


EES Study Program Preparation Advisory Note

 Guidance for proponent
Version [1.1]

VICTORIA
State
Government

Department
of Transport
and Planning



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1. Introduction

About this advisory note

This advisory note outlines the purposes of a study program, its expected content and the roles and responsibilities of participants in its development.

A proponent's **draft environment effects statement (EES) study program** is prepared at the start of the EES process. It is a key input to scoping of the EES and enables the proponent to set out proposed EES investigations in the context of Minister's EES decision and a preliminary risk screening.

This notes It expands on the *Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978* (Eighth Edition, 2023) (Ministerial Guidelines), issued under section 10 of the Act by the Minister for Planning (Minister).

This new advisory note is one a suite of initiatives to support faster, more efficient and effective Environment Effects Statements (EES), as part of the Victorian Government's commitments under the Economic Growth Statement (EGS). There is a target of 18 months for completing EESs under the EGS.

Who this advisory note is for

This advisory note is primarily for proponents and their consultants but also explains the role of the Department of Transport and Planning's (DTP) Impact Assessment Unit (IAU) and technical reference group (TRG) agencies in development of a study program.

2. What is a study program?

Definition and purpose

A proponent's draft EES study program sets out the investigations/studies proposed to be undertaken to inform the develop of their EES. It enables the proponent to take account of the Minister's EES decision, relevant regulatory requirements and their own preliminary risk screening, to outline the different investigations/studies proposed.

The different purposes of the EES study program are to:

- inform DTP's development of the EES scoping requirements,
- ensure alignment with the Minister EES decision and reasons for requiring an EES,
- demonstrate the proponent's risk-based, proportionate approach to investigations/studies needed to inform the EES, , and
- facilitate early agency/ regulator engagement and support for the proposed study methods and approaches to examine relevant impacts.

Information provided in the draft EES study program is critical to enable the IAU to prepare project specific scoping requirements on behalf of the Minister. Providing clear, well-considered information will assist to ensure that the EES scope is focused on key relevant matters and the EES studies and documents are developed proportionate to risk, so they are targeted, efficient and effective.

Development of the draft EES study program is an opportunity for proponents to engage with regulators and obtain feedback on the proposed studies and associated methods to enable impact assessment work (e.g. data collection, engagement and/or modelling) to be fit-for-purpose, efficient and well planned. The information from the draft EES study program is typically used by proponents to identify the specialists needed to undertake technical studies to support EES development and to set the scope of work to be conducted by the specialists, or is informed by the specialists assisting the proponent at EES commencement.



Roles and responsibilities

The proponent is responsible for preparation of the draft EES study program.

IAU is responsible for providing guidance on the preparation of the draft EES study program, reviewing, and providing feedback on drafts, and facilitating TRG agency input. IAU will help ensure that the study program reflects the intent of Minister's EES decision and reasons for requiring an EES.

TRG agencies are responsible for providing technical advice to assist the proponent with finalisation of the study program. Such feedback should include information on TRG agencies expectations regarding EES investigations and the methods proposed, in the context of the risks, relevant regulatory requirements and relevant data sets. TRG agencies should seek input from relevant subject matter experts within their agency as appropriate.

Structure and content

The study program should contain background information and site context for the proposed project, a clear project description, the expected approvals required, and (based on a preliminary risk screening), the technical study scopes and methods proposed to support development of a focused EES.


