28 February 2019

Department of Environment, Land, Water and Planning
PO Box 500
East Melbourne VIC 8002

Submission via: Engage Victoria

Dear Sir/Madam

Re: Corangamite Shire Submission - Draft Solar Energy Facilities
- Design and Development Guidelines

Council welcomes the opportunity to provide a submission on the Draft Solar Energy Facilities – Design and Development Guidelines (the draft guidelines) released by the Department of Environment, Land, Water and Planning (DELWP) in October 2018.

At its Ordinary Council Meeting on 25 September 2018, Council considered a planning permit application for a Solar Farm (PP2018/060) located at Bookaar, near Camperdown. The proposal sought approval for a new solar farm installation comprising 700,000 photovoltaic panels and supporting infrastructure across 554 hectares.

Council resolved to refuse the planning permit for the proposed solar farm. Grounds for refusal were provided to the Minister for Planning on 15 October 2018, including ‘the absence of solar farm planning and policy guidelines by the State Government provides a lack of direction for planning decision making’.

Council is also concerned at both the loss of productive agricultural land and the impact on the continuation of primary production on adjacent land. Agriculture is the largest and most important industry within Corangamite Shire, contributing approximately 19% of all production within Victoria and $479 million worth of product. A large portion of the Shire has the advantage of fertile soils and high land capability, along with consistent rainfall and weather conditions.

The need for solar farm planning and development guidelines is vital given the State’s current renewable energy target, and the limited guidance within the Victorian Planning Provisions (VPP) for how to assess these applications.

Council has carried out a review of the draft guidelines. Whilst noting the development of a draft, there is still substantial opportunity for improvements to assist decision making and address solar farm planning at a broader strategic level.
Council makes the following submission to provide comment on the draft guidelines released by DELWP, subject to further consideration of the matters raised.

Council’s submission is provided based on its recent experience in considering the proposed Bookaar Solar Farm and having regard to the land use planning priorities for the municipality.

The draft guidelines are seen as a good start. However, there is still an opportunity for improvement to assist decision making and for State Government to address solar farm planning at a broader strategic level.

Should you have any questions or require further information, please contact Aaron Moyne, Manager Planning and Building Services, on (03) 5593 7144 or by email aaron.moyne@corangamite.vic.gov.au

Yours faithfully

Andrew Mason
Chief Executive Officer
Regional Growth Plans and Strategic Work

- There is a clear need for further strategic work to inform decision making on renewable energy projects including planning permit applications for solar farms.
- Regional Growth Plans, including the Great South Coast Regional Growth Plan (DELWP, 2014), lack strategic land use planning direction required for solar farms. These plans were prepared before a State renewable energy target was established and when wind energy was the primary focus.
- The absence of regional guidance for renewable energy (both solar and wind) creates a conflict in how to assess applications for large-scale projects in areas identified for agricultural production.
- The Corangamite Planning Scheme, like many other rural planning schemes, was developed before the emergence of solar farms, and has not been substantially updated. Council’s Municipal Strategic Statement and local policy has a strong focus towards the protection of agricultural land.
- It is essential that further strategic work is undertaken at a national, state, regional and local level (with the assistance from State Government) to properly plan for future renewable energy projects, including solar farm proposals.

Productive Agricultural Land and State-wide Land Capability Mapping

- General statements within the draft guidelines that ‘solar energy facilities can effectively co-exist with agricultural production’ offer limited value to planning decision making. The design and scale of solar farm infrastructure has the potential to limit agricultural production on high value land. It is acknowledged that most solar farms are of a scale which cannot be accommodated in any other than the Farming Zone.
- Land capability mapping has been undertaken by State Government, provided by Agriculture Victoria. The mapping should be integrated with the draft guidelines, along with Regional Growth Plans, to help plan for solar farm locations on a strategic basis, and to identify high value agricultural areas for protection and those more marginal areas, which may be better suited to solar farm development.
- The draft guidelines provide a framework to consider ‘Attributes of Strategically Significant Land’. Instead of individual proposals addressing land capability in isolation, a better strategic outcome would be achieved if this process was guided by assessment at a state and regional level. That way greater consideration can be given to the protection of productive agricultural land.
- The draft guidelines omit reference to climatic conditions or rainfall figures, characteristics which are vital in determining productive agricultural capacity or versatility. The draft guidelines must incorporate expanded criteria and must place an emphasis on the assessment of agricultural productivity on ‘non-irrigated’ land, applicable to large areas of the state. This is a weakness which must be addressed further.
- Climate characteristics and land capability criteria also needs to be assessed at national level to identify key productive areas and the value of arable agricultural land, instead of this occurring for isolated site-specific proposals.
Guidance for Decision Making

- Council found through its assessment of the Bookaar Solar Farm planning application, the existence of a significant gap within the VPP on how to assess solar farms. It is disappointing that the draft guidelines do not address this issue, which is directly relevant to councils as responsible authorities.
- In contrast, the Planning and Policy Guidelines for Development of Wind Energy Facilities (DELWP) address in detail the matters for consideration in the assessment of an application. This is a key omission of the draft guidelines and should be rectified in any final version to provide a consistent set of resources for councils as responsible authorities.
- A principal concern of Council is that the draft guidelines appear to be targeted towards a proponent/developer audience, instead of directly addressing decision making as a key issue where guidance is required. It is critical that the draft guidelines are balanced and provide detailed application requirements and assessment criteria, to promote high quality applications and guide decision making.

