Information sheet

*Environmental Protection Act 1994*

*The below checklists and agendas can be used by applicants and departmental staff to assist with pre-lodgement for a resource project.*

**Phase 1 (Discovery) – Pre-lodgement checklist**

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| --- | --- | --- | --- | --- | --- | --- |
| **Phase** | **Process step** | **Applicant** | **Agency** | **Tasks** | **Outcomes/Notes** | **Date completed** |
| **Phase 1 – Discovery** | **Application type/assessment identification** | ü |  | Identify the type of application required |  |  |
| ü |  | Discuss the feasibility of the proposed project |  |  |
| ü |  | Describe the project and its potential impacts |  |  |
| ü |  | Identify and engage early with all interested and effected persons, including First Nations groups |  |  |
| **Information gathering** | ü |  | Review the guidance material and gain an understanding of the supporting documentation required during lodgement |  |  |
| ü |  | Request a pre-lodgement meeting (1) and attach supporting information |  |  |
| ü | ü | Ensure the necessary information is provided to progress to pre-lodgement meeting |  |  |
| ü | ü | Prepare clarification questions and discussion topics for the pre-lodgement meeting |  |  |
| **Pre-lodgement meeting (1)** | ü | ü | Attend the pre-lodgement meeting (1) |  |  |
| ü | ü | Validate the application type and supporting documentation required |  |  |
|  | ü | Identify the applicable customer journey map/application type checklist |  |  |
| ü |  | Request feedback and guidance on the requirements of the application and likely supporting documentation needed |  |  |
| ü | ü | Agree on next steps and actions post the initial pre-lodgement meeting |  |  |
|  | ü | Document meeting minutes/notes from the pre-lodgement meeting and communicate outcomes to all |  |  |
|  | **Finalise application** | ü |  | If applicable, request a Phase 2 and if necessary, Phase 3 pre-lodgement meeting for complex projects or those seeking a 'coordinated project' declaration. |  |  |

**Phase 1 (Discovery) – Pre-lodgement meeting agenda**

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| --- | --- | --- |
| **Phase** | **Agenda item** | **Potential discussion topics** |
| **Phase 1 – Discovery** | **Introduction** | Introduction of applicant and relevant DESI representatives |
| Applicant to share motivation for requesting the pre-lodgement meeting (1) |
| **Project overview** | Applicant to describe the project and its potential impacts, with pre-reading content provided before the meeting, if possible |
| **Assessment process overview** | General overview of the assessment process at a high-level to frame future discussions and set expectations |
| Overview of the different types of licenses and permits required |
| If applicable, validate the applicant meets the criteria for becoming a registered suitable operator (RSO); or already has a RSO |
| **General discussion** | If available, applicants to share high-level project specific information to gain an understanding of:   * The relevant processes based on application type * Applicable regulation and legislation * Applicable guidance materials and checklists * Information requirements |
| Applicant to seek clarification on any discussion topics or areas they do not understand |
| Expectations are outlined regarding stakeholder engagement and process requirements moving forward |
| **Next steps** | Next steps are discussed and agreed |
| Meeting notes are captured and shared |

**Phase 2 (Clarity and efficiency) – Pre-lodgement checklist**

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| --- | --- | --- | --- | --- | --- | --- |
| **Phase** | **Process step** | **Applicant** | **Agency** | **Tasks** | **Outcomes/Notes** | **Date completed** |
| **Phase 2 – Clarity and efficiency** | **Supporting documentation preparation** | ü |  | Prepare / refine application and supporting information in accordance with the guidance received in the pre-lodgement meeting (1) |  |  |
| ü |  | Summarise project overview and key facts |  |  |
| ü |  | Finalise the supporting documentation and prepare a draft application |  |  |
| ü |  | Request a pre-lodgement meeting (2) |  |  |
| ü | ü | Prepare questions and clarifications, if relevant |  |  |
| **Pre-lodgement meeting (2)** | ü | ü | Attend the pre-lodgement meeting (2) |  |  |
| ü | ü | Validate the draft application documentation and ensure there are no missing information requirements |  |  |
| ü | ü | Raise any risks or issues and seek guidance on the proposed way forward to address requirements |  |  |
| ü | ü | Agree on next steps and actions post the pre-lodgement meeting |  |  |
|  | ü | Document meeting minutes/notes from the pre-lodgement meeting and communicate outcomes to all |  |  |
| **Finalise application** | ü |  | If applicable, update the application documentation in accordance with the guidance received in the pre-lodgement meeting (2) |  |  |
| ü |  | If applicable, request a Phase 3 pre-lodgement meeting (3) (complex projects or those requiring a 'coordinated project' declaration) |  |  |
| ü |  | Finalise application and formally lodge application |  |  |

