1 Introduction

1.1 PURPOSE

The purpose of this approvals identification report is to identify relevant legislative and planning approvals that will need to be undertaken prior to the construction phase of the capacity upgrade to the Drouin Waste Water Treatment Plant (Drouin WWTP). The report also defines relevant regulatory and community stakeholders that will need to be consulted as part of the project along with the level of engagement recommended in order to meet the relevant statutory approval requirements.

The report outlines:

- Recommendations for further investigations and other information needed to support the approvals for the project;
- Key issues that may impact project delivery;
- Recommendations for integrating the approvals process with community and stakeholder engagement.

The project involves an upgrade to the existing Waste Water Treatment Plant (WWTP) on land owned by Gippsland Water and designated as Public Use Zone 1 (PUZ1) - Service and Utility within the Baw Baw Shire Council.

1.2 PROJECT DESCRIPTION

Following an options assessment commissioned by Gippsland Water in 2013, it was determined that due to significant population growth in the Drouin region, the most cost effective means of increasing capacity of the Drouin WWTP was to construct a new membrane bioreactor (MBR) activated sludge treatment plant at the site. The new MBR system will be designed to be operated in parallel with the existing lagoon system. The future MBR treated effluent is proposed to be discharged either to the nearby Shillinglaw Creek or to supply future agricultural and commercial reuse opportunities.

The project site is located within a parcel of land designated as Public Use Zone 1 (PUZ1) - Service and Utility within the Baw Baw Shire Council and is located within the Port Phillip and Westernport Catchment Management Area. The site shows evidence of previous agricultural use and has little ecological value. The site is not within an area of Aboriginal Cultural Heritage Sensitivity and there are no known areas of historical heritage significance.
An overview plan of the project area in relation to surrounding planning zones and overlays is provided in Appendix A.

1.3 ASSUMPTIONS AND EXCLUSIONS

This approvals identification report has been developed during the functional design phase of the project and is also based on assessments previously commissioned by Gippsland Water. The functional design overview drawing is presented in Appendix B. Triggers under the primary environmental approvals (see Section 2.1) have been assessed based on the functional design as well as the Flora and Fauna and Cultural Heritage Due Diligence Assessments report provided by Gippsland Water.

The report has been developed on the basis of the current project schedule which anticipates tendering for a construction contractor to commence in 2018.
2 Environmental and planning approvals framework

2.1 OVERVIEW

The following section summarises the primary and secondary Commonwealth and state statutory approvals that are likely to be triggered by the project.

Primary approvals are high level Commonwealth and state approvals which are essential to the approval of the project. These approvals are triggered by environmental, planning and infrastructure legislation which protect and manage significant ecological communities, flora and fauna species, heritage and land use. Primary approvals are triggered by legislation including those administered by the Commonwealth Department of the Environment and Energy (DoEE), Victoria’s Department of Environment, Land, Water and Planning (DEWLP) and Aboriginal Victoria (AV). Secondary approvals are triggered by State legislation including concerning European and Aboriginal heritage, flora and fauna, and infrastructure and are sought once the primary approvals have been satisfied.

Indicative timeframes for obtaining environmental and planning approvals are provided in Table 3.2 and Figure 1 illustrates the linkages and potential approvals pathway for the project.

2.2 SUMMARY OF ENVIRONMENTAL AND HERITAGE VALUES

2.2.1 Ecological communities, flora and fauna

The project study area has been cleared of native vegetation, however, some small areas of planted native and European vegetation will be impacted by the project. Indigenous Design Land Management were commissioned by Gippsland Water to assess the flora and fauna values for Drouin WWTP project site in November 2016 and a summary of their assessment is outlined below (Indigenous Design Land Management, 2016). The survey was undertaken for a wider parcel of Gippsland Water land, much of which will not form part of the Drouin WWTP upgrade site.

Kellogg Brown & Root Pty Ltd (KBR) has been engaged by Gippsland Water to undertake a review of approvals including those relating to the removal of native vegetation on the site based on the findings of the flora and fauna assessment conducted by Indigenous Design Land Management on behalf of Gippsland Water.

