



This practice direction is issued by the State Planning Commission (the Commission) under section 42 of the *Planning, Development and Infrastructure Act 2016* (the Act).

Introduction

Section 42 of the Act allows the Commission to issue practice directions for the purposes of the Act.

Generally, practice directions specify procedural requirements or steps in connection with a matter arising under the Act. In certain cases, the Act requires a particular matter to be addressed or dealt with by a practice direction.

This practice direction is being made by the Commission to support the operation of Subdivision 4 (Part 7 Division 2 of 6) of the Act (Impact Assessed Development), and specifically section 109, as further referenced in sections 111, 112, 113 and 114 of the Act.

The relevant requirements of sections of the Act as they relate to this practice direction are below:

109—Practice direction to provide guidance

- (1) *In connection with the operation of this Subdivision, the Commission must publish a practice direction with respect to—*
- (a) *in relation to impact assessed development (not being restricted development)—*
 - (i) *requirements as to the preparation of an EIS, including the level of detail that an EIS must address with respect to various classes of development; and*
 - (ii) *any other requirements for assessing the level of impact of a development that is to be assessed as impact assessed development; and*
 - (iii) *the information that must be provided by the proponent at the various stages assessed under this Act; and*
- (2) *The Commission must, in acting under subsection (1)—*
- (a) *take into account principles and requirements prescribed by the regulations; and*
 - (b) *in relation to subsection (1)(b), classify the issues identified by the Commission as being relevant to the proper assessment of development according to categories of importance so as to indicate the levels of attention that should be given to those issues in the preparation of an EIS.*

111—Impact assessment by Minister—procedural matters

- (1) *This section applies in relation to impact assessed development (not being restricted development).*

(2) *In a case where this section applies—*

...

(d) *a proponent must lodge with the Minister an application that complies with the following requirements: ...*

(ii) *the application must include, or be accompanied by, any documents, assessments or information required by a practice direction published by the Commission in connection with this Subdivision;*

112—Level of detail

The Commission will determine the level of detail required in relation to an EIS after taking into account—

(a) *a practice direction published by the Commission in connection with this Subdivision;*
and

(b) *any views expressed by a person or body prescribed by the regulations for the purposes of this paragraph; and*

(c) *any views expressed by the proponent after consultation in accordance with the regulations.*

113—EIS process

(3) *The EIS must be prepared in accordance with a practice direction published by the Commission in connection with this Subdivision....*

(5) *After the EIS has been prepared, the Minister—*

...

(b) *must ensure—*

(i) *that copies of the EIS are available for public inspection and purchase (during normal office hours) for at least a period specified or determined under the practice direction published by the Commission in connection with this Subdivision at a place or places determined by the Minister and, by public notice, give notice of the availability of copies of the EIS and invite interested persons to make written submissions to the Minister on the EIS within the time determined under the practice direction referred to above; and*

(9) *The Commission must then prepare a report (an Assessment Report) that sets out or includes—*

(a) *the Minister's assessment of the development; and*

(b) *the Minister's comments (if any) on—*

(i) *the EIS; and*

(ii) *any submissions made under subsection (5); and*

(iii) *the proponent's response under subsection (8); and*

(c) *comments provided by the Environmental Protection Authority, another Minister, a council or other authority or body for inclusion in the report; and*

(d) *other comments or matter as the Minister or the Commission thinks fit.*

114—Amendment of EIS

(2) However—

...

- (b) *if a proposed amendment would in the opinion of the Minister significantly affect the substance of the EIS, the amendment must not be made before interested persons have been invited, in accordance with the practice direction published by the Commission in connection with this Subdivision, to make written submissions on the amendment and the Minister has considered the submissions (if any) received in response to that invitation.*

In accordance with the above, this practice direction provides for the following:

Impact Assessed Development (not being restricted development) – *The requirements as to the preparation of an Environmental Impact Statement (EIS), the requirements for assessing the level of impact, and information that must be provided by the proponent.*

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the *State Planning Commission Practice Direction 17 Impact Assessed Development 2022*.

2 – Commencement of operation

This practice direction came into operation on 15 December 2022 and supersedes previous *Practice Direction 4 – Restricted and Impact Assessed Development 2019*.

Version 2 of this practice direction commences operation on 14 February 2023.

3 – Object of practice direction

The object of this practice direction is to outline:

- (a) For impact assessed development (not being restricted development), outline what information a proponent will need to include in an EIS.
- (b) Any other information that will be required for the assessment of an impact assessed development (not being restricted development).

4 – Interpretation

In this practice direction, unless the contrary intention appears:

Act means the *Planning, Development and Infrastructure Act 2016*.

Commission means the *State Planning Commission*.

Commonwealth means the *Commonwealth of Australia*.

Court means the Environment, Resources and Development Court.

Department means the Department for Trade and Investment.

DOE means the former Commonwealth Department of the Environment.

DCCEEW means the Commonwealth Department of Climate Change, Energy, the Environment and Water.

DEW means the South Australian Department for Environment and Water.

EIS means an Environmental Impact Statement.

EPA means the South Australian Environment Protection Authority.

EPBC Act means the Environment Protection and Biodiversity Conservation Act 1999.

Minister means the Minister responsible for the administration of the Planning, Development and Infrastructure Act 2016.

MNES means Matters of National Environmental Significance under the Environment Protection and Biodiversity Conservation Act 1999.

Regulations means the Planning, Development and Infrastructure (General) Regulations 2017.

Note: Section 12 of the Legislation Interpretation Act 2021 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

Part 2 – Impact Assessed Development (not being Restricted Development)

5 – Information that must be provided by the proponent

- (1) An applicant for an impact assessed development (not restricted) must lodge an application with the Minister via the SA Planning Portal and/or in such other form as required by the Commission in the particular circumstance.
- (2) In accordance with section 111(2)(d)(ii) of the Act, the application must be accompanied by the following:
 - (a) A completed development application form.
 - (b) A completed electricity declaration or a completed certificate from the Office of the Technical Regulator pursuant to Schedule 8, Clause 11 of the Regulations (if applicable).
 - (c) A copy of the certificate of title for the relevant land and evidence of tenure arrangements (if applicable).
 - (d) A planning report, prepared by a planning consultant qualified to a minimum standard equivalent to an Accredited Professional—Planning Level 3 (but does not necessarily require accreditation under the *Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*), that includes:
 - (i) A detailed description of the development proposal.
 - (ii) A detailed description of the subject site including physical/environmental locality, and social and economic setting within which the project is located.

