**As Impact Assessment (IA) Practitioners, do we have a responsibility to assess not only the impacts of the project on communities, but the impact of the impact assessment process?**

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**Abstract**

Both an EIA (Environmental Impact Assessment) project, and the EIA assessment process impact on communities, however like many other jurisdictions, only the impacts of the project requires assessment as part of the Victorian EIA process, leaving impacts experienced by the community during the assessment process such as stress, anxiety, time investment and financial costs untested or mitigated. Given the lack of available research on this topic, observations from EIA practitioners, and community members participating in EIA’s are used as a source for this paper.

To test whether there is a ‘blind spot’ in the social and financial costs of the EIA process, further formal research is required to further understand whether social and financial impacts on communities are acceptable and whether EIA should evolve to a more socially responsible process to mitigate or manage these impacts.

**Introduction**

In Victoria, use and development proposals are subject different scales of impact assessment dependent on the project scale and nature of impacts. The *Planning & Environment Act 1987* regulates smaller scale and use and development which typically assesses localised impacts, whilst the *Environment Effects Act 1978* provides for assessment of proposed projects that can have a significant effect on the environment. Both assessment projects provide a statutory public participation process.

Both the project and assessment process of the project impact communities, however only the ‘project impact’ requires assessment under the *Environment Effects Act 1978* (EA Act) in Victoria. As socially responsible Impact Assessment practitioners should we be broadening our assessment to include the impacts of the EIA process?

This paper is based on personal observations, observations of other EIA practitioners and sourced from community members participating in a current EIA process in Victoria.

The methodology for this paper involved review of:

* EIA legislation and associated government guidance for the Australian State of Victoria
* Documentation of recent EIA projects across Victoria
* Observations received from Impact Assessment practitioners and community members involved in EIA’s.
* Personal observations as a community member living within the locality of a major road project undergoing EIA in Victoria.

The definition of ‘community’ for this paper is the residents, business and local government within or near the project area.

**EIA Process in Victoria, Australia**

The *‘Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978’* make it very clear that an Environment Effects Statement (EES) ‘*provides for assessment of proposed projects (works) that are capable of having a significant effect on the environment*.’ The objective of the Act is to provide for environmental assessment not the assessment of the EIA process impacts. However, due to the nature, scale and time involved in EIA projects, should the impacts on communities be assessed as part of the process?

In Victoria, an EES is required for only a handful of generally very large-scale proposals each year, and the fact that an EES is required alone can substantially raise the profile and public awareness of the project. Currently, there are twelve [[1]](#footnote-1)EES‘s in progress in Victoria, the majority of which have featured in local or regional media during the assessment process.

The length of time taken for project development, assessment and decision also provides an ongoing presence in a community and draws out the assessment time. Some EIA take over two years to complete from commencement to decision[[2]](#footnote-2), whilst the construction time of a project could be less than the assessment for some projects. Still, we only consider the environmental effects of the construction and operations period, not the impacts of the assessment period. Further to this, the Scoping Requirements of social impact assessment in Victoria to date have not required consideration of the impact of the assessment process on the community.

**Impacts of the EIA process on communities**

In the absence of published material documenting the impacts of the EIA process, primary research was gathered in the form of observations from approximately 20 EIA practitioners and 15 to 20 community members, over approximately five EIA projects to attempt to identify primary impacts of the EIA process. Given that it is likely the EIA process has the greatest impact on communities within or near a project area, communities close to or within project footprints were the focus for identifying impacts.

The following table provides a summary of observed community impacts of each key step of the Victorian EIA process. Observations were identified through discussion with community members in north-east Melbourne that are currently living within the North East Link Freeway project footprint, discussions with EIA practitioners, and personal observations.

