

Australis Energy Ltd

**Portland Offshore Wind Farm,  
Victoria**

**Environmental and Statutory  
Planning Approvals Strategy**

278441-ENV-POR-RPT-001

Rev 1 | 11 December 2020

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 278441-01










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# Contents

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	Page
<b>Executive summary</b>	<b>i</b>
<b>1 Introduction</b>	<b>1</b>
1.1 Background	1
1.2 Purpose	1
1.3 Strategy development	1
<b>2 Proposal and site overview</b>	<b>3</b>
2.1 Project description	3
2.2 Site setting	6
2.2.1 Offshore – environmental features	8
2.2.2 Matters of National Environmental Significance	9
<b>3 Key environmental and statutory planning approvals</b>	<b>11</b>
3.1 Primary approvals	11
3.1.1 Commonwealth requirements	11
3.1.2 State requirements	12
3.2 Secondary approvals	17
3.3 Primary approvals assessment pathway	22
3.4 Planning and environment fees	27
<b>4 Stakeholder and community engagement</b>	<b>29</b>
<b>5 Site investigation licences / permits</b>	<b>31</b>
5.1 State	31
5.2 Commonwealth	31
<b>6 Summary and risks</b>	<b>33</b>

## Appendix A - EPBC Act Protected Matters Report

## Appendix B - Project schedule

## Tables

Table 1: Summary of MNES under the EPBC Act	9
Table 2: Summary of other matters protected by the EPBC Act	10
Table 3: Summary of secondary approvals	17
Table 4: High-level desktop assessment against referral triggers	23
Table 5: Fees associated with primary approvals	27
Table 6 High-level summary of stakeholder consultation and participation	29
Table 7: Planning approval risks	33

## Figures

Figure 1: Project area	5
Figure 2: Project constraints	7
Figure 3: Relevant planning and environmental legislation	21
Figure 4: Approval pathway flowchart	26

## Executive summary

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### Introduction

The Victorian Government plans to improve the State’s renewable energy performance and has set itself a renewable energy target of 50% for 2030.

The offshore wind energy industry in Australia is still in its formative stages but has the potential to play a key role in the energy transition. Australia is currently lacking a clear national offshore clean energy regulatory framework, relying on existing State and Commonwealth processes.

The proposed Portland offshore wind project (‘Project’) is located in an area with high environmental and social values, and under current legislation will likely be subject to assessment and approval by both the Commonwealth Minister for the Environment and Victorian Minister for Planning.

This Approvals Strategy has sought to establish the most efficient approvals process for the Project with the highest chance of success, and to provide Australis Energy with the certainty needed to move forward with the Project.

### Environmental and planning approvals

Environmental approval is required under Commonwealth legislation for potential significant impacts on Commonwealth listed Matters of National Environmental Significance (MNES) and to Commonwealth marine areas under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*. It is likely that the Project would be deemed a ‘controlled action’ under the EPBC Act for the following consideration:

- Potential impacts on the marine environment and migratory species,
- Potential impacts on threatened species and ecological communities, and
- Location of Project in a wetland of international importance listed under the Ramsar Convention.

The environmental impacts of the Project are will be assessed under the Victorian *Environment Effects Act 1978 (EE Act)*. There is potential for an EE Act referral to be triggered due to:

- Potential impact on native vegetation and listed species,
- Potential long-term change to the ecological character of a listed Ramsar wetlands,
- Potential extensive or major effects on aquatic, estuarine or marine ecosystems,
- Potential extensive or major effects on landscape values of regional importance,
- Social or economic well-being due to direct or indirect displacement of non-residential land use activities, and
- Impact on Aboriginal cultural heritage.

There is potential for the Victorian Minister for Planning to determine that an Environment Effects Statement is required. An Environment Effects Statement and Commonwealth EPBC Act ‘controlled action’ can be undertaken jointly under the Victorian Assessment Bilateral Agreement 2014.

Victorian planning approval under the Victorian *Planning and Environment Act 1987*, a Cultural Heritage Management Plan under the *Aboriginal Heritage Act 2006* and consent under the *Marine and Coastal Act 2018* are also likely to be required. If an EES is required, these approvals are integrated, and undertaken simultaneously with, this process.

Secondary approvals, consents, permits and licenses are also likely to be required. These will follow the primary approvals and have been outlined in this document.

In addition, separate Commonwealth and Victorian licences are likely to be required for baseline surveys and offshore site investigations.

### **Risks and summary**

As no offshore-wind project has been completed to-date in Australia, key risks remain around scoping of the environmental assessments, potential for lengthy assessment times, requests for additional information by regulators, and other unplanned risks and costs as the approvals process progress. The location of the Project may also attract interest from local community groups and media attention.

Interaction with State government to-date has not identified any show-stoppers.

As part of the proposed risk mitigation strategy, Arup is currently benchmarking national and international standards for similar projects to be able to negotiate appropriate assessment requirements with agencies. We propose to continue engaging with Commonwealth and Victorian Government regulators to determine a clear approvals pathway and terms of reference that can be relied on for the duration of the approval process.

The development and implementation of a robust and proactive stakeholder engagement and community consultation program is recommended. Incorporating local knowledge into the design process and strong communication around key and perceived environmental impacts will also help to manage community related risks and negative project outcomes.

# 1 Introduction

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## 1.1 Background

Australis Energy is planning to develop offshore wind energy in the Southern Hemisphere, with the goal to have the first wind farm operational in 2026.

The Victorian Government is supportive of new renewable energy transition projects. To this effect, the Victorian Renewable Energy Target (VRET) has increased to 50 per cent by 2030. The purpose of the VRET is to bring forward new projects that will support the reliability of Victoria's electricity supply.

The offshore-wind energy industry in Australia is still in its formative stages but has the potential to play a key role in the energy transition, supporting renewable energy targets and the development of clean tech industries.

The Australian Government is currently developing a regulatory framework to enable the exploration, construction, operation and decommissioning of offshore wind and associated infrastructure in Commonwealth waters.

The Commonwealth Department of Industry, Science, Energy and Resources (DISER) released an offshore clean energy infrastructure regulatory framework discussion paper in January 2020 for public consultation, with detailed rules and regulations expected in 2021.

State jurisdictions are less advanced with respect to offshore clean energy infrastructure regulations, but are able to rely on current regulatory frameworks while policy catches up with industry. Consequently, offshore wind proposals are being welcomed by ministries, particularly where they can support broader economic growth and local industry.

## 1.2 Purpose

Arup has been engaged by Australis Energy to prepare this environmental and statutory planning approvals strategy ('Approvals Strategy') to outline the best approach for achieving the required Commonwealth and State statutory approvals for the Project whilst identifying and managing the associated risks for the proposed offshore wind farm at Portland, Victoria ('Project'), whilst identifying and managing the associated risks. The aim is to provide Australis Energy with the certainty needed to move forward with the project.

The Approvals Strategy also addresses the requirements for securing temporary licences to cover preliminary surveys to support Project development and baseline data capture associated with an Environment Effects Statement.

## 1.3 Strategy development

Development of this Approvals Strategy has drawn on information and inputs from several sources, including:

- Project information provided by Australis Energy,

- Liaison with the Victorian Department of Environment, Land, Water and Planning (DELWP) around the preferred environment and planning approval pathway,
- Liaison with the Commonwealth Department of Agriculture, Water and Environment (DAWE),
- Liaison with the Commonwealth Department of Industry, Science, Energy and Resources (DISER),
- Preliminary desk-based searches to identify potential environmental and socio-economic risks and constraints,
- Review of relevant environmental legislation that will likely apply to the Project and proposed site, and
- Review of available literature on offshore wind development in Australia, including for Star of the South (SOTS) and the Commonwealth offshore clean energy infrastructure regulatory framework.

Interaction with State government to-date has not identified any show-stoppers.



## 2 Proposal and site overview

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This section describes the Project and provides a high-level overview of the local environmental and social setting of the Project area.

### 2.1 Project description

The Project would comprise the construction, operation and maintenance of an offshore wind farm with a generating capacity of 322 MW with supporting electrical assets to transfer energy generated by the offshore wind farm to the existing electricity network.

The selected location at Portland makes use of the good wind resources in the south eastern part of the State, with wind speeds greater than 8.5 m/s at 100m elevation (<https://globalwindatlas.info/>). Other features that make this site technically viable include shallow bathymetry with water depths < 40m and good access to the National Electricity Market (NEM) that is unlikely to require reinforcement (to be confirmed in subsequent stages). In addition, the location is of preference due to the low population density within the surrounding area to mitigate any visual impacts.

The Project is located within the coastal waters<sup>1</sup> off the coast of Victoria at Portland as shown in Figure 1.

As a detailed design is yet to be developed, the proposed Project area represents the maximum site footprint required to accommodate the Project and associated construction activities.

Subject to further detailed assessments, the key features of the Project currently include:

- Offshore assets likely to consist of up to 23 offshore turbines (OWT) and towers supported by monopile (or similar) foundations and a network of buried or mechanically protected subsea cables along the seabed, with an offshore substation. These assets would be located within Victorian State waters.
- Onshore transmission assets including buried electrical cables from the offshore wind farm connecting to an onshore transition joint pit, an underground onshore cable from the transition pit to an onshore transformer substation, and a new overhead transmission line supplying energy generated from wind farm to the National Electricity Market (NEM).

At this stage, it is anticipated that 14 MW OWTs would be installed, with an estimated 150 m hub height, 108 m blade length and 222 m rotor diameter.

The electrical cables associated with each OWT would tie into a single export cable at the southern end of the Project. The existing 550 kV Network substation at Heywood Terminal station is being investigated as the connection point to the NEM, which is located approximately 30 km from the coastline. An alternative connection to a substation at Portland is also being considered, with sub-sea cables extending offshore to Portland. The alternative connection route is shown on Figure 1 but has not been considered further in this report. It will be considered at the next stage of work and

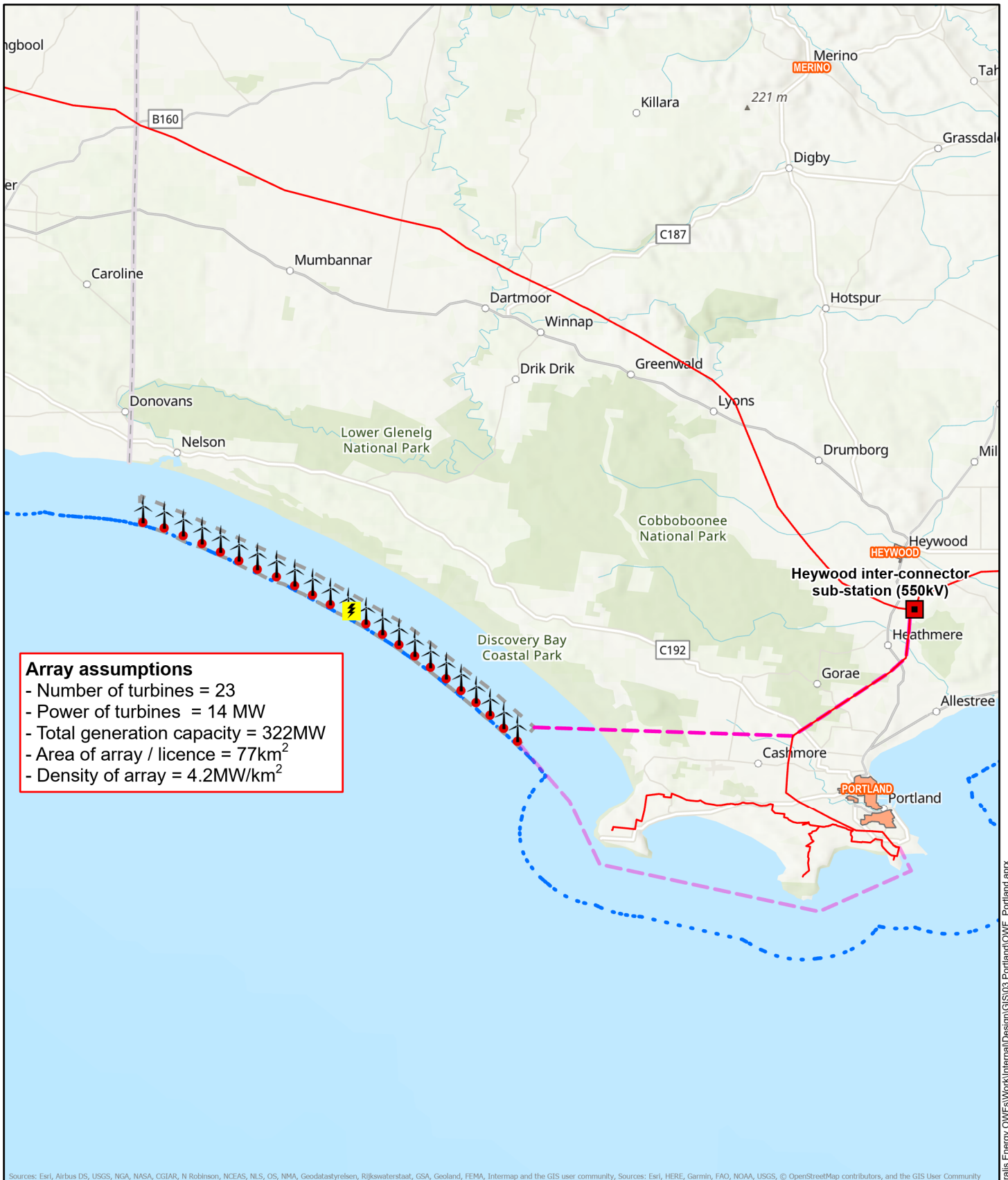
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<sup>1</sup> Within 3 nautical mile limit.

would reduce and simplify the onshore impact of the project, but may require a sub-station to be located offshore.

Onshore ancillary infrastructure associated with the Project includes operation and maintenance facilities comprising a control room, site offices, storage facilities, a workshop and personnel facilities. These will be sited remote to the Project area.

