



# THE ENVIRONMENT REGULATIONS 2008

**ENVIRONMENT REGULATIONS 2008**

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**Schedule 1 – Prescribed Premises**

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**ENVIRONMENT ACT 1998  
(NO 8 1998)**

**Environment Regulations 2008**

IN exercise of the powers conferred upon me by section 55 of the Environment Act, I make these Regulations –

**PART 1 – PRELIMINARY**

**Citation and commencement**

1. These Regulations may be cited as the Environment Regulations 2008.

**Interpretation**

2. In these Regulations, unless the context otherwise requires –

“development application” means a development application required to be submitted under section 17(2);

“EIS” means the environmental impact statement required to be submitted under section 17(2);

“forested area” means an area declared to be a forested area under regulation 9(2);

“PER” means the public environmental report required to be submitted under section 17(2);

“proposal application” means an application for a proposal to carry out a prescribed development made pursuant to section 17(1).

**PART 2 – PREPARATION OF PUBLIC ENVIRONMENTAL REPORT OR ENVIRONMENTAL IMPACT ASSESSMENT**

**Guidelines to assist in evaluation of report, etc**

3. The Guidelines as prescribed in Form 1 shall apply to assist the applicant in preparing the Public Environmental Report, Environment Impact Statement or any other report as the Director may direct.

**Persons authorized to undertake PER or EIS**

4. – (1) No person shall undertake, prepare or produce any PER or EIS unless the person is authorized in writing by the Director.

(2) A person who intends to undertake, prepare or produce PER or EIS has the right to apply in writing to the Director.

(3) The Director may authorize a person to undertake, prepare or produce any PER or EIS if the person –

- (a) has the necessary qualification and experience to undertake, prepare and produce any PER or EIS; or

- (b) has written accreditation or approval in another country to undertake, prepare or produce any PER or EIS.
- (4) The Director shall not accept or consider any EIS that is prepared by any person not so authorized under this regulation.

#### **Additional matter to EIS**

5. In addition to the requirements of section 23 of the Act, the EIS shall –

- (a) include the social impact on the surrounding communities where the prescribed development is to be located;
- (b) ensure public participation in the prescribed development;
- (c) spell out employment opportunities for Solomon Islanders and in the case where the prescribed development is to be undertaken in a rural area, employment opportunities for members of the surrounding communities;
- (d) provide demographic impact assessment;
- (f) provide a health impact assessment;
- (g) provide a gender impact assessment;
- (h) provide a noise impact assessment; and
- (i) state whether any of the above would have short term or long term harmful effects on the environment.

### **PART 3 – APPLICATIONS FOR PRESCRIBED DEVELOPMENT**

#### ***Division 1 - General***

##### **Proposal application**

6. - (1) A developer shall submit a proposal application pursuant to section 17(1) of the Act in the form approved as such by the Minister together with the prescribed fee.

(2) Before a developer makes a proposal application, the developer may first seek the written advice of the Director on whether a PER or an EIS will be required to be submitted with his development application.

(3) The Director shall within 10 working days advise the developer on a request made under subregulation (2).

##### **Development application**

7. – (1) When the Director receives a proposal application, the Director shall, within 15 working days of receiving the application, require the developer to submit –

- (a) the development application and the PER for the proposed development; or
- (b) the development application and the EIS for the proposed development.

(2) A development application shall be prepared and submitted in Form 2, as set out in Schedule 1 together with the prescribed fee.

(3) The PER or the EIS shall be prepared in Form 3 as set out in Schedule 1

(4) The Director shall not accept any development application unless –

- (a) the PER or the EIS is attached to the development application;
- (b) the development is exempt pursuant to section 17(4); or

- (c) the PER or the EIS is not required pursuant to section 17(5).

**Timelines for processing applications**

8. – (1) When the Director receives a development application, the Director shall –
- (a) process the application within 10 working days to determine the nature of the proposal and whether the PER or the EIS complies with the requirement of the Act;
  - (b) within 5 working days of making a decision under paragraph (a), inform the developer whether or not the application and the PER or EIS satisfies the Act;
  - (c) if the application and the PER or EIS does not comply with the Act, allow the developer to provide further information or documents in relation to the application and the PER or EIS;
  - (d) if the PER or the EIS complies with the Act, publish the PER or EIS, within 5 working days of making such decision under paragraph (b);
  - (e) after undertaking the public consultation required under section 22 on the PER or section 23 on the EIS, determine the application within 15 working days;
  - (f) if the application for development consent is refused, inform the developer within 5 working days of making the decision, including the reasons for refusing the consent;
  - (g) if the application for development consent is approved, inform the developer within 5 working days of making such decision.

