

**For Public Notice via Internet****DECISION UNDER ENVIRONMENT EFFECT ACT 1978  
AND REASONS FOR DECISION****Title of Proposal:** Outer Metropolitan Ring (OMR) / E6 Transport Corridor**Proponent:** VicRoads**Description of Project:**

The Outer Metropolitan Ring (OMR) / E6 Transport Corridor, proposed by VicRoads, seeks to identify a corridor for the future use and development of transport infrastructure.

The OMR component will provide transport access from the Princess Freeway, west of Werribee, to the Hume Freeway at Kalkallo as well as a link to the Western Ring Road (identified as the East-West Link). It is intended to ultimately provide for an eight lane freeway (four lanes in each direction) together with four rail lines within the median for interstate freight and high speed passenger trains. Access restoration roads and crossings are included in the proposal. The preferred corridor for the OMR component will be approximately 70 kilometres long and 240 metres wide.

The E6 component will provide transport access from the Hume Freeway at Kalkallo to the existing E6 reservation at Findon Road, Epping. It is intended to provide for up to a six lane freeway (three lanes in each direction) together with access restoration roads and crossings. The preferred corridor for the E6 component will be 23 kilometres long and 120 metres wide.

**Decision:**

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the OMR / E6 Transport Corridor, as described in the referral accepted on 17 June 2009, subject to the following conditions:

Before a decision is made whether or not to authorise under Victorian law the use and development of an alignment for transport infrastructure and related works including clearance of native vegetation:

- 1) An Environmental Impact Report is to be prepared, to the satisfaction of the Department of Planning and Community Development, in consultation with the Department of Sustainability and Environment, which documents the likely environmental effects and project benefits of both the preferred alignment for the OMR / E6 Transport Corridor (including the East-West link proposed to adjoin Middle Road, Truganina and other road and rail crossings of the OMR or E6) and relevant variations that may offer significantly better environmental and/or social outcomes. In examining the preferred alignment and any relevant variations, this report is to document:
  - (i) The results of field surveys of native flora and fauna undertaken in appropriate seasonal periods in order to identify significant habitat areas, for both terrestrial species and communities, including those listed under either the *Flora and Fauna Guarantee Act 1988* or the *Commonwealth Environment Protection and*

*Biodiversity Conservation Act 1999*, and aquatic and riparian communities in and along waterways, that are likely to be affected by the project;

- (ii) The likely ecological impacts of the project, including on terrestrial and aquatic communities, and significant waterways and wetlands due to direct construction activities (including waterway crossings), habitat clearance and fragmentation, as well as off-site and downstream effects, having regard to the likely project design and environmental management measures that would be applied; and the context of expected urban development scenarios;
  - (iii) The likely availability of suitable ecological offsets for unavoidable losses of native vegetation;
  - (iv) The results of preliminary field investigations at locations with a high likelihood of containing sites of Aboriginal cultural heritage, undertaken in consultation with Aboriginal Affairs Victoria and relevant Registered Aboriginal Parties;
  - (v) The likely impacts of the project on Aboriginal and non-Aboriginal cultural heritage, and the implications for a final corridor alignment;
  - (vi) The likely impacts of the project on other land uses, especially on rural activities located 'outside' the OMR / E6 Transport Corridor and the future urban area as well as on extractive industries;
  - (vii) The likely nature of project impacts on both existing and planned residential areas, social infrastructure and community well-being, in the context of the socio-economic and demographic characteristics of existing affected communities;
  - (viii) An outline of the intended approach to project design and environmental management, for both construction and operational stages of the project, which is to incorporate:
    - a. potential project staging (if known);
    - b. detailed environmental and technical studies;
    - c. further stakeholder consultation;
    - d. a risk assessment process, consistent with *AS 4360 – Risk Assessment* or an equivalent standard, to refine the final route within the adopted corridor and inform detailed design;
    - e. an overarching environmental protection strategy or equivalent to guide the preparation of environmental management plans for project construction and operation, including provisions for the implementation of appropriate environmental management measures as well as monitoring, reporting and auditing of environmental performance (which are to include any commitments related to matters of national environmental significance contained in the 'Program Report for Delivering Melbourne's Newest Sustainable Communities' prepared under section 146 of the *Environment Protection and Biodiversity Conservation Act 1999*).
- 2) The Environmental Impact Report, once completed to the satisfaction of the Department of Planning and Community Development, is to be exhibited for public comment for 20 business days.