A template has been prepared to guide study program preparation and is attached to this advisory note. While proponents can adapt and tailor the structure proposed in the template to suit their project, IAU encourages its use or at least need proponents to ensure that all key information listed below is included:

- **Introduction:** An overview of the document and its purpose.
- **Project and context:** A concise description of the project, its location, and key aspects of the site and environmental setting relevant to understanding potential environmental effects, with a focus on potentially significant effects.
- **Statutory approvals and requirements:** An outline of the legislative and policy framework, as well as the expected statutory approvals, consents and requirements the project will need to address.
- **Preliminary risk screening:** A preliminary environmental risk screening is needed to identify key environment risks, based on the initial understanding of project site, potential project effects, and pertinent uncertainties. It should also set out how this risk screening has been used to inform the priorities and focus for the proposed investigations and the proposed methods for each.
- **Proposed technical study scopes and methods:** A description of the proposed scopes and methods for each investigation/ study, including the rationale for the level of effort and methods based on the findings of the preliminary risk screening. Any peer review proposed should be identified, if settled at this stage.
- **Proposed EES schedule and TRG review schedule:** An indicative schedule outlining the anticipated timing for technical reports from EES investigations/studies, EES main report preparation, and review milestones, including timing for TRG agency engagement.

3. Process for study program development

The proponent should use the pre-commencement meeting with IAU to discuss the proposed structure, method, and content of the study program, as well as the proposed timeline for its preparation. Proponents are encouraged to proactively engage with TRG agencies regarding the critical technical studies likely to be required for the EES during the development of the draft EES study program.

- 1) The proponent will be able to submit the commencement documents, including the draft study program, through the [environment assessment system](#) following the pre-commencement meeting with the IAU. However, proponents are encouraged to develop the draft EES study program and other commencement documents as soon as practicable after the Minister's EES decision.

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- 2) The IAU will review the commencement documents and provide feedback on any gaps or updates to address in order for the document to be considered an adequate standard for scoping and circulation to the TRG. The purpose of the review is to verify the adequacy of the draft study program in terms of its completeness, clarity, and suitability to inform development of the EES scoping requirements.
 - 3) The IAU will develop the working draft EES scoping requirements, and once the draft EES study program is adequate for TRG circulation, will provide the draft EES scoping requirements for review as well.
 - 4) The TRG will review the draft study program, provide advice on relevant guidelines, statutory requirement, study methods, and relevant, available data. The TRG will review the working draft scoping requirements at the same time.
 - 5) The IAU will review TRG and proponent feedback on the working draft scoping requirements and complete the draft scoping requirements ready for public exhibition, as described in the Ministerial Guidelines..
 - 6) The proponent will make updates to the draft study program based on the feedback provided by the IAU and/or the TRG, if required. An updated version of the EES study program needs to be provided, taking account of the feedback from agencies and IAU. Any significant differences of opinion regarding the priority levels assigned to technical studies and the scope and methods of assessment should be resolved in meetings involving the proponent, IAU and the relevant TRG agencies. The proponent will need to upload an updated version of the study program to the environment assessment system.

4. Further information

Further IAU guidance

- *DTP's Risk and Impact Assessment Advisory Note*
- *DTP's Commencement and Scoping Advisory Note*

Additional resources and references

- *Ministerial Guidelines for assessment of environmental effects under the Environment Effects Act 1978*

Study program template

1. Introduction

Background and context for the preparation of the draft study program including details of the Minister for Planning's decision on the EES referral, the purpose of the study program, its role in the EES process, and a summary of the document structure.

2. Project context

Project overview

A concise description of the project including its key components, objectives, and current status.

Project description and setting

A high-level description of the project, including:

- location (including maps);
- a description of the environmental, social and land use context;
- project objectives;
- maximum extent of the proposed development;
- project components;
- any 'off-site' works that are ancillary to the core project components;
- interdependence of project components; and
- stages and timing of the proposed development.

Any relevant aspects of the referral should be utilised and/or expanded on.

Project rationale

A brief explanation of why the project is being proposed and any alternatives considered up to this point, including those proposed to be explored further in the EES process, if known.

Previous environmental assessments

A summary of previous work that has been completed and used to inform the study program and/or will be used to inform the EES. This would include assessments undertaken to support project referrals to government.

3. Planning and environmental approvals

A description of the planning and environmental approvals identified as being required before the project can proceed. Describe how the EES process will interact with other approvals processes.



