Final EES Scoping Requirements Cannie Wind Farm Project

Environment Effects Act 1978

Version 1

Contents

1. Introduction

In light of the potential for significant environmental effects, on 25 September 2024 the Minister for Planning (the Minister) determined under the *Environment Effects Act 1978* that RES Australia Pty Ltd (the proponent) is to prepare an environment effects statement (EES) for the proposed Cannie Wind Farm (the project).

The purpose of the EES is to provide a sufficiently detailed description of the project, assess its potential effects on the environment[1], and assess relevant feasible alternatives (i.e. project layouts, refinements and designs) and approaches to avoid and mitigate effects. The EES will inform and seek feedback from the public and stakeholders. The Minister will issue an assessment of the project's environmental effects under the Environment Effects Act to conclude the EES process. The Minister's assessment will then inform statutory decision-makers for the project.

These final scoping requirements set out the proposed specific matters to be investigated and documented in the EES, having considered the public review and comments received. While the scoping requirements are intended to cover all relevant matters, especially potential impacts and environmental issues relevant to statutory decisions that will be informed by the Minister's assessment, the EES will also need to address other relevant issues that emerge during the EES investigations,

These final scoping requirements provide clarity on the risk-based approach to environmental assessment for the EES, and what the potentially significant effects and priority themes are for investigations. This helps the proponent, in consultation with the Department of Transport and Planning (DTP) and Technical Reference Group (TRG), tailor its approach to EES studies and investigations, to concentrate primarily on the potentially significant effects and priority matters most important for an adequate EES and subsequent decision-making.

1.1. The project and setting

The project is a wind farm proposed in the Gannawarra Local Government Area approximately 25 km west of the township of Kerang (Figure 1). The project proposes to develop up to 174 wind turbine generators (WTGs), with a tip height up to 280.5 m above ground level, providing up to 1,300 megawatts (MW) generation capacity.

The project wind farm area will include up to three substations, a Battery Energy Storage System, site access points and access tracks, and underground cabling. The project also proposes temporary infrastructure, including a meteorological mast, up to two concrete batching plants, site offices and compounds, laydown areas and potentially a quarry.

From the wind farm area, the project proposes an overhead transmission line that connects to the new terminal station proposed by the Victoria to New South Wales Interconnector West Project in Tragowel. The proponent will continue investigating a preferred transmission route within the transmission corridor study area (see Figure 1). The selection of the preferred corridor route will be informed by consultation with potential landholders, consideration of engineering design constraints and the findings of environmental investigations.

[1] For assessment of environmental effects under the EE Act, the meaning of 'environment' includes physical, biological, social, spiritual and economic systems, processes and attributes (Ministerial Guidelines, p. 6).