Table 1 - Observed Impacts of the EIA Assessment Process

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| ***EIA Process Stages*** | ***Observed Impacts of the EIA Process*** |
| ***Introduction of project footprint and EIA process to community*** | *Emotional stress* of the project footprint being located near home or business or community neighbourhood of value.  |
| *Fear* that the project may result in risk to current residential or commercial land tenure security. |
| *Emotional stress* and desire for information on the project impacts. |
| Perceived immediate change in property value. |
| Anticipation of years of construction impacts.  |
| ***Technical studies within the project locality*** | *Unease* of investigations taking place due to unfamiliarity with technical investigations and process. |
| Feeling of *intrusion* into day to day living due to visual presence of field equipment and consultants. |
| Concluding the presence of machinery is an indication of project design or footprint.  |
| Field equipment providing a constant reminder of the project progressing. |
| ***Notification of potential property acquisition*** | Major stress for property owners and occupiers. Immediate change in the way the future is perceived for the household or businesses. Property improvements and plans to invest in the property are put on hold. |
| Emotional stress from landowners close to acquired properties who would prefer their property be acquired rather than having to cope with project impacts on a permanent basis. |
| Emotional stress to business’s and land owners waiting for confirmation of acquisition.  |
| Fear that property is ‘unsaleable’. |
| Emotional stress of acquisition so severe that illness results. |
| ‘Planning Blight’ resulting from expected or possible future development or restriction of development. |
| Cost, time and emotional stress of seeking legal advice. |
| Sense of relief for those properties not subject to potential acquisition. |
| ***Public information sessions*** | Concern that technical advice is unreliable and has been ‘cherry picked’ to support the project with negative information being buried or disguised. |
| Frustration and concern that the proponent does not value the depth of community assets due to not being personally connected to the community.  |
| Time and effort seeking out ‘trusted’ local opinions including local government for verification of information provided. |
| Division within the community between project supporters and activists |
| Satisfaction that there is an outlet to obtain project information and provide feedback. |
| Investment of unpaid and unrecoverable time and resources to understand the information provided and conclude the personal impacts of the project. |
| ***Information on EIA process provided to the community*** | Conflicting views on the project between community groups creating disharmony. |
| Concern for the time investment needed to review EIA documentation. |
| Concern that the process is unfamiliar and/or confusing. |
| Concern that the technical studies will be inadequate, insufficient, or will result in the wrong conclusions and or ineffective conditions. |
| Skepticism of the process - concern that the EIA is simply a rubber stamp exercise. |
| Feeling of pressure to form a view or take a side on the project. |
| Time and effort seeking out ‘trusted’ opinions on process. |
| ***EES Public Exhibition*** | Lack of confidence the consultants preparing the technical studies and EES document are completely objective due to their engagement by the proponent.  |
| Emotional stress and concern regarding the time, skills, and resources needed to read and review relevant documents and make a submission. |
| Feeling of technical inexperience to identify project inefficiencies. |
| Skepticism about the equity of the exhibition process due to community being unfunded and resourced to review and understand highly technical studies, and the exhibition phase being the only statutory mechanism for input apart of the Panel Hearing. |
| ***Panel Hearing*** | Perceived conflict of interest of expert witnesses called by the proponent at Panel hearings. Their duty is to the Panel, however they do not appear ‘independent’ to the community. |
| Perceived lack of equal access to resources to provide technical based Panel Submission. Submitters are in a more impoverished position in obtaining expert material and retaining witnesses due to ’ability to pay’, knowledge of where to find experts, and possibly because some experts may not be inclined to run a case that is contrary to the proposal. |
| Emotional stress and concern regarding the time, skills, resources and experience needed to make a panel submission. |
| Time and money invested in understanding the panel process and preparing and presenting. |
| Concern and stress that there is no objective way to present to the Panel members about subjective values such as natural beauty, community values |
| ***General*** | Local government using rate payer funding to participate in the process, which impacts on local governments ability to fund other projects. |

***Common Themes***

The two main categories of EIA process impact identified through observations were emotional and financial.

Emotional stress was experienced during the EIA process due to:

* + Unfamiliarity with the EIA process;
	+ Lack of technical knowledge to participate meaningfully in the project;
	+ Skepticism on the equity of the process due to the proponent funding technical studies;
	+ Fear of the impact on current wellbeing and community assets;
	+ Lack of trust in the proponent’s unfamiliar project team;
	+ Feeling powerless to provide well-resourced position on technical information due limited access to funds and technical resources of the same caliber as the proponent.

Financial cost of the EIA process was observed by the community due to:

* + seeking independent advice on impacts
	+ investing unpaid time to understand the project.
	+ Council using rate payer’s money to participate in the project.

It should be acknowledged that positive impacts of the assessment process were also identified including:

* providing the community the opportunity to be heard and participate in the process
* providing an opportunity to understand technical knowledge and speak with technical experts
* Development of new and strengthened existing community networks through knowledge sharing.

**Should the impacts of the EIA process on communities be managed and mitigated?**

*Further Research*

To test whether there is a ‘blind spot’ in the social and financial costs of the EIA process, formal research is required.

Research could involve:

* review of international EIA processes and assessment as to whether impacts of the assessment process are considered, documented or mitigated in other jurisdictions;
* gathering available information on impacts experienced by communities during current EIA process such as the social impact assessment;
* measuring the extent of impact of the EIA process and testing the hypothesis of whether larger projects result in greater process impacts on communities than smaller projects.
* assessment of whether impacts experienced by the community during the EIA process are acceptable, and if they are not acceptable, are they mitigatable?
* Impacts on the community of not having an assessment process at all and whether the benefits of the process outweigh the cost.

**Conclusion**

This paper has documented some of the observed impacts experienced by communities during the EIA process in Victoria. Community impacts of the EIA process were observed to fall into two main categories, emotional and financial impacts. Currently the impacts of the EIA process in Victoria are not formally documented or mitigated. Formal research is required to fully understand and quantify the emotional and financial impacts of the EIA process on impacted communities and assess whether there is a ‘blind spot’ in the EIA process. Until we fully understand the impacts of the EIA process practitioner cannot fully appreciate whether a ‘blind spot’ in the process exists and determine whether the EIA process needs to evolve to a more socially responsible process to mitigate or manage community impacts alongside project impacts.

1. Browse EES Projects - https://www.planning.vic.gov.au/environment-assessment/browse-projects [↑](#footnote-ref-1)
2. <https://www.planning.vic.gov.au/> environment-assessment [↑](#footnote-ref-2)