



Environmental Impact Assessment Guidelines

Introduction to the *Environmental Impact Assessment Guidelines*

EIA-F01

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1 Why Environmental impact assessment?

Roads and Maritime Services has a statutory responsibility under the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) to consider the impacts of its activities on the environment. The environmental impact assessment process helps Roads and Maritime Services fulfil this responsibility.

The purpose of the environmental impact assessment process is to:

1. Identify environmental impacts at an early stage in project development.
2. Assess the impacts of a proposed activity on the environment before making the decision on whether to carry it out.
3. To develop and assess measures to avoid, minimise or offset those impacts.

2 Environmental planning pathways

The EP&A Act requires assessment of Roads and Maritime Services activities and different assessment pathways for the assessment and approval/determination of proposals, each with their own specific requirements:

1. **Exempt development** refers to development and activities of minimal environmental impact that do not require formal environmental assessment. Exempt development is identified in environmental planning instruments such as *State Environmental Planning Policy (Infrastructure) 2007*. Some Roads and Maritime Services routine and minor maintenance works are exempt development.
2. **Part 4** applies to projects that are permissible with development consent usually from the local council or the Minister for Planning and Infrastructure. Generally a development application (DA) is lodged with the council together with a supporting statement of environmental effects (SEE) or environmental impact statement (for designated development).
 - **Division 4.1** applies to State significant development (SSD). SSD is identified in Schedules 1 and 2 of *State Environmental Planning Policy (State and Regional Development) 2011* or declared by an Order of the Minister for Planning and Infrastructure. The Minister for Planning and Infrastructure is the consent authority for SSD but this power may be delegated to the Planning Assessment Commission or senior officers of the Department of Planning and Infrastructure. An environmental impact statement is prepared for SSI in accordance with the environmental assessment requirements (sometimes called DGRs) of the Director-General of the Department of Planning and Infrastructure. The provisions of section 79C of the EP&A Act also apply to SSD.
1. **Part 5** applies to activities that do not require development consent under Part 4 or approval under Part 5.1. Part 5 applies to the majority of Roads and Maritime Services projects and usually a review of environmental factors (REF) is prepared to assess the environmental impacts of a project prior to commencing the works.

2. **Part 5.1** captures projects that are State significant infrastructure (SSI). SSI is identified in Schedule 3 and 4 of *State Environmental Planning Policy (State and Regional Development) 2011* or declared by an Order of the Minister for Planning and Infrastructure. The Minister for Planning and Infrastructure is the consent authority for SSI. An environmental impact statement is prepared for SSI in accordance with the environmental assessment requirements (sometimes called DGRs) of the Director-General of the Department of Planning and Infrastructure.
 - **Critical State significant infrastructure** - some types of SSI are also declared to be critical SSI under Schedule 5 of *State Environmental Planning Policy (State and Regional Development) 2011*. Critical SSI is infrastructure that, in the opinion of the Minister for Planning and Infrastructure, is essential to the State for economic, environmental or social reasons. Different appeal rights apply to critical SSI. Projects that are critical SSI are listed in Schedule 5 of *State Environmental Planning Policy (State and Regional Development) 2011*.

3 Environment Protection and Biodiversity Conservation Act, 1999

Some projects will also require approval under the Federal *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC). Roads and Maritime Services is required to consider the impact of its activities on prescribed matters of national environmental significance and on Commonwealth land in order to determine whether to refer the project to the Commonwealth. Projects with potentially significant impacts on Commonwealth matters require the approval of the Federal Minister for the Environment.

4 Purpose of the environmental impact assessment (EIA) guidelines

The EIA guidelines ensure that all Roads and Maritime Services environmental assessments meet both legal requirements and community expectations. They outline how to prepare environmental impact assessment for Roads and Maritime Services activities. The guidelines are intended to:

- Enable the Roads and Maritime Services to achieve its corporate commitment and meet its statutory responsibility in relation to assessing the environmental impact of its activities.
- Enable Roads and Maritime Services to achieve consistently high quality in the preparation of environmental impact assessments for our proposals.
- Assist Roads and Maritime Services and its consultants in undertaking environmental impact assessment in respect of our proposals to assess impacts objectively and comprehensively.

The guidelines should be used by all persons who have responsibility for environmental assessment of Roads and Maritime Services proposals. In most cases, that means Roads and Maritime Services staff who are responsible for project management, and/or environmental assessment as well as contractors who have been engaged by Roads and Maritime Services to assess the potential environmental impacts of a proposal.

5 Scope of the guidelines

The focus of the guidelines is on the provision of procedure and guidance for EIA during the development and implementation phases of the Infrastructure Life Cycle (ILC). They are intended to be a companion to the ILC management system and in particular the associated Project Pack and Minor Project management system, which govern the project management of infrastructure in Roads and Maritime Services.

6 Responsibilities

The Manager, Environmental Planning and Assessment, is responsible for ensuring that this information is maintained.

About this document

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|------------------|---|
| Reference number | EAI-F01 |
| Title | Introduction to the <i>Environmental Impact Assessment Guidelines</i> |

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| Location | File name |
|--------------------------------------|--|
| G:\ENVIRNMNT\Planning and Assessment | F01 Introduction Environmental Impact Assessment.doc |

| Document status | Date |
|-----------------|-------------------|
| 2.1 | 26 September 2013 |

| Version | Date | Revision Description |
|---------|----------|--|
| 1.0 | 25/09/08 | First issue |
| 1.1 | 24/03/09 | Revised EIAG number and format |
| 2.0 | 20/12/11 | EP&A Act changes |
| 2.1 | 26/09/13 | Update with Federal Minister for the Environment |

Your comments and suggestions to improve this or any of the EIA guidelines may be sent to:

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