Environmental Protection Authority

GOVERNMENT OF WESTERN AUSTRALIA

Instructions on how to prepare an Environmental Review Document

Instructions: Environmental Review Document

Purpose of these instructions

To assist proponents to prepare an Environmental Review Document (ERD), which is required where the Environmental Protection Authority (EPA) has decided that the proponent must undertake an environmental review under section 40(2)(b) of the *Environmental Protection Act 1986* (EP Act).

Purpose of an Environmental Review Document

To provide a report on the environmental review to the EPA, to meet the requirements of section 40(2)(b) of the EP Act.

The EPA requires that proponents use the ERD template for all ERDs. The EPA also encourages proponents to use the ERD template for supplementary reports provided with a referral.

How to prepare an Environmental Review Document

Template

The template provides the structure of the ERD and the minimum requirements for an ERD (including tables and figures). The EPA expects that the ERD contains the content outlined in the template and the proposal-specific requirements specified in the approved Environmental Scoping Document.

The EPA expects that proponents follow the ERD template.

This template is be used for new, revised and strategic proposals.

Advice

Proponents may contact EPA Services, Department of Water and Environmental Regulation (DWER) if they need assistance to prepare an ERD.

Refer also to the EPA's *Administrative Procedures* and *Procedures Manual* for more information about the process relating to ERDs.

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Content of an Environmental Review Document

General requirements

Content

- Provide information in plain English.
- Include the appropriate level of detail to demonstrate a robust and scientifically sound assessment of the impacts on the environment from the proposal.
- Provide key information from the environmental review (including characterisation of the environment, predicted impacts, summary of proposed management measures, predicted outcomes and conclusions) in the ERD so that is a stand-alone document.
- Use consistent terminology and units, especially for study areas and proposal boundaries (see also *Instructions: Defining the key proposal characteristics*).

Disclaimers

Any disclaimers included in the ERD should not prevent the EPA from using the ERD for its assessment. This includes providing copies to decision-making authorities and other agencies, and members of the public, and using and reproducing information to prepare the EPA's assessment report.

Spatial data and figures

Provide spatial data in GIS format, that is geo-referenced and conforms to the following parameters:

- Data type: closed polygons that represent the proposal boundary (development envelope) and the activity areas for all physical elements of the proposal (footprint).
- Attribution: Name the development envelope and each activity area in the attribute table of the spatial data.
- Format: ESRI geodatabase or shapefile.
- Coordinate System: GDA94 (datum) and projected into the appropriate Map Grid of Australia (MGA) zone.

Provide maps and figures that are clear and readable, of appropriate scale, in either jpeg or pdf format and of good resolution (> 300 ppi). "Flatten" figures to reduce the size of the ERD.

Index of Biodiversity Surveys for Assessments (IBSA)

The IBSA project is a mechanism by which all biodiversity survey information collected for environmental impact assessment under the EP Act will be captured and integrated into a consolidated, indexed and publicly available repository. IBSA is administered by DWER on behalf of itself, the EPA and the Department of Mines, Industry Regulation and Safety.

Each time a biodiversity survey report is submitted (at any point in the assessment and compliance process under Part IV of the EP Act) it should be accompanied by an electronic appendix known as the IBSA data package.

The IBSA data package should be provided in accordance with the Instructions and Form: IBSA Data Packages.

Cover page

Include:

- Proposal title
- Date
- Author
- Assessment Number.

Document control

Include a table at the front of the ERD with version, date and authorisation (name and signature).

If someone other than the Chief Executive Officer (CEO) (including a consultant) submits the ERD, provide evidence of authority to act on behalf of the CEO.

Invitation to make a submission

- Delete if public review of the ERD is not required.
- Print the invitation on different coloured paper.

Scoping checklist

- Enter the tasks from the required work table in the approved ESD.
- Provide section references and page numbers of the ERD where the ERD adequately addresses the required work.

Executive summary *[optional, depending on complexity of proposal and number of preliminary key environmental factors – confirm with EPA Services, DWER if required]*

- Provide an overview of the proposal, including the key proposal characteristics (Tables ES 1 and ES2) (see *Instructions and template: Defining the key proposal characteristics*).
- Provide a summary of the environmental review (Table ES3).
- Refer to section 2.3 Proposal description below for information relating to revised and strategic proposals.

1. Introduction

1.1. Purpose and scope

Provide the purpose and scope of the ERD.

1.2. Proponent

- Provide name, ABN/ACN and address of the proponent.
- Provide the key contact and details for the proposal.

1.3. Environmental impact assessment process

Discuss key legislative requirements relating to the proposal, including:

- Part IV of the *Environmental Protection Act 1986.*

- Section 45 (Bilateral Agreement) OR 87 (Accredited) of the *Environment Protection and Biodiversity Conservation Act 1999.*
- State Agreement.

