

**The environmental impact statement
process for resource projects under
Chapter 3 of the *Environmental Protection
Act 1994***



**Queensland
Government**

Prepared by: Environmental Impact Assessment, Department of Environment, Science and Innovation

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Acronyms and abbreviations (see also Glossary in [Appendix 12](#))

Australian Environment Department	Australian Government department that administers the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) (Cth)
Australian Environment Minister	Australian Government Minister who administers the EPBC Act
Bilateral agreement	A bilateral agreement between the Commonwealth and the State of Queensland under section 45 of the EPBC Act relating to environmental assessment (Commonwealth of Australia, 2014)
bd	Business days
CSG	Coal seam gas
DSDI	Department of State Development and Infrastructure
EA	Environmental authority
department	Queensland Government Department of Environment, Science and Innovation
DESI	Department of Environment, Science and Innovation
EIS	Environmental impact statement
EP Act	<i>Environmental Protection Act 1994</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
EP Regulation	Environmental Protection Regulation 2019
FIFO	fly-in, fly-out
ID	individual identification (number)
IESC	Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development
MNES	Matters of national environmental significance
MSES	Matters of state environmental significance
NUMA	Non-use management area
NC Act	<i>Nature Conservation Act 1992</i>
OCG	Office of the Coordinator-General
PIE	Public interest evaluation
PMLU	Post-mining land use
PRC plan	Progressive rehabilitation and closure plan
PRCP schedule	Progressive rehabilitation and closure plan schedule
Queensland Environment Department	Queensland Government Department of Environment, Science and Innovation that administers the EP Act
QE	Qualified entity
SDPWO Act	<i>State Development and Public Works Organisation Act 1971</i>
SIA	Social impact assessment
SSRC Act	<i>Strong and Sustainable Resource Communities Act 2017</i>
TOR	Terms of reference

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1 Introduction

All mining, petroleum and gas projects (resource projects) in Queensland require an environmental authority (EA) under the *Environmental Protection Act 1994* (EP Act). Some resource projects are also required to, or may choose to, undergo an environmental impact statement (EIS) assessment process. This added level of assessment is reserved for large scale, complex or sensitive projects with higher environmental risk as it has significant resource and financial costs for proponents and government.

EIS assessment processes in Queensland are:

- under **state** legislation:
 - The EIS process under Chapter 3 of the EP Act, administered by the Department of Environment, Science and Innovation (DESI or the department).
 - The EIS process under the *State Development and Public Works Organisation Act 1971* (SDPWO Act), administered by the Coordinator-General within the Department of State Development and Infrastructure (DSDI).
- under **federal** legislation:
 - The EIS process under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), administered by the Australian Environment Department. The assessment part of the EIS process can be either managed solely by the Australian Environment Department or the Queensland Government can coordinate it on their behalf. The Australian Environment Minister keeps responsibility for approval/refusal.

For state matters, large resource projects in Queensland are primarily assessed under the EP Act EIS process, although the SDPWO Act EIS process may also be used where the project meets the criteria for a coordinated project.

This guideline addresses the EP Act EIS process only. Unless said otherwise, references to the 'EIS assessment process' (or similar) in this document relate to the EIS process under the EP Act. Key attributes of this process are summarised in Figure 1.

Information on the EIS process under the SDPWO Act is available on the [Coordinated Projects](#) section of the [DSDI](#) website.

1.1 Purpose

This guideline describes the EIS assessment process for resource projects under the EP Act. It is an information source for proponents and consultants undertaking this EIS process. It may also aid persons involved with or interested in the process including, Traditional Owners, First Nations Peoples, landowners, interested and affected persons, submitters, industry bodies, environment groups, community groups and students.

1.2 Related documents

This guideline should be read in conjunction with the EP Act (particularly, Chapter 3) and the Environmental Protection Regulation 2019 (EP Regulation). It forms part of a suite of material, outlined in Figure 2, which is available to support proponents to navigate the EIS process under the EP Act.

1.3 Structure

This guideline is structured as follows:

- Section 1: Introduction**—purpose and structure of this guideline
- Section 2: Large resource project assessment and approvals**—summary of state and federal regulatory framework for large resource projects undergoing assessment by EIS under the EP Act
- Section 3: EIS process summary**—summary of the EIS process and the roles and responsibilities of the various parties
- Section 4: Steps in the EIS process**—detailed description of all steps in the EIS process
- Section 5: References**
- Appendices.**

EIS process under EP Act—Frequently asked questions

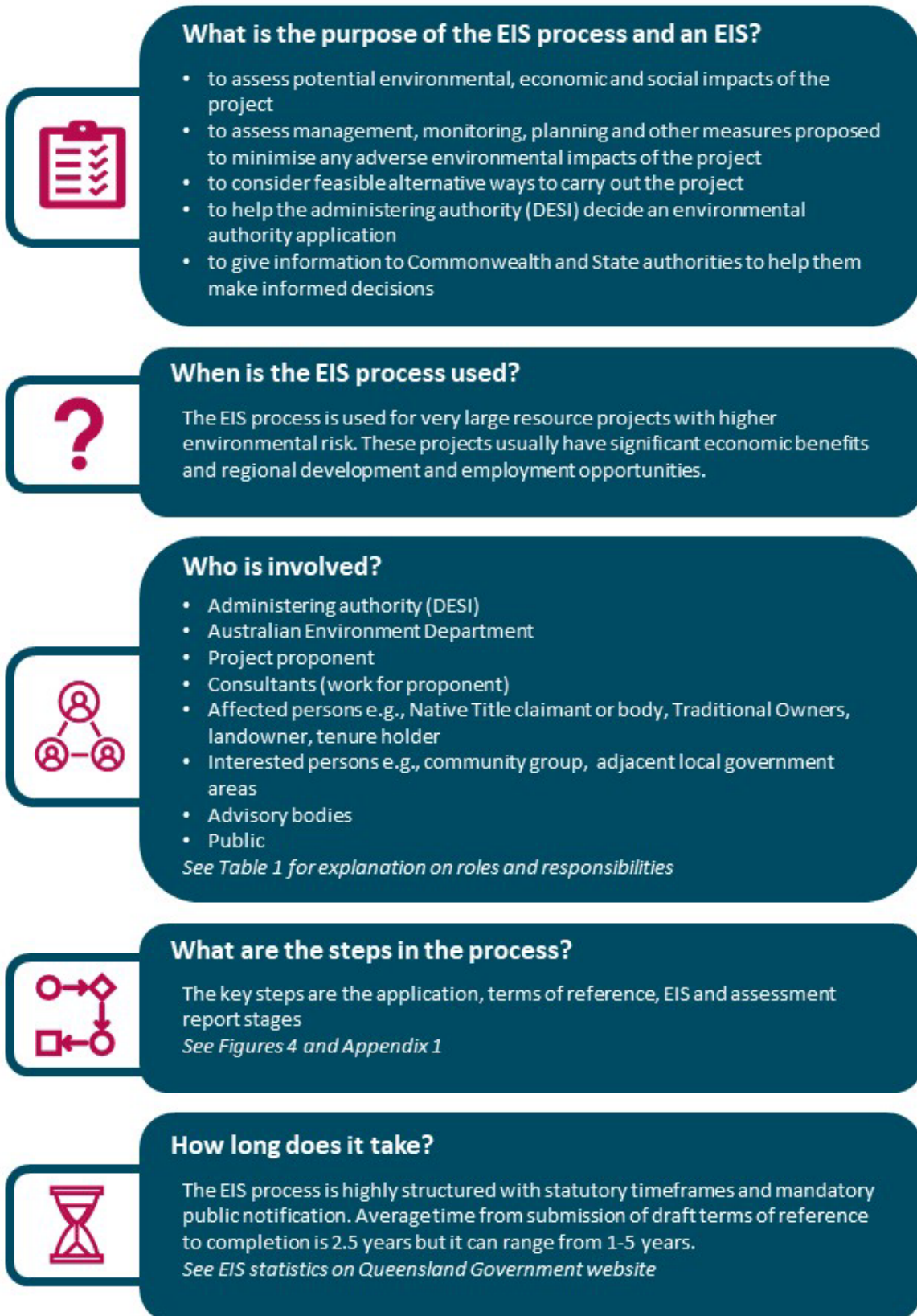


Figure 1. Attributes of the EIS process under EP Act

Guideline documents for EIS process under the EP Act

Proponent guidance	Technical information guidelines
<ul style="list-style-type: none"> • Criteria for EIS for resource projects under the EP Act (ESR/2016/2167) • The EIS process for resource projects under the EP Act (EIS process guideline) (ESR/2016/2171) • EIS notice (ESR/2016/2172) • Table—Statutory timeframes under EP Act EIS process (Appendix 2 no PIE and Appendix 3 PIE ESR/2016/2171) • Table—Steps in EIS process, responsibilities and resources (Appendix 4 ESR/2016/2171) 	<ul style="list-style-type: none"> • Aboriginal and Torres Strait Islander cultural heritages (ESR/2020/5296) • Air (ESR/2020/5294) • Aquatic ecology (ESR/2020/5295) • Biosecurity (ESR/2020/5297) • Climate (ESR/2020/5298) • Coastal (ESR/2020/5299) • Contaminated land (ESR/2020/5300) • Groundwater dependent ecosystems (ESR/2020/5301) • Land (ESR/2020/5303) • Matters of national environmental significance (ESR/2020/5304) • Noise and vibration (ESR/2020/5305) • Non-indigenous cultural heritage (ESR/2020/5302) • Quarry material (ESR/2020/5306) • Regulated structures (ESR/2020/5307) • Rehabilitation (ESR/2020/5308) • Terrestrial ecology (ESR/2020/5309) • Transport (ESR/2020/5310) • Waste management (ESR/2020/5311) • Water (ESR/2020/5312)
Community guidance	
<ul style="list-style-type: none"> • Submissions on EIS (ESR/2018/4085) • Comments on a draft TOR (ESR/2018/4084) 	
Application forms	
<ul style="list-style-type: none"> • Application form: Pre-lodgement services (ESR/2015/1664 and ESR/2023/6440) • Application form: Voluntary EIS (ESR/2016/2160) • Application form: Decision on whether an EIS would be required for an EA application (ESR/2020/5490) 	
Submission forms	
<ul style="list-style-type: none"> • Draft TOR submission form (ESR/2023/6499) • Approved form for draft TOR submission (ESR/2017/4038) (also known as the ‘generic TOR’) • EIS submission form (original or amended) (ESR/2016/6498) 	
Request forms	
<ul style="list-style-type: none"> • Request to extend EIS assessment process period (ESR/2023/6495) • Request to change project, proponent or contact details (ESR/2023/6496) 	
Checklists	
<ul style="list-style-type: none"> • Checklist—Initial advice statement content (Appendix 5 ESR/2016/2171) • Checklist—Interested and affected persons (Appendix 6 ESR/2016/2171) • Checklist—Information to establish that the proponent may access land to carry out EIS studies for voluntary EIS application (Appendix 7 ESR/2016/2171) • Checklist—Voluntary EIS application (excerpt from ESR/2016/2160) 	<ul style="list-style-type: none"> • Checklist—Submission of a draft TOR (excerpt from ESR/2023/6499) • Checklist—EIS decision application (excerpt from ESR/2023/5490) • Checklist—Submission of an EIS or amended EIS (excerpt from ESR/2023/6498) • Checklist—EIS document standards (excerpt from ESR/2023/6498)

Figure 2. Guidance documents for the EIS process under EP Act

2 Large resource project assessment and approvals

2.1 State requirements

The [resource application process in Queensland](#) is summarised as a flowchart in [Figure 3](#). The flowchart is available for download on the [Business Queensland](#) website. More information for proponents on [interacting with the Queensland Government for your resource project](#) can also be found on the [Business Queensland](#) website.

To carry out a resource activity, a person must hold or operate under both:

- a **resource tenement** granted under relevant resource legislation and administered by the Queensland Department of Resources (see [section 2.1.1](#)) and
- an **EA** issued under the EP Act and administered by the department (see [section 2.1.2](#)).

A resource tenement cannot be granted without an EA being held for the relevant resource activity. Additionally, for mining activities, an EA cannot be granted without a progressive rehabilitation and closure plan (PRC plan; see [section 2.1.3](#)).

Projects undergoing assessment by EIS under the EP Act or SDPWO Act process also require an approval under the *Strong and Sustainable Resource Communities Act 2017* (SSRC Act) (see [section 2.1.4](#)). Environmental approvals under the EPBC Act (Cth) may also be needed (see [section 2.2](#)).

2.1.1 Resource tenures

Resource activities include mining, petroleum (including coal seam gas; CSG), geothermal, and greenhouse gas storage activities. They are regulated under resource legislation including the *Mineral Resources Act 1989*, *Geothermal Energy Act 2010*, *Greenhouse Gas Storage Act 2009*, *Petroleum Act 1923*, *Petroleum and Gas (Production and Safety) Act 2004* and the *Petroleum (Submerged Lands) Act 1982*.

Resource tenements provide the right to access the land and to undertake exploration, resource assessment, feasibility studies, prospecting, or production. In Queensland, resource activities that are proposed to be carried out under one or more resource tenures, in any combination, as a single integrated operation are known as resource projects.

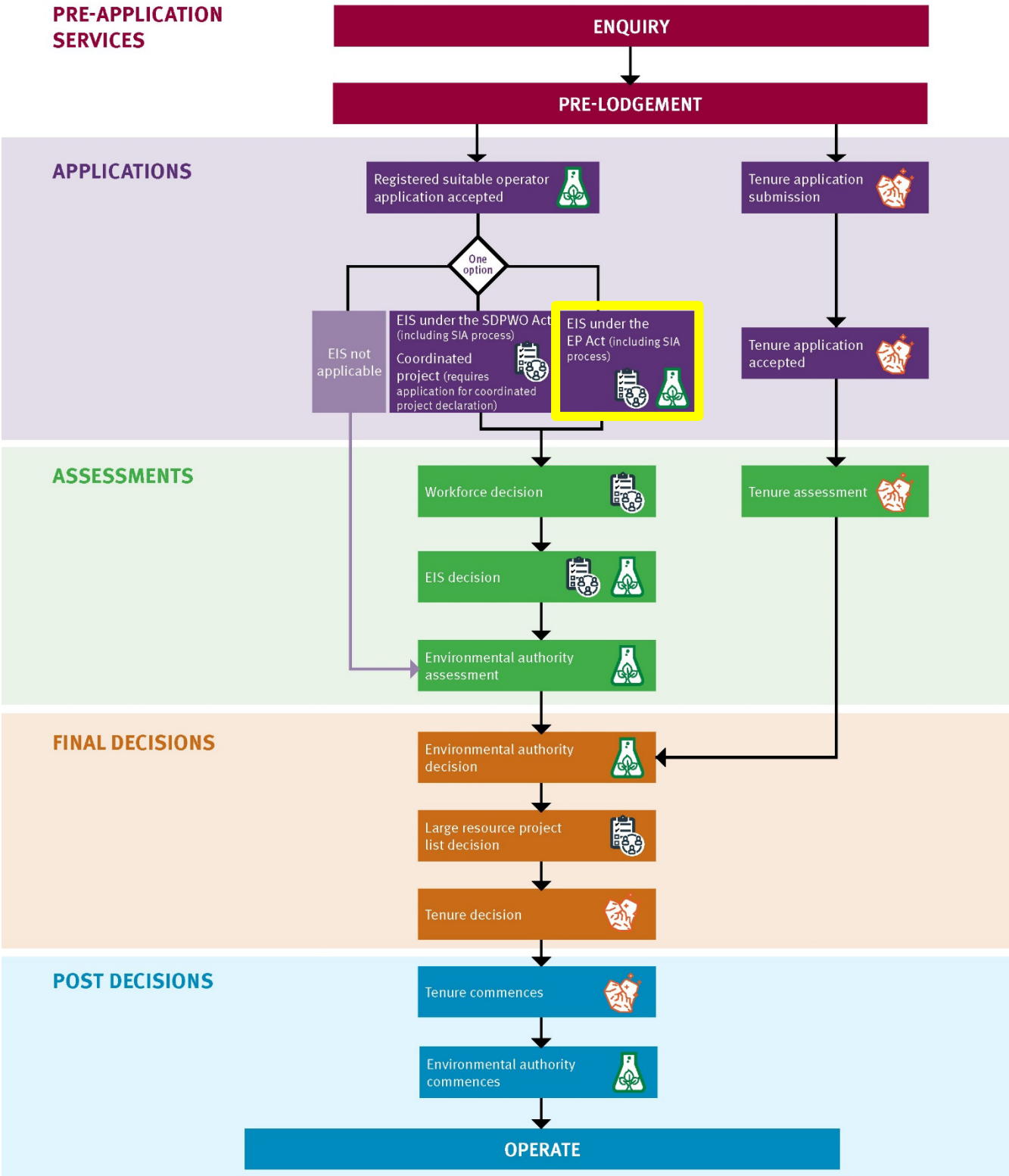
2.1.2 Environmental authorities and EIS process

EA applications for resource activities may be standard applications, variation applications or site-specific applications. Information on [applying for an EA](#) is available on the [Business Queensland](#) website.

All large resource projects require site-specific EA applications—this includes both new resource activities ('greenfield' sites) and amendments to existing site-specific EAs ('brownfield' sites). All site-specific resource EA applications are thoroughly assessed by the department and undergo public notification. Some projects may also be required to, or may elect to, undergo an EIS process. The department's guideline [Criteria for EIS for resource projects under the EP Act](#) (ESR/2016/2167) describes the criteria that the department uses to decide if an EIS is appropriate for a project.

RESOURCE APPLICATION PROCESS

The following flowchart details the high-level approval pathways for proposed resource projects through the Queensland legislative framework. The flowchart covers the processes for key approvals required to facilitate resource projects, including resource authorities, environmental impact assessment (under either the *Environmental Protection Act 1994* and *State Development and Public Works Organisation Act 1971*), tenure and environmental authorities.



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Department of Environment and Science

Department of Resources

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Figure 3. Resource application process flowchart (from Business Queensland website). EIS process under EP Act is shown in yellow box

2.1.3 Rehabilitation for mining projects and EIS process

In addition to an EA, all mines with a site-specific EA must prepare a PRC plan. A PRC plan requires the EA holder to plan for how and where activities would be carried out on the land in a way that maximises the progressive rehabilitation of the land to a stable condition. A PRC plan consists of two parts: a rehabilitation planning part and, a proposed progressive rehabilitation and closure plan schedule (PRCP schedule).

The terms of reference (TOR) for the EIS requires a new or amended proposed PRC plan to be provided as part of the EIS.

The EP Act requires that all areas disturbed within the relevant mining tenure are rehabilitated to a post-mining land use (PMLU) or managed as a non-use management area (NUMA). Any undisturbed land within the relevant mining tenure must also be identified as a PMLU. NUMAs will only be considered appropriate where justified. NUMAs identified in a proposed PRC plan, which are justified on public interest grounds (section 126D(2)(b) of the EP Act), are subject to a public interest evaluation (PIE). The PIE is requested by the administering authority and carried out by an independent qualified entity. All NUMAs are required to meet best practice management.

More information on developing a [PRC plan for mined land](#) is available on the [Business Queensland](#) website and detailed in the department's [PRC plan guideline](#) (ESR/2019/4964).

2.1.4 Social impact assessment for EIS process under SDPWO Act

The SSRC Act is administered by the Office of the Coordinator-General (OCG). It applies to all resource projects undergoing assessment by EIS under both EP Act and SDPWO Act. It aims to ensure that residents of communities near large resource projects benefit from the construction and operation of those projects. There are three key elements: 100% fly-in, fly-out (FIFO) prohibition; anti-discrimination; and social impact assessment (SIA).

Under the SSRC Act, proponents must include a SIA report in the EIS in accordance with the statutory [Social impact assessment guideline](#) (DSDILGP, 2018). This is used to inform the Coordinator-General's evaluation of the social impacts of a project. After the EIS assessment report is issued and the EIS process is completed, the Coordinator-General decides whether to allow the project to proceed under the SSRC Act.

More information on [SIA](#) is available on the [DSDI](#) website.

2.2 Commonwealth requirements

2.2.1 Controlled actions

In addition to state approvals, large resource projects may also require approval under the EPBC Act (Cth) administered by the Australian Environment Department. The EPBC Act requires that an 'action' that will have, or is likely to have, a significant impact on a matter of national environmental significance (MNES) must be referred to the Australian Environment Minister for a decision on whether assessment and approval is required under the EPBC Act.

Proponents are responsible for referring projects that may impact on MNES to the Australian Environment Department. The Australian Environment Minister (or the Minister's delegate) decides if the proposed action would significantly impact on MNES and if so, will be declared a controlled action. If a proposed action is not controlled, there is no further consideration needed of MNES matters (when undertaken as specified). Substantial penalties apply for taking actions that significantly impact on MNES without approval under the EPBC Act.

If the decision is made that a project is a controlled action, one of the five levels of assessment provided for in the EPBC Act are applied, depending on the significance of the project and how much information is readily available.

2.2.2 EIS assessment

Under the [bilateral agreement](#) between the Commonwealth of Australia and the State of Queensland under section 45 of the EPBC Act relating to environmental assessment (bilateral agreement; Commonwealth of Australia, 2014), proposals that are a controlled action and that are required to be assessed by EIS, can be jointly assessed by an EIS process under the EP Act (or similarly the EIS process under SDPWO Act). This means that only one EIS is required that meets both federal and state requirements, reducing duplication. The proposed actions will require approval by the Australian Environment Minister (or the Minister's delegate) before the actions can commence. The Australian Environment Minister makes this decision after the EIS process is completed.

For the public notification of the TOR to state the controlling provisions for the project, the Australian Environment Department must have previously issued a decision notice stating that the proposed action is a controlled action, what the controlling provisions are, and that an EIS is necessary.

If the project does not meet the criteria for assessment under the bilateral agreement, under section 87(4) of the EPBC Act, the Australian Environment Minister (or delegate) may accredit the EP Act EIS process to assess MNES for specific projects.

Further information on EPBC Act requirements and the [bilateral agreement](#) are available on the [Australian Environment Department's](#) website (Department of Climate Change, Energy, the Environment and Water, 2023).

3 EIS process summary

The EIS process under the EP Act is summarised in Figure 4 (state assessment only) and [Error! Reference source not found](#). Figure 5 (dual state and federal assessment under the bilateral agreement). A detailed description of all stages of the EIS process is provided in [section 4](#) and [Appendix 4](#) of this guideline.

Key stakeholders involved in the EIS process are summarised in Table 1.

