

For Public Notice via Internet**REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978*****Title of Proposal:** Sand Quarry at 69 Barton Road Moyston**Proponent:** Darbay Pty Ltd**Description of Project:**

The proposed sand quarry at 69 Barton Road, Moyston, is located approximately 5.6 km southwest of the township of Moyston. Drilling on the site has indicated a sand resource of 450,000 cubic metres, covering an area of 14.74ha. The maximum depth of the extraction will be 10m. The sand extracted will be screened using a mobile screening plant and stockpiled for dispatching to the market via Barton Road. The quarry life is estimated at 24 years.

The project will include:

- An open pit quarry covering an area of approximately 14.74ha. An excavator will be used to remove the topsoil for use in rehabilitation and to extract the sand to be screened and stockpiled for sale.
- A screening and stockpiling area of approximately 1.4ha. A processing plant comprising a screen will be used for screening all materials on the site for any artefacts and to remove any impurities from the sand.
- A parking and site office facility covering an area of approximately 0.3ha.

Decision:

The Minister for Planning has decided that an Environment Effects Statement (EES) **is not required** for the sand quarry project, as described in the referral accepted on 24 February 2020, **subject to the following conditions:**

- a) An environment report for the project must be prepared in consultation with DELWP and completed to the satisfaction of the Minister for Planning. The report needs to examine and document:
 - i. the assessment of predicted impacts (direct and indirect), on biodiversity values within the site and in the surrounding areas, including cumulative impacts and impacts on habitat connectivity, particularly associated with:
 - listed species of flora and fauna (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*), including:
 - Barking Owl, Brown Toadlet and Southern Brown Bandicoot; and
 - Inland Leek-orchid, Cut-leaf Daisy, Trailing hop-bush, Fragrant Leek Orchid, Green-striped Greenhood, Spiral-leaved Sun-orchid, Metallic Sun-orchid and River Swamp Wallaby-grass;
 - listed communities (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*), including the FFG Act-listed Victorian Temperate Woodland Bird Community and the EPBC Act-listed Grassy Eucalypt Woodland of the Victorian Volcanic Plain;
 - endangered ecological vegetation classes (including the endangered Sand Forest) and other high value vegetation protected under the vegetation protection overlay;
 - proposed native vegetation offset areas;
 - the transport route to and from the quarry; and
 - nearby wetlands and waterways.

- ii. the assessment of predicted impacts on landscape values, including those protected under the significant landscape overlay associated with the Grampians surrounds and Black Range landscape.
 - iii. mapping that clearly articulates full extent of proposed/future works, infrastructure and, facilities on and near the site, as well as key environmental assets/values to be avoided (e.g. no-go zones and offset sites); and
 - iv. the approach to staging the delivery of the project's preferred development configuration.
- b) The environment report (required under condition (a)) needs to be prepared to inform the final project design inputted to subsequent planning and approval processes, particularly under the *Mineral Resources (Sustainable Development) Act 1990* and *Planning and Environment Act 1987*.
- c) Prior to any works and the removal of any native vegetation, a flora and fauna management plan, informed by the final environment report, must be prepared for the project by qualified consultants to the satisfaction of DELWP. This must include detailed measures and procedures intended to avoid, minimise and mitigate potential impacts on flora, fauna and native vegetation within the project site and surrounding areas during construction, operation and rehabilitation, including:
- i. Measures to prevent and control weeds (non-native species) and pathogens;
 - ii. Measures for repurposing fallen and standing timber that contain hollows;
 - iii. Fencing of retained vegetation;
 - iv. Measures to avoid and mitigate impacts on fauna during staging and habitat clearance; and
 - v. Rehabilitation and revegetation measures to establish native vegetation across the site.

Reasons for Decision:

- With the exception of potential adverse effects on native vegetation and biodiversity values, the environmental effects of the project are unlikely to have the extent and/or complexity to warrant an Environment Effects Statement.
- The proposed removal of 12.112 ha of endangered Sand Forest ecological vegetation class including 47 large trees from the project site, combined with cumulative impacts from other nearby quarries, has the potential to result in significant impacts on the connectivity of habitat for threatened flora and fauna species. Habitat connectivity is important because the project site is located within a patchy remnant vegetation corridor extending from near the Grampians National Park crossing the landscape in a northeasterly direction towards other public land blocks of forest.
- Management and mitigation measures are required to ensure that native vegetation retained on site and native fauna in the extraction area is protected from indirect and direct impacts to biodiversity values throughout the construction, operation and rehabilitation of the project.
- The conditions set out through this decision provide the most appropriate means for examining these potentially significant effects and related uncertainties, including the development of adequate measures to avoid and mitigate impacts in the context of relevant policy and regulatory requirements.
- Potential adverse effects on Aboriginal cultural heritage can be addressed through the statutory requirements under the *Aboriginal Heritage Act 2006*.
- A native vegetation offset management plan will be required for the project under the Memorandum of Understanding for Earth Resource Industries (DPI and DSE 2011).

- Other residual potential effects should be readily addressed through respective statutory requirements under the *Planning and Environment Act 1987*, which will require a planning permit, *Environment Protection Act 1970*¹ and *Mineral Resources (Sustainable Development) Act 1990*, which will require an approved work plan including a risk management plan and a rehabilitation plan.

Date of Decision: 29 / 04 / 2020

¹ To be superseded by the *Environment Protection Amendment Act 2018* from 1 July 2020.