

Koondrook-Perricoota Forest Flood Enhancement Works

Appendix A Director-General's requirements





NSW GOVERNMENT
Department of Planning

Contact: Swati Sharma
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Mr Nick Roberts
Deputy Director-General, Primary Industries Trading &
Chief Executive Officer, Forests NSW
Department of Primary Industries
Locked Bag 21
ORANGE NSW 2800

Our ref: S09/00190
Your ref:

Dear Mr Roberts

**Koondrook-Perricoota Forest Flood Enhancement Works (Application: 09_0098) –
Director-General's Requirements**

The Department has received your major project application for the proposed Koondrook-Perricoota Forest flood enhancement works project.

I have attached a copy of the Director-General's requirements (DGRs) for the preparation of an Environmental Assessment for the project. These requirements have been prepared following the Planning Focus Meeting held on 22 April 2009 and in consultation with the relevant government agencies. Please note a copy of the DGRs has also been sent to Mr David Harriss, Deputy Director-General, Water Management, of the Department of Water and Energy.

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the Proponent seeking approval for the project.

I would appreciate it if you could contact the Department at least two weeks before you propose to submit the Environmental Assessment for the project to determine:

- the fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply;
- options available in publishing the Environmental Assessment via the Internet; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

Prior to exhibiting the Environmental Assessment, the Department will review the document to determine if it adequately addresses the DGRs. The Department may consult with other relevant government agencies in making this decision. If the Director-General considers that the Environmental Assessment does not adequately address the DGRs, the Director-General may require the Proponent to revise the Environmental Assessment to address the matters notified to the Proponent. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

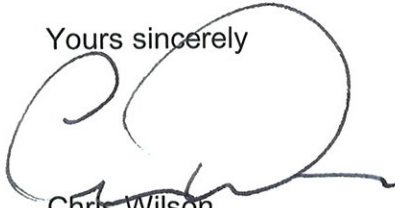
If your project includes any actions that could have a significant impact on matters of National Environmental Significance, it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of the Environment, Heritage, Water and the

Arts to determine if an approval under the EPBC Act is required for your project (6274 1111 or <http://www.environment.gov.au>).

Please note that the Commonwealth Government has accredited the NSW environmental assessment process for assessing impacts on matters of National Environmental Significance. As a result, if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements will need to be issued.

If you have any enquiries about these requirements, please contact Ms Swati Sharma, Environmental Planning Officer, Major Infrastructure Assessments on 02 9228 6221 or via email (swati.sharma@planning.nsw.gov.au).

Yours sincerely



22.5.09

Chris Wilson
Executive Director
Major Projects Assessment
As delegate of the Director-General

KOONDROOK-PERRICOOTA FOREST FLOOD ENHANCEMENT WORKS PROJECT

DIRECTOR-GENERAL'S REQUIREMENTS UNDER PART 3A OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Project	Koondrook-Perricoota Forest Flood Enhancement Works project, comprising the development of a channel to divert water from the Murray River to the Koondrook-Perricoota Forest and the installation of a series of regulation structures to contain the floodwaters within the forest and prevent impacts to neighbouring landholders. The key ecological objective of the project is to provide an adequate water regime to a representative area of River Red Gum forest that has, or historically supported, a flood-dependent understorey. The project includes: (a) construction of a 3.8 kilometre long earth channel extending north from the Torrumbarry Weir pool on the Murray River to Bullock Head Creek; (b) construction of a gated regulator structure and a fishway within the channel approximately 200 metres from the Murray River; (c) construction of an access bridge across the channel at River Road; (d) erosion protection works at Bullock Head Creek; (e) two escape regulators and associated works at Swan Lagoon; (f) five downstream stop log regulators at Barbers Overflow and Barbers, Cow, Calf and Thule Creeks; (g) two regulators at Little Barbers Creek; (h) construction of a return channel from Crooked Creek to allow return flow back to the Murray River; (i) a gated regulator structure and potential fishway within the return channel from Crooked Creek to the Murray River; (j) floodway to enhance return flows to the Murray River; (k) provision of a new levee around the downstream perimeter of the Forest and connecting four of the five regulators (Barbers overflow gully and Barbers, Cow and Calf Creeks); and (l) a drop down structure and potential fishway at the entry of the drainage channel with the Murray River.
Site	The Koondrook-Perricoota River Red Gum Forest, located on the Murray River Floodplains in south-west New South Wales.
Proponent	Department of Primary Industries (Forests NSW) and the Department of Water and Energy
Date of Issue	22 May 2009
Date of Expiration	22 May 2011
General Requirements	The Environmental Assessment must include: • an executive summary; • a detailed description of the project including: → construction and operation details, including a timeline for construction works and the operating sequence of the project; → the location and dimensions of all project components including construction compounds and access roads; • consideration of any relevant statutory provisions including the consistency of the project with the objects of the <i>Environmental Planning and Assessment Act 1979</i> and the <i>Environment Protection and Biodiversity Conservation Act 1999</i>. • an assessment of the key issues outlined below, during construction and operation; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; • a conclusion justifying the project taking into consideration the environmental, social and economic impacts of the project; the suitability of the site; and the public interest; and • certification by the author of the Environmental Assessment that the information contained in the Assessment is neither false nor misleading.