Table 1. Stakeholder roles in the EIS process under EP Act

Stakeholder	Role
Department	Facilitates the EIS assessment process, publishes and finalises the TOR and writes the EIS assessment report
Australian Environment Department	Provides advice to the department on MNES. After completion of the project, recommends to the Australian Environment Minister to approve or refuse the project
Australian Environment Minister	After completion of the project, approves or refuses the project
Project proponent (proponent)	Responsible for: <ul style="list-style-type: none"> providing the required information to the department to progress the EIS process including application forms, fees, draft TOR, EIS document, amended EIS documents, response to comments on draft TOR and response to submissions on the EIS consulting with and providing the draft TOR and EIS notice directly to interested and affected persons conducting or facilitating appropriate studies to inform the EIS
Consultants (agents working for proponents)	May provide administrative and technical services to the proponent to navigate the EIS process and conduct baseline studies and impact assessment on social, economic, and environmental matters. If proponents wish for consultants to communicate with the department directly and/or act on behalf of proponents, they must provide written authorisation. This can be on the voluntary or EIS application form (which includes a section on representatives), or a letter from the relevant representative(s) or signatory(s). Any changes to authorisation, agents or contact details can be advised using the form Changes to projects undergoing EIS assessment under EP Act (ESR/2023/6496).
Advisory bodies	At the invitation of the department, provides comments or advice on the draft TOR and EIS in their area of interest or expertise
Interested and affected persons	Affected persons are defined under section 38 of the EP Act and include groups and persons with rights or interests in the land affected by a project including landowners, Traditional Owners, and First Nations Peoples. Interested persons are defined under section 41 (3)(b) of the EP Act and may include persons who have a financial or non-financial interest in the local government area in which the project would be situated (e.g., unincorporated community or environmental bodies, industry bodies). Proponents must provide a list of interested and affected persons (see Appendix 6) when submitting a draft TOR and must notify them prior to the draft TOR and EIS public notification
Public	May provide comments on the draft TOR and/or submissions on the EIS during public consultation periods. May subscribe to public notices and consultations on the department's website to receive email notifications on when projects are publicly notified. Note: Further information for the community and public on how to have your say on an EIS is available on the department's website



Figure 4. Summary of EIS process under EP Act

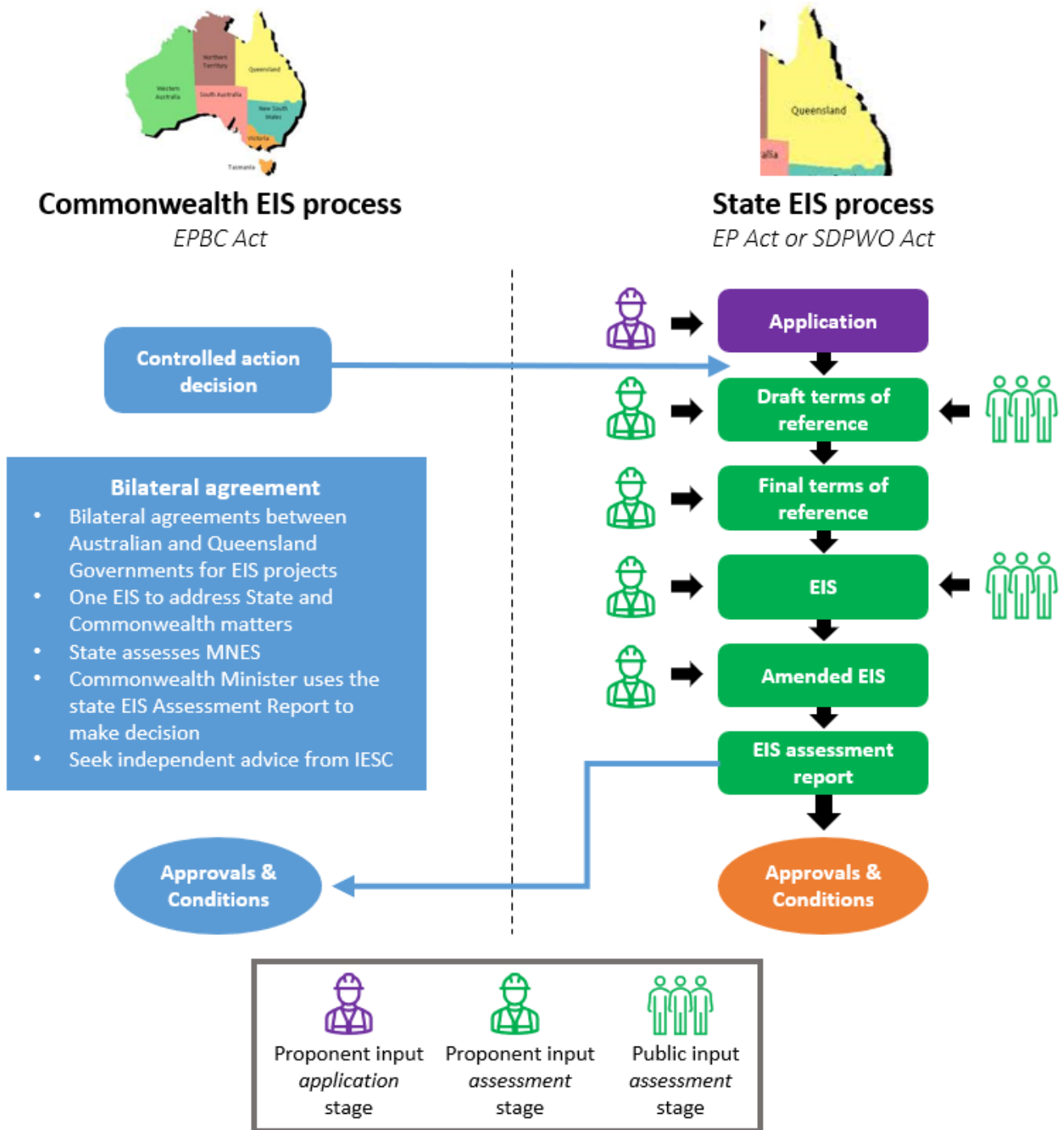


Figure 5. Summary of EIS process under EP Act with assessment of MNES under the bilateral agreement.
Note: Queensland and Australian maps are sourced from creative comms

4 Steps in the EIS process

Information on administration of the EIS process is summarised in [section 4.1](#) (e.g., contacts, paying fees).

The key steps before, during and after the EIS assessment process under EP Act are:

- pre-lodgement (described in [section 4.2](#))
- application (voluntary EIS application, EIS decision application or EA application; described in [section 4.3](#))
- EIS process
 - submission and publication of the TOR (described in [section 4.4](#))
 - submission and notification of the EIS (described in [section 4.5](#))
 - preparation and release of the EIS assessment report (described in [section 4.6](#))
- post approvals.

These are described in more detail in the sections below and summarised in detail in [Appendix 1](#) (diagram), [Appendix 2](#) (table of statutory timeframes) and [Appendix 3](#) (table of statutory timeframes for mining projects if a PIE report is required due to proposed NUMA).

A table is provided for each subsection below (sections 4.1–4.8), which describes: the relevant step(s), responsibilities for each party (proponent, department, chief executive, public), any statutory timeframes, and resources for proponents. A compilation of tables for all steps is provided in [Appendix 4](#).

In this guideline, reference to the **department** is used for most administrative process steps in the EIS process. The term **chief executive** is used for key regulatory decisions. The chief executive for the EP Act is the Director General of the department, however more commonly these decisions are delegated to a senior executive.

4.1 Administration

Table 2. Administrative instructions for proponents navigating the EIS process

Question	Instructions
How to contact DESI?	The EIS process under the EP Act is administered by the department's Environmental Impact Assessment team. Any EIS queries can be directed to this unit, which can be contacted via email: eis@des.qld.gov.au or on telephone 13 74 68 (13 QGOV) during business hours 9.00am–5:00pm on business days
How to lodge forms and documents?	Lodge all application, forms and EIS documents to DESI through the EIS coordinator via eis@des.qld.gov.au . To submit larger documents such as EIS documents and spatial data, you may use a document sharing folder; please liaise with the EIS coordinator when needed
How much are the fees?	Fees apply for the following EIS assessment stages: <ul style="list-style-type: none"> • an application fee for a voluntary EIS when lodging the application • an application fee for a decision on whether an EIS would be required for an EA application • fees for the draft TOR and the EIS when submitting the documents • when the proponent provides a notice of an amendment to an EIS not related to matters raised in submissions on the EIS under section 56(2) of the EP Act. Fees are subject to an annual Consumer Price Index adjustment. The latest information on prescribed fees is available on the Queensland Government's website
How to pay fees?	To organise payment of fees, contact the EIS coordinator eis@des.qld.gov.au
What information is available to support proponents?	Figure 2 summaries all the department's EIS guidance material and includes links. All guidance material is available on the Queensland Government's EIS resources page . Also, department documents, can be obtained by entering a documents individual number (e.g., ESR/2020/5307) as a term into the search button on the Queensland Government's website
How to the change the project name, proponent or project?	Use the following form to advise DESI of changes to project, proponent, consultants or contact details: Changes to projects undergoing EIS assessment under EP Act (ESR/2023/6496). You must also liaise with the Australian Environmental department
Can a consultant act on behalf of a proponent?	All correspondence and notices will be issued to the proponent(s). Proponent(s) can give authority for consultants to correspond with the department through:

	<ul style="list-style-type: none"> • selecting the box on the voluntary EIS or EIS decision application forms • providing the department with a letter from the Proponent’s assigned signatory. <p>Proponents can use the following form to advise the department of any changes to consultants or contact details: Changes to projects undergoing EIS assessment under EP Act (ESR/2023/6496)</p>
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4.2 Pre-lodgement

Table 3. Pre-lodgement

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit form to DESI to request pre-lodgement meeting	-	-	To request a meeting with the department please lodge the Application for pre-lodgement services forms (ESR/2015/1664 and ESR/2023/6440). Information on SIA is available on the DSDI website
Proponent	<input type="checkbox"/>	Attend pre-lodgement meeting(s) with the department	-	-	
Proponent	<input type="checkbox"/>	Attend pre-lodgement meeting(s) with the SIA team within the Office of the Coordinator-General (OCG) to discuss requirements under the SSRC Act	-	-	
DESI	<input type="checkbox"/>	Attend pre-lodgement meetings	-	-	-
DESI	<input type="checkbox"/>	Assist proponent with organising pre-lodgement meeting with the OCG	-	-	-

The department offers pre-lodgement meetings to all prospective applicants seeking direction and advice regarding EIS applications and approvals pathways. The department expects that persons considering a proposal that may require an EIS would engage early with their appropriate EIS consultants and work through aspects of their project with the department to clarify the needs of an EIS to assist the applications’ progression.

Discussions at the pre-lodgement meeting would include:

- the project activities
- the scale and the feasibility of the project
- if the project is expected to have a medium or high probability of causing serious or material environmental harm, or a high probability of causing environmental nuisance
- if the project could be considered contentious by the public (e.g., the project has had extensive media coverage or there is a public perception of potential environmental harm or nuisance)
- if a decision under the EPBC Act has been made for the project regarding a specific controlling provision
- information and supporting documents
- relevant timeframes
- any matters considered important by the department.

Pre-lodgement should occur prior to submitting an EA application or EA amendment application for a project that would potentially trigger the EIS process, or prior to submitting a voluntary EIS application or application on whether an EIS would be required under the EP Act for an EA application. To request a meeting with the department please lodge the [Application for pre-lodgement services](#) forms (ESR/2015/1664 and ESR/2023/6440).

A pre-lodgement meeting with the SIA team within the OCG to discuss requirements under the SSRC Act is also recommended. Arrange this by contacting the department’s EIS Coordinator at eis@des.qld.gov.au.

4.3 Application

An EIS under the EP Act is not required and cannot occur when the resource project has been declared a 'coordinated project' under SDPWO Act.

For resource projects under the EP Act, there are four different avenues where an EIS may be required or voluntarily prepared (see [Figure 6](#)):

After submission of a site-specific EA application (see [section 4.3.1](#)):

- 1a. An amendment application** for an existing site-specific EA for a resource activity under the EP Act is made and the department decides that the proposed amendment is a **major amendment** (minor amendments cannot trigger an EIS process).
- 1b. Application** for a site-specific EA for a resource activity under the EP Act is made and the department decides that assessment will be by the EIS process. Only site-specific EA applications can trigger the EIS process; standard or variation applications do not.

Prior to applying for an amended new or new site-specific EA application:

- 2. Voluntary EIS application** (see [section 4.3.2](#)): The proponent applies to voluntarily prepare an EIS and the department decides that an EIS is appropriate for the proposed project.
- 3. EIS decision on whether an EIS would be required for an EA** (see [section 4.3.3](#) for details): The proponent applies for a decision on whether an EIS would be required under the EP Act for an EA application for a resource project (prior to applying for an EA application). If the chief executive decides an EIS would **not be** required for an EA application, a proponent may apply to prepare an EIS for the process (i.e., voluntary EIS).

These processes are described in detail in the following sections.

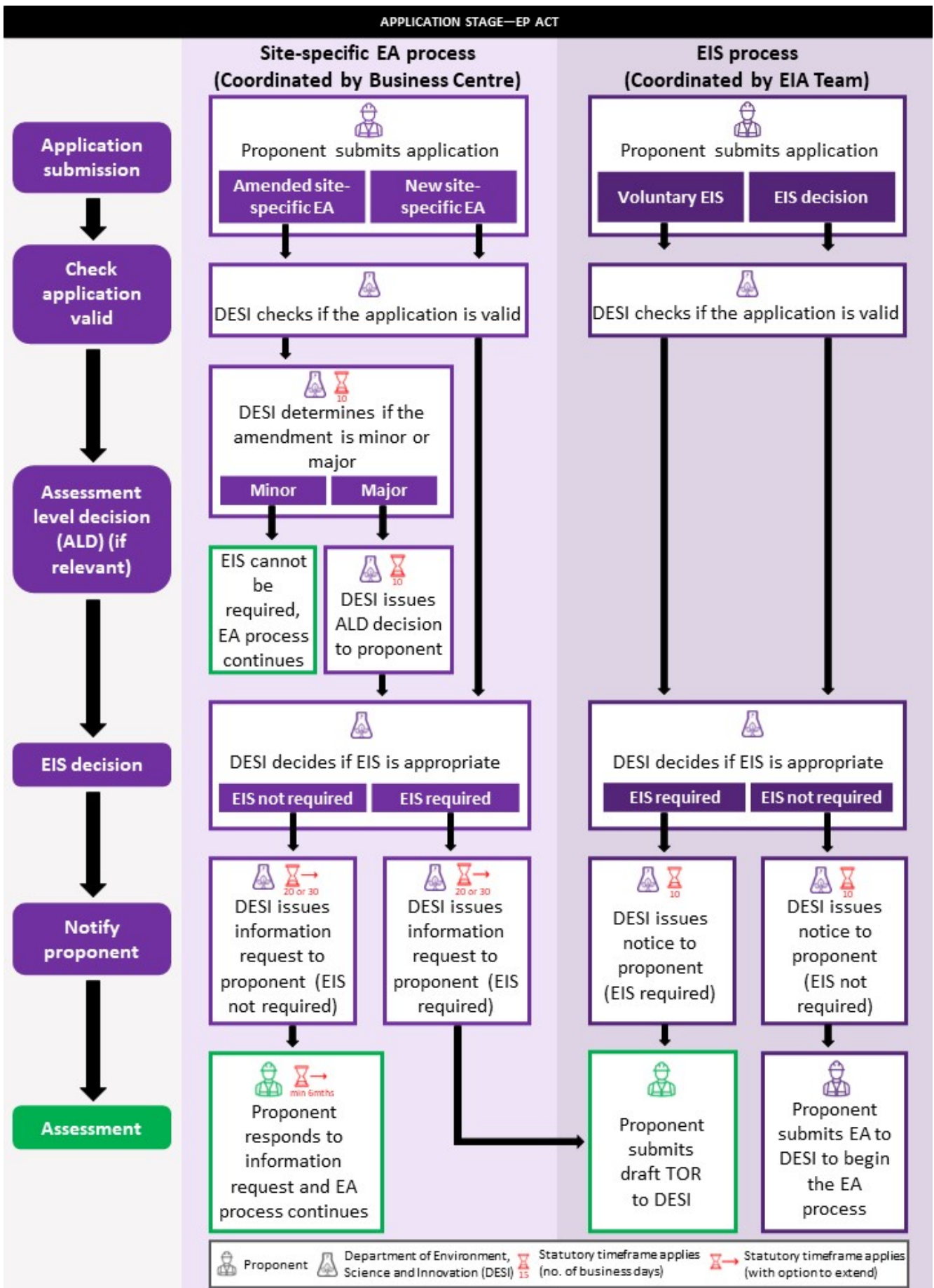


Figure 6. Application stage for EA and EIS processes under EP Act showing the four different avenues where an EIS may be required or voluntarily prepared

4.3.1 Site-specific EA application (amended and new)

Table 4. Application—Amendment to a site-specific EA application

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI application to amend site-specific EA and PRC plan	224	-	See Business Queensland website e.g., Applying for an environmental authority and Lodging your environmental authority application
DESI	<input type="checkbox"/>	Determine if the application is properly made	227AAA	10bd	-
DESI	<input type="checkbox"/>	Make assessment level decision (minor or major amendment)	228	10bd *	-
DESI	<input type="checkbox"/>	Chief executive determines if an EIS is required (major amendments only)	143, 232	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act
DESI	<input type="checkbox"/>	If an EIS is required, issue information request notifying the proponent	232	20-30bd	-

Table 5. Application—New site-specific EA application

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI site-specific EA application	124	-	See Business Queensland website e.g., Applying for an environmental authority and Lodging your environmental authority application
DESI	<input type="checkbox"/>	Determine if the application is properly made	127	10bd	-
DESI	<input type="checkbox"/>	Chief executive determines if an EIS is required	143	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act
DESI	<input type="checkbox"/>	If an EIS is required, issue information request notifying the proponent	140	20-30bd	-

The following four stages apply for a site-specific EA application process (chapter 5 of the EP Act):

1. **Application stage**—proponent lodges an application, and the chief executive decides if it has been properly made.
2. **Information stage**— the information contained in the application is assessed by the department. Further information may be requested.
3. **Notification stage**— the application documents are made publicly available by the proponent and the department, and the public have an opportunity to make a submission.
4. **Decision stage**— a decision is made by the chief executive to either approve the EA application with conditions (in the form of a draft EA) or to refuse it. For mining projects, a draft PRCP schedule must be approved before the EA can be issued.

For new site-specific EA applications, the decision on whether an EIS will be required is made during the information stage of the process. If the chief executive determines that an EIS is required, the EIS process replaces the information and notification stages for the EA and proposed PRC plan.

For a site-specific EA amendment application, the chief executive determines if the amendment is a major or minor amendment. Major amendments require consideration of whether an EIS is required.

Where a site-specific EA application is required after the EIS has been completed but before the assessment report has lapsed (see [section 4.6.1](#)), the department determines whether the environmental risks of the proposed activity(s) requiring an EA have changed since the time an EIS was completed. If they have, the proponent may be required to undertake public notification and provide information addressing the differences or be required to submit a new EIS. Similarly, for mining projects, if the proposed PRC plan submitted to the department differs to that assessed in the EIS process, then additional information and public notification may also be required.

In deciding whether an application requires an EIS, the department considers its guideline [EIS criteria for EIS for resource projects under the EP Act](#) (ESR/2016/2167), including the standard criteria under the EP Act. An EIS cannot be required if: the application relates to a coordinated project under the SDPWO Act; or an EIS under the EP Act has already been submitted to the department.

Information on [applying for an EA or an EA amendment](#) is available at Queensland Government [Business Queensland](#) website.

4.3.2 Voluntary EIS application

Table 6. Application—Voluntary EIS application

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> • application form • IAS • IAS checklist • information to establish that the proponent may enter land to which the project relates to carry out any necessary studies for the EIS • interested and affected persons list (as separate document) 	70 71	-	Forms <ul style="list-style-type: none"> • Application to prepare a voluntary EIS (ESR/2016/2160) • Checklist—IAS content (Appendix 5 of this guideline, ESR/2016/2171) • Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171) • Checklist—Information to establish that the proponent may access land to carry out EIS studies for voluntary EIS application (Appendix 7 of this guideline, ESR/2016/2171)
Proponent	<input type="checkbox"/>	Pay fee	71(d)(ii)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au and request instructions
DESI	<input type="checkbox"/>	Assess if application is valid and liaise with proponent if more information is needed	-	-	-
DESI	<input type="checkbox"/>	Considers the application. Chief executive decides to either grant or refuse the application	72(1)	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act.
DESI	<input type="checkbox"/>	Give the proponent a written notice stating the decision, and the reasons for it	72(3)	10bd	-

A proponent may apply to the department for approval to voluntarily prepare an EIS. The chief executive is required to decide whether to accept or reject the application. The department guideline [Criteria for EIS for resource projects under the EP Act](#) (ESR/2016/2160) is considered (including the standard criteria under the EP Act) when deciding such applications.

An application for a voluntary EIS allows a proponent to commence an EIS process for a project without having to submit an EA application. However, the proponent must be able to demonstrate that they have access to the project area to enable them to carry out the necessary studies for the EIS. Refer to [Checklist—Information to establish that the proponent may access land to carry our EIS studies for voluntary EIS application](#) ([Appendix 7](#)), for more information.

An application to voluntarily prepare an EIS cannot be made when: an EIS requirement is already in force for an application under the EP Act; or, when an EIS must be prepared for the project under another state Act and that Act does not allow the EIS to be prepared under the EIS process. Proponents may decide to use this option for more complex projects or if the project requires approval by EIS under the EPBC Act. In this instance, an EIS under the EP Act would facilitate concurrent assessment of both state and federal matters.

The voluntary EIS application must be in the department's approved form [Application to prepare a voluntary EIS](#) (ESR/2016/2160), accompanied by the prescribed fee (see [section 4.1](#)) and supported by sufficient information (referred to as an IAS) to allow the department to decide whether an EIS would be appropriate for the proposed project. The [Checklist—IAS content](#) (see [Appendix 5](#)) provides guidance on information that must be included with the application to allow the department to determine if an EIS is appropriate for the project.

The EIS assessment process initiated by the department's approval of a voluntary EIS application is the same as for an EIS triggered by an EA application or EIS decision application.

After the EIS process is complete, the proponent may apply for a new or amended site-specific EA and appropriate tenure to carry out the resource activity. Additionally, for mining projects, proponents must formally lodge the

proposed PRC plan or amended PRCP schedule that was provided in the EIS, to the department in the approved form.

4.3.3 EIS decision application

Table 7. Application—Application for a decision on whether an EIS would be required for an EA application

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> • Application form • IAS • IAS checklist <p>Optional: If proponent is also applying for approval to prepare an EIS for a project if the chief executive decides an EIS would not be required for an EA application, submit to DESI:</p> <ul style="list-style-type: none"> • information to establish that the proponent may enter land to which the project relates to carry out any necessary studies for the EIS • interested and affected persons list (as separate document) 	73A 73B	-	Forms <ul style="list-style-type: none"> • Application for a decision on whether an EIS would be required for an EA application (ESR/2016/5490) • Checklist—IAS content (Appendix 5 of this guideline ESR/2020/2171) <p>The following forms are only relevant if also applying to voluntarily prepare an EIS:</p> <ul style="list-style-type: none"> • Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171) • Checklist—Information to establish that the project may access land to carry out EIS studies for voluntary EIS application (Appendix 7 of this guideline, ESR/2016/2171)
Proponent	<input type="checkbox"/>	Pay fee	73B(d)	-	<ul style="list-style-type: none"> • Information on fees • To organise payment of fees, please email eis@des.qld.gov.au and request instructions
DESI	<input type="checkbox"/>	Assess if application is valid and liaise with proponent if more information is needed	-	-	-
DESI	<input type="checkbox"/>	Considers the application. Chief executive decides to either grant or refuse the application	73C	-	Decision criteria: Chief executive uses the department’s guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act
DESI	<input type="checkbox"/>	Give the proponent a written notice stating the decision, and the reasons for it.	73C(4)	10bd	-

A proponent may apply for a decision on whether an EIS would be required under the EP Act for an EA application for a resource activity **before** submitting an EA application. This mechanism informs proponents whether an EIS would be required, without submitting upfront the substantial information required in an EA application and proposed PRC plan. For projects undergoing assessment by EIS, these matters are addressed in detail in the EIS document.

