

Briefing for the
Minister for Planning

Subject: HAMILTON-GRAMPIANS PIPELINE - EES REFERRAL 2008R6

Timing: 29 July 2008 (20 business day target in the *Environment Effects Act* Ministerial Guidelines)

Recommendations:

1. That you decide under section 8B(3)(c) of the *Environment Effects Act 1978* that an Environment Effects Statement (EES) is not required for the proposed Hamilton-Grampians Pipeline, for the reasons set out in the attached Reasons for Decision (**Attachment 2**).
2. That you sign the attached letters advising Wannon Region Water Corporation and the Southern Grampians Shire Council of the decision (**Attachment 1**).

Adviser:

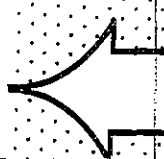
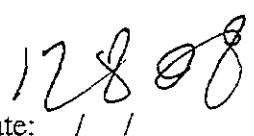
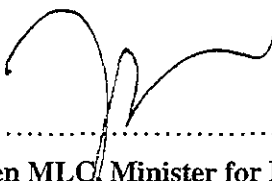
Adviser's Notes:
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Minister's Comments:
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Recommendation 1: Approved Not Approved Noted Returned for Review
Recommendation 2: Approved Not Approved Noted Returned for Review

Signed:
Justin Madden MLC, Minister for Planning

Date: 12/8/08



Reference: CMIN000747 (EES Referral 2008R6)

Approved By: Genevieve Overell, Acting Executive Director, Planning Policy and Reform, ☎ 9637 8998





Department of Planning and Community Development

TO: Minister for Planning

Ref: CMIN000747

FROM: Planning and Local Government

File: PL-EP/10/0020

SUBJECT: Hamilton-Grampians Pipeline - EES Referral 2008R6

RECOMMENDATION/S

1. That you decide under section 8B(3)(c) of the *Environment Effects Act 1978* that an Environment Effects Statement (EES) is not required for the proposed Hamilton-Grampians Pipeline, for the reasons set out in the attached Reasons for Decision (**Attachment 2**).
2. That you sign the attached letters advising Wannon Region Water Corporation (Wannon Water) and the Southern Grampians Shire Council of the decision (**Attachment 1**).

KEY ISSUES

3. The proposed 52 km Hamilton-Grampians Pipeline will transfer up to 2000 megalitres (ML) of water per year from Rocklands Reservoir to the Hamilton supply system. This water will come from an available pool of 'growth water' resulting from the implementation of the Wimmera Mallee Pipeline Project.
4. Wannon Water's *Water Supply Demand Strategy* (June 2007), a 50-year blueprint for meeting the water demands of southwest Victorian communities, identified the need for immediate augmentation of water supplied via the Hamilton system. Water currently supplied from streams in the Southern Grampians catchment does not meet the existing demand (it is exceeded by 1040 ML per year based on the last 10 years). Following consideration of different augmentation options and consultation with the Victorian Government, Wannon Water identified the Hamilton-Grampians Pipeline as the best option.
5. While there has been extensive scope for avoidance and minimisation of environmental effects through selection of the pipeline alignment, there are some minor, residual risks associated with the project, in particular effects on some protected floral species (e.g. *Glycine latrobeana*).
6. An evaluation of the proposed Hamilton-Grampians Pipeline Project against the decision criteria in the *Ministerial guidelines for assessment of environmental effects under the Environment Effects Act 1978* (see **Attachment 3**) concludes that an EES is not warranted for this project for the following reasons:
 - The potential effects of the proposed pipeline on biodiversity and cultural heritage are low or negligible.

Approved by: _____

Date: 25/7/08

Genevieve Overell, Acting Executive Director, Planning Policy and Reform ☎ 9637 8998

Reviewed by: John Giniyan, Executive Director Planning Policy ☎ (03) 9637 8045

Reviewed by: Trevor Blake, Chief Environment Assessment Officer ☎ (03) 9637 9623

Prepared by: Geoff Ralphs, Senior Environment Assessment Officer ☎ (03) 9637 9547

- The residual effects on native vegetation and protected species can be adequately managed through environmental management plans and application of the *Victoria's Native Vegetation Management: a framework for action (2002)*.

