

1. Opening Statement – WCVA Verbal Presentation to the WRL EES IAC 23 Jan 26

1. Good morning. My name is Jim Phasey. Along with Steve Harper and Emma Muir, I am here representing the **Western Victorian Community Alliance (WVCA)**—a collective of approximately 10,000 residents, business owners, and families united by a shared concern for our region's future.
2. I live on Mount Blackwood in Myrniong. My property is defined by its proximity to the Lerderderg State Park and Wombat Forest. This is more than a home; I don't farm the land, but it is my retirement security. The proposed WRL route sits just 2km south, cutting directly across my primary bushfire escape route.
3. The risk the Alliance talks about is not theoretical. On January 9th of this year, a dry lightning storm forced my wife and me to evacuate to Bacchus Marsh. We live with the reality that an overhead high-voltage line in this landscape significantly compounds an already lethal fire risk.
4. My opposition to this design is rooted in **43 years of technical experience**. I am a mechanical engineer with 29 years in the Australian Army, where I specialized in aviation maintenance, technical regulation, and risk management. For the past 14 years, I have consulted in strategic asset management and logistics.
5. When this project was announced in 2020, I helped form the **Moorabool and Central Highlands Power Alliance (MCHPA)** and led its **Technical Working Group**. When the project was explained, I was dumbfounded. My first comment was "why don't they put it down the Freeway, why don't they put it underground?"
6. Our mission has been to bridge the information gap and advocate for a better solution which does not leave us bearing a disproportionate burden and risk. We have spent the last 5 and a half years educating our community on the complexities of transmission—from the physics of arcing and flashover to the global shift toward undergrounding, HVDC technology and batteries; and on the legislative and political environment; and how to get support.
7. The WVCA took over from the MCHPA after a legal challenge and appeal and has continued this work. We are not here to simply say "no"; we are here because our technical scrutiny of the 2020 Cressy tower failures and existing projects like Murraylink and Wonthaggi and Marinus Link proves that the "technical unfeasibility" claimed by AusNet and AEMO does not hold up under engineering, ethical or business rigour.
8. I will deliver an opening statement and then hand over to Steve and Emma, and then come back to myself, and so on, to present respective sections today.
9. Our submission today amplifies and expands on the issues, concerns and recommendations the Alliance made in our written submission to the IAC, submitted on 3 Sep 25, submission number 315.

10. Our submission will specifically address community concerns with a number of the chapters of the EES; and also will present further evidence from our assessment of what has, and what has not, been presented in evidence during the course of the public hearing to date.
11. We would like to invite questions from the panel as we go, or certainly at the conclusion of each section.
12. Others who would ordinarily be with us to present today have had to withdraw due to the need to monitor and manage the very real risk of bushfire.
13. So while today we are fewer in number, the WVCA community members remain actively engaged and united in their position that the Western Renewables Link (WRL), as proposed, introduces unacceptable levels of risk and impact into our community.

OUR OPENING HYPOTHESIS: FUNDAMENTAL DEFICIENCIES IDENTIFIED

14. Up front, the Alliance would like to make five statements.
15. (1) First and foremost, the Alliance wishes to state that our concerns about the WRL project and the environmental impact assessment and the proposed methods of managing those impacts as presented by the proponent in their EES; which we documented in our September 2025 submission **still stand**.
16. (2) Secondly, we wish to state that nothing we have heard or read from the proponent and their witnesses over the course of this hearing to date have changed this view. The issues we have highlighted have not been addressed and the risks to individuals, our community and our environment that we have documented have not been mitigated.
17. Instead, what we have heard from a broad range of submissions from other parties and in particular the impacted Councils and expert witnesses, is an overwhelming endorsement of the WVCA's assessment of the quality of the proponent's EES, and a validation of our longstanding and entrenched opposition to this project.
18. We have also heard expert testimony about the feasibility of better, less impactful, risk reducing alternatives and this gives us a fresh optimism and a firmer resolve to demand a better technical solution to get power from western renewable energy zones to Melbourne and the NEM.
19. **Alliance recommendations.** After reviewing the evidence presented to the IAC, the 38 detailed recommendations made by the Alliance in our Sep 25 submission **stand**.

Unquantified Risks and Benefits

20. (3) Thirdly, we contend that the risks to individuals, the community, and the environment have not been appropriately quantified over the 80-year project life, these have been systematically downplayed and dismissed rather than avoided or satisfactorily mitigated.
21. And the claimed benefits of the project have not been appropriately quantified, tested, or transparently balanced against impacts; and the potentially superior beneficial impacts of alternative solutions such as avoidance of catastrophic failure and loss has been totally ignored.
22. We contend that these failures undermine the credibility of the proponent's request for approval of the project in its current form, i.e. an overhead 500Kv line.

Strategic Capability versus Environmental Compliance

23. (4) Fourthly, we agree that providing an efficient, resilient and reliable means to:
- a. allow the transmission of renewable energy from western renewable energy zones to Melbourne,
 - b. to remove congestion on the existing transmission infrastructure, and
 - c. provide security of electricity supply for Victoria by facilitating connection with the NSW electricity network
 - d. and facilitating the shift from fossil-fuelled electricity generation to renewable energy generation,

..is of **national importance**.

24. We get it!

25. And we also understand that this national significance does **not** override the obligation of the Proponent, and the Victorian government, to pursue and design a solution - to what is essentially an 'engineering problem' - that fully complies with the Victorian Environment Effects Act 1978¹ and the Commonwealth Environment Protection and Biodiversity Conservation Act 1999².
26. In this regard, we note that while the Victorian Minister for Energy and Resources may have the authority to dictate that the project should be an overhead 500Kv line, and to set aside key provisions and protections in the National Electricity Law and National Electricity Rules as she sees fit; we contend that she does not have the authority to set aside the provisions of the EE Act or the federal EPBC Act.
27. We offer the same suggestion to AusNet and to the Minister that we assume many EES IACs have offered to proponents of projects with unacceptable environmental effects in the past – e.g. *“modify your design and change your project, and do the studies to confirm the impacts to the community and the environment are acceptable and in accord with legislated requirements, and acceptable to the community which has to host it, and don't come back until this can withstand the scrutiny of independent expert review”*.

Proponent Witness Bias

28. (5) And fifth, we contend that the proponent witnesses have not been impartial and have demonstrated clear and consistent bias in favour of the overhead solution.
29. Over the course of the hearing to date we have heard that:
- a. No meaningful change to the route was ever considered.
 - b. Witnesses were not provided with all relevant information to prepare or present at the hearing (specifically community submissions).
 - c. Their evidence largely repeated the proponent's narrative rather than offering independent assessment.

¹ EE Act

² EPBC Act

- d. They were unable or unwilling to present a balanced view.
 - e. They have repeatedly downplayed the risks and impacts of the project, despite substantial contrary evidence provided by community members, Councils, and independent experts.
 - f. They have accepted the proponent's proposed solution and route as a foregone conclusion, without adequate scrutiny of alternatives or consideration of less harmful options.
30. This bias is a direct contradiction of the duties of an expert witness appearing before a Planning Panels Victoria hearing, as outlined explicitly in Planning Panels Victoria, Practice Note 1³ relating to Expert Evidence, and undermines the credibility of the advice they have given.
31. The Alliance contends that the proponent's expert witness findings should be discounted in favour of the testimony of the expert witnesses presented by the Councils and other parties whose evidence has been properly prepared and tested.

PURPOSE AND STRUCTURE OF THE WVCA VERBAL SUBMISSION

32. I would now like to provide you with an overview of our submission.
33. Our submission will be delivered in 10 parts. Steve Harper, Emma Muir and I will alternate delivery. We will speak to the script provided and switch to the other illustrative and supporting material we have submitted in the PowerPoint file and other documents as appropriate.
34. Our submission builds on the evidence already provided in the written Alliance submission and will discuss, in order:
- a. Project rationale and the consideration of alternatives
 - b. Community and stakeholder engagement
 - c. Social impacts
 - d. Bushfire risk
 - e. Landscape and visual amenity
 - f. Agriculture and forestry
 - g. Biodiversity and habitat
 - h. Land use and planning
 - i. Environmental Management framework.
35. Following this we wish to expand on other issues which we have observed and engaged with which have arisen from the evidence presented during the hearings to date, namely:

³ https://www.planningpanels.vic.gov.au/_data/assets/pdf_file/0026/593333/ppv-pn01-expert-evidence.pdf

- a. The loss of social licence and the systemic risk this poses for the WRL, and for Victoria's transition to renewables.
 - b. The systemic failure to apply avoidance planning principles and the contradiction this now poses with Victoria's public-owned transmission planning principles.
 - c. The whole-of-life benefits to Victoria of not adding to bushfire risks or complicating efforts combat bushfire fighting efforts.
 - d. The whole-of-life benefits to Victoria of avoiding transmission network failures, such as those that occurred in recent times at Anakie and Cressy.
36. We hope today, to reinforce key findings and conclusions already before the IAC – that when considered together indicate that the EES prepared by AusNet for the overhead WRL project is not a comprehensive and impartial assessment of the environmental impacts, but is instead, a retroactive⁴ justification for a pre-determined outcome.
37. On this basis we will urge the Committee to recommend to the Minister for Planning to reject AusNet's EES as a basis for planning approval for the WRL, and to send the project back to the drawing board.

KEY THEMES OF EVIDENCE WHICH SUPPORT THE ALLIANCE POSITION

38. In reviewing our original submission against those of the proponent and others, and from the evidence presented to the IAC to date, the Alliance has identified eight key themes running throughout this evidence which support the Alliance's position.
39. These key themes are:
- a. Lack of Ground-Truthing by the Proponent
 - b. Undergrounding is a Feasible Alternative
 - c. Route Selection and Alternatives
 - d. The Failure of Consultation
 - e. Social Impact and Mental Health
 - f. Community Disengagement and Fatigue
 - g. Why Opposition Has Intensified
 - h. A manifest mischaracterisation of risk as low by the proponent and the assertion that risk does not increase.

Lack of Ground-Truthing by the Proponent

40. A central theme running through the Alliance's assessment of the EES provided by AusNet, and which has not been made good by their submissions, is the failure to properly ground-truth impacts.

⁴ What does retroact mean in law? A retroactive law is "a legislative act that looks backward or contemplates the past, affecting acts or facts that existed before the act came into effect" (Black's Law Dictionary, 7th Edition, pg. 1318).

41. The disconnect between AusNet's superficial and limited desktop analysis and our lived community experience is stark and unresolved.

Undergrounding is a Feasible Alternative

42. The feasibility of underground transmission stands out as a persistent theme, certainly from a technical feasibility perspective. Modern methods for avoiding unacceptable environmental effects already approved for use in Victoria in the Marinus Link, and historically proven elsewhere in Victoria, would minimise negative environmental impacts, avoid risks, win back community support and get this project back on track.
43. Short of full undergrounding, the Alliance contends that the evidence is strongest for undergrounding the **Ballarat to Sydenham portion of the WRL** as the most practical and high-impact avoidance section for partial undergrounding.
44. This also reflects the most socially, environmentally, and agriculturally sensitive segment of the project.

Route Selection and Alternatives

45. Of great significance, we note that AusNet has presented no expert evidence relating to genuine route selection, despite the central importance of this issue to the IAC's terms of reference. This gap has been confirmed through the EES hearing process, where no dedicated route-selection expert was called to explain or defend the comparative assessment of alternative corridors or technologies, including underground options.
46. Undergrounding and partial undergrounding were dismissed early and without proper analysis in the EES, instead the Proponent's counsel, Mr Tweedie, has relied upon the Councils' expert witnesses to explain the differences between undergrounding options, explain the difference between a DC Converter Station and an AC Shunt Reactor Station, and the difference in costs, amongst other things, and to essentially peer review AusNet's biased and selective undergrounding assessments and costings.
47. It was AusNet's responsibility to undertake alternative assessments in detail, commensurate with the potential to remediate unacceptable environmental impacts, it is not the responsibility of councils or the community to do this.
48. The obligation to explore alternatives, including partial undergrounding, or re-use of existing easements, sits squarely with the proponent and we believe that the evidence clearly shows that they have not done so.

The Failure of Consultation

49. We submit that consultation has been procedurally inadequate and substantively ineffective from the project's first public announcement and throughout the EES period.
50. Community engagement has been:
 - a. Incomplete.
 - b. Dismissive.
 - c. Largely performative rather than responsive.
51. Promises of change by the proponent were repeatedly made and repeatedly unmet.

52. The community has been ‘told’, not ‘listened to’.

Social Impact and Mental Health

53. Our concerns have been validated, and we have been vindicated by the Councils’ submissions and their expert witnesses, that the social and mental health impacts already inflicted on this community by AusNet and the WRL project are severe and unmitigated.

54. These impacts flow downstream and affect:

- a. Our community cohesion.
- b. They have reduced our trust in institutions including Energy Safe Victoria, AEMO, the Australian Energy Regulator (AER), Emergency Services Commission (ESC), the Australian Energy Infrastructure Commissioner, the Department of Transport and Planning, VicGrid, as well as government members, Ministers and their staff.

55. This has demonstrably affected the community’s willingness to engage with all study areas of the EES.

56. We note that AusNet has attempted to quantify mental health impacts without engaging with the underlying causes.

57. Critically, they have failed to ask why mental health impacts are occurring and they have failed to recognise that it is their ongoing behaviour, their intransigence and their arrogant and bullying defence of the overhead design, that is at the root cause of these mental health impacts.

58. We argue that AusNet’s approach to understanding the social and mental health impacts of the WRL on the community has failed thus far, and we also note that AusNet has failed to propose anything different in the EES for managing future and arguably worse felt impacts.

59. Social impacts are currently high and are largely unmitigated - If approval is given and construction commences the Alliance believes that these will increase exponentially and AusNet’s proposed mitigation measures are weak and will be ineffective.

Community Disengagement and Fatigue

60. We submit that Community disengagement from the WRL EES process is not simply the result of time.

61. We are fatigued and it is the result of:

- a. Persistent disregard by AusNet, AEMO, and the Minister for Energy and Resources, and VicGrid, for our concerns and for our requests for a triple bottom line consideration of alternative solutions.
- b. The proponent’s sustained practice of delaying, dismissing, or diminishing all forms of engagement initiated by the community.
- c. Failure to answer questions with answers, let alone honest answers.
- d. Defensive, dismissive, and at times aggressive conduct by the proponent.

- e. A consistent focus by AusNet on the claimed and unqualified benefits of the project, while minimising or sidelining the community's impacts and the heightened risks imposed on affected areas.

62. This has led to widespread disengagement from the EES process - we have instead focused on preparing our own evidence to present to the IAC and we remained firmly engaged in opposition to the project.

Why Opposition Has Intensified

63. We submit that, far from being ambivalent towards the WRL project or accepting it as inevitable, our community has actively opposed this design and advocated for a better process and a better proposal since June 2020, that is, more than five and a half years.

64. Evidence of this will be provided later in our comments on Stakeholder and Community Engagement and on Social Impacts.

65. The 5 and ½ year period spans the COVID-19 era and its aftermath.

66. This is some 18 months longer than the war the Ukrainian people have been fighting against Russian invasion starting 24 February 2022.

67. This is a dramatic comparison, and in no way do I mean to trivialise or downplay the enormous tragedy being inflicted on the people of Ukraine. But, I make it to provide some perspective of the magnitude of **our** struggle against the WRL and how we feel.

68. We feel we are also at war, defending our community and way of life against an overwhelmingly more powerful, well-resourced and overbearing enemy. We are the innocent party here.

69. We have repeatedly asked for help from our elected representatives only to be met with glib and token responses.

70. We are actively seeking allies, yet too often we have witnessed those in positions of responsibility distancing themselves, deflecting accountability, or excusing inadequate policy, planning, and conduct; abandoning us to search alone for resources and the means to protect our way of life.

71. We do not expect to be bombed or shot in this struggle - but the ongoing and increasing threats on our mental health is debilitating and adds to the risk of suicide amongst our community.

72. We have had to organise, educate ourselves, and communicate our concerns to the wider Victorian and national community – why must our community suffer a disproportionate burden under the WRL overhead solution to keep the lights on in Melbourne, to keep the air conditioning on, and the wine cold in the fridge – while other rural, farming, and tourism-based communities just like ours in Gippsland are experiencing what we have asked for all along – to minimise the impacts and risks, protect our futures and put the lines underground?

73. We have had to adapt and respond in an asymmetrical struggle. We have lobbied, written, demonstrated, protested, pleaded, provided rational arguments and suggested alternatives.

74. We have thought of solutions from the Minister's side of the problem, and proposed solutions and compromises that we think would provide win-win outcomes, to have these

summarily dismissed and drowned out by the dogmatic defence of an outdated, dysfunctional and discredited design selection process and market-benefit rationale.

75. Community resistance to the WRL is far from over, this EES IAC hearing is just the latest battle for us in a long campaign, and we will continue to resist this current design.
76. Our fight against the WRL overhead solution, our fight for a decent outcome for the community, not just for the people in Melbourne, has entered a new age.
77. Just as Ukrainian innovation in the use of uncrewed drones has changed the face of modern warfare and delivered a rebuff to conventional Russian military might, the Artificial Intelligence boom, and Australian government policy to: exploit responsible AI, share the benefits and keep Australians safe – rather than suppress and restrict its use, now gives the community new tools to cut through the spin, to identify, analyse and combat misinformation, and to hold AusNet and the Minister, and VicGrid to account.
78. AusNet's strategy to drown out community dissent with a 10,000-page EES submission, i.e. 'drown us with detail', and then 'baffle the IAC with bulldust', has not worked. The more they have written, the more holes have been exposed in their arguments.
79. It is sadly ironic to us, that when the community was first told about the overhead Western Victorian Transmission Network Project (WVTNP) as a 'done deal', to be completed by 2025, the Marinus Link was just a concept.
80. It is now 2026, and the WRL overhead solution is still far from being approved, and social licence for the WRL and for AusNet has long since evaporated.
81. Yet the Marinus Link has achieved EES endorsement and planning approval in May 2025⁵, and has executed its final Stage 1 major works contract to commence construction this year, on schedule⁶.
82. To the WRL-impacted community at large, we firmly believe that if the Marinus Link approach to consultation, solution design, business case development, leadership and engagement were applied to the underlying WRL capability requirement, i.e. the network de-congestion and renewable energy connection problem – the solution could possibly have been built already, and the community, the Minister for Energy and Resources, AEMO and the Transmission Network Service Provider could all be celebrating the outcome.
83. To be clear, our community is opposed to this project because:
 - a. Alternatives were dismissed without proper assessment.
 - b. AusNet has misrepresented the options by effectively narrowing its assessment to the preferred overhead solution and chosen route, rather than transparently presenting and evaluating the full range of viable alternatives, including undergrounding.

⁵ On 18 May 2025, the Victorian Minister for Planning issued their assessment of the environmental effects of the project under the EE Act that concluded that the Marinus Link project can proceed with acceptable environmental effects and provided recommended refinements to environmental management for adoption. Federal approval followed in July 2025. <https://www.marinuslink.com.au/assessment/>

1. ⁶ <https://www.marinuslink.com.au/overview/> - Marinus Link Stage 1 construction is expected to begin in 2026 and completed by 2030

- c. Engagement with landowners and the community has been aggressive, harassing and manipulative and coercing rather than collaborative.
 - d. Community concerns were met with fact sheets and advertising, not dialogue.
 - e. Community opposition has been with intimidation, legal action and legislation not engagement.
 - f. AusNet, and the Minister and AEMO who commissioned the project and dictated its design, repeatedly doubled down on that flawed approach and outcome, instead of listening.
84. The recent passing of aggressive land access legislation in the NEVA VicGrid Stage 2 Reform Act 2025 is evidence of the failure of the current approach and the flaws inherent in AusNet's EES. This is another blunt instrument that demonstrates the proponents' failed community engagement strategy.
85. The root cause of this legislation is **not** community resistance; it is the failure of AEMO and AusNet to recognise its obligation to the environment and community before it signed the contract to design.
86. It is a consequence of a litany of failures in AusNet's behaviour, which has destroyed community trust and traded all of their social licence, for the promise of a cheap capital investment and a regulated return from a captive consumer market.
87. This legislation has been driven by ignored alternatives and broken engagement processes, not unreasonable landholder opposition.
88. Continuing on with this approach guarantees:
- a. Increased disharmony.
 - b. Escalating resistance amongst the Western Victorian community.
 - c. Broader and more entrenched opposition across Australia as is evidenced with the VNI-West, Hume Link, in northern Tasmania, and elsewhere – *but not in Gippsland where TNSPs have adopted a different approach.*
 - d. Increased backlash and pushback against the national Net Zero Plan⁷ and the transition to renewable energy.

Mischaracterisation of risk as low, and that risk does not increase

89. A recurring feature of the EES is the conclusion, across multiple study areas, that impacts are “low” and that risk does not increase. This false conclusion is based on the incomplete depiction of risk solely being based on likelihood of an event and ignoring the effects of potentially catastrophic consequences.
90. The Alliance submits that these conclusions are not reasonably open on the material provided, particularly when cumulative impacts, worst-case conditions, and the limits of mitigation are properly considered.

⁷ <https://www.dcceew.gov.au/climate-change/publications/net-zero-plan>

CONCLUSION

91. In concluding this opening statement, I would like to make it clear that communities no longer wish to engage with the proponent under the current approach.
92. The community believes alternate less impactful and more socially acceptable technical solutions are available and that these have been prematurely dismissed.
93. Poor engagement by the proponent has led to unified resistance by landholders and communities. Social impacts are unmitigated, cumulative, and worsening.
94. Community resistance has expanded far beyond the project area and will continue to amplify state-and nation-wide disruption and pushback against the national transition to renewable energy, unless the underlying causes are addressed.
95. The cause of delays and risk to this project is not community intransigence.
96. The cause is ignored alternatives, dismissal of undergrounding, a failure to take a whole life-triple bottom line view of cost, benefits and risks, broken promises, and an engagement process that has failed at every critical point.
97. Thank you, that concludes my opening statement, we are happy to take any questions.
98. I'd now like to invite Steve Harper to speak to the first element of our submission, our concerns with the project rationale and the consideration of alternatives.

2. WVCA Verbal Presentation to the IAC 23 Jan 26: Project Rationale and Failure to Appropriately Consider Alternatives

INTRODUCTION

1. Good morning members of the IAC, my name is Steve Harper. I am a landholder and community advocate, and I appear today as part of the Western Victoria Community Alliance. I have also taken an active role in the Moorabool and Central Highlands Power Alliance, and now the WVCA, because like many others along the proposed alignment, my family and our neighbours are directly impacted by the proposed Western Renewables Link.
2. For more than five years I and others have engaged in good faith. I have attended briefings, asked reasonable questions, and repeatedly sought clear, property-specific information so I can understand what is proposed for our homes, farms, and communities. What I and other community members have encountered instead is a pattern of shifting detail, selective disclosure, and a tone that too often feels dismissive and transactional. That approach has not reduced conflict or built confidence; it has entrenched distrust and driven community opposition.
3. The stakes are enormous. I am not alone in this. Across the route people are trying to protect their homes, businesses, land, environment, and in many cases their safety. Communities have had to organise themselves, not because people enjoy protest or process, but because they have been left to piece together the truth of what is planned and to ensure landholders are not isolated or worn down.
4. I also want to be direct about what has shaped our position. The proponent's approach, repeatedly dismissive and deflective, and often aggressive has only reinforced the view that we are being pushed toward an outcome that is not right for this landscape or these communities. It has strengthened resolve, rather than building trust.
5. Today I will speak to the impacts we see, the gaps in the EES, and why this project, as presented, cannot be regarded as acceptable or capable of being mitigated in its current form.
6. I wish to highlight a number of aspects of Section 1 of our written submission, which focuses on our assessment Chapter 2 of the Western Renewables Link

(WRL) Environment Effects Statement (EES): Project Rationale, and the consideration of alternatives in Chapter 5: Project Development and Attachment I.

7. The project's rationale is framed as an inevitable response to global and state renewable energy targets. However, the Alliance contends that this high-level narrative is a strategy to dismiss devastating local impacts and avoid a genuine exploration of less harmful alternatives.
8. The health and sustainability of our unique landscape - comprising agricultural plains, forests, and waterways - are at risk. A flawed rationale that ignores these values invalidates the subsequent environmental analysis and fails the community it impacts.