If the chief executive decides that an EIS would not be required for an EA application, a proponent may apply to prepare an EIS voluntarily. However, the proponent must be able to demonstrate that they have access to the project area to enable them to carry out the necessary studies for the EIS. Refer to [Checklist—Information to establish that the proponent may access land to carry our EIS studies for voluntary EIS application](#) (see [Appendix 7](#)), for more information.

The application for an EIS decision must be in the department’s approved form [Application for a decision on whether an EIS would be required for an EA application](#) (ESR/2020/5490), accompanied by the prescribed fee (see [section 4.1](#)) and supported by sufficient information (often referred to as an IAS) to allow the department to decide whether an EIS would be appropriate for the proposed project. The [Checklist—IAS content](#) (see [Appendix 5](#)) provides guidance on information that must be provided to the department to allow them to determine if an EIS is appropriate for the project.

The department considers the guideline [Criteria for EIS for resource projects under the EP Act](#) (ESR/2016/2160) including the standard criteria under the EP Act, when deciding these applications.

The EIS assessment process initiated by the department’s decision that an EIS would be required for an EA application is the same as for an EIS triggered by an EA application or voluntary EIS application.

After the EIS process is complete, the proponent may apply for a new or amended site-specific EA and appropriate tenure to carry out the resource activity. Additionally, for mining projects, proponents must formally lodge the proposed PRC plan or amended PRCP schedule that was provided in the EIS, to the department in the approved form.

4.4 Terms of reference

The TOR is a statutory document that describes the required format, structure and content requirements of the EIS. The TOR steps, including statutory timeframes and relevant EP Act sections, are summarised in [Appendix 2](#) (no PIE) and [Appendix 3](#) (if a PIE is required for a NUMA). The steps of the TOR stage are discussed in more detail in the sections below and in [Appendix 4](#).

4.4.1 Draft TOR

Table 8. Draft TOR

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If the project is being assessed under the bilateral agreement or accredited process, at least 6 weeks prior to your planned submission date, request via EIA coordinator a 'project specific MNES Appendix' from the Australian Environment Department	-	-	A full set of terms of reference for MNES is provided on a project specific basis by the Australian Environment Department and included as an Appendix in Approved form for submission of a draft TOR (ESR/2017/4038)
DESI	<input type="checkbox"/>	Request a 'project specific MNES Appendix' from the Australian Environment Department.	-	-	-
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> Project specific draft TOR in the approved form including MNES chapter if relevant Completed draft TOR form If not previously provided or the previous version needs updating: <ul style="list-style-type: none"> IAS completed IAS checklist interested and affected persons list (as a separate document) 	41	-	Forms <ul style="list-style-type: none"> Approved form for submission of a draft TOR (ESR/2017/4038) Submission of a draft TOR for project assessed by EIS process under EP Act (ESR/2023/6499). <p>Include the 'project specific' TOR for MNES provided by the Australian Environment Department into Appendix 1 of the Approved form for submission of a draft TOR (ESR/2017/4038).</p> <p>If relevant:</p> <ul style="list-style-type: none"> Checklist—IAS content (Appendix 5 of this guideline, ESR/2016/2171) Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171)
Proponent	<input type="checkbox"/>	Pay fee	41(2)(b)	-	<ul style="list-style-type: none"> Information on fees To organise payment of fees, please email eis@des.qld.gov.au and request instructions
DESI	<input type="checkbox"/>	Assess if draft TOR submission is valid and liaise with proponent if needed	-	-	-
DESI	<input type="checkbox"/>	Review the draft TOR and accompanying documents. Chief executive decides whether to allow the draft to proceed to public notification	41A	15bd	Decision criteria: EP Act s. 41A(3)
DESI	<input type="checkbox"/>	Give the proponent notice of decision	42(1) or 41A(4)	-	-

Once a proponent has received written notification from the department stating that an EIS is or would be required, or the application for a voluntary EIS has been granted, the proponent can, at any time, submit a draft TOR to the department. Lodging a draft TOR initiates the statutory timeframes of the EIS process (summarised in [Appendix 2](#)

or [Appendix 3](#)).

The draft TOR must be provided in the department's [Approved form for submission of draft TOR](#) (ESR/2017/4038) and accompanied by the fee (see [section 4.1](#)), [Submission of a draft TOR for project assessed by EIS process under EP Act](#) (ESR/2023/6499) form, supporting information (referred to as an IAS) which the department uses to assist in determining if the draft TOR should proceed to publication, completed IAS checklist ([Appendix 5](#)) and any other supporting documents (see [Appendix 10](#)). The [Checklist—IAS content](#) (see [Appendix 5](#)) provides guidance on information that must be provided to the department to allow them to determine if an EIS is appropriate for the project.

If the project is being assessed under the bilateral agreement or accredited process, the draft TOR must state the controlling provisions for the project and include a MNES Appendix. A complete terms of reference for MNES is provided on a project specific basis by the Australian Environment Department and included as an Appendix in [Approved form for submission of draft TOR](#) (ESR/2017/4038). These must be provided by the Australian Environment Department before submission of the draft TOR and inserted without modification.

Following submission of the required documents, the chief executive must decide within 15bd if the draft TOR can proceed to public notification. The EP Act states that the chief executive must refuse to allow the draft TOR to proceed if the chief executive is satisfied it is unlikely the project could proceed under this Act or another law (refer to EP Act section 41A for more details).

If the chief executive decides that the draft TOR is suitable to proceed to public notification, a written notice of the decision is given to the proponent. If the decision is to:

- **refuse to allow the draft TOR to proceed**, the proponent may resubmit the draft TOR (with changes) once (see [section 4.4.1.1](#))
- **allow the draft TOR to proceed**, the department will prepare and publish the TOR notice (see [section 4.4.2](#)).

4.4.1.1 Draft TOR resubmission (if draft TOR was refused to proceed)

Table 9. Draft TOR resubmission

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If DESI refused to allow draft TOR to proceed to public notification may choose to: <ul style="list-style-type: none"> • liaise with department • amend draft TOR and IAS 	-	-	-
Proponent	<input type="checkbox"/>	May submit to DESI: <ul style="list-style-type: none"> • amended project specific draft TOR in the approved form (ESR/2017/4038) • completed draft TOR form (ESR/2023/6499) • amended IAS • amended IAS checklist • updated Interested and Affected persons checklist (as a separate document) 	41B	-	Forms <ul style="list-style-type: none"> • Approved form for submission of a draft TOR (ESR/2017/4038) • Submission of a draft TOR for project assessed by EIS process under EP Act (ESR/2023/6499) • Checklist—IAS content (Appendix 5 of this guideline, ESR/2016/2171) • Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171)
DESI	<input type="checkbox"/>	Assess if amended draft TOR submission is valid and liaise with proponent if needed	-	-	-
DESI	<input type="checkbox"/>	Reviews the amended draft TOR and accompanying documents. Chief Executive decides whether to allow the draft to proceed to public notification	41A	15bd	Decision criteria: EP Act s. 41A(3)
DESI	<input type="checkbox"/>	Give the proponent notice of decision	42(1) or 41A(4)	-	-
Note: After resubmitting again and the chief executive refuses to allow the resubmitted draft TOR to proceed, the proponent cannot resubmit the draft TOR. However, they can submit a new draft TOR under EP Act s. 41 in relation to the project.					

If the decision is to **refuse to allow the draft TOR to proceed**, then DESI will issue a notice to the proponent. The notice will advise the reasons for not proceeding and that the proponent may resubmit, with changes, the draft TOR within 20 business days (or a different period by agreement). To request a longer period, proponents can use the

form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495).

The proponent may resubmit the draft TOR again under this section 41A only once. However, the proponent may submit a new draft TOR under section 41 in relation to the same project (new fee will apply).

4.4.2 Draft TOR public notification

Table 10. Draft TOR public notification

Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	Publish TOR notice	43(1)	5bd (after giving notice)	-
Proponent	<input type="checkbox"/>	Give TOR notice to interested and affected persons	43(3)	5bd (after DESI gives a copy of notice)	-
Proponent	<input type="checkbox"/>	Reimburse DESI for any reasonable costs incurred in publishing the notice 43(2)	43(2)	-	DESI will send invoice to proponent
Public	<input type="checkbox"/>	Public notification of the draft TOR	43(3)	30bd (minimum)	Public may use the Department's Draft TOR commenting template (ESR/2018/4084) to make comments on a draft TOR

If the draft TOR is allowed to proceed to public notification, the department will prepare the TOR notice and will provide it to the proponent. The department then publishes the TOR notice on a website. Projects that are assessed under the bilateral agreement must also be advertised in a nationally circulating newspaper, or in newspapers circulating in each state or territory (refer to [section 8](#) of the EP Regulation). After publication (if relevant), the department will send an invoice to the proponent to reimburse the department's costs incurred in publishing the notice in the newspapers as provided for in section 43 of the EP Act.

The comment period on the draft TOR is a minimum of 30 business days. During this period, anyone can make written comments to the department about the draft TOR. The department recommends the use of the departments [draft TOR commenting template](#) to assist with making effective [comments on the draft TOR](#).

During this comment period, the department seeks and considers relevant advice, comments or information from project-specific advisory bodies (see [section 4.8.5](#)) to ensure that their interests are addressed in the TOR.

4.4.3 Response to comments and final TOR

Table 11. Response to comments and final TOR

Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	Gives a copy of all comments received on the draft TOR to proponent	44	10bd	-
Proponent	<input type="checkbox"/>	Review comments received on the draft TOR	-	-	-
Proponent	<input type="checkbox"/>	Provides to the department: <ul style="list-style-type: none"> completed draft TOR checklist a written summary of the comments a statement of the proponent's response to the comments any amendments of the draft TOR the proponent proposes because of the comments (all changes must be tracked) 	45	20bd (EP Reg r. 11)	Forms: <ul style="list-style-type: none"> Submission of a draft TOR for project assessed by EIS process under EP Act (ESR/2023/6499). This form (which is also replicated in Appendix 9 of this guideline ESR/2023/6498) provides guidance on documents to be provided at this step.
DESI	<input type="checkbox"/>	Chief executive: <ul style="list-style-type: none"> considers the comments and the proponent response prepares the final terms of reference gives the proponent a 	46	20bd (EP Reg r. 12)	-

		copy of the final terms of reference <ul style="list-style-type: none"> publishes the final terms of reference 			
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The department provides any comments it receives on the draft TOR to the proponent within 10 business days after the comment period closes. It is a statutory requirement that a copy of all comments is forwarded to the proponent.

The proponent must provide a summary of the comments, a response to the comments and an amended draft TOR to the department within 20 business days. This period can be extended by agreement, at the proponent's request using the department's form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495).

Important guidance on the documents to be provided to the department at this step is included in the form [Submission of a draft TOR for project assessed by EIS process under EP Act](#) (ESR/2023/6499) and replicated in [Appendix 9](#) of this guideline.

Once the department receives these documents, it considers all comments and the proponent's response, finalises the TOR and publishes it on its website within 20 business days.

4.5 Environmental impact statement

The proponent has two years to submit an EIS addressing the final TOR.

4.5.1 EIS preparation

Table 12. EIS preparation

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Conduct studies, assessments and prepare EIS. Engage consultants as needed	-	-	EIS must address the projects final TOR. Department's 19 EIS information guidelines which informs proponents about the matters to be assessed when preparing an EIS
Proponent	<input type="checkbox"/>	Implement consultation plan including liaising with OCG on SIA matters and other relevant government agencies	-	-	-
Proponent	<input type="checkbox"/>	May wish to provide draft SIA section to OCG for input (optional depending on OCG availability)	-	-	Information on SIA process and contacts for OCG
DESI	<input type="checkbox"/>	Liaise with proponent	-	-	-

4.5.1.1 Requirements under the EP Act

The EIS must meet the requirements of the EP Act and EP Regulation, and relevant requirements under the EPBC Act if it is also being assessed under the bilateral agreement or accredited process. It must address relevant federal, state or local government interests in the project and provide information for regulatory authorities to assist in future decision-making regarding the project.

Key requirements outlined in the EP Act and subordinate legislation, include but are not limited to:

- the requirements of section 40 of the EP Act, which specifies the purpose of an EIS and of the EIS process
- the requirements of sections 125, 126, 126A, 126B, 126C, and 126D which set out the general information requirements for applications for an EA
- the requirements of chapter 2 and schedule 1 of the EP Regulation, including matters to be addressed by assessment under the bilateral agreement or accredited process
- the environmental objectives and performance outcomes specified in schedule 5, part 3, tables 1 and 2 of the EP Regulation.

Section 139 of the EP Act states that the information stage of the EA application process does not apply if the EIS process is complete unless there has been a subsequent change to the proposed project. It is therefore important that the EIS provides all the information needed to enable the issuing of an EA and PRCP schedule for the proposed project as set out in the TOR in conjunction with the latest version of the [EIS information guidelines](#) on the Queensland Government's [EIS resources page](#) webpage which informs proponents about the matters to be assessed when preparing an EIS.

The detail in which the EIS deals with all matters relevant to the proposed project should be proportional to the scale of the impacts on environmental values. When determining the scale of an impact, the EIS must consider the impact's intensity, duration, cumulative effect, irreversibility, the risk of environmental harm, management strategies and offset provisions. The TOR defines 'routine' and 'critical matters'. 'Critical matters' need to be specifically addressed in detail in the EIS either because of the high potential risk of adverse impacts and/or the identified values potentially affected. 'Routine matters' would require less detailed consideration unless otherwise identified during assessment investigations.

Scientific and specialist studies undertaken in response to the TOR must provide details of the methodology, reliability, assumptions and scientific conclusions used to predict the potential beneficial and adverse impacts.

Avoidance, mitigation and management strategies for the protection or enhancement of identified environmental values must be proposed following the department's management hierarchy: (a) to avoid; (b) to minimise or mitigate; once (a) and (b) have been applied, (c) if necessary and possible, to offset.

For any significant residual impact, the EIS must propose offsets that are consistent with state and commonwealth legislation and policies.

Sufficient information for the following persons and organisations must be provided in the EIS:

- **The department** (administering authority)—to allow the state to meet its obligations under the bilateral agreement and to allow the department to decide an EA application and any associated conditions. Given that the EIS process replaces the information and notification stages¹ for site-specific EA applications, it is essential that all the information needed by the department in deciding an EA application is provided in the EIS.
- **Australian Environment Department**—to allow the Australian Environment Minister to make an informed decision when deciding the project (i.e., approval or refusal and appropriate conditions).
- **State and local government and other advisory bodies**—to provide a framework for decision makers to assess the environmental, social and economic aspects of the proposed project with respect to the legislation, policies and standards administered by these bodies; and to assist in deciding whether the project could obtain the necessary approvals and any associated conditions.
- **Affected persons**—to provide sufficient information to groups and persons with rights or interests in land; to understand how the proposed project relates to land of interest; how land would be affected; and how impacts on land would be assessed, avoided and mitigated. Queensland Government-owned corporations and businesses (i.e., ports, energy, water and transport service providers) should be consulted to ensure their assets could meet project demands and that their services are not adversely impacted by the proposed project. Privately owned utility and service providers are to be consulted in a similar manner. More information about Queensland Government-owned corporations is available at the [Queensland Treasury website](#).
- **Interested persons**—to provide sufficient information to persons that may have a financial or non-financial interest in the area in which the project would be situated (e.g., unincorporated community or environmental bodies).
- **The proponent**—to understand and articulate the potential environmental, social and economic impacts of their proposed project to optimise the benefits and minimise adverse impacts and risks, including identifying management measures required to avoid, mitigate and offset the adverse and residual environmental impacts.

4.5.1.2 EPBC Act requirements

An EIS subject to the bilateral agreement or accredited process must include a stand-alone assessment report for the MNES included in the controlling provisions. The report should provide enough information about the project and relevant impacts on MNES to allow the Australian Environment Minister to make an informed decision on the project (i.e., approve or refuse) and, if relevant, impose appropriate conditions.

The information provided in the report must be consistent with other relevant sections of the EIS. Mitigation measures for MNES must be consistent with those proposed under Queensland legislation while offsets for impacts on MNES must meet Australian Government requirements.

For coal seam gas or large coal mine developments where water is a controlling provision under the EPBC the

¹ This is provided the environmental risks of the activity and the way the activity will be carried out have not changed since the EIS has been completed.

Australian Environment Department, jointly with Queensland Government, must make a referral to the [Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development](#) (IESC). The IESC is a statutory committee of scientists that independently advises government regulators on the impacts that coal seam gas and large coal mining development may have on Australia's water resources. Refer to [section 4.8.7](#) of this guideline for further information.

4.5.1.3 New or previously unforeseen matters

While every attempt is made by the department to ensure the final TOR requires an assessment of all relevant matters, it may not be exhaustive. The EIS should address other matters not covered in the final TOR if the following circumstances arise:

- Studies reveal a matter that had not been foreseen when the TOR was finalised.
- An issue not identified previously is considered contentious by the public (e.g., project has had media coverage or there is a public perception of potential environmental harm or nuisance).
- The department directs the proponent in writing to address a matter (information request under section 62 of the EP Act).
- New or amended legislation or policies come into effect after the TOR has been finalised, regardless of whether the legislation or policies have been listed in the TOR. Transitional arrangements or exemptions may apply for individual projects.
- The proponent makes amendments to the project that would result in a change in the nature, timing or location of any impacts.

If the EIS omits the analysis of matters initially considered relevant but subsequently found not to be, the reasons for each omission should be sufficiently documented.

4.5.1.4 EIS structure and publishing requirements

The structure, formatting and accessibility requirements for the EIS document are outline in [Appendix 11A](#). The checklist aims to ensure the EIS information is presented clearly and succinctly and is accessible to all persons including those without any prior knowledge of the project.

The checklist is also included as Appendix 1 of the form [Submission of an EIS under EP Act](#) (ESR/2023/6498) and must be completed and submitted to the department with any EIS or amended EIS submissions.

4.5.1.5 EIS consultation

The proponent must develop and implement a consultation plan for interested and affected persons and organisations, as well as for the public. The extent to which a proponent consults with relevant persons will be determined by the public interest and significance of the project's potential environmental, social and economic impacts. Early and sustained consultation is recommended.

The consultation plan should be consistent with, and complement, the notification activities in the EIS process. For mining projects, stakeholder consultation is also a key component of the PRC plan which must be provided as part of the EIS. To develop this, the proponent must consult on a range of matters as described in the department's [Guideline – PRC plans](#) (ESR/2019/4964).

The proponent's consultation plan should identify issues of potential concern to relevant persons and organisations and address issues from project planning to commencement, project operations, decommissioning and rehabilitation. The consultation plan should include:

- the objectives of the consultation process
- timing of consultation
- the number and interests of the persons involved
- methods of consultation and communication
- reporting and feedback methods for consulted persons
- an assessment explaining how the objectives have been met
- an analysis of the issues raised, including:
 - issues raised and by whom
 - how each issue will be addressed in the EIS process
 - alterations to the proposed project because of feedback received.

Under the SSRC Act, proponents must include a SIA in the EIS in accordance with the statutory [SIA guideline](#) (DSDILGP, 2018). The SIA is to describe the potential social impacts (both positive and negative) of the proposed project and must identify relevant and effective impact mitigation and benefit enhancement measures.

The SIA must be developed in consultation with the Coordinated Project Delivery Division in the OCG, DSDI. More information on [SIA](#) is available on the [DSDI](#) website.

4.5.1.6 EIS submission timeframes

The proponent has two years from receiving the final TOR to prepare and submit an EIS (hereafter referred to as the 'submitted EIS') to the department. While it is preferred that the EIS be submitted within this period, the proponent may request an extension before the two years ends. Proponent may use the form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495) to request the department agree to a longer period to submit the EIS as provided for under EP Act section 47(1)(b).

In deciding whether to grant an extension, the department considers the length of extension sought, if any major changes to the project from that described in the TOR is proposed, whether there has been any major legislative or policy changes that would affect the project, and any other matter considered relevant.

4.5.2 EIS submission

The submission and notification stages for an EIS, including statutory timeframes and relevant EP Act sections, are summarised in [Figure 3](#) and explained in more detail in the sections below.

4.5.2.1 EIS submission

Table 13. EIS submission

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> EIS shapefiles completed EIS submission form completed EIS format checklist 	47	Within 2 years of final TOR*	Forms: <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498) Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
Proponent	<input type="checkbox"/>	Pay fee	47(2)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au to request instructions
DESI	<input type="checkbox"/>	Reviews the EIS and chief executive decides to: <ul style="list-style-type: none"> allow the EIS to proceed, with or without conditions; or refuses to allow it to proceed 	49(1), 49(3), 49(3A)	20bd*	Decision criteria: EP Act ss. 49(3) and 49(3A)
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	49(6) or 49(7)	10bd	-

The EIS is submitted to the department accompanied by the prescribed fee (see [section 4.1](#)), [EIS submission form](#) (ESR/2023/6498) including completed [EIS format checklist](#) (Attachment 1 of ESR/2023/6498).

Within 20 business days of the EIS being submitted, the chief executive must decide whether to:

- allow the EIS to proceed, with or without conditions, or
- refuse to allow it to proceed.

The chief executive may only allow the EIS to proceed if the chief executive considers it addresses the final terms of reference in an acceptable form. Additionally, the chief executive must refuse to allow the EIS to proceed if the chief executive is satisfied it is unlikely the project could proceed under the EP Act or another law (refer to examples provided in section EP Act 49 (3A) and [section 4.8.4](#) of this guideline).

A longer period for that decision can be agreed between the department and the proponent (if agreed within the first 20 business days).

After the decision, a written notice of the decision is given to the proponent. If the decision is to:

- refuse to allow the EIS to proceed**, the proponent may resubmit the EIS (with changes) once (see [section 4.5.2.2](#))
- allow the EIS to proceed to public notification with conditions**, the proponent may resubmit the EIS (with changes) once (see [section 4.5.2.2](#))
- allow the EIS to proceed to public notification without conditions**, the notice will state the length of the submission period (minimum 30 business days) and a template for preparing the EIS notice for public

notification (see [section 4.5.3](#)). For mining projects, as soon as practicable after the department decides the EIS is suitable to proceed, and if a PRC plan has been submitted with the EIS that has identified an area of land as a NUMA, the department must ask a qualified entity to carry out a PIE (see [section 4.8.3](#) and [Appendix 3](#) of this guideline).

4.5.2.2 Resubmission of EIS (after decision to proceed with conditions or refusal)

Table 14. EIS re-submission

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If the chief executive refuses to allow EIS to proceed or proceed with conditions, the proponent may resubmit to DESI: <ul style="list-style-type: none"> amended EIS shapefiles completed EIS submission form (ESR/2023/6498) completed EIS format checklist (Attachment 1 of ESR/2023/6498) 	49A	3 months (or agreed period)	Forms: <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498) Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
Proponent	<input type="checkbox"/>	Pay fee	49A(4)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au to request instructions
DESI	<input type="checkbox"/>	Review the amended EIS and chief executive decides to either allow the EIS to proceed or refuse to allow it to proceed	49A(5) 49A(6), 49(1), 49(3), 49(3A)	20bd*	Decision criteria: EP Act ss. 49(3) and 49(3A)
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	49(7)	10bd	If refused to proceed, the proponent cannot resubmit an amended EIS again for that section

If the department allows the EIS to proceed to public notification with conditions or refuses to allow the EIS to proceed, the proponent may resubmit the EIS with changes once within three months after the day the notice of the decision was issued to the proponent (or a different period by agreement). Proponents can use the form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495) to request the department agree to a longer period.

