

A photograph of a wind turbine at night with the aurora borealis in the sky. The turbine is on the left, and the aurora is a large, glowing green and blue shape in the center. The sky is dark blue with some stars. The bottom of the image shows a silhouette of a forest.

# Appendix B

## Legislation and Policy Report

## **Acknowledgement of Country**

Neoen Australia acknowledges the traditional custodians of the land in which we live, and pays its respects to their elders, past and present. The Gunditjmarra are the original custodians of the Country on which the Project is located and we acknowledge them as the original custodians. We are committed to Aboriginal engagement and reconciliation and aim to bring Aboriginal and Torres Strait Islander people, local communities and the councils along for the journey to strengthen relationships and enhance local community outcomes.

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## Appendix B. Legislation and policy report

Section 3.5 of the *Scoping Requirements for Kentbruck Green Power Hub Environment Effects Statement* (the Scoping Requirements) requires the Kentbruck Green power Hub (the Project)'s Environment Effect Statement (EES) to identify relevant legislation, policies, guidelines and standards, and assess their specific requirements or implications for the Project, particularly in relation to required approvals.

This report provides a summary of the legislation, policies, guidelines and standards at the International, Commonwealth and State (VIC) levels relevant to the environmental assessment and approval processes for the the Project. It also provides an assessment of the implications of each legislation and policy for the Project and identifies the associated environmental matters that have been assessed in this EES.

Additional legislation, policies, guidelines and standards may apply to specific components or environmental effects of the Project and the granting of relevant approvals, particularly in relation to highly technical matters. Where applicable, these are discussed further in the relevant technical reports attached to this EES.

The Project is being assessed through an EES, as determined by the Victorian Minister for Planning (the Minister) under the *Environment Effects Act 1978 (Vic)* (EE Act). An EES is **not** an approval process, but rather an assessment of the acceptability of the environmental effects of the Project to help inform decision makers on whether to grant statutory approvals for the Project. Statutory decision makers will consider this EES and the Minister's assessment of this EES when determining whether to grant the Project's approvals and if so, what the conditions of approval would be.

The Project would require several statutory approvals under relevant Commonwealth and Victorian legislative frameworks. This includes primary approvals which are required for the Project and have been underway in parallel with the preparation of this EES, as well as required secondary consents, permits and/or licenses under Victorian legislation based on relevance to the Project which will be sought following the Minister's Assessment of this EES.

More information regarding the key environmental processes relevant to the Project, as well as a more detailed assessment and approvals framework is provided in **Chapter 5 Assessment and approvals framework**.

## B1. International

**Table B.1** outlines the international policies, guidelines and standards and their relevance to the Project.

*Table B.1: International policies, guidelines and standards*

Policy /Guideline/ Standard	Description	Relevance to the Project	Relevant environmental aspect (s)
<i>The Ramsar Convention on Wetlands</i>	<p>The Ramsar Convention on Wetlands (the Ramsar Convention) is an international convention that was signed in Ramsar, Iran in 1971 and is administered by the International Union for Conservation of Nature (IUCN).</p> <p>The convention aims to end the worldwide loss of wetlands and establishes a framework to do so with the cooperation of participating countries. Wetlands of International Importance (Ramsar wetlands) are designated sites containing representative, rare or unique wetlands or wetlands that are considered important in conserving biological diversity.</p> <p>Under the Ramsar Convention, Australia is obliged to maintain the ecological character of its designated Ramsar sites through the conservation and wise use of wetlands. The Ramsar Convention is applied through the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act).</p>	<p>The Project was determined to be a ‘controlled action’, requiring assessment and approval under the EPBC Act due to the potential for the Project to have a significant impact on Matters of National Environmental Significance (MNES), including the Glenelg Estuary and Discovery Bay Ramsar site (the Ramsar site).</p> <p>Assessment of the Project under the <i>Environment Effects Act (Vic)</i> (EE Act) and the EPBC Act (via the Bilateral Agreement) will consider potential impacts on the ecological character and habitat values of the Ramsar site and identify measures to avoid or mitigate significant impacts of the Project.</p>	<p>Biodiversity (<b>Chapter 7</b>)</p> <p>Surface water, groundwater and groundwater dependent ecosystems (<b>Chapter 9</b>)</p>
<i>NZS 6808:2010 Acoustics – Wind farm noise</i>	<p>New Zealand Standard <i>NZS 6808:2010</i> (NZS 6808) provides methods of prediction, measurement and assessment of sound from wind turbines, which may be applied to planning and development processes for wind farm developments. The intent of NZS 6808 is to avoid adverse noise effects on people caused by the operation of wind farms while enabling sustainable management of natural wind resources.</p>	<p>Noise limits applicable to Wind Energy Facilities (WEF) in Victoria are determined in accordance with the relevant noise standard subject to regulations 131BA(2) and (3) in the <i>Environment Protection Regulations 2021</i> (the Regulations).</p> <p>The potential noise impacts associated with the construction and operation of the Project have been considered in the Environmental Noise Assessment (<b>Appendix O</b>). This assessment was undertaken in accordance with NZS 6808.</p>	<p>Noise and vibration (<b>Chapter 14</b>)</p>

Policy /Guideline/ Standard	Description	Relevance to the Project	Relevant environmental aspect (s)
		<p>According to this assessment, the predicted wind turbine noise levels at the involved receivers are below the applicable base noise limit of 45 dB <math>L_{A90}</math>.</p>	

## B2. Commonwealth

This section outlines the Commonwealth legislation, policies, guidelines and standards relevant to the Project.

### B2.1 Legislation

Table B.2 sets out relevant Commonwealth legislation and its relevance to the Project.

Table B.2: Commonwealth legislation

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Environment Protection and Biodiversity Conservation Act 1999</i>	<p>The EPBC Act is the Commonwealth’s key piece of environmental legislation. It provides a legal framework to protect MNES including, but not limited to: National Heritage Places, Ramsar sites, nationally listed threatened species, ecological communities and migratory species.</p> <p>Under the EPBC Act, a ‘controlled action’ is considered an action that has the potential to have a <i>significant</i> impact on MNES and is therefore subject to assessment and approval under the EPBC Act.</p>	<p>The Project was determined to be a ‘controlled action’ by the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEE) due to the following controlling provisions of the EPBC Act:</p> <ul style="list-style-type: none"> <li>• Listed threatened species and ecological communities (Sections 18 and 18A)</li> <li>• Listed migratory species (Sections 20 and 20A)</li> <li>• Ramsar wetlands (Sections 16 and 17B).</li> </ul> <p>Therefore, the Project requires assessment and approval under the EPBC Act. The Victorian Environmental Effects Statement assessment process (under the EE Act) will serve as the accredited environmental assessment process for the purpose of the EPBC Act under a Bilateral Assessment Agreement between the Commonwealth and Victorian governments.</p>	<p>Biodiversity (<b>Chapter 7</b>)</p> <p>Surface water, ground water and ground water dependent ecosystems (<b>Chapter 9</b>)</p>	<b>Primary.</b>

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Native Title Act 1993</i>	The <i>Native Title Act 1993</i> (Cth) provides a national system for the recognition and protection of native title for Aboriginal and Torres Strait Islanders and for its coexistence with the national land management system.	<p>Crown land in the Project Area is subject to Native Title Determination VCD2007/001 – Gunditjmarra – Part A, most of which occurs within the underground component of the transmission line corridor.</p> <p>The Traditional Owners of the native title land are represented by the Gunditj Mirring Traditional Owners Aboriginal Corporation (GMTOAC). GMTOAC is recognised as a Registered Aboriginal Party (RAP) under the <i>Aboriginal Heritage Act 2006</i> (Vic) (AH Act).</p> <p>Neoen have presented a Future Act Notification to GMTOAC containing a commitment to sponsor a Cultural Values Assessment (CVA). GMTOAC have commenced the CVA and feedback is being made available in relation to the Indigenous Land Use Agreement (ILUA) and Cultural Heritage Management Plan (CHMP).</p>	Aboriginal cultural heritage <b>(Chapter 11)</b>	<b>Secondary</b>
<i>Climate Change Act 2022</i>	<p>The <i>Climate Change Act 2022</i> (Cth) assented on 13 September 2022 (through the Climate Change Bil 2022) and aims to set out Australia’s greenhouse gas emissions reduction targets, provide for annual climate change statements and to confer advisory functions on the Climate Change Authority.</p> <p>It enshrines the Commonwealth Government’s 2030 and 2050 emissions targets into law (43% reduction in greenhouse gas emissions below 2005 levels by 2030, and net zero emissions by 2050).</p>	<p>The Project would directly contribute to Commonwealth Government greenhouse gas emission reduction targets as legislated in the <i>Climate Change Act 2022</i>.</p> <p>The Project is anticipated to deliver approximately 2,000 GWh of renewable electricity per year. The Project would reduce Australia’s carbon emissions by approximately 2.0 million tonnes annually.</p>	Project rationale <b>(Chapter 2)</b>	None.

