

# WOOLSTHORPE WIND FARM POWERLINE – REMOVAL OF NATIVE VEGETATION

Planning Permit Application No:  
PA2503616



Officer Assessment Report  
Energy Assessment



Department  
of Transport  
and Planning

OFFICIAL

# Executive Summary

Key Information	Details		
<b>Application No:</b>	PA2503616		
<b>Received:</b>	17 June 2025		
<b>Applicant:</b>	Spiire Australia Pty Ltd (Spiire) acts on behalf of Citipower / Powercor Australia Ltd		
<b>Planning Scheme:</b>	Moyne Shire		
<b>Land Address:</b>	<b>Road Reserve:</b> Railway Road Reserve, Woolsthorpe.		
<b>Proposal:</b>	Removal of 0.416 hectares of native vegetation associated with the construction of a transmission line.		
<b>Why is the Minister responsible?</b>	Under Clause 72.01-1, the Minister for Planning is the responsible authority (RA) for applications in relation to the use and development of land for a utility installation. As the proposed native vegetation removal is defined as development under the P&E Act, and is directly associated with a utility installation, the Minister is the RA for this application.		
<b>Why is a permit required?</b>	<b>Control</b>	<b>Clause</b>	<b>Trigger</b>
	Farming Zone (FZ)	Clause 35.07	N/A
	Transport Zone 2 (TRZ2)	Clause 36.04	N/A
<b>Overlays:</b>	Design and Development Overlay – Schedule 23 (DDO23) [Moyne]	Clause 43.02	N/A
	Design and Development Overlay – Schedule 16 (DDO16) [Warrnambool]	Clause 43.02	N/A
<b>Particular Provisions:</b>	Native Vegetation	Clause 52.17	Yes – to ‘remove, destroy or lop native vegetation’.
<b>Cultural Heritage:</b>	The proposed works are located within an area of cultural sensitivity. A CHMP by Tardis Archaeology Pty Ltd for the Woolsthorpe Wind Farm External Overhead Powerline (CHMP 16683) (Desktop, Standard and Complex Assessment) approved on 12 January 2021 which includes the road reserve.		
<b>Referral Authorities:</b>	NA		
<b>Public Notice:</b>	<p>Notice of the application was undertaken by delegation of the Minister for Planning in the following manner:</p> <p>Notice to Moyne Shire Council pursuant to Section 52(1)(b) of the <i>Planning and Environment Act 1987</i> was provided on 3 April 2025.</p> <p>Notice to Eastern Maar Aboriginal Corporation pursuant to Section 52(1)(d) of the <i>Planning and Environment Act 1987</i> was provided on 3 April 2025.</p> <p>One objection has been received from the Moyne Shire Council as of 08 May 2025.</p>		
<b>Delegates List:</b>	Approval to determine under delegation received on 14 May 2025		

## Background

1. Native vegetation removal relating to this project was originally approved by the Minister for Planning on 9 June 2020 under PA1900744.
2. In October 2024, an Extension of Time was requested by the proponent to DTP. However, as works had not commenced, the permit was classified as expired.
3. The proponent elected to withdraw the extension of time application on 9 January 2025.
4. The subject of this planning permit application is the removal of native vegetation pursuant to Clause 52.17. Revised ecology and arborist assessments have been undertaken to assess additional impacts since the original approval of native vegetation removal considered under PA1900744.
5. It is noted that the proposed transmission alignment has not changed since the issue of Planning Permit PA1900744.