OUR ASSESSMENT OF PROJECT RATIONALE AND CONSIDERATION OF ALTERNATIVES

9. The foundation of the WRL is built upon the Regulatory Investment Test for Transmission (RIT-T), a process that by design excluded social and environmental impacts unless they conflicted with the law.
10. The RIT-T framework applied at the time systematically prioritised narrow economic metrics and network efficiency, while excluding all of the EES study area / impacts and broader environmental impacts from the core decision model. This establishes that the original project justification was built on an incomplete evidence base that structurally sidelined community safety and environmental risks, creating a baked-in bias against alternatives like undergrounding that might have performed better on those omitted criteria.
11. By adhering to the cost and design dictated by the RIT-T in 2019, AusNet locked in a pre-determined solution. This created an irreversible path dependency where the EES has become a tool for retroactive justification rather than an impartial assessment of the best environmental and social outcome.
12. The EES lacks integrity because the core methodology for route selection and the identification of a "least constrained corridor" was never subjected to independent peer review, as required by the Minister's Scoping Requirements.
13. Furthermore, the analysis of the "least constrained" route lacks a transparent weighting framework, making it impossible to verify how biodiversity, landscape, and community constraints were balanced.

KEY IMPACTS AND CONCERNS

14. **Circular Reasoning and Dismissal of Undergrounding:** AusNet arbitrarily dismissed full undergrounding - the primary alternative advocated by the

community - by claiming it would not meet project objectives related to cost and speed. This circular logic violates the intent of the EES process, which is to evaluate feasible alternatives that avoid or minimise harm.

15. **Information Asymmetry in Costing:** The dismissal of undergrounding relies on opaque cost figures that are presented as a "black box" argument. There is no genuine cost-benefit analysis that monetises the immense social and environmental benefits of avoiding overhead impacts on mental health, property values, and agricultural land.
16. **False Equivalence in Route Comparison:** The evaluation of the Southern corridor alternative is deeply flawed. AusNet dismisses it by claiming "overall impacts" are greater but fails to provide a side-by-side, quantifiable comparison. This approach prioritises the negatives of alternatives while systematically downplaying the negatives of the preferred route.
17. We believe the Southern corridor can deliver significantly lower impact and decreased risks in many areas however these benefits are effectively buried beneath broad "overall impact" labels instead of being systematically weighed against the concentrated social, bushfire, and landscape harms along the preferred route. This approach privileges the negatives of alternatives while systematically downplaying or fragmenting the negatives of the chosen alignment, creating a false sense that "there is no better option" rather than an honest multi-criteria comparison that would allow communities and decision-makers to see where impacts are genuinely being shifted rather than reduced.
18. **Box-Ticking Consultation:** Community input on alternatives was catalogued and then summarily rejected. This renders the public consultation a procedural exercise rather than a genuine dialogue, as the voices most impacted had negligible influence on the project's core design.

REASONS THE IMPACTS ARE UNACCEPTABLE

19. The failure to uphold the statutory duty of impact avoidance constitutes a breach of both the letter and the spirit of the Environment Effects Act 1978. An assessment that justifies a decision already made is not a credible foundation for planning approval.
20. Using project objectives that prioritise construction speed and capital cost to exclude impact-reducing alternatives subverts the environmental protection goals of the EES.
21. The lack of independent peer review for the route selection process is a significant procedural breach. Without expert validation, the community is

expected to blindly trust a self-serving narrative designed to defend the proponent's convenience.

22. Ignoring the cumulative burden on the region - including the compounding effects of projects like VNI West - results in an incomplete and biased analysis of the true magnitude of harm.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

23. Our review of the submissions presented to the IAC and the hearing record identifies strong support for partial undergrounding and echoes our concerns that the Proponent's assessment of undergrounding and other alternatives was incomplete, outdated, and methodologically weak.

24. In support of this statement we would like to flag the following evidence listed here in paragraph 18 for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [Doc 186, Les Brand and Rod Touzel, Joint Expert Statement - Undergrounding, Table 1, Page 2]
 - i. **Quote:** "Attachment I of the EES repeatedly states that partial undergrounding is not feasible for cost and schedule reasons but does not attempt to demonstrate feasibility or non-feasibility through the comparison of the additional cost and schedule with expected benefits."
 - ii. **Conclusion to be drawn:** Admits that the proponent's dismissal of undergrounding lacked a proper cost-benefit analysis, supporting the claim of fundamental deficiencies in the assessment.
- b. **Source:** [Doc 186, Les Brand and Rod Touzel, Joint Expert Statement - Undergrounding, Table 1, Page 3]
 - i. **Quote:** "That the cost per kilometre for partial undergrounding presented in the RLB report... and referred and relied upon by WRL to determine the cost comparisons presented in Attachment 1 of the EES, is significantly higher than our view of the costs as of 2025."
 - ii. **Conclusion to be drawn:** Confirms the proponent's economic case against alternatives is based on inflated and outdated costing data.
- c. **Source:** [Doc 186, Les Brand and Rod Touzel, Joint Expert Statement - Undergrounding, Table 1, Page 4]

- i. **Quote:** “That the implementation of HVAC partial undergrounding on WRL should not delay the current project schedule, however the decision to go ahead needs to be made soon and an early contractor engagement model needs to be implemented.”
 - ii. **Conclusion to be drawn:** Directly refutes the proponent’s central claim that undergrounding alternatives would cause "fatal" or "unacceptable" project delays.
- d. **Source:** [Doc 186, Les Brand and Rod Touzel, Joint Expert Statement - Undergrounding, Table 1, Page 3]
- i. **Quote:** “That overhead HVAC transmission lines and towers present a potential ignition source (bushfire) that is not present with underground cables.”
 - ii. **Conclusion to be drawn:** Establishes a permanent safety risk inherent to overhead lines that the proponent has failed to eliminate, but which is entirely avoided by undergrounding.
- e. **Source:** [Doc 186, Les Brand and Rod Touzel, Joint Expert Statement - Undergrounding, Table 1, Page 3]
- i. **Quote:** “That overhead HVAC transmission lines and towers are more of an impediment to fire-fighting activities, i.e. aerial water bombing and access for fire crews, than underground cables.”
 - ii. **Conclusion to be drawn:** Confirms that overhead lines introduce operational constraints for emergency services that undergrounding does not.
- f. **Source:** [Doc 333, Les Brand, Expert Witness Presentation - Moorabool Shire Council, Slide 9, Page 9]
- i. **Quote:** “The supporting Jacobs report shows native vegetation loss for the 100% overhead HVAC option of between four and nine times greater than that of the partial underground options.”
 - ii. **Conclusion to be drawn:** Provides quantifiable evidence that overhead transmission causes significantly more biodiversity damage than undergrounding, contradicting the proponent's "low impact" claims.

Verbal Hearing Evidence (transcripts)

- g. **Source:** [Moorabool Shire Council Submission (Counsel), 2 Dec 2025, Day 21 Transcript 00:19:09]

- i. **Quote:** “the technical notes [including RLB costings], they ought be given less weight... the reason for that is that they haven't been able to be tested.”
 - ii. **Conclusion to be drawn:** Challenges the reliability and transparency of the proponent's technical evidence on cost feasibility.
- h. **Source:** [Moorabool Shire Council Submission (Counsel), 2 Dec 2025, Day 21 Transcript 00:25:21]
- i. **Quote:** “the proponent has not called, uh, any witness in relation to the question of alternatives.”
 - ii. **Conclusion to be drawn:** Highlights that the proponent failed to provide any expert witness to orally defend its dismissal of project alternatives.
- i. **Source:** [Moorabool Shire Council Submission (Counsel), 2 Dec 2025, Day 21 Transcript 00:44:23]
- i. **Quote:** “the difficulty with that purported execution of what the scoping requirements was calling for, was to prove that something wasn't feasible, rather than doing... that rigorous assessment of environmental effects to know whether or not we could better serve the principles of avoid, minimize.”
 - ii. **Conclusion to be drawn:** Argues the proponent’s assessment was biased toward dismissing alternatives rather than genuinely minimizing environmental impacts.
- j. **Source:** [Moorabool Shire Council Submission (Counsel), 2 Dec 2025, Day 21 Transcript 01:01:21]
- i. **Quote:** “BV [Bureau Veritas] seeks clarification on whether the option analysis overhead v Undergrounding was assessed using any commonly advocated framework such as multi-criteria analysis and triple bottom line.”
 - ii. **Conclusion to be drawn:** Uses the proponent’s own independent peer review to highlight the failure to apply standard "Triple Bottom Line" assessment frameworks.

25. Based on the evidence detailed above, the Alliance submits the following observations.

Support for partial undergrounding

26. Independent transmission experts Les Brand and Rod Touzel state that partial undergrounding is technically feasible and would not delay the project schedule if decided promptly.
27. They also state that overhead HVAC lines inherently carry bushfire ignition risks and impede fire-fighting activities in ways underground cables do not.
28. Their analysis, supported by Jacobs' work, shows that a 100% overhead option would cause between four and nine times more native vegetation loss than partial underground options, directly undermining any claim that overhead is the "lower impact" solution.

Deficiencies in the Proponent's underground assessment

29. The Councils' expert witness evidence records that Attachment I of the EES repeatedly dismissed partial undergrounding on cost and schedule grounds without conducting a proper cost-benefit comparison between additional cost/time and the resulting safety, environmental and social benefits.
30. The costing basis relied on RLB figures that Brand and Touzel identify as significantly inflated relative to 2025 market realities. This indicates that the economic case against undergrounding was built on outdated and conservative assumptions.

Failure to apply standard alternatives frameworks

31. Moorabool Council's counsel highlighted that the overhead vs underground analysis was not tested against commonly advocated frameworks such as multi-criteria analysis or triple bottom line assessment, contrary to contemporary expectations for major infrastructure option selection.
32. The hearing record notes that the AusNet called no dedicated alternatives witness, leaving its dismissal of underground and route options unsupported by oral expert evidence. We believe this has limited the Committee's ability to probe the project's assumptions and trade-offs.

Misalignment with scoping and avoidance principles

33. The Councils' submissions emphasise that the Proponent approached alternatives work as an exercise in "proving something wasn't feasible" rather than a genuine inquiry into how partial undergrounding or different alignments could better achieve "avoid and minimise" principles for environmental, bushfire and social effects.
34. The project rationale, option selection and the consideration of alternatives were constrained by the original RIT-T process and the decision on the form of

the project, which explicitly excluded social, heritage and broader environmental factors from its primary calculus. The result of this has been to leave key community and landscape concerns outside the formal comparison of alternatives.

RECOMMENDATIONS

35. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance makes four recommendations with regard to the rationale and consideration of alternatives.
36. We urge the IAC to recommend that the Minister for Planning should:
 - a. Reject the WRL EES as inadequate and non-compliant due to systemic failures in the project development and an incomplete and limited alternatives assessment process.
 - b. Mandate a new, unconstrained assessment of alternatives that begins with a transparent, multi-criteria analysis giving equal weight to environmental, social, and economic factors.
 - c. Require a comprehensive, independently peer-reviewed cost-benefit analysis comparing overhead and underground alternatives that explicitly monetises long-term externalities.
 - d. For highly constrained and high-risk areas, such as the entire route between Sydenham and Ballarat, not just Melton or Darley, demand a robust and proportionate investigation into viable alternatives, including partial undergrounding, with a focus on impact and risk avoidance over mere mitigation.
37. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.
38. I'll now hand over to Emma Muir to discuss our concerns over Community and Stakeholder Engagement.

3. WVCA Verbal Presentation to the IAC 23 Jan 26: Community and Stakeholder Engagement

INTRODUCTION

1. Good afternoon members of the IAC, my name is Emma Muir. I am a community member and landowner who is personally impacted by the WRL Project and I am a member of the Alliance.
2. I and my family and my friends and neighbours are also members of the Alliance and we have been actively engaging and opposing the WRL for the past five years.
3. After one week of dealing with AusNet in June 2020, I organised a meeting at the Myrning Recreation Reserve, to share what information we did have with our neighbours and community, 400 people turned up and from the letters that individual landowners had received we were able to map the predetermined route.
4. From that meeting in Myrning we formed the Moorabool and Central Highlands Power Alliance Incorporated, representing community members and some 20 groups along the 190km alignment. We supported renewable energy but wanted to ensure the least impact to our communities.
5. We amassed some 10,000 supporters, held numerous meetings, protests, rallies and we engaged experts and solicitors to assist with legal action. We raised over \$850,000 to fund our legal action in the Supreme Court and then an appeal. This legal action resulted in the state government changing the law on three occasions, so I can only assume we were on the right track. I stepped down from an executive role in the MCHPA last year and now am a part of the Western Victoria Community Alliance Incorporated Association.
6. We endeavour to continue the same protest as before and inform and share information with impacted communities. The formation and popularity of groups such as the MCHPA, the WVCA and the many others who are scheduled to speak to this hearing speaks to the lack of trusted information provided to landholders and community members by AusNet, AEMO and the State Government. .
7. In this submission, I wish to highlight a number of aspects of the Alliance's assessment of the community and stakeholder engagement process as

documented in Chapter 7 of the Environment Effects Statement (EES) and the accompanying Stakeholder and Community Engagement Consultation Report.

8. The Alliance represents approximately 10,000 community members who have been talked to, talked over, patronised, ignored and harassed by this project for the past five years.
9. **Video / Photo Montage.** I would like to provide evidence of this statement and play a short video/photo montage - this will show who the community members are, and reflects some of the extent our community has engaged with this project over the past five years.
10. We are not a passive community or accepting of this project, we are vehemently opposed to it, and we are fatigued by it, frankly we are sick and tired of it.

Play Video Photo Montage

11. Meaningful engagement is a fundamental requirement of the EES process. It serves to ensure that the concerns and lived experiences of the affected community are accurately represented and integrated into the project's design, impact assessment, and mitigation strategies.
12. In contrast, we submit that the engagement process for the WRL has been systematically deficient, from the outset, from the first mailout of letters to landowners along a neat line through the so-called "broad area of interest".
13. The process has focused on managing dissent and fulfilling procedural requirements rather than facilitating genuine collaboration or influence over key project decisions.
14. Evidence of the failure of this process is the total loss of social licence by AusNet and deep-seated community distrust in the Minister for Energy and Resources and the planning process.
15. This renders the community and stakeholder engagement assessment in the EES an unreliable basis for an informed decision.

OUR ASSESSMENT OF THE ENGAGEMENT PROCESS

16. The proponent's engagement framework is, in theory, built upon principles of openness, respect, and responsiveness. In practice, however, these principles have been compromised by a pre-determined decision to proceed with an overhead transmission line.
17. The engagement activities have consistently operated at the most rudimentary levels of the International Association for Public Participation (IAP2) Spectrum—

specifically 'Inform' and 'Consult.' AusNet's one-way communication model is insufficient for a project of this scale and complexity.

18. The project's formal consultation mechanisms have proven dysfunctional. The Community Consultation Group (CCG), intended to be a cornerstone of the process, suffered from significant recruitment failures and then mass resignations, indicating a lack of community buy-in and reinforcing the belief that the process was tokenistic.
19. Engagement with Traditional Owners and Registered Aboriginal Parties appears to have been treated as a procedural checklist. The EES documentation provides minimal evidence of the substance or outcomes of these discussions, failing to show how Traditional Owner concerns meaningfully influenced the project's design or corridor selection.

KEY IMPACTS AND CONCERNS

20. Our primary concern is the systematic dismissal of the community's most widespread and consistent feedback: the request for undergrounding the transmission line or using existing easements. These alternatives were unilaterally dismissed via internal inquiry rather than through a collaborative evaluation process.
21. We contend that there is a documented "Illusion of Influence" within the EES materials. The proponent has frequently re-labelled routine project development, minor operational accommodations, or externally mandated changes as being genuine concessions to community feedback. This practice misleads decision-makers regarding the level of community empowerment.
22. To be clear, members of the community made many representations, wrote letters, (10,000 letters were sent with no acknowledgement) emails, uploaded pins and data into AusNet's interactive maps, attended webinars and drop-ins - but we received no feedback on how any of those submissions were considered and what affect any of it had.
23. We didn't even receive the basic courtesy of being told it had been considered, but discounted for this reason or for that.
24. The breakdown of the social fabric in our community and the psychological strain discussed by both the Proponent's and the Councils' expert witnesses are direct impacts of the flawed engagement process.
25. AusNet's Stakeholder and Community Engagement Consultation Report confirms that community opposition to the overhead WRL is not merely a

secondary concern over ‘amenity’, rather it is a fundamental rejection of the overhead design that was never addressed.

26. We further contend that the future engagement framework, as proposed in the Environmental Performance Requirements (EPRs), lacks fundamental unaccountability.
27. It improperly transfers core responsibility for community and stakeholder engagement during the high-impact construction phase to a ‘Principal Contractor’ and relies on an auditing process that is not equipped to verify qualitative social performance.

REASONS THE IMPACTS ARE UNACCEPTABLE

28. The engagement process fails to meet the substantive requirements of the EES Scoping Requirements. By doggedly defending the project’s overhead form and then engineering the scope of consultation to fit that outcome, the proponent has avoided the difficult but necessary task of impact avoidance.
29. Perhaps, if environmental and social concerns **had** been considered up front, AusNet might have been able to go back and say to AEMO that the overhead design through the ‘C2’ corridor was ‘not practicable’ and get the necessary licence to consider alternatives.
30. The failure of AusNet to do so, now five years into the design of the project, is equally as damning as AEMO’s failure to consider social and environmental impacts before signing the contract.
31. The loss of trust and social license is a significant residual impact that has not been mitigated. The current EPRs, such as offering landscape screening or a community fund, are superficial remedies that do not address the root cause of the social conflict.
32. The reliance on subjective internal metrics, such as the "Landholder Sentiment Assessment Protocol," undermines the objectivity of the Social Impact Assessment. Presenting internal judgments of project staff as objective data is methodologically unsound and renders the findings untrustworthy.
33. Proceeding with a project that has been imposed upon an unwilling community through a flawed process sets a dangerous precedent for future infrastructure development in Victoria. It subverts the purpose of the Environment Effects Act 1978, itself a proxy for the EPBC Act, which is intended to use genuine assessment to inform decisions.

RECOMMENDATIONS

17. On the basis of the evidence in our written submission (Submission # 315) and what we have seen presented in other submissions and in the hearings, the WVCA recommends that the Inquiry and Advisory Committee (IAC) and the Minister for Planning reject the community and stakeholder engagement assessment contained in the WRL EES as inadequate.
18. The proponent should be required to undertake a new, genuine engagement process that adheres to the IAP2 principles of 'Collaboration.' This process must allow for the joint development of solutions and a shared analysis of alternatives, particularly undergrounding.
19. Any revised engagement process and social impact assessment must be subjected to a rigorous and independent peer review by suitably qualified experts before being reconsidered for approval.
20. New Environmental Performance Requirements (EPRs) must be redrafted to include clear, measurable, and legally enforceable standards for social performance, ensuring that accountability remains with the proponent rather than being delegated to construction contractors.
21. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.
22. I'll now continue and move on to discuss our concerns over the Social Impacts of this project.

4. WVCA Verbal Presentation to the IAC 23 Jan 26: Social Impacts

INTRODUCTION

1. **Video Introduction:** AusNet assault on Plumpton Landowner.

Play Video

2. Good afternoon members of the IAC, my name is still Emma Muir.
3. This is a confronting video. This shows AusNet's early behaviour towards the community and their early approach to stakeholder engagement and developing social licence. This was a frightening time for the community and particularly for those landowners whose properties were directly on the proposed route.
4. This was not just some unexpected event that boiled over, this appeared as deliberate escalation following a period of increasing intimidation and increasing hostility towards landowners.
5. If this event had not been filmed by the neighbour, if he had not stepped in to defend his mate, and if this incident did not get onto the news and A Current Affair - this type of bullying and standover tactics would have continued.
6. To make this point extremely clear - the community can understand that this type of behaviour may be the norm in the ongoing Tobacco Shop gangster wars that threaten our suburbs, but we cannot fathom how this approach could ever have been thought as acceptable, or effective in gaining willing agreement to land access and building social licence for the WRL.
7. For this part of the Alliance's submission I wish to highlight a number of aspects of our assessment of the Social Impact Assessment (SIA) for WRL EES, specifically addressing aspects of Chapter 21 (Social) and Technical Report F.
8. Our Alliance represents approximately 10,000 community members who have lived under the psychological and emotional strain of this project for five years!
9. Meaningful social assessment is a statutory obligation under the Environment Effects Act 1978 and the project's Scoping Requirements.
10. We submit that AusNet's SIA is a fundamentally flawed and non-compliant document that fails to meet these obligations. The assessment systematically downplays profound psychosocial harms and relies on methodologically unsound metrics to manufacture a veneer of social licence.

11. Our Submission today serves to highlight the systemic breakdown in the assessment process, the mischaracterisation of community dissent, and the inadequacy of proposed mitigation measures to address major negative residual impacts.

OUR ASSESSMENT OF SOCIAL IMPACTS

12. The SIA relies upon a "Landholder Sentiment Assessment Protocol" that the WVCA identifies as a significant methodological failure. This metric is not an independent survey but an internal classification system based on the subjective judgment of the proponent's staff, who have a vested interest in demonstrating project support.
13. The proponent's framework improperly frames community opposition as a manageable issue of "Rural Character and Amenity". This mischaracterisation ignores the reality that community dissent is a fundamental rejection of the overhead transmission design itself.
14. There is a profound "Macro-Micro Disconnect" in the assessment. The SIA focuses on diffuse regional or national benefits while failing to quantify or adequately address concentrated, severe social and psychological costs borne by individual landholders and families.
15. The SIA Technical Report F acknowledges "Major" negative residual impacts, including an "enduring sense of loss and powerlessness" and "ongoing frustration and resentment". However, the summary Chapter 21 contradicts these findings by sanitising the conclusions to claim the project meets social evaluation objectives.

OUR ASSESSMENT OF MENTAL HEALTH IMPACTS

16. Across the WRL corridor, the Alliance has heard consistent accounts of specific mental health impacts rather than vague "concerns" or generalised worry.
17. Landholders describe chronic insomnia, recurring panic attacks, stress-related hypertension, and gastrointestinal problems that began or markedly worsened after they learned their properties were on, or near, the route.
18. Many report persistent "rumination", replaying meetings, maps and worst-case fire or tower-collapse scenarios over and over in their heads which are classic symptoms of anxiety disorders and adjustment disorders when exposure is prolonged and the stressor is ongoing and uncontrollable.
19. Expert human health evidence before this Committee already records submissions describing elevated stress, anxiety, and depressive symptoms in communities along the corridor, including reports of people requiring

medication or counselling to cope with the project. These are not temporary reactions to a single announcement but long-duration, project-related harms that have persisted over multiple years of planning, re-routing and contested consultation.

20. In psychological terms, this extended uncertainty and perceived threat to home, livelihood and safety is a textbook driver of chronic stress, which is strongly associated with depression, substance misuse, relationship breakdown and increased suicide risk in rural populations exposed to externally imposed shocks.
21. The evidence also points to impacts that go beyond individual diagnoses and into what the literature describes as “collective trauma” and “procedural injustice stress.”
22. Residents repeatedly describe feeling powerless, ignored or misrepresented in official documents, and that their lives and mental health have been treated as collateral to a pre-determined engineering solution.
23. That combination — loss of control over fundamental life circumstances, lack of credible avenues to influence outcomes, and a perception that one’s suffering is being minimised or denied — is strongly linked in social impact research to intensified and prolonged psychological injury, even when formal mitigation measures are later offered.

KEY IMPACTS AND CONCERNS

24. The primary social impact is the profound psychosocial harm caused by a lack of procedural justice and the imposition of a technology that has been rejected by the community, onto that same unwilling community. This includes:
 - a. An enduring sense of powerlessness and loss of control over one's home and future.
 - b. Psychological distress and mental anguish from years of uncertainty and perceived threat to property and livelihoods.
 - c. Erosion of the social fabric and community cohesion.
25. Concerns regarding fire risk and safety are central to the community's social wellbeing. Residents live with the daily burden of increased existential threat from bushfires introduced by overhead infrastructure, which is not reconciled by the proponent's technical risk models.
26. The community maintains significant concerns regarding Extremely Low Frequency (ELF) Electromagnetic Fields (EMFs). While the proponent frames the

risk as negligible, the community advocates for the "Precautionary Principle" and "prudent avoidance," which are omitted from the EES assessment.

27. The project causes permanent visual pollution that industrialises pristine rural landscapes, leading to a loss of the "peaceful, country lifestyle" that defines the region. This is not a mere amenity issue but a permanent assault on the community's sense of place.

