TASMANIAN PLANNING COMMISSION

ASSESSMENT CRITERIA

Bell Bay Wind Farm

Major Project

prepared by the Development Assessment Panel
for the Bell Bay Wind Farm Major Project

4 December 2024

Assessment Criteria - Bell Bay Wind Farm Major Project

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Contents

Preamble

In this document, this preamble, the table of contents, footnotes, and appendices are included to help users understand the assessment criteria. They are for information but do not form an operative part of the assessment criteria.

What is the purpose of the assessment criteria?

In an overall sense, the assessment criteria serve two important roles:

(a) they outline the matters the Major Project Impact Statement (MPIS) is to address; and

(b) in determining whether to grant or refuse to grant a major project permit, the Development Assessment Panel (Panel) must consider if the assessment criteria have been satisfied.

How were identified matters incorporated into the assessment criteria?

The assessment criteria have been derived from the collective consideration of:

(a) advice from participating regulators that identified matters the MPIS is to address;

(b) relevant land use planning matters; and

(c) submissions from other stakeholders.

A range of relevant identified matters may be incorporated into a single assessment criterion, or a single matter may be addressed across a number of criteria.

Requirements of the Act for the determination of a major project

The Panel's consideration of the assessment criteria and its determination of whether to grant or refuse to grant a major project permit will be undertaken in accordance with the procedures and requirements of section 60ZZM of the *Land Use Planning and Approvals Act 1993* (the Act).

The Act requires that the Panel must only grant a major project permit where:

(a) it is satisfied that the major project (the project) is an effective and appropriate use or development of the land related to the project;

(b) the assessment criteria in relation to the project have been satisfied; and

(c) it is satisfied that:

  (i) the project would be consistent with furthering the objectives specified in Schedule 1;

  (ii) the project would not be in contravention of a State Policy;

  (iii) the project would not be in contravention of the Tasmanian Planning Policies (TPPs); and

  (iv) the project would not be inconsistent with a regional land use strategy that applies to the land on which the project is to be situated.

The Act does not require the considerations under (a) and (c) above to be addressed in the MPIS, however the proponent may choose to address them in a separate submission.

The considerations under (a) and (c) above are equally as important as the assessment criteria to the Panel's decision on whether to grant a major project permit.

Why are many of the assessment criteria subjective?

Generally, the assessment criteria have been drafted to provide an outline of a topic and a test to determine if the project achieves an acceptable outcome in relation to that topic. The Panel is then required to judge whether the project satisfies the test in relation to each topic. Consequently, most assessment criteria are subjective.

In some instances, such as for noise and shadow flicker, the criteria include quantitative requirements. The Panel considers that providing clear, objectively verifiable criteria on matters where there is a substantial body of understanding around acceptable thresholds provides a benefit to all parties.

How does the Panel determine if the assessment criteria have been satisfied?

The project will be considered against each assessment criterion. To grant a major project permit, the Panel must determine that the project satisfies each assessment criterion.

The Panel's consideration of whether the assessment criteria have been satisfied will involve forming a judgement on a range of interrelated matters. The Panel's judgement on these matters will be exercised in a way that satisfies general requirements for discretionary decision-making, in line with other discretionary decision-making undertaken by the Commission.

Where satisfaction of a criterion is based on whether an acceptable level has been achieved, the Panel may assess this in light of the project as a whole. This means that the threshold of what the Panel considers to be an acceptable level may be different for each criterion.

How does the 'context' relate to the assessment criteria?

For the assessment criteria related to policy context and strategy, some context is provided to explain the background relating to that criterion. This is to assist understanding of the issue addressed but is not an operative part of that criterion.

What are the lists of factors 'the Panel may have regard to'?

Many of the assessment criteria include a list of factors the 'Panel may have regard to' when it considers that criterion. These are not operative parts of the criteria.

Generally, these factors have been included when the Panel considers:

(a) professional practice has demonstrated there are likely to be particular factors that may be relevant to the criterion; or

(b) it is important for a specific factor to be transparently mentioned.

The list of factors the Panel may have regard to is not intended to be exhaustive, nor is it a complete outline of the scope or content of what should be included in the MPIS.

What is the purpose of the description of terms?

The description of terms is provided to help users understand the assessment criteria, and to clarify how the Panel will interpret particular terms in their consideration of the assessment criteria.

Described terms are shown in bold where used in the assessment criteria.

What are the matters the MPIS is to address?

The MPIS is to address the assessment criteria specified under each topic.

Where the assessment criteria identify factors that the 'Panel may have regard to', the MPIS should be prepared in a way that enables these to be considered.

The MPIS is to be prepared by suitably qualified people. Where findings or conclusions are reached, the MPIS should clearly outline:

(a) the evidence that supports or relates to the findings or conclusions; and

(b) the degree to which the findings or conclusions are based on professional opinion.

Where the proponent provides statements and opinions, as additional to the assessment by suitably qualified people, on:

(a) the merits of a matter;

(b) the merits of the project as a whole; or

(c) views on matters outside of the assessment criteria,

this should be provided as a separate written submission, preferably at the same time as the MPIS.

What is the purpose of the appendices?

The appendices are provided as guidance and do not form an operative part of the assessment criteria.

Appendices A and B outline the information that the plans for the project should contain. The MPIS is to propose the use and development for which a major project permit is sought. The proposal is to include:

(a) details of the location of the proposed use and development; and

(b) a full description of the proposed use and development.

It is expected that this will be fulfilled by providing the information outlined in Appendix A.

In addition, the MPIS is to provide plans and descriptions of the project site, the locality, and existing use and development, that is able to be understood with reference to the proposed use and development. It is expected that the provision of this information will be satisfied by providing the information contained in Appendix B.

Appendix C outlines a list of reference guidance materials. These materials are provided as guides that may be relevant to the preparation of the MPIS, and generally relate to commonly accepted practices or methods that provide a means of

assessing a matter. In some instances, the methods themselves are of greater relevance than the particular subject matter.

The list in Appendix C is not exhaustive and following the guidance is not mandatory. The list of guidance materials does not constrain or limit the ability of the MPIS to address matters through other practices or methods.

Appendix C also includes a link to the Commission's website, which contains feedback on matters for the assessment criteria provided by participating regulators, agencies and landowners. These documents include content that may provide guidance on information or assessment methods for the MPIS that is considered appropriate by the participating regulator or other stakeholder.

What level of survey and assessment detail will be required to address the assessment criteria?

The level of detail required by surveys and assessments for each matter should be appropriate to allow evaluation of the level of significance of the project's effect on that matter. Consequently, the extent, timing and comprehensiveness of surveys and assessments needs to be informed by the proposed use and development, initial findings, professional opinion, and best practice approaches.

The coordination of advice between participating regulators and the Commission on assessment procedures will assist all parties and enable methods to be understood early in the process.

This approach is intended to increase the likelihood that the MPIS will address the assessment criteria to the extent necessary for the Panel to assess the criteria and for participating regulators to consider their final advice to the Panel, while minimising the likelihood that the proponent undertakes unnecessary studies.