- (2) The Director may, with written consultation with the developer, extend the times specified under subregulation (1).

**Power to dispense requirements of section 17**

9. – (1) The Director may dispense a development from the requirements of section 17(2) only on any of the following grounds –

- (a) if the Director is satisfied that the short-term and long-term impact of the prescribed development will be trivial or negligible;
- (b) there is already in existence an Environmental Impact Statement produced in respect of the same prescribed development and the Director is satisfied that the exercise of his or her power under the said section would not be harmful to the environment;
- (c) if the anticipated impact of prescribed development will not adversely affect forested areas and services;
- (d) if the anticipated impact of prescribed development will not adversely affect coastal zones or the marine environment; or
- (e) the prescribed development does not fall into the category of construction, infrastructure, agriculture or mining.

- (2) The Minister may, in consultation with the Minister responsible for forests, declare, by notice in the Gazette, any area as a forested area for the purpose of these Regulations.

***Division 2 – Processing of Development Applications where PER or EIS is dispensed with***

**Matters to take into account**

10. If the Director decides that PER or EIS should be dispensed with under section 17(4), the Director shall, in addition to matter to be considered under section 17(5), take into account the following factors –

- (a) for activities of a kind affecting a location for which specific guidelines are in force under this regulation, the factors referred to in those guidelines; or
- (b) for any other activities, the following factors –
  - (i) any environmental impact on a community;
  - (ii) any transformation of a locality;
  - (iii) any environmental impact on the ecosystem of the locality;
  - (iv) any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality;
  - (v) any effect on a locality, place, building having aesthetic, anthropological, archeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations;
  - (vi) any impact on the habitat, both marine and terrestrial;
  - (vii) any endangering of any species of animal, plant or other form of life, whether living on land or water;
  - (viii) any long term impact on the environment;
  - (ix) any degradation of the quality of the environment;
  - (x) any reduction in the range of beneficial uses of the environment;
  - (xi) any pollution of the environment;
  - (xii) any environmental problems associated with the disposal of waste;
  - (xiii) any increased demands on the resources (natural or otherwise); and
  - (xiv) any cumulative environmental effect with other existing or likely future activities.
- (c) the environmental record of the applicant or other persons to be involved in the development, including details of any proceedings under any laws of Solomon Islands or any other country relating to the protection of the environment or the conservation and sustainable use of any natural resources for which the applicant or that person is a party; or
- (d) for a corporation that is an applicant, the details of the corporation's environmental policy and planning framework, including its directors.

(2) For purposes of this regulation, the Director may, establish guidelines for the factors to be taken into account when consideration is given to the likely impact of the proposed prescribed development on the environment, in relation to such development generally or in relation to any particular development or particular location.

### ***Division 3 - Processing of Development Applications where PER or EIS is needed***

#### **Notice of application**

11. – (1) Where the Director has received the development application and the relevant PER or EIS and other information or documents required by the Director from the applicant, the Director shall within 30 days of receipt of the same, bring or cause to be brought to the notice of the public and as the case may require, the following –

- (a) if the proposed prescribed development is to be undertaken in a rural area, the communities within that rural area;
- (b) the provincial government of the province in which the proposed prescribed development is to be undertaken;
- (c) any other relevant organization whom the Director believes would provide useful contribution to the proposed prescribed development; and
- (d) any other persons whom the Director believes may or likely to be affected by the proposed prescribed development.

(2) The notice of the application shall be published in a newspaper that is published regularly in Solomon Islands; in the communities where the proposed prescribed development is to be undertaken in rural area, the notice shall be posted at public places in the communities in which the proposed prescribed development is to be undertaken or in such manner as the director shall think appropriate.

(3) The Notice shall be as prescribed in Form 4 and shall include amongst other things a date and venue for a meeting to be convened by the Director to receive representations from stakeholders;

(4) Prior to the meeting the Director shall make available to the public and in particular, in the communities, if the proposed prescribed development is to be undertaken in a rural area, copies of the Public Environmental Report or the Environmental Impact Statement as the case may be. Any cost associated with the publication of the Notice, Public Environmental Report or the Environmental Impact Statement shall be borne by the applicant.