The flora and fauna assessment identified that no remnant native vegetation exists within the Drouin WWTP upgrade site which is dominated by exotic pasture grasses and broadleaf exotic species.
However, remnant native vegetation exists in small, isolated fragments around the boundaries of the site. Planted native species occur along the treatment lagoons and exist in some areas boarding the project site. Planted linear plots on the site were considered to provide important habitat for woodland bird species. Two mature individuals of the nationally significant Strzelecki Gum were identified within adjacent Gippsland Water property that does not form part of the project site.

The treatment lagoons were assessed to provide suitable habitat for a number of significant waterfowl species, some of which are supported by documented sightings within the site. Two species of waterfowl listed with a conservation status of vulnerable under the Advisory List of Threatened Vertebrate Fauna have been rated as having a moderate to high likelihood of occurrence within the study site, namely Aythya australis (hardhead), Anas rhynchos (Australasian shoveler). Oxyura australis (blue-billed duck), listed as threatened under the FFG Act, is also rated as having a moderate to high likelihood of occurrence within the study area. The lagoon habitat is considered highly suitable for these species and this is supported by documented sightings within the study sight, analysis of database records and consideration of each species habitat requirements.

It is also considered that Megascolides australis (giant Gippsland earthworm) and Littoria raniformis (growling grass frog) have a moderate to high potential, and a low potential respectively to occur within the western corner of the broader Gippsland Water Site, however, this area will not be impacted by the proposed upgrade works.

One native vegetation community has been previously recorded within the project area, namely, EVC 29: Damp Forest. The Flora and Fauna assessment found insufficient remnant native vegetation to enable positive confirmation of its presence on the Gippsland Water site (Indigenous Design Land Management, 2016).

2.2.2 Aboriginal and post-contact heritage

Gippsland Water commissioned Benchmark Heritage Management to undertake a cultural heritage assessment for the proposed upgrade to the Drouin WWTP. The assessment found that the upgrade constitutes a high impact activity under the Aboriginal Heritage Regulations 2007, however, as the Drouin WWTP plant site is not located within an area of cultural heritage sensitivity, a mandatory Cultural Heritage Management Plan is not required (Benchmark Heritage Management, 2016).

2.2.3 Social values

The proposed Drouin WWTP upgrade is located within Gippsland Water owned land. Significant areas of land surrounding the site have recently been developed into new residential areas including areas with General Residential Zoning and Low Density Rural Zoning.

The project is not expected to result in any change to existing impacts to the surrounding community and noise and odour assessments have been commissioned to ensure the community is not subject to adverse amenity issues.

It is expected that during the construction phase nearby residents and properties will potentially be subject to a temporary increase in noise, dust and traffic.
2.3 PRIMARY APPROVALS

2.3.1 Commonwealth

Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth EPBC Act protects matters of national environmental significance (MNES) including world heritage properties, national heritage places, Ramsar wetlands, commonwealth marine areas, threatened species, ecological communities and migratory species.

The following MNES were identified in the broader Gippsland Water site which will not be impacted by the proposed upgrade to the Drouin WWTP:

- Presence of two mature Strzelecki gum individuals within the north east of the site;
- Potentially suitable habitat for the giant Gippsland earthworm within the western and south western parts of the site;
- Potentially suitable habitat (deemed as low likelihood) for the growling grass frog, dwarf dalaxias or Australian grayling within the waterway (and adjacent areas) that runs through the west of the site.

Given neither the two Strzelecki gums nor the areas of potential habitat for EPBC Act listed species will be impacted by the proposed upgrade works, a referral under the EPBC Act is not required.

2.3.2 State

Environment Effects Act 1978

The state based Environment Effects Act 1978 (EE Act) establishes the legislative framework for obtaining information and advice on the likely environmental effects of projects by decision makers and proponents, in the form of an environment effects statement (EES).

