APPENDIX G
CLAUSE 35.07 – FARMING ZONE ASSESSMENT

Pursuant to Clause 35.07-1, a permit is required for the use of land and buildings and works associated with a Renewable Energy Facility (other than Wind Energy Facility) and a Utility Installation.

In order to satisfy the requirements of the Decision Guidelines of Clause 35.07-6, the following matters have been considered in this assessment:

- General Issues
- Agricultural issues and the impacts from non-agricultural uses
- Accommodation issues (not applicable)
- Environmental issues
- Design and siting issues

A response to the Schedule to the Farming Zone is also included below.

GENERAL ISSUES

Decision Guideline	Response
The Municipal Planning Strategy and the Planning Policy Framework	▪ Please refer to Section 8 of the Town Planning Report for an assessment against the Moorabool Planning Scheme (including Planning Policy Framework and Municipal Planning Strategy).
Any Regional Catchment Strategy and associated plan applying to the land.	▪ The subject site sits within the Leigh landscape zone of the Corangamite Regional Catchment Strategy (RCS) as prepared by the Corangamite Catchment Management Authority. The proposal assists in the regional outcome that *"By 2027 there is a 20% increase (compared to 2022 levels) in private agricultural landholders engaging in sustainable land management practices."* The

Decision Guideline	Response
	application for a solar farm is a sustainable land use and thus can be considered in accordance with the Corangamite RCS.
The capability of the land to accommodate the proposed use or development, including the disposal of effluent.	▪ The land has been assessed to be entirely capable of accommodating the proposed development as outlined throughout this report. There are no effluent concerns, and the proposal presents minimal amenity impacts to surrounding properties or to the long terms use of the site for agricultural purposes.
How the use or development relates to sustainable land management.	▪ The proposed land use seeks to provide a source of renewable energy for the surrounding area with no waste impacts as a result of its operation. ▪ The nature of construction for this land use is low impact, avoiding heavy duty foundations and disturbance to the land. As a result, the agricultural potential of the subject land can be retained after the life cycle of the solar farm has been completed. ▪ Additionally, the site will be available for agricultural use during its operation as the land remains ideal for sheep grazing.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.	▪ The use and development of the land as a solar farm to produce renewable energy is an appropriate use of the land. Properties adjoining the site have some form of livestock grazing use. There is no detrimental impact on the continued agricultural use of these properties for grazing as a consequence of the proposed development. ▪ The proposal is compatible with adjoining nearby land uses, including the Elaine Terminal Station. Solar farms and battery energy storage systems including substations are considered ancillary to each other, as the uses have a genuine, close and continuing functional relationship during their operation. ▪ The solar farm will be used to capture energy and the BESS will be used to store and transmit energy. The new 220kV line will connect the Elaine Solar Farm to the grid via connection at the Elaine Terminal Station.
How the use and development makes use of existing infrastructure and services.	▪ The use and development will seek to use existing infrastructure and services in the following ways:

Decision Guideline	Response
	- Utilise the existing road network for access to each site. Some upgrades may be required as mentioned in the Traffic and Transport Assessment prepared by Impact. - The project will connect to the grid via a new 220kV aboveground transmission line. The line connects to the Elaine Terminal Station, which then connects to the grid via the existing 220kV Moorabool Terminal to Ballart Terminal overhead transmission line which passes to the east of **Peters**.

AGRICULTURAL ISSUES AND THE IMPACTS FROM NON-AGRICULTURAL USES

Decision Guideline	Response
Whether the use or development will support and enhance agricultural production.	▪ Although the use will not directly support agricultural production, it will not impact the long-term use of this land, or surrounding sites, for agriculture. The halting of extensive agricultural production during the lifetime of the project can also benefit the soil structure as a regenerative land management practice. Notably, the soil structure is considered poor on site. Accordingly, the solar farm will provide the site a chance to regenerate. ▪ When the solar farm is decommissioned at its end of life, the land will have had time to recover from intensive cultivation, restoring biodiversity and soil health. Lighter sheep grazing of the land is a preferred land management method during the lifetime of the solar farm, which will be implemented on site. Sheep grazing will also contribute to the reduction of fuel load on site, reducing the risk of bushfire.
Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.	▪ If the proposed installation is not planned to be upgraded at the end of its life cycle, a decommissioning plan will be provided to DTP for approval prior to decommissioning works being undertaken. ▪ Once this is completed the site can revert to full agricultural use as grazing land across the whole site. The nature of the construction and installation methods are designed to be light-touch and avoid long-term or adverse impacts upon the soil quality or impact land for long term agricultural use as grazing land.