Assessment Criteria

1.0 Policy context and strategy

1.1 Industry development and climate change

Context: The Tasmanian Government has developed a series of related polices and strategies that aim to increase renewable energy generation, reduce greenhouse gas emissions and grow energy intensive industries in a cost-effective manner. The capacity for Tasmania's strong wind resources to contribute to cost competitive contracts for firm electricity for both existing and new major energy users is seen as a competitive advantage for the State. The Bell Bay industrial areas are identified as key locations for future major electricity users, as well as containing a number of existing intensive users of electricity.

Assessment criterion

The characteristics of the **project site** and location as well as the proposed **use** and **development** are capable of providing the basis for a low **delivered cost** wind energy facility that positively contributes to the Tasmanian Government's:

(a) greenhouse gas emission reduction policies;

(b) renewable energy targets; and

(c) industry development strategies, including plans for future **use** of the Bell Bay industrial area,

to an acceptable level.

1.2 Infrastructure coordination

Context: Achieving growth in renewable energy that delivers the least cost and optimally located generation and transmission to avoid the adverse effects of congestion and meet electricity consumer demand where it is needed requires coordination of:

- the use of existing transmission capacity;
- network connection requirements;
- cost effective network augmentations that benefit electricity consumers; and
- the location and capacity of new generation/energy storage.

Assessment criterion

The location and capacity of the wind farm and its connection to the National Electricity Market (NEM) aligns:

(a) with strategies that optimise and coordinate transmission and generation/storage investment, planning and delivery to meet forecast demand; and

(b) potential requirements for public or electricity consumer funded transmission infrastructure to the level of benefit those parties receive,

to an acceptable level.

1.3 Low cost renewable energy

Context: Harnessing Tasmania's comparative advantage in its wind resource to produce low **delivered cost** renewable energy is an important element of Tasmania's Renewable Energy Target and the Government's Renewable Energy Action Plan, as well as associated projects such as Marinus link and hydrogen production hubs.

Australian Energy Market Operator's plans for Australian energy transition recognises that Tasmania's strong wind resources, in comparison to other states, provides the basis for it to provide additional energy to the National Energy Market at a low whole of system cost.

To be capable of achieving the benefits of low **delivered cost** of renewable electricity, wind farms are located, sited and designed to harness strong wind resources and have efficient transmission to meet the forecast demand of energy consumers at the lowest whole of system cost.

Assessment criterion

The **project site** characteristics and the design of proposed **use** and **development** including:

- wind resource across the **project site**, including its long-term speed, direction, reliability and variability;
- the location, siting and spacing of wind turbines;
- the scale of the wind energy facility; and
- its location with respect to the current and planned **shared transmission network** and current and potential future load,

are capable of providing the basis for a wind energy facility with a low **delivered cost** of electricity to an acceptable level.

1.4 Community wellbeing and economic development

Context: Large scale renewable energy projects can have a range of beneficial and detrimental effects, during both construction and operating phases, on the social and economic wellbeing of local communities in the areas surrounding the project, regional communities where key activities occur, and the wider Tasmanian community that benefits from State agency ownership of land and key infrastructure.

Assessment criterion

The effects of the project, during both construction and operating phases, on the social, cultural and economic wellbeing of local, regional and State communities including:

(a) the distribution of economic and material effects, including positive and negative effects;

(b) the degree to which labour, material, or products required for the project are sourced locally;

(c) effects on the availability of workforce for other industries;

(d) opportunities for employment, business, and training;

(e) opportunities for co-located, aligned, or downstream community and commercial activities;

(f) changes to the supply and affordability of housing, visitor accommodation and community and business services;

(g) increased costs to electricity consumers due to requirements for system security management or due to generators being constrained by network congestion; and

(h) increased demand for public/customer funded augmentations to publicly owned/regulated infrastructure,

are at an acceptable level.

2.0 Design and management

2.1 Design response

Assessment criterion

Development is located, designed, and sited to respond to the context, attributes, values, and constraints of the **project site** and locality, and avoids significant adverse effects to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the degree to which the location, design and siting of the **development** has been informed by, contributes positively to, and avoids or minimises adverse effects on, each of the issues under '3.0 planning assessment' below, including consideration of the cumulative effects across the issues;
- how the functional requirements of the **use** have informed the location, design and siting of the **development** in the context of the **project site** and locality; and
- measures to avoid, remedy or mitigate potential adverse effects through design and siting and the degree to which alternatives exist.

2.2 Management practices

Assessment criterion

Management actions applied during construction, operation and decommissioning of the proposed **use** and **development** eliminate, minimise, mitigate or offset adverse social, cultural, economic and environmental effects, in relation to:

(a) the matters addressed by the assessment criteria in section 3.0 Planning assessment;

(b) television reception and radio communiciations;

(c) construction phase noise and vibration;

(d) use, production, handling, transport and storage of dangerous goods and environmentally hazardous materials;

(e) complaints investigation and response;

(f) accident and emergency response;

(g) air emissions including dust, vehicle emissions, and odour;

(h) waste management; and

(i) rehabilitation of public land,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the significance of any social, cultural, economic or environmental effects;
- the potential for effects to cause environmental harm or nuisance;
- best practice management techniques;
- risk-weighted evidence that the project will not lead to serious or irreversible adverse ecological effects;
- the accuracy of information provided to assess effects and management actions;
- the purpose and management objectives of land reserved and managed under an Act;
- the likelihood of land disturbance and degradation of public land not being reversible in a timely and cost-effective manner;
- the maximum timeframe proposed for the **use** of the land as well as the process for initiating, and the program to undertake, decommissioning and public land rehabilitation;
- the risk of invasive organisms being introduced or spread;
- the degree to which materials are proposed to be recycled or reused following decommissioning;
- the level of certainty that potential management actions will eliminate, minimise or mitigate effects; and
- the potential to provide offsets where residual effects are likely, and the level of benefit of any offset.

3.0 Planning assessment

3.1 Land use compatibility

Assessment Criterion

The proposed **use** and **development**:

(a) has an acceptable level of compatibility with land management activities and operations associated with land used, reserved or available for timber harvesting and mining including:

- managing the risk of weeds, diseases and pests being introduced and spread; and
- implementing fuel-reduction, ecological or cultural burning;

(b) has an acceptable level of compatibility with:

(i) existing and potential agricultural **use**;

(ii) existing and potential **use** of land used, reserved or available for mineral exploration or development purposes;

(iii) **use** of land owned and managed by the Department of Defence;

(iv) requirements of any conservation covenants; and

(v) activities undertaken in accordance with an authority or agreement of a landowner or manager,

on land within and adjoining the **project site**; and

(c) has an acceptable level of compatibility with:

(i) public and commercial access to, and recreational use of, reserves and public land; and

(ii) the purpose and management objectives of land reserved and managed under an Act (excluding land reserved or managed for transport and infrastructure),

on land managed for these purposes, within and adjoining the **project site**.

