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The Basin Solar Farm, 49 Basin-Olinda Road, The Basin

Perry Town Planning,
March 2025

KNOX PLANNING SCHEME

Incorporated Document

This document is an incorporated document in the Knox Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987

1.0 INTRODUCTION

This document is an Incorporated Document in the schedules to Clause 45.12 - Specific Controls Overlay (SCO) and Clause 72.04 - Incorporated Documents of the Knox Planning Scheme (scheme).

The land identified in Clause 2.0 of this document may be used and developed in accordance with the specific controls contained in Clauses 7.0 and 8.0 of this document.

2.0 LAND DESCRIPTION

This document applies to 49 Basin-Olinda Road, The Basin that is affected by the SCO4 as shown on Planning Scheme Map No. 3SCO in the Scheme and identified in Figure 1 below.

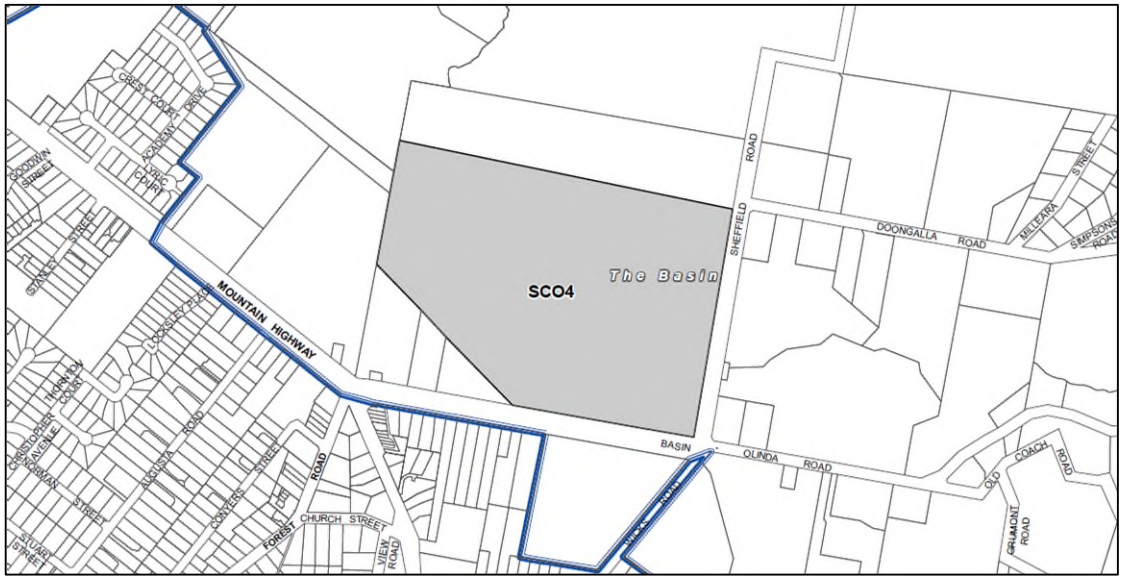

Figure 1 – Map of land subject to this Incorporated Document, outlined in Blue

3.0 APPLICATION OF PLANNING SCHEME PROVISIONS

Despite any provision to the contrary or any inconsistent provision in the scheme, pursuant to Clause 45.12 of the scheme the land identified in the incorporated document may be used and developed in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls contained in this document and general provisions of the scheme, the specific controls contained in this document will prevail.

4.0 ABORIGINAL CULTURAL HERITAGE

If required by the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018* (or successor documents), a Cultural Heritage Management Plan must be prepared and approved as required, for all land to which this incorporated document applies, unless an exemption applies.

The use and development permitted by this incorporated document must be consistent with any approved Cultural Heritage Management Plan.

5.0 EXPIRY OF THIS SPECIFIC CONTROL

The development of the land permitted under this Incorporated Document must:

- Commence within four years of the gazettal date of Amendment C202knox to this scheme.
- Be completed within six years of the gazettal date of Amendment C202knox to this scheme.

The use permitted under this Incorporated Document must commence within six (6) years of the gazettal date of Amendment C202knox to this scheme.

The Minister for Planning may extend the period for commencement if a request is made in writing before the time for commencement expires or within six months afterwards.

The Minister for Planning may extend the date for the completion of the development if a request is made in writing before the time for completion expires or within 12 months after the time for completion expires and the development is started lawfully before the approval expired.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of the planning scheme in operation at that time.

6.0 PURPOSE

The purpose of this incorporated document is to permit the use and development of the land for a solar energy facility, associated building and works, including construction of a fence, and the removal of vegetation, generally in accordance with the plans approved under Clause 7.0 of this document and subject to the conditions at Clause 8.0 of this document.

7.0 DETAILED DEVELOPMENT PLANS:

This document allows the use and development of the land for the purposes of the project set out in the detailed development plans endorsed under the conditions of this incorporated document. Detailed development plans must be generally in accordance with the following plans, but amended to include any changes required by Clause 8.0 conditions of this incorporated document:

- Development plans by Chadwick Architects, titled Carbon offset sustainability project 49 Basin-Olinda Road, The Basin, dated May and July 2024.

including any amendment of the plans that may be approved from time to time under the clauses of this document.

