

Preparing an environmental impact statement: Guideline for proponents

January 2012

© State of Queensland. Published by Queensland Government, January 2012,
111 George Street, Brisbane Qld 4000.

The Queensland Government supports and encourages the dissemination and exchange of information. However, copyright protects this publication. The State of Queensland has no objection to this material being reproduced, made available online or electronically but only if it is recognised as the owner of the copyright and this material remains unaltered. Copyright inquiries about this publication should be directed to crown.copyright@qld.gov.au or in writing to: Administrator (Crown Copyright and Other IP), Department of Employment, Economic Development and Innovation, PO Box 15168, City East, Qld 4002.

The Queensland Government is committed to providing accessible services to Queenslanders of all cultural and linguistic backgrounds. If you have difficulty understanding this publication and need a translator, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Queensland Department of Employment, Economic Development and Innovation on 132 523.

Disclaimer: While every care has been taken in preparing this publication, the State of Queensland accepts no responsibility for decisions or actions taken as a result of any data, information, statement or advice, expressed or implied, contained within. To the best of our knowledge, the content was correct at the time of publishing.

Contents

| | | |
|-----|---|---|
| 1 | Introduction | 1 |
| 2 | Overview of the EIS process..... | 1 |
| 2.1 | Terms of reference..... | 1 |
| 2.2 | EIS | 1 |
| 2.3 | Coordinator-General's EIS evaluation report | 2 |
| 3 | EIS requirements | 2 |
| 3.1 | Purpose..... | 2 |
| 3.2 | Audience | 2 |
| 3.3 | Stakeholder consultation..... | 3 |
| 3.4 | Format and approach..... | 3 |
| 3.5 | Format and copy requirements | 5 |
| 4 | More information | 6 |

1 Introduction

This guideline is for proponents of projects declared 'significant projects' under section 26(1)(a) of the *State Development and Public Works Organisation Act 1971* (SDPWO Act). It includes general and administrative information on preparing an environmental impact statement (EIS), including:

- the target audience for the EIS
- stakeholder consultation requirements
- document format
- copy requirements.

The guideline should be read in conjunction with the final (approved) terms of reference (TOR) for the relevant significant project, which set out the specific requirements proponents are required to address in the project-specific EIS.

2 Overview of the EIS process

2.1 Terms of reference

As part of the environmental impact assessment process, the Coordinator-General requires a project proponent to prepare an EIS. The matters to be addressed in the EIS are set out in the project's TOR, which are prepared by the Significant Projects Coordination Branch, in the Office of the Coordinator-General.

Draft TOR are made available for public and advisory agency comment, before being finalised and provided to the proponent.

2.2 EIS

2.2.1 Timing

The EIS must be acceptable to the Coordinator-General and be provided within two years of the TOR being finalised (unless the Coordinator-General grants an extension in writing).

2.2.2 Coordinator-General's approval to release

Once the Coordinator-General approves an EIS for public release, submissions are invited from members of the public and advisory agencies. The EIS project manager will arrange for a public notice to appear in relevant national, state and regional newspapers, the cost of which is met by the proponent.

At the end of the submission period, the Coordinator-General will assess the submissions and determine if the proponent is required to provide supplementary information to address matters raised during the submission period.

2.3 Coordinator-General's EIS evaluation report

The Coordinator-General will evaluate the EIS, submissions received on the EIS and any supplementary information, then produce a Coordinator-General's EIS evaluation report. The report will be made publicly available and be given to the proponent, the assessment manager under *Sustainable Planning Act 2009* (SPA) and relevant decision makers for project approvals required under other Queensland legislation such as the *Environmental Protection Act 1994* (EP Act) or the *Mineral Resources Act 1989*. The Coordinator-General's report is also given to the Australian Government Environment Minister if the project is a 'controlled action' under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) being assessed under the bilateral agreement between the Australian and Queensland governments.

If the project requires an application for a development approval under SPA, the Coordinator-General's report may state for the assessment manager one or more of the following:

- the conditions that must attach to the development approval
- that the development approval must be for part only of the development
- that the approval must be a preliminary approval only.

Alternatively, the Coordinator-General's report must state that:

- there are no conditions or requirements for the project, or
- the application for development approval be refused.

3 EIS requirements

3.1 Purpose

The objective of the EIS is to ensure that all potential environmental, social and economic impacts of the project are identified and assessed; and that adverse impacts are avoided, minimised or sufficiently mitigated. Direct, indirect and cumulative impacts must be fully examined and addressed. The project should be based on sound environmental protection and management criteria.

3.2 Audience

The EIS should be written in plain English, and provide information for the following persons and groups:

- **for interested bodies and persons**—a basis for understanding the project, prudent and feasible alternatives, affected environmental values, impacts that may occur and the measures to be taken to mitigate all adverse impacts
- **for affected persons**—that is, groups or persons with rights or interests in land, as defined under section 38 of the EP Act, or water as defined under the *Water Act 2000* (Qld)—an outline of the effects of the proposed project

- **for government agencies and referral bodies**—a framework for decision-makers to assess the environmental aspects of the proposed project with respect to legislative and policy provisions, and based on that information, to make an informed decision on whether the project should proceed or not and if so, subject to what conditions, if any
- **for the proponent**—a mechanism by which the potential environmental impacts of the project are identified and understood, including information to support the development of management measures, such as an environmental management plan, to mitigate the effects of adverse environmental impacts of the development.

3.3 Stakeholder consultation

The proponent should develop a comprehensive and inclusive consultation plan with the stakeholder groups identified under ‘Audience’ above. Consultation with advisory agencies should be the principal forum for identifying legislation, regulations, policies or guidelines relevant to the project and EIS process (if not already identified in the project’s initial advice statement or TOR).