Offshore ancillary components may also be required, such as navigation and monitoring devices. The type, number and positions will be confirmed during development of the Project, and in consultation with the relevant authority. These will be located within State marine waters.



**Array assumptions**

- Number of turbines = 23
- Power of turbines = 14 MW
- Total generation capacity = 322MW
- Area of array / licence = 77km<sup>2</sup>
- Density of array = 4.2MW/km<sup>2</sup>



**Legend**

- Substations
- ⚡ Indicative Offshore Substation Location
- ⚙️ Indicative Turbine Locations (14MW)
- Electricity Transmission Lines
- Indicative Cable Connection Route
- Alternative (offshore) Cable Connection Route
- ▭ Project Extent
- ⋯ Coastal Waters Limit (3nm)
- Built-up Areas
- ▭ Display Extent

Client  
**Australis Energy Ltd**

Job Title  
**Myalup, Coorong South and Portland OWFs**

Figure Title  
**Portland: Project Area**

Kilometers  
0 5 10 15 20 25

B	11/12/2020	WZ	LH	DS
Issue	Date	By	Chkd	Appd

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Scale at A4 <b>1:500,000</b>	Figure Status <b>IFR</b>
Coordinate System <b>GCS WGS 1984</b>	
Job No <b>278441-00</b>	Figure No <b>Figure 1</b>

Some of the key construction activities and sites associated with the Project are likely to include:

- Temporary construction compound and lay down area (onshore),
- Land clearing and excavation for onshore assets and buried infrastructure (onshore),
- Land reinstatement as appropriate,
- Transport of the monopile (or similar) foundations, towers and OWTs to the offshore site using platform supply vessels and barges (State waters),
- Piles driven into the seabed, to depths in the order of 30-50 m below seabed (bsb) with diameters in the order of 6.5-8.0 m (State waters), and
- Potential seabed excavation for installation offshore cables (State waters).

## 2.2 Site setting

The Project is located wholly within the Victorian jurisdiction with onshore components situated within the Shire of Glenelg (Shire) unless the offshore cable route is used.

Onshore, the Project is within the Gunditjmarra – Part A Native Title determination which covers 140,000 hectares of vacant land, national parks, reserves, rivers, creeks and sea north-west of Warrnambool<sup>2</sup>.

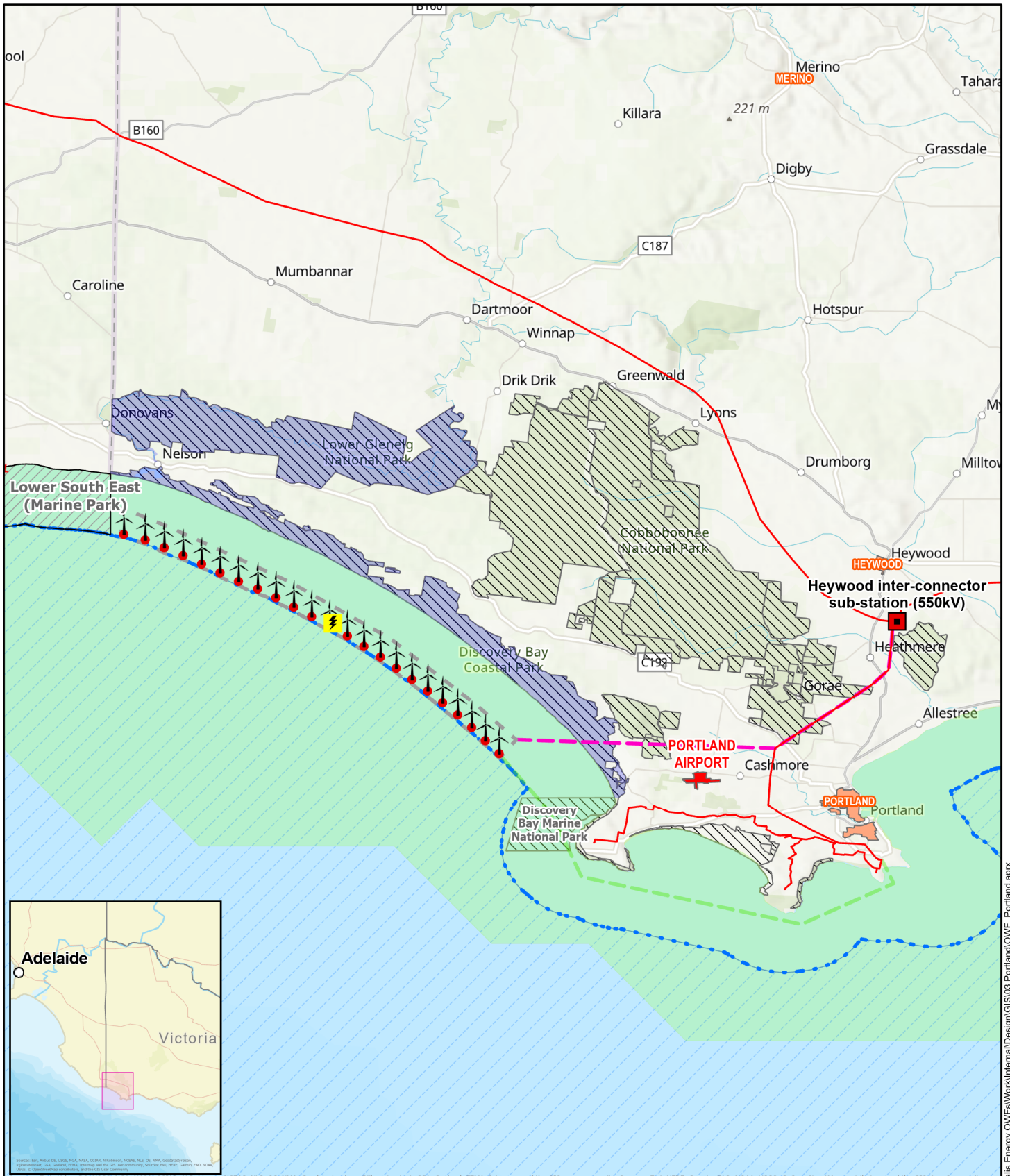
Portland is the major centre in the Shire and features one of only two aluminium smelters in Victoria. The Shire's economy is based around farming, forestry, fishing, timber production, grazing and manufacturing. The Shire offers a range of tourism attractions including cultural heritage, eco-tourism, beaches, trekking, and fishing. The Project is located in the vicinity of the scenic Cape Bridgewater, whale-sighting jetties (Cape Nelson and Cape Bridgewater Bay, respectively north and south of the Project, are prominent vantage points) and touristic rural towns such as Heywood and Nelson.

The offshore components traverse Discovery Bay and lay adjacent to the Discovery Bay Marine National Park. The northern extent of the Project is located east of Lower South East Marine Park and south of the Piccaninnie Ponds Conservation Park in South Australia.

The Project intersects with the Discovery Bay Coastal Park, which forms part of the recently listed Glenelg Estuary and Discovery Bay Ramsar site, Cobboboonee National Park, Mount Richmond National Park and Narrawong Flora Reserve. These are significant natural reserves that protect native vegetation, various habitats and support of a population of many significant species. In particular, the Glenelg Estuary and Discovery Bay Ramsar site (see Figure 2) includes wetlands habitats which support waterbird species; these are likely to traverse the Project.

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<sup>2</sup> The determination area does not include any private freehold land except where the *Native Title Act 1993* (Cth) provides that land may be included.



- Legend**
- Australis Energy Input**
- Substations
  - Indicative Offshore Substation Location
  - Indicative Turbine Locations (14MW)
  - Project Extent
  - Electricity Transmission Lines
  - Indicative Cable Connection Route
  - Alternative (offshore) Cable Connection Route
  - Built-up Areas

- Public Database Input**
- State Marine Park Network
  - Coastal Waters Limit (3nm)
  - Crown Land Tenure
  - Airports
  - Ramsar Wetlands of Australia
  - South-east Marine Region (Commonwealth)
  - Bonney Coast Upwelling KEF
  - Parks and Conservation Reserves (PARKRES)
  - Display Extent



Client  
**Australis Energy Ltd**

Job Title  
**Myalup, Coorong South and Portland OWFs**

Figure Title  
**Portland: Key Project Constraints**

Kilometers  
0 5 10 15 20 25

B	11/12/2020	WZ	LH	DS
Issue	Date	By	Chkd	Appd

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Figure Status  
**IFR**

Coordinate System  
**GCS WGS 1984**

Job No  
**278441-00**

Figure No  
**Figure 2**

The Project's onshore components also traverse farming land in the townships of Cashmore and Heathmore, land in the Rural Conservation Zone in the townships of Tarragal and Gorae West and land in the Public Conservation Zone in Gorae. The Project is located in an area of low population density with the built-up areas predominantly located in Heywood and Portland. The Project onshore components also intersect with Crown land (Figure 2).

The Project intersects with the Great South West Walk which spans the coastline and through Lower Glenelg National Park, Discovery Bay Coastal Park and Cobboonee National Park and Cape Nelson State Park.

The Project area affects land which comprises habitat areas for the South-Eastern Red-Tailed Black Cockatoo, an endangered species of birds.

Portland airport is located adjacent to the Project's onshore components (approximately 3.5 km south of the Project area). The land surrounding Portland airport is affected by an Airport Environs Overlay (AEO2) of the Glenelg Planning Scheme ('planning scheme').

The onshore components are located in Bushfire Prone Areas and are affected by a Bushfire Management Overlay, which applies to most of the Shire.

### 2.2.1 Offshore – environmental features

The Project lies adjacent to the Territorial sea to the west and falls within the South-east Marine Region. It is located away from any transit zones and shipping channels.

The Commonwealth Department of Agriculture, Water and the Environment (DAWE) Protected Matter Search Tool (PMST) for Matters of National Environmental Significance (MNES) was used to identify species protected under the *Environment Protection and Biodiversity Act 1999* (EPBC Act). Based on the Project area with a 5 km buffer, the PMST returned a result of 93 Listed Marine Species (including birds, fish, mammals, and reptiles) and 28 Whales and other cetaceans which are either may occur, are known to occur or likely to occur within the search area (see Section 2.2.2 for further information).

The PMST also recorded one Key Ecological Features (KEFs) (e.g. Bonney Coast Upwelling) within or in the vicinity of the Project. KEFs are elements of the Commonwealth marine environment that are considered to be of regional importance for either the region's biodiversity or ecosystem function and integrity. However, KEFs are not MNES and have no legal status in their own right.

The Bonney Coast Upwelling is a predictable, seasonal upwelling bringing cold nutrient rich water to the sea surface and supporting regionally high productivity and high species diversity in an area where such sites are relatively rare and mostly of smaller scale. It is one of 12 widely recognised and well-known areas worldwide where blue whales are known to feed in relatively high numbers. In addition to whales, many endangered and listed species frequent the area, possibly also relying on the abundance of krill that provide a food source to many seabirds and fish.

At this location the Bonney Coast Upwelling is strongest through summer with peak periods fluctuating with currents winds and other climate driving factors.

Cold water is pulled from the deep in the action of the “upwelling” and carried along the southern coast of Australia (in varying directions depending on surface winds and currents). At Cape Bridgewater the during 2020 peak event, the current stays close to the coast in Discovery Bay and moves northwest along the coast. In this location the coastal shelf is very narrow and near shore (comparatively within the region of the Bonney Coast Upwelling) and as such cold water moves into shallow areas of Discovery Bay and north towards Nelson.

These oceanographic events (not one single event) attract Pigmy Blue Whales in high numbers and as such they can be found throughout the region. Although they are more likely to occur along the edge of the coastal self, closer to the deeper water they may occur in the shallower sheltered waters of the Discovery Bay.

Pigmy Blue Whales and Southern Right Whales are a highly protected species (both listed as Endangered under the EPBC Act) that are known within the region, near and in the project area.

The Project area intersects with a marine asset known as the Discovery Bay Pippies and Hooded Plovers. Pippies are shellfish found beneath the waves in the intertidal areas of beaches. Hooded Plovers are a threatened (listed as endangered under the EPBC Act), best-nesting bird endemic to southern Australian ocean beach habitats. This area is considered to be important to the long-term conservation of the Hooded Plovers species. This asset is located within the Western Victoria Catchment Management Authority.

The project infrastructure would be located away from any strategic shipping lanes.

## 2.2.2 Matters of National Environmental Significance

A PMST search undertaken for a study area comprising the project site and project infrastructure with a 5km buffer reported MNES within the terrestrial and marine environments. The results of the PMST search are summarised in Tables 1 and 2 below and the EPBC Act Protected Matters Report is included in Appendix A.

Table 1: Summary of MNES under the EPBC Act

MNES	Number	Status
World Heritage Properties	None	n/a
National Heritage Places	None	n/a
Wetlands of International Importance (Ramsar)	2 – Glenelg estuary and discovery bay wetlands (Ramsar site), Piccaninnie ponds karst wetlands (within 10km of Ramsar site)	n/a
Commonwealth Marine Area	Exclusive Economic Zone (EEZ) and Territorial sea	n/a
Listed Threatened Ecological Communities	5	Vulnerable – 1 Endangered – 2 Critically endangered – 2

Listed Threatened species	79 (Birds – 35, Crustaceans – 1, Fish – 4, Frogs – 1, Mammals – 14, Plants, 19, Reptiles – 4, Sharks – 1)	Vulnerable – 54 Endangered – 18 Critically endangered – 7
Listed Migratory species	57 (Marine Birds – 18, Marine Species – 15, Terrestrial Species – 4, Wetland Species – 20)	Vulnerable – 16 Endangered – 9 Critically endangered – 2

Table 2: Summary of other matters protected by the EPBC Act

MNES	Number	Status
Commonwealth land	None	n/a
Commonwealth Heritage Places	None	n/a
Listed Marine Species	93 (Birds – 61, Fish – 26, Mammals – 3, Reptiles – 3)	Threatened – 64 Vulnerable – 17 Endangered – 8 Critically endangered – 4
Whales and other cetaceans	28 (Whales – 23, Dolphins – 5)	Threatened – 23 Vulnerable – 3 Endangered – 2
Critical habitat	None	n/a
Commonwealth Reserves Terrestrial	None	n/a
Australian Marine Parks	None	n/a



## 3 Key environmental and statutory planning approvals

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Figure 3 outlines the overarching legislation for the primary and secondary approvals required for the Project, as well as other planning considerations. Further details about the primary and secondary approvals are detailed in Sections 3.1 and 3.2.

