



# Preparing an Environmental Impact Statement

State Significant Infrastructure Guide

Exhibition Draft

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# 1. Introduction

## 1.1 Comprehensive Assessment

State significant infrastructure (SSI) is important to the State for economic, environmental or social reasons

All SSI projects require approval under the *Environmental Planning and Assessment Act 1979* (the EP&A Act) from the Minister for Planning and Public Spaces (Minister) before they may proceed<sup>1</sup>.

Prior to determination, they are subject to comprehensive assessment with extensive community participation.

This includes requiring the proponent of an SSI project to prepare an Environmental Impact Statement (EIS)<sup>2</sup> for the project in accordance with the Planning Secretary's environmental assessment requirements (SEARs).

The EIS is exhibited for at least 28 days<sup>3</sup>. This gives the community a chance to read the EIS and make a submission on the merits of the project.

The approval authority evaluates the merits of the project as a whole, having regard to the economic, environmental and social impacts of the project, the issues raised in submissions, and the principles of ecologically sustainable development.

After determining the application, the approval authority is required to publish a notice setting out the reasons for the decision and how community views were taken into account in making the decision<sup>4</sup>.

## 1.2 Purpose of the EIS

The purpose of the EIS is to assess the economic, environmental and social impacts of the project and to help the community, local councils, agencies and the approval authority to get a better understanding of the project and its impacts so they can make informed submissions or decisions on the merits of the project.

## 1.3 Purpose of this Guide

This guide provides a detailed explanation of the Department's form and content requirements for EISs.

It seeks to ensure that the EISs submitted to the Department for all SSI projects are prepared to a high standard and consistent. It also seeks to ensure that these EISs are:

- as succinct as possible and easy to understand
- clearly describe the project
- reflect community views
- contain a technically robust assessment of the impacts of the project

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<sup>1</sup> See section 5.14 of the EP&A Act.

<sup>2</sup> See section 5.16(2) of the EP&A Act.

<sup>3</sup> See the community participation requirements in Schedule 1 of the EP&A Act.

<sup>4</sup> See clause 20 of Schedule 1 of the EP&A Act.

- evaluate the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development.

This guide sets clear expectations for the preparation of all EISs for SSI projects and will help to promote robust debate on the merits of these projects.

## 1.4 Application of this Guide

Under the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation), the EIS for an SSI project must be prepared having regard to the SSI guidelines prepared by the Planning Secretary<sup>5</sup>.

This guide forms part of the relevant SSI guidelines, and proponents must have regard to the requirements in this guide when they prepare an EIS for an SS project.

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<sup>5</sup> See proposed clause 3(2) of schedule 2 of the EP&A Regulation in the *Environmental Planning and Assessment Amendment (Major Projects) Regulation 2000*.

## 2. General Requirements

The proponent must prepare the EIS to a high standard and comply with the following general requirements.

### 2.1 Form

The EIS must be divided into two parts<sup>6</sup>:

- the main report, which clearly describes the project, summarises the findings of any community engagement and the detailed assessment of the impacts of the project, and evaluates the project as a whole having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development<sup>7</sup>
- the appendices to the main report, which should include:
  - a SEARs compliance table, which identifies where each of the SEARs has been addressed in the EIS
  - detailed maps and plans of the project
  - a statutory compliance table
  - a community engagement table
  - a table of the proposed mitigation measures (excluding any measures that are part of the physical design and layout of the project and included in the project description)
  - any supporting information, including any detailed community engagement or technical reports.

The main report must contain an accurate summary of the detailed reports in the appendices and use suitable cross-referencing to reduce repetition between the two parts of the EIS.

### 2.2 Structure and Length

The structure for an EIS is shown in Appendix A and must be used in all EISs for SSI projects<sup>8</sup>. If some sections are not relevant, the proponent should adjust the structure of the EIS accordingly.

While the length of the EIS will vary depending on the scale and nature of the matters requiring detailed assessment, the main report must be as succinct as possible.

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<sup>6</sup> Despite the division of the EIS into two parts, the appendices form part of the EIS - see clause 9 of schedule 2 of the EP&A Regulation.

<sup>7</sup> See proposed clause 7(1)(f) of schedule 2 of the EP&A Regulation

<sup>8</sup> The Department has developed the structure for an EIS shown in Appendix A to improve the narrative, presentation of information and consistency of EISs, and also to make them easier to read and understand. While the structure differs slightly from the order of the mandatory requirements for an EIS listed in clause 7 of schedule 2 of the EP&A Regulation, all of these requirements have been incorporated into the required structure of the EIS and the information that must be included in each section of the EIS under this guide.

To assist in this regard, the Department has set indicative page limits for each section of the main report in Appendix A. These limits should only be used as a guide, as the primary objective is to ensure the EIS provides a comprehensive evaluation of the project as a whole.

## 2.3 Presentation

The EIS must make it easy for people to understand what is proposed and identify community views on the project and the likely impacts so they can make informed submissions or decisions on the project.