4. Preliminary risk screening

Environmental risk screening method

Environmental risk screening is used to prioritise and focus the proposed studies for an EES in accordance with a risk-based approach as outlined in the *Ministerial guidelines for assessment of Environmental Effects under the Environment Effects Act 1978 (eighth edition, 2023)*. The purpose of the risk screening is to assist in identifying potential environmental effects that are high priority for detailed assessment relative to those matters or potential impacts that are lower priority and well understood, with proven management techniques available. The risk screening should not form the basis for the prediction and assessment of impacts in the EES. For further guidance, please refer to the advisory note on [Use of risk and impact assessment in an EES](#).

The first stage of the preliminary risk screening is to identify the potential interactions between the project and key environmental values that are worthy of protection. This would typically be done by:

- Reviewing project components and activities with potential to harm environmental values (what could happen, where, how, when);
- Reviewing the environmental setting to identify relevant environmental values and their significance and sensitivity;
- Identifying potential interactions between the project components and activities and environmental values that could cause potential impacts;
- Gaining an understanding of the level of community and stakeholder interest; and
- Identifying information gaps and key uncertainties with respect to environmental values and changes due to the proposed project.

Once the potential interactions between the project and the key environmental values (or impact pathways) have been identified, the relative importance of these pathways is evaluated. A framework would typically be developed by the proponent to undertake this evaluation. For the identified impact pathways this would consider the:

- level of community and stakeholder interest;
- significance and sensitivity of the potentially affected environmental values; and
- potential for impact (extent, duration, magnitude, and reversibility).

Potential impacts are generally grouped into environmental aspects (e.g., biodiversity, water, air quality, cultural heritage, human health) to enable a relative priority to be determined for the relevant environmental aspects based on the risk screening. These environmental aspects would typically become the designated technical studies for the EES.

Summary of key risks

Based on the general approach described above, a table or summary should be created outlining the environmental aspects assessed, the level of risk identified (e.g., low/medium/high), and justification for the rating. This should also have regard to:

- The Minister for Planning's reasons for decision and procedures issued under the *Environment Effects Act 1978* for the EES.
- Key environmental issues relevant to applicable planning and environmental approvals requirements.

A detailed table of risks can be provided as an appendix to the draft study program.

5. Proposed technical study scopes and methods

For each environmental aspect proposed to be examined in the EES, provide proposed sources of information including any databases, types of data to be collected including any field surveys and details of any calculations or modelling required. Data collection standards that will be applied should be included along with details of agency engagement that has occurred to date on the proposed study methods and relevant legislative and policy requirements. A suggested format for presenting this information for each study is provided in **Table 1** below.

Table 1 Example study program format

Technical study name	
Priority level determined through the preliminary risk screening	
Study objective	
Relevant legislation and policy	
Key issues and impacts	
Previous investigations	
Key data gaps and uncertainties	
Stakeholder engagement	Engagement undertaken to date and any proposed engagement outside of TRG engagement.
Type of investigation	Desktop, field survey, modelling etc
Timing of the investigation	Proposed timeframes for data collection/surveys (i.e., seasonal surveys), where relevant. Include timeframes for both proposed and completed surveys that will inform the study.
Method	Summary of the study approach, survey and assessment methods, standards/guidelines to be followed, and any proposed modelling.
Deliverables	
Interdependent studies	Reports this report will require input from: Reports this report will provide inputs to:
Peer review	Whether expert peer review is proposed for the study and the proposed approach to commissioning the peer review. For further information, please refer to the advisory note on peer review and quality assurance .



6. Proposed EES schedule

An indicative schedule outlining the anticipated timing for the EES process with key milestones. **A template for this schedule will be provided in the environment assessment system and must be used.**

7. Proposed TRG review schedule

An indicative schedule outlining the anticipated timing for technical studies, EES preparation, and review milestones, including TRG engagement points. **A template for this schedule will be provided in the environment assessment system and must be used.**

8. Appendices

This may include maps, detailed method documents, risk assessment tables, or other supporting information.



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