The amended EIS is submitted to the department accompanied by the prescribed fee (see [section 4.1](#)), completed [EIS submission form](#) (ESR/2023/6498) including completed EIS format checklist in Attachment 1 (also replicated in [Appendix 11B](#) of this guideline).

Within 20 business days of the EIS being submitted, the department must review the EIS and decide to:

- allow the EIS to proceed or
- refuse to allow it to proceed.

If the EIS is resubmitted because the chief executive decided to allow the EIS to proceed on conditions, the chief executive may allow the EIS to proceed only if the chief executive considers the conditions have been met.

4.5.3 EIS public notification

Table 15. EIS public notification

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Prepare EIS notice and sends to DESI for review	-	-	Refer to the department's guideline EIS notice (ESR/2016/2172)
Proponent	<input type="checkbox"/>	Finalise EIS notice	-	-	-
Proponent	<input type="checkbox"/>	Provide EIS notice to interested and affected persons	51(2)(a)	Within 20bd of department giving notice	-
Proponent	<input type="checkbox"/>	Publish the EIS notice	51(2)(b)	After giving	-

			EP Reg r. 8	notice to interested and affected persons	
Proponent	<input type="checkbox"/>	Make a copy of the submitted EIS available on a website	51(4)(c)	From start of public consultation period until 2 years after the EIS assessment report is finalised	-
Proponent	<input type="checkbox"/>	Provide to DESI a statutory declaration of compliance with notice requirements	53	10bd (after the EIS notice is published)	Refer to the department's guideline EIS notice (ESR/2016/2172)
Public	<input type="checkbox"/>	Public notification of the EIS	49(4)	30bd (minimum)	Public can use the Department's EIS Submission template (ESR/2018/4085) to make a submission on the EIS

4.5.3.1 Preparing for public notification

The EIS notice and its contents must be prepared in accordance with section 52 of the EP Act and the department's guideline [Requirements for an EIS notice](#) (ESR/2016/2172). The EIS notice must include information on the project and operational land and where copies, or extracts, from the submitted EIS may be obtained.

Under section 51 of the EP Act the proponent must:

- provide the EIS notice to all interested and affected persons, and any other person decided by the department, before the submitted EIS is made public
- provide the EIS notice to the department for publishing on its website
- for projects assessed under the bilateral or accredited process, publish an EIS notice in the approved form in at least one newspaper circulating throughout Australia or in each state or Territory and make a copy of the submitted EIS available on a website.

The submitted EIS must remain publicly available on the internet for a minimum period of 2 years after the department has issued the EIS assessment report to the proponent.

4.5.3.2 EIS submission period

The public submission period for an EIS is a minimum of 30 business days with a longer period warranted if there are special circumstances. During this period, submissions on the submitted EIS are accepted by the department.

Submissions on the EIS which meet the EP Act requirements for a **properly made submission** under section 55 of the EP Act must be accepted. Information on how the public can [have their say on an EIS](#) and make a properly made submission is available in the department's [EIS submission template](#) (ESR/2018/4085). Properly made submissions give standing to [object to an EA](#) for a mining lease or appeal the approval of an EA for a petroleum lease in the Land Court. The department can also accept any other submissions if it is considered appropriate to do so; however, this may limit that submitters appeal rights. More information on [community involvement in mining and petroleum lease approvals](#) is available on the Business Queensland website.

The department must consider all properly made submissions when preparing the EIS assessment report (see [section 4.6](#) of this guideline) and making a recommendation on the suitability of the project.

As well as receiving submissions from the public and interested persons and organisations, the department seeks and considers relevant advice, comment or information about a range of matters in the EIS from advisory bodies (see [section 4.8.5](#) of this guideline).

For resource projects where impacts on water resources is a controlling provision under the EPBC Act, the department, jointly with the Australian Environment Department, must make a referral to the [IESC](#). A referral to the IESC does not affect the statutory EIS timelines. Further information is available is [section 4.8.8](#).

4.5.3.3 Statutory declaration of compliance with notice requirements

Within 10 business days after the EIS notice has been published, the proponent must provide a statutory declaration to the department consisting of the following:

- a statement of compliance under the EP Act
- the names and addresses of each person to whom the EIS notice was given
- a copy of the EIS notice that was given.

Use the department form [Requirements for an EIS notice](#) (ESR/2016/2172).

4.5.4 Response to submissions and amended EIS

Table 16. Response to submissions and amended EIS

Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	Provide submissions to proponent	56(1)	10bd	-
Proponent	<input type="checkbox"/>	Provide to the department: <ul style="list-style-type: none"> • a summary of the submissions • a response to submissions • amended EIS 	56(2), 56(3), 66	20bd*	Forms: <ul style="list-style-type: none"> • Submission of an EIS under EP Act (ESR/2016/6498). This form (which is also replicated in Appendix 11A of this guideline ESR/2023/6498) provides guidance on documents to be provided at this step. • Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
Proponent	<input type="checkbox"/>	Pay fee	-	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au to request instructions
DESI (chief executive)	<input type="checkbox"/>	Chief executive decides if the proponent's response to submissions and submitted EIS are adequate for the EIS process to proceed	56A(2), 56A(4), 56A(4A)	20bd	Decision criteria: EP Act ss. 56A(4) and 56A(4A)
DESI	<input type="checkbox"/>	Optional steps: Prior to decision DESI may advise proponent of major EIS inadequacies and provide opportunity to proponent to address these in amended EIS prior to decision on whether the EIS can proceed	56A(3)	-	-
Proponent	<input type="checkbox"/>	Optional steps: Proponent may choose to resubmit an amended EIS and an updated response to submission.	66	-	Form to advise DESI of intention to submit an amended EIS and allow different period to be agreed: Request to extend period under EP Act assessment process (ESR/2023/6495) Form to submit amended EIS and response to submission: <ul style="list-style-type: none"> • Submission of an EIS under EP Act (ESR/2016/6498) • Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
DESI	<input type="checkbox"/>	Optional step: If applicable, DESI reviews resubmitted amended EIS and chief executive decides if it can proceed	56A(2), 56A(4), 56A(4A)	Within any agreed period under s. 56A(3)	-
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	56A(5)	10bd	-

4.5.4.1 Response to submissions

If a PIE has been undertaken and the PIE report is provided to the department, the department is required to notify the proponent and any submitters that the report has been received within 5 business days after receipt of the report. The department is also required to give a copy of the PIE report to submitters within 10 business days of receipt of the report.

All submissions, and where relevant – a copy of a PIE report on the submitted EIS, are forwarded to the proponent within 10 business days after the submission period has ended.

The proponent then has 20 business days to provide the department with:

- a summary of the submissions
- a statement of the proponent’s response to submissions
- a response to the PIE report (where applicable)
- any amendments to the submitted EIS because of the submissions.

Specific guidance on the documents to be provided to the department is included in the form [Submission of an EIS under EP Act](#) (ESR/2016/6498) and replicated in [Appendix 11A](#) of this guideline.

This response is often referred to as the ‘supplementary EIS stage’, although it is not a recognised term under the EP Act. A longer period to make that response may be agreed in writing, within the 20 business days, at the proponent’s request using the department’s form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495).

If changes have been made to the submitted EIS because of the submissions, the proponent must provide an EIS amendment notice (under section 66 of the EP Act). Use the department form [Submission of an EIS under EP Act](#) (ESR/2016/6498) including completing Attachment 1 of the form Checklist—EIS document standards (also replicated in [Appendix 11B](#) of this guideline).

4.5.4.2 Assessment of adequacy of response to submissions and submitted EIS

The department has 20 business days after receiving the response to submissions and amended EIS to decide whether to allow the EIS to proceed and must only allow the EIS to proceed if:

- the proponent’s response to the submissions, and any report about a PIE is adequate
- the submitted EIS is consistent with the recommendations made in any report about a PIE
- the proponent has made all the appropriate amendments to the submitted EIS because of the submissions and any report about a public interest evaluation.

The period may be extended if, at any time before the decision is made, the proponent has agreed in writing to the extension.

The department may seek information from advisory bodies as to whether they consider the response to their submissions has been addressed and the EIS appropriately amended.

Within 10 business days after the decision to proceed or not has been made, the department must provide written notice of the decision to the proponent.

If the decision is to:

- **allow the EIS to proceed** the department will prepare an assessment report stage and provide it to the proponent within 30 business days (see [section 4.6](#))
- **not to allow the EIS to proceed**, the proponent may resubmit the EIS (see [section 4.5.4.3](#)).

4.5.4.3 Amended EIS following refusal

Table 17. Amended EIS following refusal

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If DESI refuses to allow EIS to proceed, or proceed with conditions, the proponent may resubmit the EIS (once only). Including: <ul style="list-style-type: none"> • amended EIS • shapefiles • completed EIS submission form (ESR/2023/6498) 	56AA	20bd (or agreed period)	Form to submit amended EIS and response to comments: <ul style="list-style-type: none"> • Submission of an EIS under EP Act (ESR/2016/6498) • Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)

		<ul style="list-style-type: none"> completed EIS format checklist (Attachment 1 of ESR/2023/6498) 			
Proponent	<input type="checkbox"/>	Pay fee	56AA(4)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au to request instructions
DESI	<input type="checkbox"/>	Review the amended EIS and chief executive decides to either: allow the EIS to proceed or refuse to allow it to proceed	56AA 56A	20bd (or agreed period)	Decision criteria: EP Act ss. 56A(4) and 56A(4A)
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	56A(5)	10bd	Proponent cannot further resubmit the EIS under that section

If the decision is to refuse to allow the submitted EIS to proceed, the proponent may resubmit the EIS with changes once within three months after the day the notice of the decision was provided to the proponent (or a different period by agreement). Proponents can use the form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495) to request the department agree to a longer period.

The amended EIS is submitted to the department accompanied by the prescribed fee (see [section 4.1](#)), updated response to submissions and/or summary, [completed EIS submission form](#) (ESR/2023/6498) including completed EIS format checklist in Attachment 1 (also replicated in [Appendix 11B](#) of this guideline).

Within 20 business days of the EIS being resubmitted, the department must review the EIS and decide to whether to allow the EIS to proceed to the assessment report stage. Within 10 business days after the decision to proceed or not has been made, the department must provide written notice of the decision to the proponent.

If the decision is to:

- allow the EIS to proceed the department will prepare an assessment report stage and provide it to the proponent within 30 business days (see [section 4.6](#))
- refuse to allow it to proceed, the proponent cannot resubmit the EIS again under that section.

4.6 EIS assessment report

Table 18. EIS Assessment report

Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	<ul style="list-style-type: none"> Chief executive prepares and gives an EIS assessment report to proponent and publishes the assessment report. The report includes Coordinator-General's summary of key social issues for DESI and Coordinator-General conditions. The EIS process under Chapter 3 of the EP Act is completed when the proponent is given the EIS assessment report 	57	30bd	-
OCG	<input type="checkbox"/>	Coordinator-General publishes the full evaluation of social matters on the DSDI website	-	-	-

Once the department has issued the proponent with a decision notice allowing the EIS to proceed to the next stage, the department must prepare an EIS assessment report and give it to the proponent within 30 business days.

The EIS assessment report must:

- consider the final terms of reference, submitted EIS and the standard criteria
- consider all properly made submissions and any other submissions accepted by the chief executive
- address the adequacy of the submitted EIS (including any amendments made to the submitted EIS) in addressing the final TOR
- address the adequacy of any management, monitoring, planning or other measures for minimising adverse environmental impacts for the project

- make recommendations about the suitability of the project
- recommend any conditions on which any approval required for the project may be given, including EA and PRCP schedule
- contain another other matters prescribed under a regulation. For projects under the bilateral agreement or accredited process, this includes matters listed in section 9 of the EP Regulation.

If the EIS is conducted under the bilateral agreement or accredited process, a copy of the report must be given to the Australian Environment Minister. The EIS assessment report is published on the department's website.

The EIS process under Chapter 3 of the EP Act is completed when the proponent is given the EIS assessment report.

4.6.1 EIS assessment report lapses

The EIS assessment report for a project lapses:

- 3 years after the department gives the EIS assessment report to the proponent, or
- if before 3 years is up the chief executive extends the period, on the day the extended period ends.

If the EA application process is not commenced prior to the lapse date, the EIS will become redundant, and the proponent may need to undertake a new EIS process.

To prevent the EIS assessment report from lapsing, the proponent must submit an EA application within 3 years of the EIS assessment report being finalised. If the proponent applies for an environmental authority before the EIS assessment report lapses, the report does not lapse until:

- if the application for the environmental authority is refused—the application is decided and any appeal against the decision is finalised or withdrawn
- if the application for the environmental authority is granted—the authority takes effect.

4.7 Post EIS process

Upon completion of the EIS process under Chapter 3 of the EP Act, any current application process suspended by the EIS process resumes pursuant to their respective law.

4.7.1 EP Act—EA process

Next steps in the EA process:

- For projects initiated by a voluntary EIS or EIS decision where an EA has **not** been submitted, the proponent must submit the EA application in the approved form and apply for tenure under relevant resource legislation (refer to [section 1.2](#) of this guideline). If the environmental risks of the activity or way the activity will be carried out have changed between the time when the EIS was completed under the EP Act and when the EA application was made, the proponent will not be exempt from the information request and public notification requirements under the EP Act.
- For projects where the EA application or amendment has already **been submitted** the EA application resumes to chapter 5 of the EP Act, namely the decision stage—where a decision is made to refuse the EA application or approve the EA application with conditions through a draft EA. If a person makes a properly made submission on the EA application or EIS, they may later object to the draft EA for a mining lease. Submitters are notified of their right to object to the draft EA when the department provides them with written notice of, and the reasons for, the decision to approve the project's EA.
- Objections on the EA are heard in the Land Court and at the same time as any objections to the mining lease. After hearing the objections, the Land Court will make a recommendation to the chief executive about whether the EA application should be approved, approved subject to certain conditions, or refused.

4.7.2 EP Act— PRC plan for mining projects

In addition to the above, mining projects proponents must formally lodge the proposed PRC plan (provided in the EIS) in the **approved form** to the department after the EIS process is complete. The [relevant forms](#) are:

- for a new proposed PRC plan, the department's [Submission of a PRC plan](#) (ESR/2019/4957). To help you complete the PRCP schedule, which is a part of the PRC plan, use the template: [PRCP schedule](#) (ESR/2019/5103).

- for an amended PRCP schedule (including an updated PRC plan), the department's [Application to amend a PRC plan schedule or joint PRCP schedule and EA](#) (ESR/2019/4964).

The PRC plan must meet the requirements set out under the EP Act and the department's [PRC plan guideline](#) (ESR/2019/4964).

The information and notification stages of the new PRC plan/amended PRCP schedule do not apply if, since the EIS was completed:

- a PMLU or NUMA has not changed
- achieving a stable condition for land has not changed
- the way a PMLU will be achieved, or a NUMA will be managed, has not changed in a way likely to result in significantly different impacts on environmental values compared to the impacts of the values under the EIS or
- the day by which rehabilitation of land to a stable condition will be achieved has not changed.

Otherwise, the information and notification stages may apply to the new PRC plan/amended PRCP schedule application (see EP Act s. 139).

Further information on the [PRC plan for mined land](#) including the process, common issues and information sheets are available on the [Business Queensland](#) website.

4.7.3 EPBC Act

For projects assessed under the bilateral agreement, the Australian Environment Minister makes a separate decision under the EPBC Act, after completion of the EIS process.

4.8 Miscellaneous matters

4.8.1 EIS amendments

The proponent can amend or replace a submitted EIS at any time before the EIS assessment report has been given to the proponent, except during the EIS submission period. An EIS amendment, other than an amendment in response to submissions on the EIS (section 56 EP Act), incurs a fee. An EIS amendment must be accompanied by the department's notice [Submission of an EIS under EP Act \(original or amended\)](#) (ESR/2023/6498).

4.8.2 EPOLA transitional requirements

The *Environmental Protection and Other Legislation Amendment Act 2023 Act* (EPOLA Act) which commenced on 5 April 2023 amended some of the EIS provisions of the EIS process. As such, some transitional arrangements apply. Specifically, if a proponent had submitted a draft TOR for the project prior to commencement of the EPOLA Act (i.e., 5 April 2023), the following provisions will **not** apply:

- enabling the chief executive to refuse to allow a draft TOR for an EIS to proceed (new EP Act sections 41A and 41B) or to refuse an EIS from proceeding if it is unlikely the project could proceed under a state or commonwealth law (i.e., new EP Act sections 49, 49A, 56A and 56AA)
- lapsing of the EIS assessment report after 3 years (new section 59A).

The Ministerial review provisions in the EIS process were replaced with the internal review and court appeal processes. This is consistent with how other original decisions can be appealed under the EP Act as outlined in the department's [Information sheet— Internal review and appeals](#) (ESR/2015/1742).

4.8.3 NUMAs and PIE

For mining projects, the TOR will require the EIS to include a PRC plan. NUMAs identified in a proposed PRC plan, must be justified on public interest grounds (section 126D(2)(b) of the EP Act) and are subject to a PIE. The PIE is requested by the administering authority during the EIS public notification period. The EIS cannot proceed to the next stage until the PIE report has been received. The proponent must respond to the PIE report as part of their response to submissions. The department may allow the submitted EIS to proceed only if the chief executive considers the submitted EIS is consistent with the recommendations made in any report about a PIE.

The statutory timeframes (see [Appendix 3](#)) are different when there is a NUMA to accommodate for the PIE process during the EIS process. More information on developing a [PRC plan](#) is available on the [Business Queensland](#) website and detailed in the department's [PRC plan guideline](#) (ESR/2019/4964).

4.8.4 Clearly unacceptable criteria

The EPOLA Act introduced new criteria into sections 41A(3), 49(3A), 56A(4A) of the EP Act which state the chief executive must refuse to allow the draft TOR or submitted EIS to proceed to the next stage if, having regard to the draft TOR or submitted EIS:

- (a) the chief executive is satisfied it is unlikely the project could proceed under this Act or another law, including, for example, because the project—
 - (i) would contravene a law of the Commonwealth or the state or
 - (ii) would give rise to an unacceptable risk of serious or material environmental harm or
 - (iii) would have an unacceptable adverse impact on a matter of state environmental significance or a matter of national environmental significance or
 - (iv) would have an unacceptable adverse impact on an area of cultural heritage significance or
- (b) the chief executive is required to refuse to allow the submitted EIS to proceed under a regulatory requirement.

4.8.5 Seeking advice, comment or information (including advisory bodies)

The EP Act (section 62) allows the department to seek relevant advice, comment or information from any person or organisation during the EIS process. Any request to the proponent must be written and state a reasonable period for the giving of the advice. The request may also be by public notice.

The department routinely seeks input and advice from various ‘advisory bodies’ throughout the EIS process. This is to ensure the TOR and the EIS are comprehensive, and adequately assess impacts on matters relevant to the interests and requirements of key agencies, interested parties and the public.

An advisory body is an individual or organisation that is requested to provide advice to the department within the extent of their areas of responsibility, interest or expertise. Members of the advisory body may be individuals with specific expertise and can be selected from the following on a project-by-project basis:

- federal and state government departments
- local governments
- statutory authorities or academic institutions
- private organisations, community groups (including environmental groups) and special interest groups (including recognised landowner and Indigenous organisations).

Advisory bodies may provide information or comments to the department and do not have a decision-making role in respect of the EIS process. However, some may have a decision-making role under legislation which they administer. Consultation with these advisory bodies is important to ensure that the issues relevant to that approval are adequately addressed in the EIS and recommendations about the suitability of the project and any conditions can be included in the EIS assessment report.

4.8.6 Failure to take a required step

If the proponent does not complete or comply with a required step under the EP Act for the EIS assessment process, the EIS process will be suspended until the step has been taken. The proponent’s draft TOR or submitted EIS will lapse on the first anniversary of the suspension or a later day if agreed to by the department and the proponent before the first anniversary.

4.8.7 Change to proponent or project

Proponents must advise the department of any changes to information provided at the time of application (i.e., on the voluntary EIS, EIS decision or EA application/amendment forms). Use the department’s form [Changes to projects undergoing EIS assessment under EP Act](#) (ESR/2023/6496) to advise of changes to the project, project name, proponent, appointed signatory for the proponent, or agent for the proponent.

Where relevant, it is important to liaise with the Australian Environment Department on any changes, who will advise of their next steps.

4.8.8 IESC advice

Under the EPBC Act, the Australian Government and relevant state government regulators request advice from the IESC on the potential impacts of coal seam gas and large coal mining developments on water resources such as groundwaters, rivers, wetlands and springs. The IESC has developed [information guidelines](#) on their website which outline the information considered necessary to enable the IESC to provide robust scientific advice to government regulators as well as and supporting Explanatory Notes for some topics; these requirements are outlined in a projects’ TOR.

For projects under the bilateral agreement, the department and the Australian Environment Department will refer the project to the IESC for expert scientific advice prior to or during the public notification of the EIS in accordance with the [Queensland Protocol for referral of projects to the IESC](#) (Queensland Government, 2012). The IESC must provide advice to the regulator within two months of receiving the request and publish their advice on their website within 10 business days after they provide the advice to the regulator.

The department will provide the IESC advice to the proponent and request that the proponent respond to the IESC advice either as part of its response to submissions under section 56 or another reasonable timeframe (as provided for under sections 62 EP Act).

4.8.9 Agreement to longer period

There is some flexibility under the EP Act EIS assessment process to allow timeframes to be extended by agreement between the proponent and the department. These are summarised in [Table 19](#).

A proponent may use the form [Request to extend period under EP Act EIS assessment process](#) (ESR/2023/6495) to request the department agree to a longer period for:

- proponents to take the next step in the EIS assessment process in accordance with sections 41B(2), 45, 47(1), 49A(2), 56(2) or 56A(2) or,
- for the department to decide if the EIS assessment process can proceed to the next step in accordance with sections 41A(1), 46, 49(1) or 56A(2).

Table 19. Steps in the EIS assessment process where timeframes can be extended by agreement

Stage	Timeframes	EP Act section (step)	EP Act section (extension provision)
TOR	Period for the proponent to resubmit a draft TOR after the department refused to allow the draft TOR to proceed to public notification	EP Act s. 41B(2)	EP Act s. 41B(2)(b)
TOR	Period for the proponent to provide a response to comments received on the draft TOR during public notification	EP Act s. 45	EP Reg r. 11
EIS	Period for the proponent to submit an EIS (first EIS only prior to public notification)	EP Act s. 47(1)	EP Act s. 47(1)(b)
EIS	Period for the proponent to submit an EIS after the department decided to either refuse to allow the EIS to proceed to public notification or proceed on conditions	EP Act s. 49A(2)	EP Act s. 49A(2)(b)
EIS	Period for the proponent to provide a response to submissions received on the EIS during public notification	EP Act s. 56(2)	EP Act s. 56(3)
EIS	Period for the proponent to resubmit an EIS after the department decided to refuse to allow the EIS to proceed to assessment report stage	EP Act s. 56A(2)	EP Act s. 56A(2)(b)
TOR	Period for the department to decide whether the draft TOR can proceed to public notification	EP Act s. 41A(1)	EP Act s. 41A(2)
TOR	Period for the department to finalise the terms of reference	EP Act s. 46	EP Reg r. 12
EIS	Period for the department to decide if the submitted EIS can proceed to public notification	EP Act s. 49(1)	EP Act s. 49(2)
EIS	Period for the department to decide if the submitted EIS can proceed to assessment report stage	EP Act s. 56A(2)	EP Act s. 56A(3)

4.8.10 Review rights

The EIS process includes provisions for the internal review and appeal of certain decisions made under the EP Act. The decisions that are subject to internal review are referred to as 'original decisions' in Schedule 2 of the EP Act and subordinate legislation. A person who is dissatisfied with an original decision made by the department may apply to have that decision internally reviewed. Once the original decision has been reviewed, a person who is dissatisfied with the review decision may be able to appeal against that decision to the relevant court.