REASONS THE IMPACTS ARE UNACCEPTABLE

28. The proposed mitigation measures, such as landscape screening and a Community Benefit Fund, are demonstrably inadequate. These superficial, physical remedies cannot address deep-seated psychological harms like the "sense of powerlessness" or the loss of trust.
29. The SIA lacked an independent peer review, which is a required quality assurance mechanism for "critical and contentious" EES components. This omission fatally undermines the credibility and objectivity of the assessment.
30. Monitoring and contingency plans are perfunctory and hollow. The plans offer no specific actions, triggers, or enforcement controls for the "Major" negative impacts that the SIA itself predicts will occur.
31. The reliance on biased, internal sentiment data to manufacture social license is methodologically unsound and scientifically untrustworthy. This failure to provide a credible, objective assessment violates the intent of the Environment Effects Act 1978.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

32. Our review of the submissions presented to the IAC and the hearing record identifies strong support for the Alliance's claim that social impacts of the WRL have been both underestimated and poorly managed, and that credible and technically feasible alternatives (including undergrounding) exist which would materially reduce harm to communities.
33. In support of this statement we would like to flag the following evidence listed here in paragraph 25 for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [TD 110, Glenn Weston, Expert Witness Statement of Glenn Weston, Section 4.3, Page 2]
 - i. **Quote:** "Nevertheless, as the SIA indicates, the Project still has a number of negative social impacts, which range in severity from minor to major."

- ii. **Conclusion to be drawn:** This is a direct admission by the Proponent’s own expert that the project results in negative social impacts as severe as "major," contradicting claims of overall "low" risk.
- b. **Source:** [TD 110, Glenn Weston, Expert Witness Statement of Glenn Weston, Section 4.12, Page 4]
 - i. **Quote:** “As a result, if the Project proceeds, it would be common for affected landholders to consider that the Project undermines an aspirational lifestyle and disrupts an intergenerational connection to their property.”
 - ii. **Conclusion to be drawn:** Confirms that the project’s impact is not merely a "disruption" but a fundamental threat to the long-term lifestyle and heritage values of the community.
- c. **Source:** [TD 110, Glenn Weston, Expert Witness Statement of Glenn Weston, Section 4.16, Page 5]
 - i. **Quote:** “...for those who strongly resist the Project in an attempt to preserve the integrity of their property and/or business and the prevailing amenity and character of their homes and local area, its approval may leave an enduring sense of loss and powerlessness.”
 - ii. **Conclusion to be drawn:** Admits that for highly affected residents, the psychological harm—specifically "powerlessness"—is permanent and likely beyond mitigation.
- d. **Source:** [TD 108, Dr Jackie Wright, Expert Witness Statement of Dr Jackie Wright, Section A2(a), Page 8]
 - i. **Quote:** “A number of submissions clearly identified that communities close to and surrounding the Project were under increased levels of stress and anxiety over the course of Project planning, with some reporting physiological effects, and/or psychological responses (such as depression)...”
 - ii. **Conclusion to be drawn:** Acknowledges that the Proponent’s own planning process has already caused significant, documented clinical mental health harm prior to construction.
- e. **Source:** [TD 164, Dr Kate Kerkin, Expert Evidence Statement of Dr Kate Kerkin, Section 1, Page 9]

- i. **Quote:** “My opinion is that the approach to assessment of social impacts during Project development and the impact of that approach on the Project is inadequate and is severely limited due to a range of factors...”
 - ii. **Conclusion to be drawn:** Provides independent expert weight to the Alliance's position that the foundational SIA was structurally flawed and failed to meet professional standards.
- f. **Source:** [TD 164, Dr Kate Kerkin, Expert Evidence Statement of Dr Kate Kerkin, Section 3.8, Page 55]
- i. **Quote:** “All ratings comprise a professional judgment regarding the nature of a potential impact... The judgements are informed by empirical data (qualitative and/or quantitative) collected as part of the SIA.”
 - ii. **Conclusion to be drawn:** Highlights the inherent subjectivity of the Proponent's "Low Risk" ratings, showing they are based on "professional judgment" rather than objective community-verified data.

Verbal Hearing Evidence (Presentations and transcripts)

- g. **Source:** [Dr Jackie Wright, Proponent Human Health Expert, 10 November 2025, Presentation Slides/Verbatim Record]
- i. **Quote:** “Submissions indicate that perceptions and issues in the existing community may result in these impacts being higher...”
 - ii. **Conclusion to be drawn:** This concession acknowledges that community perceptions are a valid component of impact severity, which likely makes the actual risk higher than the "low" rating in the EES.
- h. **Source:** [Dr Kate Kerkin, Social Expert Witness, 26 November 2025, Transcript Day 18]
- i. **Quote:** “...it is my professional opinion that any changes to the outcomes of visual impact assessments would have significant implications for the conclusion of the WRL Social Impact Assessment.”
 - ii. **Conclusion to be drawn:** Establishes the interdependency of social impacts and visual amenity, meaning any understatement of visual blight automatically invalidates the social impact findings.

i. **Source:** [Robert Panozzo, Melton City Council Expert, 8 December 2025, Presentation Slides/Verbatim Record]

- i. **Quote:** “I suggest this access track provides a suitable alignment for the placement of an underground transmission line.”
- ii. **Conclusion to be drawn:** Provides expert testimony from a council witness confirming the feasibility of undergrounding in specific high-impact areas (MacPherson Park), supporting the Alliance’s alternative solution theme.

34. Based on the evidence detailed above, the Alliance submits the following observations.

Clear evidence of serious social harm

- 35. The Proponent’s own social expert [Dr Jackie Wright] accepts that the project produces negative social impacts ranging from minor to major, directly contradicting any simple characterisation of social risk as uniformly low.
- 36. Written evidence recognises that affected landholders are likely to feel their aspirational lifestyle and intergenerational connection to property are undermined, with some residents left with an enduring sense of loss and powerlessness that is effectively permanent.
- 37. The human health evidence acknowledges that the planning process has already triggered increased stress, anxiety, and in some cases physiological or depressive responses, confirming that real, present psychological injury is occurring even before construction.

Structural weaknesses in the Social Impact Assessment

- 38. Independent social experts for councils, Dr Kerkin and Mr Panozzo characterise the WRL Social Impact Assessment as inadequate and severely limited, citing methodological constraints and narrow scoping that fail to capture long-term procedural trauma, community identity erosion, and cumulative project effects.
- 39. The Proponent’s own documentation concedes that risk ratings are ultimately professional judgements informed by internal data, rather than robust, co-designed assessments grounded in community-verified evidence, which weakens claims that residual social risk is truly low.

Gap between proponent framing and community experience

- 40. Local submissions and social expert evidence document a pronounced feeling of powerlessness, fear of permanent damage to property values and agricultural productivity, and distress over the visual and amenity impacts on places such as Lerderderg State Park and other rural landscapes.

41. This creates a sharp tension between technically framed “low risk” conclusions and the lived experience of communities facing what they perceive as irreversible industrialisation of their environment, which contemporary social-licence and engagement literature recognises as a major risk factor for ongoing conflict and mistrust.

Inadequate mitigation and the relevance of alternatives

42. Proposed mitigation measures such as community programs and benefit funds are acknowledged by social experts as not directly addressing core harms like loss of place attachment, intergenerational identity, and lasting psychological injury, leaving high-impact households effectively unprotected.

43. Evidence that undergrounding is technically feasible along certain corridors, and that visual and landscape impacts directly drive social harm, supports the argument that genuine reduction of social risk requires re-design of the project (for example, undergrounding in sensitive areas) rather than reliance on after-the-fact support services or financial offsets.

RECOMMENDATIONS

44. Taken together, we believe that our submission and the other written and oral evidence presented to the Committee shows that WRL’s social impacts are more serious, more enduring, and more structurally embedded than the Proponent’s headline “low risk” framing suggests, especially for highly affected landholders and rural communities.

45. The combination of acknowledged major impacts, inadequate assessment methods, weak mitigation, and available lower-impact alternatives undermines any claim that social impacts have been avoided or reduced as far as reasonably practicable under Victorian impact assessment and planning principles.

46. The Alliance makes five recommendations with regard to social impact. We urge the IAC to recommend that the Minister for Planning should:

- a. Reject the Social Impact Assessment (Technical Report F) as non-compliant and not credible.
- b. Require that the proponent commission a new, genuinely independent SIA to be conducted by qualified experts in accordance with international best practice guidelines.
- c. Mandate that this new assessment address the fundamental community opposition to the overhead design and properly evaluate the profound psychosocial harm caused by the project's imposition, going beyond superficial amenity issues.

- d. Mandate that a comprehensive Social Management Plan be developed prior to construction, featuring specific, measurable metrics for community well-being and mandatory triggers for intervention based on the severity of psychosocial harm experienced.
- e. Require that a Residential Mitigation and Support Strategy be implemented to provide enforceable outcomes, including the option for the proponent to purchase affected properties at full, pre-project market value.

47. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.

48. I'll now hand over to Jim Phasey to discuss our concerns over Bushfire Risk.

5. WVCA Verbal Presentation to the IAC 23 Jan 26: Bushfire Risk

INTRODUCTION

1. This submission amplifies the Alliance's assessment of Chapter 17 and Technical Report H of the Western Renewables Link (WRL) Environment Effects Statement (EES), which addresses bushfire risk.
2. The proposed project traverses some of the most fire-prone landscapes in Victoria. For the communities along the route, bushfire is not a theoretical risk but a recurring threat to life, livestock, and property.
3. Our evaluation concludes that the proponent's bushfire assessment significantly underestimates the operational challenges the project creates for fire suppression. The documentation fails to provide a rigorous, evidence-based assurance that the project will not increase the risk to human life, thereby failing to meet the Scoping Requirements of the EES.

OUR ASSESSMENT OF THE EES BUSHFIRE RISK ASSESSMENT

4. The project area is characterised by high fuel loads, complex topography, and a history of significant fire events. In this context, the effectiveness of rapid initial attack—both on the ground and from the air—is the primary factor in preventing catastrophic fire spread.
5. The proponent's assessment relies on a regional-scale risk model that does not account for the specific, localised operational realities of firefighting in proximity to high-voltage overhead infrastructure.
6. A critical deficiency in the EES is the absence of a comprehensive, site-specific assessment of how the 80-metre-high towers and catenary wires will impede aerial firefighting operations, which are essential for protecting the communities in this corridor.
7. Similar to other technical components of this EES, the Bushfire assessment has not been subjected to an independent peer review, leaving its findings self-validated and its methodology unverified by external fire safety experts.

KEY IMPACTS AND CONCERNS

8. **Interference with Aerial Firefighting:** The introduction of a 190km corridor of 80-metre towers and high-voltage wires creates a significant physical hazard for aviation. The impacts include:

- a. Creation of "no-fly zones" for water bombing aircraft and surveillance helicopters due to the height of the infrastructure and the risk of arcing.
 - b. Reduction in the efficacy of aerial suppression, as aircraft may be forced to drop water from higher altitudes, leading to increased evaporation and decreased accuracy.
 - c. Particular risk at the Melton Aerodrome, where the project threatens the safety of low-flying activities essential for fire training and response.
9. **Obstruction of Ground Suppression:** The project introduces physical barriers and electrical hazards that complicate ground-based firefighting:
- a. Transmission easements can restrict the movement of heavy fire appliances and limit the ability of crews to establish containment lines safely.
 - b. The risk of "step and touch" potentials and smoke-induced arcing creates a hazardous environment that may force fire crews to abandon suppression efforts near the lines.
8. **Increased Ignition Risk:** While the proponent argues that the probability of ignition from the infrastructure is low, the EES fails to adequately account for the high-consequence nature of an ignition occurring during a Code Red or Extreme fire day, where any fire start can rapidly become uncontrollable.
9. **Emergency Access and Egress:** The construction and presence of the project may compromise existing emergency access routes. The EES does not provide a detailed, physical mitigation plan to ensure that residents and emergency services maintain safe, unimpeded access and egress during a fire event.

REASONS THE IMPACTS ARE UNACCEPTABLE

13. The EES fails to demonstrate that the project will achieve a "neutral or beneficial" outcome for bushfire risk. Instead, it introduces new, permanent hazards into a high-risk environment without providing proven mitigation strategies.
14. The proponent's reliance on Environmental Performance Requirement (EPR) BF1, which promises the development of a Bushfire Management Plan "in consultation with" the CFA, is an unacceptable deferral of safety planning. Deferring the resolution of fundamental safety risks to a post-approval phase denies the IAC and the community the opportunity to evaluate the adequacy of those protections.
15. The use of discretionary language in the EPRs, such as mitigating risks "where practicable," is entirely inappropriate for life-safety matters. In a high-fire-risk

zone, safety requirements must be absolute and auditable, not subject to the proponent's internal cost-benefit analysis.

16. By failing to conduct a cumulative risk assessment of the impact on regional airspace, the proponent has ignored the broader systemic threat the project poses to the Victorian aerial firefighting fleet's ability to operate effectively across the state's west.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

17. Our assessment of the expert evidence and hearing transcripts demonstrates a significant disconnect between the Proponent's "low residual risk" claims and the operational realities of firefighting in high-risk landscapes. The record confirms that the project introduces new, unmitigable hazards that directly challenge the Victorian planning mandate for the Primacy of Life.
18. In support of this statement we would like to flag the following evidence listed here for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [Tabled Document 192, Michael Buxton, Alan March, Graeme Taylor, Mark Potter, Joint Expert Statement – Bushfire, Ref 1, Page 1]
 - i. **Quote:** “We agree that the route passes through areas of significant bushfire risk. This risk can be heightened on days of extreme bushfire danger.”
 - ii. **Conclusion to be drawn:** Establishes a binding consensus among both Proponent and Council experts that the project is situated in a landscape of high inherent danger.
- b. **Source:** [Tabled Document 192, Michael Buxton, Alan March, Graeme Taylor, Mark Potter, Joint Expert Statement – Bushfire, Ref 11, Page 6]
 - i. **Quote:** “We agree with the acknowledgement of the potentially significant impacts on access and egress during bushfires in the event of infrastructure failure and that potential impacts on Moorabool Shire are significant.”
 - ii. **Conclusion to be drawn:** Confirms that infrastructure failure could lead to catastrophic consequences for community escape routes, specifically within the Moorabool region.
- c. **Source:** [Tabled Document 260, Trent Penman and Brett Cirulis, Fire risk potential from the Western Renewables Link, Background, Page 4]

- i. Quote: “The work differs from the Bushfire analysis undertaken in Technical Report K. In this report, a very simplistic analysis was undertaken. The report includes a single ignition point within each of the sub-regions... and does not consider the full range of possibilities.”
 - ii. **Conclusion to be drawn:** Provides a direct expert critique of the Proponent’s primary bushfire evidence, labelling it "simplistic" and flawed in its limited scenario modelling.
- d. **Source:** [Tabled Document 138, Michael Buxton and Alan March, Expert Witness Statement, Section 2.5, Page 4]
- i. **Quote:** “The methods used to arrive at the conclusions have significant shortcomings related to their emphasis on impacts and on likelihood rather than a full assessment. This means that the risks are not adequately accounted for and indeed mitigated.”
 - ii. **Conclusion to be drawn:** Identifies a fundamental methodological failure to conduct a proper risk assessment that considers consequences rather than just probability.
- e. **Source:** [Tabled Document 138, Michael Buxton and Alan March, Expert Witness Statement, Section 6.6, Page 7]
- i. **Quote:** “...the possibility of high consequence, low likelihood events is not addressed fully.”
 - ii. **Conclusion to be drawn:** Directly supports the Alliance’s theme that "low residual risk" ratings are achieved by ignoring catastrophic potential.

Verbal Hearing Evidence (transcripts)

- f. **Source:** [Nick Tweedy, Proponent Counsel, 30 Oct 2025 (Day 2), Transcript 01:21:40]
- i. **Quote:** “...the RIT-T process, which first identified the need for the WRL... excluded matters related to social and environmental impacts on local communities unless it conflicts with the law.”
 - ii. **Conclusion to be drawn:** A major admission that the very foundation of the project design and route was developed without regard for the bushfire safety and social impacts now under assessment.

By excluding bushfire safety and social impacts from the RIT-T unless they conflicted with the law, the proponent has inverted the legal test. Bushfire risk to life is itself a matter of law, not a discretionary social consideration. If that risk is real, then the process did not merely omit it, it failed to comply with the governing legal framework.

- g. **Source:** [Mark Potter, Expert Witness (Proponent), 10 Nov 2025 (Day 8), Transcript 02:38:41]
- i. **Quote:** “CFA operational procedures... they prevent, um, their firefighters from getting too close... to an easement, is that right? ... yes, that's correct.”
 - ii. **Conclusion to be drawn:** Confirms that operational safety mandates will create "no-go zones" for firefighters, reducing protection for nearby properties and suppression effectiveness.
- h. **Source:** [Alan March, Expert Witness (Moorabool Shire Council), 27 Nov 2025 (Day 19), Transcript 01:17:25]
- i. **Quote:** “How could we not be in a situation where we cannot prioritize human life? ... and that might be a by route planning or other design considerations.”
 - ii. **Conclusion to be drawn:** Connects the Clause 13.02-1S mandate (primacy of life) to the necessity of alternative solutions like rerouting or undergrounding.
- i. **Source:** [John Bolt, Expert Witness (Proponent), 30 Oct 2025 (Day 2), Transcript 03:23:13]
- i. **Quote:** “Um, you can never be absolutely certain of anything in life. But this one I would be more certain of than almost anything... as circumstances will change and they will change. There's no doubt that you're right about that.”
 - ii. **Conclusion to be drawn:** Concedes that the long-term context of the project is subject to changing circumstances (such as climate change or land use), which introduces uncertainty into their static risk assessments.
- j. **Source:** [Alan March, Expert Witness (Moorabool Shire Council), 27 Nov 2025 (Day 19), Transcript 02:34:28]

- i. **Quote:** "...it's a risk-based based approach, but no methodology is specified... it's also true that [the scoping guidelines] do not specify any methodology."
- ii. **Conclusion to be drawn:** Highlights the lack of a standardised, mandatory methodology, leaving the Proponent's "acceptable risk" conclusions open to challenge as being subjective.

19. Based on the evidence detailed above, the Alliance submits the following observations.

Breach of the Primacy of Life Mandate (Victorian Planning Schemes Clause 13.02-1S)

20. The evidence demonstrates that the WRL fails to uphold the Primacy of Life mandate. By traversing landscapes of "significant bushfire risk" while simultaneously creating "no-go zones" for firefighters, the project creates a permanent hazard that cannot be mitigated through standard management plans. Expert testimony confirms that any route planning failing to prioritise human life via design considerations such as undergrounding is inherently flawed.

Methodological Inadequacy and "Simplistic" Risk Modelling

21. The Proponent's reliance on Technical Report K has been effectively discredited by experts who label the analysis as "simplistic" and "flawed". The failure to conduct a consequence-based assessment rather than a likelihood-based one means that catastrophic "low probability" events are ignored, leaving communities like those in the Moorabool Shire vulnerable to uncalculated risks regarding access and egress during a fire.

Operational Impairment of Emergency Services

22. The admission that CFA operational procedures prevent firefighters from engaging near the easement confirms that the WRL will result in a permanent reduction in fire suppression capability. Furthermore, the lack of a site-specific assessment for 80-metre towers means the project's impact on aerial water bombing and surveillance remains a critical, unaddressed safety gap.

Structural Bias and Path Dependency

23. The admission by Proponent Counsel that the RIT-T process excluded social and environmental impacts from the primary calculus is the "smoking gun" of this inquiry. It proves that the current overhead route was chosen based on outdated financial metrics rather than safety, forcing the EES to act as a tool for retroactive justification rather than an objective assessment of bushfire risk.

Technological Alternatives and Industry Precedent

24. Evidence from projects such as Marinus Link and the Star of the South underscores that modern transmission solutions can avoid these risks. Undergrounding is established in the record as the only method that eliminates infrastructure-induced ignitions and avoids the physical obstruction of firefighting activities, directly contradicting the Proponent's dismissal of this alternative.

RECOMMENDATIONS

16. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance makes five recommendations with regard to bushfire risk.
17. We urge the IAC to recommend to the Minister for Planning that:
- a. The project should be undergrounded through all high-fire-risk areas, as this is the only proven method to completely eliminate the risks associated with tower-related aviation hazards and infrastructure-induced ignitions.
 - b. If the project proceeds, the proponent must be required to obtain formal, written approval from the Country Fire Authority (CFA) and relevant Shire Councils for a comprehensive Bushfire Management Plan before any works commence.
 - c. The proponent be required to implement specific, physical mitigation measures to resolve all identified emergency access and egress issues, supported by a formal statement from the CFA confirming the adequacy of these plans.
 - d. A comprehensive, independent risk assessment of the project's impact on regional airspace and low-flying fire-fighting activities be mandated, including a specific safety audit for the Melton Aerodrome.
 - e. All vague and discretionary language in the Bushfire EPRs be replaced with specific, measurable, and legally binding obligations that ensure the project does not compromise fire suppression capabilities.
18. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.
19. I'll now hand back to Steve Harper to discuss our concerns over Landscape and Visual Amenity.

6. WVCA Verbal Presentation to the IAC 23 Jan 26: Landscape and Visual Amenity Impacts

INTRODUCTION

1. This submission highlights and amplifies the Alliance's assessment of Chapter 11 and Technical Report C of the Western Renewables Link (WRL) Environment Effects Statement (EES), regarding Landscape and Visual Amenity.
2. The affected region encompasses a unique and irreplaceable landscape, including national parks, high-value agricultural land, and private residences chosen specifically for their scenic views and peaceful rural character.
3. Our evaluation of the EES material and the evidence presented to the IAC to date concludes that the proponent's assessment is methodologically unsound and structurally biased.
4. It consistently undervalues the permanent industrialization of pristine landscapes by 80-metre-high steel lattice towers, and, we believe, fails to meet the legal and technical requirements of the EES process.

OUR ASSESSMENT OF LANDSCAPE AND VISUAL METHODOLOGY

5. The credibility of the Landscape and Visual Impact Assessment (LVIA) is compromised by inconsistent logic and subjective application. For example, the project is rated as a "Low" impact at certain viewpoints just 550 m from 80 m towers, disregarding the immense shift in scale and proximity.
6. The viewpoint selection for residential assessment is statistically invalid. Despite approximately 6,140 dwellings being located within 2 km of the proposed route in peri-urban areas, the LVIA relies on data from just 23 homes. This unrepresentative sample prevents an inaccurate understanding of the true prevalence of visual harm.
7. The study area establishes an arbitrary 9.2 km boundary for broad landscapes and a 2 km zone for private domains. This distance-based approach fails to account for the cumulative impact of a continuous 190 km industrial scar or the degradation of "borrowed landscapes" for residents located beyond these rigid limits.

KEY IMPACTS AND CONCERNS

8. **Failure to Avoid Impacts:** The EES fails to meet the primary objective of the Scoping Requirements to "avoid" adverse effects. Instead, it serves merely as a catalogue of widespread, unmitigated 'High' residual impacts across both public and private spaces.
9. **Desecration of Significant Sites:** The project results in unacceptable effects on highly valued public landscapes and heritage sites:
 - a. At **Bolwarrah Weir** and the historic Buried Rivers of Gold Tourist Drive, 80m towers will be placed as close as 65 m to 730 m away, permanently transforming tranquil rural sites into industrial zones.
 - b. For the **Merrimu Reservoir War Memorial**, the proponent proposes physically redesigning the memorial to orient views away from the towers. This is viewed as an act of desecration rather than mitigation.
10. **Inadequate and Non-Binding Mitigation:** The proposed mitigation for private residences (EPR LV2) relies almost exclusively on offers of "landscape screening". This framework is deficient because:
 - a. It is non-committal and voluntary; if a landowner declines, the 'High' residual impact remains completely unaddressed.
 - b. It improperly transfers the long-term risk and maintenance burden to the affected landowners.
 - c. It effectively asks residents to obscure the very views for which their properties were valued.

REASONS THE IMPACTS ARE UNACCEPTABLE

11. The introduction of 80-metre-high towers stretching for hundreds of kilometres creates a permanent and irreversible industrialization of the landscape. This is not a "manageable" outcome; it is a dramatic loss of rural character that cannot be landscaped away.
12. The EES fails to evaluate the project's impact on the specific values that statutory overlays, such as the Significant Landscape Overlay (SLO), were established to protect. It does not adequately explain how the visual prominence of protected features like volcanic peaks remains uncompromised by the proposed infrastructure.
13. By using subjective criteria to downplay impacts and dismissing mitigation options like painting towers or undergrounding based on cost and convenience,

AusNet has failed to genuinely evaluate alternatives that could avoid these effects.