#### **Meetings to consider application**

12. –(1) At the meeting convened by the Director to pursuant to regulation 10 –

- (a) the Director shall explain the contents, recommendations or findings of the Public Environment Report or the Environmental Impact Statement;
- (b) any person, Provincial Government or organization may make oral or written representation to the Director and the Director shall received or record any such representation; and
- (c) the Director shall record the proceedings of the meeting.

(2) The Director shall, at the meeting receive and consider any objection in relation to the application

#### **Considerations of objections and submissions**

13. The Director may, following the publication of the PER, receive and consider any objection, if the objection –

- (a) is in writing;
- (b) states the interest that the person making the objection claims to have in relation to the proposed prescribed development; such interest not being limited to economic or propriety interests; and
- (c) states clearly the nature of the objection that is being made to the development; and
- (d) provides sufficient details of the grounds upon which the objection is based.

#### **Matters to be taken into account by Director before issuing development consent**

14. –(1) The Director may issue a Development Consent to an application if the Director is satisfied that –

- (a) the finding or recommendation of the Public Environmental Report or the Environmental Impact Statement as the case may be, supports the proposed prescribed development;
- (b) that the proposed prescribed development will be carried out in a manner which is consistent with all relevant environmental policies and regulations;
- (c) all reasonable steps will be taken to minimize any risk of environmental harm, as a result of the prescribed development;



- (d) the proposed prescribed development will not contravene any relevant environmental obligation under any international treaty, convention or instrument to which Solomon Islands is a party; and
- (e) the applicant will abide by the conditions of the development consent.

(2) No approval shall be given to an applicant if all of the criteria specified in regulation 14(1) are not met.

(3) The development consent shall be issued in Form 5.

#### **Conditions to be imposed on development consent**

**15.** In issuing a Development Consent to the applicant, the Director may impose any of the following conditions –

- (a) installation and operation of certain plant or equipment within a certain time;
- (b) the taking of certain action to minimize the risk of environmental harm;
- (c) at the cost of the developer, installation of monitoring equipment, carrying out a specified monitoring programme and reporting on its progress;
- (d) preparation and carrying out of an environmental programme;
- (e) provision of reports on any matter specified by the Director;
- (g) undertaking an audit at periodic intervals;
- (h) preparation and lodgment of a plan for emergency response in relation to accidental release of contaminants or risk of other emergency;
- (i) provision of information reasonably required by the Director for the administration and enforcement of the Act;
- (j) conducting baseline studies or surveys and reporting the results prior to commencing the operations; and
- (k) rehabilitation of the affected area.

#### **Publication of decisions**

**16. – (1)** When the Director has made a decision on a development application, the Director shall publish the decision in a newspaper having wide circulation in Solomon Islands.

(2) The date of publication of the decision under subregulation (1) is the date of publication for the purpose of an appeal under section 32(1) of the Act.

(3) Subject to subregulations (1) and (2), the Director may publish the decision in other forms of public notices as the Director may approve.

#### **Mitigating costs**

**17. –**Any costs incurred by the developer in mitigating any adverse environmental impact shall be paid by the developer.

### **PART 4 – APPEALS PROCEDURES**

#### **Grounds for appeal**

**18. – (1)** An appeal under section 32(1) of the Act may be made on the grounds, that the decision of the Director was –

- (a) inconsistent with any provision of the Act;
- (b) inconsistent with the finding or recommendation of the Public Environmental Report or Environmental Impact Statement;

- (c) inconsistent with any international treaty, convention or regional arrangement to which Solomon Islands is a party to; or
  - (d) the prescribed development is to be undertaken on customary land, the said development is not supported by the majority of the legitimate customary landowners, as determined by the chiefs in accordance with the Local Court Act (Cap.19).
- (2) The fee for notice of appeal is set out in Schedule 1.

## **PART 5 – CONTROL OF POLLUTION**

### **Prescribed premises**

**19.** Premises set out in Schedule 1 are prescribed for the purposes of Part IV of the Act.

### **Application for licence to discharge waste, etc**

**20. – (1)** A person who occupies a prescribed premises may apply in Form 6 (accompanied by the prescribed fee) to the Director for a licence authorizing the person to discharge waste, emit noise, odour or electromagnetic radiation from a prescribed premises.