To ensure the EIS is prepared to a high standard, the proponent should:

- ensure the EIS has a clear narrative, taking readers from the development of the project (including the consideration of any feasible alternatives) through the findings of any community engagement and the detailed assessment of its potential impacts to the evaluation of the project as a whole
- structure the information in the EIS in a clear and logical way, making it easy for readers to draw a clear link between the summary of the findings of the detailed assessment in the main report and the appendices of the EIS, and between these findings and the evaluation of the project as a whole
- use objective analysis and provide reasons and evidence to support any conclusions
- use plain English to explain complex information simply
- avoid using jargon
- use maps, photographs, interactive digital tools, figures, graphics and tables to improve the presentation of information where possible
- ensure the visual presentation of material is consistent with the text presentation of the same material and that both presentations are located close to each other
- ensure the EIS does not contain any false or misleading information<sup>9</sup>

## 2.4 GIS data specifications

The proponent must:

- maintain appropriate geo-referenced file formats of all the maps used in the EIS
- supply all relevant GIS data to the Department as polygon datasets in one of the following file formats:
  - shapefile
  - file geodatabase or
  - MapInfo TAB
- use the following coordinate system details:
  - Datum: GDA 1994
  - Projection: GCS GDA 1994.

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<sup>9</sup> See section 10.6 of the EP&A Act.

## 2.5 General map requirements

Maps in the EIS must build on a standard base map for the project and include:

- a north arrow (for maps in plan view)
- a scale (or where a cross section is not to scale, an indication of the elevation of key features and vertical exaggeration)
- a legend clearly indicating each line type that is not labelled on the map
- the source data of the base map (where applicable).

## 2.6 Accessibility & navigation

The EIS must generally conform with the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and relevant material about creating accessible documents on the NSW Government's website.

In particular, the EIS must:

- be provided as accessible PDF files<sup>10</sup> (commonly referred to as “tagged” PDF files)
- have a navigable table of contents
- present information in a linear and easy to follow format
- use headings – in Microsoft Word this means using heading styles (e.g. Heading 1, Heading 2, Normal)
- use captions for tables, pictures and figures
- include a header row in any tables
- provide alternate text descriptions for all images (except for images that are decorative) - preferably under 100 characters
- use text to convey information rather than, or in addition to, images where possible
- use a contrast ratio of 3:1 for large text (18+ points or 14+ points bold) and at least 4.5:1 for text and images of text, unless the text is decorative or unimportant (use the [Vision Australia colour contrast analyser](#) to check the contrast ratio of colour combinations)
- not rely on colour to convey information and instead use text labels, patterns and symbols to supplement colour.

## 2.7 Certification

To ensure the EIS is prepared to a high standard, it must be certified by a registered environmental assessment practitioner (REAP) before it is submitted to the Department<sup>11</sup>.

Under the Registered Environmental Assessment Practitioners guide, the REAP must certify that the EIS:

- complies with the relevant EIS requirements in schedule 2 of the EP&A Regulation
- has been prepared having regard to this guide

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<sup>10</sup> An accessible PDF file provides hidden, structured, textual representation of the PDF content that is presented to screen readers.

<sup>11</sup> See proposed clause 6(f) of Schedule 2 of the EP&A Regulation in the *Environmental Planning and Assessment (Major Projects) Regulation 2020*.

- contains all available information relevant to the assessment of the project
- contains no false or misleading information
- contains a consolidated description of the project in a single chapter of the EIS
- addresses the SEARs for the project
- identifies and addresses the relevant statutory requirements for the project, including the relevant matters for consideration in environmental planning instruments
- contains an accurate summary of the findings of any community engagement and the detailed technical assessment of the impacts of the project
- contains a comprehensive evaluation of the impacts of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development.

## 3. Content of an EIS

The EIS must contain the following information in each section of the main report.

### 3.1 Introduction

This section must set the context for the detailed assessment and evaluation of the project in the next sections of the EIS, and include:

- the proponent's details
- a simple description of the project, including:
  - a statement of the objectives of the development<sup>12</sup>
  - maps of the site in its regional setting
- the background to the project, including:
  - any relevant history
  - an analysis of any feasible alternatives to the proposed manner of carrying out the development having regard to the objectives of the development, including the consequences of not carrying out the development<sup>13</sup>
  - key strategies that have been adopted to avoid or minimise the impacts of the project
- a description of any related development or infrastructure that is required for the project or may be developed as a result of the project, but would be subject to a separate approval process (e.g. new or upgraded ancillary infrastructure, approvals for subsequent stages of the project).

The analysis of alternatives in this section should explain the project has ended up in its current form, summarising the key alternatives that have been considered and rejected (e.g. alternative ways of achieving the objectives of the development; and alternative sites / corridors, designs, mitigation measures) and the reasons why they were rejected.

If there are any detailed studies supporting the analysis of alternatives, or the related development or infrastructure for the project is complex and requires a detailed explanation, then this material should be attached in the appendices to the EIS.

### 3.2 Strategic context

This section must identify the key strategic context issues that are relevant to the assessment and evaluation of the project.

If the strategic context for the project is complex, this section should contain a simple summary of the key strategic issues and include a detailed analysis of the strategic context in the appendices of the EIS.

Key strategic issues may include:

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<sup>12</sup> See clause 7(1)(b) of schedule 2 of the EP&A Regulation.

<sup>13</sup> See clause 7(1)(c) of the EP&A Regulation.