14. The assessment neglects the cumulative visual burden on Western Victorian communities already impacted by existing wind farms and transmission infrastructure.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

15. Our review and analysis of the submissions and evidence presented to the IAC and the hearing record identifies critical admissions from the proponent's own experts and peer reviewers that support the Alliance's concerns.
16. The evidence confirms our assertions that the Landscape and Visual Impact Assessment (LVIA) is based on technical errors, unquantified risks, and a deliberate exclusion of the most effective mitigation strategies including the use of photomontages that omit key impact areas and vistas and are intentionally biased in their framing and viewing direction.
17. In support of this statement we would like to flag the following evidence listed here for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [Tabled Document 248, Stephen Schutt, Proponent presentation for landscape and visual, Summary of issues raised in submissions & my response, Page 2]
 - i. **Quote:** "Impacts on dwellings in Fairway Crescent, Banadell Avenue, Swans Road, Chambers Court and Egan Court [Darley] have been understated."
 - ii. **Conclusion to be drawn:** This is a direct admission by the proponent's own peer reviewer that visual impacts for specific residential areas were not adequately represented in the original assessment.
- b. **Source:** [Tabled Document 106, Stephen Schutt, Proponent expert evidence statement (Landscape and Visual), Section 3 (Summary of Peer Review Report), Page 4]
 - i. **Quote:** "It is my opinion that the methodology misinterprets this diagram [LVIA Figure 4-1]... a person's vertical field of view is not limited to an arc of 10 to 15 degrees below horizontal, but rather comprises an arc of 10 to 15 degrees below and above horizontal."

- ii. **Conclusion to be drawn:** This identifies a fundamental technical error in the assessment's understanding of human vision, suggesting the vertical prominence of towers may have been underestimated.
- c. **Source:** [Tabled Document 191, Joint Expert Statement, Main Issue: Stakeholder Engagement, Page 1]
 - i. **Quote:** “The inability to be able to get permission to access the properties and assess the visual impacts speaks to a potential shortcoming in the success of the consultation process and the veracity of the overall visual impact assessment report.”
 - ii. **Conclusion to be drawn:** This highlights a data gap and a limitation in the assessment's accuracy caused by the proponent's failure to engage effectively with landholders.
- d. **Source:** [Tabled Document 119, Hayden Burge, Proponent expert evidence statement (Landscape and Visual), Section 9.1, Page 62]
 - i. **Quote:** “There are several dwellings that have been assessed where the visual impact is high and cannot be mitigated.”
 - ii. **Conclusion to be drawn:** This confirms that the project will result in significant, unmanageable residual impacts on residents, supporting the argument that the proposal is unacceptable.
- e. **Source:** [Tabled Document 106, Stephen Schutt, Proponent expert evidence statement (Landscape and Visual), Section 2 (Summary of key issues, opinions and recommendations), Page 3]
 - i. **Quote:** “It is my recommendation that - for clarity and completeness - Clause 2(c) in EPR-LV2 should be revised with the following wording: ‘including the costs to supply, install, monitor and maintain any landscape screening treatment for a period of 2 years’.”
 - ii. **Conclusion to be drawn:** This suggests that the current Environmental Performance Requirements (EPRs) are incomplete regarding the proponent’s accountability for long-term mitigation success.

Verbal Hearing Evidence (transcripts)

- f. **Source:** [Hayden Burge, Lead Author of LVIA, 6 November 2025, Transcript 00:09:03]

- i. **Quote:** “Undergrounding as a mitigation measure, which for this project and my in, uh, in, uh, instructions was outside the scope of the LVIA to contemplate...”
 - ii. **Conclusion to be drawn:** This confirms that the most effective potential visual mitigation undergrounding was excluded from the expert's consideration by the proponent's own instructions.
- g. **Source:** [Hayden Burge, Lead Author of LVIA, 7 November 2025, Transcript 01:59:01]
 - i. **Quote:** “Uh, absolutely it’s a high level of visual impact.”
 - ii. **Conclusion to be drawn:** This verbal concession acknowledges that the project will be a dominant and high-impact feature in key views.
- h. **Source:** [Stephen Schutt, Registered Landscape Architect, 7 November 2025, Transcript 02:25:36]
 - i. **Quote:** “...it appears to me that it, it would fall within the project study area... and it probably should be considered...”
 - ii. **Conclusion to be drawn:** The peer reviewer admits here that the Joel Joel BESS project was an omission in the cumulative impact assessment, supporting the case that total impacts have been under-assessed.
- i. **Source:** [Hayden Burge, Lead Author of LVIA, 7 November 2025, Transcript 02:38:00]
 - i. **Quote:** “...it’s just not possible to mitigate the impact assessed as moderate.”
 - ii. **Conclusion to be drawn:** This admits that even moderate visual impacts, such as those at Newland Reservoir, may be permanent and impossible to address through planting or design.
- j. **Source:** [Hayden Burge, Lead Author of LVIA, 7 November 2025, Transcript 02:31:34]
 - i. **Quote:** “You haven’t undertaken that assessment on an empirical basis? No, no.”
 - ii. **Conclusion to be drawn:** This indicates that the visual impacts of potential tower shifts during the "micro-siting" phase have not been tested or quantified, creating uncertainty about final impacts.

18. Based on the evidence detailed above, the Alliance submits the following observations.

Technical Failure and Underestimation of Prominence

19. The admission of a fundamental error regarding the human "vertical field of view" means the LVIA has systemically underestimated how dominant these 80-metre towers will appear in the landscape. If the methodology is mathematically flawed, the "Low" and "Moderate" ratings throughout the report are invalid.

Selective and Misleading Visualisation of Impacts

20. The proponent's visual material is itself a source of concern, including the use of photomontages that omit key impact areas and sensitive vistas and are intentionally biased in their framing and viewing direction.
21. In practical terms, this means the most intrusive tower locations, the most affected dwellings, and the most valued public viewpoints are frequently excluded, cropped, or shown from oblique or distant angles that minimise apparent scale and clutter.
22. As a result, the Committee and the community are presented with a partial and sanitised visual story that understates the true extent, intensity and duration of landscape and visual change, undermining confidence in the LVIA and its use as a reliable basis for assessing acceptability.

Absence of Comparative Mitigation Analysis

23. The proponent's instruction to exclude undergrounding from the LVIA scope prevented a genuine "avoid and minimise" assessment. The Committee is left with a catalogue of high impacts without having been presented with the visual benefits of the primary alternative advocated by the community.

Admission of Unmitigatable Harm

24. The lead author's concession that "high" impacts on several dwellings cannot be mitigated—and that even some "moderate" impacts are permanent—confirms that the project fails to meet acceptable planning outcomes for residential amenity.

Procedural Gaps and Lack of Veracity

25. The failure to obtain property access, combined with the omission of significant nearby projects like the Joel Joel BESS, demonstrates that the assessment is neither comprehensive nor representative of the cumulative industrialization of the region.

Shift of Burden to Landowners

26. The evidence regarding EPR-LV2 highlights a lack of accountability. By failing to mandate long-term maintenance of screening, the proponent effectively transfers the risk of mitigation failure to the victims of the project.

RECOMMENDATIONS

27. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance makes five recommendations with regard to the rationale and consideration of alternatives.
28. We urge the IAC to recommend that the Minister for Planning should:
- a. Reject the Landscape and Visual Impact Assessment as it fails to provide a credible foundation for assessing the project's profound and permanent effects.
 - b. Mandate a new, comprehensive assessment that is transparent, independently overseen, and fully evaluates the comparable advantages of genuine alternatives, including undergrounding in high-value visual landscapes.
 - c. Require that the new assessment be subject to rigorous, independent peer review by suitably qualified experts, with all results made publicly available.
 - d. Require a binding commitment from the proponent to either implement effective visual mitigation or purchase affected properties at full, pre-project market value, determined by an independent valuer.
 - e. Require written confirmation from respective Shire Councils that the project will not compromise the values of Significant Landscape Overlays before any works commence.
29. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.
30. I'll now hand back to Emma Muir to speak to our concerns over the Agriculture and Forestry impact assessment.

7. WVCA Verbal Presentation to the IAC 23 Jan 26: Agriculture and Forestry

INTRODUCTION

1. This submission presents the Western Victorian Community Alliance's (WVCA) assessment of Chapter 15 and Technical Report E of the Western Renewables Link (WRL) Environment Effects Statement (EES), regarding Agriculture and Forestry.
2. Agriculture in Western Victoria is not merely a land use; it is a sophisticated, high-capital industry that forms the economic and social foundation of the region. The area impacted includes some of the state's most productive soils and reliable rainfall zones, supporting critical horticultural and broadacre enterprises.
3. Our evaluation concludes that the EES fails to acknowledge the operational realities of modern farming. By treating agricultural land as a generic "corridor," the proponent has systematically ignored the precision-based nature of contemporary agriculture and the permanent threat the project poses to the viability of family-run primary productions.

OUR ASSESSMENT OF AGRICULTURAL DATA COLLECTION AND IMPACT ASSESSMENT METHODOLOGY

4. The Agricultural Impact Assessment (AIA) is fundamentally flawed because it prioritizes broad regional statistics over property-level operational reality. By diluting the impact across the entire "Western Victoria" region, the proponent masks the catastrophic consequences for individual farms where 80-metre towers and wide easements are proposed.
5. The assessment fails to account for the technical requirements of high-value horticulture, such as the potato and cereal cropping along the proposed alignment. These industries rely on specific soil types and intensive irrigation systems that are incompatible with large-scale transmission infrastructure.
6. A critical methodological failure is the lack of site-specific analysis regarding biosecurity. The EES treats biosecurity as a "management task" during construction rather than a high-consequence risk that can permanently end a farm's ability to trade in restricted markets if soil-borne pathogens are introduced.

7. Furthermore, the Agriculture and Forestry technical report was not subjected to any published independent peer review. This absence of external validation is a significant departure from standard EES practice and undermines the credibility of the proponent's "Low" impact findings.

KEY IMPACTS AND CONCERNS

8. **Interference with Irrigation and Precision Farming:** The project creates permanent physical and electronic barriers to modern farming practices:
 - a. Tower placement and catenary wires prevent the use of centre-pivot and linear-move irrigation systems, rendering large tracts of high-value land unirrigated and significantly less productive.
 - b. The infrastructure interferes with GPS-guided machinery and auto-steer technology, which are essential for precision sowing, chemical application, and harvesting.
9. **Exclusion of Aerial Application:** The presence of 80-metre towers and overhead lines effectively ends the safe use of aerial spraying (crop dusting) on affected and adjacent properties. This is a critical impact for:
 - a. Disease and pest management in wet conditions when ground machinery cannot enter paddocks.
 - b. Top-dressing of fertilizers during peak growth stages.
 - c. Cost effective weed control.
 - d. Drone Use and future controls.
10. **Biosecurity Risks:** Construction activities involve the movement of heavy machinery across hundreds of properties. The EES fails to provide a binding guarantee that soil-borne diseases, such as Potato Cyst Nematode (PCN) and invasive weeds, will not be spread. A single breach of biosecurity can result in a permanent quarantine, destroying a business's value and market access.
11. **Land Fragmentation and Infrastructure Constraints:** The 100-metre wide easement fragments paddocks, creating "dead zones" where large modern machinery cannot manoeuvre. Furthermore, weight restrictions on easement crossings may prevent the movement of fully loaded harvesters and grain trucks, disrupting the logistics of harvest.

REASONS THE IMPACTS ARE UNACCEPTABLE

12. The project directly contradicts the State Planning Policy for the protection of agricultural land. The EES fails to demonstrate how the permanent loss of productive capacity in a "Strategic Agricultural Land" area can be justified when

alternatives, such as undergrounding or alternative routing, were not fully explored.

13. The proponent's reliance on the "avoid and minimize" hierarchy is non-existent in the agricultural context. The route appears to have been selected for ease of construction rather than the avoidance of high-value, irrigated, and precision-farmed land.
14. The proposed Environmental Performance Requirements (EPRs AG1 and AG2) are deficient. They use discretionary language such as "consulting with landholders" and "minimizing impacts so far as practicable." This provides no protection to the landholder and places the burden of proof and the risk of loss entirely on the primary producer.
15. The EES fails to provide a mechanism for the compensation of permanent operational losses, such as the increased cost of ground-based spraying over aerial, or the reduced yield from moving to less efficient irrigation methods.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

16. Our review and analysis of the submissions presented to the Inquiry and Advisory Committee (IAC) and the hearing record reveals a profound consensus among independent experts that the proponent's assessment of agricultural and forestry impacts is methodologically flawed and operationally disconnected from reality which validates the Alliance's concerns.
17. The evidence tabled by both independent and proponent-aligned experts underscores that the proposed overhead infrastructure will cause irreversible damage to Victoria's most fertile agricultural assets, specifically the Ferrosol soils of the Ballarat and Hepburn regions, by forcing a de-intensification of land use that has not been adequately quantified or mitigated.
18. In support of this statement, we would like to flag the following evidence for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [Tabled document 089, Shayne Annett, Expert Witness Statement: Agriculture and Forestry, Section 6, Page 6]
 - i. **Quote:** "This means it is appropriate to use this data as a broad indicator of the value of production, but it does not reflect farm profitability (for many reasons, with one key being that it does not consider costs of production)."

- ii. **Conclusion to be drawn:** Admits that the economic assessment uses a broad indicator that fails to account for actual farm-level profitability and production costs.
- b. **Source:** [Tabled document 089, Shayne Annett, Expert Witness Statement: Agriculture and Forestry, Section 6, Page 7]
 - i. **Quote:** "It is possible that the current uses of small areas of land may not be able to continue. For instance, there could be areas currently irrigated for horticultural use where the restrictions may mean that the land can only be used for grazing."
 - ii. **Conclusion to be drawn:** Acknowledges that the project may force a permanent change from high-value horticultural land use to lower-value grazing.
- c. **Source:** [Tabled document 089, Shayne Annett, Expert Witness Statement: Agriculture and Forestry, Section 6, Page 10]
 - i. **Quote:** "The assessment does not attempt to calculate the impact of isolation and redundancy because there are so many factors that are unique to the affected land, it is not possible to accurately estimate it."
 - ii. **Conclusion to be drawn:** Concedes that a significant category of agricultural impact (land isolation and redundancy) was not quantified due to complexity.
- d. **Source:** [Tabled document 236, Joint Expert Statement, Agriculture and Forestry, Issue 4, Page 6]
 - i. **Quote:** "The cumulative effect of these multiple issues could be that the landholder opts to not return the land to its previous use, which could see it change from a high value to low value use (e.g. from horticulture to grazing)."
 - ii. **Conclusion to be drawn:** All experts, including the proponent's, agree that the project's complexity may drive landholders to abandon high-value farming.
- e. **Source:** [Tabled document 236, Joint Expert Statement, Agriculture and Forestry, Issue 10, Page 10]
 - i. **Quote:** "At greater depths the impacts on agriculture would have been significantly reduced and it is the opinion of GB such options should have been costed out as part of the proposal."

- ii. **Conclusion to be drawn:** Supports the position that deeper undergrounding significantly reduces agricultural impacts compared to the overhead proposal.
- f. **Source:** [Tabled document 236, Joint Expert Statement, Agriculture and Forestry, Issue 13, Page 12]
- i. **Quote:** "Requiring two different methods for aerial treatments would add cost and complexity to the farming operation and may result in landholders changing the land use for these areas to uses that do not require aerial treatments."
 - ii. **Conclusion to be drawn:** Confirms that the presence of overhead lines creates operational burdens that may make existing broadacre or horticultural practices unviable.
- g. **Source:** [Tabled document 051, A.J. Pitt, Independent Peer Review: Agriculture and Forestry, Section 5.2, Page 10]
- i. **Quote:** "It is my opinion that the narrative in these two paragraphs of the EM3 does not adequately acknowledge that The Project is to be located on privately owned land."
 - ii. **Conclusion to be drawn:** The proponent's own peer reviewer critiques the project's documentation for failing to respect private property rights and operational realities.
- h. **Source:** [Tabled document 136b, Gavin Beever, Expert Evidence Addendum, Page 1]
- i. **Quote:** "When carried out well, the location of the trench cannot be detected, once it has revegetated, and from an agricultural land use perspective, it can be used equally as well as the balance of the paddock..."
 - ii. **Conclusion to be drawn:** Provides evidence that undergrounding, if managed with proper soil horizon separation, allows for full restoration of agricultural productivity.
- i. **Source:** [Shayne Annett, Expert Witness, 30 Oct 2025, Joint Expert Meeting Notes/Transcript Ref (as recorded in Tabled document 236), Page 6]
- i. **Quote:** "SA confirmed the report conclusions that there are mitigation options available... There is the possibility that small areas of the farm that are currently irrigated may be unable to be irrigated due to the position of the towers."

- ii. **Conclusion to be drawn:** Admits that even with mitigations, some areas will suffer a total loss of irrigation capability due to tower placement.
- j. **Source:** [Gavin Beever, Expert Witness, 31 Oct 2025, Joint Expert Meeting Notes/Transcript Ref (as recorded in Tabled document 236), Page 6]
 - i. **Quote:** "This helicopter approach of assessment, versus an assessment of the impact at the individual farm level... is seen by GB as a major failing of the assessment process..."
 - ii. **Conclusion to be drawn:** Highlights a fundamental methodological flaw in the proponent's EES regarding the lack of farm-specific impact data.
- k. **Source:** [Andrew Perkins, Expert Witness, 31 Oct 2025, Joint Expert Meeting Notes/Transcript Ref (as recorded in Tabled document 236), Page 12]
 - i. **Quote:** "Submission number 468, has identified conditions for an AusNet fire permit and a CFA permit that have contradictory approved wind conditions for the same farm."
 - ii. **Conclusion to be drawn:** Provides a concrete example of how conflicting regulatory requirements under overhead lines create impossible operational constraints for farmers.

19. Based on the evidence detailed above, the Alliance submits the following observations.

The "Helicopter View" vs. Operational Reality

20. The hearing evidence confirms a systemic failure in the EES to analyse impacts at the property level. Experts acknowledge that utilizing broad regional statistics masks the "catastrophic consequences" for individual precision-farming operations. By ignoring farm-level profitability and the unique costs of production, the proponent has presented a distorted view of the project's economic footprint.

Forced De-intensification of Strategic Agricultural Land

21. There is a consensus among experts, including those representing the proponent, that the complexity of farming around 80-meter towers will likely force a shift from high-value horticulture to low-value grazing. This transition represents a permanent loss of productivity for Victoria's "Strategic Agricultural

Land," directly contradicting State Planning Policies intended to protect such finite resources.

Unresolved Regulatory and Safety Deadlocks

22. The evidence highlights that overhead lines introduce "impossible" operational constraints, such as contradictory fire permit requirements that leave farmers unable to legally manage their land. Furthermore, the loss of aerial application services during wet seasons or peak growth stages removes a critical tool for disease management, threatening the viability of the entire regional potato and cereal cropping industries.

Undergrounding as the Only Viable Mitigation

23. The expert addendum by Gavin Beever establishes that undergrounding is not just a preference, but a proven technical solution that allows for the full restoration of agricultural productivity.
24. While the EES dismissed this alternative on cost grounds, it failed to conduct a proper cost-benefit analysis that monetises the permanent operational losses and biosecurity risks inherent to the overhead proposal.

Biosecurity and Contamination Pathways

25. The EES fails to address the unique biosecurity risks associated with the high-value Ferrosol regions.
26. Construction activities—including deep soil disturbance and the movement of heavy machinery—provide direct pathways for soil-borne pathogens such as Potato Cyst Nematode (PCN), Verticillium wilt, and Rhizoctonia.
27. Unlike precedents like the TasNetworks North West Transmission Project, which included full biosecurity risk quantification, the WRL EES lacks expert-verified machinery hygiene protocols. Given that Biosecurity Victoria guidelines¹ show quarantine control zones can last up to 25 years, the project risks the total long-term sterilization of land currently optimized for high-value horticultural production.

Climate Resilience and Food Security

28. The proponent's assessment ignores the strategic link between high-value agricultural protection and state-level climate adaptation.
29. The Ballarat and Hepburn regions produce a significant portion of Victoria's vegetable output; forcing a "de-intensification" of these lands is a climate maladaptation.
30. Under Victoria Planning Provisions (VPP) Clause 14.01-2S (Sustainable Agricultural Land Use)² and the Climate Action Act 2017³, the protection of

productive agricultural land is an essential component of state food resilience. To degrade this capacity precisely when climatic volatility requires more intensive and diverse food production is a failure of long-term strategic planning.

Fragmentation and the Loss of Agricultural “Critical Mass”

31. The economic viability of farming in this region relies on a high-density network of cooperative service models, including specialized contractors, aerial spray operators, and irrigation suppliers.
32. The fragmentation of holdings within the proposed corridor undermines these local economies of scale. This is a non-linear loss; if the project forces even a small number of core producers out of production, it threatens the viability of the entire regional service industry, leading to a "hollowing out" of the agricultural community.

Forestry Impacts and Carbon Sequestration

33. The EES has treated forestry as a secondary concern, yet the sterilisation of large overhead tower easements directly conflicts with Victoria’s Emissions Reduction Target (ERT) and Biodiversity 2037 commitments.
34. By reducing plantation growth zones and canopy area, the project permanently decreases the region's carbon sequestration capacity. The failure to substantively include forestry rotations within the agricultural impact lens obscures the true environmental and economic cost of the overhead proposal.

Socioeconomic and Intergenerational Viability

35. The economic modelling in the Social Impact Assessment (SIA) focuses on immediate productivity but ignores intergenerational survivability.
36. Fragmented properties lose viability for succession planning due to increased debt loading, valuation collapse, and insurance complexities. For family-run enterprises, this project is not a temporary nuisance but a long-term displacement factor that threatens the continuity of farming lineages that have managed these lands for generations.

Public Interest and Policy Inconsistency

37. The current route over Ferrosol soils represents a direct strategic conflict with the Victoria Planning Provisions (VPP) Clause 14.01-2S⁴, which explicitly requires the avoidance—not just the mitigation—of the permanent loss of high-value agriculture.
38. The Victorian Transmission Investment Framework (VTIF)⁵ acknowledges that undergrounding is an appropriate response in such highly constrained contexts. The proponent's refusal to adopt this alternative in the most productive

agricultural sectors of the route constitutes a failure to meet the "public interest" test as defined by state planning policy.

RECOMMENDATIONS

39. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance makes the following five recommendations with regard to the assessment of risks to agriculture and forestry presented by the WRL project.
40. We urge the IAC to recommend that the Minister for Planning should:
- a. Reject the Agriculture and Forestry assessment until a property-by-property impact study is conducted for every affected agricultural enterprise.
 - b. Mandate a comprehensive, site-specific Biosecurity Management Plan for every property, developed by independent agronomists and funded by the proponent, with legally binding indemnity for the landholder in the event of a biosecurity breach.
 - c. Require the proponent to demonstrate compliance with the Planning Policy Framework regarding the protection of high-quality agricultural land, specifically detailing why "avoidance" of irrigated land was not possible.
 - d. Require the proponent to redraft all Agricultural EPRs to remove discretionary language. EPRs must include a binding obligation to ensure that no farm loses the ability to utilise its existing irrigation, GPS technology, or aerial application services.
 - e. Require a full, independent peer review of the revised Agricultural Impact Assessment, conducted by experts with specific experience in Victorian high-value horticultural systems.
41. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.
42. I'll now hand back to Jim Phasey to discuss our concerns over the risk to biodiversity and habitat.

Endnotes

1. <https://agriculture.vic.gov.au/biosecurity/pest-insects-and-mites/priority-pest-insects-and-mites/potato-cyst-nematode>

2. Victoria Planning Provisions (VPP) Clause 14.01-2S (Sustainable Agricultural Land Use) is a state-level policy designed to ensure the long-term sustainable use and management of agricultural land.
<https://www.planning.vic.gov.au/guides-and-resources/guides/practitioners-guide-to-victorias-planning-schemes/appendices>
3. <https://www.climatechange.vic.gov.au/legislation/climate-action-act-2017>
4. ibid endnote 3
5. <https://engage.vic.gov.au/victorian-transmission-investment-framework>

8. WVCA Verbal Presentation to the IAC 23 Jan 26: Biodiversity and Habitat

INTRODUCTION

1. This submission addresses the Western Victorian Community Alliance's (WVCA) assessment of Chapter 8 of the Western Renewables Link (WRL) Environment Effects Statement (EES), which focuses on Biodiversity and Habitat.
2. The natural environment of where we live in Western Victoria is a mosaic of productive agricultural plains, forests, and waterways. The health and sustainability of these ecosystems are of paramount importance to the community, who act as generational custodians of the land.
3. Our evaluation of the EES concludes that the proponent's biodiversity assessment is built upon an unreliable and incomplete foundation. The documentation fails to accurately measure the impacts the proposed project will have on fragile ecosystems and rare species, rendering its conclusions speculative and non-compliant with the Environment Effects Act 1978.

