

Impact Assessment Unit
Department of Transport and Planning

Email: environment.assessment@transport.vic.gov.au

**SUBJECT: Submission on Updated Draft Scoping Requirements for the
Victorian Renewable Energy Terminal Project**

Dear Sir/Madam,

Mornington Peninsula Shire Council welcomes the opportunity to provide comments on the **updated draft Scoping Requirements** for the Victorian Renewable Energy Terminal (VRET) Project, which are currently on public exhibition from 10 to 24 September 2025.

The proposed VRET is to be located at the Port of Hastings within the Mornington Peninsula Shire. Shire officers have undertaken a review of the updated draft Scoping Requirements and detailed comments and recommendations are provided in the attached submission.

Retrospective Council endorsement of the submission will be sought on the 5 November 2025.

Should you require any further information or clarification in relation to this submission, please contact Ersi Ni, Principal Strategic Planner at Ersi.Ni@mornpen.vic.gov.au.

Yours faithfully,



Katanya Barlow
Manager – Strategic & Infrastructure Planning
Mornington Peninsula Shire Council

24 September 2025

Table of comments on draft scoping requirements

No.	Page	Section	Council submission
Theme A: Project description and setting			
1.	p. 2	s.1.1 <i>The project and setting</i>	The term “<i>Commonwealth waters</i>” should be clearly defined and mapped to illustrate the extent of the “Commonwealth waters adjacent to Victoria.” This issue was previously raised in Council’s submission on the draft Scoping Requirements exhibited from 19 November to 11 December 2024; however, it remains unaddressed in the updated draft.
2.	p. 2, 5 & 10	s.1.1 <i>The project and setting</i> ; s.3.3 <i>Project description and rationale</i>	The project description does not clearly identify potential <i>ad-hoc</i> or additional port-related uses, which are noted in documents for the relevant referral under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act), Ref. 2025/10224. The only indirect reference to “<i>occasional oversize, over mass items</i>” is ambiguous. The Environmental Effects Statement (EES) must explicitly identify all potential <i>ad-hoc</i> uses (scope, type, frequency, location) so their environmental, planning, and operational impacts can be appropriately assessed.
3.		s.1.1 <i>The project and setting</i> ; s.3.3 <i>Project description and rationale</i>	It is unclear whether construction will require temporary offices, storage, or laydown areas, and whether these will be located onsite or elsewhere. The EES must clearly describe all temporary facilities, such as construction compounds and temporary parking, and specify their location, scale and duration to enable a proper assessment of potential impacts.
4.	p. 2, 9 & 10	s.1.1 <i>The project and setting</i> ; s.3.1 <i>General approach</i> ;	While construction and operational dates are provided, the expected operational lifetime and post-lifecycle intentions (e.g. decommissioning, redundancy, or repurposing) are not. The EES should clearly set out these matters to enable comprehensive assessment of long-term impacts, legacy risks, and obligations.

No.	Page	Section	Council submission
		s.3.3 <i>Project description and rationale</i>	
5.	p.12	s.3.3 <i>Project description and rationale</i>	The description of project components should also include proposed <i>finishes</i> for constructed elements. This information is critical for assessing landscape and visual impacts. This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.
6.		s.3.3 <i>Project description and rationale</i>	The project description should demonstrate how matters of national environmental significance (MNES) as defined under the EPBC Act, and as required under EPBC Act Referral No. 2025/10224, including Ramsar wetlands and threatened/migratory species, will be integrated into the assessment, approvals, mitigation, and management framework.
Theme B: Project development and alternatives			
7.	p.12	s.3.4 <i>Project development and alternatives</i>	The scoping requirements should place greater emphasis on the explicit consideration and assessment of <i>feasible alternatives</i> to ensure that the EES provides a robust and transparent basis for decision-making. This is essential to demonstrate that the selected site, i.e. the Old Tyabb Reclamation Area (OTRA) site at the Port of Hastings, and project design represent the option with the least environmental and social impact while still achieving project objectives. The EES should therefore require: • Assessment of alternative ports capable of supporting Offshore Wind (OSW) development, including comparative analysis of infrastructure suitability, environmental constraints, and economic implications. • Assessment of alternative sites within the Port of Hastings, considering proximity to