- (iii) A preliminary assessment of the key social, environmental and economic issues and Impacts associated with the development.
 - (iv) A preliminary assessment of the key planning issues associated with the development.
 - (v) A preliminary assessment of the development against relevant State Government policy strategy and/or guidelines.
- (e) A set of plans, drawn to scale, and prepared by a suitably qualified consultant, including as a minimum:
- (i) Site plan(s) showing existing structures, native vegetation, regulated trees and easements on the subject site in relation to the proposed development.
 - (ii) Locality plan(s) showing adjacent properties, existing development, public roads, natural features and topography (where relevant) in relation to the proposed development.
 - (iii) Floor level plan(s).
 - (iv) Elevation drawings.
 - (v) Indicative perspectives.
 - (vi) Plan of division (if relevant).
- (f) Identify known Aboriginal heritage relevant to the project area through a search of the Aboriginal Affairs and Reconciliation's central archives and potentially other archives held locally by Aboriginal people.
- (g) A self-assessment undertaken in accordance with the publication by DOE in 2013 titled 'Matters of National Environmental Significance: Significant Impact Guidelines 1.1: Environment Protection and Biodiversity Conservation Act 1999', including results from a search of the DCCEEW Protected Matters Search Tool for MNES.
- (h) If MNES are identified [in section 2(g) above], the advice of the Commonwealth DCCEEW should be sought to confirm whether the proposed development constitutes a 'controlled action' under the EPBC Act (which may then require a separate assessment and approval process under that Act).
- (i) Copies of any other relevant documentation as specifically requested by the Minister or their delegate.

6 – Requirements as to the preparation of an EIS

- (1) The applicant is required to prepare an EIS in support of impact assessed development that addresses the expected environmental, social and economic effects of the proposed development; and the extent to which the development is consistent with the Planning and Design Code.
- (2) The proponent will be required to prepare an EIS in accordance with this practice direction as it relates to section 113(3) of the Act.

- (3) The level of detail required to be addressed in the EIS will be determined by the Commission pursuant to section 112 of the Act. In doing so, the Commission will consider and determine the issues/impacts associated with the development and categorise those issues/impacts into either standard or detailed categories based on risk and scale, so as to indicate the levels of detail and investigation that should be given to those issues in the preparation of an EIS.

Such issues may include (but are not limited to) the following assessment categories:

- (i) amenity and environmental quality
- (ii) biological environment
- (iii) climate change and resource use efficiency
- (iv) economic environment
- (v) hazards and risks
- (vi) land use and site contamination
- (vii) physical environment
- (viii) design
- (ix) social and community

Further details on the above assessment categories and their related environmental attributes, can be found in the Plan SA publication, *Assessment Requirements Library: Impact Assessed Development v1.0* dated December 2022 (or later versions when published).

- (4) The Assessment Requirements Template in Attachment 1 should be used by the Commission to set the level of detail required, including the ranking of issues and impacts according to the level of assessment.
- (5) When the Commission determines the level of detail required, consideration must also be given to the level of assessment required for an environmental attribute in the context of a specific project as either 'standard' or 'detailed':
- (a) scale of the impact taking into account intensity, geographical extent and duration
 - (b) nature of the impact which should consider direct, indirect, cumulative and perceived impacts
 - (c) sensitivity of the receiving environment
 - (d) the ability to avoid, minimise and/or offset the impacts of the project, to the extent known at the scoping application stage
 - (e) the complexity of technical assessments and investigations required to identify and assess mitigation measures.

Cumulative impacts of the proposed project on environmental attributes are characterised by impacts which are:

- (f) impacts to environmental values over time or in combination with other impacts in the dimensions of scale, intensity, duration or frequency of the impacts
- (g) created by the activities on other adjacent, upstream and downstream developments and infrastructure, and landholders.

- (6) The EIS must be submitted to the Office of the Minister and/or in such other form as required by the Department in the particular circumstance.
- (7) The Assessment Requirements will be placed on the SA Planning Portal by the Commission or its delegate following approval by the relevant authority.
- (8) The Assessment Requirements may be amended at any time as deemed appropriate by the Commission.
- (9) The entity authorised to prepare or amend requirements for development assessment of an EIS will address the following:
 - (a) The level of risk.
 - (b) The scale, impact and likelihood of these risks.
 - (c) A list of issues to be addressed in an EIS.
- (10) Impact assessed development will be assessed on its merits, taking into consideration how the impacts associated with the proposed development can be avoided, mitigated (including offsets) and managed.

7 – Consultation of EIS

- (1) For the purposes of section 113(5)(b) of the Act, copies of the EIS shall be made available for public inspection and purchase for a period of at least 30 business days, or such longer period as determined by the Minister.
- (2) Referral of the application to the EPA (pursuant to section 113(5)(a)(i) of the Act) and other State agencies, as required by the Act and Regulations, or as the Minister determines.

8 – Amendment of EIS

- (1) If an amendment is made to an EIS that would, in the opinion of the Minister, significantly affect the substance of the EIS, the amendment must not be made before interested persons have been invited to make written submissions on the amendment and the Minister has considered any submissions received in response to that invitation.
- (2) If the Minister allows an EIS to be amended, the applicant must consider and document how the changes affect any declaration of the Minister under section 108(1)(c) of the Act (where relevant).
- (3) If the Commission deems relevant, the Commission may vary the EIS requirements (i.e. Assessment Requirements) made under section 112 of the Act to account for any proposed variation by the applicant and the applicant must update the EIS accordingly.
- (4) The proposed amendments to the EIS shall be published on the SA Planning Portal, inviting interested persons to make written submissions on the amendment.
- (5) The Commission must give notice of the place or places at which copies of the relevant document or documents (with the amendments) are available for inspection and purchase.
- (6) Interested persons will be provided a minimum period of 15 business days, or such longer period as deemed appropriate by the Commission, to provide a submission on the amended EIS.

Issued by the State Planning Commission on 14 February 2023.

Note: This practice direction commences operation in accordance with 'Part 2 – Commencement of operation'.

Versions

Version 2: Commenced operation on 14 February 2023.

