

# *NSW EIA Improvement Project*

**EIANZ Symposium**

*February 2017*



# Content

1. Background to the EIA Improvement Project
2. What are the issues?
3. What are we doing to address them?
4. Questions



# Background

- Objectives of the EIA Improvement Project
  - Strengthen the EIA process whilst reducing complexity
  - Focus on engagement, particularly early in the EIA process
  - Create greater certainty and efficiency around decision making processes
  - Provide clarity and guidance for proponents, regulatory agencies, the community and stakeholders
  - Improve consistency and quality of EIA documents while maintaining a focus on environmental outcomes

## ○ *Background*

- Entire EIA process including post-approval
- All State significant projects
- Improving key elements of EIA, not reforming the whole system
- Improving understanding of EIA and consistency of documents and approach
- Providing guidance to proponents, the community, Department and stakeholders
- Working closely with other initiatives in the Department (eg social impact assessment, legislative updates package)
- Working within EP&A Act, but proposing amendment to EP&A Regulations

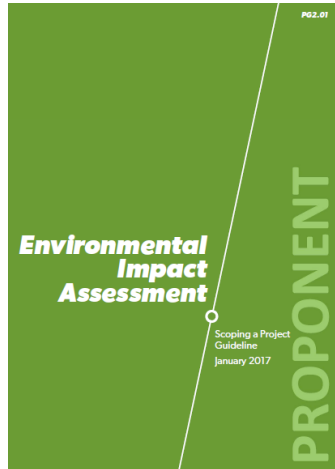
## *Issues*

- Lack of focus on the most important issues
- Need for earlier and better engagement
- Lack of confidence in the project approval process
- Uncertainty around decision making
- Commitments to manage impacts are not clearly documented to enable compliance
- Better consideration of cumulative impacts
- Inconsistent quality and accessibility of documentation
- Understanding of post-approval process
- Lack of certainty and understanding regarding project change following approval

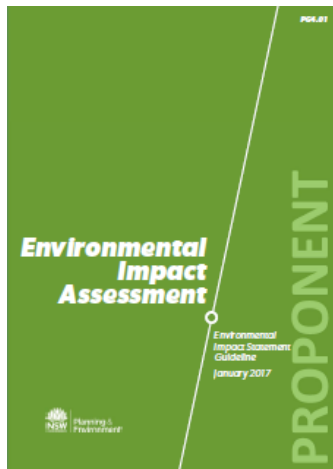
Issue identified through a review of a wide range of information sources and stakeholder consultation

# Proposed initiatives – Draft Guidelines

Scoping



EIS



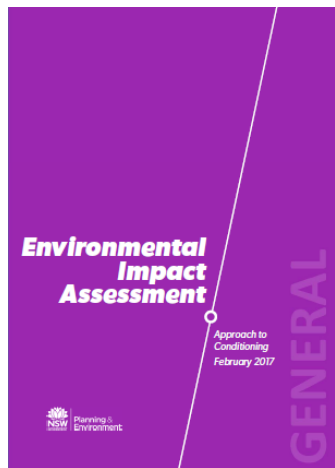
Submissions



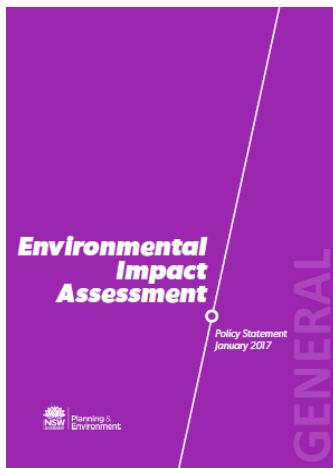
Modifications



Engagement



Conditioning



Policy Statement



Professional Practice



Community Guide



Post-approval

## ○ *Proposed initiatives - summary*

- **Scoping:**

- methodology to identify relevant matters and their level of assessment
- community engagement during scoping
- community perspective on a matter vs. technical perspective

- **EIS:**

- clearer description of the project for which approval is sought
- introduce principles of flexibility in project description, within defined parameters, to deal with uncertainty and post-approval change
- clearer link between impacts – mitigation – conditions – compliance
- independent peer review – clarity on when it should be used, rules

## ○ *Proposed initiatives - summary*

- **Approach to conditions:**

- consistent framework for setting conditions, underpinned by certainty / uncertainty
- conditions to support flexibility in project description

- **Modifications:**

- create greater flexibility, within defined parameters, to deal with change post-approval
- provide guidance on project change



## ○ *Next steps*

- Draft Guidelines circulated for internal review in Department
- Update during Feb / March
- Public Exhibition from March /April to early May
- Update and finalise for Minister
- Further development of material to support initiatives

## ○ *Questions*

- Will a greater focus on scoping, including stakeholder engagement, lead to a better understanding of the relevant matters to be addressed in an EIS?
- How should differences in a community and project team's perspective on the most important matters to be addressed in EIA be managed?
- How can we balance the concept of flexibility in the approved project with the need for certainty?



Planning &  
Environment

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