

## Planning and Approvals (EES referral) Frequently Asked Questions

### Approvals

#### What is an Environmental Effects Statement (EES) referral?

The EES referral process is a statutory process under the Victorian Environment Effects Act 1978 (the Act). Melbourne Water has asked the Minister for Planning to make a decision on the need for assessment under the Act. This process is commonly known as an 'EES referral'.

The EES referral form details the potential social, environmental, cultural heritage and geotechnical impacts of the project within the preliminary pipeline corridors. This document is supported by a Preliminary Project Impact Assessment, Preliminary Environmental Management Plan and 15 technical specialist reports.

The EES referral package provides the Minister with information to inform his decision about how the project should be assessed and approved from a planning and environmental perspective.

#### What kind of information is found in the EES referral document?

- Information such as the types of scientific surveys undertaken to date
- Maps including information on which areas have been investigated

- The scope and types of potential social impacts within the study area
- The types and prevalence of flora and fauna species within the study area based on investigations to date
- Other information about the project area
- Methods to avoid, minimise, manage and mitigate potential impacts.

#### Where does the information in the EES referral come from?

The data and conclusions contained within the EES referral are drawn from numerous sources, including existing data from Federal, State, and local agencies, universities, and the field investigations undertaken to date specifically for this project.

The document also identifies methods to avoid, minimise, manage and mitigate potential impacts, which will ultimately be contained in documents such as the Environmental Management Plan.

#### What is Melbourne Water recommending in the EES referral document?

Melbourne Water makes no recommendations in its referral documentation.

Melbourne Water has presented to the Minister for Planning the work undertaken to date in order to identify potential environmental, social and economic impacts and methods to avoid, minimise, manage and mitigate them. The need for an EES under the Act is currently being considered and will be determined in due course by the Minister.

#### Is Melbourne Water going to be subject to a less stringent approvals process than the EES process?

No. Melbourne Water is, and continues to undertake all the rigorous environmental assessments in accordance with the Environment Effects Act 1978.

#### How long does the Minister have to make a decision?

As outlined in the Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978 (available to download at [www.dpcd.vic.gov.au/planning/ees](http://www.dpcd.vic.gov.au/planning/ees)), the Minister will usually make a decision on the need for an EES within 20 business days after a referral has been formally accepted. However, this is not a statutory timeframe, and in some instances the Minister may take longer to reach a decision.

**How can I have input into the Minister's decision-making process?**

The referral process under the Environment Effects Act 1978 does not provide for public submissions.

**How can I have input into the Preliminary Project Impact Assessment and the Preliminary Environmental Management Plan?**

Community feedback on the Preliminary Project Impact Assessment and the Preliminary Environmental Management Plan is being collected by Melbourne Water through individual meetings with land owners, residents and other interested parties within the preliminary pipeline corridors as well as via correspondence, meetings and community information sessions.

This feedback will be used to assist in the development of the final versions of documents.

**What does the Minister for Planning base his decisions on?**

The Minister's decision is based on the EES referral document, with the supporting documents providing additional background information.

The Minister may also request and receive advice about this project from other agencies, including the Department of Planning and Community Development and the Department of Sustainability and Environment.

**What can the Minister for Planning decide with regard to the EES referral?**

In short, the Minister has three options before him:

1. Decide that an EES is required for the project
2. Decide that an EES is not required for the project provided that certain conditions are met. Conditions might relate to the project location, design or mitigation measures or requirements for further studies or consultation, or

3. Decide that an EES is not required for the project.

**How does the Minister for Planning's decision impact the project's timeline?**

Once the Minister for Planning has issued a decision on the approval process, Melbourne Water will finalise the project work program.

**How can I get a copy of the EES referral documents?**

You can request a copy of the EES referral and supporting documents to be sent to you on a CD. Please contact the EES Referral Coordinator at the Department of Planning and Community Development at [ees.referrals@dpcd.vic.gov.au](mailto:ees.referrals@dpcd.vic.gov.au) or on telephone (03) 9637 9624.

You can also view the EES Referral at:

<http://www.dse.vic.gov.au/DSE/hrenpl.nsf/LinkView/14A6A41D36FC30A5CA2572F0001561BB996C31703737EE77CA2572DA007FB97>

Copies of the documents will also be on display at:

- Planning Information Centre, Ground Floor, 8 Nicholson Street, East Melbourne
- The Department of Sustainability and Environment, 89 Sydney Road, Benalla
- Shire of Murrindindi, Council Offices, Perkins Street, Alexandra
- Shire of Yarra Ranges, Council Offices, Anderson Street, Lilydale

**When will a referral be made under the provisions of the Federal Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)?**

The EPBC Act is a Federal Government Act that has certain triggers for Federal Government consideration of actions that are likely to have a significant impact on a matter of national environmental significance: national heritage places, threatened species and ecological communities and migratory species.