### 3.1 Primary approvals

This section provides a summary of key planning and environmental primary approvals potentially applicable to the Project. The primary Commonwealth and Victorian requirements are detailed in Sections 3.1.1 and illustrated on Figure 3.

#### 3.1.1 Commonwealth requirements

##### **Environmental approval - *Environment Protection and Biodiversity Conservation Act 1999***

The EPBC Act is a Federal legislation that sets out requirements for natural resources and environmental management in Australia and provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places defined as MNES.

There are nine MNES:

- World heritage properties
- National heritage places
- Wetlands of international importance (listed under the Ramsar Convention)
- Listed threatened species and ecological communities
- Migratory species
- Commonwealth marine areas
- Great Barrier Reef Marine Park Nuclear actions
- A water resource, in relation to coal seam gas development and large coal mining development.

An action that has, will have or is likely to have significant impacts on any matter of MNES including National Heritage values is to be referred to the Minister for the Environment under part 3 of the EPBC Act.

The referral is then assessed as to whether the action is not acceptable or if approval under the EPBC Act is required. The proposal would therefore require referral to the Commonwealth Environment Minister, who must determine within 20 business days whether an action is:

- **Not a controlled action:** no approval is required, and the action can proceed,

- **Not controlled action – ‘particular manner’:** approval is not required if the proposed action is undertaken in a manner specified in the decision, or
- **Controlled action:** approval is subject to further assessment and approval under the EPBC Act or a state assessment pathway agreed under a bilateral agreement.

A bilateral agreement (under s 45 of the EPBC Act) avoids duplication of assessment processes, by allowing the Victorian jurisdiction to assess proposals that the Commonwealth has determined as controlled actions, likely to have a significant impact on environmental significance. The scope of the bilateral agreement between the Commonwealth and Victoria applies to controlled action wholly within Victoria, including its coastal waters (further discussed below).

It is noted that an EPBC Act reform process is currently underway which would streamline the approvals process through bilateral agreements with States and Territories. The introduction of the bill would allow the State to make a decision for State matters and also for MNES at the Commonwealth level. Further investigation is required on implications for offshore wind farms.

The Minister’s determination sets the extent of any further assessment or information, if any, will be required by the Commonwealth prior to making an approval decision.

Further, separate permits may be required under the EPBC Act for affected individual member of a threatened marine or migratory species.

### ***Native Title Act 1993***

The purpose of the *Native Title Act 1993* is to establish a framework for the protection and recognition of Native Title. The Attorney-General of Australia is responsible for the administration of this Act.

As discussed above, the Project intersects with the Gunditjmarra – Part A Native Title determination. Therefore, compliance with the *Native Title Act 1993* is required.

## **3.1.2 State requirements**

The different approvals required for development projects in Victoria include:

- Environmental approval under the *Environment Effects Act 1978* (EE Act) – granted by the Minister for Planning
- Planning approvals under the *Planning and Environment Act 1987* (P&E Act) – granted by the Minister for Planning
- Heritage approvals under the *Heritage Act 2017* and *Aboriginal Heritage Act 2006* – Heritage approvals are granted by Heritage Victoria. Aboriginal Victoria and the relevant Registered Aboriginal Party (RAP) consider and approve the Cultural Heritage Management Plan (CHMP).
- Consent under the *Marine and Coastal Act 2018* – granted by the Minister for Energy, Environment and Climate Change.

The approval processes are discussed further below.

### **Environmental approval - *Environment Effects Act 1978***

The EE Act provides for the assessment of the potential environmental impacts or effects of a proposed development. The Minister for Planning is responsible for administration of this Act and the Department of Environment, Water, Land and Planning (DELWP) is responsible for managing procedural requirements.

A proposal that is likely to have environmental effects of regional or State significance should be referred to the Minister for a decision as to whether:

- An Environment Effects Statement (EES) is required
- An EES is not required
- An EES is not required if conditions specified by the Minister are met.

If an EES is required, the matters to be investigated will be set out in the 'scoping requirements' issued by the Minister. If an EES is not required, the proponent must refer to the requirements of the P&E Act. The Ministerial Guidelines<sup>3</sup> for environmental assessment under the Act list referral criteria for individual types of potential effects and combined types of potential effects that would warrant referral of a project (summarised in Table 4, Section 3.3).

The EES assessment process requires a public inquiry process which includes public exhibition and submissions from the public. This Minister for Planning can appoint an independent Inquiry or Panel to consider the assessments and submissions, and make a recommendation to the Minister as to whether a project should proceed as proposed, be amended or refused.

Following this inquiry, the Minister for Planning ultimately prepares an assessment of the EES and makes a determination. It must be noted that the Minister cannot make a decision until a CHMP has been approved by Aboriginal Victoria under the *Aboriginal Heritage Act 2006* (further discussed below).

Decision-makers must consider the Minister's Assessment in deciding whether to approve a project under Victorian law or to authorise public works.

### **Victorian Assessment Bilateral Agreement 2014 ('bilateral agreement')**

If a project requires assessment under both the EE Act and the EPBC Act, processes that are accredited under the Assessment Bilateral Agreement between the Commonwealth and Victoria can be used as a means to undertake the assessment. There are nine accredited assessment pathways under the bilateral agreement. The relevant assessment pathway depends on the type of impact, scale and complexity of issues. The following processes are of relevance:

- EES under the EE Act
- Environmental Report under the EE Act

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<sup>3</sup> Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978, Victorian Department of Sustainability and Environment (2006).

- Advisory Committee under the P&E Act
- Ministerial assessment of an action by the relevant Victorian Minister, in parallel with the permit application process undertaken by the responsible authority, under the P&E Act.

Where an EES is used, the Commonwealth Minister or delegate will decide whether a project is approved, approved with conditions or refused under the EPBC Act, after having considered the Minister for Planning's assessment under the EE Act.

### **Interface with Commonwealth offshore clean energy infrastructure regulatory framework**

The Commonwealth Government's offshore clean energy infrastructure framework will regulate the exploration, construction, operation and decommissioning of offshore wind projects within Commonwealth waters. It is anticipated that a primary legislative package and detailed rules and regulations will be released in 2021.

As the Project is proposed within State waters, it is not anticipated that the Commonwealth clean energy infrastructure framework will impact the planning approval pathway outlined in 3.3 and Figure 4.

The current environmental assessment and planning approval triggers and requirements under both the EPBC Act and Victorian legislation are expected to remain in play.

### **Planning approvals - *Planning and Environment Act 1987***

The P&E Act is the legislative framework that governs the use, development and protection of land in Victoria. Planning schemes are subordinate instruments under this Act that apply to local government areas and set out how land may be used and developed.

The onshore components of the Project are within the Glenelg local government area and subject to the planning scheme. Planning approval may be required under certain zones, overlays and provisions for the use of land, and buildings and works.

The State plays an important role in approving onshore wind farm projects including ancillary aspects (e.g. transmission line connections to the onshore electricity grid, construction and operational ports).

The Minister is the responsible authority for the approval of all wind farms in Victoria and is supported by DELWP. The Minister assesses wind farm projects to determine whether an assessment under the EE Act is required. If not required, a wind farm project is subject to the P&E act and relevant local planning scheme.

The Victorian Planning Provisions (VPP) defines what a Wind energy facility is in Clause 73.03 (Land use terms) as:

*Land used to generate electricity by wind force. It includes land used for:*

- any turbine, building, or other structure or thing used in or in connection with the generation, of electricity by wind force;
- an anemometer.

*It does not include turbines principally used to supply electricity for domestic or rural use of the land.*

Clause 52.32 of the VPP requires a permit for the use and development of land for a Wind energy facility and prohibits such use in the following locations unless it meets certain conditions specified in Clause 52.32-2:

- On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.
- Land described in a schedule to the *National Parks Act 1975*
- Land declared a Ramsar wetland as defined under Section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth)
- All land within five kilometres of a residential zone, an industrial zone, a business zone or a special purpose zone in the urban area of Portland (Schedule to Clause 52.32).

Other elements of an ‘energy generation facility’ are subject to approvals. Pursuant to Clause 73.03 of the VPP, a proposal to use and develop land for power lines or substations associated with an energy generation facility will trigger a planning permit requirement.

The P&E Act allows some flexibility in how boundaries of planning scheme may be drawn; they generally extend 600 metres seaward from the municipal boundary which coincides with the low-water mark. However, the planning scheme only applies to land and does not extend to the coastal waters.

Given the gaps in the legislation and the Minister’s central role in the assessment and approval of wind farms, it is envisaged that the Minister is likely to be the Responsible Authority for the onshore components of the Project. Planning approval can be pursued through primary pathways which are discussed in Section 3.3.

Further, prior to applying for a planning permit for works on public land (e.g. national parks, coastal crown land or land reserved under the *Crown Land (Reserves) Act 1978*), consent is required from the public land manager. Consent granted by DELWP to an application relating to Crown land should not be taken as agreement to use or develop the land. This must be negotiated through the appropriate lease or licence agreements.

### **Heritage approvals - *Heritage Act 2017***

The *Heritage Act 2017* regulates the protection and conservation of places of heritage significance listed on the Victorian Heritage Register (VHR) and

archaeological sites and relics listed on the Victorian Heritage Inventory (VHI). This Act, which is administered by Heritage Victoria (HV), identifies and protects heritage places and objects that are of significance to Victoria, including:

- Historic archaeological sites and artefacts
- Historic buildings, structures and protects
- Gardens, trees and cemeteries
- Cultural landscapes
- Shipwrecks and relics
- Significant objects.

Any works or activities which are proposed that may alter a registered place or object require a permit accompanied by specified documentation appropriate to the nature of the works proposed. A Heritage Impact Statement is required with all applications that discuss the potential impacts of the proposal on the heritage values of significance of the place or object.

Consent must be obtained from HV for any works within a listed VHI site.

#### **Cultural Heritage Management Plan - *Aboriginal Heritage Act 2006***

The *Aboriginal Heritage Act 2006* acts primarily to provide for the protection of Aboriginal cultural heritage in Victoria. To give effect to this Act, the *Aboriginal Heritage Regulations 2018* prescribe standards, set out the circumstances in which a CHMP should be prepared and provides set fees and charges. A CHMP is required if:

- All or part of the activity area is an area of cultural heritage sensitivity; and
- All or part of the activity is considered a high impact activity.

A CHMP is also required as part of an EES process.

The Project intersects with several areas of Aboriginal Cultural Sensitivity.

The Gunditj Mirring Traditional Owners Aboriginal Corporation is the relevant RAP for the Project. The RAP is responsible for the approval of the CHMP.

#### **Marine and coastal approvals - *Marine and Coastal Act 2018***

The *Marine and Coastal Act 2018*, which replaces the *Coastal Management Act 1995*, protects Victoria's marine and coastal environment and addresses its long-term challenges. The Act is supported by Marine and Coastal Policy (March 2020), Marine and coastal Strategy, Regional and Strategic Partnership and Environmental Management Plans (applicable to marine and coastal Crown land).

The marine and coastal Crown land generally comprises the Crown land within the area between the outer limit of Victorian coastal waters and 200 m inland of the high-mark of the sea, to a depth of 200 m below the surface of that land. It also includes any water covering this land from time to time.

The policy guides the decision-making process in the planning, management and sustainable use of coastal and marine environment. It applies to marine and coastal environment, including public and private land.

Section 65 of the Act provides that a person must not use or develop, or undertake works on, marine and coastal Crown land without a consent:

After considering an application for a consent, the Minister must make a determination within 60 business days of submission to:

- Consent to the use, development or works
- Refuse to consent to the use, development or works
- Consent to some but not all of the use, development or works
- Consent to the use, development or works, subject to conditions.

In determining an application for a consent to use or develop, or undertake works on, marine and coastal Crown land, the Minister must ensure that the consent is consistent with documents that support this Act.

## 3.2 Secondary approvals

In addition to primary approvals, a number of secondary approvals, permits and licences may be required. Secondary approvals are generally obtained following project consent and prior to commencing works. The potential additional approval requirements are identified, but may not be limited to those, in Table 3 below.

In addition to primary and secondary approvals, there are a number of supporting documents that may be requested. Examples include:

- Environmental management framework and construction environmental management plan
- Ecological offset strategy including potentially for Commonwealth ecological and Victorian native vegetation offsets
- Threatened species management plan.