Version 1: Commenced operation on 15 December 2022.



Assessment Requirements

ENVIRONMENTAL IMPACT STATEMENT

[Brief description of development]
[Short description of subject site]

[Name of proponent]

[Month Year]

To change the image:

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1 Objective of the EIS

To assess the social, economic and environmental impacts for projects declared as impact assessed development (not being restricted development) requires the preparation of an Environmental Impact Statement (EIS).

The EIS process is the highest level of assessment under the *Planning, Development and Infrastructure Act 2016* (PDI Act) and enables the holistic consideration of projects that are considered to be of economic, social or environmental importance to South Australia.

The EIS process provides a comprehensive assessment of a development or project proposal and the expected effects on the receiving environment and within the broader context of its setting, which could relate to a local area, region, state or nation.

2 Description of Development

[include the text applicable depending on whether impact assessed development is declared by the Minister or classified by the regulations]

On *[date the development was declared impact assessed by the Minister]*, the Minister declared that the proposed *[description of development]* at *[address of subject land]* be assessed as an Impact Assessed development pursuant to section 108(1)(c) of the *Planning, Development and Infrastructure Act 2016* (the PDI Act).

OR

The proposed *[description of development]* at *[address of subject of subject land]* is of a type listed by regulation 27 (a1) to be assessed Impact Assessed development pursuant to section 108(1)(b) of the *Planning, Development and Infrastructure Act 2016* (the PDI Act).

The project scoping application provides the following preliminary description of the proposal. *[Include a detailed description of the development with Location Map as Figure 1].*

Figure 1: Subject Site / Site Plan

3 Background to these Assessment Requirements

This document contains the Assessment Requirements to guide the preparation of an EIS by the project proponent.

Every attempt has been made to ensure these Assessment Requirements address all of the major issues associated with the proposed development, however they are not necessarily exhaustive. The Assessment Requirements should not be interpreted as excluding from consideration matters deemed to be significant but not incorporated in them, or matters that emerge as important or significant from environmental studies or otherwise during the course of the preparation of the EIS.

The EIS must therefore address other matters not covered in these Assessment Requirements in the following circumstances:

- Studies reveal a matter that had not been foreseen when the Assessment Requirements were finalised.
- Stakeholder engagement and consultation with the community identifies an issue of widespread concern to the public, which had not previously been considered contentious. This may include a public perception of significant environmental harm

that may not be borne out by technical studies, which may also be attracting extensive media coverage.

- New or amended legislation or policies come into effect after the Assessment Requirements have been finalised, which may or may not have been referred to in the Assessment Requirements. Transitional arrangements or exemptions may apply, but it is considered best practice and of net benefit to a project to consider emergent legislation or policies even if not specifically required. This serves to ‘future-proof’ the EIS.
- The proponent makes amendments to the proposed project that would result in a change in the nature, scale, timing or location of any impacts.

4 The Impact Assessment Process

4.1 EIS process

Once a development has been categorised as impact assessed development (not being restricted development), a Scoping Application is prepared by the proponent which includes a preliminary assessment of the key social, environmental and economic issues and impacts associated with the development. The Commission uses the information provided in the Scoping Application to develop Assessment Requirements to inform preparation of the EIS.

The EIS must be prepared by the proponent in accordance with the Assessment Requirements for each environmental attribute in line with the level of detail specified. The level of detail is determined by the Commission based on the Practice Direction, the views of the relevant government agencies and the local council. The proponent is also given an opportunity to provide feedback on the level of detail required.

Assessment Requirements are intended to be outcome-focused and, supported by relevant guidance documents and legislation, are generally accompanied by a method of investigating the highlighted impacts and measures to assess these impacts. The methods provided are not necessarily exhaustive and a wide range of methods may be available to consider and respond to a particular issue.

If additional matters requiring detailed assessment become apparent after the final Assessment Requirements are issued, the EIS must also address these new matters in a comprehensive manner and identify means by which the effects can be managed.

The matters that must be included in an EIS are set out in Section 113 of the PDI Act and in the sections below. These requirements include detail of expected environmental, social, economic and climate effects of the development, consistency with state and regional planning documents, consideration of the provisions of the *Environment Protection Act 1993* and commitments by the proponent to avoid, mitigate or satisfactorily manage and control any potentially adverse effects of the development on the environment.

The EIS process is illustrated in Figure 2.



Figure 2: Steps in impact assessed development process

4.2 Consultation Process

After the completed EIS is submitted to the Minister for public release, it is referred to council(s) and relevant government agencies for comment. The public is also provided with an opportunity to comment when released for public exhibition.

Public consultation is a valuable resource to the EIS preparation process and a well-considered engagement strategy can play a pivotal role in the assessment of a project. The PDI Act sets out the principles of the Community Engagement Charter which guide public participation in the planning process and ensure that people and communities have a greater opportunity to engage in the planning process. The Minister will consider the Charter in determining the consultation program for an impact assessed development.

Public exhibition is undertaken for a minimum of 30 business days.

An advertisement will be placed in The Advertiser and local newspapers inviting submissions. The public consultation process will cater for those with special needs or those not able to access documentation electronically.

[Before releasing the EIS, the Minister must also consider the Community Engagement Charter and the consultation program. The PDI Act does not set any requirements for public notification except to say that the EIS must be placed on public notification however the PD details a minimum of 30 business days. The PD should outline details (aligning with the reading of the Community Engagement Charter) where additional or tailored consultation should be undertaken by the Minister and the proponent.

The Charter should be considered the minimum requirements for public consultation and emphasise the importance of early and open engagement as soon as practicable to avoid or minimise situations as early as possible where Stakeholder engagement and consultation with the community identifies an issue of widespread concern to the public, which had not previously been considered contentious.]

4.3 Responding to submissions

Copies of submissions from the public, council(s) and other relevant agencies are then provided to the proponent who then prepares a Response Document to address matters raised during the public exhibition period.

Following the receipt of the Response Document, the Commission will prepare an Assessment Report. The Assessment Report must set out:

- The Minister's assessment of the development
- Any comments by the Minister relating to:
 - the EIS
 - submissions received through the public consultation process
 - the proponent's responses to submissions received and matters raised by the Minister
- Comments provided by the Environment Protection Authority, another Minister, a council or other authority or body
- Any other comments or matters as the Minister or the Commission thinks fit.

