

MILDURA PLANNING SCHEME

Solar Energy Facility Incorporated Document 2009

Introduction

This document is an incorporated document in the schedule to Clause 81.01 of the Mildura Planning Scheme.

Despite any provision to the contrary in the planning scheme, pursuant to Clause 52.03 of the Mildura Planning Scheme the land identified in this incorporated document may be used and developed in accordance with the specific controls contained in this document.

If there is any inconsistency between the specific controls in this document and other provisions of the Scheme, the specific controls in this document will prevail.

Purpose

To provide for the use and development of the land for a Solar Energy Facility ("SEF") and associated uses and technologies to generate and store electricity from sunlight. The use and development of the land for a SEF includes:

- Heliostat Concentrator Photovoltaic (HCPV) technology comprising areas of mirror concentrator systems and separate static receivers (HCPV Repeatable Units).
- Dish Concentrator Photovoltaic (DCPV) technology comprising areas of combined mirror concentrator systems and receivers (DCPV Repeatable Units).
- Buildings or structures, plant and equipment, emerging renewable energy technology and related facilities used in or in connection with the generation or storage of electricity by sunlight.

To further the objectives of planning in Victoria by:

- Promoting the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.
- Contributing to national and international efforts to reduce greenhouse emissions by reducing the long term dependency on energy from fossil fuels.
- Increasing the security and diversity of Victoria's energy supply by increasing the proportion of electricity generated from renewable sources.
- Encouraging and supporting the development of sustainable industries.

The Land

That land is that is the subject of the specific controls in this document is land on

1.0

Table of uses

Section 1 - Permit not required

USE	CONDITION
Accommodation (other than Caretaker's house)	Must only be used for employees or contractors whilst actually engaged in working at the SEF

USE	CONDITION
Caretaker's house	Must be for the SEF and meet the requirements of Clause 2.0
Education centre	Must be for the SEF and meet the requirements of Clause 2.0
Industry	Must be a SEF and meet the requirements of Clause 2.0
Interpretation centre	Must be for the SEF and meet the requirements of Clause 2.0
Research and development centre	Must be for the SEF and meet the requirements of Clause 2.0
Utility installation	Must be for the SEF and meet the requirements of Clause 2.0

Section 2 - Permit required

USE	CONDITION
Any use in Section 1 – if the Section 1 condition is not met	Must be for the SEF

2.0 Use and development of land – Solar Energy Facility

A permit is not required to use land, construct a building or construct or carry out works or reduce or waive a car parking requirement pursuant to Clause 52.06 which is generally in accordance with the Solar Energy Facility Concept Plan dated (date to be inserted) or as amended in accordance with Clause 4.0 (the Concept Plan)..

The use of land for a SEF must not adversely affect the local amenity including through the:

- Transport of materials, goods, or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste produces, grit or oil.

Unless otherwise authorised by the Responsible Authority, upon the cessation of the use of the land for a SEF, any accommodation must be dismantled and removed from the land to the satisfaction of the Responsible Authority.

3.0 Subdivision

Exemption

A permit is not required to subdivide land which:

- Creates lots each of which are at least 100 hectares in area; and
- Is generally in accordance with the Solar Energy Facility Concept Plan dated (date to be inserted) or as amended in accordance with Clause 4.0 (the Concept Plan); or
- Is to create a lot for a SEF or a utility installation for the benefit of a public authority or utility service provider.

Permit requirement

A permit may be granted to create a lot of less than 100 hectares, provided the subdivision is for the SEF.

Exemption from notice and review

An application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision Guidelines

Before deciding on an application to subdivide land, in addition to the decision guidelines in Clause 65, the Responsible Authority must consider, as appropriate:.

- To advance the staged development of the SEF
- To consider any potential impact on the balance of the land
- The need to have lots of less than 100 hectares for the SEF

4.0 Amendment to the Concept Plan

The Concept Plan may be amended to the satisfaction of the Responsible Authority and is exempt from any notice requirement provided that any amendment is generally consistent with the following requirements, as applicable:

- The solar field and associated buildings or structures, plant and equipment and related facilities used in or in connection with the generation or storage of electricity are located only within the solar field.
- A landscaped visual buffer to be provided.
- No building to exceed a maximum height of 75 metres.
- Any accommodation to be finished in muted tones.
- The provision of adequate car parking in association with the SEF.

If in the opinion of the Responsible Authority a requirement above is not relevant to an amendment to the Concept Plan, the Responsible Authority may waive or reduce the requirement.

5.0 Requirements prior to commencement of the SEF

Unless otherwise required by the Responsible Authority, the following should be prepared before the commencement of the SEF, to the satisfaction of the Responsible Authority:

- An Environmental Management Plan (EMP) which shows as appropriate:
 - Goals and objectives of the EMP.

- A Native Vegetation Management Plan that provides the details of management of native vegetation.
- Measures to be taken to ensure disturbance to native flora and fauna is minimised.
- Reflectivity and glare management
- Erosion and siltation control during construction.
- Restricted access areas and methods of access restriction.
- A detailed landscape plan.
- A Water Management Plan that provides details of water collection, storage, reuse and disposal.

6.0 Permit requirement

A permit may be granted to construct a building or construct or carry out works which is not generally in accordance with the Concept Plan, or to amend the Concept Plan in a way which is not generally in accordance with Clause 4.0, provided the building or works are for the SEF.

Application requirements

An application for permit must be accompanied by the following information:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - Relevant ground levels.
 - The layout of any existing and proposed buildings and works.
 - Driveways and vehicle parking and loading areas.
 - Proposed landscape areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works;
- Construction details of all drainage works, driveways and vehicle parking and loading areas;
- Construction details and elevations of any bund walls or fencing used to screen the development;
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a sites works specification and the method of preparing, draining, watering and maintaining the landscape area.
- Information regarding any additional traffic likely to be generated.
- The purpose of the development and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety (major Hazard Facilities) Regulation 2000 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.

- The likely effects, if any, on the local area, including:
 - Noise levels.
 - Air Borne emissions.
 - Emissions to land or water.
 - Traffic, including the hours of delivery and despatch.
 - Light spill or glare.
- Provision for water reuse / disposal.
- A context plan identifying:
 - Location and use of existing buildings on adjacent land.
 - Significant views to and from the site.
 - Location of significant vegetation or natural features on adjacent land.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 35.07 and Clause 65, the responsible authority must consider, as appropriate:

- The visual impact of the proposal on the landscape;
- The contribution of the proposal to increasing Victoria's diversity and securing of energy supply and minimising greenhouse gas emissions;
- The economic and social impact of the proposal;
- The extent to which the proposal has been designed to manage any potential adverse impacts;
- The likely amenity effects on the surrounding area;
- The drainage of the land;
- The availability of and connections to services;
- The effect of traffic to be generated on roads;
- The interim use of those parts of the land not required for the proposed use;
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation;
- The effect of the proposal on the operation of any road and public safety.