- the justification of the project, including whether any Government strategies, policies or plans provide strategic support for the project
- key features of the site / corridor and surrounds that could affect or be affected by the project including:
  - the local and regional community, having regard to land uses in the area, land ownership and the proximity of population centres and residences to the site or corridor
  - important features in the natural or built environment such as National Parks, scenic landscapes, conservation areas, culturally important landscapes, and major infrastructure (e.g. roads, rail, pipelines, transmission lines)
  - key risks or hazards that warrant further consideration, such as flooding, bushfire prone land and contaminated land.
- whether the project is likely to generate cumulative impacts with other development in the area (see the Department's *Assessing Cumulative Impacts* guide)
- identifying whether the proponents has entered into any agreements with other parties to mitigate or offset the impacts of the projects.

### 3.3 Project description

This section must provide a consolidated description of the project that the proponent is seeking approval for<sup>14</sup> using suitable maps, plans, figures and tables.

#### *The importance of the project description*

The project description is very important because it outlines what the proponent is seeking approval for in a single section of the EIS and will provide the basis for the Department's detailed assessment of the project and the approval authority's evaluation of the merits of the project.

Further, if the SSI project is approved, the proponent will be required to carry out the project in accordance with the project description in the EIS rather than the whole EIS.

Consequently, the project description coupled with the conditions of approval for the project will become the primary reference point for checking compliance if the project proceeds.

If the SSI application is amended during the assessment process, the proponent must submit an Amendment Report and / or be required by the Department to submit a Preferred Infrastructure Report having regard to the Department's *Preparing an Amendment Report* guide and the *Preparing a Preferred Infrastructure Report* guide. The Amendment Report and the Preferred Infrastructure Report must include a description of the amended project and use this project description as the basis to complete its assessment of the amended project. This description will also be referenced in any conditions of approval.

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<sup>14</sup> See clause 7(1)(d) of schedule 2 of the EP&A Regulation.

Finally, if the proponent subsequently seeks to modify the approval for the project, the Department will require the proponent to submit a Modification Report for the modifications, having regard to the Department’s *Preparing a Modification Report* guide.

The Modification Report will contain a detailed description of the modified project and the modified project description will be used as the basis to complete the assessment and evaluation of the modified project. Also, if the modification application is approved, the proponent will be required to carry out the project in accordance with the modified project description in the Modification Report in the modified conditions of approval for the project.

This will ensure that the conditions of approval always accurately reflect what is approved and refer to a single, up-to-date, and consolidated description of the approved project.

*Project overview*

The project description must start with a simple overview of the project, including a table that captures the main elements of the project (see examples in Appendix B).

*Detailed description*

Due to the diversity in the scale and nature of SSI, it is difficult to adopt a one-size-fits-all approach to the detailed description of projects.

Consequently, the proponent must tailor the detailed description of the project to fit the specific characteristics of the project. Nevertheless, to ensure consistency between the description of different SSI projects, the proponent must ensure the detailed description addresses each of the key aspects in Table 1.

**Table 1. Key aspects of the detailed project description**

Key aspects	Description
<b>Project area</b>	<p>The description should include:</p> <ul style="list-style-type: none"> <li>• the land on which the project would be located, including any land required for a buffer area</li> <li>• the land that would be physically disturbed within the project area, and any changes to this disturbance area over time</li> <li>• the land within the project area with environmental constraints (e.g. high conservation value, subject to flooding) where no development would occur, or development would be minimised</li> <li>• plans showing the project area, disturbance area and any constraints</li> <li>• land acquired for the project</li> </ul>
<b>Physical layout and design</b>	<p>The description should include the following for both the construction and operation of the project:</p> <ul style="list-style-type: none"> <li>• the layout of all the physical elements of the project within the project area, including all buildings, structures, works, roads, biodiversity offsets, landscaping and open space. For construction, this may include the areas required for the infrastructure and access for construction vehicles and plant, drainage infrastructure, temporary sediment basins, utilities and services adjustments, temporary stockpiles, property adjustments and temporary ancillary facilities (such as construction compounds and batching plants).</li> </ul>

Key aspects		Description
		<ul style="list-style-type: none"> <li>all mitigation measures that would be built into the physical layout and design of the project (such as noise walls)<sup>15</sup></li> <li>any ancillary infrastructure for which approval is being sought (such as upgrades to utilities or surrounding roads)<sup>16</sup></li> <li>indicative layout plans and cross sections, identifying relevant design standards or project specific design guidelines that will guide subsequent stages of design development</li> <li>where relevant, clear parameters for any change that may occur to the physical layout or design of the project if approval is being sought for some flexibility in either of these physical elements of the project (see discussion below)</li> </ul>
	Uses and activities	<p>The description should include:</p> <ul style="list-style-type: none"> <li>the land uses (e.g. road transport, urban rail, power generation, ancillary infrastructure) that characterise the project</li> <li>the activities required to construct and operation the project (e.g. demolition, cut and fill, processing, storage and handling of materials, waste disposal, parking, energy supply, surface water management, customer services, ticketing) that would be carried out on site</li> <li>the scale and intensity of these activities</li> </ul>
Timing	Stages	If the delivery of the project is to be staged, each stage of the project should be described.
	Phases	The phases (e.g. demolition, construction, operation,) of the project should be described. If the delivery of the project is to be staged, the phases of each stage should also be described.
	Sequencing	The description should include the order in which the stages and phases of the project would be carried out, identifying snapshots for the assessment of the impacts of the project (see discussion below). This description should be supported by a simple graphic showing the planned sequencing of the project, and concurrent delivery of the various stages and phases of the project.