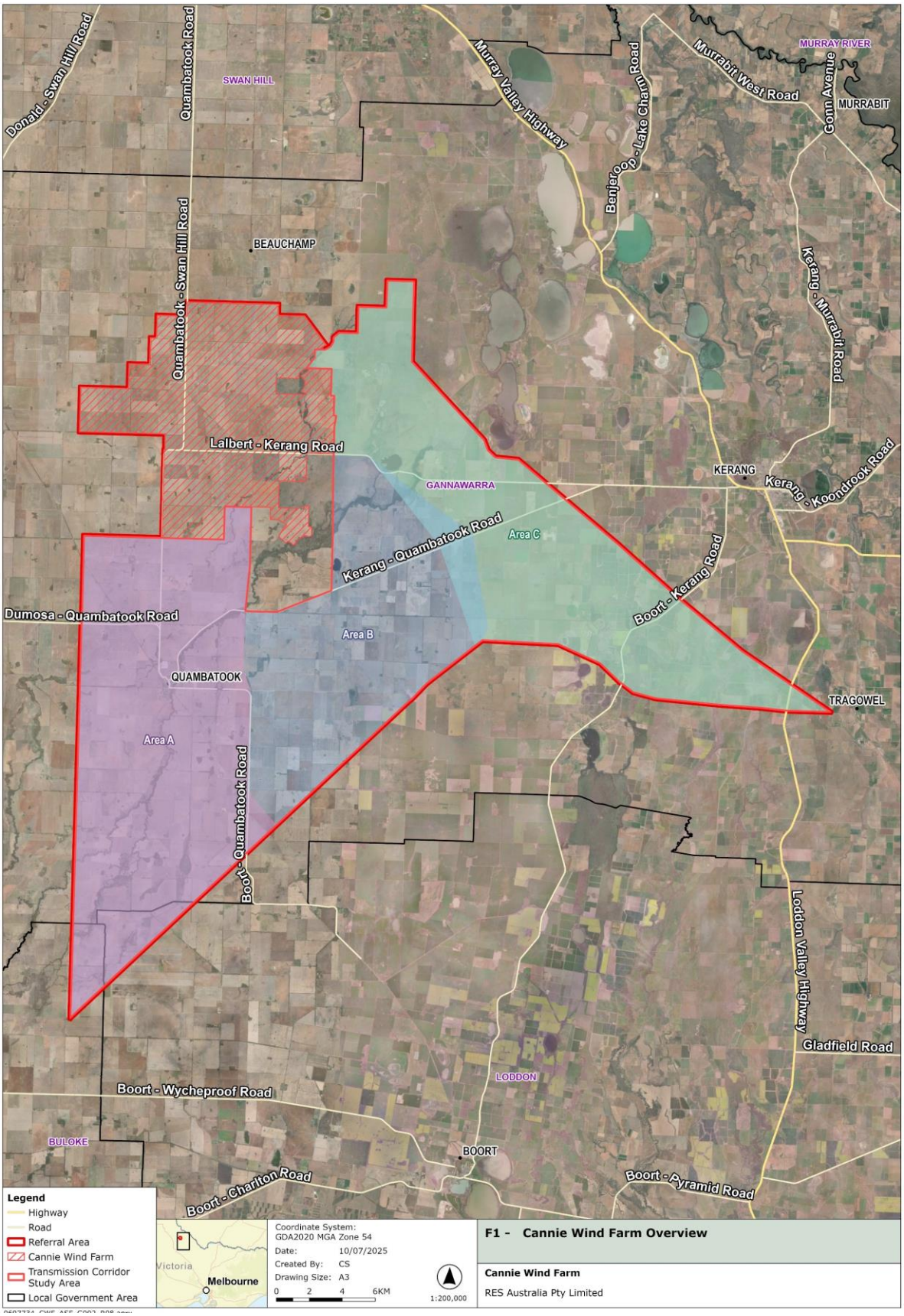

Figure 1: Project location (source: ERM)

1.2. Minister's requirements for this EES

In light of the potential for significant environmental effects, the Minister decided that an EES is required to assess the potential environmental effects of the project. The Minister published procedures and requirements applicable to the preparation of the EES, in accordance with section 8B(5) of the Environment Effects Act (see Appendix A). The investigations and assessments are to include feasible project alternatives and design refinements (e.g. alternative project layouts, siting of infrastructure, management measures, project staging and timing) to avoid, minimise, and manage effects, particularly for:

- effects on biodiversity and ecological values including native vegetation, listed flora, fauna and communities through loss, degradation or fragmentation of habitat, collision with turbines, or other ecological effects;
- effects on surface water environments, including local waterways and the broader catchment, as well as groundwater (hydrology, quality, uses and dependent ecosystems) and the Kerang Lakes Ramsar site;
- effects on tangible and intangible Aboriginal and historic cultural heritage values;
- effects on landscape values, amenity and socio-economic values; and
- cumulative effects of the project on biodiversity, ecology, social and landscape values, given the proximity to the proposed, approved and operating windfarms.

These final scoping requirements provide further detail on the matters to be in investigated in the EES as required by the *Ministerial guidelines for assessment of environmental effects under the Environment Effects 1978* (Ministerial Guidelines), and are informed by the proponent's study program, its initial risk screening and assessment by DTP.

2. Assessment process and required approvals

2.1. What is an EES?

An EES describes a project, its rationale and benefits, and its potential environmental effects. It enables stakeholders and decision-makers to understand how the project is proposed to be implemented and the likely environmental effects of doing so. An EES has two main components:

EES main report – an integrated, plain English document that assesses the potential impacts of the project; examines avoidance, mitigation or other measures to reduce the environmental effects; and concludes with assessment of the residual effects.
The main report draws on the technical reports, should be analytical rather than encyclopaedic in approach, and should clearly identify which components of the scope are being addressed throughout.

EES appendices – specialist technical reports, with investigations and analysis that provides the basis for the EES main report. These reports will be exhibited in full, as appendices to the main report.

2.2. The EES process

The proponent is responsible for preparing an EES, including conducting technical studies and undertaking appropriate stakeholder consultation. DTP is responsible for managing the EES process[2]. The EES process has the following steps:

- preparation of a draft study program and draft schedule by the proponent;
- preparation and exhibition of draft scoping requirements by DTP, on behalf of the Minister, with public comments received during the advertised exhibition period;

[2] Further information on the EES process can be found at planning.vic.gov.au/environment-assessment/what-is-the-ees-process-in-victoria

- finalisation and issuing of scoping requirements by the Minister or delegate (this document);
- review of the proponent's EES studies and draft documentation by DTP and a TRG[3];
- completion of the EES by the proponent;
- review of the complete EES by DTP to establish its adequacy for public exhibition;
- exhibition of the proponent's EES and invitation for public comment;
- appointment of an inquiry by the Minister to inquire into the project's potential environmental effects, through either written submissions, submitter conference or public hearing;
- following receipt of the inquiry report, preparation of an assessment by the Minister on whether the project's environmental effects are acceptable for the consideration of statutory decision-makers.