Table 3: Summary of secondary approvals

Legislation	Description / requirement	Relevant authority
<i>Airports (Protections of Airspace) Regulations 1996 (Regulations)</i>	The Regulations establish a system for the protection of airspace at, and around, airports in the interest of the safety, efficiency or regularity of existing or future air transport operations into or out of airports. Activities that will result in an intrusion of protected airspace (e.g. within the Obstacle Limitation Surface) require approval.	Portland Airport  Civil Aviation Safety Authority  AirServices
<i>Crown Land (Reserves) Act 1978 (CL Act)</i>	The CL Act provides for reservation of Crown land for various public purposes, the appointment of committees of management to	DELWP

	<p>manage those reserves and for leasing and licensing of reserves for purposes approved by the Minister for Energy, Environment and Climate Change.</p> <p>Consent, lease and licence required to use an develop Crown land.</p>	
<i>Electricity Safety Act 1998 (ES Act)</i>	<p>The ES Act regulates the safety of electricity supply and use in Victoria, and the efficiency of electrical equipment.</p> <p>Section 78 prohibits any person from making an opening in the ground above or below an electric line, unless they have the authorisation of the person who oversees that particular line.</p>	Energy Safe Victoria
<i>Environmental Protection Act 1970 (EP Act) and Environment Protection Amendment Act 2018.</i>	<p>The EP Act establishes the legislative framework for protecting the environment in Victoria. It applies to noise emissions, air, water and land in Victoria. The Act imposes significant penalties for non-compliances (penalties can include imprisonment for intentional, reckless or negligent pollution).</p> <p>State Environment Protection Policies (SEPPs) are subordinate legislation made under the provisions of the EP Act to provide more detailed requirements and guidance for the application of the Act to Victoria.</p> <p>The Act also provides that works approvals and waste discharge licences are required for certain activities.</p> <p>The <i>Environment Protection Amendment Act 2018</i> is due to come into effect on 1 July 2021 (or earlier). The Environment Reference Standard is an instrument under this Act that will supersede some subordination legislation under the EP Act (e.g. SEPPs) once it come into effects.</p>	Environment Protection Authority Victoria
<i>Fisheries Act 1995</i>	<p>This Act provides for the regulation, management and conservation of Victorian fisheries including aquatic habitats. It allows for the declaration of fisheries reserves, including for biodiversity protection purposes.</p>	Victorian Fisheries Authority
<i>Flora and Fauna Guarantee Act 1988 (FFG Act)</i>	<p>The Minister for Energy, Environment and Climate Change is responsible for administration of this Act with support of DELWP. The FFG Act is the key piece of legislation in Victoria for the conservation of threatened species and communities and for the management of potentially threatening processes.</p> <p>Leases, licences and permits to take protected flora may be required under the FFG Act.</p>	DELWP
<i>Land Act 1958 (Land Act)</i>	<p>The Land Act provides for the sale and occupation of unreserved Crown land, including the granting of leases and licences</p>	DELWP



	for commercial, industrial, agricultural and other purposes. The Land Act is administered by the Minister for Energy, Environment and Climate Change.	
<i>Local Government Act 1989 (LG Act)</i>	The LG Act defines the purposes and functions of local government as well as providing the legal framework for establishing and administering Councils. In conjunction with the P&E Act, the LG Act enables local councils to develop local laws regarding a range of community issues.  Local laws may provide for access to public land and streets, construction activities, drainage and local vegetation. Local laws permit for certain activities may be required.	Glenelg Shire Council
<i>National Park Act 1975 (NP Act)</i>	The NP Act applies to national parks including State park, marine national park and marine sanctuary (Cobboboonee National Park, Mount Richmond National Park, Discovery Bay Coastal Park). The NP Act is administered by the Minister for Energy, Environment and Climate Change with the support of DELWP and Parks Victoria.  Consent from the Public Land Manager may be required.	DELWP and Parks Victoria
<i>Native Title Act 1993 (Cth) (NT Act)</i>	The purpose of the NT Act is to establish a framework for the protection and recognition of Native Title.  The application of the NT Act extends to external Territory, to the coastal sea of Australia and to any waters over which Australia asserts its sovereign rights under the <i>Seas and Submerged Lands Act 1973</i> .  Compliance with the NT Act is required.	Attorney-General administer this Act
<i>Road Management Act 2004</i>	The <i>Road Management Act 2004</i> provides the statutory framework for Department of Transport and local government to manage the Victorian road network and the coordination of road reserves for roadways, pathways, infrastructure and similar purposes. The Minister for Roads is responsible for administering the Act.  Approval or 'consent' is required from the coordinating road authority to undertake works on, in, or under any road. A road includes the reserve from boundary line to boundary line.	Department of Transport
<i>Traditional Owner Settlement Act 2010 (TOS Act)</i>	The TOS Act provides an alternative system for resolving native title claims and recognises Traditional Owner land and water rights. This include rights in relation to future act, depending on the act, procedural rights such as right to comment, be consulted, object or negotiate may apply.	Gunditj Mirring Traditional Owners Aboriginal Corporation

	<p>A future act is a proposed activity on land or waters that may affect native title rights and interests. In order for a future act to be valid, certain prescribed conditions must be met, including the registration of a Land Use Agreement, which is a legally binding document between native title holders and other groups relating to access, use and management of land or waters. The Traditional Owners have rights over activities taking place on public land within their country through a Land Use Activity Agreement.</p>	
<i>Water Act 1989</i>	<p>This Act provides for the establishment of water corporations empowered to carry out functions in relation to floodplain management, irrigation, regional drainage, sewerage, waterway management and/or water supply in Victoria. The Minister for Water is responsible for administering this Act.</p> <p>The objective is to protect and rehabilitate rivers and creeks. Catchment management authorities seek to ensure that any works undertaken on designated waterways do not adversely affect the health of those waterways.</p> <p>A permit will be triggered should the Project include works within a known flood zone and within 50m of a designated waterway. A designated waterway is generally defined as: a river, creek, stream or watercourse; a natural channel in which water regularly flows; a lake, lagoon, swamp or marsh.</p> <p>An application form must be completed and submitted to the relevant Catchment Management Authority. A permit must be issued prior to any works commencing.</p> <p>Consent may for waterways crossings may be required.</p>	Glenelg Hopkins Catchment Management Authority
<i>Wildlife Act 1975</i>	<p>This Act establishes procedures for the protection and conservation of wildlife, the prevention of wildlife becoming extinct and the sustainable use of and access to wildlife. The Act also includes procedures to prohibit and regulate the conduct of persons engaged in activities concerning or related to wildlife.</p> <p>An authorisation under Section 28A of this Act would be required where fauna habitat is required to be translocated.</p>	DEWLP

# Victoria

## Onshore

## Offshore

### Primary approvals

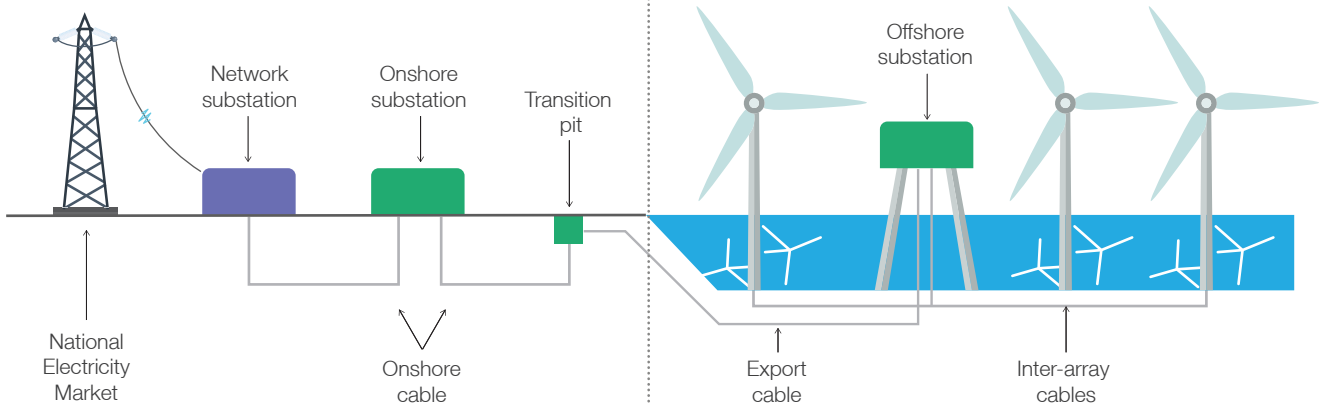
- *Environmental Protection and Biodiversity Conservation Act 1999 Cth* – approval for any potential significant impact to a matter of national environmental significance, or to Commonwealth land or waters
- *Environment Effects Act 1978 Vic* – environment assessment of potential environmental impacts of proposed development on State land and coastal waters (3 nm)

### Onshore only – Victorian legislation

- *Planning and Environment Act 1987* – planning approval for use of the land and buildings and works
- *Aboriginal Heritage Act 2006* – Cultural Heritage Management Plan required
- *Marine and Coastal Act 2018* – consent for use and development of marine and coastal Crown land

### Offshore

Offshore wind process and requirements for Commonwealth waters remain in development



Notes: Indicative only. Location of infrastructure and determining onshore v offshore and above-ground v buried infrastructure to be established during design development. Requirements for additional infrastructure upgrades and impacts (ports, roads, etc) to be included at later stage.

### Vic land – secondary approvals/ planning requirements

- *Crown (Land Reserves) Act 1978* – licence may be required
- *Electricity Safety Act 1998* – consent may be required
- *Flora and Fauna Guarantee Act 1988* – leases, licences and permit to take flora may be required
- *Heritage Act 2017* – consent and permit from Heritage Victoria where required
- *Land Act 1958* – leases and licences to occupy unreserved Crown land may be required
- *Local Government Act 1989* – local laws permit may be required for certain activities (e.g. construction, vegetation removal)
- *Environmental Protection Act 1970* – works approval and licences may be required

Compliance with:

- *Traditional Owner Settlement Act 2010*
- *Airports (Protection of Airspace) Regulations 1996*

### Vic waters – secondary approvals/ planning requirements

Compliance with:

- *Fisheries Act 1995*
- *Historic Shipwrecks Act 1976 (Cth)*
- *Marine Safety Act 2010*
- *Underwater Cultural Heritage Act 2018 (Cth)*

### Vic overall – secondary approvals

- *Flora and Fauna Guarantee Act 1988* – leases, licences and permit to take flora may be required
- *Marine and Coastal Act 2018* – consent for use and development of marine and coastal Crown land
- *National Parks 1975* – consent may be required
- *Wildlife Act 1972* – consent may be required where fauna habitat is to be relocated
- *Water Act 1989* – a permit may be required

Figure 3: Relevant planning and environmental legislation

### 3.3 Primary approvals assessment pathway

#### EPBC Act assessment pathway

Based on a high-level desktop review of the Project, approval under the Commonwealth's EPBC Act may be required under:

- Section 16 and 17B (wetlands of international importance)
- Sections 18 and 18A (Listed threatened species and communities)
- Section 20 and 20A (Listed migratory species).

An ecology assessment including likelihood of impact assessment will be required to inform EPBC Act referral process.

#### EE Act assessment pathway

The Ministerial Guidelines contains criteria to guide proponents in assessing whether to undertake an EES referral for a project. The Ministerial Guidelines criteria consist of both individual criteria and combined criteria:

- Individual criteria comprise a category of potential environmental effects that may be of State or regional significance such that if any of the specified individual criteria are met, a project ought to be referred.
- Combined criteria comprise a category of potential environmental effects that may be of State or regional significance such that if two or more of the specified criteria are met, referral of a project is warranted.

A high-level assessment against the referral triggers has been undertaken using desktop information contained in this Approvals Strategy (refer to Table 4) At the time of writing, no specialist environmental studies have been undertaken.

This high-level assessment against the criteria in addition to the Project's scale, complexity and unknowns would warrant an EES trigger. An EE Act referral will be required to assess Key Environmental Assets / Sensitivities in the Project area and in its vicinity.

Figure 4 provides an overview of the most efficient and likely planning approval process for the Project. It is noted that the process under the EE Act is not an approvals process, however it enables the statutory decision-maker to make decisions about whether a project with potentially significant environmental effects should proceed. As such, a separate pathway under the P&E Act is outlined.

Table 4: High-level desktop assessment against referral triggers

<b>Individual criteria</b>	
Native vegetation and listed species	?
Potential long-term change to the ecological character of a listed Ramsar wetlands	✓
Potential extensive or major effects on aquatic, estuarine or marine ecosystems	?
Potential extensive or major effects on the health, safety or well-being of community	✗
Potential greenhouse gas	✗
<b>Combination criteria</b>	
Native vegetation	?
Matters listed under the FFG Act	?
Potential extensive or major effects on landscape values of regional importance	✓
Potential extensive or major effects on land stability, acid sulphate soils or highly erodible soils	?
Beneficial uses of waterbodies due to changes in water quality, streamflows or regional groundwater levels	?
Social or economic well-being due to direct or indirect displacement of non-residential land use activities	?
Visual, noise and traffic conditions impact on residential amenity	?
Exposure to severe or chronic health or safety hazards due to air or water or noise or chemical hazards or associated transport	✗
Impact on Aboriginal cultural heritage	✓
Cultural heritage places listed on the Heritage Register or Archaeological inventory	?

✓ Likely to impact; ✗ Unlikely to impact; ? To be determined during Stage 2 of Project

### **P&E Act assessment pathways**

Section 3.1.2 identified that the Project would require planning approval for use and development of land. Planning approval can be pursued through the following primary pathway:

- Planning permit – a planning permit process is the traditional mechanism to gain planning approval and is typically used for a project that poses limited planning approval triggers and / or affects limited land parcels
- Planning scheme amendment (PSA) – a PSA is a process which provides for a coordinated and integrated approval mechanism to deliver outcomes that would otherwise be restricted under a planning scheme (e.g. use prohibited under a specific zone). It is frequently used for securing approval of large-scale projects with multiple approval triggers. A PSA can be obtained in accordance with a stand-alone process prescribed in the P&E Act, or as part of an EES process. A stand-alone PSA process can take one of the following forms:
  - **Standard PSA** – the Minister for Planning under section 8 of the P&E Act, prepares a PSA that follows formal public notice requirements in accordance with the P&E Act. A planning panel is held to consider any submissions and final decision made by the Minister. A standard PSA is subject to statutory time requirements for exhibition and a planning panel
  - **A s 20(4)** – the Minister prepares, adopts and approves a PSA for a project, exempting formal exhibition under of the P&E Act if one the following criteria apply:
    - a) a project is either a matter of state or regional significance
    - b) a matter where the issues have already been reasonably considered and the views of affected parties are known

At the discretion of the Minister, an Advisory Committee can be appointed to hear community and stakeholder submissions or consider specific project related issues
  - **A s 20(5)** operates as a s 20 (4) PSA, except that the Minister manages a consultation process designed to reflect the specific needs of a project.

