

ENVIRONMENT INSTITUTE OF AUSTRALIA AND NEW ZEALAND

Forum 20 March 2007

***“Impact Assessment -
A Process not a Product”***

Hugh Lavery

Adjunct Professor of Environmental Systems,
Institute for Sustainable Resources



Today's talk

- 📖 **35-history of the EIA** can be traced
- 📖 **Intent has remained the same** – *i.e.* broad levels of restraint of developments by command-and-control legislation
- 📖 However, **content has changed dramatically**
- 📖 Throughout, compliance standards must be imposed and patrolled, but there are **shortcomings in these over the longer term**
- 📖 As managed developments displace speculative developments, **sustainable practices are best instituted** from the outset.

History

- >> First EIA introduced in USA under the *National Environment Policy Act* **1969**
- >> The *State Development and Public Works Organization Act* **1971** “provided the first framework in Queensland for analysis of environmental effects of development proposals”
- >> By mid-**1977**, there was still little enthusiasm for the idea of EIAs and there were rumours that the Queensland Environmental Control Council would be abolished
- >> In **1974**, the Commonwealth Government introduced the *Environment Protection (Impact of Proposals) Act* Australia-wide

- >> In **1989**, a Senate Standing Committee reported on the capacity of ADAB to assess environmental impact in other countries
- >> By **1990**, the US EPA had begun to waive the requirement for EISs under planning procedures deemed to be sounder
- >> By **1995**, EIAs in Queensland had been described scientifically as “*inappropriate for a centrepiece role in environmental management practice*”
- >> **Today**, the EIA remains the only safety-net device to protect against the potential impacts of many proposals

Prescribed intent

“The EIA process is integrated within project planning activities...baseline studies are conducted...likely interactions are identified...ameliorative measures are developed...other opportunities for enhancement are identified...and a monitoring programme is devised to follow the course of long term impacts...”

“Environmental Impact Assessment” IUCN (undated)

Content change

- IWSC Oct 1972 (*Baralaba Weir*) and IWSC Dec 1972 (*Mt Isa Water Supply*) was 16 pages & 3 figures
- Two early private sector EIAs (Townsville) were in Oct 1973
- IWSC April 1974 (*Burdekin River Irrigation*) had quadrupled in size
- By 1976, the EIA had developed into a 390-page exercise (*Moreton Island EIS & Strategic Plan*)
- By the turn of the century, EIAs had become monumental tomes e.g. the 5-volume PPK Tugun-By-pass EIA - including a Species Impact Statement.

At the same time....

There have always been other related ecological studies, e.g.-

- In 1981, CSIRO & Dept. National Development produced the *Burdekin Project Ecological Study*, a 233-page precursor to the Burdekin Dam development, itself the subject of a multi-volume “*Resources and Potential of the Burdekin River Basin, Queensland*” – a massive field study preceding the development of the Burdekin River Dam.

and in addition....

One recent (re)development proposal was tested for environmental assessment processes. It –

- + was governed by 23 **Acts of Parliament** deemed ‘important’ for environmental conservation
- + involved 9 State and Federal government agencies, each with their own **Policies, Plans & Strategies**
- + required strict adherence to - and integration with - local Shire **By-laws & Regulations**
- + had to follow industry **Codes of Practice**
- + needed to allow for **community concerns**, often raised with the benefit of hindsight.

Current approach to development assessment

NO CONNECTIONS
(no interest)

