

Preparing an environmental impact statement

Guideline for proponents

October 2020

This guideline should be read in conjunction with the final terms of reference for a project declared 'coordinated' under the *State Development and Public Works Organisation Act 1971*

The Department of State Development, Infrastructure, Local Government and Planning connects industries, businesses, communities and government (at all levels) to leverage regions' strengths to generate sustainable and enduring economic growth that supports well-planned, inclusive and resilient communities.

Acknowledgement of Country

The department acknowledges the First Nations peoples in Queensland: Aboriginal and Torres Strait Islander peoples and their connections to the lands, winds and waters we now all share. We pay our respect to Elders, past, present and emerging. We also acknowledge the continuous living culture of First Nations Queenslanders – their diverse languages, customs and traditions, knowledges and systems. We acknowledge the deep relationship, connection and responsibility to land, sea, sky and Country as an integral element of First Nations identity and culture.

The Country is sacred. Everything on the land has meaning and all people are one with it. We acknowledge First Nations peoples' sacred connection as central to culture and being. We acknowledge the stories, traditions and living cultures of First Nations peoples and commit to shaping our state's future together. The department recognises the contribution of First Nations peoples and communities to the State of Queensland and how this continues to enrich our society more broadly.

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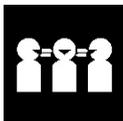


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1. Introduction

This guideline applies to proponents of 'coordinated projects requiring an environmental impact statement' (EIS), declared by the Coordinator-General under Part 4, section 26(1)(a) of the *State Development and Public Works Organisation Act 1971* (SDPWO Act).

There are two types of coordinated project declarations:

- (a) projects that require an **environmental impact statement** (EIS), declared under section 26(a)
- (b) projects that require an **impact assessment report** (IAR), declared under section 26(b) (not discussed in this guideline).

A 'coordinated project' has at least one of the following:

- complex local, State or Commonwealth government approval requirements
- strategic significance to the locality, region or the State, including for the infrastructure, economic and social benefits, capital investment or employment opportunities it may provide
- significant environmental effects, or
- significant infrastructure requirements.

In considering whether a project should be declared a coordinated project, the Coordinator-General considers the following:

- detailed information about the project given by the proponent in an initial advice statement (IAS)
- relevant planning schemes or policy frameworks of a local government, the State or the Commonwealth
- relevant State policies and government priorities
- a pre-feasibility assessment of the project, including how it satisfies an identified need or demand
- the capacity of the proponent to undertake and complete the EIS for the project, and
- any other matter the Coordinator-General considers relevant.

The Coordinator-General may give the weight considered appropriate to each of the above matters.

Figure 1 below summarises the key steps in the EIS process, where a project is declared a coordinated project requiring an EIS (under section 26(1)(a)).

