

## DECISION ON PROJECT

### Decision under section 8B(3)(a) of the *Environment Effects Act 1978*

#### Viva Energy Gas Terminal Project

(Referral Number 2020R-18)

Assessment though an environment effects statement (EES) under the *Environment Effects Act 1978* **is required** for the reasons set out in the attached notice of reasons for decision.

#### Procedures and requirements under section 8B(5) of the *Environment Effects Act 1978*

The procedures and requirements applying to the EES, in accordance with both section 8B(5) of the Act and the *Ministerial guidelines for assessment of environmental effects under the Environment Effects Act 1978* (Ministerial Guidelines), are as follows.

- (i) The EES is to document investigations and avoidance of potential environmental effects of the proposed project, project alternatives and their effects, as well as the feasibility of associated environmental mitigation and management measures.
- (ii) Primarily, the EES is to incorporate an integrated assessment, and characterisation of associated uncertainties, of the project's potential effects on the marine environment and ecosystem of Corio Bay from:
  - a. dredging works;
  - b. mobilisation of sediment and associated contaminants, such as arsenic and zinc;
  - c. construction at, and around, Refinery Pier;
  - d. seawater intake to and cold water/residual chlorine discharges from the floating storage and gasification unit (FSRU), and
  - e. re-use of FSRU intake seawater within the refinery and warm water/residual chlorine discharges from the refinery.

The EES is also to incorporate an integrated assessment of the broader environmental effects of greenhouse gas emissions from FSRU operation.

- (iii) Secondly, the EES is to incorporate a risk-based, integrated assessment of the project's potential environmental effects on air quality, noise, agriculture, land use, native vegetation, habitat for listed threatened species, groundwater, Aboriginal and historic cultural heritage, landscape and visual amenity, and transport.
- (iv) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements. Draft scoping requirements will be exhibited for 15 business days, for public comment, before final scoping requirements are issued by the Minister for Planning.

- (v) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform an assessment of the significance and acceptability of its potential environmental effects, in the context of the Ministerial Guidelines.
- (vi) The proponent is to prepare and submit to the Department of Environment, Land, Water and Planning (DELWP) a draft EES study program to inform the preparation of scoping requirements.
- (vii) DELWP will convene an inter-agency technical reference group (TRG) to advise DELWP and the proponent during the preparation of the EES on the scoping requirements, the design and adequacy of the EES studies, and coordination with statutory approval processes.
- (viii) The proponent is to prepare and submit to DELWP its proposed EES consultation plan for consulting the public and engaging with stakeholders during the preparation of the EES. Once completed to the satisfaction of DELWP, the EES consultation plan is to be implemented (and updated as appropriate) by the proponent, having regard to advice from DELWP and the TRG.
- (ix) The proponent is also to prepare and submit to DELWP its proposed schedule for the completion of studies, preparation and exhibition of the EES, following confirmation of the draft scoping requirements.
- (x) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
- (xi) The EES is to be exhibited for a period of not less than 30 business days for public comment, unless the exhibition period spans the Christmas/New Year period, in which case 40 business days will apply.
- (xii) An inquiry will be appointed under the *Environment Effects Act 1978* to consider the environmental effects of the proposal.

## **Notification**

The following parties are to be notified of this decision in accordance with sections 8A and 8B(4)(a)(i) of the *Environment Effects Act 1978*:

- Viva Energy Gas Australia Pty Ltd (proponent);
- Minister for Energy, Environment and Climate Change;
- Minister for Water;
- Secretary of the Department of Environment, Land, Water and Planning;
- Mayor of City of Greater Geelong;
- CEO of the Corangamite Catchment Management Authority;
- CEO of the Environment Protection Authority;
- Executive Director of Aboriginal Victoria;

- Executive Director of Heritage Victoria; and
- CEO of Wadawurrung Traditional Owners Aboriginal Corporation.

A handwritten signature in blue ink that reads "Richard Wynne". The signature is written in a cursive, flowing style.

**HON RICHARD WYNNE MP**  
**Minister for Planning**

Date: 28/12/2020