The detailed project description must include suitable maps and plans. However, overly large or detailed maps and plans should be referenced in the detailed description of the project and included in an appendix of the EIS.

These maps and plans will be taken to be part of the description of the project, even though they are in an appendix to the EIS.

### *Allowing flexibility in project descriptions*

The detailed project description in the EIS must contain enough information on each of the key aspects in Table 1 to enable a detailed assessment of the likely impacts of the development.

<sup>15</sup> All other mitigation measures (e.g. the choice of mobile equipment, dust suppression, pre-clearing biodiversity surveys, monitoring and adaptive management) should be described in the assessment section of the EIS, and consolidated into a table summarising the proposed mitigation measures of the project. This table must be included as an appendix to the EIS.

<sup>16</sup> All other related development or infrastructure (that is not the subject of the application for approval) should be described in the introduction of the EIS (see section 3.2.1 above). Although this development or infrastructure is not part of the project for which approval is being sought, the impacts of this related development or infrastructure should be considered – at a strategic level at least - in any assessment of the cumulative impacts of the project.

The scale of SSI projects and the use of design and construct contract delivery arrangements means that the project description in the EIS is typically presented at a conceptual level with further design development undertaken following the lodgement of the EIS.

The Department accepts that in some circumstances proponents may need to build some flexibility into the project description to allow certain aspects of the project to be refined or changed over time within the limits set by the project description without requiring amendments to the infrastructure application or modifications to the approval.

In fact, with some large, complex projects this is often essential as it is difficult, if not impossible, to deal with all aspects of the detailed design of a project at the planning stage.

Examples of where such flexibility is commonly used include allowing proponents to:

- change the design or layout of components of the project within a defined development footprint following further technical investigations (e.g. refining construction layout based on more detailed biodiversity surveys or more accurate location and sizing of water quality basins)
- locating certain ancillary infrastructure in accordance with environmental criteria (e.g. confirming the location of ancillary facilities subject to meeting low impact criteria)
- use of different technologies or plant to achieve the same outcome or to accommodate improvements in technology over time (e.g. choice of boiler technology for a power generation plant)
- revise the precise staging or sequencing of projects to deal with complex implementation problems.

While the Department acknowledges the benefits of providing some flexibility to proponents, it believes this flexibility should only be allowed within limits and that it should be justified on a case-by-case basis.

Consequently, if proponents are seeking to incorporate some flexibility into the design of their projects, the detailed project description must:

- identify the specific aspects or components of the project that require flexibility
- give reasons why this flexibility is required
- set clear limits for this flexibility, so it is clear what change is allowed within the limits set by the project description and what change would require further approval
- assess the impacts of the project within these limits, using conservative assumptions.

This will ensure the consequences of incorporating any flexibility into the design of the project are fully assessed in the EIS and allow the approval authority to decide whether to grant this flexibility if the project is approved or impose constraints to this flexibility in any conditions of approval.

### *Describing changes to the project over time*

The project description should describe the sequencing of activities from site establishment, construction, rehabilitation and operation. This should include indicative timeframes highlighting any points in time where activities overlap leading to significant variability of

impacts. This may apply to changes in the disturbance area or physical layout and design of the project as it moves through various stages and phases.

### 3.4 Statutory context

This section must identify the relevant statutory requirements for the project, having regard to:

- the EP&A Act and Regulation
- other relevant legislation (e.g. *Biodiversity Conservation Act 2016*, *Fisheries Management Act 1994*, *Protection of the Environment Operations Act 1997*, *Water Management Act 2000*, *Pipelines Act 1967*, *Roads Act 1993* and *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999*)
- environmental planning instruments<sup>17</sup> and associated plans and guidance
- relevant approvals (e.g. staged infrastructure approvals).

It is not necessary to provide an overview of the NSW planning regime or any other legislative regimes in this section. Nor is it necessary to cut and paste the relevant statutory provisions as they are readily available on the NSW Legislation website.

Instead, the main purpose of this section is to make the approval authority aware of all the relevant statutory requirements that must be considered before the application may be determined<sup>18</sup>.

In this section, the proponent must:

- only focus on the statutory requirements that are relevant to the assessment and evaluation of the project, not the administrative requirements for the project (e.g. providing landowners consent, paying fees, including a Biodiversity Development Assessment Report in the EIS) which will be captured in the approved application form
- group all the relevant statutory requirements for the project into a table, using the categories listed in Table 2
- only identify the relevant statutory requirements for the project, leaving the detailed assessment and evaluation of these requirements to the relevant section of the EIS
- use tables to simplify the presentation of the material in this section, having regard to the examples in Appendix C and Appendix D of this guide.

**Table 2. Categories to be used to identify the statutory requirements for a project**

Category	Action required
Power to grant approval	Identify the legal pathway under which approval is sought, why the pathway applies, and who the decision-maker is. If permissibility is relevant to this section, the discussion here should be cross-referenced rather than repeated.

<sup>17</sup> Section 5.22(2) of the EP&A Act provides that environmental planning instruments (EPIs) do not apply to or in respect of State significant infrastructure except in limited circumstances. Notwithstanding this provision, an EIS should consider how EPIs can be addressed to the extent relevant to the project.