In considering the criterion, the Panel may have regard to:

- the location of infrastructure and access tracks and any buffer or exclusion areas either proposed or necessary for the safe operation of the proposed **use**;
- the existing and potential future **use** of the land associated with agriculture, mining, forestry, public recreation, and land management activities and the like;
- the degree to which the tenure, reserve type, purpose and management objectives of land have informed the location, design and siting of the proposed **development**;
- potential constraints on existing and future **use** of the land;
- the effects of wind turbines, overhead power lines and underground

cables on mineral exploration and extraction methods;

- the extent to which the proposed **use** and **development** may have an adverse effect on the natural values of, or lifeforms that are native to, any land subject to a conservation agreement under section 34 of the *Nature Conservation Act 2002*;
- the potential to inhibit or limit land management activities including the feasibility for implementing fuel reduction, ecological or cultural burning and maintenance of conservation values;
- the potential effect that changes in accessibility to the land has on the operations of land managers, occupiers, businesses and public recreation;
- the potential effects of the proposed **use** and **development** on public recreation, including bushwalking and mountain biking;
- any benefits that would accrue to existing and potential future **use** of the land;
- advice from landowners, land managers and relevant authorities, including TasRail, Sustainable Timbers Tasmania, Tasmania Fire Service, Private Forests Tasmania, and Department of Defence;
- advice from the Aboriginal community;
- the principles and outcomes of the State Coastal Policy 1996 for land within the coastal zone under the State Policy;
- the purpose and management objectives of land reserved and managed under an Act;
- measures to avoid, minimise, remedy, mitigate, or manage potential adverse effects and the degree to which alternatives exist; and
- measures proposed to ameliorate potential constraints or improve compatibility with current and potential future **use** of the land.

3.2 Coastal processes and geomorphology

Assessment criterion

The proposed **use** and **development** maintains the natural features and processes of coastal systems to an acceptable level.

The Panel in considering the criterion may have regard to:

- the sensitivity of the coastal landforms and geomorphic processes to disturbance;
- the degree to which the project may affect sand and sediment movement, build-up and scouring and other naturally occurring coastal processes;
- the significance and extent to which the proposed **use** and **development** has the potential to cause adverse effects;
- the degree to which the **use** and **development** is dependent on a

coastal location;

- the capacity to avoid adverse effects through the siting and design of the proposed **development**; and
- the capacity to minimise effects through construction and operational practices.

3.3 Transport, traffic and access

Assessment criterion

(a) The design and condition of existing, new or upgraded road infrastructure, both within and outside of the **project site**, is at an acceptable level to cater for the transport task of the project while maintaining road user safety, infrastructure condition and the efficiency of the **public road** network;

(b) The selection of transport routes, traffic management arrangements and **development** of new or upgraded road infrastructure required to accommodate the transport task of the project, both within and outside of the **project site**, avoid, minimise or mitigate adverse effects on:

(i) natural values;

(ii) the safety of other road users; and

(iii) the amenity of local communities,

to an acceptable level; and

(c) The **development** of new or upgraded **public road** transport infrastructure and short- and long-term road maintenance intervention required to accommodate the transport task of the project, both within and outside of the **project site**, avoids additional costs to **public road** owners and managers to an acceptable level.

In considering the criterion, the Panel may have regard to:

- viable options and alternatives to the routes that may be used to transport materials and equipment to the **project site**, the timing of transport and the site access locations;
- the maximum extent of the transport task and associated traffic across different stages of the project, including worker commuting routes;
- the likely transport task associated with accessing civil construction materials and water resources from proven viable sites;
- the design and location of permanent and temporary access points to the **public road** network;
- the degree to which access points and supporting infrastructure meet security, resilience and emergency management needs;
- the condition of existing transport infrastructure assets and any asset upgrade, maintenance or rehabilitation works that may be required;
- how the condition of existing transport infrastructure will be monitored during different construction and operation phases;

- the degree of new civil works, asset improvements, or vegetation clearing associated with the transport of oversize or overmass equipment;
- potential effects of proposed transport and traffic arrangements to threatened ecological communities and species, or significant ecological systems;
- potential effects of proposed transport and traffic arrangements on amenity, natural values and human health through roadkill, noise, dust and emissions; and
- proposed measures to minimise or manage adverse effects on safety and amenity of road users, the **public road** network, the local environment and surrounding areas.

3.4 Landscape and visual

Assessment criterion

The proposed **use** and **development**:

(a) responds to the character of the landscape, and maintains significant landscape values and features; and

(b) avoids or minimises significant adverse effects on views and visual amenity,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the character of the landscape and discrete features within the landscape as expressed by its natural and cultural elements, patterns and processes;
- the extent of public access to, and visibility of, the land;
- the significance of effects as viewed from key vantage points both within and outside of the **project site**;
- relevant scenic value and management objectives of scenic protection areas and scenic road corridors as identified in the Tasmanian Planning Scheme - George Town;
- the perceived size, scale, and geographic extent of the project and density of the wind turbine layout;
- the degree of any cumulative and sequential impacts and effects, including any cumulative landscape effects from existing and proposed wind energy facilities and overhead power lines;
- the degree to which the scale, location and density of wind turbines and other visible elements relate to the characteristics of landforms and the landscape and have been designed to avoid or minimise landscape and visual effects; and
- the duration and reversibility of effects.

3.5 Aboriginal cultural values and landscape

Assessment Criterion

The proposed **use** and **development** maintains the tangible and intangible Aboriginal cultural values linked to the **use**, associations and meanings associated with the landscape character of the place to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the nature and degree of effects on Aboriginal cultural values associated with the physical, associative and perceptual attributes of the landscape character;
- any cumulative landscape effects from existing and proposed wind energy facilities, including overhead power lines;
- any effects on the cultural landscape as a result of effects on **Aboriginal heritage**;
- the purpose and management objectives of land reserved and managed under an Act;
- the advice of Aboriginal Heritage Tasmania:
    - from its review of Aboriginal cultural values and landscape assessment reports; and
    - on any matters relevant to the Panel's consideration of the criterion;
- Aboriginal community advice on the significance of the cultural values;
- the duration and reversibility of effects;
- measures to avoid, minimise, remedy, or mitigate potential adverse effects and the degree to which alternatives exist; and
- the degree to which any conservation benefits, offsets or enhancements of cultural values may offset adverse effects.

3.6 Aboriginal heritage

Assessment criterion

The proposed **use** and **development** protects known and potential **Aboriginal heritage** from adverse effects to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the advice of Aboriginal Heritage Tasmania;
- final draft **Aboriginal heritage** assessment reports;
- professional and Aboriginal community advice on the significance of heritage;
- the nature and degree of effects on **Aboriginal heritage**;
- the extent to which information is based on ground survey evidence;
- the purpose and management objectives of land reserved and managed under an Act; and

- measures to avoid, minimise, remedy, mitigate or manage potential adverse effects and the degree to which alternatives exist.

3.7 Historic cultural heritage

Assessment criterion

The proposed **use** and **development** maintains the characteristics, values and significance of known and potential places of historic cultural heritage significance to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the extent to which information is based on ground survey evidence;
- the level of any historic cultural heritage significance and nature and degree of effects;
- the duration and reversibility of any effects;
- the purpose and management objectives of land reserved and managed under an Act;
- measures to avoid, minimise, remedy, mitigate or manage potential adverse effects and the degree to which alternatives exist; and
- whether the project will result in any heritage conservation benefit that might offset any adverse effects.