The Assessment Report and the Response Document will be available for inspection and purchase by members of the public at a place and for a period of time determined by the Commission.

Availability of each of these documents (primarily on the PlanSA Portal website) will be notified by advertisements in The Advertiser and local newspapers and in writing to persons who made a written submission. A copy of the EIS, Response Document and the Assessment Report will be provided to the relevant council(s). Requirements for public availability and notification of an EIS, Response Document and Assessment Report are laid out in Section 113 (10) - (12) of the PDI Act.

The Minister will make a final decision subject to Section 115 of the PDI Act.

In deciding whether the proposal will be approved and any conditions that will apply, the Minister must have regard to:

- The State Planning Policies
- Regional Plans, including the 30-Year Plan for Greater Adelaide (where relevant)
- Provisions of the Planning Rules and the regulations
- If relevant, the Building Code of Australia
- Where development involves or is for the purposes of a prescribed activity of environmental significance, the Environment Protection Act including the objects, General Environmental Duty and relevant environment protection policies
- Where relevant, the view of the Minister who is responsible for the administration of an area of the State subject to a special legislative scheme
- The EIS, Response Document and the Commission's Assessment Report
- Where relevant, any other government policy and/or legislation.

Pursuant to Section 115(2)(a) of the PDI Act the Minister can at any time indicate that the development will not be granted a development authorisation. This may occur if the development is inappropriate or cannot be demonstrated to be properly managed. This is commonly referred to as an "early no."

4.4 Development of the Assessment Requirements

Assessment Requirements set out the environmental attributes relevant to the development which are to be assessed (e.g. soil, water, heritage, threatened species etc). The key environmental, social and economic impacts to these environmental attributes are to be addressed in the EIS. The level of assessment required is determined by the Commission based on consideration of key factors to determine whether a standard level of assessment will be sufficient or whether more detailed assessment is required.

4.4.1 Key factors to consider in determining level of assessment detail

The PDI Act defines an EIS as "a document that includes a detailed description and analysis of a wide range of issues relevant to the proposed development or project, incorporating significant information to assist in an assessment of environmental, social or economic effects associated with the development or project and the means by which those effects can be managed".

In setting the Assessment Requirements, the Commission considers the scale, nature and sensitivity of the receiving environment associated with the proposal and refers to relevant

legislation, policy, guidance documents, government agencies and subject matter experts to determine whether a standard or a detailed level of assessment is appropriate.

The Commission is required to classify the issues relevant to the proper assessment of the development or project according to categories of importance so as to indicate the levels of attention that should be given to those issues in the preparation of an EIS.

The following key factors have been considered in identifying the issues requiring assessment in the EIS and whether the Assessment Requirements are 'detailed' or 'standard':

- Scale of the impact taking into account intensity, geographical extent and duration
- Nature of the impact which should consider direct, indirect, cumulative and perceived impacts
- Sensitivity of the receiving environment
- Ability to avoid, minimise and/or offset the impacts of the project, to the extent known at the application stage
- Complexity of technical assessments and investigations required to identify and assess mitigation measures.

Description and examples of the key factors is provided in Table 1.

Table 1: Description and examples of key factors to consider during scoping

Key factor	Components of factor	Description of example
Scale of the Impact	Severity	The scale or degree of the impact relative to the current situation or adopted standards or performance measures. The intensity may be measured quantitatively and compared to reference values (e.g. area of vegetation cleared, air and water quality, noise levels, change or disruption to ecological community function) or qualitatively.
	Geographical extent	The geographical reach of the impacts of the development or the range within which the impacts are observable
	Duration	The timeframe over which the impact occurs (e.g. for a short period, during construction only; during operations permanently). It may also refer to the period/s in which the impacts are observable and the regularity of the impacts (e.g. irregular, intermittent, regularly during operations.)
Nature of the Impact	Direct impacts	Impacts caused directly by the development. They usually occur at the same time as the development and within the vicinity of the site (e.g. vegetation clearing, air emissions).
	Indirect impacts	Impacts that occur as a consequence of the development or its direct impacts. Impacts may be delayed and happen further away from the site (e.g. project changes water table, changes affect wetland and causes an impact on groundwater dependent ecosystems). Impacts may also occur due to growth or land use changes facilitated by the project (e.g. a new

		transmission line may open up new areas for renewable energy generation).
	Cumulative impacts	The combined impacts of the project on a matter combined with other relevant existing and future projects (e.g. marine impacts from multiple port developments).
	Perceived impacts	There are a range of perceptions of the same impacts by people or groups
Sensitivity of the Receiving Environment	Existing regulations and guidance	The degree of sensitivity expressed in legislation or relative to adopted standards and performance measures (e.g. Guidelines for the use of the <i>Environment Protection (Noise) Policy 2007</i>)
	Value to society	<u>Environmental value</u> : e.g. water quality, natural habitat). <u>Social value</u> : e.g. community value, landscape, recreation, lifestyle disturbance, water quality, cultural heritage, amenity. <u>Economic value</u> : e.g. water supply, critical transport routes
	Vulnerability / resilience to change	The degree of vulnerability of the environment to the impacts of the project or resilience to cope with change. Regard should be had to the likely scale and nature of the impacts of the development and the sensitivity and adaptive capacity of the environment.

4.4.2 Assessment Level Characteristics

The characteristics of 'detailed' and 'standard' levels of assessment are provided in Table 2. A detailed level of assessment is required if the impact of the development has one or more the characteristics set out in Table 2.

Table 2: Characteristics of detailed and standard assessment

Level of Assessment	Characteristic of the impact of the development
Standard	<p>The project is unlikely to result in significant impacts on the environmental attribute if managed through conventional management and mitigation measures, including cumulative impacts.</p> <p>While the assessment of the impacts of the development on the environmental attribute will involve technical specialists, these impacts are likely to be:</p> <ul style="list-style-type: none"> ○ well understood by regulators and stakeholders ○ relatively easy to predict using standard methods ○ capable of being mitigated to comply with relevant standards or performance measures. <p>The assessments will be supported by quantitative assessment methods, although the focus and coverage may be on specific project components or project locations</p> <p>The assessment is unlikely to involve any significant uncertainties, or require any detailed cumulative impact assessment.</p>
Detailed	The development has a high / medium probability of causing significant environmental impact on the environmental attribute, including cumulative impacts.

