

DECISION ON PROJECT

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

Gunbower National Park Floodplain Restoration Project (Referral 2020-R17)

Assessment though an environment effects statement (EES) under the *Environment Effects Act 1978* **is not required** for the reasons set out in the attached Notice of Reasons for Decision, **subject to the following conditions:**

- a. An environment report for the project must be prepared in consultation with the Department of Environment, Land, Water and Planning (DELWP) and relevant agencies and departments as directed by DELWP. The report needs to be completed to the satisfaction of the Minister for Planning. The report needs to examine and document for both the construction and proposed inundation areas:
 - i. the expected benefits and ecological objectives of the project, with measurable indicators for monitoring and thresholds for action, including for specific species and ecological communities;
 - ii. assessment of project design alternatives to avoid and minimise adverse environmental effects, including options for the project layout and timing of inundation events;
 - iii. assessment of predicted effects on biodiversity values particularly associated with:
 - listed species and communities (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*);
 - native vegetation including large trees; and
 - threatening processes (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*).
 - iv. assessment of predicted effects on hydrogeology and groundwater quality;
 - v. assessment of predicted effects on Aboriginal cultural heritage;
 - vi. integrated assessment of project design alternatives and/or refinements, to further avoid and minimise adverse environmental effects, including for the project layout, siting of infrastructure, management measures, project staging and timing of inundation events, also including consideration of potentially competing disciplines-specific environmental priorities and predicted effectiveness of proposed mitigation and management measures;
 - vii. assessment of potential cumulative effects of the project and other sub-projects of the Victorian Murray Floodplain Restoration Project and other existing or planned projects in the area, particularly in relation to downstream aquatic environments and beneficial water uses;
 - viii. proposed native vegetation offset strategy accounting for the findings of items i to vi; and
 - ix. mapping that clearly illustrates the full extent of works and inundation areas, as well as key environmental assets to be avoided (e.g. no-go zones).
- b. The environment report, required under condition (a), will inform the final project design and subsequent planning and approval processes, particularly under the *Planning and Environment Act 1987*.
- c. Prior to any works and the removal of any native vegetation, a native flora and fauna management plan, informed by the final environment report, must be prepared for the project to the satisfaction of the Secretary of DELWP. The plan must include detailed measures and procedures intended to avoid, minimise and mitigate potential impacts on native flora and fauna within the project site and inundation area during construction and operation.
- d. An environmental management framework (EMF), informed by the findings and conclusions of the environment report, must be completed by the proponent to the satisfaction of the Secretary of DELWP prior to the commencement of works. The EMF needs to be prepared in consultation with DELWP and include a statement of all environmental commitments for the project, including

details of the required content and review process for additional management and monitoring plans to be developed.

- e. A construction environmental management plan (CEMP), informed by the findings and conclusions of the environment report, must be completed by the proponent to the satisfaction of the Secretary of DELWP prior to the commencement of works. The CEMP must be prepared in consultation with DELWP and relevant agencies and departments as directed by DELWP. The CEMP will document all avoidance and mitigation measures to be implemented for the project during construction, and responsibilities for implementation.
- f. An operating plan, informed by the findings and conclusions of the environment report, must be completed by the proponent to the satisfaction of the Secretary of DELWP prior to the commencement of works. The operating plan must be prepared in consultation with DELWP and other relevant agencies and departments as directed by DELWP. The operating plan will document all avoidance and mitigation measures to be implemented for the project during operations (including the planned timing of inundation events), as well as responsibilities for implementation.

Notification

The following parties (proponent and relevant decision-makers) are to be notified of this decision:

- Lower Murray Urban and Rural Water Corporation (the proponent);
- Executive Director of Aboriginal Victoria;
- Executive Director of Heritage Victoria;
- Secretary Department of Environment, Land, Water and Planning;
- Minister for Water;
- Environment Protection Authority;
- Parks Victoria;
- Gannawarra Shire Council
- Campaspe Shire Council; and
- North Central Catchment Management Authority.



HON RICHARD WYNNE MP
Minister for Planning

Date: 06 / 12 / 2020