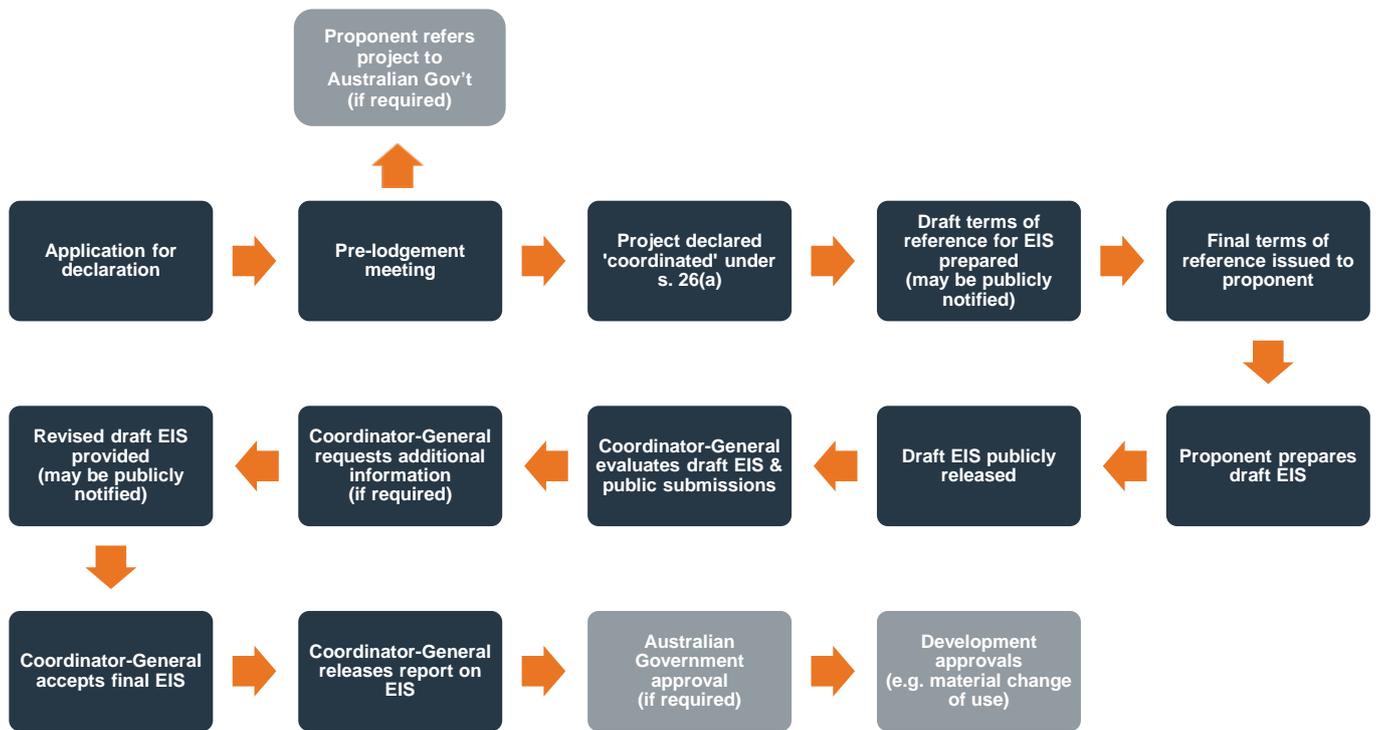


Figure 1 The EIS process under section 26(a) of the SDPWO Act

2. Terms of reference for EIS

The terms of reference (TOR) for an EIS sets out the matters to be addressed in an EIS for the project. Under section 32(2) of the SDPWO Act, the draft EIS must address—for the whole project—the TOR to the satisfaction of the Coordinator-General.

The TOR sets out the matters the proponent is to address relative to the scale of the impact and/or its likelihood of occurrence.

The matters to be included in the draft TOR may be jointly discussed by the proponent and staff of the office of the Coordinator-General (and other agencies, as required), at a pre-lodgement meeting. While the Coordinator-General will consider the proponent’s advice, the final decision on the scope of all matters rests with the Coordinator-General.

The Coordinator-General has the discretion to decide whether or not to release the draft TOR for public comment. If a draft TOR is released, government advisory agencies and members of the public usually have four weeks to comment on the document.

Following the public notification period, the Coordinator-General will consider comments received on the draft TOR and prepare a final TOR to be issued to the proponent.

3. Environmental impact statement

The objective of the EIS is to ensure that all relevant environmental, social and economic impacts of the project are identified and assessed; and to recommend mitigation measures to avoid and minimise adverse impacts. The EIS should demonstrate that the project is based on sound environmental principles and practices.

The final EIS must be acceptable to the Coordinator-General and be provided within 18 months of the TOR being finalised (unless the Coordinator-General grants an extension, for which a fee applies).

3.1 Draft EIS

The proponent must provide a draft EIS to the Coordinator-General, who will assess the documents and decide if it appropriately addresses the TOR and can be publicly notified. During public notification (generally a four-six-week period), submissions are invited from government advisory agencies, members of the public and other stakeholders. The draft EIS is made available online and in public display locations such as libraries.

State advisory agencies, councils and the Commonwealth (where applicable) assess the draft EIS and advise the Coordinator-General (and the proponent) on matters such as impact management strategies. Agencies may also propose conditions of approval (if relevant) for consideration by the Coordinator-General.

At the end of the draft EIS submission period, the Coordinator-General assesses all 'properly made' submissions and determines whether the proponent is required to provide additional information to address matters raised during the submission period.

Information about how members of the public can make a 'properly made' submission is provided during the public consultation period.

3.2 Audience

The draft EIS is a public document. Its purpose is not only to provide information to advisory agencies, but also to inform and consult with the public about the project's scope, impacts and mitigation measures. As such, the main text should be written in plain English and avoid jargon and acronyms as much as possible. Additional technical detail may be provided in appendices. The main text should be written assuming that the reader has no prior knowledge of the project site and be presented in such a way that the reader would not need to have visited the site to understand the issues involved in the project.

The draft EIS should provide information for the following persons and groups:

- interested bodies and persons—a basis for understanding the project, prudent and feasible alternatives to the project, affected environmental values, impacts that may occur and the measures to be taken to manage adverse impacts
- affected persons (that is, groups or persons with rights or interests in land, as defined under section 38 of the *Environmental Protection Act 1994*; or water as defined in the *Water Act 2000*)—an outline of the effects of the proposed project

- advisory agencies—a framework for decision-makers to assess the environmental aspects¹ 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, under what conditions
- the proponent—a mechanism by which the potential environmental impacts of the project are identified and understood, including information to support the development of measures to manage the effects of adverse environmental impacts of the development.

3.3 Structure and content of the draft EIS

The draft EIS should follow the format and content outlined in the final TOR approved by the Coordinator-General. For all relevant matters, the draft EIS should identify and describe the environmental values that must be protected.