It is likely that the Project triggers several permit requirements under the applicable planning zones, overlays and potential removal of native vegetation over several parcels of land. Therefore, a PSA that provides approval for all potential permit requirements would be the most suitable planning approval pathway. Consultation with DEWLP will assist in determining which form of PSA is appropriate for the Project.

A PSA cannot be approved prior to an EES and therefore the PSA would be undertaken as part of the EES (in one is required).

The flowchart<sup>4</sup> at Figure 4 has been developed on the basis that the EPBC Act ‘controlled action’ assessment is integrated into the Victorian EES process.

The Commonwealth and Victorian assessment processes can be carried out independently, however the benefits of a streamlined assessment process include:

- Cost savings – a single assessment reduces costs arising from the need to prepare two separate environmental impact assessment documents and some fees associated with the Commonwealth EPBC Act assessment and approval process

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<sup>4</sup> This is a simplified representation of the planning and environmental approval process.

- Less complexity and reduced timeframes – allows for a project to be assessed against a single set of requirements
- Single offset methodology – potential opportunity to determine any ecological offset requirements for both Commonwealth ecological and Victorian native vegetation offsets.

# Victoria

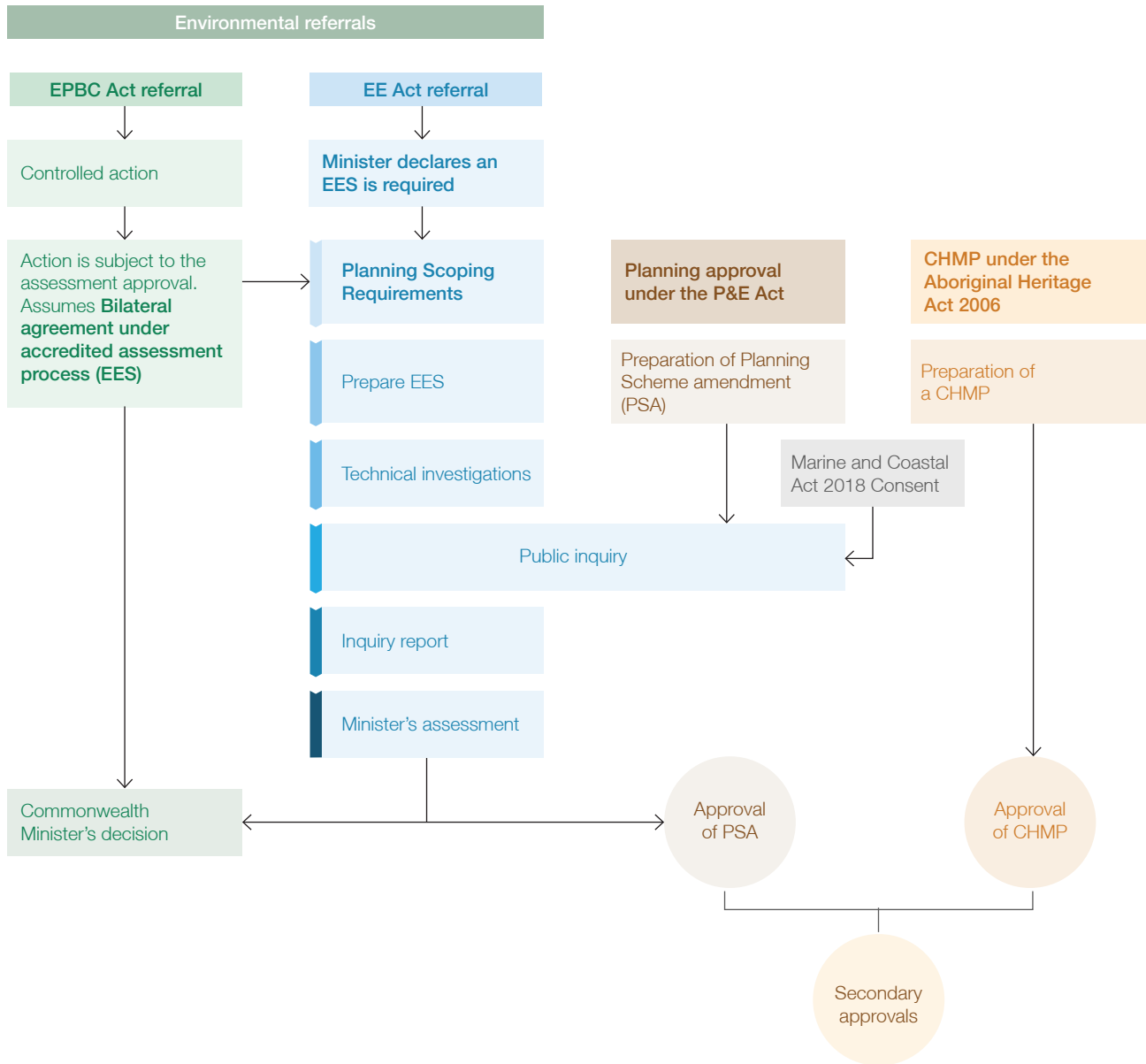


Figure 4: Approval pathway flowchart



### 3.4 Planning and environment fees

The anticipated fees associated with lodgement and assessment of the Project under the relevant Acts are outlined in Table 5. These are based on current fee schedules outlined in the regulations.

Table 5: Fees associated with primary approvals

Legislation	Service	Fee	Paid to	Timing	
Planning and Environment (Fees) Act Regulations 2006	Standard PSA (no panel) – consideration of request to amend planning scheme and submissions	\$3,050.90	Planning authority at lodgement	Must be paid at the time of making the request	
	(1) Consideration that exceed 20 submissions and where referring submission to a panel <sup>5</sup>	\$40,386.90		Before the planning authority considers submissions	
	(2) Submission for approval by the Minister	\$481.30		On submission of PSA for approval	
	(3) Notice of approval	\$481.30			
	PSA (under section 20 (4))			\$3,998.70	Must be paid at the time of making the request
		(1) and (2) fees			Before the planning authority considers submissions
		(3) fee			On submission of PSA for approval
Aboriginal Heritage Regulations 2018	Notice of intention (NOI) to prepare a CHMP	\$148.10	RAP / AV	On submission of NOI	
	Preparation of a standard CHMP <sup>6</sup>	\$20,000 (may vary)		May vary	
	Evaluation of CHMP	\$2,784.28 <sup>7</sup>		Before evaluation	
<i>EE Act</i>	EE Act referral	No cost recovery applies	n/a	n/a	

<sup>5</sup> Fees provided for the highest number of submissions.

<sup>6</sup> Involves a physical examination of the activity area. Fees and duration of CHMP will increase if a complex CHMP is required. A complex CHMP involves a disturbance or excavation of a site to uncover any items of Aboriginal cultural heritage.

<sup>7</sup> Application to 2 relevant authorities for approval for assessment of a complex CHMP of a large activity (Department of Premier and Cabinet – Automatically Indexed Fees and Charges). Value for 2020-21. Additional fees apply for fieldwork and associated activities; these may vary depending on activity.

Legislation	Service	Fee	Paid to	Timing
	Inquiry (if required) <sup>8</sup>	\$40,386.90 <sup>9</sup>	Planning Panels Victoria	Before inquiry commences
EPBC Act Regulations 2000	EPBC Act referral	\$7,352	DAWE	On referral
	EPBC Act base fees for bilateral agreement or accredited assessment process	\$18,146		

Fees for assessment of the project under the EPBC Act will be based on a number of factors, namely the number of Commonwealth matters and the complexity of the likely impacts to them. This is further explained in Section 5.6 of the EPBC Act Regulations 2000. Following a decision on the EPBC Act referral, an EPBC Act Cost Recovery - Fee Schedule would be issued by DAWE outlining the likely fees and stages of payment.

It is noted that under the EPBC Act, the Project is likely to have three controlling provisions:

- Listed threatened species and ecological communities,
- Potential impact on marine environment and migratory species, and
- Potential impact on wetlands of international importance listed under the Ramsar Convention.

A complexity fee is charged for each controlling provision as per the following:

- Moderate complexity—\$6,742.00
- High complexity—\$25,615.00
- Very high complexity—\$48,931.00.

Additional complexity fees could be charged for the following:

- Number of project components,
- Coordination with other legislation,
- Adequacy of information and clarity of project scope, and/or
- Exceptional circumstances.

### 3.4.1 Summary of fees for primary approvals

Based on the fees listed in Table 5, it is anticipated that the total base planning fees for the primary approvals should not exceed \$200,000. This also allows for a small contingency, as it is unknown whether fees will change or new fees will be introduced over the course of the project. As the EPBC Act complexity fees are not capped, additional Commonwealth assessment fees remain at risk until subsequent stages.

<sup>8</sup> Fees for the members of an Inquiry will be set at the current rate for a panel appointed under the P&E Act. Inquiry costs include fees for obtaining expert advice, technical administration and legal support, venue hire accommodation, recording proceedings and other costs for the duration of the hearing.

<sup>9</sup> Fees provided for the highest number of submissions.

## 4 Stakeholder and community engagement

The Project will be expected to undertake an appropriate level of consultation to consider and address the views of all relevant stakeholders. It will include early consultation with the community, relevant RAP, Shire, DELWP and other regulatory stakeholders.

As a risk management strategy, a pre-referral meeting with DAWE will take place to discuss potential impact on MNES and the draft EPBC Act referral. Following consultation with the Commonwealth, the referral will be finalised and submitted. If the Project is determined to be a ‘controlled action’ and is assessed under the bilateral agreement, the stakeholder consultation and participation described below will follow.

Table 6 outlines the anticipated level of stakeholder and community consultation and participation throughout the approvals process, drawn from previous experience. However, government expectations around the level of community consultation and participation in the EES process would be confirmed during Stage 2 and 3.

Table 6 High-level summary of stakeholder consultation and participation

Stage	Minister for Planning / Department of Environment, Land, Water and Planning (DELWP)	Government agencies	Community and other stakeholders
EES referral	<p><b>Pre-lodgement meeting to discuss key issues</b></p> <p>Consult with DELWP Impact Assessment and Environment Unit, review draft, finalise and submit referral</p>	n/a	Early engagement with community and other stakeholders may be beneficial to the Project
EES Scoping Requirements	<p>Exhibition of Minister’s draft scoping requirements for public comments before the final scoping requirements are published</p> <p>As part of the EES process, the proponent must prepare a draft consultation plan which sets out the public consultation that will be undertaken during the EES</p> <p>Following a review by DELWP, the draft consultation will be finalised and published on DELWP’s website</p>	Agencies may provide input into the preparation of draft scoping requirements	<p>Community and other stakeholders may provide comments on the draft scoping requirements</p> <p>Community and other stakeholders will have access to the consultation plan. The proponent will make copies of the consultation plan available on request</p>

EES and PSA preparation	<p><b>As a risk management strategy, regular meetings with DELWP Impact Assessment and Environment Unit will take place during the preparation of the EES</b></p> <p>A Technical Reference Group (TRG), with members from government agencies, local government and statutory authorities, is appointed to provides advice to the proponent and DEWLP</p>	<p><b>Consultation with agencies should be on-going throughout the EES process to ensure a ‘no surprises’ approach on key issues and ensure expectations are being met around the environmental assessment</b></p> <p>Government agencies will provide advice through involvement in the TRG</p>	<p><b>Meetings with the TRG is required as part of the EES process</b></p> <p>This would include initial project briefing and site visit, risk methodology and scope of specialist studies, risk assessment and progress of studies, and draft and final EES</p>
EES & draft PSA exhibition and advertisement	DEWLP will place the EES and draft PSA on public display and seek public submissions from community, other stakeholders and government agencies	Government agencies may provide submissions on the EES and draft PSA	Public exhibition and submissions invited
EES Inquiry	<p><b>Issues raised in the submissions should be addressed through the consultation process and where possible prior to the Inquiry</b></p> <p>An Inquiry panel, appointed by the Minister for Planning, will held public hearings on the EES and draft PSA</p> <p>The Inquiry panel will issue a report and recommendations</p>	Government agencies may present their submissions on EES and draft PSA at the public hearings	Community and other stakeholder can make a submission before the Inquiry panel.
Assessment and determination	The Minister for Planning will consider the Inquiry panel’s report and issue an assessment report.	n/a	n/a

A more robust Stakeholder Engagement Plan should be prepared prior to commencement of the EES. The community and other stakeholders should be informed of how they can participate in the Project and the participation outcomes early in the process.

## 5 Site investigation licences / permits

Baseline surveys in State and Commonwealth waters will be required for next-stage feasibility assessments and to provide sufficient baseline information to support future impact assessment.

Separate State and Commonwealth licences are likely to be required, which have different requirements, durations etc. The anticipated licences are outlined below.

### 5.1 State

Permits and licences are required under different Acts and for certain activities:

- A licence or permit is required for commercial research
- Separate scientific permits to conduct research may be required under the:
  - *Flora and Fauna Guarantee Act 1988*
  - *National Park 1975*
  - *Wildlife Act 1975*.

Additional permits may be required for researching in Reference Areas<sup>10</sup>.

- Consent for exploratory activities may be required under the *Marine and Coastal Act 2018*
- Permission may be required under the *Crown Land (Reserves) Act 1978* for any preliminary surveys or site investigations proposed to be carried out on State owned land.

**Next steps:** Engagement with DELWP and Parks Victoria to discuss licence and permit requirements and timeframes.

### 5.2 Commonwealth

Permits and licences may also be required under Commonwealth legislation such as:

- A licence or permit for research and monitoring (non-commercial) in Commonwealth waters under the EPBC Act.

Currently, Parks Australia issue permits and licences for proposed activities in Commonwealth marine parks. This includes studies on natural values including It is expected that a 'Feasibility Licence' will be introduced as part of the new framework.