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>National Environment Protection Council Act 1994</i>	<p>The <i>National Environment Protection Council Act 1994</i> (Cth) (NEPC Act) allows the National Environment Protection Council (NEPC) to issue National Environment Protection Measures (NEPMs). These measures are framework documents containing national environmental protection objectives.</p> <p>The <i>National Environment Protection (Assessment of Site Contamination) Measure 1999</i> (ASC NEPM) as amended in 2013 ensures there is a nationally consistent approach to the assessment of contamination. In Victoria, the ASC NEPM is mainly implemented through state policies such as the Environmental Reference Standard (ERS) and guidelines.</p> <p>The <i>National Environment Protection (Ambient Air Quality) Measure</i> (AAQ NEPM), as amended in 2003 and 2021, creates a nationally consistent framework for monitoring and reporting on common ambient air pollutants.</p>	<p>The Environmental Site Investigation (<b>Appendix I</b>) and Air Quality Impact Assessment (<b>Appendix N</b>) prepared for the Project are consistent with the ASC NEPM (as amended in 2013) and AAQ NEPM (as amended in 2003 and 2021), respectively, as per the ERS.</p>	<p>Air quality <b>(Chapter 13)</b></p>	<p>None.</p>



## B2.2 Policies, guidelines and standards

**Table B.3** sets out the relevant Commonwealth policies, guidelines and standards and their relevance to the Project.

*Table B.3: Commonwealth policies, guidelines and standards*

Document	Description	Relevance to the Project	Relevant environmental aspect(s)
Significant Impact Guidelines 1.1 – Matters of National Environmental Significance	The Significant Impact Guidelines 1.1 – Matters of National Environmental Significance (SIGs) provide overarching guidance for determining whether an action is likely to have a significant impact on MNES protected under the EPBC Act.	<p>In line with the SIGs, the Project was determined to be a ‘controlled action’ and is therefore required to be assessed under the EPBC Act to determine whether it has the potential to significantly impact on MNES.</p> <p>In particular, assessment must consider if the Project is likely to have a significant impact on the ecological character of the Ramsar site and on listed threatened species, ecological communities and migratory species.</p> <p>The SIGs have been utilised throughout the assessment process and drafting of this EES to assist in determining the significance of potential impacts which may arise from the Project.</p>	<p>Biodiversity (<b>Chapter 7</b>)</p> <p>Surface water, ground water and ground water dependent ecosystems (<b>Chapter 9</b>)</p>
Draft National Wind Farm Development Guidelines (Environment Protection and Heritage Council of Australia and New Zealand, 2010)	The purpose of the Draft National Wind Farm Development Guidelines (Environment Protection and Heritage Council of Australia and New Zealand, 2010) (DNWFD Guidelines) is to provide a nationally consistent set of best-practice methods for assessing the impacts that are unique or significant to wind farm developments and operations.	<p>The intention of the DNWFD Guidelines, in regard to electromagnetic interference (EMI), is to minimise the potential for EMI from wind farms by providing best practice advice on how wind farm proponents should identify stakeholders potentially affected by EMI, assess potential EMI impacts, consult with the stakeholders, and mitigate against potential effects.</p> <p>The Electromagnetic Interference Assessment (<b>Appendix U</b>) has considered the DNWFD Guidelines in the assessment of potential EMI impacts on reception/sensitive receptors by the Project.</p>	Electromagnetic interference ( <b>Chapter 18</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect(s)
National Water Quality Management Strategy – Australian and New Zealand Guidelines for Fresh and Marine Water Quality	<p>The National Water Quality Management Strategy – Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018) set the water quality objectives required to sustain current environmental values for natural or seminatural water resources in Australia and New Zealand.</p> <p>The document identifies limits to acceptable change in water quality that would continue to protect the associated environmental values.</p>	<p>The ANZG 2018 provides quantitative guideline values for water and sediment quality to support the protection of community values. Regulatory authorities would have regard for these guidelines in assessing the Project's impacts on water quality.</p> <p>These guidelines have been considered when assessing the Project's potential to impact on environmental values associated with waterways.</p>	Surface water, ground water and ground water dependent ecosystems <b>(Chapter 9)</b>
Civil Aviation Safety Regulations (CASA, 1998) and; Manual of Standards Part 139 – Aerodromes (CASA, 2012)	Chapter 11 of the Civil Aviation Safety Regulations (CASR) Manual of Standards Part 139 – Aerodromes (MOS) – Aerodromes sets out the general requirements for navigation aid sites and air traffic control (ATC) facilities, including the clearance planes for planned and existing facilities.	The Aeronautical Impact Assessment ( <b>Appendix T</b> ) has considered the MOS in the assessment of the Project's potential impact on ATC communications, navigation and surveillance.	Aviation <b>(Chapter 18)</b>
National Airports Safeguarding Framework – Guideline D Managing the Risk to Aviation Safety of Wind Turbine Installations (Wind Farms) / Wind Monitoring Towers	National Airports Safeguarding Framework – Guideline D Managing the Risk to Aviation Safety of Wind Turbine Installations (Wind Farms) / Wind Monitoring Towers (NASF) supports decision makers, airport operators and wind farm developers with jointly addressing civil aviation risks of wind farms and meteorological masts in Australia. The documentation provides information and recommendations on the appropriate location and marking of turbines and meteorological monitoring towers associated with wind farm facilities.	The Aeronautical Impact Assessment ( <b>Appendix T</b> ) has considered the NASF in relation to the risk assessment undertaken as part of the assessment, to determine the potential for wind turbines to effect aircraft operations.	Aviation <b>(Chapter 18)</b>
AS 1742.3 2009 – Traffic control for works on roads	AS 1742.3 2009 – Traffic control for works on roads (AS 1742.3) is a national standard published by Standards Australia that outlines the use of traffic control devices on the road network and has been adopted by all jurisdictions, including Victoria.	<p>AS 1742.3 sets out all matters to be considered as being essential to a Traffic Management Plan (TMP) such as traffic demand, traffic routing, traffic control, special vehicle requirements and over-dimensional vehicles.</p> <p>A TMP will be developed prior to construction of the Project and will be informed by AS 1742.3.</p>	Transport <b>(Chapter 15)</b>

Document	Description	Relevance to the Project	Relevant environmental aspect(s)
Austrroads – Guide to Road Design Part 3: Geometric Design	The Guide to Road Design (Road Design) is one of a set of comprehensive Austrroads guides developed to provide a primary national reference for the development of safe, economical and efficient road design solutions.	Part 3 of the Road Design provides guidance on geometric requirements for Australian roads. This guide has been used to determine likely impacts of changes to road profiles and characteristics resulting from the Project and its associated traffic.	Transport <b>(Chapter 15)</b>
Austrroads – Guide to Road Design Part 4: Intersections and Crossings		Part 4 of the Road Design provides guidance on road intersection design such as design considerations, design process, choice of design vehicle, pedestrian and cyclist crossing treatments, provision for public transport and property access. This is particularly relevant to the Project as the Project will likely impact road access.	Transport <b>(Chapter 15)</b>
Best Practice Guidelines for Implementation of Wind Energy Projects in Australia 2018	<p>The purpose of the Best Practice Guidelines for Implementation of Wind Energy Projects in Australia 2018 (Best Practice Guidelines) is to provide a practical guideline that supports wind farm proponents, owners, operators and those involved in the planning process and general community, to understand the wind farm development process and expectations when preparing a wind farm proposal.</p> <p>Sections 2.5.5, 3.2.1.5 and 3.3.2 of the Best Practice Guidelines provide guidance on transport requirements and assessments as part of a wind farm development.</p> <p>Sections of the guidelines recommend undertaking a Transport Impact Assessment (TIA) associated with the construction and operation of a wind farm, to ascertain access and transport impacts of a project.</p>	A Transport Impact Assessment ( <b>Appendix P</b> ) has been prepared for the Project and which has considered the Best Practice Guideline where relevant. Additionally, a TMP will be prepared for the Project prior to construction.	Transport <b>(Chapter 15)</b>

