EES PROCESS FACT SHEET SUBURBAN RAIL LOOP EAST EES



- environment effects statement (EES); and
- draft planning scheme amendment.

Written submissions are invited on the exhibited documents starting Friday 5 November and closing at 11:59pm on Thursday 16 December 2021.

Process

Q. What is an EES?

A. An EES investigates and assesses the environmental effects of proposed development projects in Victoria. The EES process is described in the Suburban Rail Loop Ministerial Guidelines for Assessment of Environmental Effects, September 2020.

Q. Why prepare an EES?

A. The EES process is used to assess projects with potentially significant effects on the environment. It supports transparent, rigorous and integrated consideration of potentially significant adverse effects that informs approval decisions.

Q. Who manages the EES process?

A. The Department of Environment, Land, Water and Planning (DELWP) manages the process on behalf of the Minister for Planning.

Q. Who prepares the EES?

A. The proponent for Suburban Rail Loop East, the Suburban Rail Loop Authority (SRLA), is responsible for undertaking the technical studies that underpin the analysis and preparing the EES. During preparation of the EES, SRLA undertook engagement with the community and stakeholders to seek input and feedback.

Q. Why is the draft planning scheme amendment on exhibition?

A. Public exhibition of the Suburban Rail Loop East EES has been co-ordinated with exhibition of the draft

planning scheme amendment to allow concurrent submissions and a streamlined inquiry.

Public review

Q. How can I access the EES and draft planning scheme amendment?

A. The Suburban Rail Loop East EES is a digital EES, meaning the EES main report is a presented as an online interactive website. All EES supporting documents can be downloaded as pdf files. The EES can be accessed:

- via the website at https://srleastees.vic.gov.au;
- via computers that have been reserved for accessing the EES at public libraries at Cheltenham, Highett, Glen Waverley, Mount Waverley and Box Hill;
- hard copies of the EES Summary Report are available free of charge at the libraries mentioned above or upon request at contact@srla.vic.gov.au.

SRLA is holding community drop-in sessions during the EES exhibition period at locations listed at https://bigbuild.vic.gov.au/projects/suburban-rail-loop.

Q. How do the public submit their comments?

A. All submissions must state the name and address of the person making the submission.

Online submissions are preferred and can be lodged via an online form at engage.vic.gov.au/srl-east-iac from 5 November 2021.

If you are unable to make a submission online and need to submit in hard copy, you must contact Planning



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Panels Victoria (PPV) through the Department of Environment Land Water and Planning (DELWP) Customer Service Centre on **136 186** (select option 6) and request a hardcopy submission coversheet for privacy reasons. Each hardcopy submission must be accompanied by a coversheet issued by PPV.

Comments can be submitted from Friday 5 November to 11.59pm on Thursday 16 December 2021.

Submissions will be treated as public documents.

Q. What can the public comment on?

A. Interested persons and organisations are invited to submit comments on the EES and the draft planning scheme amendment.

Comments on the draft planning scheme amendment and its supporting documents are to be made as a submission on the EES, even if comments only relate to the draft planning scheme amendment.

Q. What is a public hearing?

A. The Minister for Planning will appoint a joint inquiry and advisory committee. The inquiry and advisory committee will review the EES and draft planning scheme amendment and public submissions, to investigate and consider the environmental effects of the project in accordance with terms of reference approved by the Minister for Planning.

A public Directions Hearing will be held on Friday 28 January 2022. At this hearing, the inquiry and advisory committee will establish the necessary arrangements and a timetable for public hearings.

Public hearings are expected to commence on Monday 28 February 2022 and continue through to the end of April 2022. Requests to be heard by the inquiry and advisory committee must be made at the time of making a submission through the online form or submission coversheet. All submitters wishing to be heard before the inquiry and advisory committee are asked to note these arrangements and commence preparations in advance.

Information on the inquiry and advisory committee process and the timetable for the hearings will be published as it becomes available at engage.vic.gov.au/srl-east-iac.

Assessment

Q. Who assesses the environmental effects?

A. The inquiry and advisory committee will prepare and submit a report to the Minister for Planning providing its

findings on the environmental effects of the project and recommendations. DELWP and the Minister for Planning will consider the inquiry and advisory committee's report, which is a key input to the Minister's assessment.

The final step in the EES process is the Minister's assessment, which the Minister for Planning issues to statutory decision-makers and to the proponent. It contains the Minister's assessment of the environmental effects of the project and recommendations about whether the environmental effects are acceptable.

Final decision

Q. How is the final decision or approval made?

A. The EES and Minister's assessment do not approve the project. Several approvals are required for Suburban Rail Loop East, including planning approval. All statutory decisions must consider the Minister's assessment.

Q. Are final decisions binding?

A. The Minister's assessment is not binding but must be considered by statutory decision-makers. Once made, statutory approvals are binding.

Further questions

Q. If I have any other questions, who can I ask?

A. Questions on the Suburban Rail Loop East Project, EES and draft planning scheme amendment should be directed to SRLA at contact@srla.vic.gov.au or by calling 1800 105 105.

Questions on the EES process should be directed to DELWP at <u>environment.assessment@delwp.vic.gov. au</u> or by calling (03) 8392 5503.

Questions on the inquiry and advisory committee including questions about making a submissions should be directed to Planning Panels Victoria at 136 186 or by emailing srl.iac@delwp.vic.gov.au.

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How does the EES process work?

Decision

Minister's decision on the need for an EES

Scoping

Scoping requirements for EES studies and report set by Minister

Preparing the EES

Proponent prepares the

The Minister decided on 20 December 2020 that the works proposed in relation to the Suburban Rail Loop East Project could reasonably be considered to have, or be capable of having, a significant effect on the environment, and subsequently declared the proposed works to be "public works" under section 3(1) of the Environment Effects Act.

The matters to be investigated and documented in an EES were set out in the 'scoping requirements' issued by the Minister. The extent of investigation required depended on the level of risk to aspects of the environment.

Draft scoping requirements for the EES were prepared after considering input from the proponent and agencies. These were released for 15 business days for public comment before the scoping requirements were finalised.

The project proponent was responsible for preparing a quality EES, as well as for consulting with stakeholders. A Technical Reference Group, with membership drawn from government agencies, local government and relevant councils was appointed to provide technical advice to both DELWP and the proponent.

Public review

Exhibition of EES and lodgement of submissions

The EES has been released for public comment for a period of 30 business days, from 5 November to 16 December 2021. Interested members of the public and organisations can make written submissions in response.

The Minister has appointed an inquiry and advisory committee (IAC) to consider the effects of the project, having regard to the EES studies and public submissions. Planning Panels Victoria has indicated that a Directions Hearing will be held on 28 January 2022. The IAC will review written submissions and undertake formal hearings, commencing on 28 February 2022, at which the proponent and submitters can make presentations, potentially with expert witnesses.

Making an assessment

Minister's assessment of environmental

In preparing the assessment, the Minister considers relevant information, including the EES documents, public submissions, the proponent's response to submissions and the inquiry report. The assessment is normally provided to decision-makers and proponent within 25 business days of receiving the inquiry report.

The assessment may conclude that the project:

- will have an acceptable level of environmental effects; or
- will not have an acceptable level of environmental effects; or
- would need major modifications and/or further investigations to establish that acceptable outcomes would be achieved.

Informing decisions Decision-makers

consider the assessment

Government and statutory decision-makers must consider the Minister's assessment. While the Minister's assessment provides recommendations and is authoritative advice, it is not binding on decision-makers.

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