**Phase 2 (Clarity and efficiency) – Pre-lodgement meeting agenda**

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| --- | --- | --- |
| **Phase** | **Agenda item** | **Tasks** |
| **Phase 2 – Clarity and efficiency** | **Introduction** | Overview of any project changes or updates |
| Validation of the processes based on application type as identified in the previous pre-lodgement meeting (1) |
| Validation of the legislative requirements identified in the previous pre-lodgement meeting (1) |
| **Assessment process overview** | Overview of the assessment process including validation of the assessment type and timeframes |
| **Confirmation of information requirements** | Confirm information and supporting documentation required (refer to relevant application information requirement checklists Attachment 3) |
| Discuss and confirm the relevant guidance materials and checklists relevant to the application |
| **Project overview** | Discuss additional project specific requirements including:   * Potential project resourcing * Project financing and fees for assessment * Requirements of financial and technical capability * Infrastructure requirements (i.e. power, water, air, pipeline etc.) * Land availability and constraints (i.e. overlapping tenure, constrained or unavailable land, priority living areas and strategic environmental areas etc) * Feasible alternatives and options to avoid adverse social, environmental, and economic impacts * Prior and planned stakeholder engagement with key stakeholders and local, state, federal and other Queensland State Government agencies * If applicable, project specific risks and sensitive or community sensitive matters or impacts * Common applicant barriers and agency lessons learned (i.e. compensation negotiations etc.) |
| Discuss project specific milestones and timeframes |
| Applicant to seek clarification on any discussion topics or areas they do not understand |
| **Next steps** | Next steps are discussed and agreed |
| Meeting notes are captured and shared |

**Phase 3 (Complex projects) – Pre-lodgement checklist**

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| --- | --- | --- | --- | --- | --- | --- |
| **Phase** | **Process step** | **Applicant** | **Agency** | **Tasks** | **Outcomes/Notes** | **Date completed** |
| **Phase 3 – Complex projects (optional)** | **Pre-lodgement meeting (3)** | ü | ü | Attend the pre-lodgement meeting (3) |  |  |
| ü |  | Discuss and work through project complexities or issues and seek guidance on the additional information required to support the application submission. This may include specific matters that relate to a 'coordinated project' declaration or potential EIS process, and the supporting information requirements. |  |  |
| ü | ü | Agree on next steps and actions post the pre-lodgement meeting (3) |  |  |
|  | ü | Document meeting minutes/notes from the pre-lodgement meeting (3) and communicate outcomes to all |  |  |
| **Finalise application** | ü |  | Update application documentation in accordance with the guidance received in the pre-lodgement meeting (3) |  |  |
| ü |  | Finalise application and formally lodge application |  |  |
| ü |  | Submit application |  |  |

**Phase 3 (Complex projects) – Pre-lodgement meeting agenda**

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| --- | --- | --- |
| **Phase** | **Agenda item** | **Tasks** |
| **Phase 3 – Complex projects (optional)** | **Introduction** | Overview of any project changes or updates |
| Recap on outcomes from pre-lodgement meeting 1 and/or 2 |
| **Variable factors project overview** | Discuss additional project specific variable or high-risk factors based on additional information that has been made available. This may include but is not limited to:   * EIS assessment pathway * Requirements of financial and technical capability statement * Pre-feasibility assessment requirements * Feasible alternatives and options to avoid adverse social, environmental, and economic impacts * Baseline studies conducted/needed * Terms of reference for the environmental impact statement for project * Criteria under section 27 of the *State Development and Public Works Organisation Act 1971* * Approvals, including any alternative approval pathways * Expected date of the final investment decision * High-risk, sensitive or contentious matters or impacts * Officers should encourage applicants to engage early with all interested and effected persons, including First Nations groups * Possible referral of project to the Australian Government |
| Confirm further information and documentation required to mitigate variable requirements that will need to be included before lodgement |
| Applicant to seek clarification on any discussion topics or areas they do not understand |
| **Next steps** | Next steps are discussed and agreed |
| Meeting notes are captured and shared |

**Site specific for all resource activities, application steps and guide to identifying required supporting information for environmental authorities**

Applicants must make a site-specific EA application if they can't make a standard or variation application for their activity. Applicants need to supply detailed information about the proposed activity and its potential environmental impacts. The application will be assessed according to the level of potential environmental risk and the model conditions which have been developed for specific industries. Key application steps and information to support the overall application for an EA – site specific resource activities including mining lease is outlined below.