Document	Description	Relevance to the Project	Relevant environmental aspect(s)
<p>Australian Energy Market Operator (AEMO) Integrated System Plan</p>	<p>AEMO’s Integrated System Plan (ISP) is a whole-of-system plan that provides an integrated roadmap for the efficient development of the National Electricity Market (NEM) over the next 20 years and beyond.</p> <p>Its primary objective is to optimise value to end consumers by designing the lowest cost, secure and reliable energy system capable of meeting any emissions trajectory determined by policy makers at an acceptable level of risk.</p> <p>The first ISP was published by AEMO in 2018 and has been updated every two years since. The ISP was last updated in 2022.</p>	<p>The Project will contribute to the ISP’s goal for a transformation of the NEM from fossil fuels to renewables with enhanced grid security.</p> <p>Neoen and Alcoa of Australia Limited (Alcoa) are working together to ensure that grid security solutions on this section of the network are coordinated and to investigate opportunities for the Project to supply renewable energy to assist in Alcoa’s plans to produce green aluminium products and reduce the smelter’s reliance on aging coal power plants.</p>	<p>Project rationale <b>(Chapter 2)</b></p>
<p>Powering Australia Plan (December 2021)</p>	<p>The Victorian Labor Government’s Powering Australia Plan aims to bring cheaper renewable energy to Australian homes and businesses by creating jobs, cutting power bills and reducing emissions by boosting renewable energy.</p>	<p>The Project will directly contribute to the Powering Australia Plan’s aim to reduce Australia’s emissions by 43% by 2030.</p> <p>The Project is anticipated to deliver approximately 2,000 GWh of renewable electricity per year. The Project would reduce Australia’s carbon emissions by approximately 2.0 million tonnes annually.</p>	<p>Project rationale <b>(Chapter 2)</b></p>

### B3. State

This section outlines the State legislation, policies, guidelines and standards relevant to the Project.

#### B3.1 Legislation

Table B.4 sets out the relevant State legislation and its relevance to the Project.

Table B.4: State legislation

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Environment Effects Act 1978</i>	<p>The <i>EE Act</i> establishes a process for the assessment of environment effects of a project. It enables statutory decision makers (ministers, local government and statutory authorities) to consider whether a project should or should not proceed, based on potential significant environmental effects.</p> <p>Under the <i>EE Act</i>, a project is referred to the Minister when there is potential for significant environmental effects to occur.</p>	<p>In August 2019, the Minister determined under Section 8B(3) of the <i>EE Act</i> that an EES would be required for the Project due its potential to have significant impacts on:</p> <ul style="list-style-type: none"> <li>Threatened flora and fauna species listed under the <i>The Flora and Fauna Guarantee Act (Vic)</i> (FFG Act) and EPBC Act</li> <li>Aboriginal cultural heritage values</li> <li>Landscape values</li> <li>Surface water and groundwater and related beneficial uses, including wetlands such as Long Swamp and the Glenelg Estuary and Discovery Bay Ramsar site.</li> </ul> <p>The Minister noted the Project may have other effects, including those associated with acid sulfate soils (ASS), the local community, and amenity.</p> <p>Following the Minister’s decision and a public exhibition of Draft Scoping Requirements, the Minister is Final Scoping Requirements for the Project in February 2020.</p>	<p>Biodiversity <b>(Chapter 7)</b></p> <p>Brolga <b>(Chapter 8)</b></p> <p>Aboriginal cultural heritage <b>(Chapter 11)</b></p> <p>Landscape character and visual amenity <b>(Chapter 12)</b></p> <p>Surface water, ground water and ground water dependent ecosystems <b>(Chapter 9)</b></p> <p>Soil contamination and acid sulfatesoils <b>(Chapter 10)</b></p> <p>Socio-economics <b>(Chapter 17)</b></p>	None.

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
		<p>The matters to be investigated and documented in the EES are set out in the <i>Scoping Requirements for Kentbruck Green Power Hub Environment Effects Statement</i> (Scoping Requirements).</p> <p>The matters assessed in this EES have been informed from those specified in the Scoping Requirements and associated evaluation objectives issued by the Minister.</p>		
<p><i>Planning and Environment Act 1987</i></p>	<p>The <i>Planning and Environment Act</i> (Vic) (P&amp;E Act) establishes a framework for planning the use, development, and protection of land in Victoria. It provides for the preparation of planning schemes in each municipality consistent with the Victoria Planning Provisions (VPP).</p>	<p>The Project requires planning approval for the use and development of the WEF and transmission line (utility installation) under the P&amp;E Act.</p> <p>Approval would be sought via a Planning Scheme Amendment (PSA) ( <b>Appendix Y</b>) to the Glenelg Planning Scheme (the Planning Scheme) which is currently being prepared. This PSA will request that the Minister exempt herself from the notice requirements of Sections 17,18 and 19 of the P&amp;E Act.</p> <p>The PSA process will be exhibited and available to be viewed publicly. During the exhibition of the PSA, the public will have an opportunity to provide submissions relating to the proposed use and development of the WEF.</p> <p>The PSA seeks to apply a ‘Specific Controls Overlay’ to the Project Area to insert an Incorporated Document into the Glenelg Planning Scheme. The Incorporated Document would facilitate the use and development of the Project.</p>	<p>Land use and planning (<b>Chapter 16</b>)</p>	<p><b>Primary.</b></p>

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Aboriginal Heritage Act 2006</i>	<p>The <i>Aboriginal Heritage Act (Vic)</i> (AH Act) provides for the protection of Aboriginal cultural and intangible heritage and affords appropriate status to Traditional Owners, including the appointment of traditional owner body corporates as RAPs.</p> <p>The AH Act is supported and given effect by the Aboriginal Heritage Regulations 2018 which prescribe standards and criteria for CHMPs.</p> <p>Section 49 of the AH Act states that a CHMP must be prepared when an EES is required under the EE Act in respect of any works. The CHMP must be prepared and approved before construction works commence.</p>	<p>A CHMP is required to be prepared to address potential impacts on Aboriginal cultural heritage arising from the Project.</p> <p>This is because most of the Project Area is located within areas of cultural heritage sensitivity as prescribed in the AH regulations. Additionally, a CHMP is required as a condition of the Incorporated Document as part of the PSA to be approved prior to construction commencing and implemented during construction.</p> <p>A CHMP is currently being prepared for the Project in consultation with GMTOAC. Complex assessments are scheduled to commence in 2024.</p> <p>Approval of the CHMP by the GMTOAC is being deferred until after the Minister’s Assessment of the EES has been released.</p>	Aboriginal cultural heritage ( <b>Chapter 11</b> )	<b>Primary.</b>
<i>Aboriginal Heritage Regulations 2018</i>	The <i>Aboriginal Heritage Regulations 2018</i> (AH Regulations) are designed to give effect to the AH Act. The key objectives of the regulations are to specify the circumstance in which a CHMP if required for an activity and prescribe standards for the preparation of a CHMP.	<p>Most of the Project Area is located within areas of cultural heritage sensitivity. The wind farm, transmission line and quarry components of the Project are considered high impact activities as defined in Division 5, Part 2 of the AH Regulations (Sections 46 and 51).</p> <p>A CHMP is therefore being prepared for the Project in accordance AH Regulations.</p>	Aboriginal cultural heritage ( <b>Chapter 11</b> )	None.
<i>Mineral Resources (Sustainable Development) Act 1990</i>	The purpose of the <i>Mineral Resources (Sustainable Development) Act 1990</i> (Vic) ( <i>MRSD Act</i> ) is to encourage mineral exploration, mining and extraction, while ensuring resources are extracted in a way that is compatible with the economic, social	Section 8AB of the MRSD Act specifies that a work authority is needed before an extractive industry, such as a quarry, can be carried out on any land.	Quarry Work Plan Requirements Report ( <b>Appendix W</b> )	<b>Primary</b>