Under the Ministerial guidelines for assessment of environmental effects (DSE 2006), referral criteria are provided to determine whether individual or combined environmental effects of a project or proposal that might be of regional or State significance trigger a referral under the EE Act. These criteria have been assessed against the likely impacts of the Drouin WWTP upgrade project having regard to the technical investigations completed for the project to date.

Based on a review of the referral criteria within the Ministerial guidelines for assessment of environmental effects under the Environment Effects Act 1978, a referral is not required under the EE Act.
Planning and Environment Act

The Planning & Environment Act 1987 (P&E Act) is the primary legislation that governs land use and development in Victoria. The P&E Act is administered by each local council through controls established in their respective planning schemes. The proposed Drouin WWTP upgrade occurs within the Baw Baw Shire Council. Planning authorisation may occur in the form of either planning permits or a Planning Scheme Amendment (PSA).

Pursuant to Clause 74 of the planning scheme, a Waste Water Treatment Plant is classified as a ‘utility installation’ given it is land used to collect, treat and dispose of sewage. The Drouin WWTP is subject to a Development Contributions Overlay (DPCO) as an area part of the Drouin Precinct Structure Plan. Under Section 4.0 of Schedule 1 to the DPCO in the Baw Baw Planning Scheme, a contributions payment as set out by the overlay is not necessary given the project is considered to fall under the category of ‘Industry – Development Infrastructure’ (as per Clause 19.03).

The Drouin WWTP is also within a Public Use Zone (PUZ). Under Clause 36.01, a permit is not required to use land, or to construct a building or carry out works for the purpose of a utility installation within a PUZ in accordance with the exemption detailed in Clause 62.01.

This exemption does not extend to the removal of vegetation. In addition to planning zones and overlays, the particular provisions of the planning scheme apply. In particular, Clause 52.17—native vegetation requires that a planning permit be obtained to remove native vegetation. Approval will only be granted where the applicant has demonstrated compliance with the ‘Permitted clearing of native vegetation Biodiversity Assessment Guidelines’ (DEPI, 2013). Based on the flora and fauna assessment undertaken by Indigenous Design Land Management as well as the functional design of the WWTP, the only vegetation removal proposed as part of the project is a small area of the planted plots of native and exotic species that runs adjacent to the edge of the South Eastern side of the lagoons. The removal of the planted native vegetation is exempt from requiring a planning permit under clause 52.17 of the Baw Baw planning scheme.

Surrounding the site are Rural Living Zones (RLZ2 and RLZ5), Farming Zone (FZ), General Residential Zone (GRZ1) and a Land Subject to Inundation Overlay (LSIO). Of these areas, it is the RLZ2, FZ and the GRZ1 that are of interest to this report as they are in relative proximity to the site, being within approximately 280 m, 190 m and 500 m respectively. Resultantly, further assessments in relation to odour and noise impacts of the upgrade to the WWTP will be necessary as per Clause 13 of the State Planning Policy Framework that outlines these factors as being potential ‘Environmental Risks’.

Clause 11.10-4 outlines plans for infrastructure such as waste water plants and states that appropriate buffers around sewerage treatment areas should be provided in order to minimise potential impacts including noise and odour. Furthermore, as per the Drouin Precinct Structure Plan (an Incorporated Document in the schedule to Clause 81.01), and the Drouin Structure Plan (Clause 21.04-4), there is a treatment plant buffer of 500 metres already existing throughout the WWTP area, designed to restrict sensitive uses within the immediate vicinity of the plant. Taking this and the
requirements set out as ‘Environmental Risks’ in Clause 13, noise and odour assessments are recommended in order to understand and then mitigate potential issues this project may have upon the nearby community.

It is understood that options to facilitate the residential development of 40 Pryor Road, Drouin are currently being investigated. Given that this parcel of land is located approximately 120 meters from the boundary of the Drouin WWTP and forms part of the existing odour buffer, the investigation will take into account the need to restrict sensitive uses within the buffer zone and consult with Gippsland Water and the owner of 40 Pryor Road.

