

For Public Notice via Internet

REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978*

Title of Proposal: Northern Victoria Irrigation Renewal Project - Adjunct Works

Proponent: State Owned Enterprise for Irrigation Modernisation in Northern Victoria (trading as NVIRP)

Description of Project:

The Northern Victoria Irrigation Renewal Project (NVIRP) is to upgrade irrigation delivery infrastructure in the Goulburn Murray Irrigation District (GMID) through automation, remediation and reconfiguration of the channel system in order to improve the efficiency of irrigation systems. A decision by the former Minister for Planning under the *Environment Effects Act 1978*, made on 14 April 2009, with respect to the NVIRP project applied a range of conditions.

The NVIRP Adjunct Works project is additional to the NVIRP project previously considered under the *Environment Effects Act 1978*. It involves works to upgrade irrigation delivery infrastructure in the Central Goulburn CG1-4 channels and the Shepparton Irrigation Areas within the GMID.

Decision:

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the Northern Victoria Irrigation Renewal Project (NVIRP) Adjunct Works, as described in the referral accepted on 8 April 2011, subject to the following conditions, which are consistent with the conditions applied to the NVIRP project:

1. Prior to commencing any works involving either the removal of native vegetation or direct construction impacts on wetlands or natural waterways, NVIRP must prepare a framework for environmental management of works to the satisfaction of the Minister for Planning, having regard to written advice to be sought from the Minister for Environment and Climate Change. The environmental framework for construction is to include but is not limited to:
 - (i) A statement of environmental commitments or performance requirements in relation to proposed physical works, including compliance with *Victoria's Native Vegetation Management: A Framework for Action* (2002), applicable Regional River Health Strategies and relevant Regional Catchment Management Strategies;
 - (ii) Processes and methodologies for assessing potential impacts on native vegetation as well as flora and fauna species listed under the *Flora and Fauna Guarantee Act 1988* (FFG Act) due to the implementation of NVIRP Adjunct Works;

- (iii) A framework for managing impacts and assigning accountabilities for impacts on biodiversity, cultural heritage and potential acid sulphate soils, as well as drainage and flooding patterns, including but not limited to:
- Preparation and implementation of management strategies or plans for mitigation and offsetting of impacts on native vegetation;
 - Preparation and implementation of management strategies or plans for flora and fauna species listed under the FFG Act;
 - Preparation and implementation of management strategies or plans for cultural heritage;
 - Monitoring, reporting and auditing of relevant activities and environmental outcomes, including the role of an independent auditor to be appointed by NVIRP (appointee to be agreed with the Secretary of the Department of Sustainability and Environment (DSE)); and
 - Mechanisms to ensure compliance by NVIRP and its contractors, as well as landholders and/ or their contractors, for all construction activities within this project.
2. NVIRP must utilise the Expert Review Panel formed for the NVIRP project to provide advice on hydrological and related ecological changes due to implementation of the NVIRP Adjunct Works project.
3. Before operation of the relevant works commences, NVIRP must prepare a framework for protection of aquatic and riparian ecological values through management of water allocations and flows to the satisfaction of the Minister for Water, having regard to written advice to be sought from the Expert Review Panel and following consultation with the Minister for Environment and Climate Change. This environmental framework for water management is to include but need not be limited to:
- (i) A statement of environmental commitments or performance requirements in relation to managing the ecological consequences of hydrological changes arising from implementation of the NVIRP Adjunct Works, including to avoid any contribution to diminishing ecological values in waterways and wetlands. This statement is to describe arrangements for the sourcing, allocation and management of water required to mitigate the project's potential ecological impacts.
 - (ii) Processes and methodologies for assessing both (a) the hydrology and ecological values and (b) associated ecological risks to wetlands, waterways and groundwater or seepage-dependant ecosystems potentially affected by the implementation of these works, including any nominated by the Secretary, DSE;
 - (iii) Processes and methodologies for preparing Environmental Watering Plans to mitigate potential impacts on wetlands and waterways at risk from the implementation of the project through adaptive water management;
 - (iv) Procedures for monitoring, reporting and auditing changes in hydrological and ecological conditions in relevant waterways or wetlands associated with the project's operation, including the role of an independent auditor to be appointed by the proponent (appointee to be agreed with the Secretary, DSE).

4. NVIRP must amend, or provide a supplementary report to the assessment report on ecological consequences of hydrological changes (“Condition 4 Report”) provided on 23 February 2011 to the Secretary of DSE, considering the impacts potentially arising from these works. This assessment report is to be prepared to the satisfaction of Secretary, DSE, following written advice from the Expert Review Panel.
5. Before operation of relevant works commences, an approved Environmental Watering Plan is required for the Lower Broken River and other wetlands and waterways nominated by the Secretary DSE, unless he or she is satisfied following advice from the Expert Review Panel that a waterway or wetland would not be at risk such to warrant an Environmental Watering Plan. Approval of an Environmental Watering Plan is required prior to the operation of modified irrigation infrastructure that could affect the Lower Broken River or nominated wetlands or waterways. The Minister for Water will consider whether or not to approve an Environmental Watering Plan following advice from the Expert Review Panel.
6. Final advice from the Expert Review Panel on the environmental framework for water management (#3 above), the assessment report (#4 above), and individual Environmental Watering Plans (#5 above) is to be made publicly available.

Reasons for Decision:

The Minister for Planning has not required an EES, subject to the conditions above, because:

- Effects on terrestrial vegetation and cultural heritage as a result of the construction works for the NVIRP Adjunct Works project are likely to be limited, because of the extensive prior disturbance of the landscape, the confinement of a majority of the works to existing channel alignments and the potential to adjust the siting of new infrastructure.
- Effects on terrestrial vegetation can be adequately assessed through the application of *Victoria’s Native Vegetation Management – A Framework for Action*, while procedures under the *Aboriginal Heritage Act 2006* will provide a adequate basis for addressing potential impacts on indigenous heritage.
- The implementation of a robust environmental management framework by the proponent will provide an effective mechanism for assessing and managing any residual construction-related impacts.
- The implementation of a framework for managing water allocations and flows will provide an appropriate means to protect aquatic and riparian ecological values.

Date of Decision: 25 July 2011