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MORTLAKE ENERGY HUB

Town Planning Report

Prepared for
BRIGHTNIGHT POWER
6 May 2024

URBIS STAFF RESPONSIBLE FOR THIS REPORT

Director	Jon Mills
Associate Director	Grace Brown
Consultant	Callum Goldby Robert Doherty
Project Code	P0040707
Report Number	Rep02 – DFP Triage 02

SUBMISSION DOCUMENTS

This report is to be read in conjunction with:

- **Appendix A:** Certificates of Title
- **Appendix B:** Site Plan prepared by Urbis
- **Appendix C:** Landscape Strategy prepared by Urbis
- **Appendix D:** Survey Plan prepared by SLS
- **Appendix E:** Elevations and Specifications prepared by Urbis
- **Appendix F:** Clause 53.13 assessment prepared by Urbis
- **Appendix G:** Clause 35.07 Farming Zone assessment prepared by Urbis
- **Appendix H:** Solar Energy Facilities Design and Development Guidelines (DTP, October 2022) Assessment prepared by Urbis
- **Appendix I:** Agricultural Assessment prepared by AgChallenge
- **Appendix J:** Preliminary Bushfire Assessment prepared by ELA
- **Appendix K:** Cultural Heritage Assessment prepared by ELA
- **Appendix L:** Transport Impact Assessment prepared by Urbis
- **Appendix M:** Biodiversity Assessment prepared by ELA
- **Appendix N:** Engagement Outcomes Report prepared by Premier Strategy
- **Appendix O:** Photosimulations prepared by Urbis
- **Appendix P:** Landscape and Visual Impact Assessment prepared by Urbis
- **Appendix Q:** Hydrology Assessment prepared by ELA
- **Appendix R:** Growling Grass Frog Survey prepared by ELA
- **Appendix S:** Acoustic Assessment prepared by WSP
- **Appendix T:** Environmental Management Plan Framework prepared by Urbis

Urbis acknowledges the important contribution that Aboriginal and Torres Strait Islander people make in creating a strong and vibrant Australian society. We acknowledge, in each of our offices, the Traditional Owners on whose land we stand.

All information supplied to Urbis in order to conduct this research has been treated in the strictest confidence. It shall only be used in this context and shall not be made available to third parties without client authorisation. Confidential information has been stored securely and data provided by respondents, as well as their identity, has been treated in the strictest confidence and all assurance given to respondents have been and shall be fulfilled.

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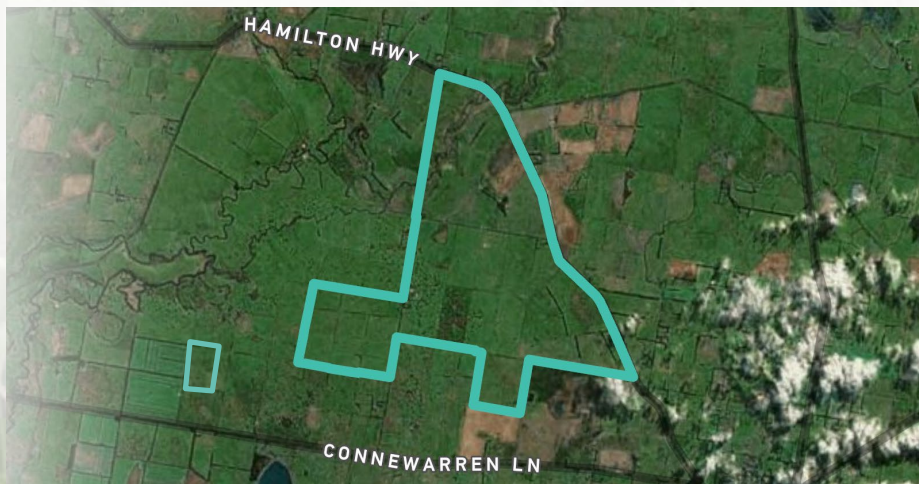
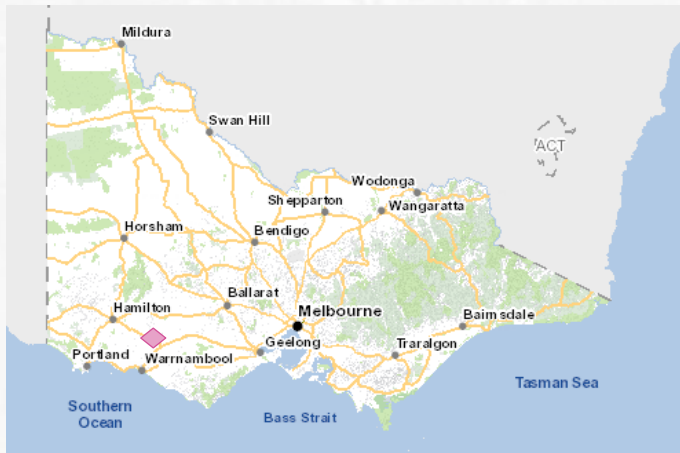
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EXECUTIVE SUMMARY

This report has been prepared by Urbis Ltd on behalf of BrightNight Power, in support of a planning permit application to use and develop land for a solar energy facility (renewable energy facility) and utility installation, on land to the north-west of Mortlake. A detailed description of the subject land is provided in a following section of this report.

PROJECT OVERVIEW



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Location: Hamilton Highway, Mortlake.
North-west of Mortlake (approx. 3km)

Site area: 1,883 ha | **Panel area:** 1060 ha

Energy contribution: 360MW solar array + 600MW BESS



Planning Framework: Moyne Planning Scheme

Zone: Farming Zone

Overlays: Bushfire Management Overlay (BMO)

Victoria's emissions reductions target: The proposal will contribute to Victoria's emissions reduction by providing 360MW of renewable energy to the grid.

This is anticipated to contribute to Victoria's renewable energy storage targets and emissions reductions targets:



- up to ca. 11% of 2030 target of 2.6GW
- up to ca. 5% of 2035 target of 6.3GW
- up to ca. 0.5% operational emissions reduction (based on 80,064,500 tCO₂e 2021 electricity source emissions)
- up to ca. 1% operational emissions reduction from electricity as energy source (based on 41,400,000 tCO₂e 2021 electricity source emissions)

STATUTORY AUTHORITIES, NOTICE AND REFERRALS



Native Vegetation Removal (Clause 52.17 and 66.02-2)
Referral to DEECA

Refer to:

[Biodiversity and Vegetation Removal](#)

Appendix M: Biodiversity Assessment prepared by ELA



Land Adjacent to the Principal Road Network (Clause 52.29-4 and 66.03)

Referral to Head, Transport for Victoria

Refer to:

[Traffic and Access](#)

Appendix L: Transport Impact Assessment prepared by Urbis



Development within 60 metres of a major electricity line or easement (Clause 66.02-4)

Referral to Ausnet Services

Bushfire

Notice to the Country Fire Authority



Refer to:

[Bushfire](#)

Appendix J: Preliminary Bushfire Assessment



Local Government

Notice to Moyne Shire Council

MOYNE PLANNING SCHEME

The site is affected by the following planning controls and permissions:

CONTROLS/PROVISIONS	PERMISSIONS
Farming Zone	<ul style="list-style-type: none"> 35.07-1: To use land for a Renewable Energy Facility and a Utility Installation. 35.07-4: To construct a building and carry out works for a use in Section 2 and located within specified setbacks.
Bushfire Management Overlay	<ul style="list-style-type: none"> No permit required – Land use does not trigger a planning permit..
Environmental Significance Overlay, Schedule 3	<ul style="list-style-type: none"> No permit required – works are not for accommodation
Clause 52.05 'Signs'	<ul style="list-style-type: none"> Construct or put up for display a business identification sign
Clause 52.17 'Native Vegetation'	<ul style="list-style-type: none"> 52.17-1: To remove, destroy or lop native vegetation.
Clause 52.29 'Land Adjacent to the Principal Road Network'	<ul style="list-style-type: none"> 52.29-2: Alter access to a road in a Transport Zone 2

Table 1 – Applicable Controls and Permissions

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PLANNING PATHWAY

Clause 53.22 'Significant Economic Development'

On 4 April 2024 amendment VC261 was gazetted into the Moyne Planning Scheme. This amended Clause 53.22 to introduce additional land uses to Table 2 of Clause 53.22-1, being:

- Renewable energy facility with an installed capacity of 1 megawatt or greater
- Utility installation used to transmit or distribute electricity or store electricity with an installed capacity of 1 megawatt or greater.

As the proposal is for a renewable energy facility and for a utility installation with capacity of 360MW and 600MW respectively, the proposal qualifies for assessment under this Clause.

We further note that:

- ✔ No referral is required to be submitted to the Impact Assessment team within the Victorian Department of Transport and Planning to determine if a Environmental Effects Statement is required for the proposal
- ✔ No referral is required under the *EPBC Act* to the Commonwealth DCCEEW.

As such, the proposal is eligible for expedited assessment as part of the Department of Transport and Planning's Development Facilitation Program.

Pursuant to Clause 72.01-1, the Minister for Planning is the Responsibility Authority for the application.

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ASSESSMENT SUMMARY

The proposal is an appropriate response to its physical and policy context, and is deserving of a planning permit:

- ✔ The proposal is suitable for assessment under the Development Facilitation Program pursuant to Clause 53.22. Based on the assessment undertaken by EcoLogical Australia, no Environment Effects Statement referral, nor EPBC referral is required.
- ✔ The proposal is consistent with the statutory and strategic frameworks of the Moyne Shire Planning Scheme.
- ✔ The proposal will contribute approximately 360MW generation capacity, with 600MW storage capacity in the BESS. Based on these figures, the proposal will contribute significantly to Victoria's emissions reduction and renewable energy targets, as outlined within this report.
- ✔ The proposal does not require a mandatory CHMP, as outlined within the Cultural Heritage Due Diligence Assessment. A voluntary CHMP will be prepared.
- ✔ The proposed installation has sought to minimise impacts on native vegetation, with large areas of the site avoided, and only minimal removal required. Where removal is required, this will be appropriately offset.
- ✔ The proposal has been sited and designed in response to the conditions on the site, seeking to preserve waterways from impacts and responding to the topography. The proposal also appropriately manages its bushfire impacts. It has also been designed in accordance with all relevant legislation and guidelines.
- ✔ The proposal allows for the ongoing agricultural use of the land as sheep will continue to graze beneath the panels. Following the decommissioning of the facility, the site can be restored to its existing conditions.
- ✔ The proposal will not unreasonably impact the amenity of surrounding properties, in particular with respect to visual impact and noise.

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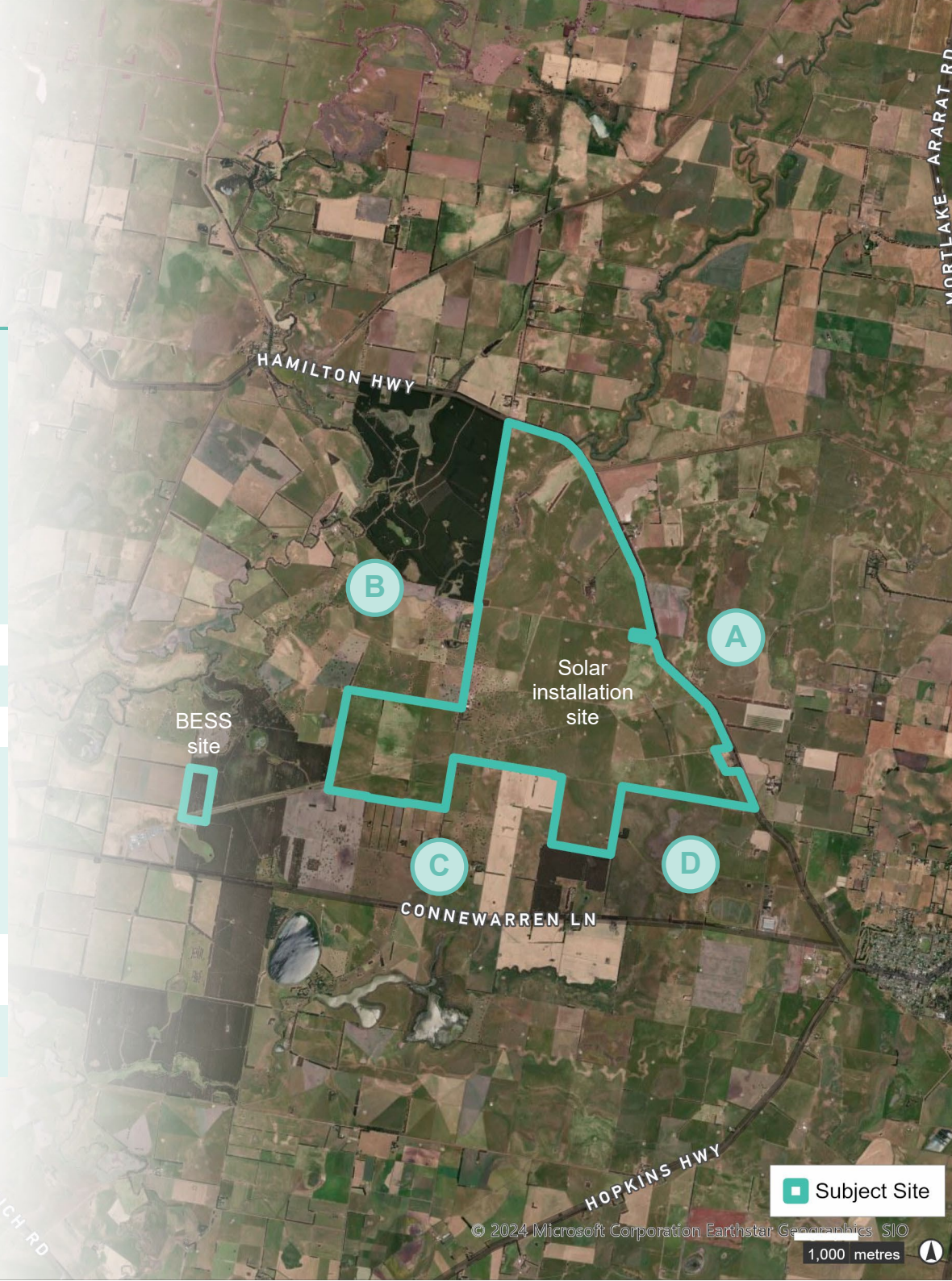
1. SITE CONTEXT

1.1. SOLAR INSTALLATION SITE


Key details of the site are as follows:

CATEGORY	DESCRIPTION
Existing Conditions	<p>Agricultural uses with dwellings and various outbuildings located on parts of the site. Covered primarily with improved pasture, with patches of native vegetation and scattered trees.</p> <p>Salt Creek runs through the northern part of the site. Boonerah Estate Road separates the northern part of the site from the south.</p> <p>High voltage powerlines cut across the site from east to west.</p>
Location	Approx. 3km north-west of Mortlake
Council	Moyne Shire Council
Area	Approx. 1,888 hectares
Frontages	<p>Hamilton Highway (north-east)</p> <p>Boonerah Estate Road (part west)</p> <p>Hardys Lane (part north)</p> <p>Thulborns Lane (part south)</p> <p>Booths lane (part east)</p>
Title	Refer to Appendix A for full title details and encumbrances.
Vegetation	Areas of native vegetation located across the site, detailed in the vegetation section of this report.

Table 2 – Details of Subject Site



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 Subject Site

1.2. IMMEDIATE SURROUNDS

A To the north-east is the Hamilton Highway, a declared highway providing a single lane of vehicle traffic in each direction (north-west / south-east). Beyond the Hamilton Highway is an extensive agricultural area, consisting primarily of grazing and cropping land, with dwellings scattered throughout.



Picture 1 Hamilton Highway

Source: Urbis



Picture 2 490 Hamilton Highway

B To the west is an extensive wooded area, and an area of agricultural land with scattered trees.



Picture 3 Wooded area west of the site

Source: Urbis



Picture 4 Agricultural land west of the site, viewed from Boonerah Estate Road

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C To the south is an agricultural area used for cropping. Within this area, dwellings are located at 570 Connewarren Lane and at 640 Boonerah Estate Road.



Picture 5 View of 640 Boonerah Estate Road

Source: Urbis

D Also to the south is the Mortlake Common Flora Reserve, a native grassland reserve. A dwelling is also located in this area at 35 Thulborns Lane, Mortlake.



Picture 6 Mortlake Common, viewed from Connewarren Lane

Source: Urbis



Picture 7 35 Thulborns Lane

Source: Urbis

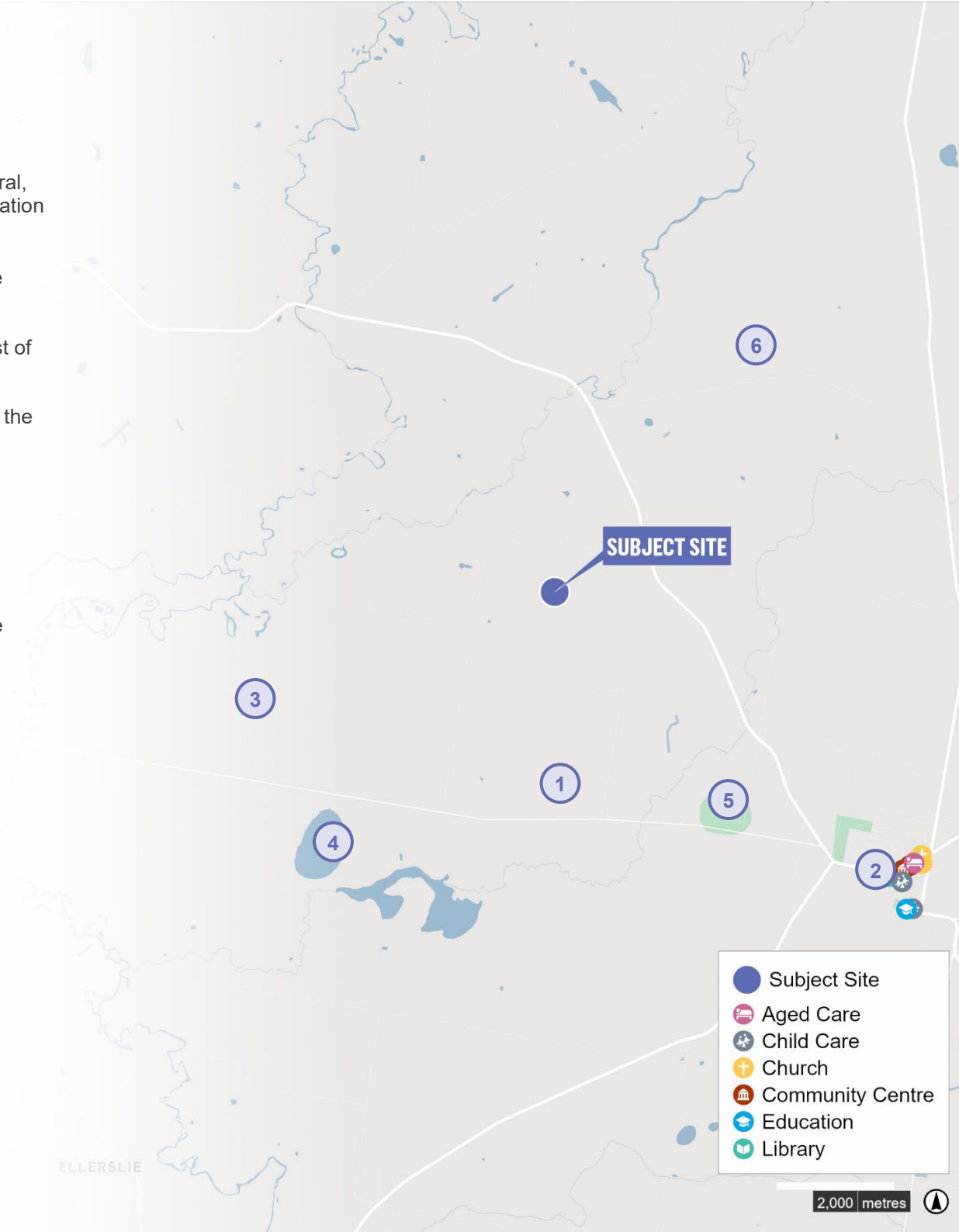
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1.3. SURROUNDING CONTEXT

The predominant land uses surrounding the subject site include agricultural, rural residential and conservation uses, as well as the Mortlake Power Station and various wind farms further afield.