<sup>18</sup> See Section 5.18 and 5.19 of the EP&A Act.

Category	Action required
Permissibility	Identify the relevant provisions affecting the permissibility of the project, including any land use zones.
Other approvals	<p>Identify any other approvals that are required to carry out the project and why they are required. These approvals should be grouped into the following categories:</p> <ul style="list-style-type: none"> <li>• <i>Consistent approvals</i>: Approvals under other legislation that must be applied consistently to an approved State significant infrastructure project (see Section 5.24 of the EP&amp;A Act)</li> <li>• <i>EPBC Act approval</i>, and whether the bilateral agreement applies.</li> <li>• Other approvals: approvals that are not expressly integrated into the SSI assessment (e.g. water access licences under the <i>Water Management Act 2000</i>, leases under the <i>National Parks and Wildlife Act 1974</i>).</li> </ul> <p>Also identify the approvals that would have been required if the project was not an SSI (see sections 5.23 of the Act).</p>
Pre-conditions to exercising the power to grant approval	Where relevant, identify any pre-conditions to exercising the power to grant approval for the project. These will include mandatory conditions that must be satisfied before the decision-maker may grant approval.
Mandatory matters for consideration	<p>Where relevant, identify the matters that the decision-maker is required to consider in deciding whether to grant approval.</p> <p>Although Environmental Planning Instruments are not a mandatory consideration for SSI, identify how the relevant EPIs have been considered in the assessment.</p>

Finally, the proponent must include a statutory compliance table as an appendix to the EIS, which identifies all the relevant statutory requirements for the project and indicates where they have been addressed in the EIS or approved DA form for the project.

## 3.5 Engagement

This section must summarise the findings of the community engagement that was carried out for the project during the preparation of the EIS and describe what community engagement will be carried if the project is approved.

### *Engagement carried out*

In this section, the proponent must describe the community engagement that was carried out during the preparation of the EIS.

This description must:

- identify the key stakeholders for the project (e.g. local councils, special interest groups and individuals who may be affected by the project)
- describe what actions were taken to:
- keep the community informed about the project
- obtain feedback from the community on the project
- engage with certain stakeholders on the detailed assessment of key matters
- demonstrate that this engagement was consistent with the community participation objectives in the Undertaking Engagement guide and complied with the community engagement requirements in the SEARs.

## *Community views*

In this section, the proponent must summarise the key findings of the community engagement that was carried out during the preparation of the EIS and identify community views on the project using suitable maps, figures, graphics and tables.

In summarising the findings of the community engagement, the proponent must categorise the key issues raised by the community in a systematic and impartial way and avoid oversimplifying any of these issues.

This will make it easier for the Department to link the key issues raised by the community with the other information in the EIS and inform the detailed assessment and evaluation of the project.

For consistency, the proponent must group the community views on the project into one of the following categories:

- the strategic context, including identifying the key natural and built features that are valued in the area and could be affected by the project
- the design of the project and any alternatives considered
- any relevant statutory issues
- community engagement (e.g. the level or quality of engagement carried out during the preparation of the EIS, the community engagement that should be carried out if the project is approved)
- the economic, environmental and social impacts of the project
- the evaluation of the project as a whole (e.g. justification for the project; consistency of project with Government plans, policies or guidelines; merits of the project)
- issues that are either beyond the scope of the project (e.g. broader policy issues) or not relevant to the project.

Each of these categories can then be divided into sub-categories. For example, the broad category of economic, environmental and social impacts can be divided into more specific matters (e.g. noise, water, visual, social).

These sub-categories can then be broken down further according to the characteristics of the matter. For instance, noise can be broken down into construction noise, industrial noise, rail noise and road noise and then grouped according to the key issues associated with assessing that matter (e.g. background noise levels, mitigation measures, predictions of impact, evaluation of impacts against criteria, proposed measures to monitor impacts).

In some cases, however, it may be better to group issues by location. For example, where the issues raised by the community varied from one area to the next, it may be better to group the issues by the area they came from (e.g. region A, B and C) or relative to a specific component of the project (e.g. intersection upgrade, ventilation stack).

In this section, the proponent is only required to identify the key issues raised during community engagement. The detailed consideration of these issues must be integrated into the assessment and evaluation of the project in the other sections of the EIS.

However, the appendices of the EIS must include a detailed community engagement table for the project that identifies the key issues that were raised during community engagement and indicates where these issues have been addressed in the EIS.

### *Engagement to be carried out*

In this section, the proponent must summarise the community engagement that will be carried out if the project is approved, having regard to the findings of the community engagement during the preparation of the EIS and the community participation objectives in the Undertaking Engagement guide.

The engagement proposed must be proportionate to the scale and nature of the project and the level of community interest in the project.

The summary in this section must:

- identify the key stakeholders (e.g. local councils, special interest groups, people living close to the site) for engagement
- describe the key actions that will be carried out to inform, consult and engage with the community during the implementation of the project
- demonstrate that these actions are consistent with the community participation objectives in the *Undertaking Engagement* guide
- describe how the effectiveness of this engagement will be monitored, reviewed and adapted over time to encourage community participation.

