

DECISION ON PROJECT

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

Seadragon Offshore Windfarm (Referral Number 2022R-02)

Assessment through an environment effects statement (EES) under the *Environment Effects Act 1978* **is required** for the reasons set out in the attached Notice of Reasons for Decision.

Procedures and requirements under section 8B(5) of the *Environment Effects Act 1978*

The procedures and requirements applying to the EES, in accordance with both section 8B(5) of the Act and the *Ministerial guidelines for assessment of environmental effects under the Environment Effects Act 1978* (Ministerial Guidelines), are as follows:

- (i) The EES is to document investigations of potential environmental effects of the proposed project, including any relevant alternatives, and the feasibility of associated environmental mitigation and management measures. In particular, the EES needs to address:
 - a. potential effects on biodiversity and ecological values including native vegetation, listed flora, fauna and communities through loss, degradation or fragmentation of habitat or other ecological effects;
 - b. potential effects on marine and freshwater environments such as the Ninety Mile Beach Marine National Park and the Gippsland Lakes Ramsar site, as well as related values, as a result of direct disturbance, changes to stream flows or discharge of sediment or waste;
 - c. effects on Aboriginal cultural heritage values;
 - d. effects on onshore and offshore historic heritage values;
 - e. effects on existing landscape and visual amenity values;
 - f. effects on or related to soils, groundwater and contamination;
 - g. effects on amenity related to construction and decommissioning;
 - h. effects on the socioeconomic environment, at local and regional scales, including on recreation, tourism, traffic and other direct and indirect effects; and
 - i. cumulative effects of the project, particularly on biodiversity, ecology, social and landscape values, given the proximity to other proposed windfarms and major projects.
- (ii) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements prepared by the Department of Environment, Land, Water and Planning (DELWP). Draft scoping requirements will be exhibited for public comment over 15 business days, before final scoping requirements are issued by the Minister for Planning.
- (iii) The proponent is to prepare and submit to DELWP an adequate draft EES study program to inform the preparation of scoping requirements.
- (iv) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform a robust and objective assessment of the significance and acceptability of its potential environmental effects, including for any feasible relevant alternatives, in the context of the Ministerial Guidelines.
- (v) DELWP will convene an inter-agency technical reference group (TRG) to advise DELWP and the proponent on the scoping requirements, the design and adequacy of the EES studies, and coordination with statutory approval processes.
- (vi) The proponent is to prepare and submit to DELWP its proposed EES consultation plan for consulting the public and engaging with stakeholders during preparation of the EES. Once

completed to the satisfaction of DELWP, the EES consultation plan is to be implemented by the proponent, having regard to advice from DELWP and the TRG.

- (vii) The proponent is also to prepare and submit to DELWP its proposed schedule for the completion of studies and preparation and exhibition of the EES, following confirmation of the scoping requirements. This schedule is to enable effective management of the EES process and EES' development based on an agreed alignment of the proponent's and DELWP's timeframes, including for TRG review of technical studies for the EES and the main EES documentation.
- (viii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
- (ix) The EES is to be exhibited for a period of 30 business days for public comment, unless the exhibition period spans the Christmas–New Year period, in which case 40 business days will apply.
- (x) An inquiry will be appointed under the Environment Effects Act to consider environmental effects of the proposal.

Notification

The following parties (proponent and relevant decision-makers) are to be notified of this decision in accordance with sections 8A and 8B(4)(a)(i) of the Environment Effects Act, as appropriate:

- Flotation Energy Pty Ltd (proponent)
- Minister for Planning
- Minister for Energy, Environment and Climate Change
- Secretary of the Department of Environment, Land, Water and Planning
- Latrobe City Council
- Wellington Shire Council
- Southern Rural Water
- South Gippsland Shire Council
- West Gippsland Catchment Management Authority
- Environment Protection Authority
- First Peoples – State Relations
- Heritage Victoria
- Gurnaikurnai Land and Waters Aboriginal Corporation


HON RICHARD WYNNE MP
Minister for Planning

Date: 10/4/22