The draft EIS should address all matters as specified in the final TOR for the project. The extent the draft EIS deals with matters described in the TOR should be proportional to the nature and scale of the potential impacts from the project on environmental values. When determining the scale of an impact, consider its intensity, duration, cumulative effect, irreversibility, the risk of environmental harm, management strategies and offsets provisions.

In predicting impacts, proponents should use appropriate scientific and/or specialist studies and provide details of their methodology, reliability, and any relevant assumptions or scientific judgements. Describe qualitatively any residual impacts that are not quantifiable, in as much detail as reasonably practicable.

As draft EISs are large documents, proponents should cross-reference the findings of the relevant sections of the draft EIS with other corresponding sections, instead of repeating studies and descriptions.

Note: While every attempt is made to ensure the final TOR addresses the critical matters associated with a particular project, the final TOR may not be exhaustive. The draft EIS should address matters not covered in the final TOR if the following apply:

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

Proponents may need to address matters arising from new or amended legislation or policies that come into effect after the TOR has been finalised. This should be considered on a case by case basis and discussed with the Office of the Coordinator-General in the first instance.

Note: If there is any conflict between this guideline and the final TOR, the TOR prevails to the extent of the inconsistency.

3.4 Stakeholder consultation

The proponent must develop a comprehensive and inclusive consultation plan for 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 IAS or TOR).

¹ For the purposes of the EIS process, 'environment' is defined in Schedule 2 of the SDPWO Act and includes social and economic matters.

The consultation plan should identify broad issues of likely concern to local and regional community and interest groups and address issues from project planning through commencement, project operations and decommissioning (where known). 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
- any relevant communication protocols
- stakeholder reporting and feedback arrangements
- how results of consultation will be considered by the proponent and integrated into the EIS process.

3.5 Format and copy requirements

3.5.1 Draft EIS to Coordinator-General for consideration

The proponent must supply the EIS project manager with a draft EIS for consideration by the Coordinator-General. The draft EIS should meet the requirements shown in Table 1.

It is in the interest of proponents to make the documents easy to navigate, to ensure they can be evaluated in a timely manner. Documents that do not meet the requirements below will be returned to the proponent.

Table 1 Draft EIS requirements

<input type="checkbox"/>	Provide an electronic copy of the draft EIS in Portable Document Format (PDF).
<input type="checkbox"/>	Supply an electronic table of contents (PDF or HTML) of the draft EIS with hyperlinks to each chapter.
<input type="checkbox"/>	Each chapter of the draft EIS should include a table of contents, which is hyperlinked to subsections within the chapter (down to three heading levels).
<input type="checkbox"/>	Hyperlink any external websites referred to in the draft EIS.

3.5.2 Public release of EIS

Once the Coordinator-General (and, if relevant, the Commonwealth Environment Department) is satisfied that the draft EIS addresses the TOR and is suitable for public release, the proponent must prepare the draft EIS in accordance with the requirements shown in Table 2 below. Documents that do not meet the requirements will be returned.

A PDF version of the draft EIS will be published on the Coordinator-General's website at the commencement of the public consultation period, and all advertising material will direct the public to that website.

Important: The proponent must not commit to printing the draft EIS or make it publicly available in any form until the Coordinator-General provides written advice that the draft EIS may be released.

Table 2 Requirements for public release of the draft EIS

Provide the following to the EIS project manager	
<input type="checkbox"/>	An unsecured version of the draft EIS in PDF format. The PDFs must allow for text to be copied and pasted. The unsecured version is for internal working purposes only and will not be made publicly available.
<input type="checkbox"/>	A secured version of the full draft EIS in PDF, for uploading to the Coordinator-General's website. Each PDF file should not be larger than 10 MB and must meet the accessibility requirements described in the <i>Adobe Acrobat X Pro Accessibility Guide: PDF Accessibility Overview</i> , available at: www.adobe.com/accessibility/products/acrobat/training.html
<input type="checkbox"/>	High resolution versions of all maps/diagrams/figures used in the draft EIS (excluding technical reports) in JPEG format (minimum resolution 300 dpi). These images are for internal use only, for possible reproduction in the Coordinator-General's evaluation report.
Electronic and printed copies available on request	
<input type="checkbox"/>	Produce a small number of copies of the draft EIS on A4-size paper, with maps and diagrams of A4 or A3 size (discuss the copy and distribution requirements with the EIS project manager in the early stages of the EIS process). These hard copies are required for public viewing locations, such as libraries.
<input type="checkbox"/>	Produce a small number of electronic copies of the draft EIS, for public distribution by the proponent on request. Discuss this requirement with the EIS project manager, as the requirements may vary depending on the location of the audience.

4. More information

For more information on the EIS process or the requirements for supplying a draft EIS, contact the EIS project manager (as shown in the project declaration notification letter) or visit www.statedevelopment.qld.gov.au/cg

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