- (2) The application shall be accompanied by the following information –
- (a) the type of waste, substance or material that is to be discharged or emit;
  - (b) the type of equipment or facilities that are required to be used in the discharge of waste or emission of noise, odour or electromagnetic radiation and its installation;
  - (c) the length of time needed of the activity;
  - (d) measures or actions to be taken in the event that there is a discharge of waste or emission of noise, odor or electromagnetic radiation into the environment;
  - (e) a letter of support from the relevant Provincial Government or the Honiara City Council as the case may require.
- (3) When the Director receives an application, the Director –
- (a) shall, within 30 working days of receiving the application, inform the applicant in writing whether or not the application complies with the requirements of section 39 of the Act;
  - (b) may, require any additional information, plans, documents or specifications; and
  - (c) shall not consider the application unless all requirements are met by the applicant.
- (4) The Director shall published a notice of the application in the Gazette setting out –
- (a) the prescribed particulars of the application to which it relates; and
  - (b) an invitation to any person or public authority to make submissions on whether or not the application should be approved.

### **Applicant to produce PER or EIS**

**21. – (1)** The Director shall require the applicant to finance and produce a Public Environmental Public Report or an Environment Impact Statement Report in Forms 3 and 4 respectively.

- (2) The report or statement shall be submitted to the Director within 90 working days after receipt of the advice under regulation 20(3).

(3) The Public Environmental Report or the Environment Impact Statement shall be a public document and the Director shall make available copies of the same to the public and in particular shall be posted in public places in communities in respect of which the application is made.

**Notice of the application and meeting**

**22.** –(1) Upon receipt of the Public Environmental Report or the Environment Impact Statement, the Director shall convene a meeting to discuss the subject matter of the application.

(2) The venue for such meeting shall be –

- (a) where the location of the proposed activity is in a rural area, in a community within that area; or
- (b) where the location is in an urban centre, at a place to be determined by the Director.

(3) The Director or his or her nominee shall, at the meeting convened for that purpose ensures that persons attending the meeting have a fair understanding of the contents of the Public Environmental Report or the Environment Impact Statement, in particular the finding or recommendation of both documents. The Notice for convening the meeting shall be as prescribed in Form 7.

(3) The proceedings of the meeting shall be recorded by a person to be approved by the Director.

(4) The Director shall receive both oral and written submission from any person in relation to the application.

**Issuance and amendment of licence**

**23.** – (1) The Director may, within 10 working days, issue a licence in Form 8 if –

- (a) there is no objection is made on the application; or
- (b) the issuing of licence to discharge waste would be consistent with the finding or recommendation of the Public Environmental Report, the Environment Impact Statement, the recommendation of the Environment and Conservation Division or submissions received from the public.

(2) The Director may, on application, amend the licence if –

- (a) the discharge or emission will be carried out in a manner which is consistent with all relevant environmental policies;
- (b) all reasonable steps will be taken to minimize any risk of environmental harm as a result of the discharge;
- (c) the amendment will not contravene any environmental obligation under any international treaty, convention or arrangement to which Solomon Islands is a party; and
- (d) the Director is satisfied that the applicant will comply with the amendment.

**Director not to issue licence without PER or EIS**

**24.** The Director shall not issue any licence under this Part if the Director is of the view that

- (a) the PER or the EIS did not support the application, or
- (b) the discharge of waste, noise, odour, radiation or other forms of pollution is inevitable; or

- (c) the discharge of waste or emission of noise, odour or electromagnetic radiation would be harmful to the environment; or
- (d) the license should not be issued.

#### **Abatement notices**

**25.** An Abatement Notice served on an occupier of a premises or property shall be form in Form 9

#### **Stop notices**

**26.** – (1) A stop notice issued by an Inspector under section 45 shall be in Form 10 and shall be issued after consultation with the Director

(2) For the purposes of these Regulations the service of all documents shall be personal service.

#### **Fees**

**27.** – (1) The fees payable for the purpose of the Act are set out in Schedule 1.

(2) The full cost of the preparation and publication of any public environmental report or the environmental impact statement shall be borne by the applicant or the developer as the case may be.

(3) Notwithstanding anything in these Regulations, the Minister may require that the applicant or the developer to meet any costs incurred in the independent assessment of any public environmental report or environmental impact statement required to be submitted under the Act.

