Appendix Y

Planning Scheme Amendment documents

KENTBRUCK GREEN POWER HUB

umwelt
Environmental & Social Consultants

NEOEN

PLANNING SCHEME AMENDMENT – PLANNING REPORT

Kentbruck Green Power Hub

FINAL

December 2024

PLANNING SCHEME AMENDMENT – PLANNING REPORT

Kentbruck Green Power Hub

FINAL

Prepared by
Umwelt (Australia) Pty Limited
on behalf of
Neoen Australia Pty Ltd

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Report No.	21264-R05
Date:	December 2024

Environmental & Social Consultants

This report was prepared using Umwelt's ISO 9001 certified Quality Management System.

Acknowledgement of Country

Umwelt would like to acknowledge the traditional custodians of the country on which we work and pay respect to their cultural heritage, beliefs, and continuing relationship with the land. We pay our respect to the Elders – past, present, and future.

Document Status

Rev No.	Reviewer		Approved for Issue	
	Name	Date	Name	Date
1.0	Lockie Curran	17-Feb-23	Keira Banks	17-Feb-23
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3.0	Joseph Thom	12-June-2024	Emily Scott	12-June-2024
4.0	Brad George	15-Aug-2024	David Knight	16-Aug-2024
5.0	Brad George	11-Dec-2024	David Knight	11-Dec-2024

Executive Summary

This Planning Report (the report) has been prepared by Umwelt (Australia) Pty Ltd (Umwelt) to support Planning Scheme Amendment C116gelg (the Amendment) required for the use and development of the proposed Kentbruck Green Power Hub (the Project) located in southwest Victoria. The proponent for the Project is Neoen Australia Pty Ltd (Neoen).

This report supports a request for the Victorian Minister for Planning to amend the Glenelg Planning Scheme to facilitate the use and development of the Project. An Environment Effects Statement (EES) has been prepared for the Project. This report has been informed by the EES including the following related reports:

- A Land Use and Planning Impact Assessment has been prepared as part of the EES as required by the EES Scoping Requirements issued by the Minister for Planning. The report addresses the evaluation objectives of the EES, project components, timeframes, operation and decommissioning and identifies relevant legislation, policies and guidelines that apply to land use planning as well as those that have implications for the Project.
- A draft consent application under Section 27 of the Victorian *National Parks Act 1975* for the proposed transmission line within Cobboboonee National Park. The document includes a detailed description of the Project, the policy context of the draft consent application, the environmental and social impacts associated with the underground transmission line component, the land management considerations, proposed mitigation measures, and an outline and proposed structure for a Construction Environmental Management Plan (CEMP) for this component of the Project. The draft consent application also considers similar matters for the section of transmission line that traverses Cobboboonee Forest Park, which is administered under the Victorian *Forests Act 1958*. The purpose of this is to ensure that these matters are considered consistently for the sections of transmission line that traverse national and forest park sections.

This report supports the draft Amendment prepared for the purposes of review by and consultation with the Environment Effects Statement (EES) Technical Reference Group and for public exhibition.

The Project proposes a renewable energy development that comprises a wind energy facility (wind farm) and associated infrastructure, including power collector stations and power lines for the wind farm, and a utility installation (275 kV transmission line) connecting the wind farm to the existing electricity network at the Heywood Terminal Station. The Project is wholly located within the Glenelg Shire Council local government area, approximately eight km east of the South Australian and Victorian border. The township of Nelson is located 3 kilometres (km) west of the wind farm site. The city of Portland is approximately 30 km to the southeast.

The key objective of the Project is to provide a source of clean, renewable energy to help power homes and businesses that are connected to the National Electricity Market (NEM) in Victoria and throughout eastern Australia.

Neoen's environmental and social objectives for the Project are to:

- Avoid unacceptable and unsustainable impacts and strive to deliver nature positive outcomes.
- Consider and understand community perspectives and explore benefit models to achieve a social license to operate.
- Minimise adverse impacts on environmental and social matters and maximise beneficial impacts.
- Develop the Project in accordance with the principles of ecologically sustainable development recognising the importance of natural resources and ecosystems for meeting environmental, social and economic needs now and into the future.
- Consider the rights and values of the community and stakeholders, human health, environment, and cultural heritage in the decision-making process.

In summary, the Amendment will:

- Apply the Specific Controls Overlay (SCO10) to allow the use and development of land for the Project in the form of:
    - Amending Planning Scheme Map No. 30SCO.
    - Inserting new Planning Scheme Map Nos. 20SCO, 28SCO and 29SCO.
    - Amend the Schedule to Clause 45.12 (Specific Controls Overlay) by inserting Incorporated Document '*Kentbruck Green Power Hub Incorporated Document <month> 2024'* (the Incorporated Document).
    - Amend the Schedule to Clause 72.03 (What does this Scheme consist of?) to insert Planning Scheme Map Nos. 20SCO, 28SCO and 29SCO.
    - Amend the Schedule to Clause 72.04 (What does this Scheme consist of?) to insert the Incorporated Document.

This report demonstrates the Project results in a net community benefit by generating social and economic opportunity for the broader region beyond Kentbruck and directly contributing to achieving Victoria's legislated renewable energy target. The Project is also supported by the Victorian planning objectives articulated in the PPF.

While the Project will have limited, short-term environmental impacts the controls within the proposed Incorporated Document provide an integrated system for managing, mitigating, and avoiding potential environmental impacts that may arise from the construction and 30-year operation of the Project. The Project will provide a net community benefit through its significant social and economic contribution to the local and regional community, particularly in the development of skills and training.

The Project further demonstrates net community benefit as it will provide a significant increase in the renewable energy available to the NEM and will also assist Victoria in meeting legislated targets for the development of renewable energy capacity within the State. This increased renewable energy capacity is an environmentally sustainable development which will benefit the present community and future residents and workers, both locally and regionally, into the future.

Table of Contents

Figures

Tables

Appendices

Abbreviations

Abbreviation	Term
BMO	Bushfire Management Overlay
CASA	Civil Aviation Safety Authority
CHMP	Cultural Heritage Management Plan
DELWP	Department of Environment, Land, Water and Planning (now DEECA and DTP)
DEECA	Department of Energy, Environment and Climate Action
DTP	Department of Transport and Planning
EE Act	*Environment Effects Act 1978* (Vic)
EES	Environment Effects Statement
EMF	Environmental Management Framework
EPA	Environment Protection Authority
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Cth)
ESO	Environmental Significance Overlay
FZ	Farming Zone
GMTOAC	Gunditj Mirring Traditional Owners Aboriginal Corporation
GWh	Gigawatt-hours
HDD	Horizontal Directional Drilling
IAC	Inquiry and Advisory Committee
km	Kilometre/s
kV	Kilovolt
LGA	Local Government Area
LUPIA	Land Use and Planning Impact Assessment
m	metre/s
MNES	Matter of national environmental significance
MRSD	*Mineral Resources (Sustainable Development) Act 1990* (Vic)
MW	Megawattts
NEM	National Electricity Market
NVP	Native Vegetation Plan
P&E Act	*Planning and Environment Act 1987* (Vic)
PCRZ	Public Conservation and Resource Zone
PPF	Planning Policy Framework
PPRZ	Public Park and Recreation Zone
PUZ	Public Use Zone
RAP	Registered Aboriginal Party
RCZ	Rural Conservation Zone
SCO	Specific Controls Overlay
SLO	Significant Landscape Overlay
TRZ	Transport Zone
VEA	Victoria Experience Areas

1.0 Introduction

This Planning Report (the report) has been prepared by Umwelt (Australia) Pty Ltd (Umwelt) to facilitate the Planning Scheme Amendment C116gelg (the Amendment) required for the use and development of the proposed Kentbruck Green Power Hub (the Project) located in southwest Victoria. The proponent for the Project is Neoen Australia Pty Ltd (Neoen). The report describes the Project and its context, identifies relevant legislation and policy and assesses the Project against the relevant planning policies.

The report is presented as follows:

- **Section 1.0** provides some background to the Environment Effects Statement (EES) process under the *Environment Effects Act 1978* (Vic) (EE Act) and an overview of the Amendment.
- **Section 2.0** provides an overview of the Project and identifies the Project Land and the regional context.
- **Section 3.0** sets out the legislation and policy context relevant to the Amendment.
- **Section 4.0** provides an overview of the proposed Incorporated Document.
- **Section 5.0** provides an assessment of the Project against the relevant legislation, planning scheme provisions, management plans and policies.
- **Section 6.0** concludes this report.

The report is supported by the following accompanying documents and material:

- **Appendix A** contains documentation for the Amendment including:
    - Draft Incorporated Document.
    - Draft Explanatory Report.
    - Draft instruction sheet.
    - Draft ordinances (**Clause 45.12**, **Clause 72.03** and **Clause 72.04** of the Glenelg Planning Scheme).
- **Appendix B** contains zoning and overlay maps referenced throughout this report.
- **Appendix C** contains the draft Specific Controls Overlay (SCO10) map.
- **Appendix D** provides a summary of relevant specialist reports and the Incorporated Document interdependency.

1.1 Environment Effects Statement

The Project is being assessed under the EE Act, which provides for the assessment of the potential environmental impacts or effects of the proposed development. The Project was referred to the Victorian Minister for Planning (Minister) and on 25 August 2019, subsequently the Minister determined under Section 8(3) of the EE Act that an Environment Effects Statement (EES) would be required for the Project due to the potential for significant environmental effects.

On 7 November 2019, a delegate for the Commonwealth Minister for the Environment declared the Project to be a controlled action due to the potential for significant environmental impacts on matters of national environmental significance (MNES) and requires assessment and approval pursuant to section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act). A decision by the delegate confirmed the Project is to be assessed under the Assessment Bilateral Agreement between the Commonwealth and Victorian Governments. This agreement allows the Victorian State Government to conduct a single environmental assessment process for matters of both State and Commonwealth importance, including MNES.

An EES has been prepared to investigate and document the specific matters set out in the EES scoping requirements issued by the Minister. The EES will be publicly exhibited along with the draft Amendment. A joint Inquiry and Advisory Committee (IAC) will be appointed to consider submissions received during the exhibition period of the EES and draft Amendment, convene a public hearing to provide submitters with an opportunity to be heard. Following this process, the IAC will prepare a report including recommendations for the Project. The EES, along with any submissions received during the public exhibition period, evidence and submissions presented through the IAC hearing process, the IAC report and any other information made available by Neoen upon request, will be used by the Minister when preparing the 'Minister's Assessment' of the EES. The Minister's Assessment will determine whether the likely environment effects of the Project are acceptable. Following the Minister's Assessment, Victorian decision makers would then consider the Minister's Assessment of the EES when determining whether to grant statutory approvals on the Project.

The Land Use and Planning Impact Assessment (LUPIA) report, which forms part of the EES should be read in conjunction with this report (Appendix Q to the EES). The purpose of the LUPIA report is to assess the potential land use and planning impacts associated with the Project in accordance with the EES scoping requirements. Specifically, the key issues considered by the LUPIA report include:

- Compatibility of the Project within the regional context and likely constraints for future land use.
- Permanent and temporary disruption of land uses and infrastructure.
- Potential effects of the Project on public land sites, and land management practices and strategic direction for public land.
- Recommendations for mitigation measures along with adopted key avoidance measures to minimise impacts on existing land uses to the extent practicable and manage the disruption to adjacent/nearby public land.

By contrast, the purpose of this report is to support the draft Amendment and to demonstrate that the proposed SCO is an appropriate approval mechanism, that the Project is of State significance, and is consistent with the relevant planning policies and legislation.

1.2 The Amendment

An amendment to the Glenelg Planning Scheme (the Planning Scheme) has been identified as the most suitable planning approval mechanism to provide an appropriate set of controls to allow for the use and development of the Project. A planning permit application for the Project was considered however, it was determined the Amendment would provide a more transparent approval approach.

The Amendment seeks to apply a SCO to the Project Land comprising a wind energy facility and utility installation (transmission line), and to insert an Incorporated Document into the Planning Scheme. Clause 45.12 of Glenelg Planning Scheme identifies the purpose of the SCO as:

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

The use of the SCO may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply
- exclude any other control in this scheme.

The purpose of Clause 45.12 of the Glenelg Planning Scheme (Specific Controls Overlay) is to achieve a particular land use and development outcome in extraordinary circumstances. By virtue of the scale of the development and the environmental complexities to be managed for the construction and operation of the development, the Amendment makes proper use of the Victoria Planning Provisions, specifically Clause 45.12 (Specific Controls Overlay) and Clause 72.04 (Incorporated Documents) of the Planning Scheme to facilitate the Project.

The Amendment will allow the Subject Land to be used and developed in a coordinated, consistent and timely manner under a single planning control, an Incorporated Document. It will remove the need for the Project to seek multiple and separate planning permits. The Amendment will also establish a transparent framework to manage any environmental effects associated with the design, construction and operation phases of the Project.

The Incorporated Document would permit the use and development of land for listed Project uses within the area specified in the SCO. In addition, the Incorporated Document would permit the removal of native vegetation, removal of any vegetation located within the applicable environmental overlays, signage, car parking, creation and alteration from a road zoned Transport Zone 2 within the area/s specified in the proposed SCO. Provided the conditions set out in the Incorporated Document are met, these listed Project uses and activities would not require a planning permit.

The Incorporated Document would also make compliance with a range of planning, environment and heritage conditions a condition of the Project's ongoing development and operation.

The Incorporated Document details the conditions that must be discharged by the specified regulator prior to the relevant stage of the Project occurring. It includes conditions relating to (but not limited to):

- Development Plans.
- Micro-siting of turbines.
- An Environmental Management Framework, which will include management measures that will address the following areas (and other relevant matters):
    - Aboriginal cultural heritage
    - Aeronautical
    - Air quality
    - Bushfire
    - Biodiversity
    - Contaminated land and spoil management
    - Electro-magnetic interference
    - Groundwater
    - Historic cultural heritage
    - Landscape character and visual amenity
    - Noise and vibration
    - Socio-economic
    - Surface water
    - Transport.
- Construction Environmental Management Plan.
- Operational Environmental Management Plan.
- Decommissioning Environmental Management Plan.

It also identifies (but is not limited to):

- Provisions that allow for the EMF to be approved in stages.
- Provisions that permit the amendment of the EMF from time to time.
- Provisions relating to native vegetation.
- Provisions relating to preparatory works.

The Minister is specified as the responsible authority for the administration and enforcement of the Incorporated Document.

The Amendment presents several other benefits and is therefore considered the most appropriate approval mechanism as it provides a transparent, consistent, and cohesive approach to authorise and regulate the use and development of land associated with the Project while also reducing administrative burden on approval authorities by removing the need to address numerous individual planning permit triggers through a typical planning permit application process.

Specifically, the Amendment will:

- Apply the Specific Controls Overlay (SCO10) to allow the use and development of land for the Project in the form of:
    - Amending Planning Scheme Map No. 30SCO.
    - Inserting new Planning Scheme Map Nos. 20SCO, 28SCO and 29SCO.
- Amend the Schedule to Clause 45.12 (Specific Controls Overlay) by inserting Incorporated Document '*Kentbruck Green Power Hub Incorporated Document December 2024*' (the Incorporated Document).
- Amend the Schedule to Clause 72.03 (What does this Scheme consist of?) to insert Planning Scheme Map Nos. 20SCO, 28SCO and 29SCO.
- Amend the Schedule to Clause 72.04 (Documents incorporated in this Planning Scheme) to insert the Incorporated Document.

The Amendment will be assessed and approved by the Minister with the approval outcome to be granted following the Minister's Assessment of the EES under the EE Act.

1.2.1 Application of SCO mapping

The Project Land in **Section 2.4** forms the basis of the application of the SCO mapping which will be incorporated into the Planning Scheme as part of the Amendment. This area is shown as SCO10 in the maps contained in **Appendix A.**

The extent of the SCO mapping sought to achieve a clearly defined area for the control to apply whilst allowing some flexibility for modifications to be accommodated as part of the detailed design phase. In defining the extent of the SCO mapping, it was ensured no unacceptable or unnecessary impacts on sensitive receptors and land uses were created.

The following approach was adopted as part of this process in establishing the extent of the SCO mapping:

- A site boundary was established for the wind farm component of the Project based on the location of proposed Project infrastructure and landowner agreements. The site boundary extends to the cadastral boundary of these land parcels and in some instances includes the adjacent road reserves to facilitate site access during construction.

- A 6.5-m wide corridor for the underground component of the 275 kV transmission line. This corridor extends along Boiler Swamp Road from the intersection with Blacks Road at the western end to near the intersection with Cut Out Dam Road at the eastern end. The SCO also includes cleared areas around roads that intersect with this section of Boiler Swamp Road.

- For the underground sections of the 275 kV transmission line located on private land that connects the project to the Heywood Terminal Station, the proposed SCO has been applied to the associated land parcel. This seeks to allow some flexibility for the final alignment of the transmission line route to be determined during detailed design.

- Site access points to the wind farm component of the Project are included in the proposed SCO extent plus an additional 20 m buffer on the modelled swept paths. In some instances, this extends past the road formation. This area is required to enable intersection upgrades so that oversize and over-dimension vehicles delivering wind farm infrastructure can access the site.

- As identified in the Transport Impact Assessment (Appendix Q to the EES), some of the intersections along the proposed haulage route would require upgrades or minor modifications in order to allow for the safety of all road users, including project-related vehicle movements and haulage from Port of Portland to the wind farm site. The proposed SCO has been applied to these intersections based on the modelled swept paths plus a 20 m buffer.

- Potential impacts on native vegetation associated with the above have been assessed and offset requirements established.

This methodology for establishing the extent of the SCO mapping is consistent with the Project Land that has been assessed as part of the EES process.

2.0 The Project

2.1 Project Overview

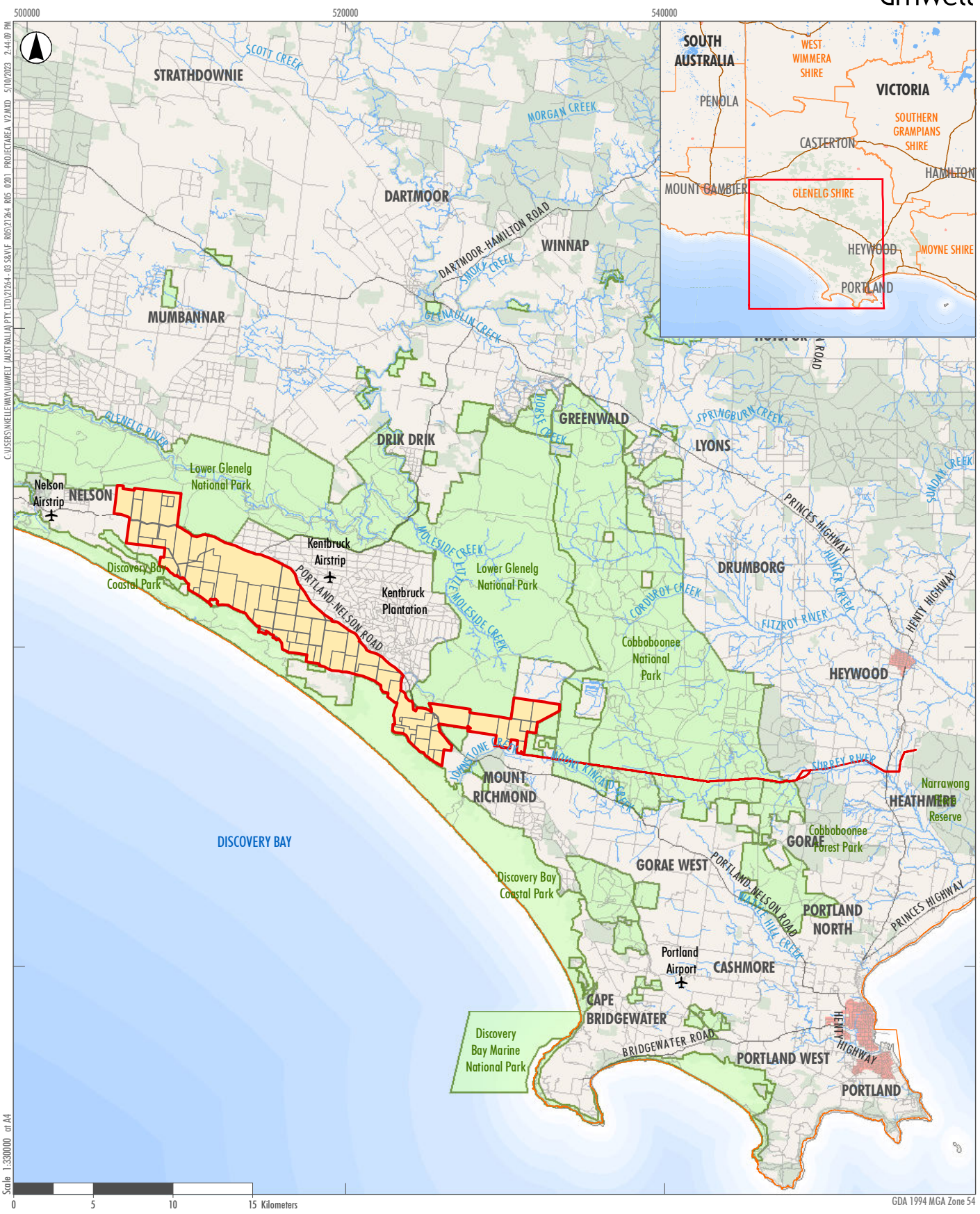
The Project proposes a renewable energy development that comprises a wind energy facility (wind farm) and associated infrastructure, including power collector stations and power lines for the wind farm, and a new transmission line connecting the wind farm to the existing electricity network.

The Project is wholly located within the Glenelg Shire Council local government area (Glenelg LGA), approximately 8 (kilometres) km east of the South Australian and Victorian border. The township of Nelson is located three km west of the wind farm site, with the city of Portland 30 km to the southeast. The Project would be situated along Discovery Bay, inland of the Discovery Bay Coastal Park and adjacent to the Lower Glenelg National Park, Cobboboonee National Park, Cobboboonee Forest Park and amongst several plantations (refer **Figure 2.1** for the Project Land location).

The Project is anticipated to deliver approximately 2,000 gigawatt-hours (GWh) of renewable electricity per year, equivalent to powering over 411,000 homes. With consideration of the State and Federal Government targets for greenhouse gas emission reductions, renewable energy projects including the Project, will play an important role in mitigating the projected impacts of climate change by providing renewable energy sources and reducing greenhouse gas emissions. In particular, the Project would directly contribute to achieving Victoria's legislated renewable energy target of 65 per cent by 2030 and 95 per cent by 2035 (DEECA, 2023).

The objective of the Project is to provide a source of clean, renewable energy to help power homes and businesses that are connected to the National Electricity Market (NEM), in Victoria and throughout eastern Australia. Neoen's environmental and social objectives for the Project are to:

- Minimise adverse impacts on environmental and social matters and maximise beneficial impacts.
- Develop the Project in accordance with the principles of ecologically sustainable development recognising the importance of natural resources and ecosystems for meeting environmental, social and economic needs now and into the future.
- Consider the rights and values of the community and stakeholders, human health, environment, and cultural heritage in the decision-making process.



Legend

- Involved Properties
- Parks and Reserves
- Local Government Areas
- Wind Farm Site
- Proposed Transmission Line
- Roads
- Watercourses

FIGURE 2.1

Project Land and Location

Image Source: ESRI Basemap (2021) Data source: Geoscience Australia; DELWP (2021)

2.2 Project Components

The Project would be developed on land with an area approximately 8,350 hectare (ha) (the Project Area and involve the following key components which are described as follows (and shown on **Figure 2.2** below):

- A wind farm of up to 600 megawatts (MW), comprising up to 105 wind turbines with a maximum tip height of 270 m above ground level. The wind farm site would occupy approximately 8,318 ha of the Project Land. The wind farm site is primarily located in a managed pine plantation that adjoins Portland-Nelson Road to the north and Discovery Bay Coastal Park to the south. A new 275 kV transmission line connecting the wind farm to the existing electricity transmission network. The transmission line area would cover up to 21 ha of land. The transmission line will travel underground beneath an existing road through the Cobboboonee Forest Park and Cobboboonee National Park, before continuing underground through freehold land extending to the existing Heywood Terminal Station, south of Heywood.
- Associated infrastructure, including internal power collector substations and a terminal substation, meteorological monitoring masts, underground and overhead powerlines connecting the wind turbines to the collector substations and to the terminal substation, an operations and maintenance building permanent hardstand areas, and temporary infrastructure including construction compounds, concrete batching plants and laydown areas.
- A limestone quarry to provide material for hardstands and for upgrades to existing access roads or construction of new access roads.

2.3 Project Timing

2.3.1 Construction

The Project would be constructed in either a single stage or over two stages (to be confirmed during the detailed design phase). A single stage of construction would occur over approximately a two-year period. If construction occurs over two stages, the construction period would be extended to 2.5 years. Key construction activities include:

- Early works including site investigations and testing, vegetation clearing, establishment of construction compound areas and upgrades and/or construction of public and internal access roads.
- Wind farm construction including establishment of hardstand areas, wind turbine erection, electrical reticulation, underground and overhead powerline construction and substation installation and commissioning.
- Construction of the underground 275 kV transmission line.

2.3.2 Operation

The Project would be operational for 25 to 30 years. During this period, operation, maintenance, and monitoring of the wind farm would include the following activities:

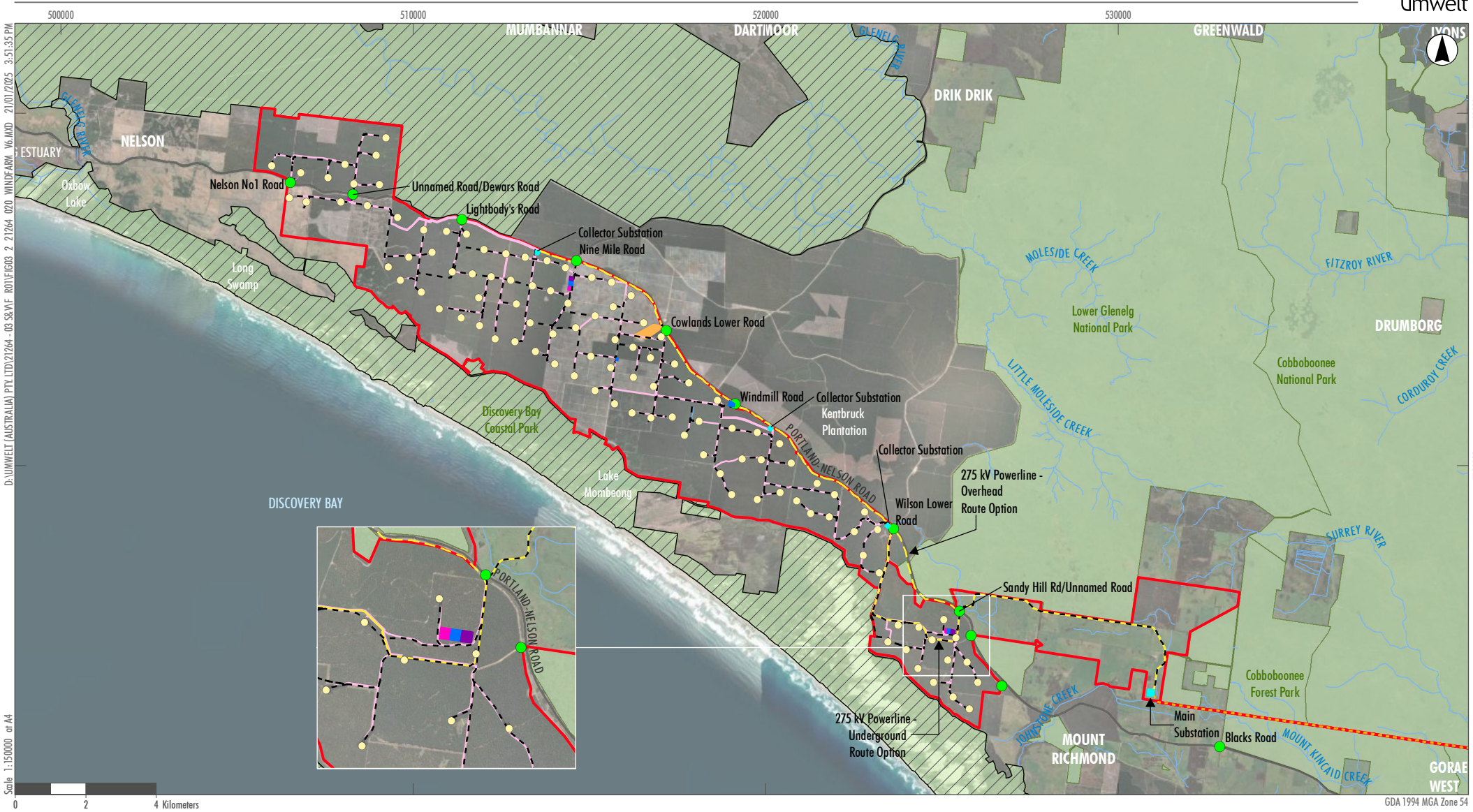
- Service of the wind turbines and associated infrastructure.
- Maintenance of internal access tracks and electrical infrastructure.
- Use and maintenance of buildings and plant, including the operations and maintenance building.
- Ongoing environmental monitoring in accordance with operational requirements and relevant approval conditions.

2.3.3 Decommissioning

At the end of the operational life of the Project, the wind farm would either be decommissioned or repowered with new turbines and ancillary infrastructure. Upgrading (repowering) the Project would extend the operational period of the Project and be subject to varied or additional approvals and permits. Key decommissioning activities would include:

- Removal of all above-ground non-operational equipment.
- Removal and clean-up of any residual contamination.
- Rehabilitation of all storage areas, construction areas, access tracks and other areas affected by the Project, if those areas are not otherwise useful to the ongoing use or decommissioning of the wind farm and pine plantation.

The Incorporated Document includes requirements for decommissioning at the end of the operational life of the project. In addition to the requirements of the Incorporated Document, the Project would comply with any additional relevant policy, legislation or other industry requirements for decommissioning as prescribed under any planning approval or subsequent permit or license.



Legend

- Project Area
- Glenelg Estuary and Discovery Bay Ramsar Wetland
- Roads
- Watercourses
- Site Access Points

Permanent Wind Farm Infrastructure

- Onsite Quarry
- Collector Substation
- Crane Hardstand
- Proposed Turbine Location
- Underground Transmission Line
- 275 kV Powerline - Overhead
- 275 kV Powerline - Underground
- Internal Access Roads
- Underground Powerlines

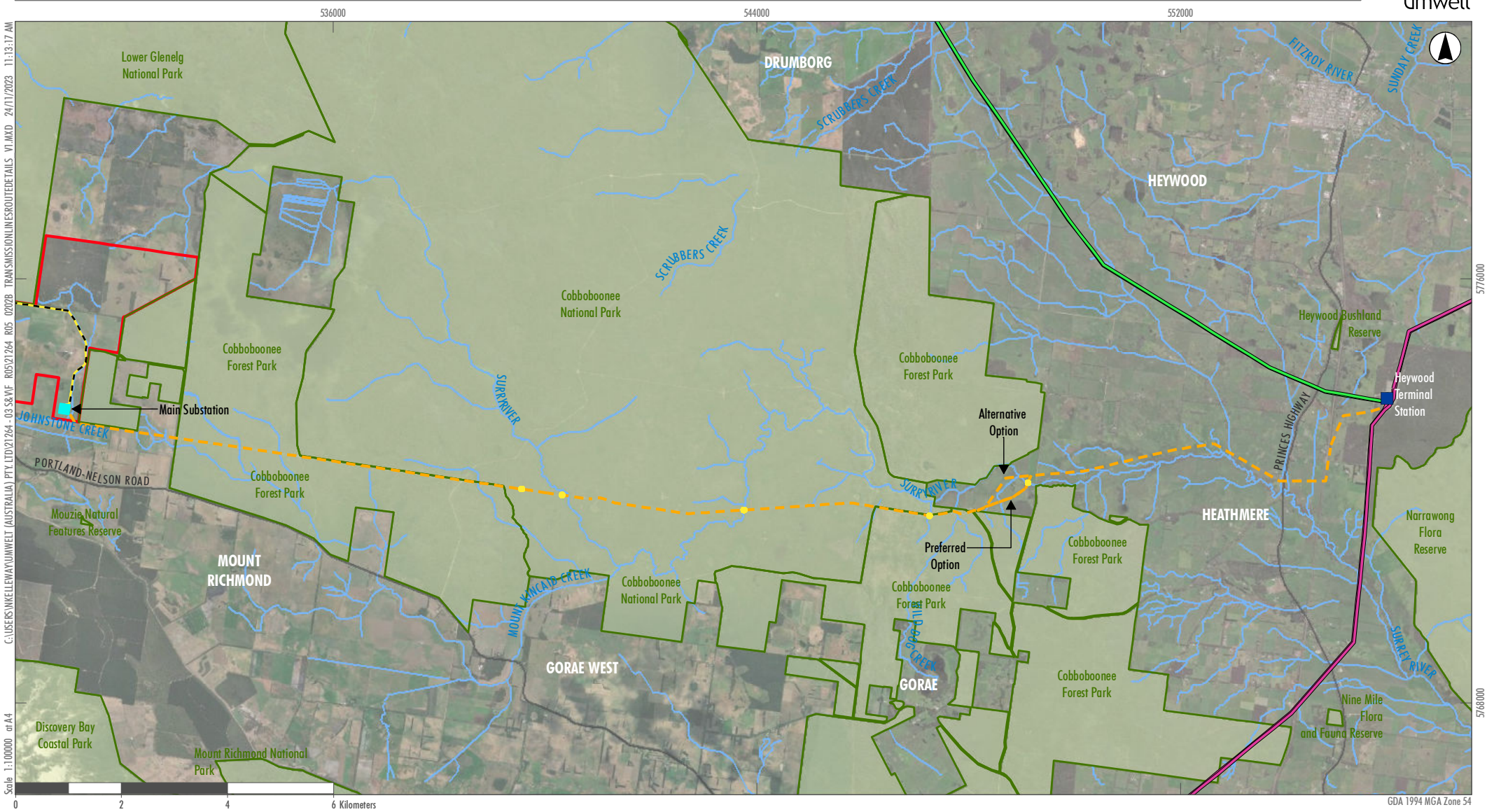
Temporary Wind Farm Infrastructure

- Concrete Batch Plant
- Laydown Areas
- Site Compounds

FIGURE 2.2 A

Wind Farm Details

Image Source: ESRI Basemap (2021) Data source: DELWP (2021); Geoscience Australia (2021); Aurecon (2021)



Legend

- Project Area
- Roads
- Watercourses
- Parks and Reserves

Transmission Line Infrastructure

- Underground Transmission Line
- Horizontal Direction Drilling Locations

Existing Transmission Network

- 275 KV
- 500 KV

Permanent Wind Farm Infrastructure

- Substation
- Internal Access Roads
- 275 kV Powerline - Underground

FIGURE 2.2B

Project Land Layout

Image Source: ESRI Basemap (2021) Data source: DELWP (2021); Geoscience Australia (2021); Aurecon (2021)

2.4 Project Land

The Project Land covers an area of up to 8,350 ha with a construction footprint of approximately 455 ha. The Project is located across 121 individual land parcels owned by 22 different landholders. Approximately 99 per cent of the Project Land is freehold land comprising of substantially modified areas used for commercial forestry (14.3 per cent of the freehold land) and land primarily used for grazing (85.4 per cent of the freehold land). A total of 0.4 per cent of the Project Land (or 48.3 per cent of the transmission line) is located within Crown Land. This Crown land consists of the Cobboboonee and Lower Glenelg National Parks, as well as some 'paper roads' (parcels of land that are legally recognised as roads but have not been constructed as roads). Specifically, the Project Land of the two key Project components (wind farm and transmission line) comprises:

- **Wind Farm:** The wind farm site is approximately 8,318 ha in size, with the majority (about 85.7 per cent) located within freehold land that consists of substantially modified areas used for commercial forestry, specifically active management and harvesting of radiata pine. The remaining per centage of land is also freehold, primarily used for grazing. The land is wholly located within the Farming Zone, which reflects the mentioned land distribution. The wind farm site itself it not located within any national parks, state parks, the Ramsar site or other conservation land. There are several private access roads within the plantation. Public roads in the plantation are used by plantation vehicles and by members of the public accessing destinations south of the plantation along the coast.
- **Transmission line:** The proposed transmission line route is located primarily within existing roadways and farming land (51.7 per cent) with the remainder (48.3 per cent) within Crown land. The area of the proposed transmission line is approximately 21 ha. The proposed transmission line route is approximately 26.6 km and would extend from the terminal substation near the eastern boundary of the wind farm site to the existing Heywood Terminal Station. Approximately 17.6 km of the transmission line route passes through the Cobboboonee National Park and Cobboboonee Forest Park. These sections of the transmission line that traverse the national and state parks would be underground and below the existing Boiler Swamp Road. Boiler Swamp Road is a public road that is also used by DEECA and Parks Victoria for land management purposes, including for emergency management purposes.

2.5 Regional Context

The Project is located approximately 360 km west of the Melbourne city centre and approximately 8 km east of the South Australian and Victorian border within the Glenelg LGA.

The Glenelg LGA comprises a large number of towns including Portland, Casterton, Heywood, Dartmoor, Nelson and Cape Bridgewater. The Great South Coast Region of the Barwon South West Region comprises the Glenelg LGA along with the municipalities of Corangamite, Moyne, Southern Grampians and Warrnambool, which is known for its agriculture, tourism and energy production industries (Glenelg Shire Council, 2021).

2.5.1 Public Land

There are several areas of public land within the regional context of the Project comprising parks, reserves, Indigenous protected areas (Aboriginal community owned properties), wetlands and permanent streams. Public land near the Project is used for conservation purposes, along with compatible recreation uses.

Recreational infrastructure in the regional context of the Project Land generally aligns with the public land sites that are managed and protected in accordance with the Ngootyoong Gunditj Ngootyoong Mara South West Management Plan. Some of this land is significant in terms of the diversity of flora and fauna they support and more specifically, their contribution to the health of rivers and catchments. A number of these sites provide a range of defined visitor experiences in a sustainable way that protects the natural and cultural values.

The key public land areas within the regional context of the Project Land and associated recreational infrastructure is described in **Table 2.1** below.

Table 2.1 Public land and associated recreational infrastructure

Public land site	Location and description	Recreational infrastructure located within public land
Lower Glenelg National Park	Located to the northeast of the Project Land and approximately 26,430 ha in size. Managed by Parks Victoria and reserved under the *National Parks Act 1975.* Primarily used for conservation and compatible recreation uses and known for its cultural landscape. Contains a section of the Glenelg River	Great South West Walk*
Cobboboonee National Park	Located east of the proposed wind farm with the proposed transmission line extending across the National Park. 18,510 ha in size. Managed by Parks Victoria and reserved under the *National Parks Act 1975.* Characterised by areas of lowland forests, heathlands and wetlands.	Great South West Walk* Wood, Wine and Roses Forest Drive** Horse trails Remote camping experience (Fitzroy River)
Cobboboonee Forest Park	Located east of the proposed wind farm with the proposed transmission line extending across the forest park. 8,685 ha in size. Managed by DEECA and reserved under the *Crown Land (Reserves) Act 1978.* Used for conservation, recreation and sustainable resource use.	Wood, Wine and Roses Forest Drive** Horse trails Cobboboonee trailbike area
Discovery Bay Coastal Park	Located south of the Project Land and approximately 10,460 ha in size. Managed by Parks Victoria and reserved under the *National Parks Act 1975.* Features range of coastal landscapes with extensive beaches, coastal cliffs, dune fields, wetlands and woodland forest communities. Known for the Cape Nelson Lighthouse and Cape Bridgewater fur seal colony. Lake Mombeong is located within the park.	Great South West Walk* Horse trails Camping at Swan Lake Camping at Lake Mombeong
Discovery Bay Marine National Park	Abuts Discovery Bay Coastal Park. Approximately 2,770 ha in size. Managed by Parks Victoria and reserved under the *National Parks Act 1975.* Primarily used for conservation purposes along with compatible recreation uses.	