	<p>There is a high / medium probability of impacts on the development from external environmental factors such as those associated with climate change (sea-level rise, increased frequency of bushfire, floods etc)</p> <p>It is considered important by the Commission, and/or there is a public perception that an activity has the potential to cause significant impacts on the environmental attribute (even though this may be mistaken), or the activity has been the subject of extensive media coverage.</p> <p>Potential impacts to a Matter of National Environmental Significance (MNES) are likely to require referral and approval under the <i>Environment Protection Biodiversity and Conservation Act 1999</i>. The development raises requirements under other legislation applicable for the development (e.g. prescribed activities of environmental significance under the <i>Environment Protection Act 1993</i>).</p> <p>Assessment of the impacts of the development on the environmental attribute will require detailed studies and investigations to be carried out by technical specialists. During this assessment, these specialists may need to:</p> <ul style="list-style-type: none"> ○ work closely with specialists assessing the impacts of the project on other environmental attributes to determine the likely indirect impacts of the project ○ undertake a detailed cumulative impact assessment for the project. <p>Assessment is likely to involve several uncertainties in relation to one or more of the following and specific strategies may be required to address these uncertainties (e.g. further monitoring, review, technical investigations and adaptive management).</p> <ul style="list-style-type: none"> ○ data collection (e.g. baseline information, availability of data for cumulative impacts assessment) ○ identifying the specific mitigation measures or suitable offsets for the project ○ the methods available for predicting the impacts of the project, including the indirect and cumulative impacts ○ criteria for evaluating the acceptability of the impacts of the project <p>specific strategies may be required to address these uncertainties (e.g. further monitoring, review, technical investigations and adaptive management).</p>
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4.4.3 Environmental Attributes to be considered in the EIS

Issues relevant to the proposal are addressed by each Assessment category within which a range of environmental attributes are identified. Specific Assessment Requirements are then determined for each environmental attribute relevant to the proposal with the level of detail tailored for that element or issue.

Table 1: Assessment categories and environmental attributes

Assessment category	Environmental attribute and typical issues
Amenity and Environmental Quality	<p>Air quality</p> <ul style="list-style-type: none"> •Ground level concentrations (include construction / traffic), odour, stack emissions, receptors (location and sensitivity) <p>Noise / Vibration</p> <ul style="list-style-type: none"> •Noise / vibration type (include traffic noise), underwater noise, noise level, sensitive receptors and location. Sensitive receptors may include terrestrial and marine fauna. <p>Transport and Traffic</p> <ul style="list-style-type: none"> •Traffic disruptions- commuter and local, public transport, pedestrians / cyclists, changes to traffic flow and volumes - temporary / ongoing, road / maritime safety, car parking, presence of heavy vehicles, impacts to road pavement, marine traffic / shipping <p>Visual amenity</p> <ul style="list-style-type: none"> •Interface with adjoining land, landscape changes, built form, light spill

Biological Environment	<p>Biosecurity</p> <ul style="list-style-type: none"> •Weeds, pest species (including marine pests), diseases and pathogens. <p>Matters of National Environmental Significance</p> <ul style="list-style-type: none"> •Nationally threatened species and communities, migratory species, wetlands of national importance (Ramsar), Commonwealth marine areas <p>Marine Flora and Fauna</p> <ul style="list-style-type: none"> •Marine protected areas, threatened species, communities/ ecosystems, seagrass clearance, biodiversity loss <p>Terrestrial and Aquatic Flora and Fauna</p> <ul style="list-style-type: none"> •Protected areas, threatened species and communities, native vegetation clearance, habitat loss through clearing fire or fragmentation, biodiversity loss
Climate Change and Resource Use Efficiency	<p>Climate Change Adaptation</p> <ul style="list-style-type: none"> •Climate change risk assessment <p>Greenhouse gas emissions</p> <ul style="list-style-type: none"> •Greenhouse gas emissions including emissions reduction targets, NGER reporting, cumulative impacts on state and national GHG inventories and targets. <p>Sustainable use of resources</p> <ul style="list-style-type: none"> •Sustainable procurement, products / materials, energy efficiency <p>Waste Management</p> <ul style="list-style-type: none"> •Waste hierarchy; waste recycling / disposal
Economic Environment	<p>Local, regional and state economies</p> <p>Economic impact assessment which addresses workforce / employment, existing economic land and marine uses (primary production, tourism, ports, fisheries), infrastructure - utilities (energy, water), telecommunications, ports, rail), displacement, competition, opportunities, temporary and ongoing for existing businesses / industries, property and land values</p>
Hazards and Risks	<p>Bushfire, Floods, Site Contamination</p> <p>Hazard risk management, bushfire, flooding, contamination and dangerous goods</p>
Land Tenure, Protected Areas and Land Use	<p>Land Tenure, Protected Areas and Land Use</p> <p>Land tenure (freehold, pastoral lease, mining, oil and gas, native title, crown land), generalised land use, population centres, major infrastructure and utilities (including marine infrastructure), P&D Overlays and Zones, reserved areas (including marine parks), changes / displacement of land uses</p>
Physical Environment	<p>Coastal and Marine</p> <ul style="list-style-type: none"> •Coastal land systems (dunes, estuaries, beaches, island), and marine water quality <p>Soils, Landform and Geology</p> <ul style="list-style-type: none"> •Erosion and sedimentation, soil compaction and inversion, contamination (spills), land subsidence and acid sulfate soils. <p>Surface Water and Groundwater</p> <ul style="list-style-type: none"> •Surface water quality (sedimentation, wastewater, spills, use of surface water) and groundwater use and quality.
Design	<p>Urban Quality</p> <p>Supporting design excellence to create desirable and socially inclusive places.</p>
Social and Community	<p>Aboriginal cultural heritage</p> <ul style="list-style-type: none"> •Known and unknown Aboriginal sites, objects and remains <p>Community wellbeing</p> <ul style="list-style-type: none"> •Social impact assessment which addresses impacts to specific groups, impacts to services, impacts / displacement of residential areas, public safety (including perceptions), recreation and public space amenity <p>Heritage Places and Areas</p> <ul style="list-style-type: none"> •Listed national, state and local heritage sites

5 Content Requirements for the EIS

Section 113 of the PDI Acts sets out the legislative requirements for the content of an EIS.

