

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