

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

Project: Burnside Residential Development

1. Assessment though an Environment Effects Statement (EES) under the *Environment Effects Act 1978* **is not required**, subject to the following **condition**, for the reasons set out in the attached Notice of Reasons for Decision.

The proponent is to prepare an assessment report that:

- (a) examines relevant alternatives which would avoid significant effects on native vegetation and other biodiversity values to the extent practicable;*
- (b) outlines opportunities for sustainable on-site management of the site's existing biodiversity values;*
- (c) assesses the significance of any residual effects on native vegetation and other biodiversity values likely to result from relevant alternatives; and*
- (d) outlines any proposed commitments for offsetting the residual effects of a revised proposal on native vegetation and other biodiversity values.*

Further, the assessment report is to be:

- (a) prepared in consultation with the Department of Planning and Community Development, the Department of Sustainability and Environment, the Shire of Melton and the Australian Government Department of Sustainability, Environment, Water, Population and Communities, and*
- (b) to the satisfaction of the Minister for Planning; and*
- (c) released as part of public notification processes under relevant procedures for statutory approval if applications are made.*

Advice under section 8B(4)(b) of the *Environment Effects Act 1978*

2. The proposal described in the referral accepted on 26 March 2012 is unlikely to be environmentally acceptable as currently configured, in light of likely environmental effects and applicable policy.

Notifications under section 8B(4)(a)(ii) of the *Environment Effects Act 1978*

3. The following parties are to be notified of the above decision:
- Burnside North Pty Ltd (proponent);
 - The Minister for Environment and Climate Change (relevant decision-maker);
 - Melton Shire Council (relevant decision-maker).

MATTHEW GUY MLC
Minister for Planning

Date:



28.6.12