5.1 Statutory Requirements

The EIS must include the following (subject to any Practice Direction):

1. A statement of the expected, predicted or potential environmental, social and economic effects of the development, whether positive, neutral or negative. The assessment of effects should include all issues identified in the Assessment Requirements and be cross referenced to supporting technical studies.
2. A statement of the expected impact of the development on the climate and any proposed measures designed to mitigate or address those effects
3. A statement of the extent to which the expected, predicted or potential effects of the development are consistent or at variance with the provisions of—
 - a. Any relevant State Planning Policy
 - b. Any relevant Regional Plan(s), including the 30-Year Plan for Greater Adelaide (if applicable)
 - c. The Planning and Design Code
 - d. Any matters prescribed by the Regulations.
4. If the development involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the *Environment Protection Act 1993*, a statement of the extent to which the expected, predicted or potential effects of the development are consistent or at variance with—
 - a. The objects of the *Environment Protection Act 1993*
 - b. The general environmental duty under that Act
 - c. Relevant environment protection policies under that Act.
5. If the development will, or is likely to, significantly impact one or more MNES under the EPBC Act, a statement of:
 - a. The expected, predicted or potential effects of the development on each identified MNES
 - b. The extent to which the expected, predicted or potential effects of the development are consistent or at variance with the provisions of any relevant Commonwealth of Australia conventions, agreements or obligations under international agreements or treaties as they relate to MNES aspects
 - c. The extent to which the expected, predicted or potential effects of the development are consistent or at variance with any relevant Commonwealth plans (such as threat abatement plan and recovery plans), conservation or management principles.
6. If the development is to be undertaken within an area of the State that is specifically subject to a special legislative scheme—a statement of the extent to which the expected, predicted

or potential effects of the development are consistent or at variance with the State Planning Policy that specifically relates to that special legislative scheme.

7. A statement of the proponent's commitments to avoid, mitigate and satisfactorily manage and/or control any potential or likely adverse impacts of the development on the environment (including any proposed offsets to reduce residual significant impacts) or any matter that may be directly relevant to a special legislative scheme.
8. Any other particulars in relation to the development required by the Regulations, relevant Practice Direction or by the Minister.

The proponent's commitment to meet conditions proposed to avoid, mitigate and satisfactorily manage and/or control any potential or likely adverse impacts of the development on the physical, social or economic environment, must be clearly articulated in the EIS.

The design and construction of the proposed development should be flexible enough to incorporate changes to minimise any impacts highlighted by this evaluation.

5.2 Summary of the EIS

The EIS should include a summary of the matters set out in the Practice Direction prepared pursuant to Section 109 of the PDI Act and include mention of all environmental attributes set out in the Assessment Requirements. The reader should be able to obtain a quick but thorough understanding of the proposal and associated environmental impacts. The summary should convey the most important aspects and environmental management commitments relating to the proposed project in accessible, easily understood language.

The summary should aim to construct a narrative around what is being proposed in the EIS, alternatives that were considered, what the broad environmental implications are of the proposal and how they will be managed to provide a net benefit. The summary should be logical and easy to read and need not reflect the precise order of chapters within the EIS itself. Images and graphics are suggested as a means of assisting to succinctly communicate the contents of the summary.

Content should be summarised accurately and objectively. It should report all of the EIS's key conclusions and be consistent with the rest of the EIS. Specific issues and impacts should be addressed at an appropriate level of detail proportionate to their potential for significant impact and depth of study undertaken.

5.3 Introduction to the EIS

The introduction to the EIS should set the context for detailed assessment of the project in subsequent sections of the EIS, and include:

- Background to, and objectives of, the proposed project
- Proponent details, including;
 - Contact information for the proponent or representatives of a proponent organisation for the project, including full name, street and postal address, Australian Business Number, telephone, fax, email and other details as appropriate
 - Identify the legal entities that would develop, manage and operate the project
 - Provide a description of corporate structure including joint ventures, corporate policies and objectives relating to the project, in particular environmental policies
 - Specify mechanisms used to ensure that corporate policies will be implemented and adhered to for the project in addition to requirements for Environmental Management Plans

- Identify key personnel, contractors, and/or subcontractors responsible for preparing the EIS
- Staging and timing of the proposal, including expected dates for construction and operation
- Relevant legislative requirements and approval processes
- Purpose and description of the EIS process

5.4 Need for the Proposal

The EIS should provide a statement of the objectives and justification for the proposal including:

- the specific objectives that the proposal is intended to meet, including market requirements
- expected local, regional and State benefits and costs, including those that cannot be adequately described in monetary or physical terms (e.g. effects on aesthetic amenity)
- a summary of environmental economic and social arguments to support the proposal including the consequences of not proceeding with the proposal.

5.5 Description of the Proposal

The EIS should provide a comprehensive and consolidated description of the proposal for which the proponent is seeking approval, using suitable maps, plans, figures and tables.

The proposal description sets out what the proponent is presenting for assessment and provides the basis for the Commission's evaluation against the Assessment Requirements. As the proposal may have undergone changes since the initial scoping stage (e.g. in response to stakeholder engagement, risk analysis or planning, technical or compliance grounds), it is important that the EIS provides an up to date and comprehensive description of the proposal.

The description of the proposal should address all aspects of the proposed project that are assessed by the EIS, and address the following information:

- Nature of the proposal and location
- Scale and intensity of the project
- Key elements of the receiving environment
- A project plan to outline objectives, constraints, key activity schedule and quality assurance
- Site layout plans (including indicative land division plan if relevant)
- Construction and commissioning timeframes (including staging)
- Description of working hours
- Description of the existing environment (including the immediate and broader location, identifying sensitive receptors and adjacent land uses which may lead to cumulative impacts)
- Description of the current commercial activities occurring in the area
- Details of all buildings and structures associated with the proposal
- Details of any other infrastructure requirements and availability

- Details on the operation of the proposal, including operating hours
- Relevant Zones and Overlays defined by the Planning and Design Code
- Management arrangements for the construction and operational phases (including Environmental Management and Monitoring Plans)
- A contingency plan for delays in construction

5.6 Project Alternatives

Feasible alternatives considered for the proposed project should be presented in the EIS described and evaluated the comparative environmental, social, and economic impacts (including the option of not proceeding).