## Proposal

6. A planning permit is required for the removal of native vegetation associated with the Woolsthorpe wind farm powerline. In this regard, a planning permit application has been made pursuant to the *Planning and Environment Act 1987 (the Act)*.
7. A planning permit is not required for the construction of the powerline as a result of clauses 62.01 (Uses not requiring a permit) and 62.02-1 (Buildings and works not requiring a permit) of the planning scheme which includes exemptions where a planning permit is not required. This includes powerlines associated with an energy generation facility if a planning permit was issued for the energy generation facility prior to the approval of Amendment VC157.
8. The powerline works are associated with the Woolsthorpe wind farm (an energy generation facility), which obtained a planning permit 17 April 2008, prior to the approval of Amendment VC157 on 15 March 2019. Accordingly, the proposed powerline works are exempt from requiring a permit. It is confirmed that only the proposed native vegetation removal triggers planning approval.
9. Planning application PA2503616 seeks the removal of native vegetation within the road reserve to allow for the safe construction of the powerline connection to the Woolsthorpe Wind Farm.
10. The extent of native vegetation to be removed is as follows:
  - 0.416ha across 16 patches including impacts to the following:
    - 3sqm of native grasses at two poles (Poles 143 & 144) along Railway Road (southern section) within EVC\_642.
    - The removal and pruning of understorey canopy (patch) Blackwood (*Acacia melanoxylon*) and Black Wattles (*Acacia Mearnsii*) belonging to a patch of Basalt Shrubby Woodland (EVC\_642) entails approximately 165 sqm of impacts including:
      - Pruning of one (1) Blackwood at Pole 135 exceeding a third of foliage (considered lost)
      - Pruning to fifteen Blackwood and Black Wattles at Pole 148 totalling 123 sqm.
      - Pruning three (3) Blackwoods at Pole 149 totalling 25sqm.
    - To meet line clearing requirements, pruning to two (2) Western Australian trees (*Eucalyptus Cormuta*) is also required.

11. All proposed native vegetation removal is within Railway Road Reserve on land in the Farming Zone in the Moyne municipality. It is noted that additional trees are proposed to be removed; however, they are exotic species that do not trigger a planning permit.
12. The overall Woolsthorpe wind farm powerline comprises approximately 17.9km of 66kV powerlines between the Koroit substation and the Woolsthorpe wind farm. This includes about 7.2km of new powerlines (where no powerlines currently exist), about 10.7km of powerline upgrades (where an existing 22kV powerline exists), the replacement of 68 poles in the same holes, and the installation of 131 poles in new holes. The poles will be constructed of wooden material and will be approximately 15m-17m high. The works will connect the Woolsthorpe wind farm to the electricity network and will allow the renewable energy it generates to be utilised by the public. It is noted that the 17.9km powerline extends into the Warrnambool municipality; however, no native vegetation removal is proposed to occur within that municipality.
13. The chosen alignment largely follows roadsides that are generally devoid of native vegetation, with the exception of Railway Road and Gunns Road, where avoidance and minimisation measures have been implemented.
14. The proponent asserts that the proposed powerline alignment has been designed to avoid as much native vegetation as possible. This has been achieved by placing poles close to boundaries and away from the road carriageway where possible; proposing an installation method where poles are installed by machinery from the road carriageway rather than from the vegetated road reserves; and by performing horizontal directional drilling for underground works, in accordance with the avoid and minimise principal.

## Subject Area

15. The subject area for the proposed removal of native vegetation is located between approximately 7km to 7.5km southwest of the Woolsthorpe township in the Moyne Shire of south-western Victoria.
16. Further, the location of 0.416 ha of native vegetation removal is located along Railway Road, Woolsthorpe where a new 66kV line is proposed (no feeder currently exists) (see figure 1 below).



Figure 1: Area of vegetation removal (outlined in red), Source: Application

## Subject Area

17. The surrounding area reflects the characteristics of the subject area and its immediate surrounds. Land is primarily used for agricultural purposes and the road reserves are generally sparsely vegetated. The area has a rural character.

18. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	24 March 2025
Further information requested	N/A
Further information received	N/A
Other Assessment Documents	Planning Report prepared by Spiire Pty Ltd dated March 2025 Construction Plans prepared by CitiPower/Powercor Australia dated 24 March 2025 Ecological Assessment prepared by EcoAerial dated 6 March 2025 Native Vegetation Removal Report – NVRR ID: 354_20250304_6WW Overhead Powerline Clearance Assessment 66 kV Overhead Powerline Assessment [Vegetation] – Woolsthorpe Wind Farm prepared by Tree Span Pty Ltd dated February 2025.

## Planning Provisions

### Planning Policy Framework

19. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:
- Clause 12 - Environmental and Landscape Values
  - Clause 13 - Environmental and Landscape Values
  - Clause 14 - Natural Resource Management
  - Clause 19 - Infrastructure

## Statutory Planning Controls

### Zones and Overlays

#### Clause 35.07 Farming Zone (FZ)

20. The proposed native vegetation removal is located wholly on the Railway Road reserve in the Moyne Shire, on land within the Farming Zone. The land is not affected by any overlays. This section of land and the associated planning controls will be the focus of this report.
21. The purpose of the Farming Zone is to provide and retain land for agricultural uses. This zone considers the impact of the use or development of flora and fauna on the site and its surrounds; stipulating the need to protect and enhance the biodiversity and vegetation of the area.
22. A permit is not required for the removal of native vegetation pursuant to Clause 35.07.
23. It is also noted that the 17.9km powerline traverses both the Moyne and Warrnambool Shires along existing road reserves. The road reserves are within the Farming Zone in part and Transport Zone 2 (TRZ2), in part. The road reserves are also partially affected by the Design & Development Overlay Schedule 23 in the Moyne Planning Scheme and the Design & Development Overlay Schedule 16 in the Warrnambool Planning Scheme.

