

April 2020

Environmental Management Plan Guideline for Infrastructure Projects

The Department of Planning, Industry and Environment has prepared the Environmental Management Plan Guideline for Infrastructure Projects (EMP Guideline) to help proponents prepare an EMP for a state significant project that falls within the following categories of development:

- rail and rail related transport facilities
- roads
- port, water or boating facilities
- educational establishments
- hospitals, medical centres and health research facilities
- correctional centres and complexes
- water storage and treatment facilities, sewerage systems and associated pipelines.

Why has the EMP Guideline for Infrastructure Projects been prepared?

The EMP Guideline has been prepared to provide guidance in the preparation of EMPs, to ensure that they are clear, concise and address all relevant conditions of consent and any other related legislative or compliance requirements for the development.

The guideline aims to improve environmental outcomes and to improve the efficient review of EMP's by the Department. It is hoped that through the consistent adoption of the Guideline that the quality of EMP's submitted to the Department will improve, leading to a faster review and approval process and better environmental and community outcomes.

Doesn't the Department already have an EMP Guideline?

The Department of Infrastructure, Planning and Natural Resources (DIPNR) Guideline for the Preparation of Environmental Management Plans' was released in 2004. This guideline was prepared primarily for proponents of projects requiring consent from the Minister at the time. Given the length of time since its release, a review of the 2004 guideline commenced in 2016.

The 2004 guideline was used as a base for this version of the guideline and the scope narrowed so that it applies to the specific requirements of Infrastructure projects. For these projects this guideline now supersedes the previous guidance on how to prepare EMP's. However, the DIPNR guideline still remains current for other State significant projects outside of this category.

Who is the predominant target audience for the EMP Guideline?

Whilst applicable to all infrastructure related proponents, it is predominantly aimed at those proponents with limited experience in the preparation of EMP's. It is envisaged that the preparation of EMP's will be simplified for these proponents.

What consultation was undertaken in preparing the EMP Guideline?

Extensive consultation and engagement was undertaken over a three-year period. Consultation was undertaken with agencies, industry and key stakeholders, who were invited to attend workshops and to provide written feedback on the draft EMP guideline at various stages during its development. Engagement commenced in August 2016 and continued to September 2019.

Do proponents have to comply with the EMP Guideline?

Strict compliance with the guideline was not considered appropriate, as a level of flexibility is necessary due to the varying size, scale and complexity of State Significant projects. Many larger scale projects and proponents can have complex management systems and it is not intended for this guide to stifle innovation in environmental management. The document is for guidance and, can be considered to provide the minimum requirements of an EMP.

The EMP Guideline may be referenced in the conditions of consent for some future projects. This condition will require proponents to prepare an EMP by 'having regard' to the Guideline. The Department will consider, on a case by case basis, whether it will be necessary to place the new standard condition on new or modified Infrastructure related State significant projects.

Are proponents required to use the example table of contents in the Appendix, with the headings as written and in the order shown?

Appendix B is provided as an example table of contents only. Proponents may choose to include additional information in the EMP and/or may choose to prepare the EMP in a different order to that shown in Appendix.

Does the EMP Guideline apply to existing projects?

Projects approved prior to the release of the Guideline that have existing conditions requiring preparation of an EMP will not have to prepare subsequent EMP's in line with the new Guideline. These projects will continue to prepare and revise EMP's in accordance with the requirements of their conditions.

However, proponents may elect to consider the requirements outlined in the EMP Guideline but must still comply with existing conditions.

Are EMP's required to be certified?

No. Earlier revisions of the Guideline had the requirement that the EMP was to be certified by the proponent. This requirement was removed from the final version of the guideline. The guideline now recommends that the EMP be 'internally approved' by an authorized representative of the proponent or contractor prior to submitting it to the Department. It is recommended that this person has experience in the management of environmental aspects to which the EMP relates and that the internal approval process confirms that the submitted EMP:

- identifies and addresses all relevant conditions of consent, legislative and compliance requirements
- has been prepared in consultation with, or to the satisfaction of, any relevant party required by the conditions
- has been prepared having regard to the guideline.

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