(4) Prior to arranging any independent assessment as required under regulation 23 (3), the Director shall, so far as is practicable, determine the cost of the assessment and advise the developer accordingly.

(5) A developer who is unwilling to pay the cost of an independent assessment under the preceding subregulation may give written notice to the Director of the withdrawal of the application to which the assessment would have related.

(6) Costs incurred pursuant to section 31 in monitoring a development shall be paid by the developer on the following basis –

- (a) where the monitoring is done by an Environmental Inspector, at the rate of \$100 an hour; or
- (b) where the Director determines that the monitoring is to be done by an independent person or body, at actual cost charged by that person or body.

#### **Forms**

**28.** The forms required for the purpose of the Act are set out in Schedule 2.

#### **Amendment to the Second Schedule to the Act**

**29.** The Second Schedule to the Act is amended in item 6 (CHEMICAL INDUSTRY) adding the following new paragraph –

- “(e) manufacturing, processing, keeping, distributing, conveying, using, selling or disposing of chemical or chemical waste, including any related act”

**SCHEDULE 1**  
**(regulation 19)**

**PRESCRIBED PREMISES**

The following premises are prescribed for the purposes of Part IV of the Act –

- (a) Nightclubs;
- (b) Processing and manufacturing of food, including canneries;
- (c) Chemical industries;
- (d) Major waste disposal plants and premises;
- (e) Waste management and disposal system;
- (f) Leather, paper, textile and wood industries;
- (g) Iron, steel and other metal industries;
- (h) Installations for manufacture of cement;
- (i) Extractions of minerals and mining;
- (j) Petroleum product storage and processing works;
- (k) Intensive fish and aqua-farming;
- (l) Industrial installations for production of electricity;
- (m) Brewing and malting;
- (n) Harbours and port installations;
- (o) Shipyards;

**SCHEDULE 1**  
**(regulation 27)**

**PRESCRIBED FEES**

No.	Subject-matter	\$
1	Proposal application	200.00
2	Development application	200.00
3	Application for licence (section 39)	200.00
4	Notice of appeal	200.00
5	Processing of PER	200.00
6	Processing of EIS	200.00
7	Search fee (section 28)	200.00
8	Amendment of licence (section 41(2))	150.00
9	Development consent for food industries	8,000.00
10	Development consent for iron and metal industries	10,000.00
11	Development consent for logging operations	10,000.00
12	Development consent for mining	10,000.00
13	Development consent for Agriculture	10,000.00
14	Development consent for estate development	5,000.00
15	Development consent for residential	2,000.00
16	Development consent for fishing and marine products	10,000.00
17	Development consent for leather, paper, textile	10,000.00
18	Development consent for chemical industry	10,000.00
19	Development consent for tourism industry	10,000.00

20	Development consent for public works	10,000.00
21	Development consent for industrial estate	8,000.00
22	Development consent for petroleum products storage/works	8,000.00
23	Development consent for ports/harbours	10,000.00
24	Development consent for infrastructure	5,000.00
25	Development consent for airport/aerodrome development	8,000.00
26	Development consent for waste disposal plant	8,000.00
27		
28		

**SCHEDULE 2  
(regulation 28)**

**PRESCRIBED FORMS**

**Form 1**

**SECTION 29 – GUIDELINES TO ASSIST IN PREPARATION OF PUBLIC ENVIRONMENTAL REPORT OR ENVIRONMENT STATEMENT etc.**

**1. General Information.**

The background of the prescribed development should include:

- (a) the name of the proposed prescribed development.
- (b) the full name and postal address of the designated proponent;
- (c) a clear outline of the object of the prescribed development;
- (d) the location of the proposed prescribed development
- (e) the background to the development of the proposed prescribed development
- (f) how the proposed prescribed development relates to other existing

developments (which the applicant should reasonably be aware) or which have been approved in the same location.

- (g) the current status of the prescribed development
- (h) the consequence of not proceeding with the prescribed development.

