# Victorian offshore windfarm feasibility access licence application form – Gippsland Region

Application for Victorian Offshore Windfarm Feasibility Access Licence under the Land Act 1958 (Vic), Crown Land (Reserves) Act 1978 (Vic) and/or Forests Act 1958 (Vic).





[deeca.vic.gov.au](file:///C%3A/Users/fionadurante/Downloads/deeca.vic.gov.au)

## When should I use this form?

You should use this form if you are an offshore windfarm proponent developing a project within the Gippsland declared area (or otherwise involved in the development of an offshore windfarm) and you need to obtain a Victorian Offshore Windfarm Feasibility Access Licence under the *Land Act 1958* (Vic); *Crown Land (Reserves) Act 1978* (Vic); and/or *Forests Act 1958* (Vic).

Please note that this form cannot be used to apply for a consent under the *Marine and Coastal Act 2018* (Vic).

## What is a Victorian Offshore Windfarm Feasibility Access Licence?

A Victorian Offshore Windfarm Feasibility Access Licence extends the Victorian public land management framework onto the seabed in relation to offshore electricity generation activities. This licence is issued under one or more of the following statutes:

* *Land Act 1958* (Vic);
* *Crown Land (Reserves) Act 1978* (Vic);and
* *Forests Act 1958* (Vic)*.*

## Why is a Victorian Offshore Windfarm Feasibility Access Licence required?

Offshore wind is a new and emerging technology in Australia, and until now, the placement of windfarms in the ocean had not been contemplated. Offshore wind energy is a key pillar in the renewable energy transition and must be undertaken in a way that ensures that impacts on the environment are identified and managed.

This licence allows a person to undertake feasibility studies relating to the design of offshore electricity transmission infrastructure or undertake other investigatory activities for the purpose of obtaining a subsequent permit or authorisation under Victorian legislation that relates to the construction or operation of an offshore windfarm. Licensing offshore wind feasibility studies ensures that all projects are clearly subject to robust Victorian environmental management and impact assessment frameworks at all phases of a project.

## What is the process to apply for this licence?

To apply for this licence, first please fill out the application form below, ensuring that you attach relevant documentation if necessary.

Then, please email the application form and any attachments to offshorewind@deeca.vic.gov.au.

The Department of Energy, Environment and Climate Action (DEECA) will assess and determine your application within 60 days, provided that the application is complete. DEECA will contact you if further information is required.

## Licence application form

**Answer questions below or write ‘N/A’ next to any that are not applicable to your application**

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| **Applicant and proposal details** |
| **Application questions** | **Proponent responses** |
| **Proposal** | Proposal title |  |
| **Application registration** | Submission date |  |
| Application details:NamePositionOrganisationPhone numberEmail addressPostal address |  |
| Date application submitted |  |
| Due date for assessment | *For internal use only* |
| **Plan of Licensed Area** | Attach a Plan of the Licensed Area as outlined in Annexure 1 of the template Victorian Offshore Windfarm Feasibility Access Licence which can be found here: <https://www.energy.vic.gov.au/renewable-energy/offshore-wind-energy/regulatory-information>. |  |
| **Proposal overview and Works Plan** | Provide an overview of your proposal.  |  |
| Attach a Works Plan for your proposal as outlined in Annexure 2 of the template Victorian Offshore Windfarm Feasibility Access Licence which can be found here: <https://www.energy.vic.gov.au/renewable-energy/offshore-wind-energy/regulatory-information>.**Note**: The Works Plan may be updated by varying the licence as work programs evolve and become clearer. The Works Plan is intended to be updated as feasibility studies and activities occur and may cover differing activity envelopes depending on where works are taking place. |  |
| Please outline any risks of the proposal and how you will mitigate any harms arising out of the proposed activities. |  |
| What are the proposed start and finish dates? Attach a proposed schedule of delivery. |  |
| **Relevant categories of public land**  | What types of public land are relevant to the proposal? Please specify all types of land that apply.For example:* marine and coastal Crown land
* unreserved Crown land
* reserved Crown land
* reserved forest
 |  |
| **Land manager/s** | Who is/are the public land manager/s? Has their consent been obtained? Attach written endorsement for the proposal from all land manager/s (unless you are the only land manager).\*  |  |
| **Planning context** | What planning zones and overlays apply to the land? |  |
| Is a planning permit required?If so, provide detail on the planning permit that will be required.Attach planning approvals obtained. |  |
| Provide detail on any other approvals required as part of the proposal.For example, Flora and Fauna Guarantee permit, Heritage permit, Parks Victoria, works permit from port or waterway manager, etc.Attach approvals obtained**Note:** approval will need to be obtained prior to this licence being issued. |  |
| Does this proposal involve removal, destruction or lopping of native vegetation? If so:* has a three-step approach been applied (avoid, minimise, offset)?
* please attach any assessments or studies undertaken to support the proposal (e.g. flora and fauna surveys, contamination assessments) and the relevant approvals.
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|  | *\*Note that DEECA will not accept an application without written endorsement of the relevant land manager/s.*  |