For complex projects with a high level of community interest, the proposed engagement may include:

- establishing a Community Consultative Committee for the project, in accordance with the Department's *Community Consultative Committee* guidelines
- appointing community representatives to technical advisory groups that will provide advice on the preparation and implementation of management plans for key assessment matters (e.g. air quality, water, noise)
- setting up an effective complaint handling system
- maintaining a website for the project, and providing regular updates on the progress, performance and compliance of the project on the website
- regularly monitoring, reviewing and adapting the community engagement strategy over time to ensure it remains effective and encourages community participation.

## 3.6 Assessment of Impacts

This section must provide a detailed summary of the results of the comprehensive assessment of impacts of the project.

To give readers a full appreciation of the impacts of the project, the proponent must:

- structure the summary in this section in a clear and logical way, starting with the key matters requiring detailed assessment in the SEARs and ending with a summary table of the matters requiring minor assessment
- ensure the summary of the impacts of the project on each matter is proportionate to the likely scale and nature of the impacts of the project on the matter
- accurately summarise the key findings of the detailed technical studies in the appendices of the EIS and use suitable cross-referencing to reduce repetition between the two parts of the EIS
- focus on the key findings of the assessment (e.g. compliance with the relevant standards or performance measures, exceedances of the cumulative noise impact standards, potentially serious and irreversible impacts on a specific fauna species, significant economic benefits for the region), leaving any detailed explanation of the methods used to arrive at these findings to the technical studies in the appendices of the EIS
- give detailed reasons to justify any predicted exceedances of relevant standards or performance measures
- identify key uncertainties associated with the assessment and what action will be taken to address these uncertainties
- highlight any key linkages between the assessment of different matters or likely cumulative impacts of the project.

### *Key factors to consider in the summary*

In preparing the summary, the proponent must consider the following key factors:

- the SEARs.
- any relevant:
  - strategic issues (e.g. key natural and built features that may affect or be affected by the project, potential cumulative impacts, agreements with other parties to mitigate or offset the impacts of the project)
  - statutory requirements relating to the assessment of the impacts of the project (e.g. the Biodiversity Assessment Method)
  - community views
  - government plans, policies and guidelines, particularly those that identify the methods for assessing the impacts of key matters and set standards and performance criteria for evaluating the incremental and cumulative impacts of projects (e.g. *Noise Policy for Industry, Approved Methods for the Modelling and Assessment of Air Pollutants, Water Sharing Plans*)
  - the Department's *Assessing Cumulative Impacts* guide.
- the findings of any specialist studies or investigations undertaken for the project.

Where specific statutory requirements apply to the assessment of a matter, the proponent must specifically address these requirements in the assessment summary in this section of the report.

### *Key content of the assessment summary*

For matters requiring *detailed assessment* in the EIS, the summary in this section may discuss:

- the condition of the existing environment
- the ability to avoid, mitigate and/or offset the impacts of the project having regards to:
  - mitigation measures incorporated into the detailed design of the project (e.g. changes to the project area, project layout and design, key uses and activities carried out on site, timing)
  - the other reasonable and feasible mitigation measures that will be implemented
  - any negotiated agreements or offsets proposed to address any residual impacts of the project following mitigation
- the scale and nature of the predicted impacts, including any cumulative impacts, and whether these impacts will comply with the relevant statutory requirements, standards or performance measures
- key uncertainties associated with the assessment (e.g. lack of baseline data, doubts about the effectiveness of the proposed mitigation measures, limitations of the methodology used to predict impacts, lack of agreed criteria for evaluating impacts)
- the proposed measures to deal with these uncertainties (e.g. monitoring, review, further technical investigation, staging, adaptive management).

However, the summary must only discuss these issues if they are relevant. Also, the discussion should be structured in a logical way with a clear narrative that leads readers to the key findings of the detailed assessment, rather than providing a detailed commentary on each of the issues listed above.

For matters requiring *standard assessment* in the EIS, the discussion in this section must simply set out the findings of the assessment and identify the key mitigation measures that will be used to ensure compliance with the relevant standards or performance measures.

For matters requiring *minor assessment* in the EIS, the findings should be summarised in a simple table at the end of the section.

### *Key appendices*

This section should be supported by the following appendices of the EIS:

- a SEARs compliance table, identifying where the SEARs have been addressed in the EIS
- a statutory compliance table, identifying where the relevant statutory requirements have been addressed in the EIS
- a community engagement table, identifying where the issues raised by the community during engagement have been addressed in the EIS
- a table of the proposed mitigation measures for the project (excluding any mitigation measures that are built into the physical layout and design of the project and captured in the project description)
- any supporting information, including any detailed technical reports prepared by specialists.

## 3.7 Evaluation of the project

This section must provide a comprehensive evaluation of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development.

It is the most important section of the EIS and must integrate the findings of each section of the EIS and objectively weigh up both the positive and negative impacts of the project. It must also consider the interaction between these different findings and whether the project will comply with the standards and performance measures in any relevant government legislation, plans, policies and guidelines.