3.8 Natural values - flora

Assessment criterion

The proposed **use** and **development**, including the construction phase:

(a) protects **listed native flora** and **listed native vegetation communities** from adverse effects; and

(b) does not significantly adversely affect non-listed native flora and non-listed native vegetation communities

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the significance and extent to which the proposed **use** and **development** has the potential to cause adverse effects to both terrestrial and aquatic species and communities;
- the conservation status of native flora and vegetation communities;
- the extent, threats, likely viability and importance of native flora in a local, regional, state and national context;
- the condition, extent, threats, importance and likely viability of native vegetation communities, in a local, regional, state and national context;
- site-specific surveys for **listed native flora** and **listed native vegetation communities** known or likely to occur in the area;
- the degree to which the proposed **use** and **development** affects a

Comprehensive Adequate and Representative (CAR) reserve system;

- any recovery plans, conservation advices or listing statements made, adopted, or proposed for the relevant native flora or vegetation communities;
- the need to remove native flora or vegetation communities to mitigate the risk of bushfire to human life and property, considering other available measures to mitigate the risk of bushfire;
- the potential for the proposed **use** and **development** to cause adverse effects, including:
    - direct impacts from direct loss, clearing and conversion, and edge effects;
    - changes to the native vegetation community composition;
    - if the clearance and conversion of native vegetation communities will contribute to cumulative impacts on species that are threatened species under the *Threatened Species Protection Act 1995*, or listed threatened species under the *Environment Protection and Biodiversity Conservation Act 1999*;
    - indirect impacts caused by fragmenting habitat and native vegetation communities, or caused by changes to sedimentation, scouring, altering nutrient cycles or hydrological conditions, the mobilisation of acid sulfate soils, or the introduction or spread of pests and disease, including *Phytophthora cinnamomi*; and
    - cumulative and interactive effects in the context of other **development** in the region, including nearby wind energy facilities;
- the purpose and management objectives of land reserved and managed under an Act;
- any programs proposed to be implemented to validate the ecological outcomes sought during operation; and
- the likelihood that measures to avoid or minimise and mitigate or offset potential adverse effects through design, construction and operational responses will ameliorate those effects.

3.9 Natural values - fauna

Assessment criterion

The proposed **use** and **development**, including the construction phase:

(a) protects **listed fauna** from adverse effects; and

(b) does not significantly adversely affect non-listed native fauna,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the significance and extent to which the proposed **use** and **development** has the potential to cause adverse effects on aquatic, avian, and terrestrial fauna;

- the degree and certainty of effects, and how uncertainty of effects will be managed;
- site-specific surveys for **listed fauna** known or likely to occur in the area, in particular **key species**;
- the conservation status of species;
- the current distribution, threats, likely viability, and importance of native fauna in a local, regional, state and national context;
- the condition, extent and potential for fragmentation and isolation of habitat;
- any recovery plans, conservation advices or listing statements made, adopted, or proposed for the relevant native fauna species;
- whether native fauna species' use of the **project site** and relevant surrounding area has the potential to change during construction and operation, due to factors such as roadkill or bird strike increasing the available food sources;
- the potential for the project to cause adverse effects, and the significance of those effects, including the potential:
    - for collision or forcing species to the ground due to turbulence, considering observed or modelled utilisation and flight behaviours in the **project site** and relevant surrounding area, rates of collision at comparable Tasmanian sites, the veracity of collision data at comparable Tasmanian sites, along with the worst-case scenario and likely scenarios for bird (including eagle) deaths in any given year and over the life of the project;
    - for collision from vehicles travelling to and within the **project site**, during both construction and operation;
    - for direct loss of the species habitat, nests, and den sites through clearing;
    - of cumulative and interactive effects in the context of other **development** in the region, including nearby wind energy facilities and including the potential to create a population sink;
    - disturbance or disruption to normal behaviours caused by noise and vibration, lighting or other emissions;
    - disturbance to eagle nesting during breeding seasons considering the potential to sensitise to repeated disturbance, cause flushing of nests, or otherwise increase the likelihood of nest failure;
    - for direct loss of freshwater species due to changes in ecological condition or flows of water; and
    - for indirect loss of terrestrial, freshwater, or marine species or habitat caused by changes to sedimentation, erosion, scouring, altering nutrient cycles or hydrological conditions, the mobilisation of acid sulfate soils, or the introduction or spread of pests and disease;

- the purpose and management objectives of land reserved and managed under an Act;
- any programs proposed to be implemented to validate the ecological outcomes sought during operation; and
- the likelihood that measures to avoid or minimise, and mitigate or offset potential adverse effects through design, construction and operational responses will ameliorate those effects.

3.10 Wildlife and products of wildlife

Assessment criterion

The proposed **use** and **development**, including the construction phase, is designed, constructed and operated to protect **wildlife and products of wildlife** from potential adverse effects to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the importance of wildlife habitat within and nearby to the **project site** and relevant surrounding area;
- the potential for the proposed **use** and **development** to cause adverse effects, and the significance of those effects, including the potential:
    - of killing, injuring, catching, damaging, destroying, or collecting wildlife; or
    - of destroying nests, including dens, roosting sites and the like;
- cumulative and interactive effects in the context of other **development** in the region, including nearby wind energy facilities and associated infrastructure for connection to the **shared transmission network**;
- the purpose and management objectives of land reserved and managed under an Act;
- how potential adverse effects will be avoided; and
- where potential adverse effects are not avoidable, how those effects will be mitigated and managed.

3.11 Water quality and flow

Assessment criterion

The proposed **use** and **development**, including works during the construction phase, maintains:

(a) the flows of groundwater and surface water;

(b) the quality of groundwater and surface water;

(c) **beneficial uses of water**; and

(d) the health of ecological systems and organisms in relation to changes in water flow, disturbance of riparian areas and release of sediments or pollution,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- effects both within and outside of the **project site**;
- the principles of the State Policy on Water Quality Management 1997 in relation to the management of surface water and groundwater quality and the maintenance of protected environmental values;
- the degree to which **use** and **development** avoids or manages the risk of hydrogeological changes, erosion, pollution, sedimentation and releasing or disturbing land that may contain acid sulfate soils;
- the degree to which the **use** and **development** results in changed sedimentation, scouring and deposition post construction;
- the degree to which changes to water quality or flows have the potential to impact on beneficial uses of surface waters and groundwater aquifers, including groundwater dependent ecosystems and surface water ecosystems receiving groundwater;
- the degree to which the **use** and **development** affects values identified by the Conservation of Freshwater Ecosystem Values (CFEV) project;
- the purpose and management objectives of land reserved and managed under an Act;
- measures to monitor water quality; and
- measures to avoid, remedy or mitigate potential adverse effects and the degree to which alternatives exist.

3.12 Aviation safety

Assessment criterion

The proposed **use** and **development** maintains the operational integrity, safety and efficiency of air services and aircraft operations to an acceptable level.

In considering the criterion, the Panel may have regard to:

- comments and advice on aviation safety matters from relevant stakeholders including the Civil Aviation Safety Authority, Air Services Australia, Department of Defence, aerodrome or landing field operators, and aircraft operators; and
- whether a risk assessment determines there is a need for obstacle lighting or whether risk mitigation measures provide an acceptable alternative to obstacle lighting.

