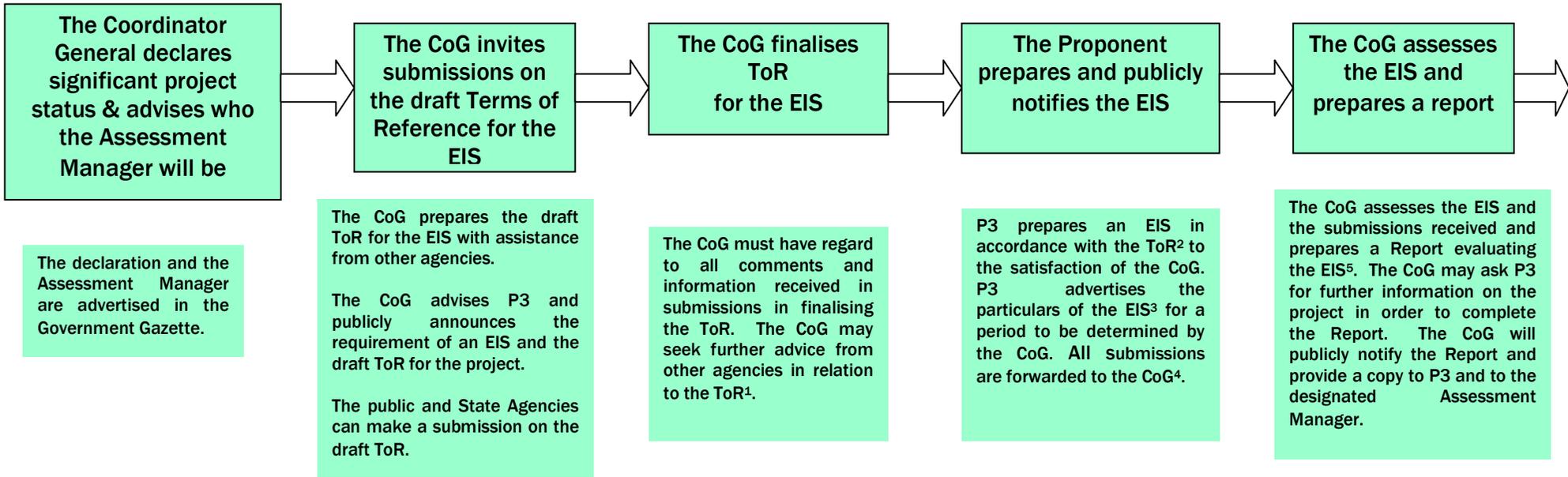


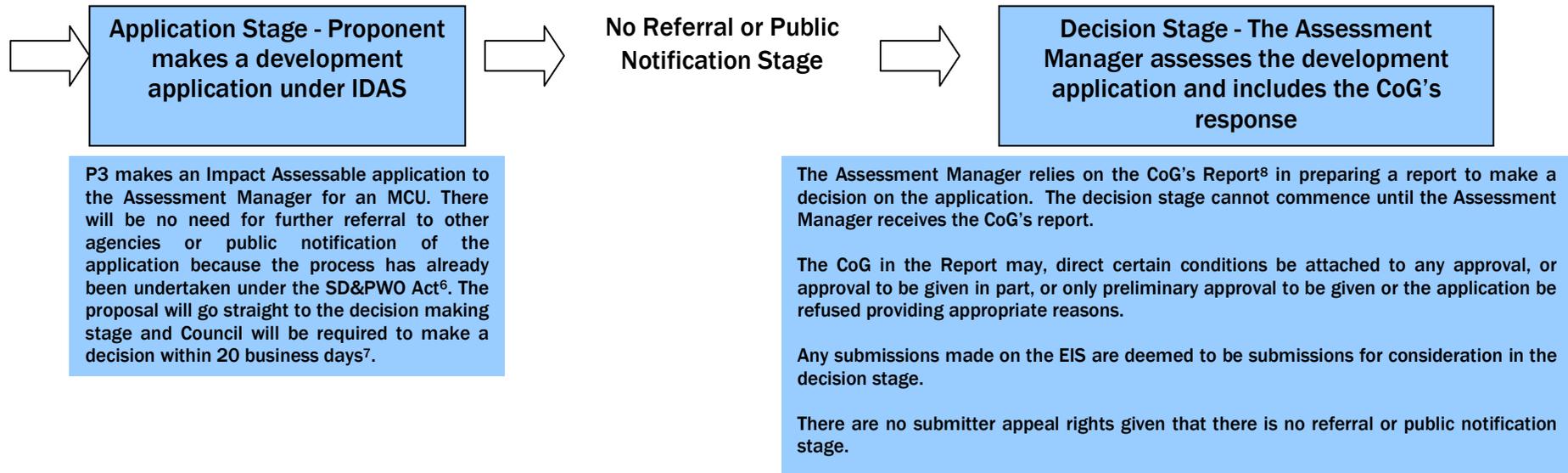
# ELLA BAY DEVELOPMENT PROPOSAL – SIGNIFICANT PROJECT ENVIRONMENTAL IMPACT STATEMENT (EIS) PROCESS