KBR also understand that Gippsland water is considering options to establish a solar energy facility at the Drouin WWTP site. A review of requirements under the Planning and Environment Act indicate that if the solar energy facility is intended for a purpose to solely service the land on which it is situated, that is, the Drouin WWTP, a planning permit would not be required under the Baw Baw planning scheme. However, if the solar energy facility is proposed for a purpose which is not primarily to supply the Drouin WWTP and proposed to be connected to the electricity distribution system, a planning permit is likely to be required under the Baw Baw planning scheme.

Based on a review of the Baw Baw planning scheme, the Drouin WWTP functional design and Gippsland Water commissioned assessment reports, a planning permit for the upgrade to the Drouin WWTP is not required.

Aboriginal Heritage Act 2006

The Aboriginal Heritage Act 2006 requires the mandatory preparation of a cultural heritage management plan (CHMP) under prescribed circumstances when an activity is classified as ‘high impact activity’ and where the activity occurs in an area of ‘cultural heritage sensitivity’.

As the Drouin WWTP does not occur within an area of Cultural Heritage Sensitivity, a mandatory CHMP is not required under the Aboriginal Heritage Act 2006 for the project (Benchmark Heritage Management, 2016).

2.4 SECONDARY APPROVALS

2.4.1 Flora and Fauna Guarantee Act 1988


A permit to ‘take protected flora’ under the FFG Act would be required if protected flora cannot be avoided and are required to be removed on public land. This includes the salvage and translocation of flora away from the project area, as well as to clear protected vegetation communities if they cannot be avoided.

One flora species, Eucalyptus strzeleckii (Strzelecki Gum) was identified on the site that is listed as protected under the FFG Act. Given the proposed upgrade will not impact this species and the project occurs within private land, a permit to take Protected Flora is not required.
2.4.2 Wildlife Act 1975

The *Wildlife Act 1975* establishes a framework for management of wildlife throughout the State, including the management of State Wildlife Reserves and Nature Reserves and provisions for licenses to handle wildlife. Wildlife under the act includes any indigenous animal.

A wildlife licence may be issued to ‘take’ wildlife for the purposes of the management, conservation, protection or control of wildlife. For the purposes of project delivery, a wildlife licence should be obtained for the handling, capture and release of wildlife, including threatened species, during pre-construction and construction phases if these activities lead to a discovery of such wildlife.

2.4.3 Heritage Act 1995

A permit or consent may be required under the *Heritage Act 1995* to carry out works which disturb known European heritage items and unknown archaeological relics within the state jurisdiction. A search of the Victorian Heritage Registry, Victorian Heritage Inventory and the Baw Baw planning scheme for heritage overlays did not identify any historic heritage within or immediately adjacent to the site. Therefore, no approvals under the *Heritage Act 1995* are required.

2.4.4 Water Act 1989

The *Water Act 1989* has a range of purposes, including providing formal means for the protection and enhancement of the environmental qualities of waterways and their in-stream uses.

The relevant authority is responsible for the issuing of permits to a person, company or Authority to carry out works on a waterway. Catchment management authorities have been delegated this function in accordance with the provisions of the *Water Act 1989*. Within the Port Philip & Westernport Catchment Management Authority region, Melbourne Water is the waterway management authority.

Consent to drill, trench or construct a structure that may impact a waterway must be obtained from Melbourne Water. Based on the functional design there will not be any impact to the bed or banks of Shillinglaw Creek, therefore, works on waterway approval will not be required.

2.4.5 Environment Protection Act 1970

Scheduled Premises

Under section 19A of the *Environment Protection Act 1970* (EP Act), the occupier of a scheduled premises must undertake any of the following in accordance with a works approval or a licence or a requirement specified by the Environment Protection Authority:

(a) an increase or alteration in the waste discharged or emitted from, deposited to, or produced at, the premises; or

(b) an increase or alteration in the waste which is, or substances which are a danger or potential danger to the quality of the environment or any segment of the
environment which are, reprocessed, treated, stored, contained, disposed of or handled, at the premises; or

(c) a change in any method or equipment used at the premises for the reprocessing, treatment, storage, containment, disposal or handling of waste, or of substances which are a danger or potential danger to the quality of the environment or any segment of the environment; or

(d) a significant increase in the emission of noise; or

(e) a state of potential danger to the quality of the environment or any segment of the environment—

Given the requirements listed above, an EPA works approval will be required for the upgrade of the Drouin WWTP as this will constitute both an increase and alteration to the waste discharged from the premises as well as a change in the method and equipment used at the premises for treatment of effluent.