OUR ASSESSMENT of BIODIVERSITY DATA AND METHODOLOGY

4. A robust environmental assessment requires a comprehensive understanding of the baseline conditions. The EES Scoping Requirements mandate that the proponent characterise the type, distribution, and condition of biodiversity values through targeted field surveys.
5. The proponent's Technical Report A: Biodiversity Impact Assessment admits to a significant data gap. Approximately 24% of the Project Area requiring ecological survey—comprising over 469 hectares—was not fully assessed due to land access constraints.
6. In the absence of empirical field data for nearly a quarter of the study area, the proponent relied on desktop modelling. The EES acknowledges that such modelling is merely a guide and often poorly represents critical vegetation types, such as native grasslands.
7. The assessment further lacks integrity due to the complete absence of any formal, independent peer review of the biodiversity and habitat methodology. While other technical reports underwent external scrutiny, this highly contentious component was entirely self-assessed by the proponent and its consultants.

KEY IMPACTS AND CONCERNS

8. **Scale of Ecological Destruction:** Even with incomplete data, the EES documents substantial irreversible harm to the environment, including:
 - a. The clearing of over 238 hectares of native vegetation.
 - b. The removal of 991 large trees. We believe that this number to be a significant underestimation - we estimate many more trees needing to be removed to make way for the easement by just counting up those trees on just a handful of properties, let alone the whole alignment.
 - c. Significant incursions into critically endangered communities, including 5.37 hectares of Natural Temperate Grassland of the Victorian Volcanic Plain and 16.61 hectares of Grey Box Grassy Woodlands.

9. **Unproven and Conditional Mitigation:** The proposed measures to reduce harm are generic and lack evidence of efficacy within the Australian context. Specifically:
 - a. The use of "glider poles" for the endangered Southern Greater Glider is contingent upon landholder agreement rather than a firm commitment.
 - b. The effectiveness of "bird diverters" for the Brolga is based on overseas studies, with a self-acknowledged lack of systematic local research to support their use.

10. **High Residual Impacts:** The proponent concedes that even after applying mitigation, the project will result in a "High" residual impact on the critically rare Brittle Greenhood and a "Moderate" residual impact on the Creekline Grassy Woodland Community.

11. **Subversion of the EES Process:** The proponent seeks to defer fundamental assessment tasks to a post-approval phase through Environmental Performance Requirements (EPRs). EPR BD1 suggests that ecological surveys of the unassessed 24% of the land will only be completed prior to the finalisation of detailed design, effectively removing these findings from public and regulatory scrutiny during the EES process.

REASONS THE IMPACTS ARE UNACCEPTABLE

12. The reliance on incomplete baseline data prevents an accurate assessment of the magnitude of potential impacts. It is impossible to genuinely apply the "avoid and minimise" mitigation hierarchy when the presence, quality, and extent of biodiversity values across a significant portion of the footprint remain unknown.

13. The deferral of baseline surveys to a post-approval stage transforms the EES from a rigorous impact assessment into a mere "process approval." This sets a dangerous precedent that weakens the legal framework of the Environment Effects Act 1978 and denies the public and the Inquiry and Advisory Committee (IAC) the opportunity to comment on the full environmental cost of the project.
14. The use of vague and discretionary language in the EPRs, such as mitigating impacts "to the extent practicable," creates an accountability vacuum. Such phrasing allows the proponent to balance environmental protection against cost and convenience after primary approvals are granted.
15. The absence of independent peer review for the biodiversity studies introduces an unacceptable risk of undetected methodological errors and bias. For a project of this scale, independent validation is an essential component of due diligence that has been conspicuously bypassed.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

12. Our review of the submissions and expert witness statements presented to the Committee confirms the Alliance position that the WRL's biodiversity assessment is characterised by significant data gaps, a reliance on untested mitigation strategies, and an admission of permanent, unmitigable ecological damage.
13. This evidence confirms that the project's reliance on desktop modeling over field-based empirical data has resulted in a fundamental failure to account for several high-risk species and the irreversible fragmentation of critical biolinks.
14. Furthermore, the proponent's own experts concede that the primary mitigation measures for birds and tree-living species lack local scientific validation or are constrained by the physical requirements of overhead transmission infrastructure.
15. In support of this statement we would like to flag the following evidence listed below for the Committee's attention:

Written Hearing Evidence (tabled documents)

- c. **Source:** [Tabled Document 122, Brett Lane, Biodiversity Expert Witness Statement, Section 4.7, Page 3]
 - i. **Quote:** "The minor adjustments are required to address the likely impact of tree removal on retained understorey vegetation."

- ii. **Conclusion to be drawn:** Admits that the project's current plan for tree removal poses a specific, unaddressed risk to the understorey vegetation that is supposed to be retained.
- d. **Source:** [Tabled Document 123, Andrew Stephens, Biodiversity Expert Witness Statement, Annexure 1, Issue 2.2, Page 11]
- i. **Quote:** "The area of native vegetation loss calculated in the BIA was considered a worst-case scenario and the modelled data was considered to generally over-represent the extent of native vegetation..."
 - ii. **Conclusion to be drawn:** Confirms that a significant portion of the initial impact assessment relied on modelled data rather than ground-truthed field surveys⁴.
- e. **Source:** [Tabled Document 123, Andrew Stephens, Biodiversity Expert Witness Statement, Annexure 1, Issue 2.6, Page 16]
- i. **Quote:** "Due to its morphological traits, it [Wedge-tailed Eagle] has also been identified as species of concern for collision risk. Given its absence from the scoping requirements, habitat mapping and calculation of the extent of impacts to habitat have not been detailed in the BIA..."
 - ii. **Conclusion to be drawn:** Acknowledges a specific collision risk for the Wedge-tailed Eagle while admitting the formal impact assessment (BIA) failed to map or calculate habitat impacts for this species.
- f. **Source:** [Tabled Document 123, Andrew Stephens, Biodiversity Expert Witness Statement, Annexure 1, Issue 2.7, Page 19]
- i. **Quote:** "...elevating Brolga from Mild Concern to 'Concern' would not influence the proposed mitigation..."
 - ii. **Conclusion to be drawn:** Concedes that the species' risk level could be higher ('Concern' vs 'Mild Concern'), suggesting the initial assessment may have undervalued the risk to Brolgas.
- g. **Source:** [Tabled Document 123, Andrew Stephens, Biodiversity Expert Witness Statement, Annexure 1, Issue 4.1, Page 22]
- i. **Quote:** "While mitigation measures are intended to minimise impacts to biodiversity, the proposed vegetation / habitat removal cannot be fully mitigated..."

- ii. Conclusion to be drawn: Explicitly confirms that the project's ecological impacts are permanent and cannot be entirely resolved through the proposed mitigation measures.
- h. **Source:** [Tabled Document 123, Andrew Stephens, Biodiversity Expert Witness Statement, Annexure 1, Issue 4.1, Page 23]
- i. **Quote:** “The effectiveness of glider poles will be limited by the easement width and clearance requirements from electrical conductors. The BIA does not assume the mitigation will be wholly effective in preventing fragmentation of habitat...”
 - ii. **Conclusion to be drawn:** Admits to the technical limitations and potential ineffectiveness of glider poles as a mitigation strategy for habitat fragmentation.
- i. **Source:** [Tabled Document 123, Andrew Stephens, Biodiversity Expert Witness Statement, Annexure 1, Issue 1.4, Page 9]
- i. **Quote:** “The BIA notes that some impacts to biolinks will be unavoidable.”
 - ii. **Conclusion to be drawn:** Confirms that the project will cause definite and unavoidable damage to established ecological corridors and biolinks.
- j. **Source:** [Tabled Document 49a, Jacobs, Report 1 on Ecological Surveys Required by EPR-BD1, Table, Page 72]
- i. **Quote:** “Barking Owl: Increase in impacts (4.98ha increase of field mapped potential habitat) - due to Canopy & NRZ impacts being assessed and thus increasing the potential impact to treed habitat.”
 - ii. **Conclusion to be drawn:** Shows that as more detailed field assessment is conducted, the calculated impact on threatened species like the Barking Owl is actually increasing rather than decreasing.
- k. **Source:** [Andrew Stephens, Biodiversity Expert, Tabled Document 123, Annexure 1, Issue 2.4, Page 14]
- i. **Quote:** “Given the information provided by locals, a follow up survey using eDNA to try and detect the species [Growling Grass Frog] within the waterway was conducted on 27 February 2025 but the species was still not recorded. Regardless of these findings, the area remains mapped as potential habitat...”

- ii. **Conclusion to be drawn:** Acknowledges that community-provided information triggered further testing, highlighting gaps in the initial expert survey coverage for the Growling Grass Frog.
- l. **Source:** [Andrew Stephens, Biodiversity Expert, Tabled Document 123, Annexure 1, Issue 3.3, Page 21]
 - i. **Quote:** “While it is acknowledged there is limited literature available documenting the use of vertical line markers on bird collisions in Australia, this is not a reason to not employ them given their documented effectiveness elsewhere.”
 - ii. **Conclusion to be drawn:** Concedes there is a lack of local scientific evidence to prove that the primary bird collision mitigation strategy (line marking) will work in the Australian context.

16. Based on the evidence detailed above, the Alliance submits the following observations.

Fundamental Failure of the "Avoid and Minimise" Hierarchy

17. The expert evidence confirms that the proponent is unable to fulfill its statutory duty to avoid or minimize impacts when it has failed to map the habitat of "species of concern" like the Wedge-tailed Eagle or conduct field surveys for 24% of the project area . Without a complete baseline, the "avoid" stage of the hierarchy has been bypassed in favor of generic, conditional mitigation.

Inherent Limitations of Overhead Transmission Mitigation

18. The admission that glider pole effectiveness is physically limited by easement width and electrical clearance requirements demonstrates a fundamental conflict between overhead high-voltage infrastructure and biodiversity preservation. This supports the Alliance’s position that the chosen design (overhead) is inherently more damaging than alternatives such as undergrounding, which would not require the same vast, permanent canopy clearances.

Experimental Nature of Proposed Protections

19. The proponent’s reliance on "overseas studies" for bird diverters—while admitting a lack of local Australian research—transforms this project into a large-scale ecological experiment. For critically endangered or sensitive species like the Brolga and Barking Owl, the IAC cannot rely on "hoped-for" outcomes that the proponent’s own experts admit are not guaranteed to be effective.

Unreliable Data Underpins the Assessment

20. The fact that impacts on species like the Barking Owl increased once field mapping commenced suggests that the current EES significantly underestimates the true ecological cost of the project. The reliance on "modelled data" that "poorly represents" critical vegetation types ensures that the current assessment is an unreliable foundation for ministerial approval.

RECOMMENDATIONS

21. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance makes the following five recommendations with regard to the assessment of risks to biodiversity and habitat presented by the WRL project.

22. We urge the IAC to recommend that the Minister for Planning should:

- a. Reject the Biodiversity Impact Assessment in its current form, as it fails to provide a credible foundation for assessing the project's environmental effects.
- b. Mandate that the proponent complete 100% of the required baseline ecological surveys across the entire Project Area before any further consideration of project approval.
- c. Require that a new, comprehensive assessment process be undertaken, based on empirical field data rather than desktop modelling for the currently unassessed areas.
- d. Mandate that the revised biodiversity assessment and methodology must be subjected to a rigorous, independent peer review by suitably qualified experts, with the findings made available for public scrutiny.
- e. Require that all biodiversity and habitat Environmental Performance Requirements (EPRs) be redrafted to be specific, measurable, and legally enforceable, removing all subjective language and discretionary loopholes.

23. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.

24. I'll now hand back to Steve Harper to discuss our concerns over land use and planning.

9. WVCA Verbal Presentation to the IAC 23 Jan 26: Land Use and Planning

INTRODUCTION

1. This submission amplifies the Alliance's assessment of Chapter 12 and Technical Report E of the Western Renewables Link (WRL) Environment Effects Statement (EES), concerning Land Use and Planning.
2. The proposed 190km transmission line traverses a living landscape interwoven with generational stories, history, and highly productive agricultural enterprises.
3. Our assessment concludes that the proponent's analysis is fundamentally detached from the acute, localised, and permanent damage the project will inflict. By adopting a broad regional-scale methodology, the EES systematically diminishes the severity of individual impacts and fails to meet the legal and ethical standards required for a major infrastructure project.

OUR ASSESSMENT of LAND USE METHODOLOGY

4. The core flaw of the Land Use assessment is the application of a geographically expansive regional scale to evaluate impacts that are devastatingly property-specific. The five-point rating scale used by the proponent defines a "Minor" impact as one limited to receptors within or adjacent to the study area, regardless of the severity of the loss to that receptor.
5. This methodology renders the most severe consequences invisible to decision-makers. For example, the EES frames the loss of approximately 2,247 hectares of agricultural land as a negligible 0.4% of the region's total land. For the individual landholders whose most productive land falls within that footprint, the impact is not 0.4%, but a catastrophic loss of business viability and family legacy.
6. The assessment improperly siloes data by detaching land use impacts from their economic consequences. It is logically impossible to determine if a land use impact is "minor" in an economic vacuum without quantifying the financial cost of operational restrictions.
7. Furthermore, the credibility of the Land Use and Planning assessment is compromised by the complete absence of a published independent peer review, a fundamental failure of the quality assurance process required by Victorian government guidelines.

KEY IMPACTS AND CONCERNS

8. **Failure to Assess Individual Business Viability:** The EES provides a high-level inventory of affected areas but fails to analyse the project's impact on the viability of individual family businesses. Specifically:
 - a. Permanent easement restrictions will prohibit aerial crop dusting and the use of large irrigation equipment, such as gun-type irrigators.
 - b. The EES fails to connect these restrictions to high-value horticultural operations, such as potato growing, or quantify the resulting financial loss.
9. **Human Impacts and Displacement:** The project identifies 32 existing dwellings within 150m of the proposed route, including one dwelling that will be forced to relocate. The EES is silent on critical aspects of this displacement, including:
 - a. Lack of a binding framework for full market value compensation.
 - b. Failure to account for the emotional and social costs of forced relocation.
10. **Industrialisation of Rural Amenity:** The proponent dismisses the permanent loss of rural amenity as a "negligible" land use impact because the underlying use remains semi-rural. This ignores the fact that 80-metre-high steel towers will permanently industrialise the landscape and destroy the peace and open spaces for which residents chose this region.

REASONS THE IMPACTS ARE UNACCEPTABLE

11. The assessment methodology is fit-for-purpose only for generating a predetermined finding of low impact. By averaging acute losses across a vast region, it ignores the reality that some landholders face the end of their life on the land.
12. The proponent has failed to comply with the Minister for Planning's Scoping Requirements by omitting an assessment of economic effects on land use and farming. A conclusion of "minor" impact is unsubstantiated when the proponent refuses to quantify the financial burden of easement restrictions on a farm-by-farm basis.
13. The proposed Environmental Performance Requirements (EPRs LU1 and LU2) are critically flawed. By relying on the phrase "so far as reasonably practicable," the proponent retains sole discretion over what is "reasonable," rendering the commitments un-auditable and effectively unenforceable.
14. The absence of specific contingency measures leaves the community with no security. If "reinstatement" of agricultural land fails after construction, there is no defined mechanism in the EES to hold the proponent accountable.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

15. Our review and analysis of the submissions presented to the IAC and the hearing record identifies strong support for the Alliance's position that the proponent's land use assessment is strategically high-level and fails to account for acute, localised damage.
16. The evidence from both proponent-side and council-led experts is a validation of the community's concerns as it reveals significant gaps in site-specific analysis, a structured avoidance of undergrounding as a planning alternative, and an underestimation of residual bushfire and agricultural risks that cannot be mitigated by the current overhead design.
17. In support of these statements, we would like to flag the following evidence listed below for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [Tabled Document 107, Robert Milner, Expert Planning Evidence, Section 22 Conclusions, Page 96]
 - i. **Quote:** "It is an unfortunate but an often-unavoidable consequence that some parties who are proximate to or directly affected by the proposed development are seriously impacted or displaced by it."
 - ii. **Conclusion to be drawn:** Admits that serious impacts and displacement of proximate residents are "often-unavoidable," supporting the claim that residual impacts on landholders are significant rather than "low."
- b. **Source:** [Tabled Document 107, Robert Milner, Expert Planning Evidence, Section 11.3, Page 53]
 - i. **Quote:** "This evidence acknowledges that all adverse impacts cannot be eliminated."
 - ii. **Conclusion to be drawn:** Explicitly confirms the existence of residual adverse impacts that the proponent's proposed mitigation measures cannot resolve.
- c. **Source:** [Tabled Document 107, Robert Milner, Expert Planning Evidence, Section 11.3, Page 53]

- i. **Quote:** “The Project will, to varying degree, impact in a highly localised manner upon the character and amenity of private and public property by its physical presence and on-going maintenance.”
 - ii. **Conclusion to be drawn:** Acknowledges that the project causes localized damage to property character and amenity, directly supporting themes of worsening social and landscape impacts.
- d. **Source:** [Tabled Document 058, Robert Milner, Peer Review Report Land Use and Planning, Section 1.4, Page 4]
- i. **Quote:** “I have been instructed that it is not within the scope of my peer review report to address the following: • An underground project; • The adequacy of the community engagement process...”
 - ii. **Conclusion to be drawn:** Exposes critical gaps in the peer review process, demonstrating that key community concerns regarding alternatives and engagement were intentionally excluded from expert scrutiny or consideration.
- e. **Source:** [Tabled Document 060p, Ben Mahon (Jacobs), Program Change Advice – Land Use and Planning, Page 2]
- i. **Quote:** “...there is an increased likelihood that the construction of Western Renewables Link may overlap with the construction of the OMR/E6, the Merrimu (residential) Precinct and the Eastern Link Road...”
 - ii. **Conclusion to be drawn:** Identifies specific risks of cumulative impacts from overlapping construction programs, supporting the theme that cumulative risks have been mischaracterized or downplayed.

Verbal Hearing Evidence (transcripts)

- f. **Source:** [Robert Milner, expert witness, 20 November 2025, Transcript 00:18:03]
- i. **Quote:** “...my role in this project has principally been a strategic overview rather than a property by property analysis.”
 - ii. **Conclusion to be drawn:** Admits the proponent’s planning evidence lacks the site-specific granularity required to properly understand or minimize impacts on individual landholders.
- g. **Source:** [Robert Milner, expert witness, 20 November 2025, Transcript 03:29:12]

- i. **Quote:** "...that is a cost and a major impact in that locality to be acknowledged and put into the balance with the other considerations."
 - ii. **Conclusion to be drawn:** Concedes that the visual impact on protected ridgelines is a "major impact," contradicting proponent claims that such impacts are minor or fully mitigated.
- h. **Source:** [Louise Hicks, representative for Moorabool Shire Council, 2 December 2025, Transcript 00:04:04]
- i. **Quote:** "...council's concern here that people were rather, um, forgotten or... brought into an assessment of the benefits disbenefits... in a very confined manner."
 - ii. **Conclusion to be drawn:** Highlights the failure of the proponent's assessment to properly integrate human and social impacts into the project's planning balance.
- i. **Source:** [Louise Hicks, representative for Moorabool Shire Council, 2 December 2025, Transcript 00:25:24]
- i. **Quote:** "...the proponent has not called, uh, any witness in relation to the question of alternatives."
 - ii. **Conclusion to be drawn:** This statement confirms a fundamental evidentiary gap in the proponent's case. Despite asserting that alternatives such as undergrounding are unviable or inferior, the proponent has not presented a single expert witness to substantiate that claim before the Panel.

In effect, the dismissal of alternatives is being asked to be accepted without expert testing, cross-examination, or independent verification. That is not a minor omission. Consideration of alternatives is a core requirement of both environmental assessment and administrative decision-making, particularly where a project carries material risks to human safety, agricultural land, biodiversity, and community cohesion.

By failing to call witnesses on alternatives, the proponent has:

1. Avoided scrutiny of the assumptions underpinning its preferred option,
2. Prevented meaningful testing of cost, feasibility, risk, and mitigation claims, and

3. Shifted the burden unfairly onto councils and community members to disprove assertions that were never properly evidenced in the first place.

This is especially problematic given that alternatives such as undergrounding are directly relevant to bushfire risk reduction, visual and landscape impacts, land severance, and long-term community safety. Where the potential consequences include irreversible harm and heightened risk to life, the absence of expert evidence on alternatives is not neutral, it materially weakens the proponent's case.

Put simply, the Panel is being asked to endorse a preferred route and design without having been presented with expert evidence explaining why safer or less harmful alternatives were genuinely ruled out. That absence goes to the credibility, completeness, and procedural fairness of the assessment process itself.

- j. **Source:** [Rodney Elle, expert witness, 4 December 2025, Transcript 00:07:44]
 - i. **Quote:** "...then I'll give a technical overview of undergrounding... transition which are part of it, and then some of the issues... particularly about reactive power."
 - ii. **Conclusion to be drawn:** Establishes that technical evidence for undergrounding as a feasible solution is present in the hearing, challenging the proponent's assertion that it was prematurely dismissed for purely technical reasons.
- k. **Source:** [CFA Representative, government agency, 18 December 2025, Transcript 00:19:29]
 - i. **Quote:** "So we do have a concern of bushfire threat in that location."
 - ii. **Conclusion to be drawn:** Provides a direct admission from a relevant state authority of residual bushfire threat, supporting the WVCA theme that risks have not been fully addressed.

18. Based on the evidence detailed above, the Alliance submits the following observations.

Failure of the "Net Community Benefit" Balance

19. The proponent's own expert witness, Robert Milner, concedes that the project will cause "major impacts" on protected ridgelines and "serious" displacement

of residents. This directly contradicts the EES's characterisation of impacts as "minor" or "low" when viewed through a regional lens, as it admits the localised reality is one of significant harm.

Lack of Site-Specific Granularity

20. By admitting that the planning evidence was based on a "strategic overview" rather than "property-by-property analysis," the proponent acknowledges a fundamental failure to comply with the need for a rigorous assessment of effects on individual agricultural businesses and family legacies.

Conflict with State Bushfire Policy

21. The CFA's recorded concern regarding residual bushfire threat highlights a critical conflict with Victoria Planning Provision Clause 13.02-1S, which requires planning to prioritize the protection of human life over all other considerations. The proponent has failed to demonstrate that an overhead solution is the safest option when undergrounding—a known alternative—eliminates this ignition source entirely.

Improper Dismissal of Undergrounding

22. The exclusion of undergrounding from independent peer reviews and the proponent's failure to call any dedicated witnesses to defend their dismissal of this alternative suggests a pre-determined outcome. This renders the "avoid and minimize" principle of the Environment Effects Act a mere procedural exercise rather than a genuine inquiry.

Alternatives not assessed

23. The evidence confirms a critical and unresolved deficiency in the proponent's case on alternatives. As acknowledged by Moorabool Shire Council's representative, the proponent has not called any expert witness in relation to the assessment of alternatives, including undergrounding.

24. This means that the dismissal of less harmful options has not been supported by expert evidence, subjected to cross-examination, or independently tested.

25. The Panel is therefore being asked to endorse a preferred design and route without a properly evidenced explanation as to why safer or less damaging options were genuinely ruled out. This undermines the credibility, completeness, and procedural fairness of the assessment process.

Threat to State-Significant Agricultural Land

26. The project traverses highly productive volcanic soils protected under the Moorabool Rural Land Use Strategy. The failure to quantify the financial burden of permanent easement restrictions—such as the prohibition of aerial spraying

and large-scale irrigation—is a breach of the Minister’s Scoping Requirements regarding economic impacts on farming.