Landscape and Visual Amenity

- Council believes that further consideration should be given within the draft guidelines, and at a regional landscape level, to the potential adverse landscape and visual amenity impacts arising from large-scale solar farms.
- The draft guidelines provide limited direction on the level of information required to assess landscape and visual amenity impact, or guidance on how this assessment should be undertaken. There is an opportunity for the draft guidelines to model its approach on the wind energy facility guidelines and address specifically application requirements and assessment information. Clause 5.2.2 (Design Response) needs to include a requirement for a Landscape and Visual Impact Assessment (LVI/IA) to be undertaken, which must include Best Practice Design requirements in relation to material to be submitted.
- Consideration of cumulative landscape impacts must also be addressed, not only from solar farms but surrounding wind energy facilities, which have been approved or constructed within the landscape. In combination, there is the potential for significant adverse landscape and visual amenity impact to be caused within the Shire and across the state.

Model Permit Conditions

- As with the wind energy facility guidelines, the draft guidelines for solar farms should include model permit conditions which deal with the relevant construction, technical, amenity and environmental impacts. This approach has been applied for wind farms and has helped to provide decision making consistency across the state, standardising the planning system in a way to support knowledge sharing and best practice approaches across councils.
Referral Authorities

- When deciding upon the planning application for Bookaar Solar Farm, Council found there to be very few mandatory referral requirements to authorities and agencies. Council did seek comment on the application via Section 52 of the Planning and Environment Act 1987, however, there may be an opportunity to review these provisions to introduce additional referral requirements to help inform the planning assessment process.
- Council supports Rural Water Corporations as being a referral authority, which should not just be limited to irrigated agricultural land. Council also suggests that Agriculture Victoria could be included to assist with the assessment of productive land capacity and suitability of a proposed solar farm location. The Country Fire Authority (CFA) should be made a referral authority to deal with bushfire risk and mitigation measures.

Transmission Line Infrastructure and Network Connection

- Council notes the position of the MAV that transmission lines are significant infrastructure which should be subject to planning permission. This position is strongly supported by Council and builds upon previous advocacy regarding wind farm transmission lines.
- Council also agrees that any proposal for a new renewable energy facility (including a solar farm), must incorporate details of electricity transmission infrastructure and form part of the planning assessment process. The draft guidelines need to reinforce this as a requirement.
- Council recommends that an application requirement for a Road Safety Audit of a proposed transmission line route be included within the draft guidelines, which has regard to the methodology and requirements of VicRoads Design Note 06-03 – Roadside Utility Poles and Austroads Guide to Road Design.
- The draft guidelines provide general information around network connection and refers to the Integrated System Plan (ISP) prepared by the Australian Energy Market Operator (AEMO).
- The ISP designates Corangamite Shire within the ‘Moyne Renewable Energy Zone’ (REZ), which:
  - Is identified as a short-term priority for wind farm generator connections.
  - Can accommodate around 2,000 MW of new generation, and has a strong transmission network connecting it to the major Victorian load centre because it lies on the 500 kV network between Melbourne and the South Australian border.
- Network connection and transmission line infrastructure are crucial components for any new proposals scoping and feasibility process. Uncertainty lies around how the ISP can be used in the planning and assessment of proposals and what guidance it provides. Typically, network connection is resolved after the planning stage. There needs to be greater information and certainty around grid connection and transmission line requirements at the early planning stage.

Battery Storage

- The draft guidelines provide no guidance on battery storage for solar farms, regarding key issues and what needs to be assessed. With battery storage likely to become more prevalent due to network strength and energy security, along with industry co-location and electricity transfer, responsible authorities would benefit from further guidance and information on this matter.
Bushfire Risk

- The draft guidelines provide limited information on bushfire risk and management. Impacts from bushfire are an increasing reality and particularly relevant for Corangamite as a rural municipality largely dependent on its agricultural production.
- Most of Council’s rural areas fall within the designated Bushfire Prone Area (BPA) under the Building Regulations 2018. Clause 13 (Bushfire) of the Planning Policy Framework (PPF) places further emphasis for planning to address bushfire risk to strengthen resilience of settlements and communities. Due to the ongoing presence of bushfire risk within rural areas and communities, and as a key concern for Council, it is vital the draft guidelines require this as a matter to be addressed for any proposal.

Site Decommissioning

- Site decommissioning and the rehabilitation back to productive agricultural land is an important component of any solar farm which has a finite life. Further guidance on site decommission and rehabilitation processes would be useful for responsible authorities, particularly in preparing permit conditions. Any final version of the guidelines should include model permit conditions.
- Council notes that the Panel for the Greater Shepparton City Council solar applications did not support the use of a Section 173 Agreement to deal with decommissioning and rehabilitation. Council sought to include a similar permit condition for the proposed Bookaar Solar farm. Further guidance from DELWP is required on this matter.