Public land site	Location and description	Recreational infrastructure located within public land
Cape Nelson State Park	Approximately 210 ha in size. Contains valuable natural features and the associated biodiversity and habitats.	Hosts a number of recreational facilities including walking trials and picnic areas
Kentbruck H14 Bushland Reserve	Located south of the Project Land and adjacent to Portland-Nelson Road. Approximately 24 ha in size. Reserved under the *Crown Land (Reserves) Act 1978*. Identified as a site to assist with the maintenance of the broader local character and quality of the landscape.	
Hedditch Hill Scenic Reserve	Situated further east of the Kentbruck H14 Bushland Reserve and Hedditch Hill Scenic Reserve.	Scenic lookout point
Kentbruck H50 Bushland Reserve	Situated further east of the Kentbruck H14 Bushland Reserve and Hedditch Scenic Reserve. Approximately 130 ha in size.	
Narrawong Flora Reserve	Located southeast of the Heywood Terminal Station. Approximately 1,600 ha in size. Contains valuable biodiversity and habitats for the protection of populations of Heath Mouse and Southern Brown Bandicoot.	Offers variety of recreation infrastructure
Mount Clay State Forest	Located east of the Heywood Terminal Station. Approximately 2,500 ha in size. Reserved under the *Forests Act 1958* and managed by DEECA.	Recreation activities including camping, picnicking, walking and mountain bike tracks
Kentbruck Plantation	Victoria State Forest situation north of Portland-Nelson Road and north of the Project Land. Approximately 5,790 ha in size. Managed by Hancock Plantations Victoria.	
Glenelg River	Located north and west of the Project Land. Originates in the Grampians. 350 km in length. Largest river in south-west Victoria and a part has been recognised as a Heritage River for its important natural values.	Lower Glenelg River canoe trail Fishing
Glenelg Estuary and Discovery Bay Ramsar site	Located to the northwest and south of the Project Land. Covers an area of approximately 22,289 ha. Comprised three broad systems that support different wetland types; freshwater wetlands, the Glenelg Estuary, and the beach and dune system.	
*** A semi-remote long-distance track (250 km) through Cobboboonee, Mount Richmond and Lower Glenelg National Park, Cape Nelson State Park, Coboobooonee Forest Park, Discovery Bay Coastal Park, as well as several smaller reserves. Includes a number of sites for overnight campers.** ****A touring route extending 90 km between Portland and Heywood, with a section extending along Boiler Swamp Road**		

2.5.2 Infrastructure

Other infrastructure located within the regional context of the Project Land comprises the following:

2.5.2.1 Transport infrastructure

- Portland-Nelson Road is the main arterial road servicing the region from the township of Portland (east) to the South Australian/Victorian border (west). Winnap-Nelson Road extends to the north of the wind farm component of the Project Land. Princes Highway extends to the north of the existing Heywood Terminal Station (where the transmission line would extend to).
- The local road network in proximity to the Project Land is comprised of a combination of DTP, Glenelg Shire Council and other public road assets. The Glenelg bus service operates a number of bus routes daily to the east of the proposed wind farm.
- The Maroona-Portland rail line extends for 175 km and connects western Victoria to the national grid and to the Port of Portland. The Australian Government has recently committed to fund a business case to evaluate the upgrade of the rail line. A section of the proposed overhead transmission line extends over the railway line (within the Transport Road Zone 1).
- The Portland Airport is located approximately 17.5 km east of the wind farm component of the Project Land, Nelson Aerodrome is 3.9 km to the west, and a private airstrip (Kentbruck Airstrip) is located within the HPV Kentbruck Plantation approximately 2.4 km north of Portland-Nelson Road. The Mount Gambier Airstrip is located approximately 42 km northwest of the wind farm component of the Project Land.

2.5.2.2 Energy infrastructure

- There is a 500 kV transmission line running from the Portland Aluminium Smelter, through Melbourne, continuing east to the former Hazelwood coal-fired power station (AEMO, 2021).
- The Heywood Terminal Station is located to the east of the Project Land and Henty Highway. The proposed transmission line would connect into the Heywood Terminal Station and is accessed via Rifle Range Road.
- The closest wind energy facilities in the region include:
    - Portland Wind Energy Project (in operation) comprises multiple sites at Cape Bridgewater, Cape Nelson North and Cape Nelson South all located approximately 20 km to the southeast of the wind farm site within the Glenelg LGA.
    - Codrington Wind Farm, which is currently operating and located approximately 51 km to east of the wind farm site within the Shire of Moyne.
    - Yambuk Wind Farm (in operation) located approximately 55 km to the east of the wind farm site within the Shire of Moyne.
    - Ryan Corner (approved) located approximately 64 km to the east of the wind farm site within the Shire of Moyne.
- There are no approved or operating solar farms proximate to the Project Land.

2.5.2.3 Port infrastructure

The Port of Portland is Victoria's only naturally deep-water port, providing a logistics gateway to the rest of Australia and the world, with connectivity to national road and rail networks. Strategically located on the southwest coast between Melbourne and Adelaide, the Port of Portland is one of Australia's busiest regional ports.

Specialising in the export of bulk commodity products, Port of Portland services the thriving agriculture, sustainable forestry and mining industries across the Wimmera-Mallee, Green Triangle and Murray Basin regions which extend from northern and western Victoria to south-east South Australia. The Port currently handles seven commodities including sustainable forestry products, livestock, grain, mineral sands, fertiliser, smelter products and wind turbines.

2.5.2.4 Industry

The key industries captured in the broader region are identified as the Port of Portland, the Portland Aluminium Smelter, renewable energy and storage, timber production and processing, commercial fishing, agribusiness, and tourism (Glenelg Shire Council 2020). These include (but not limited to):

- The Port of Portland is discussed in **Section 2.5.2.3** (above). There is a reported annual value of $1.5 billion in trade passing through the Port of Portland (Great South Coast Group 2019).
- The Portland Aluminium Smelter is in Portland and the smelter operations are managed by Alcoa.
- Numerous renewable energy assets including wind, geothermal, wave and natural gas reserves.
- The dairy industry, which accounts for 22 per cent of Australia's dairy production.
- Approximately one million visitors per year visiting the broader region for tourism purposes.
- A forestry industry which comprises 17 per cent of Australia's plantations.
- Commercial fisheries in the region which utilise the Port of Portland to export to Asian markets.

2.5.2.5 Community infrastructure

Community infrastructure surrounding the Project Land is generally located within the townships. Townships within a 50 km radius of the Project Land include:

- **Nelson:** Located approximately three km to the west of the wind farm component of the Project with a population of 191 (ABS, 2021).
- **Donovans:** Located approximately 30 km to the northwest of the Project Land and has a population of 83 (ABS, 2021).
- **Dartmoor:** Located approximately 30 km to the north of the Project Land and has a population of 322 (ABS, 2021).
- **Portland**: Located approximately 40 km to the east of the wind farm component of the Project with a population of 11,230 (ABS, 2021).

- **Heywood:** Located approximately 47 km to the east of the Project Land and has a population of 1,815 (ABS, 2021).
- **Mount Gambier:** Located approximately 40 km to the northwest of the Project Land in South Australia, Victoria. Mount Gambier services a number of surrounding communities given its central location between Adelaide and Melbourne and hosts a large transport industry. Mount Gambier has a population of 26,878 (ABS, 2021)

2.5.2.6 Educational and health infrastructure

The closest Victorian schools to the Project Land are located in Dartmoor to the north (primary), Portland to the east (primary and secondary) and Heywood to the northeast (secondary). The closest universities are the Mount Gambier Campus for the University of South Australia and the Warrnambool Campus for Deakin University. The nearest hospitals are located in Portland and Heywood to the east of the Project Land.

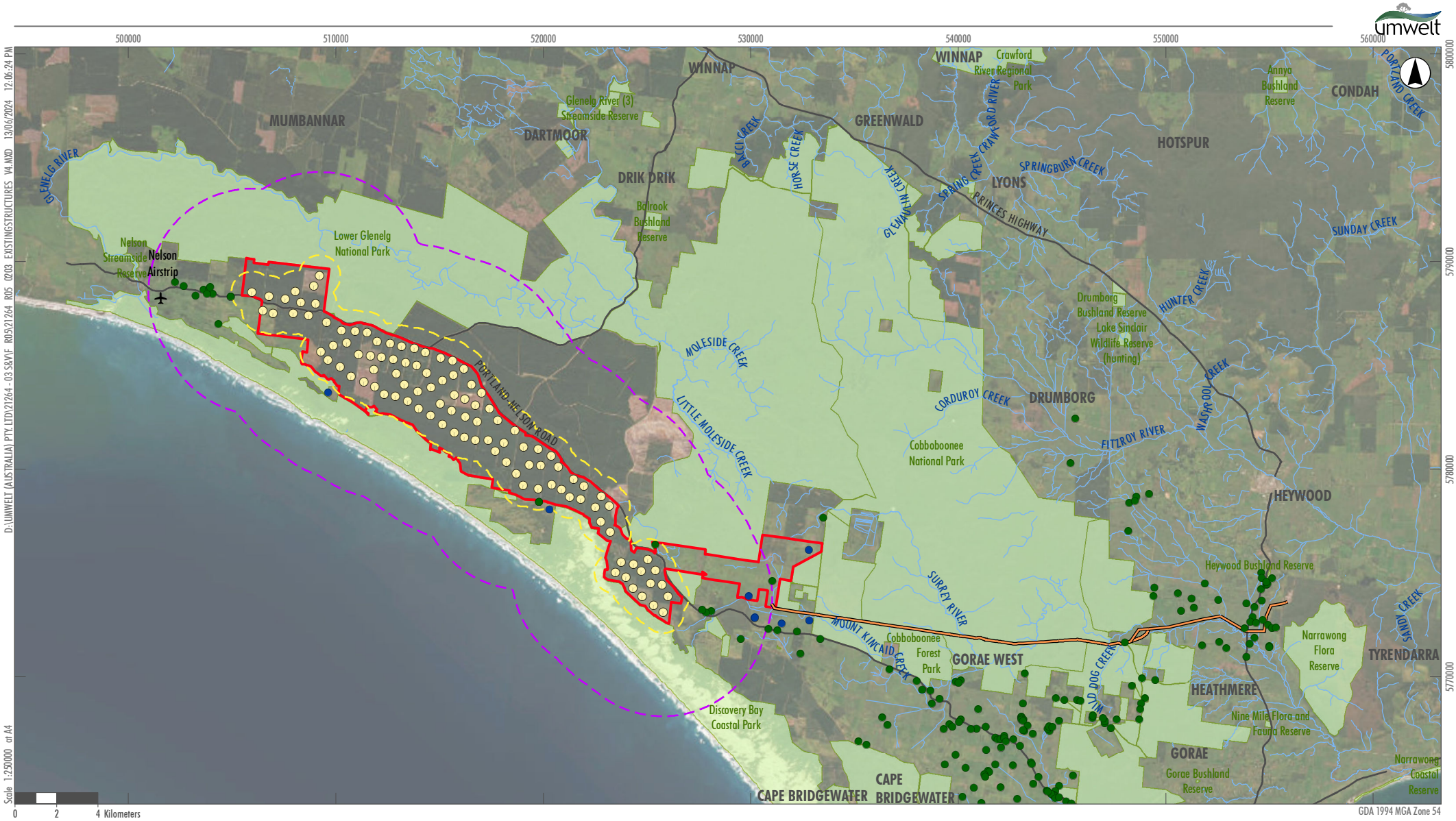
2.5.3 Housing

Townships within a 50-kilometre radius of the Project Land are identified in **Section 2.5.2.5** (above) along with the associated population numbers (based on (ABS, 2021)). Residential planning zones apply to some of the LGA townships as follows:

- The Nelson township is predominantly zoned Township Zone.
- The township of Portland includes areas zoned for residential purposes including Low Density Residential Zone, General Residential Zone, and Mixed Use Zone.

The population density surrounding the Project Land is low. There are ten residential dwellings that are associated with the Project and located within the five-kilometre radius. There are a further 19 non-associated dwellings identified within five km of the proposed wind turbines.

A one-kilometre buffer from turbines to dwellings has been applied in line with the requirements of 52.32-3. Three associated dwellings are located within one kilometre of a turbine (refer **Figure 2.3**).
In accordance with the Policy and *Planning Guidelines for Development of Wind Energy facilities in Victoria* (DTP, 2023), written consent from the owners of those dwellings within one kilometre of a wind turbine has been obtained.



Legend

- Wind Farm Site
- 1km radius from proposed wind turbines
- 5km radius from proposed wind turbines
- Parks and Reserves
- Underground Transmission Line
- Roads
- Watercourses
- Proposed Turbine Locations
- Involved Structure
- Non-involved Structure

FIGURE 2.3

Involved and non-involved existing structures

Image Source: ESRI Basemap (2022) Data source: Geoscience Australia; DELWP (2021)

3.0 Legislation and Policy Context

This section is intended to provide further details of the range of Commonwealth and Victorian planning, environment and heritage legislation, regulation and policy that applies to the Project and that would need to be addressed as part of the design, development and operation of the Project.

3.1 Planning and Environment Act 1987

The P&E Act is the primary legislative framework used to guide and regulate land use and development within Victoria. In particular, the P&E Act provides the framework for planning schemes, which contain State, regional and local Government policy, together with a suite of zone, overlay and particular provisions that apply to each municipality in Victoria and which manage land use and development. Land use and development must have regard to the objectives of planning in Victoria as set out in Section 4 of the P&E Act. The relevant objectives to the Project include:

(1) The objectives of planning in Victoria are –

- (a) To provide for the fair, orderly, economic and sustainable use and development of land.'
- *(b) 'To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.'*
- *(c) 'To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.'*
- *(e) 'To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.'*
- *(f) To facilitate development in accordance with the objectives set out in the points above.*
- *(g) To balance the present and future interests of all Victorians.'*

(2) The objectives of the planning framework established by this Act are –

- *(c) 'to enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.'*
- *(d) 'to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.'*
- *(e) 'to facilitate development which achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.'*
- *(g) 'to encourage the achievement of planning objectives through positive actions by responsible authorities and planning authorities.'*
- *(h) 'to establish a clear procedure*

- *(i) 'to ensure that those affected by proposals for the use, development or protection of land or changes in planning policy or requirements receive appropriate notice.'*
- *(j) 'to provide an accessible process for just and timely review of decisions without unnecessary formality.'*

3.2 Ministerial Directions

The following Ministerial Directions have been issued by the Minister under Section 7(5) and Section 12(2)(a) of the P&E Act and are relevant to the Amendment:

- **Ministerial Direction on the Form and Content of Planning Schemes** sets out the form and content of planning schemes to which any planning scheme amendment must comply.
- **Direction No.1** (Potentially Contaminated Land) seeks to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by contamination.
- **Direction No.11** (Strategic Assessment of Amendments) seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. This includes the consideration of the objectives of planning in Victoria; any environmental, social and economic effects; state and local planning policies; the views of any relevant agency and the requirements of the *Transport Integration Act 2010*. It applies to all planning scheme amendments (other than classes of amendments prescribed in relation 9A of the Planning and Environment Regulations 2005.
- **Direction No.19** (Minister Direction on the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health (Part A) and Ministerial Requirement for Information for Authorisation or Preparation of Amendments that may Significantly Impact the Environment, Amenity and Human Heath (Part B)). Part A requires planning authorities to seek the views of the Environment Protection Authority Victoria (EPA Victoria) in the preparation of amendments that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste. Part B sets out information required in respect to planning scheme amendments that could results in significant impacts on the environment, amenity and human health due to pollution and waste.

3.3 Glenelg Planning Scheme

The Project is subject to the provisions of the Glenelg Planning Scheme, which provides a clear and consistent framework within which decisions about the use and development of land can be made, this includes:

- **Planning Policy Framework** (PPF) is the policy content of the Planning Scheme. The PPF is presented in a three-tier integrated policy structure as follows:
  - **State-wide:** Policies of state significance that apply in all planning schemes in Victoria.
  - **Regional:** Policies of state significance that apply to allied planning schemes based on geographic and thematic policy groupings.
  - **Local:** Policies of local significance that apply in an individual local planning scheme.

- **Zones and Overlays** are the primary method of managing use and development in Victoria. All land (other than some Commonwealth owned land) is zoned for a particular use, such as residential, industrial or commercial. Some land will also have overlays affecting it. Overlays provide additional development controls for particular areas in relation to specific features such as heritage, bushfire or flood risk.

- **Particular and General Provisions** (where relevant) are planning controls that apply only to certain (or to particular aspects) use and development.

3.3.1 Municipal Planning Strategy

The Municipal Planning Strategy (MPS) clauses that are most relevant to the use and development of the Project are detailed below:

- Clause 02.02 (Vision) references the vision outlined in the Glenelg Shire Council Plan (2018-2021). Refer **Section 3.4.3.1** for further information.

The strategic directions of relevance to the Project outlined in Clause 02.03 (Strategic Directions) include:

- Clause 02.03-2 (Environmental and landscape values) – Biodiversity / Coastal areas / Significant environments and landscapes

- Clause 02.03-3 (Environmental risks and amenity) – Bushfire / Floodplains / Noise and air quality management

- Clause 02.03-4 (Natural resource management) – Agriculture / Water

- Clause 02.03-5 (Built environment and heritage) – Heritage

- Clause 02.03-6 (Economic development) – Employment and industry

- Clause 02.03-8 (Infrastructure) – Open Space.

3.3.2 Planning Policy Framework

This assessment is supported by the following clauses of the PPF:

- **Clause 11.01-1S** (Settlement) seeks to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Strategies (of relevance to the Project) provides a settlement framework that enables the development of sustainable communities which considers access to jobs, services, infrastructure and community facilities.

- **Clause 11.01-1R** (Settlement – Great South Coast) seeks to attract more people into the region. This clause intends to support services, affordable living and lifestyle opportunities, as well as local communities, industry and services.

- **Clause 11.01-1L** (Settlement) contains two strategies, which is to 'restrict future development to the identified township growth areas' and *'minimise detrimental impacts on environmentally sensitive areas from the expansion of identified growth areas'.*

- **Clause 11.02-1S** (Supply of urban land) seeks to ensure that a sufficient supply of land is available for various uses as required, specifically identifying the need *to 'maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry'.*

- **Clause 11.03-3S** (Peri-urban areas) seeks to manage the growth of peri-urban areas, as well as protect and enhance areas that are strategically important for the environment, biodiversity, landscape, open space, water, agriculture, energy, recreation, tourism, environment, cultural heritage, infrastructure, extractive and other natural resources.

- **Clause 11.03-4S** (Coastal Settlement) seeks to plan for sustainable coastal development. Strategies of relevance to the Project include limit development in identified coastal hazard areas, on ridgelines, primary coastal dune systems, shorelines of estuaries, wetlands and low-lying coastal areas, of where coastal processes may be detrimentally impacted.

- **Clause 11.03-4L** (Coastal Settlement) identifies local strategies including '*minimise visual intrusion of development and retain a dominant natural character within 500 metres of the edge of the coast'*.

- **Clause 11.03-5S** (Distinctive areas and landscapes) seeks '*to recognise the importance of distinctive areas and landscapes in Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes'*. The strategies of relevance to the Project include:

    - *'Recognise the unique features and special characteristics of these areas and landscapes'*

    - *'Recognise the important role these areas play in the state as tourist destinations'*

    - *'Protect the identified key values and activities of these areas.'*

    - *'Enhance conservation of the environment, including the unique habitats, ecosystems and biodiversity of these areas.'*

    - *'Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.'*

- **Clause 11.03-6S** (Regional and local places) seeks *'to facilitate integrated place-based planning'.* Strategies of relevance to the Project includes *'consider the distinctive characteristics and needs of regional and local places in planning for future land use and development'.*

- **Clause 12.01-1S** (Protection of biodiversity) is intended to support the protection and conservation of Victoria's biodiversity, by identifying and protecting the important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites. Land use and development on important areas of biodiversity should avoid impacts and consider:

    - Cumulative impacts.

    - Fragmentation of habitat.

    - The spread of pest plants, animals and pathogens into natural ecosystems.

- **Clause 12.01-1S** and **Clause 12.01-1L** (Protection of biodiversity) seeks to assist the protection and conservation of Victoria's biodiversity. Strategies of relevance to the Project include *to 'avoid impacts of land use and development on important areas of biodiversity'* and *'assist in the identification, protection and management of important areas of biodiversity'*.

- **Clause 12.01-2S** (Native vegetation management) seeks *'to ensure that net loss of biodiversity as a result of the removal, destruction or lopping of native vegetation'*. A strategy of relevance to the Project seeks to ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the Guidelines.

- **Clause 12.02-1S** (Protection of the marine and coastal environment) and **Clause 12.02-1L** (Protection of coastal areas) seeks *to 'protect and enhance the marine and coastal environmental'.* Strategies of relevance include *'minimise direct, cumulative and synergistic effects on ecosystems and habitats', 'maintain significant scenic values along coastal transport routes to protect amenity for tourism and recreation development'* and *'maintain the undeveloped and vegetated character of coastal areas, dunes, waterways and estuaries'.*

- **Clause 12.03-1S** (River corridors, waterways, lakes and wetlands) seeks '*to protect and enhance river corridors, waterways, lakes and wetlands'*. Strategies of relevance to the Project include:

    - *'Protect the environmental, cultural, landscape values of all waterway systems as significant economic, environmental and cultural assets.'*

    - *'Sensitively design and site development to maintain and enhance the waterway system and the surrounding landscape setting, environmental assets, and ecological and hydrological systems.'*

    - *'Address the impacts of use and development on drought and flooding events at a catchment and site scale to protect the health and natural function of waterway systems and their surrounding landscape and environment.'*

    - *'Enhance a sense of place and landscape identity by:*

        - *Conserving areas of identified Victorian Aboriginal cultural heritage significance relating to waterway systems.*

        - *Retaining and re-establishing vegetation, including grasslands and canopy trees, surrounding waterway systems to enhance and connect to the landscape setting, ensuring it responds to the bushfire risk of a location.*

        - *Protecting existing topographic features and maintaining a sense of naturalness through sensitive design and siting.'*

    - *'Design and site development to maintain and enhance the natural environment of waterway systems by:*

        - *Minimising the visual intrusion of development on the natural landscape views from major roads, bridge crossings, public open space, recreation trails and within waterway systems themselves.*

        - *Ensuring development is visually subordinate to the local landscape setting, including through the use of vegetation to filter views of development.'*

- **Clause 12.05-1S** (Environmentally sensitive areas) seeks to *'protect and conserve environmentally sensitive areas'*. Strategies associated with this clause involve protecting environmentally sensitive areas with significant recreational value, from development that would diminish their environmental conservation or recreational values.

- **Clause 12.05-2S** (Landscapes) seeks *'to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments'*. Strategy of relevance to the Project include:

  - *'Ensure significant landscape areas such as forests, the bays and coastlines are protected.*
  - *Ensure development does not detract from the natural qualities of significant landscape areas.*
  - *Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.*
  - *Recognise the natural landscape for its aesthetic value and as a fully functioning system.*
  - *Ensure important natural features are protected and enhanced.'*

- **Clause 12.05-2L** (Landscapes) provides a number of strategies of relevance to the Project including:

  - *'Protect significant views and vistas, including:*
    - *Long and extensive views of the coastal and hinterland landscape from main roads.*
    - *Largely natural and unbuilt views of lakes and other water bodies from their edges.*
    - *Gateway views at topographic rises along roads, in particular those that terminate at the coast, walking tracks, recreational facilities and formal scenic lookouts.'*
  - *'Design and site structures to minimise the loss of canopy trees and understorey vegetation.'*

- **Clause 13.01-1S** (Natural hazards and climate change) seeks *'to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning'.* Strategies of relevance to the Project includes:

  - *'Integrate strategic land use planning with emergency management decision making.'*
  - *'Site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards.'*

- **Clause 13.02-1S** (Bushfire planning) seeks '*to strengthen the resilience of settlements and communities against bushfire risks and prioritise the protection of human life'*. This policy applies to developments under the P&E Act relating to land that is:

  - Within a designated bushfire prone area;
  - Subject to a Bushfire Management Overlay; or
  - Proposed to be used or developed in a way that may create a bushfire hazard.

- **Clause 13.03-1S** (Floodplain management) has the objective to protect life, property and community infrastructure from potential flood hazards as a result of coastal inundation, riverine and overland flows. The protection of natural carrying capacity and flood storage function, as well as environmentally significant floodplain areas, are also managed under this clause.

- **Clause 13.05-1S** (Noise abatement) seeks *'to assist the control of noise effects on sensitive land uses'.* Strategies of relevance to the Project include *'ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area'*.

- **Clause 13.05-1L** (Noise abatement) seeks to *'limit acoustic impacts by providing buffers between industrial uses and residential areas in the form of open space, roads, building envelope restrictions and landscaped areas'*.

- **Clause 13.06-1S** (Air quality management) seeks *'to assist the protection and improvement of air quality'.*

- **Clause 13.07-1S** (Land use compatibility) *seeks 'to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts'*. A strategy of relevance to the Project include *'ensure that use or development of land is compatible with adjoining and nearby land uses'.*

- **Clause 14.01-1S** (Protection of agricultural land) seeks to *'protect the state's agricultural base by preserving productive farmland'*. Strategies of relevance to the Project include *'protect productive agricultural land from unplanned loss due to permanent changes in land use' and 'protect strategically important agricultural and primary production land from incompatible uses'.*

- **Clause 14.01-3S** (Forestry and timber production) seeks *'to facilitate the establishment, management and harvesting of plantations and the harvesting of timber from native forests'.*

- **Clause 14.03-1S** (Resource exploration and extraction) seeks *'to encourage exploration and extraction of natural resources in accordance with acceptable environmental standards'*. Strategies of relevance to the Project include *'protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice'* and *'develop and maintain buffers around mining and extractive industry activities'.*

- **Clause 14.03-1R** (Resource exploration and extraction - Great South Coast) seeks *'to facilitate access to key construction material resources in the region, including on-site quarrying'.*

- **Clause 15.02-1S** (Energy and resource efficiency) seeks *'to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions'.*

- **Clause 15.03-1S** (Heritage conservation) *seeks 'to ensure the conservation of places of heritage significance'*. Strategies of relevance to the Project *include 'provide for the protection of natural heritage sites and man-made resources'* and *'encourage appropriate development that respects places with identified heritage values'.*

- **Clause 15.03-2S** (Aboriginal cultural heritage) seeks '*to ensure the protection and conservation of places of Aboriginal cultural heritage significance'.* Strategies of relevance to the Project include:
    - *'Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.*
    - *Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.*
    - *Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006'.*
- **Clause 17.01-1S** (Diversified economy) seeks to '*strengthen and diversify the economy'*. Strategies of relevance to the Project include *'support rural economies to grow and diversify'.*
- **Clause 17.01-1L** (Diversified economy) seeks to *'encourage Portland to be developed as a hub for renewable energy research, design and manufacturing'.*
- **Clause 19.01-1S** (Energy supply) seeks *'to facilitate appropriate development of energy supply infrastructure'*. Strategies of relevance to the Project include:
    - *'Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low-carbon economy.*
    - *Develop appropriate infrastructure to meet community demand for energy services.*
    - *Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change.*
    - *Support energy infrastructure projects in locations that minimise land use conflicts and that take advantage of existing resources and infrastructure networks.*
    - *Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes.*
    - *Facilitate renewable energy generation and storage to meet on-site energy needs.'*
- **Clause 19.01-2S** (Renewable energy) seeks *'to support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met'*. Strategies of relevance to the Project include:
    - *'Facilitate renewable energy development in appropriate locations.*
    - *Protect renewable energy infrastructure against competing and incompatible uses.*
    - *Set aside suitable land for future renewable energy infrastructure.*
    - *Consider the economic, social and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.*
    - *Support wind energy facilities in locations with consistently strong winds over the year.'*

- The strategy guiding **Clause 19.01-2R** (Renewable energy - Great South Coast) seeks to *'plan for and sustainably manage, potential cumulative impacts of alternative energy development'.*

- **Clause 19.03-3S** (Integrated water management) seeks *'to sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach'.*

3.3.3 Land Use Terms

In accordance with **Clause 73.03** (Land Use Terms) of the Planning Scheme, the wind farm is categorised as a *renewable energy facility*, which is defined as:

- *'land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat.*

- *It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource'.*

- *It does not include a renewable energy facility principally used to supply energy for an existing use of the land.*

The renewable energy facility land use term includes a 'wind energy facility', which is defined as *'land used to generate electricity by wind force. It includes land used for:*

- *Any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force.*

- *An anemometer.*

- *It does not include turbines principally used to supply electricity for domestic or rural use of the land.'*

In addition, the transmission line is categorised as a *utility installation*, which is defined as:

- *'land used:*
    - *for telecommunications;*
    - *to transmit or distribute gas, oil or power;*
    - *to collect, treat, transmit, store, or distribute water; or*
    - *to collect, treat, or dispose of storm or flood water, sewage, or sullage.*
- *It includes any associated flow measurement device or a structure to gauge waterway flow.'*

For the purposes of this report, the wind farm and transmission line components of the Project are categorised as a *wind energy facility* and *utility installation* respectively.

3.3.4 Zones and Overlays

This section lists the zones and overlays that apply to the Project Land along with specific components of the Project applicable under each planning control.

Appendix B contains a map set of the applicable zones and overlays relevant to the Project and **Appendix C** contains a map set of the proposed Specific Controls Overlay.

3.3.4.1 Zones

The Project Land is located within the following zones:

- Farming Zone – Schedule 1 (FZ1) (wind energy facility and utility installation)
- Public Use Zone (PUZ1) (utility installation)
- Public Conservation and Resource Zone (PCRZ) (utility installation)
- Transport Zone 2 (TRZ) *Principal road network* (wind energy facility and utility installation).

Table 3.1 below provides more detailed information for each planning control including the relevant purposes to this Amendment, the specific permit requirements, and what component of the Project it applies to.

3.3.4.2 Overlays

Parts of the Project Land are affected by the following overlays:

- Environmental Significance Overlay – Schedule 1 (ESO1) *Coastal Areas* (wind energy facility)
- Environmental Significance Overlay – Schedule 2 (ESO2) *Waterway, Wetland and Estuary Protection* (utility installation)
- Environmental Significance Overlay – Schedule 3 (ESO3) *South-Eastern Red-Tailed Black Cockatoo Habitat Areas* (wind energy facility and utility installation)
- Significant Landscape Overlay – Schedule 1 (SLO1) *Glenelg river estuary and surrounds* (wind energy facility)
- Bushfire Management Overlay (BMO) (wind energy facility and utility installation).

Table 3.1 Summary of applicable zones

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)
Clause 35.07 (Farming Zone – Schedule 1)	• *To provide for the use of land for agriculture.* • *To encourage the retention of productive agricultural land.* • *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.* • *To encourage the retention of employment and population to support rural communities.* • *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*	• **Use:** A permit is required for the use of land for a utility installation and wind energy facility. A wind energy facility must meet the requirements of Clause 52.32. • **Buildings and works**: A permit is required to construct or carry works in this zone for a utility installation and wind energy facility. • **Earthworks**: Schedule 1 to Clause 35.07 requires a planning permit for earthworks which change the rate of flow or the discharge point of water across a property boundary and/or earthworks which increase the discharge of saline groundwater. • **Signage**: This zone is in Category 4 (Sensitive areas) where signage requirements apply (detailed in **Clause 52.05**).	✓	✓
Clause 36.01 (Public Use Zone 1 – Service and Utility)	• *To recognise public land use for public utility and community services and facilities.* • *To provide for associated uses that are consistent with the intent of the public land reservation or purpose.*	• **Use:** A permit is not required for the use of land for a utility installation in this zone. • **Buildings and works:** A permit is not required to construct or carry out works in this zone. • **Application requirements:** Written consent of the public land manager is required to accompany an application for a permit (**Clause 36.01-3**). • **Signage:** This zone is in Category 4 (Sensitive areas) where signage requirements apply (detailed in **Clause 52.05**). Where a Transport Zone 2 or a Transport Zone 3 is the nearest adjoining zone, a permit is required to display a sign.		✓

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)
Clause 36.03 (Public Conservation and Resource Zone)	• *To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.* • *To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.* • *To provide for appropriate resource based uses.*	• **Use:** A planning permit is required for the use of the land for a utility installation given the conditions outlined in the Table of uses of **Clause 36.03-1** are not met. The conditions require that the use of land must be either conducted by or on behalf of a public land manager or the use is specified in an Incorporated plan in a schedule to the zone. Given the Project does not meet either condition, a permit is required for the use of land for a utility installation. • **Buildings and works:** A permit is required to construct or carry out works in this zone. • **Application requirements:** Written consent of the public land manager is required to accompany an application for a permit (**Clause 36.03-3**). Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the DEECA. • **Signage:** This zone is in Category 4 (Sensitive areas) where signage requirements apply (detailed in **Clause 52.05**). Signage requirements apply unless a different requirement is specified.		✓
Clause 36.04 (Transport Zone)	• *To provide for an integrated and sustainable transport system.* • *To identify transport land use and land required for transport services and facilities.* • *To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.*	• **Use:** A permit is required for use of land for a wind energy facility and utility installation given the conditions outlined in the Table of uses of **Clause 36.04-1** are not met. The conditions require that the use must be for a transport purpose (wind energy facility only) and carried out by or on behalf of a relevant transport manager (wind energy facility and utility installation). Given the Project does not meet the conditions, a permit is required for the use of land for a wind energy facility and utility installation.	✓	✓

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)
	• *To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.*	• **Buildings and works:** A permit is required to construct or carry works in this zone for a utility installation and wind energy facility. • **Application requirements:** Land shown as TRZ1 and TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating consent generally or conditionally to the Project to either the application being made, or the application being made and the use and development of land. The Department of Transport (as delegate for Head, Transport for Victoria) has been consulted throughout the preparation of this PSA. • **Signage:** Signage requirements apply (detailed in **Clause 52.05**). A permit is required to display a sign over a road carriageway or over land within 600 millimetres of a carriageway. For all other land in this zone, the sign category which applies is the category which applies to the adjoining zone nearest to the land.		

Table 3.2 Summary of applicable overlays

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)
Clause 42.01 (Environmental Significance Overlay)	• *To identify areas where the development of land may be affected by environmental constraints.* • *To ensure that development is compatible with identified environmental values.*			
Clause 42.01 (Environmental Significance Overlay – Schedule 1)	Schedule 1 to **Clause 42.01** (ESO1) relates to coastal areas. The statement of environmental significance for the ESO1 identifies the State's coastline as a significant environmental resource and long-term public asset which should not be compromised by inappropriate development. The ESO1 identifies the environmental objective to be achieved as: • *To ensure the long-term protection of coastal and marine environments from development that is likely to prejudice the long-term environmental values of the coast.*	• **Buildings and works:** A permit is required to construct or carry out works for a wind energy facility. • **Vegetation:** A permit is required to remove, destroy or lop any vegetation, including dead vegetation.	✓	
Clause 42.01 (Environmental Significance Overlay – Schedule 2)	Schedule 2 to **Clause 42.01** (ESO2) relates to waterway, wetland and estuary protection. The statement of environment; significance identifies the Shire's waterways, wetlands and estuaries are of major regional, state, national and international significance. They are of significance to the long-term vibrancy of the municipality and are to be protected from inappropriate development so that the eco-system service functions they perform are maintained for the benefit of future generations. The ESO2 identifies the environmental objective to be achieved as: • *To maintain and where possible enhance the environmental values of waterways, wetlands, estuaries and their seasonal tributaries.*	• **Buildings and works:** A permit is required to construct or carry out works for a utility installation. • **Vegetation:** A permit is required to remove, destroy or lop any vegetation, including dead vegetation.		✓

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)
Clause 42.01 (Environmental Significance Overlay – Schedule 3)	Schedule 3 to **Clause 42.01** (ESO3) relates to south-eastern red-tailed black cockatoo habitat areas. The statement of environmental significance states The Red-tailed Black Cockatoo (*Calyptorhynchus banksii graptogyne*) of south-eastern Australia has been classified as an endangered species. The ESO3 supports the objectives of the National Recovery Plan for the South-Eastern Red-Tailed Black Cockatoo, including increasing the population size by protecting nesting habitat and mitigating against food shortages. This policy plays a significant role in ensuring that there are adequate nesting and feeding resources available to support the species into the future. The ESO3 identifies the environmental objective to be achieved as: • *To protect and conserve the critical habitat of the endangered South-eastern Red-tailed Black Cockatoo through the retention of live and dead hollow bearing trees within the bird's range and the retention of Brown Stringybark and Desert Stringybark trees within the bird's known feeding area.*	• **Buildings and works**: A permit is not required to construct or carry out works in this schedule to the overlay. • **Vegetation**: A permit is not required to remove, lop or destroy vegetation (subject to meeting the permit requirements).	✓	✓
Clause 42.03 (Significant Landscape Overlay)	• *To identify significant landscapes.* • *To conserve and enhance the character of significant landscapes.*			

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)

Clause 42.03 (Significant Landscape Overlay – Schedule 1)	• *To protect locally significant views and vistas, to the ocean, the Glenelg River Estuary and other natural landforms from Nelson-Portland Road, the Great South West Walk and other publicly accessible locations.*
	• *To protect the indigenous coastal vegetation and ensure that it is the dominant feature of the landscape when viewed from the foreshore.*
	• *To retain the undeveloped and vegetated character of coastal dunes, waterways and estuaries near the coastal edge of this landscape.*
	• *To minimise any increase in development visible above the dunes and coastal vegetation outside settlements, when viewed from the beach, foreshore or offshore by discouraging:*
	  ○ *buildings set high on dunes.*
	  ○ *development that will be visible on the skyline.*
	  ○ *buildings set on visible ridge lines and visually prominent hill faces.*
	• *To encourage vegetated landscape edges to the settlement of Nelson, which soften the interface of built and rural areas, and avoids expansion of built areas beyond current boundaries*
		• **Buildings and works:** A permit is required to construct or carry out works for a wind energy facility.
		• **Vegetation:** A permit is required to remove, destroy or lop any vegetation, including dead vegetation (where exemptions do not apply).
			✓	

Clause 44.06 (Bushfire Management Overlay)	• *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.* • *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.* • *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*	• **Buildings and works:** A permit is not required to construct or carry out works for a wind energy facility and utility installation.	✓	✓

3.3.5 Particular Provisions

Particular provisions are planning controls that apply only to certain uses and development or to particular aspects of certain uses and development. Those considered or relevance to the Project and the Amendment include the following:

- **Clause 52.05** (Signs)
- **Clause 52.08** (Earth and Energy Resources Industry)
- **Clause 52.09** (Extractive Industry and Extractive Industry Interest Areas)
- **Clause 52.17** (Native Vegetation)
- **Clause 52.29** (Land adjacent to the Principal Road Network)
- **Clause 52.32** (Wind Energy Facility).

Table 3.3 contains more detailed information for each particular provision including a summary of the planning controls, the relevant purposes to this amendment, the specific permit requirements, and what component of the Project it applies to.

Table 3.3 Summary of applicable particular provisions

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)
Clause 52.05 (Signs)	• *To regulate the development of land for signs and associated structures.* • *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.* • *To ensure signs do not contribute to excessive visual clutter or visual disorder.* • *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*	• The requirements for advertising signage within Category 4 – Sensitive Areas (RCZ, FZ and PCRZ) is outlined in **Clause 52.05-14**. A permit is required for a business identification sign that does not exceed 3 square metres in total display area. • If signage is to be located within the TRZ and does not meet the conditions outlined in **Clause 36.04-6,** the sign category of the adjoining zone applies.	✓	
Clause 52.08 (Earth and Energy Resources Industry)	• *To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.* • *To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.* • *To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.*	• A permit is required for use and development unless it complies with Section 77T of the MRSD Act. Pursuant to Section 77T, a planning permit is not required for extractive industry where under the EE Act, an EES has been prepared and assessed, and a Work Authority granted.	✓ (Quarry)	
Clause 52.09 (Extractive Industry and Extractive Industry Interest Areas)	• *To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.* • *To ensure that excavated areas can be appropriately rehabilitated.* • *To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.*	• No permit required for the use and development of land for extractive industry if an EES has been prepared and assessed, and a Work Authority granted.	✓ (Quarry)	

Planning Control	Planning Control Purpose (of relevance to the Project)	Planning Permit Requirement relevant to the amendment	Wind energy facility	Utility installation (transmission line)

Clause 52.17 (Native Vegetation)	• *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*
	  ○ *Avoid the removal, destruction or lopping of native vegetation.*
	  ○ *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
	  ○ *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*
	• *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*
		• **Vegetation:** A permit is required to remove, destroy or lop native vegetation, including dead native vegetation except if a specified exemption applies. The table to **Clause 52.17-7** outlines the exemptions where the requirement to obtain a permit does not apply.
		• In accordance with Clause **52.17-5**, '*if a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset*'. Offsets will be required as a condition of the Incorporated Document.
			✓	✓

Clause 52.29 (Land adjacent to the Principal Road Network)	• *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.* • *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network*	• A permit is required to create or alter access to a road in a Transport Zone 2. These roads applicable to the Project include Portland-Nelson Road and Princes Highway.	✓	✓
Clause 52.32 (Wind Energy Facility)	• *To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.*	• In accordance with **Clause 52.32-2** (Use and Development of Land), a permit is required to use and develop land for a Wind energy facility. Pursuant to the table to **Clause 52.32-2**, development on land is prohibited at certain locations unless the condition is met.	✓	

3.3.6 General Provisions

General provisions are standardised across the State and address overarching matters including general exemptions, existing use rights and referral obligations. The general provisions relevant to this Amendment include:

- **Clause 65.01** (Approval of an application or plan), which sets out the decision guidelines that the responsible authority must consider before deciding on an application. Notwithstanding the Amendment is the planning approval mechanism, this report has addressed the decision guidelines outlined under **Clause 65.01** that would ordinarily be required to be addressed if the Project was to be assessed through a planning permit application (refer **Section 5.0**).
- **Clause 66** (Referral and notice provisions), which sets out the kind of applications which must be referred under Section 55 of the P&E Act or for which notice must be given under Section 52(1)(c) of the P&E Act. Referral requirements under **Clause 66** would ordinarily apply if a planning permit was being sought the proposed development. As outlined in this report, it has been determined that an Amendment is the most suitable planning approval mechanism.
- **Table 3.4** below summarises the referral requirements under **Clause 66.** The below authorities have been engaged as part of the EES process for the Project.

