

## DECISION ON PROJECT

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

#### Guttrum and Benwell Forests Floodplain Restoration Project (Referral 2020-R15)

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 DELWP and relevant agencies and departments as directed by DELWP and be completed to the satisfaction of the Minister for Planning. The report needs to examine and document the following, for both the construction and 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 predicted effects (direct and indirect) on habitats and 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, very large trees and hollow-bearing trees
    - threatening processes (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*)
    - listed nationally and internationally important wetlands;
  - iii. assessment of effects (direct and indirect) on Aboriginal cultural heritage;
  - iv. assessment of effects on hydrogeology and groundwater quality;
  - v. integrated assessment of project design alternatives and refinements to further avoid and minimise adverse environmental effects, including options for the project layout, siting of infrastructure, management measures, project staging and timing of inundation events. The assessment needs to examine and document the following:
    - consideration of the findings i. to iv.
    - consideration of potentially competing discipline-specific management priorities; and
    - assessment of the predicted effectiveness of proposed mitigation and management measures;
  - vi. selection of a preferred project configuration from those considered under condition (a)(v);
  - vii. potential cumulative effects of the project and other Victorian Murray Floodplain Restoration Project projects 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 vii; 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 environmental report, required under condition (a), will need to inform the final project design and 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 during construction and operation on native flora, fauna and large trees within the construction and inundation areas.

- 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 other relevant agencies including Parks Victoria, Heritage Victoria, Aboriginal Victoria, the Environmental Protection Authority, and the North Central Catchment Management Authority. 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 construction works. The operating plan must be prepared in consultation with DELWP and other relevant agencies including Parks Victoria, Heritage Victoria, Aboriginal Victoria, the Environmental Protection Authority, and the Mallee Catchment Management Authority. 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.



**HON RICHARD WYNNE MP**  
**Minister for Planning**

Date: 06 / 12 / 2020