

**ENVIRONMENT PROTECTION ACT 1970
SECTION 22(1)
NOTICE TO SUPPLY FURTHER INFORMATION**

TO: TIM RUDGE

**OF: YUMBAH AQUACULTURE PTY LTD
LEVEL 4, 166 ALBERT RD
SOUTH MELBOURNE
VICTORIA 3205**

WHEREAS an application by you for a works approval in respect of premises situated at LOTS 1 AND 8, 315 DUTTON WAY AND LOTS 2 PRINCES HIGHWAY, BOLWARRA, Victoria was received by the Environment Protection Authority ("the Authority") on 29 OCTOBER 2018

AND WHEREAS we consider the information specified herein is necessary and relevant to the consideration of the application

NOW TAKE NOTICE that pursuant to section 22(1)(a) of the Environment Protection Act ("the Act") you are **HEREBY REQUIRED** to supply to the Authority by 4.00pm on the 17 day of December 2018 the information specified in Attachment A of this notice.

DATED: 10 December 2018



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QUENTIN COOKE
DELEGATE OF THE
ENVIRONMENT PROTECTION AUTHORITY

ATTACHMENT A

Yumbah Aquaculture Ltd should respond in detail to all submissions received and provide EPA with a schedule of responses to the submissions.

Additionally and in particular, the further requests are made as detailed below.

1. An assessment in accordance with EPA publications 668 (Hydrogeological (Groundwater Quality) Guidelines) and 669 (Groundwater Sampling Guidelines), including:
 - (a) additional characterisation of groundwater resources beneath the site and immediately downstream. Specific information to be provided includes:
 - a groundwater borehole map showing location of on and off-site monitoring boreholes.
 - a description of the status and condition of the boreholes
 - summary of analysis (dates, borehole location, depth to groundwater and the geological logs and water quality test results) of groundwater samples taken on-site
 - an assessment of the current and future protected beneficial uses of groundwater (Clause 9 and Clause 15 of SEPP (Waters)), taking into account spatial and temporal variability of TDS.
 - a summary of off-site boreholes/extraction licences held (detailing use of the groundwater) This should include all extractive bores (domestic and stock as well as licensed extractive uses). As groundwater is very shallow and can be <3m deep, there is no requirement for a bore construction licence on bores that are <3m. Therefore there is the potential that there is domestic and stock bores within the vicinity that are unregistered. A bore survey for existing unregistered users may be required.
 - a summary of seasonal variations (quality and level) in groundwater and surface water on-site
 - production of groundwater contour maps to show groundwater flow direction on site including seasonal variations
 - a conceptual site model for groundwater and surface water on and immediately adjacent to the site
 - (b) an updated assessment of potential impacts on groundwater and surface water resources at and immediately downstream of the site. Specific information to be provided includes:
 - a desktop groundwater risk assessment of the potential for disruption of local groundwater flows and quality, during construction and subsequently operation of the abalone farm
 - clarification of how any water collected through dewatering activities will be treated/disposed off
 - an assessment of the potential for off-site flooding during construction and subsequently operation of the abalone farm

- an assessment of potential impacts on groundwater availability and groundwater quality in off-site groundwater bores
- demonstration that the proposed development complies with SEPP (GoV), SEPP (WoV) and SEPP (Waters) including Clause 9, Clause 15, Clause 17, Clause 42, Clause 56 (these are for groundwater only, assuming surface water experts will provide additional clauses).

(c) an outline of a groundwater monitoring and management plan covering pre-development, during construction and post construction stages. The extent of the proposed groundwater monitoring required to be established by the results of the assessment above.

2. Submission of an outline of the auditable Biosecurity Plan to be developed and implemented at the proposal abalone farm. This should provide further details of how the proposed design of the farm and its operational will meet Abalone Health Accreditation Plan (AHAP) accreditation requirements, Victorian Government Abalone Aquaculture Translocation Protocol (DEDJTR 2017) and ensure that the beneficial uses of human consumption of aquatic foods in SEPP (Waters) will be protected.
3. A response to the DELWP letter of 19 Nov 2018, to Yumbah Nyamat requesting further information in support of their application for Consent for Use and Development of Coastal Crown Land (see Attachment B).
4. An assessment of the risk respirable crystalline silica ("RCS") that may be generated during construction activities, and the inclusion of appropriate procedures within the construction environmental management plan to ensure any risk is minimised.

ATTACHMENT B



Department of Environment, Land, Water & Planning

Date: 19 November 2018

Department of Environment, Land,
Water & Planning
PO Box 105
Warrnambool Victoria 3280 Australia
Telephone: (03) 5561 9946
www.delwp.vic.gov.au

Mr Tim Rudge
Project Manager
Yumbah Nyamat

Email:

CC:

CC: Relevant Environment Protection Authority Victoria and DELWP staff

Dear Mr Rudge

CONSENT FOR USE AND DEVELOPMENT OF COASTAL CROWN LAND YUMBAH NYAMAT ABALONE FARM– REQUEST FOR FURTHER INFORMATION

Thank you for your correspondence of 12 October 2018 for consent to use or develop coastal Crown land pursuant to *Section 70* of the *Marine and Coastal Act 2018*.

The application is for construction of pipelines and reconstruction of seawalls associated with a new abalone aquaculture facility in Dutton Way.

Pursuant to *Section 70(4)* of the *Marine and Coastal Act 2018* and as delegated by the minister, I request the following further information, as discussed with you on 14 November 2018:

- More detailed assessment of habitat to be impacted by pipe (such as; total area to be impacted, specific location, habitat to be removed, mitigations proposed) including directly and indirectly impacted during construction and operation. This should include maps showing the location of underwater habitat and the area of habitat required to be removed or damaged during construction.
- More information required regarding risks to marine biota around intake pipes and measures to prevent marine biota from entering intake pipes. This should include the expected drawing effect of the 20 intake pipes.
- The construction Environmental Management Plan (EMP)
- Coastal processes/wave energy impacts and risk assessment/mitigation options for the off-site impacts of upgraded sections of sea wall on the adjoining structure.
- More information regarding risks of inundation during demolition and construction of the upgraded sea wall, and proposed mitigation measures to prevent inundation.

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If you would like to discuss any further queries regarding this matter please contact [REDACTED] Land and Built Environment Program Officer at the Warrnambool Office on [REDACTED] or myself on [REDACTED]

Yours sincerely,

[REDACTED]

Program Manager
Land and Built Environment
Barwon South West



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