Each alternative and its potential impacts should be discussed in sufficient detail to enable an understanding of the reasons for preferring certain options and courses of action while rejecting others. This may be used to inform a justification of why the proposed project and preferred options should proceed.

5.7 Summary of Preceding Actions

The EIS should provide a summary of actions and activities that have been undertaken prior to or as part of the preparation of the EIS. These could include prior engagement with the Commission, government agencies, local councils and other stakeholders, engagement with the local community, the process of project development, pre-feasibility studies and any technical reports which may have bearing on the level of detail required by a relevant Assessment Requirement.

5.8 Matters of National Environmental Significance

The EPBC Act ensures that 'nationally significant' animals, plants, habitats and places are identified and any potential significant impacts on them are carefully considered before change in land use or new developments are approved.

There are nine MNES under the EPBC Act:

- Listed threatened species and communities
- Listed migratory species
- Ramsar wetlands of international importance
- Commonwealth marine environment
- World heritage properties
- National heritage places
- The Great Barrier Marine Park
- Nuclear actions
- A water resource, in relation to coal seam gas development and large coal mining development.

If the Commonwealth determines that your project is a controlled action under the EPBC Act, it is recommended that the assessment provide sufficient information about the existing environment, the action and its relevant impacts, including any avoidance measures, feasible alternatives to the proposed action, mitigation measures, safeguards and offsets.

Whilst there is no current bilateral agreement between the State of South Australia and the Commonwealth of Australia that accredits the impact assessed process under the PDI Act, where potentially significant impacts to MNES are identified, it is recommended that these matters still be addressed in the EIS to provide a comprehensive assessment (and to ensure the provision of similar documentation for each assessment process).

Opportunities to streamline administrative processes between the State and Commonwealth Governments are being actively progressed, which may result in the opportunity to implement project specific assessment arrangements, or provide for more streamlined processes (i.e. similar assessment criteria, notification timing etc).

5.9 Sources of Information

All sources of information (e.g. reference documents, literature services, research projects, authorities consulted) should be fully referenced, and reference should be made to any uncertainties in knowledge. Where judgements are made, or opinions given, these need to be clearly identified as such, and the basis on which these judgements or opinions are made need to be justified. The expertise of those making the judgements including the qualifications of consultants and authorities should also be provided.

Any technical and additional information relevant to the EIS that is not included in the text should be included in appendices.

5.10 Consultation process

The EIS must include an appropriate public consultation program, outlined within a Community Engagement Plan. The Community Engagement Plan must detail:

- All legislated notification requirements to be undertaken by the Minister pursuant to the PDI Act and Practice Direction.
- The Proponent's overall engagement and collaboration strategy including scope and guiding principles.
- Engagement undertaken to date on the proposed project.
- Engagement activities proposed throughout the EIS process including performance outcomes, level of public participation, techniques, indicative timeframes, responsibilities and measures for measuring performance.
- A list of affected stakeholders, interest groups and other relevant parties.

The extent to which a proponent consults with relevant persons and organisations is to be proportional to the public interest and significance of the proposed project's potential environmental, social and economic impacts. Early and sustained consultation with all relevant stakeholders is recommended.

Prior to the public release of the EIS, the Community Engagement Plan will be reviewed by the Minister with regard to the principles of the State Planning Commission's Community Engagement Charter. The Minister may require alterations to the Community Engagement Plan to ensure consistency with the Charter and an appropriate level of public participation in the EIS process.

5.11 Required Plans and Forms

- Current Certificate(s) of Title
- Context and locality plans should illustrate and analyse the existing environment and site conditions and the relationship of the proposal to surrounding land and buildings. Plans should be drawn to a large scale to allow presentation on a single sheet and be readily legible, according to standard mapping conventions. Plans should include:
 - Any neighbouring buildings, infrastructure or facilities, including identification of all nearby sensitive receptors and the likely use of existing or proposed neighbouring buildings (e.g. dwelling, farm outbuildings, shop, office)
 - Locations of any watercourses, surface water bodies (including dams), underground water sources, and any other sensitive environmental receptors/areas in the locality
 - Locations of any State heritage places in relation to the site
 - Existing native vegetation, regulated or significant trees
 - Known sites for State or Nationally listed protected or threatened species (including migratory species) or ecological communities on the site, adjoining land and marine environments
 - Existing roads (public and private)
 - Potential areas of habitat for native fauna, including relevant vegetation communities
 - Any other information that would help to set the context for the locality
- Site plans (drawn at a scale of 1:100 or 1:200) clearly indicating all proposed buildings, structures and works
- Elevations (drawn at a scale of 1:100 or 1:200) showing all sides of buildings, structures and works with levels and height dimensions provided in Australian Height Datum.
- Cross sections of the buildings, structures and works, including stockpile and storage facilities showing ground levels, floor levels, ceiling heights and maximum heights in Australian Height Datum
- Floor plans (drawn at a scale of 1:100 or 1:200) for each building or structure demonstrating what is proposed at each floor, with indicative internal layouts.
- Site survey plan demonstrating the development will be contained within relevant allotment boundaries
- A schedule of construction materials, finishes and colours
- Location and dimensions of any external advertising displays, including information as to whether signs are to be illuminated or contain a moving display.

5.12 Key Issues and Project Specific Assessment Requirements

The Commission has undertaken a preliminary review of the proposed development, based on the proponent's project scoping application, and identified the following as key issues associated with the development:

- *[List the key issues associated with the proposal]*

A scoping analysis of the environmental attributes associated with these key issues has been undertaken in accordance with the methodology detailed in Section 4.4.1.

A summary of the analysis is presented in Table 4. This scoping exercise has informed the level of assessment for each relevant environmental attribute (standard or detailed) and guided the preparation of the project specific Assessment Requirements presented in Section 6.

The Project Specific Assessment Requirements are reflective of the Assessment Requirements Library available online at [PlanSA](#). The Library is a planning practitioner's resource that provides draft standard and detailed Assessment Requirements, from which the initial project specific requirements are based. The Library also provides descriptions of each attribute and reference material to assist proponents in preparing an EIS.

The 'Detailed' Project Specific Assessment Requirements reflect the key issues identified above and should be given the greatest level of attention and detail in the EIS.