Table 3.4 **Summary of applicable referral authorities under Clause 66 of the Planning Scheme**

Clause	Type of application	Referral authority	Type of referral authority
Clause 66.02 (Use and Development Referrals)			
Clause 66.02-2 (Native Vegetation)	To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).	Secretary to the Department of Energy, Environment and Climate Action (formerly Department of Environment, Land, Water and Planning) (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)	Recommending referral authority
Clause 66.02-4 (Major electricity line or easement)	To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority
Clause 66.03 (Referral of permit applications under other State standard provisions)			
Clause 52.29-4	An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the *Road Management Act 2004*, land owned by the Head, Transport for Victoria for the purpose of a road, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the acquisition is for the purpose of a road.	Head, Transport for Victoria	Determining referral authority

Clause	Type of application	Referral authority	Type of referral authority
Clause 66.04 (Referral of permit applications under local provisions)			
Schedule 2 to **Clause 42.01** (ESO)	All applications	Catchment Management Authority	Recommending referral authority
		Secretary to the Department of Environment, Land, Water and Planning	Determining referral authority
Schedule 3 to **Clause 42.01** (ESO)	All applications	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)	Determining referral authority

3.3.7

3.3.8 Operational Provisions

The operational provisions of the Planning Scheme relevant to this Amendment include:

- **Clause 71.02-3** (Integrated decision making) seeks to deliver integrated decision making through the operation of the Planning Policy Framework together with the remainder of the Planning Scheme. It seeks to ensure planning and responsible authorities integrate the planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

  In addition, **Clause 71.02-3** states that planning authorities '*should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources'*.

  As such, **Clause 71.02-3** is relevant to this Amendment whereby the Minister for Planning must consider the principles of integrated decision-making in order to favour net community benefit and sustainable development for the benefit of present and future Victorians. Refer **Section 5.3.1** for an assessment of the Project against the principles of integrated decision-making of **Clause 71.02-3** of the Planning Scheme.

- **Clause 72.01-1** (Minister is responsible authority) states that the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the P&E Act and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development land for a (and of relevance to the Project) *'energy generation facility with an installed capacity of 1 megawatt or greater'* and a *'utility installation used to transmit or distribute electricity'* or *'store electricity if the installed capacity is 1 megawatt or greater'.*

3.3.9 Summary of Planning Permit Requirements Applicable If Not For This Amendment

The planning permit triggers which would ordinarily apply to the Project if not for the Amendment are summarised below.

- Use of land for a wind energy facility in the FZ1 (**Clause 35.07**) and TZ2 (**Clause 36.04**).
- Use of land for a utility installation in the FZ1 (**Clause 35.07**), PUZ (**Clause 36.01**), PCRZ (**Clause 36.03**) and TRZ2 (**Clause 36.04**).
- Buildings and works associated with:
    - Wind energy facility on land affected by the ESO1 (**Clause 42.01**) and SLO1 (**Clause 42.03**).
    - Both wind energy facility and utility installation on land affected by the FZ1 (**Clause 35.07**) and TRZ2 (**Clause 36.04**).
- Removal of native vegetation pursuant to **Clause 52.17.**
- Display of signage pursuant to **Clause 52.05.**
- Access to the Principal Road Network (TRZ2) pursuant to **Clause 52.29.**
- Use and development of land for a wind energy facility pursuant to **Clause 52.32.**

3.4 Policy and Guidelines

The following section summarises the state, regional and local policies and guidelines of relevance to the Project and the Amendment.

3.4.1 State Policies, Strategies and Guidelines

3.4.1.1 Protecting Victoria's Environment – Biodiversity 2037

The *Protecting Victoria's Environment – Biodiversity 2037* plan (the Biodiversity Plan) prepared by DEECA (formerly DELWP), supports the Victorian government's plans to stop the decline of native plants, animals and improve the natural environment over the next 20 years. The Biodiversity Plan is a listed Policy Document in Clause 12.01-1S of the Planning Scheme. The Biodiversity Plan incorporates the latest conservation and social sciences to represent a contemporary approach to achieving the plan's vision: that Victoria's biodiversity is healthy, valued and actively cared for. Community participation, collaboration, and an improved alignment across all relevant stakeholders are promoted in the Biodiversity Plan, to restore our biodiversity and strengthen our economy.

The Biodiversity Plan seeks to mark the start of a long-term pathway for the overall improvement of biodiversity, while sustaining the state's strong economy. The Biodiversity Plan sets out State-wide and contributing targets that are to be achieved by 2037, to meet both goals. The contributing targets are to be reviewed and updated every five years. Priorities for action are also established in the plan to support the government with aligning to its specific priorities and investments within a broader national context.

3.4.1.2 Guidelines for the removal, destruction or lopping of native vegetation

The purpose of *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) (the Guidelines) set out and describe the application of Victoria's state-wide policy in relation to assessing and compensating for the removal of native vegetation, including the assessment of impacts from removing native vegetation on biodiversity and other values and how offsets are calculated and established to compensate for the loss in biodiversity value from the removal of native vegetation. The Guidelines are incorporated into all planning schemes in Victoria pursuant to Clause 72.04 of the Planning Scheme.

The Guidelines are underpinned by applying a three-step approach to achieve no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This comprises:

- *'Avoid the removal, destruction or lopping of native vegetation.*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.'*

3.4.1.3 Marine and Coastal Policy 2020 and Marine and Coastal Strategy 2022

The Marine and Coastal Policy 2020 guides decision makers in the planning, management and sustainable use of Victoria's coastal and marine environment. It is listed as a Policy Document at Clauses 12.02, 13.01 and 14.02 of the Planning Scheme and provides direction to decision makers including local councils and land managers on a range of issues such as dealing with the impacts of climate change, population growth and ageing coastal structures.

The Marine and Coastal Strategy 2022 will support sustainable use and improve how Victoria manage the health of the marine and coastal environment. It is listed as a Policy Document at Clauses 12.02 and 13.01 of the Planning Scheme and is a five-year action plan to begin implementing the Marine and Coastal Policy 2020. Delivery of this strategy will allow Victorians to benefit from a healthy marine and coastal environment now and in the future.

3.4.1.4 Development of Wind Energy Facilities in Victoria – Policy and Planning Guidelines

The Policy and *Planning Guidelines for Development of Wind Energy Facilities in Victoria* (the Guidelines) is a Policy Document at Clause at 19.01-2S and a Decision Guideline at Clause 52.32-4 that provides advice to inform planning decisions for wind energy facilities in Victoria. The purpose of the Guidelines is to provide a consistent and balanced approach to the assessment framework, set out consistent operational performance standards and planning application requirements associated with wind energy facilities, and act as a framework for the regulation of wind turbine noise. It is a reference document at **Clause 52.32** of the Planning Scheme.

The Guidelines provide a framework that ensure proposals for wind energy facilities are thoroughly assessed, including other considerations and approvals required in the process. Relevant planning policy and statutory context for assessment of wind energy facilities in Victoria are provided in the guidance document, which discusses environmental, significant landscape and Aboriginal cultural heritage values.

Section 5 of the Guidelines identifies the information required to accompany applications for wind energy facilities and the matters that must be considered by responsible authorities during the assessment.

Amendment VC234 was gazetted on 4 July 2023. With respect to Clause 52.32, the amendment altered noise requirements of the clause to align with the EP Act regulations.

3.4.1.5 Victoria's Climate Change Strategy

Victoria's Climate Change Strategy (the Strategy) prepared by DEECA (2021) (formerly DELWP) provides a roadmap to net-zero emissions and a climate resilient Victoria by 2050. The Strategy sets out the current responses to climate change and next steps to support communities and businesses to make the changes needed to reduce the impacts of climate change and continue to support the growth of the economy.

The Strategy is underpinned by a five-point plan which includes an approach to supporting a clean energy economy. The strategy seeks to support the transformation of the electricity system with renewable energy and achieving the 2050 net-zero emissions goal. The legislated Victorian Renewable Energy Targets will stimulate new investments in large-scale solar and wind projects and create employment opportunities primarily located within regional Victoria. This will also create flow-on benefits for supply chains, related services and local community. Both the employment opportunity and flow-on benefits will assist in expanding the skills of the clean energy workforce and encourage uptake of new energy technologies.

3.4.1.6 Victoria's 2035 Emissions Reduction Target

Victoria's 2035 Emissions Reduction Target (The Target) (DEECA, 2023) builds on the work undertaken the *Victoria's Climate Change Strategy* and puts forward updated renewable energy targets and emission reductions. The 2035 target is anticipated to deliver $63 billion of economic benefits between now and 2070.

The Target brings forward the existing Victorian emission reduction targets from 2050 to 2045, placing Victoria alongside international climate leaders and will bring real benefits for Victorians, including new jobs, energy bill savings, improved health and environmental benefits.

3.4.1.7 Victoria's Renewable Energy Action Plan

Victoria's Renewable Energy Action Plan (the Action Plan) prepared by DEECA (2017) (formerly DELWP) represents the action being taken to encourage investment in the energy sector and ensure Victorians continue to benefit from a renewable, affordable and reliable energy system into the future.

The Action Plan sets out the long-term renewable energy policy agenda and pathway. It connects a suite of initiatives that will drive investment and action in renewable energy including moving to a clean energy supply by increasing renewable energy generation as a key pillar of the state's approach to emissions reduction.

3.4.1.8 Victorian Renewable Energy Zones Development Plan Directions Paper (DELWP 2021)

The *Victorian Renewable Energy Zones Development Plan Directions Paper* (DELWP 2021) outlines three key actions the Victorian Government intends to undertake to fully develop Renewable Energy Zones (REZs) in Victoria, and seeks feedback from key stakeholders. The plan outlined in the Directions Paper will unlock 10 GW of new renewable energy capacity in Victoria, taking the total capacity across Victorian REZs to 16 GW. The Project is located in the South West Victoria REZ.

3.4.1.9 Victorian Floodplain Management Strategy

The *Victorian Floodplain Management Strategy* (VMF Strategy) is prepared by DEECA (formerly DELWP), which sets out a strategic direction for floodplain management in Victoria and builds on the technical basis of the Victoria Flood Management Strategy 1998. The VMF Strategy aligns with the Victorian Government's responses to the Victorian Floods Review and the parliamentary inquiry into flood mitigation infrastructure, as well as with the broader emergency management framework set out in the *Emergency Management Act 2013*. The document seeks to integrate floodplain management with the *Victorian Waterway Management Strategy 2013* and the Marine and Coastal Strategy 2022.

The strategy involves five key components, which are:

- assessing flood risks and sharing information
- avoiding or minimising future risks
- reducing existing risks
- managing residual risks
- from planning to action.

3.4.1.10 Victorian Waterway Management Strategy

The *Victorian Waterway Management Strategy* (the VWM Strategy) provides a framework for the government, in partnership with the community, to maintain or improve the condition of rivers, estuaries and wetlands, to ensure environmental, social, cultural and economic values are sustained. The framework is centred around regional planning processes and decision-making, within the broader system of integrated catchment management in Victoria.

The VWM Strategy's vision is for "Victoria's rivers, estuaries and wetlands are healthy and well-managed; supporting environmental, social, cultural and economic values that are able to be enjoyed by all communities" (DELWP, An overview of the Victorian Waterway Management Strategy, 2013). The VWM Strategy incorporates a transparent, adaptive and integrated waterway management framework that is intended to facilitate regional decision-making with community input, within an integrated catchment management context, and capable of comprehensively integrating waterway management activities.

3.4.1.11 Water for Victoria - Water Plan

The Water for Victoria – Water Plan (the Water Plan) is a strategic plan that is aimed to manage water resources in Victoria, now and into the future. To meet the challenges of climate change and population growth, the government is taking action so that our water system is modern and efficient, innovative, future-focused and affordable. The Water Plan sets a long-term direction for managing Victoria's precious water resources, which is to support a healthy environment, a prosperous economy and thriving communities. The Plan separates Victoria into six regions, of which the Project is within the region of South West Victoria.

3.4.2 Regional Policies, Plans and Guidelines

A range of regional plans, policies and guidelines would also need to be addressed as part of Project design, delivery and operation. Further details of these policies, plans and guidelines are provided below.

3.4.2.1 Ngootyoong Gunditj Ngootyoong Mara South West Management Plan

The *Ngootyoong Gunditj Ngootyoong Mara South West Management Plan* (the Management Plan) is a strategic guide for managing and protecting over 130 parks, reserves and Indigenous Protected Areas (defined as Aboriginal community owned properties) in south-west Victoria. The Management Plan defines goals and priorities across National, State, Coastal, Forest and Regional parks, and reserves and Indigenous Protected Areas, which covers over 116,000 ha of public land and freehold Gunditjmara land. As described in **Section 2.5.1** the Project Land interfaces with several parks and reserves to which the Management Plan applies.

The Project Land is located amongst the *Bocara Woorrowarook Mirring River Forest Country* and the *Nyamat Mirring – Sea Country.* The Management Plan maps areas into several zones where different management directions apply. **Table 3.5** describes the zones relative to the Project. These are shown on **Figure 3.1**.

Table 3.5 Ngootyoong Gunditj Ngootyoong Mara South West Management Plan Zones

Management Plan Zones	Intent of the Management Plan Zone	Areas relevant to the Project Land
Conservation Zone	Emphasis is on protection of areas with high natural value. This zone is the priority for environmental management programs and actions. Recreation and nature-based tourism are permitted subject to close management to ensure minimal impact to values and minimal interference to natural processes.	Cobboboonee National Park Mount Richmond National Park Discovery Bay Coastal Park Lower Glenelg National Park
Conservation and Recreation Zone	Emphasis is on the protection of environmental and cultural values while allowing for recreation. Dispersed recreation and nature-based tourism activities are encouraged to occur without significant impact on natural processes.	Cobboboonee National Park
Special Management Zone	Aim to conserve specific features of the Forest Park while catering for sustainable timber production.	Cobboboonee Forest Park
General Management Zone	Areas managed for a range of use and values	Cobboboonee Forest Park
Special Protection Zone	Areas managed for conservation, which forms part of the informal reserve network designed to complement the dedicated reserves. Timber harvesting operations including minor forest produce and firewood is excluded.	Cobboboonee Forest Park

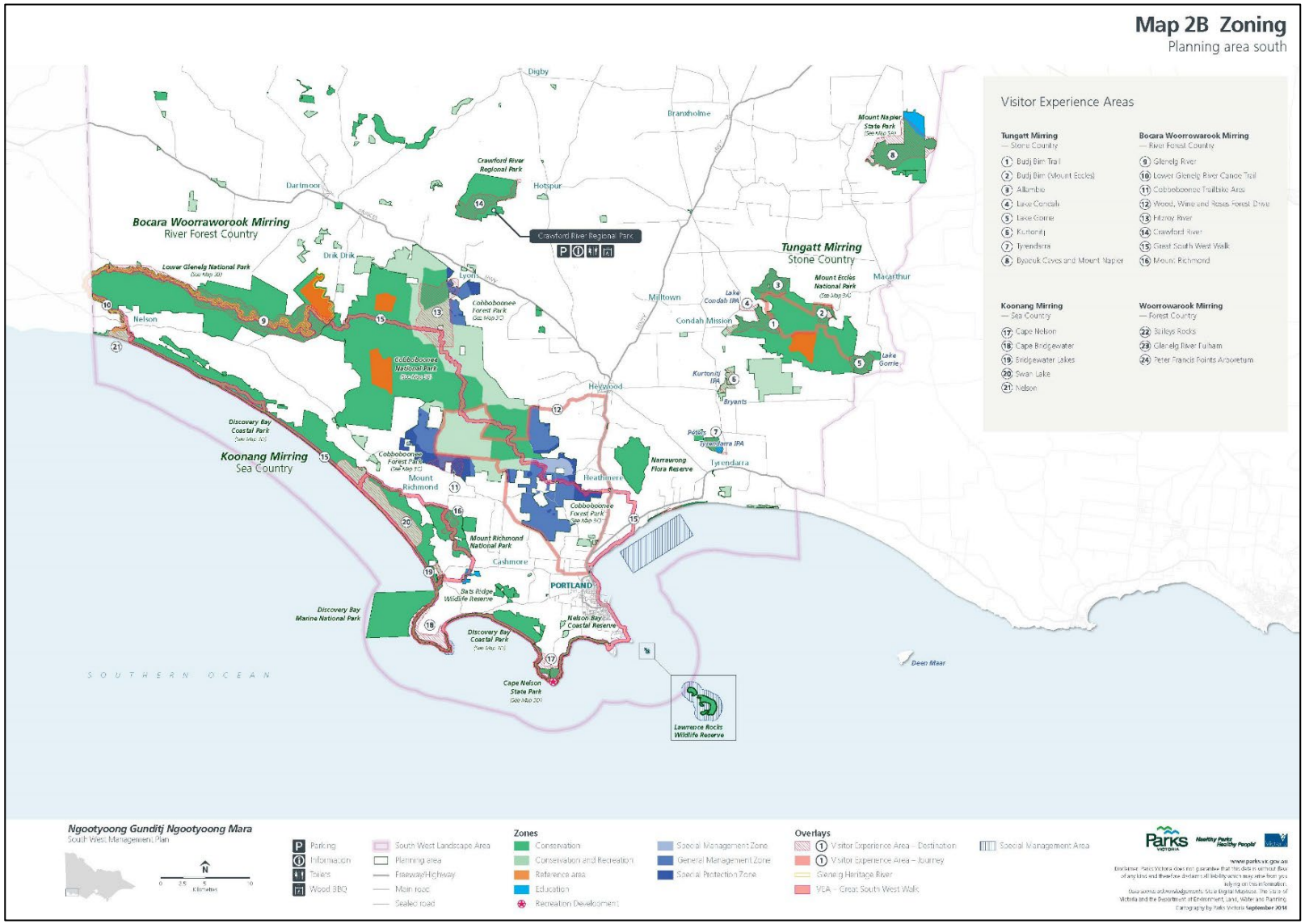
Management Plan Zones	Intent of the Management Plan Zone	Areas relevant to the Project Land
Reference Area Zone	Areas where all human interference is kept to a minimum as far as practicable to ensure the only long-term changes are a result of natural processes. No access is allowed except for emergency operations, approved research and to protect the natural processes.	Cobboboonee National Park Lower Glenelg National Park (Kentbruck Heath)

The Management Plan also identifies overlays where specific activities or values require special management including (and as relevant to the Project):

- **Victoria Experience Areas** (VEAs) are identified as a priority for visitor management programs and actions to protect unique settings that support a range of defined visitor experiences. These areas are a focus for delivering visitor services and facilities whilst ensuring the protection of the natural and cultural values. It is important that the development and operation of the Project does not unduly impact the VEAs ongoing use by the community.
- **Heritage Rivers** are managed to protect the heritage values and maintain or improve water quality. The Glenelg River is identified as a heritage river. It is important that the Project does not create long-term environmental impacts for river health in the Glenelg River.

To guide the management of these natural assets, the Management Plan adopts an adaptive management approach, and identifies goals and strategies based on five of Victoria's 14 broad Natural Ecosystems derived from EVCs along with the knowledge and practices of Gunditjmara Traditional Owners, scientists, communities, land managers and research partners.

Figure 3.1 Management Plan Zones (Parks Victoria 2015)



3.4.2.2 Great South Coast Regional Growth Plan

Regional Growth Plans cover eight regions in Victoria and, together with *Plan Melbourne 2017-2050*, provide a land use planning framework for Victoria. Of the eight regional plans, *Great South Coast Regional Growth Plan* (2014) (the Plan) provides a regional approach to land use planning in the Great South Coast region over the next 30 years. The Plan includes the municipalities of Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool.

The Plan provides the land use planning framework to underpin the future of the region through supporting economic and population growth, building on regional strengths and opportunities. It is identified that infrastructure, services and workforce will be needed to harness the potential and benefits of growth.

The 30-year vision for the Great South Coast as determined by the Plan is '*the Great South Coast region will create a thriving, multifaceted and resilient economy, while valuing and managing our natural resources and environment. Our people will be healthy, well-educated and have great lifestyle choices. We will work together for a stronger, more prosperous, equitable and liveable Great South Coast*' (Victorian Government, 2014). Principles have been identified to achieve this vision of relevance to the Project include 'strengthen the region's economy through increased industry diversification, innovation and development', 'manage and utilise our strategic assets and support agricultural productivity' and 'sustainably manage our natural resources and environmental assets'.

One of the strategic directions of the Plan seeks to '*position the Great South Coast for economic growth'*, which renewable energy was identified as a major opportunity for the region and Victoria. Furthermore, drivers of change were identified as the key influences on future growth for the region, which includes '*an abundance of energy assets, including natural gas and renewable energy resources for wind, geothermal and marine energy technologies – building on these opportunities could make the region Australia's alternative energy capital'.*

The Regional Land Use Framework identifies alternative energy production as a key direction, which is underpinned by the following land use policies, strategies and actions:

- 'Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to the regional community.
- Require the protection and proper maintenance of infrastructure and assets, including local roads, during the development and construction of energy projects.
- Encourage the use of off-site landscape plans to help address the impacts, on landscapes and communities, of alternative energy developments.
- Plan for and sustainably manage the cumulative impacts of alternative energy development.
- Secure access to key construction material resources in the region, including on-site quarrying.'

The Plan provides as a guidance document for local level planning and decision making. It is acknowledged that the Plan builds on the work and directions that were established within the *Great Southern Coast Regional Strategic Plan* 2014–19.

3.4.2.3 The Great South Coast Regional Strategic Plan 2014–19

The *Great South Coast Regional Strategic Plan 2014–19* (the Plan) builds upon the 2010 Regional Strategic Plan to identify challenges and opportunities that impact the region as it grows over the next decade and beyond (Great South Coast Group, 2014). The Plan predicts potential economic, environmental, and social issues that may affect the region, and therefore presents a regionally agreed position as to how these issues would be addressed and managed in the future. The Plan seeks to develop an agreed framework to plan for and work towards our region's future vision, which is beyond the current terms of local, state and federal governments and municipal boundaries.

3.4.3 Local Policies and Guidelines

3.4.3.1 Glenelg Shire 2040 Community Plan and Vision

The *Glenelg Shire 2040 Community Plan and Vision* (the Plan) provides a clear direction and outlines the community's vision and aspirations for the shire over the next 20 years. The document developed six priority themes which include: natural environment, industry, education and employment, health and wellbeing, access, transport and technology, lifestyle, neighbourhoods and culture, as well as voice and action. Each theme is subject relevant community priorities and an action plan which measures the success of achieving each theme's priorities.

The overarching vision of the Plan is that 'By 2040, Glenelg Shire is known as a very liveable region of Australia, featuring rich Indigenous heritage, outstanding natural beauty, and providing access to diverse economic and educational opportunities. The communities embrace technology, sustainable practices, inclusion, creativity, and ability to adapt to an ever-changing world' (Glenelg Shire 2040 Community Plan and Vision, 2020).

3.4.3.2 Glenelg Shire Council Plan 2021–2025

The *Council Plan 2021–2025* (the Plan) which was adopted on 26 October 2021, is a key document that outlines a four-year strategy, financial plan and budget, to build upon these community identified goals and commitments. The Plan is informed by the Glenelg Shire 2040 Community Plan and Vision, by establishing a long-term vision, themes, objectives and strategies that would guide Council's resources to deliver programs, services and infrastructure to the community.

Glenelg Shire Council's vision states that 'we are leaders, change makers setting ambitious targets and making them happen for our community. We acknowledge and embrace local Aboriginal culture, building a more inclusive future. We are forward thinking. We value each other in a safe, inclusive and caring way. We celebrate the rich creativity and natural environment that co-exists with our vibrant and resilient economy' (Glenelg Shire Council, 2021).

3.5 Other Relevant Legislation

In addition to planning approval under the P&E Act, the Project is required to undertake several assessments and obtain approvals under Commonwealth and State legislation.

Assessment and approvals under key primary legislation includes:

- Assessment and approval under the EPBC Act.

- Assessment of an EES as required under the EE Act.
- Assessment and approval of a Cultural Heritage Management Plan (CHMP) under the *Aboriginal Heritage Act 2006*.
- Work authority under the *Mineral Resources (Sustainable Development) Act 1990.*
- Consent under the *National Parks Act 1975.*
- Consent under the *Heritage Act 2017.*
- Licence under the *Forests Act 1958.*

The Project will also require a range of secondary approvals to permit the carrying out of specific aspects, such as works on public roads and waterways.

Primary and secondary approvals will be sought separately to the Amendment however, a summary is provided in **Section 3.5.1** to **Section 3.5.6**. For a full list of legislation applicable to the Project, please refer to Appendix B (Legislation and Policy Report) to the EES.

3.5.1 *Environment Protection and Biodiversity Conservation Act 1999* (Cth)

The EPBC Act is the Commonwealth's principal environmental protection and biodiversity conservation legislation. It provides for the conservation of biodiversity and the protection of the environment, particularly those aspects which are among the nine MNES, including World Heritage Properties, National Heritage Places, Ramsar wetlands, nationally listed threatened species and ecological communities and listed migratory species.

A 'controlled action' (i.e., actions that are determined as likely to have a significant impact on a MNES) are subject to assessment and approval under the EPBC Act. The Project was determined to be a controlled action on 7 November 2019, requiring assessment and approval under the EPBC Act. The Project is being assessed by way of the EES process under the assessment bilateral agreement between the Commonwealth and Victoria. A decision on whether to approve the action, including any conditions to an approval, will be made by the Commonwealth Minister for Environment and Water under the EPBC Act following consideration of the Minister's Assessment of the EES.

3.5.2 *Environment Effects Act 1978* (Vic)

The EE Act contains a framework by which projects with the potential to have significant effects on the environment may require the preparation of an EES for assessment by the Minister. An EES may be required for declared 'public works' or works determined by the Minister to require an EES following an assessment of the referral. Where an EES is required, scoping requirements are issued by the Minister to guide the preparation of the EES.

The Minister determined that an EES is required for the Project under the EE Act on 25 August 2019 due to the potential for a range of significant environmental effects, including on threatened fauna and ecological communities, Aboriginal cultural heritage values, landscape values and effects on surface and groundwater. An EES is being prepared for the Project.

3.5.3 *Aboriginal Heritage Act 2006* (Vic)

The *Aboriginal Heritage Act 2006* provides protection for all Aboriginal cultural heritage places and objects. Under Section 49 of the *Aboriginal Heritage Act 2006*, a CHMP is mandatory if the preparation of an EES is required. The Project also has the potential to cause 'significant ground disturbance' and is located within an identified area of cultural heritage sensitivity. A mandatory Cultural Heritage Management Plan (CHMP) is therefore required.

The relevant Registered Aboriginal Party (RAP) for the area is the Gunditj Mirring Traditional Owners Aboriginal Corporation (GMTOAC). A CHMP for the Project is currently being prepared in consultation with GMTOAC and will be provided to GMTOAC for evaluation. The RAP will decide on whether to approve the CHMP following their assessment. No decision on approval can be made by GMTOAC until after the Minister's Assessment of the EES is made available.

3.5.4 *Mineral Resources (Sustainable Development) Act 1990* (Vic)

The Project involves the construction of a limestone quarry in the northern central part of the wind farm component of the Project Land. In accordance with Section 77I of the *Mineral Resources (Sustainable Development) Act 1990* (MRSD Act), a work plan must be prepared to obtain work authority from the Minister for Resources to carry out an extractive industry. Section 77T of the MRSD Act states that a planning permit under the P&E Act is not required if an EES (under the EE Act) has been prepared for the proposed extractive activities and the work authority has been granted by the Minister for Resources following their consideration of the Minister's Assessment of the EES. On this basis, the proposed limestone quarry is not captured under the Amendment for the Project.

The EES has assessed the potential environmental impacts of the quarry works as part of the broader Project in the Quarry Work Plan Requirements Report (Appendix W to the EES). This report summarises the potential impacts of the quarry by integrating the impact assessments from other specialist reports prepared for the EES and is to be used to inform the preparation of the Quarry Work Plan.

3.5.5 *National Parks Act 1975* (Vic)

The *National Parks Act 1975* applies to the section of the transmission line that is located within a declared National Park (Cobboboonee National Park). Provisions of the *National Parks Act 1975* provide for a public authority to obtain consent from Parks Victoria, to perform its functions and exercise its powers in and in relation to a declared National Park in accordance with the conditions (if any) to which the consent is subject.

3.5.6 *Heritage Act 2017* (Vic)

The *Heritage Act 2017* protects sites that are not listed in the Victorian Heritage Inventory but are discovered during the construction of a development.

The *Heritage Act 2017* allows for the inclusion of a site that is less than 75 years old in the Victorian Heritage Inventory, on the recommendation of the Executive Director, if the site is considered to have archaeological value, consent from the Heritage Victoria may be required.

3.5.7 *Forests Act 1958* (Vic)

Works within listed State Forests (Cobboboonee Forest Park) will require a licence under the *Forests Act 1958*. DEECA is the public land manager for the State Forest land.

3.5.8 *Native Title Act 1993* (Cth)

The *Native Title Act 1993* legislates Indigenous ownership of land. Establishing Native Title requires claimants to demonstrate that the area claimed has been continually occupied or direct links (physical, spiritual, traditional) have been maintained.

4.0 Incorporated Document

Following approval and upon commencement of the Amendment, the Incorporated Document would allow for the use and development of the Project Land for the purposes of the Project as defined in the document. A copy of the draft Incorporated Document and Explanatory Report are contained in **Appendix A**.

The conditions contained in the Incorporated Document respond to the local planning context of the Project and the recommended mitigation and management measures arising from the specialist investigations undertaken as part of the EES process. The conditions align with the Environmental Management Framework (EMF) of the EES (Chapter 19 (Volume 3) of the EES), which describes how the Project will be managed to achieve the identified environmental outcomes.

The EMF provides a transparent framework for managing environmental effects associated with the construction, operation, and decommissioning phases of the Project, to achieve acceptable environmental outcomes. The mitigation measures set out in the EMF are given effect through the relevant statutory approvals, including the Amendment. These mitigation measures are captured in construction and operation environment management plans and subordinate management plans such as a traffic management plan which are required to be prepared as conditions of the Incorporated Document.

The Incorporated Document will be administered by the Minister and will be implemented by Neoen and its contractors. The Minister is specified as the responsible authority for the administration and enforcement of the Incorporated Document. This includes the approving authority for plans required as conditions within the Incorporated Document.

Table 4.1 below summarises the contents of the Incorporated Document and their implications for the Project.

Table 4.1 Summary of Incorporated Document

Incorporated Document Section	Purpose and Implication of Section
1.0 – Introduction	Sets out that the controls contained within the Incorporated Document prevail over any contrary or inconsistent provision in the Planning Scheme and that the Minister is the Responsible Authority for the Incorporated Document.
2.0 – Land Description	Identifies that the controls contained within the Incorporated Document apply to land affected by SCO10.
3.0 – Control	Outlines that no planning permit is required for the project despite any contrary parts of the Planning Scheme and that the Incorporated Document does not restrict other lawful activities under the Planning Scheme occurring on the Project Land.
4.0 – Expiry of the Control	The controls in the Incorporated Document would expire if: • The development or any stage of it allowed by this Incorporated Document is not commenced within five (5) years of the gazettal date of Amendment [insert no.] to this scheme. • The development or any stage of it allowed by this Incorporated Document is not completed within fifteen (15) years of the gazettal date of Amendment [insert no.] to this scheme.

Incorporated Document Section	Purpose and Implication of Section
	• The use permitted under this Incorporated Document is not commenced within fifteen (15) years of the gazettal date of Amendment [insert no.] to this scheme. The Minister may extend these periods if a request is made in writing before the expiry date, or with six months afterwards.
5.0 – Purpose	Details the Purpose of the Incorporated Document, being to allow the use and development of the Kentbruck Green Power Hub Project.
6.0 – Project Development	Provides details and controls over the development of land for Project purposes, including Project construction and operation.

7.0 – Conditions	Details the conditions that must be discharged by the specified regulator prior to the relevant stage of the Project occurring. It includes conditions relating to (but not limited to):
	• Development Plans.
	• Micro-siting of turbines.
	• An Environmental Management Framework, which will include management measures that will address the following areas (and other relevant matters):
	  ○ Aboriginal cultural heritage
	  ○ Aeronautical
	  ○ Air quality
	  ○ Bushfire
	  ○ Biodiversity
	  ○ Contaminated land and spoil management
	  ○ Electro-magnetic interference
	  ○ Groundwater
	  ○ Historic cultural heritage
	  ○ Landscape character and visual amenity
	  ○ Noise and vibration
	  ○ Socio-economic
	  ○ Surface water
	  ○ Transport.
	• Construction Environmental Management Plan.
	• Operational Environmental Management Plan.
	• Decommissioning Environmental Management Plan.
	It also identifies (but is not limited to):
	• Provisions that allow for the EMF to be approved in stages.
	• Provisions that permit the amendment of the EMF from time to time.
	• Provisions relating to native vegetation.
	• Provisions relating to preparatory works.

4.1.1 Expiry Provisions

The expiry provisions are consistent with the *Policy and Planning Guidelines of Wind Energy Facilities* in Victoria (DTP, 2023). The complex nature of the development of a wind energy facility is reflected in the five years permitted for the commencement of development, fifteen years from the date of approval for the Project to be completed and fifteen years from the date of approval for the Project to commence operation.

4.1.2 Preparatory Works

The Incorporated Document has identified a list of minor preparatory and enabling works permitted to be undertaken before the conditions of the Incorporated Document have been approved by the Minister, unless explicitly stated otherwise. The works include:

- Minor lopping of vegetation to enable site access.
- Investigation and testing.
- Removal and or relocation of utility existing installations.
- Establishment of environment and traffic controls.
- Minor demolition to enable preparatory works.
- Salvaging, relocation and other preparatory works required to be undertaken with an approved Cultural Heritage Management Plan.

The list of preparatory works enable pre-construction phase works to commence while detailed preparation, consultation and assessment of the major conditions of the Incorporated Document are progressed. Preparatory works are a common feature of major project approvals in Victoria.

5.0 Planning Assessment

This section provides an assessment of the Amendment with regard to the legislative and policy context described in **Section 3.0** of this report. This includes an assessment against:

- The state, regional and local planning policies of the Planning Scheme (the PPF).
- The current and planned land uses and objectives of each planning control applicable to the Project Land.
- The relevant state, regional, and local legislation, policy and guidelines.
- The principles of integrated decision-making of **Clause 71.02-3** of the Planning Scheme.

5.1 Planning Policy Assessment

This section provides an assessment of the proposed Amendment against the applicable planning policy requirements of the Planning Scheme as well as the requirements of relevant zones, overlays and particular provisions.

5.1.1 Glenelg Planning Scheme

5.1.1.1 Planning Policy Framework

The key policies of most relevance to the use and development of the Project and the Amendment are **Clause 19.01-1S** (Energy supply) and **Clause 19.01-2S** (Renewable Energy). **Clause 19.01** provides the strategic support for renewable energy projects with regard to the appropriate siting and design of such projects. The Project is consistent with the objectives of both **Clause 19.01-1S** and **Clause 19.01-2S** for the reasons outlined in **Table 5.1**.

Table 5.1 Assessment against Clause 19.01 of the Planning Scheme

Strategies	Response
Clause 19.01-1S (Energy supply)	
Support the development of energy generation, storage, transmission and distribution infrastructure to a low-carbon economy	• The Project is anticipated to deliver approximately 2,000 gigawatt-hours (GWh) of renewable electricity per year, equivalent to powering over 411,000 homes. • The Project would directly contribute to achieving Victoria's renewable energy target of 65 per cent by 2030 (DEECA, 2023).
Develop appropriate infrastructure to meet community demand for energy services	• A new 275 kilovolt (kV) transmission line connecting the wind farm to the existing electricity transmission network. • Associated infrastructure will be constructed, including internal power collector substations and a terminal substation, meteorological monitoring masts, underground and overhead powerlines connecting the wind turbines to the collector substations and to the terminal substation, • The AusNet high voltage network is extremely secure, which is essential for ensuring that electricity can be effectively dispatched when required by the Victorian electricity market.

Strategies	Response
Support energy infrastructure projects in locations that minimise land use conflicts and that take advantage of existing resources and infrastructure networks	• The Project is located proximate to existing electricity transmission infrastructure with available capacity. The Project would take advantage of existing electrical infrastructure by using the Heywood Terminal Station as a connection point to the existing 275 kV network. Limited augmentation works would be carried out at the Heywood Terminal Station to facilitate the connection. Connecting at this location avoids the need to construct new electrical infrastructure.
Clause 19.01-2S (Renewable energy)	
Facilitate renewable energy development in appropriate locations	• The Project is proposed in an appropriate location. The wind energy facility component of the Project is compatible with the existing land use of the Project Land, being freehold land used predominantly for commercial forestry and agricultural grazing purposes. These existing uses would be able to continue during construction and operation of the Project. • The Project is located proximate to areas with high electricity demand, including the aluminium smelter at Portland.
Protect renewable energy infrastructure against competing and incompatible uses	• The siting of the wind energy facility component primarily within managed pine plantation avoids direct impacts on native vegetation and associated habitat, minimising the effect of the proposal on the environment. • There is limited residential population in the area immediately surrounding the Project Land.
Consider the economic, social and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment	• The Project presents significant environmental and economic benefits at the local, regional and state level. Where possible, Neoen will identify opportunities to partner with community stakeholders in the co-design and delivery of equitable, lasting community benefits including procurement, employment, training and support for key social groups.
Support wind energy facilities in locations with consistently strong winds over the year	• The Project is located within an area of high average and consistent wind speeds that are consistent with the relevant considerations for the siting of the wind farm in accordance with *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria.*

The Project has been assessed against other relevant PFF clauses identified in **Section 3.3.2** and summarised in **Table 5.2** below. These PFF clauses are of relevance to the policy context of potential environmental and social impacts as a result of the Project.

Table 5.2 Assessment against relevant planning policy provisions

PPF Reference	Assessment
Clause 11.01 (Settlement)	The Project is consistent with **Clause 11.01-1S** whereby the Project responds to the needs of existing and future communities by providing an energy source that is clean and sustainable. The Project would strengthen the Great South Coast's identity as an environmentally sustainable region whilst minimising detrimental impacts on the environmentally sensitive areas in accordance with **Clause 11.01-1R** and **Clause 11.01-1L.** As a renewable energy project, the Project is evidence of the importance of natural resources and ecosystems for meeting environmental, social and economic needs now and into the future.