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
	<p>and environmental objectives of the Victorian state government.</p>	<p>The Project is therefore required to prepare a Work Plan to obtain Work Authority from the Minister for Resources to carry out an extractive industry.</p> <p>The Project is exempt from requiring a planning permit for the quarry under Section 77T of the MRSD Act, as an EES is being prepared for the Project, which includes the extractive activity. The use and development of the quarry is excluded from the PSA.</p> <p>The Victorian Minister for Resources can grant the work authority for the Project's quarry following the Minister's assessment of the EES. A Work Plan will be prepared following the Minister's Assessment of the EES, addressing the outcomes and recommendations from the EES process.</p>		
<p><i>National Parks Act 1975</i></p>	<p>The <i>National Parks Act (Vic)</i> (NP Act) establishes the statutory basis for the protection, use and management of national parks and other areas to which the NP Act applies.</p>	<p>Consent from Parks Victoria pursuant to Section 27 of the NP Act is required to allow for construction and operation of the transmission line within Cobboboonee National Park. A draft consent application is included in <b>Appendix Z</b>. At the request of DEECA, the draft consent application also includes details of the works proposed in Cobboboonee Forest Park to support a subsequent request under Section 52(1C)(f) of the <i>Forests Act 1958 (Vic)</i> for a lease to construct and operate the section of transmission line that is proposed within Cobboboonee Forest Park.</p> <p>The consent application will be submitted following the Minister's Assessment of the EES.</p>	<p>Surface water, groundwater and groundwater dependent ecosystems (<b>Chapter 9</b>)</p> <p>Biodiversity (<b>Chapter 7</b>)</p>	<p>Secondary consent.</p>



Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Forests Act 1958</i>	The <i>Forests Act 1958</i> (Vic) establishes the statutory framework for the creation, conservation and management of forests in Victoria. This includes the creation and management of forest reserves, outlining management responsibilities and authorising the Minister to enter into leases and licences for particular purposes.	The Project requires a lease under the <i>Forests Act 1958</i> from DEECA to allow for construction of the transmission line within Cobboboonee Forest Park.  A lease will be sought following the Minister's Assessment of the EES.	Bushfire risk ( <b>Chapter 18</b> )  Surface water, groundwater and groundwater dependent ecosystems ( <b>Chapter 9</b> )  Biodiversity ( <b>Chapter 7</b> )	Secondary Consent.
<i>Flora and Fauna Guarantee Act 1988</i>	The FFG Act provides for the listing of taxa (genera, species, subspecies and varieties), threatened communities of flora and fauna, and potentially threatening processes. Its objectives are to conserve all of Victoria's native plants and animals.	The Project may require a permit or licence from DEECA to take or remove listed flora from public land (such as road reserves) pursuant to Section 48 of the FFG Act.  If required, a permit will be sought following the Minister's Assessment of the EES.	Biodiversity ( <b>Chapter 7</b> )  Brolga ( <b>Chapter 8</b> )	Secondary Consent.
<i>Flora and Fauna Guarantee Amendment Act 2019</i>	<i>Flora and Fauna Guarantee Amendment Act 2019</i> (Vic) amends and strengthens the FFG act by providing principles to guide implementation of the act, required stronger considerations of impacts to biodiversity from policies or actions taken across government departments, establishes a Common Assessment Method (CAM) for defining threatened species and enacts stronger penalties for non-compliance with the FFG Act.	The Project will consider the key terms of the <i>Flora and Fauna Guarantee Amendment Act 2019</i> should any actions be taken which negatively impact threatened species listed under the FFG Act in order to avoid penalties.	Biodiversity ( <b>Chapter 7</b> )  Brolga ( <b>Chapter 8</b> )	None.
<i>Road Management Act 2004</i>	The <i>Road Management Act 2004</i> (Vic) (RM Act) and associated regulations ( <i>Road Management Act (General) Regulations 2016</i> and <i>Road Management Act (Works and Infrastructure) Regulations 2015</i> ) must be complied with for all public roads in the Victorian road network.	Written consent is required under the RM Act to conduct works in, on, or under public roads in the Victorian road network.  The coordinating road authority is the Victorian Department of Transport and Planning (DTP) for	Transport ( <b>Chapter 15</b> )	Secondary consent.

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
	<p>The RM Act sets out general principles and obligations for which the road authority is responsible for administering.</p>	<p>Portland-Nelson Road, Bridgewater Road, Madeira Packet Road, and Henty Highway.</p> <p>DEECA is the authority for Boiler Swamp Road (under which the transmission line would be buried in Cobboboonee National Park and Forest Park).</p> <p>Glenelg Shire Council is the authority for most other roads that could be impacted by the Project.</p> <p>Written consent from appropriate authorities will be sought following the Minister’s Assessment of the EES.</p>		
<p><i>Water Act 1989</i></p>	<p>The <i>Water Act 1989</i> (Vic) provides a legal framework for the integrated management of Victoria’s water resources. The main purpose of the <i>Water Act 1989</i> is to promote the efficient and equitable use of water resources and ensure water resources are conserved and appropriately managed for sustainable use. The Act provides a formal means of protecting and enhancing waterway flow, water quality and catchment conditions.</p> <p>The <i>Water Act 1989</i> applies to the management of groundwater and imposes licensing requirements in relation to the dewatering of groundwater. This responsibility has been delegated to Southern Rural Water (SRW) by the Minister.</p>	<p>Under the <i>Water Act 1989</i>, the Glenelg Hopkins Catchment Management Authority (GHCMA) has been given the power to implement bylaws which apply within its waterway management district.</p> <p>A Works on Waterways Permit is required for works or activities in or over designated waterways or to bore, in accordance with Section 67 of the <i>Water Act</i>. The Project will cross designated waterways at several different locations.</p> <p>The Project will also require a permit for the taking or use of water from a waterway or groundwater from bores, pursuant to Section 51 of the <i>Water Act 1989</i>.</p> <p>These permits will be sought following the Minister’s Assessment of the EES.</p>	<p>Surface water, groundwater and groundwater dependent ecosystems <b>(Chapter 9)</b></p>	<p>Secondary Consents.</p>

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Catchment and Land Protection Act 1994</i>	The <i>Catchment and Land Protection Act 1994</i> (Vic) (CaLP Act) is the main legislation governing the management of pest plants and animals in Victoria and establishes a framework for the management and protection of catchments through the management of land and water resources. Landowners have a responsibility to avoid causing or contributing to land degradation, including taking all reasonable steps to conserve soil, protect water resources, eradicate regionally prohibited weeds, and prevent the growth and spread of regionally controlled weeds.	<p>A number of weeds listed under the CaLP Act, and other weed species, were recorded within the Project Area and will need to be managed during the construction phase of the Project through vehicle hygiene procedures outlined in the Construction Environmental Management Plan (CEMP).</p> <p>The Project will require a permit to remove soil if it is likely to contain a noxious weed.</p> <p>Discussion with DEECA will be undertaken following the Minister's Assessment of the EES.</p>	<p>Biodiversity (Chapter 7)</p> <p>Brolga (Chapter 8)</p>	Secondary Consent.
<i>Wildlife Act 1975</i>	The <i>Wildlife Act 1975</i> (Vic) promotes the protection and conservation of wildlife. All fauna species indigenous to Victoria are listed as protected under the <i>Wildlife Act 1975</i> , except for pest animals declared under the CaLP Act or wildlife declared to be unprotected wildlife. Under the <i>Wildlife Act 1975</i> , it is an offence to hunt, take or destroy protected or threatened wildlife without authorisation.	<p>The Project will require authorisation pursuant to Sections 22, 28A and 28G of the <i>Wildlife Act 1975</i> should any wildlife be encountered during construction and require salvage. A suitably qualified wildlife handler holding a current management authorisation under the <i>Wildlife Act 1975</i> may be engaged to salvage wildlife if required.</p> <p>Authorisation will be sought following the Minister's Assessment of the EES.</p>	<p>Biodiversity (Chapter 7)</p> <p>Brolga (Chapter 8)</p>	Secondary Consent.
<i>Electricity Industry Act 2000</i>	The <i>Electricity Industry Act 2000</i> (Vic) provides regulation for the whole of the Victorian electricity supply industry.	<p>The Project will be required to obtain a license (or an exemption) from the Essential Services Commission of Victoria to distribute electricity in the state.</p> <p>A license will be sought following the Minister's Assessment of the EES.</p>	N/A	Secondary Consent