It is the proponent's responsibility to ensure that adequate studies are undertaken and reported to support robust assessment of potential effects arising from the project and that it implements effective internal quality assurance to produce quality EES documentation.

2.2.1. Technical reference group

DTP has convened a TRG of state agencies, registered Aboriginal parties and local councils for this EES process to advise DTP and the proponent on:

- applicable policies, strategies and statutory provisions;
- EES scoping requirements;
- the design and adequacy of EES technical studies;
- the proponent's public information and stakeholder consultation program for the EES process;
- responses to issues arising from the EES investigations;
- the technical adequacy and completeness of draft EES documentation; and
- coordination of statutory processes.

2.2.2. EES consultation

The proponent is responsible for engaging the public and stakeholders during the EES process, to inform them about the project, the EES process, EES studies and where there are opportunities for engagement. The proponent's EES consultation must enable feedback to be inputted on the project and its potential environmental effects, as well as respond to issues raised. Stakeholders include potentially affected parties, Traditional Owner groups, interested community organisations/groups and government bodies.

The proponent is responsible for preparing and implementing an EES consultation plan that sets out the approach to engagement. The proponent's EES consultation plan is reviewed and amended in consultation with DTP and the TRG before it is published on the Planning website[4]. The EES consultation plan will:

- identify stakeholders;
- characterise public and stakeholders' interests, concerns and consultation needs, local knowledge and inputs;
- describe consultation methods and schedule; and
- outline how public and stakeholder inputs will be recorded, considered and/or addressed in the preparation of the EES.

2.2.3. Traditional Owner engagement

The EES should be developed with acknowledgement of and respect for Traditional Owners' care for and connection to Country. Through the EES, the proponent should seek to understand the direct and indirect

[3] For critical components of the EES studies, peer review by an external, independent expert (or panel of experts) may be appropriate.

[4] Available online at planning.vic.gov.au/environmental-assessments/browse-projects/cannie-wind-farm

ways in which the project could affect these interests, including interrelated values of biodiversity and the landscape and visual environment. To this end, the EES should be informed by engagement with Traditional Owners.

The proponent should support and enable culturally appropriate, informed and meaningful engagement with Traditional Owners, including by:

- asking Traditional Owner groups about the engagement processes that would be suitable;
- endeavouring to develop good working relationships;
- taking into account and respecting the cultural and communication needs and protocols of communities;
- engaging early and providing appropriate timeframes to consider and respond to information; and
- genuinely seeking input and expertise.

The EES consultation plan should set out the mechanisms to be established by the proponent to support and enable Traditional Owner engagement as well as outline how the views and expertise offered by Traditional Owners will be integrated into the EES.

2.2.4. Statutory approvals and the EES process

The project will require a range of approvals under Victorian legislation if it is to proceed. DTP coordinates the EES process as closely as practicable with approvals procedures, consultation and public notice requirements.

To facilitate informed and efficient decision-making on required key approvals following the EES process, it is recommended that the EES documentation address relevant information and requirements associated with those key approvals that will be informed by the EES and Minister's assessment.

Principal approvals required for the project are planning approval via a planning permit/ planning scheme amendment under the *Planning and Environment Act 1987*, an approved cultural heritage management plan (CHMP) under the *Aboriginal Heritage Act 2006,* approval under the *Environment Protection and Biodiversity Conservation Act 1999*, and an approved work plan and extractive industry work authority under the *Mineral Resources (Sustainable Development) Act 1990* (if an onsite quarry is proposed).

Other key secondary approvals under Victorian legislation, that are relevant to these scoping requirements include: works on waterways permits under the *Water Act 1989*; permit to take, keep or move protected flora and fauna under the *Flora and Fauna Guarantee Act 1988*; consent to interfere with a heritage place or object under the *Heritage Act 2017*; permission to undertake proposed works in, on, under or over a road under the *Road Management Act 2004*; and authorisation to handle, relocate or care for wildlife under the *Wildlife Act 1975*.

Other approvals may be required and will be determined through the EES process.

Statutory decision-makers of approvals required for the project to proceed must consider the Minister's assessment (the final output of the EES process) prior to making a decision.

2.3. Accreditation of the EES process under the EPBC Act

The project was referred to the Commonwealth under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). A delegate for the Commonwealth Minister for the Environment and Water determined on 20 August 2024 that the project is a controlled action (EPBC 2024/09875), as it is likely to have a significant impact[5] on the following matters of national environmental significance (MNES), which are protected under Part 3 of the EPBC Act:

[5] Note that 'relevant impacts' defined in section 82 of the EPBC Act correspond to what are generally termed 'effects' in the EES process.

- the ecological character of a declared Ramsar wetland (sections 16 and 17B);
- listed threatened species and communities (sections 18 and 18A); and
- listed migratory species (sections 20 and 20A).