3.13 Amenity and interference

Assessment criterion

The proposed **use** and **development** maintains communication service quality and the amenity of the **project site** and vicinity by:

(a) protecting pre-existing **radio communication services** from interference due to physical structures or electric and magnetic fields to an acceptable level;

(b) not exceeding a modelled blade shadow flicker impact at any existing residential dwelling intended for continued residential use of 30 hours per year or, implementing mitigation actions that limit the predicted actual level of shadow flicker to an acceptable level;

(c) complying with New Zealand Standard NZS 6808:2010, Acoustics – Wind farm noise for the sound level of operating wind turbines, including an assessment of whether a high amenity noise limit is applicable to locations zoned General Residential or Low Density Residential;

(d) minimising the operating sound and vibration levels from substations, energy storage systems, and overhead power lines at **noise sensitive premises** to an acceptable level;

(e) minimising effects of blade glint at any existing residential dwelling, General Residential Zone or Low Density Residential Zone to an acceptable level; and

(f) maintaining the amenity of public recreation users of the **project site** and adjacent land in relation to shadow flicker and noise and vibration to an acceptable level.

In considering the criterion, the Panel may have regard to:

- the advice of radio communication operators on the likelihood for services to be affected and their preferred solutions;
- the level of certainty associated with both the potential for services to be affected and the likelihood of avoidance or mitigation strategies to prevent or remedy the degradation of services;
- whether relocation of **radio communication services** can be agreed;
- the extent of potential shadow flicker at existing dwellings, expressed as the modelled maximum of shadow flicker for a 50m area surrounding dwellings;
- any agreements in place with landowners that alter the use of existing dwellings during the operation of the wind farm;
- the principles and procedures of the Environment Protection Authority (EPA) Environment Protection Policy (Noise) 2009[1] as well as;
    - any cumulative effect from existing or proposed wind farms;
    - the extent of any wind turbine exclusion zones from sensitive

[1] https://epa.tas.gov.au/Documents/EPP_Noise_2009.pdf

receptors;

- the results of predictive modelling based on potential wind turbines with the maximum sound level and the modelled sound level from existing wind turbines in the locality; and
- any sound level penalty that should be added to modelling to reflect tonal or other special audible characteristics;

- design, siting and operation of the proposed **use** and **development** in relation to areas regularly used by the public for recreation; and
- measures to monitor noise and vibration, interference of **radio communication services**, and shadow flicker.

3.14 Natural hazards

Assessment criterion

The proposed **use** and **development**, including temporary **development**:

(a) maintains an acceptable level of risk of causing, or contributing to, landslip, flooding and **coastal hazards** of the **project site** and nearby land;

(b) maintains an acceptable level of risk of causing, or contributing to the spread and intensification of, bushfire; and

(c) minimises potential adverse effects from landslip, flooding, bushfire and **coastal hazards**, including on other values and human health, to an acceptable level.

In considering the criterion, the panel may have regard to:

- any advice from the Tasmania Fire Service, an accredited bushfire practitioner, State Emergency Service Tasmania, other state authority or a council;
- the significance and extent to which the **use** and **development** has the potential to cause adverse effects;
- the degree and certainty of effects;
- whether hazardous chemicals of manifest quantity are stored on site.
- the extent to which design and siting of buildings and works and fire protection measures can:
  - manage the risk of and effects from landslip, flooding, **coastal hazards**, and bushfire;
  - limit the potential for bushfire to ignite on the **project site**;
  - minimise the exposure of people and the environment to hazardous chemicals or emissions as a consequence of bushfire; and
  - reduce risk to emergency service personnel;
- measures to monitor risks and effects; and
- measures to avoid, remedy or mitigate potential adverse effects and the degree to which alternatives exist.

3.15 Design, siting, subdivision and signs

Assessment criterion

The design and siting of buildings and works (including for temporary **development**), subdivision, proposed lease and licence arrangements, and signs:

(a) provide for the safe and effective operation of the project;

(b) are compatible with public and commercial access, uses, and activities on the land;

(c) are compatible with water, electricity, gas, road, and rail network infrastructure;

(d) minimise the risk of, and adverse effects on, the environment, human health, amenity of nearby land and amenity of recreational and commercial users due to emissions;

(e) minimise the risk of, and adverse effects from, contamination and pollution; and

(f) provide for signs that are compatible with the characteristics and visual amenity of the **project site** and locality, and minimise adverse effects for transport users,

to an acceptable level.

In considering the criterion, the Panel may have regard to:

- any advice from a road or rail authority, a council, or state authority;
- the extent to which buildings and works are necessary for the construction or operation of the project;
- the area, dimensions, term, extent, purpose, and exclusivity of any proposed lease or licence arrangements;
- the extent to which the design and siting of buildings, works, subdivision, and proposed lease and licence arrangements:
    - provide for the ability to manoeuvre vehicles on the **project site**, the ability of emergency services to access the **project site** and the safety of vehicle crossings and the road network;
    - are compatible with continued public and commercial access, **use** and activities on the land; and
    - maintain the safety of public and commercial users of the land;
- the effects of the proposed **use** and **development** on metallic below ground infrastructure, including access to carry out repairs and maintenance;
- the effects of the proposed **use** and **development** on the safety and operability of the road and rail network;
- the type, size, location, necessity, and degree of permanency of signage;

- the purpose and management objectives of land reserved and managed under an Act;
- minimise and manage risks and adverse effects associated with contaminated land;
- analysis of the potential for a range of emissions, including extremely low frequency (ELF) and electric and magnetic fields (EMF), to have effects on human health;
- minimise the potential for adverse effects on the environment, amenity of nearby land, amenity of recreational and commercial users, and human health due to emissions of waste water, stormwater, noise, vibration, dust, engine emissions, lighting, odour, or other pollutants, including during the construction phase;
- measures to monitor risks, emissions, and effects; and
- measures to avoid, remedy or mitigate potential adverse effects and the degree to which alternatives exist.

Description of terms

Aboriginal heritage: as protected under the *Aboriginal Heritage Act 1975*.

beneficial uses of water: use of water for purposes that have clear and tangible benefits, such as household uses, primary industry uses, industrial processing and cooling, hydro-electric generation, ecosystem values, navigation, and recreation, aesthetic and cultural values.

coastal hazards: coastal inundation and coastal erosion.

delivered cost: is the total cost of supplying electricity generated by the project to consumers and includes the costs of generation, transmission and power system management.

development: as defined under the *Land Use Planning and Approvals Act 1993*. Includes temporary development.

key species: are the following species known to occur in the area:

- Tasmanian wedge-tailed eagle (*Aquila audax* subsp. *fleayi*);
- white-bellied sea eagle (*Haliaeetus leucogaster*);
- Tasmanian masked owl (*Tyto novaehollandiae castanops*);
- swift parrot (*Lathamus discolor*);
- blue-winged parrot (*Neophema chrysostoma*);
- Tasmanian devil (*Sarcophilus harrisii*); and
- spotted-tailed quoll (*Dasyurus maculatus* subsp. *maculatus*).

Listed fauna: threatened fauna species under the *Threatened Species Protection Act 1995*, listed threatened fauna species under the *Environment Protection and Biodiversity Conservation Act 1999* and migratory species listed under the *Environment Protection and Biodiversity Conservation Act 1999*.

