



Instructions on how to prepare an Environmental Scoping Document

Purpose of these instructions

To assist proponents to prepare an Environmental Scoping Document, which is required where the Environmental Protection Authority (EPA) has decided that the proponent must undertake an environmental review under section 40(2)(b) of the *Environmental Protection Act 1986* (EP Act).

Purpose of an Environmental Scoping Document

To specify the form, content, timing and procedure of the environmental review to meet the requirements of section 40(3) of the EP Act.

The EPA requires that proponents use the Environmental Scoping Document (ESD) template for all proponent-prepared ESDs. Examples of ESDs are available on the EPA's website www.epa.wa.gov.au.

How to prepare an Environmental Scoping Document (ESD)

Template

The template provides the structure and layout of the ESD. The EPA requests that the content of the ESD is limited to the content of the ESD template (unless otherwise agreed with EPA Services, Department of Water and Environmental Regulation), so that the ESD is concise (and consistent with EPA-prepared ESDs).

Advice

Proponents may contact EPA Services if they need assistance to prepare an ESD.

Refer also to the EPA's *Administrative Procedures* and *Procedures Manual* for more information about the scoping process.

Content of an Environmental Scoping Document (ESD)

Invitation to make a submission

Required only if public review of the ESD is required. Delete if public review is not required.

1. Introduction

The ESD specifies the following to meet the requirement of s. 40(3) of the EP Act:

- **form** of the report on the environmental review (Environmental Review Document), according to the *Environmental Review Document template* and/or any proposal-specific requirements
- **content** of the environmental review
- **timing** of the environmental review and the EPA's assessment
- **procedure** of the environmental review, according to the procedures in the *Administrative Procedures* and the *Procedures Manual* and any proposal-specific requirements.

Assessment timeline

The timeline is *usually* agreed between the EPA and the proponent. The timeline is based on the target timeframes for the EPA set out in the *Procedures Manual* and the timeframes proposed by the proponent for their parts of the assessment process.

Proponents are expected to meet the agreed timeline and provide adequate, quality information to inform the assessment.

If the proponent does not meet any milestone in the timeline, or provides inadequate information, the EPA will revise the completion dates of subsequent milestones of the assessment. Where the EPA is unable to meet a milestone, the EPA will advise the proponent and revise the completion dates.

Where there are major changes to the timeline during the assessment, the EPA:

- will update the timeline in consultation with the proponent
- will notify the proponent in writing
- may publish the updated timeline on the EPA's website.

Refer to the *Procedures Manual* for more information on timelines.

Assessment under Bilateral Agreement (or accredited process)

If the EPA will assess the proposal under the Bilateral Agreement (or as an accredited process), include:

- the relevant matters of national environmental significance (MNES) for the proposal
- potential impacts on MNES under the relevant preliminary environmental factor
- required work to address the potential impacts on MNES under the relevant preliminary environmental factor.

2. Proposal description

Include a proposal description, the key proposal characteristics and relevant maps (see *Instructions and template: Defining the key proposal characteristics*).

If there any changes to the proposal since referral, the proponent must seek the EPA's consent under s. 43A (see *Procedures Manual*).

3. Preliminary key environmental factors and required work

Identify the preliminary key environmental factors for the environmental review that you need to address during the environmental review. These are usually the factors identified when the EPA decides to assess a proposal, but there may be different factors. The EPA will confirm the preliminary key environmental factors.

For each preliminary key environmental factor, include the following information:

- **EPA objective** for that factor
- **Relevant activities** – proposal activities, products or services that may interact with the environment and may significantly impact that factor
- **Potential impacts and risks** to that factor – any change to the environment, whether adverse or beneficial, resulting from the proposal (direct, indirect and cumulative impacts at a local and regional scale)
- **Required work** for that factor, with tasks written in sequential numerical order according to the following, where appropriate:
 1. characterise the environment relating to that factor (e.g. identify environmental values, type of surveys, baseline data collection etc)
 2. describe elements of the proposal which affect the environment (e.g. temporary construction versus operation, impacts/pressures from the proposal etc)
 3. predict inherent and residual impacts before and after applying the mitigation hierarchy (i.e. considering points 1 and 2)
 4. describe proposed monitoring and management (in terms of the mitigation hierarchy) to achieve predicted outcomes/objectives
 5. identify offsets, if appropriate, if a significant residual impact may remain after applying the mitigation hierarchy

The required work may include the following:

- undertake technical studies and investigations, and associated reports
- develop spatial information
- develop environment management plans for proposed monitoring and management
- undertake a peer review of the scope, methodologies, findings and/or conclusions of surveys and investigations, and/or other information
- **Relevant policy and guidance** – list the policy and guidance applicable to the environmental review
 - EPA policy and guidance
 - Other policy and guidance (e.g Commonwealth for MNES).