- 1 The Mortlake Common Flora Reserve, a native grasslands reserve immediately south of the site.
- 2 The Mortlake township itself, located approximately 3km south-east of the subject site
- 3 The Mortlake power station and turn-in station, located adjacent to the proposed BESS site
- 4 Lake Connewarren, located approximately 4km south-west of the subject site
- 5 Mortlake Racecourse and the Mortlake Saleyards, located approximately 3km south-east of the subject site
- 6 Proposed Mt Fyans Wind Farm, located generally north-east of the subject site (although noting that the proposed transmission line traverses the subject site).

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2. BRIGHTNIGHT POWER

BrightNight is an international renewable, independent power producer built to deliver industry-leading, large-scale solutions. They work to deliver dispatchable renewable power capacity to utilities and commercial & industrial (C&I) companies around the globe. They are excited to introduce their experienced team and innovative solutions to Australia.

Beyond supplying affordable and readily dispatchable power, they recognise the green energy transition impacts each community in unique ways. They want to understand what is important to their projects' neighbours, share their experience, and move into the future in lockstep with the communities they serve. As the long-term owner/operator of their renewable projects, BrightNight's engagement with communities is based on an enduring relationship. BrightNight make an effort to inform, educate, gather feedback, and adapt throughout each project's operational lifetime.

The Mortlake Energy Hub represents a key investment from BrightNight Power in the Victorian renewable energy market and the first element of their Victorian portfolio. The Mortlake Energy Hub is anticipated to make an important contribution to meeting the state's renewable energy targets. The Mortlake Energy Hub will be shovel ready by 2025 and aiming for operation in 2026.

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3. PROPOSAL

3.1. OVERVIEW OF PROPOSAL

BrightNight Power proposes to develop the site for a 360MW solar energy facility and a utility installation (600MW BESS facility). The solar energy facility is to be located on the main site, with the BESS facility located on the smaller site. BrightNight have reached agreement with the owner of the solar energy site and are finalising negotiations for use of the BESS site, including creation of the proposed underground cable.

Key details of the proposal are as follows.

ELEMENT	PROPOSAL
Generation capacity	Approx. 360MW
Grid connection	New 500 kV overhead line to Mortlake Terminal Station. This will provide access to the wider network.
Storage capacity	600MW BESS
Panel area	1060 hectares
Number of panels	795,762
Number of inverters	44
Number of batteries	216 40ft containers
Number of BESS inverters	78

Table 3 – Details of Proposal

Connection between the solar installation and the BESS site will be via a 33kV underground line. The line will be directionally drilled to avoid impacts to vegetation.

The solar energy facility has been designed to minimise impacts to native vegetation, waterways, aboriginal cultural heritage, and to avoid any construction within easements. This has resulted in panels located primarily in the east and west of the site, with large parts of the site left undeveloped. Setbacks have also been provided to minimise impacts on the amenity of neighbours and the public realm.

The proposal is anticipated to make a meaningful contribution to achieving Victoria's emissions reduction and renewable energy storage targets, as follows:

TARGET	CONTRIBUTION
Victoria's emissions reduction target	<ul style="list-style-type: none">up to ca. 0.5% operational emissions reduction (based on 80,064,500 tCO₂e 2021 electricity source emissions)up to ca. 1% operational emissions reduction from electricity as energy source (based on 41,400,000 tCO₂e 2021 electricity source emissions)
Victoria's renewable energy storage target	<ul style="list-style-type: none">up to ca. 11% of 2030 target of 2.6GWup to ca. 5% of 2035 target of 6.3GW

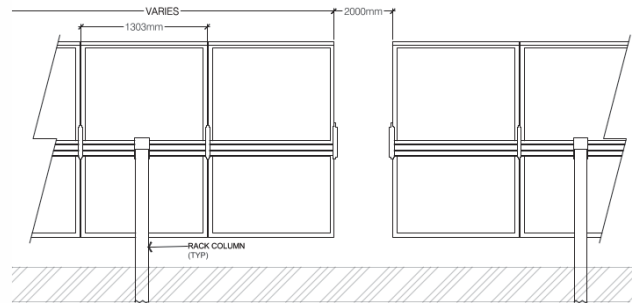


3.2. BUILT FORM AND LAYOUT

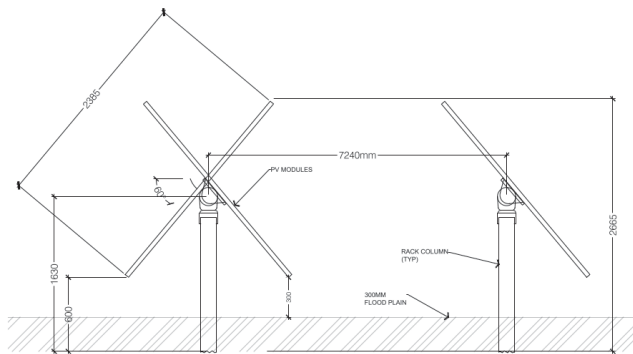
The facility consists of the following key elements:

Solar Panels

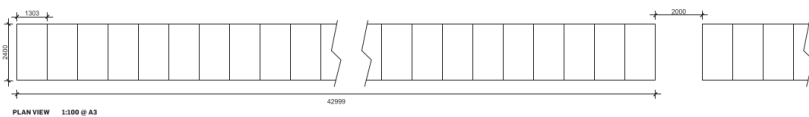
Figure 1 Front and Side Elevations, Plan View



FRONT ELEVATION 1:40 @ A3



SIDE ELEVATION 1:40 @ A3



PLAN VIEW 1:500 @ A3

Source: Urbis

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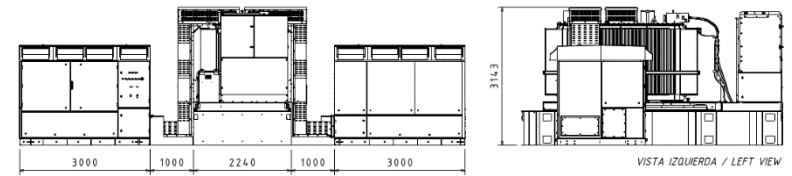
The proposal consists principally of the installation of 795,762 photovoltaic solar modules, with a combined energy capacity of approximately 360MW. The glass surfaced panels are coated to maximise daylight absorption, and therefore to minimise glare potential. The panels consist of an encapsulant, the silicon solar cells themselves, a backing sheet and an aluminium frame.

The panels will be attached to a horizontal 'tracker' which allows the panels to track the sun by pivoting in the east/west plane, to maximise solar exposure (Figure 1).

The mounting frames are pile-driven into the ground without concrete foundations. The base of the frames are thin 'H' or 'Z' shapes, and will therefore have minimal impact on the ground, requiring no prior excavation. When the site is decommissioned, the frame piles can be pulled from the ground, resulting in minimal disturbance. The light construction approach minimises impact on the site.

Inverters

Figure 2 Inverter – front and side elevations



Source: Urbis

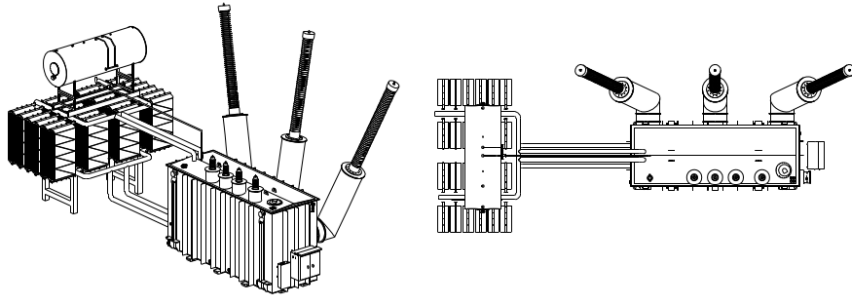
Panels generate Direct Current (DC) electricity, which is converted by an inverter to Alternating Current (AC) before being fed into the electricity grid. A total of 44 inverters are distributed across the panel sites, with an additional 78 located on the BESS site. These are also accommodated with transformers at the point of connection to facilitate transfer into the grid.

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Transformers

Figure 3 Transformer plan view and elevations

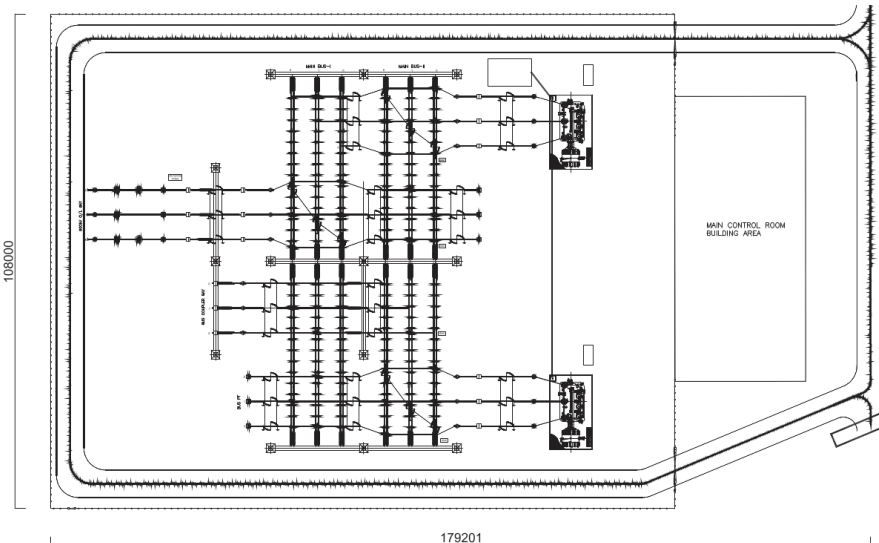


Source: Hyundai Electric

Transformers change the voltage of the electricity generated, allowing for generated energy to be fed into the local grid.

Substation

Figure 4 Indicative substation site plan



Source: Urbis

The substation is the on-site point of connection, where electricity enters and exits the transmission network. The substation comprises a switchgear which facilitates the connection or disconnection of electrical assets. Substation switchgear also acts as a safety mechanism to protect the solar installation and Battery Energy Storage System (BESS) from faults in the transmission network, and vice versa. The switchgear monitors for faults in the network and the installation, and disconnects the system from the network when a fault is detected. This is comparable to a household safety switch.

One substation is proposed on the BESS site.

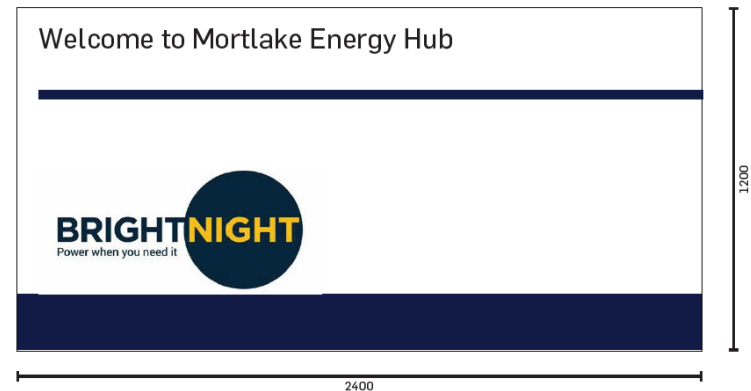
Signage

The proposal incorporates business identification signage to be located at the main entrance from the Hamilton Highway. Dimensions are to be 2.4m width and 1.2m height, for a total area of 2.88 square metres.

An indicative design for the signage is included at **Appendix E** and reproduced below.

Figure 5 Indicative business signage

INDICATIVE BUSINESS SIGNAGE - 1:20 @ A3



Main site access gates will display a flush 2.4x1.2m aluminium business identification sign.

Source: Urbis

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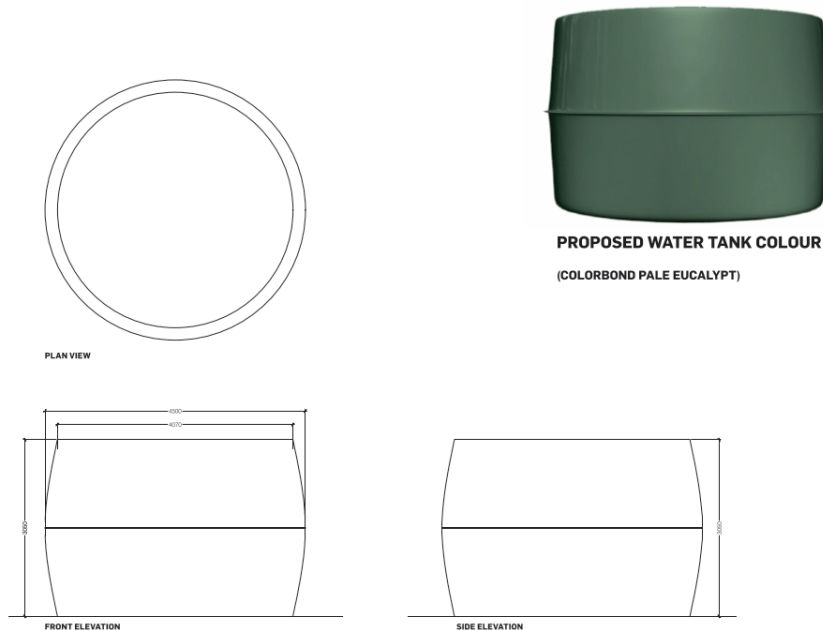
Grid Connection

The BESS will be connected to the array site via a new 33kV underground transmission line. An overhead 500kV line will connect the BESS to the Mortlake Terminal Station.

Ancillary Infrastructure

45,000L water tanks proposed for the solar installation site will measure approximately 4.5m (diameter) x 3.05m (height). The proposed colour is 'Colorbond Pale Eucalypt' as pictured below.

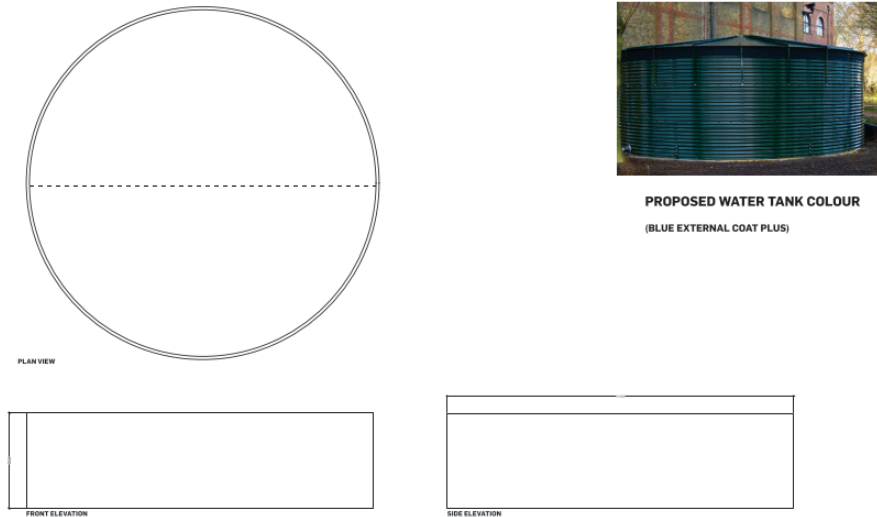
Figure 6 Proposed small water tank detail



Source: Urbis

An additional 288,000L water tank is proposed for the BESS site, measuring approximately 11m (diameter) x 3.04m (height). It is proposed to be finished with a blue external coat.

Figure 7 Proposed large water tank detail



Source: Urbis

Composting toilets are also to be provided on site for operators and maintenance staff. The toilets are waterless, chemical free and self-compositing, resulting in an odour free compost collected annually for processing off-site.

A monitoring building is also to be included within the BESS site.

3.3. DESIGN CONSIDERATIONS

Native Vegetation Removal

The project requires limited removal of native vegetation within the site. The project has been designed in accordance with the 'avoid, minimise, and offset' framework outlined within the *Guidelines for the removal, destruction or lopping of native vegetation, DELWP 2017*.

The total required native vegetation removal is 1.49 hectares, including 20 large trees (1 in a patch and 19 scattered). An assessment of the proposed native vegetation removal is detailed at included within Section 6 of this report ([Biodiversity And Vegetation Removal](#)). A biodiversity assessment has been

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prepared by EcoLogical Australia and includes a native vegetation removal report at **Appendix M**.

The total offset required is **0.307 general habitat units**. This must be located within the Glenelg Hopkins CMA or Moyne Shire Council area, and have a minimum biodiversity score of 0.304, including 20 large trees.

Setbacks and Landscaping

The proposal has been substantially set back to ensure that visual impact on the public realm and surrounding properties are effectively managed. Setbacks range from approximately 22 metres from Booths Lane, up to 212 metres from Boonerah Estate Road.

Three key landscape buffer types are proposed for the site, specified based on the relative sensitivity of different neighbouring areas. Each type will create a 5 metre landscaped buffer between the panel extent and the site boundaries.

- **Landscape buffer type 1** specifies high density tree and shrub planting, including small trees, large and medium shrubs, creating a dense screened buffer with trees reaching up to 25 metres in height.
- **Landscape buffer type 2** specifies high density shrub planting, creating a dense buffer with shrubs up to 10 metres in height.
- **Landscape buffer type 3** specifies low density tree and shrub planting, including small trees, creating a moderately dense screened buffer with trees reaching up to 10 metres in height.