**2. Description.**

A description of the prescribed development, including:-

- (a) all the components of the proposed prescribed development
- (b) the precise location of any works to be undertaken, structures to be built or elements of the proposed prescribed development that may have relevant impacts
- (c) how the works are to be undertaken and design parameters for those aspects of the structures or elements of the proposed prescribed development that may have relevant impacts

- (d) relevant impacts of the proposed prescribed development

(e) proposed safeguards and mitigation measure to deal with relevant impacts of the proposed prescribed development

(f) any other requirements for approval or conditions that apply, or that the applicant reasonably believes are likely to apply to the proposed prescribed development

(g) to the extent reasonably practicable, any feasible alternatives to the action, including:-

- (i) if relevant, the alternative of not approving the application
  - (ii) a comparative description of the impacts that alternative development might have on the environment
  - (iii) matters protected by controlling provisions for the proposed prescribed development to make clear why any alternative development is preferred to another.
- (h) any consultation about the proposed prescribed development, including:
- (i) any consultation that has already taken place
  - (ii) proposed consultation about any relevant impacts of the proposed prescribed development
  - (iii) if there has been consultation about the proposed prescribed development, any documented response to, or result of such consultation.

(i) identification of affected parties, including a statement mentioned any communities that may be affected and a summary description of their views.

**3. Environment likely to be Affected by the Proposed Prescribed development**

(a) a description of the affected area that refers, as appropriate, to the relevant map

(b) a description of important features of the proposed prescribed development and the affected area, including (if relevant to the area in which the proposed prescribed development is to be located) information about:-

- (i) soil and vegetation characteristics
- (ii) water flows, including rivers, creeks and impoundments
- (iii) the presence of outstanding natural features, including caves
- (iv) gradient

(v) any buildings or other infrastructure

(vi) any marine areas

(vii) kind of fauna in the area

(viii) the current state of the environment in the area, including information about the extent of erosion, whether the area is infested with weeds or feral animals and whether the area is covered by native vegetation or crops.

(c) whether the area in which the proposed prescribed development is to be located in under customary, leasehold or other tenure.

(d) current or proposed land uses for the projected area.

**4. Relevant Impacts.**

Information given under paragraph 1(d) must include:-

(a) a description of the relevant impact of the proposed prescribed development

(b) a detailed assessment of the nature and extent of the likely short term and long term relevant impacts

(c) a statement whether any relevant impacts are likely to be known, unpredictable or irreversible

(d) analysis of the significance of the relevant impacts

(e) any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

**5. Proposed Safeguards and Mitigation Measures.**

Information given under paragraph 2 (e) must include:-

(a) a description, an assessment of the expected or predicted effectiveness of, the mitigation measures

(b) any statutory or policy basis for the mitigation measures

(c) the costs of the mitigation measures

(d) an outline of an environmental management plan that sets out a framework for continuing management, mitigation and monitoring programs for the relevant impacts of the proposed prescribed development, including any provision for independent environmental audit.

**6. Other Approvals and Conditions.**

Information given under paragraph 2(f) must include:-

(a) detail of any Honiara City or Provincial Government planning scheme, or plan under any Honiara City or Provincial Government planning system that deals with the proposed prescribed development, including:-



- (i) what environment assessment of the proposed prescribed development has been, or is being carried out under the scheme, plan or policy; or
  - (ii) how the scheme provides for the prevention, minimization and management of any relevant impacts.
- (b) a description of any approval that has been obtained from a Provincial Government or relevant authority (other than an approval under the Act), including any conditions that apply to the proposed prescribed development;
- (c) a statement identifying the additional approval that is required; and
- (d) the description of the monitoring, enforcement and review procedures that apply or are proposed to apply to the proposed prescribed development.

**7. Information Sources.**

For information given in a draft public environmental report or environmental impact statement, the draft must state:-

- (a) the sources of the information;
- (b) how recent the information is;
- (c) how the reliability of the information was tested; and
- (d) what uncertainties (if any), are in the information.

SECTION 17 – APPLICATION FOR DEVELOPMENT CONSENT

(some information about nature of development and environmental characteristics needed here)

1. Name of Applicant: ..... Ph .....
Address ..... Fax .....
.....
.....

Contact Person: ..... Official Designation .....
Address .....
Ph:..... Fax.....:

2. Type or class of prescribed development. (construction, manufacturing, agriculture, food processing, mining, fishing or fishing related, forestry or forestry related)- Brief project description

.....
.....
.....
.....
.....

3. Is the application in respect of an existing development?. (if yes, provide a summary of the existing prescribed development)

.....
.....
.....
.....
.....

4. State where the proposed prescribed development is to be located.

Name of Community .....
(if the proposed prescribed development is to be located in a rural area)
Province/Honiara.....

5. Attachments –

- (a) PER; or
(b) EIS;
(c) State whether development is exempt or PER or EIS not required

.....

