



Enquiries to: Michelle Grainger
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Our ref: 2006-0221-2 Ryan Corner

10 November, 2021

Minister for Planning
c/ DELWP
8 Nicholson Street
MELBOURNE VIC 3000

Email: developmentapprovals@delwp.vic.gov.au

Dear Minister Wynne,

2006-0222-2 Ryan Corner Wind Farm – Amendment to Planning Permit Application

Council takes this opportunity to make a submission to the amendment to planning permit application on notice for the Ryan Corner Wind Farm and asks that consideration is given to the following matters:

The nature and extent of changes proposed by the amendment application for the wind farm outlined in the attached notice;

Council supports:

Administrative corrections to the permit preamble to accurately update and describe the land to which the permit applies.

Council supports that all internal cabling should be located underground.

Supports the crossing of Riverside Road for cabling be placed underground rather than overhead.

Removal of the 4 turbines as nominated being B35, B39, B41 and B47 and micrositing of 14 turbines and rewording of Condition 3.

Council has approved a Traffic Management Plan (Version 14) and advised the permit holder of this in accordance with Condition 11.

Council objects to:

The removal of Condition 4 – landscaping of the on-site substation should still be required and be planned and located having regard to the issues raised in the bushfire management plan.

An onsite substation has an industrial appearance and is at odds with the rural landscape of the farming zone. The existing conditions to landscape the substation should be amended, not deleted as requested, to require a greater buffer between the substation and the planting to ensure bushfire safety.

Increase in the amount of native vegetation to be removed from 3.63 ha to 5.345 ha without demonstrating how further offsets can be provided for. Council suggests that if there is the need to remove native vegetation it would be appropriate for permit conditions to be strengthened and modified to provide for:

An independent monitor marking and supervising native vegetation removal on site;

Notification to DELWP Environment on when native vegetation is to be removed and provide the opportunity for inspection to ensure permit compliance within 10 days of the vegetation being removed.

Weed management protocols to be implemented and managed, immediately after and for a specified period, in the area where native vegetation has been removed.

Any significant detrimental effects which the amendment will have on the use and enjoyment of land;

The increased hours of operation, management controls and increasing the size of the construction compound are sought by amendment to plans. Such amendments have the potential to increase detriment to neighbours.

It is a balancing act to ensure minimise the construction period by allowing longer working hours but also means there is little reprieve for neighbours and local community from construction activities over an 18 -24 month construction period.

The elements outlined in the report regarding the range of construction activities to occur during non-standard working hours should be reflected in endorsed management plans. It should require the permit holder to provide abutting landowners with a schedule of out of hour's works on a monthly basis and a construction contact to lodge and record all concerns and queries lodged.

Concern has been raised again about the impacts of noise, shadow flicker and blade glint. In assessing the amendment applications the Minister should be satisfied that the amended layout, lighting plan and noise assessment reports demonstrate that there is no greater impact than that assessed in the 2017 amendment applications.



In particular, from a noise perspective, the updated turbine model, should be referenced and updated having regard to the Background Noise assessments that were submitted to accompany the request to extend the permit in 2020.

The content of the Moyne Planning Scheme provisions as they relate to the amendments proposed for the wind farm.

The Moyne Planning Scheme, and in particular Clause 52.32 – Wind Energy Facilities has been amended since the issue of the amended permits in 2017. The Environment Protection Act 2017 now assigns the EPA as the primary regulator for compliance with the New Zealand Standard for Acoustic Noise from Wind Turbines as of 1 July, 2021.

Council raised this issue with the permit holder seeking further changes to this amendment application. The permit holder has agreed to seek to update the noise related conditions during the construction phase of the permit and prior to commissioning of the turbines.

Council requests the Minister to amend and update the noise conditions of the permit to reflect the current planning scheme requirements now, as part of this amendment application. This is in the interests of reducing regulatory burden on Council as the responsible authority for administration and enforcement of the planning permit.

Advocacy on behalf of its community

Council, whilst the amendment application has been on notice has consulted with its community. Issues raised include:

Concern has been raised regarding the wind farm changing the nature and character of the rural landscape and impacting on neighbouring farming activities. Particular concern has been expressed regarding the impact on neighbours from aviation lighting changes, blade glint and shadow flicker.

Bushfire management has been raised now and in previous applications with regards to limiting aerial firefighting on the wind farm site and on neighbouring land. This wind farm is being built in stony rise country where aerial firefighting is a necessity as access by road is not always available.

Amenity impacts from noise is a continued concern. In this case prevailing westerly winds have been raised for consideration in any amendment application.

Native vegetation is limited in the area where the wind farm is to be constructed. Additional native vegetation removal is not supported.



Council has heard that the community is concerned about the lack of consultation by the permit holder with the local community on why it is seeking to amend its permit.

The framework and role of the Environment Protection Act 2017 and the general environmental duty obligations have been cited as a major change to the policy framework for wind farms.

It has been suggested that if the amendment applications are to be supported then they should be having regard to scaling back the proposal by reducing the number of turbines by 70%, reducing the size of the turbines by 60% and turning the turbines off between overnight from 7pm to 7am and during school holidays and on public holidays.

Conclusion

Council thanks you for the opportunity to comment on the planning permit amendment applications.

Council is the responsible authority for administration and enforcement of the planning permit and amendments to it for the Ryan Corner Wind Farm. As such Council seeks that any amendment to conditions or approval of management plans carefully considers wording to ensure the permit provide for measurable and quantifiable outcomes.

Please contact Michelle Grainger, Manager Energy Projects (5558 7860 or mgrainger@moyne.vic.gov.au) should you wish to discuss this submission further.

Yours faithfully,

A handwritten signature in black ink that reads "Daniel Meade".

Daniel Meade
Acting Mayor