

Attachment 2

For Public Notice via Internet

REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978*

Title of Proposal: Chiltern Quarry (Replacement)

Proponent: Cemex Australia Pty Ltd

Description of Project:

Cemex Australia Pty Limited (Cemex) propose to establish a hard rock quarry 3 kilometres south-east of the Chiltern township in north-east Victoria. The proposed quarry is located on private property adjacent to the Chiltern – Mt Pilot National Park. The proposed operation will replace the existing quarry currently operating within the National Park which will cease operation in October 2009.

Decision:

The Minister for Planning has decided that an Environment Effect Statement (EES) is not required for the Chiltern Quarry (Replacement) as described in the referral accepted on 5 March 2009, subject to the following conditions:

- The proponent prepare a report to the satisfaction of the Department of Planning and Community Development (DPCD) and the Department of Sustainability and Environment (DSE) that:
 - (i) Provides information on the availability of hard rock resources for relevant construction purposes that substantiates the proposed siting of the quarry, in the context of alternate resource locations and the level of regional demand;
 - (ii) Documents potential impacts on flora and fauna species listed under the Flora and Fauna Guarantee Act 1988 as a result of the proposed quarry development, including as a result of changes in site hydrology;
 - (iii) Documents the availability of net gain offsets for the loss of the same or related Ecological Vegetation Classes under *Victoria's Native Vegetation Management- A Framework for Action* that would be affected by the quarry development;
 - (iv) Documents the proposed provision of water supply and the management of related effects; and
 - (v) Documents the outcomes of stakeholder consultation conducted to date.

This report is to be released in conjunction with the public notification process under relevant procedures for statutory approval.

- Following the completion of the above report, the Minister for Environment and Climate Change authorise the removal of native vegetation and an Offset Management Plan to his / her satisfaction, in accordance with *Victoria's Native Vegetation Management- A Framework for Action*, prior to the removal of any native vegetation on the proposed site.

Reasons for Decision:

- The primary environmental impact that would arise from this proposal is the clearing of EVC's of very high conservation significance. While this impact, and associated impacts of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* warrant further assessment to clarify the likely net outcomes, this can be done effectively through a focussed environmental report; and
- The impacts on amenity, visual, cultural heritage, and activities within the National Park are considered to be minor and can be adequately assessed via the application process for a Planning Permit for the use and development of an Extractive Industry under the *Planning & Environment Act 1987* and Works Authority under the *Extractive Industries Development Act 1995*.

Date of Decision:

24 APR 2009