RECOMMENDATIONS

27. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance makes five recommendations with regard to the Land use and Planning.
28. We urge the IAC to recommend that the Minister for Planning should:
 - a. Reject the EES Chapter 12 and Technical Report E in their entirety, as they provide an inadequate and non-compliant basis for decision-making.
 - b. Require a new assessment using a methodology fit for linear infrastructure that quantifies the severe, localised impacts on individual landholders rather than regional averages.
 - c. Mandate that the Proponent undertake a comprehensive economic analysis of the consequences of easement restrictions—specifically for irrigation and machinery—on individual agricultural businesses.
 - d. Require a redesign of the Land Use EPRs to remove all subjective language ("as far as practicable") replacing them with clear, measurable, and auditable standards to be assessed by independent parties.
 - e. Mandate that any future submission be accompanied by a full, independent peer review conducted by experts appointed by the Department of Transport and Planning.
29. That concludes this part of the Alliance’s submission, we are happy to take questions from the panel.
30. I’ll now hand back to Jim Phasey to address the Alliance’s concerns with the proposed Environmental Management Framework.

10. WVCA Verbal Presentation to the IAC 23 Jan 26: Environmental Management Framework (EMF)

INTRODUCTION

1. This submission amplifies the Alliance's assessment of Chapter 29 of the Western Renewables Link (WRL) Environmental Effects Statement (EES), which outlines the proposed Environmental Management Framework (EMF).
2. In our tabled submission (Submission #315) the Western Victorian Community Alliance (WVCA) argued that the proposed EMF is fundamentally flawed and unfit for purpose. It represents a system designed for self-regulation that systematically diminishes public accountability and undermines the core objectives of the Victorian EES process.
3. We believe that this position is validated by the evidence presented to the IAC to date.
4. We believe that an environmentally responsible design, supported by a robust and transparent EMF is critical to ensuring that the WRL's significant impacts on the community and environment are managed with integrity.
5. A model EMF has been described by the Alliance in detail in Addendum 1 to our submission: "Enforcing the Ethereal - A Rigorous Framework for Securing Binding Environmental Performance Requirements for the WRL".
6. The WVCA contends that we have the opposite to this, the current proposal fails to provide adequate environmental assurance and should be rejected in its entirety.

KEY IMPACTS AND CONCERNS

7. The Alliance identifies the following substantive concerns regarding the integrity and effectiveness of the proposed EMF:
 - a. **Improper Delegation of Statutory Authority.** The framework improperly transfers the Minister for Planning's statutory oversight to the proponent, creating an irreconcilable conflict of interest. By allowing AusNet to "accept" its own management plans, the EMF removes detailed, on-the-ground protections from independent regulatory scrutiny.
 - b. **Strategic Procedural Deferral.** Critical assessments, such as those for biodiversity (EPR BD1) and agriculture (EPR AF1), are deferred to the detailed design or pre-construction phases. The EES states that

approximately 24% of the project area was not surveyed for biodiversity values, deferring these assessments subverts the Environment Effects Act 1978, which requires a comprehensive understanding of environmental effects before a decision is made.

- c. **Unenforceable Environmental Performance Requirements (EPRs).** The proposed EPRs rely on subjective and non-committal language, such as "so far as reasonably practicable," "if necessary," or "minimise impacts." These requirements lack measurable baselines or specific targets, making them effectively un-auditable and unenforceable.
- d. **Lack of Audit Independence.** The requirement for the IEA to be funded and appointed by AusNet ensures the auditor functions more as a consultant than an independent watchdog. This compromised compliance model provides no assurance to the community that impacts will be properly managed.
- e. **Uncontrolled Change Management.** The proposed change management process allows AusNet to make material changes to the project configuration after approval based on the subjective criterion of being "generally in accordance" with the Development Plan. This creates a loophole where a materially different project could be constructed without further public or ministerial scrutiny.

REASONS THE IMPACTS ARE UNACCEPTABLE

- 8. The Alliance asks the IAC to reject this proposed EMF because it prioritises commercial expediency over public accountability and environmental protection. By privatising regulatory functions, it shifts the risk of project failure or mismanagement entirely onto the community and the environment.
- 9. The deferral of baseline surveys and impact assessments would mean the Minister is being asked to approve a project based on an incomplete environmental picture. This defeats the purpose of public participation and prevents the IAC from conducting a thorough evaluation of the project's true environmental costs.
- 10. The reliance on vague, discretionary language within the EPRs renders the entire management framework illusory. Without specific, measurable, and time-bound outcomes, the community has no mechanism to hold the proponent accountable for damage to their land, livelihoods, or heritage.

REVIEW OF OTHER EVIDENCE PRESENTED TO THE IAC

- 11. The Alliance submits that the expert evidence and hearing transcripts already presented to the IAC overwhelmingly support the Alliance's position and demonstrate the proposed EMF is systemically flawed.

12. In support of this statement, we would like to flag the following evidence for the Committee's attention:

Written Hearing Evidence (tabled documents)

- a. **Source:** [Tabled Document 354, Proponent/Moorabool Shire Council, Chapter 29 Environmental Management Framework (Day 22 version), Section 29.5, Page 29-10]
 - i. **Quote:** "The CEMP [Construction Environmental Management Plan] and sub-plans will be prepared by the relevant EPC Contractor and accepted by the Proponent." (Note: Tracked changes show Proponent rejection of Council's request to change 'accepted by the Proponent' to 'approved by the Minister for Planning').
 - ii. **Conclusion to be drawn:** This confirms the Proponent's insistence on a self-regulation model where they, rather than a statutory authority, retain the power to approve critical construction mitigation plans.
- b. **Source:** [Tabled Document 085, Proponent, Part A Submission, Section 6.2, Page 22]
 - i. **Quote:** "EPRs have been drafted to provide a suite of performance-based outcomes... rather than prescriptive measures, to allow for flexibility during detailed design and construction."
 - ii. **Conclusion to be drawn:** This admission supports the argument that the EPRs lack specific, measurable baselines and are designed for proponent flexibility rather than strict environmental protection.
- c. **Source:** [Tabled Document 376, Proponent/Melton City Council, Chapter 29 Environmental Management Framework (Day 24 version), Table 29-9 (EPR BD1), Page 29-31]
 - i. **Quote:** "Pre-clearing surveys must be undertaken by a suitably qualified ecologist... to identify any significant flora and fauna species and communities not previously identified."
 - ii. **Conclusion to be drawn:** This confirms that the baseline data used for the EES is incomplete and that the identification of significant species has been deferred to the pre-construction phase.

- d. **Source:** [Tabled Document 319, Proponent, Closing Submission (Part C), Section 7.1, Page 33]
- i. **Quote:** “The Proponent acknowledges that even with the implementation of the EMF and EPRs, some residual impacts, particularly in relation to landscape and social values, will remain.”
 - ii. **Conclusion to be drawn:** This is a direct admission that the proposed EMF is not capable of fully mitigating the project's most significant community impacts.
- e. **Source:** [Tabled Document 384, Maddocks (on behalf of City of Ballarat), Hearing Submission, Section 87, Page 33]
- i. **Quote:** “Detailed assessments could result in changes to the design of the project, if measures are required to avoid or mitigate impacts on the heritage sites.”
 - ii. **Conclusion to be drawn:** This highlights the risk of approving the project before detailed assessments are complete, confirming that the current design may be fundamentally incompatible with site-specific values.

Verbal Hearing Evidence (transcripts)

- f. **Source:** [Witness for Pyrenees Shire Council (Cross-examination by IAC Chair regarding EPRs), Day 27 – Thursday 11 December 2025, Transcript 02:58:44.335]
- i. **Quote:** [IAC Chair asks] “We’ve got an environmental management framework that’s got some environmental performance requirements around traffic management plans and dilapidation surveys... [are there] conditions that you think would be adaptable to this project to address those sorts of concerns you’ve outlined?”
 - ii. **Conclusion to be drawn:** The IAC's questioning suggests that the current EPRs may be inadequate and require significant adaptation or additional conditions to address the concerns raised during the hearing.

13. Based on the evidence detailed above, the Alliance submits the following observations.

Structural Failure: The Self-Regulation Model

14. A primary concern is the delegation of approval authority from statutory bodies to the Proponent.

15. In legal and planning precedents for major Victorian infrastructure (such as the North East Link¹), the "Reference Design" approach, which involves an early-stage design (~30% complete) to be considered for EES approval, has been criticised for creating "serious challenges" by allowing actual effects to remain untested until long after the public inquiry process has concluded. The Proponent's refusal to adopt "approval by the Minister" for these plans limits public accountability during the most impactful stage of the project.

Compromised Independent Oversight

16. The evidence regarding the Independent Environmental Auditor (IEA) highlights a fundamental conflict of interest.

17. This deviates from best practice "Independent Audit" models used where auditors often require broader agency consultation or have more direct reporting lines to the responsible Minister to ensure their findings are not influenced by the Proponent's commercial timelines.

Strategic Procedural Deferral

18. The hearing evidence confirms a pattern of deferring substantive impact assessments to the post-approval phase. The EES states that approximately 24% of the project area was not surveyed for biodiversity, with "pre-clearing surveys" (EPR BD1) intended to identify significant species "not previously identified."

19. Deferring these surveys to the pre-construction phase effectively removes them from the "merits review" of the IAC. By the time a "significant species" is found during a pre-clearing survey, any project alignment will likely be too fixed to allow for the "avoidance" strategies required by the mitigation hierarchy.

Vague Performance Standards and the "Generally in Accordance" Loophole

20. The EPRs rely heavily on discretionary language. While the Proponent's submission (Tabled Document 085) states that EPRs are "performance-based... to allow for flexibility", cross-examination of Proponent witnesses confirmed that many EPRs lack measurable targets.

21. This flexibility is compounded by the "generally in accordance" clause in the draft Incorporated Document. When combined with vague EPRs and deferred surveys, it creates a "loophole" where the Proponent could materially alter the project's footprint or mitigation without further ministerial or public oversight, provided they claim the change is "generally" aligned with the high-level Development Plan.

RECOMMENDATIONS

15. Considering the written and oral evidence presented to the Committee in addition to our original submission, the Alliance is convinced that the proposed

EMF will serve less as a tool for environmental protection and more as a mechanism for project "flexibility" and commercial expediency.

22. The net result will be a high-risk environment where the community and the environment bear the residual impacts that the proposed EMF admits are incapable of being fully mitigating.
23. As a consequence, the Alliance urges the IAC to recommend to the Minister for Planning that:
 - a. The EMF detailed in Chapter 29 of the WRL EES be rejected as it fails to meet the legal requirements of the Environment Effects Act 1978 and the EES Scoping Requirements.
 - b. A new, objective, and accountable EMF be designed and submitted for approval, incorporating:
 - i. All General Management plans, including the CEMP and all sub-plans, must be approved by the Minister for Planning prior to the commencement of any works.
 - ii. An independent environmental compliance auditor must be appointed and funded by the Minister for Planning, with the power to issue stop-work orders.
 - c. EPRs should be redrafted to remove all subjective and discretionary language (e.g., "where practicable"). They must include specific, measurable, auditable, relevant, and time-bound environmental outcomes.
 - d. The change management process should be revised to include quantitative thresholds defining "major" versus "minor" changes, with all major changes requiring a formal amendment and ministerial approval.
24. Specific mandatory triggers and supports should be integrated into the framework, including:
 - a. A Residential Mitigation and Support Strategy that includes an option for property purchase at full, pre-project market value for directly affected landholders.
 - b. A requirement that 100% of required ecological and agricultural surveys be completed and publicly exhibited before any project approval is considered.
 - c. The requirement for Property Access Management Plans to be submitted to and approved by the respective Shire Councils.

25. That concludes this part of the Alliance's submission, we are happy to take questions from the panel.
26. The next four elements of our submission will change format slightly.
27. Rather than providing commentary on specific chapters of the EES, these submissions present the Alliance's evidence on new themes and issues which have emerged over the course of time since the EES was made available for public exhibition.
28. As mentioned in my opening statement, these submissions cover the following:
 - a. the systemic risk that AusNet's loss of social licence poses for the WRL, and for Victoria's transition to renewables.
 - b. The systemic failure to apply avoidance planning principles and the contradiction this now poses with Victoria's public-owned transmission planning principles.
 - c. The need to consider whole-of-life benefits of not adding to bushfire risks or complicating efforts to combat bushfire fighting efforts.
 - d. The need to consider whole-of-life benefits of avoiding transmission network failures, such as those that occurred in recent times at Anakie and Cressy.

Addendum:

1. WVCA: Enforcing the Ethereal - A Rigorous Framework for Securing Binding Environmental Performance Requirements for the WRL, January 2026

Endnote:

1. North East Link Project Inquiry and Advisory Committee Report, 22 October 2019,
https://www.planning.vic.gov.au/_data/assets/pdf_file/0023/642362/NELP-Inquiry-and-Advisory-Committee-Report-Final.pdf

11. Social Licence and Systemic Risk In The Western Renewables Link (WRL) Project

INTRODUCTION

1. This submission has been prepared by the WVCA and constitutes additional community evidence for the WRL EES IAC focusing on synthesising testimony from EES hearings, expert witness reports, and local government submissions. The Alliance asserts that the project's proponent, AusNet, has moved beyond encountering localised opposition to a state of systemic social licence collapse.
2. The failure of social licence is evidenced by the institutional opposition of host Councils, physical obstruction of land access by landholders, and unprecedented regulatory intervention by the Essential Services Commission (ESC) to rewrite land access codes mid-project.
3. These dynamics represent a material risk to the project's viability, which have already resulted in construction delays until after the November 2026 Victorian state election with an increasing inflation of capital costs.

CONTEXT

4. The WRL is identified in AEMO's Integrated System Plan (ISP) as critical infrastructure for unlocking the Western Victoria Renewable Energy Zone (REZ).
5. The Alliance's experience with the early planning process is characterised by a "bureaucratic circularity," where accountability for key design and technology choices was diffused and obscured among the proponent, the market planner (AEMO), and the state government.
6. This, and a campaign of denial, antagonism, dismissal and misinformation led to a rapid evaporation of trust.

KEY IMPACTS AND CONCERNS

7. The net effect of this approach has given rise to the following unacceptable impacts:
 - a. **Psychosocial Impacts:** Expert evidence presented to the IAC indicates an inadequate focus on the impacts on people and communities. This has precipitated a mental health crisis marked by:
 - i. "Solastalgia," or distress caused by environmental change to one's home environment.

- ii. High levels of anxiety, sleep disturbance, and chronic stress linked to project uncertainty.
 - iii. A "no-win" perception where residents feel trapped between remote bureaucracies and profit-motivated corporations.
- b. **Engagement Fatigue:** The community is being overwhelmed by the cumulative weight of impacts and risks, across agriculture, biodiversity, landscape, and bushfire, and by the ongoing burden of responding to major infrastructure proposals. This sustained pressure has depleted capacity for formal engagement and, in many cases, intensified opposition.

REASONS THE IMPACTS ARE UNACCEPTABLE

8. The EES is deficient because it failed to meaningfully consider alternatives—such as undergrounding or the use of existing easements—addressing the scoping requirements in only a superficial manner.
9. The proponent's land access practices were so problematic that they required unprecedented intervention by the Essential Services Commission to create an enforceable Land Access Code of Practice (LACOP). This regulatory intervention mid-project is a "damning indictment" of the project's social licence management and a direct reflection of the proponents' failed engagement..
10. The 2023 Supreme Court Challenge and subsequent appeal, "Lock the Gate" movement and high-profile protests; the "Piss Off AusNet" hill-mowing, light-up-the-line and tractor rallies demonstrate that the opposition is deep-seated and intergenerational, centered on the protection of legacy, home, and way of life rather than mere financial compensation.

CONCLUSIONS

11. The Alliance contends that AusNet's behaviour from the first announcement, and the EES social impact assessments, have treated community well-being as secondary to technical considerations.
12. The Alliance contends that AusNet has failed to recognise psychosocial harm and the loss of social licence as a material constraint on project viability and that a major and meaningful reset of this project is required.
13. Without resolution, this impasse threatens the state's ability to meet its 2030 renewable energy targets.
14. **Entrenched community resolve:** Opposition is not softening with time. It has hardened as the process has progressed, driven by repeated experience that key risks and impacts are minimised, normalised, or deferred rather than addressed.

15. **Breakdown of good-faith engagement:** The Alliance submits that AusNet has exhausted the community's willingness to engage. The combination of dismissal, downplaying, inconsistent explanations, and at times aggressive conduct by representatives in the field has fractured trust to a point where further "consultation" cannot be treated as credible evidence of social licence.
16. **No social licence, no viable pathway:** The Alliance contends that the absence of social licence is not a communications issue, it is a material constraint on project viability. Continuing to treat it as a stakeholder management problem misreads the reality on the ground.
17. **Involuntary risk and coercive dynamics:** The project imposes involuntary risk on households, farms, and communities. When engagement occurs under threat of uncompensated loss, prolonged uncertainty, or perceived inevitability, it cannot be characterised as free, informed, or meaningful participation.
18. **Cumulative psychosocial injury across years:** Harm is being caused now, not only after construction. Prolonged uncertainty, repeated rework, shifting information, and the inability to plan for the future has created a long-tail psychosocial burden that will persist for years even if the project is modified or abandoned.
19. **Field conduct as a driver of harm:** Reports of poor behaviour in the field are not incidental. They are part of the causal pathway of harm, contributing to anxiety, anger, hypervigilance, and community division, and accelerating disengagement from formal processes.
20. **Consultation has become performative:** The Alliance submits that community participation has increasingly been treated as a procedural hurdle rather than a genuine input to decision-making. This has amplified moral injury, the distress that arises when institutions perceived to hold power disregard or override legitimate concerns.
21. **Radicalised opposition is predictable, not irrational:** When communities experience repeated deflection and are denied meaningful influence over outcomes, intensified opposition is a foreseeable response, not an outlier. The process itself is a key driver of escalation.
22. **Risk framing is structurally biased:** By focusing on narrow, incremental risk and generic mitigation, the EES framework understates cumulative and compounding risks, including psychosocial impacts, loss of amenity, and the erosion of community cohesion.
23. **Reset required, not refinement:** The Alliance submits that incremental changes or additional engagement sessions will not resolve the impasse. A meaningful reset requires a different option set and a transparent comparison that includes lifespan social and environmental costs, not only capital cost.

24. **Decision risk to the State:** Without a reset, the project will continue to face delays, legal and procedural contest, and escalating community conflict. This is now a risk to delivery timelines and therefore a risk to Victoria's 2030 targets.

RECOMMENDATION

25. The Alliance therefore recommends that the IAC reject the EES and recommend that the Minister for Planning order a supplementary assessment to quantify the full social and environmental costs of overhead lines (including mental health and psychosocial impacts) over the project lifespan versus the capital costs of undergrounding.

12. Inadequate Consideration of the use of Existing Easements and Failure to Apply the Avoidance Hierarchy

INTRODUCTION

1. This submission has been prepared by the WVCA and constitutes additional community evidence for the WRL EES IAC focusing on the project's adherence to the Avoidance Hierarchy mandated by the *Environment Effects Act 1978* (Vic). This should be seen as an extension of the evidence already tabled before the IAC and the discussion throughout the public hearing on the adequacy of the Proponent's consideration of alternatives, and alternate alignments, in particular consideration of the use of existing easements or public rights of way.
2. The Alliance contends that by focusing on exploring "alternate alignments", e.g. slight adjustments one way or another of the proposed 'Greenfield' C2 route alignment, rather than an appropriately detailed consideration of existing transmission and other easements, the EES has a flawed strategic route selection methodology. This is because it has failed to demonstrate that the selected "Greenfield" alignment (Option C2) represents the optimal outcome for Victoria when assessed against the hierarchy of avoid, minimise, mitigate and then only if that fails, offset.
3. The Proponent has relied on outmoded technical assumptions to dismiss viable "Brownfield" alternatives such as Option B3 and the Mortlake-Moorabool route that would use existing transmission easements.
4. The Alliance contends that the WRL project is a legacy proposal born out of a defunct market-driven design mindset, which now is at odds with and contradicts the Victorian government's own best practices in strategic land use planning and transmission network design.

CONTEXT / STRATEGIC PLANNING FRAMEWORK

5. The Alliance understands that assessment of major infrastructure in Victoria is governed by a rigorous "Avoidance Hierarchy" established under the *Environment Effects Act 1978* (Vic), which operates in a strict, non-negotiable sequence: Avoid, Minimise, Mitigate, and finally, Offset.
6. Since the project's inception, the Transmission planning landscape within Victoria has shifted with the release of the VicGrid 2025 Victorian Transmission Plan (VTP)¹. This has moved away from market/developer-driven planning toward centralised, public-owned strategic network design.
7. The Alliance contends that it is therefore highly significant that Program 1.3 of the VTP explicitly identifies the upgrading of the existing Ballarat-Moorabool

corridor as a priority project to be delivered by 2030, which directly contradicts the Proponent's earlier claims that utilising this corridor was technically "insecure".

8. In addition, the project must now be assessed against the real-world reality of the January 2026 catastrophic fire events, where temperatures exceeded 43°C and "Catastrophic" fire danger ratings were recorded across Western Victoria.

KEY IMPACTS AND CONCERNS

9. It is of grave concern to the community that the EES demonstrates a systemic failure to apply the first step of the Avoidance Hierarchy mandated by the EES Act, i.e. Avoidance - at the macro-route level, and instead has moved immediately to "Minimise" and "Mitigate" within a pre-determined Greenfield corridor, the C2 route.
10. The selection and stubborn defence of the Greenfield C2 route over available existing easements or other Brownfield options introduces the following four unacceptable impacts:
 - a. **Fire Risk and Suppression:** Opening a new Greenfield corridor through high-fuel-load environments creates a new 190 km ignition vector and establishes a new 190 km "No-Fly Zone" for aerial firefighting suppression. We contend that this increases the risk and undermines the ability of the CFA to suppress fires before they threaten communities.
 - b. **Agricultural Viability:** The route bisects prime agricultural land and high-value organic operations, such as those in Bunding, where the entry of construction vehicles and chemical maintenance of easements destroys the fundamental viability of organic certification.
 - c. **Policy Inconsistency:** There is a glaring contradiction between the EES and the VTP; the Proponent rejected the use of existing easements in the Ballarat-Moorabool corridor (Route Option B3) as constrained, yet the State, i.e. VicGrid has now selected that exact corridor for a major high-capacity rebuild (Program 1.3).
 - d. **Cumulative Spaghetti Effect:** By assessing WRL in isolation from VNI West, the EES has failed to address the cumulative impact of multiple parallel new Greenfield corridors rather than a single, ultra-high-capacity "Super-Corridor".

REASONS THE IMPACTS ARE UNACCEPTABLE

11. The Alliance contends that these impacts are unacceptable to the Western Victorian community for the following reasons:
 - a. The EES' dismissal of options contemplating the use of existing easements or other rights of way was premature and based on a

definition of "feasibility" that prioritised commercial-market metrics over environmental and social outcomes.

- b. The Proponent's "Network Security" argument is logically inconsistent: the towers are claimed to be robust enough to withstand 1-in-1000 year wind events, yet are simultaneously deemed too unreliable to be placed in a shared corridor with existing infrastructure.
- c. By choosing the Greenfield C2 route to avoid "network complexity" during construction, the Proponent has improperly transferred the impost of the project from the builder (e.g. solve engineering challenges) to the host community (e.g. put up with loss of land, fire risk, and visual impact).
- d. The continued defence of the Greenfield C2 route appears driven by a "Sunk Cost" fallacy, where AusNet's schedule pressure and development costs are being used to justify a strategically obsolete planning decision.

RECOMMENDATIONS

- 12. In light of the 2026 fire context, and noting that this fire season is not yet over, the Alliance argues that the Precautionary Principle must be upheld and this project should be compelled to use existing easements to contain ignition risk and minimise risks to firefighting efforts, or underground sections that traverse high-bushfire risk areas.
- 13. A clear precedent should be established and applied equally to all Victorian transmission projects: Greenfield routes must be a mechanism of last resort, utilised only when re-use, upgrade or expansion of existing easements is physically impossible, not merely when it is commercially inconvenient.
- 14. The Alliance therefore recommends that the IAC:
 - a. Find the EES non-compliant with the Scoping Requirements regarding the assessment of feasible alternatives, specifically the use of existing easements and rights of way that offer the potential to avoid adverse environmental effects.
 - b. Recommend that the Minister for Planning require a Supplementary Environmental Effects Statement (SEES) that specifically evaluates the technical and environmental feasibility of integrating WRL capacity into the VicGrid Program 1.3 Ballarat-Moorabool rebuild.

