

Attachment 2

**For Public Notice via Internet**

**REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978***

**Title of Proposal:** Yallourn Coal Field Re-alignment Project

**Proponent:** TRUenergy Yallourn Energy Pty Ltd

**Description of Project:**

The Yallourn Power Station and adjacent coal mine is located north-west of Morwell in the Latrobe Valley, approximately 150 km east of Melbourne. TRUenergy Yallourn Pty Ltd now proposes to modify the previously approved mine alignment. The re-aligned mine area is adjacent to the eastern boundary of the current Maryvale Coal Field and covers an area of approximately 95.6 ha.

**Decision:**

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the Yallourn Coal Field Re-alignment Project as described in the updated referral documentation submitted in September 2008, subject to the following conditions:

- iv. TRUenergy Yallourn Pty Ltd is to prepare a report that:
  - describes in detail the likely impacts of the proposed mine re-alignment on the flora and fauna of areas that are outside the area currently approved for mining, as well as the proposed mitigation and offset measures, to the satisfaction of the Department of Sustainability and Environment;
  - detail modelling results and proposed mine design and management measures, including buffer separation, to ensure compliance with both noise and dust requirements under State Environment Protection Policy at residences to the east of the proposed mine boundary as well as at the Morwell town boundary, to the satisfaction of the Environment Protection Authority;
  - detail proposed measures to minimise other off-site effects, including visual amenity and waterway drainage;
- v. The report prepared by TRUenergy Yallourn Pty Ltd is to be made available for public comment for a period of 20 business days, following public notices being placed in at least one local newspaper and in a nationally distributed newspaper. Submissions are to be provided to the Department of Planning and Community Development and will be treated as public documents. The Minister for Planning will then provide an assessment to the Minister for Energy and Resources.
- vi. TRUenergy Yallourn Pty Ltd, prior to the removal of any native vegetation, is to prepare a native vegetation offset plan, consistent with Victoria's Native Vegetation Management – A Framework for Action (2002), to provide permanent net gain offsets, including for *Eucalyptus strzelecki*, to the satisfaction of the Minister for Environment and Climate Change.

**Reasons for Decision:**

- The clear evidence from previous assessments of Yallourn/Maryvale mining proposals under the *Environment Effects Act 1978*, as well as studies supporting the current referral, that the proposed re-alignment of the approved mine:
  - would be unlikely to have major adverse effects on biodiversity, heritage, waterway, landscape or other social values, although there is some potential for significant effects; and
  - could be managed to maintain acceptable levels of noise and dust, in order to minimise any potential for adverse effects on public health and amenity, if appropriate buffer separation and management practices are applied.
- The likelihood that native vegetation proposed to be removed could be satisfactorily offset in a manner consistent with net gain requirements for native vegetation management; and
- The availability of procedures under the *Mineral Resources (Sustainable Development) Act 1990* to assess and manage environmental effects of the project.

**Date of Decision:**      **07 JAN 2009**