Original decisions in the EIS assessment process under Chapter 3 of the EP Act are listed in Schedule 2 Part 1 (Original decisions for Land Court appeals) and Part 3 (Original decisions for internal review only). These are also summarised in Table 20.

Further information on review and repeal rights are describe in department's [Information sheet— Internal review and appeals](#) (ESR/2015/1742).

Table 20. Original decisions under Chapter 3 of the EP Act (current as of date of publication)

EP Act section	Original decision	Internal review	Land Court appeals
73C(1)(a)	Decision that an EIS would be required under this Act for an application for an environmental authority for a project	Yes	No
140 and 143(2)	Requirement that the applicant provide an EIS for an application	Yes	No
41A(1)(b)	Decision to refuse to allow draft terms of reference to proceed to public notification	Yes	Yes
43(3)(c)	Decision about giving TOR notice	Yes	Yes
49(1)	Decision to refuse to allow an EIS to proceed or to allow a submitted EIS to proceed on conditions	Yes	Yes
51(2)(a)(iii)	Decision about giving EIS notice	Yes	Yes
51(2)(b)(ii)	Decision about way of publishing EIS notice	Yes	Yes
56A(2)(b)	Decision to refuse to allow submitted EIS to proceed	Yes	Yes
68(1) and (2)	Decision not to allow EIS to proceed	Yes	Yes
68(3)(a)	Fixing of new notice period	Yes	Yes
68(3)(b)	Fixing of new comment or submission period	Yes	Yes

4.8.11 Publicly available documents

The following EIS documents are required to be made publicly available in accordance with sections 540A, 541 and 542 of the EP Act:

- submitted draft terms of reference for EIS
- written summaries of comments given to the chief executive about draft TOR for EISs
- proponents' responses to the comments on draft TOR
- final terms of reference
- submitted EISs
- written summaries of submissions given to the chief executive about submitted EISs
- proponents' responses to the submissions receiving on the EIS
- EIS amendment notices
- EIS assessment reports.

The proponent is required to keep the submitted EIS (i.e., original and all amendments) on a website until 2 years after the EIS assessment report is finalised or if it was decided that the project may not proceed to the next step under section 56A, the day after the relevant notice is issued (refer to sections 51(4) of the EP Act for more details).

5 References

Note: These references were correct at the time of publication. Where more recent versions are available, these must be used. For all department publications, the latest version of a publication can be found by using the publication number as a search term at the [Queensland Government](#) website.

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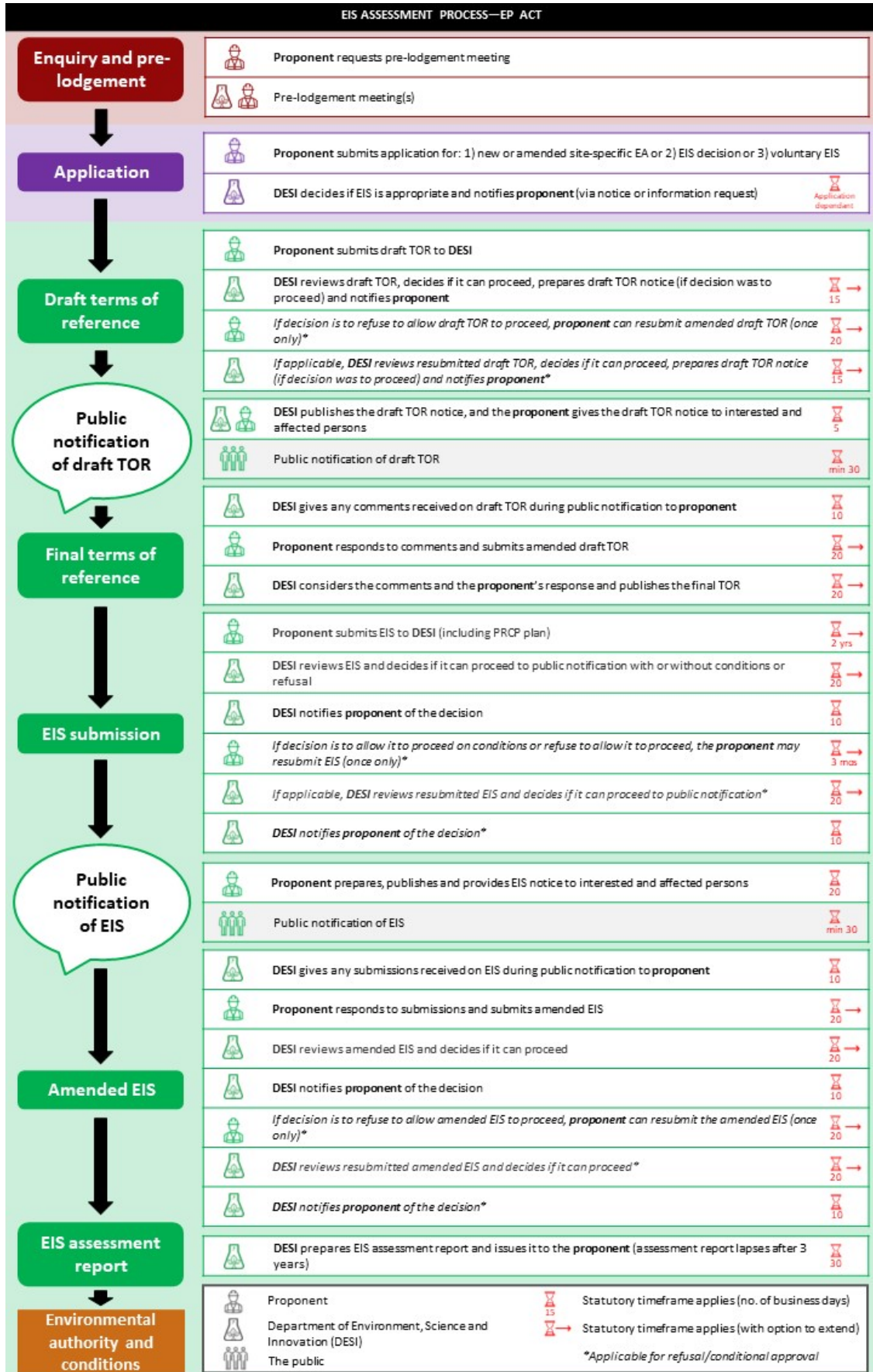
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Appendix 1. Figure—Summary of *Environmental Protection Act 1994* (EP Act) environmental impact statement (EIS) assessment process



Appendix 2. Table—Statutory timeframes under *Environmental Protection Act 1994* (EP Act) environmental impact statement (EIS) process

Task	Time allowed (business days) [#]	EP Act section
Submission and publication of the terms of reference (TOR)	-	-
Proponent submits draft TOR (with prescribed fee). For mining projects, the draft TOR will include a requirement for a progressive rehabilitation and closure plan (PRC plan) to be provided in the EIS	Initiates EIS process	41
The department reviews the draft TOR and decides if the draft TOR can proceed to public notification and gives the proponent a written notice	15*	41A(1)
The department publishes TOR notice	5	43(1)
Proponent gives TOR notice to interested and affected persons	5 (concurrent with above step)	43(3)
Comment period for draft TOR	30 (minimum)	42(3)
The department gives comments to proponent	10	44
Proponent responds to comments and makes amendments to the TOR	20*	45
The department considers comments and the proponent's response, publishes the final TOR and gives the proponent a copy of the final TOR	20*	46
EIS submission and notification	-	-
Proponent submits the EIS (with prescribed fee) to the department within 2 years of receiving the final TOR	Within 2 years*	47
The department reviews the EIS and determines if the EIS can proceed to public notification with or without conditions or refuses to allow it to proceed	20*	49(1), 49(3), 49(3A)
The department provides written notice to proponent of the decision	10	49(6)
Proponent prepares EIS notice and provides EIS notice to interested and affected persons, publishes the EIS notice and makes a copy of the submitted EIS available on a website	20	52 51(2)
Proponent provides statutory declaration of compliance with notice requirements	10 (after EIS notice is published)	53
EIS submission period	30 (minimum)	49(4)
The department provides submissions to proponent	10	56(1)
Proponent provides to the department a summary of the submissions, a response to submissions and any amendments of the EIS. This must be accompanied by an EIS amendment notice	20*	56(2), 56(3), 66
The department decides if the proponent's response to submissions and submitted EIS are adequate for the EIS process to proceed	20	56A(2), 56A(4), 56A(4A)
The department provides written notice of the decision	10	56A(5), 56A(6)
EIS assessment report and completion of process	-	-
The department gives an EIS assessment report to proponent and publishes the assessment report	30	57
The EIS process under Chapter 3 of the EP Act is completed when the proponent is given the EIS assessment report	-	60

[#] Business days under EP Act do not include a business day that occurs during the period starting on 20 December in a year and ending on 5 January in the following year

* These time periods can be extended by agreement

Appendix 3. Table— Statutory timeframes under *Environmental Protection Act 1994 (EP Act)* environmental impact statement (EIS) process if public interest evaluation (PIE) report is required

Note: The shaded row and text only apply to mining projects where the proposed progressive rehabilitation plan (PRC plan) provided with the EIS identifies an area of land as a non-use management area (NUMA)

Task	Time allowed (business days) [#]	EP Act section
Submission and publication of the terms of reference (TOR)	-	-
Proponent submits draft TOR [#] (with prescribed fee). For mining projects, the draft TOR will include a requirement for a PRC plan to be provided in the EIS	Initiates EIS process	41
The department decides if the draft TOR can proceed to public notification and gives the proponent a notice	15	41A(1)
The department publishes TOR notice	5	43(1)
Proponent gives TOR notice to interested and affected persons	5 (concurrent with above step)	43(3)
Comment period for draft TOR	30 (minimum)	42(3)
The department gives comments to proponent	10	44
Proponent responds to comments and makes amendments to the TOR	20*	45
The department considers comments and the proponent's response, publishes the final TOR and gives the proponent a copy of the final TOR	20*	46
EIS submission and notification	-	-
Proponent submits the EIS (with prescribed fee) to the department	Within 2 years of receiving the final TOR*	47
The department reviews the EIS and determines if the EIS can proceed to public notification with or without conditions or refuses to allow it to proceed	20*	49(1), 49(3), 49(3A)
The department provides written notice to proponent if a decision has been made	10	49(6)
Proponent prepares EIS notice, provides EIS notice to interested and affected persons, publishes the EIS notice and makes a copy of the submitted EIS available on a website	20	51(2), 52
Proponent provides statutory declaration of compliance with notice requirements	10 (after EIS notice is published)	53
EIS submission period	30 (minimum)	49(4)
For mining project where the proposed PRC plan identifies a NUMA, and the department decides to allow the EIS to proceed the department must ask a qualified entity (QE): <ul style="list-style-type: none"> to carry out a public interest evaluation (PIE) for each area identified as a NUMA give a report about the evaluation that complies with section 316PB within a stated period of no more than 12 month (this can be extended by no more than 6 months). 	As soon as practical (after the decision to allow the EIS to proceed)	49(5A), 49(5B), 49(5C)
Where the department requests a QE to carry out a PIE for the NUMA, the QE must: <ul style="list-style-type: none"> conduct a PIE in accordance with section 316PA and prepare a report consistent with s316PB <i>before</i> giving the report to the department provide the proponent: <ul style="list-style-type: none"> a copy of the proposed PIE report notice stating, they have 20 business days to make a submission on the proposed report before finalising the PIE report consider any submissions properly made by the proponent 	Project dependant (depending on the scope and complexity)	s316PB

Task	Time allowed (business days) [#]	EP Act section
<ul style="list-style-type: none"> provide a PIE report to the department that includes a recommendation about whether it is in the public interest to approve the non-use management area, reasons for the recommendation and a response to any comments made by the proponent on the report 		
<p>On receipt of a PIE report the department:</p> <ul style="list-style-type: none"> publishes the PIE report on the register notifies the proponent and submitters that the PIE report has been received provides a copy of the PIE report and submissions on the EIS to the proponent provides a copy of the PIE report to submitters 	<p>5 (after receipt of the PIE)</p> <p>10 (after receipt of the PIE)^{&}</p>	<p>316PB (5)</p> <p>56</p>
<p>Submitters may ask the department to arrange for another qualified entity to review the original PIE report. <i>If a submitter on the EIS (entity) asks for a review:</i></p> <ul style="list-style-type: none"> the department must arrange for another qualified entity to review the original PIE report the reviewing entity must: <ul style="list-style-type: none"> decide to confirm each recommendation or substitute 1 or more recommendations in the original report give written notice to department and entity who asked for the review after receiving the written notice, the department must <ul style="list-style-type: none"> note the decision on the register notify the proponent and submitters 	<p>15 (after being notified about the report)</p> <p>Not specified</p> <p>Within 6 month</p> <p>5 (after receiving the notice)</p>	<p>316PC</p>
<p>The department provides the proponent a copy of all submissions.</p> <p>Note: If a PIE report was required then the submissions are provided to the proponent at the same time as the PIE report</p>	<p>10 (after submission period closes)</p>	<p>56(1)(a)</p>
<p>Proponent provides to the department a summary of the submissions, a response to submissions, a response to a PIE report (where applicable), and any amendments of the EIS</p>	<p>20 after the proponent is given a copy of all submissions and PIE report*[^] or if PIE is reviewed, 20bd* after receipt of the reviewing entity's decision</p>	<p>56(2), 56(3)</p>
<p>The department decides if the proponent's response to submissions (and any PIE report) and submitted EIS are adequate for the EIS process to proceed</p> <p>Note: The department may only allow the EIS to proceed if it is consistent with any recommendations made in any report about a PIE</p>	<p>20*</p>	<p>56A(2), 56A(4), 56A(4A)</p>
<p>The department provides written notice of the decision</p>	<p>10</p>	<p>56A(5)</p>
<p>EIS assessment report and completion of process</p>	<p>-</p>	<p>-</p>
<p>The department gives an EIS assessment report to proponent and publishes the assessment report</p> <p>The EIS process under Chapter 3 of the EP Act is completed when the proponent is given the EIS assessment report</p>	<p>30</p>	<p>57</p> <p>60</p>

[#]Business days under EP Act do not include a business day that occurs during the period starting on 20 December in a year and ending on 5 January in the following year

*These time periods can be extended by agreement

[&]If the PIE report was received *during* the EIS submission period, then the department must provide a copy of the PIE to the proponent and submitters 10 business days **after** the submission period closes.

Appendix 4. Table—Steps in environmental impact statement (EIS) process, responsibilities and resources



This table describes the key steps in the EIS process under *Environmental Protection Act 1994* (EP Act). It collates all the tables outlined in [section 4](#) of the EIS process guideline into one section.

Quick links

- [Administration](#)
- [Enquiry and pre-lodgement](#)
- [Application](#)
 - [Application—Amended site-specific EA application \(Table 4\)](#)
 - [Application—New site-specific EA application \(Table 5\)](#)
 - [Application—Voluntary EIS application \(Table 6\)](#)
 - [Application—Decision on whether an EIS would be required for a new or amended EA application \(Table 7\)](#)
- [Draft terms of reference \(TOR\)](#)
 - [Draft TOR \(Table 8\)](#)
 - [Draft TOR resubmission \(if refused\) \(Table 9\)](#)
 - [Draft TOR publication \(Table 10\)](#)
 - [Response to comments and final TOR \(Table 11\)](#)
- [EIS](#)
 - [EIS preparation \(Table 12\)](#)
 - [EIS submission \(Table 13\)](#)
 - [EIS resubmission \(if refused\) \(Table 14\)](#)
 - [EIS public notification \(Table 15\)](#)
 - [Response to submissions and amended EIS \(Table 16\)](#)
 - [Amended EIS \(if refused\) \(Table 17\)](#)
- [Assessment report \(Table 18\)](#)

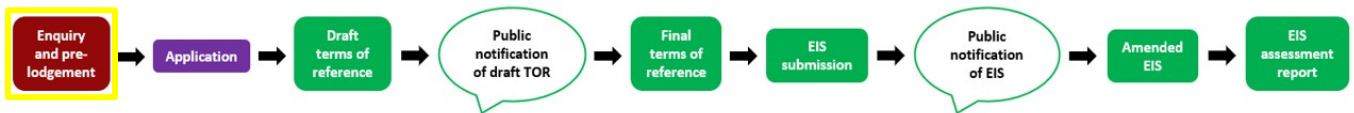
Tables 9, 14 and 17 are only relevant if the chief executive refuses to allow the draft TOR or EIS to proceed to the next step under section 41A(4), 49(7) and/or 56A(6) and the proponent chooses to resubmit the draft TOR or an amended EIS.

Administration (Table 2)

Question	Instructions
How to contact the Department of Environment, Science and Innovation (DESI)?	The EIS process under the EP Act is administered by the department’s Environmental Impact Assessment team. Any EIS queries can be directed to this unit, which can be contacted via email: eis@des.qld.gov.au or on telephone 13 74 68 (13 QGOV) during business hours 9.00am–5:00pm on business days
How to lodge forms and documents?	Lodge all application, forms and EIS documents to DESI through the EIS coordinator via eis@des.qld.gov.au . To submit larger documents such as EIS documents and spatial data, you may use a document sharing folder; please liaise with the EIS coordinator when needed
How much are the fees?	Fees apply for the following EIS assessment stages: <ul style="list-style-type: none"> • an application fee for a voluntary EIS when lodging the application • an application fee for a decision on whether an EIS would be required for an (environmental authority) EA application • fees for the draft TOR and the EIS when submitting the documents • when the proponent provides a notice of an amendment to an EIS not related to matters raised in submissions on the EIS under section 56(2) of the EP Act. Fees are subject to an annual Consumer Price Index adjustment. The latest information on

	prescribed fees is available on the Queensland Government's website
How to pay fees?	To organise payment of fees, contact the EIS coordinator eis@des.qld.gov.au
What information is available to support proponents?	Figure 2 summaries all the guidance material and includes links. All guidance material is available on the Queensland Government's EIS resources page . Also, department documents can be obtained by entering a documents individual number (e.g., ESR/2020/5307) as a term into the search button on the Queensland Government's website
How to the change the project name, proponent or project?	Use the following form to advise DESI of changes to project, proponent, consultants or contact details: Changes to projects undergoing EIS assessment under EP Act (ESR/2023/6496). You must also liaise with the Australian Environment department
Can a consultant act on behalf of a proponent?	All correspondence and notices will be issued to the proponent(s). Proponent(s) can give authority for consultants to correspond with the department through: <ul style="list-style-type: none"> • selecting the box on the voluntary EIS or EIS decision application forms • providing the department with a letter from the Proponent's assigned signatory. Proponents can use the following form to advise the department of any changes to consultants or contact details: Changes to projects undergoing EIS assessment under EP Act (ESR/2023/6496)

Enquiry and pre-lodgement (Table 3)



Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit form to DESI to request pre-lodgement meeting	-	-	To request a meeting with the department please lodge the Application for pre-lodgement services forms (ESR/2015/1664 and ESR/2023/6440). Information on SIA is available on the Department of State Development and Infrastructure (DSDI) website
Proponent	<input type="checkbox"/>	Attend pre-lodgement meeting(s) with department	-	-	
Proponent	<input type="checkbox"/>	Attend pre-lodgement meeting(s) with social impact assessment (SIA) team within the Office of the Coordinator-General (OCG) to discuss requirements under the SSRC Act	-	-	
DESI	<input type="checkbox"/>	Attend pre-lodgement meetings	-	-	-
DESI	<input type="checkbox"/>	Assist proponent with organising pre-lodgement meeting with the OCG	-	-	-

Application



Also refer to Figure 6 for a more detailed diagram of the application stage for EA and EIS processes under EP Act showing the four different avenues (Tables 4, 5, 7 and 7) where an EIS may be required or voluntarily prepared.