PPF Reference	Assessment
Clause 11.02 (Managing Growth)	In accordance with **Clause 11.02-1S**, the Project seeks to use appropriately located land for the purpose of energy generation, which has been identified as a site subject to high average wind speeds, proximity to electricity transmission infrastructure and areas with high electricity demand.
Clause 11.03 (Planning for Places)	The Project has gone through several major design changes in response to various environmental and social constraints being identified along with numerous minor design changes, including reducing the number of proposed wind turbines, and repositioning of individual turbines, electrical cabling and access tracks. Furthermore, in the early stages of the Project development, avoidance measures were adopted to minimise impacts to surrounding areas identified for their environmental and visual significance. These included (but were not limited to) consideration of the placement of wind turbines within environmental and landscape overlays, locating Project infrastructure away from the Glenelg Estuary and Discovery Bay Ramsar site and buffers applied to occupied dwellings, conservation areas and nearby campgrounds to mitigate potential impacts. The iterative process undertaken by the Project is consistent with **Clause 11.03-3S**, the state and local provisions of **Clause 11.03-4**, **Clause 11.03-5S** and **Clause 11.03-6S**.
Clause 12.01 (Biodiversity)	A series of ecological surveys investigated the current biodiversity conditions in the Project Land and surrounds. Construction and operation activities associated with the Project have the potential to impact the local biodiversity through vegetation clearing and habitat disturbance, artificial lighting and construction noise, potential for birds and bats to collide with Project infrastructure including wind turbines and overhead powerlines, and operational noise and lighting. Various design changes included (of relevance) the reduction in the minimum blade tip height from 45 metres to 60 metres to minimise potential impacts on avifauna and bat species. Residual impacts will be managed through several mitigation measures implemented during various stages of the Project.
Clause 12.02 (Marine and coastal environment)	In accordance with **Clause 12.03-1S** (River corridors, waterways, lakes and wetlands) and **Clause 12.02-1L** (Protection of biodiversity), the Project seeks to protect and enhance river corridors, waterways and lakes through Project design and siting. The Project would not impact on the marine environment. The Project has been developed to maintain environmental assets and protect any environmental values of these assets where possible. This would continue to be managed through the EMP and CEMP (a sub-plan of the EMP) required by the Incorporated Document to ensure appropriate asset maintenance and the protection of any environmental values. Further information relating to potential impacts on the coastal environment are provided in *Flora and Fauna Existing Conditions and Impact Assessment* Technical Report (Appendix C to the EES).
Clause 12.03 (Water bodies and wetlands)	A total of 64 waterbodies are shown on the *VicPlan* mapping tool (DEECA, 2023) within the Project Land, including creeks, farm dams and wetlands. There are several creeks located east of the wind farm Project Land, including Johnstone Creek and some unnamed creeks. The Glenelg River is located north and west of the Project Land. The transmission line would also cross the Surrey River. No part of the Project is located within the Ramsar site. The wind farm component of the Project is located immediately adjacent to the Ramsar site with the nearest turbine sited 733 metres from the Ramsar site. The topography of the plantation and the western area of agricultural land within the wind farm Project Land generally falls towards the Ramsar site. This suggests that rainfall of the wind farm Project Land would flow either overland or underground towards the Ramsar site, eventually reaching Discovery Bay. The Project is consistent with the objectives of **Clause 12.03-1S** by protecting the waterways in proximity to the Project through the design and siting of the Project and through the implementation of mitigation and management measures. Chapter 9 (Volume 2) of the EES contains more information on the water bodies and wetland in the Project Land, and potential impacts from the Project.

PPF Reference	Assessment
Clause 12.05 (Significant environments and landscapes)	As outlined under the response to **Clause 11.03,** the Project has undergone an iterative design process to minimise impacts to surrounding areas of environmental, landscape and visual significance where possible, which seeks to be consistent with the purpose of **Clause 12.05-1S**, **Clause 12.05-2S** and **Clause 12.05-2L.** Potential visual impacts are addressed in the Landscape and Visual Assessment (Appendix M to the EES), which concluded whilst recognising landscape sensitivities and values applied to the landscape surrounding the Project Land, the overall landscape characteristics within and surrounding the Project Land are considered to exhibit visual characteristics which tend to result in a moderate to high sensitivity to accommodate change. The general tree cover, topography and landforms across the landscape often restrict views of the Project and contribute to easing the visual effects of Project components. Overall, the Project is located within a landscape context where a wind farm would not be wholly unexpected. Wind turbines and ancillary infrastructure would be subject to various degrees of screening through localised permanent or temporary forests and plantations as well as natural undulating landforms within the coastal zone. Whilst overall receiver numbers are generally low, it is recognised that some landscape areas surrounding the Project site are subject to levels of high scenic amenity and held in high regard at a local and state level. Some areas including camp sites and day use areas along the Glenelg River corridor as well as other localities within adjoining National Parks, would have the ability to absorb change through extensive areas of native tree cover screening views towards the Project Land and as such, generally ensuring the protection of significant view and vistas in accordance with **Clause 12.05-2L.** However, some key landscape characteristics, including those associated with the Discovery Bay Coastal Park and sections of the GSWW, would be impacted by the Project. Area with a higher level of sensitivity may experience visual alterations to landscape characteristics which, in some coastal zone locations, may not be fully mitigated by existing landscape elements or features visible within the landscape. In accordance with **Clause 12.05-2S**, Project infrastructure has been located to protect significant landscape areas as far as practicably possible and ensure the continued use of the public land sites.
Clause 13.01 (Climate change impacts)	Renewable energy is identified as a major economic growth opportunity for the region that can assist achieving its strategic economic development goals in addressing climate change and reducing greenhouse gas emissions. The Project will play an important role in providing energy security and mitigating the projected impacts of climate change. The Project has been sited and designed to ensure risk from natural hazards is minimised as far as practically possible to the natural environment, recreational infrastructure and properties in accordance with **Clause 13.01-1S** (Natural hazards and climate change). The Project will be managed in accordance with an EMP, a CEMP (a sub-plan of the EMP) and Bushfire Management Plan required by the Incorporated Document to ensure risk from natural hazards is further minimised.
Clause 13.02 (Bushfire)	The Project is located within the Bushfire Management Overlay. A Bushfire Risk Assessment and Mitigation Plan has been undertaken (Appendix W to the EES) as part of the EES and provides a detailed assessment against the requirements of **Clause 13.02-1S**. The assessment has been undertaken within the context of a wind farm development (noting the Project does not introduce new settlements into the landscape). The outcomes of the assessment concluded compliance with the objectives of **Clause 13.02-1S**.

PPF Reference	Assessment
Clause 13.05 (Noise)	The potential noise impacts associated with the construction and operation of the Project have been considered in the Environmental Noise Assessment (Appendix P to the EES). This assessment was undertaken in accordance with the New Zealand Standard (NZS 6808:2010) as required by the *Policy and Planning Guidelines for Development of Wind Energy facilities in Victoria* (November 2021). The assessment concluded the Project is predicted to comply with the criteria and recommendations of the applicable Victorian policies and guidelines, provided that appropriate mitigation measures are implemented. Consistent with **Clause 13.05-1S** and **Clause 13.05-1L** mitigation measures include (but not limited to) the preparation of a pre-development noise assessment based on the final site layout and a construction environmental management plan (CEMP) to manage the effects of construction noise related to on-site activities and off-site traffic movements.
Clause 13.06 (Air quality)	An Air Quality Impact Assessment (Appendix O to the EES) was undertaken to assess the potential air quality impacts associated with the Project. The assessment demonstrated that the Project would not result in ongoing or widespread (i.e., regional) impacts on aur quality. Consistent with **Clause 13.06-1S**, the assessment recommended mitigation measures and a reactive dust management plan to minimise potential impacts on air quality.
Clause 13.07 (Amenity, human health and safety)	In accordance with **Clause 13.07-1S,** the Project seeks to minimise any impacts to community amenity, human health and safety through the implementation of management and mitigation measures. This is further supported by Neoen's environmental and social objectives for the Project which includes the consideration of the rights and values of the community and stakeholders, human health, environment, and cultural heritage in the decision-making process.
Clause 14.01 (Agriculture)	In accordance with **Clause 14.01-1S,** wind farm energy facilities are considered compatible with existing land uses such as agriculture and forestry. Specifically, the wind farm component of the Project is predominantly located (85.7 per cent) on substantially modified areas used for commercial forestry with the remaining per centage of land primarily used for grazing. Land within the Project Land that is not required for wind farm infrastructure would continue to be used for forestry and agricultural grazing.
Clause 14.03 (Resource exploration and extraction)	The Project involves the extraction of natural resources in the form of a limestone quarry for use during the construction phase of the Project. The quarry material would be used for hardstands and for upgrades to existing access roads or construction of new access roads. In accordance with the MRSD Act, a Work Plan for the quarry is being prepared to obtain work authority from the Minister of Resources to carry out an extractive industry and as such, will require compliance with the appropriate environmental standards and management of potential environmental impacts.
Clause 15.03 (Heritage)	Consistent with **Clause 15.03-1S** and **Clause 15.03-2S**, CHMP 17882 is currently being prepared. There are six previously registered Aboriginal places recorded within the Project Area, which were reinspected through the standard assessment. There are no caves, cave entrances, rock shelters or other notable geological features that might be conductive to the preservation of Aboriginal cultural remains. No rock outcrops were found that might contain stone axe grinding grooves. Twelve new Aboriginal places were recorded during further surveys. This site has previously undergone land clearance, rail infrastructure, utility installation, road works and landscaping. Mitigation and management measures for Aboriginal cultural heritage will be addressed through the CHMP, which will include contingency plans to protect and prevent potential adverse impacts. Furthermore, the complex assessment methodology is being developed in consultation with the Gundtj Mirring, which relates to a RAP driven Aboriginal heritage site predictive model. The proposed model seeks to protect and minimise impacts to areas of Aboriginal cultural heritage significance through the micro siting of proposed wind turbines.

PPF Reference	Assessment
	There are no local heritage overlays located within the Project Land or places listed in the Victorian Heritage Register and Victorian Heritage Inventory (VHI) under the *Heritage Act 2017,* however, as a result of Project investigations, the Former Kentbruck School (H7121-0053) was listed in the VHI. In accordance with **Clause 15.03-1S**, mitigation measures are recommended to minimise and manage impacts on historic heritage.

5.1.1.2 Zones, Overlays and Particular Provisions

The following assesses the Project against the applicable zones, overlays and particular provisions identified in **Section 3.3.5** of this report. Specifically, **Table 5.3** below outlines the responsiveness of the Project against the purpose of the applicable zones, overlays and particular provisions. Refer **Table 3.1**, **Table 3.2** and **Table 3.3** for the purposes of the applicable zones, overlay and particular provisions respectively of relevance to the Project. **Appendix B** of this report provides maps of the zones and overlays relevant to the Project.

Table 5.3 Response to relevant purposes of the applicable zones and overlays

Planning Control	Assessment
Zones	
Clause 35.07 Farming Zone - Schedule 1 (FZ1)	Applies to: Wind energy facility and utility installation (transmission line) Wind energy facilities are permissible within the FZ1 with consent under the Planning Scheme (providing requirements of Clause 52.32 are met). Utility installations are also permissible with consent. Most of the wind farm site and the underground section of the transmission line (extending generally east of Cobboboonee National and Forest Park to Heywood Terminal Station) are located within the FZ1, which seeks to ensure that non-agricultural uses do not adversely affect the use of land for agricultural purposes. It is not anticipated that the wind farm or underground transmission line would compromise the purpose of the FZ1 whereby land not required for Project infrastructure will continue to be used for growing and harvesting plantation timber and other farming purposes. The indicative area that would be directly impacted by the Project during construction (subject to changes based on the final construction design) is five per cent of the total Project Land, representing 455 ha of the total Project Land of 8,350 ha. The indicative area needed for operation of the Project (excluding land that may be used for unscheduled maintenance and subject to changes based on the final design) is less than five per cent (approximately 342 ha) of the total Project land. The areas not subject to Project infrastructure zoned FZ1 will be retained as productive agricultural land during construction and operation consistent with the purpose of the FZ1. This demonstrates that the Project as a non-agricultural land use will not adversely affect the use of land for agriculture as a result of the construction and operation of the Project. Agreements in place with involved landowners ensure the ongoing use of land zoned as FZ1 to continue being used for productive agricultural uses and encourages the retention of employment and population to support rural communities. Furthermore, Neoen seeks to identify opportunities to partner with community stakeholders in the co-design and delivery of equitable, lasting community benefits including employment opportunities. Following the operational life of the Project, it is expected that part of the Project Land would be rehabilitated for continued agricultural use, however the pine plantations cleared for the wind farm will not be rehabilitated.

Planning Control	Assessment
Clause 36.01 Public Use Zone (PUZ1)	Applies to: Utility installation (transmission line) The Heywood Terminal Station is the proposed point of connection to the electricity grid for the Project and is zoned PUZ1. Augmentation of the existing Heywood Terminal Station will be required to facilitate connection of the Project. These works would occur within the current terminal station footprint. The use of land for a utility installation within land zoned PUZ1 is an as-of-right use. There is no requirement for a building and works permit as this only applies to buildings and works in Section 2 (permit required) of **Clause 36.01-1**. The augmentation of the existing terminal station is consistent with the purpose of the PUZ1 whereby it aligns with the intent of land being for public land purpose, in this instance being the connection of the Project to the broader electricity network. Pursuant to **Clause 36.01-3** (Application requirements), written consent of the public land manager is required to accompany an application for a permit. Robust consultation with land managers is documented in the Community and Stakeholder assessment (Chapter 6 (Volume 1) of the EES).
Clause 36.03 Public Conservation and Resource Zone (PCRZ)	Applies to: Utility installation (transmission line) A utility installation is permissible in the PCRZ without consent if either of the specified conditions are met. If these conditions are not met, a utility installation remains permissible however is a Section 2 use – permit required. In accordance with **Clause 36.03-3** (Application requirements), written consent is required from the public land manager (Parks Victoria). Extensive consultation with Parks Victoria has occurred and is documented in the Community and Stakeholder assessment (Chapter 6 (Volume 1) of the EES). The sections of the transmission line located within the PCRZ are proposed to be underground, below an existing road (Boiler Swamp Road), across the Surrey River and a small section of land zoned PCRZ where the transmission line extends west from the wind farm site. A 6.5-metre-wide corridor has been adopted for the construction of the underground component of the transmission line. The adoption of a construction corridor is consistent with the purpose of the PCRZ whereby the Project seeks to limit impacts and ensure the protection and conservation of the existing environmental values as much as practicably possible. Locating the transmission line below ground minimises potential impacts to existing vegetation ensuring the protection of habitat values of the Cobboboonee National Park and Cobboboonee Forest Park adjacent to Boiler Swamp Road. Horizontal directional drilling will be adopted for the section of the transmission line that intersects with the Surry River. Negligible impact on the waterway and minimal ground disturbance is expected using HDD construction methodology consistent with the purpose of the PCRZ. The underground transmission line through the PCRZ will not impact any registered historic or Aboriginal cultural heritage places. The identified corridor is located within an area of cultural heritage sensitivity, however, has a reduced archaeological sensitivity due to past localised disturbance associated with road grading and maintenance activities through the area. Trenching of the underground component has the greatest potential to impact on unidentified Aboriginal cultural heritage material within areas of cultural heritage sensitivity. Trenching would only occur within the construction corridor which has a reduced sensitivity due to previous disturbance. Due to the disturbed nature of Boiler Swamp Road, the likelihood of uncovering unidentified Aboriginal cultural heritage material is lower than for generally undisturbed areas. As such, the location of the underground component of the transmission line located within the PCRZ is in accordance with the purpose of the zone whereby the Project seeks to conserve historic and cultural values.

Planning Control	Assessment
	As demonstrated above, the construction of the underground transmission line within the PCRZ seeks to protect and conserve the natural environment and processes through Project design and siting, and adoption of HDD construction methodology. Once constructed, it is not anticipated that the underground transmission line will impact the intended purpose of the PCRZ. Pursuant to **Clause 36.03-3** (Application requirements), written consent of the public land manager is required to accompany an application for a permit. Robust consultation with public land managers has been undertaken as part of the EES process and is documented in the Community and Stakeholder assessment (Chapter 6 (Volume 1) of the EES).
Clause 36.04 Transport Zone (TZ)	Applies to: Wind energy facility and utility installation (transmission line) The TRZ2 applies to Portland-Nelson Road adjacent to the wind farm site. The outcomes of the Traffic Impact Assessment (Appendix Q to the ESS) identified several pinch points along Portland-Nelson Road which would need to be widened to allow for transport of wind turbine blades to the site. These proposed works are consistent with the purpose of the TRZ whereby it seeks to ensure the safe use of the road network. The TRZ1 and TRZ2 applies to Portland Railway Line and Princes Highway respectively, in which the overhead transmission line would extend over. The detailed design of the overhead transmission line will be developed in consultation with the Head, Transport for Victoria and the relevant land managers to ensure technical, design and constructability requirements are met and no impacts on the safety and function of the railway line and highway occur. Furthermore, secondary approval and permits required for construction over a railway line and highway will be undertaken as required. A Traffic Management Plan is required as a condition of the Incorporated Document to manage impacts during construction and operation (if maintenance is required to the overhead transmission line). The Project is consistent with the purpose of the TZ whereby is seeks to ensure the efficient and safe use of transport infrastructure required to be used during the construction and operation of the Project. Pursuant to **Clause 36.04-3** (Application requirements), written consent of the relevant transport manager is required to accompany an application for a permit. Extensive consultation with the relevant transport manager has been undertaken as part of the EES process and documented in the Community and Stakeholder assessment (Chapter 6 (Volume 1) of the EES). Further assessment of potential impacts on the road network are provided in the Traffic Impact Assessment (Appendix Q to the EES).
Overlays	
Clause 42.01 Environmental Significance Overlay – Schedule 1 (ESO1) – Coastal areas	Applies to: Wind energy facility The ESO1 affects in part the southern sections of the wind farm site. The Project is generally consistent with the environmental objective to be achieved under the ESO1. The Project would not result in significant, long-term changes to coastal and marine ecosystems. Project infrastructure has been setback from the southern boundary such that it would not prejudice the long-term environmental values of the coast. The Project elements proposed to be located within the ESO1 are not seen as inappropriate development, as the land that is proposed to be used by the Project affected by the ESO1 is wholly within the FZ1, under which wind energy facilities are permissible with consent.

Planning Control	Assessment
	The application requirements at Clause 4.0 of ESO1 requires an application to be accompanied by an environmental assessment of impacts associated with the development. An assessment should demonstrate how the project complies with the environmental objective. A soil and water report should also be prepared to demonstrate drainage and stormwater flows do not cause erosion, siltation or degradation of any watercourse downstream of the site. In response to these requirements, the EES and supporting technical assessments have been prepared to assess the environmental impacts associated with the Project. In doing so, this has demonstrated the Project infrastructure proposed within the ESO1 can demonstrate compliance with the environmental objective of ESO1. Furthermore, EES Chapter 9 (Surface water, groundwater and groundwater dependant ecosystems (GDEs)) and Chapter 10 (Contamination and acid sulfate soils) (Volume 2) summarises the outcomes of the associated technical reports (refer to the appendices for the relevant technical reports), which demonstrate with the implementation of mitigation and management measures in accordance with industry best practice guidelines it is considered unlikely the Project will have adverse impacts on surface water, groundwater and GDEs. Further assessment information relevant to the ESO1 has been undertaken and can be found in the Flora and Fauna Existing Conditions and Impact Assessment Technical Report (Appendix C to the EES), the Surface Water Impact Assessment (Appendix F to the EES) and the Landscape and Visual Impact Assessment (Appendix M to the EES).
Clause 42.01 Environmental Significance Overlay – Schedule 2 (ESO2) – Waterway, wetland and estuary protection	Applies to: Utility installation (transmission line) The transmission line intercepts Surrey River twice, which is affected by ESO2. The two crossings at Surrey River are proposed to be crossed using horizontal directional drilling (HDD) due to the large upstream catchment and wide crossing over the Surrey River flood plain. Negligible impact on the waterway and minimal ground disturbance is expected using HDD. The adoption of HDD as a construction method seeks to maintain the environmental values of the Surrey River in accordance with the environmental objective of ESO2.
Clause 42.01 Environmental Significance Overlay – Schedule 3 (ESO3) - South-Eastern Red-Tailed Black Cockatoo Habitat Areas	Applies to: Wind energy facility and utility installation (transmission line) Sections of the wind farm site are affected by the ESO3, which relates to the south-eastern red-tailed black cockatoo habitat areas. The Flora and Fauna Existing Conditions and Impact Assessment (Appendix C to the EES) concluded that most of the wind farm site is unsuitable as habitat for South-eastern Red-tailed Black Cockatoos. The species may infrequently traverse the area; however, the wind farm site would not impact on a substantial amount of potential habitat for this species. The primary concern for the species from wind farm operations relates to the potential for collisions with wind turbines however it was identified that the wind farm site does not contain and does not include removal of any vegetation that is suitable habitat for the species. Therefore, turbine collision impacts are not expected to occur during construction of the wind farm and would be limited to the operational phase of the wind farm. However, the assessment found that flights through the area would be rare events and that it is likely that most flights by the species will be below rotor-swept height of turbines proposed for the Project (below 60 metres above ground level). A section of the transmission line is affected by the ESO3 where the line is proposed to be located beneath an existing road (Boiler Swamp Road) which traverses Cobboboonee National Park and Cobboboonee Forest Park. These parks provide quality habitat for the South-Eastern Red-Tailed Black Cockatoo. Given a large portion of the transmission line would extend underground beneath Boiler Swamp Road, it is expected there would be limited indirect impacts on existing vegetation used by the species.

Planning Control	Assessment
	Native vegetation on either side of Boiler Swamp Road consists of Lowland Forest (EVC16) and Sedgy Riparian Woodland (EVC198). Tree species include Rough-barked Manna Gum, Wester Peppermint, Messmate Stringybark, Apple Jack and Swamp Gum. Impacts to vegetation as a result of the construction of the transmission line are included in total impacts of 15.353 ha of native vegetation. The assessment has been prepared conservatively to assume a major encroachment (>10% of TPZ) on 424 trees of the 2040 surveyed on Boiler Swamp Road. Detailed design and further arboriculture impact assessments are expected to further reduce this number during the delivery of the Project. The Project infrastructure proposed on land affected by the ESO3 is not anticipated to adversely impact habitat utilised by the species and therefore, it is not expected for the Project to materially impact the environmental objective of ESO3.
Clause 42.03 Significant Landscape Overlay – Schedule 1 (SLO1) – Glenelg River estuary and surrounds	<u>Applies to: Wind energy facility</u> The western section of the wind farm site is located within the SLO1, which relates to the Glenelg River estuary and surrounds. 12 wind turbines are proposed within the SLO1. Eight of these wind turbines are proposed within the plantation coupe north of Portland Nelson Road. Four of these wind turbines are proposed within agricultural land immediately south of Portland Nelson Road. The Project seeks to retain the 'undeveloped and vegetated character' of coastal dunes, waterways and estuaries by positioning wind turbines to the north-eastern portion of land affected by the SLO1. Wind turbines are proposed to be located over six km from the Glenelg Estuary (specifically, the picnic area at the western extent of Beach Road) and approximately three km from the coastal foreshore area. Where there are partial views of the wind turbines from the picnic area of the Glenelg Estuary, the location of the wind turbines would not impinge on views toward, or within the estuary or the Glenelg River corridor located within the SLO1 area. As such, the Project seeks to support the landscape character objective of retaining the current character of the areas affected by the SLO1. Furthermore, consistent with the objectives of SLO1, locally significant views and vistas to the ocean, Glenelg River Estuary and other natural landforms are largely screened by tree planting alongside Portland-Nelson Road. The Landscape and Visual Impact Assessment (Appendix M to the EES) identified no significant views from Portland-Nelson Road were noted during site inspections including sections of the road corridor to the west of the plantation. Furthermore, views from the Great South West Walk affected by the SLO1 to the Project are largely screened by landform and tree cover. Based on the conclusions from the assessment it is considered existing views to natural landforms remain generally unaffected. Views from the section of beach affected by the SLO1 to the north are generally screened by sand dunes running parallel to the beach and as such, protecting the current views and vistas from this location. Indigenous coastal vegetation on land affected by the SLO1 will remain a dominant feature of the landscape when viewed from the foreshore whereby Project infrastructure will be located further north off the tall coastal dunes. These dunes will screen views of the wind turbines when viewed from the foreshore. The Project does not introduce any buildings that are set on visible ridge lines or set high on dunes. However, it is noted that the wind turbines represent a development that will be visible on the skyline when viewed from the beach, foreshore or from offshore. Whilst some partial views to upper portions (hubs and blades) may be visible from the foreshore beach, views toward the wind turbines are partially mitigated by sand dunes and vegetation rising above the foreshore.

Planning Control	Assessment
Clause 44.06 Bushfire Management Overlay (BMO)	Applies to: Wind energy facility and utility installation (transmission line) The entire wind farm site is affected by the BMO. There are no planning requirements under the BMO for a wind energy facility, however the wind energy guidelines in Victoria require matters relating to bushfire and emergency management to be considered. The Bushfire Risk Assessment and Mitigation Plan Technical Report (as part of the EES) has been prepared to assess the bushfire risk and recommend mitigation measures. Most of the transmission line is affected by the BMO. Whilst there are no planning requirements under the BMO for a utility installation, a Bushfire Risk Assessment and Mitigation Plan Technical Report (Appendix W to the EES) has been prepared to assess the bushfire risk and recommend mitigation measures. With the implementation of these mitigation measures, the transmission line is not expected to conflict with the objectives or intent of the BMO.
Particular Provisions	
Clause 52.05 Signs	Applies to: Wind energy facility and utility installation (transmission line) Business identification signage is proposed as part of the Project. The location of Project signage would be identified during detailed design. Signage requirements will be regulated by the Incorporated Document for the Project.
Clause 52.06 Car Parking	Applies to: Wind energy facility (operation) **Clause 52.06** applies to a new use proposed on the land. The number of car parking spaces required for a wind energy facility is not defined in Table 1 to Clause 52.06-6. In this case, car parking must be provided to the satisfaction of the responsible authority. A site office and compound for the operation of the wind energy facility will include car parking facilities in accordance with the needs of the operation.
Clause 52.08 Earth and Energy Resources	Applies to: Limestone Quarry **Clause 52.08-1** states a permit is required unless explicitly stated otherwise in the table of exemptions, which includes: • Extractive Industry. ○ The extractive industry use must comply with Section 77T of the *Mineral Resources (Sustainable Development Act) 1990.* Section 77T of the MRSD Act states that a planning permit under the P&E Act is not required if an EES (under the EE Act) has been prepared for the proposed extractive activities and the work authority has been granted by the Minister for Resources following their consideration of the Minister's Assessment of the EES.
Clause 52.17 Native Vegetation	Applies to: Whole of Project Removal of native vegetation within the Project Land has been minimised where possible. **Section 4.4.1.2** summarises how the removal of native vegetation has been minimised in relation to the wind farm and transmission line components. Details regarding the proposed removal of native vegetation is discussed in The Flora and Fauna Existing Conditions and Impact Assessment Technical Report (Appendix C to the EES). • **Wind Farm:** Impacts to native vegetation within the wind farm site have been minimised through micro-sitting of wind turbines, access tracks and associated infrastructure. In addition, consideration of the placement of wind turbines within environmental and landscape overlays to further avoid impacts to native vegetation.

Planning Control	Assessment
	• **Transmission line:** Impacts to native vegetation along the transmission line route have been minimised through the adoption of HDD for two crossings of the Surrey River, the selection of Boiler Swamp Road for the underground component through Cobboboonee Forest Park and the National Park and utilising the Boiler Swamp Road carriageway for underground cabling minimizes impacts to native vegetation.
Clause 52.29 Land adjacent to the Principal Road Network	Applies to: Wind energy facility and utility installation (transmission line) Upgrades to Portland-Nelson Road and Princes Highway would be undertaken to ensure the continued appropriate access to these roads and would be managed through a Traffic Management Plan required to be prepared as a condition of the Incorporated Document.
Clause 52.32 Wind Energy Facility	Applies to: Wind energy facility The technical assessments completed as part of the EES process, have considered the decision guidelines of **Clause 52.32-5** as follows: 1. The Municipal Planning Strategy and the Planning Policy Framework: • The wind farm is located within areas where a wind energy facility is permitted under the Planning Scheme. The Project is generally consistent with the Municipal Planning Strategy and the Planning Policy Framework. 2. The effect of the proposal on the surrounding are in terms of noise, blade glint, shadow flicker and electromagnetic interference: • As a result of the iterative Project design, the Project would result in acceptable impacts in regard to shadow flicker, blade glint, EMI and noise. 3. The impact of the development on significant views, including visual corridors and sightlines: • The Project would have varying visual impacts to non-associated dwellings, scenic coastal viewpoints, the Great South West Walk and nearby publicly accessible locations (such as scenic coastal lookouts and camping grounds) depending on existing vegetation and topography. 4. The impact of the facility on the natural environment and natural systems: • The Project has adopted key avoidance measures throughout the design development process to minimise impacts on the natural environment and systems along with the implementation of further mitigation measures. 5. The impact of the facility on cultural heritage: • The impact of the Project on cultural heritage is being assessed and managed through CHMP 17882. 6. The impact on the facility on aircraft safety • The Project was assessed to have a low risk to aviation safety. 7. Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (DEECA, 2023) Technical reports have considered the *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (DEECA, 2023) as applicable. Refer **Section 3.4.1.3** for a further assessment of the Project against these guidelines. VC234 introduced amended noise requirements to align with the Environment Protection Act 2021 (EP Act).

Planning Control	Assessment
	Regulation 131B of Part 5.3 of Division 5 of the EP Act Regulations requires: • the preparation of a pre-development(predictive) noise assessment report prepared by a suitably qualified and experienced acoustician that reports on a pre-development (predictive) noise assessment conducted in accordance with NZS6808:2010; and • provides an assessment of whether the proposed wind energy facility will comply with the relevant noise limit for the particular facility as set out under regulation 131B of Part 5.3 of Division 5 of the EP Act Regulations

5.1.1.3 Clause 65 (Decision Guidelines) of the Planning Scheme

Clause 63.01 (Approval of an application or plan) identifies the decision guidelines that the responsible authority must consider before deciding on an application. As acknowledged in **Section 3.3.6**, this report has addressed the decision guidelines outlined under **Clause 65.01** that would ordinarily be required to be addressed if the Project was to be assessed through a planning permit application, despite the Amendment is to be the planning approval mechanism for the Project.

Table 5.4 below provides a response to each of the decision guidelines under **Clause 65.01** of the Planning Scheme.

Table 5.4 Summary of response to Clause 65.01

Clause 65.01	Response
Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:	
The matters set out in section 60 of the Act	Matters set out in section 60 (What matters must a responsible authority consider?) of the P&E Act have been addressed throughout this planning report.
Any significant effects the environment, including the contamination of land, may have on the use or development.	Any significant effects on the environment have been assessed as part of the EES process. Specifically, refer to the Contamination and Acid Sulfate Soils EES chapter (Chapter 10 (Volume 2) to the EES).
The Municipal Planning Strategy and the Planning Policy Framework.	Refer to **Table 3.3** of this report, which provides an assessment of the Project against the relevant planning policy provisions of the Planning Scheme.
The purpose of the zone, overlay or other provision.	Refer to **Table 3.1** of this report, which provides an assessment of the Project against the relevant purposes of the applicable zones and overlays.
Any matter required to be considered in the zone, overlay or other provision.	Refer to Table 3.2of this report, which identifies matters to be considered in the applicable zones and overlays, and how they are being addressed as part of the Amendment and/or EES process.
The orderly planning of the area.	Refer to Land Use and Planning Impact Assessment (Appendix Q to the EES), and this report.
The effect on the environment, human health and amenity of the area.	The effect on environment, human health and amenity is addressed through the technical reports prepared as part of the ESS. Refer to EES Chapters 7 to 19 (Volume 2 and 3) to the EES. These chapters describe the physical, biological, cultural and socioeconomic environments that the Project would operate within, and the potential risks and impacts of the Project on the existing environment.

Clause 65.01	Response
The proximity of the land to any public land.	Public land sites located within proximity to the Project Land are identified and assessed as part of the Land Use and Planning Impact Assessment (Appendix Q to the EES) and the Draft Consent Application under Section 27 of the *National Parks Act 1975* (Appendix Z) to the EES). In addition, refer **Section 2.5.1** (Public land) of this report which identifies the public land sites within the regional context of the Project Land.
Factors likely to cause or contribute to land degradation, salinity or reduce water quality.	Refer to the Surface Water, Groundwater, Groundwater Dependent Ecosystems and Environmental Site Investigation EES chapter (Chapter 9 (Volume 2) to the EES), which summarises the outcomes of the associated impact assessments (Appendix F, Appendix G, Appendix H and Appendix I to the EES).
Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.	Refer to the Surface Water, Groundwater and Groundwater Dependent Ecosystems EES chapter (Chapter 9 (Volume 2) to the EES), which summarises the outcomes of the Surface Water Impact Assessment (Appendix F to the EES).
The extent and character of native vegetation and the likelihood of its destruction.	Refer to the Flora and Fauna Existing Conditions and Impact Assessment Technical Report (Appendix C to the EES), which reports on native vegetation present within the Project Land and identifies and assesses the potential impacts on native vegetation from the construction and operation of the Project along with measures to avoid, minimise and manage potential impacts.
Whether native vegetation is to be or can be protected, planted or allowed to regenerate.	Refer above.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	Refer to the Surface Water, Groundwater and Groundwater Dependent Ecosystems EES chapter (Chapter 9 (Volume 2) to the EES), the Hazard and Risk EES chapter (Chapter 18 (Volume 2) to the EES), which summarises the outcomes of the associated impact assessments including (and of relevance to this response) the Surface Water Impact Assessment (Appendix F to the EES) and the Bushfire Risk Assessment and Mitigation Plan (Appendix W to the EES).
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	Refer to the Transport Impact Assessment (Appendix Q to the EES), which identifies potential impacts relating to traffic and transport within and to/from the Project Land. Disruption to the existing transport network and connectivity are also considered in this assessment.
The impact the use or development will have on the current and future development and operation of the transport system.	Refer above.

5.2 Policy and Guidelines

The following provides an assessment of the Project against the policy and guidelines outlined in **Section 3.4** of this report.

5.2.1 State Policy and Guidelines

5.2.1.1 Protecting Victoria's Environment – Biodiversity 2037

The *Protecting Victoria's Environment – Biodiversity 2037* plan states to the stop the decline of native plants and animals and improve the natural environment over the next 20 years, a focus on management is required. The Biodiversity Plan identifies seventy per cent of Victoria's highest value terrestrial biodiversity areas exist in forty per cent of land that is publicly owned including national parks and conservation reserves, which calls for a sustained and strategic response involving all public land managers, users and the broader community.

The wind farm site itself it not located within any national parks, state parks, the Ramsar site or other conservation land however, the transmission line extends through the Cobboboonee National Park and Cobboboonee Forest Park. A 6.5-metre-wide corridor has been adopted for the construction of the transmission line through the national and forest park, which follows Boiler Swamp Road to limit impacts and ensure the protection and conservation of the existing environmental values as much as practicably possible. The corridor is primarily located over Boiler Swamp Road, which further minimises impacts to the existing vegetation. Neoen would consult with relevant public land manager throughout the duration of the Project to ensure existing vegetation is protected as far as practicably possible. Consent is required from the public land management (Parks Victoria) under Section 27 of the *National Parks Act 1975.* As part of the consent application process, Neoen will be required to demonstrate consistency of the Project with the objectives outlined in Section 4 of the *National Parks Act 1975.* The consent issued by Parks Victoria will be subject to conditions that Neoen will be required to comply with.

The Incorporated Document requires the preparation of an Environmental Management Framework, and a Construction Environment Management Plan . These will provide the overarching frameworks for the site or work specific measures to reduce and manage environmental impacts during construction and operation of the Project.

The Project seeks to minimise impacts on the existing environment and ensure the long-term pathway for the overall improvement of biodiversity is not compromised whilst providing a source of clean, renewable energy to help power homes and businesses in Victoria and throughout eastern Australia.

5.2.1.2 Guidelines for the removal, destruction or lopping of native vegetation

In accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017), the three-step approach to ensure that there is no net loss to biodiversity has been implemented to reduce the impact on native vegetation as far as practicably possible.

- Avoid the removal, destruction or lopping of native vegetation.
- The wind farm site is located within a plantation that is utilised for growing and harvesting timber and as such, avoids impacts to native vegetation.

- The Project design has undergone iterative modifications in response to the findings of the ecological technical studies to avoid potential impacts to existing native vegetation as follows:
    - An avoidance zone has been established to exclude turbines to be located within 300 metres of boundaries with surrounding conservation reserves, and other public land supporting native vegetation.
    - Cut Out Dam Road was considered prior to Boiler Swamp Road for the section of the transmission line extending underground through Cobboboonee National Park and Cobboboonee Forest Park. However, it was removed from the Project design as it was narrower than Boiler Swamp Road and as such would have resulted in a larger impact on native vegetation to ensure the construction footprint is wide enough to lay the cabling underground.
    - Micro-siting of wind turbines, access tracks and associated infrastructure to avoid impacts to native vegetation.
- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided:
    - An Environmental Management Framework is required by the Incorporated Document to be prepared to manage environmental impacts during the construction and operation of the Project. This will consist of the Construction Environmental Management Plan (CEMP) and Native Vegetation Plan (NVP). The CEMP will be prepared to guide all construction activities and the NVP will be developed to identify areas of native vegetation permitted for removal or to be retained, and detailing procedures for protection of no-go areas.
    - Further measures to minimise native vegetation impacts will include (but not limited to) and be captured in the CEMP and/or NVP:
        - Establishing tree protection zones for trees not requiring direct removal during construction in accordance with the *Australian Standard – Protection of trees on development sites (AS 4970-2009).*
        - Temporary fencing to be erected prior to construction commencing to protect all areas of retained native vegetation including scattered trees if construction activities are to be conducted within proximity to native vegetation.
        - Implementing best practice methods for weed and pest animal control.
        - Pre-clearance surveys undertaken prior to the removal of native vegetation in areas with known occurrences of significant species.
- Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.
    - The Incorporated Document requires that native vegetation proposed for removal must be offset in accordance with the requirements of Clause 52.17-5 (Offset requirements) and the Guidelines.

5.2.1.3 Development of Wind Energy Facilities in Victoria – Policy and Planning Guidelines

Section 5 of the *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* 2021 identifies the information required to accompany applications for wind energy facilities and the matters that must be considered by responsible authorities during the assessment. Whilst it is acknowledged the Project seeks planning approval through an amendment to the Glenelg Planning Scheme, the key criteria for evaluation of the planning merits of a wind energy facility has been considered in this section.

Contribution to government policy objectives

- An assessment of the Project's consistency with the PPF is captured under **Section 5.1.1.1** of this report. This assessment concludes that the Project represents an appropriate planning outcome in the context of the various applicable policy direction of the PPF.

Site and context analysis

- A detailed analysis of the site and surrounding context has been undertaken in **Section 2.5** of this report. In summary:
    - The Project Land covers an area of up to 8,350 ha with a construction footprint of approximately 455 ha. The Project is located across 121 individual land parcels owned by 22 different landholders.
    - Approximately 99 per cent of the Project Land is freehold land comprising of substantially modified areas used for commercial forestry and land primarily used for grazing. A total of 0.4 per cent of the Project Land (or 48.3 per cent of the transmission line) is located within Crown Land.
    - There are several areas of public land within the regional context of the Project comprising parks, reserves, Indigenous protected areas, wetlands and permanent streams. Public land near the Project is used for conversation purposes, along with compatible recreation uses.
    - Recreational infrastructure in the regional context of the Project Land generally aligns with the public land sites that are managed and protected in accordance with the Ngootyoong Gunditj Ngootyoong Mara South West Management Plan.

Amenity of the surrounding area

The effect of the Project on the surrounding area in relation to noise, blade glint, shadow flicker and electromagnetic interference has been assessed as part of the EES technical assessments. Each of these matters are summarised below.

<u>Noise</u>

- A Background Noise Monitoring Report, and Environmental Noise and Vibration Assessment was undertaken by Marshall Day as part of the EES for the Project and in accordance Division 5 of Part 5.3 of the Environment Protection Regulations 2021 (EP Regulations).The assessments determined the following outcomes with the implementation of measures in place to manage the potential adverse effects of noise and vibration at sensitive locations:

- Operation of the wind farm is predicted to result in noise levels below the criteria set out under regulation 131B of Part 5.3 of Division 5 of the EP Regulation Noise levels associated with each of the main construction activities have been predicted at the nearest receivers and are considered typical for the construction of a wind farm. The highest noise levels are predicted to occur during cable trench digging near a non-involved receptor, followed by the construction of powerlines and access roads. However, the works associated with these construction activities would progress relatively quickly and these levels would therefore only be expected for a short period of time, typically less than three to four weeks and less than one week for the highest noise level associated with cable trench digging. The predicted noise levels for use of the quarry during construction are lower than the most stringent Noise Protocol limit of 36 dB applicable to the night period, by at least 6 dB, at all 14 receivers located within eight km of the quarry.

- Noise generated by construction of the Project can be controlled in accordance with relevant Victorian guidelines provided by EPA Publication 1834, using a combination of restricted working hours and good practice working measures.