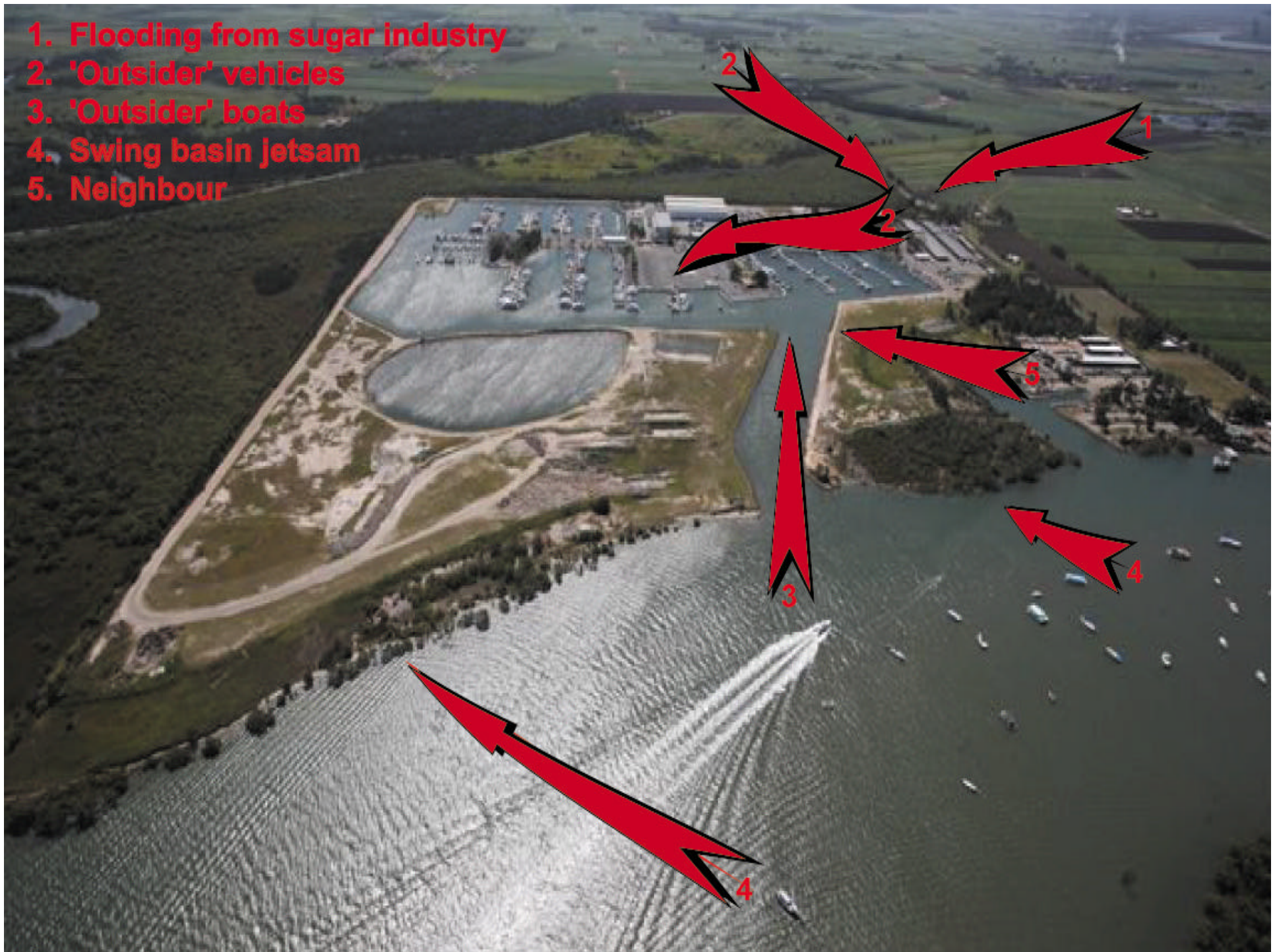


NO CONNECTIONS
(no interest)

“The perimeter buffer zone”

Limited area & time

1. Flooding from sugar industry
2. 'Outsider' vehicles
3. 'Outsider' boats
4. Swing basin jetsam
5. Neighbour



Some other reasons for a regional approach to development assessment

“EIA is a degraded form of planning, of institutionalized incrementalism, and it can only have a minor role in terms of its capabilities in managing broad development outcomes and environmental change.”

“The impact of large infrastructure and potentially hazardous industries can only be judged in terms of other planned developments in the region.”

GT McDonald & AL Brown (1995) “*Beyond EIA*”

“The Act will provide incentives for developments to be considered earlier in the planning process and in the context of regional plans and strategic assessments.”

October 2006 Amendment

Environment Protection and Biodiversity Conservation Act 1999

Course of action

“To move the EIA from a negative, adversarial role to a proactive creative role, the procedure must transform from being directed at the production of a stand-alone report to a process able to contribute apposite environmental advice....”