Figure 8 Landscape buffers (top: type 1; middle: type 2; bottom: type 3)

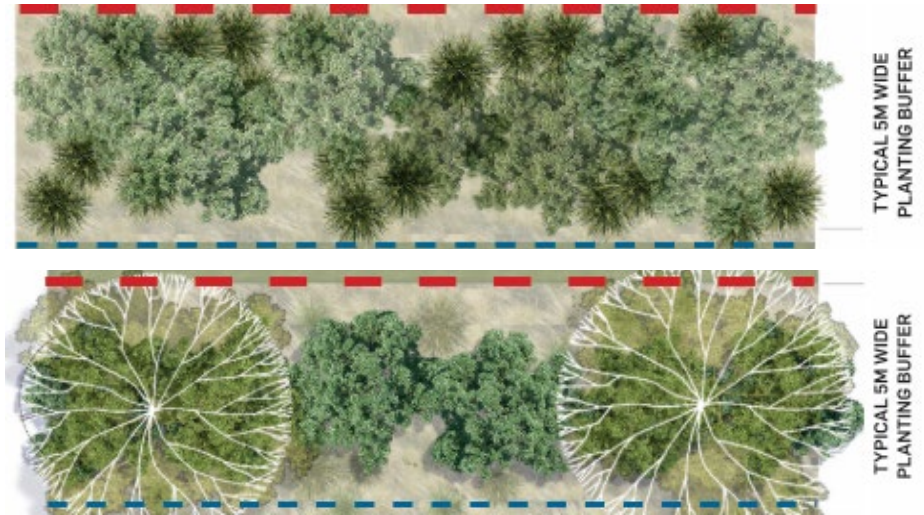
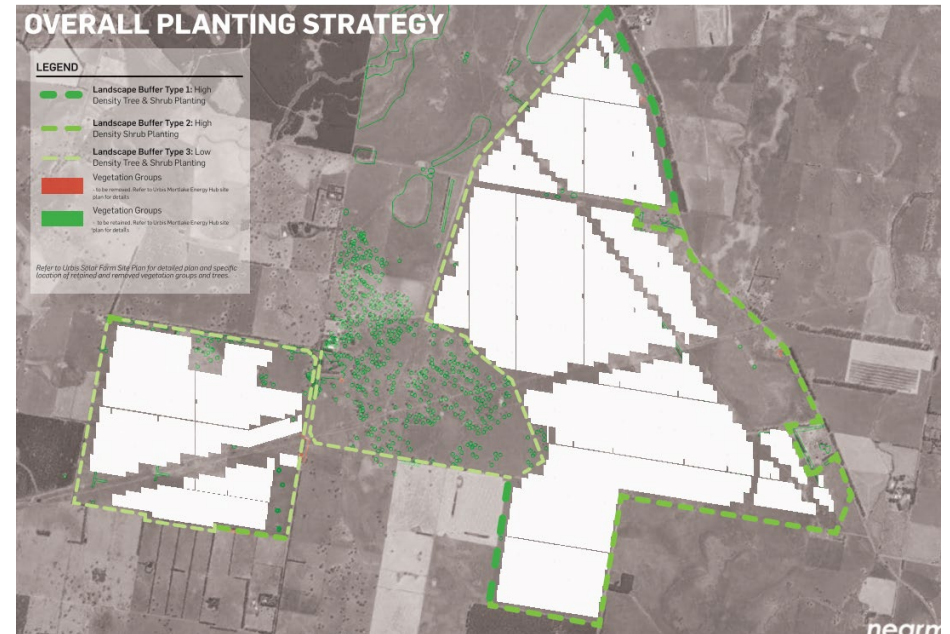


Figure 9 Overall Planting Strategy



Source: Urbis

4. MOYNE SHIRE PLANNING SCHEME

A summary of the key controls and policies is provided below.

4.1. FARMING ZONE

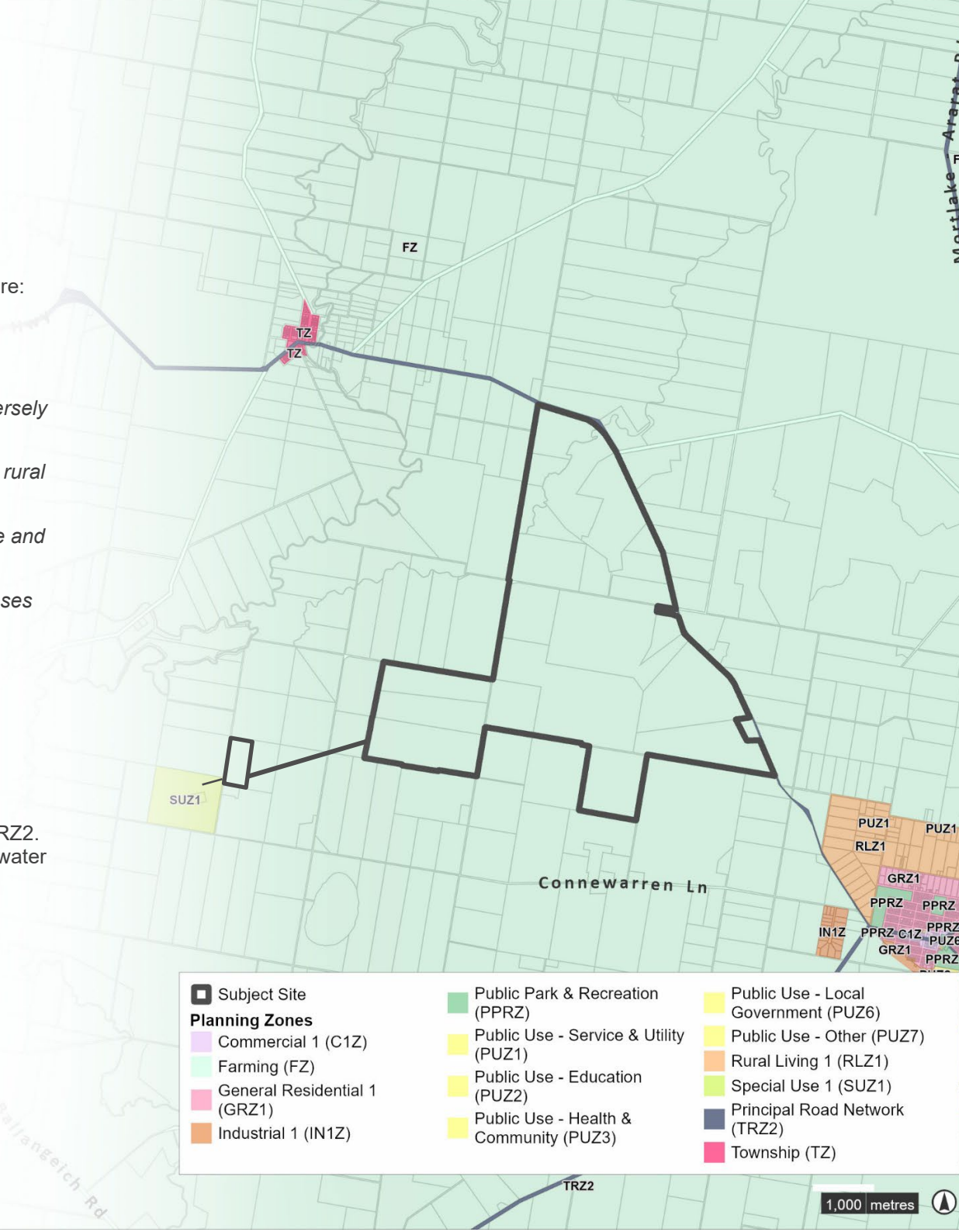
The site is located in the Farming Zone, the relevant purposes of which are:

- 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.
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Pursuant to Clause 35.07-1, a planning permit is required to use land for:

- A Renewable Energy Facility
- A Utility Installation

Pursuant to Clause 35.07-4, a planning permit is required to construct a building or carry out works for uses in Section 2 (outlined above), and to construct a building or carry out works within 100 metres of a road in a TRZ2. A permit is also required for earthworks which change the rate of flow of water across a property boundary.



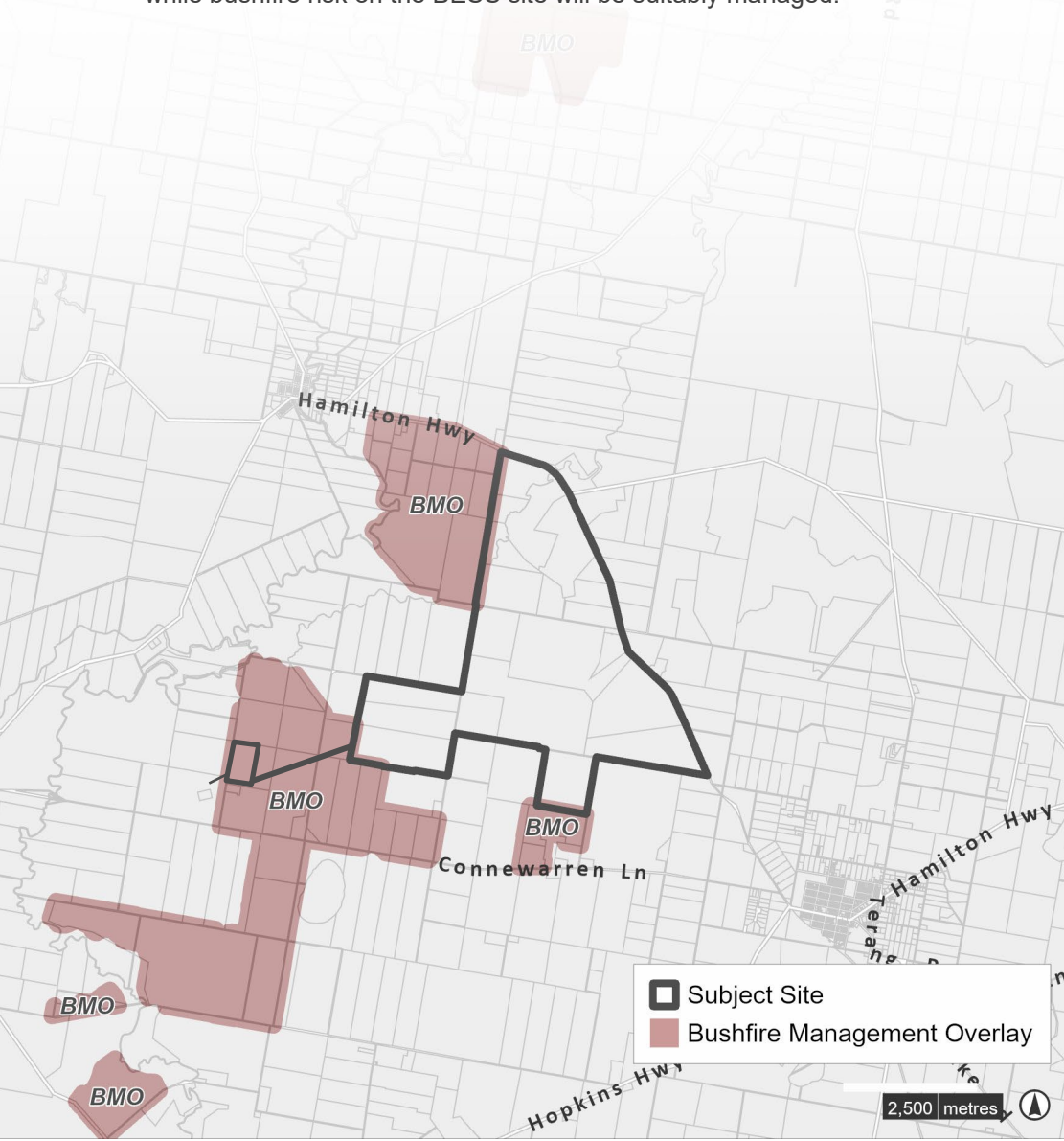
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Subject Site	Public Park & Recreation (PPRZ)	Public Use - Local Government (PUZ6)
Planning Zones	Public Use - Service & Utility (PUZ1)	Public Use - Other (PUZ7)
Commercial 1 (C1Z)	Public Use - Education (PUZ2)	Rural Living 1 (RLZ1)
Farming (FZ)	Public Use - Health & Community (PUZ3)	Special Use 1 (SUZ1)
General Residential 1 (GRZ1)		Principal Road Network (TRZ2)
Industrial 1 (IN1Z)		Township (TZ)

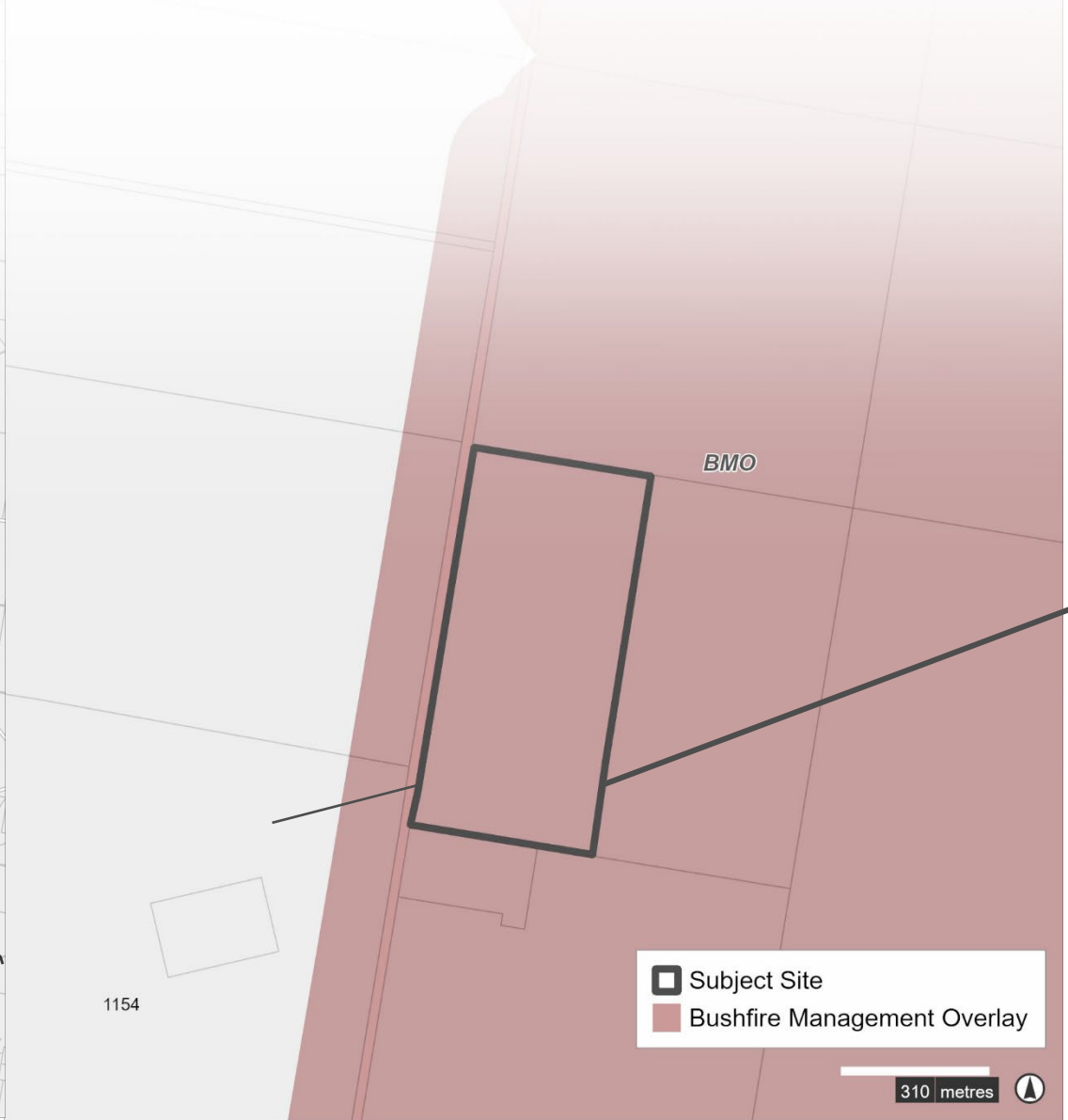
4.2. OVERLAYS

4.2.1. Bushfire Management Overlay

The Bushfire Management Overlay (BMO) applies to the north-western part of the site and to the BESS site. No permit triggers arise from the BMO. Development of these areas on the main solar installation site will be avoided, while bushfire risk on the BESS site will be suitably managed.



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4.2.2. Environmental Significance Overlay, Schedule 3

The Environmental Significance Overlay, Schedule 3 (ESO3) 'Mortlake Power Station Environs' applies to the proposed BESS site. No permit is required as the proposed buildings are not to be used for accommodation.

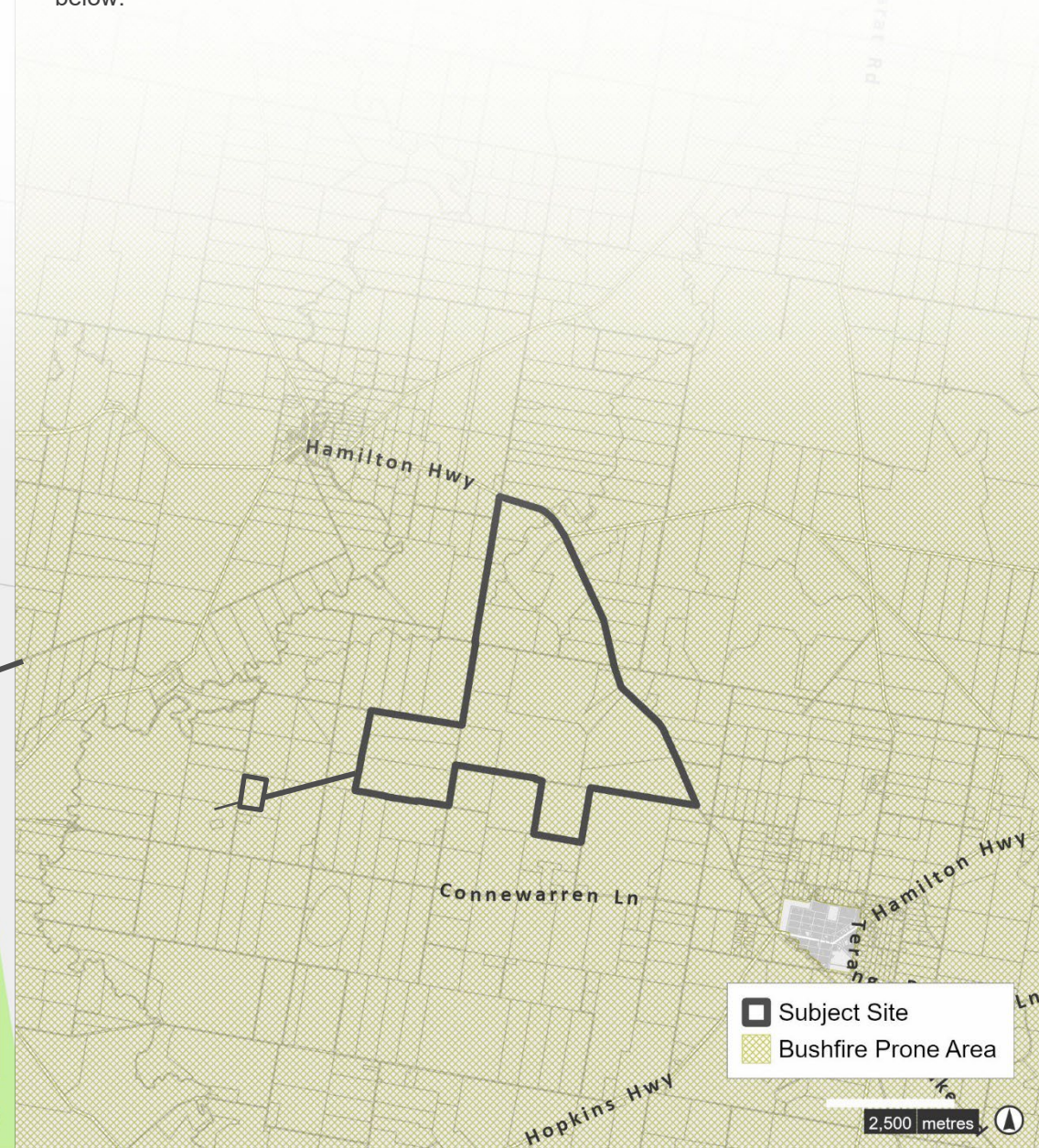
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4.3. OTHER MATTERS