- One non-involved receiver is located within a range where vibration could be perceptible and potentially disruptive for the brief period while cable trenching activities are occurring. Perceptible vibration at this receiver due to cable trenching activities is expected to be manageable via resident consultations, appropriate scheduling, and prioritising efficient work times to minimum the duration of trench digging nearest to the dwelling.

The measures recommended in the assessments will be given effect by the condition in the Incorporated Document requiring a Noise and Vibration Management Plan and a Quarry Noise Management Plan (as part of the Quarry Work Plan) to be prepared prior to construction commencing. In addition, the preparation of a pre-development (predictive) noise assessment report prepared by a suitably qualified and experienced acoustician will:

- report on a pre-development (predictive) noise assessment conducted in accordance with NZS6808:2010

- provide an assessment of whether the proposed wind energy facility will comply with the relevant noise limit for the particular facility as set out under regulation 131B of Part 5.3 of Division 5 of the EP Regulations

On this basis, it is considered that the effect of the Project on the surrounding area in terms of noise is not unreasonable and adheres the requirements of the Guidelines, in particular 131B of Part 5.3 of Division 5 of the EP Regulations

Shadow Flicker and Blade Glint

- A Shadow Flicker and Blade Glint Assessment was undertaken by GHD (2022) as part of the EES for the Project. The assessment found exceedances of the specified limit of 30 hours per year for two associated dwellings in the modelled worst-case and for two associated dwellings in the expected-case scenario. It is noted Neoen has agreements in place with each of the two landowners whereby the landowners acknowledge and accept that shadow flicker may exceed 30 hours per annum at their respective dwelling. In accordance with Section 5.1.2(c) of the Guidelines, blade glint is not expected to be an issue on the basis wind turbines use non-reflective coatings on the blades on the wind turbines.

On this basis, it is considered that the Project meets the relevant requirements of the Guidelines in relation to shadow flicker and blade glint when considering the agreements in place with the associated landowners experiencing shadow flicker exceeding 30 hours per year.

Electromagnetic Interference (EMI)

- An Electromagnetic Interference Assessment was undertaken by GHD (2022) as part of the EES for the Project. Through design siting and the choice of turbine materials, modelled effects on existing radio services have been able to be reduced. However, the assessment concluded the wind farm has the potential to impact on television broadcasting systems at three dwellings located south of the wind farm site, and result in FM radio signal degradation for receivers in the immediate vicinity of the wind farm. The wind farm site is also expected to have an impact on the Mount Gambier weather watch radar. Neoen will continue to engage with relevant stakeholder in relation to EMI matters as required to ensure operational efficiency is maintained for all services.

- A requirement of the Incorporated Document specifies a pre- and post-construction assessment of the television and FM broadcast reception strength at the location of any existing or approved dwellings within five km of any turbine (as at the time of Project approval) is undertaken to ensure the wind farm does not interfere with reception.

In summary, it is considered that Project would not have any unreasonable impact as a result of EMI.

Landscape and visual impact

A Landscape and Visual Impact Assessment was prepared by *Green Bean Design Landscape Architect* (2021) as part of the EES for the Project. The assessment determined the Project Land and surrounding landscape character sensitivity to be overall medium with some areas of high sensitivity within the coastal edge. As a landscape defined as having an overall medium sensitivity, some key landscape characteristics (including those associated with the Discovery Bay Coastal Park and sections of the Great South West Walk[1]) would be affected by the Project. Specifically, the assessment found:

- In some areas, including sensitive view locations within the Lower Glenelg National Park and the Glenelg River environs, these have a greater ability to absorb change through extensive areas of tree cover screening views toward the Project Land from sensitive locations including camp sites and day use areas along the Glenelg River corridor as well as other localities within adjoining National Parks.

- The Project is unlikely to have a significant visual impact on the urban character of the Nelson township and estuary, where most views toward the Project Land from dwelling locations would be screened by adjoining structures, tree cover and undulations in local landform.

- The relatively low number of non-associated dwellings within five km of the proposed location of Project wind turbines will be impacted to the extent they have views toward the Project Land and associated wind turbines. In some instances, these views will extend toward the Project Land from elevated locations with minimal screen planting, and in others will be limited due to tree cover surrounding, and beyond dwellings.

[1] The Great South West Walk was established in the early 1980s as a circular 250-kilometre walking trail starting in Portland and running through the Nelson area (Friends of the Great South West Walk n.d.). The walk extends through Cobboboonee, Mount Richmond and Lower Glenelg National Park, Cape Nelson State Park, Coboobonnee Forest Park, Discovery Bay Coastal Park, as well as several reserves. It also includes a number of sites for overnight campers.

- Views from National Parks and the Glenelg River/estuary may be impacted however, the extent of tree cover and topography would significantly restrict opportunities to view the proposed wind turbines.
- Views from the ocean beach (and a portion of the Great South West Walk) may be impacted however, sand dunes up to 20 metres in height and existing low coastal vegetation would screen or partially screen views toward wind turbines from these areas.
- Project infrastructure would be visible from parts of the Great South West Walk, including a section along the Discovery Bay foreshore south of the Project Land (approximately 30 km). Partial views to the upper portions (hubs and blades) of wind turbines would be visible from the ocean foreshore beach, however mitigated to some extent by existing landscape features in the form of sand dunes and associated vegetation. Views from the majority of the 250-kilometre Great South West Walk would not extend toward the Project Land and associated Project infrastructure.
- Views would extend toward wind turbines from the Lake Mombeong campsite, day use area and pathways toward and around the lake. Wind turbines would also be visible from some portions of the Nobles Rock Track whilst travelling from the ocean toward the plantation. Views toward wind turbines from the Swan Lake campsite, day use area and local tracks would be partially screened by landform and tree cover beyond the campsite locality.
- Whilst the Project Land does propose wind turbines proximate to the Lower Glenelg National Park, views toward the Project Land would be screened from day use and camping areas located along the Glenelg River within the National Park.
- Views toward the Project Land from local roads will offer a range of transitory views which will be subject to direction of travel and potential screening influence of vegetation (and plantation trees) alongside road corridors. Dwellings are unlikely to have views toward ancillary infrastructure.

The Project would unlikely result in a significant cumulative visual impact arising from indirect or direct visibility between other proposed and operational wind farms located more than 60 km to the east of the Project Land.

Flora and Fauna

Three flora and fauna reports were prepared by Biosis as part of the EES for the Project comprising:

- Flora and Fauna Existing Conditions and Impact Assessment report (2022).
- Southern Bent-wig Bat Impact Assessment report (2022).
- Brolga Impact Assessment report (2022).

Construction and operation activities associated with the Project have the potential to impact local biodiversity by way of vegetation clearing and habitat disturbance, artificial lighting and construction noise, potential collision impacts with the Project infrastructure, and operational noise and lighting. The assessment found:

- The Project responds to the *Guidelines for the removal, destruction or lopping of native vegetation* as outlined in **Section 5.2.1.2** of this report. The construction of the Project will require some removal of native vegetation to accommodate the Project infrastructure and some road upgrades. Prior to the removal of native vegetation, details of the proposed removal will be required to be prepared in accordance with the Incorporated Document and *Guidelines for the removal, destruction or lopping of native vegetation.* Where impacts cannot be avoided offsets are required to be obtained as a condition of the Incorporated Document.

- Targeted fauna surveys informed the existing conditions of the Project Land and surround which identified several potential impacts of the Project to biodiversity. Potential impacts include vegetation removal and habitat disturbance, artificial lighting, noise and vibration during the construction and operation and potential collisions with the wind farm infrastructure and overhead transmission lines.

- The main risk of the Project to brolgas was identified to be collision with the turbine blades and overhead transmission line. Brolga collisions with turbines have not been documented to date, but occasional collisions with power lines are known to occur. The Project will not remove wetland habitat and therefore no direct impact is likely on habitat.

- The Project does not entail direct removal of any vegetation or impacts on caves or wetlands that are important habitats for the Southern Bent-wing Bat (listed as critically endangered under both the EPBC Act and *Flora and Fauna Guarantee Act 1988*). The assessment identified that internationally and in Australia microbats are known to collide with the blades of wind turbines and a small number of SBWB have been found as collision victims at existing wind energy facilities in southwestern Victoria.

Potential impacts on biodiversity and threatened species and ecological communities will be mitigated and managed through a number of mitigation measures implemented throughout various stages of the Project. These mitigation measures including an Environmental Management Plan, Construction Environmental Management Plan, Native Vegetation Plan and a Bird and Bat Management Plan. These managements plans are a requirement of the Incorporated Document.

Additional management measures that will be implemented across the Project include strategic stockpile placement, retention of native vegetation, tree protection zones and tree pruning, disturbance site rehabilitation, turbine buffer zones, micro-siting of turbine foundations, native vegetation audits, powerline visibility measures, weed and pest animal control, wildlife management plan, preclearance surveys and terrestrial fauna management. These additional measures would be undertaken in accordance with the relevant management plans required as part of the Project.

Aircraft Safety

An Aeronautical Impact Assessment was undertaken by Chiron Aviation Consultant (2022) as part of the EES for the Project. Potential aviation impacts resulting from operation of the wind farm have been identified to address potential aircraft hazards associated with nearby aerodromes and air routes.
The lowest safe altitude for two air routes is required to be raised from 2,200 feet to 2,400 feet to meet the lowest safe altitude determined for the wind farm. The height of the wind turbines will also impact on non-precision instrument approach procedures at Portland Aerodrome. A qualitative risk assessment was undertaken for the Project in accordance with *AS/NZS ISO 31000:2018 Risk Management and Guidelines* (AS/NZS ISO 31000), which determined that the overall risk of the Project to aviation is low, and that the wind farm is 'not a hazard to aircraft safety'.

The Project has been reported to the Civil Aviation Safety Authority (CASA), and in accordance with CASA publication *AC 139-08(1) Reporting of Tall Structures*, Airservices Australia has also been notified of the Project to ensure the position of wind turbine and meteorological monitoring masts (met masts) are included within the vertical obstacle database and are marked on aeronautical charts.

Based on the findings of the assessment, it is considered that appropriate consideration has been given to aircraft safety, as required by the Guidelines.

Construction impacts and decommissioning

A CEMP is a condition of the Incorporated Document required to be prepared and approved by the Minister prior to the commencement of works. An EMP and Decommissioning Noise and Vibration Management Plan are also required by the Incorporated Document. These management plans will set out how environmental impacts will be managed through each phase of the Project.

5.2.1.4 Victorian Floodplain Management Strategy, Victorian Waterway Management Strategy and Water for Victoria – Water Plan

The Project aligns with the *Victorian Floodplain Management Strategy, Victorian Waterway Management Strategy* and *Water for Victoria – Water Plan (DELWP, 2016)* whereby it seeks to ensure any impacts on the existing waterways are minimised as far as practicably possible.

Assessments of potential impacts on surface water, groundwater and GDEs have been undertaken as part of the EES process. Consultation has been undertaken with the Glenelg Hopkins Catchment Management Authority (GHCMA), Glenelg Shire Council and DEECA as part of the abovementioned impact assessments. The outcomes of these assessments found through the implementation of industry standard mitigation measures impacts on surface water, ground water and GDEs would be managed during the construction and operation of the Project. Specifically, the implementation of industry standard mitigation measures such as treating collected trench water prior to discharging and installing sediment control devices would ensure potential residual impacts on surface water are managed during construction of the Project.

Impacts on groundwater levels and flow are anticipated to be negligible as there is limited potential for turbine foundation excavations to intersect with groundwater. Potential groundwater ingress into cable trench excavations in the north-east of the wind farm site would be suitably managed through implementation of industry-standard mitigation measures. There is some potential

Potential impacts on GDEs from groundwater/surface water contamination and surface water run-off are anticipated to be minor with the implementation of standard sediment control and contamination management measures. The Project has the potential to reduce groundwater levels through groundwater extraction for water supply. Groundwater supply bore(s) for the Project would aim to target the lower portions of the Upper-Mid Tertiary Aquifer (UMTA), which is between 30 and 250 mbgs, to reduce the potential for interaction with the shallow groundwater system (which appears to be accessed by consumptive use bores and GDEs).

To ensure that the conclusions reached in relation to potential effects on GDEs are verified and any unforeseen impacts suitably managed, a GDE Monitoring and Management Plan will be developed prior to construction commencing and will include commitment to measure groundwater levels in target and background bores to measure changes to hydraulic gradient.

Once operational, the Project is unlikely to have groundwater impacts on GDEs and protected environmental values.

An EMF will be submitted to the Minister for Planning for approval as a condition of the Incorporated Document. The EMF will provide the overarching framework for the site or work specific measures to reduce and manage environmental impacts including impacts on surface water, groundwater and GDEs during construction and operation of the Project. This in turn will seek to align with the relevant policy and guidelines in ensuring the condition of the existing waterways within proximity of the Project Land are maintained.

5.2.2 Regional Policy and Guidelines

5.2.2.1 Ngootyoong Gunditj Ngootyoong Mara South West Management Plan

The Project seeks to ensure the aim of the relevant zones identified in the Ngootyoong Gunditj Ngootyoong Mara South West Management Plan (the Management Plan) are not compromised through the construction and operation of the wind farm and transmission line. Further to zones identified in **Table 3.5** of **Section 3.4.2.1**, Project infrastructure is not proposed to be located in a number of these areas however, there is some instances where Project Land will intersect with a zone identified in the Management Plan. **Table 5.5** provides a response to the zones intersected by Project infrastructure.

A consent application is being prepared as part of the EES in accordance with Section 27 of the *National Parks Act 1975* to allow the construction and operation of the transmission line through Cobboboonee National Park (see Appendix Z to the EES). The consent application also includes proposed works within the adjacent Cobboboonee Forest Park. The consent application provides detailed information regarding how the potential impacts during the construction and operation would be managed. In addition, the consent application includes a detailed policy assessment against relevant policy, including the Management Plan..

Table 5.5 Assessment against relevant Management Plan zones

Cobboboonee National Park
• Applicable Zone: Conservation and Recreation Zone • Emphasis is on the protection of environmental and cultural values while allowing for recreation. Dispersed recreation and nature-based tourism activities are encouraged to ensure minimal impact on the natural processes.
Project Response The underground section of the transmission line will extend along Boiler Swamp Road, which is defined as a conservation and recreation zone. The Project is consistent with the aim of the zone whereby it seeks to protect the environmental and cultural values of the national park. This is achieved through locating the transmission line underground and below or immediately adjacent to Boiler Swamp Road. Furthermore, a 6.5-metre-wide corridor will be established in which construction works must be undertaken minimising impacts to the environmental values of the area. However, during construction the closure of Boiler Swamp Road would be required and subsequently, recreational infrastructure would be temporarily impacted. The construction methodology allows the road to be closed off in segments and traffic diversions would be able to utilise the trafficable roads extending north-south from Portland Nelson Road. As such, this would allow public traffic following the Wood, Wine and Roses Forest Drive and accessing other public land sites to be diverted around the section of Boiler Swamp Road that would be under construction. The Wood, Wine and Roses Forest Drive extends along Boiler Swamp Road between Blacks Road to the west and Fish Hole Road to the east. The longest segment of the Wood, Wine and Roses Forest Drive that would be closed along Boiler Swamp Road is approximately four km between T and W Road and Fish Hole Road.

Cobboboonee National Park
Emergency services will still be able to access Boiler Swamp Road and will not be required to be diverted around the segment closed temporarily. The Great South Walk crosses Boiler Swamp Road and would be temporarily impacted due to the closure of the road. Temporary, alternative access to ensure connectivity of this walking trail would be installed when construction at this segment occurs. This would include traffic control along with marquees and seating set up to be utilised if walkers will need to wait to cross whilst construction vehicles are passing by. It is estimated this would be for approximately 30 minutes maximum. In addition, there may be temporary access changes for other recreational uses such as horse trails, camping, hiking trails, and bike riding that may occur as a result of construction works. Traffic management measures would ensure that these users are considered and that safe, alternative access is provided where feasible. Once operational, impacts to recreational sites would be minimal. Operational and maintenance requirements would be limited to call out maintenance and faults which would be contained within the construction corridor, and which would require road closures for the general public for a short period of time. Traffic management measures would ensure that all users are considered and safe with alternative access provided where feasible in accordance with a Traffic Management Plan required as a condition of the Incorporated Document. Ongoing consultation with Parks Victoria will be undertaken in relation to road closures and diversions of traffic and recreational activities.
Cobboboonee Forest Park
• Applicable Zones • Special Management Zone: *Aim to conserve specific features of the Forest Park while catering for sustainable timber production.* • General Management Zone: *Areas managed for a range of use and values.* • Special Protection Zone: *Areas managed for conservation, which forms part of the informal reserve network designed to complement the dedicated reserves. Timber harvesting operations including minor forest produce and firewood is excluded.*
Project Response Extending west from the wind farm site, the underground transmission line extends through a section of the Cobboboonee Forest Park, which is zoned General Management Zone and Special Protection Zone. Further west of Cobboboonee National Park, there is a small section of the transmission line that extends through the Cobboboonee Forest Park, zoned Special Management Zone. The Project is consistent with these zones whereby the use and development of the transmission line within these zones will be established underground and below or immediately adjacent to Boiler Swamp Road allowing the use of the Forest Park as intended by the Management Plan. Construction will be limited to the adopted 6.5-metre-wide corridor and as such, limiting any impacts to the features and values of these areas. Current uses of these areas may be impacted during construction works. As per the response above, this will be managed in accordance with the Traffic Management Plan for the Project and in consultation with Parks Victoria. Once operational, these areas will not be impacted by the transmission line and will be able to continue as per the current uses.

5.2.2.2 Great South Coast Regional Growth Plan and The Great South Coast Regional Strategic Plan 2014–19

The Project is consistent with *The Great South Coast Regional Growth Plan* and *The Great South Coast Regional Strategic Plan 2014–19* as it aligns with the region's strategic direction. These plans provide a regional approach to land use planning by identifying the challenges and opportunities in the Great South Coast region as it grows over the next 10–30 years.

The plans predict the potential economic, environmental, and social issues that may affect the region, and therefore presents a regionally agreed position as to how these issues would be addressed and managed in the future. It is identified that infrastructure, services and workforce will be needed to harness the potential and benefits of growth.

One of the strategic directions seeks to '*position the Great South Coast for economic growth*', which renewable energy was identified as a major opportunity for the region and wider Victoria. Furthermore, drivers of change were identified as the key influences on future growth for the region, which includes '*an abundance of energy assets, including natural gas and renewable energy resources for wind, geothermal and marine energy technologies – building on these opportunities could make the region Australia's alternative energy capital'.*

The Project aligns with the land use policies, strategies and actions set out in these plans as it:

- Takes advantage of existing infrastructure in the region by connection to Heywood Terminal Station.
- Provides benefit to the regional community by providing clean renewable energy, reducing greenhouse gas emissions, providing an estimated $1.2 billion infrastructure investment, creating up to 365 jobs (for construction and operation) and implementing a Community Benefits Sharing Program and Neighbour Benefits Program.
- Outlines mitigation measures which have been developed through Project design, construction methods and operating procedures to ensure local assets are protected.
- Has identified and assessed the cumulative impacts of the Project as part of the EES by considering the existing conditions and potential impacts relevant to each aspect of the environment in isolation. These will be managed through the mitigation measures set out in the EES.
- Will use local resources including on-site quarrying. A new limestone quarry is proposed to be established in the wind farm site adjacent to the existing quarry owned operated by Green Triangle Forest Products, on North Livingston Road. The quarry material would be used for hardstands and for upgrades to existing access roads or construction of new access roads. The quarry would also be used throughout the Project's lifetime for road maintenance and would be made safe and rehabilitated at the end of its use for the Project.

5.2.3 Local Policy Guidelines

5.2.3.1 Council Plan 2021–2025 and Glenelg Shire 2040 Community Plan and Vision

The Project is consistent with the *Council Plan 2021-2025* and the *Glenelg Shire 2040 Community Plan and Vision* whereby it considered to support the community aims outlined in both these plans. The plans provide a clear direction and outline the community's vision and aspirations for the shire in the future. The six priority themes outlined in these plans include: natural environment, industry, education and employment, health and wellbeing, access, transport and technology, lifestyle, neighbourhoods and culture, as well as voice and action. Each theme is subject to relevant community priorities and an action plan which measures the success of achieving each theme's priorities, including:

- 'to work together to address and mitigate the effects of climate change'.
- 'identify employment opportunities that reduce the effects of climate change'
- 'focus on renewable energy, such as wind, and the region becoming a national leader in sustainability practices with a world class renewable energy sector deeding back into Latrobe Valley power lines to power Victoria'
- 'encompassing opportunities for renewable energy in industry by taking advantage of wind, solar and hydro facilities'

The Project supports the communities' priorities for the natural environment by addressing and mitigating the effects of climate change. The Project would reduce Australia's carbon emissions by approximately 2.4 million tonnes annually, thereby contributing to State and Federal Government targets for greenhouse gas emission reductions. The Project would also directly contribute to achieving Victoria's legislated renewable energy target of 65 per cent by 2030. Thereby, promoting the use of renewable energy in the region, lowering carbon emissions, and moving towards the communities aim to be a carbon-neutral region.

The Project has the potential to bring significant economic and social benefits to Victoria, including to Portland and the local area. It is estimated to involve a $1.2 billion infrastructure investment, creating up to 365 jobs during construction and 14 jobs when operational. It is intended to use local service providers and businesses to service or supply the Project where possible and will develop a Local Participation Plan prior to construction commencing. This plan will contain targets for local and regional employment during construction and operation.

In addition, Neoen has committed to providing $150,000 per year for local projects and initiatives throughout the Project's lifetime as part of its Community Benefits Sharing Program. Neoen implements these programs for all its assets in Australia and believes it to be industry best practice, resulting in benefits for the local community.

5.3 Assessment Summary

This section of the report provides an assessment summary of the Amendment outlined in this report. This has taken into consideration the following:

- The benefits of the project (refer **Section 2.1**).
- A response to **Clause 71.02-3** (Integrated decision making) of the Planning Scheme, which identifies that the Minister must consider the principles of integrated decision-making in order to favour net community benefit and sustainable development for the benefit of present and future Victorians (refer **Section 5.3.1**).
- A response to the objectives of planning in Victoria as set out in Section 4 of the P&E Act that land use and development must have regard to (refer **Section 5.3.2**).

5.3.1 Integrated Decision Making & Net Community Benefit

With consideration of the planning assessment contained in **Section 4.0** of this report, the following is noted in relation to the principles of integrated decision-making. Clause 71.02-3 of the Planning Scheme notes the purpose of planning and decision to meet society's various needs and expectations by addressing aspects of environmental, social, and economic well-being affected by land use and development. This requires integrating the range of relevant policies and balancing conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

When considering the Project's net community benefit, community should be interpreted as both the locality, and also the State of Victoria.

This section aims to balance any conflicting planning objectives as these relate to the proposed use and development at this location to determine what outcome will favour net community benefit and sustainable development. In doing so, this section considers policies and objectives relevant to the following key issues:

- Energy generation and transmission infrastructure, and climate change.
- Social and economic development.
- Biodiversity, marine and coastal environment protection and enhancement and significant landscapes.
- Environmental risks and amenity (bushfire and noise).

Policy support for energy generation and transmission infrastructure

The Victorian Government has committed to reducing Victoria's greenhouse gas emissions to net zero by 2050, as legislated under the *Climate Change Act 2017*, with interim five-yearly targets (DELWP, 2021), and has increased the Victorian Renewable Energy Target (VRET) of 50% by 2030. This target has recently been increased to 65% by 2030 and 95% by 2035 as legislated by the *Renewable Energy (Jobs and Investment) Act 2017*.

Strategically, the Great South Coast Region Growth plan (DELWP 2014) notes the developing renewable energy industry within the region, given the natural wind resource, is capable of generating vast amounts of renewable energy. It notes the 500 kV transmission line which only operates at 25% capacity and the siting of the Project proximate to the 500 kV line seeks to leverage the capacity of the asset.

The Project is also located within the southwestern Victoria Renewable Energy Zone, which is one of six zones identified to have a high renewable energy resource, with particularly good wind speeds, and has opportunities to connect to the NEM.

The Project also demonstrates consistency with the PPF, aligning with the purpose of Clause 19.01-1S (Energy supply), Clause 19.01-2S (Renewable Energy), and Clause 19.01-2R (Renewable energy – Great South Coast) of the Planning Scheme which seeks to:

- support the development of energy generation, storage, transmission and distribution to transition to a low carbon economy

- support energy infrastructure projects that minimise land use conflicts and that take advantage of existing resources and infrastructure networks
- support wind energy facilities in locations with consistently strong winds over the year.

In addition, the project is aligned with the objective of Clause 13.01 (Climate Change Impacts) to adapt to the impacts of climate change through risk-based planning. The development of this renewable energy project facilitates this goal through providing low-emission generation capacity to support the transition from fossil fuel intensive energy generation. The project will provide reliable renewable energy to Victorians and at the same time contribute to the reduction of emissions generated by the Victorian grid.

In terms of land use, most of the Project land is located within the Farming Zone, where wind energy facilities are permissible with consent with no parts of the project site located in any prohibited areas identified in Clause 52.32.

The transmission line for the Project (utility installation) passes through land in the PCRZ and this land use is also permissible with consent (Section 2 use).

Energy generation and transmission infrastructure and climate change

There is an urgent need to progress generation, storage and transmission developments in eastern Australia, with the National Electricity Market (NEM) expected to experience a cluster of five announced coal-fired generator retirements in the next decade, while also needing resilience for potential future closures (AEMO, 2022).The wind energy industry is one of the fastest growing sources of renewable energy in many countries including Australia, and notably was the leading source of clean energy in 2020 (Department of Climate Change, 2024). Wind energy provides a range of benefits including (but not limited to) an inexhaustible renewable energy source, no toxic air emissions, minimal waste generation during operation, compatibility with existing land uses such as agriculture and forestry, and ability for wind farms sites to be returned to their pre-development conditions after decommissioning.

Beyond the immediate Glenelg LGA community, the Victorian community sets to benefit from the Project as the project would provide up to 30 years of clean energy to Victoria, producing approximately 2,300 GWh of low emissions energy per year, which is the equivalent of removing 600,000 cares from the road or planting 3 million trees.

The location of the Project takes advantage of existing infrastructure including the 500 kV transmission line located approximately 23 km east of the wind farm site and the good wind source of the Project Land. The AusNet 500 kV network is extremely secure, which is essential for ensuring that electricity can be effectively dispatched when required by the Victorian electricity market. The wind farm site is situated within heavily disturbed pine plantation and farming land with the proposed transmission line route located primarily within existing roads and farming land. The location of the Project also aligns with Clause 17 – Economic Development of the planning scheme, which encourages proposed development to be aligned with identified strengths of each region. The Project supports this objective as it has specifically been proposed to be developed in the Glenelg region due to the proximity to existing energy infrastructure and strong winds. The connection point at the Heywood Terminal Station contains multiple available bays for future connections. This section of the NEM is proximate to the Portland Aluminium Smelter which not only produces high grade materials but also employs a significant portion of the local population and requires a very large electricity load.

Social and economic development

The approval of the amendment will result in significant economic and social benefits at a local, regional and state level from both the construction and operation of the project.

The most significant social benefits associated with the Project include provision of training and upskilling for local people, and local employment and procurement opportunities, which is consistent with Clause 19.01-1S of the Glenelg Planning Scheme. The Project supports the objectives of Clause 19.01-1S as it is a $1.2 billion infrastructure investment, which will create up to 350 jobs during construction and maintain 14 on-going jobs once operational. The Project is supported by Clause 17 of the Glenelg Planning Scheme, as it will contribute to the wellbeing of the state through the provision of a new, reliable, and clean energy source, and further develops the diversification of the local and state economy. In addition, the Project will generate significant economic benefits for the broader region and directly contribute to achieving Victoria's legislated renewable energy target of 65 per cent by 2030, as well as bringing significant economic and social benefits to Victoria, including to Portland and the local area.

Where possible, Neoen will use local service providers and businesses during the construction of the project and to service and supply the Project during its operational life. During construction, 52 of the expected 250 workers will be apprentices and trainees. There is strong and consistent evidence that the provision of apprenticeship and trainee opportunities during construction of a project would benefit the individuals involved by increasing their probability of employment and expected hourly weekly wage rate in subsequent years.

Neoen will also implement a Shared Benefits Strategy to ensure the benefits of the Project are proactively and purposefully shared with local communities consistent with Clause 17.01-1S, Diversified economy (Support rural economies to grow and diversify and improve access to jobs closer to where people live).

Neoen has committed to providing $150,000 per year for local projects and initiatives throughout the Project's lifetime as part of its Community Benefits Sharing Program along with a Neighbour Benefits Program. The Neighbour Benefits Program would comprise payments to landowners of residential dwellings within 3.5 km of a proposed wind turbine. Further engagement with community members will be undertaken to identify options and priorities for Community Benefits Sharing Program.

Biodiversity, marine and coastal environment protection and enhancement and significant landscapes

A wide range of specialist environmental studies and assessments have informed the development of the Project EES, guided by the Scoping Requirements approved by the Minister in January 2020. These studies and assessment have confirmed that the overall risk of significant impacts to biodiversity, marine and coastal environment values arising from the construction and operation of the project are considered to be minimal.

Impacts to these environmental values have been reduced through the iterative design of the Project, which has resulted in a reduction of turbines (from 157 down to 105, and selective siting to avoid any unacceptable impacts to visual amenity and biodiversity. This includes avoiding the placement of turbines within 500 m of the Ramsar wetlands or within 300 m of public land and also removing many of the turbines from within the SLO1. Additionally:

- A 5 km turbine rotor exclusion area has been applied around McLennans Punt (SBWB roosting cave area), and

- Turbine free buffer zones (to protect Brolga and other bird species) have been applied throughout the Project Area.

The Project design proactively limits impacts on the Surrey River (ESO2 - Waterway, wetland and estuary protection), using HDD to construct the transmission line beneath the river. Where the Project transmission line intersects with ESO3 (South-Eastern Red-Tailed Black Cockatoo Habitat Areas), it is not expected to impact on a substantial amount of habitat given the transmission line is to be constructed underground.

Consistent with Clause 12.05 (Significant environments and landscapes), the Project has undergone an iterative design process, informed by technical assessment and the advice of the Project's technical specialists to minimise impacts to surrounding areas of environmental, landscape and visual significance where possible. Although the Project would result in visually dominant alterations to the perceived landscape character of the Project Area and surrounds, in accordance with Clause 11.03-53 (Distinctive areas and landscape) the key activities in the region (such as the Great South West Walk) will be able to continue as currently undertaken once the Project is operational.

As part of the Project's ongoing commitment to avoid, manage and mitigate environmental risks, Neoen will invest $1 million in sponsorship for ecological studies, protection activities and species recovery every year from the commencement of operations for the expected 30-year life of the project. Recipients already identified for funding include the Southern Bent-wing Bat Species Recovery Fund and Friends of the Great South West Walk (GSWW).

Clause 12.05-2S of the Glenelg Planning Scheme seeks to ensure development does not detract from the natural qualities of significant landscape areas. The Project has addressed this clause as follows.

- 12 wind turbines are proposed within the SLO1. 8 of these wind turbines are proposed within the plantation coupe north of Portland-Nelson Road. Four of these wind turbines are proposed within agricultural land immediately south of Portland Nelson Road.
- Where views are occasionally visible, the siting of turbines ensures that significant views are not detracted from.

The Project seeks to retain the 'undeveloped and vegetated character' of coastal dunes, waterways and estuaries by positioning wind turbines to the north-eastern portion of land affected by the SLO1 by locating turbines over six km from the Glenelg Estuary and approximately three km from the coastal foreshore area. There are partial views of the wind turbines from the picnic area of the Glenelg Estuary, however the turbines would not impinge on views toward, or within the estuary or the Glenelg River corridor in the SLO1 area. This supports the landscape character objective of retaining the current character of the areas affected by the SLO1. Locally significant views and vistas to the ocean, Glenelg Estuary and other natural landforms are largely screened by tree planting alongside Portland-Nelson Road.

Views towards the Project from the GSWW that are affected by the SLO1 are largely screened by landform and tree cover. Views north from the section of beach subject to the SLO1 are generally screened by sand dunes running parallel to the beach and as such, the current views and vistas are protected from this location. Where there are visible turbines on the skyline (when viewed from the beach), these views are limited to blades and hubs as they are partially screened by sand dunes and vegetation rising above the foreshore.

The Project can manage the tensions of the Planning Scheme (Clause 12.02, Marine and Coastal Environment and Clause 12.05, Significant Environments and Landscapes against Clause 17.01, Employment and Clause 19.01, Energy). The Planning Scheme does not weigh these objectives higher than the other, and this Project responds to environmental sensitivity in the area with a carefully managed outcome and robust management and mitigation measures, while also putting forward a net community benefit.

Environmental risks and amenity

Whilst the area surrounding the Project Land has a low population, there are still potential amenity impacts expected as a result of the construction and operation of the Project that will be managed in accordance with the EMP and CEMP (a sub-plan of the EMP) and other relevant conditions of the Incorporated Document. Potential amenity impacts on non-associated existing dwellings are not considered to be unreasonable based on the technical assessment prepared as part of the EES for the Project.

Bushfire risk associated with the Project has been considered in a Bushfire Risk Assessment prepared by Fire Risk Consultants (2023) as part of the EES. This assessment undertaken by Fire Risk Consultants found the risk of a fire igniting during construction of a development is always present, due to the presence of ignition sources including hot works, increased vehicle traffic and vehicles travelling across vegetated areas. With the implementation of mitigation measures, the risk of a bushfire being ignited during construction is unlikely to be significant.

A Bushfire Management Plan (BMP) is required as a condition of the Incorporated Document to be approved by the Minister prior to the commencement of works. Turbines have potential to ignite a fire through the use of combustible and flammable materials and liquids, a lack of maintenance causing failures within the turbines, or a lack of fire detection systems. The risk of a bushfire igniting during operation of the transmission line is considered low with the implementation of mitigation measures as part of the BMP.

A range of range of additional design and maintenance mitigation measures to minimise the risk of bushfires being caused by Project infrastructure will be implemented through an EMP and include the installation of detection and suppression systems within the nacelle of the turbines and providing a fuel managed area around the base of the wind turbine to prevent ignition from falling burning materials.
The outcomes of the assessment concluded that with the implementation of the measures described in the BMP and EMP, compliance with the objective of Clause 13.02-1S (Bushfire) of the Planning Scheme will be achieved.

Impacts to amenity on public land in proximity to the Project during the construction and operation of the project has been considered as part of the Amendment and the broader EES.

Whilst construction will disturb current land uses temporarily, the construction methodology allows for access to still be available for emergency vehicles and visitors to the area via road detours. The aim of the management zones identified in the Ngootyoong Gunditj Ngootyoong Mara South West Management Plan will not be compromised as a result of the underground transmission line route. The underground section of transmission line of is the only component of the Project that intersects with public land sites (Cobboboonee National Park and Cobboboonee Forest Park). The siting of the route aligns with the existing Boiler Swamp Road and thus, minimising impacts to the operation of the public sites including recreational infrastructure.

Key impacts to public land and agricultural activities on adjacent land during construction are the earthmoving works and the removal of vegetation which would establish the sites for turbines and associated infrastructure, and trenching works for the power cable linking the Project to the NEM. Temporary Impacts to local amenity and road access may also occur during the occupation of land or sections of the road network to facilitate construction activities. While these activities may cause limited temporary impacts to adjacent land uses, these impacts would be managed in accordance with the CEMP required under the Incorporated Document.

Once operational, it is considered the Project would have minimal impact on public land uses, agricultural activities and existing infrastructure allowing the continued current use of the applicable zones.

The Project will generate noise during construction (temporary) and operation. Noise modelling for wind turbine noise levels associated with the Project are predicted to comply with the noise limits at all 48 receivers monitored.

A construction noise and vibration management plan will be prepared for the Project, which will include details of reasonably practicable mitigation measures. Post construction, a noise management plan (NMP) will be prepared and implemented to ensure operational noise requirements comply with the appropriate standards.

Net community benefit: The Project has undertaken a range of environmental assessments by qualified technical specialists over 5 years, which has informed a range of design changes to avoid and minimise impacts to ecological and landscape values. The overall conclusion of the integrated environmental assessment is that while the Project is likely to have short-term temporary impacts to the environment during the construction phase, the overall likelihood of significant impacts to the environment arising from the construction and operation of the Project is low.

The Flora and Fauna Existing Conditions and Impact Assessment (Appendix C to the EES) concluded that there would be no direct removal of any vegetation or impacts on caves or wetlands that are important habitats for the Southern Bent-wing Bat. The assessment also concluded that impacts to the Australian Bittern, White-throated Needletail, South-eastern Black Cockatoo and the Orange-bellied parrot can be effectively minimised by implementing the measures detailed in the Bird and Bat Adaptive Management Plan. Other measures to protect bird and bat populations in proximity to the Project will be incorporated into the Environmental Management Framework, Construction Environmental Management Plan, Native Vegetation Plan and a Bird and Bat Adaptive Management Plan. These managements plans are a requirement of the Incorporated Document.

There are no significant long-term impacts for landscape values and amenity arising from the construction and operation of the project. While the project is a change to the landscape it is within an area in which wind farm infrastructure is not unexpected. The Project will implement an on-site and off-site planting plans to shield the project infrastructure, where feasible, with vegetation that is appropriate for the landscape and region.

Temporary, short-term impacts to adjacent land uses and amenity are anticipated during the construction phase of the project. No long-term impacts to adjacent land uses and amenity are anticipated once the project commences operation.

The proposed Incorporated Document facilitates the construction and operation of the Project. As part of the Incorporated Document, a range of planning, environment and heritage conditions are to be implemented as a condition of any planning approval. The Incorporated Document requires that a range of management plans and other conditions be met before the commencement of construction works commence. The Incorporated Document also requires ongoing monitoring of environmental conditions during operation of the Project. This adaptive environmental management approach ensures that environmental risks are identified and managed appropriately over the anticipated 30-year operational life of the Project.

The Project will make a significant contribution to the local and regional economy over its anticipated 30-year operational life. The Project will also directly contribute to achieving Victoria's legislated renewable energy target of 65 per cent by 2030. The Project will provide opportunities for the training and upskilling for local people, including local employment and procurement opportunities and is anticipated to create up to 350 jobs during construction and provide 14 ongoing jobs during operation. Neoen has committed to a Shared Benefits Strategy to provide funding for local environmental initiative for the lifetime of the operation of the Project.

The Project is consistent with Clause 71.02-3 as the Project will provide a significant increase in the renewable energy available to the NEM and assist Victoria in meeting legislated targets for the development of renewable energy capacity within the State and will contribute to reducing Victoria's carbon emissions from energy-generation. This increased renewable energy capacity is an environmentally sustainable development which will benefit the present community and future residents and workers, both locally and regionally, into the future.

While the Project will have limited, short-term environmental impacts the proposed Environment Management Framework provides an integrated system for managing, mitigating, and avoiding potential environmental impacts that may arise from the construction and 30-year operation of the Project.
The Project will provide a net community benefit through its significant social and economic benefit to the local and regional community, particularly in the development of skills and training and for these reasons should be considered a Project that delivers a net community benefit.

5.3.2 Section 4 of the *Planning and Environment Act 1987*

Table 5.6 provides a Project response to the objectives under Section 4 (Objectives) of the P&E Act (as relevant to the Project). The summary demonstrates that the Project is consistent with the objectives contained within Section 4 of the P&E Act. Long-term, intensive studies as part of the EES process have been undertaken to characterise the existing environment and to understand potential impacts. The Project has been reconfigured in response to the outcomes of these studies and in recognition of the objectives of the planning scheme, some of which are competing and require careful balancing to produce a Project that delivers net community benefit for current and future generations. The Environmental Management Framework recommends a suite of measures to manage and mitigate potential impacts during construction and operation of the Project. In addition, the EMF also documents proposed monitoring and adaptive management responses for potential impacts that may occur.

