.
	Substantive expectation: a belief that the EIA process should lead to change/s in process, actions, learning or outcomes.
	Legitimacy expectation: a belief that the EIA process should be perceived as legitimate by a wide range of stakeholders.

Micro	Macro	Meta
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[14]

Example stakeholder expectations

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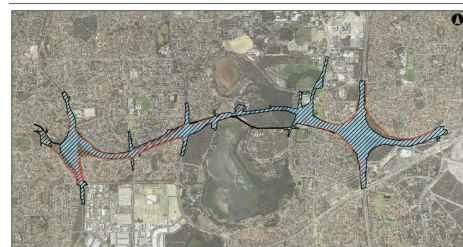
Better quality ESDs should deliver better quality environmental outcomes [Academics]

Timely regulatory advice from the assessing authority [Proponents]

The EIA process should be an instrument for sustainable development [Environmental NGOs]

[15]

Roe Highway Stage 8 Extension



Source: Southmetro Connect, 2013; p.8 Roe Highway Extension: Response to Public Submissions 1 May 2013 60100953-413D-EN-REP-0007 Available at: http://www.epa.wa.gov.au/sites/default/files/Proponent_response_to_submissions/Roe%20H%20Response%20to%20submissions.pdf

[16]

Key Expectation: Roe 8

Local residents / Environment NGOs expect the EIA process to be a vehicle to prevent 'stop' development
[Substantive expectation] + [Meta expectation]

Highlighted aspects of the WA system at variance:

- Statutes do not prevent development (Bailey et al. 2018)
- Appeal process is not a forum to voice general opposition (Doherty, 2010)
- Judicial reviews are concerned with legality of administrative decision, not overall merit of a decision (Law Reform Commission of WA, 2002)

Leading to proposed solutions to meet this expectation in the future.

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Conclusion

Evolutionary ideas (have been implemented)

- Substantial changes to EIA Administrative Procedures and accompanying guidance material.
- EPA's approach to public consultation and engagement processes online and through social media.

Revolutionary approach

- The reform of environmental law
- Deliberative democracy for decision-making and
- Change of IA tool.

Before calling for evolution or revolution, it is worth exploring the type (and level) of expectations held by stakeholders.

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Thank you, any questions?

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