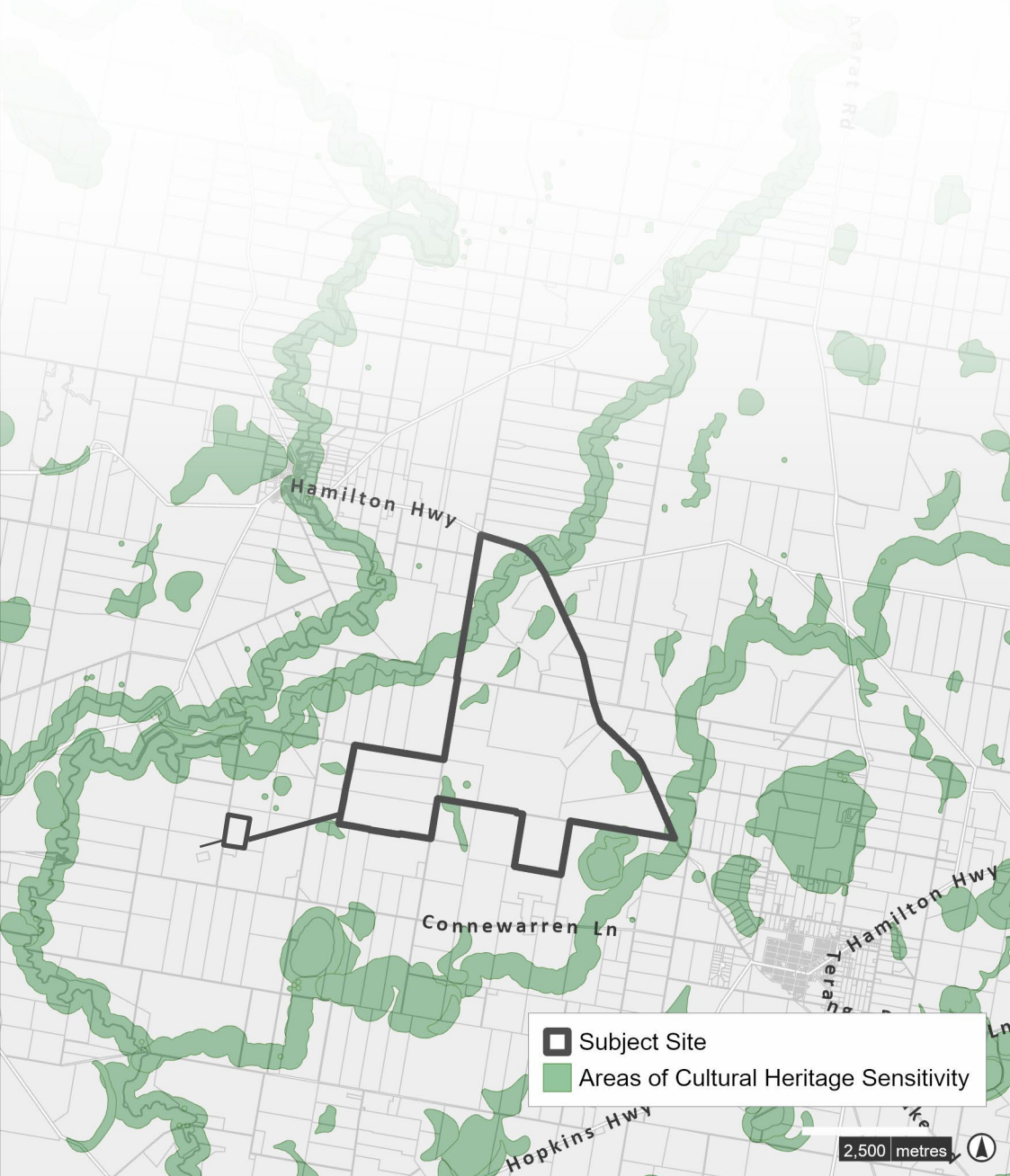
4.3.1. Bushfire Prone Area

The subject site is also within the designated Bushfire Prone Area, as outlined below.



4.3.2. Aboriginal Cultural Heritage Sensitivity

Part of the site is within an Area of Aboriginal Cultural Heritage Sensitivity, as outlined below.



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4.4. GENERAL AND PARTICULAR PROVISIONS

The following general and particular provisions are related to the proposal:

- Clause 52.05 – Signs
- Clause 52.17 – Native vegetation
- Clause 52.29 – Land Adjacent to the Principal Road Network
- Clause 53.13 – Renewable Energy Facility (other than Wind Energy Facility)

4.5. MUNICIPAL PLANNING STRATEGY

The Municipal Planning Strategy sets out the context, vision, and strategic directions for Moyne Shire. The following Clauses are relevant to this application:

- **Clause 02.03-2 – Environmental and landscape values** sets out strategic directions, in particular relating to the protection of native vegetation.
- **Clause 02.03-3 – Environmental risks and amenity** recognises risks to development from natural hazards, including bushfire.
- **Clause 02.03-4 – Natural resource management** seeks to protect Moyne Shire’s agricultural productivity, as well as the resources upon which agricultural industries rely.
- **Clause 02.03-7 – Economic development** recognises agriculture as the Moyne Shire’s primary industry, and to protect agricultural land from non-productive use and development. Use and development should not prejudice agricultural industries or the productive capacity of the land.
- **Clause 02.04 – Strategic framework plan** incorporates a framework plan to be read in conjunction with strategic directions at Clause 02.03 (refer Figure 10).

Figure 10 Strategic framework plan



★ Subject site location (approx.)

Source: Moyne Shire Planning Scheme – Clause 02.04

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4.6. PLANNING POLICY FRAMEWORK (PPF)

The following Clauses of the PPF are relevant to the proposal:

- Clause 11.02-1S – Supply of urban land
- Clause 11.02-2S – Structure planning
- Clause 12.01-1S – Protection of biodiversity
- Clause 12.01-2S – Native vegetation management
- Clause 12.05-2S – Landscapes
- Clause 13.01-1S – Natural hazards and climate change
- Clause 13.02-1S – Bushfire planning
- Clause 13.05-1S – Noise management
- Clause 14.01-1S – Protection of agricultural land
- Clause 14.01-1L – Agricultural production
- Clause 14.01-2S – Sustainable agricultural land use
- Clause 14.02-1S – Catchment management and planning
- Clause 15.03-2S – Aboriginal cultural heritage
- Clause 17.01-1S – Diversified economy
- Clause 17.01-1R – Diversified economy – Great South Coast
- Clause 19.01-1S – Energy supply
- Clause 19.01-2S – Renewable energy
- Clause 19.01-2R – Renewable energy – Great South Coast

Broadly speaking, these Clauses aim to:

- Ensure that adequate land is available for energy generation, infrastructure and industry and that renewable energy is encouraged within new development (Clause 11.02-1S, 11.02-2S).
- Protect biodiversity, and in particular to avoid the removal of native vegetation (Clause 12.01-1S, 12.01-2S). Development should not detract from the natural qualities of the landscape (Clause 12.05-2S).
- Ensure that development responds to climate change (Clause 13.01-1S), including the increased risk of natural hazards, and in particular bushfire (Clause 13.02-1S). The protection of human life is to be prioritised above all other considerations.
- Protect productive agricultural land for agricultural uses (Clause 14.01-1S, 14.01-1L), recognising agriculture as Moyne’s key industry.
- Protect places of aboriginal cultural heritage significance (Clause 15.03-2S).
- Support development in a range of sectors, including the diversification of rural economies (Clause 17.01-1S, 17.01-1R).
- Encourage the development of energy generation and supply infrastructure that meets community needs, and demand for energy services, while transitioning to a low carbon economy. Energy infrastructure projects should take advantage of existing resources and infrastructure networks and contribute to the diversity of local economies (Clause 19.01-1S).

In particular, renewable energy should be developed in appropriate locations, and consider the broader benefits of such development, while minimising its impact on the local environment (Clause 19.01-2S). Within the Great South Coast region, the planning scheme should plan for and sustainably manage the cumulative impacts of alternative energy development (Clause 19.01-2R).

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4.7. SUMMARY OF PERMIT REQUIREMENTS

CONTROLS/PROVISIONS	PERMISSIONS
Farming Zone	<ul style="list-style-type: none"> 35.07-1: To use land for a Renewable Energy Facility and a Utility Installation. 35.07-4: To construct a building and carry out works for a use in Section 2. 35.07-4: No buildings are proposed within the specified setbacks and as such no permit is required under this permit trigger.
Bushfire Management Overlay	<ul style="list-style-type: none"> No permit required – BMO areas are to be avoided.
Environmental Significance Overlay, Schedule 3	<ul style="list-style-type: none"> No permit required – works are not for accommodation
Clause 52.05 'Signs'	<ul style="list-style-type: none"> Construct or put up for display a business identification sign on land within Category 4.
Clause 52.17 'Native Vegetation'	<ul style="list-style-type: none"> 52.17-1: To remove, destroy or lop native vegetation.

4.8. RELEVANT LEGISLATION

The following legislation, guidelines and policies are applicable to the proposed Mortlake Renewable Energy Hub:

Commonwealth Legislation

- Environmental Protection and Biodiversity Conservation Act 1999*

State Legislation

- Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2018
- Climate Change Act 2017*
- Environmental Effects Act 1978*
- Environmental Protection Act 2017 – Environmental Reference Standards*
- Flora and Fauna Guarantee Act 1988*
- Planning and Environment Act 1987 and Moyne Shire Planning Scheme*

Guidelines and Policies

- Victoria's Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)*
- Solar Energy Facilities – Design and Development Guidelines (DTP, 2022)*
- Design Guidelines and Model Requirements – Renewable Energy Facilities v4 (CFA, August 2023)*

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5. COMMUNITY AND STAKEHOLDER ENGAGEMENT

Community consultation and engagement is an integral part of the design process for renewable energy facilities in Victoria. DTP has produced a guide for renewable energy developers to undertaken community consultation.

Premier Strategy, based locally within Victoria’s western district, were engaged to prepare an engagement strategy in line with DTP’s *Solar Energy Facilities, Design and Development Guidelines* and to conduct a comprehensive engagement programme based on this strategy. The approach also aligns with the framework set out in the *Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria Guidelines*.

The activities outlined in the strategy sought to deliver an appropriate engagement process to provide opportunities for community and stakeholders to learn about the proposal, understand the process and provide feedback. The feedback received informed the finalised design, included within this submission.

An Engagement Outcomes Report has been prepared by Premier Strategy and is included within **Appendix N of this report**.

5.1. STAKEHOLDERS

The table below outlines the key stakeholders involved during the engagement process, and summarises the purpose of engagement activities.

Stakeholder	Purpose
Host landowner	<p>Early engagement with the host landowner included:</p> <ul style="list-style-type: none"> ▪ Introduction to the project and timelines for development ▪ Addressing any emerging issues or concerns ▪ Consultation on agri-solar including fencing and other requirements

Stakeholder	Purpose
	<ul style="list-style-type: none"> ▪ Assistance with understanding the local and social context, including identification of direct neighbours. ▪ Discussing a fit-for-purpose approach to community benefit sharing initiatives.
Direct neighbours	<p>Early engagement and consultation with direct neighbours to:</p> <ul style="list-style-type: none"> ▪ Understand and address any emerging issues or concerns, and update on project timelines. ▪ Address questions around potential impacts on each property ▪ Confirm communication preferences and appetite for frequency of communication and ongoing engagement opportunities. ▪ Share early framework on direct shared benefits for Mortlake community, listen to ideas on neighbour benefits and seek views on community valued initiatives
Neighbours within 2km	<p>Provide information via a letterbox drop. Information provided to neighbours included:</p> <ul style="list-style-type: none"> ▪ Project scope and benefits ▪ Proposed development timelines ▪ Contact information for the project team

Stakeholder	Purpose
	<ul style="list-style-type: none"> Options for engagement, (1:1 meetings with project team; community pop-ups).
Community pop-ups	<p>Community information sessions provided a platform for BrightNight to commence early community engagement. The sessions provided an opportunity for the community to understand:</p> <ul style="list-style-type: none"> Project scope and benefits Proposed development timelines General information about the solar panel anatomy, BESS anatomy The role BrightNight will play in the region, and the importance they place on community involvement in the project, particularly on the development of benefit sharing initiatives.
Moyne Shire Council	<p>The project team held a workshop with Councillors from the Moyne Shire Council to introduce them to the project. Information shared with Councillors included:</p> <ul style="list-style-type: none"> General project information Application progress, timelines Community consultation approach Council engagement approach

Stakeholder	Purpose
Department of Transport and Planning	Project introduction, outline of key considerations for the design, agency feedback
	Presented the finalised site design, discussed timeframes to lodgement, sought updated agency feedback
Department of Energy, Environment and Climate Action	Project introduction, outline of key considerations for the design, agency feedback
	Outlined biodiversity impacts and sought updated agency feedback
Country Fire Authority	BrightNight met with CFA to provide a briefing on the project and seek feedback on the proposed development.
Department of Transport and Planning – Roads	BrightNight project team provided a presentation to Officers and sought feedback on the proposed development from stakeholders.

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5.2. COMMUNITY ENGAGEMENT

BrightNight is committed to comprehensive, meaningful engagement. The focus of engagement prior to lodgement of the planning permit application has been to provide information about the project and to seek input from the community. BrightNight aims to address all community concerns in a timely manner.

Engagement has been underpinned by the following key principles:

- **Engage early and often**
- **Genuine engagement**
- **Local focus**

The key engagement tools employed by the project team included the following:

- **Project webpage**, continuously updated to inform the community.
- **1800 number** to allow stakeholders and community to contact the project team and submit feedback
- **Ministerial briefing packs** presented to local government, state and federal MPs.
- **Direct neighbour meetings** to continuously engage with neighbours and identify emerging issues for further assessment, update project timelines and seek input on negotiable items. A key objective is to build a social licence that aims to be a good neighbour, and to socialise a neighbour payments framework for community input.
- **Landowner meetings** with host landowner to address emerging issues or concerns.
- **Meetings with neighbours within 2km** on request, and through engagement at community events and participation in the development of a Community Benefit Fund.
- **Authority and stakeholder engagement** to introduce the project, build relationships, inform on approach, and identify potential issues.

- **Community information sessions** to inform the community about BrightNight and the Mortlake Energy Hub, and to seek community views on benefit sharing and opportunities for community involvement.
- **Contact use / engagement register** to record community touch points and provide the community with multiple options to provide feedback.
- **Letters and emails** to local Councillors, state and Federal MPs and agencies to discuss the scope, community engagement approach, views, concerns and opportunities for the project, and potential for community benefit sharing.
- **Letters and emails** to the host landowner and direct neighbours to introduce the project, inform of engagement intentions, outline project phases and negotiate property access where necessary.
- **Project fact sheets and flyers** to inform the community and provide understanding of key issues relating to the proposal, such as fire management, glint and glare, noise management and road access.

The engagement activities undertaken to date are only the beginning of the engagement process. BrightNight, in collaboration with Premier Strategy and the project team, are committed to an ongoing engagement process as the project progresses. These are detailed within the Community Engagement Outcomes Report included at **Appendix N**.

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6. STATUTORY ASSESSMENT

This section assesses the proposal against the relevant provisions of the Moyne Shire Planning Scheme, as well as against key legislation guiding the development of renewable energy in Victoria. A thematic approach has been taken, whereby the proposal's suitability is considered against the Moyne Shire Planning Scheme together with other legislation.

The key themes, relevant legislation, and applicable referrals are outlined in the table below, and addressed in the remainder of this section.