## Other Planning and Environmental Approvals

24. It is the applicant's responsibility to ensure that all relevant approvals outside of the *Planning and Environment Act 1987* are in place. However, comment is made on the following relevant legislation.

### **Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)**

25. The submitted Ecological Assessment by EcoAerial, dated 3 February 2025, states, 'there are no implications that trigger a referral...under the EPBC Act'. It is understood that a Referral has not been made under the EPBC Act.

### **Environment Effects Act 1978 (EE Act)**

26. The submitted Ecological Assessment states, 'an EES is not required as there is not a 'trigger' of any referral criterion'. It is understood that a Referral has not been made under the EE Act.

### **Flora and Fauna Guarantee Act 1988 (FFG Act)**

27. The submitted Ecological Assessment states that whilst there are two listed FFG Act species within proximity to the powerline, 'it is not envisaged that the proposed works will impact directly or indirectly on these species'. It is understood that no permit is required to be obtained under the FFG Act.

### **Aboriginal Heritage Act 2006 (AH Act)**

The submitted Planning Report by Spiire, dated March 2025, states, 'the project is partially located within an area of Aboriginal cultural heritage sensitivity (see Figure 5). Given that the project involves

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sections of new works which are not located within an existing lawful electrical alignment, a Cultural Heritage Management Plan (CHMP) will need to be prepared. The approved CHMP prepared by Archaeology at Tardis is provided in Appendix F.

## Particular Provisions

### Clause 52.17 Native Vegetation

28. Pursuant to Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead vegetation. The proposed extent of native vegetation removal includes:
- 0.416ha of native vegetation including Blackwoods, Black Wattles and One Swamp Gum. This triggers the requirement for 0.116 General habitat Units with a minimum strategic biodiversity value of score of 0.32.

Accordingly, this application is assessed under the Intermediate Assessment Pathway as defined in the *Guidelines for removing, destroying, or lopping native vegetation* (DELWP 2017).

## Referrals

29. The application was not required to be referred to any authorities. The amount of vegetation to be removed does not fall within the detailed assessment pathway and therefore does not require a referral to the Secretary of the Department of Environment, Energy and Climate Action (DEECA).

## Notice

30. Notice of the application was not given to owners and occupiers of the adjoining land in accordance with Section 52(1)(a) of the *Planning and Environment Act 1987* ('the Act'), as it was determined that the grant of the permit would not cause material detriment to any person.
31. Notice of the application was given in accordance with Section 52(1)(b) of the Act by email to the Moyne Shire Council on 3 April 2025 and the Eastern Maar Aboriginal Corporation in accordance with Section 52(1)(d).

## Objections and Submissions

32. On 30 April 2025, the Moyne Shire Council submitted that it objects to the proposed native vegetation removal, subject to Council receiving further information on:
- Reasons the applicant considers that the engineering design cannot be altered.
  - Reasons the applicant considers that there are no feasible opportunities to further avoid or minimise impacts to vegetation.
  - Detail and information on carriageway offset measurements for all new poles.
33. DTP officers note that in relation to PA1900744, Council provided a submission confirming that did not object to the proposed native vegetation removal. However, the Council raised various matters (similar to the above information requested) that they wanted resolved or addressed as part of the planning permit process.
34. The proponent provided a response to Council's objection via a letter dated 5 May 2025 which stated:
- The chosen alignment largely follows roadsides that are generally devoid of native vegetation, with the exception of Railway Road and Gunns Road, where avoidance and minimisation measures have been implemented.
  - As discussed in the Town Planning Report prepared by Spiire, Powercor entered negotiations with the private landowner adjacent to Railway Road in an attempt to realign the proposal to further avoid impacts on native vegetation in this location. These negotiations related to obtaining consent for an electrical easement and were

ultimately unsuccessful. As a result of this, the current route now provides the only viable option for connection to the grid.