This application is made this day of 20...

Signature of Applicant

OFFICIAL USE ONLY

Application received on the	day of	20...	
Application fee of.....			Dollars
\$.....			
_____			
Seal		Director	
Environment and Conservation Division			

**Form 3****SECTION 29 – PER OR EIS FORMS****Guidelines to drafting the Public Environmental Report or the Environmental Impact Statement**

Modification may be made to this, depending on the nature of the development.

- (a) Executive Summary
- (b) Policy, Legal and Administrative Framework
- (c) Description of the Proposed Project.
- (d) Description of the Baseline Environment
- (e) Significant Environment Impacts
- (f) Analysis of Alternatives
- (g) Mitigation and Environmental Management Plan
- (h) Environmental Monitoring plan
- (i) Public Consultation
- (j) List of References
- (k) Appendices

**Form 4**

**SECTIONS 22 AND 24 – NOTICE OF MEETING**

**TAKE NOTICE** that in compliance with sections 22 and 24 of the Environment Act and the Director having satisfied that the Public Environmental Report/the Environmental Impact Statement produced in respect of an application by.....(*name of applicant*).....of .....(*address of applicant*) for a *Development Consent* have met the requirements of the Act, the Director issues the following notices.

1. A meeting will be convened at..... (*name of venue*) on the .....day of .....20... at.....’o clock fore/after noon.
2. At the meeting the Director will explain the contents of the Public Environmental Report/Environmental Impact Statement in relation to the above mentioned application and to receive representation from any person who has an interest in or who is likely to be affected by the subject of the application.
3. The Director will accept both written as well as oral representation from any person
4. Any representations may be submitted to the Director between now and within fourteen days after the date of the meeting at the following address:

Director  
 Environment and Conservation Division  
 Department of Forestry, Environment and Conservation  
 P.O Box G26  
 Honiara  
 Solomon Islands.

Dated this                                        day of                                        20...

\_\_\_\_\_

Director  
 Environment and Conservation Division  
 Department of Forestry, Environment and Conservation

Seal

**SECTION 24 – DEVELOPMENT CONSENT**

**PURSUANT** to an application for development dated (insert date), this **DEVELOPMENT CONSENT** is issued to.....to undertake the approved prescribed development in terms of section 24 of the Environment Act.

The approved prescribed development is.....and is located at.....Province/Honiara City

The following conditions shall **APPLY** in addition to the conditions prescribed in these Regulations and in the Act

1. This Development Consent is valid until such time as the abovementioned approved prescribed development is completed.
2. The holder of this Development Consent shall not undertake or cause to be undertaken any other development other than that
3. This Development Consent is non-transferable.
4. The holder of this Development, its agent, servants or officers shall permit the Director or Inspectors unhindered entry to any promises or location in which the prescribed development is situated and shall provide any assistance as the Director or Inspector may require.
5. The Director may at any time, vary or remove any conditions or restriction to this consent by notice in writing served on the holder of this consent.
6. The holder shall conduct the approved operations under the development consent only within the area of land specified herein.
8. The holder shall conduct the approved operations under the consent in a manner that complies with the conditions of this consent, the Environment Management Plan, the Act and subsidiary legislation made under the Act.
9. ....(add other conditions).....

Issued at ..... this ..... day of ..... 20...

Seal

\_\_\_\_\_  
Director  
Environment and Conservation Division

Form 6

**SECTION 39 –APPLICATION FOR A LICENSE TO DISCHARGE WASTE OR EMIT NOISE, ODOUR OR ELECTROMAGNETIC RADIATION**

- 1. Name of Applicant..... Ph .....
- Address ..... Fax .....
- .....
- .....
- Contact Person: ..... Official Designation .....
- Address .....
- .....
- .....
- Telephone .....
- Fax .....

- 2. Application to:
  - (a) discharge waste: (yes/no)
  - (b) emit odour (yes/no)
  - (c) emit noise (yes/no)
  - (d) emit electromagnetic radiation (yes/no)

3. Where "yes", provide a detail summary

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

*(if space provided is not adequate)*

4. The premises to be used. Provide a map or a plan of the premises.  
Briefly describe the premises,(the materials used in the construction of the premises)

.....

.....

.....

.....

.....

.....

.....

.....

Dated                                  day of                                  20...