Listed native flora: native threatened flora species under the *Threatened Species Protection Act 1995* and native listed threatened flora species under the *Environmental Protection and Biodiversity Conservation Act 1999.*

Listed native vegetation communities: ecological communities listed as endangered or critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* and threatened native vegetation communities under Schedule 3A of the *Nature Conservation Act 2002*.

noise sensitive premises: means residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

project site: the area described as the ‘project location’ in the Bell Bay Wind Farm Major Project declaration.

public road: includes roads owned or operated by the Tasmanian Government, a council, Hydro Tasmania, or Sustainable Timbers Tasmania, over which the general public has access.

radio communication services: radio communication assets used by emergency services, broadcast radio and television, satellite television and internet, telephone services, and digital communication services, including fixed and other licence types.

shared transmission network: the transmission network owned, operated or controlled by TasNetworks used to convey electricity between connected generators and consumers.

use: as defined under the *Land Use Planning and Approvals Act 1993*.

wildlife and products of wildlife: includes wildlife or the products of any form of wildlife set out in sections 3(1) and (2) of the *Nature Conservation Act 2002* and listed as protected wildlife, specially protected or partially protected wildlife under schedules 1, 5 and 8 of the *Nature Conservation (Wildlife) Regulations 2021*.

Appendix A. Plans of proposed use and development

Plans and elevations of the proposed **use** and **development** are to be provided as part of the MPIS in addition to a corresponding written description. The map book is to contain a consolidated set of information outlining the proposed **use** and **development** proposed, including the details as described below.

1.0 Project use and development plans

The **use** of land for a Wind Energy Facility (WEF) is an electricity generating system (incorporating any onsite energy storage) including all land and **development** used to operate the WEF, from the wind turbines through to the metering/connection point for that generation system. Each generating system with a metering/connection point into the **shared transmission network** is a separate WEF, regardless of whether it is intended to be owned and operated in conjunction with other WEFs.

The MPIS is to contain complete plans and a description of the proposed **use** of the land for the operating stage of each WEF, including any WEF incorporated as part of the operation of another WEF.

The description is to state the:

- maximum operating period proposed for each WEF;
- proposed decommissioning and rehabilitation period for each WEF; and
- any set periods of time during which any part of the operation of any WEF is proposed to be restricted or curtailed.

The MPIS is to contain plans of all **development** associated with each WEF that show the proposed location of:

- wind turbines;
- overhead power lines;
- underground cables;
- substations;
- any new water or sewer infrastructure;
- internal access tracks and whether the project involves a new track or an upgrade to an existing track;
- works to create a new or upgraded access to a **public road**;
- all accesses to **public roads**, and whether each is to be used in the construction or operation phase, or both;
- buildings, structures or compounds, battery energy storage, substations, control rooms, offices, storage and maintenance buildings;
- temporary sites proposed to be used in the construction process for activities such as storage, assembly and concrete batching; and

- any areas with identified values or attributes where all physical works will be excluded.

2.0 Site development plans

Specific plans of areas within the **project site** where major buildings, structures and on-site quarries are proposed, that show:

- the area and dimensions of land to be leased or subdivided that will be managed by the wind farm operator, containing buildings, substations and battery storage systems;
- the location and dimensions of buildings, structures, perimeter fences, external lighting, access tracks, cut and fill, parking areas, landscaped areas of proposed facilities such as control room and maintenance functions, substations, and battery storage systems;
- the area and dimensions of typical hardstand, laydown or works areas associated with the construction and maintenance of high voltage overhead lines and wind turbines;
- the extent and depth of works, land used for storage and access, site water management, and stages of **development** of on-site quarries; and
- work exclusion areas.

3.0 Elevations/sections

Drawings of proposed buildings and major structures with scale and dimensions showing:

- the location of major works, buildings, and structures;
- the height of structures, buildings, and significant earth works relative to natural ground level; and
- the maximum extent of cut and fill.

For meteorological masts, drawings showing:

- maximum height above natural ground level;
- the typical arrangement of guy-wires; and
- the location of any aviation markers or any mast painting for aviation safety purposes.

For wind turbines, drawings showing:

- maximum distances from natural ground level to the top of the nacelle and to the tip of the blade;
- maximum blade diameter; and
- minimum distance between blade tip and ground level.

For overhead electricity poles/towers, drawings of typical span sections showing:

- the maximum sag/minimum height above ground level;

- the minimum and maximum of conductors and overhead power lines above ground level;
- the maximum blowout of conductors;
- easement width; and
- the maximum height and typical widths of proposed towers and typical spacing between towers.

4.0 Native vegetation removal plans

Plans and photographs of proposed native vegetation clearance showing:

- aerial images showing the spatial extent of native vegetation clearance;
- vegetation community descriptions and overall extent of vegetation areas where native vegetation is proposed to be cleared; and
- the location and recent photos of any large or remnant trees to be cleared.

Mapping of vegetation should be informed by Appendix 6 of the Assessor's Handbook - Applications to remove, destroy or lop native vegetation, October 2018, Victorian Government[2].

5.0 Base information

The project **use** and **development** plans and site **development** plans provided are to include information relevant to the project and features of the **project site**, and the surrounding land, as follows:

Project information

- **project site** - the boundary of the land that relates to the proposed **use** and **development**, comprised of all titles and public land within which **development** is proposed.
- wind farm site - the boundary of the wind farm site that is comprised of all properties where agreements are in place that enable **development** of the project.
- host dwellings - the location of dwellings on land that is part of the wind farm site.

Base information

- concentric spheres showing, at an approximate distance from the footprint of peripheral wind turbines (the outer ring of wind turbines closest to the **project site** boundary), 1km intervals for 4km beyond the project.
- dwellings outside the wind farm site.
- parcel boundaries.
- publicly owned land.

[2] https://www.environment.vic.gov.au/_data/assets/pdf_file/0022/91255/Assessors-handbook-Applications- to-remove,-lop-or-destroy-native-vegetation-V1.1-October-2018.pdf

- assets and works associated with the operation of the **shared transmission network**.
- **public roads.**
- existing access tracks.
- elevation contours.
- recent high-resolution aerial imagery and LiDAR.

Appendix B. Site and locality plans and information

1.0 Site and locality context plans

The MPIS is to contain site and locality context plans that show a range of information that enables a site and locality context analysis as outlined in assessment criterion 2.1. The MPIS is to contain maps, plans and photos, including the proposed location of wind turbines and other infrastructure where relevant, that enable the context of the **project site** and locality to be understood and, where relevant, show and depict:

- the **project site** and wind farm site.
- land topography and land system types.
- significant landscape features.
- Aboriginal heritage sites and potential areas of sensitivity.
- the wind resource across the site and surrounding area.
- existing vegetation types and native vegetation communities.
- nests, dens and burrows, and foraging and roosting habitat.
- waterways and the class of streams.
- wetlands and any RAMSAR wetlands.
- fauna and flora listed under the *Threatened Species Protection Act 1995* and *Environment Protection and Biodiversity Conservation Act 1999.*
- land that may be considered to be part of a frontal dune, including any fore, blowout, parabolic, or transgressive dunes.
- any significant constraints such as acid sulfate soils or highly erodible soils.
- land reserve types under the *Crown Lands Act 1976, Forest Management Act 2014*, the *Forest (RFI) Act 2014*, and *Nature Conservation Act 2002*.
- existing land **uses** and dwellings.
- **public roads** and rail network and the function of transport routes.
- above-ground utilities, energy generation facilities and infrastructure.
- existing below-ground TasWater infrastructure, including notation of any proposed **development** within 2m horizontally or 3m vertically of that infrastructure.
- the location of towns, shack communities, significant conservation and recreational areas, and walking tracks.

