



Offshore renewable energy infrastructure area proposal: Bass Strait off Gippsland

Submission by the Victorian National Parks Association

October 2022

The Victorian National Parks Association (VNPA) is an independent member-based organisation, working to improve protection of Victoria's biodiversity and natural areas, across land and sea. The VNPA has been actively working to protect Victoria's national parks and biodiversity for 70 years.

The VNPA welcomes the chance to make a submission to the *Offshore renewable energy infrastructure area proposal: Bass Strait off Gippsland*. We provide comment on:

- Natural values and the potential impacts on biodiversity
- Visual amenity and need for protection of the coastline
- The Gippsland offshore wind zone
- Recommendations to ensure biodiversity protected
- The Victorian Government's offshore wind development process
- Useful resources

Summary

- VNPA is supportive of moves to transition to more renewable energy sources and away from fossil fuels, however want to ensure that the impacts on nature are avoided and minimised early on in the process
- At the scale proposed for offshore wind, we would like to see the Federal Government lead a collaboration with Victoria on a clear framework to oversee the above, which includes criteria to guide offshore wind developers in the early stages of site identification that identifies and protects important natural values such as no-go zones.
- There are important marine biodiversity values within the Gippsland offshore wind zone such as marine national parks, national parks, and breeding and feeding areas for wildlife. These areas should be avoided.
- The visual amenity of Victoria's natural and semi-natural landscapes should be protected from infrastructure that detracts from the public enjoyment of those visual assets. This is especially important for areas of high conservation and tourism areas like Wilsons Promontory National Park.
- Biodiversity values have the potential to be impacted from the construction and operation phase of offshore wind development

- The supporting documents through this consultation did not provide sufficient identification of natural values
- The map provided identified no go areas for gas and oil titles, yet it was disappointing to see no environmental values identified
- There is an opportunity for the Federal Government to lead a collaborative process with Victoria which could be an example for other states
- Other areas such as New York leading the way for their regions are good examples that could help in this process

Natural Values

The supporting documents included as part of this submission process had very little detail on the important natural values in the area proposed as the Gippsland offshore wind zone. If the zone is formalised, it would be critical to help guide offshore wind developers to avoid significant natural values such as marine national parks, and key areas for marine life breeding or feeding. We would like to see a more thorough process of identification and assessment of these values early in the process, including criteria for no-go zones to protect environmental values. See the recommendations section below for more info.

Below we have listed some of these biodiversity values that are important to identify and avoid. This include protected areas, and migration, breeding, and nursery areas for wildlife.

Protected areas

There are a number of protected areas within the proposed offshore wind zone, including both in commonwealth and state areas. Some of these include:

- Wilsons Promontory National Park
- Wilsons Promontory Marine National Park
- Corner Inlet Marine National Park
- Bunurong Marine National Park
- Yaringa Marine National Park
- Ninety Mile Beach Marine National Park
- French Island National & Marine Park
- Churchill Island Marine National Park
- Beagle Marine Park

There are also a number of coastal reserves which are to protect the coastline along various parts of the coastline.

Migration, Nursery, & Breeding Areas of important wildlife

There are a number of highly important areas along this stretch of coastline for marine wildlife that is critical to identify early in the process to avoid any infrastructure going in these areas. Some of these important areas include:

- Migration pathways of the Humpback Whale, and migration, calving and breeding of the Southern Right Whale (listed under the Victorian FFG (Fauna and Flora Guarantee) Act and EPBC Act)

- Phillip Island has the largest colonies of little penguins, short-tailed shearwaters and Australian Fur Seal of anywhere in the world
- Popular bird sites for Short tailed Shearwater, Common Diving Petrel, Fairy prion, Little Penguin off the coast of Wilsons Promontory, albatross species, and the many other species and their flyways
- Great White Shark nursery area off Corner Inlet and Wilsons Promontory
- Important fish species such as School Shark, Orange Roughy (both listed under the EPBC Act), Elephant Fish, Gummy Shark, King George Whiting, and Snapper

Impacts on marine biodiversity

There are a range of potential impacts on marine biodiversity values from the construction and operation of offshore wind project development. These marine biodiversity values include migratory and threatened species, reefs and other benthic habitats, important aggregation, breeding and nursery areas of marine life, in addition to protected areas such as marine national parks and Ramsar areas.

Potential impacts include (not an exhaustive list):

- Above and underwater noise from construction and ongoing operation
- Physical infrastructure placement and location impacting on migratory routes on threatened species and other marine life
- Additional shipping and boating activity in the area, as well as in local ports
- Disruption of bird flyways from offshore wind farm design and location
- Disruption to marine life migration, breeding, feeding and calving cycles
- Physical removal of reefs and seabed habitat
- The increased risk of marine pest translocation due to the new infrastructure along the coastline, acting as 'steppingstones' for marine species, which can create havoc on marine ecosystems
- Removal of coastal vegetation or bird nesting areas on the beaches

Given the offshore wind zone area covers such a large area, already with at least four projects already proposed, it is important that not only are the environmental risks are assessed project by project, but also that the entire zone is preliminarily assessed for these important conservation areas (see recommendations below).

Relying on a project-by-project assessment alone will not consider cumulative impacts, and given the scale of this industry, it is important to get the environmental planning done right from the start. Early identification of significant conservation values and the identification of no-go zones or criteria to inform offshore wind development is essential.