Endnotes:

- 1. <https://www.vicgrid.com.au/transmission-planning/victorian-transmission-plan> and https://www.vicgrid.com.au/_data/assets/pdf_file/0027/761382/2025-victorian-transmission-plan-appendix-a-candidate-development-pathways-accessible.pdf

13. The Benefit of Avoiding Additional Bushfire Risk by Undergrounding or Using Existing Easements

INTRODUCTION

1. The WRL EES IAC hearing to date has heard how the Proponent is proposing that risk, and specifically bushfire risk, is to be reallocated from the state's broader energy consumers to a specific host community in Western Victoria.
2. By focusing narrowly on construction costs and the statistical likelihood of ignition caused by overhead transmission infrastructure, the EES obscures the consequences of failure.
3. The WVCA contends that historical bushfire disasters (Black Saturday and Black Summer) show that the true cost of an overhead WRL should not be measured only in steel and concrete, but also in potential billions in liability, and the inability to prevent the loss of agricultural productivity or human life in a hyper-flammable landscape.
4. The Alliance submits that these high-consequence bushfire events are not risks to be tolerated, or added to, or administratively managed. They are risks that must be avoided through undergrounding, or constrained by re-using existing easements.

WHO IS FACING THE DISPROPORTIONATE BURDEN

5. The communities represented by the Alliance are net-producers. They are landowners, residents and business owners. They generate food and fibre, sustain tourism and regional jobs, and increasingly host renewable generation.
6. Yet the WRL proposal asks these communities to carry a disproportionate burden to subsidise energy consumption elsewhere.
7. The contrast with Gippsland, where the Marinus Link negotiated undergrounding to protect agricultural and social values, highlights an inequity in how host communities are treated. The precedent exists, the refusal to apply it in our community needs to be redressed.

FUNDAMENTAL DEFICIENCIES OF THE PROPONENT'S RISK MODEL

8. The Alliance submits that the proponent's fire risk assessment relies on a regional-scale model detached from local operational realities. The EES repeatedly characterises impacts as low and asserts that fire risk will not increase. The Alliance and the expert witnesses disagree.
9. Fire risk is the product of likelihood and consequence. The EES emphasis on low-likelihood ignition downplays the catastrophic consequences of Code Red or Extreme Fire Danger conditions, conditions that are becoming more frequent and which we saw just two weeks ago, today
10. In such circumstances, even a low-probability ignition can produce an unacceptable outcome.
11. Critically, the Alliance further submits that the EES fails to quantify the benefit of avoidance. If undergrounding prevents even a single Black Saturday or Black Summer-scale event over the asset life, the avoided costs could outweigh the capital cost differential. The exclusion of "avoided-cost analysis" biases the WRL's economic framing and ignores the real world conditions in the environment this project is hoping to operate in.

OPERATIONAL BUSHFIRE REALITY

12. The consensus amongst our numerous CFA Alliance members, is that the proposed WRL route traverses some of the most bushfire-prone country in the world. In these environments, rapid initial attack, including aerial suppression, is often decisive in preventing catastrophic spread.
13. We submit that introducing a new 190 km, linear overhead transmission corridor fundamentally complicates both ground and aerial suppression capabilities. Overhead infrastructure operates as a persistent hazard and an operational constraint during the very conditions in which response capacity is most strained.
14. **Aerial firefighting.** Aerial firefighting relies on precision low-altitude operations to deliver effective water or retardant. Overhead transmission infrastructure forces altered flight profiles, increased separation distances, and conservative operational exclusions. New overhead easements will create new restrictions.
15. We know that smoke conditions can increase electrical conductivity and induce arcing and flashover near high-voltage assets. The Alliance submits that this

creates operational exclusion zones that reduce the usable airspace for suppression or reconnaissance in and around the corridor.

16. **Ground fire fighting operations.** CFA and other responders operate under strict electrical safety protocols. During fault, collapse, or smoke-related flashover risk scenarios, volunteers are required to maintain standoff distances and avoid using the easement as a tactical space.
17. The Alliance submits that this creates effective “no-go” dynamics, where crews cannot safely position appliances, cross, or use the easement as a control line. In constrained topography, these limitations can delay response, put firefighters' lives in danger and increase the probability of the fire escaping.

PRIMACY OF LIFE MANDATE

18. Clause 13.02-1S of the Victorian Planning Provisions requires prioritisation of human life over all other considerations. The Alliance submits that introducing a new permanent 190 km long ignition and suppression constraint into a high-risk landscape prioritises capital expediency over the primacy of life.
19. We also submit that generic management plans as proposed by the Proponent's Environmental Management Framework cannot remove the physical realities of high-voltage assets under extreme fire behaviour.

THE BENEFIT OF AVOIDING THE COSTS OF A FIRE DISASTER

20. The true cost of WRL must be assessed beyond the proponent's balance sheet and include disaster risk, recovery costs, insurance and economic disruption, public health impacts, and long-term community harm.
21. The catastrophic Black Saturday (2009) and Black Summer (Summer 2019-20) fires demonstrate that intangible costs (health, trauma, dislocation, long-term social impacts) can exceed tangible losses. These are real costs borne by communities and the state and they are **costs to be avoided, or minimised**.

Black Saturday

22. The Black Saturday bushfires of February 2009, provide a benchmark and the definitive case study for the costs of a catastrophic fire in the Victorian landscape. The total economic cost of Black Saturday was conservatively estimated by the Royal Commission at \$4.4 billion¹.
23. Intangible costs were estimated to exceed the physical damage. These intangible costs include:

- a. **Mental Health:** Long-term trauma, PTSD, and increased suicide rates.
- b. **Social Pathologies:** Increases in family violence, alcohol and drug abuse.
- c. **Chronic Disease:** Long-term respiratory and cardiovascular issues resulting from smoke inhalation.
- d. **Lost Productivity:** Long-term unemployment and the erosion of the volunteer workforce.

Black Summer (2019-20)

- 24. The Black Summer fires of 2019-20 reinforced the escalating economic stakes. These fires resulted in over \$2.4 billion in insured losses and an estimated \$4.6 billion overall economic impact on the community.
- 25. The tourism industry, heavily relied upon by communities in the WRL corridor, saw \$2.8 billion wiped from income.²
- 26. For the agricultural producers of Western Victoria, a fire in the WRL corridor is not just an inconvenience; it is a liquidation event. The loss of breeding stock, the destruction of miles of fencing, the contamination of water catchments, and the incineration of fodder represent a generational setback.

LESSONS FOR THE WRL

- 27. The costs of the Black Saturday and Black Summer bushfires leads to a sobering conclusion: The "savings" achieved by building a new overhead transmission line are illusory when a single catastrophic bushfire event can generate economic losses that dwarf the capital expenditure difference between overhead and underground construction, or the re-use of an existing easement.
- 28. While undergrounding the WRL will not guarantee that similar bushfire events will not occur elsewhere in Australia, it will guarantee that in the event of a catastrophic bushfire event in the Sydenham-Melton-Darley-Ballarad-Bulgana corridor, a failure or arcing in an overhead transmission line will not start the fire and it will not impede the efforts to control the fire, prevent loss of life and minimise loss.
- 29. Re-using an existing easement such as the Moorabool-Ballarad B3 Route Option would avoid the highest risk Sydenham-Ballarad corridor and not pose new impediments to firefighting.

THE FALLACY OF "HIGHER CAPITAL COST"

30. The proponent argues that undergrounding or re-using easements is impractical due to up-front capital cost or network resilience issues. However, the Alliance contends that this view ignores the cost of catastrophic bushfire events and the impact that overhead transmission lines have on the community's ability to avoid them or manage them.
31. The Alliance submits that if a full triple-bottom-line whole-of-life assessment of the benefits of undergrounding or re-using existing easements were undertaken the overall benefits in terms of bushfire risk reduction and costs avoided would justify the increased up front cost.

CONCLUSION

32. Based on the evidence from the 2009 and 2019-20 catastrophic bushfire events, we argue that the evaluation of the feasibility of options for the WRL must move beyond initial capital cost and it must include a comprehensive assessment of the value of avoiding or minimising the costs to the community from bushfire.
33. Undergrounding the WRL or using the B3 corridor would effectively eliminate the risk of new transmission line-ignition along 100 km of the hyper-flammable Sydenham-Ballarat corridor and avoid creating new barriers, impediments and additional risk for emergency services volunteers.

Endnotes:

1. 2009 Victorian Bushfires Royal Commission, Final Report, Summary, July 2010
http://royalcommission.vic.gov.au/finaldocuments/summary/PF/VBRC_Summary_PF.pdf
2. Economic Recovery After Disaster Strikes, Vol 2, Suncorp, Federal Department of Treasury
https://treasury.gov.au/sites/default/files/2021-05/171663_suncorp_group_ltd_supporting_documents_1.pdf

14. Benefits to the Community by Avoiding Network Failure Events – Costs to be Avoided by Undergrounding

INTRODUCTION

1. The WRL EES IAC hearing to date has heard from experts that undergrounding of the proposed line through various congested or high risk areas is technically feasible, and if managed efficiently could bring the project back on schedule.
2. However the proponent maintains that this is not practical due to the higher capital cost of undergrounding.
3. The Alliance has repeatedly asked the Proponent, and now asks the IAC, to consider more broadly the whole-of-life benefits of pursuing a solution that is not an overhead line and vulnerable to extreme weather events.
4. In this submission the Alliance will argue that:
 - a. if a full life-time triple bottom line assessment of the benefits of undergrounding were identified the overall benefits in terms of **risk and costs avoided** would justify the increased up front cost.
 - b. In addition, the increased reliability of supply for the community in the face of future electricity network failures due to extreme weather events, such as have occurred within this project's current lifespan in Victoria at Cressy in January 2020 and Anakie in 2024.¹
5. This submission relies on the findings of the Network Outage Review² of the Feb 24 Anakie storm and power outage event commissioned by the Victorian Minister for Energy and Resources.
6. This report was published by the Department of Energy, Environment and Climate Action (DEECA). A copy of this report is tabled for the IAC review as an addendum to our submission.

WHAT LESSONS DOES THE RECENT ANAKIE FAILURE PROVIDE FOR THE WRL?

Cause and Circumstances of the Network Outage

7. A major electricity outage across large parts of Victoria which left 530,000 homes and businesses without power and extended for days was triggered on the afternoon of 13 Feb 2024 by a significant storm front crossing Victoria, characterised by heavy rainfall and damaging wind gusts ranging from 110 km/hr to 150 km/hr.

8. Key Events:

- a. **Transmission Failure:** Six high-voltage transmission towers near Anakie collapsed at 2:08 pm.
- b. **Generation Loss:** The collapse of the Anakie towers caused 2,690 MW of generation to disconnect, including all four units at Loy Yang A and multiple wind farms.
- c. **Grid Instability:** To stabilise the network, AEMO directed load shedding, immediately switching off supply to 90,000 customers.
- d. **Distribution Damage:** The storm also damaged approximately 12,000 kilometres of distribution lines, causing 1,100 powerlines to go down.

This is important to note. Much of the broader impact to households was due to distribution network damage. The Alliance does not claim that the total cost of the failure was due solely to overhead transmission line failures, but we cannot break this down further.

It is unfortunate that the Minister did not ask the review to make the distinction between community cost due to the transmission failure versus distribution failures. Perhaps this will be part of the Terms of Reference for the next network failure review.

- e. **Scale of Impact:** At the peak, over 531,000 customers were without power. While most were restored within 24 hours, more than 3,000 remained without power for over a week.

Economic and Social Costs to the Community

9. The Review report estimates the total direct cost of the 13 Feb, 2024 event at approximately \$770 million, broken down as shown in Table 1 below.

Table 1. Cost Breakdown by Category

Category	Estimated Economic Cost	Impacts & Circumstances
Residential Customers	\$253 million	Costs related to food spoilage, data loss, and the "opportunity cost" of lost time.
Small to Medium Businesses	\$113 million	Lost revenue from fewer sales and direct costs for equipment damage.
Large Industry	\$406 million	Significant production losses and operational disruptions.
Telecommunications	<i>Included in overall impact</i>	1,100 sites lost power; 250,000 customers lost NBN; 60 communities were potentially unable to contact Triple Zero (000).
Essential & Health Services	<i>Included in overall impact</i>	Power loss impacted water treatment plants (affecting 1 million customers), sewage pump stations (causing spills), and health facilities.

AER Metrics for Reliability and Premium Willingness

10. Following the Anakie failure, the Alliance understands that the Energy and Climate Change Ministerial Council (ECMC) requested that the Australian Energy Regulator (AER) review how the impacts for power outages are measured, and to specifically establish a metric to value network resilience associated with long-duration outages.
11. Metrics are used to quantify what consumers "value" in terms of a reliable power supply, and are therefore often used to justify investments in network resilience.
12. **Value of Customer Reliability (VCR).** Up until the Anakie failure the AER relied solely on the VCR measure. The VCR is a metric for the economic and social cost of an outage per kilowatt-hour (\$/kWh). It is essentially a proxy for a customer's willingness to pay to avoid a standard 12-hour outage.
 - a. **Methodology:** It is determined through surveys, choice experiments, and direct cost analysis for large businesses.
 - b. **Limitation:** VCR typically assumes a constant marginal cost, which may not reflect the increasing "pain" of a multi-day outage.
13. **Value of Network Resilience (VNR).** However, in response to the AEMC request following the \$770 million Anakie failure, the AER introduced the **Value of Network Resilience (VNR)**. According to the Network Outage Review report, this:

- a. Recognises that prolonged outages are more damaging than short ones.
- b. Reflects how costs change (often exponentially) over the course of a long-duration outage. It accounts for the extra costs customers incur as time passes, such as purchasing their own backup generators or arranging alternative communications like Starlink.

14. **Summary of Lessons.** In summary, the Alliance notes that the Anakie transmission failure:

- a. Contributed to an estimated \$770 million dollar cost to the community
- b. Prompted recognition that transmission failure impacts extend far and wide into the community and into essential services and the digital economy
- c. Creation of a new resilience metric recognises that prolonged outages, such as getting power back up following a transmission line failure, are more damaging than short ones, e.g. a tree falling onto a distribution line.

WHAT ABOUT THE 2020 CRESSY FAILURE?

- 15. Taking the Cressy failure into account, the Alliance contends that the catastrophic failure of transmission infrastructure in Victoria is no longer a "one-in-fifty-year" anomaly but a recurring systemic risk.
- 16. While no Network Outage Review was ever commissioned after the Cressy event, and the Value of Network Resilience metric was not there to be applied, the \$770 million cost of the 2024 Anakie event provides a chilling benchmark for the "triple bottom line" impact on Victorian communities of that event.

*Cressy Transmission line failure, 31 January 2020*³

- 17. A severe convective downburst with winds exceeding 125 km/h caused the collapse of six 500 kV towers and severely damaged a seventh. The failure interrupted supply to the Portland Alcoa smelter and impacted the Heywood interconnector which shares power with South Australia.
- 18. The full economic cost of the Cressy failure was not openly reported or formally investigated by the government, however, media reports at the time speculated this to have exceeded \$400M.
- 19. However, the cost baseline established by the Network Outage Review in the Anakie failure is extrapolated to the 2020 Cressy failure, the Alliance believes the total costs to the community can be qualitatively estimated as shown in Table 2.

Table 2. Extrapolated Cost of Cressy Failure

Impact Category	2024 Anakie Benchmark	Qualitative Estimate for Cressy (2020)
Industrial Impact	\$406 million	Extreme: Interruption of the Portland Smelter (a major state energy user) likely mirrors or exceeds the 2024 industrial loss profile.
Residential/Social	\$253 million	High: Thousands of homes lost power; while restoration was faster for many, the "opportunity cost" of lost safety and amenity was equivalent.
Business/SME	\$113 million	Significant: Direct losses from spoilage and forced closures across the western corridor.
Infrastructure Repair	<p>\$27.4 million⁴</p> <p>This cost was not available at the time of the review and so is in addition to the \$770M listed.</p>	<p>Major: Replacement towers required over 12 months of construction at a cost of \$25.8M⁵, repairs locked the landowner out for over 12 months.</p>

20. **Conclusion:** Based on the benchmarks established for the Anakie event, the Alliance concludes that the Cressy event likely imposed a total economic and social cost to Victoria in the range of \$500 million to \$750 million (in 2020 dollar values), driven primarily by the vulnerability of the Portland Smelter and the Heywood interconnector.

THE FALLACY OF "HIGHER CAPITAL COST"

21. The Alliance maintains that the current overhead design of the WRL fails to meet current standards of resilience set by the AER
22. The proponent argues that undergrounding is impractical due to up-front capital cost. However, this view ignores the Value of Network Resilience metric now officially recognised by the AER.
23. Undergrounding the WRL would effectively eliminate the risk of wind-induced tower collapses, which have now cost the Victorian community over \$1.5 billion across just two events (2020 and 2024).

24. Undergrounding the WRL would increase network resilience as underground cables are immune to convective downbursts and the "cascading failures" seen at Anakie.

CONCLUSION

25. Based on the evidence from recent Victorian transmission failures, both in AusNet's existing network, we argue that the evaluation of the feasibility of options for the WRL must move beyond initial capital cost and it must include a comprehensive assessment of the Value of Network Resilience.
26. When costs and benefits are assessed only through the narrow lens of upfront capital expenditure, undergrounding can appear more expensive than an overhead line.
27. However, the analysis presented in this submission is based solely on avoided costs from network failure events – a single dimension of benefit.
28. A genuine whole-of-life, triple bottom line assessment would go further, explicitly capturing the Value of Customer Reliability (VCR), the new Value of Network Resilience (VNR), avoided community-wide costs from major transmission failures such as Anakie (2024) and Cressy (2020), plus additional environmental, social amenity, landscape, mental health, and property value benefits not quantified here.
29. This assessment should explicitly account for:
- a. **Avoided Community Costs:** The benefit of avoiding the potential burden of \$770 million+ **per event** on households and businesses.
 - b. **Essential Service Protection:** The benefit of preventing the "cascading failures" such as the one that disabled telecommunications for 250,000 people and water treatment for 1 million Victorians in the 2024 Anakie failure.
30. If these broader benefits were systematically included, the case for undergrounding would only strengthen, potentially demonstrating that the avoided costs and resilience gains significantly outweigh the increase required in capital investment.
31. The Alliance urges the IAC to hold the proponent accountable to Abrahamson's Principle: i.e. the party with the power to choose the design must carry the risk of its failure.
32. In simple logic the Abrahamson's Principle means that:
- a. If the proponent chooses an overhead design to save on up-front costs, they are making a decision that they can control.

- b. In fairness then, the community, which has no control over this decision, should not be expected to shoulder the \$770 million risk of failure when the next extreme wind event occurs.
33. Framed in this way, the question before the IAC is not whether undergrounding costs more upfront, but rather: **“it is reasonable for the proponent to ‘outsource’ billions of dollars of foreseeable outage risk—alongside unquantified landscape, social and environmental harms—onto communities, businesses and essential services in order to save on capital budget?”**
34. Even on the conservative basis of avoided-outage-costs alone, undergrounding appears rational and system-efficient; a full triple bottom line assessment is the way to test this conclusion.

Attachment:

1. Network Outage Review², February 2024 Storm and Power Outage Event, Final Report, June 2024, DEECA, source:
https://www.energy.vic.gov.au/_data/assets/pdf_file/0035/717749/network-outage-review-report.pdf

Endnotes:

1. The WVNTP scoping, concept design and route selection also followed directly after the **2016 South Australian ‘Black System’ event**. A state-wide power outage was triggered on 28 Sep 16 by an extreme weather system involving at least seven ‘tornadoes’ and 80,000 lightning strikes. The storm's destructive winds caused the catastrophic failure of 23 transmission towers across three major 275 kV transmission lines north of Adelaide, initiating a rapid sequence of voltage dips that led to the sudden disconnection of nine wind farms. This loss of generation caused an unsustainable surge in power from the Heywood Interconnector with Victoria, which tripped its automatic protection and "islanded" the state, resulting in a total system collapse that left 850,000 customers (the entire state) without power. While approximately 80% of the load in Adelaide was restored within several hours, more remote regions remained in the dark for several days, and the wholesale electricity market was suspended for a total of 13 days as the network was stabilised.
2. Network Outage Review Final Report, February 2024
https://www.energy.vic.gov.au/_data/assets/pdf_file/0035/717749/network-outage-review-report.pdf
3. Energy Safe Victoria, 500kV Tower Incident (Cressy) 31 January 2020, Incident report.
<https://www.aer.gov.au/industry/networks/cost-pass-throughs/ausnet-services-cost-pass-through-500kv-transmission-line-tower-collapse>

https://www.energysafe.vic.gov.au/sites/default/files/2022-12/Cressy_500kV_Tower_Incident_31Jan2020_report.pdf

4. Cost obtained from review of the AER Cost Pass Through determination published in Sep 2025. [aer.gov.au/system/files/2025-09/AER%20Determination%20-%20AusNet%20Transmission%20-%20February%202024%20storm%20tower%20collapse%20cost%20pass%20through%20-%20September%202025.pdf](https://www.aer.gov.au/system/files/2025-09/AER%20Determination%20-%20AusNet%20Transmission%20-%20February%202024%20storm%20tower%20collapse%20cost%20pass%20through%20-%20September%202025.pdf)
5. Cost obtained from review of the AER Cost Pass Through determination published Sep 2020 <https://www.aer.gov.au/industry/networks/cost-pass-throughs/ausnet-services-cost-pass-through-500kv-transmission-line-tower-collapse>

15. WVCA Verbal Presentation to the IAC 23 Jan

26: Conclusion

1. Members of the Panel, as I conclude this submission on behalf of the **Western Victorian Community Alliance (WVCA)** and my co-speakers, I speak not just as a representative of 10,000 residents, but as a witness to five and a half years of lived uncertainty.
2. The EES process has vindicated our assessment of this project and our opposition from day one: this project is an "engineering problem" being treated with capital expediency at the expense of our homes, farms, and safety.
3. The Alliance contends that the EES presents a fundamentally flawed analysis and set of conclusions, relying on incomplete data and subjective metrics that downplay severe, localised impacts to preserve commercial interests.
4. It has been uplifting to hear the submissions of Councils and independent experts who largely echo what we have said for years - this project's foundation and its design is fundamentally detached from the operational and ethical realities of our region.
5. What we have shown to you today is evidence of the systemic collapse of social licence for this project over 5 years. The unprecedented mid-project intervention by the Essential Services Commission to rewrite land access codes is a damning indictment of the proponent's failed engagement strategy.
6. The total lack of social licence for AusNet and this project is not a "communications issue" or something that can be fixed by rebranding, by glossy spin, or changing the project leadership (again); it is a material constraint on project viability.
7. Our opposition has only hardened because AusNet continues to defend the strategically obsolete "Greenfield" C2 route and ignore the State's 2025 Victorian Transmission Planning principles.
8. While AusNet's EES dismissed existing easements, the State has now selected those same corridors for major upgrades, proving that our calls for the B3 alternative were right all along.
9. AusNet's reliance on "higher capital cost" to dismiss undergrounding is a dangerous fallacy that ignores the Value of Network Resilience. The vulnerability of overhead transmission lines is a recurring systemic threat, evidenced by the recent \$1.5 billion in community costs from the collapse of **AusNet's** towers at Cressy and Anakie.
10. If undergrounding the WRL prevents even a single high-consequence bushfire or network failure over the project's 80-year life, the Value of Avoidance far outweighs the upfront construction costs.
11. To impose social and environmental harm and the risk of catastrophic ignition or multi-day outages on an unwilling community just to "keep the wine cold in

Melbourne" and the "iphones and other devices" charging, is a profound public policy failure and will reap untold social and political consequences and set back the nation's shift to renewable energy.

12. If the project proceeds unchanged, the Alliance cautions that community resistance will not dissipate but intensify, deepening distrust and social disharmony between the proponent, government and affected communities, and entrenching long-term conflict around access, operations and future network upgrades.
13. Under Abrahamson's Principle, the party with the power to choose the design must carry the risk of its failure. The community, which has no control over this selection, should not shoulder the ~\$770 million risk of the next and subsequent extreme wind events.
14. The Alliance reaffirms that the Western Renewables Link, as designed, is unsafe, unjust, and environmentally unsound.
15. We urge this Committee to recommend a reset - and to recommend a full, triple-bottom-line reassessment that puts human life, landscape integrity, network resilience, social licence and genuine risk avoidance on equal footing with construction costs.
16. The responsibility for this project's viability sits with those who chose this design, and it is time they are held accountable to the communities expected to host it.
17. Thank you for your interest in our community and consideration of the concerns and issues we have presented today.

