



Regulatory Approvals

Viva Energy Australia (Viva Energy) is proposing to construct and operate a new jet fuel pipeline to support the growing fuel needs at Melbourne Airport.

The proposal is subject to several regulatory approvals and the pipeline may only be constructed with the consent of the Minister administering the *Pipelines Act 2005 (Vic)*. As the proposed pipeline is still under consideration, any subsequent commitments to proceed with the project are also subject to Viva Energy Board approvals.

Pipelines Approvals

Construction and operation of the pipeline requires a number of regulatory approvals prior to the commencement of these activities. *The Pipelines Act 2005 (Vic)* (the Act) and *Pipelines Regulations 2017* (the Regulations), provide a regulatory framework under which the development of a proposed pipeline must follow.

The project is also subject to a broader range of legislation not specific to pipeline construction and operation. This may include, but is not limited to:

- *Airports Act 1996*
- *Aboriginal Heritage Act 2006 (Vic)*
- *Environment Effects Act 1978 (Vic)*
- *Environment Protection and Biodiversity Conversation Act 1999*
- *Heritage Act 2017 (Vic)*
- *Planning and Environment Act 1987*
- *Native Title Act 1993*
- *Water Act 1989*

The Act and the Regulations include the manner in which the pipeline proponent, regulatory authorities and potentially affected land owners, occupiers and stakeholders engage on the project.

Private and Public landowners and occupiers

Viva Energy will initially be seeking to meet with landholders and occupiers to introduce the project and seek feedback regarding the preliminary pipeline alignment. Meeting directly with landowners helps us to better understand the nature of the impacted property and address specific concerns through design and construction stages.

AS PART OF THIS ENGAGEMENT PROCESS, AFFECTED LAND OWNERS AND OCCUPIERS WILL RECEIVE THE FOLLOWING 'NOTICES':

Notice of Intent to Enter Land:

Advice that the pipeline proponent seeks access to land to perform survey activities to inform pipeline development.

Notice of Corridor:

Advice of the proposed pipeline corridor.

Notice of Application:

Advice if a proponent has applied to the Minister to construct and operate a pipeline

Further information regarding this process may be viewed on the project website: vivaenergy.com.au/operations/our-pipelines/projects

Land Access

Viva Energy will be seeking landholder and occupier agreement to provide access to land along the proposed pipeline alignment so that more detailed investigations can be undertaken, such as ecology and cultural heritage surveys.

Land access would also be required to develop, construct and operate the pipeline. The type of access and nature of associated activities would vary throughout the life of the project.



SURVEYS AND FIELD STUDIES PHASE

Temporary access would be required to perform assessments or surveys, along the proposed pipeline route. These activities may range from visual inspections to physical works, such as establishing temporary bore holes for soil samples.

Environmental field studies which are likely to require access to private land include the following surveys:

- Ecology – flora, fauna and aquatic ecology
- Soils and geology
- Cultural heritage

CONSTRUCTION PHASE

Temporary access would be required to prepare the workspace for construction. This is referred to as construction 'right of way'. This would include space for vehicle access, soil stockpiling and pipeline materials.

OPERATIONAL PHASE

Ongoing access would be required for operating and maintaining the pipeline.



Land Easement Agreements

Viva Energy would seek to purchase easements from affected landowners following confirmation of the proposed pipeline alignment.

An easement is an agreement registered on the title of the land that sets out the rights of a pipeline owner/operator to install, operate and maintain the pipeline and also defines the restrictions on the landowner in the area of the easement.

Viva Energy commits to dealing with all affected landowners and occupiers in an open and respectful manner to provide fair, adequate and equitable compensation in reaching agreement on a pipeline corridor.

The Act provides the framework for easement establishment, including potential application of the Land Acquisition and Compensation Act 1986 in the event that reasonable efforts have been unsuccessful with affected landowners.

Landowners would be notified of any request by Viva Energy to the Minister for consent to compulsorily acquire an easement and would then have the opportunity to make submissions to the Minister before a decision is made.

Independent Legal Advice

Land owners and occupiers affected by the pipeline may seek independent legal advice on any concerns they may have with regard to legal implications of the activities which could include the project's potential impact on their land. Pre-defined and agreed reasonable costs incurred in seeking legal advice in relation to the pipeline will be reimbursed by Viva Energy.



How to contact us?

If you have any questions about this project, please contact Viva Energy's Project Team:

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VIVAENERGY.COM.AU