The public consultation plan should identify broad issues of concern to local and regional community and interest groups and address issues from project planning through commencement, project operations and decommissioning. The consultation plan should identify:

- the types of consultation and communication activities to be undertaken
- timing of activities
- how it will target the stakeholder/community representatives
- integration with other EIS activities and the project development process
- consultation responsibilities
- communication protocols
- reporting and feedback arrangements.

The consultation plan should detail how results of consultation will be considered by the proponent and integrated into the EIS process.

3.4 Format and approach

The EIS should be a self-contained and comprehensive document that provides sufficient information for the reader to make an informed decision on the potential impacts of the project and on the proposed mitigation and management measures. It should follow the format and content outlined in the project’s TOR, or include a table (preferably as an appendix) describing which section of the EIS responds to which section of the TOR.

Where the project is made up of several components, the EIS should make it clear which project component is being discussed, to allow assessment agencies and other readers to differentiate between the components (e.g. construction, operation, railway, water pipeline).

The EIS's executive summary should include a table describing where readers can find categories of information in the report. This should particularly cover subjects that are presented in multiple places in the EIS.

Include maps, diagrams and other illustrative material in the EIS to assist readers to interpret information. Where applicable, include aerial photography and/or digital information (e.g. of project site).

The main EIS report needs to be supported by appendixes containing additional data, technical reports and other sources of EIS analysis. In preparing the EIS, the proponent must:

- use scientific and/or specialist studies to predict environmental impacts and provide details of their methodology, reliability, and any relevant assumptions or scientific judgements
- present all technical data, sources or authority and other information used to assess impacts
- describe and evaluate proposed measures to mitigate and manage identified issues
- describe qualitatively (in as much detail as reasonably practicable) the residual impacts that are not quantifiable
- discuss the criteria adopted in assessing the proposed project and its impacts (e.g. compliance with relevant legislation, policies, standards, community acceptance)
- ensure the level of investigation of potential/uncertain impacts on the environment is proportionate to both the severity and the likelihood of those events occurring
- adequately address issues that may emerge during the investigations and preparation of the EIS, undertaking the necessary studies and reporting the results
- address all relevant matters concerning environmental values, impacts and proposed mitigation measures for the first time in the main text of the EIS and not only in an appendix or the draft environmental management plan (EMP)
- define, in plain English, any technical terms used
- present adverse and beneficial effects in quantitative and/or qualitative terms as appropriate.

The terms 'describe,' 'detail' and 'discuss' should be taken to include both quantitative and qualitative matters. Any information that should remain confidential (i.e. not publicly released) should be clearly marked, and be supplied separately.

While every attempt is made to ensure that a project's TOR address the major issues associated with a particular project, the final TOR may not be exhaustive. The EIS should also address matters not covered in the final TOR, if either of the following apply:

- environmental or other studies reveal a matter that was not foreseen when the TOR were prepared
- the Coordinator-General directs the proponent (or its consultants), in writing, to address a matter.

Note: It is the responsibility of the proponent (or its consultants) to address the requirements of new or amended legislation or policies that come into effect after the project's TOR have been finalised. This requirement applies regardless of whether or not the legislation or policies are covered in the TOR.

3.5 Format and copy requirements

3.5.1 Draft EIS to Coordinator-General for approval

The proponent must supply the EIS project manager with a full copy of the draft EIS in Portable Document Format (PDF), on a CD-ROM, DVD or other electronic memory device. The proponent must also supply an electronic index (either PDF or HTML), which allows readers to navigate to individual chapters. Each chapter of the EIS must also include hyperlinks:

- to subsections within the EIS, from the table of contents (down to three heading levels)
- any external websites that have been referred to in the EIS.

It is in the interest of proponents to make the EIS easy to navigate, to ensure the documents can be evaluated in a timely manner.

3.5.2 Public release of EIS


Once the EIS is approved by the Coordinator-General, the proponent must undertake the following:

- Publish the EIS on a website, hosted at the proponent's expense, in both HTML and PDF formats as follows:
 - HTML content must meet the *W3C web content accessibility guidelines* (refer to www.w3.org). All cross-references to sections elsewhere in the EIS, and all external web links, must be hyperlinked. (Alternatively, proponents may wish to investigate the option of publishing the EIS in eBook or a similar interactive format.)
 - PDFs must be produced in accordance with Adobe's PDF accessibility best practice guides available at: www.adobe.com/accessibility/products/acrobat/training.html

- and meet the following minimum accessibility requirements:
 - document structure tags and proper read order
 - searchable text
 - alternative text descriptions
 - security that does not interfere with assistive technology.
- Provide a PDF version of the executive summary, no larger than two megabytes in size, on a CD-ROM or DVD. This file will be placed on the Office of Coordinator-General’s website for the project and must meet the above Adobe accessibility requirements.
- Provide all maps/diagrams/figures to the EIS project manager in JPG format on a CD-ROM, DVD or other electronic memory device. All JPGs should be a minimum of 300 dpi.
- Produce a small number of copies of the EIS on A4-size paper capable of being photocopied, with maps and diagrams of A4 or A3 size (discuss this requirement with the EIS project manager in the early stages of the EIS process). Hard copies are required for public viewing locations, such as libraries.

4 More information

For more information on the EIS process telephone **13 25 23** (for the cost of a local call within Queensland), or **+61 7 3404 6999**, or visit: <http://projects.industry.qld.gov.au>



PO Box 15517 City East Qld 4002 Australia
tel +61 7 3404 6999

projects.industry.qld.gov.au