1.4. Other approvals and regulation

- Provide a brief description of the land tenure including existing zoning, tenements and/or lease types.
- Review the decision-making authorities identified for the proposal.
- Review the information provided with the Referral Form and update if necessary.
- Complete the Other Approvals (Table 1).

2. The proposal

2.1. Background

- State when the proposal was referred, when the level of assessment was set (and what level), and when the ESD was approved.
- Describe any modifications to the proposal since referral or ESD.
- If the proposal is a change to an approved proposal, provide a summary of the existing approval and the date/s of approval, including any 45C changes to proposal and any s46 changes to conditions.

2.2. Justification

Discuss what alternatives were considered and explain why not feasible. Consider:

- whether this proposal is needed
- other technologies or options
- location options
- optimisation of the proposal (site design, layout, sequence, technologies, mitigation strategies) to minimise environmental impacts.

2.3. Proposal description

- Provide a comprehensive description of the proposal, including the key proposal characteristics (Tables 2 and 3) (see *Instructions and template: Defining the key proposal characteristics)*
- Refer to appropriate figures, including:
  - proposal location – show where the proposal is located within WA and the region and include local and regional context information (e.g. other developments in the area, National Parks, RAMSAR wetlands etc)
  - proposal development envelope and indicative footprint etc.
- If the proposal is a strategic proposal, contact the EPA Services at DWER to discuss the content and structure of this table.

2.4. Local and regional context

- Discuss how the proposal fits within the region in relation to other developments, the existing environment and environmental assets such as conservation reserves, RAMSAR wetlands etc.
- Include local and regional context in proposal location figure.

3. Stakeholder engagement

3.1. Key stakeholders

List the key stakeholders for the proposal.

3.2. Stakeholder engagement process

Discuss the process for stakeholder engagement for the proposal, including ongoing consultation.

3.3. Stakeholder consultation

Include specific consultation with stakeholders and a detailed response to issues (or reference the section in the ERD where they are addressed) (Table 4). Do not include generic discussions with decision making authorities.

4. Environmental principles and factors

4.1. Principles

Complete the Table 5 showing how the EP Act principles have been considered in relation to the proposal.

4.2. Key environmental factor 1

4.2.1. EPA objective

State the EPA objective for this factor (see the EPA's *Statement of environmental principles, factors and objectives*).

4.2.2. Policy and guidance

List the relevant policy and guidance for this factor (see the EPA's *Framework for environmental considerations in EIA*).

4.2.3. Receiving environment

- Provide a description of the project setting and existing environmental values (including matters of national environmental significance (MNES) if relevant), referencing the sources and accuracy of this information.
- Provide a summary of the studies and survey efforts undertaken for the proposal, including dates and timing of the studies and surveys and references.
- Include a map showing the proposal in the local context – an overlay of the proposal development envelope and indicative footprint on a base map of the local environmental values relating to the factor.
- Include a map showing the proposal in a regional context – an overlay of the proposal development envelope and indicative footprint on a base map of the regional environmental values relating to the factor.

4.2.4. Potential impacts

- Define the potential impacts (direct, indirect and cumulative) on the environmental values (including MNES if relevant) for this factor in a local and regional context, from actual data and predictions.
- Include tables showing the impacts (in absolute and relative (%) terms):
  - known extent of the existing environmental value in both a local and regional context
  - direct impact of this proposal to the existing environmental value
  - indirect impact of this proposal to the existing environmental value
  - total of the direct and indirect impact of this proposal to the existing environmental value
  - total (direct and indirect) impact of other proposals to the environmental value
  - cumulative impact – total impact of this proposal and other proposals.

4.2.5. Assessment of impacts

- Evaluate the significance of the potential impacts (direct, indirect and cumulative) of the proposal on the environmental factor in a local and regional context.
- Provide a map showing the extent of the environmental value (including MNES if relevant) overlayed by the development envelope, the indicative footprint and the direct and indirect impacts.
- Discuss the application of the relevant policy, guidance and legislation and provide justification if it is not followed.
- Provide relevant maps and tables to support assessment.

4.2.6. Mitigation

- Describe how the mitigation hierarchy (avoid, minimise, rehabilitate) has been applied against the environmental objective.
- Provide an Environmental Management Plan (EMP) (see *Instructions and Template: Part IV Environmental Management Plans*) as an appendix to the ERD if:
  - it is considered that management measures would need to be conditioned and/or
  - an EMP is a requirement of the ESD.

4.2.7. Predicted outcome

- Describe how the predicted outcome against the environmental objective.
- Discuss whether there is likely to be a significant residual impact (see *WA Environmental offsets policy* and *WA environmental offset guidelines*. If so:
  - does it require and can it be offset?
  - if yes, provide a summary of how the proposed offset will counterbalance the significant residual impact for this factor.