THEME	APPLICABLE STATUTORY FRAMEWORK	STATUTORY REFERRAL / NOTICE	TECHNICAL ASSESSMENT
Renewable energy and climate response	<ul style="list-style-type: none"> Climate Change Act 2017 and associated strategies Moyne Shire Planning Scheme: Clause 02.03-3, 11.02, 13.01, 14.01, 17.01 and 19.01 	Not applicable	Not applicable
Biodiversity and vegetation removal	<ul style="list-style-type: none"> Environmental Protection and Biodiversity Conservation Act (EPBC Act – Cth) 1999 Environment Effects Act 1978 Flora and Fauna Guarantee Act 1988 Victoria's Guidelines for the Removal, Destruction or Lopping of Native Vegetation, DELWP 2017 Moyne Shire Planning Scheme: Clause 02.03-3, 12.01 	Department of Environment, Energy and Climate Action (DEECA) – pursuant to Clause 52.17	Appendix M – Biodiversity Assessment, EcoLogical Australia Appendix R – Growling Grass Frog Assessment
Bushfire	<ul style="list-style-type: none"> CFA Design Guidelines and Model Requirements for Renewable Energy Facilities v4 Bushfire Prone Area Moyne Shire Planning Scheme: Bushfire Management Overlay 	Notice to the Country Fire Authority	Appendix J – Bushfire Risk Assessment,

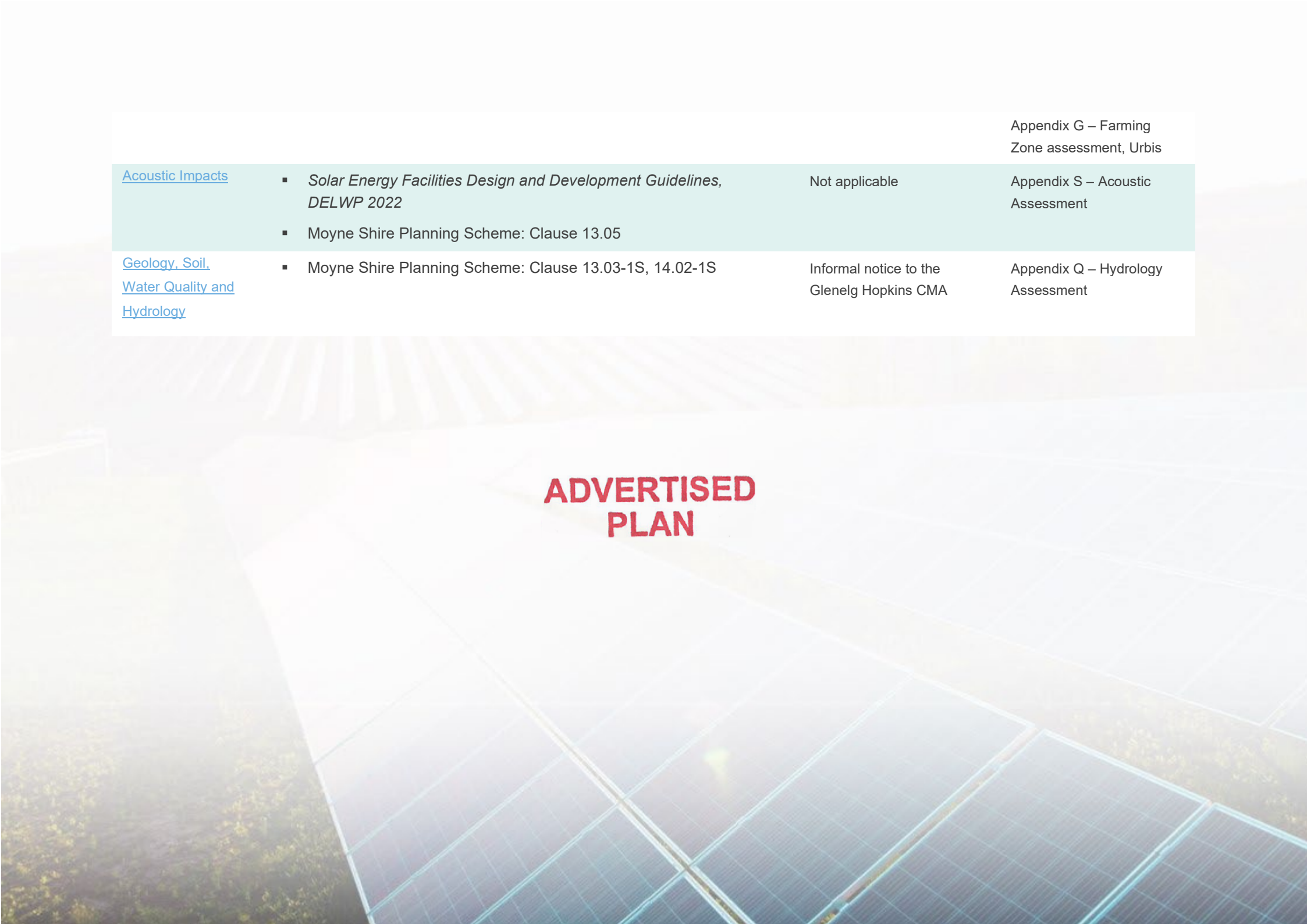
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	<ul style="list-style-type: none"> Clause 02.03-3, Clause 13.02-1S, Clause 53.02 		
Aboriginal Cultural Heritage Sensitivity	<ul style="list-style-type: none"> <i>Aboriginal Heritage Act 2006</i> <i>Aboriginal Heritage Regulations 2018</i> Moyne Shire Planning Scheme: Clause 02.03-5, 15.03-2S 	<p>Not applicable.</p> <p>Engagement with Eastern Maar Aboriginal Corporation already undertaken.</p>	<p>Appendix K – Aboriginal Cultural Heritage Due Diligence Assessment</p>
Siting and Design	<ul style="list-style-type: none"> <i>Solar Energy Facilities Design and Development Guidelines, DELWP 2022</i> Moyne Shire Planning Scheme: Clause 53.13 	<p>Not applicable</p>	<p>Appendix B – Site Plan</p> <p>Appendix C – Landscape Strategy</p> <p>Appendix E – Elevations and Specifications</p>
Traffic and Access	<ul style="list-style-type: none"> Moyne Shire Planning Scheme: Clause 19, Clause 52.29 	<p>Referral to Head, Transport for Victoria (Department of Transport and Planning) – pursuant to Clause 52.29</p>	<p>Appendix L – Transport Impact Assessment</p>
Visual Amenity Impacts	<ul style="list-style-type: none"> <i>Solar Energy Facilities Design and Development Guidelines, DELWP 2022</i> Moyne Shire Planning Scheme: Clause 12.05-2S, Clause 53.13 	<p>Not applicable.</p>	<p>Appendix C – Landscape Strategy, Urbis</p> <p>Appendix P – Visual Impact Assessment and Glare and Glint Assessment, Urbis</p>
Agricultural Impacts	<ul style="list-style-type: none"> Moyne Shire Planning Scheme: Farming Zone, Clause 02.03-4, 14.01 	<p>Not applicable.</p>	<p>Appendix I – Agricultural Assessment, AgChallenge Consulting</p>

			Appendix G – Farming Zone assessment, Urbis
Acoustic Impacts	<ul style="list-style-type: none"> ▪ <i>Solar Energy Facilities Design and Development Guidelines, DELWP 2022</i> ▪ Moyne Shire Planning Scheme: Clause 13.05 	Not applicable	Appendix S – Acoustic Assessment
Geology, Soil, Water Quality and Hydrology	<ul style="list-style-type: none"> ▪ Moyne Shire Planning Scheme: Clause 13.03-1S, 14.02-1S 	Informal notice to the Glenelg Hopkins CMA	Appendix Q – Hydrology Assessment

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RENEWABLE ENERGY AND CLIMATE RESPONSE

Climate Change Act 2017 and climate response targets

The *Climate Change Act 2017* (the *CC Act*) establishes a clear target of net zero carbon emissions by 2050, as well as a policy framework for Victoria to achieve this transition. The framework is consistent with the Paris Agreement to keep global temperature rise well below 2 degrees Celsius above pre-industrial levels. It provides a platform for action by Government, community and businesses, and the long-term stability needed to support innovation and investment. Interim targets have also been set for emissions reduction:

- 28-33% reduction by 2025
- 45-50% reduction by 2030

A transition to renewable energy and appropriate storage mechanisms is essential to achieve the targets outlined above. The State has established targets for renewable energy which will ensure that the emissions reductions targets set out in legislation can be achieved:

- 25% by 2020 (achieved)
- 40% by 2025
- 65% by 2030 (to be legislated)
- 95% by 2035 (to be legislated)

Delivery of new solar energy infrastructure, including at the Mortlake Renewable Energy Hub, will play a significant role in achieving the Victorian Renewable Energy Targets outlined above. Additionally, the site is located within the South West Victorian Renewable Energy Zone (the South West REZ), the identification of which allows government and project proponents to *'coordinate development to minimise negative impacts on local communities and maximise regional development and job opportunities'*¹. The project is expected to be shovel ready by 2025 and operational by 2026, making an important contribution to achieving these targets.

The proposal will also make a significant contribution to achieving Victoria's renewable energy targets, as outlined in the table below:

Emissions	
Victoria	<ul style="list-style-type: none"> ▪ up to ca. 0.5% operational emissions reduction (based on 80,064,500 tCO₂e 2021 electricity source emissions) ▪ up to ca. 1% operational emissions reduction from electricity as energy source (based on 41,400,000 tCO₂e 2021 electricity source emissions)
Renewable Energy Storage Targets	
Victoria	<ul style="list-style-type: none"> ▪ up to ca. 11% of 2030 target of 2.6GW ▪ up to ca. 5% of 2035 target of 6.3GW

Municipal Planning Strategy and Planning Policy Framework

Renewable energy sources contribute to reducing Victoria's greenhouse gas emissions, and therefore assist in mitigating climate change. For this reason, it is State policy to accelerate well-sited and well-designed renewable energy generation facilities as an essential part of meeting the targets outlined above. Such facilities produce additional benefits for the State through creating jobs and putting downward pressure on energy prices.

Significant renewable energy development has already taken place within Moyne Shire and in surrounding regions due to the area's excellent access to wind and solar resources. This has been recognised through the declaration of the South West REZ, providing clear direction for further growth in renewable energy within this region.

The Victorian Government continues to amend the Victoria Planning Provisions to ensure they provide up-to-date policy guidance for development

¹ Renewable energy zones – Building Victoria's next-generation energy grid.
<https://www.energy.vic.gov.au/renewable-energy/renewable-energy-zones> - Accessed 12/02/2024

of renewable energy facilities. However, the Moyne Shire Planning Scheme continues to provide minimal direction for solar energy facilities. The proposal has been designed in response to the broader directions and targets of policy reform for climate change response in Victoria, that may not yet be entirely reflected within the Victoria Planning Provisions.

Policy at Clause 11.02-1S seeks to ensure sufficient urban land is available for a wide range of uses to respond to the needs of existing and future communities. This includes the provision of *'an adequate supply of well-located land for energy generation, infrastructure and industry'*. As discussed previously, the site is within a Renewable Energy Zone, and has excellent access to the appropriate enabling infrastructure (high-voltage transmission lines, and proximity to the existing Mortlake Terminal Station), clearly demonstrating the suitability of the location for such a development. Development of the site for a solar energy facility will contribute towards climate change adaptation and mitigation (Clause 11).

The proposal prepares for and responds to the impacts of climate change (Clause 13) and assists Victoria and Moyne Shire in adapting to the impacts of climate change through its contribution to Victoria's Renewable Energy Targets. Additionally, the development responds appropriately to policy at Clause 19.01-1S and 19.01-2S which seeks *'development of energy generation, storage, transmission and distribution infrastructure'* which facilitates the *'transition to a low-carbon economy.'* This includes renewable energy facilities. Development of renewable energy facilities is encouraged in appropriate locations and where design and siting issues are appropriately resolved. Ultimately, the decision rests on consideration of *'the economic, social and environmental benefits to the broader community'* (Clause 19.01-2S) against potential adverse impacts.

A detailed discussion of the siting and design considerations for the proposal, the potential for adverse impacts, and the cumulative effects of renewable energy development within the Great South Coast region (Clause 19.01-2R), is included within a later section of this report. The environmental benefits from the proposal have been clearly outlined in this section. Significant economic benefits are also anticipated to result from the facility, with the projected creation of 300 jobs during construction, with 20 ongoing employees on site, facilitating growth in a range of employment sectors and supporting the diversity of the rural economy of Mortlake (Clause 17.01-1S).



Response to the Farming Zone

The Farming Zone seeks, among other priorities, to ensure that non-agricultural uses do not adversely affect the use of land for agriculture, and that productive agricultural land is retained for that purpose. A comprehensive assessment of the proposal against the requirements of the Farming Zone is included within **Appendix G** of this report – however, this section considers the impacts from the proposal on the use of the land for agricultural purposes and the wider agricultural landscape.

An Agricultural Assessment has been prepared by AgChallenge Consulting which assesses the suitability of the site for the proposed use and its impacts on future agricultural use. This report clearly demonstrates that the solar energy facility can be accommodated on site without unreasonable agricultural impacts. This report is included at **Appendix I**.

The report has concluded the site, while currently productive land, is not inherently unique or distinguishable from neighbouring farms. The land is currently used for sheep and cattle grazing, and is not considered to be suitable for cropping due to its soil qualities. The land is not highly productive nor highly versatile, and is not of particular strategic value for agricultural uses. Additionally, while the introduction of the solar energy facility to the site will change the character of the farming activity on site, sheep grazing will continue to be possible underneath the panels, ensuring ongoing agricultural activity on the site. Once the facility is decommissioned, the panels can be removed without any meaningful impact to the soil quality of the site and it can be returned to grazing use. The use of the land for a solar energy facility will have no impact on the ongoing operation of neighbouring properties or the wider area for agricultural purposes. As such, it is considered that the proposed solar energy facility will not adversely affect the use of the land for agriculture, and that the impacts to productive agricultural land are not unreasonable.

Municipal Planning Strategy and Planning Policy Framework

The Municipal Planning Strategy and Planning Policy Framework of the Moyne Planning Scheme recognise the importance of agricultural activity to the Shire. The proposed development aligns with the directions included within the MPS and PPF as follows:

- The proposed development does not unreasonably impact the use of the site for agricultural purposes. The use of the site for a solar energy facility will not preclude the ongoing agricultural use of the site, and is appropriate given the attributes outlined in previous sections of this report and having regard to the principles of integrated decision making (Clause 71.02-3, Clause 02.03-4, Clause 02.04).
- The proposal does not adversely impact the state's agricultural base as the farmland is not of particular significance, and will not be permanently removed from productive use – both due to the ability to reinstate the agricultural use once the site is decommissioned, and for sheep grazing to continue on site during operation (Clauses 15.01-1L, 15.01-1S). The proposed use and development of the land for a solar energy facility will not unreasonably impact the ongoing productive use of neighbouring properties.
- The proposal incorporates an innovative agricultural model whereby sheep will continue to graze on the land beneath the solar panels, complementing the solar energy facility with ongoing agricultural productivity, and contributing to the safe management of vegetation on the site. The proposed use also assists in adaptation of the agricultural sector to the risks of climate change (Clause 14.01-2S).

For a detailed discussion of the proposal's agricultural impacts, please refer to the Agricultural Assessment included at **Appendix I** of this report.

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BIODIVERSITY AND VEGETATION REMOVAL

Environmental Protection and Biodiversity Conservation Act (Cth) 1999

The *EPBC Act* protects Matters of National Environmental Significance (MNES). Actions which have, will have or are likely to have a significant impact on an MNES must be referred to the Commonwealth DCCEE. The referral determines if an action is a controlled action, or if no further assessment is required.

A comprehensive assessment of biodiversity values on the subject site has been undertaken by Ecological Australia, who have concluded that **no referral is required** under the *EPBC Act*. While habitat for a number of listed species were identified on the subject site, all habitat has been avoided by the development footprint, with the exception of the Grey-headed Flying Fox.

Impacts to the Grey-headed Flying Fox are considered minor as the extent of vegetation losses is small within the context of the wider area and with regard to typical species behaviour. Indirect impacts are expected to be negligible. On this basis, Eco Logical Australia have concluded **no referral is required**.

Environmental Effects Act 1978

The *Environmental Effects Act 1978* requires that an Environment Effects Statement be prepared for activities which have or are capable of having a significant effect on the environment, as determined by assessment against specified triggers. **No Environmental Effects Statement referral is required** for the proposal for the following reasons:

- The project does not impact 10 hectares or more of native vegetation (1.49ha).
- The project does not propose clearing of an area of 'critical habitat' as declared under the *FFG Act*.
- The project does not result in the potential loss of a significant proportion of known habitat for a threatened species. All impacts to habitat are small in scale and have negligible impact.
- The project has no impacts on Ramsar Wetlands.
- The project will not impact a significant area of a listed ecological community or genetically important population of a native species.

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It is clear from the above that no EES is required for the proposal. Please refer to the Biodiversity Assessment prepared by Eco Logical Australia for further details.

Flora and Fauna Guarantee Act 1988, Wildlife Act 1975 & Catchment and Land Protection Act 1994

Two threatened species listed under the *FFG Act* have the potential to be impacted by the proposal. Impacts are anticipated to be minor and no approvals are required under the *FFG Act*. The proposal has avoided the vast majority of hollow-bearing trees on site (382 total), with impacts to only 13 hollow bearing trees, thereby minimising its impact on a threatening process listed under the *Act*.

Native vegetation located on site is considered likely to support threatened species under the *Wildlife Act*, including Koala observed during the field survey. It is recommended that clearance of vegetation is done in a staged manner to allow fauna to vacate the area of their own accord. Vegetation clearance work should also be done outside of spring / summer when activity is highest. If any translocation is necessary this should be discussed with Moyne Shire and the regional DEECA office prior to works commencing.

Five weeds listed under the *CaLP Act* were recorded on site. During construction and operation, the proposal will need to implement measures to prevent introduction and spread of listed weeds. These measures will be detailed within the Construction Environment Management Plan to be provided as a condition on the planning permit, should one issue.

Municipal Planning Strategy and Planning Policy Framework

The Municipal Planning Strategy and Planning Policy Framework of the Moyne Planning Scheme seek to protect biodiversity within the municipality, including native vegetation and areas which support ecological communities. The proposal responds appropriately to these policy directions, as outlined below:

- In accordance with Clause 02.03-2, the proposal leaves large areas of the site undeveloped, ensuring that the vast majority of remnant native vegetation on site is protected in recognition of its ecological value. The proposal has been specifically designed to avoid sensitive areas on site that support ecological communities hosting native flora and fauna.
- The proposal responds to the important areas of biodiversity on site, providing significant buffers between these and the development area.

The proposal will protect important areas of biodiversity for the long term by leaving these undeveloped. Linear biodiversity corridors along key waterways (for example, Salt Creek) have been avoided, ensuring the subject site remains connected to the surrounding ecosystem (Clause 12.01-1S).

- As discussed below, the proposal ensures that there is no net loss to biodiversity through impacts to native vegetation, in accordance with the three-step approach (Clause 12.01-2S).

Clause 52.17 and Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)

Clause 52.17 of the Moyne Planning Scheme specifies that a planning permit is required to remove, destroy or lop native vegetation. Native vegetation removal is to be assessed in accordance with the *Guidelines* (DELWP 2017), which require proposals to follow the 'three-step approach' to designing proposals which impact native vegetation:

1. Avoid
2. Minimise
3. Offset

The proposal has been informed from the outset by the three-step approach, which has allowed for an exemplary response to the native vegetation located on site. The biodiversity impacts are summarised in the table below:

	Total	Impacted	Avoided
Patches	37.62 ha	0.04 ha	37.58 ha
Large trees	564	20	544
Small trees	31	7	24

It is clear from the above that the proposal has been sited to avoid impacts to the vast majority of native vegetation located on site. This includes avoidance of EVCs located on the site in proximity to Salt Creek; along Hamilton Highway; associated with Mapped Wetland 28276; and of Plains Grassy Woodland in the south-west of the subject site.

Additionally, connecting panels with underground transmission lines minimises the impact to native vegetation located north of Thulborns Lane and east of Boonerah Estate Road. Directional drilling will avoid and minimise impacts to TPZs.

Where impacts are unavoidable, these will be appropriately offset in accordance with the *Guidelines*. The total offset required is **0.307 general habitat units**. This must be located within the Glenelg Hopkins CMA or Moyne Shire Council area, and have a minimum biodiversity score of 0.304, including 20 large trees.

The above demonstrates that the proposal has been sensitively designed, with protection of native vegetation a key priority. The vast majority of native vegetation will be unimpacted from the proposal, with appropriate offsets to be secured for impacts which could not be avoided or minimised.

For more detail regarding biodiversity, please refer to the Biodiversity Assessment prepared by Eco Logical Australia, included at **Appendix M**.

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Planning Policy Framework, Bushfire Prone Area and Bushfire Management Overlay

While the proposal site is located partially within the Bushfire Management Overlay, no planning permit is required under this overlay as the proposal is not for a use listed at Clause 44.06-2.

Nevertheless, the site is located within a Bushfire Prone Area and it is therefore necessary to assess the proposal's potential bushfire risk. A report has been prepared by EcoLogical Australia outlining the potential threat to the proposal from a bushfire, and detailing measures to appropriately manage this risk.

The assessment has concluded that, subject to appropriate vegetation management measures on the subject site, bushfire risk can be reduced to acceptable levels.