Pre-lodgement meeting

Registered as a suitable operator (made with, or prior to, a new EA).

Application stage

Information stage

Notification stage

Decision stage

**Key application steps**

**Registration as a Suitable Operator**

Application for registration

Suitability report

**Application stage**

Proof the application is made by a valid person (s. 116 EP Act)

Proof that for resource activities, the application is made by the person who has applied for relevant tenure (s. 117)

Proof that the application is for an activity which is not part of a project with an existing EA (ss. 118 and 119)

Proof that the application is for an activity which is an existing lawful use of the land (s. 120)

Information Requirements for the relevant application type are listed in EP Act s122-126 which determine if an application is considered ‘Properly made’

You are encouraged to engage early with all interested and effected persons, including First Nations groups

Further mandatory information is required for Coal Seam Gas activities which are also listed in the Act

If ‘not properly made application notice’ is issued to the applicant under s. 128, the applicant has at least 20 business days to take the required action stated within the notice for the application to be deemed properly made

**Information stage**

Mandatory information for submission in this phase is found in Schedule 4 of EP Act and in s30-41 of EP Regulation

Information Request and response meeting s.146 EP Act requirements and within stated response period

**Notification stage**

The application notice must be published in a newspaper circulating in the area of the proposed activity

If public notice is required under resource legislation, the application notice must be in the same way and together with the application notice for the resource tenure application

For site-specific applications the application notice and application documents must be kept visible on a website. This information must be made available until the application is decided, withdrawn or lapsed (s. 156 EP Act)

Declaration of compliance declaring that the relevant public notification requirements have been complied with

Information Request and response meeting s.146 EP Act requirements and within stated response period

Application Notice and Public Notice for Resource Tenure Application

**Information to support application**

**Amendments (by application) application steps and guide to identifying required supporting information for environmental authorities**

The holder of an EA or a PRCP schedule may, at any time, apply to the administering authority to amend the EA or PRCP approved schedule (an amendment application). Amendment applications must be made in accordance with s.224–225 of the EP Act and meet the application requirements as per s.226 of the EP Act, and where relevant 226AA, 226A, 226B, 227 and 227AA in order to be a properly made amendment application. The administering authority will decide whether an amendment application is a minor amendment (threshold) or a major amendment.Key application steps and information to support the application for an EA – amendment is outlined below.

Pre-lodgement meeting

Application stage: for either of the following

* 1. Minor Amendment (EA)
  2. Minor Amendment (EA Condition Conversion)
  3. Major Amendment (EA)
  4. Minor Amendment (PRCP Threshold)
  5. Major Amendment (PRCP Approved Schedule)

Information stage

Notification stage (Public notification for major amendments where applicable)

Decision stage

**Key application steps**

**Minor amendments**

Amendment application made in accordance with ss. 224–225 a meet the application requirements in part 7, division 2 of the EP Act

Evidence the amendment does not significantly increase the level of environmental harm caused by the relevant activity

Evidence that the amendment does not change any rehabilitation objectives in the EA in a way likely to result in significantly different impacts on environmental values than the impacts previously permitted under the EA

Specification that the amendment does not significantly increase the scale or intensity of the relevant activity

Specification that the amendment application seeks an EA that is subject to standard conditions for the relevant activity, to the extent it relates to the permit.

Evidence that construction of a new pipeline for petroleum activity does not exceed 150km in length or 10% of existing length

**Major amendments**

You are encouraged to engage early with all interested and effected persons, including First Nations groups.

Major amendment application for an EA is made in accordance with Chapter 5 of the EP Act and must meet the requirements under parts 3 to 5 of the Act.