4.3. Key environmental factor 2 etc

5. Other environmental factors or matters

Discuss other environmental factors or matters against the environmental objectives/s where identified:

- in the ESD and/or
- during stakeholder engagement.

Other environmental factors or matters may be summarised in a tabular format.

6. Offsets

- Identify and quantify the significant residual impacts and proposed offsets, including completing the offset template.
- Provide details of the proposed offset including but not limited to:
    - objectives and intended outcomes
    - description of actions to be undertaken
    - specific and measurable success criteria
    - timelines and milestones
    - monitoring to assess offset implementation
    - reporting details and timing
    - financial arrangements
    - risks and contingency measures
    - Governance arrangements including responsibilities and legal obligations.
- Provide evidence of consultation on offset with relevant stakeholders.
- Discuss how the proposed offset is appropriate to counterbalance the significant residual impact and demonstrates consideration of the six Principles outlined in the *WA Environmental Offset Policy, WA Environmental Offset Guideline*.
- Outline how the offset aligns with relevant plans and policies (e.g. recovery plans).
- Evidence that supports the success or viability of the offset (include as an appendix where required).

7. Matters of National Environmental Significance

If the EPA is assessing the proposal under the Bilateral Agreement (or as an accredited process), the Commonwealth requires this section. Include the following:

- List the controlled action provisions.
- List the relevant policy and guidance for the MNES.
- Provide a summary of the existing environmental value(s) that relate to the MNES.
- Summarise the potential impacts (direct, indirect and cumulative) on the MNES.
- Provide relevant tables and maps.
- Summarise the assessment on the relevant environmental factor/s to determine the level of significance of the impact on the MNES. Include how the mitigation hierarchy has been applied.
- Summarise any proposed mitigation.

- Summarise whether offsets are required in relation to the MNES and if so, provide details of the proposed offset and how the offset addressed the *EPBC Act Environmental Offset Policy*.

8. Holistic impact assessment

Provide a holistic assessment of the impacts of the proposal on the whole environment. Describe the connections and interactions between the parts of the environment (environmental factors) and discuss predicted outcomes in relation to the environmental principles and the EPA's environmental objectives.

References

- Use a recognised referencing style and use consistently.
- Use a consistent format when referencing material in the ERD e.g. (Smith 1995) or (Smith 1995; Jones and Sampson 1996).
- List references in alphabetical order.
- Include relevant policy and guidance.

Appendices

- Include all supporting documents (studies, investigations and reports) used to prepare the ERD.
- Where supporting documents are publicly available at no cost, a hyperlink to the document may be used rather than including a copy of the document (e.g. ESD, Ministerial Statement etc).
- If supporting documents recommend further work be undertaken, the ERD should state whether these recommendations are supported and if not, why not.

Submitting an Environmental Review Document

The EPA prefers that documents are emailed but will also accept documents submitted by post.

Email: Registrar@dwer.wa.gov.au or EPA Services
Department of Water and Environmental Regulation
Locked Bag 33, Cloisters Square, Perth WA 6850

Enquiries:
Telephone: 6364 7000 Fax: 6364 0896
Email: info.epa@dwer.wa.gov.au **Error! Hyperlink reference not valid.** Website: www.epa.wa.gov.au

End of instructions. Environmental Review Document template is on next page.

Environmental Protection Authority

GOVERNMENT OF WESTERN AUSTRALIA

Template for an Environmental Review Document

Template: Environmental Review Document

Drafting Instructions:
Red text indicates text specific to your proposal and must be completed
Green text indicates content that may not be relevant to your proposal, delete if not relevant
[Grey text in italics indicates a prompt or example, delete]

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Figures

Figure ES1Regional location and development envelope/s

Figure 2 Proposal location

Figure 3 Proposal development envelope and indicative footprint

Appendices

[Relevant technical studies and investigations]

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Invitation to make a submission

The Environmental Protection Authority (EPA) invites people to make a submission on the environmental review for this proposal.

Proponent Name proposes brief description of proposal. The Environmental Review Document (ERD) has been prepared in accordance with the EPA's ***Procedures Manual (Part IV Divisions 1 and 2)***. The ERD is the report by the proponent on their environmental review which describes this proposal and its likely effects on the environment.

The ERD is available for a public review period of **X** weeks from **DATE**, closing on **DATE**.

Information on the proposal from the public may assist the EPA to prepare an assessment report in which it will make recommendations on the proposal to the Minister for Environment.

Why write a submission?