Where a proposal has different elements (e.g. a mine and a port) that may have different impacts, it may be appropriate to define the information above separately.

4. Other environmental factors or matters

The focus of the environmental review is the preliminary key environmental factors. However, the ESD may note aspects or issues that the EPA considers are relevant to the proposal, but are not significant enough at the scoping stage to warrant further assessment by the EPA. Refer to *Instructions and template: Environmental Review Document* for information on how to address other environmental factors or matters and discuss them in the Environmental Review Document.

5. Stakeholder consultation

Identify the generic and any specific stakeholders that the proponent will consult with during the environmental review and the consultation requirements.

6. Decision-making authorities

List the decision-making authorities for the proposal, usually the decision-making authorities the EPA has notified under s. 39A.

The EP Act constrains decision-making authorities from making any decision that would have the effect of causing or allowing the proposal to be implemented (s. 41 of the EP Act). This constraint only relates to making an approval decision.

The EPA encourages proponents to progress other approvals processes in parallel with the EPA's assessment to support the capacity of decision-making authorities to provide input into the scoping and other phases of the EIA process.

Submitting an Environmental Scoping Document

The EPA prefers that documents are emailed but will also accept documents submitted by post.

Email: registrar@dwer.wa.gov.au

or

EPA Services

Department of Water and Environmental Regulation

Locked Bag 33, Cloisters Square, Perth WA 6850

Enquiries:

Telephone: 6364 7000

Fax: 6364 0896

Email: info.epa@dwer.wa.gov.au

Website: www.epa.wa.gov.au

End of instructions. Environmental Scoping Document template starts on next page.

Template for a proponent-prepared Environmental Scoping Document

Drafting Instructions:

Red text indicates text specific to your proposal and must be completed

Green text indicates content that may not be relevant to your proposal, delete if not relevant

[Grey text in italics indicates a prompt or example, delete]

Contents

Invitation to make a submission *[delete if public review of ESD is not required]*

1. Introduction

Form

Content

Timing

Procedure

Assessment under the Bilateral Agreement (or accredited process)

2. The proposal

3. Preliminary Key Environmental Factors and required work

4. Other environmental factors or matters

5. Stakeholder consultation

6. Decision-making authorities

Tables

Table 1 Assessment timeline

Table 2 Summary of the proposal

Table 3 Location and proposed extent of physical and operational elements

Table 4 Preliminary key environmental factors and required work

Table 5 Decision-making authorities

Figures

Figure 1 Regional location

Figure 2 Development envelope

Figure 3 Photographs of site location

Invitation to make a submission

The Environmental Protection Authority (EPA) invites people to make a submission on the draft Environmental Scoping Document for this proposal.

Proponent Name proposes **brief description of proposal**. The draft Environmental Scoping Document has been prepared in accordance with the *EPA's Procedures Manual (Part IV Divisions 1 and 2)*. The draft Environmental Scoping Document outlines the work required and key areas of focus for the environmental review that the proponent will undertake and prepare an Environmental Review Document for.

The draft ESD is available for a public review period of **X** weeks from **DATE**, closing on **DATE**.

Why write a submission?

The EPA seeks information that will inform the EPA's consideration of the likely effect of the proposal, if implemented, on the environment.

The EPA will use the information in the submissions to identify any additional preliminary key environmental factors/issues and the type and extent of any additional work for the environmental review that should be included in the Environmental Scoping Document.

Submissions will be treated as public documents unless provided and received in confidence, subject to the requirements of the *Freedom of Information Act 1992*.

Why not join a group?