The following measures have been observed during the design phase to ensure the proposal responds appropriately to the risk of bushfire:

- The internal road network has been designed to accommodate a standard CFA fire truck. Passing bays are located at least every 200 metres. Roads provide extensive access to the BESS, substation, and panel areas.
- Water storage tanks are specified throughout both sites (including a large 288,000L tank within the BESS site) for ease of access for firefighting water supply.
- A 5-metre-wide landscape buffer is proposed around the boundary of the site to screen the solar energy facility from view. This planting is not considered to be a fire risk due to its narrow width and location at least 20 metres from solar panels and other infrastructure.

CFA Design Guidelines and Model Requirements for Renewable Energy Facilities v4

The Preliminary Bushfire Assessment (**Appendix J**) prepared by EcoLogical Australia includes a comprehensive assessment against the requirements of the CFA Design Guidelines. This report confirms that the proposal will comply with the requirements, subject to implementation of appropriate risk management measures.



ABORIGINAL CULTURAL HERITAGE SENSITIVITY

Aboriginal Heritage Act 2006, Aboriginal Heritage Regulations 2018 and Clause 15.03-2S

The *Aboriginal Heritage Act 2006* provides for the protection of Aboriginal Cultural Heritage in Victoria, and the *Aboriginal Heritage Regulations 2018* sets out the circumstances in which a Cultural Heritage Management Plan (CHMP) is required for a development.

The Regulations require a mandatory CMP if:

1. All or part of the proposed activity is a high impact activity; and
2. All or part of the activity area is an area of cultural heritage sensitivity (subject to whether the entire area of cultural heritage sensitivity has been subject to significant ground disturbance).

Section 52 of the *Aboriginal Heritage Act 2006* specifies that a statutory authorisation (including a permit under the *Planning and Environment Act 1987*) may not be granted until a CHMP is prepared, if a CHMP is required.

The proposed activity is a high impact activity (pursuant to regulation 46(1)(b)(xxvii and xxx)). However, the activity area (when considering the Development footprint only) does not intersect with any areas of Aboriginal cultural heritage sensitivity, subject to current advice prepared by EcoLogical Australia.

The proposal has been subject to a detailed assessment of the aboriginal cultural heritage significance of the site, including a walkover of the site with the Registered Aboriginal Party (Eastern Maar Aboriginal Corporation). This process has ensured that the design of the facility will not adversely affect the heritage significance of the place, and will ensure that the parts of the wider site subject to aboriginal cultural heritage sensitivity are protected and conserved in accordance with Clause 15.03-2S of the Moyne Shire Planning Scheme. A voluntary CHMP is to be prepared for the site to secure the ongoing protection and conservation of the heritage values on the site.

Please refer to the assessment prepared by EcoLogical Australia at **Appendix K** for further detail on the Aboriginal Cultural Heritage Sensitivity of the site, which will shortly follow the submission of this application.



SITING AND DESIGN

The proposal has been sited and designed having regard to the key guidelines and design advice applicable to renewable energy facilities under the Moyne Shire Planning Scheme.

Clause 53.13 'Renewable Energy Facility (other than Wind Energy Facility)'

Clause 53.13 applies to applications to use or develop land for a renewable energy facility other than a wind energy facility. The clause outlines application requirements which must be provided with an application, and decision guidelines for consideration by the responsible authority.

In accordance with this Clause, an Environmental Management Plan Framework has been submitted with the application (**Appendix T**). This specifies measures to avoid and minimise environmental and amenity impacts during the operation of the facility; design measures and procedures to manage dust, odour, light spill, mud, flood, surface water quality and stormwater run-off; response measures for environmental incidents, including a program for recording and reporting; and organisational responsibilities. Given the early stage of the development, it is appropriate at this stage to submit a framework plan only, with the detail of the Environmental Management Plan to be confirmed as a condition on the planning permit (in accordance with the *Guidelines*).

Please refer to **Appendix B** for an outline of the proposal's response to the application requirements and decision guidelines of Clause 53.13 and to **Appendix T** for a copy of the Environmental Management Plan Framework.

This assessment finds that the proposal is an appropriate response to the requirements of Clause 53.13.

Solar Energy Facilities – Design and Development Guideline (DELWP, October 2022)

The Solar Energy Facilities – Design and Development Guideline (the *Guidelines*) provide an overview of the policy, legislative and statutory planning requirements for solar energy facility projects in Victoria.

The proposal has been designed having regard to the requirements of the *Guidelines*, with all relevant matters having been considered, and representing a well-resolved response to the requirements. A detailed

assessment against the *Guidelines* is provided at **Appendix C** of this report. In brief, the proposal:

- Has been sited to minimise impacts to biodiversity including native vegetation
- Minimises cumulative impacts
- Is close to the electricity network
- Has good access to main roads
- Minimises landscape impacts
- Avoids strategically significant agricultural land
- Does not require a CHMP, and is informed by extensive consultation with the Eastern Maar Aboriginal Corporation
- Is informed by extensive and ongoing consultation with the local community
- Suitably manages its bushfire risk
- Is appropriately set back and provides suitable landscape screening
- Appropriately manages amenity impacts, including visual impact, glint and glare, traffic, and noise
- Will be supported by appropriate management measures during construction and operation.

Clause 52.05 'Signs'

The proposed sign is small in scale, having regard to the overall size of the development site, and has a simple, clear design which allows for appropriate identification of the facility from the public realm.

Response to the Farming Zone

In accordance with the permit requirements of the Farming Zone, no solar panel is located within 50 metres of a road in the Transport Zone Schedule 2. The only infrastructure which encroaches within this setback are internal roadways and fencing, with landscaping also to be established within these setbacks.

Otherwise, the proposal has been appropriately sited having regard to the design and siting requirements of the Farming Zone. Detailed discussion of visual impacts are included in a subsequent section of this report, which confirms that the siting and design of the facility are appropriate having regard to the character of the area.

For more detail, please refer to Appendix G of this report.

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TRAFFIC AND ACCESS

Clause 52.29 and Clause 18

A Transport Impact Assessment (TIA) has been prepared by Urbis to assess the likely impacts to the road network arising from the proposed solar energy facility and BESS. The TIA assesses likely impacts during both construction and operation of the facility.

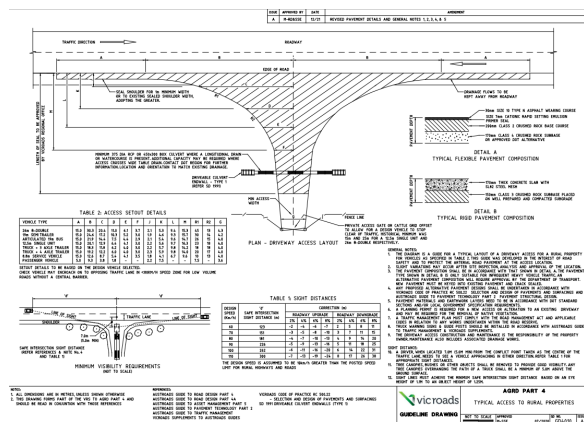
Access to the site is proposed from a number of locations as indicated on the site plan:

- Solar energy facility
 - Hamilton Highway
 - Thulborns Lane
 - Boonerah Estate Road (x2)
- BESS facility
 - Connewarren Lane

Hamilton Highway is to be the principal access to the site, with the intersection with Boonerah Estate Road to be upgraded to facilitate the access. The proposed upgrade is to be undertaken in accordance with the VicRoads Typical Access to Rural Properties Guideline drawing as shown below. Please refer to the TIA prepared by Urbis for further detail.

A planning permit is required pursuant to Clause 52.29-2 as the Hamilton Highway is in the Transport Zone 2.

Figure 11 VicRoads Guideline for Typical Access to Rural Properties



Source: VicRoads

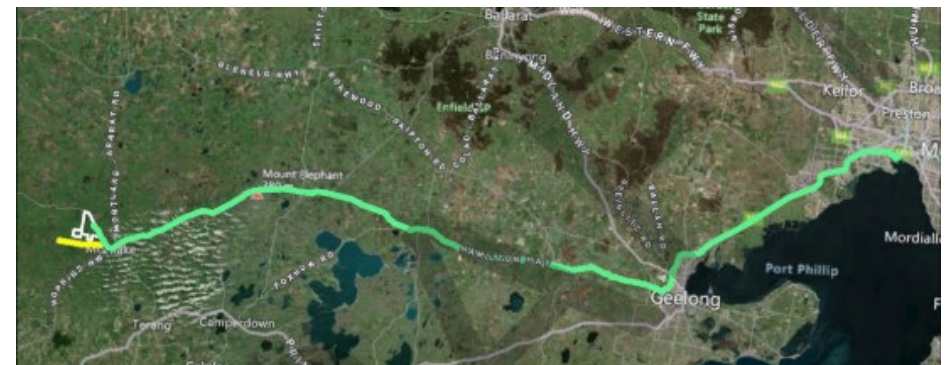
Construction

Construction vehicles are anticipated to originate principally at the Port of Melbourne. The proposed route for access to the site is indicated in the figure below. All roads along the proposed route, with the exception of Connewarren Lane, are DTP controlled and are pre-approved Over-Dimensional routes. The TIA outlines the likely vehicles that will be used to service the site and confirms that the vehicles will be able to appropriately access the site. Deliveries will be made to a laydown area in the north-eastern part of the site and on the BESS site, with smaller vehicles facilitating transport of materials to the remainder of the site using internal roads and the surrounding road network where necessary. Two options are considered to facilitate transport between sites A and B – either use of Boonerah Estate Road, or use of the internal road network.

The TIA estimates that during construction, 300 workers will access the site, with 167 total daily vehicle movements. 53 vehicle movements are expected during peak hour. The above estimates assume that construction workers will be accommodated in Mortlake, with shuttle buses transporting workers to and from the site (estimate 15 shuttle buses).

A Traffic Management Plan will be prepared following planning approval. A dilapidation survey will ensure the current condition of the road network is assessed, and that any damage to infrastructure that arises can be appropriately remedied.

Figure 12 Construction vehicle route – solar energy facility route shown green, BESS route shown yellow



Source: Urbis

Operation

Access to the site during operation will be via Boonerah Estate Road as the primary access, with Thulborns Lane available as secondary access. The BESS site will be accessed from Connewarren Lane via a driveway. Transport between the two sites is via the external road network.

Twenty staff members are anticipated to be present on site during the ongoing operation of the facility, assumed to generate twenty vehicle movements each day. The TIA confirms that the surrounding road network can absorb these movements.

A swept path assessment has also been undertaken confirming that a CFA fire truck can appropriately access the facility. These are included at Appendix B of the TIA.

Please refer to the TIA for further detail regarding traffic and access during construction and operation of the facility.

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VISUAL AND OTHER AMENITY IMPACTS

Planning Policy Framework and Solar Energy Facilities – Design and Development Guideline (DELWP, October 2022)

A **Landscape and Visual Impact Assessment** has been undertaken by Urbis and is included at **Appendix P**. This includes an integrated Glare and Glint Assessment. Photosimulations are also included at **Appendix O**.

Figure 13 View locations map



Source: Urbis

1. Visual impacts on sensitive receptors

The report notes that overall the project has a low level of visual impact on the surrounding environment. Of the six assessed view points, five were graded as low or low-medium visual sensitivity. The remaining view point was identified to have high sensitivity, but the overall visual impact was found to be low, considering the impact of on-site amelioration from perimeter planting and long term residual effects.

In the short term, visibility to the proposal will occur from major public roads for limited periods of time from moving viewing situations. Long-term, amelioration will screen views from surrounding roadways.

The overall rating of significance of visual impact is summarised below:

- VP1: low-medium
- VP2: low (or less)
- VP3: low (or less)
- VP4: low (or less)
- VP5: low-medium
- VP6: low (or less)

In summary, the proposal creates **low** levels of visual effects in close surrounding views from within the visual catchment.

2. Landscape character impacts

The proposal will result in a change to the landscape character of the area. However, the modelled views show that the proposal appears as a low-height continuous horizontal form, highly compatible with the flate open plains of the Western Volcanic Plain. The proposal sits below the line of the horizon and does not significantly contrast with the topography of the surrounding landscape.

Additionally, the proposed vegetative screening is visually consistent with established plantings in this part of the Western Volcanic Plain, with long-term residual impacts considered to be low. The solar energy facility will not detract from the natural qualities of the area, in accordance with Clauses 02.03-2 and 12.05-2S of the Moyne Planning Scheme.

As such, the proposal’s impacts on the character of the landscape are considered to be acceptable.

3. Glint and glare impacts

The proposal’s reflectivity, glint and glare impacts have been assessed by Urbis to support this application, with the assessment concluding that no glare impacts are expected to assessed receptors within 1km of the project, including assessed roads and dwellings.

The glint and glare assessment includes a recommendation for the resting angle to be configured between 12 and 60 degrees to eliminate all potential glare.

Lighting impacts

The proposal is within environmental zone A2. The proposal will not generate an increased lighting impact given there is no requirement for operational lighting. Therefore, lighting impacts are considered to be low.

AS-NZS-4282-2019 CONTROL OF OBTRUSIVE EFFECTS OF OUTDOOR LIGHTING ENVIRONMENTAL ZONES	
ENVIRONMENTAL ZONE	DESCRIPTION
A0	Intrinsically Dark e.g. Major Optiocal Observatories. No road lighting.
A1	Dark e.g. Relatively uninhabited rural areas. No road lighting.
A2	Low district brightness e.g. sparsely inhabited rural and semi-rural areas.
A3	Medium district brightness e.g. suburban areas in towns and cities.
A4	High district brightness e.g. town and city centres, commercial areas and residential areas abutting commercial areas.

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NOISE IMPACTS

Planning Policy Framework and EPA protocol 1826.4

The proposal has been designed with regard to the potential for noise arising from its operations in accordance with Clause 13.05-1S of the Moyne Planning Scheme. Development will not be prejudiced and community amenity and human health will not be adversely impacted by noise emissions from the proposal.

Solar energy facilities are largely silent during operation – however, ancillary systems such as inverters and BESS units do create noise. WSP have prepared a Noise Impact Assessment summarising the operational noise modelling undertaken to assess potential noise impacts from the proposed. The report concludes that noise from the operational solar facility will comply with the requirements of EPA Publication 1826 to all sensitive receivers, provided mitigation measures are included to the three solar inverters nearest to 593 Hamilton Highway. The measures specified are a 1.5m high enclosure around the inverter, and closed on three sides. An appropriate condition can be included on the planning permit, should one issue, requiring these measures to be implemented. A summary of predicted noise levels and further detail of mitigation measures is provided within the Noise Impact Assessment prepared by WSP.

The modelling inputs and method are conservative, based on the anticipated 'worst case' conditions and assuming all infrastructure is operating simultaneously at maximum load during all periods.

It is recommended that once the solar energy facility is operational, commissioning noise measurements are undertaken to validate the noise modelling assumptions (including circuit breaker noise ranges) and ensure compliance with EPA requirements. Where noise is found to exceed the operational limits, additional noise mitigation measures will need to be considered beyond those presented in this report.

Please refer to the Noise Impact Assessment (**Appendix S**) for further detail regarding the proposal's acoustic impacts.

GEOLOGY, SOIL, WATER QUALITY AND HYDROLOGY

Planning Policy Framework and hydrological assessment

In accordance with Clause 14.02-1S, the proposal has sought to protect natural drainage corridors located within and proximate to the site. This includes through the provision of buffer areas where existing natural conditions will be retained.

The proposal has also been designed to ensure that it responds appropriately to the considerations of Clause 13.03-1S 'Floodplain management', as detailed below.

The subject site consists generally of gently undulating rises across the site. Salt Creek traverses the northern part of the site from the north to the west. Blind Creek is located proximate to the south-eastern corner of the site.

Hydrological modelling undertaken by Ecological Australia indicates that in general, flows across the site are concentrated to the waterways and defined overland flow paths in the region, with sufficient terrain relief to limit the amount of sheet flow. During all modelled flood events, the flow remained constrained to the channel and defined flood-plain for Salt Creek. Flows from Blind Creek only impact the site during a flood event greater than 10% AEP.

The report concludes that major inundation of the subject site is unlikely, and that flow velocities across the site tend to be low, and below the threshold where rock armouring to protect waterways is required.

Flood mapping confirms that the panel extents and BESS site have been located outside the deepest flood waters. Ecological Australia consider that the proposal has been suitably laid out from a flood risk perspective. General stormwater management and erosion control measures can be implemented during construction and operation of the facility.

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7. CONCLUSION

Based on the foregoing assessment and the enclosed appendices, it is clear that the proposal is a well-resolved solar energy facility, and, once delivered, that it will make an important contribution to achieving the state's renewable energy goals. In summary:

- ✔ The proposal is suitable for assessment under the Development Facilitation Program pursuant to Clause 53.22. Based on the assessment undertaken by EcoLogical Australia, no Environment Effects Statement referral, nor EPBC referral is required.
- ✔ The proposal is consistent with the statutory and strategic frameworks of the Moyne Shire Planning Scheme.
- ✔ The proposal will contribute approximately 360MW generation capacity, with 600MW storage capacity in the BESS. Based on these figures, the proposal will contribute significantly to Victoria's emissions reduction and renewable energy targets, as outlined within this report.
- ✔ The proposal does not require a mandatory CHMP, as outlined within the Cultural Heritage Due Diligence Assessment. A voluntary CHMP will be prepared.
- ✔ The proposed installation has sought to minimise impacts on native vegetation, with large areas of the site avoided, and only minimal removal required. Where removal is required, this will be appropriately offset.
- ✔ The proposal has been sited and designed in response to the conditions on the site, seeking to preserve waterways from impacts and responding to the topography. The proposal also appropriately manages its bushfire impacts. It has also been designed in accordance with all relevant legislation and guidelines.
- ✔ The proposal allows for the ongoing agricultural use of the land as sheep will continue to graze beneath the panels. Following the decommissioning of the facility, the site can be restored to its existing conditions.

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- ✔ The proposal will not unreasonably impact the amenity of surrounding properties, in particular with respect to visual impact and noise.

For these reasons, Urbis requests that the Minister for Planning resolve to issue a planning permit for the proposal as outlined within this submission.



