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Brolga Standards Project Team  
Dept Environment, Land, Water and Planning  
Via Engage Victoria

Dear Sir/Madam,

**Submission on Draft Brolga Assessment and Mitigation Standards for Wind Energy Facilities**

Council welcomes the opportunity to make a submission on the Draft Brolga Standards. Council is pleased that the Draft Standards recognises and respond to the potential for significant impact of wind farms and powerlines on Victorian Brolga populations and generally supports the Standards. The design approach using No-Go Flocking Areas and Breeding Habitat Buffers will provide a transparent decision making process during the permit application process. Community concern about the present approach to Brolga monitoring, mitigation and compensation may be overcome by these Standards. Councils detailed comments are included in the attached submission.

Council currently opposes any new wind farms developments in Moyne Shire unless specific recommendations of the National Wind Farm commissioner are implemented by the Victorian Government. The cumulative impacts of wind farms on Brolgas is an issue for Council and the community. Moyne Shire forms a large proportion of the South West Victoria Renewable Energy Zone and is the major growth area for wind farm development in Victoria. Areas where wind farms have been developed or are proposed in Moyne, overlap with significant areas of Brolga flocking and breeding habitat.

DELWP's consultation with Moyne Shire Council and our community on the Draft Standards has been very limited. At a minimum and in line with COVID 19 restrictions, Moyne Council should have been invited to an online briefing with discussion session, and a public notice placed in all relevant district newspapers. Council commissioned a public notice in the Warrnambool Standard and on social media to help overcome this lack of local public notification.



Within Moyne Shire there are 5 operational wind farms, 1 being commissioned, 1 under construction, 3 with permits scheduled for construction in 2021 and 3 seeking permits or in the feasibility stage. If all these wind farms are constructed the Shire will host approximately 800 turbines, generating about 3 GW of electricity and covering over 12 % of Moyne Shire's land area. These wind farms are creating 2 distinct geographical clusters in the north west and east of the Shire as can be seen on the attached map.

Should you have any queries about this submission please don't hesitate to contact Michelle Grainger, Executive Manager, Major Projects at [mgrainger@moyne.vic.gov.au](mailto:mgrainger@moyne.vic.gov.au)

Yours faithfully,

A handwritten signature in black ink, appearing to read "Bill Millard".

Bill Millard  
Chief Executive Officer

Enc. Moyne Shire Wind Farm Map; MSC detailed comments

## **Moyne Shire Council's detailed comments on the Draft Brolga Assessment and Mitigations Standards and the proposed planning scheme amendment**

### **General comments**

The Draft standards and explanatory documents do not present a holistic process for managing Brolga impacts through the Planning system. They are silent on the planning requirement post construction, including monitoring and other matters that may be included in Brolga related permit conditions. Councils are the Responsible Authority for enforcement of wind farm permit conditions, however it is not possible for Council to assess the impact of the changes proposed in the Standards on our compliance & enforcement processes and resourcing. To make this assessment Council needs the entire planning process mapped out and model planning permit conditions to review.

A permit application has been lodged for Mt Fyans wind farm, which may overlap parts of the No-Go Flocking areas in Moyne Shire. Detailed information about this development has not been released to the public. To be able to assess the actual impact the Standards may have on protecting Brolgas in flocking areas, a map that overlays wind farm boundaries (including projects constructed, with a permit and applications lodged) with No-Go Flocking areas is required.

### **Draft Standards**

#### **Mapping of No-Go Flocking areas**

Council supports the use of No-Go Flocking Areas to prohibit new wind farms.

Providing mapped boundaries of No-Go Flocking Areas that include operating wind farms is misleading and will cause confusion in the community. It is recommended that No-Go Flocking Area boundaries are modified where they overlap with operating wind farms e.g. Dundonnell.

#### **Bat and Avifauna Management Plans (BAMP)**

BAMPs have required wind farms to collect and report bird and bat monitoring data to Council and DELWP for many years. It is unclear how the development of the Draft Standards and associated documents have utilised this data.

Council currently is the Responsible Authority for BAMP related permit conditions once a wind farm is operational. Council does not have the expertise to assess

compliance of these permit conditions or negotiate mitigation measures where significant impact is detected, so relies on DELWP Environment to review the technical validity of monitoring reports. This process is lengthy and resource intensive for Council, sometimes taking over 12 months. Mitigation measures have rarely been implemented as a result of with BAMP monitoring. The Standards and planning scheme amendment should make DELWP Environment the Responsible Authority for ensuring compliance with any Brolga related permit condition and associated reports.