It may be worthwhile joining a group or other groups interested in making a submission on similar issues. Joint submissions may help to reduce the workload for an individual or group. If you form a small group (up to 10 people) please indicate all the names of the participants. If your group is larger, please indicate how many people your submission represents.

Developing a submission

The draft ESD specifies the form, content, timing and procedure of the environmental review and outlines the work required to identify or predict the direct, indirect and cumulative impacts of the proposal. The likely environmental impacts and the proposed management measures will be addressed in the Environmental Review Document after the proponent undertakes the environmental review.

You may agree or disagree with, or comment on, the general issues discussed in the draft ESD or on specific elements.

When making comments on the draft ESD:

- Suggest other preliminary key (i.e. most important) environmental factors and/or any additional work you consider would be appropriate.
- Clearly state your point of view and give reasons for your conclusions.
- Reference the source of your information, where applicable.
- Suggest recommendations or alternatives.

What to include in your submission

Include the following in your submission to make it easier for the EPA to consider your submission:

- Your contact details – name and address.
- Date of your submission.
- Whether you want your contact details to be confidential.
- Summary of your submission, if your submission is long.
- List points so that issues raised are clear, preferably by environmental factor.
- Refer each point to the page, section and if possible, paragraph of the draft ESD.
- Attach any reference material, if applicable. Make sure your information is accurate.

The closing date for public submissions is: **DATE**

The EPA prefers submissions to be made electronically via the EPA's Consultation Hub at <https://consultation.epa.wa.gov.au>.

Alternatively submissions can be:

- posted to: Chairman, Environmental Protection Authority, Locked Bag 33, Cloisters Square, Perth WA 6850, or
- delivered to: the Environmental Protection Authority, Level 4, The Atrium, 168 St Georges Terrace, Perth 6000.

If you have any questions on how to make a submission, please contact EPA Services at the Department of Water and Environmental Regulation on 6364 7000.

DRAFT Environmental Scoping Document

Proposal name:	
Proponent:	
Assessment number:	
Location:	
Local Government Area:	
Public review period:	Environmental Scoping Document – X weeks Environmental Review Document – X weeks
EPBC reference no:	

1. Introduction

The Environmental Protection Authority (EPA) has determined that the above proposal is to be assessed under Part IV of the *Environmental Protection Act 1986* (EP Act).

The purpose of the Environmental Scoping Document is to define the form, content, timing and procedure of the environmental review, required by s. 40(3) of the EP Act. **Proponent name** (the proponent) has prepared this **draft** ESD according to the procedures in the EPA's *Procedures Manual*.

Form

The EPA requires that the form of the report on the environmental review required under s. 40 (Environmental Review Document, ERD) is according to the ***Environmental Review Document template***.

[Include any proposal-specific requirements, if relevant.]

Content

The EPA requires that the environmental review includes the content outlined in sections 2 to 6.

Timing

Table 1 sets out the timeline for the assessment of the proposal agreed between the EPA and the proponent.

Table 1: Assessment timeline

Key assessment milestones	Completion Date
EPA approves Environmental Scoping Document	Date
Proponent submits first draft Environmental Review Document	Date
EPA provides comment on first draft Environmental Review Document <i>(6 weeks from receipt of ERD)</i>	Date
Proponent submits revised draft Environmental Review Document	Date
EPA authorises release of Environmental Review Document for public review <i>(2 weeks from EPA approval of ERD)</i>	Date
Proponent releases Environmental Review Document for public review for x weeks	Date
Close of public review period	Date
EPA provides Summary of Submissions <i>(3 weeks from close of public review period)</i>	Date
Proponent provides Response to Submissions	Date
EPA reviews the Response to Submissions <i>(4 weeks from receipt of Response to Submissions)</i>	Date
EPA prepares draft assessment report and completes assessment <i>(6 weeks from EPA accepting Response to Submissions)</i>	Date
EPA finalises assessment report (including two weeks consultation on draft conditions) and gives report to Minister <i>(6 weeks from completion of assessment)</i>	Date

Procedure

The EPA requires the proponent to undertake the environmental review according to the procedures in the *Administrative Procedures* and the *Procedures Manual*.

