



Office of Environment & Heritage

Your reference
Our reference:
Contact:

MP 09_0098 MOD 1
DOC17/160056
Peter Ewin
Ph. (02) 6022 0606

Ms Karen Harragon
Director, Social and Other Infrastructure Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attn: Ms Heather Nelson

Dear Ms Nelson

RE: MP 09_0098 Koondrook-Perricoota Forest Flood Enhancement Project

I refer to your letter received on 13 March 2017 seeking comment from the Office of Environment and Heritage (OEH) on the proposed modification to the Koondrook-Perricoota Forest Flood Enhancement Project. OEH has reviewed the Environmental Assessment (EA) in relation to terrestrial biodiversity, Aboriginal cultural heritage and flooding impacts and considered this against the advice we provided to the Department of Planning and Environment on 29 October 2015. Detailed comments are provided in **Attachment A**.

Although the EA does not follow the Framework for Biodiversity Assessment, OEH concurs with the assessment that the removal of the hollow-bearing trees for the construction of Sandy Bridge will not significantly impact on threatened species. OEH supports the inclusion of fauna management procedures in the Construction Environment Management Plan, including a pre-clearance survey by a qualified ecologist.

We note that the proposed modification is predicted to inundate additional areas of vegetation communities that will benefit from flooding, in particular River Red Gum forest/woodland and Black Box-Lignum woodland. The proposed modification is predicted to result in the inundation of a smaller area of Inland Grey Box woodland endangered ecological community than the approved project.

Aboriginal cultural heritage (ACH) issues raised by OEH in previous correspondence (**Attachment B**), and discussed with the proponent on-site, have been remedied within the Statement of Commitments. Overall this addresses OEH concerns regarding ACH within the project.

We recommend that if the modification is approved that the conditions provide wording that ensures that this is a binding commitment. For example *"that proper archaeological assessment and subsurface testing **will** (rather than would) be undertaken, in consultation with OEH, prior to construction once detailed design is finalised"*.

No information is provided in the EA on flood operations, in particular how regulators and other structures would operate during flood conditions. The proposed modification may provide greater flexibility with flood operations, but if so this needs to be stated. An assessment of the flood impacts of the new Sandy Bridge is also required. Until this information is provided, OEH is unable to provide further comment in regard to flood impacts.

If you want to discuss these matters further, please contact me on 6022 0606 or by email at peter.ewin@environment.nsw.gov.au.

Yours sincerely

P.E. — 29/3/17

PETER EWIN
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Enclosure: ATTACHMENT A – Detailed comments on Koodrook-Perricoota Forest Flood Enhancement Project
 ATTACHMENT B – OEH correspondence dated 03 November 2016 to GHD Pty Ltd - Koodrook-
 Perricoota: Sandy Bridge Road archaeological due diligence assessment

ATTACHMENT A – Detailed comments on Koondrook-Perricoota Flood Forest Enhancement Project

Biodiversity

OEH understands that the Department of Planning and Environment has agreed to the proponent not following the Framework for Biodiversity Assessment for this major project modification. The Environmental Assessment and supporting Ecology Assessment state that the main sources of potential impacts are the associated with the construction of Sandy Bridge and the managed inundation of the floodplain.

The construction of Sandy Bridge will involve the removal of around 0.45 hectares of River Red Gum forest, comprising approximately 20 trees including four with hollows. The hollow-bearing trees to be removed may provide habitat for bats, owls and parrots, including species listed under the *Threatened Species Conservation Act 1995* that are known to occur in the Koondrook-Perricoota Forest. The impacts of the proposed bridge construction on threatened fauna have been adequately assessed. OEH concurs with the assessment that the removal of these for hollow-bearing trees will not significantly impact on threatened species.

It is stated in the Environmental Assessment that a Construction Environment Management Plan (CEMP) will be prepared. This will include procedures for fauna management, and OEH supports the requirement for a pre-clearance survey by a qualified ecologist. The Environmental Assessment (page 104) refers to habitat trees being felled “using sensitive construction techniques”. It is recommended that these techniques be clearly stated in the CEMP to ensure appropriate tree clearing methods are used.

OEH notes that an offset is not proposed for the clearance of native vegetation for the construction of Sandy Bridge. This is because large areas of River Red Gum communities are intended to benefit from the proposed flood project. This approach is consistent with that applied to the approved project.

The operational impacts of the project result from the inundation of the forest. Noting the previous project approval, the proposed modification is predicted to inundate additional areas of vegetation communities that will benefit from flooding. This includes River Red Gum forest and woodland as well as Black Box-Lignum woodland. The proposed modification is predicted to result in the inundation of 26 hectare less of Inland Grey Box woodland endangered ecological community. Compared with the original approval the changes to the area, depth and duration of inundation are intended to provide an additional environmental benefit, particularly for this community.

Compared with the approved project, the modified project reduces the risk of hypoxic water developing, by targeting winter and spring flood events. This is intended to reduce the time that water is ponded in the forest during the warmer months.

OEH notes that the proposed project will follow an Operating Plan. This includes the environmental framework, practices and procedures to be implemented during the operation of the project.

OEH recommends that the modification proposal be referred to the Department of Primary Industries - Fisheries to enable as assessment of impacts of the project on native fish.

OEH notes that the original project was determined not to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999*. Consistent with this determination, the proposed modification has been assessed by the proponent as unlikely to impact on matters of national environmental significance and so has not been referred to the Commonwealth.

Aboriginal Cultural Heritage

OEH has undertaken a review of the proposal, the comments provided in this section are based on the Environmental Assessment (GHD 2017), coupled with previous comments from reviewed archaeological Due Diligence assessment (Navin Officer 2016), and on site meeting at Sandy Bridge between Forestry Corporation and OEH on 17 November 2016.

OEH notes that this most recent version of the EA incorporates the issues raised by OEH in our correspondence dated 03 November 2016 (**Attachment B**). The activity area having been registered as a site type 'Potential Archaeological Deposit' (PAD) on AHIMS, therefore triggering requirements for subsurface testing to verify the nature of the PAD prior to construction. Whilst the ACH Section of the EA, has not been amended (GHD 2017: 114 – 119), the statement of commitments has.

Statement of Commitments, Table 9-1, Point 39: which states that proper archaeological assessment and subsurface testing 'would' be undertaken, in consultation with OEH, prior to construction once detailed design is finalised (GHD 2017: 151). Overall this addresses OEH concerns. The only comment would be a request that 'would' be replaced with 'will', to ensure that this is binding as a commitment.

Flooding

OEH's requirements in relation to flooding, as outlined in our letter dated 29 October 2015, have not been addressed. At a minimum, operation of regulators and other structures in a flood situation should be discussed. If this was covered in the original approved project, then reference should be made to relevant components of the original EA. OEH assumes that the modification may provide greater flexibility with flood operations, but if so this needs to be stated in the documentation.

An assessment of the flood impacts of the new Sandy Bridge is required, particularly in relation to flood events (rather than released flows which are intended to remain in-stream). It is recognised that the risks may be low, and accordingly a simple assessment of the conveyance capacity of the bridge may suffice.

As no information has been provided on potential impacts of flooding of either the additional water release or the replacement bridge, OEH is unable to provide further comment. OEH is aware that there is a great deal of community sensitivity about the Koondrook-Perricoota Flood Forest Enhancement Project, so it is in the interests of the proponent to demonstrate that all issues have been thoroughly considered.