

EPA ref: FOI-002-2024



Elaine VIC 3334

By email: [REDACTED] & [REDACTED]

Dear Owen,

FREEDOM OF INFORMATION: NOTICE OF DECISION

This letter is to give you the decision on the request you made for documents under the *Freedom of Information Act 1982* (the Act).

Your request is for:

*I would like to formally request Compliance Reports for the Lal Lal Wind Farm
Reports requested as follows;*

- EPA Auditor Review of Sonus LLWF Pre-construction Noise Assessment S54664C11 June 2018
- Lal Lal Wind Farm Noise Management Plan 0467385
- Marshall Day LLWF Pre-Development Noise Assessment Report No 002 20170649 dated 17 January 2018

By email, on 16 February 2024, you excluded personal affairs information from the scope of your request.

EPA has identified **3** documents relevant to your request that comprise a total of 185 pages. The documents are:

- Document 1 – 0467385 Lal Lal Wind Farm NMP F03 – Noise Management Plan dated 18 October 2022 – 94 pages – **DISCLOSE IN FULL**
- Document 2 – Lal Lal WEF_Pre construction noise assessment – Pre-construction noise assessment prepared for Lal Lal Wind Farm by Sonus Pty Ltd dated June 2018 – 40 pages – **DISCLOSE IN FULL**
- Document 3 – Rp 001 R01 20170649 Lal Lal Wind Farm – MDA, March 2018 – Lal Lal Wind Farm Background Noise Monitoring Report prepared by Marshall Day Acoustics for Lal Lal Wind Farm dated 1 March 2018 – 51 pages – **DISCLOSE IN FULL**

Decision and reasons for decision

I have decided to grant you access in full to 3 documents.

As personal affairs information is excluded from the scope of your request, it has been redacted from the relevant documents.

epa.vic.gov.au

Environment Protection Authority Victoria
GPO Box 4395, Melbourne VIC 3001
1300 372 842



Consultation with third parties

In accordance with the Act, I was required to undertake consultations to obtain the views of affected third parties on the disclosure of document relevant to your request under section 34 of the Act.

Three of the third parties consulted either objected to disclosure or did not respond to the consultation, so have not consented to the disclosure of certain documents.

If my decision is contrary to the views of a third party, I am required to notify it about my decision and provide it with the opportunity to seek review of my decision at the Victorian Civil and Administrative Tribunal ('VCAT').

The documents subject to review (documents 1, 2 and 3) cannot be released to you until the affected third parties have had the opportunity to exercise review rights under section 50(3A) of the Act.

The statutory time frame for making an application for review under this section is sixty (60) days. If a review application is made, the release of the documents subject to it will be further delayed and dependent on its resolution.

Access charges

In accordance with section 22 of the Act and the provisions of the *Freedom of Information Access Charges Regulation 2014*, EPA is entitled to seek from you charges for access to documents, including for:

Search time		
Rate per hour (1.5 fee units or part thereof)	Hours	Charge
\$23.85	1	\$23.85
Total charges		\$23.85

I have decided to waive access charges in this instance.

If you have any questions about this decision, please email me at foi@epa.vic.gov.au, or call me on 03 8613 5499 or through our Contact Centre on 1300 372 842.

Yours sincerely,



Julia Begley
Freedom of Information Officer

4 March 2024