No.	Page	Section	Council submission
			sensitive environments, operational efficiencies, and potential mitigation of impacts. The EES should explicitly present the decision-making process that led to the selection of the OTRA site in the main chapters (e.g., Project Rationale). This should demonstrate how environmental and social considerations were balanced with technical and economic factors. A clear and concise summary is sufficient, providing enough detail for stakeholders and the broader community to understand and assess the rationale without needing to review all appendices and supporting documents. This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.
8.	p. 12	s.3.4 <i>Project development and alternatives</i>	The EES should assess whether some terminal activities, such as the storage and laydown operations, could be distributed to alternative locations, rather than concentrated at one single site. This would test options for minimising environmental impacts, improving resilience, and balancing land use. This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.
9.	p. 12	s.3.4 <i>Project development and alternatives</i>	The EES should assess whether use of different vessel types, sizes, or designs could achieve desired operational outcomes while reducing dredging requirements and associated environmental impacts. This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.
10.	p. 13	s.3.4 <i>Project development and alternatives</i>	The current wording requiring the EES to “outline the implication of the ‘no project’ option” is vague. The requirement should be clarified to ensure the <i>no project</i> option describes the current anticipated environmental conditions of

No.	Page	Section	Council submission
			the Project and provides a meaningful baseline for comparison with the project in its current proposed form.
Theme C: Assessment approach			
11.	p. 9	s.3.1 <i>General approach</i>	The definition of “ <i>Effects</i> ” from the previous exhibited draft – covering <i>direct, indirect, combined, cumulative, short- and long-term, beneficial and adverse</i> effects – should be reinstated. This definition is critical given that the updated draft equates “Effects” in the EES with “ <i>relevant impacts</i> ” under the EPBC Act. Clear and consistent terminology is essential to support alignment between Victorian and Commonwealth assessment requirements.
12.	p. 9	s.3.1 <i>General approach</i>	The impact assessment should explicitly consider uncertainties around potential operational impacts of OSW turbine units, acknowledging that these facilities will be operated by third parties. Reasonable predictions and available estimates should be used to ensure all <i>direct, indirect, cumulative, and long-term effects</i> are addressed.
13.	p. 9	s.3.1 <i>General approach</i>	The assessment of residual effects must extend beyond construction, operation, and decommissioning to also include scenarios where the facility is not decommissioned at the end of its design life but instead becomes redundant, is repurposed, or continues in operation. This ensures long-term environmental risks, legacy impacts, and management obligations are transparently assessed.
14.	p. 2 & 9	<i>Introduction;</i> s.3.1 <i>General approach</i>	The Introduction refers to a “ <i>risk-based approach</i> ” and s.3.1 calls for a “ <i>clear, integrated analysis</i> ,”. However, the link between these requirements is not clear. The scoping requirements should explicitly describe how the risk-based approach is to be applied to deliver a transparent, integrated assessment.

No.	Page	Section	Council submission
15.	p. 9	s.3.1 <i>General approach</i>	The assessment should explicitly address the highest-use scenario for OSW development in Victoria. This includes consideration of expanded demand for the terminal, required infrastructure upgrades, and cumulative effects. This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.
Theme D: Legislative and approvals framework			
16.		s.2.2.5 <i>Statutory approvals and the EES process;</i> s.3.2 <i>Content and format of the EES;</i> s.3.5 <i>Applicable legislation, policies and strategies;</i> s.3.6 <i>Environmental management framework</i>	The EES should explicitly: • List all relevant approvals, including Victorian and Commonwealth approvals. • Demonstrate how the EES integrates requirements across jurisdictions. • Show how MNES and other statutory matters are assessed across chapters, including residual impacts and significance. • Clarify how the EES assessment outcomes inform approvals, mitigation, and adaptive management. • Explain how consultation, including with Traditional Owners, informs MNES-related assessment and decision-making.
17.		s.3.5 <i>Applicable legislation, policies and strategies</i>	The EES should explicitly demonstrate how Victorian and Commonwealth legislation and policies – including climate change targets, MNES protection, Ramsar obligations, and Traditional Owner Country Plans – inform project design, mitigation measures, and decision-making throughout the assessment.
Theme E: Environmental management framework (EMF)			
18.	p. 13	s.3.6 <i>Environmental management framework</i>	The EES should explicitly define what constitutes “<i>baseline environmental conditions</i>” to ensure consistency, and provide a clear benchmark for impact evaluation, and support accurate assessment of change.

