

Terms of Reference

Western Renewables Link Inquiry and Advisory Committee
Inquiry and Advisory Committee



Department
of Transport
and Planning

Version: June 2025

The Western Renewables Link Inquiry and Advisory Committee (IAC) is appointed to inquire into, and report on, the proposed Western Renewables Link (the project) and its environmental effects in accordance with these terms of reference.

The IAC is appointed pursuant to:

- section 9(1) of the *Environment Effects Act 1978* (EE Act) as an inquiry; and
- part 7, section 151(1) of the *Planning and Environment Act 1987* (P&E Act) as an advisory committee, to consider the draft planning scheme amendment (PSA) GC209.

Name

1. The IAC is to be known as the 'Western Renewables Link IAC'.

Skills

2. The IAC should consist of members with expertise in:
 - a. electrical transmission infrastructure and engineering;
 - b. land use (including agriculture, socio-economic and bushfire) and social effects;
 - c. biodiversity and ecology; and
 - d. statutory planning.
3. The IAC will comprise an appointed Chair (IAC Chair), a Deputy Chair and other appropriately qualified members.

Purpose of the IAC

4. The IAC is appointed by the Minister for Planning (the Minister) under section 9(1) of the EE Act to hold an inquiry into and report on the environmental effects of the project. The IAC is to:
 - a. review and consider the environment effects statement (EES), the other exhibited documents and submissions received in relation to the project, with a focus on matters where there is potential for significant environmental effects, in particular for biodiversity and ecology, Aboriginal and historic cultural heritage values, landscape and visual values, land use and the community;
 - b. consider and report on the significance and acceptability of likely environmental effects of the project, having regard to relevant policy and legislation and relevant evaluation objectives in the EES scoping requirements;
 - c. consider and report on potential significant impacts on relevant matters of national environmental significance protected under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act), including the significance and acceptability of residual impacts;
 - d. identify any additional mitigation measures and/or project modifications beyond those identified in the EES the IAC considers necessary and effective to avoid, mitigate or manage the significant environmental effects of the project consistent with relevant policy and legislation; and
 - e. advise on how these modifications and measures should be implemented through the necessary approvals and consents for the project.
5. The IAC is also appointed as an advisory committee under section 151(1) of the P&E Act to:



- a. review draft PSA GC209, which has been prepared to apply a Specific Controls Overlay (SCO) and establish planning approval for the project under an incorporated document;
 - b. consider issues raised in public submissions received in relation to the draft PSA; and
 - c. recommend any changes to the draft PSA that it considers necessary.
6. The IAC must produce a report of its findings and recommendations to the Minister on the environmental effects and draft PSA, to inform:
 - a. the Minister's assessment under the EE Act, which will be considered by statutory decision makers for the project;
 - b. the Minister's consideration of the draft PSA under the P&E Act in due course.

Background

Project outline


7. Western Renewables Link comprises the development of high voltage transmission infrastructure to link the Western Renewable Energy Zone to the Victorian transmission grid. The project was identified through a regulatory investment test for transmission (RIT-T) process undertaken by the Australian Energy Market Operator (AEMO) in its capacity as Victoria's transmission network planner.
8. The proponent's preferred configuration for the project, as described in the EES, comprises the development of overhead high voltage transmission lines that will carry electricity from Bulgana in western Victoria to Sydenham in Melbourne's north-west. The new transmission lines will operate at 500kV end to end. The total length of the project is approximately 190km.
9. The project's proponent is AusNet Transmission Group Pty Ltd (AusNet), which is responsible for preparing technical studies, consulting with the public and stakeholders and preparing an EES and draft PSA.

EES assessment process

10. In response to a referral under the EE Act from the proponent, the then Minister for Planning determined on 4 August 2020 that an EES was required for the project and issued his decision with procedures and requirements for the preparation of the EES.
11. On 11 August 2023 a new referral was accepted for the project which does not encompass construction of a new terminal station north of the existing Sydenham Terminal Station. In response to this new referral, the Minister for Planning determined on 22 August 2023 that an EES was required for the updated project and issued her decision with procedures and requirements for the preparation of the EES as specified in Attachment 1.
12. The EES was prepared by the proponent in response to the updated final EES scoping requirements issued by the Minister for Planning in November 2023.
13. The EES (including the draft PSA) will be placed on public exhibition for forty (40) business days. The public comment process is in accordance with the procedures and requirements issued for this EES by the Minister. AusNet is responsible for public notice of EES exhibition.