Category specific exemptions from works approval under section 19A and/or licencing under section 20(1) of the Environment Protection Act, 1970 apply if listed under Schedule 1 of the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007. However, given the Drouin WWTP has a design capacity of in excess of 100,000 litres per day and is not proposed to discharge solely to land, the project is not exempt from works approvals or licencing (per excerpt from Schedule 1 of the Environment Protection (Scheduled Premises and Exemptions) Regulations 2007 below).

A03: "Premises discharging or depositing waste solely to land at a design capacity of not more than 100 000 litres per day in accordance with specifications acceptable to the Authority are exempt from licensing under section 20(1) of the Act"

In order to gain works approval for the upgrade to the Drouin WWTP (EPA Scheduled Premises 73123), KBR are preparing an approvals proposal pathway form for submission to the EPA which is the first step towards gaining approval from EPA. In the case of the Drouin WWTP, it is suggested that this include noise and odour assessments, evidence of community and stakeholder engagement undertaken or planned, along with detailed plans showing the increases and alterations to the waste discharged from the site. Once the approvals proposal pathway form has been submitted, the EPA will confirm which approval pathway will apply within two weeks.

Given the upgrade to the Drouin WWTP is not exempt under Environment Protection (Scheduled Premises and Exemptions) Regulations 2007, the EPA will determine whether a standard approval, fast track approval or a referral to the major project process will be applicable for the project.

It is expected that the works approval for the Drouin WWTP will follow the fast tracked approval pathway. In order for the EPA to accept a fast tracked pathway application, the proponent needs to demonstrate through information provided in the proposal that the project will:

- Not have a significant potential impact on the environment
- Not raise significant concern in the community
• Use standard proven technology.

In the process, the EPA may deem additional requirements necessary which may include activities such as proposal meetings, workshops and the presentation of extra assessment plans. In addition to this, there is a mandatory statutory advertising period of 21 days for fast-track and standard works approvals. This entire process can take anywhere between 6 weeks and 3 months.

Waste


The IWRG specify EPA requirements for:

• waste classification
• management options - avoidance, minimisation, recycling, reuse, treatment and disposal
• specific guidance for Prescribed Industrial Wastes, Contaminated Soil and Acid Sulfate Soil
• sampling and analysis protocols
• transport and disposal.

As part of the functional design phase of the project a geotechnical assessment was undertaken by SMEC in December 2016, this included a preliminary assessment of contaminated soil under EPA publication IWRG621 Soil Hazard Categorisation and Management. The assessment confirmed that soil removal associated with works to upgrade the Drouin WWTP is likely to be classified as clean fill. It should be noted that further categorisation of the soil may be required to take the soil offsite for reuse or disposal purposes in accordance with EPA publication IWRG702 Soil Sampling.

The assessment found that the soils encountered across the Drouin WWTP site are not typical of acid sulfate soils and that according to the CSIRO Australian Soil Resource Information System, there is an extremely low probability of acid sulfate soils occurring across the Drouin WWTP site, with very low confidence assigned to the probability due to limited data.

Any waste generated by the construction phase of the Drouin WWTP will need to be identified, classified and appropriate management options determined in accordance with EPA guidelines. Waste transport certificates and EPA licenced vehicles will be required to transport any contaminated waste off site in accordance with the EPA’s Environment Protection (Industrial Waste Resource) Regulations 2009 and associated guidelines and publications.
Noise from Industry in Rural Victoria

The Noise from Industry in Rural Victoria (‘NIRV’) sets out recommended noise limits for commercial, industrial or trade premises determined to be outside the application area of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 (SEPP N-1).