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| **Offshore Wind Energy legislative and regulatory requirements**  |
| **Application questions** | **Proponent responses** |
| **Licence under the Offshore Electricity Infrastructure Act** | Do you hold a licence within the meaning of the *Offshore Electricity Infrastructure Act 2021* (Cth)?If not, are you submitting this application form on behalf of the holder of a licence within the meaning of the Offshore Electricity Infrastructure Act?Attach details of the relevant licence. |  |
| **Purpose of activities** | Do the proposed activities relate to one or more of the following purposes:* 1. assessing the desirability or feasibility of constructing or installing offshore electricity transmission infrastructure;
	2. determining the optimal placement of offshore electricity transmission infrastructure; or
	3. carrying out an activity for the purposes of obtaining a permit or consent required by or under any Act of Victoria or the *Offshore Electricity Infrastructure Act 2021* (Cth)for the construction or installation of offshore electricity transmission infrastructure?

If so, specify which purpose. |  |
| **Anticipated generation capacity** | What is the anticipated generation capacity (in megawatts) of the offshore infrastructure project to which this proposal relates? |  |

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| **Acknowledge Traditional Owners’ rights, aspirations and knowledge**  |
| **Application questions** | **Proponent responses** |
| **Traditional Owner consultation** | Which [Traditional Owner group/s](https://www.aboriginalheritagecouncil.vic.gov.au/victorias-current-registered-aboriginal-parties) have rights in the area of this proposal? | Gunaikurnai (Gunaikurnai Land and Waters Aboriginal Corporation) |
| Have these Traditional Owners group/s been consulted on this proposal?  |  |
| If yes, how have their views been incorporated into the nature of the proposal? |  |
| Attach evidence of an agreement with the Native Title Party. **Note:** For the Gunaikurnai Land and Waters Aboriginal Corporation, this requirement is satisfied by execution of Annexure 4 to the licence, or an alternate agreement that satisfies clause 12 of the licence.  |  |
| **Aboriginal Cultural Heritage Management Plan** | Is an Aboriginal Cultural Heritage Management Plan (CHMP) required?   |  |
| If a CHMP is required, an approved CHMP must be submitted with this form. If not, provide a copy of the questionnaire assessment outcome: [Activities Questionnaire - Page 1 (achris.vic.gov.au)](https://heritage.achris.vic.gov.au/aavQuestion1.aspx) |  |
| **Native Title** | Is a notification of a Future Act under the *Native Title Act 1993* required and, if so, what was the outcome? [Future acts regime | Attorney-General’s Department (ag.gov.au)](https://www.ag.gov.au/legal-system/native-title/future-acts-regime)  |  |

#### Additional Information about Native Title

Native Title must be considered when DEECA is proposing or permitting any act on, or relative to, Crown land or water that may affect Native Title rights. If your organisation has not undertaken a Native Title Future Act Assessment, DEECA may prepare the assessment and, if required, enact any procedural rights outlined in the *Native Title Act 1993* (Cth) or *Traditional Owner Settlement Act 2010* (Vic) including a notification to the relevant registered Native Title bodies, registered Native Title claimants, or representative body and user charges may apply.

The Native Title body will consider the submission before the consent can be acted upon. Further conditions may be imposed by the Native Title body or claimants*.*

If a relevant Country Plan is available, consider if the proposal is supported/not supported by the relevant Country Plan.