The EES process is accredited to assess impacts on MNES under the EPBC Act through the *Bilateral (Assessment) Agreement between the Commonwealth and the State of Victoria*. This removes duplication, enabling a single assessment process to examine the project's likely impacts and inform statutory decisions.

The Commonwealth Minister or delegate will decide whether the project is approved, approved with conditions or refused under the EPBC Act, after having considered the Victorian Minister for Planning's assessment under the Environment Effects Act at the conclusion of the EES process.

3. Preparing the EES

3.1. General approach

The EES should provide a clear, objective and well-integrated analysis of the potential effects of the proposed project, including proposed environmental management measures, as well as feasible alternatives. The description and assessment of effects must not be confined to the immediate area of the project but must also consider the potential of the project to impact on nearby environmental values, including areas potentially impacted by offsite components of the project.

The EES needs to document the analysis of the significance of the potential effects of the project, with consideration of the following approach:

1. **Characterise the existing environment** and identify relevant environmental values to underpin impact assessments, having regard to the systems[6] and risk-based approach[7].
2. **Identify the potential effects** of the project on the environment (pre-mitigation), including those caused indirectly as a result of proposed activities, considering aspects such as magnitude, extent, duration, likelihood and significance of change in the values of each asset.
3. **Present design refinement and mitigation measures** that could achieve avoidance, reduction and/or mitigation of the potential effects and in doing so, apply the mitigation hierarchy with justification of why higher order measures cannot be applied.
    i. Avoidance: measures taken to avoid creating adverse effects, such as careful spatial or temporal placement of infrastructure or disturbance.
    ii. Minimisation: measures taken to reduce the duration, intensity and/or extent of effects that cannot be avoided.
    iii. Rehabilitation/restoration: measures taken to stabilise or restore an area after disturbance to achieve previous, improved or future land uses following exposure to impacts.
    iv. Offsets[8]: measures taken to compensate for residual, adverse effects following implementation of the previous three steps of the mitigation hierarchy.

[6] A systems approach considers potentially affected environmental systems and interacting environmental elements and processes. Assessing systems, rather than their components separately, enables potential interdependencies to be identified, helping to focus investigations and tailor opportunities to avoid, minimise, mitigate or manage adverse effects.

[7] A risk-based approach ensures the level of effort for investigations informing the impact assessments is relative to the level of risk of significant adverse effects, with higher risk being subject to more intensive investigations.

[8] The proponent is encouraged to identify opportunities to engage with Traditional Owner groups to develop and deliver rehabilitation/restoration measures as well as environmental offsets.

4. **Assess the likely residual effects** of the project on the environment and evaluate the significance of each effect considering the likely effectiveness of the design and mitigation measures. Significance of residual effects should consider local, regional, state and federal matters.
   Residual environmental effects need to be clearly described for each project phase, i.e., construction, operation and decommissioning. The description and assessment of effects must consider the potential of the project to impact on environmental values beyond the immediate project area, including areas downstream.
   In addition, the cumulative effects of the project in combination with other planned and approved activities in the broader area / region should be assessed and considered in the proposed design and mitigation measures.
5. **Propose an approach to managing performance** that should include criteria, monitoring and evaluation to check that predicted outcomes are being achieved during project implementation, as well as contingency approaches if monitoring demonstrates adverse effects exceed those predicted or permitted.

3.2. Content and format of the EES

Overall, the main report should include:

- an executive summary;
- an overview of the proponent's environmental performance and track record, including experience in delivering similar projects, organisation health, safety, environmental and community engagement policies, ability to build trusted relationships with stakeholders and Traditional Owner groups and whether the proponent has been subject to any past or present proceedings under a Commonwealth, state or territory law for the protection of the environment or the conservation and sustainable use of natural resources;
- a description of the approvals required for the project to proceed, and their relationship to relevant laws, policies, strategies, guidelines and standards;
- evaluation of the implications of legislation and policy for the project and feasible alternatives;
- documentation of the process and results of the consultation undertaken by the proponent during the preparation of the EES, including the issues raised by stakeholders or the public and the proponent's responses to these issues, in the context of the EES studies and the associated consideration of mitigation measures;
- a description of the scope, timing[9] and method for studies or surveys used to provide information on the values of the project area, as well as any records and other data from local sources gathered;
- descriptions of the existing environment and the predicted future environment (such as projected climate change scenarios), where this is relevant to the assessment of potential effects of the project;
- appropriately detailed assessments of potential effects of the project on environmental values and assets, relative to the 'no project' scenario, together with an estimation of likelihood and degree of uncertainty associated with predictions;
- clear, active measures for avoiding, minimising, managing and monitoring effects, including a statement of commitment to implement these measures;
- predictions of residual effects, either positive or negative, of the project assuming implementation of proposed management measures;
- proposed offset measures where avoidance and other mitigation measures will not adequately address effects on biodiversity values, including for relevant MNES;
- evaluation against the principles and objectives of ecologically sustainable development[10]; and
- conclusions on the significance of impacts on local, regional, state and federal matters.