Melbourne Water expects to refer the project to the Federal Minister for the Environment before the end of the year. A referral is a set of information that includes brief descriptions of the proposal, its location and potential impacts on matters of national environmental significance.

The purpose of the referral stage is to determine whether a proposed action requires approval under the EPBC Act. The EPBC Regulations set out what information must be included in the referral. If the Minister determines that an approval is required, the proposed action will proceed through the assessment and approval process.

**Environment****What are the biggest potential impacts of the project?**

Despite the best engineering, construction and management practices being undertaken, the project will have some impacts on land along the final alignment and areas where infrastructure will be built.

Impacts may include:

- removal of vegetation from sites
- impacts on cultural heritage sites
- impacts on fauna
- impacts such as noise and dust in the immediate area of construction during construction.

The Preliminary Environmental Management Plan is based on the specialist reports undertaken to date and identifies preliminary methods to avoid, mitigate or offset any negative short or long term impacts of the project.

The Environmental Management Plan will be finalised in consultation with the Department of Sustainability and Environment, the Department of Planning and Community Development and other statutory authorities, such as the Goulburn Broken Catchment Management Authority and local stakeholders (including Councils,

Landcare groups and landowners), to best reflect their local knowledge of the region's environment and how to best work within the landscape.

Melbourne Water and the Sugarloaf Pipeline Team intend to manage any impacts in consultation with individual landowners.

**Have scientific investigations of the region concluded now that the EES referral is submitted?**

No, investigations are ongoing. The investigations undertaken to date have allowed Melbourne Water to develop the Preliminary Project Impact Assessment for the preliminary pipeline corridors. To finalise the exact alignment it will be necessary to complete a range of more detailed investigations in areas such as habitat values, natural and cultural resources, geological challenges, and the socio-economic factors.

Investigations throughout the region are ongoing and our team of specialists continue to work throughout the region to finalise these important studies and assessments.

**How can you have sufficiently studied the area you intend to put a pipe in within such a short time?**

By beginning with a review of all sources of existing data on the area, combined with inspections of the study area and detailed local knowledge obtained through community consultation and feedback, a comprehensive investigation of the study area has been undertaken. This investigation has enabled some areas to be eliminated from further consideration; for example, if areas were identified as having high environmental, ecological, cultural heritage significance or socio-economic value, or contained terrain that posed significant engineering obstacles.

Once the field of study is narrowed to several potential pipeline corridors, further investigative works will be undertaken to help identify the unique

natural and cultural resources of these areas and determine whether the project will impact on these areas of significance.

To see the detailed data collected on this project please refer to the technical supplements of the Preliminary Project Impact Assessment, which accompanies the EES referral document. (See above for details on how to obtain a copy of the EES Referral documents?)

**What rare or endangered species of flora and fauna have you discovered within the project study area?**

Some of the Federal Environment Protection and Biodiversity Conservation Act and Flora and Fauna Guarantee-listed species our studies have noted as potentially being within the broader project study area are:

- Macquarie Perch
- Barred Galaxias (only in upper, forested river reaches)
- Matted flax-lily
- Green Scentbark
- Regent honey eater
- Helmeted honey eater
- Striped legless lizard

Existing data is currently being refined on the location and distribution of these species, with extensive field work and detailed study of the preliminary pipeline corridors. The current program of fieldwork will assist in confirming the presence (or absence) of these and other species within the preliminary pipeline corridors.

These studies will help to avoid impacting these unique plants and animals, and will also be available to environmental management groups, such as Landcare, to assist in ongoing responsible land management.

Regarding rare and endangered species, it is currently expected that an EPBC submission will be made before the end of the year, and the project will comply with any Government recommendations made in response to that submission.

**Have you studied or modelled potential impacts on water surface levels in rivers, and any potential impacts to surface and groundwater availability for communities along the corridor?**

Hydrogeological investigations indicate that the groundwater resources of the region are generally located deeper than the pipeline is intended to be constructed. Investigations have found that groundwater resources are generally deeper than 5 metres, while pipe installation will generally be above that level. If a short-term impact is determined to exist on groundwater resources, methods to mitigate those impacts will be implemented.

Further studies will be undertaken in January to locate groundwater more specifically in different parts of the corridors. Additional studies will be ongoing for the life of the project.

**What are the power and greenhouse gas requirements and emissions from the project?**

Power requirements for operating the pumping stations are estimated at between 10 and 15 megawatts, and will require an upgrade to the region's existing power grid by SP AusNet.

Melbourne Water is committed to achieving zero net greenhouse gas emissions by 2018, and energy used to run the pumping stations will have zero net greenhouse emissions.

