

Chalumbin Wind Farm: Process For Assessment Under the EPBC Act

Preparing the Public Environment Report

Ark Energy's obligations regarding the Public Environment Report

1. prepare a draft public environment report in accordance with the PER guidelines about:
 - a. the relevant impacts of the action; and
2. Give the draft report to the Minister and obtain the Minister's approval for publication of the draft report;
3. publish in accordance with the regulations:
 - a. the draft report; and
 - b. an invitation for anyone to give the designated proponent comments in writing relating to the draft report or the action within the period specified in the invitation.

Approval of publication of draft report

1. The Minister may only approve the publication of the draft report if they are satisfied that the draft report is in accordance with the PER guidelines.
2. The period specified in the invitation to comment must be the period specified in writing given by the Minister to the designated proponent. The Minister must not specify a period of less than 20 business days.

Finalising public environment report

1. After Friday 16 December 2022 (close for public comment) Ark Energy must finalise the draft public environment report. The finalised report must:
 - a. take account of any comments received within the period for comment
 - b. contain a summary of any such comments and how those comments have been addressed.
 - c. As soon as practicable after finalising the draft report, the designated proponent must give the Minister:
 - i. the finalised report and either:
 1. a copy of any comments received within the period for comment;
 2. if no comments were received within that period—a written statement to that effect.
2. Within 10 business days after the designated proponent has given the Minister the documents required under subsection (3), the designated proponent must publish the finalised report in accordance with the regulations.

Recommendation report

The Secretary must prepare, and give to the Minister, a recommendation report relating to the action. The report must include recommendations on:

1. whether the taking of the action should be approved under Part 9 - Approval of actions; and
2. if approval is recommended, any conditions that should be attached to the approval.

The recommendation report must be given to the Minister after the Minister receives the finalised public environment report under section 99 and before the end of the period of 40 business days beginning on the first business day after the Minister receives the finalised public environment report.

Requirements for decisions about World Heritage

In deciding whether or not to approve, for the purposes of section 12 or 15A, the taking of an action and what conditions to attach to such an approval, the Minister must not act inconsistently with:

1. Australia's obligations under the World Heritage Convention;
2. the Australian World Heritage management principles;
3. a plan that has been prepared for the management of a declared World Heritage property under section 316 or as described in section 321.