

For Public Notice via Internet

REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978* (REFERRAL NUMBER 2024-R07)

Proponent

Melbourne Water

Project

Silvan High Security Fence Project (the project)

Description

The Project replaces the existing 15km perimeter fence that surrounds Silvan Reservoir. The fence is to be upgraded to achieve compliance with the Water Services Association of Australia Health Based Targets Manual as a Category 1 – Protected Catchment. The fence will have a minimum height of 3m above ground level, anti-dig features and would be equipped with a Perimeter Intruder Detection System.

Decision

The Minister for Planning has decided that an environment effects statement (EES) is not required for the Silvan High Security Fence Project, as described in the referral accepted on 24 October 2024, subject to the following conditions:

- 1) An environment report for the Silvan High Security Fence Project must be prepared in consultation with the Department of Transport and Planning (DTP), Department of Environment, Energy and Climate Action (DEECA), Parks Victoria and Yarra Ranges Shire Council, and completed to the satisfaction of the Minister for Planning. The report needs to examine and document the following:
 - a. the predicted impacts (direct, indirect and cumulative) on native vegetation and biodiversity values within the site and in the surrounding areas (including waterways), including listed species of flora and fauna (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*);
 - b. the potential effects (direct, indirect and cumulative) of the works on biodiversity values including for example disturbance to fauna associated with the proposed removal of trees, including any hollow-bearing trees for the project;
 - c. measures and procedures that intend to avoid, minimise and/or mitigate potential impacts on flora, fauna and native vegetation within the project site and surroundings (including waterways) during construction, operation and rehabilitation; and
 - d. proposed management arrangements for the native vegetation offset areas.
- 2) The environment report required under condition (1) is to be prepared to inform the proponent's final proposed configuration of the project, considered in approval processes, particularly under the *Planning and Environment Act 1987*.
- 3) An environmental management framework (EMF), informed by the findings and conclusions of the environment report required under condition (1) must be completed by the proponent to the satisfaction of the Secretary of DTP prior to the commencement of works. The EMF needs to be prepared on consultation with DTP, DEECA, Parks Victoria, and Yarra Ranges Shire Council and include a statement of all environmental commitments for the Project.

Reasons

- There is uncertainty regarding the extent and magnitude of potentially significant effects on native vegetation and biodiversity values within and adjacent to the project site. Further assessment of potential effects to these values is warranted to ensure potentially significant effects are appropriately examined and mitigated.
- The conditions set out through this decision provide the most appropriate and targeted means for examining these potentially significant effects and related uncertainties for native vegetation and biodiversity values, including the development of adequate measures to avoid and mitigate impacts in the context of relevant policy and regulatory requirements.
- Other residual potential effects are either unlikely to be significant or can be readily addressed through statutory requirements in particular under the *Aboriginal Heritage Act 2006*, *Planning and Environment Act 1978* and *Heritage Act 2017*.

Date

22/1/2025