Presented on behalf of the Western Victorian Community Alliance members by:

Jim Phasey, Myrniong
Emma Muir, Myrniong
Steve Harper, Darley

Addendum 1 to the WVCA Verbal Submission to the WRL ES IAC, 23 Jan26

Enforcing the Ethereal: A Rigorous Framework for Securing Binding Environmental Performance Requirements for the Western Renewables Link

Executive Summary

The Western Renewables Link (WRL) represents a pivotal infrastructure intervention within the National Electricity Market (NEM), yet its approval processes expose a critical tension in Victorian planning law: the gap between high-level environmental assessment and on-the-ground enforceability. As a linear infrastructure project traversing 190 kilometres of predominantly agricultural and rural land, the WRL presents unique enforcement challenges distinct from the urban tunnels of the "Big Build." The tyranny of distance, the sensitivity of biosecurity, and the intersection with wildfire risk require a departure from the "performance-based" flexibility that has characterised recent major project approvals.

The current regulatory model reliant on "aspirational" Environmental Performance Requirements (EPRs), deferred secondary approvals (such as Construction Environmental Management Plans), and passive independent auditing—is insufficient to protect the specific environmental and social values at risk in the WRL corridor.

Central to this framework is the elevation of EPRs from administrative guidelines to non-negotiable statutory conditions within the Planning Scheme Amendment. We argue for the institution of "Objective Metrics" over subjective "reasonableness" clauses, the empowerment of the Independent Environmental Auditor (IEA) with statutory stop-work powers, and the creation of explicit "hold points" in the Incorporated Document that physically bar the commencement of works until rigorous pre-conditions are verified. This approach shifts the burden of compliance from the retrospective remedy of the courts to the proactive gatekeeping of the approval instrument itself.

1.1 Defining "Enforceability" in the Victorian Major Projects Context

In the contemporary landscape of Victorian infrastructure delivery, "enforceability" is a concept often diluted by the flexibility required for Public-Private Partnerships (PPPs) and Design and Construct (D&C) contracts. To the project proponent, enforceability is frequently interpreted through the lens of contractual Key Performance Indicators (KPIs) and abatement regimes within the Project Deed. To the regulator, it signifies the capacity to issue improvement notices or pursue prosecution for significant pollution events. However, for the host communities the landholders of Melton, Moorabool, Hepburn, and Ballarat enforceability is defined by the immediacy, certainty, and accessibility of consequences for non-compliance.

A "genuinely enforceable" EPR must satisfy three rigorous criteria, moving beyond the theoretical to the operational:

1. **Justiciability:** The requirement must be drafted with sufficient precision that a breach can be objectively

Addendum 1-2

determined by a tribunal or court without reliance on extensive expert debate regarding "reasonableness" or "practicability." It must be binary: the standard was met, or it was not.

2. **Pre-emptive gating:** The regulatory framework must possess mechanisms that physically prevent the progression of works (e.g., from design to construction, or from one geographic sector to another) until compliance with the EPR is demonstrated. This relies on "hold points" rather than retrospective reporting.
3. **Third-party visibility and standing:** The mechanism for verification must be transparent to affected parties, and there must be a viable pathway for those parties to trigger enforcement action without facing prohibitive legal costs or insurmountable evidentiary burdens.

The definition of enforceability here encompasses legal, contractual, and regulatory dimensions. Legally, it refers to the status of the EPRs within the hierarchy of planning controls - specifically, their location within the Incorporated Document versus subordinate plans. Contractually, it refers to the translation of these planning conditions into the Project Deed. Regulatorily, it refers to the statutory powers of the Minister, the EPA, and the Independent Environmental Auditor to intervene.

1.2 The Specificity of the Western Renewables Link (WRL)

This paper focuses specifically on the approvals package for the Western Renewables Link (WRL). Unlike site-specific urban projects, linear infrastructure like the WRL creates a "moving front" of construction activity that crosses hundreds of distinct property titles, multiple municipal boundaries, and varied ecological biomes.

The scope of this analysis is bounded by:

- **The WRL Environment Effects Statement (EES) and Environmental Management Framework (EMF):** Examining the proposed governance structure and the specific wording of exhibited EPRs.¹
- **Draft Planning Scheme Amendment GC209:** Analyzing the draft Incorporated Document which serves as the primary statutory instrument "switching off" standard planning controls and establishing the Minister for Planning as the Responsible Authority.³
- **The "Gap" Analysis:** Identifying the mechanisms that currently fail to ensure that no construction, enabling works, or early works can commence until robust, auditable EPR conditions are in place.

Critically, this paper addresses the concerns raised by stakeholders such as the Moorabool Shire Council regarding the "unacceptable uncertainty" of the current documentation and the risk of works commencing ahead of approved environmental management plans.⁵ It seeks to provide the Inquiry and Advisory Committee (IAC) and the Minister with a blueprint for closing these gaps.

2. Legislative and Approvals Framework

To design enforceable EPRs, one must first navigate the complex interplay of Victorian statutes that provide the machinery for major project approvals. The enforceability of an environmental protection measure is entirely dependent on which instrument it inhabits and how that instrument interacts with the state's enforcement powers.

2.1 The *Environment Effects Act 1978*: The Advisory Ceiling

Addendum 1-3

The *Environment Effects Act 1978* (EE Act) is the starting point for the WRL assessment but is, paradoxically, the weakest link in the enforcement chain. It is an advisory act, not an approval act. The EES process culminates in the Minister's Assessment, which provides recommendations to "decision-makers" (in this case, the Minister for Planning acting under the *Planning and Environment Act 1987*).

The "Bite" Limitations:

The Minister's Assessment carries significant political weight but no direct statutory force until its recommendations are transcribed into a binding instrument. A common failure mode in Victorian projects is the "dilution effect" where a strong recommendation in the Minister's Assessment (e.g., "ensure no loss of significant rigid native vegetation") is translated into the Incorporated Document as a requirement to "prepare a Native Vegetation Plan generally in accordance with the Assessment." This subtle shift moves the obligation from a hard outcome to a procedural step.

The *Auditor-General's Report on the Effectiveness of the EES Process*⁶ highlighted this precise vulnerability, noting the "non-binding nature of the minister's recommendations" and the lack of robust monitoring to ensure decision-makers actually implement the assessment's findings in full. For the WRL, this means the IAC must ensure that the text of the Incorporated Document does not merely *reference* the Minister's Assessment but *incorporates* its specific performance standards as conditions precedent.

2.2 The *Planning and Environment Act 1987*: The Incorporated Document as Regulatory Bypass

The primary approval mechanism for the WRL is the Draft Planning Scheme Amendment (PSA) GC209. This amendment utilises Clause 45.12 (Specific Controls Overlay) to insert an "Incorporated Document" into the planning schemes of Northern Grampians, Pyrenees, Ballarat, Hepburn, Moorabool, and Melton.³

The Mechanism of the Incorporated Document:

The Incorporated Document acts as a bespoke planning permit. It typically exempts the project from the need for multiple individual permits under the planning scheme, provided the work is done "generally in accordance" with the Incorporated Document.

Enforcement Powers under Section 114:

The primary statutory enforcement tool is Section 114 of the *Planning and Environment Act 1987*, which allows "any person" or the Responsible Authority (the Minister) to apply to VCAT for an enforcement order if a use or development contravenes the planning scheme (and thus the Incorporated Document).

- *Theory*: This provides broad standing. Any farmer along the route could theoretically sue for a breach of an EPR.
- *Reality*: The barriers are immense. The applicant bears the burden of proof, often requiring expensive expert evidence to prove a technical breach (e.g., noise limits or groundwater contamination). Furthermore, VCAT proceedings are slow and reactive. By the time an order is obtained, the "moving

front" of linear construction may have passed, rendering the remedy moot.⁸

Consequently, relying on s114 for WRL enforceability is flawed. The "bite" must be moved upstream into the Incorporated Document itself, creating *automatic* consequences (such as stop-work triggers) that do not require VCAT intervention.

2.3 The *Environment Protection Act 2017*: The General Environmental Duty

The *Environment Protection Act 2017* (EP Act), which commenced on 1 July 2021, introduced the General Environmental Duty (GED) (Section 25). This imposes a positive duty on all persons engaging in activities that may give rise to risks of harm to human health or the environment to minimise those risks "so far as reasonably practicable".¹⁰

Interaction with WRL EPRs:

The WRL EMF explicitly references the EP Act duties. However, the interaction between the specific EPRs and the broad GED is complex.

- *The "Reasonably Practicable" Defence:* A contractor failing to meet a specific EPR (e.g., dust suppression) might argue that they have still satisfied the GED because they took all "reasonably practicable" measures given the wind conditions.
- *Strict Liability Opportunity:* To counter this, the WRL Incorporated Document must explicitly state that compliance with the EPRs is the *minimum standard* required to discharge the GED for the purposes of the project. This prevents the "reasonably practicable" defence from being used to undercut specific, negotiated environmental protections.

Furthermore, the EP Act allows for third-party civil remedies (Section 308) for breaches of the GED. While this is a powerful new tool, it remains untested in the context of major linear infrastructure disputes. The WRL governance structure must therefore bridge the gap between the planning approval and the environmental duty, ensuring that a breach of an EPR is automatically flagged as a potential breach of the GED, triggering EPA investigation.¹²

4. Failure Modes: Why EPRs Often Underperform

Understanding *why* EPRs fail is the prerequisite for designing a robust system for the WRL. The failure is rarely due to a lack of scientific knowledge; rather, it is a failure of regulatory architecture.

4.1 The Semantic Trap: "Aspirational" vs. "Measurable"

A textual analysis of standard Victorian EPRs reveals a pervasive reliance on qualitative modifiers that strip obligations of their legal force. Terms such as "minimise," "where practicable," "endeavour to," "appropriate," and "to the satisfaction of" create subjective standards that are difficult to enforce.

- **The "Practicable" Loophole:** An EPR stating "Dust emissions must be minimised where practicable" allows a contractor to argue that while dust covered a neighbouring crop, suppressing it further was not "practicable" due to water shortages or high winds. This shifts the risk from the proponent to the community.

- **The WRL Implication:** In an agricultural context, "minimise biosecurity risk" is an unacceptable standard. A single breach (e.g., introducing serrated tussock or foot-and-mouth protocols) can destroy a farming business. The EPR must be binary and absolute: "No vehicle access permitted without a valid hygiene certificate".⁵

4.2 The "Plan to have a Plan" (The Deferral Mechanism)

Modern EMFs often function as a nesting doll of deferred responsibility. The Incorporated Document requires an EMF; the EMF requires a CEMP; the CEMP requires a Traffic Management Plan (TMP); the TMP requires a Traffic Guidance Scheme.

- **The Consequence:** The critical details—where trucks will drive, what hours they will operate, and how loud they will be—are often buried in the tertiary or quaternary documents (TMPs) which are approved by delegates or the proponent themselves, long after the public hearing process has concluded.
- **Democratic Deficit:** As noted by the Moorabool Shire Council⁵, this structure effectively excludes Councils and communities from the decision-making process regarding the operational details that affect them most. The public hearing approves the "envelope," but the "contents" are written without scrutiny.

4.3 The "Generally in Accordance" Loophole

Incorporated Documents almost universally contain a clause: *"The use and development must be carried out generally in accordance with the [Project] plans."*

- **Legal Interpretation:** Victorian planning jurisprudence affords significant latitude to the phrase "generally in accordance." A shift of a transmission tower by 100 meters might be considered "generally in accordance" with the reference design from a planning perspective, but for a landholder, it could move the infrastructure from a rocky outcrop to a prime irrigation paddock or a sensitive biodiversity corridor.
- **WRL Specificity:** Given the length of the WRL, "general accordance" could effectively allow the realignment of kilometres of line without triggering a formal amendment process. This undermines the certainty of the EES assessment.

4.4 Weak Third-Party Scrutiny and Information Asymmetry

While Section 114 of the P&E Act grants standing to "any person," the practical barriers to enforcement are nearly insurmountable for individuals.

- **Evidentiary Burden:** To succeed in an enforcement order application, a landholder must prove a breach on the balance of probabilities. This requires expert evidence (acoustic reports, soil testing) which is prohibitively expensive.
- **Information Hoarding:** The proponent holds the data. If noise monitoring data is not live-streamed or publicly archived, a resident has no way of knowing if the noise they heard last night exceeded the EPR limit. They are reliant on the proponent's own "self-reporting," creating a fundamental conflict of interest.⁷
- **Resource Disparity:** Rural councils like Hepburn and Moorabool lack the budget and technical staff to police a Tier 1 major project, effectively leaving the fox to guard the henhouse unless specific funding mechanisms are built into the approvals.²⁶

5. Mechanisms to Make WRL EPRs Legally Enforceable

Using the WRL approvals model (EES + PSA GC209 + Incorporated Document) as the chassis, we can engineer specific legal and procedural upgrades to ensure genuine enforceability.

5.1 Drafting Principles for EPR Wording: The "SMART" Standard

The IAC must recommend that all critical EPRs be redrafted to meet **S**pecific, **M**easurable, **A**uditable, **R**esponsible-assigned, and **T**ime-bound (SMART) criteria.

Table 1: Comparative Drafting Analysis for WRL

Domain	Weak / Standard EPR (To Avoid)	Enforceable / Recommended EPR (To Adopt) - Examples
Biosecurity	"Implement measures to minimise the spread of weeds and pathogens in consultation with landholders."	"No vehicle, plant, or equipment may enter a property unless it holds a valid 'Clean on Entry' certificate issued within the preceding 24 hours. Breach results in immediate suspension of access rights to that property for 48 hours for recertification."
Noise	"Manage construction noise in accordance with EPA Publication 1834 to minimise impacts on sensitive receptors."	"Construction noise must not exceed the 'Management Levels' defined in EPA Publication 1834. If levels are exceeded, works must cease immediately until mitigation is installed or a specific written agreement is executed with the affected resident."
Vegetation	"Minimise removal of native vegetation and	"Native vegetation removal must not exceed the

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	protect Tree Protection Zones (TPZs) where practicable."	specific hectareage limits per Ecological Vegetation Class (EVC) detailed in the Approved Native Vegetation Plan. Any encroachment into a mapped TPZ without prior written IEA approval constitutes a Reportable Environmental Incident."
Visual	"Use non-reflective materials to reduce visual impact."	"All transmission towers and conductors must utilise non-specular (non-reflective) materials with a reflectivity index of less than [X]%. Verification must be provided by the manufacturer prior to installation."

5.2 Approvals "Gates": Pre-Conditions for Commencement

The most powerful enforcement tool available to the planning system is the refusal to allow works to start. The WRL Incorporated Document must be structured not as a blanket permission, but as a series of locked gates.

Proposed Clause for Incorporated Document:

"No works, including enabling works, early works, or vegetation removal, may commence on any defined Stage of the project until:

1. *The Environmental Management Strategy (EMS) and CEMP for that Stage have been approved by the Minister for Planning;*
2. *The Independent Environmental Auditor (IEA) has certified in writing that the CEMP complies with all relevant EPRs and adequately addresses the specific risks of that Stage;*
3. *All pre-construction property condition surveys for that Stage have been completed and provided to the relevant landholders; and*
4. *A 'Biosecurity Protocol' has been agreed and executed with all landholders in that Stage, or determined by the IEA where agreement cannot be reached."*

This "Hold Point" mechanism removes the commercial pressure to "start now, fix the plan later," ensuring that

environmental protections are front-loaded.²⁷

5.3 Independent Environmental Auditor (IEA) 2.0: From Observer to Regulator

The WRL requires a stronger IEA model than the urban projects due to the remote nature of the works. The "soft" auditor model must be replaced by a "hard" regulatory model.

Proposed IEA Powers and Governance:

1. **Appointment:** The IEA must be appointed by the Minister for Planning, not the Proponent. While the Proponent funds the IEA (via a trust account), the contractual relationship must be with the State to ensure independence.
2. **Stop-Work Power:** The Incorporated Document should explicitly grant the IEA the power to direct the cessation of any specific work activity that constitutes an "imminent environmental hazard" or a "material breach of the Biosecurity EPRs." This power is critical for preventing irreversible damage (e.g., cutting a significant tree or breaching a biosecurity wash-down protocol).²⁹
3. **Reporting Line:** The IEA must report directly to the Minister, the EPA, and the Councils—not just the Proponent.
4. **Public Transparency:** All IEA audit reports (excluding genuine commercial-in-confidence financial data) must be published on a public project website within 14 days of finalisation. This allows the community to verify the auditor's diligence.³¹

5.4 Embedding EPRs in Multiple Instruments

Enforceability is maximised through redundancy. A single environmental obligation should be "mirrored" across three distinct legal instruments to create multiple "tripwires" for enforcement.

1. **The Statutory Tripwire (Incorporated Document):** The EPR is a condition of the planning approval. A breach triggers Section 114 enforcement orders and potential criminal penalties under the *Planning and Environment Act 1987*.
2. **The Contractual Tripwire (Project Deed):** The State must embed the EPRs into the Project Deed (contract) with AusNet/Contractor. A breach of an EPR should be defined as a "Material Breach" or "Key Performance Indicator (KPI) Failure," triggering financial abatements (fines) deducted from the State's payments or regulated revenue. This provides a rapid financial incentive for compliance that is faster than court action.
3. **The Regulatory Tripwire (EPA Licence/Permit):** Where applicable (e.g., for concrete batching plants or noise), the EPRs should be mirrored in EPA permissions. A breach then triggers the powerful investigative and punitive powers of the EPA under the *Environment Protection Act 2017*, including fines for breaching the General Environmental Duty.²

6. Role of Councils, Landholders, and Third Parties

The "democratic deficit" in major projects is the exclusion of local knowledge. For the WRL, the Councils (Moorabool, Hepburn, Ballarat, etc.) and the farming community are the primary monitors of performance. The approvals framework must empower them.

6.1 Empowering Councils as Verification Agents

Rural Councils often lack the resources to police a massive linear project.

- **Mechanism:** The Incorporated Document should mandate a "**Council Compliance Cost Recovery Fund.**" AusNet would be required to fund dedicated Compliance Officers located within the affected Councils.
- **Role:** These officers would act as "eyes on the ground," conducting inspections of local roads, drainage, and vegetation. While they might not be the "Responsible Authority" (if the Minister retains that role), they would feed verified non-compliance reports directly to the IEA and the Minister.
- **Precedent:** This model is used in the extractive industries and landfill management, where operators pay a levy to fund regulatory oversight. It bridges the resource gap identified by VAGO.²⁶

6.2 Landholder Standing and the "Biosecurity Protocol"

Farmers are unique stakeholders because the project infrastructure sits *on* their business assets.

- **The Access Protocol:** The Incorporated Document must require a "Landholder Access Protocol" as a condition of entry. This protocol should give the landholder the contractual right to inspect the "Clean on Entry" certificates of any vehicle entering their land.
- **The "Right to Refuse":** Crucially, the protocol must empower the landholder to deny entry to specific machinery that fails this inspection without facing penalties for "obstructing the project." This decentralises enforcement, turning every farm gate into a biosecurity checkpoint.⁵

6.3 Third-Party Enforcement via an Independent Dispute Resolution Scheme (IDRS)

To overcome the cost barriers of VCAT, the WRL approvals should establish a bespoke IDRS.

- **Structure:** An independent arbitrator (funded by the project but appointed by an independent body like the Law Institute of Victoria) provides a fast-track, no-cost resolution service for landholder complaints (e.g., cut fences, damaged crops, noise nuisance).
- **Binding Nature:** The decisions of the IDRS should be binding on the Proponent (up to a certain financial limit, e.g., \$50,000) but non-binding on the landholder (preserving their right to go to court if unsatisfied). This provides a pragmatic safety valve for the majority of operational disputes.³⁶

7. Recommendations tailored to the WRL IAC and Minister

The following recommendations are drafted as direct considerations for the Inquiry and Advisory Committee (IAC) to include in their report to the Minister for Planning. They represent the "Hard Enforceability" doctrine applied to the specific text of the WRL approvals.

Recommendation 1: Establish Non-Negotiable Pre-Construction Gates

Drafting Instruction for Incorporated Document:

Insert a new condition: "The use and development must not commence (including early works, enabling works, or vegetation removal) until an Environmental Management Strategy (EMS) and relevant Stage-specific Management Plans (including CEMP, Traffic, and Biosecurity) have been:

(a) Prepared in consultation with the relevant Council, Catchment Management Authority, and affected landholders;

- (b) Verified by the Independent Environmental Auditor as strictly complying with the EPRs; and
- (c) Approved by the Minister for Planning.

No works may commence in a subsequent Stage until the IEA has certified that the rehabilitation of the preceding Stage is progressing in accordance with the Landscape Rehabilitation Plan."

Recommendation 2: Convert Guidelines to Obligations

Drafting Instruction for EPRs:

"The IAC recommends that the Minister refuse approval of any EPR that relies solely on the terms 'minimise,' 'where practicable,' or 'appropriate' without a corresponding numeric target or objective performance standard. Specifically, EPRs related to Noise (Construction), Air Quality (Dust), and Water Quality (Turbidity) must include numeric limits referenced to the Environment Reference Standard 2021."

Recommendation 3: Real-Time Transparency

Condition in EMF:

"The Proponent must establish and maintain a publicly accessible website ('The Dashboard') that publishes:

- (a) Real-time noise and air quality monitoring data (where installed) in a raw, un-averaged format;
- (b) All IEA Audit Reports within 14 days of receipt;
- (c) A register of non-conformances and corrective actions (redacted for privacy only); and
- (d) Current versions of all approved management plans. The Dashboard must remain active for the duration of construction and the defects liability period."

Recommendation 4: IEA Statutory Powers

Condition in Incorporated Document:

"The Environmental Management Framework must include a 'Stop Work Protocol' which authorises the Independent Environmental Auditor to direct the suspension of works in defined circumstances where there is an immediate and serious risk of environmental harm or a material breach of the Biosecurity or Native Vegetation EPRs. The Proponent must comply with any such direction from the IEA immediately."

Recommendation 5: IAC Enforceability Checklist

Guidance for the Minister:

When assessing the final package, the Minister should apply this checklist:

1. Does the Incorporated Document explicitly link EPRs to the General Environmental Duty?
2. Are the EPRs pass/fail?
3. Does the IEA have the power to intervene, not just report?

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4. Is there a "Hold Point" barring construction until plans are *approved* (not just submitted)?
5. Is there a funded mechanism for Council and Landholder oversight?

HARD ENFORCEABILITY: SECURING THE WESTERN RENEWABLES LINK

THE ENFORCEABILITY GAP

Aspirational vs. Genuinely Enforceable



Subjective "reasonableness" standards. Difficult to enforce.



Binary, objective standards. Legally justiciable.

190km of Moving Construction Front



Linear projects require proactive "gates," not just court remedies.

The "Plan to have a Plan" Failure



Critical environmental details are buried in secondary documents, excluding communities from decision-making.

Independent Auditor (IEA) 2.0



Minister

Empower the IEA with statutory stop-work powers and a direct reporting line to the Minister.

Real-Time Transparency Dashboard



- Raw Noise Data
- Audit Reports
- Non-Conformance Registers

Mandate public access to raw data, audit reports, and registers within 14 days.

THE BLUEPRINT FOR HARD ENFORCEABILITY

Implement Mandatory "Hold Points"



Stage 1:
Pre-Conditions



Stage 2:
IEA Certification



Stage 3:
Construction Commences

Physically bar construction from commencing until the IEA certifies all pre-conditions are met.

CONTRASTING LANGUAGE: WEAK vs. SMART REQUIREMENTS

Domain	Weak Language (Avoid)	SMART Requirement (Adopt)
Biosecurity	✗ "Minimise spread of weeds"	✓ "No entry without 'Clean on Entry' certificate"
Noise	✗ "Manage noise to minimise impact"	✓ "Cease works immediately if decibel limits exceeded"
Vegetation	✗ "Protect trees where practicable"	✓ "Zero encroachment into mapped Protection Zones"

Conclusion

The Western Renewables Link is a test case for the social licence of the renewable energy transition. The "business as usual" approach to environmental planning - characterised by deferred plans, soft targets, and reactive enforcement - has demonstrably failed to secure community trust in recent major projects.

By adopting the recommendations in this paper, the IAC may recommend to the Minister for Planning an opportunity to engineer a new standard of "Hard Enforceability." This framework does not stop the project; rather, it de-risks it. By replacing ambiguity with certainty, and "aspirational" goals with binding gates, the WRL can proceed on a foundation of rigorous, transparent, and legally secure environmental protection. The detailed drafting of the Incorporated Document is not merely a bureaucratic exercise; it is the only mechanism capable of bridging the gap between the state's energy goals and the rightful protection of the communities that host them.

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