As part of the Greenhouse Strategy for this project, several options are being considered, including the installation of a mini-hydro power generator at the outfall of the pipeline at Sugarloaf Reservoir. This will be considered as a separate Business Case during the next phase of the planning and design stages.

The greenhouse gas emissions produced during the design and construction phases will be managed through the implementation of the project's Sustainability Framework - with the first effort being to avoid their production.

## Landowners

### What kind of impacts to my everyday business can I expect from the project?

Different land uses may be impacted by different components of the project. Melbourne Water and the Sugarloaf Pipeline Team will continue to work with individual landowners/occupiers to ensure that these land uses are accommodated as best as possible.

We understand that in many cases people's properties are their livelihoods and sources of income, so we want to ensure that we can minimise disruption as a result of this project as much as possible.

If a property is identified as being along the final pipeline alignment, the following potential impacts may occur: construction noise during working hours; potential changes to local traffic patterns; other potential impacts such as dust emissions and occasional vibration.

Impacts will vary depending on the size of each property. Construction would take place for at least 7-10 days dependent on the rate of construction work, followed by a period of reinstatement works (i.e. revegetation, levelling, etc.) which may take up to six weeks.

All properties will be surveyed prior to any works commencing to ensure that they will be reinstated to as close as possible to the condition they were in before construction. It may take some months for revegetation to be successfully established.

Residences located near the proposed pump station sites may be inconvenienced for a longer period of time when compared to pipeline construction, while the stations are being constructed. All construction work will be required to comply with the relevant EPA guidelines for construction activities. This includes consideration of issues such as noise, hours of works and

dust. Pump station operational noise must comply with EPA Guidelines.

### Do you have a plan to reduce the amount of dust generated by your project?

Yes. Melbourne Water has developed a Preliminary Environmental Management Plan. The Plan includes a dust management plan to control dust during the construction phase of the project. A final Plan will be developed prior to the commencement of construction taking into account feedback from local landowners and other key stakeholders. All construction work will be required to comply with the relevant EPA guidelines.

### Do you have a plan to prevent invasive weeds from being transmitted from property to property?

Transportation of invasive weeds is of particular concern to landowners and occupiers. The Project Team has experience in constructing pipelines as well as working closely with other agencies responsible for pipeline installation.

The Preliminary Environmental Management Plan outlines measures for weed management and the prevention of weed transmission from property to property. Measures have been included in the sub-management plans within the Preliminary Environmental Management Plan: the Biosecurity Management Plan and the Native Vegetation and Terrestrial Ecology Management Plan.

The final Environmental Management Plan will be developed once the constructor joins the Alliance and will take into account feedback received from landowners and other stakeholders (including the Department of Sustainability and Environment, the Department of Primary Industries and Landcare groups).

### Do you have a plan to protect my farm and/or livestock from agricultural diseases or parasites, such as equine influenza or phylloxera?

Melbourne Water is working closely with the Department of Primary Industries and other key agencies to understand the risks and ensure that they are managed through adherence to strict protocols. Work has been undertaken with landowners and occupiers to ensure that field personnel follow any existing biosecurity protocols on properties. For the construction and operation phases of the project there is a specific Biosecurity Management Plan (which is a sub-management plan within the Preliminary Environmental Management Plan).

Work has also been undertaken with the Department of Primary Industries to identify and use government protocols for the prevention of equine influenza, bovine johnes, phylloxera, and other biohazards, whenever a landowner does not have an established protocol for working on their property. Procedures will be further documented in the final Environmental Management Plan.

How do you propose to replace the dirt you dig up once you go to cover the pipeline?

It is intended to remove and stockpile all the material removed during excavations. Topsoil will be separated from lower quality subsurface rocks and dirt so that it can be reinstated.

Will topsoil be replaced in the same configuration and concentration it was in before work began?

All properties will be surveyed prior to any works commencing to ensure that topsoil is replaced in as a close to its preconstruction configuration and concentration as possible. Work will be undertaken with individual landowners and occupiers to determine individual needs.

**What will my property look like after you install the pipeline?**

Land will be reinstated to as close to the condition it was in as possible. Melbourne Water is obliged to do this by the Water Act 1989. It is planned to ensure the project is as unobtrusive as possible in all aspects, including permanent impacts on the landscape.

**What types of impacts can I expect to be compensated for?**

Property owners can expect to be compensated for impacts to property, such as land acquired or fundamentally changed by the project, or other impacts as assessed and determined by the Land Acquisition and Compensation Act.

