



FEDERAL SUBSIDIARY LEGISLATION

ENVIRONMENTAL QUALITY ACT 1974 [ACT 127]

P.U.(A) 362/87

ENVIRONMENTAL QUALITY (PRESCRIBED ACTIVITIES) (ENVIRONMENTAL IMPACT ASSESSMENT) ORDER 1987

Incorporating latest amendments - P.U.(A) 489/2000

Publication :

5th November 1987

Date of coming into operation :

1st April 1988

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Preamble

IN exercise of the powers conferred by section 34A of the Environmental Quality Act 1974 [Act 127], the Minister, after consultation with the Environmental Quality Council, makes the following order :

Order 1. Citation and commencement.

This Order may be cited as the **Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) Order 1987** and shall come into force on the 1st April 1988.

Order 2. Prescribed activities.

The activities specified in the Schedule are prescribed to be prescribed activities.

Order 3. Order not applicable to Sabah and Sarawak in certain prescribed activities.

This Order shall not apply in respect of-

(a) the prescribed activities [except item 7(viii)] listed in the First Schedule of the Conservation of Environment (Prescribed Activities) Order 1999 published under the Second Supplementary of the Sabah Government *Gazette* on the 30 August 1999; and

(b) the prescribed activities listed in the First Schedule of the Natural Resources and Environment (Prescribed Activities) Order 1994 published under Part II of the Sarawak Government *Gazette* on the 18 August 1994.

[Subs.P.U.(A) 489/2000]

[Am.P.U.(A) 117/95, Am P.U.(A) 44/96,]

Order 4. Items in the Schedule still applicable to Sabah and Sarawak.

Notwithstanding paragraph 3, the prescribed activities listed as items 2, 5(a) and (b), 8, 9, 10, 12, 13 (a), (c) and (d), 15, 16, and 18, in the Schedule shall continue to apply in respect of the States of Sabah and Sarawak

[Am.P.U.(A) 489/2000, Am.P.U.(A) 117/95]

SCHEDULE

1. AGRICULTURE:

- (a) Land development schemes covering an area of 500 hectares or more to bring forest land into agricultural production.
- (b) Agricultural programmes necessitating the resettlement of 100 families or more.
- (c) Development of agricultural estates covering an area of 500 hectares or more involving changes in types of agricultural use.

2. AIRPORT:

- (a) Construction of airports (having an airstrip of 2,500 metres or longer).
- (b) Airstrip development in state and national parks.

3. DRAINAGE AND IRRIGATION:

- (a) Construction of dams and man-made lakes and artificial enlargement of lakes with surface areas of 200 hectares or more.
- (b) Drainage of wetland, wild-life habitat or of virgin forest covering an area of 100 hectares or more.

(c) Irrigation schemes covering an area of 5,000 hectares or more.

4. LAND RECLAMATION:

Coastal reclamation involving an area of 50 hectares or more.

5. FISHERIES:

(a) Construction of fishing harbors.

(b) Harbour expansion involving an increase of 50 percent or more in fish landing capacity per annum.

(c) Land based aquaculture projects accompanied by clearing of mangrove swamp forests covering an area of 50 hectares or more.

6. FORESTRY:

(a) Conversion of hill forest land to other land use covering an area of 50 hectares or more.

(b) Logging or conversion of forest land to other land use within the catchment area of reservoirs used for municipal water supply, irrigation or hydro-power generation or in areas adjacent to state and national parks and national marine parks.

(c) Logging covering an area of 500 hectares or more.

(d) Conversion of mangrove swamps for industrial, housing or agricultural use covering an area of 50 hectares or more.

(e) Clearing of mangrove swamps on islands adjacent to national marine parks.

7. HOUSING:

Housing development covering an area of 50 hectares or more.

8. INDUSTRY:

(a) Chemical	-Where production capacity of each product or combined products is greater than 100 tonnes/day.	
(b) Petrochemicals	-All sizes.	
(c) Non-ferrous	-Primary smelting:	
	Aluminium	-all sizes
	Copper	-all sizes
	Others	-producing 50 tonnes/day and above of product
(d) Non-metallic	-Cement	-for clinker throughput of 30 tonnes/hour and above
	-Lime	-100 tonnes/day and above burnt lime rotary kiln or 50 tonnes/day and above vertical kiln.
(e) Iron and steel	-Require iron ore as raw materials for production greater than 100 tonnes/day; or	
	-Using scrap iron as raw material for production greater than 200 tonnes/day	
(f) Shipyards	-Dead Weight Tonnage greater than 5,000 tonnes.	
(g) Pulp and paper industry	- Production capacity greater than 50 tonnes/day	

9. INFRASTRUCTURE:

- (a) Construction of hospitals with outfall into beachfronts used for recreational purposes.
- (b) Industrial estate development for medium and heavy industries covering an area of 50 hectares or more.
- (c) Construction of expressways.
- (d) Construction of national highways.
- (e) construction of new townships.