The Project is also a Controlled Action under the Commonwealth EPBC Act<sup>1</sup>

## ENVIRONMENTAL IMPACT STATEMENT (EIS) PROCESS UNDER STATE DEVELOPMENT & PUBLIC WORKS ORGANISATION ACT (SD&PWO ACT)



## INTEGRATED DEVELOPMENT ASSESSMENT SYSTEM (IDAS) PROCESS UNDER THE INTEGRATED PLANNING ACT (IPA)



1	-	As a Controlled Action in accordance with the Environmental Protection and Biodiversity Conservation Act (Commonwealth) - before or after the Project is declared a Significant Project, the Commonwealth Minister for the Environment may decide the Project will be assessed either by an accredited assessment process or the project is to be assessed under a bilateral agreement.
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1	-	The CoG may refer details of the project to any entity that may be able to assist the CoG comment and assist in preparing the EIS. If the entity wishes P3 to consider its response in preparing the EIS, it must give its response within the 'response time' for giving the response. If the entity does not give its response within the 'response time' it is as if the entity had no comment on the project.
2	-	The EIS must for the whole project, address the terms of reference to the satisfaction of the CoG; or for a particular stage of the project, address the terms of reference to the satisfaction of the CoG. If only a particular stage is addressed a further EIS may be prepared for another or all remaining stages of the project and provided to the COG by the day stated in the CoG's report.  As a Controlled Action, the EIS must provide information on a whole range of matters set out in Schedule 1 of the SD&PWO Regulation.
3	-	P3 must publicly notify the following: <ul style="list-style-type: none"> <li>- Where a copy of the EIS is available for inspection;</li> <li>- Where a copy of the EIS may be obtained at a stated reasonable cost (must not be more than the actual cost of producing the copy)</li> <li>- That submissions may be made to the CoG about the EIS</li> <li>- The period ('submission period') set by the CoG during which a submission may be made</li> </ul> <p>As a Controlled Action, the submission period must be at least 28 days.</p> <p>The following must also be stated:</p> <ul style="list-style-type: none"> <li>- The project title</li> <li>- The proponent's name</li> <li>- The name of the entity intending to take the action the subject of the project;</li> <li>- If the proponent and designated proponent are not the same entity – the designated proponent's name;</li> <li>- A brief description of the project</li> <li>- The location of the project</li> <li>- The protected matters (defined by the EPBC Act) for the project</li> </ul> <p>Public notification must be in a newspaper circulating throughout Australia; or in each State and Territory in a newspaper circulating generally in the State and Territory.</p>
4	-	During the submission period the CoG must accept properly made submissions however, the CoG may also accept submissions not properly made. If the CoG has accepted a submission, the person who made the submission may by written notice amend the submission during the submission period or withdraw the submission anytime before a decision about the EIS is made.
5	-	In evaluating the EIS, the CoG may: <ul style="list-style-type: none"> <li>- Evaluate the environmental effects of the project and any other related matters; and</li> <li>- State conditions</li> </ul> <p>The CoG's report may state either that:</p> <ul style="list-style-type: none"> <li>- conditions must attach,</li> <li>- development approval must be for part only of the development;</li> </ul>

		<ul style="list-style-type: none"> <li>- the approval must be a preliminary approval only or</li> <li>- there are no conditions or</li> <li>- the application must be refused (but only if the CoG is satisfied there are environmental effects in relation to the development that can not be adequately addressed).</li> </ul> <p>The Report must state the entity that is to have jurisdiction for the condition and the condition is to be taken to be a concurrence agency condition under the IPA.</p>
6	-	A properly made submission about the EIS is taken to be a properly made submission about the application under the IDAS process
7	-	Council has 20 business days to make a decision on the application but may extend that period by a further 20 business days.
8	-	<p>The CoG's Report has the same effect as if it were a concurrence agency's response under IDAS. The CoG takes the power of any entity that would have been a concurrence agency for the application. This does not limit the assessment manager's power under the IPA to assess the application and impose condition not inconsistent with those recommended by the CoG.</p> <p><a href="#">A copy of the Report is also provided to the Commonwealth Environment Minister.</a></p>