CONTEXT

7. On 25 June, Wannon Water provided a complete referral under the *Environment Effects Act* for the Hamilton-Grampians Pipeline. The referral was accepted by DPCD on 2 July 2008.
8. The project has also been referred to the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
9. **Proposal.** The project involves building a new pump station at Rocklands Reservoir and constructing a 52 kilometre, 375mm diameter transfer pipeline to connect Rocklands Reservoir with Wannon Water's existing Grampians Headworks Pipeline east of Cavendish. The pipeline will transfer up to 2000 ML/yr from Rocklands Reservoir to the Hamilton supply system, available as a result of implementation of the Wimmera Mallee Pipeline.
10. Most of the alignment is located on private agricultural land used primarily for sheep grazing and cropping. The northern section (approximately 6 km) follows an existing, partially cleared pipeline easement through the Claude Austin State Forest.
11. **Environmental and planning approvals.** The project will need various approvals and consents, including under *Victoria's Native Vegetation Management: a framework for action (2002)* (VNMF), the *Flora and Fauna Guarantee Act 1988* (FFG Act), *Wildlife Act 1975*, *Aboriginal Heritage Act 2006* and the *Water Act 1989*. Specifically it requires: a Cultural Heritage Management Plan (CHMP), FFG Act permits for removal of protected flora, a consent for waterway crossings, a planning permit together with a Net Gain Offset Management Plan for the removal of native vegetation.
12. The planning permit to remove native vegetation will be obtained under the Southern Grampians Planning Scheme. However, the proponent's final net gain assessment and Offset Management Plan needs to be approved by DSE. In addition, under the VNMF Ministerial approval is required to clear vegetation of *very high conservation significance*.
13. **Flora and fauna.** Approximately 6 hectares of native vegetation (8 EVCs) needs to be cleared to facilitate construction of the pipeline, mostly within the Claude Austin State Forest. The largest sites to be cleared are 1.34 habitat hectares (HabHa) of Plains Grassy Woodland (classified as *very high conservation significance* under the VNMF) and 0.84 HabHa of Heathy Woodland (classified as *high conservation significance* under VNMF). Four other small sites also classified as *very high conservation significance* need to be removed.
14. Initial environmental investigations indicated the occurrence of nine species listed under the FFG Act and EPBC Act in remnant vegetation patches on or near the alignment. The proponent intends to conduct further targeted flora investigations in the specific areas to be disturbed/cleared, in order to ensure appropriate management plans are able to specify suitable avoidance and mitigation measures.
15. Three species of conservation significance will be impacted by the project within the Claude Austin State Forest: *Clover Glycine* (EPBC Act and FFG Act listed); *Tufted Grass-tree* (listed as rare/threatened under the FFG Act); *Common Beard-heath* (listed as rare/threatened under the FFG Act). Impacts on populations of these species is predicted to be low given the detailed design will enable further avoidance and minimisation within the Claude Austin State Forest segment. However, a Management Plan and Translocation Proposal for *Clover Glycine* has been prepared given residual risks for this rare and protected species.

16. Significant listed threatened species that may occur in proposed alignment include the Striped Legless Lizard and the Golden Sun Moth. These species are most likely to be found in the native grasses and rocky outcrops, such as in the southern portion of the alignment. A Fauna Management Plan has been prepared to manage residual risks.
17. Overall ecological impacts are relatively low, given the commitment to further avoidance and minimisation of impacts on all populations of the listed and non-listed species within the construction corridor. Both the detailed design and further surveys will particularly minimise impacts on nationally vulnerable Clover Glycine in the Claude Austin State Forest. In addition, environmental management plans have been drafted to further mitigate against specific residual impacts on these listed species (i.e. for the Clover Glycine, Striped Legless Lizard, Golden Sun Moth and Growling Grass Frog).
18. **Waterways & aquatic fauna.** The referral includes a preliminary assessment of impacts on aquatic environments, as the proposed pipeline alignment crosses 39 waterways (18 were considered to be only slight gullies/depressions). The remaining waterways include the Wannon River, Stony Creek, Banangal Creek, McGill Creek, Glendinning Creek, the Glenelg River and 15 unnamed tributaries.
19. Due to the prolonged drought the creeks did not appear to have conveyed water in some time and many, with the exception of Glendinning Creek, held minimal instream habitat, no riparian vegetation and limited ecological values. It is unlikely that the proposal will have any detrimental impacts on these waterways if appropriate construction methods are implemented.
20. There is likelihood that some listed aquatic species exist in these waterways, including the Dwarf Galaxias (*Galaxiella pusilla*) which is listed under the EPBC Act and FFG Act. Undertaking works during dry periods and/or boring some stream-crossings (where appropriate), should avoid or minimise impacts on aquatic species, except for the Dwarf Galaxias which can seek refuge in dry conditions using crayfish burrows, rocks and mud. It is proposed that a suitably qualified fish ecologist will undertake further investigations and provide onsite advice to avoid impacts during construction across the Wannon River.
21. **Cultural heritage.** A detailed cultural heritage assessment (desktop analysis, surveys and sub-surface testing) was conducted in conjunction with representatives of the Gunditj Mirring Traditional Owners Aboriginal Corporation. Seven new Aboriginal archaeological sites were identified, including nine isolated artefact occurrences and two scarred trees.
22. An approved CHMP prepared under the *Aboriginal Heritage Act 2006* will enable effective management of residual impacts/risks for Aboriginal cultural heritage sites, artefacts and values. The proposed mitigation includes the avoidance of most Aboriginal archaeological sites (wherever possible), salvage works, further sub-surface testing, and fencing off scar trees prior to the commencement of works.
23. **Timing of decision.** The Ministerial Guidelines provide that the Minister's response to a referral will normally be provided within 20 business days once a referral with adequate information has been received. The completed referral was accepted on 2 July 2008 and a response is due by 29 July 2008.

