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1.0 INTRODUCTION

The Latrobe City is a significant centre of Victoria’s energy industry, producing approximately 85% of the electricity for the entire state of Victoria. The low cost electricity generated from the Latrobe Valley’s extensive brown coal resources has contributed to Victoria’s economic prosperity for nearly the past 100 years.

The Latrobe City continues to have an abundance of brown coal reserves. Furthermore, given the long history of electricity generation, the region hosts an extensive electricity distribution infrastructure that connects to the existing generation facilities in Melbourne and broader Victoria. Not surprisingly, historically this sector has dominated the economic profile of Latrobe City, with employment and economic prosperity of the region relying heavily upon electricity generation.

The Latrobe Valley is home to the highest electricity producing thermal power stations in Australia, including Hazelwood Power Station (closed in 2017), Loy Yang Power Stations A & B and Yallourn Power Station.

The Latrobe City have planning controls within the Latrobe Planning Scheme to ensure that the proposed land uses will not compromise the brown coal reserves prevalent throughout the Valley. These coal reserves are considered of State significance and as a result, much of the reserves are covered by the State Resource Overlay. In addition, considerable policy exists around the importance of these coal reserves within the Local Planning Policy Framework located in the Latrobe Planning Scheme.

While coal related industries are still an important and supported industry in Latrobe City, there is a growing interest in renewable energy. While some progress towards having clearer frameworks for wind turbines and farms has been made, there is limited guidance as to how the solar energy related planning applications should be assessed.

To this end, Latrobe City Council supports the Draft Solar Energy Facilities – Design and Development Guidelines (the Guidelines) and to ensure that these facilities are appropriately planned for across the state.

The submission is set out in the following three sections:

- Introduction
- Key Issues
- Conclusion

On behalf of Latrobe City Council, I respectfully request that Council be involved in any relevant ongoing solar energy discussions.

Should the Committee have any questions regarding this submission, please contact Danielle Simpson, Coordinator Urban Growth via phone 5128 5752 or email danielle.simpson@latrobe.vic.gov.au.
2.0 Key Issues

The Draft Solar Energy Facilities – Design and Development Guidelines (the Guidelines) have been developed by the Department of Environment, Land, Water and Planning to outline the assessment and development process for large scale solar energy facilities and to provide advice on how potential impacts can be avoided or effectively managed.

To assist in the reading of this section, the following subheadings are in order to that within the Guidelines.

Section 1 - State Policy Directions

The State Policy should include:
- a greater direction within either objectives or strategies regarding the preferred outcome for renewable energy facilities, including, but not limited to, solar energy facilities.
- guidance on the location of solar energy facilities within the Guidelines or within the Planning Policy Framework.

Section 4 - Strategic Site Assessment Criteria

- Additional criteria should be included under strategic considerations including:
  - Effect on site and surrounding amenity;
  - Impact on local economy; and
  - Impact on natural resources (i.e. coal fields in Gippsland).

- Consideration should also be given, when undertaking pre-application discussions, to the limitations of the underlying zones and overlays.
- Where solar energy facilities are to be located on agricultural land, there needs to be further guidance as to what is considered “agricultural quality” and whether there will be a government body to provide advice on these matters.
- The document states that Table 1 – Attributes of Strategically Significant Agricultural Land – soil types are to be considered. Guidance on how Council can consider soil types would be beneficial if this is a requirement, including the ability to refer any relevant reports to an independent body (whether state or private) for comment. This is alluded to in Section 5 that a referral may be referred to DELWP, however clear guidance on referral requirements and expectations from DELWP is strongly encouraged.
- Section 4.8 states that an application should consider cumulative effects of other renewable energy facilities on an area. To consider this, the Guidelines highlight how cumulative impacts are defined under Ministerial Guidelines for assessment of environmental effects under the Environmental Effects Act 1978 (Ministerial Guidelines). However, the Ministerial Guidelines are for the preparation of an Environmental Effects Statement (EES) which is in itself a statutory process. Clarification needs to be provided as to what weight the Ministerial Guidelines are to provide in this instance; is it purely for the cumulative impacts definition or is there a suggestion that an applicant should consider the Ministerial Guidelines in regards to potentially needing to prepare an EES.
Section 5 - Detailed Development Assessment

- The permit application documentation does not include any of the information set out under Section 4 of the Guidelines (such as the soil tests or the strategic assessment). Consistency within the document on what is required is important given that some applicants may focus on this section as it relates to the specifics of what is required in a planning permit application.
- The design response located within Section 5 should be amalgamated into Clause 53.13-2 – Renewable Energy Facility in the Latrobe Planning Scheme for consistency purposes.
- There should be clear guidance on when an EES should be required. The Guidelines state that it is a requirement on the applicant to refer to the Minister for a decision on the need for an EES. Is there risk to a Council who may issue a permit that should have been referred to the Minister for an EES? An application requirement could be evidence that an EES is not required, or if one has been undertaken, any relevant conditions of the EES be provided with the application.

Section 6 – Community Engagement and Stakeholder Consultation

- In principle, it is supported to undertake appropriate and adequate pre-application consultation with the relevant stakeholders and the Responsible Authority.

General Issues

- The Guidelines do not provide definitions to what is considered “large scale”. Consideration should be given as to what could constitute large scale and whether it is determined based on the amount of electricity generated or land size.
- CST, AEMO and NEM as industry specific acronyms should be explained when first mentioned in the document.
- It is recommended that the Guidelines is included into the Victorian Planning Provisions either as a Reference Document or an Incorporated Document.
- The layout of the document should consider the layout of the various sections in terms of when you should undertake certain actions. For example, an EES, if required, will need to come before any planning approvals, however the current section for this is located half way through Section 5.
4.0 CONCLUSION

The Solar Energy Facilities – Design and Development Guidelines provide a basis for the assessment of applications within this emerging industry. The Guidelines provide information and guidance to permit applicants on a range of matters, including navigating the EES process, other potential approvals that may be required and application requirements for a planning permit application to be assessed by the Responsible Authority.

While there are recommended changes within this submission, the overall intent of the Guidelines provides Council with more assistance than is currently available to Councils assessing these types of applications. The Guidelines will provide a basis for a consistent approach to these types of developments across the state of Victoria.