Key issues to consider in this section may include:

- the design of the project and what action has been taken to avoid or minimise the impacts of the project (e.g. objectives of the project, alternatives considered, project area, physical layout and design, uses and activities, timing, proposed mitigation measures)
- the consistency of the project with the strategic context (e.g. supported by Government policy, consistent with regional plans, avoids impacts on key natural and built features with significant conservation value, provides economic benefits to regional community, the site or corridor is suitable for the project)
- compliance with any relevant statutory requirements
- community views about the project and how they have been addressed in the design of the project or the assessment of the impacts of the project
- the scale and nature of the economic, social and environmental impacts of the project, including any cumulative impacts
- key uncertainties associated with this impact assessment and the actions proposed to address these uncertainties.

## 4. Glossary

Amendment	A change in what the proponent is seeking approval for during the assessment process. It requires changes to the project description in the EIS or Modification Report and amendments to the associated infrastructure application or modification application. Applications can only be amended with the agreement of the Planning Secretary.
Amendment Report	A report prepared by the proponent to support amendments to an infrastructure application or modification application (see the <i>Preparing an Amendment Report</i> guide).
Approval authority	The approval authority for an SSI application or SSI modification application. This will be the Minister or the Minister's delegates in the Department.
Certify	A REAP may certify an EIS for an SSI project and other environmental assessment reports required for SSI projects against the criteria in the <i>Registered Environmental Assessment Practitioner</i> guide before they are submitted to the Department.
Cumulative impacts	The combined impacts of a project on a matter with other relevant future projects (see the Department's <i>Assessing Cumulative Impacts</i> guide)
Department	Department of Planning, Industry and Environment.
Determination	A decision by an approval authority for an SSI application to either approve the application subject to modifications or conditions or refuse to approve the application.
EIS	An Environmental Impact Statement prepared by the proponent to support an SSI application (see the <i>Preparing an EIS</i> guide).
Environmental assessment reports	Reports required to be submitted to the Department by a proponent seeking approval for an SSI application or modification application. These reports include Scoping Reports, EISs, Submissions Reports, Amendment Reports, Preferred Infrastructure Reports and Modification Reports.
Environmental planning instrument	Means an environmental planning instrument (including a SEPP or Local Environmental Plan) made under part 3 of the EP&A Act.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> .
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i> .
Major Projects website	<a href="http://www.majorprojects.planningportal.nsw.gov.au">www.majorprojects.planningportal.nsw.gov.au</a>
Matter	An element of the environment that may be affected by an SSI (e.g. air, amenity, biodiversity, economic, social).
Minister	The Minister for Planning and Public Spaces.
Mitigation	Actions or measures to reduce the impacts of a project.

Amendment	A change in what the proponent is seeking approval for during the assessment process. It requires changes to the project description in the EIS or Modification Report and amendments to the associated infrastructure application or modification application. Applications can only be amended with the agreement of the Planning Secretary.
Modification	Changing the scope or terms of an SSI approval, including revoking or varying a condition of approval. A modification requires approval under the EP&A Act.
Modification application	An application seeking to modify an SSI approval under section 5.25 of the EP&A Act.
Modification Report	A report prepared by the proponent to support a modification application (see the <i>Preparing a Modification Report guide</i> ).
Planning Secretary	The Planning Secretary of the Department
Preferred Infrastructure Report	A report prepared by an SSI proponent at the request of the Planning Secretary that outlines any proposed changes to the SSI to minimise its environmental impact or to deal with any other issue raised during the assessment of the application concerned (see the <i>Preparing a Preferred Infrastructure Report guide</i> ).
Project	An SSI proposal, which is the subject of an infrastructure application or modification application.
Proponent	The proponent seeking approval for an SSI application or modification application.
REAP	A registered environmental assessment practitioner who is a member of a professional scheme that is accredited under the EP&A Regulation. REAPs may certify the EISs for SSI projects and other documents required for SSI projects before they are submitted to the Department (see the <i>Registered Environmental Assessment Practitioner guide</i> ).
Refinement	A change that fits within the limits set by the project description and does not change what the proponent is seeking approval for or require an amendment to the infrastructure application for the project.
Scoping	The process of identifying the matters that require further assessment in an EIS.
Scoping Report	A report prepared by the proponent to inform the setting of SEARs for an SSI project (see the <i>Preparing a Scoping Report guide</i> ).
SEARs	The Planning Secretary's environmental assessment requirements for the preparation of an EIS for an SSI project.
SSI / CSSI	Development that is declared to be State significant infrastructure under section 5.12 of the EP&A Act and critical State significant infrastructure under section 5.13 of the EP&A Act.
SEPP	State Environmental Planning Policy.

Amendment	A change in what the proponent is seeking approval for during the assessment process. It requires changes to the project description in the EIS or Modification Report and amendments to the associated infrastructure application or modification application. Applications can only be amended with the agreement of the Planning Secretary.
Submission	A written response from an individual or organisation, which is submitted to the Department during the public exhibition of an EIS, Amendment Report, Preferred Infrastructure Report or Modification Report for State significant infrastructure.
Submissions Report	A report prepared by the proponent to respond to the issues raised in submissions (see the <i>Preparing a Submissions Report</i> guide).