Whilst NIRV is a non-statutory guideline, the recommended levels can be made legally binding when applied through statutory instruments, such as a planning permit or notice from the EPA. It is also expected that in order to progress the approvals proposal pathway form for the EPA works approval, a report considering the applicable noise limit and assessment of the Drouin WWTP under NIRV will need to be provide as supporting documentation.

A noise assessment will be completed to determine the existing noise levels from the WWTP and potential noise levels from the new plant. The assessment will determine if existing noise levels from the WWTP are in compliance with the recommended noise limit determined under NIRV as well as the predicted future noise levels at noise sensitive locations following the installation of the new treatment plant.

State Environment Protection Policy (Waters of Victoria)

Waste discharged to the environment

The State Environmental Protection Policy (Waters of Victoria) (SEPP WoV) is subordinate legislation under the EP Act and applies to all surface waters in Victoria. The SEPP WoV identifies beneficial uses of surface waters and establishes water quality objectives and waste discharge limits to protect these waters. Beneficial uses include recreational activities for humans and the maintenance of aquatic ecosystems.

Gippsland Water has an existing EPA licence (74253) to discharge treated effluent to water to Shillinglaw Creek in accordance with discharge limits outlined within Environment Protection Act 1970 Section 20 Licence: Central Gippsland Water Region Water Corporation within subsection Premises Ref No: 73123 – Conditions.

Construction management near waterways

Section 56 of the SEPP WoV stipulates works need to be managed to minimise land disturbance, soil erosion and the discharge of sediments and other pollutants to surface waters. To enable this, construction managers are required to implement effective management practices that are consistent with guidance from the EPA, including that provided in the Environmental Guidelines for Major Construction Sites (EPA 1996) and Construction Techniques for Sediment Pollution Control (EPA 1991). Where construction activities adjoin or cross surface waters, construction managers need to monitor affected surface waters, to assess if beneficial uses are being protected.

The construction phase of the project would require the preparation of an environmental management plan to prevent pollution of waterways particularly in areas where surface water from the construction site may flow towards Shillinglaw Creek. This should be prepared in compliance with the EPA policy and guidance documents.
Construction Noise

The construction phase of the project has the potential to cause adverse amenity impacts to surrounding property owners and residents. Construction noise should be managed in accordance with EPA Victoria’s Best Practice Environmental Management: Environmental Guidelines for Major Construction Sites (publication 480) and Noise control guidelines (EPA publication 1254).

Management of offensive odours

An odour assessment for the Drouin WWTP will be prepared which will confirm whether the construction of the new mechanical plant and MBR will increase existing odour levels or is likely to improve odour emanating from the site. During construction, odour levels are likely to be unchanged as the new plant does not affect any existing odour treatment facilities at the site.

2.4.6 Catchment and Land Protection Act 1994 (CaLP Act)

The act has a range of purposes, including providing a system of controls on noxious weeds and pest animals. Under section 20 of the CaLP Act, all land owners must, in relation to their land, take all reasonable steps to:

- Avoid causing or contribution to land degradation which may cause damage to land or another land owner
- Eradicate regionally prohibited weeds
- Prevent growth and spread of regionally controlled weeds on their land
- Prevent the spread of, and as far as possible, eradicate established pest animals

The flora and fauna assessment identified a number of weeds declared as noxious under the CaLP Act including slender thistle (Cirsium vulgare), sweet briar (Rosa rubiginose) and blackberry (Rubus fruticosus spp. Agg.). These weeds are also listed and “Regionally Controlled” within the Port Phillip and Western Port Catchment Management Authority Region (Port Phillip and Western Port Catchment Management Authority, 2011).

Gippsland Water and/or their primary construction contractor will need to ensure the prevention of growth and spread of the weed species identified during construction and as a general approach to management of the Drouin WWTP site.
2.4.7 Infrastructure consents

Road Management Act

Section 63 of the Road Management Act 2004 requires that a person must not conduct any works in, on, under or over a road without the written consent of the coordinating road authority. Consents will be required for project activities, including occupation of a road reserve for ancillary construction activities such as traffic management, stockpiles or site offices.