[9] Surveys of assets, values and potential effects must be timed to ensure they take account of seasonal weather patterns of the area.

[10] Ecologically sustainable development is defined on page 9 of the Ministerial Guidelines.

The EES should also outline an approach to furthering Traditional Owner engagement and partnerships during project implementation including, as appropriate, in the management of Country.

The proponent may choose to prepare a website with interactive functionality to provide an alternative way of accessing EES information, which may complement the conventional EES main report and technical reports. Such an approach must be discussed with DTP Impact Assessment Unit and DCCEEW, and if integrated with the EES documentation, the digital information is to be provided to the TRG for review.

The proponent must prepare a concise, graphical-based non-technical summary document of the project (hard copy A4, no more than 25 pages) for free distribution to interested parties during public exhibition of the EES. The EES summary document should also include details of the EES exhibition, public submission process and availability of the EES documentation and any digital information.

3.3. Project description and rationale

The EES is to describe the project in sufficient detail both to allow an understanding of all components, processes and development stages, and to enable assessment of their likely potential environmental effects. The project description should canvass the following:

- contextual information on the project, including the proponent's objectives and rationale, their relationship to statutory policies, plans and strategies, including the basis for selecting the proposed project locations and implications of the project not proceeding;
- the project areas and vicinity, supported by plans and maps that show the general layout of the proposed infrastructure and areas of disturbance, including access tracks, laydown areas and proposed exclusion and buffer zones;
- the land tenure of parcels intersected by project activities;
- the proposed operational life of the project and planned timing of project phases;
- other necessary works directly associated with the project, such as infrastructure and services relocation or upgrade;
- risks associated with projected climate change and resilience to these risks including consideration of the *Climate Change Act 2017*'s principles of risk management and standards for risk assessment;
- description of the project's components (supported by visuals and diagrams), including:
  - applicable standards and adopted specifications for infrastructure;
  - location, footprint, layout and access arrangements during construction and operation;
  - extent of clearing or lopping of native vegetation;
  - description of the on-site quarry (if proposed) and concrete batching plants, including locations;
  - design and expected construction staging and scheduling;
  - proposed construction methods and materials;
  - identification of proposed transport routes of project components to site, including consideration of upgrades of roads and intersections;
  - solid waste, wastewater and hazardous material generation and management;
  - rehabilitation of site works areas following construction as well as during decommissioning;
  - proposed tenure arrangements to provide for access to land;
  - lighting, safety and security requirements during construction, operation and decommissioning;
  - workforce accommodation facilities (if required) including location, size and required services;
  - hours of construction work, workforce requirements and description of the expected duration of project components, including which components are temporary and which are permanent;
  - approach to incorporate sustainability principles and practices into project development and delivery;
  - operational requirements including maintenance activities; and
  - decommissioning requirements.

3.4. Project development and alternatives

The EES is to document the development process for the project, including methods for the identification and evaluation of alternatives, and the basis for selecting the preferred alternative(s) examined in detail within the EES[11]. The EES needs to describe the process for identification and evaluation of project alternatives, including:

- alternatives considered in the project development and design process;
- methods and environmental criteria for identifying and comparing feasible alternatives, and for selecting preferred alternatives;
- assessment and comparison of the technical feasibility, deliverability and environmental implications of alternatives, including alternative construction methods;
- the basis for selecting the preferred project layout and design, particularly where the project footprint is located in proximity to areas of environmental significance; and
- how information gathered during the EES process, including from consultation with stakeholders and Traditional Owner groups, was used to consider alternatives and refine the project.

The EES is to document the assessment of environmental effects of feasible alternatives, particularly where these offer a potential to avoid and/or minimise significant environmental effects whilst meeting the objectives of the project. In doing so, the assessment of environmental effects of relevant feasible alternatives (e.g. project layouts, refinements and designs) needs to address the matters set out in section 4 of these scoping requirements, as appropriate.

The depth of investigation of alternatives should be proportionate to their potential to avoid or minimise potentially significant adverse effects while still meeting project objectives.

3.5. Applicable legislation, policies and strategies

In addition to the Environment Effects Act, the EES will need to identify relevant legislation, policies, guidelines and standards, and assess their specific requirements or implications for the project, particularly in relation to required approvals.

The proponent will also need to identify and address any other strategies, subordinate legislation and related management or planning processes, including Traditional Owner Country Plans, that are relevant to the assessment of potential effects of the project.

3.6. Environmental management framework

Competent management of environmental performance during project design, construction, operation and decommissioning is required to meet statutory requirements, achieve environmental outcomes, protect environmental values and sustain stakeholder confidence. Hence, the proposed environmental management framework (EMF) in the EES should describe a transparent governance framework with clear accountabilities for complying with approvals and managing and monitoring the environmental effects and risks associated with all project phases.