2.0 Design response plan

The MPIS is to contain plans and information that show how the design and siting of **development** responds to the attributes of the **project site** and locality, and how the design and siting avoids significant adverse effects, as

outlined in assessment criterion 2.1. The MPIS is to include maps, plans and diagrams that show and depict:

- the location of specific attributes, such as landforms, values and constraints and how these factors have:
    - shaped the overall location and layout of wind turbines; and
    - influenced the design and siting of the proposed **development**; and
- where the potential of significant adverse effects has not been avoided, where the effects occur and the alternatives considered.

3.0 Turbines and dwellings

The MPIS is to contain plans of the **project site** and the surrounding area showing:

- The location of proposed wind turbines and a unique identifier.
- The location of dwellings and a unique identifier, within 4km of a wind turbine but not within the wind farm site.
- The location of dwellings and a unique identifier within the wind farm site.
- The wind farm site and the **project site** (see Appendix A 5.0).
- Tables with:
    - The spatial coordinates and elevation of each wind turbine.
    - The location of each dwelling and the distance between the dwelling and the closest turbine.

Appendix C. Guidance materials

Aboriginal Heritage Standards and Procedures, Aboriginal Heritage Tasmania, July 2023

https://www.aboriginalheritage.tas.gov.au/assessment-process/aboriginal-heritage-standards-and-procedures

Advisory Circular AC 139.E-05 v1.1, Obstacles (including wind farms) outside the vicinity of a CASA certified aerodrome, Civil Aviation Safety Authority, October 2022

advisory-circular-139-e-05-obstacles-including-wind-farms-outside-vicinity-casa-certified-aerodrome (5).pdf

Ask First: A guide to respecting indigenous heritage places and values, Australian Heritage Commission, 2002

https://www.wipo.int/export/sites/www/tk/en/databases/creative_heritage/docs/ask_first.pdf

Assessing the cumulative landscape and visual impact of onshore wind energy developments, Scottish Natural Heritage, March 2021

https://www.nature.scot/doc/guidance-assessing-cumulative-landscape-and-visual-impact-onshore-wind-energy-developments

Assessor's Handbook - Applications to remove, destroy or lop native vegetation, October 2018, Victorian Government

https://www.environment.vic.gov.au/__data/assets/pdf_file/0022/91255/Assessors-handbook-Applications-to-remove,-lop-or-destroy-native-vegetation-V1.1-October-2018.pdf

Australian Code for the Transport of Dangerous Goods by Road and Rail: Edition 7.9, National Transport Commission, 2024

Australian Dangerous Goods Code | National Transport Commission (ntc.gov.au)

Best Practice Erosion and Sediment Control: For Building and Construction Sites, Grant Witheridge, 2008

https://www.austieca.com.au/publications/best-practice-erosion-and-sediment-control-bpesc-document

Best Practice Guide 10.2 - Visual Simulations, New Zealand Institute of Landscape Architects, 2010

https://nzila.co.nz/media/uploads/2017_01/vissim_bpg102_lowfinal_gQFss9X.pdf

Concepts and Principles of Geoconservation, C Sharples, Tasmanian P&WS, September 2002

https://nre.tas.gov.au/Documents/geoconservation.pdf

Draft Construction Noise Guideline, NSW EPA, 2020

https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/noise/20p2281-draft-construction-noise-guideline.pdf (sections on infrastructure construction)

Draft National Wind Farm Development Guidelines, Environment Protection and Heritage Council, July 2010 (sections on shadow flicker, electromagnetic interference, aircraft safety and blade glint)

https://www.nepc.gov.au/sites/default/files/2022-09/draft-national-wind-farm-development-guidelines-july-2010.pdf

Environmental Management Goals for Tasmanian Surface Waters: Greater Pipers River Catchment, Department of Primary Industries, Water and Environment Tasmania, June 2003

https://epa.tas.gov.au/Documents/Greater_Pipers_River_Catchment_Final_Paper.pdf

Environment Protection and Biodiversity Control Act 1999 Offsets Policy, Department of Sustainability, Environment, Water, Population and Communities, October 2012

Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy (agriculture.gov.au)

Fauna Technical Note 1: Eagle nest searching, activity checking and nest management, Forest Practices Authority, April 2024

https://fpa.tas.gov.au/Documents/Fauna%20Tech%20Note%201%20-%20Eagle%20nest%20management.pdf

Forest Practices Code, Forest Practices Authority, 2020

https://fpa.tas.gov.au/Documents/Forest_Practices_Code_2020.pdf

Forest Protection Survey Program: Survey Guideline - Reptile Survey (V4.1), The State of Victoria Department of Land, Water and Planning, 2020

https://www.vic.gov.au/sites/default/files/2021-04/FPSPSurvGuide_Reptiles-V4.1.pdf

Forestry Botany Manual: Module 3 - Ben Lomond Region, Forest Practices Authority, 2005

https://fpa.tas.gov.au/__data/assets/pdf_file/0004/225319/Forest_Botany_Manual_Module_3_Ben_Lomond.pdf

Guidelines for Natural Values Surveys - Terrestrial Development Proposals, Department of Primary Industries, Parks, Water and Environment, 2015

https://nre.tas.gov.au/Documents/Guidelines%20for%20Natural%20Values%20Surveys%20related%20to%20Development%20Proposals.pdf

Guide to Eagle Nest Searching and Nest Activity Checks, Environment Protection Authority, May 2023

https://epa.tas.gov.au/Documents/EPA%20Guide%20to%20Eagle%20Nest%20Searching%20and%20Nest%20Activity%20Checks.pdf

Guide to Traffic Management, Part 12: Integrated Transport Assessments for Developments, Austroads, 2020

https://austroads.com.au/publications/traffic-management/agtm12

National Acid Sulfate Soils Guidance - A Synthesis, Water Quality Australia, June 2018

https://www.waterquality.gov.au/issues/acid-sulfate-soils/a-synthesis

National airports safeguarding framework Guideline D: Managing the risk to aviation safety of wind turbine installation/wind monitoring towers, July 2012

https://www.infrastructure.gov.au/sites/default/files/documents/4.1.3_Guideline_D_Wind_Turbines.pdf

National Light Pollution Guidelines for Wildlife, Australian Government Department of Climate Change, Energy, the Environment and Water, May 2023

https://www.dcceew.gov.au/sites/default/files/documents/national-light-pollution-guidelines-wildlife.pdf

Practice Note 1B - Preparation of Heritage Impact Statements, Tasmanian Heritage Council, April 2023

https://heritage.tas.gov.au/Documents/Preparing%20Heritage%20Impact%20Statements.pdf

Practice Note: cultural landscapes, Australia ICOMOS

https://australia.icomos.org/wp-content/uploads/Burra-Charter-Practice-Note_Cultural-Landscapes_22.12.2022.pdf

Practice Note: intangible cultural heritage and place, Australia ICOMOS

https://australia.icomos.org/wp-content/uploads/Practice-Note_Intangible-Cultural-Heritage-Place.pdf