The relevant authority in relation to major arterial roads is VicRoads, whereas local roads are managed by the local council. Generally, all road reserves designated on a local planning scheme map as Road Zone Category 1 (RDZ1) are major arterial roads and fall under the management of VicRoads. Roads within the Drouin WWTP project are minor council managed roads. Consultation with Baw Baw Shire Council should be undertaken to confirm consent requirements under the Road Management Act.

2.5 SUMMARY OF REQUIRED APPROVALS

Based on the known environmental and planning issues and the current legislative framework, the following approvals to commence development of the project are likely to be required:

- Consents for works within a road reserve and where interfaces with other utilities occur
- Licenses from the EPA to transport and dispose of contaminated soils and/or acid sulphate soil (as required); and
- Works approval from EPA Victoria for the proposed Drouin WWTP upgrade and confirmation that discharge to Shillinglaw Creek can continue to occur under the existing discharge licence agreement.
3  Stakeholder consultation, assessments and timeframes

3.1  STAKEHOLDER REQUIREMENTS

During the development of this strategy, a range of stakeholders were consulted regarding the preliminary pipeline alignments and potential assessment and approval requirements. A summary of the outcomes of this consultation, as it relates the strategy, is provided in Table 3.1.

Table 3.1  Stakeholder consultation outcomes

<table>
<thead>
<tr>
<th>Stakeholder</th>
<th>Requirements</th>
<th>Project implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community and surrounding residents</td>
<td>Consultation about potential impacts during construction and operation</td>
<td>Document any concerns raised and how these concerns will be addressed/minimised during the construction and operational phases of the project.</td>
</tr>
<tr>
<td>EPA Victoria</td>
<td>Under section 19A of the Environment Protection Act 1970 (EP Act), the upgrade of the Drouin WWTP must be undertaken in accordance with a works approval or a licence or a requirement specified by the Environment Protection Authority:</td>
<td>Mandatory statutory advertising period of 21 days for fast-track and standard works approvals. The entire process is expected to take between 6 weeks and 3 months.</td>
</tr>
<tr>
<td>Baw Baw Shire Council</td>
<td>Administer the P&amp;E Act through respective planning schemes; planning authorisation may occur in the form of either planning permits or a planning scheme amendment. Administer for the Road Management Act for local roads.</td>
<td>Unlikely. Potential visual amenity and traffic management consents under the Road Management Act, 2004. Confirm interpretation of permit requirements and provide an overview of the new plant.</td>
</tr>
</tbody>
</table>
3.2 FURTHER ASSESSMENTS

Having regard to the outcomes of stakeholder consultation and after reviewing preliminary reports completed for the project, the following additional assessments will be completed to support the various approval processes.

- Noise assessment of:
  - Existing plant noise levels at nearby noise sensitive locations including residents to the North of the site where previous complaints have been received
  - Likely future impacts and calculation of noise levels likely to occur at residential locations once the new mechanical plant and MBR are installed

- Odour modelling:
  - Confirm the potential odour impacts of the proposed upgrade to the Drouin WWTP using the AERMOD air pollution model in accordance with current EPA requirements.

3.3 TIMEFRAMES FOR APPROVALS

A key issue for the Gippsland Water project is achievement of a timely construction commencement date to secure the required additional capacity at the Drouin WWTP. This requires all statutory approvals and other third party consents to be acquired by late 2017.