- Much of the vegetation removal, which is the subject of this application, is a result of regrowth in the vicinity. There have been no changes to the alignment.
  - There are no feasible opportunities to further avoid or minimise impacts to vegetation as stated above. The alignment avoids impacts to arable land and to the revegetated rail easement while also providing for a direct, safe and effective connection between the solar farm and the grid.
  - In relation to detail and information on the carriageway offset measurements, it is noted that this was requested by Council as part of their submission to PA1900744. The pole locations were determined with reference to typical offsets previously applied on similar roads and in alignment with the Department of Transport and Planning (DTP) guidelines. It is understood that these locations were established in consultation with the local council during the original approval process.
  - As stated in the Town Planning Report, the proposed poles have been positioned as far as practicably possible from the road carriageway, adjacent to the adjoining property boundaries.
35. DTP officers recommend that a condition of the permit require the preparation and approval of a Construction Environment Management Plan (CEMP) to address Council's concerns relating to the protection of retained vegetation during construction and about the construction of the powerline itself. It is noted that the preparation of a CEMP has been included as a recommendation within the submitted Ecological Assessment (section 5.1).
36. DTP officers also highlight that the planning permit request is following the same route which was previously approved under expired Planning Permit PA1900744 (9 June 2020). Further, that the impacts to native vegetation have sought to be kept to a minimum and include regrowth which has occurred in the last 3-4 years.
37. No other submissions have been received at the time of this report being written.

## State and Local Planning Policy Framework

38. Clause 12.01.1S and Clause 12.01-2S promote the protection and conservation of Victoria's biodiversity to ensure there is no net loss of biodiversity from the removal of native vegetation. The applicant has demonstrated appropriate efforts to avoid and minimise impacts on native vegetation.
39. Clause 19.01-1S and Clause 19.01-2S seeks to deliver alternative energy generation and facilitate renewable energy development while considering appropriate design and siting. The removal of native vegetation is associated with the connection of the Woolsthorpe Wind Farm.
40. It is considered that the proposal is consistent with the relevant state and local planning policies.

## Heritage

41. The proposed native vegetation removal is occurring in an area of cultural sensitivity, however, there has been an approved CHMP provided which includes the road reserve as the activity area.
42. Confirmed within the CHMP are the conclusions from the complex assessment which are as follows
- No Aboriginal cultural heritage was found.

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- The area of archaeological potential at Blackwood Creeks is considered unlikely to contain Aboriginal cultural heritage
- In the activity area, it is considered unlikely that any unknown Aboriginal cultural heritage will be present or impacted by the activity.

## Native Vegetation Removal

43. Clause 52.17-4 of the Planning Scheme sets out that before deciding an application, the responsible authority must consider the decision guidelines specified in the DELWP document *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* ('the Guidelines') as appropriate.
44. The guideline sets out three assessment pathways for applications to remove native vegetation. The relevant pathway will reflect the potential impacts an application may have on biodiversity and is determined from the location and extent of the native vegetation to be removed. The Intermediate Assessment Pathway is identified for this application based on the Guidelines. This is due to extent of native vegetation to be removed being less than 0.5 hectares and one or more large trees. Specifically, the proposal includes a total of 0.416 ha of native vegetation removal and does not include any trees.
45. The application demonstrates a commitment to avoid and minimise vegetation clearance, where possible. In response to the decision guidelines of Clause 52.17, the Ecological Assessment (prepared by EcoAerial and dated 3 February 2025) included an 'Avoid and Minimise Statement' which demonstrated the measures in place to minimise the development footprint.
46. The submitted Ecological Assessment by EcoAerial and the submitted Planning Report by Spiire outline a comprehensive design process. This has included on-site assessments with engineers and ecologists to determine the most appropriate location and to avoid and minimise native vegetation removal. Poles have been micro-sited and construction activities carefully planned. It is acknowledged that the works are within existing road reserves, many of which were chosen as they are sparsely vegetated. It is accepted that there are no opportunities to further avoid or minimise native vegetation removal.
47. This position is further backed up by the Vegetation Clearance Assessment Report prepared by Utility Trees, dated February 2025, which confirms that the proposed powerline route has considered existing vegetation and that no changes to this alignment are recommended.
48. It is furthermore highlighted that, the impacts to native vegetation have been kept to a minimum and include regrowth which has occurred in the last 3-4 years. In particular the Ecological Assessment confirmed that there had been significant changes in the height of Acacias at the northern end of the alignment on Railway Rd. Because of this growth, it is considered likely that more than 30% of the foliage of the Acacias now require pruning to meet EnergySafe Victoria powerline clearance standards for new powerlines.
49. The proposed powerline alignment is partially located within an area of Aboriginal cultural heritage sensitivity. The approved CHMP has confirmed that where the vegetation removal is to be undertaken is not identified as culturally sensitive.
50. The Ecological Assessment has shown the removal of the native vegetation has no significant impact on any EPBC Act-listed flora species.
51. As per the guidelines pursuant to clause 52.17-4, it is considered that the proposed native vegetation removal is appropriate. It is recommended that a condition for offsets is included as part of the recommendation requiring 0.116 general habitat units within the Glenelg Hopkins Central Catchment Management Authority (CMA) or Moyne Shire vicinity. The proponent has provided evidence that these offsets are available.