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Environment Protection Act 2017</i>	<p>The <i>Environment Protection Act 2017</i> (Vic) (EP Act) came into effect on 1 July 2021.</p> <p>It includes environmental obligations and protections for all Victorians and changes Victoria’s focus for environment protection and human health to a prevention-based approach.</p> <p>The EP Act gives EPA enhanced powers and tools to prevent and minimise the risks of harm to human health and the environment from pollution and waste through various regulatory tools. It establishes frameworks for the management of pollution and waste which are checked for compliance by authorised EPA officers.</p> <p>The EP Act also introduces a new General Environmental Duty (GED) which imposes a broad obligation on entities and individuals to take proactive steps to eliminate or otherwise minimise risks of harm to human health and the environment from pollution or waste.</p> <p>Environment Protection Authority (EPA) Victoria administers the EP Act and subordinate legislation and tools.</p>	Any discharge into the environment via waste or pollution during the construction, operation or decommissioning associated with the Project would be undertaken in accordance with the requirements of the EP Act and the Regulations.	<p>Surface water, groundwater and groundwater dependent ecosystems <b>(Chapter 9)</b></p> <p>Soil contamination and acid sulfate soils <b>(Chapter 10)</b></p> <p>Noise and vibration <b>(Chapter 14)</b></p> <p>Air quality <b>(Chapter 13)</b></p> <p>Waste <b>(Chapter 3)</b></p>	None.
<i>Environment Protection Regulations 2021</i>	<p>The EP Act is given effect by the Environment Protection Regulations 2021 (the Regulations).</p> <p>The Regulations came into operation on 1 July 2021 and supports the EP Act by providing clarity and further detail for duty holders on how to fulfil their obligations.</p>			None.

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
	<i>The Environment Protection Amendment (Wind Turbine Noise) Regulations 2022</i> came into effect from 18 October 2022 and further clarify obligations for wind energy facility operators.			
<i>Country Fire Authority Act 1958</i>	The <i>Country Fire Authority Act 1958 (Vic)</i> (CFA Act) relates to fire prevention and suppression in the country area of Victoria. The Country Fire Authority (CFA) is responsible for the suppression of fire under this legislation.	<p>The Project is on land that, for fire management purposes, is in the country area of Victoria where the owner/occupier is responsible for ensuring their property is free of fire hazards. This includes fire prevention along privately owned tracks and roadsides.</p> <p>No Action will be undertaken by Neoen relating to the CFA Act.</p>	Bushfire risk <b>(Chapter 18)</b>	None.
<i>Transport Integration Act 2010</i>	The <i>Transport Integration Act 2010 (Vic)</i> provides a legislative framework for transport in Victoria. It seeks to integrate land use and transport planning and decision-making by applying the framework to land use agencies whose decisions can significantly impact on transport. The <i>Transport Integration Act 2010</i> requires agencies, including DTP authorities, to consider the potential impact of land use planning proposals on transport.	<p>The <i>Transport Integration Act 2010</i> sets out six transport system objectives and eight decision-making principles.</p> <p>The objectives include triple bottom line assessment: economic prosperity, social and economic inclusion, and environmental sustainability. Other objectives include:</p> <ul style="list-style-type: none"> <li>• Integration of transport and land use</li> <li>• Efficiency, coordination and reliability</li> <li>• Safety and health and wellbeing.</li> </ul> <p>These objectives and principles have been considered in the Transport Impact Assessment <b>(Appendix P)</b> completed for the Project.</p>	Transport <b>(Chapter 15)</b>	None.

Legislation	Description	Relevance to the Project	Relevant environmental aspect (s)	Approval stage
<i>Road Safety Act 1986</i>	<p>Under the <i>Road Safety Act 1986</i> (Vic) are the Road Safety Road Rules 2017 and the <i>Road Safety (Traffic Management) Regulations 2009</i>.</p> <p>The Road Safety Road Rules 2017 provide road rules that are substantially consistent across Australia. They also specify behaviour for all road users.</p> <p>The <i>Road Safety (Traffic Management) Regulations 2009</i> (Vic) set out the requirements for authorisation for implementing traffic control devices on roads (including for traffic management for work sites).</p>	The <i>Road Safety (Traffic Management) Regulations 2009</i> were utilised for the Transport Impact Assessment ( <b>Appendix P</b> ) as the basis for assessing safe and efficient traffic movements on roads and for identifying relevant traffic management requirements.	Transport <b>(Chapter 15)</b>	None.
<i>Climate Change Act 2017</i>	<p>The <i>Climate Change Act 2017</i> (Vic) provides Victoria with a legislative foundation to manage climate change risks and drive the transition to a climate resilient community and economy with net zero emissions by 2050.</p> <p>It provides for the setting of five-yearly interim greenhouse gas emissions reduction targets, climate change strategies, and adaptation action plans to ensure the 2050 target is achieved and vulnerabilities to climate change impacts are reduced while potential opportunities are realised.</p>	<p>The Project would play an important role in contributing to State Government targets for greenhouse gas emission reductions as legislated through the <i>Climate Change Act 2017</i> and the Renewable Energy Act.</p> <p>The Project is anticipated to deliver approximately 2,000 GWh of renewable electricity per year. The Project would reduce Australia’s carbon emissions by approximately 2.0 million tonnes annually. The Project would also directly contribute to achieving Victoria’s legislated renewable energy target of 65% by 2030 and 95% by 2035, and reaching net zero emissions by 2045.</p>	Project rationale <b>(Chapter 2)</b>	None.
<i>Renewable Energy (Jobs and Investment) Act 2017</i>	Under the <i>Renewable Energy (Jobs and Investment) Act 2017</i> (Vic) (Renewable Energy Act) the Victorian Government legislated a Victorian Renewable Energy Target of 50% renewable energy generation by 2030.		Project rationale <b>(Chapter 2)</b>	None.

### B3.2 Policies, Guidelines and Standards

Table B.5 sets out the relevant State policies, guidelines and standards and their relevance to the Project.

Table B.5: State policies, guidelines and standards

Document	Description	Relevance to the Project	Relevant environmental aspect
Ministerial Guidelines for Assessment of Environmental Effects under the <i>Environment Effects Act 1978</i> (Eighth Edition)	<p>Ministerial Guidelines for Assessment of Environmental Effects under the <i>Environment Effects Act 1978</i> (the Ministerial Guidelines) are made under Section 10 of the EE Act. The eighth edition of the Ministerial Guidelines was recently released in 2023.</p> <p>The Ministerial Guidelines supplement the requirements of the EE Act by providing detail about the administration of the EES process. They apply to public and private projects.</p> <p>The Ministerial Guidelines set out the process for a proponent or decision-maker to refer projects to the Minister for a decision about the need for an EES. They also set out the process for scoping and preparing an EES, public review of an EES, considering public submissions, requiring a supplementary statement, making the final assessment, and coordinating other statutory processes.</p>	The Ministerial Guidelines have been utilised by throughout the Project’s Assessment and EES drafting process as the main source of guidance through the EES assessment process as well as to inform the approach to the environmental assessment and stakeholder engagement process.	All.
Planning Guidelines for the Development of Wind Energy Facilities in Victoria (2023)	<p>Planning Guidelines for the Development of Wind Energy Facilities in Victoria (2023) (the Planning Guidelines) provide a framework to inform planning decisions about WEF proposals considered under the P&amp;E Act.</p> <p>The purpose of the Planning Guidelines is to provide a consistent and balanced approach to the assessment of WEF projects across Victoria, and a set of consistent operational performance standards to</p>	The Project has considered the Planning Guidelines in the drafting of the PSA ( <b>Appendix Y</b> ).	Land use and planning ( <b>Chapter 16</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect
	<p>inform the assessment and operation of a WEF project.</p> <p>Section 5 of the Wind Energy Guidelines identifies the information required to accompany applications for wind energy facilities and the matters that must be considered by responsible authorities during their assessments.</p>		
Glenelg Planning Scheme	<p>The Planning Scheme provides a clear and consistent framework within which decisions about the use and development of land can be made in the Glenelg Shire.</p> <p>The Planning Policy Framework contains the policy content of the Planning Scheme for the region. Zones and overlays (along with particular provisions) are the primary method of managing the use and development of land.</p>	<p>The Project would be required to consider the relevant provisions of the Planning Scheme in the preparation of the PSA (<b>Appendix Y</b>) for the use and development of the Project.</p> <p>The relevant policies in the Planning Scheme, alongside the Minister’s Scoping Requirements, have also informed several of the technical assessments undertaken for this EES.</p>	Land use and planning ( <b>Chapter 16</b> )
Environment Reference Standard	<p>The Environmental Reference Standard (ERS) is made under Section 93 of the EP Act. It sets out the environmental values of the ambient air, ambient sound, land, and water environments that are sought to be achieved or maintained in Victoria and the standards to support those values. Environmental values are the uses, attributes and functions of the environment that Victorians value. Standards for the environmental values are comprised of objectives for supporting different uses of the environment and indicators that can be measured to determine whether those objectives are being met.</p>	<p>The Project has considered the ERS as mitigation measures seek to minimise the potential for impacts on land, air, groundwater quality, and surface water quality to ensure that existing environmental values are protected, with priority given to maintaining environmental values of areas of high conservation value (such as the Ramsar site).</p>	<p>Soil contamination and acid sulfate soils (<b>Chapter 10</b>)</p> <p>Surface water, groundwater and groundwater dependent ecosystems (<b>Chapter 9</b>)</p> <p>Air quality (<b>Chapter 13</b>)</p> <p>Noise and vibration (<b>Chapter 14</b>)</p>



