

Strategic Environmental Assessment

EIANZ-SEQ Forum:
*Impact Assessment – A process
not a product*

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What is SEA?

- Definition
 - *SEA is a systematic process for evaluating the environmental consequences of proposed policy, plan or program initiatives in order to ensure they are fully included and appropriately addressed at the earliest appropriate stage of decision-making on a par with economic and social considerations*
- SEA therefore a process not a product due to decision aiding function

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How is it different to EIA?

- EIA focus on public and private projects, SEA focuses on public (usually) PPPs
- EIA focuses on mitigation of negative impacts, SEA should prevent negative impacts and enhance environment
- Consideration of alternatives limited in EIA, broader sectoral range in SEA
- Better opportunity to prevent cumulative impacts in SEA

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Benefits of SEA?

- Helps to achieve environmentally sound and sustainable development
- Strengthens policy, plan and program making processes
- Saves time and money
- Improves good governance and public trust in policy, plan and program making

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SEA in Australia?

- Commonwealth
 - EPBC Act, ss 146 and 147-
 - NEPMs
- New South Wales
 - Environmental impact statements of Fishery Management Strategies
 - Impact statements for Protection of the Environment Policies
- Victoria
 - Policy Impact Assessment of State Environment Protection Policies

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SEA in Australia (cont)

- Western Australia
 - Assessment of 'strategic proposals'
 - Assessment of planning schemes
- Tasmania
 - Assessment of State Policies
 - Assessment of planning schemes
 - Assessment of planning directives
 - Assessment of Environment Protection Policies
 - Assessment of Water Management Plans
 - Environmental impact statements for Marine Farming Development Plans

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Need for Legislative Basis?

- Legislation has many benefits over informal basis:
 - Certainty (interpretation may be an issue)
 - Transparency (quality assurance)
 - Enforceability (role of courts)
- International practice remains largely focused on plans and programs with policies (and legislation) discretionary
- See Buckley (2000)

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What is Best Practice SEA?

- Application of effectiveness criteria (procedure and context)
 - Formal requirements and clear provisions
 - Objectives led, with consideration of environmental factors in PPP making
 - Integrated with PPP processes
 - Accountable and transparent
 - Participation of stakeholders including public
 - Result in usable information
 - Provision of resources
 - SEA or SA?

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Gaps in Practice?

- SEA or SA? (latter more common)
- Application to policies & legislation as well as plans & programs? (first two typically not mandated)
- Integration with PPP making or applied to them?
- How to ensure effective tiering? (outside land use & transport planning)
- Private sector experience? (limited but growing)
- Appropriate methodology?

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Conclusions

- From an Australian perspective, lack of legislation may point to lack of practice
- As with any environmental planning and management, lack of political will reason
- International SEA best practice (mainly in Europe) characterised by legislative basis for plans and programs, linked with EIA procedure
- Some mandated provisions for policy and legislation to be assessed (mainly in Europe)
- SEA also a process not a product, due to decision-aiding function

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