Table 5.6 Consistency of the Project with Section 4 of the P&E Act

Objectives (Section 4 of the P&E Act)	Response
(1) The objectives of planning in Victoria are –	
• 1(a) 'to provide for the fair, orderly economic and sustainable • use and development of land'	The Project seeks to provide for the future interests of all Victorians by directly contributing to achieving Victoria's legislated renewable energy target of 65 per cent by 2030. In addition, the Project presents significant environmental and economic benefit at the local, regional and State levels. The transmission line will provide a utility installation that would connect the wind farm to the existing electricity transmission network, which will ensure that electricity can be effectively dispatched when required by the Victorian electricity market.
• 1(b) 'to provide for the protection of natural land man-made resources and the maintenance of ecological processes and genetic diversity'	The Project seeks to minimise adverse impacts on environmental and social matters whilst maximising the principles of ecologically sustainable development.
• 1(c) 'to secure a pleasant, efficient and safe working and recreational environment for all Victorians and visitors to Victoria'	A key objective for the Project is to be develop the Project in accordance with the principles of ecologically sustainable development recognising the importance of natural resources and ecosystems for meeting environmental, social and economic needs now and into the future
• 1(f) 'to facilitate development in accordance with the objectives set out in the points above'	The Project has been developed to deliver renewable energy in line with the Victorian Government target, while being designed sensitively to reduce as far as possible, impacts to the natural environment.
• 1(g) 'to balance the present and future interests of all Victorians'	The broader Project will benefit the community whereby it is near areas with high electricity demand, including the aluminium smelter at Portland. The project would diversify the economy of the local area and contribute to renewable energy generation for both the immediate locate area and Victoria more broadly.
(2) The objectives of the planning framework established by this Act are –	
• 2(c) 'to enable land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels'	The Project demonstrates the efficient workings of the planning scheme and local policies as it intersects with conservation, resource management and environmental considerations, which can be safeguarded through a singular statutory assessment and primary approval in the form of an Incorporated Document. The EES and Planning Scheme Amendment processes are transparent mechanisms for a robust integrated assessment of the Project, and invite participation from community, and interested stakeholders.
• 2(d) 'to ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land'	
• 2(e) 'to facilitate development which achieves the objectives of planning in Victoria and planning objectives set up in planning schemes'	

Objectives (Section 4 of the P&E Act)	Response
• 2(g) 'to encourage the achievement of planning objectives through positive actions by responsible authorities and planning authorities.'	The Project demonstrates throughout Section 4.4 of this report that the development achieves the objectives in the *Planning and Environment Act 1987* and the Glenelg Planning Scheme.
• 2(h) 'to establish a clear procedure'	
• 2(i) 'to ensure that those affected by proposals for the use, development or protection of land or changes in planning policy or requirements receive appropriate notice'	
• 2(j) 'to provide an accessible process for just and timely review of decisions without unnecessary formality'	

6.0 Conclusion

The scale of the development and the complexity of the site and surrounding environments present an opportunity to enable this project which is anticipated to deliver approximately 2,000 gigawatt-hours (GWh) of renewable electricity per year, equivalent to powering over 411,000 homes. With consideration of the State and Federal Government targets for greenhouse gas emission reductions, renewable energy projects including the Project, will play an important role in mitigating the projected impacts of climate change by providing renewable energy sources and reducing greenhouse gas emissions. On this basis, the project is considered to meet the 'extraordinary circumstances' required for the use of the SCO.

The Amendment facilitates the timely and coordinated delivery for the use and development of the Project. The Amendment will provide a central statutory document that clearly outlines what is permitted on the Project Land in relation to all components of the Project. It will remove any ambiguity around the permissions granted for the Project. An SCO is the appropriate planning tool to apply to facilitate the project due to its scale and complexity, the need for a range of legislative approvals and conditions to be incorporated into the Project's planning approval and the likely 30-year operational life of the Project. A planning permit approach would likely be too restrictive and would not be able to facilitate further potential design changes that may create opportunities for increased environmental protection and biodiversity conservation during construction and operation of the Project.

This report demonstrates that while there are limited, short-term environmental impacts the Project will provide significant benefits, generating economic benefits for the broader region beyond Glenelg LGA and directly contributing to achieving Victoria's legislated renewable energy target. In addition, there is a demonstrated net community benefit delivered through social benefits associated with the Project including training, upskilling and local employment and procurement opportunities. The Project's construction and operation is supported by the Victorian planning objectives articulated in the PPF and the integrated decision-making principles in Clause 71.02.

Beyond the region the Project would directly contribute to achieving Victoria's legislated renewable energy target of 65 per cent by 2030 and 95 per cent by 2035 (DEECA, 2023).

7.0 References

ABS. (2021, December). *Census of Population and Housing Destination Zones.* Retrieved from https://www.abs.gov.au/statistics/people/population/census-population-and-housing-destination-zones/aug-2016

AEMO. (2021). *AEMO*. Retrieved from https://www.aemo.com.au/aemo/apps/visualisations/map.html

DEECA. (2023). *VicPlan*. Retrieved from https://mapshare.vic.gov.au/vicplan/

DELWP. (2004, November). *Planning Practice Note 29: Ministerial powers of intervention in planning and heritage matters.* Retrieved from DELWP Resources - Planning practice notes: https://www.planning.vic.gov.au/__data/assets/word_doc/0024/97161/PPN29-Ministerial-Powers-of-Intervention-in-Planning-and-Heritage-Matters.doc

DELWP. (2013, September). *An overview of the Victorian Waterway Management Strategy.* Retrieved from Water and Catchments: https://www.water.vic.gov.au/__data/assets/pdf_file/0019/52543/VWMS-Summary_FINAL_WEB-ready.pdf

DELWP. (2017). *Glenelg Estuary and Discovery Bay Ramsar Site: Ecological Character Description.* Retrieved from DELWP Ramsar sites: https://www.environment.gov.au/cgi-bin/wetlands/ramsardetails.pl?refcode=67

Department of Climate Change, E. t. (2024, June 6). *Energy Data*. Retrieved from DCCEEW: https://www.energy.gov.au/energy-data/australian-energy-statistics/renewables

DEWLP. (2004, November). *Ministerial interventions in planning scheme amendments.* Retrieved from https://www.planning.vic.gov.au/__data/assets/pdf_file/0025/97162/PPN29-Ministerial-Powers-of-Intervention.pdf

DTP. (2023, September). *Wind Energy Facilities.* Retrieved from Department of Transport and Planning : https://www.planning.vic.gov.au/__data/assets/pdf_file/0021/570630/Development-of-wind-energy-facilities.pdf

Glenelg Shire 2040 Community Plan and Vision. (2020). Retrieved from Glenelgvic: https://www.glenelg.vic.gov.au/files/assets/public/our-council/publications-and-budgets/2040-plan/glenelg_shire_2040_community_plan_and_vision_endorsed.pdf

Glenelg Shire Council. (2021). *Council Plan 2021-2025.* Retrieved from Glenelgvic: https://www.glenelg.vic.gov.au/files/assets/public/our-council/publications-and-budgets/council-plan/council-plan-2021-2025.pdf

Great South Coast Group. (2014). *Great South Coast Regional Strategic Plan.* Retrieved from Regional Development Victoria: https://www.rdv.vic.gov.au/__data/assets/pdf_file/0004/1663132/GSC-StrategicPlan-2014-19-web.pdf

Victorian Government. (2014, May). *Great South Coast Regional Growth Plan.* Retrieved from State Government of Victoria: https://www.planning.vic.gov.au/__data/assets/pdf_file/0031/94567/Great-South-Coast-Regional-Growth-Plan-May-2014.pdf

APPENDIX A

Draft Planning Scheme Amendment Documentation

Planning and Environment Act 1987

GLENELG PLANNING SCHEME

AMENDMENT C116GELG

EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The Amendment has been made at the request of Neoen Australia Pty Ltd (Neoen) as the proponent responsible for the Kentbruck Green Power Hub (the Project).

Land affected by the amendment

The Amendment applies to land that is required for the use and development of the Project (**Project**) shown as Specific Controls Overlay (**SCO10**) on the Glenelg Planning Scheme Maps 20SCO, 28SCO, 29SCO and 30SCO and generally as shown in Figure 1 below.

The Subject Land is located in southwest Victoria approximately 300 kilometres west of Melbourne and eight kilometres east of the South Australian and Victorian border. The township of Nelson is located three kilometres west of the Subject Land, with the city of Portland 30 kilometres to the southeast. The wind farm site would be approximately 8,325 hectares of the Subject Land.

Figure 1. Subject Land

What the amendment does

The amendment applies the Specific Controls Overlay – Schedule 10 (SCO10) to the land identified in Figure 1 and inserts a new incorporated document titled the '*Kentbruck Green Power Hub Incorporated Document'* (December 2024 (**Incorporated Document**) into the Glenelg Planning Scheme. The Incorporated Document facilitates the use and development of the Subject Land for the purpose of the Project.

Specifically, the Amendment makes the following changes the Glenelg Planning Scheme:

- Introduces Planning Scheme Map 20SCO, 28SCO and 29SCO and applies SCO10 to the Subject land.
- Amends the Schedule to Clause 45.12 (Special Controls Overlay) and Schedule to Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the '*Kentbruck Green Power Hub Incorporated Document'* (December 2023'.
- Amends the Schedule to Clause 72.03 (What does this Planning Scheme consist of?) to introduce Overlay Maps 20SCO, 28SCO, 29SCO and Overlay Map 30SCO.

This amendment proposes a single site-specific planning control for the Project in the form of the Incorporated Document that will provide for a co-ordinated, streamlined and integrated assessment of the Project by a single approving authority, the Minister for Planning.

Strategic assessment of the amendment

Why is the amendment required?

The Amendment is required to facilitate the timely and coordinated delivery for the use and development of the of the Kentbruck Green Power Hub project.

The Project comprises a renewable energy development comprising a wind energy facility (wind farm) and associated infrastructure, including collector substations and power lines for the wind farm, and a new transmission line connecting the wind farm to the existing electricity network.

The fundamental objective of the Project is to provide a source of clean, renewable energy to help power homes and businesses in Victoria and through eastern Australia which are connected to the National Electricity Market. In addition, the Project will:

- significantly contribute to the Victorian Government's renewable energy target of 65% by 2030 and 95% by 2035 and 95% by 2035 as set out in the *Renewable Energy (Job and Investment) Act 2017* (Vic).
- be operational for 25 to 30 years and is anticipated to deliver approximately 2,000 gigawatt-hours of renewable energy electricity, powering the equivalent of around 411,000 homes over its lifetime.
- reduce Australia's carbon emissions by approximately 2 million tonnes annually, thereby contributing to State and Federal Government targets for greenhouse gas emission reductions.

The Incorporated Document will be a central statutory document that clearly prescribes the land uses and development permitted on the Subject Land in relation to all components of the Project. It will remove any ambiguity around the permissions granted for the Project.

This Amendment will be exhibited with the Environment Effects Statement (**EES**) and will be considered by the Minister for Planning following the release of the Minister's EES Assessment.

How does the amendment implement the objectives of planning in Victoria?

The Amendment implements the objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987* (**P&E Act**), and particularly in:

- Section 4(1)(a), (b), (e), (f) and (g)
- Section 4(2)(c), (d), (e), (g), (h), (i) and (j)

The Amendment will provide for the fair, orderly, economic and sustainable use and development of the land by facilitating the Project in an efficient manner ensuring that the benefits of the Project are realised in the short term. This is achieved in consideration of:

- The environmental effects of the Project through the EES process, and the mitigation measures required to minimise impacts and protect the biodiversity of the Subject Land and its surrounds.
- The social and economic effects of the Project through the EES process, and the mitigation measures required to remain consistent with the State, regional and municipal policies.
- In respect of the public utilities and assets present within or around the Subject Land.
- Victoria's renewable energy targets to achieve net zero emissions by 2050.

- The job opportunities that the Amendment will introduce to the region during the construction and operation of the Project.

- The opportunities that the EES process provides to the public to make comment on the Project's environmental, social, and economic effects during the public exhibition period and be heard by an inquiry and advisory committee.

- The opportunities that the EES process provides for timely decision making on the Amendment following the Minister's EES assessment of the Project.

The Amendment will enable the Project to be approved by the Minister for Planning.

How does the amendment address any environmental, social and economic effects?

Environmental, social and economic effects of the Amendment have been considered through robust technical assessments and investigations that have informed this EES and the preparation of the Amendment.

To the extent that the Incorporated Document allows for the Subject Land to be used and developed for the Project, it includes conditions to require the preparation of various plans, including mitigation measures which will set out specific measures that the Project is required to achieve during design, construction and operation to minimise the amenity and environmental impacts.

The mitigation measures will include standards for acceptable environmental performance by reference to statutory obligations, as well as obligations to prepare a range of sub-ordinate plans to manage specific issues. The Environmental Management Framework (**EMF**) to be prepared prior to commencement of construction and operation of the Project will also set out the roles, responsibility, accountabilities and governance arrangements for implementing the mitigation measures, including approval of the EMF, and any subsequent amendments, from the Minister for Planning.

The Amendment addresses environmental, social and economic impacts in the following ways:

Environmental Effects

- Air Quality: Impacts to be managed through the implementation of industry best practice mitigation measures as a sub-plan of the Construction Environmental Management Plan (CEMP) required by the Incorporated Document, including dust suppression, restricting vehicle movements, and scheduling works to avoid adverse weather conditions, resulting in negligible residual impacts.

  Air quality impacts during operation of the Project are expected to be negligible and primarily associated with the use of light vehicles on existing access roads for operation and maintenance activities. During operation, air quality impacts would be managed in accordance with the EMF required by the Incorporated Document.

- Contaminated Land: There is a low potential for contaminated soil to be encountered during the construction works. Potential impacts due to the disturbance of acid sulfate soils (ASS) would be dependent on the nature, extent and magnitude of construction activities and their interaction with the natural environment and would be managed through a detailed ASS management plan.

  Spoil management and control measures will be implemented and included in the CEMP for the Project, to manage duties and obligations associated with waste/spoils under the *Environment Protection Act 2017* (**EP Act**) to minimise risk of harm.

- Surface Water: Industry standard mitigation measure would ensure residual surface water impacts are minimised. A Sediment, Erosion and Water Quality Management Plan will be required by the CEMP which will list control measures to be taken for potential impacts as well as define a monitoring program.

- Groundwater: The site-specific groundwater data show limited potential for the proposed 4 m deep turbine foundations to intersect groundwater. If groundwater is encountered during construction, it would be managed in accordance with a Dewatering Plan that will be prepared as part of the CEMP. Groundwater levels or flow are not expected to be impacted by the presence of turbine foundations or underground electrical lines during operation of the Project.
- Noise Impacts: Noise levels associated with key construction activities have been predicted at the nearest receivers and are within the typical noise range that would be expected for construction of a wind farm. A Construction Noise and Vibration Management Plan would be prepared prior to construction commencing. Once operational, wind turbine noise must comply with the Environment Protection Amendment (Wind Turbine Noise) Regulations 2022. This includes preparation of a post-construction noise assessment to demonstrate operation of the Project is compliant with applicable noise limits and preparation of a Noise Management Plan before development starts.
- Traffic Impacts: Traffic impacts for the Project associated with the construction phase will be negligible given the low existing rural traffic volumes. During construction, there would be no detrimental impacts to local traffic conditions and operations particularly given the existing capacity of Portland-Nelson Road. Traffic management plans will be implemented prior to the commencement of works to assess and manage potential traffic impacts.
- Visual Impacts: Landscape and visual impacts for the Project were assessed as having an overall medium sensitivity level, increasing to high along the coastal zone and Glenelg. An off-site landscape program is a requirement of the EMF and seeks to reduce the visual impact of the turbines. In addition, the Project will meet the relevant shadow flicker and blade glint requirements under Section 5.1.2 of the DELWP's *Policy and Planning Guidelines for the Development of Wind Energy Facilities in Victoria* (DELWP, September 2023).
- Biodiversity: Implementation of a range of mitigation measures will reduce the potential impact including native vegetation, tree protection and pruning, disturbance site rehabilitation, turbine free buffer zones, micro-siting, construction environmental management plan, native vegetation plan, bird, bat and avifauna management plan.
- Historic Heritage: There is no local heritage overlays located within the Subject land or places listed in the Victorian Heritage Register and Victoria Heritage Inventory under the *Heritage Act 2017*.
- Aboriginal Cultural Heritage: The preparation and approval of a Cultural Heritage Management Plan (**CHMP**) is required for the Project in accordance with the *Aboriginal Heritage Act 2006.* CHMP 17882 is under preparation for the Project.

Social and Economic Effects

The Project has the potential to bring significant economic and social benefits to Victoria, including to Portland and the local area.

The Project is expected to provide 25- 30 years of clean energy in Victoria (approx. 2,300 GWh of electricity per year). Wind energy provides several economic benefits as it is currently the cheapest source of large-scale renewable energy and is one of the cheapest of all sources of electricity. The Project is estimated to deliver a $1.2 billion infrastructure investment, creating up to 350 jobs during construction and 14 jobs when operational. Furthermore, the Project is located within a Victorian Renewable Energy Zone (REZ) which presents numerous opportunities for connection to the National Energy Market and to increase grid security in the region. Similarly, the Project is compatible with existing land uses such as forestry and agriculture.

Neoen is committed to utilising local service providers and businesses where possible to service and supply the project and to hire local workforce to deliver the project. Neoen has committed to providing $150,000 per year for local projects and initiatives throughout the Project's lifetime as part of its Community Benefits Sharing Program. They have also announced a transparent and equitable Neighbour Benefits Program where direct payments will be offered to landowners of residential dwellings within 3.5km of a proposed wind turbine. Annual payments will begin during the operations phase of the Project and continue through the project's lifecycle (25-30 years).

Does the amendment address relevant bushfire risk?

A large portion of the Subject Land is affected by a Bushfire Management Overlay (**BMO**) and the entire Subject Land is in a designated Bushfire Prone Area. A comprehensive Bushfire Risk Assessment and Mitigation Plan was prepared which forms part of the EES. The assessment considered both the construction and operational phases of the project and concluded that the bushfire risk associated with all life cycle phases of the proposed wind farm can be mitigated to an acceptable level with the implementation of sound bushfire mitigation strategies.

Neoen has consulted with the Country Fire Authority (**CFA**) extensively as part of the EES Technical Reference Group and independently, and there is broad support of the Project. Consultation will continue with the CFA as the Project progresses. The Incorporated Document requires that an Emergency Response Plan is prepared in consultation with the CFA and Rural Ambulance Victoria prior to the commencement of works.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

Section 12(2)(a) of the P&E Act requires that in preparing a Planning Scheme Amendment, a planning authority must have regard to the Minister's Directions. The following Minister's Directions are relevant to this Amendment:

- Ministerial Direction on the Form and Content of Planning Schemes

  The Amendment is consistent with the relevant sections of the *Ministerial Direction on the Form and Content of Planning Schemes* under Section 7(5) of the P&E Act.

- Direction No.1 (Potentially Contaminated Land)

  The Amendment is consistent with *Direction No. 1 Potentially Contaminated Land.* The Amendment does not propose a sensitive use, nor is it currently or has previously been zoned for industrial land uses or material storage that would potentially result in land contamination. Detailed field investigations, involving broadly spaced intrusive investigations, did not find any soil contaminant concentrations above laboratory limits of reporting or relevant guidelines.

- Direction No.11 (Strategic Assessment of Amendments)

  The Amendment has been prepared having regard to *Direction No. 11 Strategic Assessment of Amendments* and Planning Practice Note 46: Strategic Assessment Guidelines. Planning Practice Note 46 has been considered throughout this Explanatory Report.

- Direction No.19 (Minister Direction on the Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health (Part A) and Ministerial Requirement for Information for Authorisation or Preparation of Amendments that may Significantly Impact the Environment, Amenity and Human Heath (Part B)).

  The Amendment has been prepared having regard to Direction No. 19. This Direction requires planning authorities to seek the views of the Environment Protection Authority Victoria (**EPA Victoria**) in the preparation of planning scheme reviews and amendments that could result in significant impacts on the environment, amenity and human health due to pollution and waste. The EPA Victoria were a participating member of the EES Technical Reference Group established for the Project and have provided input throughout the EES preparation phase.

It is not considered that the Amendment will result in the use and development of land that may result in significant impacts on the environment, amenity and human health due to pollution or waste.

The CEMP for the Project will manage environmental, amenity and human health impacts in accordance with the relevant EPA guidelines. e Development of the CEMP will be subject to consultation with the EPA Victoria.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

The key policies of relevance to the use and development of the Project and the Amendment are **Clause 19.01-1S** (Energy supply) and **Clause 19.01-2S** (Renewable Energy). **Clause 19.01** provides the strategic support for renewable energy projects with regard to the appropriate siting and design of such projects.

The Project is consistent with the objectives and strategies of **Clause 19.01-1S** (Energy supply) and **Clause 19.01-2S** (Renewable energy). The Project is located within proximity to existing electricity transmission infrastructure with available capacity. The Project is located within proximity to areas with high electricity demand, including the aluminium smelter at Portland.

The wind energy facility component of the Project is compatible with the existing land use of the Subject Land, being freehold land used predominantly for commercial forestry and agricultural grazing purposes. The Project is located within an area of high average and consistent wind speeds that are consistent with the relevant considerations for the siting of the wind farm in accordance with *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (DELWP, September 2023).

The Project presents significant environmental and economic benefits at the local, regional and State level. Where possible, Neoen will identify opportunities to partner with community stakeholders in the co-design and delivery of equitable, lasting community benefits including procurement, employment, training and support for key social groups.

In addition to **Clause 19.01**, the Amendment supports or implements the following clauses of the Planning Policy Framework (**PPF**):

Clause 11 (Settlement)

- **Clause 11.01** (Settlement): The Project is consistent with **Clause 11.01-1S** (Settlement) whereby the Project responds to the needs of existing and future communities by providing an energy source that is clean and sustainable, contributing to net zero greenhouse gas emissions. The Project would strengthen the Great South Coast's identity as an environmentally sustainable region whilst ensuring detrimental impacts are minimised as much as practicably possible on the environmentally sensitive areas in accordance with

Clause 12 (Environment and Landscape Values)

- **Clause 12.01** (Biodiversity): Biodiversity impacts will be managed in accordance with a Flora and Fauna Management Plan, Native Vegetation Plan and EMF (including a Bat and Avifauna Management Plan) required by the Incorporated Document to be approved by the Minister for Planning prior to construction commencing.

- **Clause 12.02** (Marine and coastal environment): In accordance with **Clause 12.02-1S** (Protection of the marine and coastal environment) and **Clause 12.02-1L** (Protection of coastal areas), the Project seeks to avoid and minimise impacts on the coastal environment through design and siting, and the implementation of management and mitigation measures.

- **Clause 12.03** (Water bodies and wetlands): The Project has been developed to maintain environmental assets and protect any environmental values of these assets where possible. This would continue to be managed through the EMF required by the Incorporated Document to ensure appropriate asset maintenance and the protection of any environmental values.

- **Clause 12.05** (Significant environments and landscapes): The Project has undergone an iterative design process to minimise impacts to surrounding areas of environmental, landscape and visual significance where possible.

Clause 13 (Environmental Risks and Amenity): Construction and operation of the Project will be undertaken in accordance with the EMF, CEMP and OEMP to ensure that best practice environmental and risk management approaches are adopted.

- **Clause 13.01** (Climate change impacts): Renewable energy is identified as a major economic growth opportunity for the region that can help the region achieve its strategic goals of economic development and in addressing climate change and reducing greenhouse gas emissions. The Project will play an important role in providing energy security and mitigating the projected impacts of climate change. The Project has been sited and designed to ensure risk from natural hazards is minimised as far as practically possible to the natural environment, recreational infrastructure and properties.

- As part of the EES process, supporting technical specialist studies have been undertaken. Of relevance to **Clause 13**, specialist areas include surface water, groundwater, groundwater dependant ecosystems, air quality and noise. The objectives and strategies contained under the following Clause 13 sub-clauses are support and/or implemented as part of the Project where applicable. The technical specialist studies identified mitigation measures to avoid, mitigate and/or manage any potential impacts.

Clause 14 (Natural Resource Management)

- **Clause 14.01** (Agriculture): In accordance with **Clause 14.01-1S** (Protection of agricultural land), wind farm energy facilities are considered compatible with existing land uses such as agriculture and forestry. Specifically, the wind farm component of the Project is predominantly located (85 percent) on substantially modified areas used for commercial forestry with the remaining percentage of land primarily used for grazing.

- **Clause 14.03** (Resource exploration and extraction): A Work Plan for the proposed limestone quarry for use during the construction of the Project is being prepared to obtain work authority from the Minister of Resources to carry out an extractive industry in accordance with the *Mineral Resources (Sustainable Development) Act 1990.*

Clause 15 (Built Environment and Heritage)

- **Clause 15.03** (Heritage): Consistent with **Clause 15.03-1S** (Heritage conservation) and **Clause 15.03-2S** (Aboriginal cultural heritage), CHMP 17882 is currently being prepared. Mitigation and management measures for Aboriginal cultural heritage will be addressed through the CHMP.

How does the amendment support or implement the Municipal Planning Strategy?

The Amendment does not seek to change the strategic directions of the Municipal Planning Strategy (**MPS**). The Amendment supports and implements the following strategies from the MPS:

- **Clause 02.03-1** (Managing Growth): The Project will generate employment opportunities within the renewable energy and hospitality industries, assisting the Glenelg Shire Council (**the Shire**) in securing the economic future of its towns by broadening the employment base. The most significant social benefits associated with the Project include provision of training and upskilling for local people and local employment and procurement opportunities.

- **Clause 02.03-1** (Regional Centre): The Shire recognises Portland as its main population, business and administrative centre particularly with it hosting several important industrial areas. The Shire seeks to facilitate the development of Portland by building on the significance of the Portland aluminium smelter as the one remaining aluminium smelter in the State. The smelter's current electricity supply contract is due to expire in 2026, and the Project is currently one of the few options available to ensure the smelter can obtain low-cost electricity and continue to operate.

- **Clause 02.03-2** (Biodiversity): The Shire seeks to manage biodiversity within the municipality by protecting native vegetation and retaining habitats for native fauna, in addition to protecting and conserving areas of Red Gum woodlands, waterways and wetlands, intertidal areas, lagoons and coastal areas. The implementation of mitigation measures will reduce the potential impacts of the Project on biodiversity.

- **Clause 02.03-2** (Significant Environments and Landscapes): The Shire seeks to protect its environmental and landscape values. The Project has undergone an iterative design process to minimise impacts to surrounding areas of environmental, landscape and visual significance where possible.

- **Clause 02.03-3** (Environmental Risks and Amenity): The Shire seeks to manage bushfire risk, address floodplain issues, soil degradation, and noise and air quality issues. A range of design and maintenance mitigation measures will be implemented including the installation of detection and suppression systems within the nacelle of the turbines and providing a fuel managed area around the base of the wind turbine to prevent ignition from falling burning materials.

- **Clause 02.03-4** (Natural Resource Management): The Shire seeks to protect the viability of agricultural land and to protect groundwater quality, waterways and wetlands, and retain natural drainage corridors with vegetated buffer. Land within the wind energy facility project area that is not required for wind farm infrastructure would continue to be used for forestry and agricultural grazing during the operation phase.

Does the amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the Victoria Planning Provisions, specifically **Clause 45.12** (Specific Controls Overlay) and **Clause 72.04** (Incorporated Documents) of the Planning Scheme to facilitate the Project.

The Amendment applies the SCO10 and accompanying Incorporated Document to the land. The purpose of **Clause 45.12** is to apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances in a manner that would otherwise be restricted under the Planning Scheme. By virtue of the scale of the development and the environmental complexities to be managed for the construction and operation of the development, the application of the SCO is a legitimate mechanism.

The Incorporated Document will allow the Subject Land to be used and developed in a coordinated, consistent and timely manner under a single planning control. It will remove the need for the Project to seek multiple and separate planning permits. The Amendment will establish a transparent framework to manage any environmental effects associated with the design, construction and operation phases of the Project.

How does the amendment address the views of any relevant agency?

The Project has been consulted on with all agencies appointed to form part of the EES Technical Reference Group (**TRG**), convened by the Department of Transport and Planning (**DTP**), in accordance with the EES Procedures and Requirements issued by the Minister for Planning on 25 August 2019, and to provide advice to the proponent and DTP. The TRG comprised representatives from:

- DTP Impact Assessment Unit (formerly DELWP)
- Department of Energy, Environment and Climate Action (DEECA) Barwon South West (formerly DELWP)
- Glenelg Hopkins Catchment Management Authority
- Park Victoria
- EPA Victoria
- Glenelg Shire Council
- First Peoples – State Relations
- Heritage Victoria
- DTP Planning Renewables (formerly DELWP)
- Country Fire Authority

The above organisations will be provided with the opportunity to make a submission and be heard at the public hearing as part of the Inquiry and Advisory Committee (**IAC**) process. Submissions and evidence from these organisations will be considered by the IAC, and this, together with the IAC report and the Minister's assessment, have informed the preparation of this Amendment.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is unlikely to have a 'significant impact on the transport system' for the purposes of the *Transport Integration Act 2010*. The conditions of Incorporated Document will appropriately address transport matters, of relevance to the Project.

Resource and administrative costs

What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The Minister for Planning is the responsible authority for administering and enforcing the provisions of the planning schemes as they relate to use and development of land for the Project. The new planning provisions are not expected to have a significant impact on the resource and administrative costs of Glenelg Shire Council.

The implementation of the new planning provisions will have minimal impact on the resource and administrative costs of the relevant responsible authorities.

Where you may inspect this amendment

The amendment is available for public inspection, free of charge, during office hours at the following places:

Glenelg Shire Council

Portland Customer Service Centre
56 Percy Street
Portland VIC 3305

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at http://www.planning.vic.gov.au/public-inspection or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

Kentbruck Green Power Hub Project

Neoen, December 2024

GLENELG PLANNING SCHEME

Incorporated Document

This document is an incorporated document in the Glenelg Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987

1.0 INTRODUCTION

1.1. This document is an Incorporated Document in the schedules to Clause 45.12 - Specific Controls Overlay (SCO) and Clause 72.04 - Incorporated Documents of the Glenelg Planning Scheme (scheme).

The land identified in Clause 2.0 of this document may be used and developed in accordance with the specific controls contained in Clauses 6.0 and 7.0 of this document.

1.2. The controls in Clause 7.0 prevail over any contrary or inconsistent provision in the scheme.

1.3. The Minister for Planning is the Responsible Authority for this Incorporated Document.

2.0 LAND DESCRIPTION

2.1. This document applies to 'the land' that is required for the use and development of the Project (Project) shown as Specific Controls Overlay (SCO10) on the Glenelg Planning Scheme Maps 20SCO, 28SCO, 29SCO and 30SCO

3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

3.1. Despite any provision to the contrary or any inconsistent provision in the scheme, pursuant to Clause 45.12 of the scheme:

a) the land identified in this Incorporated Document may be used and developed in accordance with the specific controls contained in this document; and

b) no planning permit is required for, and provision in the scheme operates to prohibit, restrict or regulate the use and development of the land for the purpose of the Project save for the controls contained in this document.

3.2. In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail.

4.0 EXPIRY OF THIS SPECIFIC CONTROL

4.1. The controls in this Incorporated Document expire if any of the following circumstances apply:

- The development or any stage of it allowed by this Incorporated Document is not commenced within five (5) years of the gazettal date of Amendment C116gelg to this scheme.
- The development or any stage of it allowed by this Incorporated Document is not completed within fifteen (15) years of the gazettal date of Amendment C116gelg to this scheme.
- The use permitted under this Incorporated Document is not commenced within fifteen (15) years of the gazettal date of Amendment C116gelgClick or tap here to enter text. to this scheme.

4.2. The Minister for Planning may extend the period for commencement of the development or any stage of it or use if a request is made in writing before the time for commencement expires or within six months afterwards.

4.3. The Minister for Planning may extend the date for the completion of the development or any stage of it if:

a) request is made in writing before the time for completion expires or within 12 months after the time for completion expires; and

b) the development started lawfully before the approval expired.

5.0 PURPOSE

5.1. The purpose of this incorporated document is to allow the use and development of the land for the Kentbruck Green Power Hub Project (the Project) generally in accordance with the plans approved in Clause 6.0 of this document and subject to the Clause 7.0 conditions of this document.

6.0 PROJECT DEVELOPMENT:

6.1. This document allows the use and development of the land for the purposes of the Project, which includes but are not limited to:

a) The use and development of land for wind energy facility and utility installation, including a transmission line.

b) The construction of buildings and carrying out works for ancillary infrastructure including underground and overhead cabling, meteorological monitoring masts, a permanent site compound, hardstands, transition stations, collector and main substations and access tracks.

a) The construction of buildings and carrying out of works for temporary ancillary infrastructure including:

i. batching plants;

ii. laydown areas;

iii. stockpiling of excavation materials;

iv. constructing and using temporary site workshop(s) and storage administration and amenities buildings;

v. installing and relocating utilities and associated services;

vi. construction compounds and facilities.

b) Construction and display of business identification signs.

c) The removal, destruction or lopping of trees and native vegetation, including dead vegetation.

d) The creation and alteration of access to a road in a Transport Zone – Schedule 2 (TRZ2).

6.2. The abovementioned use and development will be undertaken in accordance with the conditions in Clause 7.0 of this Incorporated Document. The use and development may be completed in stages. Any corresponding obligations arising from the conditions in Clause 7.0 of this Incorporated Document may similarly be satisfied in stages.

7.0 CONDITIONS

The use and development allowed by this Incorporated Document must be undertaken in accordance with the following conditions:

Development Plans

7.1 Prior to commencement of any buildings and works associated with the Project (excluding the preparation buildings and works under clauses 7.11 and 7.12), development plans must be prepared for the Project to the satisfaction of the Minister for Planning. The development plans must include:

a) the final location, specifications, materials and finishes of the wind energy facility and utility installation. All cable routes and above ground structures associated with the wind energy facility and utility installation must be shown on these plans;

b) a maximum of 105 turbines with the following specifications:

i. maximum blade tip height up to 270 metres above ground level;

ii. minimum blade clearance from ground level no less than 60 metres; and

iii. maximum rotor diameter of up to 190 metres.

c) turbine free buffer zones in accordance with Chapter 4 of the *Kentbruck Green Power Hub Environment Effects Statement* (Neoen, 2024);

d) the final design and location of any proposed business identification signage;

e) the location and extent of native vegetation to be removed under this Incorporated Document;

f) no aviation safety lighting on any turbine;

g) infrastructure to be designed to maintain existing levels of flood protection associated with overland flow paths;

h) all new overhead powerlines including the transmission line to be marked with standard commercially available bird diverters;

i) non-reflective colours and finishes of all buildings and works (including turbines) and detail of security lighting throughout the site to minimise the visual impact of the development on the surrounding area;

j) elevations to all buildings proposed within the operations and maintenance facility; and

k) details of any staging of the development.

7.2 Except as permitted under Clauses 6 and 7, the use and development of the Project must be generally in accordance with the approved development plans.

7.3 The development plans may be amended or modified from time to time, with the approval of the Minister for Planning.

7.4 A Development Plan may be prepared and approved in stages or parts and may be amended from time to time with the approval of the Minister for Planning.

Micro-siting of turbines

7.5 The micro-siting of turbines is permitted without any amendment of the development plans endorsed under condition 7.1 or written consent of the Minister for Planning provided that:

a) written advice from a suitably qualified expert(s) as relevant to the infrastructure being micro-sited confirms that the micro-siting will not result in any material adverse change to landscape, vegetation, cultural heritage, visual, shadow flicker, noise, fire risk or aviation impacts compared to the approved development plans;

b) no turbine shown on the development plans endorsed under clause 7.1 is moved within 1 kilometre of a dwelling that existed as at the date of this incorporated document unless the operator has provided evidence to the satisfaction of the Minister for Planning that the owner of the dwelling has consented in writing to the location of the turbine footprint;

c) the micro-siting does not result in the removal of any additional native vegetation unless that removal is authorised by a planning permit;

d) any micro-sited turbine is within an approved location for development under a Cultural Heritage Management Plan approved under the Aboriginal Heritage Act 2006 (Vic); and

e) the micro-siting does not move a turbine any closer to a turbine free-buffer zone as shown on the development plans endorsed under clause 7.1.

7.6 For the purpose of this clause:

a) the measurement of any distance between a dwelling and a turbine must be from the centre of the tower at ground level to the closest point of the dwelling.

b) 'micro-siting of turbines' means:

i. an alteration of the siting of a turbine by not more than 100 metres in any direction from the centre of the turbine at ground level as shown on the development plans endorsed under clause 7.1; and

ii. any consequential changes to access tracks, overhead powerlines, underground cabling or other associated buildings and works.

7.7 Within 3 months of the completion of any micro-sited infrastructure, the following must be provided to the Minister for Planning:

a) plans and global positioning system co-ordinates of any relocated turbines and associated infrastructure;

b) the written advice referred to in clause 7.5.

Environmental Management Framework

7.8 Prior to the commencement of any buildings or works associated with the Project (excluding the preparation of buildings and works under clauses 7.11 and 7.12), an Environmental Management Framework (EMF) must be approved and endorsed by the Minister for Planning. The EMF must include:

a) the approvals, consents and related statutory instruments that will underpin environmental management for the Project;

b) the Management Measures generally in accordance with the Minister's Assessment dated XX December 20XX made pursuant to the *Environment Effects Act 1978* unless otherwise approved by the Minister for Planning. The Management Measures must address the following areas and any other relevant matters:

   i. Aboriginal cultural heritage
   ii. Aeronautical
   iii. Air quality
   iv. Bushfire
   v. Biodiversity
   vi. Contaminated land and spoil management
   vii. Electro-magnetic interference
   viii. Groundwater
   ix. Historic cultural heritage
   x. Landscape character and visual amenity
   xi. Noise and vibration
   xii. Socio-economic
   xiii. Surface water
   xiv. Transport;

c) the processes and indicative timing for development of a Construction Environmental Management Plan (CEMP), an Operational Environmental Management Plan (OEMP), a Decommissioning Environmental Management Plan, and associated sub-plans and the consultation required with entities responsible for the approval of these documents;

d) the processes for monitoring, reporting, auditing and evaluating performance and environmental outcomes, as well as revising Management Measures;

7.7. The EMF submitted to the Minister for Planning for approval under clause 7 of this Incorporated Document must be accompanied by a statement explaining any differences between it, and the matters set out in the Minister's Assessment under the Environment Effects Act 1978 dated XX 20XX.

7.8. The EMF may be approved in stages and parts to the satisfaction of the Minister for Planning.

7.9. The EMF may be amended from time to time, to the satisfaction of the Minister for Planning. An application for approval of an amendment to the EMF must be accompanied by a 'tracked changes' version of the EMF with a schedule explaining the proposed amendment/s.

7.10. The Project must be carried out in accordance with the approved EMF including the Management Measures and all plans and procedures required by them.

Native vegetation

7.11. Native vegetation offsets for the removal of native vegetation to construct the Project must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017), except as otherwise agreed by the Secretary to the Department of Environment, Energy and Climate Action

Preparatory works

7.12. Preparatory works for the Project may commence before the plans and other matters listed in clauses 7.5 are approved.

7.13. Preparatory works for the Project permitted under clause 7.11 include but are not limited to:

a) Works, including vegetation removal, that would not require a permit under the provisions of the Planning Schemes that, but for this Incorporated Document, would apply to the relevant land.

b) Investigations, surveys, testing and preparatory works to determine the suitability of land.

c) Creation of construction access points.

d) Establishment of environmental and traffic controls.

e) Environmental surveys and investigations required as part of the Project EMF and associate Management Measures and management plans.