8. DISCLAIMER

This report is dated 6 May 2024 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, BrightNight Power (**Instructing Party**) for the purpose of Application for a planning permit (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith

and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

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APPENDIX A

CERTIFICATES OF TITLE

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APPENDIX B

SITE PLAN

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APPENDIX C

LANDSCAPE STRATEGY

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APPENDIX D

SURVEY PLAN

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APPENDIX E

ELEVATIONS AND SPECIFICATIONS

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APPENDIX F






CLAUSE 53.13 RENEWABLE ENERGY FACILITIES (OTHER THAN WIND ENERGY FACILITIES) ASSESSMENT

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A.1 APPLICATION REQUIREMENTS

 Provided
  To be provided as a condition

APPLICATION REQUIREMENT	ASSESSMENT
A site and context analysis , including:	
A site plan, photographs or other techniques to accurately describe the site and the surrounding area.	 Site plans, aerial maps and photographs identifying the site location and surrounds have been provided as part of the planning submission. The proposed development has been carefully designed to consider the potential environmental and amenity impacts on the site and its surrounds.
A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.	 Mapping indicating the site in its wider context, including the site access and location of nearby electrical infrastructure, have been included within the planning submission.
A design response , including:	
Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.	 Site layout plans and elevations are provided at Appendix B, C and E. Refer to Section 3 of the planning report for equipment specification, details and photographs.
Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.	 Photo simulations and a Landscape and Visual Impact Assessment are provided at Appendix P of this report.
The extent of vegetation removal and a rehabilitation plan for the site.	 The site plan clearly indicates the extent of proposed vegetation removal. The removal, revegetation and proposed offsets are also detailed in the Biodiversity Assessment at Appendix M and within the body of this report.
Written report and assessment , including:	

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APPLICATION REQUIREMENT		ASSESSMENT
An explanation of how the proposed design derives from and responds to the site analysis.	✓	Please refer to Section 3.3 of this report for a discussion of the key design considerations for the proposal.
A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.	✓	The proposed installation is a solar energy facility. Materials will not be stored at the site and no waste will be produced.
Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.	✓	There is no requirement for a Works Approval or Licence from the EPA for the proposed works.
The potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.	✓	<p>Detailed consideration of potential amenity impacts has been provided within the body of this report, including:</p> <ul style="list-style-type: none"> ▪ Landscape, visual impacts and glare and glint (Appendix P) ▪ Noise impacts (Appendix S) ▪ Cumulative impacts ▪ Traffic and access (Appendix L) <p>Relevant technical reports are also included assessing each of these considerations. These assessments have found that amenity impacts are acceptable and can be appropriately managed as part of the development.</p>
The effect of traffic to be generated on roads.	✓	<p>The supporting Traffic Impact Assessment concludes that traffic from the proposal will have a negligible impact on the surrounding road network during operation. Construction traffic can be suitably managed.</p> <p>Refer to the body of this report and to Appendix L for further detail regarding traffic.</p>

APPLICATION REQUIREMENT		ASSESSMENT
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The impact upon Aboriginal or non-Aboriginal cultural heritage.	✓	<p>The Cultural Heritage Due Diligence Assessment has confirmed that no mandatory cultural heritage management plan is required for the proposal. A voluntary CHMP is to be prepared for the development to ensure cultural heritage is appropriately managed.</p> <p>The site does not possess any non-Aboriginal cultural heritage values.</p>
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The impact of the proposal on any species listed under the Flora and Fauna Guarantee Act 1988 or Environment Protection and Biodiversity Conservation Act 1999.	✓	The proposal does not result in any unreasonable impacts on species listed under the FFG Act or EPBC Act. Please refer to the discussion in the body of this report and the Biodiversity Assessment at Appendix M for further detail.
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A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.	✓	<p>The site is suitable for renewable energy development due to its proximity to significant electricity transmission infrastructure and its location within a declared Renewable Energy Zone. The site is also not of strategic significance from an agricultural perspective, and agriculture can continue to take place on site once the solar energy facility is developed.</p> <p>The estimated greenhouse benefits arising from the proposal are outlined below.</p>
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Victoria - emissions:

- up to ca. 0.5% operational emissions reduction (based on 80,064,500 tCO₂e 2021 electricity source emissions)
- up to ca. 1% operational emissions reduction from electricity as energy source (based on 41,400,000 tCO₂e 2021 electricity source emissions)

Victoria – storage:

- up to ca. 11% of 2030 target of 2.6GW
- up to ca. 5% of 2035 target of 6.3GW









An environmental management plan including, a construction management plan, any rehabilitation and monitoring.	✓	An environmental management plan can be provided as a condition on any permit to issue, in accordance with the DELWP Guidelines. However an environmental management plan framework has been provided at Appendix T to guide a future environmental management plan.
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F.1 DECISION GUIDELINES

 Complies
  Variation Required

DECISION GUIDELINE		ASSESSMENT
The Municipal Planning Strategy and the Planning Policy Framework.		Please refer to Section 7 of this report for an assessment of the proposal against the Municipal Planning Strategy and Planning Policy Framework. This assessment has been divided into key themes.
The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.		The proposal has appropriately considered its amenity impacts, with technical assessments determining that these impacts can be appropriately managed. Refer to the body of this report and technical assessments as discussed above.
The impact of the proposal on significant views, including visual corridors and sightlines.		The Landscape and Visual Impact Assessment outlines that the proposal will have a low impact on views and sightlines.
The impact of the proposal on strategically important agricultural land.		<p>The agricultural assessment confirms that the land is not considered strategically important agricultural land. Sheep grazing can continue under the panels post development.</p> <p>Please refer to the body of this report for a discussion on agricultural impacts.</p>
The impact of the proposal on the protection of declared irrigation districts.		The site is not within a declared irrigation district.
The impact of the proposal on the natural environment and natural systems.		The proposal has appropriately managed its impacts on the natural environment, including through the three-step process for managing impacts to native vegetation. No unreasonable impacts will result to the natural environment or natural systems.
The impact of the proposal on the road network.		The proposal will not result in an unreasonable impact
<i>Solar Energy Facilities Design and Development Guideline</i> (Department of Environment, Land, Water and Planning, October 2022).		Appendix H provides a full assessment against these guidelines.

APPENDIX G

FARMING ZONE ASSESSMENT

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GUIDELINE

ASSESSMENT

General issues

- The Municipal Planning Strategy and Planning Policy Framework



- Please refer to the body of this report for a thematic assessment against the provisions of the Moyne Planning Scheme (including the Municipal Planning Strategy and Planning Policy Framework).

- Any Regional Catchment Strategy and associated plan applying to the land



- The subject site is located within the North Eastern Volcanic Plains region of the Glenelg Hopkins Regional Catchment Strategy, prepared by the Glenelg Hopkins CMA. The proposal aligns with the objective of the RCS to adopt 'innovative agricultural practices and technologies within sustainable farm management'. The proposed agri-voltaics model on the site represents an innovative approach to both energy generation and agriculture.

- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.



- The land is capable of accommodating the proposed use and development, as described within this report. No effluent management is required as the proposal includes a composting toilet. The proposal presents minimal amenity impacts to surrounding properties, and will not compromise the long-term use of the site for agricultural purposes.






- How the use or development relates to sustainable land management.



- The proposed land use provides a source of renewable energy for the surrounding area, with no operational waste resulting from the proposal.
- The proposed construction is low impact, avoiding heavy duty foundations and significant disturbance of the land. As a result, the agricultural potential of the land will be retained following development.
- The site will also be retained for agricultural use during its operation as the land can continue to be used for sheep grazing.

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GUIDELINE	ASSESSMENT
<ul style="list-style-type: none"> Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses. 	<p style="text-align: center;"></p> <ul style="list-style-type: none"> The use and development of the land as a solar energy facility is appropriate. The site is located within a Renewable Energy Zone and is proximate to a high-voltage powerline and the Mortlake Terminal Station. Given the existing infrastructure in the area, the use is considered to be appropriate. As discussed elsewhere in this report, the site will also continue to be used for agricultural purposes while the facility is in place.
<ul style="list-style-type: none"> How the use and development makes use of existing infrastructure and services 	<p style="text-align: center;"></p> <ul style="list-style-type: none"> The use and development will make use of the existing high voltage powerlines traversing the site to facilitate transmission to the local area and beyond. The existing road network will also be used, with upgrades made as necessary (discussed within the Transport Impact Assessment prepared by Urbis).
<p>Agricultural issues and the impacts from non-agricultural uses</p>	<p style="text-align: center;"></p> <ul style="list-style-type: none"> Whether the use or development will support and enhance agricultural production. The use will allow for agricultural use of the site to continue, as sheep continue to graze beneath the panels. Due to the low-impact construction of the facility, when it is removed the site can be returned to an exclusive agricultural use.
<ul style="list-style-type: none"> Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production. 	<p style="text-align: center;"></p> <ul style="list-style-type: none"> The installation will not permanently remove the land from agricultural use, as discussed above. The use will not compromise soil quality. When decommissioned, the site can be returned to agricultural use.
<ul style="list-style-type: none"> The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses. 	<p style="text-align: center;"></p> <ul style="list-style-type: none"> The proposal will not impact the operation or expansion of adjoining and nearby agricultural uses as it is contained within the site, produces no emissions, and appropriately manages its noise impacts.

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GUIDELINE

ASSESSMENT

- The capacity of the site to sustain the agricultural uses.



- The site will continue to be used for sheep grazing 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 development will not affect the agricultural qualities of the land.
- Please refer to the Agricultural Assessment prepared by AgChallenge at **Appendix I** for further detail.

- Any integrated land management plan prepared for the site.



- There is no integrated land management plan that applies to the site.

Accommodation issues

- ***Not applicable to a proposal for a Renewable Energy Facility or a Utility Installation***

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.



- The proposal will not adversely impact soil and water quality.
- The design and development of the facility has avoided areas of ecological importance and areas proximate to existing waterways.
- Please refer to the Agricultural Assessment at Appendix I and the Hydrology Assessment at Appendix Q for further detail.

- The impact of the use or development on the flora and fauna on the site and its surrounds.



- The proposal has sought to minimise its impacts on the flora and fauna on the site. Please refer to the biodiversity section of this report, and the Biodiversity Assessment prepared by EcoLogical Australia for further detail (Appendix M).

- 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



- The proposal retains large areas of native vegetation, with extensive undeveloped areas located on the site. In particular, no development is proposed proximate to waterways, which are left in their existing natural conditions. Landscape buffers

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riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.

are proposed along site boundaries, incorporating native species consistent with the character of the area.

- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation



- No effluent disposal is proposed. A composting toilet will be located on site, with waste disposed of off-site.

Design and siting issues

- 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.



- The solar installation will be distributed evenly across the site. However, the design allows for continued grazing of sheep on site.
- Key areas of the site will remain undeveloped to avoid impact on significant ecology.
- The BESS site is located within an existing plantation, with only the clearing necessary to ensure suitable bushfire safety.

- 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.



- As discussed in the body of this report, the proposal has been sited and designed to manage its visual impact on the site and its surrounds, including landscape character.
- Please refer to the Landscape and Visual Impact Assessment at Appendix P for further detail.

- 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.



- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.



- The site is traversed by an existing high voltage power line and the BESS is proximate to the existing Mortlake Terminal Station.

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- Whether the use and development will require traffic management measures.



- No other services are proposed or to be connected. The existing road network will largely be used, with upgrades as necessary.
- Construction Management and Traffic Management plans are proposed to be prepared post-approval in response to conditions on the planning permit, should one issue.
- Traffic Management measures will be implemented during construction, to be specified as part of the TMP.
- The ongoing operation of the facility will not require traffic management measures.

Schedule to the Farming Zone

- The minimum setback from a road in Transport Zone 2 is 50 metres
- The minimum setback from a road (any other road) is 20 metres
- The minimum setback from a boundary (any other boundary) is 5 metres
- The minimum setback from a dwelling not in the same ownership is 100 metres.



- No panels are located within the setback specified. However, the proposed internal roads are within the setback. As these do not constitute a 'building', no planning permit is required.
- As described within the Landscape and Visual Impact Assessment, the proposal does not have any unacceptable impacts on sensitive receptors proximate to the site.
- The dwelling located at the intersection of Boonerah Estate Road and the Hamilton Highway is afforded a 100 metre setback to the panel extent, and as such no permit is required. All other dwellings are afforded larger setbacks.

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APPENDIX H



SOLAR ENERGY FACILITIES DESIGN AND DEVELOPMENT GUIDELINE (OCTOBER 2022) ASSESSMENT

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H.2 IDENTIFYING SUITABLE LOCATIONS



Complies



Variation Required

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<p>Ideal siting conditions</p>	<p>A solar energy facility should not lead to:</p> <ul style="list-style-type: none"> ▪ the loss or interruption of supply to the immediate or broader electricity transmission network ▪ the loss of vegetation, habitat or species of environmental importance ▪ the loss of cultural heritage or landscape values of significance ▪ the loss of productive state-significant agricultural land ▪ increased exposure of the area to fire, flood or other natural or environmental hazard 	<p style="text-align: center;"></p> <p>The proposal has been designed and sited to align with the ideal conditions outlined within the guidelines as follows:</p> <ul style="list-style-type: none"> ▪ The development of the solar energy facility will not interrupt supply to the electricity transmission network. ▪ While some vegetation removal is necessary given the nature of the development, the facility has been carefully designed to avoid and minimise the removal of native vegetation, with the vast majority of vegetation on site retained. Necessary vegetation removal will be offset in accordance with the DELWP Guidelines. A detailed avoid, minimise and offset statement has been prepared by EcoLogical Australia and is included at Appendix M. ▪ No development is proposed within areas of cultural heritage sensitivity, and as such these values will not be lost. The applicant has committed to prepare a voluntary CHMP prior to construction, which will ensure that the site is appropriately managed at all stages of development. ▪ The agricultural assessment (Appendix I) has determined that the subject site is neither highly productive nor highly versatile. It is not considered to be significant or strategically important. Additionally, the land will be retained for sheep grazing in conjunction with the solar energy facility. ▪ As confirmed by both the preliminary bushfire management report (Appendix J) and the hydrology report (Appendix Q), the

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development will not worsen the site's exposure to fire, flood or any other environmental hazard.

Ideally a solar energy facility should be located:

- on land with topographical conditions that avoids the need for unnecessary or excessive earthworks or changes to the natural landscape
- to avoid the loss of native vegetation and biodiversity and if losses cannot be avoided, they are minimised and can be offset
- close to the electricity grid network to minimise the need for additional infrastructure and associated impacts
- a sufficient distance from existing urban areas or designated urban growth areas
- where there can be adequate space between facilities within an area to avoid cumulative impacts of built form concentration
- away from the floodplain of a major water course or wetland
- where it has ready access to main roads



The solar energy facility is located:

- on land with suitable topography, such that it does not require any major earthworks or changes to the landscape character. Panels will be supported on poles driven into the ground (or predrilled), avoiding the need for major earthworks.
- to avoid and minimise impacts to native vegetation. Where vegetation removal cannot be eliminated, the removal will be appropriately offset.
- Close to the electricity grid network – in particular, a 500kV transmission line passes through the site, with the Mortlake Terminal Station located south-west of the site, providing appropriate infrastructure to connect the solar energy facility to the wider grid. Appropriate transmission lines will facilitate a connection to the terminal station.
- A sufficient distance from Mortlake and Hexham to minimise adverse impacts on these settlements.
- Appropriately distant from other renewable projects and electricity facilities in the vicinity, including the Mortlake Power Station, Mortlake South Wind Farm and the proposed Mount Fyans Wind Farm.
- Away from any floodplain of a major waterway or wetland. While the Mortlake Common Flora Reserve is located to the south of the site (including a wetland), the facility has been sited and designed to avoid any negative impacts on the wetland.
- With direct access to the Hamilton Highway, a key arterial road serving western Victoria. Site access is to be from:
 - Hamilton Highway in proximity to Boonerah Estate Road

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GUIDELINE	ASSESSMENT	
<p>Connecting to the electricity transmission network</p>	<ul style="list-style-type: none"> - Thulborns Lane / Booths Lane - Boonerah Estate Road (secondary access) 	
	<p><i>Electricity transmission network connections</i></p> <ul style="list-style-type: none"> ▪ Consideration must be paid to electricity transmission network connections and the potential for cumulative effects in an area 	<p>✓ The proposal will connect to the grid via the existing Mortlake Terminal Station. This will be via a 33kV underground cable connecting the main facility site to the BESS site and to the terminal station.</p>
	<p><i>Managing cumulative effects in an area</i></p> <p>Too many facilities in an area can:</p> <ul style="list-style-type: none"> ▪ reduce the availability and/or productivity of strategic agricultural land, particularly in irrigation districts ▪ result in landscape-scale visual impacts, due to an overconcentration of built form in an area ▪ impact the area's biodiversity, habitat or wildlife, due to an overconcentration of built form 	<p>✓ The proposal appropriately manages its potential to contribute to cumulative effects:</p> <ul style="list-style-type: none"> ▪ The land is not considered versatile or of strategic agricultural value, as detailed above. The land will continue to be used for sheep grazing following the installation of the solar energy facility. Agricultural productivity is not anticipated to meaningfully decrease as a result of the installation of the facility. ▪ The development of the energy facility will not result in any landscape-scale visual impacts to the wider area. While the Mortlake Power Station is located nearby, the proposed facility is sufficiently separated from this facility so as not to contribute to cumulative impacts. Significant setbacks mitigate the visual impact of the proposal, and extensive landscape planting will screen the panels from public view. ▪ The development has been designed to avoid and minimise impacts to native vegetation. The design is also considered an appropriate response to the brolga habitat located to the south at the Mortlake Common Flora Reserve.


