



Getting Strategic with Impact Assessment

EIANZ's SEA Working Group submission to the EPBC Act Review

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The SEA Working Group

- Part of EIANZ, Special Interest Section on Impact Assessment
- Focus is on Australian SEA, with most States/Territories represented by members
- Inclusive: members include government, private sector and academia
- Have held sessions at annual conferences, special symposium and post IAIA 19 workshop with international experts

Setting the scene

- What are Strategic Environmental Assessments-
AKA *Strategic Assessments* in the EPBC Act?
 - Assess the impacts associated with implementing a **Plan, Policy** or **Program** (rather than EIA which is about the likely impacts of an action or project)
- SEA has advantages of proactivity, potential for greater sustainability and provides clear direction for future downstream approval = streamlining
- [Advantages would be similar for what the EPBC Act calls *Bioregional Plans*]

The Hawke Review

- In 2009 Alan Hawke and an expert team undertook the first 10 year review of the EPBC Act.
- [Government developed a response but it never went to Parliament]
- Recommendation 6 recommended the Australian Government:
 - expand the role of strategic assessments and bio-regional plans so that they are used more often; and
 - strengthen the process for creating these plans and undertaking these assessments, so they are more substantial and robust;
 - And further recommends that the Act be amended to provide for bio-regional plans to
 - change the terminology from 'bio-regional plans' to 'regional plans';
 - allow the Commonwealth to unilaterally develop regional plans; and
 - ensure that the process for delineating a region for the purpose of the Act is flexible;



6 main recommendations in our submission:

- [Bio]regional Planning
- Strengthening Strategic Assessments
- Assessing and Managing Cumulative Impacts
- Matters of National Environmental Significance
- Standards for Assessment
- Implementation Issues

~~Bio~~ Regional Plans-Recommendations

- Remove ~~BIO~~ and apply 'fit-for-purpose' regions
- Apply strategic thinking to focus in on 3-7 critical decision factors
- Follow the steps [in the next slide] to define No-go areas and clear parameters for decisions
- Stakeholder engagement through active Co-design with Indigenous communities, state, territory and local governments and key stakeholders
- Projects **ONLY** approved if consistent with the approved ~~Bio~~ Regional plan
- Commonwealth – provides assurance framework
- [Example is EMFs in South Africa]

Undertake Bio Regional Planning by

- Identifying key environmental values for protection and/or restoration
- Determining environmental outcomes and objectives
- Assessing current and likely future threats
- Nominating 'conservation' measures
- Providing a framework for future development in the region [with Go and No-go areas] within a bounded adaptive management framework.

Taking a strategic perspective to fill the gap:

Identify for protection	Plan for conservation	Assess and Approve
Listing	Bio regional Planning	Strategic Assessments

- Peter Burnett categorised the scope of the EPBC Act in three columns, with current practice likened to a 2 legged stool:



Strengthening Strategic Assessments

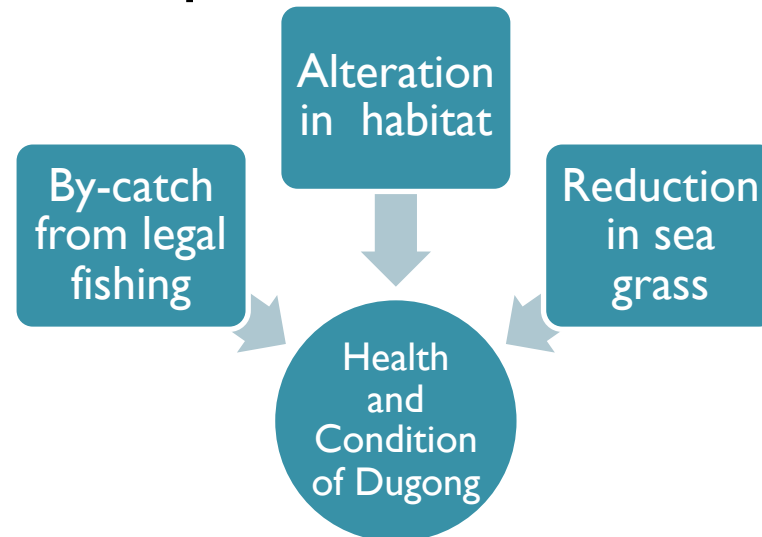
- By adopting EDO's recommendations for:
 - strong **legislated standards**, decision-making criteria and science-based methods
 - **cumulative impact assessment** requirements,
 - integration with state and local planning processes
 - comprehensive and accurate mapping and **baseline environmental data** [for 3-7 critical decision factors]
 - ground-truthing of landscape-scale assessment via [targeted] local studies and input
 - transparency and public participation at all phases of the process
 - requiring **alternative scenarios** especially for climate change adaptation
 - **adaptive management** and review

Assessing and Managing Cumulative Impacts

- For over 20 years Canada and the EU have had provisions for cumulative impact assessment and management
- In OZ - Industry and Agencies have been leading – Abbot Point, Minerals Council, Reef 2050 and CSIRO
- CIA best done up front –strategically eg through bioregional planning or in strategic assessments

How to view cumulative impacts:

- From the perspective of nominated 'environmental' values - how are they affected by past, present and likely foreseeable actions?
- Rather than EIA which focusses on the action as the vector of impact



Matters of National Environmental Significance = MNES limitations

- Tight focus of the EPBC Act on MNES doesn't really foster effective SEA or bioregional planning. eg Perth Peel
- Minister to take into account Socio-economic considerations but only MNES when comes to environmental matters
- Good practice bioregional planning and SEAs take a systems view of the 'region,' not just a subset ala MNES

Standards

Commonwealth

- National outcomes, objectives and standards for ESD

States and Territories

- ~~Bio~~ Regional Plans
- SEAs of plans, policies and programs

EIA decisions

- Individual project decisions (assessed for compliance with ~~bio~~-regional plan specifications)

Example of Objectives from WA

Land	Flora and Vegetation	To protect flora and vegetation so that biological diversity and ecological integrity are maintained.
	Landforms	To maintain the variety and integrity of significant physical landforms so that environmental values are protected.
	Subterranean Fauna	To protect subterranean fauna so that biological diversity and ecological integrity are maintained.
	Terrestrial Environmental Quality	To maintain the quality of land and soils so that environmental values are protected.
	Terrestrial Fauna	To protect terrestrial fauna so that biological diversity and ecological integrity are maintained.

Implementation issues

- How to undertake an effective strategic assessment or develop a workable [bio]regional plan?
 - Better guidance and resourcing
- How to ensure the desired outcomes and objectives are ultimately achieved?
 - Adequate resourcing
 - Integration with states and territories' planning regimes
 - Incorporate adaptive management (maintaining adherence to overall objectives)

Questions?

