

Promoting Sustainable Resource Management and the Protection of Fiji's Environment Through Law

BECOME A MEMBER
TODAY

www.fela.org.fj



Promoting Sustainable Natural Resource Management through Law

Step 4 & 5 - The EIA Review & Decision



What is the EIA Review ?

Public Consultation for Review

EIA Decision

Effect of the EIA Approval

Challenging EIA Decisions



EIA Review

The EIA report must be reviewed by a review committee or by an independent Consultant within 21 days of the submission of the EIA report.



Purpose of reviewing the EIA report.

- Assess the adequacy & quality of the EIA report.
- Take account of public comment.
- Determine if the information is sufficient to make decisions.
- Identify deficiencies.



Public Consultation

- The developer/proponent is required to conduct public consultation of the EIA Report including at least one public review meeting held in the vicinity of the proposed development site.



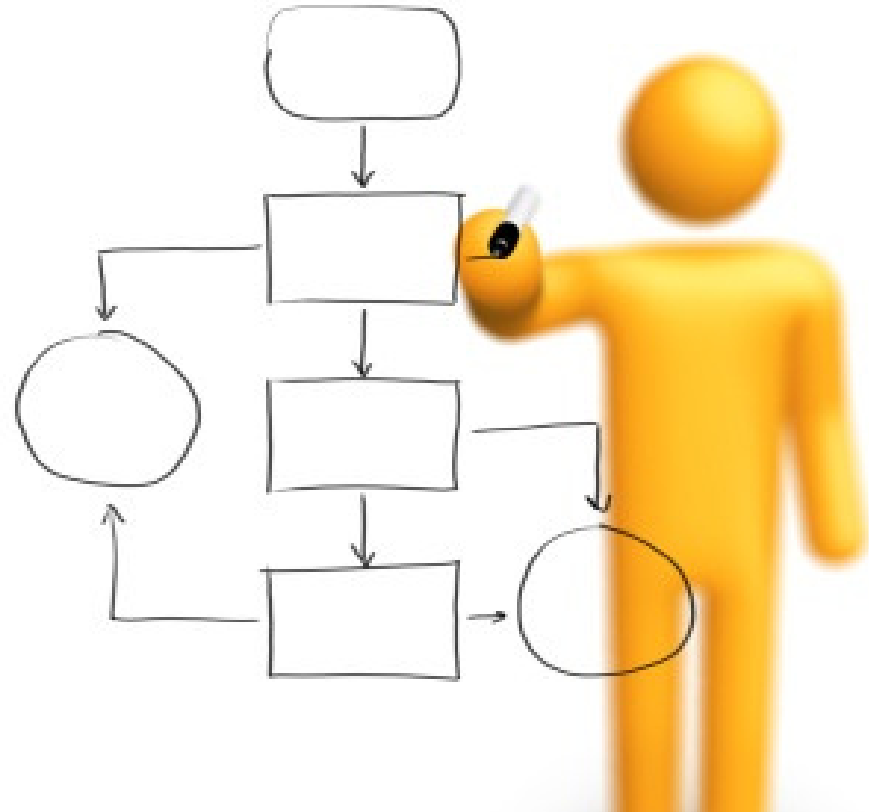
EIA Review – Key Questions

- Does the EIA address the TOR?
- Is the report comprehensive?
- Is the information correct and technically sound?
- Does it take into consideration the views of affected parties.
- Are the key findings complete and satisfactory?
- Is the information clearly presented and understandable?



EIA Decision

- The processing authority must produce a written report setting out its decision in relation to the development proposal within 35 days of the EIA report.



EIA Decision – Mandatory Considerations

- Nature and scope of the development.
- Significance of any environmental or resource management impacts.
- Feasible measures to prevent or mitigate any adverse environmental impacts.
- Public concerns about the development.



EIA Decision - Options

- These are the decisions that can be made :

- (i) Approve the proposal without conditions.
- (ii) Approve the proposal with conditions.
- (iii) Not approve the proposal.
- (iv) Recommend additional studies.



Challenging EIA Decisions

- A person who disagrees with the EIA decision may appeal to the Environment Tribunal within 21 days of the decision.
- Developments that require an EIA but do not go through the process are considered unlawful developments and are criminal offences.
- Processing Authorities that fail to follow the EIA process breach EMA and their decisions can be challenged in a court of law.



THANK YOU



Promoting Sustainable Natural Resource Management through Law