

DECISION ON PROJECT

Decision under section 8B(3)(a) of the *Environment Effects Act 1978*

Bendigo Creek Reclamation and Rehabilitation Project

(Referral Number 2020-R19)

Assessment through an environment effects statement (EES) under the *Environment Effects Act 1978* **is required** for the reasons set out in the attached Notice of Reasons for Decision.

Procedures and requirements under section 8B(5) of the *Environment Effects Act 1978*

The procedures and requirements applying to the EES, in accordance with both section 8B(5) of the Act and the *Ministerial guidelines for assessment of environmental effects under the Environment Effects Act 1978* (Ministerial Guidelines), are as follows.

- (i) The EES is to document investigations of potential environmental effects of the proposed project, including the feasibility of associated environmental mitigation and management measures, in particular for:
 - a. potential effects on biodiversity, including through loss, degradation of habitat or through other causes;
 - b. potential effects on water environments and related beneficial uses, including as a result of changes to stream flows, discharge of sediment and contamination from mine tailings;
 - c. potential effects on human and environment health through mobilisation of contaminated tailings or soils;
 - d. potential effects on Aboriginal and historic cultural heritage values;
 - e. effects of potential changes in air quality and noise on nearby sensitive receptors (particularly residences);
 - f. effects on the visual amenity and existing landscape values of the local area; and
 - g. effects arising from the transport of processed ore and by products from the project site on the public road system, as well as any environmental effects of vehicle and equipment use and management at the project site.
- (ii) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements. Draft scoping requirements will be exhibited for 15 business days, before final scoping requirements are issued by the Minister for Planning.
- (iii) The proponent is to prepare and submit to the Department of Environment, Land, Water and Planning (DELWP) a draft EES study program to inform the preparation of scoping requirements.
- (iv) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform an assessment of the significance and acceptability of its potential environmental effects, in the context of the Ministerial Guidelines.

- (v) DELWP will convene an inter-agency technical reference group (TRG) to advise DELWP and the proponent on the scoping requirements, the design and adequacy of the EES studies, and coordination with statutory approval processes.
- (vi) The proponent is to prepare and implement an EES consultation plan for informing the public and consulting with stakeholders during the preparation of the EES, having regard to advice from DELWP and the TRG.
- (vii) The proponent is also to prepare and submit to DELWP its proposed schedule for the completion of studies, preparation and exhibition of the EES, following confirmation of the scoping requirements. This schedule is intended to facilitate the alignment of the proponent's and DELWP's timeframes, including for TRG review of technical studies.
- (viii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
- (ix) The EES is to be exhibited for a period of 30 business days for public comment, unless the exhibition period spans the Christmas-New Year period, in which case 40 business days will apply.
- (x) An inquiry will be appointed under the *Environment Effects Act 1978* to consider environmental effects of the proposal.

Notification

The following parties (proponent and relevant decision-makers) are to be notified of this decision in accordance with sections 8A and 8B(4)(a)(i) of the *Environment Effects Act 1978*, as appropriate:

- Huntly Common Pty Ltd (proponent);
- Commonwealth Minister for Environment;
- Secretary of the Department of Environment, Land, Water and Planning;
- CEO of the City of Greater Bendigo;
- CEO of Parks Victoria;
- CEO of the North Central Catchment Management Authority;
- CEO of the Environment Protection Authority;
- Executive Director of Aboriginal Victoria;
- Executive Director of Heritage Victoria; and
- CEO of Dja Dja Wurrung Clans Aboriginal Corporation.



HON RICHARD WYNNE MP

Minister for Planning

Date: 18/3/21