

Proponent Advisory Note

Context and Purpose

This advisory note is for proponents ready to commence the Environment Effects Statement (EES) process, following a decision by the Minister for Planning that an EES is required.

The first stage in the EES process under the *Environment Effects Act* is 'scoping'. The Impact Assessment Unit (IAU) establishes a Technical Reference Group (TRG) and develops draft EES Scoping Requirements for the project. This is done having regard to the Minister's decision and reasons for an EES being required, as well as preliminary information provided by the proponent, as outlined below.

The purpose of this advisory note is to provide guidance on the content of the preliminary information and documents to be provided by the proponent to the IAU at the start of the EES process and to inform the scoping of the EES.

Key information and documents required

The table below sets out the information that proponents need to prepare and submit at the commencement of the EES process and to enable IAU to develop the draft scoping requirements.

Table 1: Information required from the proponent to inform scoping and initial aspects of the EES process

For development of Scoping Requirements	For EES process, ahead of first TRG meeting
<input type="checkbox"/> Draft EES Study Program (scopes & methods)	<input type="checkbox"/> Draft EES Consultation Plan
<input type="checkbox"/> Project description (updated)	<input type="checkbox"/> Preliminary list of stakeholder issues
<input type="checkbox"/> Preliminary list of issues/ risks (to be investigated)	<input type="checkbox"/> Schedule of studies & EES development

EES Commencement and Scoping

Key documentation required for EES Commencement and Scoping

Table 2: Summary of Content and Format of Proponent Documentation required

Information	Purpose & Content	Preferred Format/Approach	Relationship to other documentation
Project Description	<ul style="list-style-type: none"> Confirms the objectives and maximum extent of the proposed development Describes the project components Identifies any 'off-site' works that are ancillary to the core project components Explains the interdependence of project components Describes stages and timing of proposed development 	Relevant aspects of the referral should be utilised and/or expanded on	Informs aspects of the draft Scoping Requirements & can be included in the draft EES Study Program
Preliminary hazard /risk assessment	<ul style="list-style-type: none"> Provides information on the initial understanding of potential hazards/ risks identified Identifies the key risks and uncertainties at an early stage It should include consideration of the following: <ul style="list-style-type: none"> Project definition and components/activities that present potential sources of harm (what could happen, where, how, when) Environmental setting, including values and sensitivities of assets Interactions between the project components/activities and the existing environment Key uncertainties with respect to environmental context or potential sources of harm 		Informs identification of the issues to be investigated and development of the draft EES Study Program
Preliminary List of Issues /Risks	<p>The Preliminary list of issues/ risks should have regard to:</p> <ul style="list-style-type: none"> Minister for Planning's decision that an EES is required and procedures issued under section 8B(5) of the EE Act Key issues for approval requirements under other legislation 	1 page summary	Included in the draft EES Study Program
Draft EES Study Program	<ul style="list-style-type: none"> Outlines proposed EES investigations (scope, methodological approach, relationships/ dependencies between studies) Has regard to the outcomes of: <ul style="list-style-type: none"> any technical studies which have been undertaken to date; and any preliminary stakeholder feedback on key issues & uncertainties Program/ schedule of studies and EES development 		Should be informed by proponent's preliminary hazard assessment & used as a key input to IAU's preparation of the draft Scoping Requirements
Draft EES Consultation Plan	<p>Sets out the framework and measures for the proponent to:</p> <ul style="list-style-type: none"> Inform the public about the project and program of EES studies; Obtain input from and engage with stakeholders during the preparation of the EES, particularly for the purpose of identifying issues of concern, assessing potential effects, and evaluating measures that might provide reasonable responses to stakeholder concerns - including potential refinements to the proposal Respond to stakeholder input <p><i>(Refer to Advisory Note on the Preparation of an EES Consultation Plan)</i></p>	<p>Differentiate between:</p> <ul style="list-style-type: none"> Broad communication /consultation vs targeted consultation to inform/ engage stakeholders/ community on EES studies <p>The Consultation Plan may be modified throughout the EES process as consultation needs evolve and technical studies inform better assessment of risks</p>	Should be prepared in conjunction with draft EES Study Program to enable coordinated approach to identification of issues that require investigation
Preliminary list of stakeholder issues	Preliminary list of stakeholder issues, identifying the interests/concerns of stakeholder groups that relate to possible effects and issues arising from the proposed development.	List or stakeholder analysis table	Included in the draft EES Consultation Plan

Content of the Draft EES Study Program

To inform the draft scoping requirements that are to be prepared by the IAU, the draft EES study program needs to respond to the Minister for Planning's reasons for the decision and requirements set for the EES.

The draft EES Study Program should outline all of the proposed studies and investigations (e.g. traffic and transport, cultural heritage, social impacts) proposed to enable an adequate assessment of the project's environmental effects and mitigation and management measures.

The format and structure of the document can be determined by the proponent. One approach to structuring the draft EES Study Program is to summarise the scope and methods of investigations to be conducted, covering the key points outlined below for each study:

- Proposed scope and methodology of each study summarising:
 - Purpose of the study
 - Statement of key environmental risks to be investigated and key uncertainties/ data gaps
 - Relevant legislation & policy
 - The project components subject to assessment
 - Timing of the investigation
 - Type of investigation (desktop review, field investigations, modelling)
 - Description of key tasks, including where possible outlining proposed methodologies, and outputs required to estimate likely impacts, inform recommended mitigation and monitoring (including proposed sources of information/ databases, types of data to be collected/ sourced, calculations required, and survey standards that will be applied).
 - The description should also state if any referral authorities have already been consulted on the proposed methodology.
- The deliverables and their anticipated timing (e.g. impact assessment report, empirical model, options assessment report, environmental management framework, other specific technical appendices).

The draft EES Study Program should also outline the proposed approach for the development of the EES main report. The EES report components/ chapters may be submitted to the IAU progressively as investigations are undertaken and completed, or as tranches closer to end of all technical investigations. A proposed review schedule should be provided for review. When the TRG meeting and review schedule is finalised in consultation with IAU, it will enable good planning for the TRG, for instance expected submission date for review of Table of Contents and draft EES chapters. The proposed approach for the finalisation of EES chapters for exhibition should also be provided.

The EES Study Program should encompass an overall schedule of studies, data collection and draft EES report development, review and finalisation, as well as its submission and exhibition.