



Major Energy Proposals Policy & their Ancillary Infrastructure

Introduction

- The “Draft Moyne Shire Policy for Major Energy Proposals and their ancillary infrastructure” is intended to act as a guide to how Moyne Shire Council proposes to deal with proposals for major projects within Moyne Shire.
- It is not limited to Wind Energy Facilities.
- It will inform the considerations of the Council when **assessing a proposal for a major project**, and:
 - Ø make those considerations **more consistent and transparent to those outside** of that **planning process**..
 - Ø set out the Council's view on relevant issues and how it expects such issues to be addressed, in order to achieve the best possible outcome for Moyne Shire.
- This policy will not contravene State Planning policy or any guidelines such as the “Policy and Planning Guidelines for development of Wind Energy facilities in Victoria” (2009). (Wind Farm Guidelines),
- The proposed policy is a statement of:
 - Ø what the responsible authority will do in specific circumstances, or
 - Ø the responsible authority's expectation of what should happen.
- It is a clarifying of intent or expectation and may contain decision guidelines for the responsible authority, and/or criteria or performance measures against which an individual application will be tested.
- There are three ways in which a responsible authority can exercise its discretion or set out what its expectations are:
 - Ø by controlling how the responsible authority will exercise its discretion
 - Ø by providing criteria, performance measures and sometimes techniques for assessing applications
 - Ø by providing decision guidelines or providing a link to more detailed guidelines or design frameworks.

Pre-application and Information Review

- Proponents will be required to provide evidence that a:
 - Ø referral has been made to the Federal Government pursuant to the Environmental Protection and Biodiversity Conservation Act (EPBC) and the result of that referral.
 - Ø referral has been made to the State Government regarding whether an

- Environmental Effects Statement will be required.
- Ø referral has been made pursuant as to the Aboriginal Heritage Act 2006.

- If a proponent concludes that no further work is required on an issue they should be able to demonstrate to the Council, the community and other stakeholders that they have satisfactorily addressed the issue.
- The development process must maintain a high level of transparency and responsiveness to community needs.

The Application

- A complete application needs to cover:
 - Ø site context report
 - Ø traffic/local roads management, including cumulative effect of other proposals and other proposals power lines.
 - Ø Agreement on the funding of road and associated infrastructure
- Proposed connection to the power grid including a response to the proposal from Australian Energy Market Operator (AEMO) and/or Powercor.

Secondary Consents

Approving secondary consents may happen well after the permit is issued, or soon after the permit is issued but are then not acted on for some years.

Some wind energy permits have variable commencement dates such as three years to commence and seven years to completion.

- In this regard the staging of the submission of plans for secondary approval will be expected to be submitted as one total package of all consents and plans required prior to construction, and as required for ongoing matters.
- Council will request that any permit issued contains a requirement that for any development plan over 2 years old, a general review highlighting any change in circumstances must be provided before construction commences.
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— If the permit is issued by the Minister for Planning, the Council expects to be provided in a timely manner with copies as of when they are submitted to the Department of Planning and Community Development (DPCD).

- Applicants will needs to set out as part of any secondary consent process:
 - Ø what information, plans and funding is to be provided,
 - Ø how these matters are to be assessed,
 - Ø an evidence trail of the consideration given by all stakeholders,

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Specific Issues

Setbacks

- No turbine is to be located within 2km of the boundary of an adjoining landowners land unless with the prior agreement of that landowner.
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- No turbine is to be located within 2km of the boundary of a participatory land owners land.
- Dwellings on participatory properties must meet the noise standard of the relevant Wind Energy Facility Guidelines.

Visual Amenity

- Wind energy facilities and other major projects will have some degree of impact on the landscape. The presence or otherwise of a Significant Landscape Overlay (SLO) is not regarded by Council as the sole, or even the primary determinant, of whether a landscape is significant.
- Council will require applicants to explain how they will address cumulative visual impact and any consequential social impact of visual amenity. In this regard the Council expects there to be a distinct visual separation between proposals.
- An assessment will be required to determine to what extent any additional proposals will change an average amenity, from “acceptable”, to a below average amenity, that is “unacceptable”.

Traffic Management

- Traffic Management Plans (TMP) will be required to identify and timetable what road infrastructure upgrade and maintenance works and traffic control measures will be required prior to, during, and after the construction of the project.
- The TMP will include a timetabled communication strategy to inform members of the public about proposed construction traffic routes, including the expected level of traffic movement and predicted construction timetable.

- The cost of implementing the TMP will need to be agreed to and to be binding on the parties.
- The TMP will need to be reviewed prior to construction, when sources of materials is known, and if the TMP is over a year old, to determine if any change of circumstances requires consideration. (e.g. another project proposal has been received).
- Section 4 (1) of the Planning and Environment Act 1987 acknowledges that Council should facilitate appropriate forms of development, ensure it is of benefit to all Victorians and that it occurs in an orderly and proper manner.
- The proposed policy promotes the economic viability of Moyne Shire by providing guidance on:
 - Ø how the responsible authority will exercise its discretion;
 - Ø the criteria, performance measures for assessing applications; and
 - Ø the intent or expectation of the responsible authority regarding major Development proposals including its expectation of what should happen.

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Cumulative Impact

- The issue of Cumulative Effect is more than simply visual impact. Numerous matters - Issues including noise, site access, grid connection, flora and fauna, and socio-economic concerns and visual amenity are potentially all compounded affected by the proximity of proposals to each other. and their impact on Moyne communities. Cumulative impact applies not only to wind energy projects but all major energy projects in the region.
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- Applicants will be required to acknowledge and take into account cumulative impacts of adjacent proposals as identified by Moyne Shire Council.
- Council will not support any proposal that fails to address cumulative impacts where they will potentially occur.
- Cumulative impact applies not only to wind energy projects but all major energy projects in the region.
- Cumulative impacts for wind energy facilities are very different than that from other major projects as they are extremely low density developments that cover very large areas of land. Therefore the cumulative impact of size on infrastructure and on socio economic factors must be addressed in an by an application.