Principles for Engagement in Projects Concerning Aboriginal and Torres Strait Islander Peoples, Australian Institute of Aboriginal and Torres Strait Islander Studies, 2020.

https://aiatsis.gov.au/publication/94687

Quarry Code of Practice, Environment Protection Authority, 3rd Edition, May 2017

https://epa.tas.gov.au/Documents/Quarry%20Code%20of%20Practice%20May%202017%20-%20web.pdf

Renewable Energy Development in Tasmania - A Guideline for Community Engagement, Benefit Sharing and Local Procurement, Department of State Growth, May 2024

https://recfit.tas.gov.au/__data/assets/pdf_file/0010/399205/Guideline_for_Community_Engagement,_Benefit_Sharing_and_Local_Procurement.pdf

Siting and Designing Wind Farms in the Landscape, Scottish Natural Heritage, version 3a August 2017

https://www.nature.scot/doc/siting-and-designing-wind-farms-landscape-version-3a

Survey Guidelines and Management Advice for Development Proposals that may impact on the Tasmanian Devil (*Sarcophilus harrisii*), Department of Primary Industries, Parks, Water and Environment, 2023

https://nre.tas.gov.au/Documents/Devil%20Survey%20Guidelines%20and%20Advice.pdf

Survey guidelines for Australia's threatened reptiles, Australian Government Department of Sustainability, Environment, Water, Population and Communities, 2011

https://www.dcceew.gov.au/sites/default/files/documents/survey-guidelines-reptiles.pdf

Tasmania Noise Measurement Procedures Manual, Department of Environment, Parks, Heritage and the Arts, July 2008.

https://epa.tas.gov.au/Documents/Noise_Measurement_Procedures_Manual_2008.pdf

Tasmanian Acid Sulfate Soils Management Guidelines, Department of Primary Industries, Parks, Water and the Environment, 2009

https://nre.tas.gov.au/Documents/ASS-Guidelines-FINAL.pdf

Tasmanian Environmental Protection Policy (Air Quality), Department of Environment, Parks, Heritage and the Arts, 2009

https://epa.tas.gov.au/about-the-epa/policy-legislation-cooperative-arrangements/statutory-policies/state-policies-and-environment-protection-policies/environment-protection-policy-(noise)-2009

Technical Guidance for Water Quality Objectives (WQOs) Setting for Tasmania, Environment Protection Authority, August 2020

https://epa.tas.gov.au/Documents/Technical%20Guidance%20for%20Water%20Quality%20Objectives%20(WQOs)%20Setting%20for%20Tasmania.pdf

'Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.

https://nzila.co.nz/media/uploads/2022_09/Te_Tangi_a_te_Manu_Version_01_2022_.pdf

The Interim Engaging with First Nations People and Communities on Assessments and Approvals under Environment Protection and Biodiversity Conservation Act, Department of Climate Change, Energy, the Environment and Water, 1999

https://www.dcceew.gov.au/environment/epbc/publications/engage-early

Traffic Impact Assessment Guidelines, Department of State Growth, August 2020

https://www.transport.tas.gov.au/__data/assets/pdf_file/0005/108491/TIA_Guidelines_-_PDF_Version.PDF

Visual representation of wind farms: Guidance, Scottish Natural Heritage, February 2017

https://www.nature.scot/doc/visual-representation-wind-farms-guidance

Water Quality Guidelines, ANZG, 2018

https://www.waterquality.gov.au/anz-guidelines

Wetlands and Waterways Works Manual, Department of Primary Industries, Water and Environment, 2003

https://nre.tas.gov.au/conservation/flora-of-tasmania/tasmanias-wetlands/wetlands-waterways-works-manual

Works Guidelines for Historic Heritage Places, Tasmanian Heritage Council, November 2015

https://heritage.tas.gov.au/Documents/Works_Guidelines_FINAL_Nov2015.pdf

Guidance provided by participating regulators, agencies and landowners

The major project process consolidates the assessment of major projects under several pieces of legislation, and in some cases the permits that would have been issued.

The process provides for the regulators of the consolidated legislation to participate by providing the Panel advice.

For this project, participating regulators have provided feedback on matters for the assessment criteria. This takes the form of assessment requirement notices, which detail the matters those regulators require to be included in the assessment criteria.

The participating regulators for this project are:

- The Chief Executive Officer of TasWater in relation to the infrastructure owned by the regulated entity and section 56O(1) of the *Water and Sewerage Industry Act 2008*;
- The Board of the Environment Protection Authority (EPA Board) in relation to the *Environmental Management and Pollution Control Act 1994*;
- The Secretary of the Department of Premier and Cabinet (DPAC) in relation to the *Aboriginal Heritage Act 1975*[3]; and
- The Secretary of the Department of Natural Resources and Environment Tasmania (NRE Tas) in relation to the *Threatened Species Protection Act 1995* and the *Nature Conservation Act 2002*.

Along with the assessment requirements notice, participating regulators may provide guidance on issues arising from the project, potential environmental impacts, information related to current and best practice approaches for surveys, and other related considerations.

Some participating regulators have a determining role in the major project process. This means the Panel must refuse to grant a permit if that is the advice of those regulators, or impose any permit conditions provided by those regulators. For this project, determining participating regulators are DPAC in relation to the *Aboriginal Heritage Act 1975* and NRE Tas in relation to the *Threatened Species Protection Act 1995*. Project-specific guidance has been provided to the Panel by these determining participating regulators, below:

- DPAC guidance;

[3] In November 2024 the Department of Natural Resources and Environment Tasmania became the Department responsible for the *Aboriginal Heritage Act 1975* and the Department of Premier and Cabinet ceased to be a participating regulator.

- NRE Tas general guidance; and
- NRE Tas MPIS guidance.

Other participating regulators have an advisory role - in the case of this project:

- TasWater;
- EPA Board; and
- NRE Tas in relation to the *Nature Conservation Act* 2002.

Under the Act, the EPA Board is required to carry out an environmental impact assessment of the project and provide advice to the Panel. The EPA Board has provided detailed guidance to the Panel on information related to environmental assessment, below:

- EPA guidance

The MPIS is required to address the assessment criteria. In doing this, the information that the MPIS contains is to be informed by the substance of the guidance provided by regulators. The Proponent should provide the information and level of detail that would have been required for participating regulators to assess or determine matters under their specific Acts. The level of detail provided should be appropriate to the level of significance of that issue for the proposal. This ensures the MPIS provides an information base that enables participating regulators to assess matters in accordance with their specific procedures. This will in turn enable participating regulators to provide advice to the Panel in a timely and effective manner.

In addition, advice and representations have been received from councils, State Service Agencies and Tasmanian Government Business including:

- George Town Council;
- West Tamar Council;
- NRE Tas;
- Department of Health;
- State Emergency Service;
- Tourism Tasmania;
- Private Forests Tasmania; and
- TasRail.

These documents provide a range of advice, information and guidance that may also assist in addressing specific assessment criteria.

Some landowners in the area also provided feedback.

All assessment requirement notices, guidance on information and general feedback is available at the Commission's website:

https://www.planning.tas.gov.au/assessments-and-hearings/current-assessments-and-hearings/Bell-Bay-Wind-Farm-assessment-criteria