### **Peer Review**

To overcome the perceived issues with transparency and validity of wind farm noise assessments, mandatory noise conditions and a peer review process were introduced. Council recommends that peer review of assessments related to the new Brolga Standards is included in the assessment and mitigation process. This will provide the community and Councils with a similar level of certainty about the validity of technical surveys and their interpretation.

### **Powerlines**

A major issue of concern for the Council and its residents is the proliferation of power lines associated with wind energy generation facilities. The Standards have recognised overhead powerlines as a threat to the Victorian Brolga population.

A major factor in protecting Brolgas appears to be reducing the impacts of wind farms and their associated infrastructure, including transmission lines. The body of evidence in relation to transmission lines including habitat protection, biodiversity, minimising bushfire risk and protecting Brolga and other flora and fauna provides a compelling case to require transmission infrastructure to be underground rather than above ground. A triple bottom line approach to such an issue, in accordance with the objectives of the Planning and Environment Act 1987 would support such a contention, where the long term economics may outweigh the additional upfront costs to wind farm developers. This is particularly relevant, where in Moyne's experience the transmission infrastructure is owned and operated by a utility provider once construction is complete.

The exclusion of wind farm overhead powerline infrastructure from *No Go Flocking Areas* and *Breeding Habitat Buffers* may not be a feasible or sensible design response. For example, the Salt Creek to Terang transmission line is 55km and

Dundonnell to Mortlake line is 38km. The Standards may force proponents to reroute transmission lines around designated areas using a zigzag pattern and a greater length of line, resulting in greater impacts on visual amenity, native vegetation and bushfire management in easements. The design response included in the guidelines is problematic and it is recommended that other design responses are considered including under grounding lines, sharing lines and/or marking lines in sensitive areas. Moyne Shire has successfully advocated for transmission line under grounding for the Mortlake South wind farm to reduce impacts on the community and the environment. Council's position is that all transmission lines should be placed underground where technically feasible.

The Standards are unclear about how underground powerlines will be assessed. There needs to be a distinction between underground and overhead powerlines and their impacts and responses. Underground lines may have impacts during construction, however no long term threat to Brolgas via collisions. This requires clarification. The Standards should encourage underground transmission lines that do not directly disturb breeding or flocking habitat during construction.

### **Evaluation and Review of the Standards**

The Draft Standards and Explanatory document do not outline how and when evaluation and review of the new Standards will occur. Evaluation is required to ensure the Standards are meeting their objectives. It is unclear whether ongoing monitoring of Brolga or their habitat will be required by wind farms to contribute data to this evaluation. Council recommends a program of evaluation be devised which details the monitoring expectations of wind farm permit holders and how this monitoring will be implemented, collated and interpreted.

### **Proposed Planning Scheme Amendment and other planning matters**

#### **Transition**

Council is concerned that the 12 month transition period may result in a rush of incomplete wind farm planning applications being lodged in No-Go Flocking Areas or Breeding Habitat Buffers within that period. Council recommends that DELWP only accept new wind farm applications that fall in the *Brolga Area of Interest* if they submit a complete application including drafts of endorsed documents required under standard wind farm permit conditions.

### **Permit time extensions**

Quite often a wind farm will not be built until 10 years or so after the permit is issued. Wind farm permit holders routinely ask for extensions of time on their planning permit, often more than once. For existing permits that impinge on No-Go Flocking Areas, the planning scheme amendment should require permit holders applying for an extension of time, to revise their development in accordance with the Standards, before an extension is granted.

### **Model permit conditions**

No model wind farm planning permit conditions were included in the Standards or associated documents. For Council to assess the impacts of the Standards and Amendment on Council's operational workload, model permit conditions should be provided for review. For example, the documentation does not highlight the expectations for Brolga and habitat monitoring during construction or operation, who would be the Responsible Authority for enforcement and how monitoring will be used to make decisions to improve Brolga conservation.

### **Permit compliance**

Council has dedicated a substantial amount of resources to the compliance and enforcement of wind farm permit conditions. Clarification is required about the role of Council in enforcing permit conditions relating to Brolgas and the Standard, including the need for post construction Brolga monitoring by the permit holder. Council's position is that DELWP Environment should be the Responsible Authority for compliance of any Brolga or habitat related conditions on new permits.