6 Summary of Project Specific Assessment Requirements

Library Ref	Environmental Attribute	Objective	Method of Investigation	Level of Assessment
Amenity and Environmental Quality (AEQ)				
AEQ1	Air Quality	To ensure the development does not have unacceptable adverse air quality impacts on the surrounding receiving environment, in particular sensitive receivers in proximity to polluting development.		
AEQ2	Noise / Vibration	To ensure the development does not have unacceptable adverse noise or vibration impacts on the surrounding environment, in particular sensitive receivers in proximity to noise sources.		
AEQ3	Transport and Traffic	To ensure impacts to the safety and efficiency of transport modes and the broader transport and traffic system and infrastructure are avoided or mitigated.		
AEQ3	Visual Amenity	To ensure adverse effects on visual amenity, landscape and open space values are avoided or minimised and opportunities to enhance these values are maximised.		
Biological Environment (BE)				
BE1	Biosecurity	To ensure that construction and operation of the development avoids the introduction or spread of biosecurity threats including pest or nuisance animal and plant species (including marine pests), diseases and pathogens.		
BE2	Marine Flora and Fauna	To ensure that the nature and scale of the development avoids or minimises adverse effects on biodiversity, threatened and protected marine flora and fauna species, their ecological communities and habitat		
BE3	Terrestrial Flora and Fauna	To ensure that the nature and scale of the development avoids or minimises adverse effects on biodiversity, threatened and protected terrestrial and aquatic flora and fauna species, their ecological communities and habitat.		
Climate Change and Resource Efficiency (CCRE)				
CCRE1	Climate Change Adaptation	To ensure that development and design are climate resilient and risks from climate change are reduced.		
CCRE2	Greenhouse Gas Emissions	To ensure the development minimises greenhouse gas emissions associated with its construction and operation so as to meet South Australia's goal to reduce greenhouse gas emissions by more than 50% below 2005 levels by 2030 and achieve net zero emissions by 2050.		

Library Ref	Environmental Attribute	Objective	Method of Investigation	Level of Assessment
CCRE3	Sustainable Use of Resources	To ensure opportunities to procure and use resources efficiently and sustainably are maximised, supporting South Australia's transition to the circular economy		
CCRE4	Waste Management	To ensure that waste generated, transported or received as part of the development is managed in accordance with the waste hierarchy and in a manner that protects all environmental values.		
Land, Regional and State Economies (LRSE)				
LRSE1	Local, regional and state economies	To ensure adverse economic impacts arising from construction and operation of the development are avoided or mitigated, and net economic benefits to the region and state are created		
Hazards and Risks (HR)				
HR1	Bushfire	To ensure the risk of, and adverse impacts from natural and man-made hazards from the development are avoided, minimised or mitigated to protect people, property and the environment.		
HR2	Flooding	As above		
HR3	Site and Groundwater Contamination	As above		
HR4	Dangerous Substances	As above		
Land Use and Site Conditions (LUSC)				
LUSC1	Land tenure, protected areas and land use	To ensure that the impacts of development on environmental, social and economic values of adjoining land uses, land tenures and protected areas are avoided or minimised.		
Physical Environment (PE)				
PE1	Coastal and Marine	To ensure the natural features and processes of coastal systems are protected so that the environmental values of the coast are maintained. To ensure the quality and productivity of marine waters, sediment and biota are protected so that environmental values are maintained.		
PE2	Soils, Landform and Geology	To ensure development is undertaken in a manner that protects the productivity and quality land including, soil, subsoil and landform and avoids impact to other environmental values.		
PE3	Surface Water and Groundwater	To ensure the quality of groundwater and surface water is protected so that environmental values including ecological health, land uses and the welfare and amenity of people are maintained.		
Design (DQ)				

Library Ref	Environmental Attribute	Objective	Method of Investigation	Level of Assessment
DQ1	Urban Design and Place-Making	To ensure development promotes the value and quality of good design across South Australia's built environments, and that contributes to healthy neighbourhoods, supports innovation and the integration of smart and sustainable technologies.		
Social and Community (SC)				
SC1	Aboriginal Cultural Heritage	Avoid adverse effects on Aboriginal cultural heritage values and maximise opportunities to appropriately complement and preserve these values.		
SC2	Community Wellbeing / Social Impact Assessment	To ensure adverse effects on the community near the development are avoided or minimised including with regard to community cohesion, access to services and facilities and health impacts and capitalise on opportunities to enhance benefits for communities.		
SC3	Heritage Places and Areas	To ensure that the nature and scale of the development does not compromise the recognised heritage significance of a heritage place or heritage area.		

Table 4: Scoping Analysis for Level of Assessment

Library Ref	Environmental Attribute	Description	Scale of Impact	Nature of Impact	Sensitivity of Receiving Environment	Level of Assessment
Amenity and Environmental Quality (AEQ)						
AEQ1	Air Quality					
AEQ2	Noise / Vibration					
AEQ3	Transport and Traffic					
AEQ3	Visual Amenity					
Biological Environment (BE)						
BE1	Biosecurity					
BE2	Marine Flora and Fauna					
BE3	Terrestrial Flora and Fauna					
Climate Change and Resource Efficiency (CCRE)						
CCRE1	Climate Change Adaptation					
CCRE2	Greenhouse Gas Emissions					
CCRE3	Sustainable Use of Resources					
CCRE4	Waste Management					
Land, Regional and State Economies (LRSE)						
LRSE1	Local, regional and state economies					
Hazards and Risks (HR)						
HR1	Bushfire					
HR2	Flooding					
HR3	Site and Groundwater Contamination					
HR4	Dangerous Substances					
Land Use and Site Conditions (LUSC)						
LUSC1	Land tenure, protected areas and land use					
Physical Environment (PE)						
PE1	Coastal and Marine					
PE2	Soils, Landform and Geology					
PE3	Surface Water and Groundwater					
Design (DQ)						
DQ1	Urban Design and Place-Making					

Library Ref	Environmental Attribute	Description	Scale of Impact	Nature of Impact	Sensitivity of Receiving Environment	Level of Assessment
Social and Community (SC)						
SC1	Aboriginal Cultural Heritage					
SC2	Community Wellbeing / Social Impact Assessment					
SC3	Heritage Places and Areas					