CONSULTATION

24. DSE (Regional Office and Executive Director Biodiversity and Ecosystem Services)

Attachment 1

DECISION ON PROJECT: Hamilton-Grampians Pipeline Project

- 1) Assessment though an Environment Effects Statement (EES) under the *Environment Effects Act 1978* **is not required** for the reasons set out in the attached Notice of Reasons for Decision.
- 2) The following parties (proponent and relevant decision-makers) are to be notified of this decision:
 - Proponent - Wannon Region Water Corporation
 - Southern Grampians Shire Council
 - Department of Sustainability & Environment

JUSTIN MADDEN MLC
Minister for Planning

Date: **12 AUG 2008**

Attachment 2

For Public Notice via Internet

REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978*

Title of Proposal: Hamilton-Grampians Pipeline Project

Proponent: Wannon Region Water Corporation

Description of Project:

The Hamilton-Grampians Pipeline will transfer up to 2,000 megalitres of water per year from Rocklands Reservoir to the Hamilton supply system. This water will come from the available pool of water assigned as growth water from Grampians Wimmera Mallee Water's (GMMWater) headworks reservoirs, following the implementation of the Wimmera Mallee Pipeline Project.

The project will involve building a new pump station at Rocklands Reservoir and constructing a 52 kilometre, 375mm diameter transfer pipeline to connect Rocklands Reservoir with Wannon Water's existing Grampians Headworks pipeline east of Cavendish.

Decision:

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the Hamilton-Grampians Pipeline Project as described in the referral accepted on 2 July 2008.

Reasons for Decision:

- The potential effects of the proposed pipeline on biodiversity and cultural heritage are low or negligible.
- The residual effects on native vegetation and protected species can be adequately managed through environmental management plans and application of the *Victoria's Native Vegetation Management: a framework for action (2002)*.

Date of Decision: 12 AUG 2008



Minister for Planning

Ref: CMIN000747, 2008R6

File: PL-EP/10/0020

Your ref: C2008/05262

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PO Box 500

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Telephone: (03) 9637 8087

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DX 210098

12 AUG 2008

Hank Moritz
Branch Manager Asset Creation
Wannon Region Water Corporation
99 Fairy Street
WARRNAMBOOL VIC 3280

Dear Mr Moritz

HAMILTON-GRAMPIANS PIPELINE - EES REFERRAL 2008R6

I refer to your recent letter and the accompanying referral seeking my advice on the need for an Environment Effects Statement (EES) under the *Environment Effects Act 1978*, for the proposed Hamilton-Grampians Pipeline Project.

I have determined under section 8B(3)(c) of the *Environment Effects Act 1978* that assessment through an EES is not required for the reasons attached.

If you have any queries in relation to this matter, please contact Mr Geoff Ralphs, Senior Environmental Assessment Officer, Department of Planning and Community Development on 03 9637 9547.

Yours sincerely

JUSTIN MADDEN MLC
Minister for Planning

Encl



Minister for Planning

12 AUG 2008

Ref: CMIN000747, 2008R00006
File: PL-EP/10/0020

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Cr. Marcus Rentsch
Mayor
Southern Grampians Shire Council
Locked Bag 685
HAMILTON VIC 3300

Dear Cr. Rentsch,

HAMILTON-GRAMPIANS PIPELINE PROJECT - EES REFERRAL

Wannon Region Water Corporation recently sought my advice on the need for an Environment Effects Statement (EES) under the *Environment Effects Act 1978* for the proposed Hamilton-Grampians Pipeline Project. I have determined that assessment under *Environment Effects Act 1978* through an EES is not required for this proposal for the reasons attached.

I note that one or more applications for a planning permit may be required for the project under the Southern Grampians Planning Scheme, including for the clearance of native vegetation under *Victoria's Native Vegetation Management: a framework for action* (2002). I encourage you to consult with DSE regarding this matter, including the need for an exemption from the Minister for Environment and Climate Change to clear vegetation of 'very high conservation significance'.

Yours sincerely

JUSTIN MADDEN MLC
Minister for Planning

Encl.

cc Grant Hull, Department of Sustainability & Environment

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