Application—Amendment to a site-specific EA application (Table 4)

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI application to amend site-specific EA and progressive rehabilitation and closure plan (PRC plan)	224	-	See Business Queensland website e.g., Applying for an environmental authority and Lodging your environmental authority application
DESI	<input type="checkbox"/>	Determine if the application is properly made	227AAA	10bd	-

DESI	<input type="checkbox"/>	Make assessment level decision (minor or major amendment)	228	10bd *	-
DESI	<input type="checkbox"/>	Chief executive determines if an EIS is required (major amendments only)	143, 232	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act
DESI	<input type="checkbox"/>	If an EIS is required, issue information request notifying the proponent	232	20-30bd	-

Application—New site-specific EA application (Table 5)

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI site-specific EA application	124	-	See Business Queensland website e.g., Applying for an environmental authority and Lodging your environmental authority application
DESI	<input type="checkbox"/>	Determine if the application is properly made	127	10bd	-
DES I	<input type="checkbox"/>	Chief executive determines if an EIS is required	143	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act
DESI	<input type="checkbox"/>	If an EIS is required, issue information request notifying the proponent	140	20-30bd	-

Application—Voluntary EIS application (Table 6)

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> application form Initial advice statement (IAS) IAS checklist information to establish that the proponent may enter land to which the project relates to carry out any necessary studies for the EIS interested and affected persons list (as separate document) 	70 71	-	Forms <ul style="list-style-type: none"> Application to prepare a voluntary EIS (ESR/2016/2160) Checklist—IAS content (Appendix 5 of this guideline, ESR/2016/2171) Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171) Checklist—Information to establish that the project may access land to carry out EIS studies for voluntary EIS application (Appendix 7 of this guideline, ESR/2016/2171)
Proponent	<input type="checkbox"/>	Pay fee	71(d)(ii)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au and request instructions
DESI	<input type="checkbox"/>	Assess if application is valid and liaise with proponent if more information is needed		-	-
DESI	<input type="checkbox"/>	Considers the application. Chief executive decides to either grant or refuse the application	72(1)	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act.
DESI	<input type="checkbox"/>	Give the proponent a written notice stating the decision, and the reasons for it	72(3)	10bd	-

Application—Decision on whether an EIS would be required for an EA application (Table 7)

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> Application form 	73A 73B	-	Forms <ul style="list-style-type: none"> Application for a decision on whether an

		<ul style="list-style-type: none"> IAS IAS checklist <p>Optional: If proponent is also applying for approval to prepare an EIS for a project if the chief executive decides an EIS would not be required for an EA application, submit to DESI:</p> <ul style="list-style-type: none"> information to establish that the proponent may enter land to which the project relates to carry out any necessary studies for the EIS interested and affected persons list (as separate document) 			<p>EIS would be required for an EA application (ESR/2016/5490)</p> <ul style="list-style-type: none"> Checklist—IAS content (Appendix 5 of this guideline ESR/2020/2171) <p>The following forms are only relevant if also applying to voluntarily prepare an EIS:</p> <ul style="list-style-type: none"> Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171) Checklist—Information to establish that the project may access land to carry out EIS studies for voluntary EIS application (Appendix 7 of this guideline, ESR/2016/2171)
Proponent	<input type="checkbox"/>	Pay fee	73B(d)	-	<ul style="list-style-type: none"> Information on fees To organise payment of fees, please email eis@des.qld.gov.au and request instructions
DESI	<input type="checkbox"/>	Assess if application is valid and liaise with proponent if more information is needed	-	-	-
DESI	<input type="checkbox"/>	Considers the application. Chief executive decides to either grant or refuse the application	73C	-	Decision criteria: Chief executive uses the department's guideline Criteria for EIS for resource projects under the EP Act (ESR/2016/2160) including the standard criteria under the EP Act
DESI	<input type="checkbox"/>	Give the proponent a written notice stating the decision, and the reasons for it.	73C(4)	10bd	-

Terms of reference



Draft TOR (Table 8)

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If the project is being assessed under the bilateral agreement or accredited process, at least 6 weeks prior to your planned submission date, request via EIA coordinator a 'project specific matters of national environmental significance (MNES) Appendix' from Australian Environment Department	-	-	A full set of terms of reference for MNES is provided on a project specific basis by Australian Environment Department and included as an Appendix in Approved form for submission of a draft TOR (ESR/2017/4038)
DESI	<input type="checkbox"/>	Request a 'project specific MNES Appendix' from Australian Environment Department.	-	-	-
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> Project specific draft TOR in the approved form including MNES chapter if relevant Completed draft TOR form If not previously provided 	41	-	<p>Forms</p> <ul style="list-style-type: none"> Approved form for submission of a draft TOR (ESR/2017/4038) Submission of a draft TOR for project assessed by EIS process under EP Act (ESR/2023/6499). <p>Include the 'project specific' TOR for MNES</p>

		or the previous version needs updating: <ul style="list-style-type: none"> ○ IAS ○ completed IAS checklist ○ interested and affected persons list (as a separate document) 			provided by the Australian Environment Department into Appendix 1 of the Approved form for submission of a draft TOR (ESR/2017/4038). If relevant: <ul style="list-style-type: none"> • Checklist—IAS content (Appendix 5 of this guideline, ESR/2016/2171) • Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171)
Proponent	<input type="checkbox"/>	Pay fee	41(2)(b)	-	<ul style="list-style-type: none"> • Information on fees • To organise payment of fees, please email eis@des.qld.gov.au and request instructions
DESI	<input type="checkbox"/>	Assess if draft TOR submission is valid and liaise with proponent if needed	-	-	-
DESI	<input type="checkbox"/>	Review the draft TOR and accompanying documents. Chief executive decides whether to allow the draft to proceed to public notification	41A	15bd	Decision criteria: EP Act s. 41A(3)
DESI	<input type="checkbox"/>	Give the proponent notice of decision	42(1) or 41A(4)		

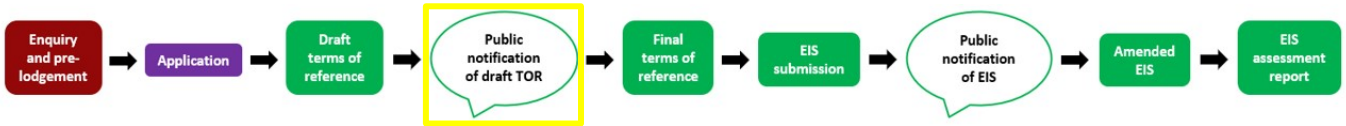
Draft TOR resubmission (if refused) (Table 9)

Table 9 is only relevant if the chief executive refuses to allow the draft TOR to proceed to the next step under section 41A(4) and the proponent chooses to resubmit the draft TOR and response to comments.

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If DESI refused to allow draft TOR to proceed to public notification may choose to: <ul style="list-style-type: none"> • liaise with department • amend draft TOR and IAS 	-	-	-
Proponent	<input type="checkbox"/>	May submit to DESI: <ul style="list-style-type: none"> • amended project specific draft TOR in the approved form (ESR/2017/4038) • completed draft TOR form (ESR/2023/6499) • amended IAS • amended IAS checklist • updated Interested and Affected persons checklist (as a separate document) 	41B	-	Forms <ul style="list-style-type: none"> • Approved form for submission of a draft TOR (ESR/2017/4038) • Submission of a draft TOR for project assessed by EIS process under EP Act (ESR/2023/6499) • Checklist—IAS content (Appendix 5 of this guideline, ESR/2016/2171) • Checklist—Interested and affected persons (Appendix 6 of this guideline, ESR/2016/2171)
DESI	<input type="checkbox"/>	Assess if amended draft TOR submission is valid and liaise with proponent if needed	-	-	-
DESI	<input type="checkbox"/>	Reviews the amended draft TOR and accompanying documents. Chief Executive decides whether to allow the draft to proceed to public notification	41A	15bd	Decision criteria: EP Act s. 41A(3)
DESI	<input type="checkbox"/>	Give the proponent notice of decision	42(1) or 41A(4)		-

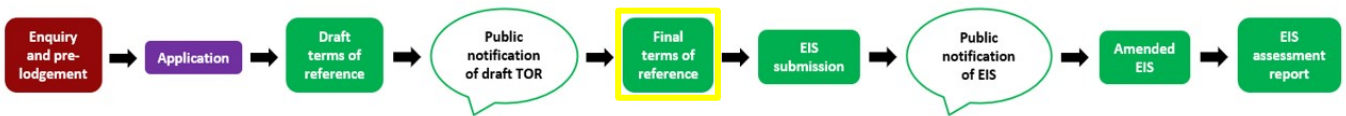
Note: After resubmitting again and the chief executive **refuses** to allow the resubmitted draft TOR to proceed, the proponent cannot resubmit the draft TOR. However, they can submit a new draft TOR under EP Act s. 41 in relation to the project.

Draft TOR publication (Table 10)



Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	Publish TOR notice	43(1)	5bd (after giving notice)	-
Proponent	<input type="checkbox"/>	Give TOR notice to interested and affected persons	43(3)	5bd (after DESI gives a copy of notice)	-
Proponent	<input type="checkbox"/>	Reimburse DESI for any reasonable costs incurred in publishing the notice 43(2)	43(2)	-	DESI will send invoice to proponent
Public	<input type="checkbox"/>	Public notification of the draft TOR	43(3)	30bd (minimum)	Public may use the Department's Draft TOR commenting template (ESR/2018/4084) to make comments on a draft TOR

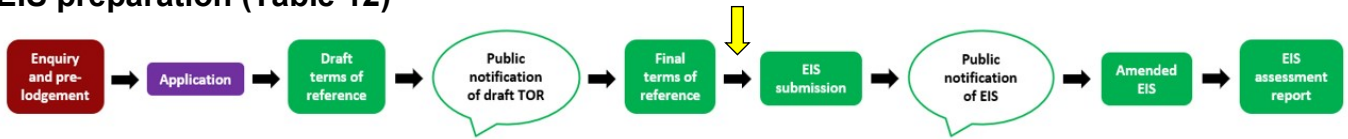
Response to comments and final TOR (Table 11)



Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	Gives a copy of all comments received on the draft TOR to proponent	44	10bd	-
Proponent	<input type="checkbox"/>	Review comments received on the draft TOR	-	-	-
Proponent	<input type="checkbox"/>	Provides to the department: <ul style="list-style-type: none"> completed draft TOR checklist a written summary of the comments a statement of the proponent's response to the comments any amendments of the draft TOR the proponent proposes because of the comments (all changes must be tracked) 	45	20bd (EP Reg r. 11)	Forms: <ul style="list-style-type: none"> Submission of a draft TOR for project assessed by EIS process under EP Act (ESR/2023/6499). This form (which is also replicated in Appendix 9 of this guideline ESR/2023/6498) provides guidance on documents to be provided at this step.
DESI	<input type="checkbox"/>	Chief executive: <ul style="list-style-type: none"> considers the comments and the proponent response prepares the final terms of reference gives the proponent a copy of the final terms of reference publishes the final terms of reference 	46	20bd (EP Reg r. 12)	-

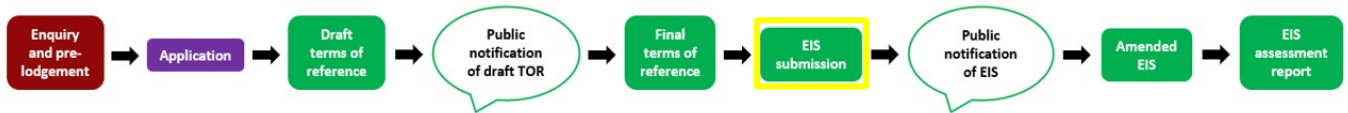
EIS

EIS preparation (Table 12)



Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Conduct studies, assessments and prepare EIS. Engage consultants as needed	-	-	EIS must address the projects final TOR. Department's 19 EIS information guidelines which informs proponents about the matters to be assessed when preparing an EIS
Proponent	<input type="checkbox"/>	Implement consultation plan including liaising with OCG on SIA matters and other relevant government agencies	-	-	-
Proponent		May wish to provide draft SIA section to OCG for input (optional depending on OCG availability)	-	-	Information on SIA process and contacts for OCG
DESI	<input type="checkbox"/>	Liaise with proponent	-	-	-

EIS submission (Table 13)



Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Submit to DESI: <ul style="list-style-type: none"> EIS shapefiles completed EIS submission form completed EIS format checklist 	47	Within 2 years of final TOR*	Forms: <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498) Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
Proponent	<input type="checkbox"/>	Pay fee	47(2)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au to request instructions
DESI	<input type="checkbox"/>	Reviews the EIS and chief executive decides to: <ul style="list-style-type: none"> allow the EIS to proceed, with or without conditions; or refuses to allow it to proceed 	49(1), 49(3), 49(3A)	20bd*	Decision criteria: EP Act ss. 49(3) and 49(3A)
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	49(6) or 49(7)	10bd	-

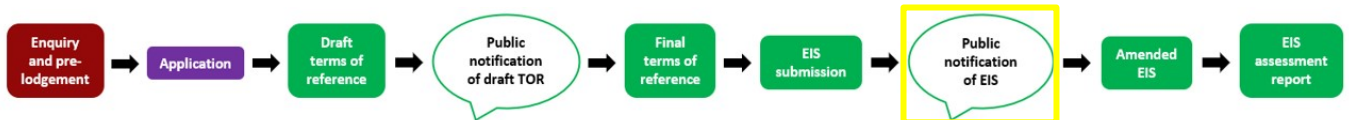
EIS resubmission (if refused) (Table 14)

Table 14 is only relevant if the chief executive refuses to allow the EIS to proceed to the next step under section 49(7) and the proponent chooses to resubmit an amended EIS.

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	If the chief executive refuses to allow EIS to proceed or proceed with conditions, the proponent may resubmit to DESI: <ul style="list-style-type: none"> amended EIS shapefiles completed EIS submission form (ESR/2023/6498) 	49A	3 months (or agreed period)	Forms: <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498) Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)

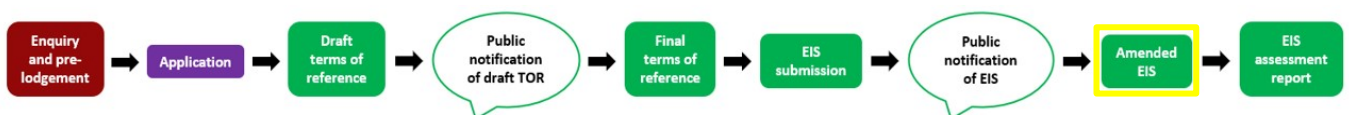
		<ul style="list-style-type: none"> completed EIS format checklist (Attachment 1 of ESR/2023/6498) 			
Proponent	<input type="checkbox"/>	Pay fee	49A(4)	-	Information on fees To organise payment of fees, please email eis@des.qld.gov.au to request instructions
DESI	<input type="checkbox"/>	Review the amended EIS and chief executive decides to either allow the EIS to proceed or refuse to allow it to proceed	49A(5), 49A(6), 49(1), 49(3), 49(3A)	20bd*	Decision criteria: EP Act ss. 49(3) and 49(3A)
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	49(7)	10bd	If refused to proceed, the proponent cannot resubmit an amended EIS again for that section

EIS public notification (Table 15)



Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	Prepare EIS notice and sends to DESI for review	-	-	Refer to the department's guideline EIS notice (ESR/2016/2172)
Proponent	<input type="checkbox"/>	Finalise EIS notice	-	-	-
Proponent	<input type="checkbox"/>	Provide EIS notice to interested and affected persons	51(2)(a)	Within 20bd of department giving notice	-
Proponent	<input type="checkbox"/>	Publish the EIS notice	51(2)(b) EP Reg r. 8	After giving notice to interested and affected persons	-
Proponent	<input type="checkbox"/>	Make a copy of the submitted EIS available on a website	51(4)(c)	From start of public consultation period until 2 years after the EIS assessment report is finalised	-
Proponent	<input type="checkbox"/>	Provide to DESI a statutory declaration of compliance with notice requirements	53	10bd (after the EIS notice is published)	Refer to the department's guideline EIS notice (ESR/2016/2172)
Public	<input type="checkbox"/>	Public notification of the EIS	49(4)	30bd (minimum)	Public can use the Department's EIS Submission template (ESR/2018/4085) to make a submission on the EIS

Response to submissions and amended EIS (Table 16)



Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	Provide submissions to proponent	56(1)	10bd	-
Proponent	<input type="checkbox"/>	Provide to the department: <ul style="list-style-type: none"> a summary of the submissions 	56(2), 56(3), 66	20bd*	Forms: <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498). This form (which is also replicated in Appendix 11A of this

		<ul style="list-style-type: none"> a response to submissions amended EIS 			<p>guideline ESR/2023/6498) provides guidance on documents to be provided at this step.</p> <ul style="list-style-type: none"> Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
Proponent	<input type="checkbox"/>	Pay fee	-	-	<p>Information on fees</p> <p>To organise payment of fees, please email eis@des.qld.gov.au to request instructions</p>
DESI (chief executive)	<input type="checkbox"/>	Chief executive decides if the proponent's response to submissions and submitted EIS are adequate for the EIS process to proceed	56A(2), 56A(4), 56A(4A)	20bd	Decision criteria: EP Act ss. 56A(4) and 56A(4A)
DESI	<input type="checkbox"/>	Optional steps: Prior to decision DESI may advise proponent of major EIS inadequacies and provide opportunity to proponent to address these in amended EIS prior to decision on whether the EIS can proceed	56A(3)	-	-
Proponent	<input type="checkbox"/>	Optional steps: Proponent may choose to resubmit an amended EIS and an updated response to submission.	66	-	<p>Form to advise DESI of intention to submit an amended EIS and allow different period to be agreed: Request to extend period under EP Act assessment process (ESR/2023/6495)</p> <p>Form to submit amended EIS and response to submission:</p> <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498) Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
DESI	<input type="checkbox"/>	Optional step: If applicable, DESI reviews resubmitted amended EIS and chief executive decides if it can proceed	56A(2), 56A(4), 56A(4A)	Within any agreed period under s. 56A(3)	-
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	56A(5)	10bd	-

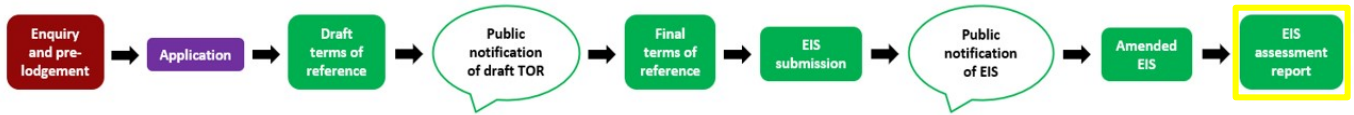
Amended EIS following refusal (Table 17)

Table 17 is only relevant if the chief executive refuses to allow the EIS to proceed to the next step under section 56A(6) and the proponent chooses to submit an amended EIS and response to submissions.

Who	Tick	Steps	EP Act	Time	Resources
Proponent	<input type="checkbox"/>	<p>If DESI refuses to allow EIS to proceed, or proceed with conditions, the proponent may resubmit the EIS (once only). Including:</p> <ul style="list-style-type: none"> amended EIS shapefiles completed EIS submission form (ESR/2023/6498) completed EIS format checklist (Attachment 1 of ESR/2023/6498) 	56AA	20bd (or agreed period)	<p>Form to submit amended EIS and response to comments:</p> <ul style="list-style-type: none"> Submission of an EIS under EP Act (ESR/2016/6498) Checklist—EIS document standards (Attachment 1 of Submission of an EIS under EP Act, ESR/2023/6498)
Proponent	<input type="checkbox"/>	Pay fee	56AA(4)	-	<p>Information on fees</p> <p>To organise payment of fees, please email eis@des.qld.gov.au to request instructions</p>

DESI	<input type="checkbox"/>	Review the amended EIS and chief executive decides to either: allow the EIS to proceed or refuse to allow it to proceed	56AA 56A	20bd (or agreed period)	Decision criteria: EP Act ss. 56A(4) and 56A(4A)
DESI	<input type="checkbox"/>	Give written notice to proponent of the decision	56A(5)	10bd	Proponent cannot further resubmit the EIS under that section

EIS assessment report (Table 18)



Who	Tick	Steps	EP Act	Time	Resources
DESI	<input type="checkbox"/>	<ul style="list-style-type: none"> Chief executive prepares and gives an EIS assessment report to proponent and publishes the assessment report. The report includes Coordinator-General's summary of key social issues for DESI and Coordinator-General conditions. The EIS process under Chapter 3 of the EP Act is completed when the proponent is given the EIS assessment report 	57	30bd	-
OCG	<input type="checkbox"/>	Coordinator-General publishes the full evaluation of social matters on the DSDI website	-	-	-

Appendix 5. Checklist—Initial advice statement (IAS) content (description of the project and operational land)

This checklist details the information that should be included in a voluntary environmental impact statement (EIS) application or an application for a decision on whether an EIS would be required for a new or amended site-specific EA application under *Environmental Protection Act 1994* (EP Act). It outlines information the department considers essential for a decision on whether an EIS would be appropriate or required. It covers information requirements under ss. 41(3)(a) and 41(3)(e) of the EP Act.

Proponents must complete the checklist when submitting an IAS and provide it with the following forms:

- an application for an EIS decision (ESR/2020/5490) or
- an application for voluntary EIS (ESR/2016/2160) or
- a draft Terms of Reference (TOR) submission form (ESR/2023/6499) along with the project-specific draft TOR in the approved form (ESR/2017/4038) if not provided at an earlier stage or if information has changed.

This checklist and referenced documents can be downloaded as a separate document on the ‘Resources’ page of the department’s [EIS process](#) website.

No	Section	Requirements	Proponent to complete	
				Use checkbox to confirm requirement addressed. Identify relevant section of the IAS or provide comment e.g. <input type="checkbox"/> section 5.6.7
FORMATTING REQUIREMENTS				
i		Table of contents and list of figures and tables that are hyperlinked to the relevant topic sections.	<input type="checkbox"/>	Click or tap here to enter text.
ii		Figures, maps or diagrams clearly readable (e.g., font large enough, clearly labelled, legends, scale) and at the appropriate scale. Relevant shapefiles provided in the appropriate format.	<input type="checkbox"/>	Click or tap here to enter text.
iii		To provide an inclusive and consistent user experience, the format of the IAS document must meet minimum Queensland Government accessibility requirements outlined in Module 6 of the Queensland Government’s Consistent User Experience Standard .	<input type="checkbox"/>	Click or tap here to enter text.
CONTENT REQUIREMENTS				
0	Executive summary	No more than 2 pages	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise key points including: <ul style="list-style-type: none"> • purpose and scope of IAS • the proponent • location • scope and nature of the proposal including mining/extraction rate and methodology • key approvals • key environmental values and potential environmental impacts • survey effort to date. 	<input type="checkbox"/>	Click or tap here to enter text.
1	Introduction	Explain the purpose and scope of the IAS. Include an overview of the project and the structure of the document.	<input type="checkbox"/>	Click or tap here to enter text.
2	Proponent	Provide information about the proponent(s) and their business including: <ul style="list-style-type: none"> • proponent details (as provided in the application form) • nature and extent of business activities including corporate structure • environmental record, including breach of environmental law • environmental, health, safety and community policies. 	<input type="checkbox"/>	Click or tap here to enter text.
3	Approvals required for the project	Summarise key approvals under federal, state or local legislation that have been obtained or would likely be required. Note that projects which potentially contravene a law of the Commonwealth of Australia, or the State of Queensland would not be able to proceed to public notification under s 41A (3) of the EP Act.	<input type="checkbox"/>	Click or tap here to enter text.

		Explain the EIS process and how the EIS fits into the assessment and approval processes for the EA and other approvals required of the project.	<input type="checkbox"/>	Click or tap here to enter text.
		Briefly describe the status of the project under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act), including expected or determined controlling provisions. Explain if the proponent is seeking for the EIS to be jointly assessed under the EP Act and the Commonwealth's EPBC Act in accordance with the assessment bilateral agreement between the Australian Government and the State of Queensland.	<input type="checkbox"/>	Click or tap here to enter text.
4	Consultation process	Describe the community and stakeholder engagement undertaken to date and how the results of that consultation would be used in the management of the project.	<input type="checkbox"/>	Click or tap here to enter text.
		Describe how the proponent proposes to consult with the interested and affected persons, including First Nations Peoples, advisory bodies, other stakeholders and the community.	<input type="checkbox"/>	Click or tap here to enter text.
5	Project description			
5.1	Proposed project	Describe and illustrate the project including: <ul style="list-style-type: none"> the name of the project a short summary on the key elements of the project including the amount of resources to be mined or extracted, how the resources would be mined or extracted, and any separation, beneficiation or processing of the mineral or gas that will occur any major infrastructure requirements (including different options) the operational land location (geographical) size and type of mining/petroleum or greenhouse gas storage activities if any mining/petroleum or greenhouse gas tenements relevant to the project are granted or have been applied for information on off-lease activities land access for the purposes of EIS studies power and water supply (outline all options to be assessed in the EIS) accommodation and transport (outline any options for these components) size of project site, i.e., the operational land (ha) size of area disturbance (ha). 	<input type="checkbox"/>	Click or tap here to enter text.
5.2	Project need, justification and alternatives considered	Explain the need and rationale for the project	<input type="checkbox"/>	Click or tap here to enter text.
		Present feasible alternatives for the project. Address a range of alternatives including conceptual, technological, locality, configuration, scale and individual elements or components that may improve environmental outcomes (with an emphasis on avoiding impacts to environmental values) as well as the alternative of not proceeding with the project.	<input type="checkbox"/>	Click or tap here to enter text.
		Justify how the preferred option(s) was chosen in consideration of social, economic and ecologically sustainable development.	<input type="checkbox"/>	Click or tap here to enter text.
5.3	Site and locality description	Describe and illustrate the project site and surrounding area including: <ul style="list-style-type: none"> populated areas resource tenures resource leases infrastructure (transport and utilities) waterways aquifers topography geology soils land use climate 	<input type="checkbox"/>	Click or tap here to enter text.
5.4	Construction and operation	Summarise construction and operation phases including: <ul style="list-style-type: none"> sequencing and staging of activities; including all pre-construction activities (including vegetation clearing, site access, interference with watercourses, wetlands and floodplain areas) the construction methods, associated equipment and techniques mine life, amount of resources to be mined and the resource base, including total seam thickness and seam depths extractive and processing methods 	<input type="checkbox"/>	Click or tap here to enter text.