Commonwealth assessment process

14. Because of its likely significant impacts on matters of national environmental significance, the project was determined to be a controlled action requiring assessment and approval under the EPBC Act on 2 September 2020. The relevant controlling provisions under the EPBC Act are listed threatened species and communities (sections 18 & 18A).
15. Under the EPBC Act bilateral agreement between the Australian and Victorian governments, the Victorian EES process is serving as the accredited assessment process to address EPBC Act assessment requirements for this project. The assessment of environmental effects to be made by the



Victorian Minister for Planning will be provided to the Commonwealth Minister for Environment and Water to inform the approval decision under the EPBC Act.

Planning approval process

16. The IAC is to consider and provide advice on draft PSA GC209 which proposes planning controls and provisions that will allow for, and facilitate, the use and development of the project. The PSA is proposed to apply a SCO to land along the transmission alignment within the Northern Grampians, Pyrenees, Ballarat, Hepburn, Moorabool and Melton Planning Schemes. The incorporated document will regulate the use and development of project infrastructure including utility installations, a new terminal station, upgrades of existing terminal stations and new transmission line infrastructure and associated ancillary purposes.

Other approvals

17. The project will require other statutory approvals and/or consents, as outlined in the EES, which is expected to include the following:
 - a. approved cultural heritage management plans under the *Aboriginal Heritage Act 2006*;
 - b. a permit to remove listed flora and fauna under the *Flora and Fauna Guarantee Act 1988*;
 - c. an oversize overmass permit for the transport of materials on Victorian roads under the *Heavy Vehicle National Law Application Act 2013*;
 - d. a permit to install and/or maintain electricity lines in proximity to land or adjacent to rail infrastructure under the *Rail Management Act 1996*;
 - e. consents or agreements for works undertaken in a road under the *Road Management Act 2004*;
 - f. consent to disturb a site listed on the Victorian Heritage Register (VHR) or the Victorian Heritage Inventory (VHI) or an archaeological site not listed under the *Heritage Act 2017*;
 - g. approvals for works in waterways under the *Water Act 1989*; and
 - h. an authority to take or disturb wildlife under the *Wildlife Act 1975*.

Process

Stage 1 – Submissions

18. Submissions on the EES and draft PSA are to be provided in writing on or before the close of submissions.
19. Submissions will be collected by the office of Planning Panels Victoria (PPV) through the Engage Victoria platform. All submissions must state the name and address of the person making the submission. Submissions will be collected and managed in accordance with the privacy guidance on the PPV website.
20. Petition responses will be treated as a single submission and only the first names from a petition submission will be registered and contacted.
21. Pro-forma submitters will be registered and contacted individually if they provide their contact details. However, the IAC should encourage pro-forma submitters who want to be heard at the hearing to present as a group, given their submissions raise the same issues.
22. All written submissions and other supporting documentation or evidence received through the course of the IAC process will be published online, unless the IAC specifically directs that the submission or other material, or part of it, is to remain confidential. Requests for submissions or other material to be kept confidential must be clearly stated in writing to the IAC through PPV, consistent with the process outlined in the IAC's Privacy Collection Statement. The IAC will review these and base its decision to maintain confidentiality on whether it would be fair to the proponent and other parties to the hearing. It is common practice that confidential submissions must be shared with the proponent to ensure issues




raised can be appropriately considered and dealt with. In these instances, confidential submissions will be allocated a submission number but will not be made publicly available or only published in part depending on the IAC's decision.