10. PORTS:

- (a) Construction of ports.
- (b) Port expansion involving an increase of 50 percent or more in handling capacity per annum.

11. MINING:

- (a) Mining of minerals in new areas where the mining lease covers a total area in excess of 250 hectares.
- (b) Ore processing, including concentrating for aluminium, copper, gold or tantalum.
- (c) Sand dredging involving an area of 50 hectares or more.

12. PETROLEUM:

- (a) Oil and gas fields development.
- (b) Construction of off-shore and on-shore pipelines in excess of 50 kilometers in length.

(c) Construction of oil and gas separation, processing, handling, and storage facilities.

(d) Construction of oil refineries.

(e) Construction of product depots for the storage of petrol, gas or diesel (excluding service stations) which are located within 3 kilometres of any commercial, industrial or residential areas and which have a combined storage capacity of 60,000 barrels or more.

13. POWER GENERATION AND TRANSMISSION :

(a) Construction of steam generated power stations burning fossil fuels and having a capacity of more than 10 megawatts.

(b) Dams and hydro-electric power schemes with either or both of the following:

(i) dams over 15 metres high and ancillary structures covering a total area in excess of 40 hectares;

(ii) reservoirs with a surface area in excess of 400 hectares.

(c) Construction of combined cycle power stations.

(d) Construction of nuclear-fueled power stations.

14. QUARRIES:

Proposed quarrying of aggregate, limestone, silica, quartzite, sandstone, marble and decorative building stone within 3 kilometres of any existing residential, commercial or industrial areas, or any area for which a licence, permit or approval has been granted for residential, commercial or industrial development.

15. RAILWAYS:

(a) Construction of new routes.

(b) Construction of branch lines.

16. TRANSPORTATION:

Construction of Mass Rapid Transport projects.

17. RESORT AND RECREATIONAL DEVELOPMENT:

(a) Construction of coastal resort facilities or hotels with more than 80 rooms.

(b) Hill station resort or hotel development covering an area of 50 hectares or more.

(c) Development of tourist or recreational facilities in national parks.

(d) Development of tourist or recreational facilities on islands in surrounding waters which are gazetted as national marine parks.

18. WASTE TREATMENT AND DISPOSAL

(a) Toxic and Hazardous Waste-

- (i) Construction of incineration plant.
- (ii) Construction of recovery plant (off-site).
- (iii) Construction of wastewater treatment plant (off-site).
- (iv) Construction of secure landfill facility.
- (v) Construction of storage facility (off-site).

(b) Municipal Solid Waste-

- (i) Construction of incineration plant.
- (ii) Construction of composting plant.
- (iii) Construction of recovery/recycling plant.
- (iv) Construction of municipal solid waste landfill facility.

(c) Municipal Sewage-

- (i) Construction of wastewater treatment plant.
- (ii) Construction of marine outfall.

19. WATER SUPPLY:

- (a) Construction of dams or impounding reservoirs with a surface area of 200 hectares or more.
- (b) Groundwater development for industrial, agricultural or urban water supply of greater than 4,500 cubic metres per day.

Made the 30th September 1987.

[KST & AS (U) 902/JAS/4 (2); PN. (PU²) 280/III.]

DATUK AMAR STEPHEN K. T. YONG,
Minister of Science, Technology and the Environment

LIST OF AMENDMENTS.

<i>Amending law</i>	<i>Short title</i>	<i>In force from</i>
<u>P.U.(A) 117/95</u>	Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) (Amendment) Order 1995	1-09-1994
<u>P.U.(A) 44/96</u>	Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) (Amendment) Order 1996	1-09-1994
<u>P.U.(A) 489/2000</u>	Environmental Quality (Prescribed Activities) (Environmental Impact Assessment) (Amendment) Order 2000	29-12-2000

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