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Subject	Hattah Lakes North draft referrals – response to review comments	Project Name	Victorian Murray Floodplain Restoration Project (VMFRP)
Attention	Daniel Freitag, Nick Sheahan	Project No.	IS297700
From	Megan Shaw		
Date	26/02/2020		
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1. Introduction

VMFRP prepared and submitted draft referrals for the Hattah Lakes North Floodplain Restoration Project to the relevant regulators for review in September 2019:

- A draft *Environment Effects Act 1978* (EE Act) referral was submitted to the Victorian Department of Environment, Land, Water and Planning (DELWP)
- A draft Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was submitted to the Commonwealth Department of Environment and Energy (DoEE) in September 2019.

This memo summarises the changes made to the referrals in response to these review comments.

2. Summary of changes

Key themes raised through comments broadly related to the scope of ecological assessment carried out, uncertainty around the approach to implementation, and clarity in the referral documentation including the scope of works proposed and need for additional mapping. The following additional work and changes have been carried out in response to these comments.

2.1 Ecology assessment

A consolidated ecology report has been prepared that summarises the project's potential to impact on ecology values, drawing on both the recent 2019 targeted flora and fauna surveys carried out by R8 and previous studies. This report includes:

- An updated desktop assessment identifying listed threatened species (Flora and Fauna Guarantee Act 1988 (FFG), EPBC, Victorian Rare or Threatened Species (VROT)) (terrestrial and aquatic), listed migratory species (EPBC) and listed communities (FFG, EPBC) potentially occurring in the project area based on database searches and literature review, along with an assessment of whether these species / communities:
 - have been recorded in the project area (including confirmation of whether areas of Semi-arid woodland Ecological Vegetation Classes in construction and inundation areas meet EPBC threatened ecological community criteria)
 - are likely to occur in the project area
 - are likely to be impacted by the project (construction and operation).

- A summary of potentially significant impacts on listed threatened species, listed migratory species and listed communities identified as likely to occur / likely to be impacted, including methodology to assess impacts and an assessment against Significant Impact Guidelines for Matters of National Environmental Significance (MNES).
- A description of native vegetation communities (EVCs, Large Old Trees (LOTS)) recorded within construction areas (based on habitat hectare assessments) and likely to occur within inundation areas (based on modelled EVCs with targeted ground-truthing to check potential errors indicating presence of non-flood dependent communities in inundation areas).
- An assessment of potential impacts on native vegetation communities within construction areas (including total area / LOTS to be removed in infrastructure footprint and total area / LOTS to be removed in temporary construction areas) and inundation areas (e.g. identifying areas of non-flood dependent EVCs potentially receiving environmental watering above their water requirements), including discussion of specific FFG threatening processes.
- A summary of recommended management measures to mitigate potential impacts on ecological values during construction and operation of the project.

2.2 Implementation

A high-level draft Environmental Management Framework has been prepared for the VMFRP program of works to provide further clarity on the governance framework that would apply. This would be further developed and refined as technical studies, design and the approvals processes progress. The draft EMF contains:

- A project overview, including summary of construction phase/activities and proposed inundation area.
- Roles and responsibilities for delivery of the project, including EMF and management plan approvals, change management and operational authorities.
- A summary of proposed environmental management plans, their hierarchy and relationship to the project.
- The approach to assessment, recording and reporting of environmental compliance
- An overview of the environmental requirements that would need to be complied with during construction of the project, based on the previous Hattah Lakes TLM project.
- Reference to the Environmental Watering Management Plan that would apply during operation of the project.

In addition, draft addenda to the existing Hattah Lakes Environmental Watering Management Plan and Hattah Lakes Operations Plan have been prepared by VMFRP and included with the referral.

2.3 Referral documents

The referral documents have been updated to include:

- An updated discussion of the project rationale
- An updated description of the proposed works to improve clarity
- Additional mapping, including to show natural, current and proposed inundation areas
- A revised description of potentially significant effects in Section 11 of the EE Act referral that summarises potential impacts as well as benefits.
- Updated discussion of potential impacts on ecology based on the consolidated ecology report

- Various edits, restructuring of content and other updates in response to specific review comments.

3. Further questions and comments

We appreciate the time taken by reviewers to provide a comprehensive review of the Hattah Lakes North referrals. Should there be any outstanding concerns or queries on how comments have been addressed, we would be happy to meet to work through these.