23. PPV must provide electronic copies of each submission on the EES and draft PSA to the proponent, Department of Transport and Planning (DTP) (Impact Assessment and Infrastructure Assessment), Northern Grampians Shire, Pyrenees Shire, Ballarat Shire, Hepburn Shire, Moorabool Shire, City of Melton, Barengi Gadjin Land Council Aboriginal Corporation, Eastern Maar Aboriginal Corporation, Dja Dja Wurrung Clans Aboriginal Corporation, Wadawurrung Traditional Owners Aboriginal Corporation, Wurundjeri Woi-Wurrung Cultural Heritage Aboriginal Corporation and First Peoples – State Relations.
24. PPV must retain any written submissions and other documentation provided to the IAC for a period of five years after the time of the IAC's appointment.

Stage 2 – Public hearing

25. The IAC must hold a public hearing and may make other such enquiries as are relevant to undertaking its role, consistent with these terms of reference.
26. Prior to the commencement of the public hearing, the IAC must hold a directions hearing to make directions it considers necessary or appropriate as to the conduct, scope or scheduling of the public hearing.
27. When it conducts a public hearing, the IAC has all the powers of an advisory committee that are specified in section 152(2) of the P&E Act.
28. The IAC may inform itself in any way it sees fit, but must review and consider:
 - a. the exhibited EES and draft PSA;
 - b. all submissions and evidence provided to the IAC by the proponent, state agencies, local councils and submitters;
 - c. the views (if known) of Traditional Owners and Registered Aboriginal Parties;
 - d. any information provided by the proponent and parties that respond to submissions or directions of the IAC; and
 - e. any other relevant information that is provided to, or obtained by, the IAC.
29. The IAC must conduct its process in accordance with the following principles:
 - a. the public hearing will be conducted in an open, orderly and equitable manner, in accordance with the principles of natural justice;
 - b. the public hearing will be conducted with a minimum of formality and without legal representation being necessary for parties to be effective participants; and
 - c. the IAC process and hearing itself is to be exploratory and constructive, with adversarial behaviour discouraged and with cross-examination/questioning to be regulated by the IAC in the context of these three principles.
30. The IAC may limit the time of parties appearing before it.
31. The IAC may direct that a submission or evidence is confidential in nature and the hearing be closed to the public for the purposes of receiving that submission or evidence.
32. The IAC may conduct a public hearing when there is a quorum of at least two of its members present or participating through electronic means, one of whom must be an IAC Chair or Deputy Chair.
33. If directed by the IAC, an audio recording of the hearing must be procured by the proponent. If recorded, the audio recording will be provided to PPV as a weblink and would be made publicly available as soon as practicable after the conclusion of each day of the hearing, or otherwise as directed by the IAC.
34. Any other recording of the hearing by any other person or organisation may only occur with the prior consent of, and strictly in accordance with, the directions of the IAC.



Stage 3 – Report

35. The IAC must produce a written report for the Minister for Planning containing its:
 - a. analysis and conclusions with respect to the environmental effects of the project and their significance and acceptability;
 - b. findings on whether acceptable environmental outcomes can be achieved, having regard to legislation, policy, best practice, and the principles and objectives of ecologically sustainable development;
 - c. recommendations and/or specific measures that it considers necessary and appropriate to prevent, mitigate or offset adverse significant environmental effects;
 - d. recommendations relating to the project alternatives considered through the EES and any feasible modifications to the design or management of the project that would offer improved environmental outcomes, particularly in relation to reducing/mitigating significant environmental effects;
 - e. recommendations for any appropriate conditions that may be lawfully imposed on any approval for the project, including with respect to the structure or content of the draft PSA;
 - f. recommendations as to the structure and content of the proposed environmental management framework, including with respect to monitoring of environmental effects and contingency plans;
 - g. specific findings and recommendations about the predicted impacts on matters of national environmental significance and their acceptability, including appropriate controls and environmental management.
36. The report should include:
 - a. information and analysis in support of the IAC's findings and recommendations;
 - b. a list of all recommendations, including cross-references to relevant discussions in the report;
 - c. a description of the public hearing conducted by the IAC, and a list of those persons consulted with or heard;
 - d. a list of all submitters in response to the exhibited EES and draft PSA; and
 - e. a list of the documents tabled during the proceedings.

Timing

37. The IAC should hold a directions hearing no later than 20 business days from the final date of the exhibition period.
38. The IAC should commence the hearing no later than 50 business days from the final date of the exhibition period.
39. The IAC must submit its report in writing to the Minister within 40 business days from its last day of its proceedings.
40. The DTP's Impact Assessment must liaise with PPV to agree on the directions hearing and hearing dates.