AL Brown & GT McDonald (1995)

“From environmental impact assessment to environmental planning and design”

Site development

Compliance

(PER, EIA, CEMP, etc.)

primarily engineering, geophysical,

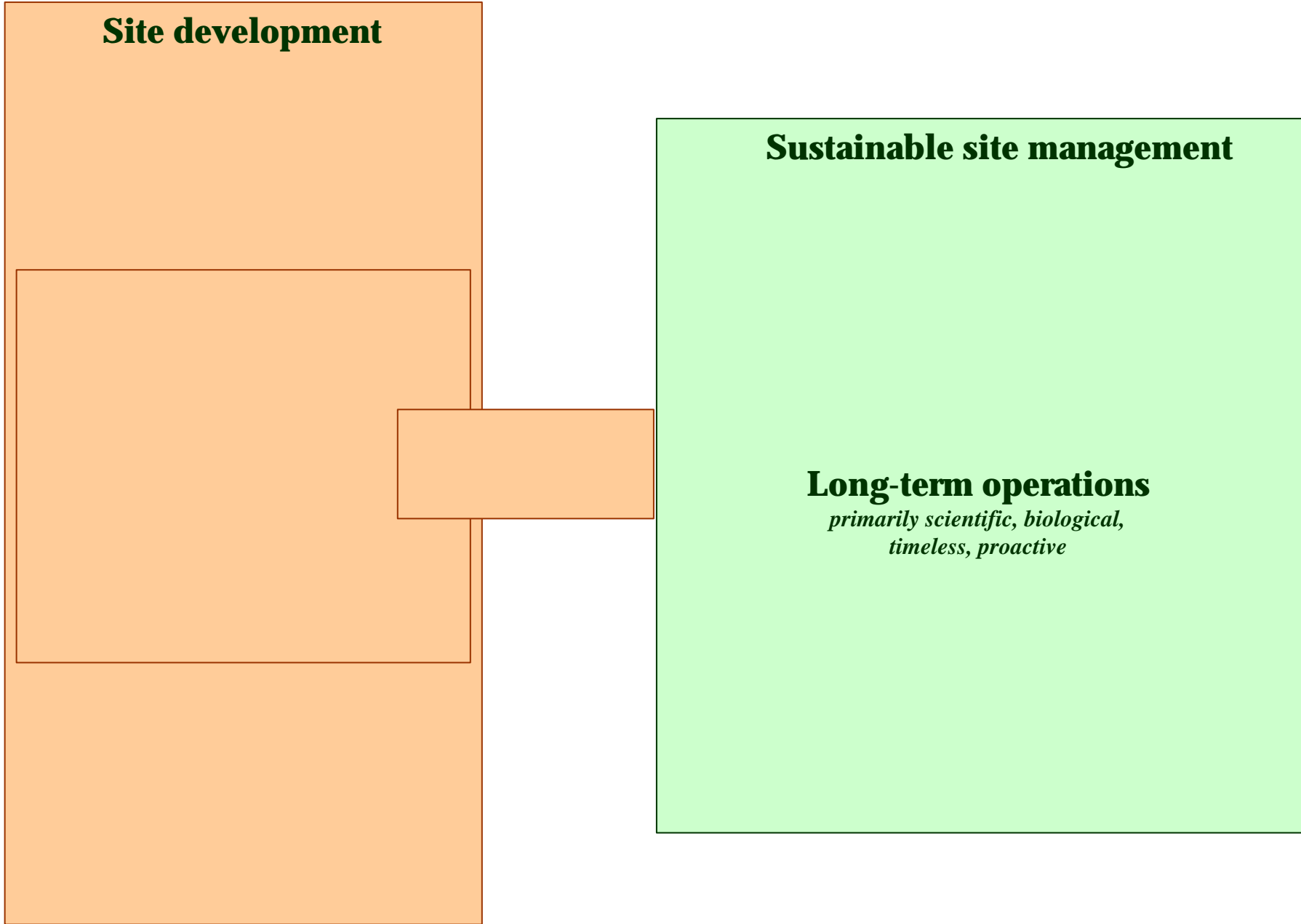
short-term, prescriptive

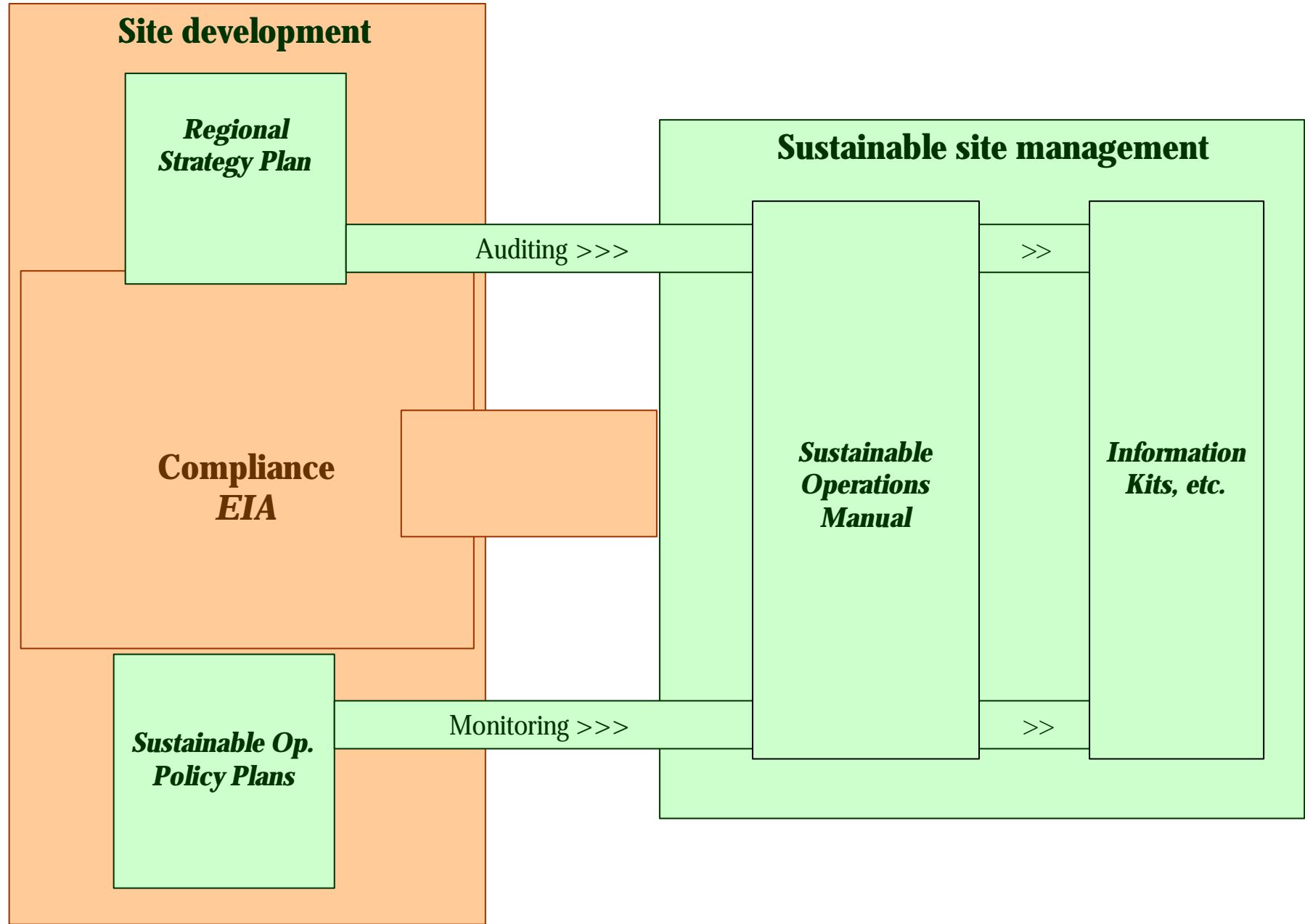
>>> Monitor/audit

Site development

Sustainable site management

Long-term operations
*primarily scientific, biological,
timeless, proactive*





Actual intent

“The object of this Act is to ensure, to the greatest extent that is practicable, that matters affecting the environment to a significant extent are fully examined and taken into account....”

Environment Protection (Impact of Proposals) Act 1974