

# State of IA in Australia - Victoria

- Formal IA can be undertaken under the following Acts:
- Environment Effects Act 1978
  - Environment Effects Statement (EES)
  - No EES with conditions
  - No EES
- Major Transport Projects Facilitation Act 2009
  - Impact Management Plan
  - Comprehensive Impact Statement (CIS)  
Available only to project proponents that are 'public authorities' e.g. VicRoads, Linking Melbourne Authority
- Administered by the Minister for Planning via Dept. Environment, Land, Water and Planning (DELWP)

# Objectives of IA in Victoria

## Objectives –

- **To assess projects capable of having a significant effect on the environment**
  - What is the ‘environment’? = ‘It includes the physical, biological, heritage, cultural, social, health, safety and economic aspects of human surroundings, including the wider ecological and physical systems within which humans live’ (p2 EE Act Guidelines 2006)
- To inform decision making under environmental, planning and other relevant legislation
- To provide for public consultation

## Set out in:

- EE Act - Minister’s Guidelines under the Environment Effects Act 1978
- MTPF Act - Objectives of Major Transport Projects Facilitation Act 2009

# Objectives of IA in Victoria (cont.)

Successful IA should respond to the broad objectives of planning and environmental law that apply in Victoria, including:

- Environment Protection and Biodiversity Conservation Act 1999 (Cth)
- Planning and Environment Act 1987
- Environment Protection Act 1970
- Coastal Management Act 1995
- Heritage Act 1995
- Aboriginal Cultural Heritage Act 2006

# Key Issues

- ‘Environment’ is defined very broadly – good/effective IA assesses the range of economic, social and environmental factors that are affected by a proposal.
- IA should present a coherent picture of the overall effect of the combined impacts of a project – not a series of isolated conclusions on air, water, land etc...
- IA should be integrated with design of a proposal.
- Public consultation is central to the process – effective, proponent led community consultation is key. Q. Or should government agencies be more involved?
- IA should maintain a clear focus on the statutory decisions that will be informed by the Minister’s Assessment – where possible IA should include the information required to make these decisions. IA can provide a framework for engaging with agencies.
- EE Act – only one level of IA.
- EE Act - Assessment not decision-making.

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- **Reforms?**
  - Last reform to EE Act was early 2000's.
  - No major legislative changes however new Guidelines made under s.10 - much more comprehensive
  - Vic has Bilateral Agreement (EPBC Act) – Assessment not Approval Bilateral
- Not much has changed since 1978.....