Document	Description	Relevance to the Project	Relevant environmental aspect
Wind Energy Facility Turbine Noise Regulation Guidelines	<p>These guidelines provide an overview of the requirements that apply to wind turbine noise emissions under the Regulations made under the EP Act.</p> <p>They are intended to assist WEF operators to implement their obligations and to manage the risks of wind turbine noise emissions to prevent harm to human health and the environment.</p>	<p>Neoen will comply with the Regulations as explained by the Guidelines by completing the following actions following the commencement of operations:</p> <ul style="list-style-type: none"> <li>• Conduct a Post-Construction Noise Assessment, accompanied by a report confirming whether or not the Project complies with NZS 6808.</li> <li>• Prepare and implement a Noise Management Plan, accompanied by an EPA accredited environmental auditor review report.</li> <li>• Engage a suitably qualified and experienced acoustician to undertake Wind Turbine Noise Monitoring within 3 months of the 5th anniversary of the commencement of operations of the Project undertaken every 5 years. Each monitoring occurrence must be accompanied by a monitoring report.</li> <li>• Produce an Annual Statement within 4 months of the end of each financial year following the commencement of operations.</li> </ul>	Noise and vibration ( <b>Chapter 14</b> )
EPA Publication 1191- Protocol for Environmental Management: Mining and extractive industries	EPA Publication 1191 Protocol for Environmental Management: Mining and extractive industries (EPA Publication 1191) sets out the requirements for the assessment and management of emissions to the air environment from activities undertaken during operation of mining and extractives sites.	The Air Quality Impact Assessment ( <b>Appendix N</b> ) has considered the guidance set out in EPA Publication 1191 for assessing and managing potential impacts of emissions from the proposed quarry on the air environment.	Air quality ( <b>Chapter 13</b> )
EPA Publication 1834 - Civil construction, building and demolition guide 2020	<p>EPA Publication 1834 Civil construction, building and demolition guide 2020 (EPA Publication 1834) provides guidance on recommended measures for managing noise and vibration from civil construction, building and demolition industries and on meeting GED.</p> <p>It also provides examples of measures that can be used to prevent pollution depending on the type of activity.</p>	<p>The noise related conditions of the Incorporated Document for the Project (should Planning approval of a PSA to DTP be approved) could define EPA publication 1834 as the relevant guidance which must be referenced to prepare a CEMP.</p> <p>The Project will follow the recommendations and restrictions outlined in EPA Publication 1834 as relevant to the Project. For instance, where relating to management of pollution, erosion and sediment/dust</p>	<p>Noise and vibration (<b>Chapter 14</b>)</p> <p>Air quality (<b>Chapter 13</b>)</p> <p>Soil contamination and acid sulfate soils (<b>Chapter 10</b>)</p> <p>Surface water, groundwater and</p>

Document	Description	Relevance to the Project	Relevant environmental aspect
	<p>EPA Publication 1834 defines noise restrictions for construction activities during evening and night periods, based on a combination of objective limits and audibility-based targets.</p> <p>EPA publication 1834 also provides recommendations for managing erosion, sediment and dust during construction activities.</p>	management associated with the construction of the Project as well as noise levels associated with construction.	groundwater dependent ecosystems ( <b>Chapter 9</b> )
EPA Publication 1961- Guideline for Assessing and Minimising Air Pollution in Victoria	<p>EPA Publication 1961- Guideline for Assessing and Minimising Air Pollution in Victoria (EPA Publication 1961) provides a guideline to assess and control risks associated with air pollution.</p> <p>It addresses potential human health and environmental impacts associated with outdoor air pollution emitted from commercial, industrial, agricultural, transport, mining and extractive activities.</p>	The Project has undertaken an Air Quality Impact Assessment ( <b>Appendix N</b> ) with a consideration of the objectives outlined in EPA Publication 1961.	Air quality ( <b>Chapter 13</b> )
EPA Publication 1977.1- Guide to the duty to manage contaminated land	EPA Publication 1977.1- Guide to the duty to manage contaminated land (EPA Publication 1977.1) outlines steps to comply with Section 39(2) of the EP Act which contains a legislated duty to manage contaminated land.	The Project will follow the steps outlined in EPA Publication 1977.1 to meet this duty as outlined in the EP Act.	Soil contamination and acid sulfate soils ( <b>Chapter 10</b> )
EPA Publication 2008.2- Guide to the duty to notify of contaminated land	EPA Publication 2008.2- Guide to the duty to notify of contaminated land (EPA Publication 2008.2) provides an in-depth guide on how to comply with Section 40 of the EP Act <i>which</i> contains the legislated duty to notify the EPA of contaminated land.	The Project will follow the steps outlined in this publication to meet this duty as outlined in the EP Act.	Soil contamination and acid sulfate soils ( <b>Chapter 10</b> )
EPA Publication IWRG701- sampling and analysis of waters, wastewaters, soils and wastes	EPA Publication IWRG701- sampling and analysis of waters, wastewaters, soils and wastes (EPA Publication 2008.2) provides general direction on appropriate sampling, preservation, storage, analytical and quality assurance procedures. It is utilised for	The Project will follow the steps outlined in EPA Publication 2008.2) for sampling and analysis of waters, wastewaters, soils and wastes publication to meet regulatory requirements as stated under the <i>Environment Protection (Industrial Waste Resource) Regulations 2009</i> .	Soil Contamination and acid sulfate soils ( <b>Chapter 10</b> )  Surface water, groundwater and