[Include any proposal-specific requirements, if relevant]

Assessment under the Bilateral Agreement (or accredited process)

The proposal has been referred and determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* and is being assessed under the Bilateral Agreement between the Commonwealth of Australia and the State of Western Australia made under section 45 of that Act. The relevant matters of national environmental significance (MNES) for this proposal are:

- list the relevant MNES as per the Commonwealth's controlled action determination e.g. Listed threatened species and communities (s18 and 18A)

This draft ESD includes work required to be carried out and reported on in the Environmental Review Document in relation to MNES. The Environmental Review Document will also address the matters in Schedule 4 of the Environmental Protection and Biodiversity Conservation Regulations 2000.

MNES that may be impacted by the proposal will be identified and the potential impacts on these matters addressed within each relevant preliminary environmental factor identified in Table 2. Proposed offsets to address significant residual impacts on MNES will also be discussed in the Environmental Review Document.

2. The proposal

The subject of this ESD is the proposal by **proponent** to **proposal name and brief description of the proposal**.

The regional location of the proposal is shown in Figure 1 and the development envelope and indicative footprint of the proposal is delineated in Figure 2. Photographs of the site location are shown in Figure 3.

The key characteristics of the proposal are set out in Tables 2 and 3. The key proposal characteristics may change as a result of the findings of studies and investigations conducted and the application of the mitigation hierarchy by the proponent.

[Provide additional background if necessary e.g. such as where the proposal has a complex history and/or is on State Agreement Act land.]

Table 2: Summary of the proposal

Proposal title	
Proponent name	
Short description	

Table 3: Location and proposed extent of physical and operational elements

Element	Location	Proposed extent
<i>Physical elements</i>		
<i>Operational elements</i>		

3. Preliminary key environmental factors and required work

The preliminary key environmental factors for the environmental review are:

1. **preliminary key environmental factor 1**
2. **preliminary key environmental factor 2 etc.**

Table 4 outlines the work required for each preliminary key environmental factor and contains the following elements for each factor:

- **EPA factor** and **EPA objective** for that factor.
- **Relevant activities** – the proposal activities that may have a significant impact on that factor.
- **Potential impacts and risks** to that factor.
- **Required work** for that factor.
- **Relevant policy and guidance** – EPA (and other) guidance and policy relevant to the assessment.

Table 4: Preliminary key environmental factors and required work

[refer to the Instructions to complete the table]

EPA Factor 1	
EPA objective	
Relevant activities	
Potential impacts and risks	
Required work	<ol style="list-style-type: none"> 1. Task 1 2. Task 2 3. Task 3 4. Task 4 5. Task 5 etc
Relevant policy and guidance	<i>EPA Policy and guidance</i> <i>Other policy and guidance</i>
EPA Factor 2 etc	
EPA objective	
Relevant activities	
Potential impacts and risks	
Required work	<ol style="list-style-type: none"> 6. Task 6 7. Task 7 etc
Relevant policy and guidance	<i>EPA Policy and guidance</i> <i>Other policy and guidance</i>

4. Other environmental factors or matters

The EPA has identified the following other environmental factors or matters relevant to the proposal that must be addressed during the environmental review and discussed in the Environmental Review Document:

1. **Other environmental factor or matter 1** – *[Provide a brief description]*.
2. **Other environmental factor or matter 2** – *[Provide a brief description]*.

5. Stakeholder consultation

The proponent must consult with stakeholders who are affected by, or are interested in the proposal. This includes the decision-making authorities (see section 6), other relevant state (and Commonwealth) government agencies and local government authorities, the local community and environmental non-government organisations.

[State any specific stakeholders that must be consulted]

The proponent must document the following in the Environment Review Document:

- identified stakeholders
- the stakeholder consultation undertaken and the outcomes, including decision-making authorities' specific regulatory approvals and any adjustments to the proposal as a result of consultation
- any future plans for consultation.

6. Decision-making authorities

At this stage, the EPA has identified the following decision-making authorities (DMAs) for the proposal. Additional DMAs may be identified during the assessment.

Table 5: Decision-making authorities

Decision-making authority	Relevant legislation
1. Decision-making authority 1	<i>[Insert relevant legislation]</i>
2. Decision-making authority 2 etc	<i>[Insert relevant legislation]</i>