The EMF will set the scope for later development and review of environmental management plans for all project phases. The entities responsible for development, approval, implementation and review of environmental management plans should be specified, including relevant consultation requirements.

[11] The assessment of alternatives does not include evaluating alternatives to the project (such as other forms of energy generation), but rather alternatives for the project which would allow project objectives to be met.

The EMF should reference or address the source baseline environmental conditions against which the evaluation of the residual environmental effects of the project will occur, as well as the efficacy of applied environmental management and contingency measures. The framework should include:

- regulatory context and required approvals and consents, including any anticipated requirements for related environmental management plans, whether for project phases or elements;
- environmental management system to be adopted;
- organisational responsibilities and accountabilities for environmental management;
- an approach to environmental risk assessment and management;
- change management process;
- compilation of environmental management measures proposed in the EES;
- environmental incident management;
- a proposed monitoring program including monitoring objectives, indicators and requirements (e.g. parameters, standards, methods, locations and frequency).

An important aspect of the EMF is community consultation, stakeholder engagement and communications during the construction and operation of the project. As the project proceeds it will largely be the EMF that outlines opportunities for local stakeholders to engage with the proponent to seek responses to issues that might arise during construction or operation. To this end the EMF will set out procedures for:

- complaints recording and resolution;
- emergency preparedness and response planning;
- auditing and public reporting of performance, including compliance with relevant statutory conditions and standards;
- review of the effectiveness of mitigation measures and continuous improvement.

Certain aspects requiring assessment in the EES will have limited influence on project outcomes or risk profile, or require assessment primarily due to their relevance or implications for key statutory approval decisions (see other matters in Table 1). In these cases, well established legislation, policy or standard industry practice provides the management framework for these environmental effects of the project. Mitigation and management of these aspects should be included within the EMF in the form consistent with statutory approvals requirements.

4. Assessment of specific environmental effects

Preparation of the EES and the necessary investigation of potential effects should be proportionate to the environmental risks posed by the project, as outlined in the Ministerial Guidelines (p. 23). Adopting a systems and risk-based approach to the design and depth of each of the EES studies ensures that a greater level of effort is focused on investigating and managing issues posing higher risk of adverse environmental effects[12], whereas approaches to examining potential impacts and issues that pose a lower level of environmental risk should involve less depth and effort. Some matters with minimal risk won't need to be analysed and can be addressed in the EES through environmental management.

The EES needs to put forward a sound rationale for the level of assessment and analysis undertaken for potential environmental effects or combination of effects arising from the project. The EES should also address any other significant issues that emerge during the investigations.

Scoping requirements do not set the specific approaches or effort to be adopted by a proponent for investigating different effects for their EES. These scoping requirements do, however, provide clarity on the risk-based approach to environmental assessment for the EES, and what the potentially significant effects and priority themes for investigations are. This helps the proponent tailor their approach to concentrate

[12] Effects include direct, indirect, combined, cumulative, short- and long-term, beneficial and adverse effects.

primarily on the potentially significant effects and priority themes, which are most important for an adequate EES and subsequent decision-making. This scope identifies the issues for each theme for investigation to be assessed through the application of the general approach for assessment outlined in Section 3.1.

The Minister's published reasons for decision articulates the rationale for the EES, including key matters and potentially significant effects that need to be examined. This, in combination with key statutory decision-making known for the project, establishes a framework that informs the necessary scope, depth, and desired outcomes of the assessment of environmental effects via the EES. The scope of specific environmental matters needing to be investigated and documented within the EES are set out below in the subsequent sections.

Categorisation of themes in Table 1 below has been informed by the Minister's statement of decision (Appendix A) and reasons for decision, information provided by the proponent through the EES referral and proposed study program, feedback from agencies on the TRG and assessment by DTP.

In some cases, there will be other matters that are important for assessment in the EES primarily due to their relevance or implications for key statutory approval decisions, rather than a potentially significant effect. While these matters may not directly connect or overlap with potentially significant effects, they could be important considerations for the integrated assessment of effects that will inform key statutory approval decisions as noted in Table 1.

Table 1: Investigation themes, potentially significant effects and key statutory decision-making known for the project

Theme	Minister's reasons and decision	Relevant statutory decisions
High priority		
Aboriginal cultural heritage	Potential effects on tangible and intangible Aboriginal cultural heritage values	Approval of Cultural Heritage Management Plan under the *Aboriginal Heritage Act 2006*
Biodiversity	Potential effects on biodiversity and ecological values including native vegetation, listed flora, fauna and communities through loss, degradation or fragmentation of habitat, collision with turbines	Planning approval under the *Planning and Environment Act 1987* Approval under *Environment Protection and Biodiversity Conservation Act 1999* Permits under the *Flora and Fauna Guarantee Act 1988* and *Wildlife Act 1975*
Socioeconomic	Potential effects on socio-economic values	Planning approval under the *Planning and Environment Act 1987*
Priority		
Landscape and visual amenity	Potential effects on landscape values during the construction and operation of the proposal	Planning approval under the *Planning and Environment Act 1987*
Surface water and groundwater	Potential effects on surface water environments, including local waterways and the broader catchment, as well as groundwater (hydrology, quality, uses and dependent ecosystems)	Permit or consents under the *Water Act 1987*

