

## Introduction

This document is a guide for proponents undertaking community engagement for projects being assessed by the Board of the Environment Protection Authority (the Board) under the *Environmental Management and Pollution Control Act 1994* (EMPCA).

Their intent is to outline how a proponent may undertake this aspect of the project in a strategic manner. Effective community engagement can assist in achieving an overall positive outcome for the project, as well as identify at an early stage, key environmental and sometimes social risks that could threaten the viability of the project and need careful consideration.

Further to this, an explicit objective of the Resource Management and Planning System, under which the Board operates, is “to encourage public involvement in resource management and planning”. This guide supports this objective.

## Regulatory Requirements

The Board is required under section 74(6) of EMPCA to provide an opportunity for public consultation on the project before the assessment process is complete. See the EPA’s [Guidelines on Environmental Impact Assessment](#) for an explanation of the overall process, including public consultation.

Formal public consultation can occur at two stages in the assessment process:

1. **Scoping Phase:** Draft Environmental Impact Statement (EIS) Project Specific Guidelines may be advertised for comment, where a project is large and complex and expected to be the subject of a high level of public interest.
2. **Mandatory public comment period:** The case for assessment report (EIS or Environmental Effects Report (EER)) must be made available for public comment either under the provisions of EMPCA or, where the proposal is part of a development application, under the *Land Use Planning and Approvals Act 1993* (LUPAA).

The mandatory public comment period required under EMPCA progresses as follows:

1. Once satisfactory documentation has been received by the Board, the EER or EIS will be made available for public inspection, and public submissions invited by either the Board or the Planning Authority (see the [EIA Guide](#) for further information).
2. Notice of the availability of the documents and how to make submissions is published in relevant newspapers and on the EPA and Council (if applicable) websites.
3. The specified public consultation periods are 14 days for class 2A assessments, 28 days for class 2B assessments and 42 days for class 2C assessments.
4. The proponent is required to provide copies of the EER/EIS to the public on request during the consultation period. The proponent is also welcome to offer additional material to interested parties in various forms.
5. Once public submissions have been received and considered, the proponent may be required to provide additional information in response to relevant environmental issues raised in public submissions and by government agencies. This generally takes the form of a Supplement to the EER/EIS prepared by the proponent. The proponent may also be provided with the opportunity to address other issues raised in these submissions.

## A Strategic Approach to Community Engagement

The experience of the Board is that where proponents have gone beyond the minimum regulatory requirements for public consultation there has been improved efficiency in progressing through the environmental impact assessment process. For example, a proponent who held public meetings about the details of the environmental offset they proposed, learned of some public concerns that resulted in changes to the proposed offset. When the EIS was eventually advertised, the public comment on these commitments was very positive.

Conversely, proponents who only undertake the minimum consultation necessary, have sometimes received negative public reactions to their project, both during the public consultation period and after approval, including instigation of appeals. These have resulted in delays for the project and the need for reactive engagement measures. In some instances, there has been prolonged community opposition beyond completion of the environmental and planning approval processes.

The Board encourages proponents to consider a level of public consultation over and above the minimum regulatory requirements. Good stakeholder mapping and consultative approaches may result in a more efficient and effective assessment process by anticipating and managing project risks, and give greater confidence to project stakeholders.

The following is a range of consultation mechanisms that may be considered by proponents.

## Commencing the Engagement Process

Before commissioning any specialist studies, a proponent of a major project could engage the local community and defined stakeholders in an early consultation process. The following steps are examples of some of the engagement methods that have been employed as part of project development:

1. Engaging a consultation specialist to develop a consultation strategy, starting with a “stakeholder map” which outlines who makes up the local community and who are likely to be interested stakeholders. Stakeholders can be people who are either directly or indirectly affected. Others may only have an interest. Effects can be positive and negative, and actual as well as perceived. Stakeholders can encompass individuals, communities, groups, non-government organisations (NGOs), government departments, industries, supply chain entities, industry associations, and interest groups.
2. Map out the key elements and outcomes expected from the project. Present the key messages you want to deliver. Be clear about the reasons for the proposal and link to State strategies where possible. Present the key messages in easy to understand formats for communication, which may include written materials, maps and/or presentations.
3. Present matters that are still under consideration and a range of options, rather than a final solution. People do not appreciate situations where decisions appear to have been made already, regardless of consultation. Good consultation invites comments and ideas. Understanding the community concerns on the negative aspects of the project can help define the solutions in a way the community understands. Additionally, there can be many positive aspects of a project that are open to suggestions, such as transport routes, offsets that benefit those directly affected, or educational visits. At an early stage, seek advice from stakeholders on the best approaches to consultation for the project.
4. Identify a suite of engagement approaches to apply (see list of ideas below). Each project will have a different set of approaches that are appropriate for the defined stakeholder groups. Think about mechanisms for initial engagement and mechanisms for maintaining engagement.
5. Implement any agreed engagement strategies. Document comments made and consider these matters when refining the project. Document whether matters were addressed or not in the final solution. If not, document why.

6. Offer feedback to those participating, and keep them informed, particularly those who have provided ideas that have been considered as part of the project.
7. Include information about the engagement process that is being implemented in the documentation prepared for the Board and the Council (if applicable).
8. Consider and plan for ongoing engagement with the interested stakeholders if the project is successful.

## Engagement Approaches

### Community meetings

These provide a forum to present material and key messages about the project, and to hear the range of views held within the community. It is an open process and highly transparent, and everyone hears the same thing. The dominance of one group in the meeting can be avoided by a clear and focussed agenda, a good independent facilitator or chairperson, and ensuring space for a diversity of views to be heard. Community meetings require careful facilitation and planning, but can add transparency, trust and respect to a proposal even amongst those who oppose it.

### Group meetings

This is a version of the community meeting which enables particular groups to express their views and ask questions without encountering concerns from those with opposing views. A disadvantage is that not all stakeholders hear the diversity of views, so this approach is best combined with other approaches.

### Display days or walk-in type consultations

These can be time-consuming, but can be successful in eliciting general perceptions from stakeholders because it allows more time and discussions that are more specific. Some people feel more comfortable engaging one-on-one, and digesting information at their own pace. One-on-ones may even turn into small groups analysing concerns and proposing pathways forward.

### Individual one-on-one sessions

These are very useful to pursue where there are limited stakeholders or where an individual's position might be different from those of wider stakeholders (e.g. for immediate neighbours).

### Articles in local newspapers, other media or newsletters

Articles can provide information and ask for feedback via forms, phone, emails, etc. This is a traditional approach and is becoming less popular due to technological advances. It is the backbone of most regulatory consultation, so is accepted for receiving public comments. These must not be presented as marketing exercises trying to state only the positives of the project.

### Offers for follow-up

Take contact details and send regular updates. Develop a stakeholder mailing list. Show how individual comments and/or themes have been considered and dealt with in the final project. This would apply to all forms of consultation.

### Dedicated web site and/or email address or social media page for receiving comments

This can also be used for feedback and updates on the project.

## Contacts

For more information contact:

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[Last updated: February 2021]