Offshore petroleum and greenhouse gas exploration permits and licences located in Commonwealth waters are administered by the National Offshore Petroleum Titles Administrator (NOPTA) - <https://www.nopta.gov.au/>.

The following is submitted for an offshore petroleum licence and similar is anticipated for an offshore wind feasibility licence under the new framework:

<sup>10</sup> These are areas of high conservation value with restricted access. Only projects of minimal impact on biodiversity are considered. <https://www.parks.vic.gov.au/>

- An environment plan demonstrating how environmental impacts and risks will be managed to be as low as reasonably practicable, and an acceptable level. More info here: <https://www.nopsema.gov.au/environmental-management/assessment-process/environment-plans/>
- When preparing an environment plan, consultation with a range of stakeholders may be required, including government agencies, fishing, tourism and other business operators, community groups and non-government organisations (including conservation groups),
- Consultation must be documented including an explanation of how any relevant issues and concerns have been addressed,
- Environment plans may be subject to a public comment period (offshore oil & gas exploration project proposals are open for public comment for at least four weeks), and
- A safety case may also be required demonstrating how risks will be managed to ensure offshore activities are safe.

**Next steps:** Engagement with Department of Industry, Science, Energy and Resources (DISER) around licence requirements and timeframes.

## 6 Summary and risks

The Project is located in an area of high environmental and social values, with development subject to both Commonwealth and Victorian environmental and statutory planning approvals. Given the nature of the development and the environmental assets and values present, the Project will be subject to assessment and approval by both the Commonwealth Minister for the Environment and Victorian Minister for Planning.

This strategy has sought to establish the most efficient approvals process for the Project with the highest chance of success. However there remains some residual risks, as detailed in Table 7.

Table 7: Planning approval risks

Risk	Impact	Mitigation action
Separate Commonwealth and Victorian approval process (e.g. no application of bilateral agreement)	Inefficiency, increased costs, and time risk eroding the certainty required to achieve overall objective of planning approvals	Early and close engagement with Commonwealth and Victorian regulators to establish suitability of the bilateral agreement
Commonwealth and Victorian uncertainty regarding approvals of offshore wind farm (e.g. no legislation in place, no precedent in Australia)	Potential delays, unplanned risks and costs as approvals progress	Continue engagement with governments / agencies and determine clear approvals pathway and terms of reference for duration of approvals process.  Benchmarking national and international standards for similar projects/impacts to be able to negotiate sensible assessment requirements
Offshore Clean Energy Bill may come into play during the Project's assessment	Potential delays, unplanned risks and additional costs	Seek high-level government sponsorship (advocacy) to ensure ministerial-level guidance available in event roadblocks present through assessment processes
Overloading of DELWP's assessment team (e.g. resource constraints) given number of active EES	Potential delays	Early engagement with DELWP to introduce the Project and keep close regarding submission timeframe.  Option to fund a role within DELWP Impact Assessment Unit.

Risk	Impact	Mitigation action
<p>Potential impact to high value sensitive environmental and touristic assets.</p> <p>Vocal local environmental groups negatively impacting Project and media attention.</p>	<p>Potential delays / lengthy assessment times</p> <p>Reputational risk</p>	<p>Early site investigations and environmental surveys to ground-truth values</p> <p>Inclusive and proactive stakeholder engagement program.</p> <p>Feed in stakeholder feedback into early design development.</p> <p>Comprehensive and well-documented design options and siting assessment that supports strong project and design justification.</p>



## Appendix A

### EPBC Act Protected Matters Report



# EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 22/10/20 11:20:27

[Summary](#)

[Details](#)

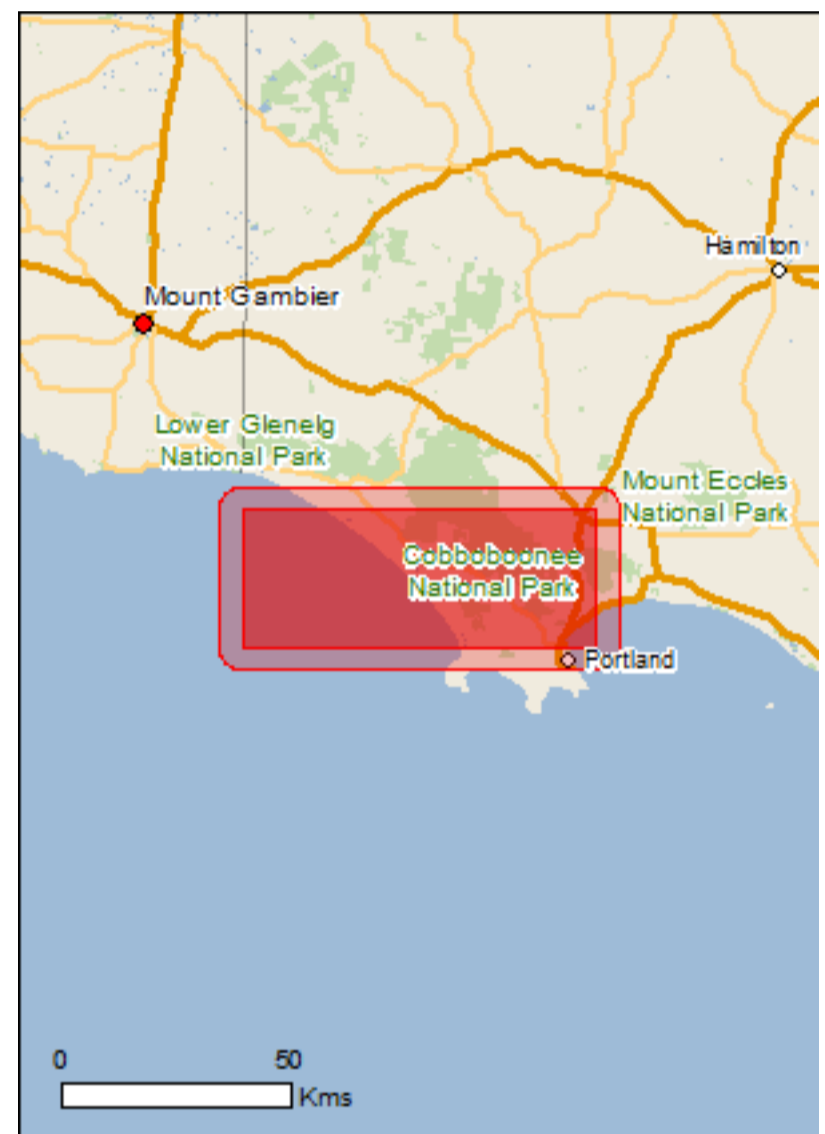
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

[Caveat](#)

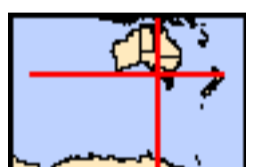
[Acknowledgements](#)



This map may contain data which are  
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[Coordinates](#)

Buffer: 5.0Km



# Summary

## Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

<a href="#">World Heritage Properties:</a>	None
<a href="#">National Heritage Places:</a>	None
<a href="#">Wetlands of International Importance:</a>	2
<a href="#">Great Barrier Reef Marine Park:</a>	None
<a href="#">Commonwealth Marine Area:</a>	1
<a href="#">Listed Threatened Ecological Communities:</a>	5
<a href="#">Listed Threatened Species:</a>	79
<a href="#">Listed Migratory Species:</a>	57

## Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

<a href="#">Commonwealth Land:</a>	1
<a href="#">Commonwealth Heritage Places:</a>	None
<a href="#">Listed Marine Species:</a>	93
<a href="#">Whales and Other Cetaceans:</a>	28
<a href="#">Critical Habitats:</a>	None
<a href="#">Commonwealth Reserves Terrestrial:</a>	None
<a href="#">Australian Marine Parks:</a>	None

## Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

<a href="#">State and Territory Reserves:</a>	32
<a href="#">Regional Forest Agreements:</a>	1
<a href="#">Invasive Species:</a>	33
<a href="#">Nationally Important Wetlands:</a>	1
<a href="#">Key Ecological Features (Marine)</a>	1

# Details

## Matters of National Environmental Significance

### Wetlands of International Importance (Ramsar)

[\[ Resource Information \]](#)

Name	Proximity
<a href="#">Glenelg estuary and discovery bay wetlands</a>	Within Ramsar site
<a href="#">Piccaninnie ponds karst wetlands</a>	Within 10km of Ramsar

### Commonwealth Marine Area

[\[ Resource Information \]](#)

Approval is required for a proposed activity that is located within the Commonwealth Marine Area which has, will have, or is likely to have a significant impact on the environment. Approval may be required for a proposed action taken outside the Commonwealth Marine Area but which has, may have or is likely to have a significant impact on the environment in the Commonwealth Marine Area. Generally the Commonwealth Marine Area stretches from three nautical miles to two hundred nautical miles from the coast.

#### Name

EEZ and Territorial Sea

### Marine Regions

[\[ Resource Information \]](#)

If you are planning to undertake action in an area in or close to the Commonwealth Marine Area, and a marine bioregional plan has been prepared for the Commonwealth Marine Area in that area, the marine bioregional plan may inform your decision as to whether to refer your proposed action under the EPBC Act.

#### Name

[South-east](#)

### Listed Threatened Ecological Communities

[\[ Resource Information \]](#)

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
<a href="#">Assemblages of species associated with open-coast salt-wedge estuaries of western and central Victoria ecological community</a>	Endangered	Community likely to occur within area
<a href="#">Giant Kelp Marine Forests of South East Australia</a>	Endangered	Community may occur within area
<a href="#">Grassy Eucalypt Woodland of the Victorian Volcanic Plain</a>	Critically Endangered	Community known to occur within area
<a href="#">Natural Temperate Grassland of the Victorian Volcanic Plain</a>	Critically Endangered	Community may occur within area
<a href="#">Subtropical and Temperate Coastal Saltmarsh</a>	Vulnerable	Community likely to occur within area

### Listed Threatened Species

[\[ Resource Information \]](#)

Name	Status	Type of Presence
<b>Birds</b>		
<a href="#">Botaurus poiciloptilus</a> Australasian Bittern [1001]	Endangered	Species or species habitat known to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Calyptorhynchus banksii graptogyne</a> South-eastern Red-tailed Black-Cockatoo [25982]	Endangered	Foraging, feeding or related behaviour known

Name	Status	Type of Presence
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	to occur within area Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Falco hypoleucos</a> Grey Falcon [929]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Grantiella picta</a> Painted Honeyeater [470]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Halobaena caerulea</a> Blue Petrel [1059]	Vulnerable	Species or species habitat may occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Limosa lapponica baueri</a> Bar-tailed Godwit (baueri), Western Alaskan Bar-tailed Godwit [86380]	Vulnerable	Species or species habitat may occur within area
<a href="#">Limosa lapponica menzbieri</a> Northern Siberian Bar-tailed Godwit, Bar-tailed Godwit (menzbieri) [86432]	Critically Endangered	Species or species habitat may occur within area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
<a href="#">Neophema chrysogaster</a> Orange-bellied Parrot [747]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Pachyptila turtur subantarctica</a> Fairy Prion (southern) [64445]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pedionomus torquatus</a> Plains-wanderer [906]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Phoebetria fusca</a> Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area

Name	Status	Type of Presence
<a href="#">Pterodroma leucoptera leucoptera</a> Gould's Petrel, Australian Gould's Petrel [26033]	Endangered	Species or species habitat may occur within area
<a href="#">Pterodroma mollis</a> Soft-plumaged Petrel [1036]	Vulnerable	Species or species habitat may occur within area
<a href="#">Rostratula australis</a> Australian Painted Snipe [77037]	Endangered	Species or species habitat known to occur within area
<a href="#">Sternula nereis nereis</a> Australian Fairy Tern [82950]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche bulleri platei</a> Northern Buller's Albatross, Pacific Albatross [82273]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche cauta</a> Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche chrysostoma</a> Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thinornis cucullatus cucullatus</a> Hooded Plover (eastern), Eastern Hooded Plover [90381]	Vulnerable	Species or species habitat known to occur within area
<b>Crustaceans</b>		
<a href="#">Euastacus bispinosus</a> Glenelg Spiny Freshwater Crayfish, Pricklyback [81552]	Endangered	Species or species habitat known to occur within area
<b>Fish</b>		
<a href="#">Galaxiella pusilla</a> Eastern Dwarf Galaxias, Dwarf Galaxias [56790]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Nannoperca obscura</a> Yarra Pygmy Perch [26177]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Nannoperca variegata</a> Variegated Pygmy Perch, Ewens Pygmy Perch, Golden Pygmy Perch [26178]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Prototroctes maraena</a> Australian Grayling [26179]	Vulnerable	Species or species habitat likely to occur

Name	Status	Type of Presence within area
<b>Frogs</b>		
<a href="#">Litoria raniformis</a> Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog, Golden Bell Frog [1828]	Vulnerable	Species or species habitat known to occur within area
<b>Mammals</b>		
<a href="#">Antechinus minimus maritimus</a> Swamp Antechinus (mainland) [83086]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Balaenoptera borealis</a> Sei Whale [34]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Foraging, feeding or related behaviour known to occur within area
<a href="#">Balaenoptera physalus</a> Fin Whale [37]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Dasyurus maculatus maculatus (SE mainland population)</a> Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat known to occur within area
<a href="#">Eubalaena australis</a> Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area
<a href="#">Isodon obesulus obesulus</a> Southern Brown Bandicoot (eastern), Southern Brown Bandicoot (south-eastern) [68050]	Endangered	Species or species habitat known to occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Miniopterus orianae bassanii</a> Southern Bent-wing Bat [87645]	Critically Endangered	Roosting known to occur within area
<a href="#">Neophoca cinerea</a> Australian Sea-lion, Australian Sea Lion [22]	Vulnerable	Species or species habitat may occur within area
<a href="#">Potorous tridactylus tridactylus</a> Long-nosed Potoroo (SE Mainland) [66645]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pseudomys fumeus</a> Smoky Mouse, Konoom [88]	Endangered	Species or species habitat may occur within area
<a href="#">Pseudomys shortridgei</a> Heath Mouse, Dayang, Heath Rat [77]	Endangered	Species or species habitat known to occur within area
<a href="#">Pteropus poliocephalus</a> Grey-headed Flying-fox [186]	Vulnerable	Foraging, feeding or related behaviour may occur within area
<b>Plants</b>		
<a href="#">Amphibromus fluitans</a> River Swamp Wallaby-grass, Floating Swamp Wallaby-grass [19215]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Caladenia calcicola</a> Limestone Spider-orchid [10065]	Vulnerable	Species or species habitat likely to occur within area