Document	Description	Relevance to the Project	Relevant environmental aspect
	<p>environmental monitoring programs, assessments, risk management, investigations and audits.</p> <p>This publication forms part of the Industrial Waste Resource Guidelines (IWRG), which offer guidance for wastes and resources regulated under the <i>Environment Protection (Industrial Waste Resource) Regulations 2009</i> (Vic)</p>		<p>groundwater dependent ecosystems (<b>Chapter 9</b>)</p> <p>Waste (<b>Chapter 3</b>)</p>
EPA Publication IWRG702- Soil sampling	<p>EPA Publication IWRG702- Soil sampling (EPA Publication IWRG702) provides information relating to the most suitable patterns for sampling and the number of samples to be taken to ensure the appropriate hazard categorisation is applied to soils being moved off-site for reuse, treatment or disposal.</p> <p>It also details the acceptance requirements for disposal facilities receiving contaminated soils to assist such facilities in meeting EPA licence acceptance criteria.</p>	The Project has utilised EPA Publication IWRG702 to inform the following mitigation measures utilised for the Project.	Soil contamination and acid sulfate soils ( <b>Chapter 10</b> )
EPA Publication 1828- Waste disposal categories- characteristics and thresholds	EPA Publication 1828- Waste disposal categories- characteristics and thresholds (EPA Publication 1828) lists criteria against which certain wastes are intended to be assessed to determine which waste disposal category applies.	The Project will follow the steps outlined in EPA Publication 1828 to meet the specifications of the process for classifying waste as described in the EP Act.	Soil contamination and acid sulfate soils ( <b>Chapter 10</b> )
Barwon South West Regional Emergency Management Plan 2020	This management plan is subject to a sub-plan of the Barwon South West Regional Strategic Fire Management Planas required by the <i>Emergency Management Act 2013</i> . Bushfire management strategies within this plan were developed with a focus on reducing bushfire threats, maintaining and improving ecosystem resilience, increasing shared understanding of bushfire risks and encouraging the consideration of ecological changes and fuel accumulation rates in annual operational planning processes.	This management plan has been considered in the Bushfire Risk Assessment and Mitigation Plan ( <b>Appendix V</b> ) in assessing potential bushfire risk from the Project and in implementing bushfire management strategies during operation.	Bushfire risk ( <b>Chapter 18</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect
Coastal Spaces Landscape Assessment Study 2006	The Coastal Spaces Landscape Assessment Study 2006 identifies and maps individual landscape characteristics within coastal regions, identifies significant landscapes and provides an implementation framework to assist local government and other agencies in managing development impacts within coastal landscapes.	<p>The study notes Character Areas 1.1 Far West Coastal Hills and 1.2 Discovery Bay Dunes and Hinterland as occurring within or proximate to the Project Area.</p> <p>This study has been considered in the Landscape and Visual Assessment (<b>Appendix L</b>) in its assessment of potential of the Project to impact on landscapes of importance and/or nearby sensitive receptors.</p>	Landscape character and visual amenity ( <b>Chapter 12</b> )
South West Landscape Assessment Study 2013	The South West Landscape Assessment Study was commissioned to better understand and assess the visual character and significance of the wide range of landscape types. The study will be used to better inform planning scheme policy to assist planning decision making, and to ensure landscapes of importance are adequately protected and managed into the future.	This study has been considered in the Landscape and Visual Assessment ( <b>Appendix L</b> ) in its assessment of potential of the Project to impact on landscapes of importance and/or nearby sensitive receptors.	Landscape character and visual amenity ( <b>Chapter 12</b> )
Department of Transport (VicRoads)– Road Management Plan	This Management Plan was authored by the Victorian Department of Transport, which is now referred to as DTP. It details the management and maintenance of roads registered under the VicRoads register of public roads. The VicRoads Road Management Plan also details maintenance, inspection and response schedules.	The Project will ensure that site access and maintenance of any VicRoads registered roads impacted by the Project is to the satisfaction of the DTP. Existing roads managed by VicRoads that are within proximity to the Project include Portland-Nelson Road, Madeira Packet Road and Henty Highway.	Transport ( <b>Chapter 15</b> )
Infrastructure Design Manual 2020	The Infrastructure Design Manual 2020 (IDM) is a standardised set of requirements for the design and development of infrastructure which must be adhered to by a set of participating Victorian rural and regional councils.	The IDM is the standard document used by Glenelg Shire Council and is a background document in the Planning Scheme. Modifications proposed by the Project within the Glenelg Local Government Area (LGA) will require assessment against the requirements set out in the IDM.	Transport ( <b>Chapter 15</b> )
Victorian Waterway Management Strategy 2013	The Victorian Waterway Management Strategy provides the framework for government, in partnership with the community, to maintain or improve the condition of rivers, estuaries and wetlands so that they can continue to provide environmental, social, cultural and economic values for all Victorians.	The Project has considered this strategy and its objectives, so that it does not impede on maintaining or improving the condition of rivers, estuaries and wetlands within proximity to the Project.	Surface water ( <b>Chapter 9</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect
Guide to Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria 2021	<p>The Guide to Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria 2021 sets the Victorian Government's expectations for best practice community engagement and benefit sharing across all renewable energy developments.</p> <p>It also aims to help proponents of new renewable energy developments to deliver lasting, beneficial outcomes for communities and implement best practice community engagement initiatives, helping them earn a social licence for their projects.</p>	<p>The Guide to Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria 2021 has been used to inform the Social Impact Assessment (<b>Appendix R</b>) for the Project as well as community engagement activities undertaken for the Project.</p>	Socio-economics ( <b>Chapter 17</b> )
Design Guidelines and Model Requirements for Renewable Energy Facilities	<p>The CFA's Design Guidelines and Model Requirements for Renewable Energy Facilities (CFA Guidelines) provide details on standard measures and processes in relation to fire safety, risk, and emergency management that should be considered when designing, constructing and operating new renewable energy facilities, including wind energy facilities. The CFA Guidelines provide conditions applicable to all types of renewable energy facilities as well as conditions specific to wind energy facilities.</p>	<p>An assessment of the Project and how it addresses and meets the requirements of the CFA Guidelines has been undertaken in the Bushfire Risk Assessment and Mitigation Plan (<b>Appendix V</b>).</p> <p>The Project is considered to be compliant with these requirements and has identified a range of mitigation and operational measures to manage bushfire risk.</p>	Bushfire risk ( <b>Chapter 18</b> )
Victoria's Climate Change Strategy 2021	<p>Victoria's Climate Change Strategy 2021 is a roadmap to net-zero emissions by 2050. One of the actions of the strategy is to transition the State to a clean energy future and strengthen its energy system.</p>	<p>The Project would directly contribute to Victoria's transition to clean energy and to achieving Victoria's target of net zero emissions by 2050.</p>	Project rationale ( <b>Chapter 2</b> )
Renewable Energy Action Plans	<p>Adaptation Action Plans have been prepared for 7 essential systems that are vulnerable to climate impacts or critical to our climate resilience.</p> <p>Victoria's first set of Adaptation Action Plans will guide government action and help institutions, businesses and individuals to respond to our changing climate. They will be updated every 5 years on the path to 2050.</p>	<p>The Project would directly contribute to the Built Environment Climate Change Adaptation Action Plan by contributing to energy infrastructure resilience.</p>	Project rationale ( <b>Chapter 2</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect
Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning (DELWP), 2019)	The Guidelines for the removal, destruction, or lopping of native vegetation (the native vegetation Guidelines) stipulate the application of Victoria’s policy for assessing and compensating for the removal of native vegetation. The native vegetation Guidelines ensure that the proposed removal of native vegetation is appropriately assessed, opportunities to avoid and minimise removal are considered, and appropriate offsets are secured.	The native vegetation Guidelines define the approach to assessing and compensating for the removal of native vegetation and will be requested in the PSA application as a control in the Incorporated Document.	Biodiversity ( <b>Chapter 7</b> )  Brolga ( <b>Chapter 8</b> )  Land use and planning ( <b>Chapter 16</b> )
Interim guidelines for the assessment, avoidance, mitigation and offsetting of potential wind farm impacts on the Victorian brolga population (DSE 2012)	<p>The Interim guidelines for the assessment, avoidance, mitigation and offsetting of potential wind farm impacts on the Victorian brolga population (DSE 2012) (the Brolga Guidelines) respond to the perceived risk posed to brolga by the wind industry by outlining an approach to manage the effects of both individual wind farms and the broader wind energy industry.</p> <p>The 3-step methodology recommends taking a cautious approach to the assessment and mitigation of potential impacts on brolga.</p> <p>The Brolga Guidelines advise that turbines should be positioned avoid and minimise impacts on breeding and non-breeding habitats where brolgas spend the vast majority of the year is an important strategy for avoiding potential wind farm impacts on brolgas.</p>	<p>The Brolga Impact Assessment (<b>Appendix D</b>) has utilised the Brolga Guidelines to assess the potential impacts on brolga in accordance with the 3-step methodology.</p> <p>In accordance with the Brolga Guidelines, the following measures have been undertaken to minimise impacts to Brolga:</p> <ul style="list-style-type: none"> <li>• Buffers comprising turbine rotor exclusion areas of various dimensions around suitable brolga breeding and foraging habitat have been created.</li> <li>• Movement corridors comprising 300 m wide turbine rotor exclusion areas to allow for unimpeded movement of brolgas and other birds between areas of habitat have been created the eastern portion of the wind farm site.</li> </ul>	Brolga ( <b>Chapter 8</b> )
Protecting Victoria’s Environment – Biodiversity 2037	DEECA’s Protecting Victoria’s Environment – Biodiversity 2037 (The Biodiversity Plan) seeks to mark the start of a long-term pathway for the overall improvement of biodiversity, while sustaining the State’s economy. The Biodiversity Plan sets out State-wide and contributing targets that are to be achieved by 2037, to meet both goals.	The Biodiversity Plan includes targets for ensuring Victoria’s natural environment is healthy, including to achieve a net gain of the overall extent and condition of habitats across terrestrial, waterway and marine environments by 2037.	Biodiversity ( <b>Chapter 7</b> )  Brolga ( <b>Chapter 8</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect
		The relevant targets have been considered in the Flora and Fauna Existing Conditions and Impact Assessment ( <b>Appendix C</b> ).	
Victorian Floodplain Management Strategy (2016)	The Victorian Floodplain Management Strategy sets out a strategic direction for floodplain management in Victoria. The Strategy aligns with the Victorian Government's responses to the Victorian Floods Review and the parliamentary inquiry into flood mitigation infrastructure, as well as with the broader emergency management framework set out in the <i>Emergency Management Act 2013 (Vic)</i> .	The Project has considered the strategic directions and policies of this plan and ensure potential impacts on floodplain function are mitigated appropriately.	Surface water ( <b>Chapter 9</b> )
Water for Victoria – Water Plan	The Water for Victoria – Water Plan (the Plan) is a strategic plan that is aimed to manage water resources in Victoria, now and into the future. The plan sets a long-term direction for managing Victoria's precious water resources, which is to support a healthy environment, a prosperous economy and thriving communities.	The Plan separates Victoria into six regions, of which the Project is within the region of South West Victoria. The Project has considered and applied strategic directions and policies of this plan.	Surface water, groundwater and groundwater dependent ecosystems ( <b>Chapter 9</b> )
<i>Ngootoyong Gunditj Ngootoyong Mara South West Management Plan</i>	The Ngootoyong Gunditj Ngootoyong Mara South West Management Plan (the Management Plan) is a strategic guide for management and protecting over 130 parks, reserves and Indigenous Protected Areas in southwest Victoria. The Management Plan defines goals and priorities across National, State, coastal, forest and regional parks, reserves, and Indigenous Protected Areas, which cover over 116,000 ha of public land and freehold Gunditjmarra land.	The Project Area is located amongst the Bocara Woorrowarook Mirring River Forest Country and the Nyamat Mirring – Sea Country as defined in this plan.  The Project has given consideration to this plan, particularly with regard to Cobboboonee National Park and Cobboboonee Forest Park.	Aboriginal cultural heritage ( <b>Chapter 11</b> )  Land use and planning ( <b>Chapter 16</b> )
Great South Coast Regional Growth Plan	The Great South Coast Regional Growth Plan (the Plan) provides a regional approach to land use planning in the Great South Coast region over a 30 year period from 2014. The Plan includes the	One of the strategic directions of the Plan is to 'position the Great South Coast for economic growth'. Renewable energy was identified as a major opportunity for the region and Victoria.	Land use and planning ( <b>Chapter 16</b> )  Socio-economics ( <b>Chapter 17</b> )

