Draft Scoping Requirements for Avonbank Environment Effects Statement

Environment Effects Act 1978

JULY 2020

VICTORIA State Government | Environment, Land, Water and Planning

Accessibility

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- Develop hygiene controls for vehicle and machinery movement to minimise the spread of pathogens and weeds.
- Describe measures to protect remaining biodiversity and native vegetation values.
- Justify and describe the assumptions and level of uncertainty associated with the proposed measures achieving their desired outcomes.

Likely effects

- Assess direct and indirect effects of the project and feasible alternatives, on native fauna and flora, EPBC Act and FFG Act listed communities, and other protected species.
- Assess effects (direct, indirect and cumulative) of the project, including transport route construction/ upgrades and use, on biodiversity values, including:
    - direct removal of individuals or destruction of habitat;
    - disturbance or alteration of habitat conditions (e.g. habitat fragmentation, severance of wildlife corridors or habitat linkages, changes to water quantity or quality, fire hazards, etc.);
    - increased mortality rate of listed threatened fauna; and
    - the presence of any declared weeds, pathogens and pest animals within and in the vicinity of the project area.
- Assess the potential for the project to result in effects from radiation on wildlife. This should utilise, as a minimum, the method described in the Guide for Radiation Protection of the Environment (2015) published by the Australian Radiation Protection and Nuclear Safety Agency.

Performance objectives and management

- Describe and evaluate proposed measures to manage residual effects of the project on biodiversity values and MNES, including an offset strategy and offset management plan that sets out and includes evidence of the offsets that can be secured or are proposed to satisfy both commonwealth[14] and state[15] offset policy or guideline requirements.
- Describe how the offset/s will be secured, managed and monitored, including management actions, responsibility, timing, performance measures and the specific environmental outcomes to be achieved.
- Proposed offsets must meet the requirements of the *EPBC Act Environmental Offsets Policy* (October 2012)[16].
- Describe a framework for identifying and responding to unexpected effects on biodiversity values.

4.6 Catchment values

Evaluation objective

Minimise effects on water resources and on existing and potential future beneficial and licensed uses of surface water, groundwater and related catchment values over the short and long-term.

Key issues

- The potential for adverse effects of the project on the functions and values of nearby and downstream water environments and beneficial uses including downstream swamps and wetlands.
- The potential for adverse effects on licensed uses of groundwater and surface water due to the project's activities.
- Ore, product, overburden, tailings and mining by-products management, in the context of potential water quality impacts including those arising from erosion, sedimentation, release of radionuclides, other contaminants and pollutants, acid sulphate soils, acid/metalliferous drainage formation, or salinity.

Existing environment

- Identify and characterise groundwater and surface water environments potentially impacted by the project, including watercourses, swamps and wetlands, in terms of their existing and future beneficial uses and values, existing drainage functions and behaviours and catchments.

[14] Proposed offsets must meet the requirements of the EPBC Act Environmental Offsets Policy (October 2012) or updates.
[15] Refer to the DELWP Guidelines for the Removal, Destruction or Lopping of Native Vegetation (2017) or updates.
[16] Available at www.environment.gov.au/epbc/publications/epbc-act-environmental-offsets-policy.

Appendix A

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

The procedures and requirements applying to the EES process, in accordance with both section 8B(5) 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 the investigation and avoidance of potential environmental effects of the proposed project, including for any relevant alternatives (such as for the mining extent, methods for mining and processing, water supply and transport of mining outputs), as well as associated environmental avoidance, mitigation and management measures. In particular the EES should address:

a. Effects on the land uses of the site and surrounding areas, including the implications for agricultural productivity;

b. Effects on land stability, erosion and soil productivity associated with the construction and operation of the project, including progressive rehabilitation works;

c. Effects of project construction and operation on air quality, noise and visual amenity of nearby sensitive receptors (in particular residences);

d. Effects on surface water environments, including local waterways and the broader catchment, as well as groundwater (hydrology, quality, uses and dependent ecosystems);

e. Solid and liquid waste that might be generated by the project during construction and operation.

f. Both positive and adverse socio-economic effects, at local and regional scales, potentially generated by the project, including increased traffic movement and indirect effects of the project construction workforce on the capacity of local community infrastructure;

g. Effects on biodiversity and ecological values within and in the vicinity of the site, and associated with adjacent road reserves and crown land, including: native vegetation; listed threatened ecological communities and species of flora and fauna; and other habitats values; and

h. Effects on Aboriginal and non-Aboriginal cultural heritage values.

(ii) The matters to be investigated and documented in the EES will be set out in detail in scoping requirements prepared by the Department of Environment, Land, Water and Planning (the department). Draft scoping requirements will be exhibited for 15 business days for public comment, before being finalised and then issued by the Minister for Planning.

(iii) The level of detail of investigation for the EES studies should be consistent with the scoping requirements issued for this project and be adequate to inform an assessment of the potential environmental effects (and their acceptability) of the project and any relevant alternatives, in the context of the Ministerial Guidelines.

(iv) The proponent is to prepare and submit to the department a draft EES study program to inform the preparation of scoping requirements.

(v) The department is to convene an inter-agency Technical Reference Group (TRG) to advise the proponent and the department, as appropriate, on scoping and adequacy of the EES studies during the preparation of the EES, as well as coordination with statutory approval processes.

(vi) The proponent is to prepare and submit to the department 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 the department, the EES Consultation Plan is to be implemented by the proponent, having regard to advice from the department and the TRG.

(vii) The proponent is also to prepare and submit to the department its proposed schedule for the studies, preparation and exhibition of the EES, following confirmation of draft scoping requirements. This is to enable effective management of the EES process on the basis of an agreed alignment of the proponent's and department's schedules, including for TRG review of technical investigations and the EES documentation.

(viii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies and documentation to an acceptable standard.

(ix) The EES is to be exhibited for a period of 30 business days for public comment, unless the exhibition period spans the Christmas–New Year period, in which case 40 business days will apply.

(x) An inquiry will be appointed under the *Environment Effects Act 1978* to consider and report on the environmental effects of the proposal.

Appendix B

Decision under section 75 of the Environment Protection and Biodiversity Conservation Act 1999

Australian Government
Department of Agriculture, Water and the Environment

Notification of
REFERRAL DECISION AND DESIGNATED PROPONENT – controlled action

Avonbank Heavy Minerals Sands Project, Horsham, Victoria (EPBC 2019/8586)

This decision is made under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

proposed action	To construct and operate a mineral sands mine including processing plant, stockpiles and associated infrastructure, 15 km north-west of Horsham, Victoria [see EPBC Act referral 2019/8586].
decision on proposed action	The proposed action is a controlled action. The project will require assessment and approval under the EPBC Act before it can proceed.
relevant controlling provisions	• Listed threatened species and communities (sections 18 & 18A) • Nuclear actions (sections 21 & 22A)
designated proponent	WIM Resource Pty Ltd ABN: 59 159 389 929
assessment approach	The project will be assessed under the assessment bilateral agreement with the State of Victoria.

Decision-maker

Name and position	Richard Miles A/g Assistant Secretary Assessments and Governance Branch
Signature	
date of decision	3 July 2020

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