Name	Status	Type of Presence
<a href="#">Caladenia colorata</a> Coloured Spider-orchid, Small Western Spider-orchid, Painted Spider-orchid [54999]	Endangered	Species or species habitat known to occur within area
<a href="#">Caladenia hastata</a> Melblom's Spider-orchid [16118]	Endangered	Species or species habitat likely to occur within area
<a href="#">Caladenia ornata</a> Ornate Pink Fingers [76213]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Cassinia rugata</a> Wrinkled Cassinia, Wrinkled Dollybush [21885]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Glycine latrobeana</a> Clover Glycine, Purple Clover [13910]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Haloragis exalata subsp. exalata</a> Wingless Raspwort, Square Raspwort [24636]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Ixodia achillaeoides subsp. arenicola</a> Sand Ixodia, Ixodia [21474]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Prasophyllum frenchii</a> Maroon Leek-orchid, Slaty Leek-orchid, Stout Leek- orchid, French's Leek-orchid, Swamp Leek-orchid [9704]	Endangered	Species or species habitat likely to occur within area
<a href="#">Prasophyllum spicatum</a> Dense Leek-orchid [55146]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pterostylis chlorogramma</a> Green-striped Greenhood [56510]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pterostylis cucullata</a> Leafy Greenhood [15459]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Pterostylis tenuissima</a> Swamp Greenhood, Dainty Swamp Orchid [13139]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Senecio psilocarpus</a> Swamp Fireweed, Smooth-fruited Groundsel [64976]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Taraxacum cygnorum</a> Coast Dandelion [2508]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Thelymitra epipactoides</a> Metallic Sun-orchid [11896]	Endangered	Species or species habitat likely to occur within area
<a href="#">Thelymitra matthewsii</a> Spiral Sun-orchid [4168]	Vulnerable	Species or species habitat may occur within area
<a href="#">Xerochrysum palustre</a> Swamp Everlasting, Swamp Paper Daisy [76215]	Vulnerable	Species or species habitat likely to occur within area
<b>Reptiles</b>		
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Breeding likely to occur within area



Name	Status	Type of Presence
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Breeding likely to occur within area
<a href="#">Delma impar</a> Striped Legless Lizard, Striped Snake-lizard [1649]	Vulnerable	Species or species habitat may occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area

#### Sharks

<a href="#">Carcharodon carcharias</a> White Shark, Great White Shark [64470]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
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#### Listed Migratory Species

[ [Resource Information](#) ]

\* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
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#### Migratory Marine Birds

<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
<a href="#">Ardenna carneipes</a> Flesh-footed Shearwater, Fleshy-footed Shearwater [82404]		Foraging, feeding or related behaviour likely to occur within area
<a href="#">Ardenna grisea</a> Sooty Shearwater [82651]		Species or species habitat may occur within area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
<a href="#">Phoebastria fusca</a> Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Sternula albifrons</a> Little Tern [82849]		Breeding known to occur within area
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche cauta</a> Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area

Name	Threatened	Type of Presence
<a href="#">Thalassarche chrysostoma</a> Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<b>Migratory Marine Species</b>		
<a href="#">Balaena glacialis australis</a> Southern Right Whale [75529]	Endangered*	Species or species habitat known to occur within area
<a href="#">Balaenoptera borealis</a> Sei Whale [34]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Foraging, feeding or related behaviour known to occur within area
<a href="#">Balaenoptera physalus</a> Fin Whale [37]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Caperea marginata</a> Pygmy Right Whale [39]		Foraging, feeding or related behaviour likely to occur within area
<a href="#">Carcharodon carcharias</a> White Shark, Great White Shark [64470]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Breeding likely to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Breeding likely to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area
<a href="#">Isurus oxyrinchus</a> Shortfin Mako, Mako Shark [79073]		Species or species habitat likely to occur within area
<a href="#">Lagenorhynchus obscurus</a> Dusky Dolphin [43]		Species or species habitat may occur within area
<a href="#">Lamna nasus</a> Porbeagle, Mackerel Shark [83288]		Species or species habitat likely to occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Orcinus orca</a> Killer Whale, Orca [46]		Species or species habitat likely to occur

Name	Threatened	Type of Presence within area
<a href="#">Physeter macrocephalus</a> Sperm Whale [59]		Species or species habitat may occur within area
<b>Migratory Terrestrial Species</b>		
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat may occur within area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		Breeding known to occur within area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat known to occur within area
<b>Migratory Wetlands Species</b>		
<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat known to occur within area
<a href="#">Arenaria interpres</a> Ruddy Turnstone [872]		Roosting known to occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Roosting known to occur within area
<a href="#">Calidris alba</a> Sanderling [875]		Roosting known to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat known to occur within area
<a href="#">Calidris ruficollis</a> Red-necked Stint [860]		Roosting known to occur within area
<a href="#">Charadrius bicinctus</a> Double-banded Plover [895]		Roosting known to occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Roosting known to occur within area
<a href="#">Gallinago megala</a> Swinhoe's Snipe [864]		Roosting likely to occur within area
<a href="#">Gallinago stenura</a> Pin-tailed Snipe [841]		Roosting likely to occur within area
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat known to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Numenius minutus</a> Little Curlew, Little Whimbrel [848]		Roosting likely to occur

Name	Threatened	Type of Presence within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat likely to occur within area
<a href="#">Pluvialis fulva</a> Pacific Golden Plover [25545]		Species or species habitat known to occur within area
<a href="#">Tringa glareola</a> Wood Sandpiper [829]		Species or species habitat known to occur within area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat known to occur within area
<a href="#">Tringa stagnatilis</a> Marsh Sandpiper, Little Greenshank [833]		Roosting known to occur within area

## Other Matters Protected by the EPBC Act

### Commonwealth Land [\[ Resource Information \]](#)

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

### Name

Defence - Training Depot, Darts RD 3305 Portland

### Listed Marine Species [\[ Resource Information \]](#)

\* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

### Name Threatened Type of Presence

#### Birds

<a href="#">Actitis hypoleucos</a> Common Sandpiper [59309]		Species or species habitat known to occur within area
<a href="#">Anseranas semipalmata</a> Magpie Goose [978]		Species or species habitat may occur within area
<a href="#">Apus pacificus</a> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
<a href="#">Ardea alba</a> Great Egret, White Egret [59541]		Species or species habitat known to occur within area
<a href="#">Ardea ibis</a> Cattle Egret [59542]		Species or species habitat may occur within area
<a href="#">Arenaria interpres</a> Ruddy Turnstone [872]		Roosting known to occur within area
<a href="#">Calidris acuminata</a> Sharp-tailed Sandpiper [874]		Roosting known to occur within area
<a href="#">Calidris alba</a> Sanderling [875]		Roosting known to occur within area
<a href="#">Calidris canutus</a> Red Knot, Knot [855]	Endangered	Species or species habitat known to occur within area

Name	Threatened	Type of Presence
<a href="#">Calidris ferruginea</a> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Calidris melanotos</a> Pectoral Sandpiper [858]		Species or species habitat known to occur within area
<a href="#">Calidris ruficollis</a> Red-necked Stint [860]		Roosting known to occur within area
<a href="#">Catharacta skua</a> Great Skua [59472]		Species or species habitat may occur within area
<a href="#">Charadrius bicinctus</a> Double-banded Plover [895]		Roosting known to occur within area
<a href="#">Charadrius ruficapillus</a> Red-capped Plover [881]		Roosting known to occur within area
<a href="#">Chrysococcyx osculans</a> Black-eared Cuckoo [705]		Species or species habitat known to occur within area
<a href="#">Diomedea antipodensis</a> Antipodean Albatross [64458]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea epomophora</a> Southern Royal Albatross [89221]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea exulans</a> Wandering Albatross [89223]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Diomedea sanfordi</a> Northern Royal Albatross [64456]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Eudyptula minor</a> Little Penguin [1085]		Breeding known to occur within area
<a href="#">Gallinago hardwickii</a> Latham's Snipe, Japanese Snipe [863]		Roosting known to occur within area
<a href="#">Gallinago megala</a> Swinhoe's Snipe [864]		Roosting likely to occur within area
<a href="#">Gallinago stenura</a> Pin-tailed Snipe [841]		Roosting likely to occur within area
<a href="#">Haliaeetus leucogaster</a> White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
<a href="#">Halobaena caerulea</a> Blue Petrel [1059]	Vulnerable	Species or species habitat may occur within area
<a href="#">Himantopus himantopus</a> Pied Stilt, Black-winged Stilt [870]		Species or species habitat known to occur within area
<a href="#">Hirundapus caudacutus</a> White-throated Needletail [682]	Vulnerable	Species or species habitat known to occur within area
<a href="#">Lathamus discolor</a> Swift Parrot [744]	Critically Endangered	Species or species habitat may occur within area

Name	Threatened	Type of Presence
<a href="#">Limosa lapponica</a> Bar-tailed Godwit [844]		Species or species habitat known to occur within area
<a href="#">Macronectes giganteus</a> Southern Giant-Petrel, Southern Giant Petrel [1060]	Endangered	Species or species habitat may occur within area
<a href="#">Macronectes halli</a> Northern Giant Petrel [1061]	Vulnerable	Species or species habitat may occur within area
<a href="#">Merops ornatus</a> Rainbow Bee-eater [670]		Species or species habitat may occur within area
<a href="#">Motacilla flava</a> Yellow Wagtail [644]		Species or species habitat may occur within area
<a href="#">Myiagra cyanoleuca</a> Satin Flycatcher [612]		Breeding known to occur within area
<a href="#">Neophema chrysogaster</a> Orange-bellied Parrot [747]	Critically Endangered	Species or species habitat known to occur within area
<a href="#">Numenius madagascariensis</a> Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat likely to occur within area
<a href="#">Numenius minutus</a> Little Curlew, Little Whimbrel [848]		Roosting likely to occur within area
<a href="#">Pachyptila turtur</a> Fairy Prion [1066]		Species or species habitat known to occur within area
<a href="#">Pandion haliaetus</a> Osprey [952]		Species or species habitat likely to occur within area
<a href="#">Phoebastria fusca</a> Sooty Albatross [1075]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Pluvialis fulva</a> Pacific Golden Plover [25545]		Species or species habitat known to occur within area
<a href="#">Pterodroma mollis</a> Soft-plumaged Petrel [1036]	Vulnerable	Species or species habitat may occur within area
<a href="#">Puffinus carneipes</a> Flesh-footed Shearwater, Fleshy-footed Shearwater [1043]		Foraging, feeding or related behaviour likely to occur within area
<a href="#">Puffinus griseus</a> Sooty Shearwater [1024]		Species or species habitat may occur within area
<a href="#">Rhipidura rufifrons</a> Rufous Fantail [592]		Species or species habitat known to occur within area
<a href="#">Rostratula benghalensis (sensu lato)</a> Painted Snipe [889]	Endangered*	Species or species habitat known to occur within area
<a href="#">Sterna albifrons</a> Little Tern [813]		Breeding known to occur within area

Name	Threatened	Type of Presence
<a href="#">Thalassarche bulleri</a> Buller's Albatross, Pacific Albatross [64460]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche cauta</a> Shy Albatross [89224]	Endangered	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche chrysostoma</a> Grey-headed Albatross [66491]	Endangered	Species or species habitat may occur within area
<a href="#">Thalassarche impavida</a> Campbell Albatross, Campbell Black-browed Albatross [64459]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche melanophris</a> Black-browed Albatross [66472]	Vulnerable	Species or species habitat may occur within area
<a href="#">Thalassarche salvini</a> Salvin's Albatross [64463]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche sp. nov.</a> Pacific Albatross [66511]	Vulnerable*	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thalassarche steadi</a> White-capped Albatross [64462]	Vulnerable	Foraging, feeding or related behaviour likely to occur within area
<a href="#">Thinornis rubricollis</a> Hooded Plover [59510]		Species or species habitat known to occur within area
<a href="#">Thinornis rubricollis rubricollis</a> Hooded Plover (eastern) [66726]	Vulnerable*	Species or species habitat known to occur within area
<a href="#">Tringa glareola</a> Wood Sandpiper [829]		Species or species habitat known to occur within area
<a href="#">Tringa nebularia</a> Common Greenshank, Greenshank [832]		Species or species habitat known to occur within area
<a href="#">Tringa stagnatilis</a> Marsh Sandpiper, Little Greenshank [833]		Roosting known to occur within area
<b>Fish</b>		
<a href="#">Heraldia nocturna</a> Upside-down Pipefish, Eastern Upside-down Pipefish, Eastern Upside-down Pipefish [66227]		Species or species habitat may occur within area
<a href="#">Hippocampus abdominalis</a> Big-belly Seahorse, Eastern Potbelly Seahorse, New Zealand Potbelly Seahorse [66233]		Species or species habitat may occur within area
<a href="#">Hippocampus breviceps</a> Short-head Seahorse, Short-snouted Seahorse [66235]		Species or species habitat may occur within area
<a href="#">Histiogamphelus briggsii</a> Crested Pipefish, Briggs' Crested Pipefish, Briggs' Pipefish [66242]		Species or species habitat may occur within area
<a href="#">Histiogamphelus cristatus</a> Rhino Pipefish, Macleay's Crested Pipefish, Ring-back Pipefish [66243]		Species or species habitat may occur within area