- 3) An expert advisory committee may be appointed by the Minister for Planning if the Minister considers this necessary to assist the resolution of the corridor alignment within specific sections of the OMR / E6 Transport Corridor. If appointed, the role of the expert advisory committee would be to review the Environmental Impact Report, any public submissions received in response to the latter report, and any other relevant information, and to provide to the Minister:
  - (i) findings on likely effects of the preferred alignment and relevant variations;
  - (ii) recommendations on whether any of the refinements or variations to the preferred corridor identified in the Environmental Impact Report are justified in light of the likely effects;
  - (iii) advice on the appropriateness of the proposed approach to project design and environmental management.

#### **Reasons for Decision:**

- 1) The proposed OMR / E6 Transport Corridor route has emerged from an integrated urban settlement, transport infrastructure and conservation reserve planning process. Moreover, the corridor selection process for the OMR / E6 has provided a generally adequate assessment of strategic corridor alternatives, in terms of considering their functional, technical, environmental and socio-economic implications.
- 2) The proposed OMR / E6 Transport Corridor primarily passes through land currently in rural and related uses, which has been subject to extensive past disturbance. Moreover, the transport corridor will in future abut urban development on one side along most of its length within an expanded Urban Growth Boundary for Melbourne.
- 3) Although the proposed transport corridor will have a major direct adverse effect on Plains Grassland and Grassy Woodland ecological communities, the incremental impact due to the project will be less than that attributable to the associated urban expansion. The cumulative impacts of the project and urban expansion on key biodiversity assets have been assessed at a strategic level in *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment (DSE), 2009).
- 4) Wider sustainability implications – including for biodiversity, greenhouse gas emissions, economic development and social well-being - of urban development and passenger travel as well as freight movement that will be facilitated by the OMR / E6 Transport Corridor have been considered to varying degrees in *Victoria's Transport Plan* (Department of Transport, 2008) as well as in key reports on *Delivering Melbourne's Newest Sustainable Communities*, namely *Outer Metropolitan Ring / E6 Transport Corridor Planning Assessment Report* (VicRoads, 2009), *Urban Growth Boundary Review: Report for Public Consultation* (DPCD, 2009), *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* (DSE, 2009).
- 5) While development of the OMR / E6 Transport Corridor is likely to entail some significant environmental effects, these effects are partially characterised on the basis of the preliminary corridor assessments and related strategic assessments that have been undertaken. Notwithstanding this, because of residual issues and uncertainties there is a need to assess in more detail the likely environmental effects of a preferred OMR / E6

Transport Corridor and potentially suitable variations, in order to provide a sound basis for determining a final corridor alignment.

- 6) In view of the preliminary assessment of environmental risks documented in the EES referral, together with the *Strategic Impact Assessment Report for Environment Protection and Biodiversity Conservation Act 1999* (DSE, 2009), the scope of matters needing further assessment can readily be established. Key issues needing further assessment and consultative input relate to potential impacts on biodiversity, waterways, Aboriginal and non-Aboriginal cultural heritage, local communities and extractive industries. A focussed Environmental Impact Report could provide a suitable means for assessing these matters as they relate to refinement of the corridor alignment, and informing consultation with affected stakeholders, without the need for a comprehensive EES process. Such a report could be subject to review by an expert advisory committee, if warranted by the complexity of issues raised by proposed changes to the corridor alignment.

**Date of Decision:**

13 AUG 2009