Theme	Minister's reasons and decision	Relevant statutory decisions
Soils and contaminated land	Potential effects on soils during the construction and operation of the proposal	Approval under the *Mineral Resources (Sustainable Development) Act 1990* (if on-site quarry is proposed)
Other matters		
Air quality	Potential effects on the amenity of nearby residences and other sensitive receptors	Planning approval under the *Planning and Environment Act 1987* Approval under the *Mineral Resources (Sustainable Development) Act 1990* (if on-site quarry is proposed)
Historic heritage	Potential effects on historic cultural heritage during the construction and operation of the proposal	Permit and/or consent under *Heritage Act 2017* for activities to a place or object listed on the Victorian Heritage Register, or to disturb any historical archaeological site including those listed on the Victorian Heritage Inventory
Land use planning	Potential effects on land-uses during the construction and operation of the proposal	Planning approval under the *Planning and Environment Act 1987*
Noise and vibration	Potential effects on the amenity of nearby residences and other sensitive receptors	Planning approval under the *Planning and Environment Act 1987* Approval under the *Mineral Resources (Sustainable Development) Act 1990* (if on-site quarry is proposed)
Traffic and transport	Potential effects on the amenity of nearby residences and other sensitive receptors	Consents or agreements under *Road Management Act 2004* to undertake works in, on or under a road

4.1. Priority matters

This section describes the key issues for the priority themes described in Table 1.

4.1.1. Aboriginal cultural heritage

Aboriginal cultural heritage is a high priority for investigation due to the potential for physical disturbance and significant effects on tangible and intangible Aboriginal cultural heritage values. The project area intersects waterways and other areas of Aboriginal cultural heritage sensitivity. There are also previously recorded Aboriginal places within the project area. These are predominantly scarred trees, with small numbers of stone artefact scatters and earth mounds.

Key issues

- Identification of areas of known Aboriginal cultural heritage, and model areas with the potential to contain Aboriginal cultural heritage, and any known or previously unidentified intangible Aboriginal cultural heritage values associated with the project area.
- Direct or indirect impacts on, or loss of, tangible or intangible Aboriginal cultural heritage values associated with the project area and surrounds.
- Meaningful engagement with registered Aboriginal parties and other Traditional Owner groups or representatives having regard to Aboriginal Heritage Regulations 2018 to determine extent, nature and significance of any Aboriginal places, both tangible and intangible, or areas of sensitivity.
- Protection and preservation of tangible and intangible cultural heritage, where opportunities are available, in partnership with Traditional Owners.
- Implementation of management and contingency measures, in accordance with the requirements for a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.

4.1.2. Biodiversity

Biodiversity is a high priority for technical investigation due to potential for direct and indirect disturbance and significant effects to threatened and listed species and communities under the Commonwealth EPBC Act and state FFG Act, as well as Traditional Owner values. There is the potential for loss, disturbance and fragmentation of habitat and vegetation, and impacts to fauna including the potential for collision with wind turbines and above-ground transmission infrastructure.

There are a number of parks, reserves and wetlands within the project area with remnant native vegetation that provides important habitat for a range of native species. There is also high-quality vegetation along road reserves and riparian corridors associated with Avoca River, Back Creek and minor tributaries.

The Kerang Wetlands Ramsar site is located less than 1km to the east of the transmission corridor study area and supports a high diversity and abundance of birds, including threatened and migratory bird species.

Key issues

- Direct or indirect loss, disturbance and/or degradation of biodiversity values, including native vegetation, listed threatened ecological communities, threatened flora or fauna species listed under the EPBC Act and/or FFG Act, and nearby habitat that may support these values.
- Disruption to the movement of fauna between areas of habitat across the broader landscape, including between roosting, breeding and potential foraging sites, such as through collision risk for listed bird and bat species with project infrastructure.
- Cumulative effects on listed threatened species and communities of flora and/or fauna, from the project in combination with other planned or approved projects.
- The availability of suitable offsets, where required, under State and/or Commonwealth legislation.

4.1.3. Socioeconomic

Socioeconomic aspects have been identified as a high priority for technical investigation due to the potential for significant effects on wellbeing of individuals, communities, and businesses, as well as social cohesion, with possible long-term consequences and lasting changes.

The project area predominantly comprises land used for cropping and grazing, as well as rural-residential land. Surrounding townships including Quambatook, Lalbert, Mystic Park, Lake Boga, Swan Hill, Murrabit and Kerang.