Name	Threatened	Type of Presence
<a href="#">Hypselognathus rostratus</a> Knifesnout Pipefish, Knife-snouted Pipefish [66245]		Species or species habitat may occur within area
<a href="#">Kaupus costatus</a> Deepbody Pipefish, Deep-bodied Pipefish [66246]		Species or species habitat may occur within area
<a href="#">Leptoichthys fistularius</a> Brushtail Pipefish [66248]		Species or species habitat may occur within area
<a href="#">Lissocampus caudalis</a> Australian Smooth Pipefish, Smooth Pipefish [66249]		Species or species habitat may occur within area
<a href="#">Lissocampus runa</a> Javelin Pipefish [66251]		Species or species habitat may occur within area
<a href="#">Maroubra perserrata</a> Sawtooth Pipefish [66252]		Species or species habitat may occur within area
<a href="#">Mitotichthys semistriatus</a> Halfbanded Pipefish [66261]		Species or species habitat may occur within area
<a href="#">Mitotichthys tuckeri</a> Tucker's Pipefish [66262]		Species or species habitat may occur within area
<a href="#">Notiocampus ruber</a> Red Pipefish [66265]		Species or species habitat may occur within area
<a href="#">Phycodurus eques</a> Leafy Seadragon [66267]		Species or species habitat may occur within area
<a href="#">Phyllopteryx taeniolatus</a> Common Seadragon, Weedy Seadragon [66268]		Species or species habitat may occur within area
<a href="#">Pugnaso curtirostris</a> Pugnose Pipefish, Pug-nosed Pipefish [66269]		Species or species habitat may occur within area
<a href="#">Solegnathus robustus</a> Robust Pipehorse, Robust Spiny Pipehorse [66274]		Species or species habitat may occur within area
<a href="#">Solegnathus spinosissimus</a> Spiny Pipehorse, Australian Spiny Pipehorse [66275]		Species or species habitat may occur within area
<a href="#">Stigmatopora argus</a> Spotted Pipefish, Gulf Pipefish, Peacock Pipefish [66276]		Species or species habitat may occur within area
<a href="#">Stigmatopora nigra</a> Widebody Pipefish, Wide-bodied Pipefish, Black Pipefish [66277]		Species or species habitat may occur within area
<a href="#">Stipecampus cristatus</a> Ringback Pipefish, Ring-backed Pipefish [66278]		Species or species habitat may occur within area
<a href="#">Urocampus carinirostris</a> Hairy Pipefish [66282]		Species or species habitat may occur within area



Name	Threatened	Type of Presence
<a href="#">Vanacampus margaritifer</a> Mother-of-pearl Pipefish [66283]		Species or species habitat may occur within area
<a href="#">Vanacampus phillipi</a> Port Phillip Pipefish [66284]		Species or species habitat may occur within area
<a href="#">Vanacampus poecilolaemus</a> Longsnout Pipefish, Australian Long-snout Pipefish, Long-snouted Pipefish [66285]		Species or species habitat may occur within area
<b>Mammals</b>		
<a href="#">Arctocephalus forsteri</a> Long-nosed Fur-seal, New Zealand Fur-seal [20]		Species or species habitat may occur within area
<a href="#">Arctocephalus pusillus</a> Australian Fur-seal, Australo-African Fur-seal [21]		Species or species habitat likely to occur within area
<a href="#">Neophoca cinerea</a> Australian Sea-lion, Australian Sea Lion [22]	Vulnerable	Species or species habitat may occur within area
<b>Reptiles</b>		
<a href="#">Caretta caretta</a> Loggerhead Turtle [1763]	Endangered	Breeding likely to occur within area
<a href="#">Chelonia mydas</a> Green Turtle [1765]	Vulnerable	Breeding likely to occur within area
<a href="#">Dermochelys coriacea</a> Leatherback Turtle, Leathery Turtle, Luth [1768]	Endangered	Breeding likely to occur within area
<b>Whales and other Cetaceans</b>		<b>[ Resource Information ]</b>
Name	Status	Type of Presence
<b>Mammals</b>		
<a href="#">Balaenoptera acutorostrata</a> Minke Whale [33]		Species or species habitat may occur within area
<a href="#">Balaenoptera borealis</a> Sei Whale [34]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Balaenoptera musculus</a> Blue Whale [36]	Endangered	Foraging, feeding or related behaviour known to occur within area
<a href="#">Balaenoptera physalus</a> Fin Whale [37]	Vulnerable	Foraging, feeding or related behaviour known to occur within area
<a href="#">Berardius arnuxii</a> Arnoux's Beaked Whale [70]		Species or species habitat may occur within area
<a href="#">Caperea marginata</a> Pygmy Right Whale [39]		Foraging, feeding or related behaviour likely to occur within area
<a href="#">Delphinus delphis</a> Common Dolphin, Short-beaked Common Dolphin [60]		Species or species habitat may occur within area
<a href="#">Eubalaena australis</a> Southern Right Whale [40]	Endangered	Species or species habitat known to occur within area

Name	Status	Type of Presence
<a href="#">Globicephala macrorhynchus</a> Short-finned Pilot Whale [62]		Species or species habitat may occur within area
<a href="#">Globicephala melas</a> Long-finned Pilot Whale [59282]		Species or species habitat may occur within area
<a href="#">Grampus griseus</a> Risso's Dolphin, Grampus [64]		Species or species habitat may occur within area
<a href="#">Kogia breviceps</a> Pygmy Sperm Whale [57]		Species or species habitat may occur within area
<a href="#">Kogia simus</a> Dwarf Sperm Whale [58]		Species or species habitat may occur within area
<a href="#">Lagenorhynchus obscurus</a> Dusky Dolphin [43]		Species or species habitat may occur within area
<a href="#">Lissodelphis peronii</a> Southern Right Whale Dolphin [44]		Species or species habitat may occur within area
<a href="#">Megaptera novaeangliae</a> Humpback Whale [38]	Vulnerable	Species or species habitat likely to occur within area
<a href="#">Mesoplodon bowdoini</a> Andrew's Beaked Whale [73]		Species or species habitat may occur within area
<a href="#">Mesoplodon densirostris</a> Blainville's Beaked Whale, Dense-beaked Whale [74]		Species or species habitat may occur within area
<a href="#">Mesoplodon grayi</a> Gray's Beaked Whale, Scamperdown Whale [75]		Species or species habitat may occur within area
<a href="#">Mesoplodon hectori</a> Hector's Beaked Whale [76]		Species or species habitat may occur within area
<a href="#">Mesoplodon layardii</a> Strap-toothed Beaked Whale, Strap-toothed Whale, Layard's Beaked Whale [25556]		Species or species habitat may occur within area
<a href="#">Mesoplodon mirus</a> True's Beaked Whale [54]		Species or species habitat may occur within area
<a href="#">Orcinus orca</a> Killer Whale, Orca [46]		Species or species habitat likely to occur within area
<a href="#">Physeter macrocephalus</a> Sperm Whale [59]		Species or species habitat may occur within area
<a href="#">Pseudorca crassidens</a> False Killer Whale [48]		Species or species habitat likely to occur within area
<a href="#">Tursiops aduncus</a> Indian Ocean Bottlenose Dolphin, Spotted Bottlenose Dolphin [68418]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
<a href="#">Tursiops truncatus s. str.</a> Bottlenose Dolphin [68417]		Species or species habitat may occur within area
<a href="#">Ziphius cavirostris</a> Cuvier's Beaked Whale, Goose-beaked Whale [56]		Species or species habitat may occur within area

## Extra Information

State and Territory Reserves	[ Resource Information ]
Name	State
Bats Ridge W.R	VIC
Bolwarra H43 B.R.	VIC
Bolwarra H44 B.R.	VIC
Bolwarra H45 B.R.	VIC
Cobboboonee	VIC
Discovery Bay Coastal Park	VIC
Gorae B.R.	VIC
Hedditch Hill S.R.	VIC
Heywood B.R.	VIC
Johnstones Creek F.R	VIC
Kentbruck H14 B.R	VIC
Kentbruck H50 B.R.	VIC
Kentbruck Heath	VIC
Lake Sinclair W.R.	VIC
Lower Glenelg	VIC
Mount Richmond	VIC
Mouzie B.R	VIC
Mouzie N.F.R	VIC
Narrawong F.R.	VIC
Nine Mile F.F.R.	VIC
Portland H46 B.R.	VIC
Trewalla H48 B.R.	VIC
Trewalla H49 B.R.	VIC
Unnamed C0229	VIC
Unnamed C0231	VIC
Unnamed C0415	VIC
Unnamed C0715	VIC
Unnamed C0738	VIC
Unnamed C0880	VIC
Unnamed C0898	VIC
Unnamed C1617	VIC
Unnamed C1762	VIC

## Regional Forest Agreements [ Resource Information ]

Note that all areas with completed RFAs have been included.

Name	State
<a href="#">West Victoria RFA</a>	Victoria

## Invasive Species [ Resource Information ]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.

Name	Status	Type of Presence
Birds		

Name	Status	Type of Presence
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species habitat likely to occur within area
Alauda arvensis Skylark [656]		Species or species habitat likely to occur within area
Anas platyrhynchos Mallard [974]		Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Carduelis chloris European Greenfinch [404]		Species or species habitat likely to occur within area
Columba livia Rock Pigeon, Rock Dove, Domestic Pigeon [803]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Streptopelia chinensis Spotted Turtle-Dove [780]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Turdus merula Common Blackbird, Eurasian Blackbird [596]		Species or species habitat likely to occur within area
<b>Mammals</b>		
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Capra hircus Goat [2]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Feral deer Feral deer species in Australia [85733]		Species or species habitat likely to occur within area
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Rattus rattus Black Rat, Ship Rat [84]		Species or species habitat likely to occur within area

Name	Status	Type of Presence
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area

### Plants

Anredera cordifolia Madeira Vine, Jalap, Lamb's-tail, Mignonette Vine, Anredera, Gulf Madeiravine, Heartleaf Madeiravine, Potato Vine [2643]		Species or species habitat likely to occur within area
Asparagus asparagoides Bridal Creeper, Bridal Veil Creeper, Smilax, Florist's Smilax, Smilax Asparagus [22473]		Species or species habitat likely to occur within area
Cenchrus ciliaris Buffel-grass, Black Buffel-grass [20213]		Species or species habitat may occur within area
Chrysanthemoides monilifera Bitou Bush, Boneseed [18983]		Species or species habitat may occur within area
Chrysanthemoides monilifera subsp. monilifera Boneseed [16905]		Species or species habitat likely to occur within area
Cytisus scoparius Broom, English Broom, Scotch Broom, Common Broom, Scottish Broom, Spanish Broom [5934]		Species or species habitat likely to occur within area
Genista linifolia Flax-leaved Broom, Mediterranean Broom, Flax Broom [2800]		Species or species habitat likely to occur within area
Genista monspessulana Montpellier Broom, Cape Broom, Canary Broom, Common Broom, French Broom, Soft Broom [20126]		Species or species habitat likely to occur within area
Lycium ferocissimum African Boxthorn, Boxthorn [19235]		Species or species habitat likely to occur within area
Pinus radiata Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780]		Species or species habitat may occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Ulex europaeus Gorse, Furze [7693]		Species or species habitat likely to occur within area

### Nationally Important Wetlands [\[ Resource Information \]](#)

Name	State
<a href="#">Long Swamp</a>	VIC

### Key Ecological Features (Marine) [\[ Resource Information \]](#)

Key Ecological Features are the parts of the marine ecosystem that are considered to be important for the biodiversity or ecosystem functioning and integrity of the Commonwealth Marine Area.

Name	Region
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Name

[Bonney Coast Upwelling](#)

Region

South-east

# Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

# Coordinates

-38.11398 140.96658,-38.11398 141.66146,-38.32544 141.66146,-38.32544 140.96658,-38.11398 140.96658

# Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [-Office of Environment and Heritage, New South Wales](#)
- [-Department of Environment and Primary Industries, Victoria](#)
- [-Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [-Department of Environment, Water and Natural Resources, South Australia](#)
- [-Department of Land and Resource Management, Northern Territory](#)
- [-Department of Environmental and Heritage Protection, Queensland](#)
- [-Department of Parks and Wildlife, Western Australia](#)
- [-Environment and Planning Directorate, ACT](#)
- [-Birdlife Australia](#)
- [-Australian Bird and Bat Banding Scheme](#)
- [-Australian National Wildlife Collection](#)
- [-Natural history museums of Australia](#)
- [-Museum Victoria](#)
- [-Australian Museum](#)
- [-South Australian Museum](#)
- [-Queensland Museum](#)
- [-Online Zoological Collections of Australian Museums](#)
- [-Queensland Herbarium](#)
- [-National Herbarium of NSW](#)
- [-Royal Botanic Gardens and National Herbarium of Victoria](#)
- [-Tasmanian Herbarium](#)
- [-State Herbarium of South Australia](#)
- [-Northern Territory Herbarium](#)
- [-Western Australian Herbarium](#)
- [-Australian National Herbarium, Canberra](#)
- [-University of New England](#)
- [-Ocean Biogeographic Information System](#)
- [-Australian Government, Department of Defence Forestry Corporation, NSW](#)
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- [-CSIRO](#)
- [-Australian Tropical Herbarium, Cairns](#)
- [-eBird Australia](#)
- [-Australian Government – Australian Antarctic Data Centre](#)
- [-Museum and Art Gallery of the Northern Territory](#)
- [-Australian Government National Environmental Science Program](#)
- [-Australian Institute of Marine Science](#)
- [-Reef Life Survey Australia](#)
- [-American Museum of Natural History](#)
- [-Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [-Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- [-Other groups and individuals](#)

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

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## **Appendix B**

### **Project schedule**

201110 Australis OWF Outline Schedule Rev 0.mpp