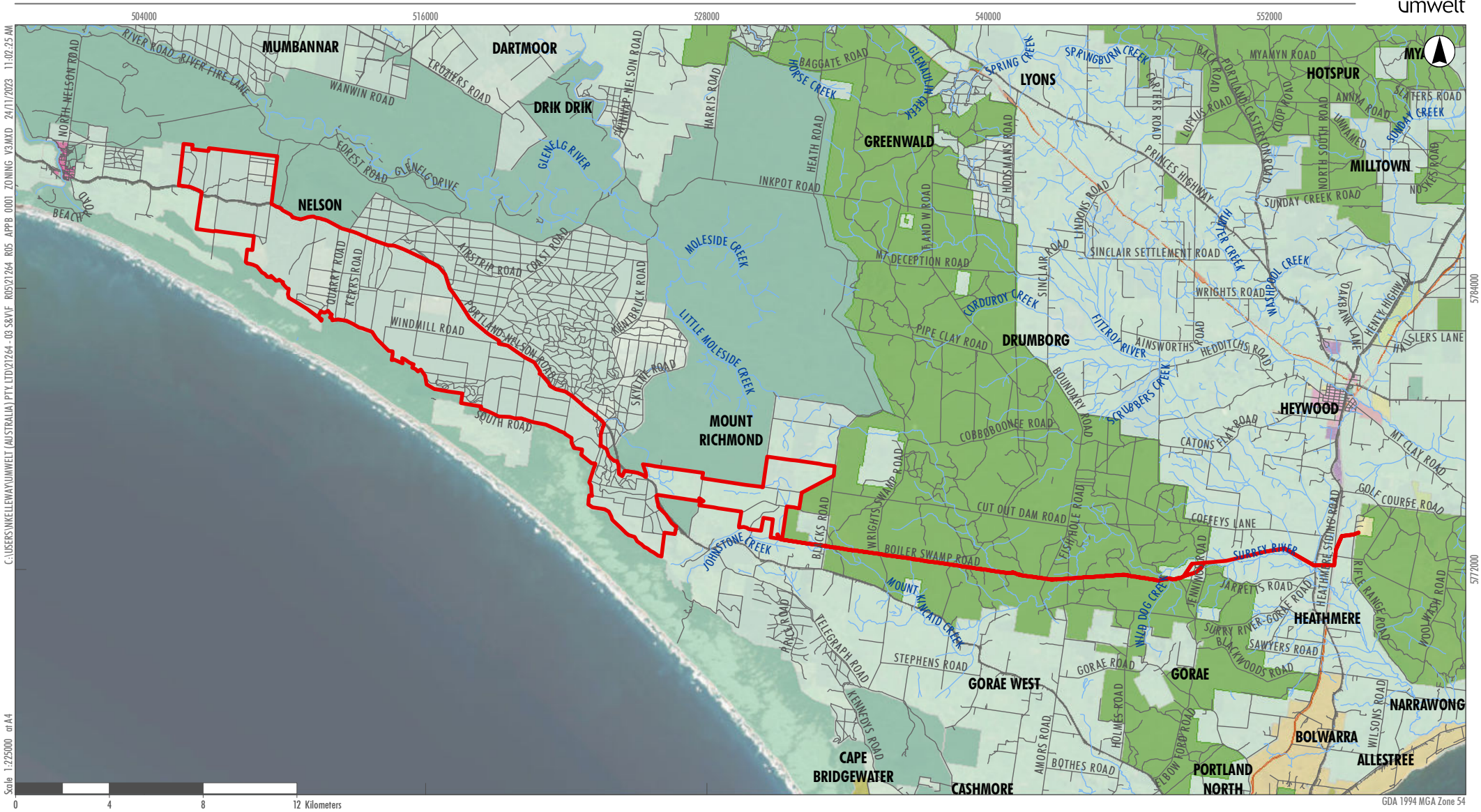
f) Fencing and temporary barriers to enable preparatory works.

END OF DOCUMENT

Appendix 1 – Project Land

APPENDIX B

Planning Control Maps



Legend

- Project Area
- Creeks/ Rivers
- Road

Planning Zones

- COMMERCIAL 1 ZONE
- COMMERCIAL 2 ZONE
- FARMING ZONE - SCHEDULE 1
- FARMING ZONE - SCHEDULE 2
- GENERAL RESIDENTIAL ZONE - SCHEDULE 1
- INDUSTRIAL 1 ZONE
- INDUSTRIAL 3 ZONE
- LOW DENSITY RESIDENTIAL ZONE - SCHEDULE 1
- PUBLIC CONSERVATION AND RESOURCE ZONE
- PUBLIC PARK AND RECREATION ZONE
- PUBLIC USE ZONE - CEMETERY/CREMATORIUM
- PUBLIC USE ZONE - EDUCATION
- PUBLIC USE ZONE - HEALTH AND COMMUNITY
- PUBLIC USE ZONE - LOCAL GOVERNMENT
- PUBLIC USE ZONE - OTHER PUBLIC USE
- PUBLIC USE ZONE - SERVICE AND UTILITY
- RURAL CONSERVATION ZONE - SCHEDULE 1
- RURAL LIVING ZONE - SCHEDULE 1
- SPECIAL USE ZONE - SCHEDULE 2
- SPECIAL USE ZONE - SCHEDULE 5
- TOWNSHIP ZONE - SCHEDULE 1
- TRANSPORT ZONE 1 - STATE TRANSPORT INFRASTRUCTURE
- TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK

APPENDIX B - FIGURE 1

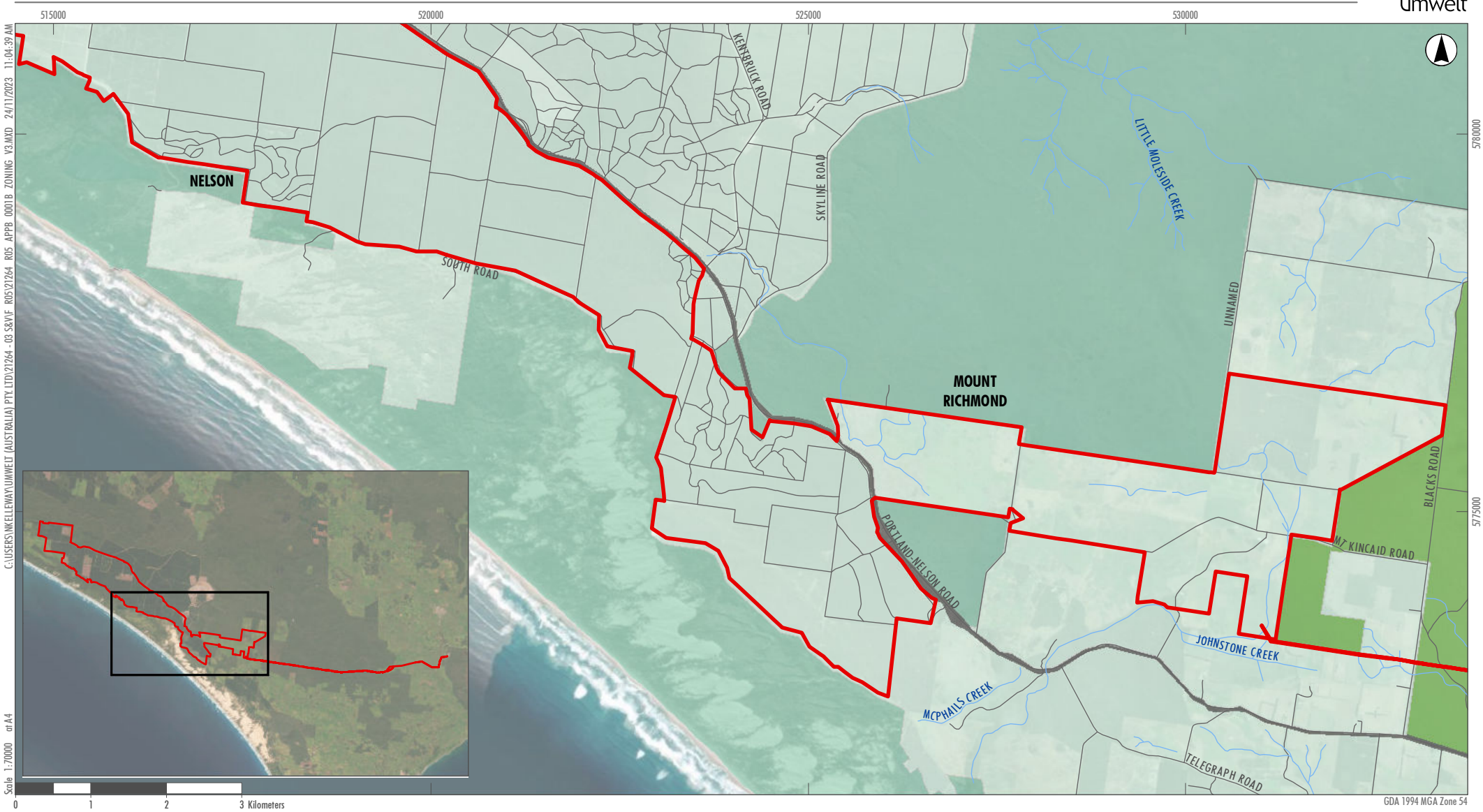
Planning Zones

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021), Umwelt (2021)

APPENDIX B - FIGURE 1A

Planning Zones

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021), Umwelt (2021)



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Scale 1:70000 at A4

Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

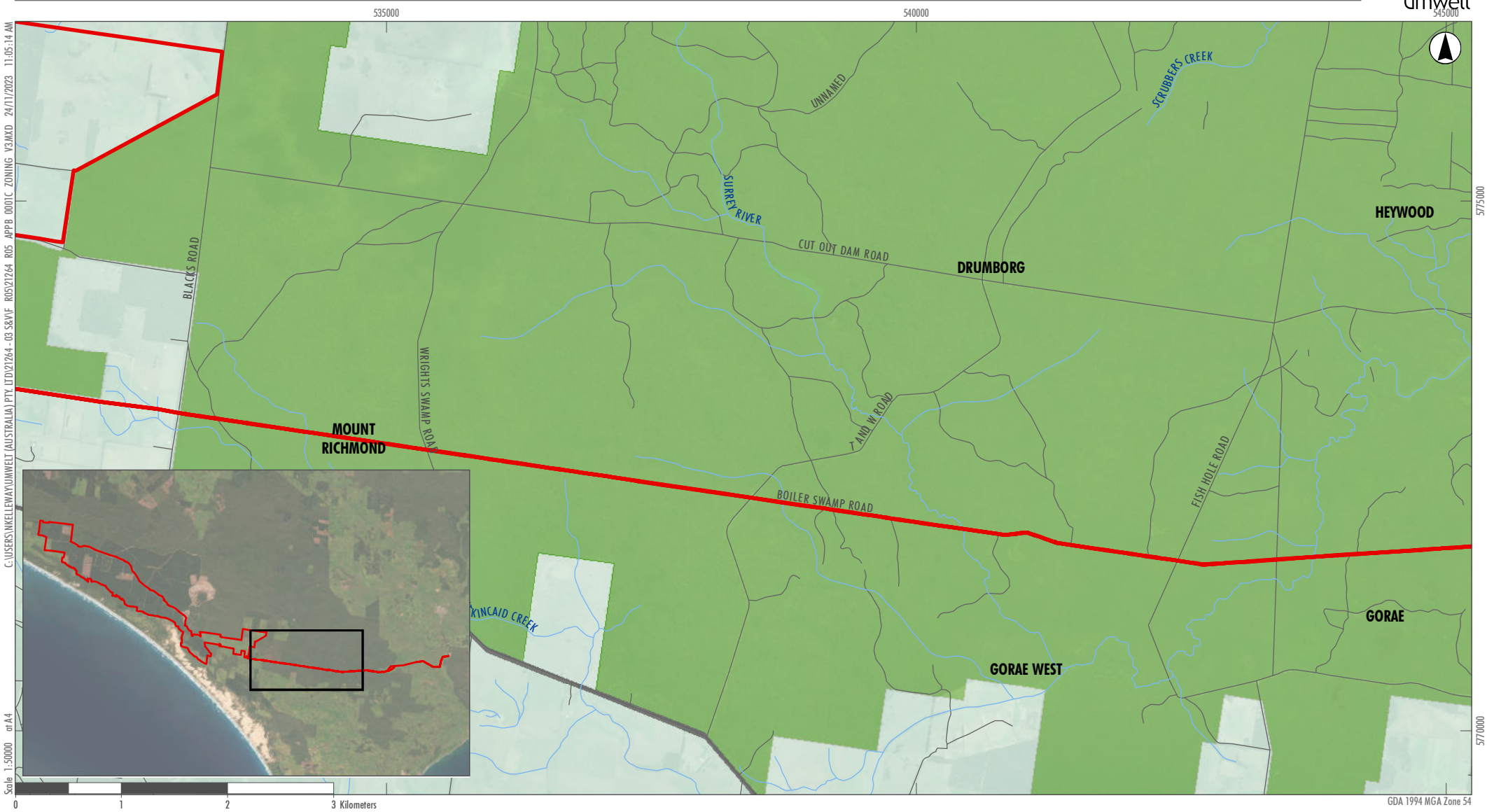
Planning Zones

- FARMING ZONE - SCHEDULE 1
- PUBLIC CONSERVATION AND RESOURCE ZONE
- PUBLIC PARK AND RECREATION ZONE
- TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK

APPENDIX B - FIGURE 1B

Planning Zones

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021), Umwelt (2021)



Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

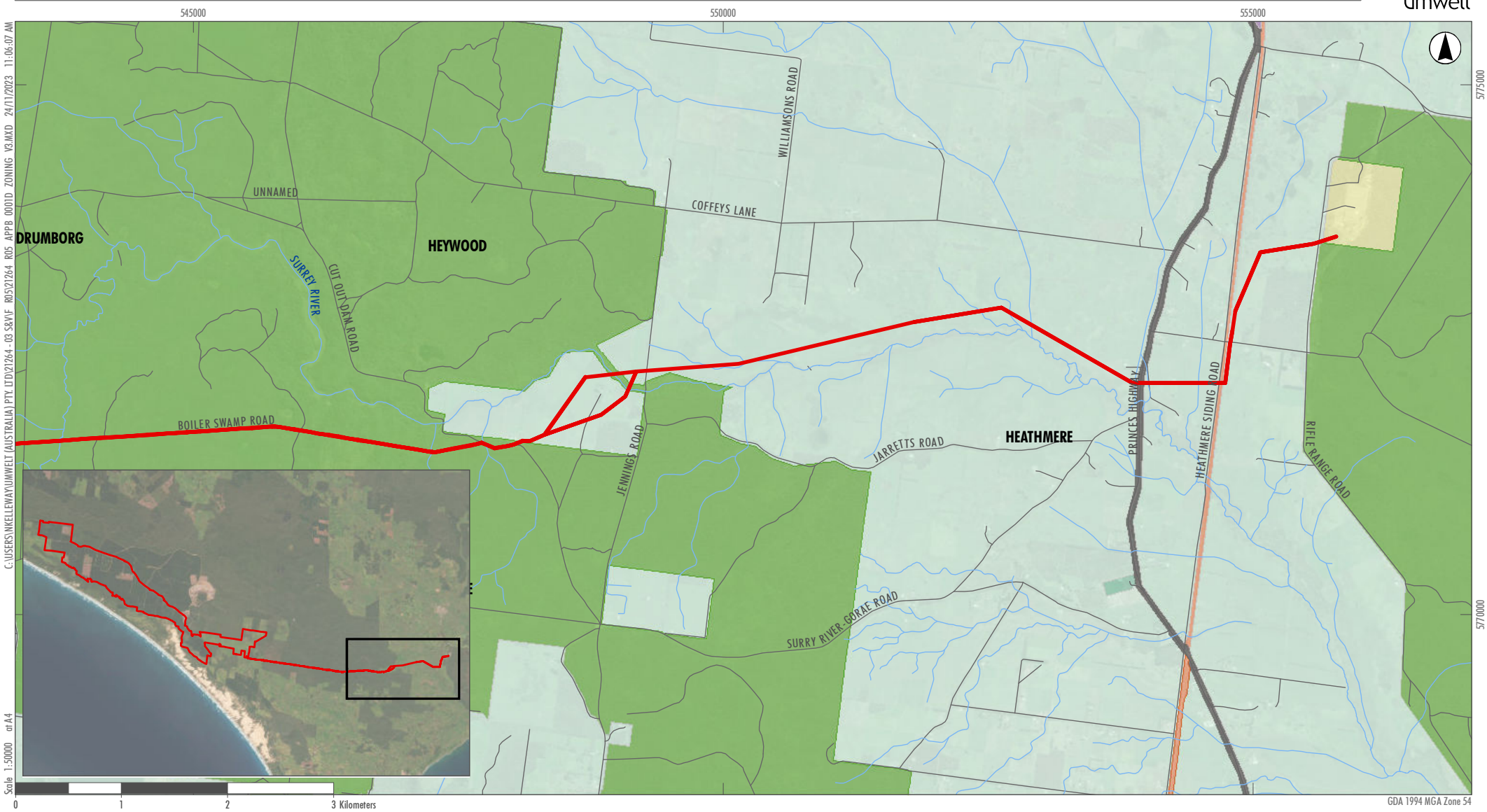
Planning Zones

- FARMING ZONE - SCHEDULE 1
- PUBLIC CONSERVATION AND RESOURCE ZONE
- TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK

APPENDIX B - FIGURE 1C

Planning Zones

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021), Umwelt (2021)



Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

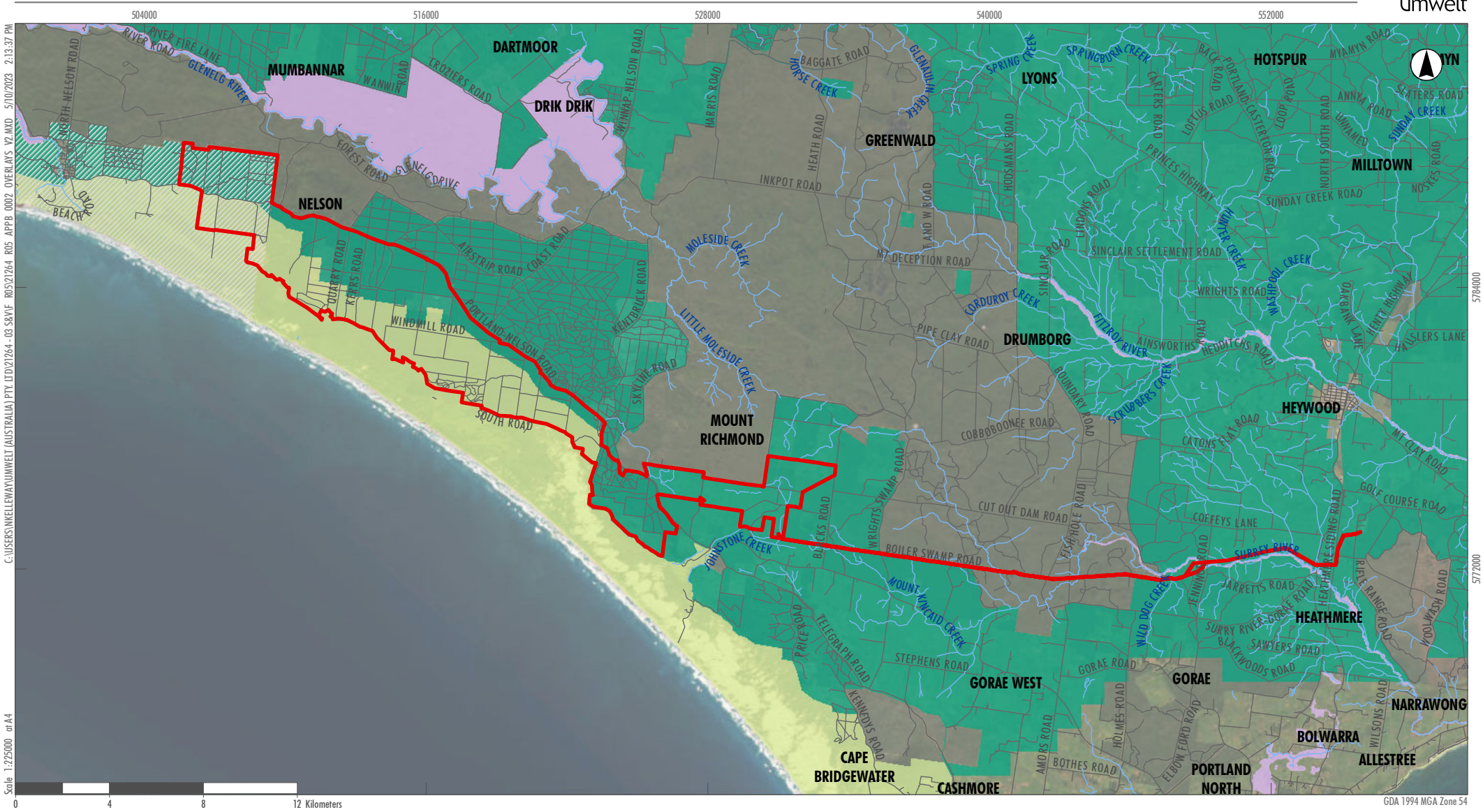
Planning Zones

- FARMING ZONE - SCHEDULE 1
- INDUSTRIAL 1 ZONE
- PUBLIC CONSERVATION AND RESOURCE ZONE
- PUBLIC PARK AND RECREATION ZONE
- PUBLIC USE ZONE - SERVICE AND UTILITY
- TRANSPORT ZONE 1 - STATE TRANSPORT INFRASTRUCTURE
- TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK

APPENDIX B - FIGURE 1D

Planning Zones

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021), Umwelt (2021)



Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

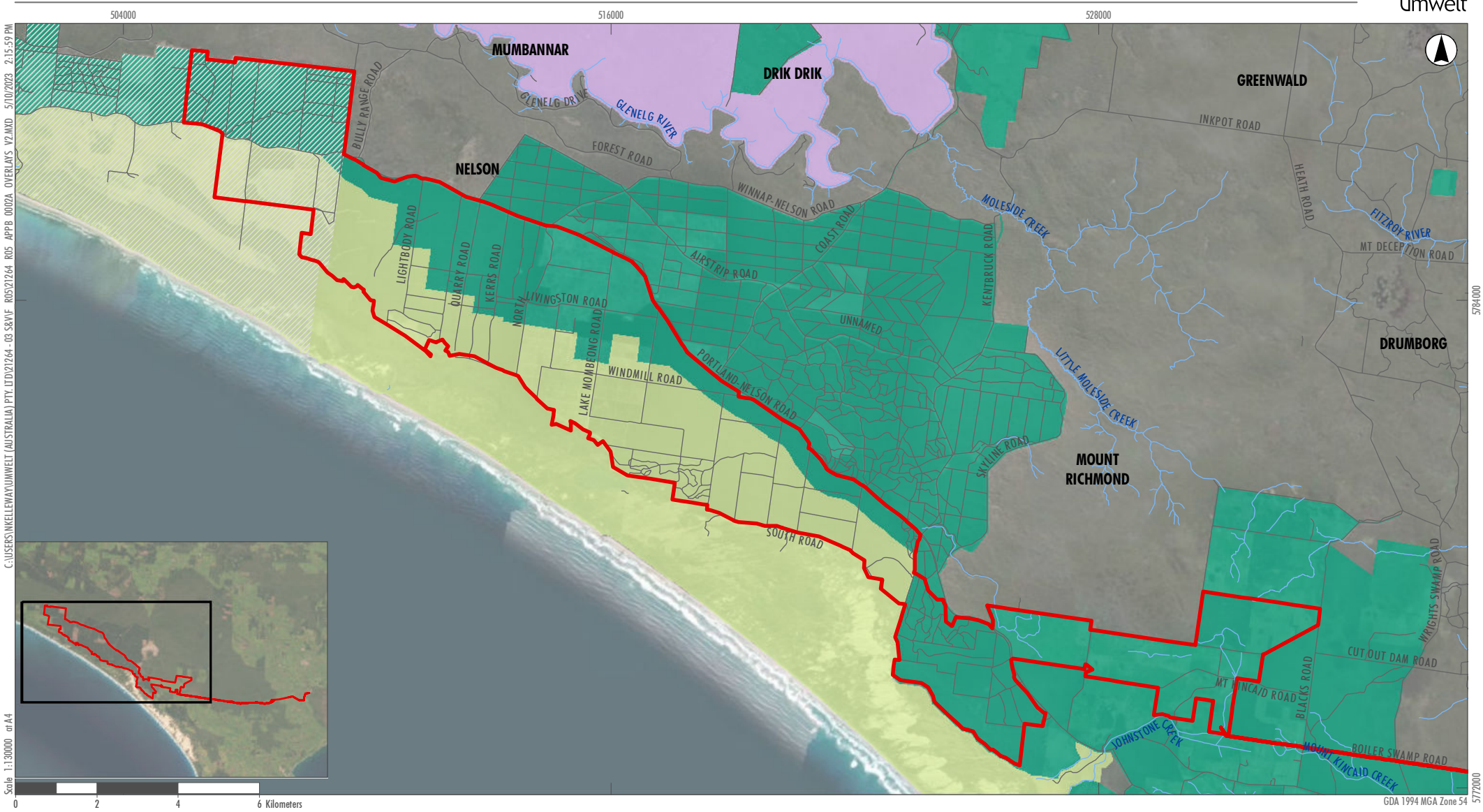
Planning Overlays

- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)
- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2
- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 3 (ESO3)
- SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1

APPENDIX B - FIGURE 2

Planning Overlays
Environmental and Landscape Overlays

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021)



Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

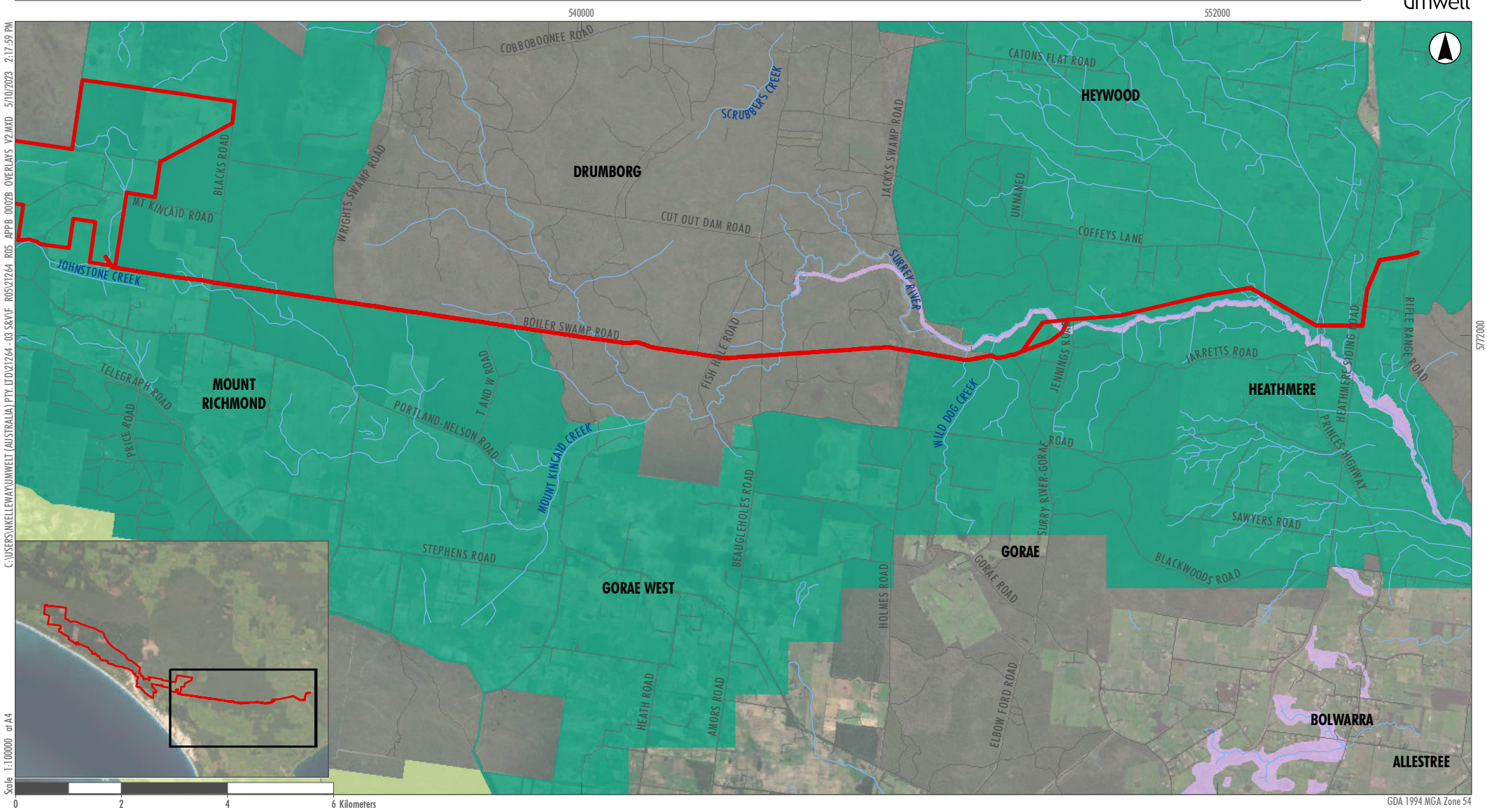
Planning Overlays

- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)
- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2
- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 3 (ESO3)
- SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1

APPENDIX B - FIGURE 2A

Planning Overlays
Environmental and Landscape Overlays

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021)



Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

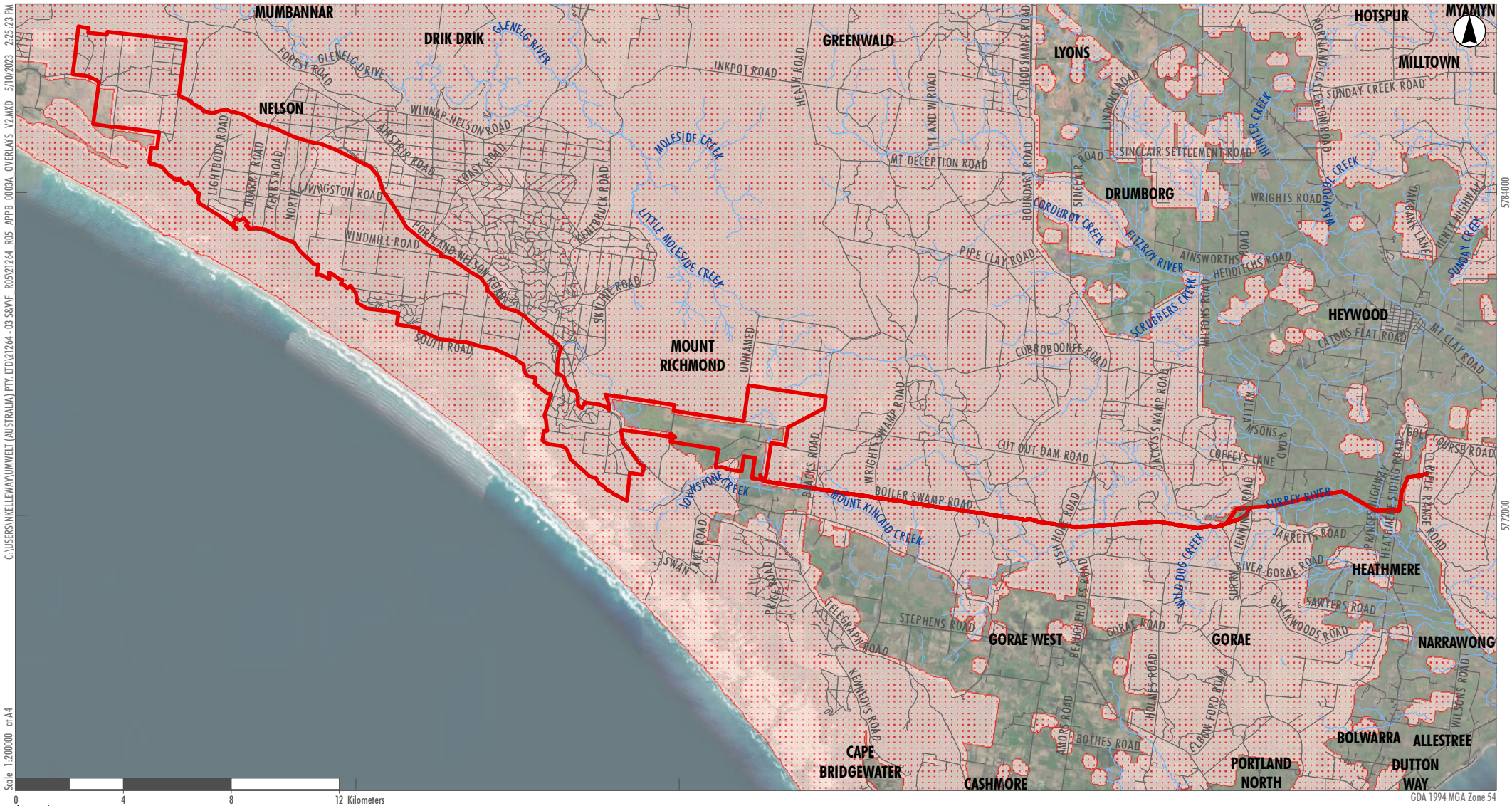
Planning Overlays

- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)
- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2
- ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 3 (ESO3)

APPENDIX B - FIGURE 2B

Planning Overlays
Environmental and Landscape Overlays

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021)



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GDA 1994 MGA Zone 54

Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

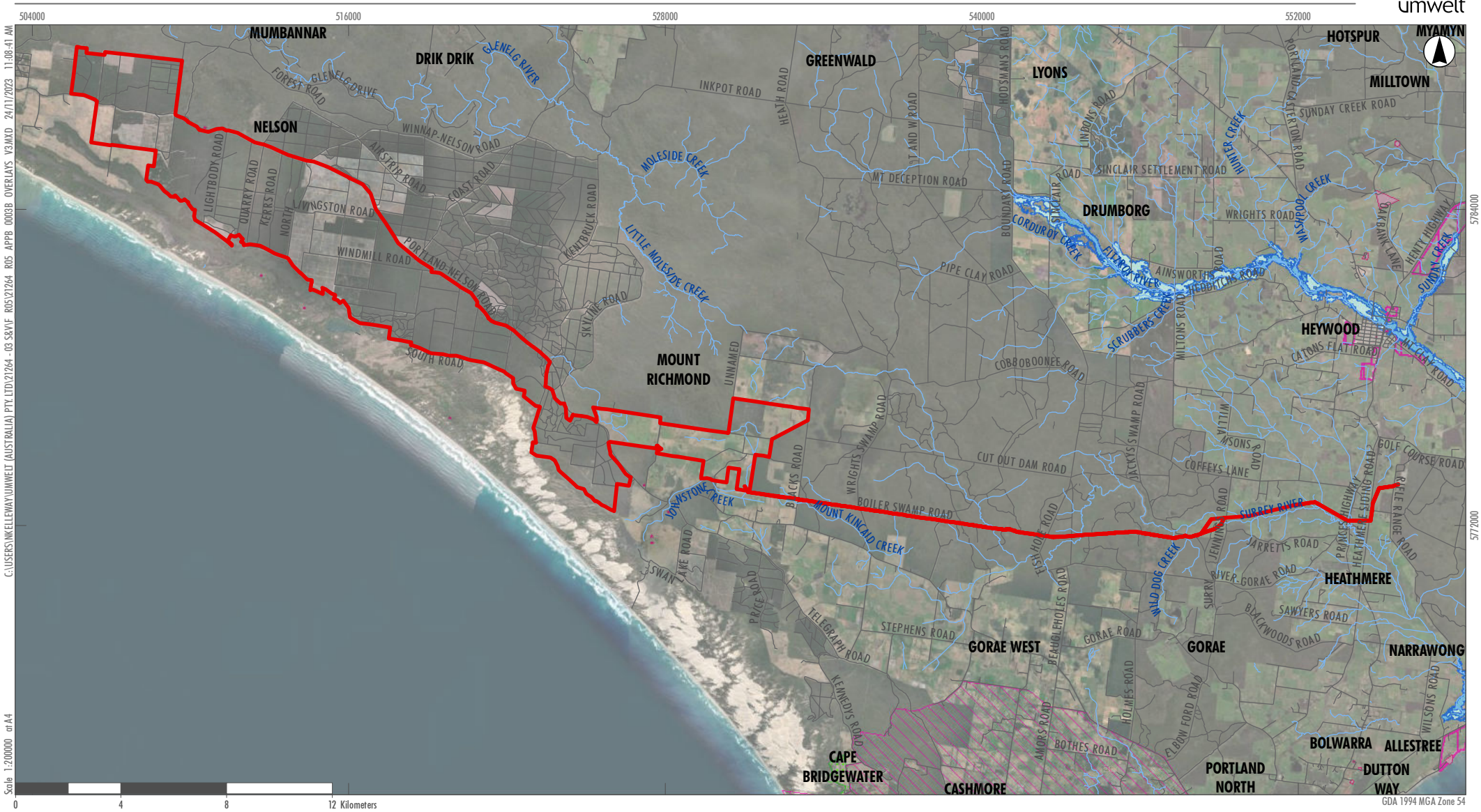
Planning Overlays

- Bushfire Management Overlay (BMO)

APPENDIX B- FIGURE 3A

Planning Overlays
Bushfire Management Overlay

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021)



Legend

- Project Area
- Transmission Line Route
- Creeks/ Rivers
- Road

Planning Overlays

- DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1
- DEVELOPMENT PLAN OVERLAY - SCHEDULE 1
- DEVELOPMENT PLAN OVERLAY - SCHEDULE 11
- DEVELOPMENT PLAN OVERLAY - SCHEDULE 3
- DEVELOPMENT PLAN OVERLAY - SCHEDULE 4
- DEVELOPMENT PLAN OVERLAY - SCHEDULE 6
- FLOODWAY OVERLAY - SCHEDULE 1
- HERITAGE OVERLAY (HO)
- LAND SUBJECT TO INUNDATION OVERLAY - SCHEDULE 1
- SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 2

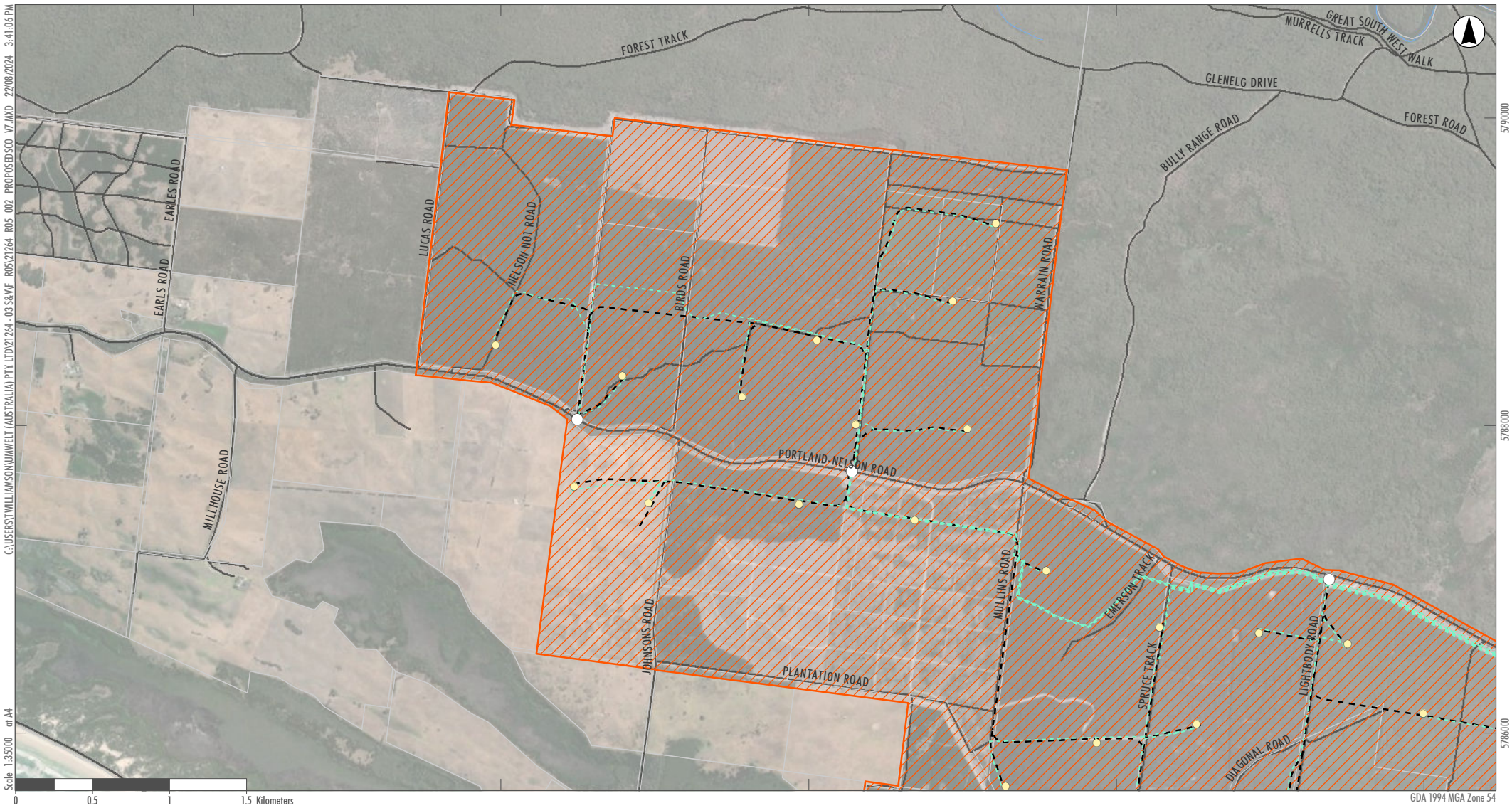
APPENDIX B - FIGURE 3B

Planning Overlays Surrounding Overlays

Image Source: ESRI Basemap (2021) Data source: NTTT (2020), Victorian Government (2021)

