

Goschen Mineral Sands Project EES: Scoping Requirements process

Goschen Mineral Sands and Rare Earths project EES – Final Scoping Requirements FAQs

May 2019

What is the purpose of the scoping requirements?

VHM Limited is preparing an environment effects statement (EES) for the Goschen Mineral Sands and Rare Earths project. The scoping requirements for the EES set out the matters that need to be investigated and documented within the EES.

Final EES scoping requirements have been issued by the Minister for Planning and are available on the DELWP website: planning.vic.gov.au/environment-assessment/browse-projects/projects/goschen-mineral-sands-and-rare-earths-project

What is an Environment Effects Statement (EES) and why is it required for the Goschen Mineral Sands and Rare Earths project?

An EES is the most comprehensive and robust environmental assessment process available in Victoria. The EES will provide an integrated and transparent examination of the proposed project and its environmental effects.

In October 2018 the Minister for Planning determined under the *Environment Effects Act 1978* that VHM Limited would need to prepare an EES for the Goschen Mineral Sands and Rare Earths project. This was because the proposed project could have a range of significant effects on:

- native vegetation and associated biodiversity values, including listed threatened species and communities;
- surface water and groundwater and protected beneficial uses;
- existing land uses, amenity and landscape values of the project area and those associated with the broader area; and
- Aboriginal cultural heritage values.

What about the Commonwealth Environment Protection and Biodiversity Conservation Act?

The project was also referred to the Australian Government under the Commonwealth's *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The delegate for the Minister for the Environment and Energy determined on 19 December 2018 that the project is a 'controlled action' requiring assessment and approval under the EPBC Act. The provisions for the Australian Government's controlled action decision under the EPBC Act are Ramsar wetlands (sections 16 and 17B), listed threatened species and communities (sections 18 and 18A) and nuclear actions (sections 21 and 22A).

The EES process is accredited to assess impacts on matters of national environmental significance under the EPBC Act through the Bilateral (Assessment) Agreement between the Commonwealth and the State of Victoria. The EES for the project will be undertaken in accordance with the bilateral agreement; there will be no separate assessment by the Commonwealth.

The scoping requirements identify matters relating to the EPBC decision, so that the EES addresses them.

What studies are VHM Limited doing to assess impacts of the project?

VHM Limited is investigating potential impacts of the project. Key studies they need to undertake include resource investigations, biodiversity, soils and rehabilitation, radiation, air quality, noise, surface water, groundwater, visual impact and landscape, greenhouse gas, cultural heritage, land use and planning, socio-economic and traffic and transport.

These studies will need to include strategies to avoid, minimise or manage potential impacts.

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What are the final Scoping Requirements?

The matters to be investigated and documented in each EES are tailored to each project. DELWP prepares draft scoping requirements for a project's EES on behalf of the Minister and exhibits them for 15 business days for public comment. Inputs to the draft scoping requirements are the proponent's referral and draft study program and advice from agencies via the technical reference group (TRG). Consistent with the Minister's requirement for an EES, the scoping requirements for the Goschen Mineral Sands and Rare Earths project EES cover a broad range of issues. These include any potential impacts on resource development; biodiversity and habitat; water catchment values and hydrology; amenity and environmental quality; social, land-use and infrastructure; cultural heritage; and landscape and visual values. The assessment must include all potential direct, indirect, cumulative, on-site and off-site effects of the proposed project. Social and land use values including agriculture must also be addressed in this EES.

Specific concerns raised by submissions are addressed under broader topics in the scoping requirements. Changes to the scoping requirements in response to submissions clarify issues and better reflect the local context and concerns. These changes include:

- clearer wording around aspects of the project to be documented including rehabilitation and closure, and environmental management framework requirements
- refined wording or expansion of several issues for investigation, including catchment values; amenity and contamination; biosecurity; social and land-use values; and landscape values.

Was there public consultation about the draft scoping requirements?

Public comments have been invited on the Draft scoping requirements for this EES. They were exhibited for 15 business days closing on 7 May 2019. Draft scoping requirement exhibition was publicised on the DELWP website and advertised in major and local newspapers. We received 11 submissions on the draft scoping requirements from local landowners and members of the local community. All submissions were provided to the proponent and the TRG to inform ongoing development of the EES.

The proponent is required to engage with the public and stakeholders to identify and respond to their issues and inform their EES studies.

VHM Limited has commenced consultation with stakeholders and the community, in accordance with a draft consultation plan. This plan will be available on DELWP's website once reviewed by the TRG and the program for consultation will be updated as necessary.

What is the Technical Reference Group and its role in the EES process?

DELWP has convened an inter-agency TRG at the request of the Minister for Planning to advise DELWP and the proponent on scoping and adequacy of the EES studies and documentation, as well as co-ordination of the EES process with other statutory processes for the project.

The government organisations represented on the Technical Reference group are:

- DELWP – Impact Assessment
- DELWP – Loddon Mallee Region (biodiversity and planning)
- DJPR – Earth Resources Regulation
- DHHS
- Aboriginal Victoria
- Heritage Victoria
- EPA Victoria
- Grampians Wimmera Mallee Water
- Mallee Catchment Management Authority
- North Central Catchment Management Authority
- VicRoads
- Gannawarra Shire Council

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- Swan Hill Rural City Council

What happens now the Minister has issued the final scoping requirements?

The proponent will continue to gather information and investigate and assess impacts. This generally takes at least several months. The proponent will draft EES technical reports and the main report for review by DELWP and the TRG. The TRG will advise DELWP and the proponent on the quality of the studies and the documentation.

When the proponent has finalised the EES, it submits the EES to the Minister for Planning who decides whether to authorise the EES for exhibition. If authorised, the EES is advertised and public comment invited for 30 business days. This is the key opportunity for public comment and submission on the project's environmental effects.

The Minister appoints an inquiry that considers the EES and submissions and holds a hearing. The inquiry prepares a report for the Minister, who will then make an assessment and provide it to decision-makers including the Commonwealth.

We publish the inquiry report and the Minister's assessment on DELWP's website after the Minister has made his assessment.

When does VHM Limited expect to release its EES?

The most recent timeline for the EES, provided by the proponent to DELWP, indicates that the EES is expected to be ready for public exhibition during the first or second quarter of 2020.