Document	Description	Relevance to the Project	Relevant environmental aspect
	municipalities of Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool.		
Design Requirements & Guidelines – Civil Works on, under or over VicTrack Land (2017)	The Design Requirements & Guidelines – Civil Works on, under or over VicTrack Land (2017) (the design Guidelines) outline the typical requirements for stakeholders wishing to install or maintain a utility or service which interacts with VicTrack land.	The Project will consider the design requirements in the design Guidelines when submitting an application to VicTrack for the transmission line to cross the railway line near Heywood Terminal Station.	Land use and planning <b>(Chapter 16)</b>
Code of Practice for Small Quarries	The Code of Practice for Small Quarries provides minimum requirements which must be met by Work Authority holders, primarily, those who operate small quarries. It also provides a guide on how best to build appropriate and well-designed quarries.	After obtaining a work authority for the on-site limestone quarry, the Project will maintain compliance with the requirements set out in the Code of Practice for Small Quarries.	Quarry Work Plan Requirements Report <b>(Appendix W)</b>
Victoria’s Regional Statement ‘Your Voice, Your Region, Your State’ (November 2015)	<p>The Victoria’s Regional Statement ‘Your Voice, Your Region, Your State’ (November 2015) statement (the Statement) was drafted following an extensive independent Review of regional economic development and service delivery by the Victorian Government.</p> <p>The Statement sets out the next steps and flags future directions for regional development policy.</p>	<p>The Project will contribute to providing significant job opportunities to regional Victorians that are anticipated to emerge from the Victorian Government’s ongoing energy transition.</p> <p>The Project also has potential to bring significant economic and social benefits including to the Portland region and the local area. It is estimated to involve a \$1.2 billion infrastructure investment, creating up to 350 jobs during construction and 14 jobs when operational.</p>	Socio-economics <b>(Chapter 17)</b>



## B4. Local

This section outlines the local legislation, policies, guidelines and standards relevant to the Project.

### B4.1 Policies, Guidelines, and Standards

**Table B.6** sets out the relevant local policies, guidelines and standards and their relevance to the Project.

*Table B.6: Local policies, guidelines and standards*

Document	Description	Relevance to the Project	Relevant environmental aspect
Glenelg Shire Council – Road Management Plan 2017	The Glenelg Shire Council – Road Management Plan 2017 (GSCRMP) sets out the responsibilities of Council and other stakeholders (Regional Roads Victoria, road users) regarding road and path asset management. The GSCRMP aims to inform the community of the ability and expectation of Council to provide and maintain an appropriate level of service that is fit for purpose, accessible, responsive and sustainable.	The Project will ensure site access and maintenance of the road network is to the satisfaction of Glenelg Shire Council in terms of its own road assets impacted by the Project, including Cowlands Lower Road, Wilsons Lower Road, Sandy Hill Road, Windmill Road, Nine Mile Road and Lightbody’s Road.	Transport <b>(Chapter 15)</b>
Glenelg Shire Municipal Emergency Management Plan	The Glenelg Shire Municipal Emergency Management Plan outlines the agreed arrangements for preventing, responding to and recovery from, potential emergencies that may occur within the area. The document identifies relevant hazards to be addressed as part of this emergency management plan.	The Project has considered the Glenelg Shire Municipal Emergency Management Plan in assessing potential bushfire risk of the Project and will give consideration to the plan during implementation of bushfire management strategies during operation.	Bushfire risk <b>(Chapter 18)</b>
Glenelg Shire 2040 Community Plan and Vision	The Glenelg Shire 2040 Community Plan and Vision plan provides a clear direction and outlines the community’s vision and aspirations for the shire over the 20 year period between 2020 and 2040.	The Project has given consideration to this plan to ensure that it aligns with the community’s vision and aspirations.	Land use and planning <b>(Chapter 16)</b>  Socio-economics <b>(Chapter 17)</b>

Document	Description	Relevance to the Project	Relevant environmental aspect
Glenelg Shire Council Plan 2021-2025	The Glenelg council plan is a key document that outlines a four-year strategy, financial plan and budget, to build upon the community goals and commitments identified in the Glenelg Shire 2040 Community Plan and Vision.	The Project has given consideration to this plan and ensure the Project aligns with the four-year strategy and would not impede the shire from meeting the identified goals and commitments.	Land use and planning <b>(Chapter 16)</b>  Socio-economics <b>(Chapter 17)</b>

# NEOEN

## Melbourne

Level 7  
99 King Street  
Melbourne, VIC 3000

**P.** 1800 966 206  
**E.** [contact@kentbruckgreenpowerhub.com.au](mailto:contact@kentbruckgreenpowerhub.com.au)



## Melbourne

Suite 2, Level 27  
530 Collins Street  
Melbourne 3000

**P.** 1300 793 267  
**E.** [info@umwelt.com.au](mailto:info@umwelt.com.au)  
**W.** [umwelt.com.au](http://umwelt.com.au)