Key issues

- Impacts to local infrastructure and services during construction and operation.
- Impacts on community wellbeing and cohesion, including changes to the social fabric, sense of place, and local identity.
- Adverse economic effects, including both direct and indirect effects on employment, farming and agriculture, other businesses, housing and local and regional economy.
- Disruption to social amenities, such as visual impacts, noise, and reduced air quality, affecting the overall quality of life.
- Cumulative impacts on socioeconomic aspects from the project in combination with other planned or approved projects.
- Benefits to the community from the project, such as through benefit sharing programs, employment and procurement.

4.1.4. Landscape and visual amenity

Landscape and visual amenity is a priority for technical investigation due to potential for significant effects to the visual amenity from public open space, for residents in the area, as well as on Traditional Owner values.

The project is proposed within a highly modified broad-acre rural landscape. In addition to considering views from neighbouring dwellings, other potential locations that may be sensitive to visual amenity impacts include public roads, recreation and conservation reserves in the vicinity of the project, and the surrounding townships.

Key issues

- Effects on landscape values (such as landscape character and features) and landforms in the vicinity of the project area of interest, especially national parks, other reserves and areas identified for their landscape values.
- Visual effects for nearby residents / communities from project infrastructure, including blade glint and shadow flicker, in both public and private viewsheds.
- Cumulative impacts of the project in combination with other planned or approved visually conspicuous developments on landscape values of the region.

4.1.5. Surface water and groundwater

Surface water and groundwater are priority technical investigations due to potential effects on water environmental values, including potential impacts on groundwater-dependent ecosystems such as the Ramsar-listed Kerang Wetlands.

There are a number of waterways, waterbodies, and wetlands within the project area. This includes the Avoca River, which flows into the Kerang Wetlands Ramsar site, as well as Back Creek and associated tributaries. Many of the wetlands within the project area are ephemeral.

Key issues

- Impacts to the function and environmental values of both surface water and groundwater due to the project's activities, including water extraction/dewatering, intersection and impeding flows.
- Potential for the project to have a significant effect on quantity, quality, and seasonality of streamflow, and sedimentation and erosion processes.
- Potential for the project to have a significant effect on the environmental values and use of water (surface water and groundwater), including wetlands, ephemeral systems and groundwater dependent ecosystems.

4.1.6. Soils and contaminated land

Soils and contaminated land is a priority technical investigation due to potential interactions with, and associated management of, acid sulphate soils or highly erodible soils by the project.

Key issues

- Disturbance of contaminated soil and acid sulphate soils during construction, and mobilisation of contamination or acidity.
- Impacts due to treatment, storage, reuse, transport and disposal of contaminated and/or acid sulphate soils.

4.2. Other matters

The other matters presented in Table 1 are relevant for risk-based examination/ assessment in the EES, primarily due to their relevance or implications for key statutory approval decisions, rather than potentially significant effects (see Section 4). So, the effort apportioned to understand and assess these lower order matters should be risk-based to inform key statutory approval decisions, as appropriate.

These matters, should they be confirmed as low risk, could be considered largely through environmental management, i.e. within the proposed EMF described in Section 3.6, as these other matters are more likely to cause only localised impacts during construction and operation. The EMF in the EES would need to set out how such potential adverse effects will be avoided, minimised or mitigated.

Appendix A Procedures and Requirements

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 the feasibility of associated avoidance, environmental mitigation and management measures, in particular for:

a. effects on biodiversity and ecological values including native vegetation, listed flora, fauna and communities through loss, degradation or fragmentation of habitat, collision with turbines, or other ecological effects;
b. effects on surface water environments, including local waterways and the broader catchment, as well as groundwater (hydrology, quality, uses and dependent ecosystems) and the Kerang Lakes Ramsar site;
c. effects on tangible and intangible Aboriginal and historic cultural heritage values;
d. effects on landscape values, amenity and socio-economic values; and
e. cumulative effects of the project on biodiversity, ecology, social and landscape values, given the proximity to other proposed, approved and operating windfarms.

(ii) The matters to be investigated and documented in the EES will be set out more fully in scoping requirements. Draft scoping requirements will be exhibited for 15 business days, before final scoping requirements are issued by the Minister for Planning.

(iii) The proponent is to prepare and submit to the Department of Transport and Planning (DTP) 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 an assessment of the significance and acceptability of its potential environmental effects, in the context of the Ministerial Guidelines.

(v) DTP will convene an inter-agency technical reference group (TRG) to advise DTP 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 DTP its proposed EES consultation plan for engaging with the public and stakeholders during the preparation of the EES. Once completed to the satisfaction of DTP, the EES consultation plan is to be implemented by the proponent, having regard to advice from DTP and the TRG.

(vii) The proponent is also to prepare and submit to DTP its proposed schedule for the completion of studies, preparation and exhibition of the EES, following preparation of the scoping requirements. This schedule will be finalised in consultation with DTP and is intended to facilitate the alignment of the proponent's and DTP's timeframes, including for TRG review of technical studies and main report.

(viii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies and documentation 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 1978* to consider environmental effects of the proposal.


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