		<ul style="list-style-type: none"> • associated equipment and techniques • capacity of high-impact plant and equipment and their chemical and physical processes • potential use of chemicals or hazardous materials • waste management • locations of existing and new plant, structures, and infrastructure both on and off-site • mine infrastructure • power and water supply • any activity that would otherwise be a prescribed environmentally relevant activity if it were not undertaken on a mining or petroleum lease • quarry material and forestry products sourced on or off-site • road and rail infrastructure, and stock routes, including new constructions, closures and/or realignments • the proposed methods and facilities to be used for the storage, processing, transfer, and loading of product, including off-site facilities • off lease activities • workforce, including accommodation requirements • any borrow pits, stream bed excavations, or expanded dredging, bed levelling, quarry and screening operations that may be required to service construction or operation of the project. 		
6	<p>Environmental, social and economic values <i>[Note: sections 6.1 – 6.14 are to summarise the existing values, potential adverse and beneficial impacts, impact avoidance measures and proposed management, monitoring, planning and other mitigation measures. The level of detail provided should be proportional to the level of risk and sensitivity of the receiving environment.]</i></p>			
6.1	Land	<p>Briefly describe and illustrate with maps where possible, the existing features and environmental values of the land that may be affected by the project, including:</p> <ul style="list-style-type: none"> • cadastral data • existing and intended land tenures • infrastructure • land use (including <i>Regional Planning Interests Act 2014</i> interests) • topography, soils geology and geomorphology • contaminated land and notifiable activities • native title • protected areas • landscape and visual amenity. 	<input type="checkbox"/>	Click or tap here to enter text.
		<p>Summarise the potential impacts of the project on land (including subsidence), land use and built environment.</p>	<input type="checkbox"/>	Click or tap here to enter text.
		<p>Summarise the measures proposed to avoid, minimise and mitigate potential adverse impacts.</p>	<input type="checkbox"/>	Click or tap here to enter text.
6.2	Rehabilitation	<p>For non-mining projects, outline how the site will be rehabilitated progressively during the life of the project. For mining projects, provide sufficient information on how the proponent plans to comply with the progressive rehabilitation and closure plan (PRC plan) requirements of the EP Act.</p>	<input type="checkbox"/>	Click or tap here to enter text.
6.3	Water	<p>Describe the surface water and groundwater resources of the site and to the spatial extent that the project might impact on. Identify the environmental values of surface and groundwaters within the project area and downstream environment, including aquatic ecosystem health, aquaculture and human consumption of aquatic foods, agricultural uses, recreational uses, drinking water, industrial uses, and cultural and spiritual values In consideration of water quality objectives of the Environmental Protection (Water and Wetland Biodiversity) Policy 2019 briefly summarise and illustrate the following, where relevant:</p> <ul style="list-style-type: none"> • all waterbodies • catchment characteristics • flooding • water users • relevant approvals needed • options for supplying water to the project • proposed impoundment, dams, levees, extraction, discharge, injection, use or loss of surface water or groundwater • works within waterbodies • water take points 	<input type="checkbox"/>	Click or tap here to enter text.

		<ul style="list-style-type: none"> • sediment transport, water quality monitoring and objectives • chemical, physical and biological characteristics • contaminated water storage and treatment • potential discharges both controlled and uncontrolled • overland flow, water diversions and storages • aquifer characteristics, including their value as water sources. 		
		Summarise the potential impacts of the project on water quality and water resources.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts.	<input type="checkbox"/>	Click or tap here to enter text.
6.4	Flora and fauna	<p>Describe and illustrate the existing aquatic and terrestrial ecosystems, biodiversity and environmental values on the project's site and in its vicinity. Include the following aspects:</p> <ul style="list-style-type: none"> • identification of all significant and listed threatened species and ecological communities under the <i>Nature Conservation Act 1992</i> (NC Act) and the EPBC Act, including matters of state environmental significance (MSES) and matters of national environmental significance (MNES), where relevant • potential habitat of threatened near-threatened or special least-concern species under the NC Act • wetlands and groundwater dependent ecosystems • protected areas, conservation areas, state forests and nature refuges • integrity of landscapes and places (including wilderness, areas of high conservation value, and connectivity of habitats and ecosystems) • benthic communities • estuarine and marine plants and fauna and the marine environment, if relevant • biosecurity, including weeds and pest animals. 	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the potential impacts of the project on aquatic, terrestrial and marine ecosystems and biodiversity values, as required.	<input type="checkbox"/>	Click or tap here to enter text.
		<p>Summarise the measures proposed to avoid, minimise and mitigate potential adverse impacts.</p> <p>*Note that projects which would have an unacceptable adverse impact on a MSES or MNES would not be able to proceed to public notification under section 41A(3) of the EP Act.</p>	<input type="checkbox"/>	Click or tap here to enter text.
6.5	Coastal environment (if applicable)	<p>Describe the existing coastal zone elements and estuarine, littoral and marine environmental values that would potentially be impacted by the project. Include the following aspects where relevant:</p> <ul style="list-style-type: none"> • estuarine, littoral and marine environmental values, including water quality, benthos, aquatic flora and fauna, mangrove areas, salt marsh, and amenity • water quality • aquatic flora and fauna, including supratidal, intertidal and subtidal • protected areas, including fish habitat areas and fish passage and waterway barrier works • current coastal zone uses and amenity • existing residential, commercial or recreational uses of the coastal zone • potential disturbance of acid sulfate soils. 	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the potential impacts of the project on coastal zone values. Identify and illustrate proposed works in the coastal zone, including excavations, dredging, bed levelling, disposal or placement options for dredged or excavated material, shipping or transshipping operations, buildings or infrastructure.	<input type="checkbox"/>	Click or tap here to enter text.
		<p>Summarise the measures proposed to avoid, minimise and mitigate potential adverse impacts.</p> <p>*Note that projects which would give rise to an unacceptable risk of serious or material environmental harm would not be able to proceed to public notification under section 41A(3) of the EP Act.</p>	<input type="checkbox"/>	Click or tap here to enter text.
6.6	Air quality	<p>Describe the existing air environment, including meteorological conditions, anthropogenic and natural emission sources at the project site.</p> <p>Identify potential sensitive receptors, including ecological receptors that may be impacted by the project.</p>	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the potential impacts of the project on air quality. Provide information about air emissions and receptor values, including an	<input type="checkbox"/>	Click or tap here to enter text.

		indicative emission inventory and potential point and fugitive emission sources.		
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts.	<input type="checkbox"/>	Click or tap here to enter text.
6.7	Greenhouse gas	Describe potential greenhouse gas emissions, mitigation and management strategies associated with the project.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts. Identify how the project intends to contribute to Queensland's emission reduction and renewable energy targets noting estimated project Scope 1, 2 and 3 emissions.		
6.8	Noise and vibration	Describe the existing noise environment at the project site.	<input type="checkbox"/>	Click or tap here to enter text.
		Identify all potential sensitive receptors who may be impacted by the project.	<input type="checkbox"/>	Click or tap here to enter text.
		Outline likely noise and vibration emissions noting sources.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts.	<input type="checkbox"/>	Click or tap here to enter text.
6.9	Waste management	Provide information about expected waste streams (i.e., type, quantity, state (liquid, solid, gaseous), hazard, risk and toxicity)	<input type="checkbox"/>	Click or tap here to enter text.
		Outline waste management strategy in consideration of the waste hierarchy - avoid , reduce, reuse, recycle, dispose.	<input type="checkbox"/>	Click or tap here to enter text.
6.10	Hazards and safety	Assess the vulnerability of the project site and surrounding area to natural and induced hazards, including floods, bushfires and cyclones.	<input type="checkbox"/>	Click or tap here to enter text.
		Describe the potential risks to people and property that may be associated with the project.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts.	<input type="checkbox"/>	Click or tap here to enter text.
6.11	Cultural heritage	Identify cultural heritage values which may be impacted by the proposed project. Address First Nations Peoples Cultural Heritages and non-Indigenous cultural heritage, including any surveys, searches, investigations and engagement.	<input type="checkbox"/>	Click or tap here to enter text.
		Describe any potential impacts on known cultural heritage sites and places.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts. *Note that projects which would have an unacceptable adverse impact on an area of cultural heritage significance would not be able to proceed to public notification under section 41A(3) of the EP Act.	<input type="checkbox"/>	Click or tap here to enter text.
6.12	Social	In line with the <i>Strong and Sustainable Resource Communities Act 2017</i> and the Coordinator-General's Social Impact assessment guideline (DSDILGP, 2018) available on the Coordinator-General resources web page, describe the existing social environment, including the immediate and surrounding communities, the community values, workforce management, key stakeholders and any stakeholder and community engagement undertaken to date.	<input type="checkbox"/>	Click or tap here to enter text.
		Describe the potential beneficial and adverse impacts of the project on communities, including: <ul style="list-style-type: none"> the likely construction and operational workforce requirements and opportunities, and the likely sources of labour for the project i.e., fly-in, fly-out and opportunities for local workers (based on preliminary analysis), targets and outcomes sought the capacity of existing accommodation to house the project's construction and operational workforces any foreseeable impacts on amenity and local service provision, and key performance indicators. 	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts and enhance potential benefits for surrounding communities.	<input type="checkbox"/>	Click or tap here to enter text.
6.13	Economic	Describe the existing economic environment.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the potential adverse and beneficial economic impacts of the project, including on existing economic resources and activities, for the local and regional area and the state. Include capital cost, revenue,	<input type="checkbox"/>	Click or tap here to enter text.

		exports, contribution to local/state/national economies, indirect employment generation, synergies with other businesses and/or industries.		
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts and enhance potential benefits for surrounding communities.	<input type="checkbox"/>	Click or tap here to enter text.
6.14	Transport	Describe existing transport infrastructure and the project's transport requirements including air, roads, rail, port and maritime operations.	<input type="checkbox"/>	Click or tap here to enter text.
		Summarise the measures proposed to avoid , minimise and mitigate potential adverse impacts.	<input type="checkbox"/>	Click or tap here to enter text.
7	References and data sources	Provide a list of references and data sources.	<input type="checkbox"/>	Click or tap here to enter text.
8	Glossary, acronyms and abbreviations	Provide a list of acronyms and abbreviations.	<input type="checkbox"/>	Click or tap here to enter text.
9	Spatial data and figures	<p>The IAS should use relevant figures to clearly illustrate existing features and project elements. Spatial information provided should be generally consistent with the department's guideline <i>Spatial information submission</i> (ESR/2018/4337).</p> <p>Spatial information (shapefiles) shall also be provided to accompany the written IAS including:</p> <ul style="list-style-type: none"> • key mine infrastructure • operational land • study area/s • location and mine life disturbance footprint • locations of sensitive receptors • the extent of the floodplain • rehabilitation staging. 	<input type="checkbox"/>	Click or tap here to enter text.

Proponent declaration

<p>I declare that:</p> <ul style="list-style-type: none"> • I am the proponent or an authorised signatory for the proponent • the information provided is true and correct to the best of my knowledge • I understand that all information supplied on or with this application form may be disclosed publicly in accordance with the <i>Right to Information Act 2009</i> and the <i>Evidence Act 1997</i>. 	
<p>RESPONSIBLE PERSON/APPOINTED SIGNATORY'S NAME</p> <p>Click or tap here to enter text.</p>	
<p>Signature</p> <p>Click or tap here to enter text.</p> <div style="background-color: #e0e0ff; width: 100%; height: 15px;"></div>	<p>DATE</p> <p>Select Date</p>
<p>POSITION OF SIGNATORY AND COMPANY</p> <p>Click or tap here to enter text.</p>	
<p>PHONE</p> <p>Click or tap here to enter text.</p>	<p>EMAIL</p> <p>Click or tap here to enter text.</p>

Appendix 6. Checklist—Interested and affected persons

The following information must be provided with the departments voluntary (Environmental Impact Study) EIS application (ESR/2016/2160) and a draft Terms of Reference (TOR) submission form (ESR/2023/6499) (unless previously provided and the information has not changed) to meet the requirements of the *Environmental Protection Act 1994* (EP Act).

This checklist and referenced documents can be downloaded as a separate document on the ‘Resources’ page of the department’s [Environmental impact statement process](#) website.

<input type="checkbox"/>	<p>1. In a separate document to the initial advice statement (IAS), list the names and addresses of the interested and affected persons for the project. Table 21 below provides an example. Refer ss. 38 and 39 of the EP Act for definitions affected person and interested person respectively.</p>
<input type="checkbox"/>	<p>2. In the IAS provide maps showing the project footprint overlaid with all relevant land types and tenures including:</p> <ul style="list-style-type: none"> • land parcel descriptions highlighting parcels (but not naming owners) of affected and interested persons • current resource tenures (i.e., all mining, gas, and greenhouse gas tenures) • local government areas • lease parcels • roads • railways • electricity lines • watercourses <p>The maps must include all areas within and adjacent to the project footprint clearly labelled with the relevant identification for each area (e.g., each lot on plan and resource tenure is clearly labelled).</p>
<input type="checkbox"/>	<p>3. Spatial information (shapefiles) of:</p> <ul style="list-style-type: none"> • operational land <p><i>Note: Spatial information provided should be generally consistent with the department’s guideline Spatial information submission (ESR/2018/4337)</i></p>

Table 21. Example table of affected and interest persons Table 21 is an example of how the names and addresses of interested and affected persons should be listed and structured. It must be provided as a separate document (not within the IAS). You may provide this information in one table or split it. The table provides examples only; you must ensure the full list of affected and interested persons in ss. 38 and 39 of the EP Act are included.

Table 21. Example table of affected and interest persons

Affected person or organisation	Description of area including tenement or property (if relevant)	Relationship to project or comment	Address
<p><i>For example:</i></p> <ul style="list-style-type: none"> • Mining company Pty • Gas Company Pty • Department of Environment, Science and Innovation • Australian Department of Environment • Department of Resources • Department of Transport and Main Roads • Australian Government department • Queensland Government department • Registered Native Title Claimant 	<p><i>For example:</i></p> <ul style="list-style-type: none"> • Mining lease (ML) 6789 • Lot 6 SP265236 • Central Tableland Regional Council • Isaac Regional Council area • Cook Shire Council area 	<p><i>For example:</i></p> <ul style="list-style-type: none"> • Project mining lease • Overlapping tenure holder • Landowner over part of project • Adjoining landowner • Adjoining tenure holder • Local government area • Adjoining local government • Electricity service provider • Rail service provider • Cultural heritage parties of the existing Cultural Heritage Management Plan • Electricity infrastructure owner / supplier. 	<p><i>For example:</i> 80 Queen St, Emerald</p> <p><i>In some cases, you may wish to provide a nominated contact</i></p>

<ul style="list-style-type: none">• <i>Registered Native Title body Corporate</i>• <i>Sunwater</i>• <i>Theiss</i>• <i>Joe Bloggs on Lot X on Plan XX</i>• <i>Jane Doe: street address</i>• <i>Adjacent local government</i>• <i>Regional organisation</i>• <i>Catchment group</i>• <i>Local or regional environment group</i>			
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Appendix 7. Checklist—Information to establish that the proponent may access land to carry our environmental impact statement (EIS) studies for voluntary EIS application

This checklist is an excerpt from section 5 of the department’s application form (approved form) [Application to prepare a voluntary EIS under *Environmental Protection Act 1994 \(EP Act\)*](#) (ESR/2023/2160). It provides guidance on relevant documents or information that may be provided to the department with a voluntary EIS application, to establish that the applicant may enter land to which the project relates to carry out any necessary studies for the EIS. You will be required to fill in this information on the voluntary EIS application form.

Proponents who apply to voluntarily prepare an EIS under sections 70 and 71 of the EP Act, must demonstrate they may enter land to which the project relates to carry out any necessary studies for the EIS, e.g., evidence of a current mining tenement.

Commonly the proponent(s) have a resource tenure, own or have a lease over the project land which is sufficient evidence to demonstrate access to land for those areas. If proponent is a subsidiary of another company that hold tenure, free hold or lease hold then the relationships between the proponent and company must be shown.

Documents or information to establish that the applicant may enter land to which the project relates to carry out any necessary studies for the EIS

EP Act s71(c).

Examples of documents are provided below. Please indicate which ones are relevant and/or provide additional information.

- Land owned or leased by proponent. Please specify (e.g., lot on plan number): [Click or tap here to enter text.](#)
- Current [resource authority](#)(s) (mineral, coal, petroleum, gas, geothermal or greenhouse gas storage) including exploratory, production or infrastructure authorities. Please specify (e.g., EPC, EPM, MDL, MLA, ML, ATP, PPL numbers): [Click or tap here to enter text.](#)
- Signed agreement with relevant party. Please specify: [Click or tap here to enter text.](#)
- State owned land with access provisions (e.g., road reserve, stock route). Please specify: [Click or tap here to enter text.](#)
- Other. Where relevant. Please specify: [Click or tap here to enter text.](#)

Appendix 8. Checklist—Voluntary environmental impact statement (EIS) application

This checklist is an excerpt from the department’s application form (approved form) ‘*Application to prepare a voluntary environmental impact statement*’ (ESR/2016/2160). It summarises the information to be provided with a voluntary EIS application under section 71 of the *Environmental Protection Act 1994* (EP Act).

The following information must be provided to support the voluntary EIS application.

<input type="checkbox"/>	<p>An ‘initial advice statement’ (IAS) (or similar termed document) that covers all matters listed in the department’s ‘IAS checklist’ in Appendix 5</p> <p><i>EP Act ss. 41(3), 41(3)(a), 41(3)(c), 41(3)(e), 71(b), 71(d)</i></p>
<input type="checkbox"/>	<p>‘IAS checklist’ in Appendix 5 which is completed and signed</p> <p><i>EP Act s. 71(b). This is needed to ensure sufficient information is provided to inform the chief executive’s decision.</i></p>
<input type="checkbox"/>	<p>A list of the names and addresses of the interested and affected persons for the project, as defined ss. 38 and 39 of the EP Act in a separate document? See Appendix 6</p> <p><i>EP Act ss. 41(3)(b) and (d).</i></p>
<input type="checkbox"/>	<p>Documents or information to establish that the applicant may enter land to which the project relates to carry out any necessary studies for the EIS. See Appendix 7</p> <p><i>EP Act s71(c).</i> Examples of documents are provided below. Please indicate which ones are relevant and/or provide additional information.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Land owned or leased by proponent. Please specify (e.g., lot on plan number): Click or tap here to enter text. <input type="checkbox"/> Current resource authority(s) (mineral, coal, petroleum, gas, geothermal or greenhouse gas storage) including exploratory, production or infrastructure authorities Please specify (e.g., EPC, EPM, MDL, MLA, ML, ATP, PPL numbers): Click or tap here to enter text. <input type="checkbox"/> Signed agreement with relevant party. Please specify: Click or tap here to enter text. <input type="checkbox"/> State owned land with access provisions (e.g., road reserve, stock route). Please specify: Click or tap here to enter text. <input type="checkbox"/> Other. Where relevant. Please specify: Click or tap here to enter text.
<input type="checkbox"/>	<p>Other, where relevant. Please specify: Click or tap here to enter text.</p>

Appendix 9. Checklist—Submission of a draft terms of reference (TOR)

This checklist is an excerpt from the department’s form [Submission of a draft TOR for project assessed by environmental impact statement \(EIS\) process under *Environmental Protection Act 1994* \(EP Act\) \(ESR/2023/6499\)](#). It summarises the information to be provided with a draft TOR submission.

Complete either Option 1 or Option 2 below.

OPTION 1: Submission of a draft TOR or amended draft TOR (excluding response to comments)	
<input type="checkbox"/>	Prescribed fee (if relevant; see Appendix 1 of ESR/2023/6499) <i>EP Act s. 41(2)(b)</i>
<input type="checkbox"/>	Draft TOR is accompanied by: <ul style="list-style-type: none"> <input type="checkbox"/> Initial advice statement (IAS) checklist (Appendix 2 of this guideline, ESR/2016/2167) which is completed and signed <input type="checkbox"/> An IAS (or similar termed document) that covers all matters listed in the department’s ‘IAS checklist’? <i>EP Act ss. 41(3)(a), 41(3)(c), 41(3)(e)</i> Note: This information is not needed if it has already been provided in its entirety with a voluntary or EIS decision application or previous draft TOR submission, provided the information is current. An updated IAS should be provided if since the EIS application was provided, significant new information is available (e.g., updated baseline studies, legislation changes) or more than 12 months has passed <input type="checkbox"/> A list of the names and addresses of the affected and interested persons for the project, as defined under ss. 38 and 39 of the EP Act, in a separate document <i>EP Act ss. 41(3)(b) and (d)</i> Note: This information is not needed if it has already been provided in its entirety with a voluntary or EIS decision application and the information is current.
<input type="checkbox"/>	Project-specific draft TOR or amended draft TOR provided in the latest ‘approved form’ and adapted with project specific information <i>EP Act ss. 41 and 41B</i> The following six requirements must be met: <ul style="list-style-type: none"> <input type="checkbox"/> The project-specific draft TOR is based on the department’s ‘approved form’ (ESR/2017/4038) <input type="checkbox"/> All changes to the ‘approved form’ (ESR/2017/4038) are tracked <input type="checkbox"/> All drafting instructions depicted in ‘red text’ in the ‘approved form’ have been followed specific to the proposed project <input type="checkbox"/> The project-specific description and background are brief (maximum 2 pages) and includes location figure(s) at the appropriate scale <input type="checkbox"/> Any changes proposed by the proponent in ‘black text’ are tracked and supported by comments justifying the reason for the proposed deviation from the approved form (excluding any typographical errors). <input type="checkbox"/> Draft TOR matters of national environmental significance (MNES) under Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) appendix has been included (if relevant)
OPTION 2: Amended draft TOR with response to comments on the draft TOR	
The following information must be provided to meet the requirements of s. 45 of the EP Act:	
<input type="checkbox"/>	A written summary of the comments Describe the total number of submissions received as well as a breakdown of the number of submissions by federal, state and local governments, organisations, industry bodies and the community. Summarise the key matters raised in the comments (positive and negative). A table/graph may assist in presenting this information.
<input type="checkbox"/>	A statement of the proponent’s response to the comments received on the draft TOR List all comments along with the proponent’s response to each comment and cross reference to the relevant section in the draft TOR where the matter has been addressed (if relevant). Include the following: <ul style="list-style-type: none"> <input type="checkbox"/> A table in Microsoft Word (see Table 22 example) with the following information: <ul style="list-style-type: none"> • an individual identification (ID) number for each ‘person’ (e.g., individual, community group, government department, company, or organisation) who provided written comments to the chief executive on the draft TOR (which should match the numbering system provided to the department). Do not include any personal contact information here or names of individuals.

- comments from all persons (exact wording) broken into separate line items where needed for different topic areas.
 - topic (e.g., land, air quality, water, waste) and subtopic (where appropriate) assigned to each line item. This is to assist with sorting and analysing matters raised by multiple persons on similar topics
 - proponents response to each line item and recommendation on how the draft TOR should be amended to address the comments. If no changes to the draft TOR are proposed because of the comments, then detail the reason
 - reference to specific sections/sub-sections of the draft TOR that the proponent suggests should be amended to address the comments (if relevant).
- A copy of the above table, but in a **separate Microsoft Excel document**. Importantly,
- cells should not be merged
 - columns should be searchable
 - use different 'tabs' (i.e., separate worksheet within the excel document) for different persons or groups. For example, 'tab' for individual persons, department comments, Australian Government Environment Department and another for each state government agency that provided comments, one for (each) utility companies and another for non-government organisations.
- In a **separate document**, provide a list of ID numbers, including the contact name, address and other personal contact information (as required). This is to assist with maintaining privacy as the summary of comments and response to submissions is publicly available.
- An amended draft terms of reference with changes proposed by the proponent to address comments. This must be in a **Microsoft Word** format with **all proposed amendments tracked**.