APPENDIX C

Draft Specific Controls Overlay (SCO10)



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Legend

- Proposed Specific Controls Overlay
- Access Points
- Proposed Turbine Location
- Underground Powerlines
- Internal Access Roads
- Roads
- Watercourses
- Property Boundary

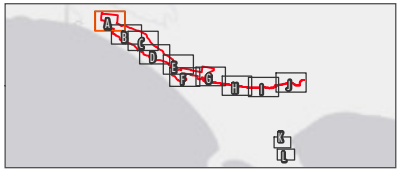
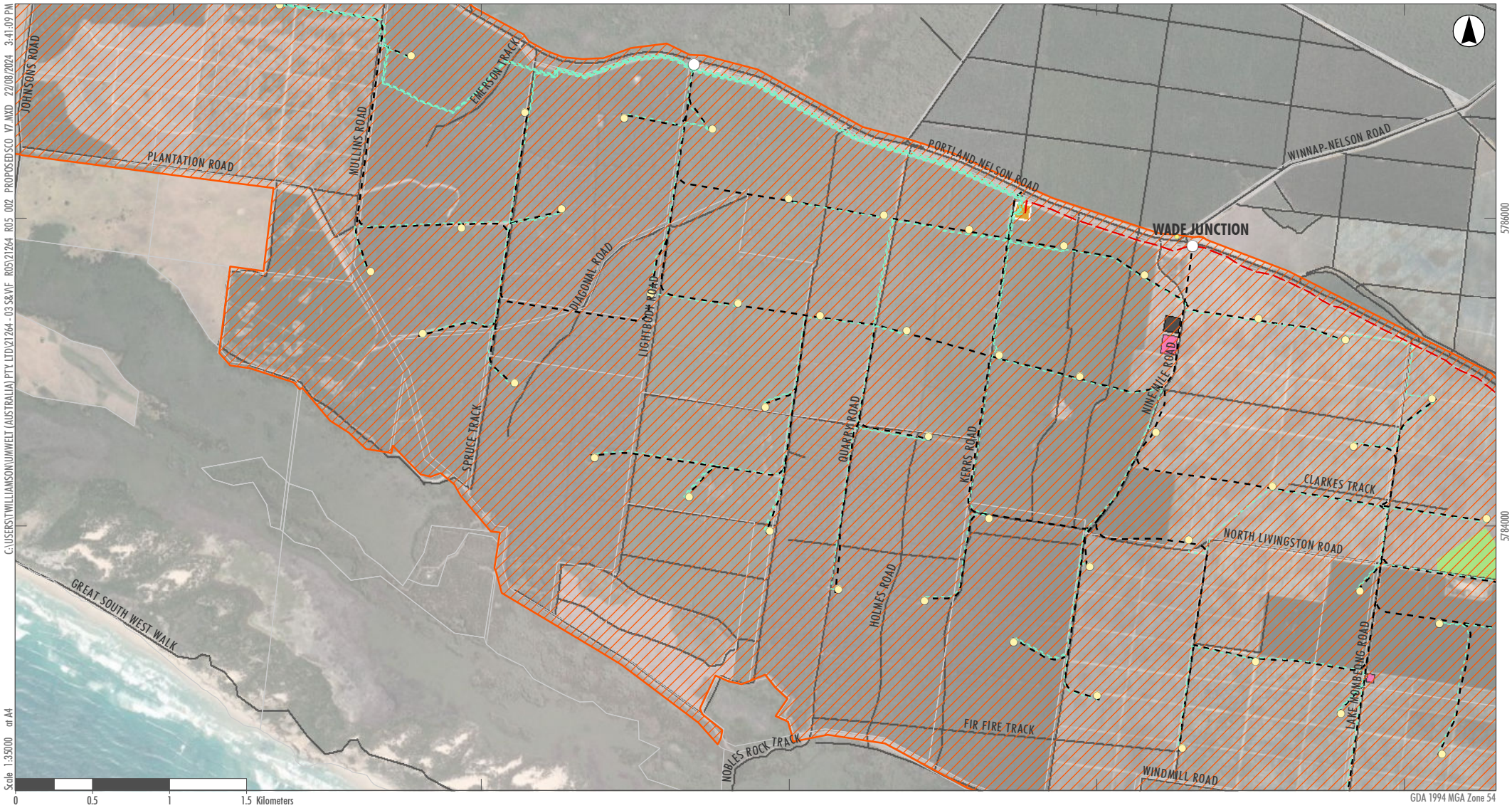


FIGURE 2 A

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)



Legend

- Proposed Specific Controls Overlay
- 275 kV Powerline - Overhead
- Wind Farm Substations
- Access Points
- Proposed Turbine Location
- Underground Powerlines
- Internal Access Roads
- Quarry
- Concrete Batch Plants
- Construction Compounds
- Roads
- Property Boundary

FIGURE 2 B

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

Legend

- Proposed Specific Controls Overlay
- 275 kV Powerline - Overhead
- Wind Farm Substations
- Access Points
- Proposed Turbine Location
- Underground Powerlines
- Internal Access Roads
- Quarry
- Concrete Batch Plants
- Construction Compounds
- Roads
- Property Boundary

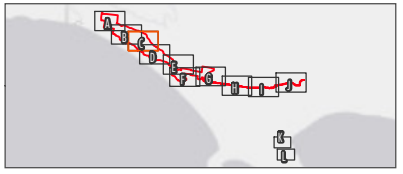


FIGURE 2 C

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

Legend

- Proposed Specific Controls Overlay
- Excluded From Proposed SCO
- 275 kV Powerline - Overhead
- Wind Farm Substations
- Access Points
- Proposed Turbine Location
- Underground Powerlines
- Internal Access Roads
- Construction Compounds
- Roads
- Property Boundary

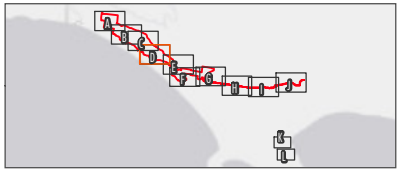


FIGURE 2 D

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

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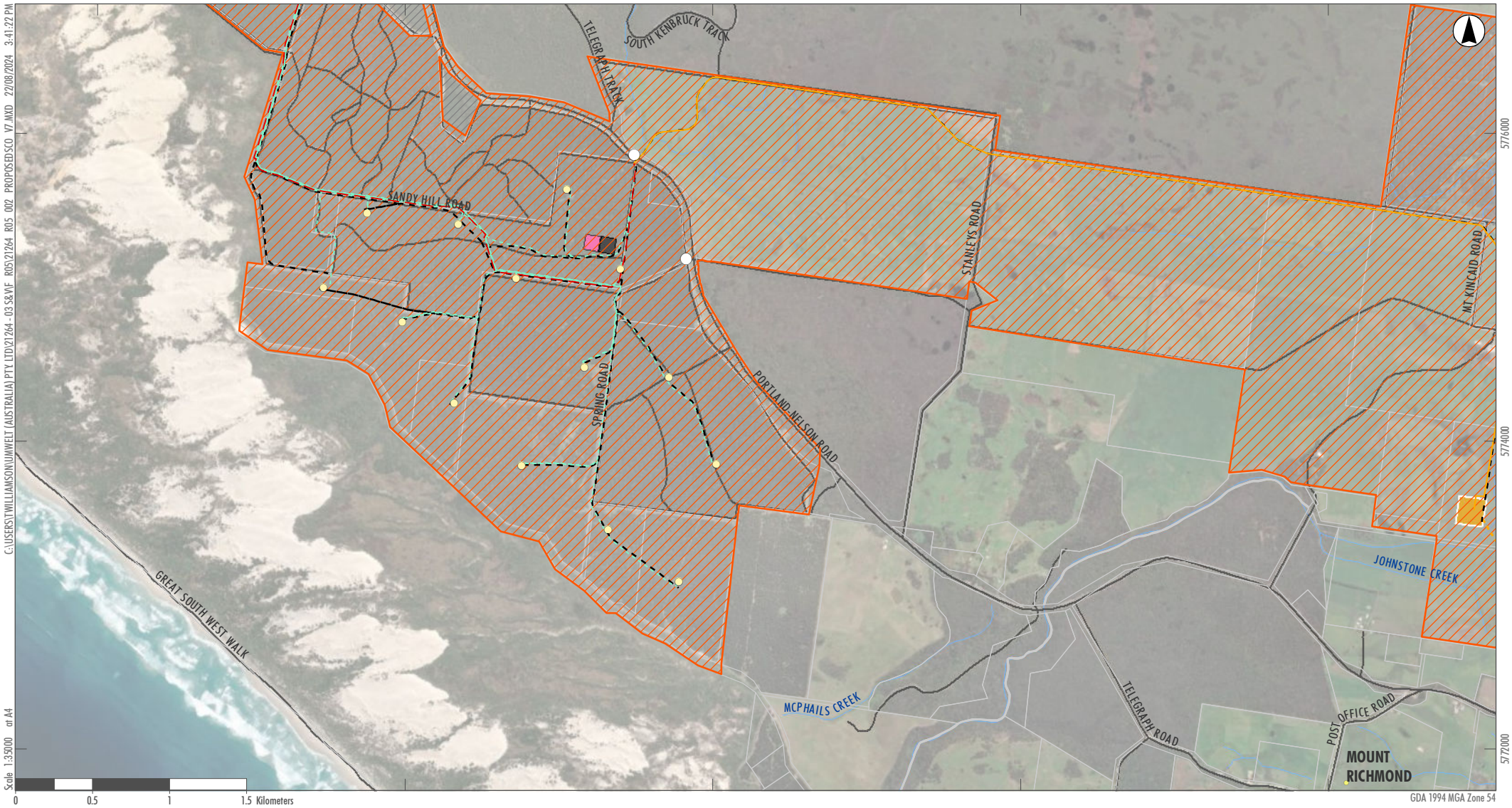
Scale 1:35000 at A4

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

FIGURE 2 E

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure



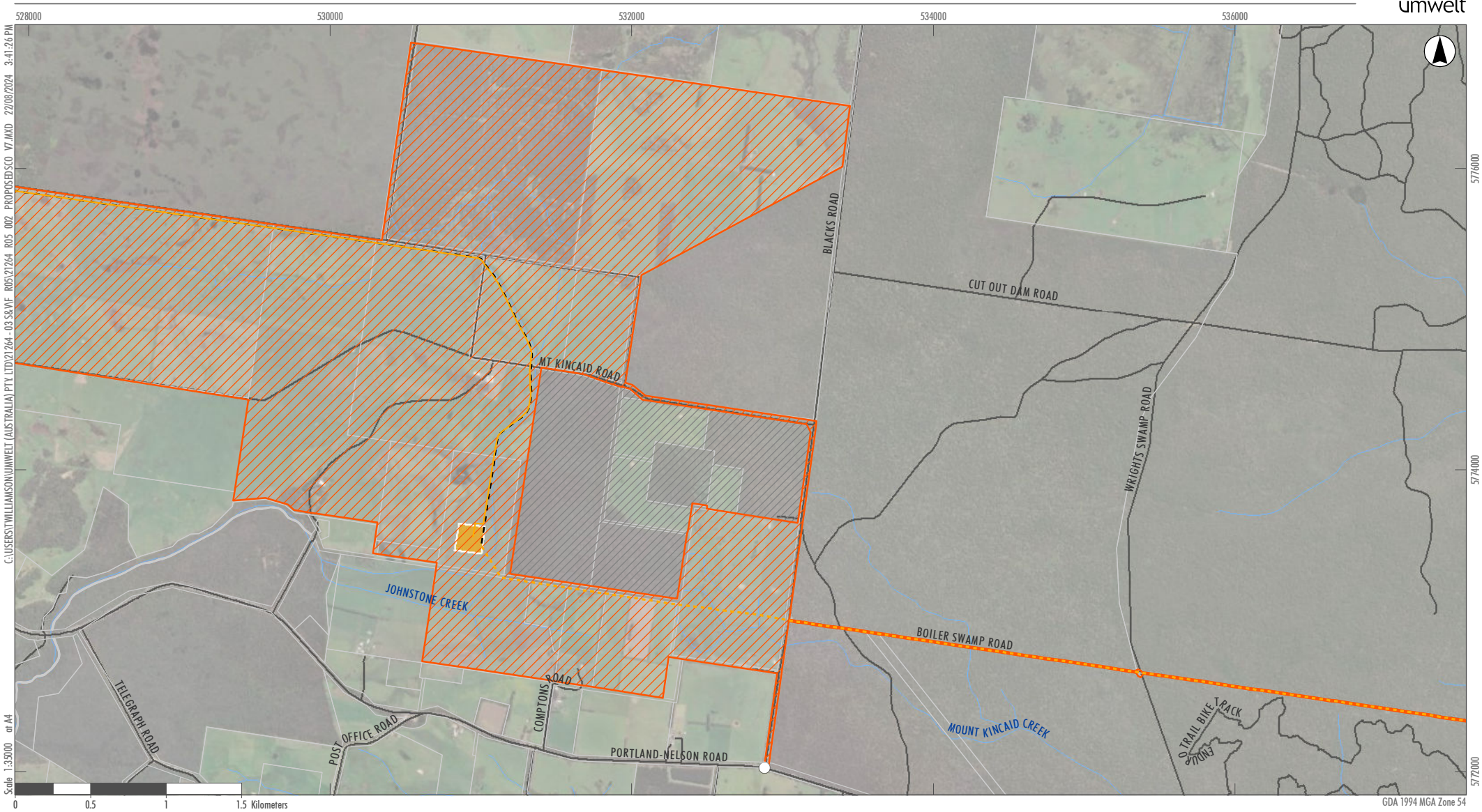
Legend

- Proposed Specific Controls Overlay
- Excluded From Proposed SCO
- 275 kV Powerline - Overhead
- 275 kV Powerline - Underground
- Wind Farm Substations
- Access Points
- Proposed Turbine Location
- Underground Powerlines
- Internal Access Roads
- Underground Transmission Line
- Concrete Batch Plants
- Construction Compounds
- Roads
- Watercourses
- Property Boundary

FIGURE 2 F

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)



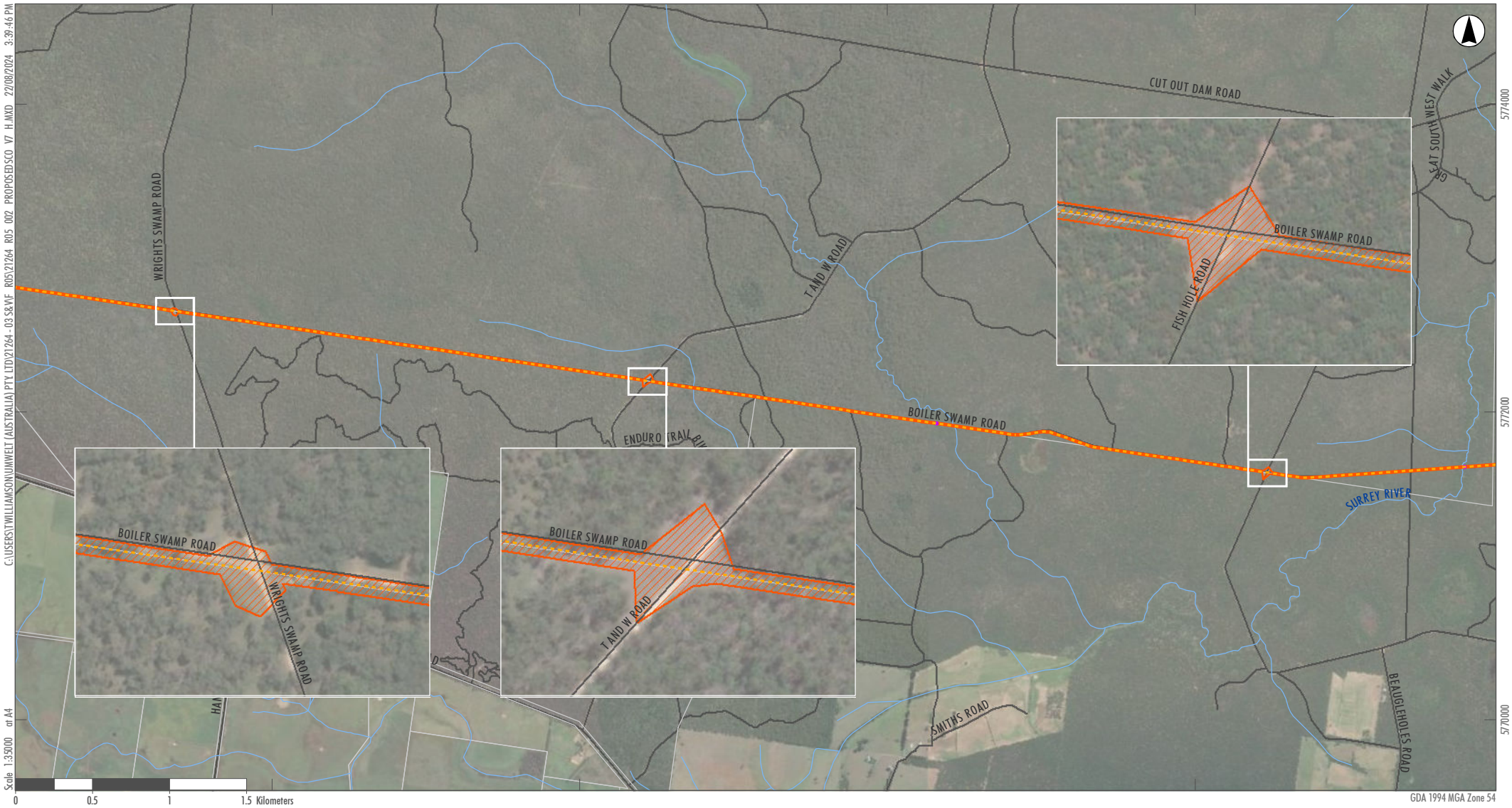
Legend

- Proposed Specific Controls Overlay
- Excluded From Proposed SCO
- 275 kV Powerline - Underground
- Wind Farm Substations
- Access Points
- Internal Access Roads
- Underground Transmission Line
- Roads
- Watercourses
- Property Boundary

FIGURE 2 G

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)



Legend

- Proposed Specific Controls Overlay
- Property Boundary
- Roads
- Watercourses
- Underground Transmission Line

FIGURE 2 H

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Note: Proposed SCO at intersections along Boiler Swamp Road is based on the existing cleared areas to be used as laydown area during construction.

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

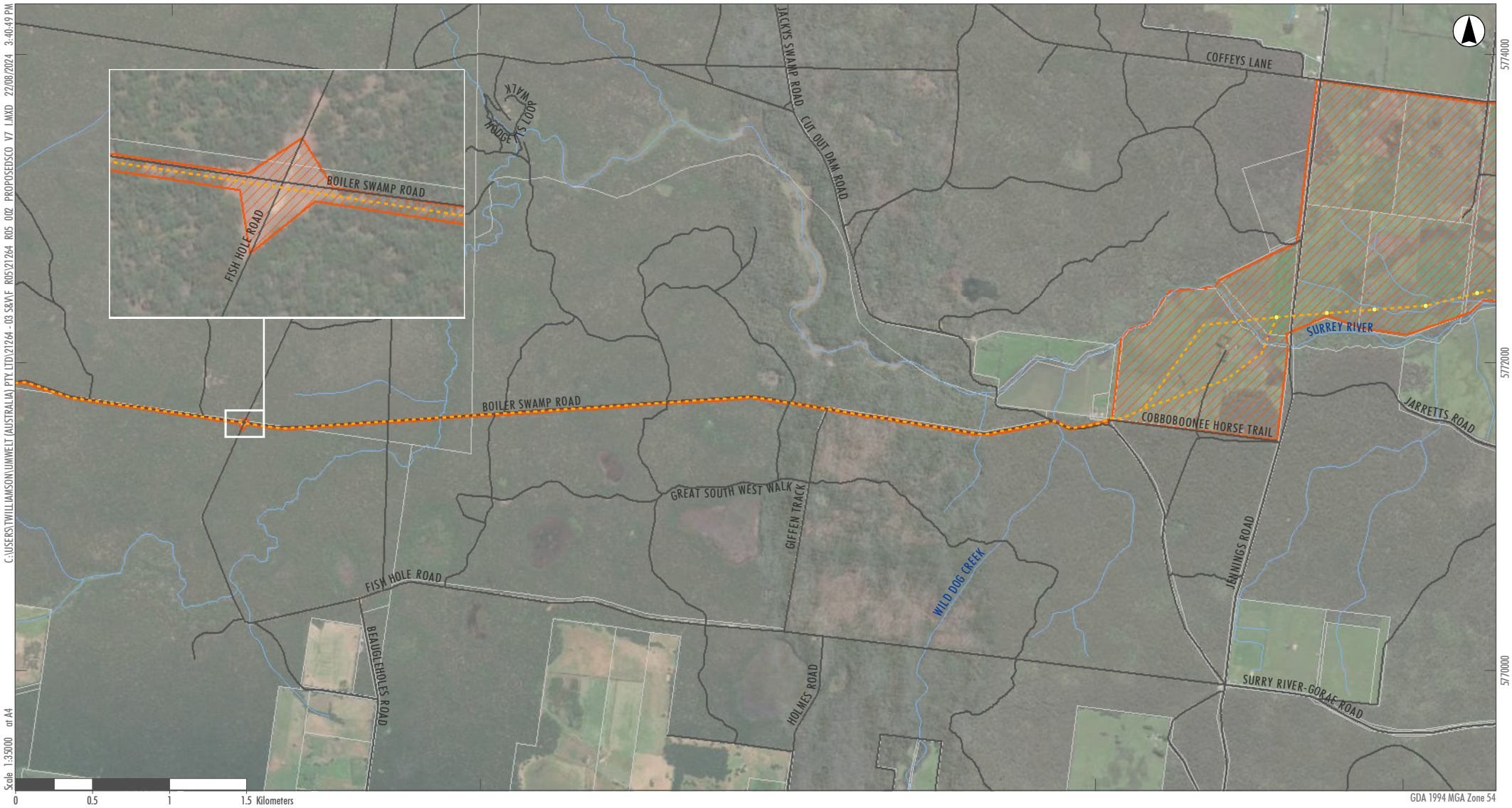


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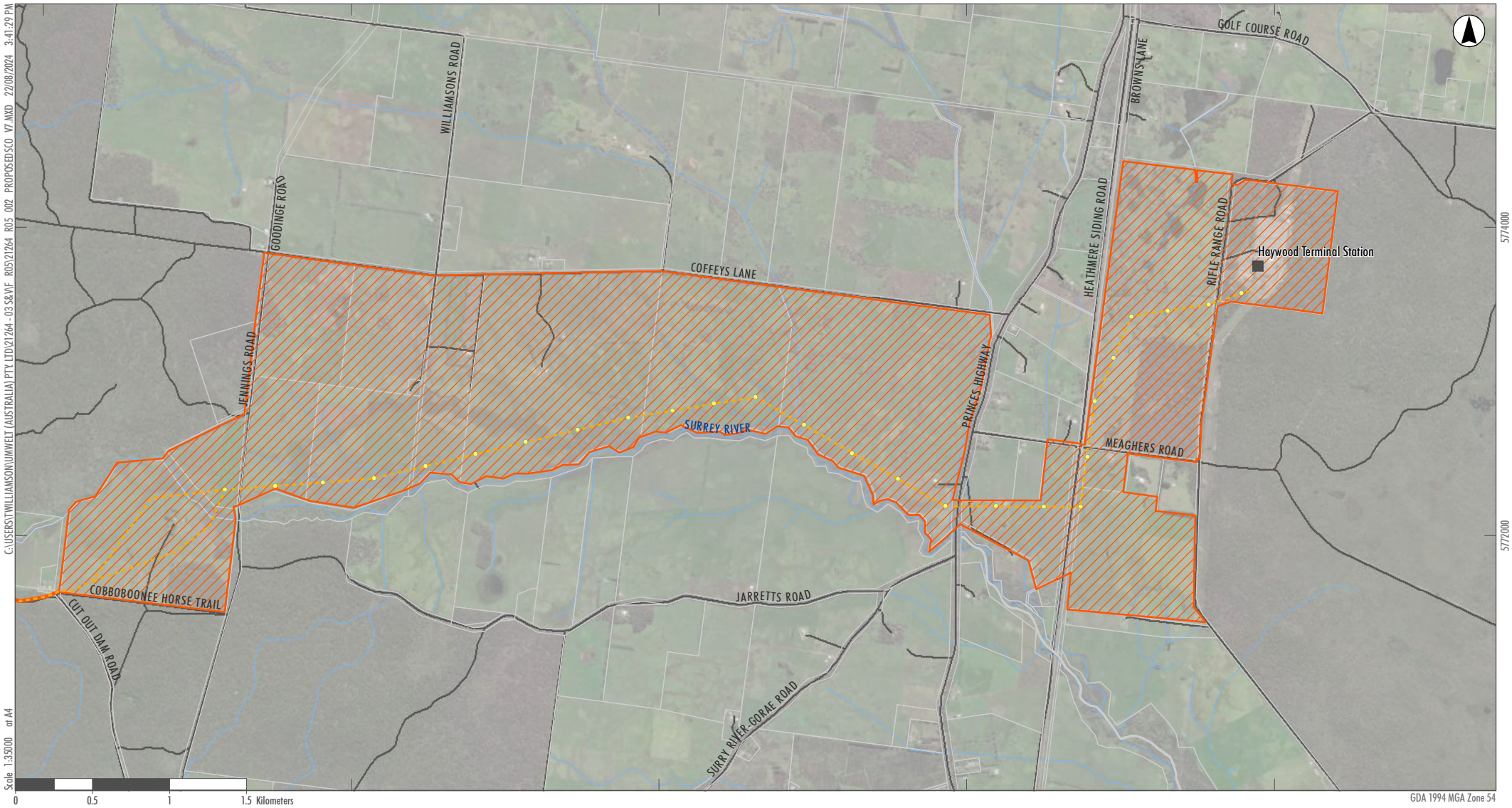
FIGURE 2 I

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Note: Proposed SCO at intersections along Boiler Swamp Road is based on the existing cleared areas to be used as laydown area during construction.

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)



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Scale 1:35000 at A4

Legend

- Proposed Specific Controls Overlay
- Heywood Terminal Station
- Overhead Transmission Poles
- Underground Transmission Line
- Horizontal Directional Drilling Locations
- Roads
- Watercourses
- Property Boundary

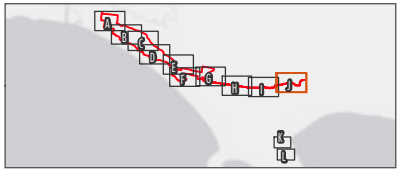

FIGURE 2 J

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

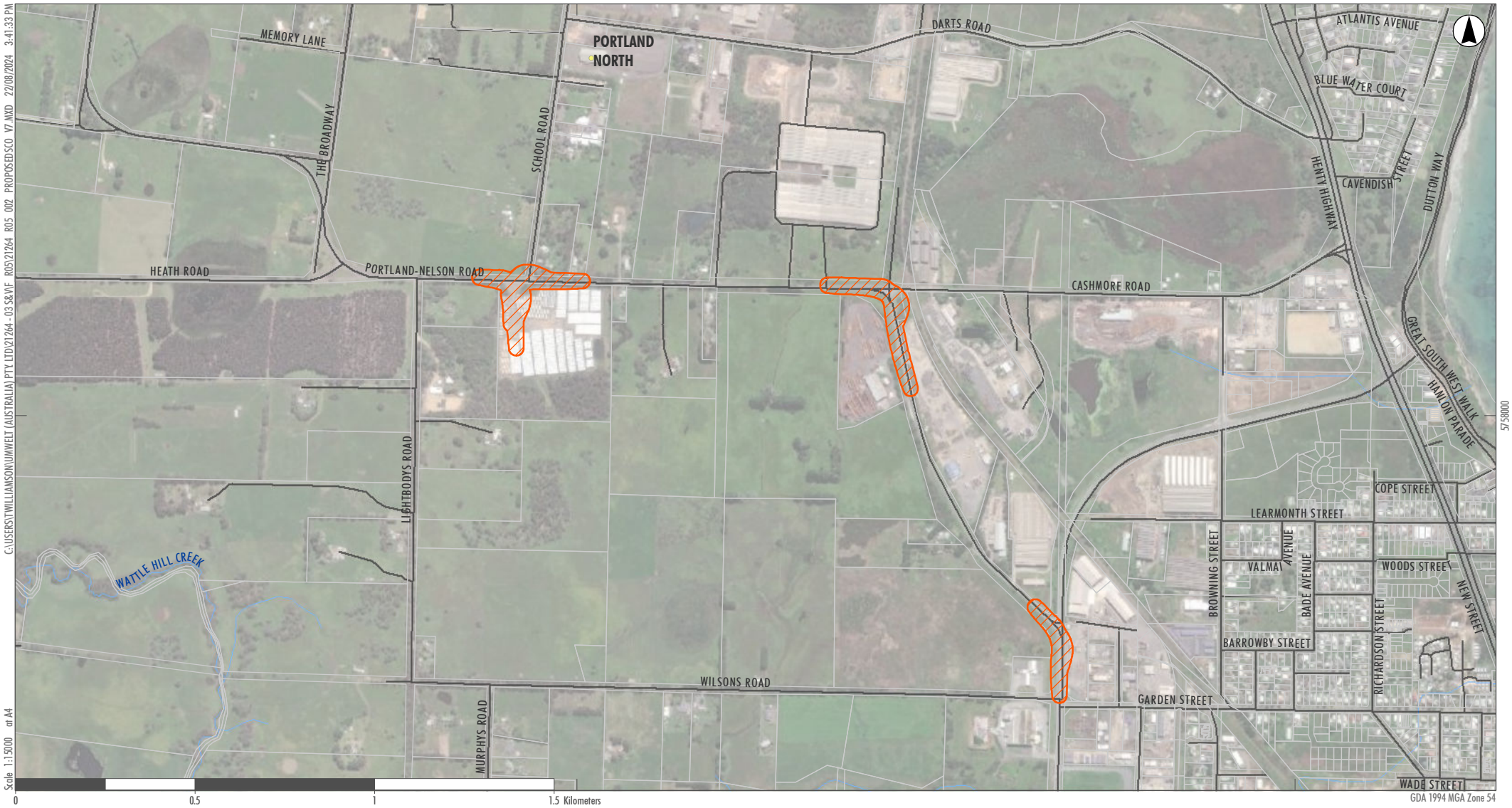

FIGURE 2 K

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

Note: Proposed SCO located at intersections along the haulage route where conflicts have been identified to be refined once native vegetation impacts are known.

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

Note: Proposed SCO located at intersections along the haulage route where conflicts have been identified to be refined once native vegetation impacts are known.

Image Source: ESRI Basemap (2021) Data source: DELWP (2021)

FIGURE 2 L

Draft Specific Controls Overlay (SCO10) and Proposed Project Infrastructure

APPENDIX D

Summary of Relevant Specialist Reports and Incorporated Document Interdependency

Technical Report	Land use and planning interdependency	Incorporated Document interdependency
Flora and Fauna Existing Conditions and Impact Assessment (**Appendix C** to the EES)	Identifies the presence and impacts to biodiversity and habitat associated with construction and operation. This includes the removal of native vegetation and the presence and disturbances to flora and fauna. Under the Planning Scheme, there is several planning overlays relating to the conservation and protection of ecological values within the Project Land comprising ESO1, EOS3 and SLO1, along with the requirements contained within **Clause 52.17** (Native Vegetation).	Flora and Fauna impacts will be managed across various requirements under the Incorporated Document including (but not limited to) an Environmental Management Framework (EMP) including a Construction Environmental management Plan (CEMP), Flora and Fauna Management Plan, Native Vegetation plan and a Bird and Bat Adaptive Management Plan. The EMP will be required to be approved by the Minister prior to the specified commencement of the relevant Project stage. In addition, offsets are required to be secured and offset evidence to be provided prior to the removal of any native vegetation**.**
Surface Water Assessment (**Appendix F** to the EES)	Identifies the potential impacts of the Project on surface water movement and quality (including waterways and wetlands) and identifies management and mitigation options where appropriate in reducing potential impacts of the Project. Surface water considerations are integral to the assessment of potential impacts of the Project given that the Project Works traverse waterways including Johnstone Creek that drains to Glenelg Estuary and Discovery Bay Ramsar sites.	Surface water impacts will be managed in accordance with the EMF including a Sediment, Erosion and Water Quality Management Plan, and CEMP. The EMF will be required to be approved by the Minister prior to the commencement of works. An EPA registered IEA will be required to verify compliance of the remaining plans with the requirements outlined in the Incorporated Document.
Groundwater Impact Assessment (**Appendix G** to the EES)	Identifies the potential impacts from the construction and operation of the Project which are anticipated to intercept shallow groundwater. Potential impacts include changes to groundwater levels, flow and/ or quality. Overall, construction and operation of the Project was found to present no unacceptable residual risks based on the Project description, existing conditions, recommended mitigation measures, and contingency measures.	Ground water impacts will be managed in accordance with the EMF including a Sediment, Erosion and Water Quality Management Plan, and CEMP. The CEMP will comprise a groundwater level monitoring plan. The EMF will be required to be approved by the Minister prior to the commencement of works. An EPA registered IEA will be required to verify compliance of the remaining plans with the requirements outlined in the Incorporated Document.

Technical Report	Land use and planning interdependency	Incorporated Document interdependency
Groundwater Dependent Ecosystem Impact Assessment (**Appendix H** of the EES)	Identifies and characterises the groundwater dependent ecosystems (GDEs) within the study area, assess potential impacts to GDEs and identifies any measures for avoiding, mitigating and managing potential impacts to GDEs. GDE Atlas mapping indicated the presence of aquatic and terrestrial GDEs within the Investigation Area. Measures to avoid or minimise potential adverse effects on biodiversity values within the Project Land and its environs, and to maintain the functions and values of aquatic environments and prevent adverse effects on protected beneficial uses such as GDEs, have been satisfied.	As per above.
Environmental Site Investigation (**Appendix I** to the EES)	This report assessed soil types and geomorphology in the study area and identify the potential location of contamination and acid sulphate soils. It also assessed the potential effects of the Project on human health and the environment associated with exposure and disposal of contaminated materials or hazardous soils (e.g., acid sulphate soils). Based on a combination of preliminary and detailed site investigations, it was concluded that, soil contamination is unlikely to be present across the Project, however, acid sulfate soils were identified across parts of the wind farm site.	Contamination and acid sulphate soils will be managed in accordance with the EMF including a CEMP. The EMF will be required to be approved by the Minister prior to the commencement of works. An EPA registered IEA will be required to verify compliance of the CEMP with the requirements outlined in the Incorporated Document.
Aboriginal Cultural Heritage Report (**Appendix J** to the EES)	Identifies the likely impacts of the Project's construction activities on Aboriginal cultural heritage and provides mitigation measure recommendations. Once finalised and approved, CHMP 17822 would outline the necessary management processes to be followed during construction to manage any potential impacts to known/registered Aboriginal places. CHMP 17822 will also include appropriate mechanisms and processes to manage any potential harm to unidentified Aboriginal places and cultural heritage values, including the potential for impacts on ancestral remains.	Aboriginal cultural heritage impacts will be managed in accordance with the approved CHMP 17822 required under the *Aboriginal Heritage Act 2006.*
Aboriginal Cultural Heritage Report (**Appendix J** to the EES)	Builds on the Aboriginal Cultural Heritage Report prepared by Aurecon (**Appendix J** to the EES). This report includes a complex assessment methodology for CHMP 17822 and information on intangible values.	As per above.

Technical Report	Land use and planning interdependency	Incorporated Document interdependency
Historical Heritage Assessment (**Appendix L** to the EES)	Identifies the presence and any impacts to historical heritage places and associated heritage overlays. Two historic heritage sites (Former Kentbruck School site and Boiler Swamp Sawmill site) are located within the Project Land. The proposed works within the study area are considered unlikely to have a significant adverse impact on the historical, architectural, or archaeological values of known historic heritage places within the study area.	Heritage impacts will be managed in accordance with a CEMP required under the Incorporated Document to be verified by an EPA registered IEA prior to the commencement of works.
Landscape and Visual Assessment (**Appendix M** to the EES)	Identifies potential visual impacts to key assets, values or uses surrounding the Project Land. The report assessed 637 receptors of which five receptors were calculated to have a shadow flicker greater than zero hours and two of which anticipated to experience more than 30 hours of shadow flicker per year. Management and mitigation measures have been implemented to mitigate impacts where possible.	The outcomes of this assessment will inform the off-site landscape and on-site plan required by the EMF to be submitted to and approved by the Minister prior to the commencement of works.
Shadow Flicker and Blade Glint Assessment (**Appendix N** to the EES)	Identifies potential shadow flicker and blade glint impacts caused by wind turbines from the wind farm component of the Project. Based on worst case modelling two receptors may experience more than 30 hours of shadow flicker per year (128 hrs/yr for one and 41hrs/yr for another). Blade glint is not expected to be an issue.	Shadow flicker impacts from turbines on existing dwellings will be managed in accordance with a pre-construction assessment required by the EMF to be approved by the Minister prior to the commencement of works.
Air Quality Impact Assessment (**Appendix O** to the EES)	Identifies potential air quality impacts during construction and operational activities. Potential air quality impacts were expected to be limited to construction and decommissioning activities. Sensitive human receptors and ecological receptors were identified within 350 metres and 50 metres of the Project Land respectively.	Air quality impacts will be managed in accordance with the EMF including an Air Quality Management Plan. These plans are required to be approved by the Minister prior to the commencement of works.

Technical Report	Land use and planning interdependency	Incorporated Document interdependency
Environmental Noise and Vibration Assessment (**Appendix P** to the EES)	Identifies potential noise and vibration impacts associated with all phases of the Project (both on-site and off-site works) and proposes mitigation measures. A total of 48 receivers were identified within 5 km of the proposed turbines, comprising 39 non-involved receivers on properties that are not associated with the Project (18 dwellings and 21 campgrounds), and nine residential dwellings on properties associated with the wind farm (involved receivers). It is considered that the Project is capable of satisfying the relevant good practice measures for noise and vibration.	Noise impacts will be managed in accordance with requirements under the Incorporated Document including a Pre-development (Predictive) Noise Assessment and Construction Noise and Vibration Management Plan. In addition, noise impacts will be managed in accordance with the requirements under the Environment Protection Regulations 2021.
Transport Impact Assessment (**Appendix Q** to the EES)	Identifies potential impacts relating to traffic and transport within and to/from the Project Land. Disruption to the existing transport network and connectivity are considered in this assessment. Overall, impacts to the transport network during turbine and transmission line construction are expected to be relatively minor given the low traffic volumes and limited local population, and can be suitably managed through measures outlined in a Traffic Management Plan for the Project, with the road network found to be sufficient to accommodate anticipated traffic volumes.	A Traffic Management Plan is required by the EMF to manage impacts relating to traffic and transport.
Social Impact Assessment (**Appendix S** to the EES)	Identifies the social baseline conditions and social impacts in terms of impacts to potential impacts to business (including tourism) operations or other existing or approved land uses, including private land use.	A Community and Stakeholder Engagement Plan is required under the Incorporated Document to manage the engagement associated with all stages of the Project. In addition, complaints received are required to be managed in accordance with the Complaint Investigation and Response Plan.
Aeronautical Impact Assessment (**Appendix U** to the EES)	Identifies potential impacts to aviation and aircraft safety.	Requirements specified in the EMF seek to manage aviation impacts including notification to relevant stakeholder prior to the commencement of works.
Electromagnetic Interference Assessment (**Appendix V** to the EES)	Identifies potential impacts on electromagnetic interference caused by wind turbines. This report demonstrates compliance with *Policy and Planning Guidelines of Wind Energy Facilities* in Victoria. The wind farm development is designed to avoid, minimise and mitigate electromagnetic interference to pre-existing transmission and reception services.	Electromagnetic interference impacts are to be managed in accordance with a survey required by the EMF.

Technical Report	Land use and planning interdependency	Incorporated Document interdependency
Bushfire Risk Assessment and Mitigation Plan (**Appendix W** to the EES)	Identifies the bushfire risk, taking into account existing and future communities, the nature of the Project, existing uses in the Project Land, access arrangements and the views of the relevant fire authority. The report concludes that the bushfire risk associated with the construction and operation of the Project can be mitigated to an acceptable level with the implementation of sound bushfire mitigation strategies, does not increase bushfire risk in the landscape and provides additional options for emergency service vehicles in particular for fire suppression related access.	An Emergency Response Plan is required to be prepared as part of the EMF prior to the commencement of works to manage fire risks .

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Consultants

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