Visual amenity

The visual amenity of Victoria's natural and semi-natural landscapes should be protected from infrastructure that detracts from the public enjoyment of those visual assets. This is especially important for areas of high conservation and tourism areas such as Wilsons Promontory National Park. There should also not be any infrastructure through national or marine national parks. We urge

that visual amenity is one of the criteria used and identified off-limit areas for any offshore wind infrastructure. We support the use of designs and location that have minimal visual impact and retain the natural and heritage values of the landscape. This includes both infrastructure at sea in commonwealth waters, and within state water and lands.

The need for landscape protection has been recognised in the preamble of the Victorian National Parks Act 1975 and by the Australian Heritage Commission Charter (Standards and principles for the conservation of places of natural heritage significance, 1996).

Careful planning and changes of location can reduce this impact. Likewise, while the Gippsland offshore wind zone is in commonwealth waters, it is essential that the infrastructure on the land that would be required to support is also under consideration in this process. Vegetation removal for example is often required and goes against the visual protection of special places. This would require a collaborative process between the Commonwealth and Victoria.

Comments on Gippsland offshore wind farm zone

The briefing note *Marine Users and Interests, Gippsland* provided as part of the consultation states 'Any proposed offshore renewable energy project will need to seek environmental approvals under the Environment Protection and Biodiversity Conservation Act 1999 to proceed. '

Whilst this is essential that this continues to happen, we have concerns that identifying the nationally significant environmental values wouldn't happen until later on once a potential site has already been identified. What is common in this process is relying on offsets and mitigation measures, rather than avoidance, which should always be the first port of call.

The map provided identifies 'areas to avoid' for existing oil and gas titles, and excludes the Federal Beagle Marine Park, however it does not consider other important natural values like state marine national parks, or migration/breeding/nursery areas for marine wildlife. There is a huge opportunity for the Federal Government to take leadership in showing the importance to protecting marine biodiversity whilst moving to renewable energy, rather than at the expense of nature.

We recommend that if this zone is deemed suitable for the development of offshore wind, for a thorough analysis and identification of these values be made to guide and provide more certainty to developers, while protecting environmental values. We recommend that this identifies no go zones in areas of high conservation value (see recommendations below).

Recommendations:

We strongly recommend for the following to ensure the highest environmental standards are adhered to during the emerging offshore wind development:

- The development of an overarching Framework that outlines how the impacts on biodiversity will be minimised or avoided in the Gippsland Offshore Wind Zone. It could be a bioregional Framework for this zone in collaboration with Victoria, or be a national framework relevant to other states. This Framework would provide early identification of environmental values and areas that should be off limits to offshore wind developers.

- The Framework has criteria (or standards) developed, which would help to guide the location of offshore wind proposals that avoid significant marine features, ecosystems, species and cultural areas in the early stages. These could be ‘no go areas’ within an offshore wind zone. The criteria should include:
 - no infrastructure through marine national parks, national parks, high conservation value areas, species breeding, nursery or aggregating areas
 - no construction during critical animal migration pathways
 - Avoiding culturally significant areas
 - The timing of construction does not coincide with critical animal migration pathways
 - Buffers around high conservation areas
 - No infrastructure to be sited from visually sensitive areas or national parks like Wilsons Promontory National Park
- For the continued environmental assessment processes to continue project-by-project (under the Victorian Environmental Effects Statement process and under the Federal EPBC Act)
- Releasing technical studies and environmental assessments publicly to build support for offshore wind, and transparency in the process
- As with any development on marine and coastal crown land there needs to be consistency with relevant environmental legislation and policy, such as the [Marine and Coastal Act](#), policy and strategy, and the EPBC Act, along with their guiding principles.
- Marine spatial planning is being developed through state legislation (the Marine and Coastal Act and Marine and Coastal Policy). This is one process that could be used to identify marine users and organise marine space in state and commonwealth waters. A Framework to guide this process has been developed with more detail around the marine planning areas and guidelines currently underway. More information can be found: <https://www.marineandcoasts.vic.gov.au/marine/marine-spatial-planning>

Other comments related to the Victorian Government

The Victorian Government released an [Offshore Wind Policy Direction Paper](#) which sets their vision for the establishment of the industry in Victoria. It mentioned technical studies for the environment have been done, but it is also not clear if there will be a coordinated effort for environmental risk across the state.

At the state level there have been comments that each project will be assessed individually for impacts on biodiversity. We are concerned that individualised process does not allow for the early identification and avoidance of important ecological areas, and we suspect could result in wasted effort for industry, or our environment losing out, if projects are proposed for ecologically sensitive areas. As mentioned above, if there is criteria that initially sets the tone, it could save developers a lot of work during their site identification as well as protect biodiversity.

While thoroughly assessing each project should happen, we are urging that there needs to be some over-arching criteria/process initially because of the number of projects across the whole state that considers all of them, and their cumulative impacts.

We would like to see this process be a collaboration between the Federal and State Governments.

Useful Resources

New York state has done some great work on environmental studies to inform their offshore wind zones through the development of a master plan. They conducted an Environmental Sensitivity Analysis (Study) to identify areas of biological importance within the offshore Area to guide offshore developers.

This identification of areas for consideration for offshore wind development will inform future developers, potentially reducing the uncertainty and costs of their proposals.

More information on their work can be found here: <https://www.nyserda.ny.gov/All-Programs/Offshore-Wind/About-Offshore-Wind/Master-Plan>

Thank you again for the opportunity to comment on this important consultation. Australia has an incredible responsibility to lead the offshore wind development industry, and it's important we get it right in these earlier stages and protect biodiversity in the process.

We would love the opportunity to meet with the department to discuss ideas in this submission further. Please see my contact details below.

Yours sincerely,

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