# Conclusion

## Conclusion

52. The proposal is generally consistent with the relevant planning policies of the Moyne Shire Planning Scheme. It is recommended that a Notice of Decision to Grant a Planning Permit be issued for PA2503616 be issued for the removal of native vegetation in Moyne Shire.

## Recommendation

53. **It is recommended** that the delegate for the Minister of Planning:

- Issue a Notice of Decision to Grant a Planning Permit for **PA2503616** for the removal of native vegetation.
- Sign the attached letters, notifying the proponent and the Moyne Shire Council.

Prepared by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

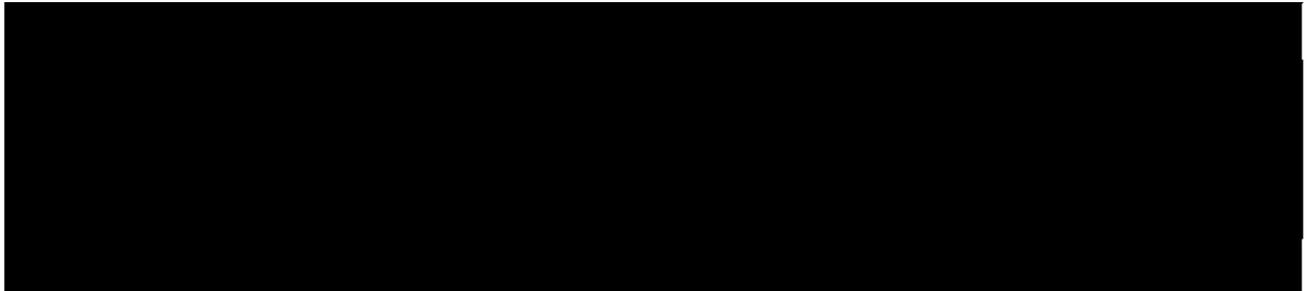
**No Conflict**

Conflict and have therefore undertaken the following actions:

Completed the **Statutory Planning Services declaration of Conflict/Interest form**.

Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.



# Assessment

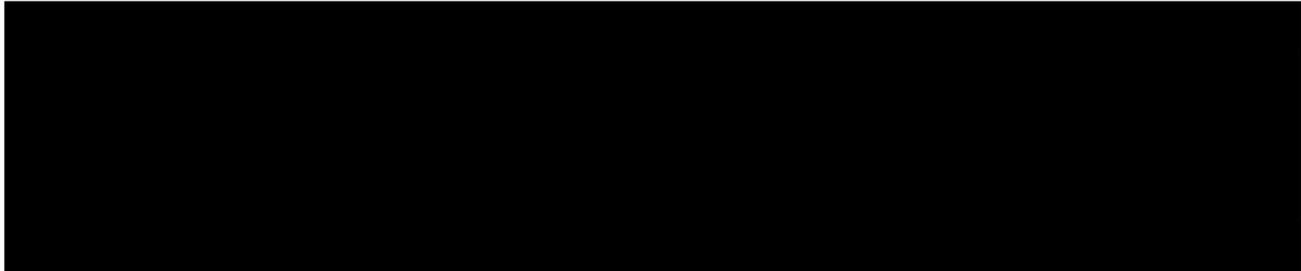


Reviewed by: [REDACTED]

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Approved by: [REDACTED]

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