Decision Guideline	Response
The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.	▪ The proposed solar installation will be contained wholly within the subject site and will produce no emissions of any kind; therefore, it will not impact the operation or expansion of adjacent nearby agricultural uses.
The capacity of the site to sustain the agricultural use.	▪ The site will maintain some agricultural use as light grazing land in conjunction with the renewable energy facility.
The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.	▪ The proposed development will not affect the agricultural qualities of the land. As stated, once the lifespan of the solar farm is complete, it would revert to its natural state maintaining the soil quality, access to water and improved vehicle access infrastructure. ▪ Please refer to the Agricultural Assessment prepared by Ag-Challenge Consulting at **Appendix K** for further details regarding soil quality, access to water and infrastructure.
Any integrated land management plan prepared for the site.	▪ There is no integrated land management plan that applies to the site.

ACCOMMODATION ISSUES

The decision guidelines under this heading are not applicable to the proposed use for a Renewable Energy Facility (other than Wind Energy Facility) or a Utility Installation.

ENVIRONMENTAL ISSUES

Guideline	Response
The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.	▪ The proposal has been sited and designed to protect soil and water quality and other natural features of the site as discussed in Section 10.3.5 of the Planning Report. ▪ The design and development of the facility has avoided and minimised changes to the local hydrology, by avoiding areas of ecological importance and avoiding certain land to allow for the retention of an existing irrigation system.

Guideline	Response
	▪ Please refer to the Agricultural Assessment prepared by Ag-Challenge Consulting at **Appendix K** for further details regarding impacts on natural physical features. ▪ Please refer to the Flooding Impact Assessment prepared by Ecological Australia at **Appendix R** for details regarding physical features and resources of the area and flooding impacts.
The impact of the use or development on the flora and fauna on the site and its surrounds	▪ The proposed development has been sited to minimise any impact on existing flora and fauna by taking into careful consideration the natural environmental features of the site including avoiding areas of remnant vegetation and identified habitat zones. ▪ Further details of the impact to flora and fauna are detailed in Section 10.3.2 of the Planning Report.
The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.	▪ The proposed site layout demonstrates significant avoidance of the removal of native vegetation. The proposal has undergone multiple design iterations, with consideration given to the ecological values present within the study area, as well as hydrology and bushfire implications. Notably, a wetland (ecological zone) has been retained to the north of **Windy** to protect biodiversity and retain vegetation. ▪ Although vegetation removal onsite is required, the proposed installation will not have a significant impact on the ecology of the site or surrounding area due to the highly modified nature of the study area and limited impact to significant flora and fauna species. ▪ Further detail on this can be found in Sections 10.3.2 and 11.3 of the Planning Report.
The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.	▪ There will be no on-site effluent disposal. A compost toilet for maintenance workers will be maintained on a regular basis with any compost waste being disposed of off-site.

DESIGN AND SITING ISSUES

Guideline	Response
The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.	▪ Given the nature of the development, the solar installation will be distributed evenly across both sites, however, sheep grazing can continue. ▪ Key areas of the site will remain undeveloped to avoid impact on significant ecology, particularly including the ecological zone to the north of **Windy**. ▪ The proposed battery and substation compound on **Peters** will take up a small percentage of the total site area has been appropriately located to the far east of the site for connection to the Elaine Terminal Station, thus minimising the development footprint. ▪ Additional vegetation screening has been proposed surrounding the BESS to ensure minimal visual impact to surrounding land uses. ▪ A Noise Impact Assessment that assesses noise impacts and outlines noise attenuation measures will be issued shortly.
The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.	▪ The following measures will be implemented to reduce visual impact: – Establish screen planting around the perimeter of the site to ameliorate views. – Taller elements such as transformers and switching substations will be clad with non-reflective materials and be finished in a natural or neutral colour. ▪ No impacts to major roads are expected from traffic generation, as outlined in Section 12.2 of the Planning Report and within the Traffic and Transport Assessment at **Appendix O**. ▪ Further detail regarding visual impact associated with glare and glint is discussed in Section 10.2.1 of the Planning Report, and in the Landscape and Visual Impact Assessment at **Appendix Q**.
The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.	▪ While the proposal results in a significant change to the landscape character from the existing setting, the low profile of the site will ensure that from ground-based viewing locations, only localised changes to character will result. The most visible changes will be to views from Midland Highway. Although, following amelioration, comprised of the establishment of locally indigenous screening vegetation along the site perimeter, the landscape character will appear similar to the remainder of