Table 3.2 describes the potential environmental and planning approvals required and the key time constraints of each statutory process.
<table>
<thead>
<tr>
<th>Approvals</th>
<th>Field assessment and document preparation time frames</th>
<th>Authorities assessment time frames</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>EPBC Act referral (federal government)</td>
<td>Detailed field species identification and habitat assessment. Preparation of ecological assessment and EPBC Act referral form. Two months. Further time will be required where assessment and approval under the EPBC Act is triggered.</td>
<td>Federal Minister decides within 20 business days if a formal assessment and approval is required. This time frame is subject to the provision of adequate information in the referral.</td>
<td>Not required</td>
</tr>
<tr>
<td>EES referral (state government)</td>
<td>Detailed field species identification and habitat assessment. Preparation of ecological assessment and EES referral form. An EES referral will also need to respond to heritage, waterways, social and economic impacts and other matters of the proposal. Two months.</td>
<td>Planning Minister decides within 20 business days if full EES is required to be prepared. This time frame is subject to the provision of adequate information in the referral and therefore it is recommended a draft is submitted to DTPLI for initial comment.</td>
<td>Not required</td>
</tr>
<tr>
<td>CHMP (Aboriginal Heritage)</td>
<td>Complex assessment (i.e. requiring excavation)—and preparation of CHMP. Approximately six months.</td>
<td>Assessment of the CHMP will occur by AAV. Evaluation of a CHMP is prescribed to occur within 30 calendar days.</td>
<td>Mandatory CHMP not required as per Benchmark Heritage Management cultural heritage assessment.</td>
</tr>
<tr>
<td>Works on waterways</td>
<td>Require at least concept design drawings and basic construction methodology to submit to Melbourne Water (Asset services). One month.</td>
<td>No statutory time frames for decision—allow up to two months.</td>
<td>Not required based on current design</td>
</tr>
<tr>
<td>FFG permits</td>
<td>Field ecological assessments have been undertaken.</td>
<td>DELWP will consider the FFG permit during assessment of native vegetation removal.</td>
<td>Not required</td>
</tr>
<tr>
<td>EPA consent to discharge waste to a surface water</td>
<td>Aquatic flora and fauna assessment, waste impact assessment, development of mitigation and monitoring strategy. One month.</td>
<td>Generally a 90 day turn around, including notification.</td>
<td>Not required as Gippsland water has an existing licence to discharge water to Shillinglaw Creek in accordance with EPA licence 74253.</td>
</tr>
<tr>
<td>Approvals</td>
<td>Field assessment and document preparation time frames</td>
<td>Authorities assessment time frames</td>
<td>Comments</td>
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<tr>
<td>EPA works approval</td>
<td>Require noise assessment and modelling of current and future plant to be completed and functional design to be completed. An odour modelling report will also need to be provided by Gippsland Water for input into the Approvals Pathway application form.</td>
<td>6 weeks — three months depending on approval pathway type determined by EPA Victoria</td>
<td>Works approval will be required for the upgrade to the Drouin WWTP as it constitutes and increase in, or alteration to an existing discharge and a change in the way waste is treated or stored. Specific exemptions from works approval under section 19A and/or licensing under section 20(1) of the Environment Protection Act, 1970 do not apply to the Drouin WWTP upgrade as treated effluent is not proposed to discharge solely to land and the design capacity is in excess of 100,000 litres per day.</td>
</tr>
</tbody>
</table>
3.4 **NEXT STEPS**

Having established the required planning and environmental approvals within the approvals identification report, the following steps are recommended:

- Liaise with Baw Baw Shire Council to provide a background to the project and overall objectives;
- Consult with EPA on the plans for the upgrade for the Waste Water Treatment Plant;
- Complete Functional Design of the Waste Water Treatment Plant;
- Complete odour modelling and incorporate into the EPA Works Approval Pathway Application;
- Complete noise assessment and modelling of existing plant as well as the likely impact from the new mechanical plant and MBR system to be incorporated into the EPA Works Approval Pathway Application;
- Submit EPA Works Approval Pathway Application.
4 References

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Appendix A

OVERVIEW PLAN WITH PLANNING ZONES & OVERLAYS
Appendix A
Overview plan with planning zones & overlays
Appendix B

FUNCTIONAL DESIGN OVERVIEW DRAWING
OVERVIEW PLAN WITH PLANNING ZONES & OVERLAYS
Appendix B

Functional design overview drawing