Major amendment application for a PRCP schedule is made in accordance with Chapter 5 of the EP Act and must meet the requirements under parts 3 to 5 and s.136A of the Act

If an information request notice is issued to a site-specific application without a proposed PRC plan, respond with a PRC plan within the response period stated in the notice and which complies with Chapter 5, part 2, division 3 of the EP Act

If an EIS decision has previously been made by the administering authority and is deemed required, or is otherwise deemed necessary through the application process, an information request will be made for a new EIS to be submitted for the amendment application

**Information to support application**

**EIS under the EP Act, application steps and guide to identifying required supporting information**

In deciding whether a resource project requires assessment by EIS, the department will carry out its functions and responsibilities in accordance with the EP Act. The purpose of an EIS is to assess a project’s social, economic and environmental impacts and the measures proposed to avoid, minimise and mitigate the potential impacts of the project. Key application steps and information for the application stage of an EIS under the EP Act are outlined below.

Pre-lodgement meeting

Application:

* Voluntary EIS decision or
* Decision on whether an EIS would be required for a new or amended site-specific EA

Applicant submits draft TOR

Applicant gives TOR notice to interested and affected persons

Draft TOR comment period

Applicant amends draft TOR based on comments for department consideration

Department finalises TOR

Applicant submits EIS

Department reviews adequacy of the EIS

Applicant publishes and provides EIS notice to interested parties

**Key application steps**

**Application**

Application form

Fee

List of names and addresses of all interested and affected persons (as defined in the EP Act) including supporting maps showing the names and addresses against freehold and various tenure

A statement of how the proponent proposes to consult with the interested and affected persons. You are encouraged to engage early with all interested and effected persons, including First Nations groups

Documents or information to establish that the applicant may enter land to which the project relates to carry out any necessary studies for the **EIS**

Description of project and the operational land (often referred to as the initial advice statement)

Project description

Proponent history

Nature of the proposal

Scope of the project including components, scale and duration

Land use

Project justification and alternatives including measures taken to avoid adverse impacts

Components, developments, activities, and Infrastructure that constitute project

External infrastructure requirements

Timeframes for the project

Construction and operational processes

Workforce requirements during construction and operation

Location

Tenure

Description of existing environment

Assessment against the standard criteria and EIS criteria guideline

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**Information to support application**

EIS submission period

Applicant responds to submissions and amends EIS

Department assesses amended EIS

Preparation and release of the EIS assessment report

**Application (continued)**

Environmental, social and economic values associated with the proposed project including character, resilience and values of the receiving environment

Potential adverse and beneficial environmental, economic and social impacts of the project

Proposed management, monitoring, planning and other measures to minimise any adverse environmental impacts from the proposed project on these values.

Regulatory requirements for the project including EPBC Act

Proposed measures to avoid, mitigate and offset the adverse and residual environmental impacts

Identify potential critical issues or regulatory barriers

High resolution versions of all maps/diagrams/figures used

Stakeholder consultation plan which identifies the types of consultation and communication activities to be undertaken, timing of activities, how it will target the stakeholder/community representatives, integration with other EIS activities and the project development process, consultation responsibilities, any relevant communication protocols, stakeholder reporting and feedback arrangements, how results of consultation will be considered by the proponent and integrated into the EIS process

Costs and benefits summary

Community and stakeholder consultation

References and data sources

Outline of baseline studies completed to date.

**EIS under the SDPWO Act, application steps and guide to identifying required supporting information**

Under Part 4 of the *State Development and Public Works Organisation Act 1971* (SDPWO Act), Queensland’s Coordinator General may declare a project a ‘coordinated project’ if the project has at least one of the following: complex local, state or Commonwealth approval requirements, strategic significance to the locality, region or the State, including for the infrastructure, economic and social benefits, capital investment or employment opportunities it may provide, significant environmental impacts or significant infrastructure requirements. Key application steps and information to support the overall application for declaration for an EIS under the SDPWO Act. is outlined below.

Pre-lodgement meeting

Application for declaration

Project declared ‘coordinated’

Draft TOR for EIS prepared by the Coordinator General

Final TOR issues to applicant

Applicant prepares draft EIS

Draft EIS pre-lodgement meeting

Draft EIS submitted to Coordinator-General

**Key application steps**

**Information to support application**

**Application for declaration**

Covering letter requesting the application for a coordinated project declaration

Relevant fee

Initial advice statement (IAS) addressing the size and nature of the proposed project, environment in and around the project location, scale and extent of the project's potential environmental impacts, any proposed measures to mitigate potential adverse impacts.

