

## DECISION ON PROJECT

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

#### Fingerboards Critical Minerals Project (Referral Number 2026-R01)

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 feasible alternatives and approaches to avoiding and minimising potentially significant effects, environmental mitigation and management measures, including for:
  - a. native vegetation, biodiversity and ecological values, including listed threatened species and communities, such as through the loss, degradation or fragmentation of habitat, or through other indirect causes;
  - b. surface water and groundwater, including downstream wetlands and groundwater dependent ecosystems;
  - c. Aboriginal cultural heritage;
  - d. air quality, particularly in relation to airborne dust emissions;
  - e. noise and vibration effects;
  - f. agriculture and horticulture and other land uses;
  - g. potential socioeconomic effects;
  - h. landscape and visual values; and
  - i. traffic and transport, soils and contamination, radiation and historic heritage.
- (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 Transport and Planning (DTP) an adequate 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) DTP will convene an inter-agency technical reference group (TRG) to advise DTP 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 submit to DTP its proposed EES consultation plan for engaging with the public and stakeholders during the preparation of the EES. Once

completed to the satisfaction of DTP, the EES consultation plan is to be implemented by the proponent, having regard to advice from DTP and the TRG.

- (vii) The proponent is also to prepare and submit to DTP its proposed schedule for the completion of studies, preparation and exhibition of the EES, following preparation of the scoping requirements. This schedule will be finalised in consultation with DTP and is intended to facilitate the alignment of the proponent's and DTP's timeframes, including for TRG review of technical studies and main report.
- (viii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies and documentation 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:

- Gippsland Critical Minerals Pty Ltd (proponent)
- Minister for the Environment
- Minister for Energy and Resources
- Minister for Planning
- Secretary of the Department of Energy, Environment and Climate Action (DEECA)
- Resources Victoria
- East Gippsland Shire Council
- Gunaikurnai Land and Waters Aboriginal Corporation
- East Gippsland Catchment Management Authority
- West Gippsland Catchment Management Authority
- East Gippsland Water
- Southern Rural Water
- Environment Protection Authority
- Heritage Victoria
- First Peoples – State Relations
- Country Fire Authority.



**HON SONYA KILKENNY MP**  
**Minister for Planning**

Date:

14-2-2026