Table 22. Example of table to present response to comments on draft TOR

Submitter ID	Topic	Sub-topic	Comment	Proponent response to comment	Section in amended draft TOR where matter was addressed
ID1	<i>Topics should align with the TOR sections where possible. (e.g., project proponent; proposed project; flora and fauna; waste management; air quality; noise and vibration).</i>	<i>For more complex topics include a sub-topic (e.g., surface water; groundwater dependent ecosystems; groundwater; offsets)</i>	<i>Insert exact wording. For example: 'The TOR did not adequately address <insert issue>' or 'Amend the TOR to adequately address all monitoring requirements, including the establishment of appropriate thresholds to trigger longer-term monitoring'</i>	<i>Specially address matters for each line item. Do not say 'noted'; if you are not proposing to update the draft TOR because of the comment, explain why e.g., out of scope for XXX reasons.</i>	<i>For example:</i> <ul style="list-style-type: none"> • <i>Updated section 5.2, paragraph 1 to include reference to XXXXX</i> • <i>reference to XXXX creek was inserted into sections 6.2, 7.3 and 9.9</i>

Appendix 10. Checklist—Environmental impact statement (EIS) decision application

This checklist is an excerpt from the department’s application form (approved form) ‘[Application for a decision on whether an EIS would be required for an environmental authority \(EA\) application](#)’ (ESR/2020/5490). It summarises the information to be provided with an application for a decision about whether an EIS would be required under the EP Act for an environmental authority (EA) application for a project and for approval to prepare an EIS for a project if the chief executive decides an EIS would not be required under the *Environmental Protection Act 1994* (EP Act) for an EA application for the project.

The following information must be provided to support an application for a decision about whether an EIS would be required for an EA application for a project	
<input type="checkbox"/>	<p>An ‘initial advice statement’ (IAS), or similar termed document) that covers all matters listed in the department’s ‘IAS checklist’</p> <p>The information requirements are outlined in the ‘<i>IAS checklist</i>’ in Appendix 5 of this guideline.</p>
<input type="checkbox"/>	<p>‘IAS checklist’ (Appendix 3 of this guideline) which is filled in and signed</p> <p><i>EP Act s. 73B(c)(i)</i>. This is needed to ensure sufficient information provided to inform the chief executive’s decision.</p>
<input type="checkbox"/>	<p>Other, where relevant (please specify):</p> <p>Click or tap here to enter text.</p> <p>Click or tap here to enter text.</p> <p>Click or tap here to enter text.</p>
The following additional information must be provided if you are also applying for approval to prepare an EIS for a project if the chief executive decides an EIS would not be required for an EA application	
<input type="checkbox"/>	<p>A list of the names and addresses of the affected and interested persons for the project, as defined ss. 38 and 39 of the EP Act in a separate document?</p> <p><i>EP Act ss. 41(3)(b) and (d)</i>.</p> <p>Further information is provided in Appendix 6 of this guideline.</p>
<input type="checkbox"/>	<p>Documents or information to establish that the applicant may enter land to which the project relates to carry out any necessary studies for the EIS</p> <p><i>EP Act s71(c)</i>.</p> <p>Appendix 7 of this guideline includes information on how you may demonstrate access to land to carry out studies for the EIS. Examples of documents are provided below. Please indicate which ones are relevant and/or provide additional information.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Land owned or leased by proponent. Please specify (e.g., lot on plan number): Click or tap here to enter text. <input type="checkbox"/> Current resource authority(s) (mineral, coal, petroleum, gas, geothermal or greenhouse gas storage) including exploratory, production or infrastructure authorities Please specify (e.g., EPC, EPM, MDL, MLA, ML, ATP, PPL numbers): Click or tap here to enter text. <input type="checkbox"/> Signed agreement with relevant party. Please specify: Click or tap here to enter text. <input type="checkbox"/> State owned land with access provisions (e.g., road reserve, stock route). Please specify: Click or tap here to enter text. <input type="checkbox"/> Other. Where relevant. Please specify: Click or tap here to enter text.

Appendix 11A. Checklist—Submission of an environmental impact statement (EIS) or amended EIS

This checklist summarises the information to be provided with an EIS or /amended EIS submission. It an excerpt from the department’s form [Submission of an EIS under EP Act](#) (ESR/2023/6498) which must be filled in and submitted to the department with the EIS submission.

The following information must be provided to meet the requirements of the <i>Environmental Protection Act 1994</i> (EP Act):	
Compulsory information	
<input type="checkbox"/>	Original EIS (first submission of an EIS for the project) <i>OR</i>
<input type="checkbox"/>	Amended or replaced EIS
<input type="checkbox"/>	Shape files
<input type="checkbox"/>	EIS format checklist (Appendix 11B of this guideline)
Information that must be provided in relation to a response to submissions under EP Act s. 56(2) (only if relevant):	
<input type="checkbox"/>	Summary of EIS submissions (s. 56(2)(a)) Describe the total number of submissions received as well as the number of submissions from federal, state and local governments, organisations, industry bodies and the public. Summarise the key matters raised in the submissions (both positive and negative). A table/graph may assist in presenting this information.
<input type="checkbox"/>	Statement of response to the EIS submissions (s. 56(2)(b)) List each submission along with the proponents response and cross reference to the relevant section in the amended EIS where the matter has been addressed (if relevant). Include the following: <ul style="list-style-type: none"> <input type="checkbox"/> A table in Microsoft word (preferably as an Appendix in the amended EIS; see Table 23 example) with the following information: <ul style="list-style-type: none"> • submitter individual identification (ID) number which should match the numbering system provided to DESI • submissions (exact wording) broken up into separate line items where needed for different topics • topic (e.g., land, air quality, water, waste) and subtopic (where appropriate) assigned to each line item. This is to assist with sorting and analysing matters raised by multiple submitters on similar topics • proponents response to each line item and explanation as to how the project and/or amended EIS was changed to address the comments. If no changes were made to the EIS because of the submission, then explain the reason • reference to specific sections/subsections of the amended EIS where the submitters comments have been addressed. <input type="checkbox"/> A copy of the above table, but in a separate excel document. Importantly, <ul style="list-style-type: none"> • cells should not be merged • columns should be searchable • use different ‘tabs’ (i.e., separate worksheets within the excel document) for different submitters or groups of submitters. For example, ‘tab’ for DESI comments, Commonwealth Environment Department and another for each state government agency that provided comments, one for (each) utility companies and another for non-government organisations. <input type="checkbox"/> In a separate document, a list of the submitters ID numbers and the names and addresses of the submitters. This is to assist with maintaining privacy as the summary of submissions and response to submission is publicly available.
<input type="checkbox"/>	Statement of response to a Public Interest Evaluation report (PIE) (s. 56(2)(d)) (if relevant)
Additional information provided where relevant (please specify)	
<input type="checkbox"/>	Click or tap here to enter text.
<input type="checkbox"/>	Click or tap here to enter text.
<input type="checkbox"/>	Click or tap here to enter text.
<input type="checkbox"/>	Click or tap here to enter text.
<input type="checkbox"/>	Click or tap here to enter text.

Table 23. Example of response to response to submissions on an EIS

Submitter ID	Topic	Subtopic	Submission	Proponent response to submission	Section in amended EIS where matter was addressed
ID1	<i>Topics should align with the EIS sections where possible. For example, project proponent, proposed project, flora and fauna, air, noise and vibration</i>	<i>For more complex topics include a subtopic e.g. surface water, groundwater dependence ecosystem, groundwater, offsets</i>	<p><i>For example:</i></p> <p><i>'The EIS did not adequately address <insert issue>'</i></p> <p><i>'The EIS did not identify animal X on parcel X'</i></p>	<i>Specially address matters for each line item. Do not say 'noted'; if you are not proposing to update the draft EIS because of the submission, explain why e.g., out of scope for these reasons.</i>	<p><i>For example:</i></p> <ul style="list-style-type: none"> • <i>Updated section 7.2.1.4, paragraph 1 to include reference to XXXXX</i> • <i>reference to XXXX creek was inserted into sections 4.2.4.1, 7.3.2.4 and 9.9.5.9.</i>

Appendix 11B. Checklist—Environmental impact statement (EIS) document standards

The EIS must be of a suitable standard to be published for public comment. This checklist is an excerpt from the department's form [Submission of an EIS under EP Act](#) (ESR/2023/6498) and must be filled in by the proponent and submitted with the EIS or amended EIS. It outlines the minimum information requirements, and the structure, standards and protocols that are expected to be used by a proponent preparing an EIS under the *Environmental Protection Act 1994* (EP Act).

Instructions: Indicate in the checkbox if you consider the EIS meets the following content, structure, and formatting requirements. Provide justification if matter not addressed.

Accessibility requirements

Any non-HTML documents must meet the Queensland Government's minimum accessibility requirements outlined in Module 6: Checkpoint 2 – Minimum accessibility requirements	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Navigation

The EIS Table of contents, Table of contents for each Chapter and Appendix are hyperlinked to the relevant topic sections	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
The list of figures and tables are hyperlinked to each figure or table	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Headers and footers on each page which state the relevant page/chapter/section/appendix/sub-appendix number	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Text is signposted as much as possible e.g., using headings and sub-headings to break up text	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.

Clarity

EIS is a complete report, addressing all matters in the terms of reference (TOR)	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Written in plain English so that a person without any prior knowledge of the project understands the information presented	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Avoid unnecessary duplication of text by using cross-referencing	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Use quantitative language where possible and do not include ambiguous statements	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Provide objective, clear and succinct information that's easy to understand for the general reader	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
The EIS conclusions are based on sound science, evidence and reasoned-based discussion	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.

Presentation

Present information in a culturally appropriate format and language for all key stakeholders	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Where possible use maps, diagrams, pictures, view perspectives, artist's impressions, or other illustrative material to assist readers to visualise and understand information	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Maps, diagrams, pictures, view perspectives, artist's impressions, or other illustrative material is clear and unambiguous	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
Figures must be able to be read clearly (e.g., font large enough, clearly labelled, legends, scale)	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.

Include spatially referenced maps (using an appropriate scale, resolution, and clarity), shapefiles, plans, figures, diagrams and other descriptive detail	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Technical information

Include technical reports on studies conducted for the EIS as appendices	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Scientific and specialist studies undertaken in response to the TOR must provide details of the methodology, reliability, assumptions, and scientific conclusions used to predict the project's potential beneficial and adverse environmental, social and economic impacts	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Monitoring, survey effort and assessment methodologies must be industry leading practice. If deviations are necessary, discuss alternative methodologies showing equal scientific rigor	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Statements used to assess relevant impacts in the main body of the EIS must be supported by appendices, evidence-based technical information and supporting data	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Information sources

Conclusions about values and the likelihood of potential environmental impacts must be justified by sound science-based reasoned discussion, and supported by existing literature, previous surveys as well as contemporary site-specific surveys and studies conducted specifically for this purpose	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Clearly identify the source, date and validity of the information	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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The extent to which a limitation, if any, of available information may influence the proponent's conclusions regarding identified residual impacts are discussed	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Matters of National Environmental Significance (MNES)

Chapter on MNES is written as a stand-alone report	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Referencing

All sources of information are appropriately referenced.	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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The reference list includes the address of any internet pages used as data sources	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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All referenced supporting documentation and data (including all spatial data displayed in map products), or documents cited in the EIS is available upon request	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Spatial information

Provide spatial information in an appropriate electronic form i.e., shape files consistent with the department's guideline Spatial information submission (ESR/2018/4337)	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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Spatial information is included for all relevant matters including water quality, wastewater quality data, agricultural commodities, and sensitive receptors, and geological structures, such as aquifers, faults and economic resources	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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For mining projects, spatial information for rehabilitation is provided in accordance with the department's guideline Progressive rehabilitation and closure plan (PRC plan) (ESR/2019/4964) and the department's	<input type="checkbox"/> YES <input type="checkbox"/> NO	Click or tap here to enter text.
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application form [Submission of a PRC plan](#) (ESR/2019/4957)

Raw data

Where the TOR requests provision of raw data, these should be in csv or excel file format and be accompanied by a data dictionary clearly identifying all variables with relevant units

YES NO

[Click or tap here to enter text.](#)

Cross reference to TOR

Include a table listing the section and sub-sections of the EIS where each requirement of the TOR is adequately addressed. NOT simply the chapter number or Appendix number, but relevant sub-sections of each chapter and appendices

YES NO

[Click or tap here to enter text.](#)

Cross reference table included as a word (or an excel) version that can be used for adequacy check against the TOR requirements

YES NO

[Click or tap here to enter text.](#)

Disclaimers and confidential information

Any disclaimers included in the EIS will not prevent the use of the EIS for its assessment in accordance with legislated requirements

YES NO

[Click or tap here to enter text.](#)

Where a proponent considers material in the EIS to be of a confidential nature (e.g., commercial in confidence or culturally sensitive) and seeks to withhold that material from the community, the proponent has consulted with the department before making the EIS publicly available

YES NO

[Click or tap here to enter text.](#)

INSERT ANY GENERAL COMMENTS OR EXPLANATIONS (OPTIONAL)

[Click or tap here to enter text.](#)

Appendix 12. Glossary

Accredited process	If the project does not meet the criteria for assessment under the bilateral agreement, under section 87(4) of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act), the Australian Environment Minister (or delegate) may accredit a state/territory process to assess matters of national environmental significance (MNES). This is done on a case-by-case basis.
Actions under EPBC Act	The glossary of terms under the EPBC Act states that <i>'an action is defined broadly in the EPBC Act and includes: a project, a development, an undertaking, an activity or a series of activities, or an alteration of any of these things. A lawful continuation of an existing use is not an action. A decision by a government body to grant an authorisation (for example, a permit or licence) or to provide funding is not an action. Actions include, but are not limited to construction, expansion, alteration or demolition of buildings, structures, infrastructure or facilities; storage or transport of hazardous materials; waste disposal; earthworks; impoundment, extraction and diversion of water; research activities; vegetation clearance; military exercises and use of military equipment; and sale or lease of land.'</i>
Advisory bodies	Individuals or organisations invited by the department to provide advice or information during the EIS process.
Affected person for a project	An affected person for a project is defined under s. 38 of the EP Act. It includes a person for the operational land or any land joining it, such as: local governments; Native title holder bodies/claimants or representative Aboriginal/Torres Strait Islander bodies; landowners/landholders; mining leases; state land (state forests; state-controlled roads; national parks; conservation parks). The full list can be found in the EP Act.
Bilateral agreement	The EIS process under the EP Act has been accredited under ' An agreement between the Commonwealth and the State of Queensland under section 45 of the EPBC Act relating to environmental assessment' (the bilateral agreement). The bilateral agreement can be applied to projects that are: <ul style="list-style-type: none"> • controlled actions requiring assessment under part 8 of the EPBC Act, and • are subject to the EIS process under the EP Act.
Chief executive	The chief executive is the person in charge of managerial matters for a government department. Chief executives (or their delegate) make decisions under legislation they are responsible for administering.
Controlling provision	It is a requirement under the EPBC Act that actions must not be carried out without prior approval if they have, or are likely to have, a significant impact on MNES. The Australian Environment Department determines if an action is, or is likely to, have a significant impact on a MNES. If so, these matters are the 'controlling provisions' for that action.
Coordinated project	A project may be declared to be a coordinated project under the SDPWO Act if a proponent applies to the Coordinator-General, and if the Coordinator-General accepts the application. In making that decision, the Coordinator-General may consider the following matters: <ul style="list-style-type: none"> • complex approval requirements involving local, Queensland and the Australian Governments • significant environmental effects • strategic significance to the locality, region or state, including infrastructure, economic and social benefits, capital investment or employment opportunities • significant infrastructure requirements.
Description of the project and operational land	Refer to definition for 'initial advice statement'.
EIS decision	Process under Part C, Chapter 3 of the EP Act that allows a proponent to apply for a decision on whether an EIS would be required under the EP Act for an EA application for a resource activity before submitting an EA application. This mechanism informs proponents whether an EIS would be required, without submitting upfront the substantial information required in an EA application and proposed PRC plan. At the same time, a proponent may elect to apply to prepare an EIS voluntarily, if the chief executive decides that an EIS would not be required for an EA application. However, the proponent must be able to demonstrate that they have access to the project area to enable them to carry out the necessary studies for the EIS.
Environmental authority (EA)	In Queensland, before undertaking an environmentally relevant activity, approval, in the form of an EA, is needed. Environmentally relevant activities are industrial, resource or intensive agricultural activities with the potential to release contaminants into the environment and are defined in the EP Act and regulations. They include a wide range of activities such as aquaculture, sewage treatment, cattle feed lotting, mining and other resource activities such as petroleum (which includes coal seam gas), geothermal and greenhouse gas storage activities.
Environmental nuisance	The EP Act defines environmental nuisance as unreasonable interference or likely interference with an environmental value caused by: <ul style="list-style-type: none"> • aerosols, fumes, light, noise, odour, particles or smoke • or an unhealthy, offensive or unsightly condition because of contamination • another way prescribed by regulation.

<i>Environmental Protection Act 1994</i> (EP Act)	The EP Act is administered by the department (Department of Environment, Science and Innovation). The object of this Act is to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains the ecological processes on which life depends (ecologically sustainable development).
<i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act)	The EPBC Act is administered by the Australian Environment Department. The Act provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places, defined in the Act as matters of national environmental significance.
Independent Expert Scientific Committee on Coal Seam Gas and Large Coal Mining Development (IESC)	The committee is a statutory committee established by the Australian Government under the EPBC Act.
Initial advice statement (IAS)	This a summary of the project, operational land, potential adverse environmental impacts of the project, and the measures proposed to avoid or minimise the adverse impacts. It is often referred to as an 'IAS' and is submitted with a voluntary EIS application, an EIS decision application and a draft TOR to meet requirements under the EP Act. The checklist in Appendix 5 outlines information to be provided in an IAS that the department considers essential for a decision on whether an EIS would be appropriate or required. The checklist must be completed and submitted with the relevant application.
Interested person	Interested person means an interested person proposed by the proponent under section 41(3)(b) of the EP Act. This includes an unincorporated community or environmental body with a financial or non-financial interest in the local government area that the operational land is in.
Material environmental harm	The EP Act defines material environmental harm (other than environmental nuisance) as environmental harm: <ul style="list-style-type: none"> • that is not trivial or negligible in nature, extent or context • or that causes actual or potential loss or damage to property of an amount of, or amounts totalling, more than the threshold amount but less than the maximum amount • that results in costs of more than the threshold amount but less than the maximum amount being incurred in taking appropriate action to prevent or minimise the harm and to rehabilitate or restore the environment to its condition before the harm. • The threshold amount is \$5000, or, if a greater amount is prescribed by regulation, the greater amount.
Mining activity	A mining activity is: <ul style="list-style-type: none"> • an activity that is an authorised activity for a mining tenement under the MR Act • or another activity that is authorised under an approval under the MR Act that grants rights over land.
No use management area (NUMA)	An area of land the subject of a PRC plan that cannot be rehabilitated to a stable condition after all relevant activities for the PRC plan carried out on the land have ended (section 112 of the EP Act).
Offsets	An activity undertaken (either voluntarily or imposed) to counterbalance significant residual impacts of activities on matters of national, state or local environmental significance. Relevant legislation including the Queensland <i>Environmental Offsets Act 2014</i> and/or the Commonwealth's EPBC Act.
Operational land	Operational land means the land on which the project is to be carried out
Person	Person includes a body of persons, whether incorporated or unincorporated
Petroleum activity	A petroleum activity is: <ul style="list-style-type: none"> • an activity that, under the <i>Petroleum Act 1923</i>, is an authorised activity for a petroleum tenure under Petroleum Act 1923 • or an activity that, under the <i>Petroleum and Gas (Production and Safety) Act 2004</i>, is an authorised activity for a petroleum authority under that Act • or exploring for, exploiting or conveying petroleum resources under a licence, permit, pipeline licence, secondary licence or special prospecting authority granted under the Petroleum (Submerged Lands) Act 1982
Progressive rehabilitation and closure plan (PRC plan)	For land the subject of a mining lease, means a PRC plan for the land that consists of – <ul style="list-style-type: none"> • the rehabilitation planning part of the plan and • the progressive rehabilitation and closure schedule (PRCP schedule) for the plan, including any conditions imposed on the schedule
Project	A project includes a development, a proposed development, an action, a proposed action, a plan or policy
Proponent	Proponent means the person who proposes the project to which the EIS process applies
Public Interest Evaluation (PIE)	Means an evaluation of a proposed NUMA conducted under section 316PA of the EP Act. A PIE recommends whether the approval of a NUMA is in the public interest after considering the benefit to the community resulting from the mining project, any impacts for the environment or the community, whether there are any alternative options to approving the area as a NUMA, and weighing the benefit of the community against the impacts while having regard to alternative options Refer to EP

	Act section 316PA(2).
Resource activities	Resource activities include mining, petroleum (including coal seam gas), geothermal and greenhouse gas storage activities. The department is responsible for the administration and regulation of resource activities under the EP Act.
Resource projects	Resource activities that are proposed to be carried out under one or more resource tenures, in any combination, as a single integrated operation are known as resource projects
Serious environmental harm	The EP Act defines serious environmental harm as environmental harm (other than environmental nuisance) as: <ul style="list-style-type: none"> • irreversible, of a high impact or widespread • or caused to an area of high conservation value or special significance • or that causes actual or potential loss or damage to property of an amount of, or amounts totalling, more than the threshold amount • or that results in costs of more than the threshold amount being incurred in taking appropriate action to prevent or minimise the harm and to rehabilitate or restore the environment to its condition before the harm.
Significant impact (under the EPBC Act)	A significant impact is defined under the EPBC Act as an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment, which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts. These factors are considered when deciding whether an action is likely to have a significant impact on the environment. Refer to the Australian Environment Department's Significant impact guidelines (Australian Government Department of Environment, 2013)
Significant impact on water resources	Significant impact on water resources is caused by a single action or the cumulative impact of multiple actions which would directly or indirectly: <ul style="list-style-type: none"> • result in a substantial change in the quantity, quality or availability of surface or ground water • substantially alter ground water pressure and/ or water table levels • alter the ecological character of a wetland that is state significant or a Ramsar wetland • divert or impound rivers or creeks or substantially alter drainage patterns • reduce biological diversity or change species composition • alter coastal processes, including sediment movement or accretion, or water circulation patterns • result in persistent organic chemicals, heavy metals, or other potentially harmful chemicals accumulating in the environment such that biodiversity, ecological integrity, human health or other community and economic use may be adversely affected • substantially increase demand for or reduce the availability of water for human consumption. Refer to the Australian Environment Department's Significant impact guidelines (DCCEEW 2022)
Site-specific application	A site-specific application is an application for an environmental authority for ineligible Environmentally Relevant Activities under the EP Act. That is, for activities that are: <ul style="list-style-type: none"> • not able to comply with the eligibility criteria • have no set eligibility criteria • or are carried out as part of a coordinated project
Standard criteria	The standard criteria are defined in schedule 4 of the EP Act
Voluntary EIS	Sections 69 to 72 of the EP Act allow a proponent to apply for approval to voluntarily prepare an EIS. An application for a voluntary EIS allows a proponent to begin an EIS process for a project without having to submit an environmental authority application or PRC plan