Minister's assessment

41. The Minister for Planning will make an assessment of the environmental effects of the project after considering the IAC's report as well as the EES, submissions and any other relevant matters.
42. PPV will notify submitters of the release of the Minister's assessment and IAC report.

Fee

43. The fees for the members of the IAC will be set at the current rate for a panel appointed under part 8 of the P&E Act.



44. All costs of the IAC, including the costs of obtaining any expert advice, technical administration and legal support, venue hire, accommodation, recording proceedings and other costs must be met by the proponent.


Miscellaneous

45. The IAC may apply to the Minister for Planning (or their delegate) to vary these terms of reference in writing, at any time prior to submission of its report. This includes to seek variation to the required hearing or reporting timeframes, providing there are special circumstances that necessitate a longer timeframe.
46. The IAC may retain specialist expert advice, additional technical support and/or legal counsel to assist if considered necessary.
47. PPV is to provide any necessary administrative support to the IAC. The proponent is to provide any necessary administrative or technical support to the IAC in relation to the conduct of the hearing.

Signed by the Minister 25/06/2025

Sonya Kilkenny MP
Minister for Planning

Date: 25 / 06 / 2025



The following information does not form part the Terms of Reference.

Project Management

48. For matters regarding the IAC process, please contact Planning Panels Victoria, by phone (03) 5381 9457 or email Planning.Panels@transport.vic.gov.au.
49. For matters regarding the EES process, please contact the Impact Assessment Unit in DTP by phone (03) 8572 7980 or email environment.assessment@transport.vic.gov.au.



Attachment 1

Procedures and requirements under section 8B(5) of the *Environment Effects Act 1978* for the Western Renewables Link EES.

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

- (i) The EES is to document investigations of potential environmental effects of the proposed project, including the feasibility of associated environmental mitigation and management measures, in particular for:
 - a. alternative corridors, alignments, site locations, designs or other options for the planning, construction or operation of the project;
 - b. potential effects on biodiversity, including loss, degradation or fragmentation of habitat;
 - c. effects on Aboriginal and historic cultural heritage values;
 - d. impacts on visual and landscape values; and
 - e. other effects on land uses and the community.
- (ii) The matters to be investigated and documented in the EES are set out more fully in scoping requirements.
- (iii) The level of detail of investigation for the EES studies should be consistent with the approach set out in the scoping requirements and be adequate to inform an assessment of the significance and acceptability of its potential environmental effects, in the context of the Ministerial Guidelines.
- (iv) DTP will continue to manage an inter-agency technical reference group (TRG) to advise DTP and the proponent on the design and adequacy of the EES studies and coordination with statutory approval processes.
- (v) The proponent is to maintain, implement and update an EES consultation plan for informing the public and consulting with stakeholders during the preparation of the EES. The updated published consultation plan needs to have regard to advice from DTP and the TRG.
- (vi) The proponent is also to update, maintain and submit to DTP its proposed schedule for the completion of studies and preparation and exhibition of the EES. This schedule is to be finalised and agreed with DTP, in order to facilitate the alignment of the proponent's and DTP's timeframes, including for TRG review of technical studies for the EES and the main EES documentation.
- (vii) The proponent is to apply appropriate peer review and quality management procedures to enable the completion of EES studies to a satisfactory standard.
- (viii) The EES is to be exhibited for a period of 40 business days for public comment, unless the exhibition period spans the Christmas–New Year period, in which case 50 business days will apply.
- (ix) The proponent is to follow any specific directions given by the Director Impact Assessment, DTP, regarding advertising and exhibition arrangements, including with respect to giving advance notice of the intention to exhibit, provision of soft or hard copies of the exhibited EES to interested parties and the placement or otherwise of EES copies for viewing in public places.
- (x) An inquiry will be appointed under the *Environment Effects Act 1978* to consider environmental effects of the proposal. The inquiry will be conducted by formal hearing, which may include the use of video-conferencing or other technology as the inquiry Chair deems appropriate.