



THE ROLE OF THE ENVIRONMENTAL IMPACT  
STATEMENT  
UNDER THE SOUTH AUSTRALIAN PLANNING ACT  
FROM 1982-1993

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## ABSTRACT

After more than a decade of environmental impact assessment (EIA) provisions within South Australian Planning Act, 1982 it is appropriate to examine the role of the environmental impact statement (EIS) as a major element of EIA and an important decision making tool for major projects over this period.

The thesis first provides a review of EIA from its overseas origins to its development at the Commonwealth level in Australia. This provides the context within which to examine the system of EIA for major developments or projects in South Australia, which are dealt with largely through the EIS process.

The thesis examines the type of projects which, according to the discretionary criteria in the Planning Act, have attracted EIS requirements between 1982-1993 and uses this to determine generic groupings of projects. It is noted that marinas represent the largest group of projects with EIS requirements, although EISs have been called for power generation related projects, electricity transmission line projects, tourist related projects, industrial projects, mining projects, water management projects, transport projects and a number of other projects.

The thesis examines the number of EISs that have been completed, whether or not the projects have been approved or rejected and to what extent any patterns have emerged. The thesis then focuses on all the completed EISs in terms of their content, timing of preparation, public involvement and response, associated legislative requirements, type and role of developer, type and role of EIS consultant, the assessment of the EIS, and the decision making process.

The thesis notes the high approval rate for projects with completed EISs suggesting most of the environmental problems have been resolved or are capable of being resolved. It is also noted that a number of projects are abandoned before the EIS is ever completed and that the few rejected EIS proposals are associated with high numbers of public submissions. Although each of the rejected proposals has a complex history of project development, environmental assessment and negotiations, it is noted that the decision to reject the proposals was ultimately a political decision.

The thesis comments on the limited role of the South Australian Planning Commission

(SAPC) in EIS project decision making in South Australia and the increasing use of the Governor as a decision maker. Although the SAPC is the statutory planning authority it is constrained by having to have regard to the principles in the Development Plan which is geared toward development control rather than for the extraordinary major projects which become subject to EIS requirements.

The thesis then examines proposed changes to EIA in the context of early attempts to initiate EIA reform in South Australia through to the current Development Bill. These proposals are placed in context with changes to EIA procedures that have taken place at the Commonwealth level, the proposed development of a national agreement on EIA, and also the implications for EIA which are likely to flow from recent Commonwealth initiatives on ecologically sustainable development strategies. In addition the implications of recently developed environment protection agencies and associated legislation are examined at both the State and Commonwealth levels. Collectively these reviews and analyses provide the context of current thinking on EIA as it is likely to affect South Australian EIA processes in the future.

Finally the thesis discusses the evolving role of the South Australian EIS in the context of its evolutionary process and the proposed legislative changes in South Australia, together with other related initiatives. This discussion touches on a number of issues such as public administration, the actual practice of the EIA process as opposed to the theory of EIA and what is written into the EIA legislation. In conclusion an overview is given of the current role of the EIS with some predictions for the future of EIA in South Australia.



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