No.	Page	Section	Council submission
			This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.
19.	p. 13	s.3.6 <i>Environmental management framework</i>	The EES should require the EMF to clearly demonstrate how it integrates both Victorian and Commonwealth requirements, including: • Explicit integration of Commonwealth requirements for Ramsar wetlands, threatened species, ecological communities, and migratory species. • Clear delineation of oversight roles for compliance with both State and Commonwealth conditions. • Demonstration of adaptive management processes and contingency measures specifically to protect MNES and Ramsar ecological character. • Transparent public reporting mechanisms that ensure compliance with both Victorian and Commonwealth statutory requirements and respond to community expectations.
Theme F: Environmental effects assessment			
20.	p. 15-25	s.4 <i>Assessment of specific environmental effects</i>	The Scoping Requirements should be revised to ensure consistency with a risk-based assessment approach. Specifically, under each theme (e.g., water and catchment values): • The sub-heading "Key issues" should be replaced with "Potential environmental effects". • The sub-heading "Likely effects" should be replaced with "Potentially significant environmental effects". The current use of "likely effects" is inappropriate and misleading, as it may restrict the assessment to effects with a higher probability of occurrence, while overlooking impacts that are less likely but potentially significant in consequence. A proper risk-based approach requires consideration of both likelihood and consequence, ensuring that low-

No.	Page	Section	Council submission
			probability but high-impact events are transparently assessed.
21.	p.15-17	s.4.1 <i>Risk-based approach</i>	Table 1 does not clearly show how EPBC MNES – including Ramsar wetlands, threatened species, ecological communities, and migratory species – are captured within the EES themes. These matters must be explicitly identified within relevant themes to ensure alignment with the accredited bilateral assessment process.
22.	p.24	s.4.5 <i>Other matters</i>	The EES should explicitly require that, if the social and business impact assessment finds a significant proportion of the project workforce will be drawn from outside the local area, the assessment must address implications for housing demand and affordability, community infrastructure and services, and local social cohesion.
23.	p.24	s.4.5 <i>Other matters</i>	The requirement to “predict greenhouse gas emissions” should be revised to clearly define the scope and scale of the assessment. This should include all project phases, activities, direct and indirect sources, and the relevant geographical boundary. Mitigation measures must be detailed to demonstrate how the project will align with, and contribute to, Victoria’s and Australia’s legislated net zero targets.
24.	p. 7	s.2.2.3 <i>EES consultation</i> ; s.2.2.4 <i>Traditional Owner engagement</i>	The EES should strengthen the scoping requirements to demonstrate how public and stakeholder inputs directly informed the assessment. In particular, the phrase “ <i>genuinely seeking input and expertise</i> ” should be clarified by requiring transparent mechanisms to show how Traditional Owner input is actively sought and integrated into project design, impact assessment, and mitigation measures.
Theme G: Cumulative and strategic considerations			
25.		General	The scoping requirements should explicitly require the EES to assess cumulative impacts

No.	Page	Section	Council submission
			of the Project in combination with other significant projects and operations at the Port of Hastings, including BlueScope Wharf, Esso Wharf, and any other approved or advanced proposals. While the draft Scoping Requirements (p.10, under “Assess the likely residual effects”) specifically refer to cumulative impacts, the current wording is insufficient for the following reasons: • Lack of specificity regarding which existing or approved projects must be considered. • General reference to “broader area/region” impacts, without explicit requirement to assess cumulative effects across all relevant environmental, social, and economic values (e.g., marine habitats, seagrass, biodiversity, noise, traffic, and community amenity). • No explicit requirement to consider cumulative impacts across all project phases (construction, operation, decommissioning, redundancy, or repurposing), including interactions with other port operations. • Absence of clear guidance to capture additive, synergistic, or compounding effects in a manner that informs mitigation, adaptive management, and decision-making. A properly scoped cumulative impact assessment is essential to provide a transparent and comprehensive basis for evaluating combined effects, and for supporting robust project design, mitigation measures, and approvals. This issue was raised in Council’s submission on the November 2024 exhibition draft but remains unaddressed. Clear and unambiguous requirements are necessary to ensure the EES

No.	Page	Section	Council submission
			can fully inform project design, mitigation measures, and approvals.
26.		General	Council urges the State Government to develop a strategic framework for Western Port Bay to balance development with environmental protection. The framework should address habitat loss, climate change impacts, marine restoration, and long-term resilience, supported by an environmental fund (similar to Port Phillip Bay Fund). This issue was raised in Council's submission on the November 2024 exhibition draft but remains unaddressed.