An affected landowner can expect to receive financial compensation for:

- The lessening of value of land affected by the easement that is required to access and maintain the pipeline. The easement is expected to be between 10 and 15 metres wide.
- Any devaluation of the balance of your property which may occur as a result of the pipeline project.
- The direct impacts to your property during construction and until rehabilitation of the construction area is completed. (The area is expected to be approximately 30 metres wide)
- The indirect impacts to your property from construction (such as disruption or loss of agricultural production within the construction corridor). In determining the amount by which a property might be devalued, the valuer will take into account:
  - The difference between the unencumbered land value (ie the value of the land prior to the easement) and the land value after it is encumbered by an easement.

- The position of the pipeline/easement relative to your house or other structures, or relative to any subdivision possible under the planning scheme controls applicable to your land.
- Removal of any established trees and/or the inability to plant trees or other long term crops on the easement.
- Direct financial loss or allowance for disturbance during the period of construction. This item involves rental for the easement and other workspace land, loss of grazing or other use/income for the period of reestablishment.

The valuer will not make a blind assessment of a property. He or she will be instructed to meet with each landowner so that they can voice concerns about particular impacts that it is felt the pipeline or easement may have on the property.

**If an easement is put on my property, what restrictions may be placed on my property?**

The pipeline will be constructed almost exclusively underground and there will be a requirement to register an easement over the pipe to protect it. The Water Act provides the ability for an asset owner to enter property to inspect and maintain the asset. An easement will impose a requirement that permanent structures not be built within the pipeline easement without approval from Melbourne Water. This also protects landowners/occupiers from inadvertently constructing too close to the pipeline.

**Will the pipeline be fenced off?**

During construction, part of the pipeline corridor will be fenced off. This will ensure stock and people do not enter the construction zone and to minimise safety issues. The final pipeline easement, however, is not intended to be fenced and the land will be able to be used, in most parts, for its previous purpose.

The pump station and balancing storage and associated infrastructure will be fenced.

**Will you maintain any access roads through my property to get to the pipeline?**

Maintenance arrangements for the management of access roads will be subject to agreement with landowners/occupiers on a case by case basis. Clear access will need to be maintained from the existing road network to the pipeline alignment, as well as a clear pathway directly above the pipeline in case access arrangements are required for maintenance purposes.

**Will access roads be permanent?**

Whether access roads are temporary or permanent will depend on the final location of the pipeline and the nature of individual properties.

Work will be undertaken with landowners/occupiers to determine acceptable methods of accessing properties, and whether compensation related to access roads is appropriate.

**Local Communities****Will you use local sources of labour, supplies, etc?**

We are working with Regional Development Victoria and local Councils to identify suitable sources of material, labour, housing, and other project needs in order to maximise economic benefit to the region during the construction phase and beyond.

**Do you have a plan for re-routing traffic during roadside construction?**

Melbourne Water is required to prepare a traffic management plan, for review and approval by VicRoads and the Councils as necessary.

To date, Melbourne Water has identified key principles for traffic management, such as minimising traffic on local roads, bridges with load limits which should be avoided and existing pavement conditions.

A preliminary plan will be commenced once the constructor is engaged and the alignment plan is finalised. This will be developed in consultation with stakeholders, including local Councils. VicRoads and/or the local Council will be required to approve any such plans.

**Will there be benefits to local communities as a result of the pipeline construction?**

Economic benefits to the region are being investigated, as well as how they can be maximised and sustained well beyond the construction phase of the pipeline.

We are working with Regional Development Victoria to ensure that local vendors, suppliers and labourers are identified and utilised as much as possible during the construction of the pipeline. Additionally, the immediate economic benefits to the area around the need for accommodation, meals and other incidentals related to the construction workforce being in the area are expected to be a substantial boon to the areas along the final alignment. Currently, the full nature and depth of these benefits is being determined in consultation with local stakeholders, businesses, Councils and agencies.

The Sugarloaf Pipeline project itself, will bring 75 billion litres of water annually to Melbourne as a result of the Food Bowl Modernisation Project, which is expected to realise 225 billion litres of water to be divided between the environment, irrigators and Melbourne. This water would not have been available to irrigators previously because it would have been lost to seepage and evaporation, which will be addressed by the Food Bowl Modernisation Project.

In exchange for the 75 billion litres of water per annum, the Victorian Government is contributing \$600 million toward the first stage of the Food Bowl Modernisation Project and Melbourne Water is contributing \$300 million. The remaining \$100 million will be paid by Goulburn-Murray Water.

**Will local communities be able to take advantage of an upgraded power grid to the region as a result of the project?**

A final plan for upgrading the regional power grid to meet the needs of this project will be developed in collaboration with SP AusNet. While this plan is developed work will be undertaken in consultation with local stakeholders and governments to identify mutual benefits from any regional upgrades.

**Will there be impacts to navigation, recreation, and eco-tourism opportunities along the Goulburn River as a result of the project?**

No. Investigation of the flow rates of the Goulburn River contained in the Project Impact Assessment demonstrates that the project will not adversely affect the current recreational values of the river.

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