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GUIDELINE	ASSESSMENT
<p>Protecting environmental values</p> <p><i>Crown land</i></p> <ul style="list-style-type: none"> ▪ Ideally, commercial infrastructure should not be located on, over, under, and should not affect public land and government roads, where it can be located on private land or where exception is provided for under legislation. The proponent must seek DELWP's approval if it requires access to public land. ▪ DELWP may require a proponent to undertake an environmental assessment, Native Title assessment and/or community consultation 	<p>✓</p> <p>A transmission line is proposed to connect the solar energy facility to the BESS facility and the Mortlake Terminal Station. This transmission line will traverse private land, generally in the vicinity of the existing 500kV Moorabool to Tarone transmission line.</p>
<p><i>Flora and fauna</i></p> <p>An assessment is required of the proposal's potential impact to existing natural habitats. The appropriate approvals and consents will be required under the:</p> <ul style="list-style-type: none"> ▪ <i>Commonwealth Environment Protection and Biodiversity Act 1999 (EPBC Act)</i> ▪ <i>Flora and Fauna Guarantee Act 1988</i> ▪ <i>Environment Effects Act 1978</i> <p>Consideration should be made to Protecting Victoria's Environment – Biodiversity 2037 strategy</p>	<p>✓</p> <p>A biodiversity assessment has been undertaken by EcoLogical Australia, which confirms that impacts on any matter of NES are highly unlikely. Therefore, no referral is likely to be required to the Commonwealth Environment Minister regarding matters listed under the EPBC Act.</p> <p>The Biodiversity Assessment finds that two threatened species have the potential to be impacted, but that no permits are required under the FFG Act. Impacts are considered to be minor and therefore acceptable.</p> <p>The project does not trigger a need for an EES referral.</p> <p>Please refer to the body of this report for a detailed discussion of the potential triggers under relevant biodiversity legislation (Commonwealth and State), and to the Biodiversity Assessment at Appendix M.</p>


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GUIDELINE	ASSESSMENT
<p><i>Native vegetation and biodiversity</i></p> <ul style="list-style-type: none"> An assessment is required of the proposal's potential impact to existing native vegetation Native vegetation requirements and offsets must be met 	<p>✓</p> <p>Please refer to the body of this report, and the Biodiversity Assessment at Appendix M for a detailed assessment of the proposed native vegetation removal.</p> <p>The proposal has adopted the 'avoid, minimise and offset' approach and has successfully avoided the vast majority of site impacts. Commensurate offsets for impacted vegetation will be provided.</p>
<p>Protecting cultural heritage</p> <p>Aboriginal cultural heritage values are protected by Victoria's <i>Aboriginal Heritage Act 2006</i> and <i>Aboriginal Heritage Regulations 2007</i>.</p> <ul style="list-style-type: none"> A proponent must consider potential impacts and the views of relevant Aboriginal people before lodging a planning application. 	<p>✓</p> <p>Extensive engagement has been undertaken with Eastern Maar Aboriginal Corporation, the Registered Aboriginal Party for the subject site, including a site walkover.</p> <p>An assessment undertaken by EcoLogical Australia has confirmed that no mandatory CHMP is required for the proposal. The applicant has committed to prepare a voluntary CHMP to ensure appropriate management of the site.</p>
<p>Avoiding loss of high-value agricultural land</p> <p><i>Strategically important agricultural land</i></p> <p>Solar farms should not undermine important agricultural land. Strategies to consider include:</p> <ul style="list-style-type: none"> the impact on the loss of the site if it has high quality soils, particularly soils that are niche to a type of crop or other agricultural activity the potential loss of reliable, accessible water (such as irrigated areas) and its impact at a local or regional scale 	<p>✓</p> <p>As confirmed by the agricultural assessment, the proposal is not located on strategically important agricultural land, and impacts to agricultural productivity are acceptable:</p> <ul style="list-style-type: none"> the site's soils are not high quality or niche to a particular kind of agricultural activity. The site is not considered suitable for cropping. Rainfall is moderate and variable with a pronounced dry season. No specific farm or public infrastructure is provided to the site, and the site is not within an irrigation district. The subject site provides grazing for 0.1% of the regional sheep flock and less than 0.05% of the regional beef herd. Sheep grazing will continue to be possible under the panels, while beef production must cease. The proposed development

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<ul style="list-style-type: none"> ▪ the impact of fragmentation and a change of land use to non-agriculture activity on local and regional productivity and output ▪ the impact of a change of land use on recent and/or current efforts to modernise and reform agricultural activity in the area ▪ whether the land has specifically been set aside or defined for agricultural use and development in a planning scheme or other strategic document ▪ whether the change in land use is to the detriment of a government's previous or existing investment and support for the site or the area ▪ whether the proposed solar energy facility can co-locate with other agricultural activity, to help diversify farm' income without reducing productivity 	<p>will not result in a significant loss of regional agricultural productivity. The capacity of the land is estimated at 10 dse/ha.</p> <ul style="list-style-type: none"> ▪ The change of land use will not have any impact on efforts to modernise and reform agricultural activity. ▪ The land has not been specifically set aside or defined for agricultural use beyond the application of the Farming Zone to the site. The <i>Moyne Land Capability and Biodiversity Studies Project 2009</i> considers the site as having 'high' agricultural land quality, but this is a high-level strategic document which did not consider the site specifically, nor the specific nature of its soils and agricultural attributes. ▪ There is no specific government investment relating to the agricultural use of this property or this area. ▪ The proposed solar farm has been designed to allow sheep to continue to graze the land, ensuring that while some productivity must necessarily be lost to accommodate the new facility, the majority of the land's productive capacity will be retained.
<p>Minimising impacts on landscape values</p> <p>Consideration must be made to the visual impacts of the solar energy facility in relation to the surrounding landscape. The visual impact of a solar energy facility relates to:</p> <ul style="list-style-type: none"> ▪ the sensitivity of the landscape and its ability to absorb change 	<p> The proposal's visual impact has been comprehensively considered and found to be acceptable:</p> <ul style="list-style-type: none"> ▪ While the development of the solar energy facility represents a significant change to the landscape, the site's character means it is well placed to absorb change. The landscape has already been modified with the inclusion of the high voltage power lines and the Mortlake Power Station south-west of the site.

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<ul style="list-style-type: none"> ▪ the size, height, scale, spacing, colour and surface reflectivity of the facility's components ▪ the number of solar energy facilities located close to each other another within the same landscape ▪ the excessive removal, or planting of inappropriate species of vegetation ▪ the location and scale of other ancillary uses, buildings and works including transmission lines, battery storage units and associated access roads ▪ the proximity to environmentally sensitive areas such as public land, water courses and low-lying areas. 	<ul style="list-style-type: none"> ▪ The facility's components are generally low in profile. The site has also been set out with significant setbacks to all roads and sensitive receptors, ensuring that visual impacts will be minimised. Vegetation will be planted to ensure appropriate screening from sensitive receptors proximate to the site. ▪ No other solar energy facilities are located proximate to the proposal. ▪ The vast majority of on-site vegetation has been retained, ensuring the valued attributes of the landscape character will prevail from key vantage points. Appropriate screening vegetation will be planted to further ameliorate the visual impacts of the proposal. ▪ While the proposal is proximate to the Mortlake Common Flora Reserve, it will have no adverse impacts on this site.
<p>Natural hazard management</p> <p><i>Bushfire Management</i></p> <p>Proponents should consult the relevant fire management authority early in the site selection and design process, to ensure a facility avoids unnecessary bushfire risk exposure and has fire management planning in place to manage risk.</p> <p>Within rural and regional areas, a proponent should consult the CFA's Guidelines for renewable energy installations for information about bushfire risk management and other risk management matters.</p>	<p> A preliminary Bushfire Risk Assessment has been prepared by EcoLogical Australia and is located at Appendix J: The assessment includes:</p> <ul style="list-style-type: none"> ▪ A bushfire hazard site assessment in accordance with AS3959:2018. ▪ A bushfire hazard landscape assessment. ▪ An assessment of the site plan against the CFA Guidelines and Clause 13.02-1S, as well as bushfire mitigation measures. <p>The proposal has been designed in accordance with the CFA Design Guidelines and Model Requirements for Renewable Energy Facilities (v4, August 2023). The CFA has been consulted as part of</p>

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GUIDELINE	ASSESSMENT
	the application process who have provided commentary which has informed the final design. The CFA have indicated that they have no objections to the proposal subject to standard conditions.

A.1 BEST PRACTICE FOR PROPONENTS


 Complies
  Variation Required

GUIDELINE	ASSESSMENT
<p>Engaging the community</p> <p><i>Early community consultation is important</i></p> <p>Community engagement should start well before a planning permit application is lodged with the responsible authority, to understand the community's views and to address any concerns.</p>	<p> The permit applicant has undertaken extensive consultation with community groups and residents, as discussed within the body of this report. The Engagement Outcomes Report, prepared by Premier Strategy, is included at Appendix N.</p>
<p><i>Engaging Traditional Owners</i></p> <p>Proponents are encouraged to consider engaging with traditional Owner groups at the inception stage of the project.</p>	<p> The permit applicant has engaged extensively with the Eastern Maar Aboriginal Corporation, including undertaking an accompanied site walkover. Eco Logical Australia has undertaken a detailed Due Diligence Assessment which has confirmed that no mandatory Cultural Heritage Management Plan (CHMP) is required for the proposal.</p> <p>In consultation with the traditional owners, the applicant has determined to prepare a voluntary CHMP to ensure that cultural heritage is managed throughout the development process.</p>

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GUIDELINE	ASSESSMENT
<p>Design stage</p>	<p>For more detail, please refer to the relevant section of this report, and to Appendix K.</p> <p><i>Developing well-planned consultation</i></p> <p>Community engagement and benefit-sharing are fundamental to generating community support and delivering positive and effective outcomes for solar energy facility projects</p> <p><i>Ongoing engagement</i></p> <p>Once a solar energy facility is built, it becomes an ongoing feature of the local community. After construction, the facility operator should shift its engagement focus to maintaining positive, mutually beneficial relationships with the community.</p> <p>When planning the decommissioning process, the community should be engaged with any plan to rehabilitate the land, or to refurbish and upgrade the facility to extend its operating life.</p> <p><i>Siting facility components</i></p> <p>A proponent should consider:</p> <ul style="list-style-type: none"> ▪ 30m minimum setback
	<p>✓ A comprehensive engagement process has been planned and undertaken by Premier Strategy, consistent with the <i>Design and Development Guidelines</i> and with the <i>Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria</i> guide (DELWP 2021).</p> <p>Please refer to the Engagement Outcomes Report prepared by Premier Strategy for detail (Appendix N).</p> <p>✓ Engagement with the community will continue following the construction of the facility. A workshop was held with community members prior to lodgement of the application, to determine community needs and how best the proponent can contribute to community on an ongoing basis. This workshop will inform a community benefit scheme which the applicant is currently developing, to guide an ongoing relationship with the community and to ensure that the proponent provides a positive contribution to the community. The applicant's approach to these considerations has been informed holistically by the <i>Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria</i> guide, as well as by engagement with Moyne Shire Council. The eventual decommissioning of the project will also be informed by community engagement.</p> <p>✓ The proposal has been carefully designed in response to the siting components outlined within the guidelines, per the below:</p> <ul style="list-style-type: none"> ▪ The minimum boundary setback exceeds 30m in all locations.

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<ul style="list-style-type: none"> ▪ increasing the minimum setback to an appropriate distance to manage bushfire hazard areas ▪ 6m separation distance ▪ locating inverters away from neighbouring property boundaries ▪ grouping ancillary infrastructure in a single location accessible from a main road ▪ providing appropriate landscaping to screen any buildings or solar components from view from a neighbouring sensitive use, main road or other highly visible public vantage point. 	<ul style="list-style-type: none"> ▪ The minimum setback has been designed to respond to the CFA Design Guidelines, ensuring appropriate management of bushfire hazard ▪ Inverters have been located away from neighbouring property boundaries to minimise noise impact. Please refer to the noise impact assessment prepared by WSP for details. ▪ Ancillary infrastructure is primarily located on the BESS site, which is readily accessed from Connewarren Lane. ▪ Appropriate landscaping will be provided to the solar energy facility, ensuring sufficient screening from neighbouring properties and other public vantage points.
<p><i>Landscape screening</i></p> <p>A proponent should:</p> <ul style="list-style-type: none"> ▪ use vegetation species that are indigenous to the area or region ▪ locate vegetation along the perimeter of a site, within proposed setbacks ▪ ensure vegetation will be of sufficient height, width and foliage density at maturity to screen relevant solar components and the associated built form from view ▪ plant vegetation early in the construction stage 	<p style="text-align: center;"></p> <p>The proposal implements extensive landscape screening, as detailed within Appendix C and the body of this report. Species proposed for the landscape buffers consist of those indigenous to the region, including various wattle varieties, tea-tree varieties, and other indigenous shrubs and small trees.</p> <p>Vegetation is to be located within proposed setbacks to screen the solar facility from the public realm and adjoining properties. Different buffer types are specified depending on the sensitivity of the area, with trees with mature heights of up to 30 metres in appropriate locations.</p> <p>Vegetation will be planted at an appropriate stage during construction, and will be designed in accordance with bushfire risk.</p>

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- plant vegetation in accordance with any fire management plan arrangements, to avoid increased bushfire risk exposure.

Glint and glare management

A proponent should:

- site and design solar components and associated buildings and infrastructure to ameliorate glint and glare impacts to within acceptable levels
- use anti-reflective solar panel coatings and non-reflective frames and avoid using reflective materials and paints on buildings and infrastructure
- adjust the orientation of panels relative to glare risks such as oncoming traffic coming down a road from an elevated area
- locate landscape screening of a sufficient height, width and foliage density at maturity to reduce glint and glare impacts.



The proposal does not result in any adverse glare and glint impacts to nearby sensitive receptors, as described within the Landscape and Visual Impact Assessment at Appendix P. The assessment recommends that the resting angle is configured between 12 degrees and 60 degrees to eliminate glare towards receptors.

Landscape amelioration will further mitigate potential for glare.

Designing security measures

Security measures should:

- prevent light spill to nearby sensitive land uses and vegetated areas
- use external lighting of a lux and colour output that provides safe levels of



There is no requirement for operational lighting for the solar energy facility, ensuring minimal impact from illumination to the surrounding environment.

Some components may have external security lights, but these are only required for urgent maintenance works during dark hours and are not permanently illuminated.

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- illumination while avoiding impacts on neighbouring habitat
- be designed to consider the impact on the movement of wildlife within the area
 - be set back an appropriate distance from a property boundary and use landscaping or vegetation to screen security fencing and lighting
 - provide appropriately located emergency access points as required by the relevant emergency management authority.

Access points and roads provide suitable access to the site for emergency vehicles.

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Traffic impacts

A traffic impact assessment (TIA) must be prepared as part of a planning permit application



Please refer to Appendix L for the Traffic Impact Assessment prepared in support of the application.

Noise

Noise attenuation measures could include:

- ensuring any components operate to relevant standards
- acoustic housing or baffles at the noise source
- conducting maintenance and other operational activity during the daytime






For details of noise impacts and proposed attenuation measures please refer to Appendix S (Noise Impact Assessment).

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GUIDELINE	ASSESSMENT
<ul style="list-style-type: none"> using landscaping or locating noisier components centrally within a site. 	
<p><i>Earthworks and dust management</i></p> <p>A proponent should minimise changes to the topography of the site caused by grading or other ground works, to avoid significant changes to the overland flow of water and visual impacts on the landscape. It should determine appropriate dust suppression measures for the construction and operation stages of the facility.</p>	<p>✓ Further detail regarding earthworks and dust management will be provided within the Environmental Management Plan, to be provided as a condition on the planning permit, should one issue.</p>
<p><i>Natural hazard risk management – bushfire</i></p> <p>The MFB, CFA and DTP are the relevant fire management authorities in Victoria. A solar energy facility built within the BMO or BPA must maintain site vegetation to appropriate management levels. This includes:</p> <ul style="list-style-type: none"> maintaining grass at below 100mm in height during a declared fire danger period establishing fire breaks around the perimeter of the facility providing adequate onsite water supply and firefighting equipment meeting site access management requirements. 	<p>✓ The solar energy facility has been designed in accordance with the CFA Design Guidelines for Solar Energy Facilities, to ensure the risk of bushfire and grassfire is minimised. Appropriate firebreaks have been provided to the solar energy facility and to the BESS. Adequate water supply has also been provided throughout the site, with site access managed in accordance with CFA requirements.</p> <p>Please refer to the Preliminary Bushfire Risk Assessment at Appendix J for further detail regarding bushfire hazard management.</p>

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<p><i>Other matters</i></p> <p>The following requirements should inform the design of the solar farm:</p> <ul style="list-style-type: none"> ▪ Fire authority must be consulted if dispensation is sought for a building over 500sqm (under Dangerous Goods (Storage and Handling) Regulations 2012 ▪ Design and layout should provide for 50m setback from high voltage power line, and 5-10m setback from a substation ▪ 30m separation distance between physical structure and site boundary should be provided to mitigate against heat island effect 	<p style="text-align: center;"></p> <p>No buildings are proposed over 500sqm.</p> <p>Appropriate setbacks are provided to the high voltage powerlines and substation.</p> <p>Setbacks of greater than 30m have been provided from all site boundaries.</p>
<p>Construction and operation stage</p> <p>The following documents will be required through permit conditions:</p> <ul style="list-style-type: none"> ▪ <i>Environment management plan</i> ▪ <i>Risk and emergency management planning</i> ▪ <i>Site access and traffic management</i> ▪ <i>Construction noise and dust management</i> 	<p style="text-align: center;"></p> <p>All required documents will be prepared and endorsed by the responsible authority prior to commencement of development, in accordance with standard planning permit conditions.</p>
<p>Decommissioning</p> <p>A proponent should consider:</p> <ul style="list-style-type: none"> ▪ who will be responsible for decommissioning the facility 	<p style="text-align: center;"></p> <p>The permit applicant will operate the facility throughout its operational lifecycle and will be responsible for decommissioning the facility at end of life. A condition in accordance with the above can be included on any planning permit to issue.</p>

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	<ul style="list-style-type: none"> ▪ at what stage the responsible authority will be advised the facility will be decommissioned ▪ the processes, plans and procedures for removing all built form and for restoring the land to its pre-developed or natural state ▪ where the panels and other equipment will be disposed and if they can be recycled ▪ the timeline for the decommissioning work.

A.2 APPLYING FOR A PLANNING PERMIT

 Complies
  Variation Required

GUIDELINE	ASSESSMENT
<p>Application requirements</p> <p><i>Site and context analysis</i></p> <p>The site and context analysis is intended to show the current lie of the land and the immediate surrounds of the proposed solar energy facility.</p> <p><i>Design response</i></p> <p>The purpose of the design response is to outline the proposed use and development of land relative to the site and its immediate location.</p>	<p> A Site Plan is provided at Appendix B.</p> <p>Please refer to Section 2 of the Planning Report for details regarding the subject site and surrounds, as well as the existing site conditions. This section includes aerial maps and photographs identifying the site location, surrounds, and regional context.</p> <p> The solar facility has been carefully designed to respond to the site's context, opportunities and constraints and DTP's <i>Solar Energy Facilities Design and Development Guideline October 2022</i>. The design layout considers:</p> <ul style="list-style-type: none"> ▪ Grid connection

GUIDELINE	ASSESSMENT
Decision guidelines	<ul style="list-style-type: none"> ▪ Amenity impacts <ul style="list-style-type: none"> – Landscape and visual impact to neighbouring properties – Noise impacts. A Noise Impact Assessment that describes noise impacts will be issued shortly following submission. – Cumulative impacts ▪ Environmental considerations <ul style="list-style-type: none"> – Potential loss of agricultural land – Biodiversity and ecological values – Native vegetation – Bushfire mitigation – Waterways, hydrology and flooding mitigation ▪ Efficiency and economic viability of the solar facility
	<p><i>Clause 65 Decision Guidelines</i> ✓ Refer to the body of this report for further details regarding the Clause 65 Decision Guidelines.</p>
	<p><i>Clause 53.13 Renewable Energy Facility</i> ✓ Refer to Appendix F for an assessment against the decision guidelines of Clause 53.13.</p>

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APPENDIX I

AGRICULTURAL ASSESSMENT

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APPENDIX J

**PRELIMINARY BUSHFIRE RISK
ASSESSMENT**

**ADVERTISED
PLAN**

APPENDIX K

**CULTURAL HERITAGE DUE DILIGENCE
ASSESSMENT**

**ADVERTISED
PLAN**

APPENDIX L

TRANSPORT IMPACT ASSESSMENT

**ADVERTISED
PLAN**

APPENDIX M

BIODIVERSITY ASSESSMENT

**ADVERTISED
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APPENDIX N

ENGAGEMENT OUTCOMES REPORT

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PLAN**

APPENDIX O

PHOTOSIMULATIONS

**ADVERTISED
PLAN**

APPENDIX P

**LANDSCAPE AND VISUAL IMPACT
ASSESSMENT**

**ADVERTISED
PLAN**

APPENDIX Q

HYDROLOGY ASSESSMENT

**ADVERTISED
PLAN**

APPENDIX R

GROWLING GRASS FROG SURVEY

**ADVERTISED
PLAN**

APPENDIX S

ACOUSTIC ASSESSMENT

**ADVERTISED
PLAN**

APPENDIX T

ENVIRONMENTAL MANAGEMENT PLAN FRAMEWORK

ADVERTISED
PLAN