\_\_\_\_\_

Applicant

**OFFICIAL USE**

This application for a License received this	day of	20...
Payment of Application Fee of.....dollars		
\$.....		
<hr/>		
Seal	Director	
	Environment and Conservation Division	
	Department of Forestry, Environment and Conservation	



Form 7

**NOTICE OF MEETING**

TAKE NOTICE that an application has been received by.....(*name of Applicant*).....*of*.....(*address*)..... to discharge waste/emit noise, odour or electromagnetic radiation, (*cross out ones that do not apply*).

The Director will convene a public meeting to receive representation from the public and persons who may be affected or who are likely to be affected by such discharge or emission into the environment.

Meeting will be held at..... (*venue*), Province/Honiara on the.....day of .....day of 20...

Important points to take note of

1. Representation may be submitted in writing or orally to the Director at the meeting. Written submission may be submitted to the Director at the office of the Director, Environment and Conservation Office, Department of Forestry Environment and Conservation.
2. Public Environmental Report/Environmental Impact Statement will be made available at the Meeting.
3. Enquiries regarding this Notice should be directed to the Director, Environment and Conservation.

Tel ..... Fax .....

Dated                      day of                      20 ...

Seal

\_\_\_\_\_  
 Director  
 Environment and Conservation Department  
 Department of Forestry, Environment and Conservation

**Form 8**

**SECTION 39(4) – LICENCE TO DISCHARGE WASTE ETC**

**TAKE NOTE** that .....is licensed to discharge waste/emit noise, odour or electromagnetic radiation in to the environment subject to the following conditions.*(cross out whichever does that does not apply)*

1. The holder shall comply to the other conditions as prescribed in the Act and these Regulations.
2. This License is non transferable unless as prescribed in the Act.
3. This License does not cover any other premises or activity other than those approved under this License.
4. The holder of this License, its agents, officers shall permit the Director or Inspector entry into the premises and shall provide any assistance as the Director or Inspector as lawfully request.

Date   day of   20...

\_\_\_\_\_

Director

Seal

Environment and Conservation Division  
Department of Forestry, Environment and Conservation

**Form 9**

**SECTION 43 –POLLUTION ABATEMENT NOTICE**

TO:.....(*name of Licence Holder*)

Address .....

.....

.....

This Notice serves to inform you that:

- (a) waste matter is being or is likely to be discharged from your premises; or
- (b) noise, odour or electromagnetic radiation is or is likely to be emitted from your premises  
*(cross out whichever does not apply)*
- (c) the discharge or emission is in breach of the conditions prescribed in the Act or these Regulations.

You are required to take all necessary measures to prevent any likely discharge of waste or emission from your premises within seven days from the date of this Notice. Failure on your part to take any such necessary measures within the specified time could amount to you committing an offence under the Act including serving on you a **STOP NOTICE**.

You are required to report to the Director within seven days from the date of this Notice of the measures that you have taken and this Notice will not be cancelled until the measures you have taken are satisfactory to the Director.

\_\_\_\_\_  
Director

Environment and Conservation Division  
Department of Forestry, Environment and Conservation

Seal

**Form 10**

**SECTION 45 – STOP NOTICE**

Failure on you part to comply with the **Pollution Abatement Notice** served on you on the \_\_\_\_\_ day of \_\_\_\_\_ 20..., the Director has decided to serve on you a **STOP NOTICE** in accordance with section 45 of the Act.

You must comply the following conditions:

1. All activities including discharge of waste, emission of noise, odour or electromagnetic radiation in and from these premises **MUST CEASE** forthwith unless this Notice is revoked.
2. You must surrender all locks and keys to these premises to the Director within the next twenty four hours or to the Director or Inspector who shall call at these premises, whichever is earlier without any delay.
3. You, your agents or servants must not enter these premises without the authority of the Director.
4. You must report to the Director within seven days form the date of this Notice. Failure to report to the Director is an Offence which attracts penalty.

The Director may take all necessary measures to prevent any discharge of waste or emission of noise, odour or electromagnetic radiation. Any cost which may be incurred by the Director in taking these measures shall be borne by you.

Seal

\_\_\_\_\_  
 Director  
 Environment and Conservation Division  
 Department of Forestry, Environment and Conservation

MADE AT HONIARA this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

.....  
**HON GORDON DARCY LILO**  
**MINISTER FOR ENVIRONMENT, CONSERVATION AND METEOROLOGY**