The EPA seeks information that will inform the EPA's consideration of the likely effect of the proposal, if implemented, on the environment. This may include relevant new information that is not in the ERD, such as alternative courses of action or approaches.

In preparing its assessment report for the Minister for Environment, the EPA will consider the information in submissions, the proponent's responses and other relevant information.

Submissions will be treated as public documents unless provided and received in confidence, subject to the requirements of the *Freedom of Information Act 1992*.

Why not join a group?

It may be worthwhile joining a group or other groups interested in making a submission on similar issues. Joint submissions may help to reduce the workload for an individual or group. If you form a small group (up to 10 people) please indicate all the names of the participants. If your group is larger, please indicate how many people your submission represents.

Developing a submission

You may agree or disagree with, or comment on information in the ERD.

When making comments on specific elements in the ERD:

- Clearly state your point of view and give reasons for your conclusions.
- Reference the source of your information, where applicable.
- Suggest alternatives to improve the outcomes on the environment.

What to include in your submission

Include the following in your submission to make it easier for the EPA to consider your submission:

- Your contact details – name and address.
- Date of your submission
- Whether you want your contact details to be confidential.
- Summary of your submission, if your submission is long.
- List points so that issues raised are clear, preferably by environmental factor.
- Refer each point to the page, section and if possible, paragraph of the ERD.
- Attach any reference material, if applicable. Make sure your information is accurate.

The closing date for public submissions is: **DATE**

The EPA prefers submissions to be made electronically via the EPA's Consultation Hub at https://consultation.epa.wa.gov.au.

Alternatively submissions can be:

- posted to: Chairman, Environmental Protection Authority, Locked Bag 33, Cloisters Square WA 6850, or
- delivered to: the Environmental Protection Authority, Level 4, The Atrium, 168 St Georges Terrace, Perth 6000.

If you have any questions on how to make a submission, please contact the EPA Services at the Department of Water and Environmental Regulation on 6364 7000.

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Scoping Checklist

Task No.	Required work	Section and Page No.
EPA factor 1		
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
EPA factor 2 etc		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		

Tables

Table ES3: Summary of potential impacts, proposed mitigation and outcomes

Key Environmental Factor 1	
EPA objective	
Policy and guidance	
Potential impacts	
Mitigation	**Avoid:** • xxx • xxx **Minimise:** • xxx • xxx **Rehabilitate:** • xxx • xxx
Outcomes	**Residual Impact:** xxx **Offset:** xxx
Key Environmental Factor 2 etc	
EPA objective	
Policy and guidance	
Potential impacts	
Mitigation	**Avoid:** • xxx • xxx **Minimise:** • xxx • xxx **Rehabilitate:** • xxx • xxx
Outcomes	**Residual Impact:** xxx **Offset:** xxx

Table 1: Other approvals

Proposal activities e.g. clearing, dewatering, mining, processing, dredging	**Land tenure/access** e.g. Crown land, Mining lease, specify legislation for access if relevant	**Type of approval** e.g. Native Vegetation Clearing Permit, licence, mining proposal	**Legislation regulating the activity** e.g. *EP Act 1986* – Part V, *Rights in Water Irrigation Act 1914*, *Mining Act 1979*

Table 4: Stakeholder consultation

Stakeholder	**Date**	**Issues/topics raised**	**Proponent response/outcome**
Relevant government agencies, groups, companies and individuals	*Date of consultation*	*Issues/topics raised and by who (proponent or stakeholder)*	*Response or outcome undertaken (or proposed) by the proponent (referring to relevant environmental factor/s)*

Table 5: EP Act principles

Principle	Consideration
1. The precautionary principle *Where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In application of this precautionary principle, decisions should be guided by:* a) *careful evaluation to avoid, where practicable, serious or irreversible damage to the environment; and* b) *an assessment of the risk-weighted consequences of various options.*	
2. The principle of intergenerational equity *The present generation should ensure that the health, diversity and productivity of the environment is maintained and enhanced for the benefit of future generations.*	
3. Principles relating to improved valuation, pricing and incentive mechanisms *(1) Environmental factors should be included in the valuation of assets and services.* *(2) The polluter pays principles – those who generate pollution and waste should bear the cost of containment, avoidance and abatement.* *(3) The users of goods and services should pay prices based on the full life-cycle costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste.* *Environmental goals, having been established, should be pursued in the most cost effective way, by establishing*	

Principle	Consideration
incentive structure, including market mechanisms, which enable those best placed to maximise benefits and/or minimise costs to develop their own solution and responses to environmental problems.	
4. The principle of the conservation of biological diversity and ecological integrity *Conservation of biological diversity and ecological integrity should be a fundamental consideration.*	
5. The principle of waste minimisation *All reasonable and practicable measures should be taken to minimise the generation of waste and its discharge into the environment.*	