Statement regarding the proponent's financial and technical capability to complete the environmental impact statement (EIS) or impact assessment report (IAR) process

Pre-feasibility assessment of the technical and commercial feasibility of the project

**Draft EIS**

Details of the project proponent

Description of the EIA pathway

Description of the proposed project, including nature, location and scale of all project components and activities, rationale for project, capital expenditure and relationship to other major projects and duration of project

Workforce numbers, proposed townships where recruitment will undertaken, rostering arrangements for workers, proposed workers’ accommodation

Infrastructure requirements, including concept and layout plans

Project staging detailing preconstruction, construction, operations and decommissioning phases

Site description, including all property descriptions, tenure and land use for land impacted by the project, including adjacent properties, scaled maps for all permanent or temporary infrastructure during construction and operations, and maps depicting project area and surrounds (For example, topography, waterbodies, protected areas, geology and landforms)

Project rationale and alternatives

Legislative requirements and required project approvals

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Adequacy review of Draft EIS for public release by Coordinator General

Information request, if required

Revised draft EIS provided

Coordinator General accepts Final EIS

Coordinator General releases report on EIS

**Key application steps**

**Information to support application**

**Draft EIS (continued)**

Stakeholder consultation plan which identifies the types of consultation and communication activities to be undertaken, timing of activities, how it will target the stakeholder/community representatives, integration with other EIS activities and the project development process, consultation responsibilities, any relevant communication protocols, stakeholder reporting and feedback arrangements, how results of consultation will be considered by the proponent and integrated into the EIS process. You are encouraged to engage early with all interested and effected persons, including First Nations groups

Assessment of all relevant environmental, social and economic project specific matters, including the existing environment, potential impacts, management and mitigation measures proposed to avoid, minimise and/or mitigate any adverse impacts

Matter of national environmental significance, including description of the action, feasible alternatives, description of the environment, relevant impacts, avoidance, mitigation and management measures, environmental offsets

High resolution versions of all maps/diagrams/figures used

References and data sources

Hyperlink any external websites referred to in the draft EIS

**SIA (for EIS under the EP Act. and SDPWO Act.) application steps and guide to identifying required supporting information**

The SIA applies to all resource projects subject to an EIS process under the *State Development and Public Works Organisation Act 1971* (SDPWO Act) or the *Environmental Protection Act 1994* (EP Act). The purpose of an EIS is to assess and report on a project’s social, economic and environmental impacts and the measures proposed to mitigate the potential impacts of the project. This includes the Coordinator-General’s evaluation of the social impacts of a project and the decision whether or not to allow the project to proceed. Key application steps and information to support the overall application for a SIA (for EIS under the EP Act and SDPWO Act) are outlined below.

**Social Impact Assessment**

Baseline analysis

Community and stakeholder engagement

Impact assessment

Impact mitigation and benefit enhancement

**Key application steps**

**Scoping**

Include detail of the nature and scale of the project

Scope of the potential social impacts throughout the project lifecycle

Location and characteristics of potentially affected communities

Infrastructure, urban / rural centres, and land use patterns

Native title rights and other interests held by Aboriginal and Torres Strait Islander peoples. You are encouraged to engage early with all interested and effected persons, including First Nations groups

Location of other projects in the region which may contribute to cumulative social impacts over time

**Baseline analysis**

The location and characteristics of potentially impacted communities

A demographic profile of potentially impacted communities

An overview of land use and key industries in the region, as well as relevant local and state government plans

Assessment of the capacity and accessibility of infrastructure, facilities and services, including education, health and emergency services

An analysis of the existing housing and accommodation market

A profile of the local and regional labour market

Native title rights and other interests held by Aboriginal and Torres Strait Islander peoples

Details of other resource and infrastructure projects in the area, both planned and currently operating, based on publicly accessible information

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**Information to support application**

Social impact management plan

Monitoring, review and update

Compliance and reporting

**SIA key matters**

Community and stakeholder engagement

Workforce management

Housing and accommodation

Local business and industry procurement

Health and community well-being

**Social Impact mitigation and benefit enhancement**

In consultation with potentially impacted communities and other stakeholders, development and documentation of social impact mitigation and benefit enhancement measures

**impact management plan (including plans for each key matter)**

The management measures identified must be documented in an SIMP, which will include detail on the proposed management measures, timeframes for implementation, roles and responsibilities, stakeholders, and potential partnerships

**Monitoring, review and update**

Evidence of continuous monitoring of the implementation of the SIMP throughout the project lifecycle

**Compliance and reporting**

Proposed reporting compliance with the conditions, implementation of the SIMP, agreed commitments, community and stakeholder engagement, complaints management and continuous monitoring of outcomes