Key Assessment Requirements

The Environmental Assessment must include assessment of the following key issues:

- **Strategic Planning and Justification** – the Environmental Assessment must provide a strategic assessment of the project, including justification of the need, scale, scope and location for the project, with particular reference to the Murray-Darling Basin Ministerial Council's (MDBMC) Living Murray Initiative and how the implementation of this project will achieve the First Step Objective to '*maintain and restore a mosaic of healthy floodplain communities*'. The Environmental Assessment must include an overview of the relationship between the project and its relevance to the other five Icon Sites identified under the Living Murray Initiative and illustrate how the project will effectively respond to concerns about the environmental and economic health of the Murray River System.
- **Ecological Impacts** – the Environmental Assessment must:
 - assess impacts to flora and fauna, particularly critical habitats, threatened species, populations, ecological communities, and their habitats, including those listed under the *Threatened Species Conservation Act 1995* and the *Fisheries Management Act 1997*. The assessment should be undertaken in accordance with the *Draft Guidelines for Threatened Species Assessment* (July 2005), prepared by the then Department of Environment and Conservation and the Department of Primary Industries. The assessment must refer to, and include:
 - aquatic impacts – direct and indirect impacts upon the movement of fish and macro-invertebrates in the Murray River and associated waterways to be impacted by the project, consideration of the impact of different levels of water supply, and impacts on aquatic habitats; and
 - terrestrial impacts – potential impacts associated with the proposed increased water flows in the Koondrook-Perricoota Forest on the distribution of riparian habitats, and inclusion of a map to identify and quantify vegetation communities to be affected by the project; and
 - describe measures to avoid, mitigate or offset impacts consistent with "improve or maintain" principles. Sufficient details must be provided to demonstrate the availability of viable and achievable options to offset the impacts of the project.
- **Hydrology Impacts** – the Environmental Assessment must:
 - outline how the proposed works, operating under the proposed flooding regime would affect the natural physical, chemical and biological processes of the Koondrook-Perricoota Forest Wetland; and
 - include a comparison between the hydrograph of natural floods that reach RL78.5 on the floodplain and the hydrograph of the inundation to be generated by the proposed works (in terms of frequency and duration), so as to provide a clear description of the flooding regimes that will be introduced by the project and how they compare with the conditions experienced during a natural flood; and
 - assess impact of changed flooding regime on surrounding land use.
- **Water quality and Soil Impacts** – the Environmental assessment must:
 - assess impact to water quality and detail how erosion and sedimentation would be managed and riparian vegetation would be protected, during construction and operation of the project;
 - identify the type, quantity and location of chemicals to be stored on site(s) and measures for spill management, including items such as bunding and emergency procedures must be outlined;
 - assess soil quality, in particular potential disturbance and subsequent management of Acid Sulfate Soils (ASS) or Potential ASS during construction;
 - assess the potential for salinisation of the River Murray and associated waterways as a result of the project's operation including implications on the productivity of the Murray River and subsequent mitigation and/or management measures.
- **Indigenous Heritage Impacts** – the Environmental Assessment must include an assessment of the potential impact of the project components on indigenous heritage values (archaeological and cultural). The Environmental Assessment must demonstrate effective consultation with indigenous stakeholders during the assessment and in developing mitigation options (including the final recommended measures) consistent with *Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation* (DEC, July 2005).
- **Spoil and Waste Management Impacts** – the Environmental Assessment must estimate the likely spoil generation and type (including identification of known or potential contamination issues), disposal/recycling sites and management of all

	types of waste material. • General Environmental Risk Analysis –notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of the additional key environmental impact(s) must be included in the Environmental Assessment.
Consultation Requirements	You must undertake an appropriate and justified level of consultation with the following parties during the preparation of the Environmental Assessment: • Wakool Shire Council; • Murray Shire Council; • Murray Catchment Management Authority; • Department of Environment and Climate Change; • Department of Environment, Water, Heritage and the Arts; • Department of Primary Industries; • Department of Water and Energy; • Department of Sustainability and Environment (Victoria); • Department of Lands; • Murray-Darling Basin Authority; • South Australian Murray-Darling Basin Natural Resources Management Board; and • the local community and landowners. The Environmental Assessment must clearly describe the consultation process and indicate the issues raised by stakeholders during consultation and how these matters have been addressed.



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Mr David Harriss
Deputy Director-General
Water Management
Department of Water and Energy
GPO BOX 3889
SYDNEY NSW 2001

Our ref: S09/00190
Your ref:

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