Guideline	Response
	the regional agricultural landscape and other bands of vegetation that occur through the landscape of the region. ▪ The Landscape and Visual Impact Assessment concludes that the landscape of the project setting has a generally high landscape absorptive capacity and is located within an 'envelope' of energy infrastructure ensuring the colocation of landscape modifying elements. ▪ Further detail regarding visual impact associated with glare and glint is discussed in Section 10.2.1 of the Planning Report, and in the Landscape and Visual Impact Assessment at **Appendix Q**.
The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.	▪ This site is adjacent to a transmission corridor (220kV) with connection to this transmission line proposed via the Elaine Terminal Station (substation) to the east of **Peters**. The project transformers, switching station and substation will be located within the project site. Windy will connect to Peters via an overhead 33kV powerline approximately 2.6km in length. Please refer to Section 4.2 of the Planning Report for more information regarding the layout and built form of the proposed development. ▪ No other services are being proposed or connected. The existing road network is sufficient to utilise for the project, subject to 'all weather' upgrades for the construction period.
Whether the use and development will require traffic management measures.	▪ Construction Management and Traffic Management plans are proposed to be prepared as part of post-approval conditions. ▪ During the construction of the facility, traffic management measures will be put in place. The details of these will be provided to council prior to the construction stage through a Traffic Management Plan as part of the building permit application. ▪ The ongoing operation of the solar farm will not require permanent traffic management measures due to the infrequency of traffic visiting the site which will be less than the current traffic that enters and exits the site for agricultural purposes. Please refer to the Traffic Impact Assessment at **Appendix O** for further details.

FARMING ZONE SCHEDULE

Clause 35.07 – Farming Zone Assessment

Clause 1 of the Schedule sets out a number of requirements which relate to a planning application within the Farming Zone. The requirements relevant to the Elaine Solar Farm proposal have been assessed below.

Requirement	Response
The minimum setback from a road in a Transport 2 Zone is 100 metres.	▪ Midland Highway is set back approximately 50 metres from solar infrastructure proposed on **Windy**. A variation to this requirement has been proposed due to the nature of the development, existing development conditions, strategic plans in place, extensive screening proposed and levels of glint and glare from Midland Highway. ▪ From all the assessed receptors, there are no glare impacts predicted including to Midland Highway. It is noted that there are no glare impacts predicted during the establishment phase for the amelioration planting. Following the establishment of amelioration, comprised of locally indigenous screening vegetation along the Project boundaries (specifically Midland Highway), the landscape character will appear similar to the remainder of the regional agricultural landscape and other bands of vegetation that occur through the landscape of the region. Views from the Midland Highway to Mount Buninyong will not be interrupted by the Project, as the highest components of the project would sit well below the tops of vegetation lining the road corridor. ▪ Please refer to Section 9.2 of the Planning Report for further details regarding the encroachment to the setback along Midland Highway.
The minimum setback from a road (any other road) is 20 metres.	▪ Solar infrastructure has been setback at least 20 metres from any interface with 'any other road.' Therefore, the proposal complies with this requirement.
The minimum setback from a boundary (any other boundary) is 5 metres.	▪ The proposal includes setbacks of at least 5 metres at every boundary, including extensive screening planting within these setbacks.
The minimum setback from a dwelling not in the same ownership is 100 metres.	▪ A dwelling exists northeast of Windy at 5876 Midland Highway, which is set back approximately 38 metres from the Principal Road Network. The dwelling is set back approximately 150 metres from the solar infrastructure proposed on **Windy**, noting a laydown area is proposed at the northern corner of the site which will act for the handling of sheep on and off the site once the Solar Farm is in operation.

As detailed above, the proposed installation will generally meet the requirements of Clause 35.07 and the Schedule, and the setback variation is considered appropriate with regards to the use and development for the site within the Farming Zone.