# Appendix A – Recommended structure of an EIS

EIS	
Sections	Indicative page limit *
Executive summary	24
1. Introduction	10
2. Strategic context	5
3. Project description	20 <sup>^</sup>
4. Statutory context	10
5. Engagement	15
6. Assessment of impacts	2-12 <sup>#</sup> per matter
7. Evaluation of the project	20
8. References	
Appendices	
A	SEARs compliance table
B	Detailed maps and plans
C	Statutory compliance table
D	Community engagement table
E	Mitigation measures table
F	Supporting information, including any detailed engagement or technical reports

\* Indicative page limits do not include maps, plans, figures or tables

<sup>^</sup> For complex or linear infrastructure projects, it may not be possible to describe the project in 20 pages. For these types of projects, discretion will be applied

<sup>#</sup> Limits apply to each individual matter (for example, it may be possible to report the findings of a simple standard assessment in 2 pages whereas a more complex, detailed assessment may require 15 pages)

# Appendix B – Example of a project summary table

## Example 1. Linear infrastructure (e.g. road) project

Project element	Summary of the project	Fig ref
<b>Operations</b>		
Description	New dual carriageway motorway between XX – YY, approximately 16 kms, two lanes in each direction with capacity to expand to three lanes in each direction	
Operational footprint	Approximately 285 ha	Fig XX
Intersections	Three intersections / interchanges	Fig XX
Bridge structure / creek crossings	19 bridge structure crossing Creeks 1, 2, 3 and local roads A, B, C...	Fig XX
Active transport	Pedestrian and cyclist facilities through the provision of pedestrian bridges and off road shared user paths	Fig XX
Local road network	Modifications to the local road network including local road 1, local road 2, local road 3	Fig XX
Utilities	Adjustment, protection or relocation of existing utilities	
Ancillary facilities	Ancillary facilities to support motorway operations, smart motorways operation in the future and the existing M7 Motorway operation, including gantries, electronic signage and ramp metering	
Roadside furniture	Other roadside furniture including safety barriers, signage and street lighting	
Waterways	Adjustments of waterways, where required, including Creeks 1, 2, 3	Fig XX
Permanent water Management	Permanent water quality management measures including swales and basins	
<b>Construction</b>		
Construction footprint	Approximately 350 ha	Fig XX
Workforce	Average of 400 per year over a three year construction period	
Cut / fill	Net deficit of fill material of approximately 2 million cubic metres	
Ancillary facilities	Various locations: material and earthworks stockpiling areas (including early stockpiling), construction support areas for bridges, a main project office and compound area, material testing laboratories, secondary offices located as needed along the length of the construction footprint, workshops for servicing plant and equipment, double-handling and laydown areas, concrete precast elements casting yards and concrete and/or asphalt batching plants	Fig XX
Temporary facilities	Establishment and use of temporary ancillary facilities, temporary construction sedimentation basins, access tracks and haul roads during construction	Fig XX
Dewatering	Dewatering of up to 15 farm dams	
Property	Permanent and temporary property adjustments and property access refinements	Fig XX
Capital Investment	\$1.75 bn	

## Example 2. Power generation

Project element	Summary of the project	Fig ref
Project site area	Approximately 90 ha	Fig XX
Disturbance area	Approximately 26 ha	Fig XX
Power station location	Lot XX	Figure xx
Transmission infrastructure	Generally between location x and location z on Lots 1, 2, 3	Figure XX
Gas pipeline	Generally between location x and location z on Lots 1, 2, 3	Figure XX
Supporting infrastructure	<ul style="list-style-type: none"> <li>• Site access road</li> <li>• Storage tanks</li> <li>• Laydown areas</li> <li>• Ponds</li> <li>• Generator circuit breakers, generator step-up transformers, and switchyard including overhead line support gantry</li> <li>• Natural gas reception yard potentially including gas metering, pressure regulation,</li> <li>• compression, heating stations, pigging facilities and provision for flaring</li> <li>• Truck unloading facilities</li> <li>• Control room</li> <li>• Office/administration buildings</li> <li>• Workshops and storage areas</li> <li>• Parking</li> </ul> <p>Other ancillary facilities</p>	Figure XX
Off-site supporting infrastructure (existing)	<ul style="list-style-type: none"> <li>• Transgrid switching station</li> <li>• Waste and wastewater disposal facilities</li> </ul> <p>Road network</p>	
Water management	<ul style="list-style-type: none"> <li>• Raw water via a connection to the local reticulated water supply network with truck delivery as secondary source</li> <li>• Water treatment plant (demineralised)</li> <li>• Process wastewater tankered to a licensed wastewater facility</li> <li>• Contaminated drains system and chemical drains system</li> <li>• Stormwater discharge in accordance with the requirements of Port Stephens Council</li> <li>• Stormwater pit and pipe drains, oil and grease separator, bio retention system and stormwater discharge in accordance with Council requirements</li> <li>• On site sewage system in accordance with the requirements of the Port Stephens Council On site Sewage Management Technical Manual</li> <li>• Annual water consumption: <ul style="list-style-type: none"> <li>○ Peaking load operation: up to around 120,000m<sup>3</sup></li> <li>○ Continuous operation: up to around 800,000m<sup>3</sup></li> </ul> </li> <li>• Annual wastewater volume: <ul style="list-style-type: none"> <li>○ Peaking load operation: up to around 22,000m<sup>3</sup> (requiring off-site disposal)</li> </ul> </li> </ul> <p>Continuous operation: up to around 150,000m<sup>3</sup> (requiring off-site disposal)</p>	

Commencement of operations	2022	
Operational lifespan	25 years	
Operations workforce	23	
Construction workforce	300	
Capital investment	\$400 million	