8.0 CONDITIONS

The following conditions apply to the use and development allowed by this incorporated document:

Amended plans required

8.1 Before the development commences, amended plans drawn to scale with dimensions must be submitted to and approved by the Minister for Planning in consultation with the Knox City Council. The plans must be generally in accordance with the plans prepared by Chadwick Architects, dated May and July 2024, but modified to show:

a) Specific details of the chosen infrastructure, including dimensions, heights and boundary setbacks, including but not limited to:

i. Solar arrays

ii. Connection infrastructure.

iii. Security fencing setback at least 30 metres from the waterway centreline of the Dobson Creek, and ensuring it is of post and wire construction that is more than 75 per cent open construction and with a total height not exceeding 2.1 metres.

iv. Operations and maintenance facilities.

v. Car parking.

vi. Internal access tracks, including indicative sections and information regarding material.

b) The colour and finishes of all building and works, which must be non-reflective, and matched where possible to colours present within the surrounding landscape to minimize visual impact.

c) Detailed plans and elevations of any overhead power lines and other grid connection works.

d) Tree removal and proposed site layout shown on separate plans.

e) Any landscaping, in accordance with the Landscape Plan required by Clause 8.3.

f) Any noise attenuation measures required for the facility to comply with Clause 8.27. These must be fully dimensioned.

g) Any changes required to comply with the Country Fire Authority requirements specified at Clause 8.22 to Clause 8.25, ensuring any bushfire protection measures are set back at least 30 metres from the waterway centreline of the Dobson Creek.

h) Any tree protection measures specified in the Tree Protection Management Plan required by Clause 8.6.

i) Any development or design feature required to comply with any condition of this Incorporated Document.

Compliance with endorsed plans

8.2 The use and development must at all times be carried out in accordance with the requirements of any plan or document approved under this incorporated document.

This does not apply to any exemption specified in Clause 62 of the Knox Planning Scheme.

Landscape Plan

8.3 Before the development commences, a detailed landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the Minister for Planning in consultation with Knox City Council. The landscape plan must incorporate:

a) A planting schedule of all proposed trees, shrubs, and ground covers, including location of planting, botanical names, common names, pot sizes, sizes at maturity and qualities of each plant.

b) All new planting must be of indigenous species.

c) The trees must not be removed until replacement planting is shown on the landscape plans.

d) Location, species, and tree number (as identified in the Arborist Report

prepared by Rigoni Tree Solutions, dated 12 June 2023) to be removed.

e) A maintenance and monitoring program to ensure the ongoing health of landscape works.

8.4 The landscaping works must be carried out and completed in accordance with the Landscaping Plan to the satisfaction of the Knox City Council.

8.5 At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the Knox City Council.

Protection of Vegetation

8.6 Before the development commences, including demolition, bulk excavation, site preparation and vegetation removal, a Tree Protection Management Plan prepared by a suitably qualified arborist, must be submitted to and approved by the Minister for Planning in consultation with the Knox City Council.

8.7 All tree protection specifications for the site must be in accordance with the Tree Protection Management Plan outlined in the above clause.

Environmental Management Plan

8.8 Before the development commences, an Environmental Management Plan (EMP) must be approved and endorsed by the Minister for Planning.

The EMP must include:

a) measures to avoid and minimise amenity and environmental impacts during the operation of the solar energy facility.

b) design measures and / or procedures to manage dust, glint and glare, light spill, mud, flood, surface water quality and stormwater run-off.

c) procedures for inspecting trees identified for removal to determine the presence of fauna, including those using external nests and tree hollows, and measures on how any identified fauna will be salvaged and relocated by a suitably qualified and experienced Zoologist or Wildlife Handler in accordance with legislative requirements.

d) response measures to environmental incidents, including a program for recording and reporting environmental incidents.

e) organisational responsibilities, and procedures for staff training and communication.

8.9 The EMP must not be altered or modified without the written consent of the Minister for Planning.

8.10 The recommendations of the endorsed EMP must be implemented to the satisfaction of the Knox City Council.

Construction Environment Management Plan

8.11 Before the development commences, including demolition, bulk excavation, site preparation works and vegetation removal, a Construction Environmental Management Plan (CEMP) must be approved and endorsed by the Minister for Planning.

The CEMP must include:

a) The environmental risk assessment prepared for the construction of the facility;

b) Measures to avoid and minimise amenity and environmental impacts

during construction of the facility.

c) Procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).

d) Procedures to manage mud and debris on the surrounding road network which may occur during construction.

e) Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.

f) A construction timetable, including typical daily start and end times.

g) Details of the person(s) responsible for implementation and compliance of each of the CEMP requirements, including details of a site contact / site manager.

h) A detailed description of measures to be implemented to protect the native vegetation proposed to be retained during construction works. These measures must:

   i. include the erection of native vegetation protection fencing around all native vegetation to be retained (including tree protection zones), to the satisfaction of the responsible authority.

   ii. Comply with Australian Standard 4970 Protection of Trees on Development Sites.

8.12 All persons undertaking works on-site must be fully briefed on all aspects and requirements of the endorsed CEMP. All works constructed or carried out must be in accordance with the endorsed CEMP, to the satisfaction of the Knox City Council.

Drainage and Stormwater Management Plan

8.13 Before the development commences, a Drainage and Stormwater Management Plan (DSWMP) must be approved and endorsed by the Minister for Planning.

The DSWMP must:

a) Include details (and computations) of how the works on the land are to be drained, including drains conveying stormwater to the legal point of discharge.

b) Include details of how the drainage design affects the continuation of existing overland flow paths and flood patterns across the land.

c) Assess impacts on on-site infiltration and surface water quality, including adjacent land and waterways, specifically the site’s south-eastern designated waterway.

d) Include details about how polluted or contaminated runoff is to be managed.

e) Be approved by Knox City Council prior to submission to the Minister for Planning.

Traffic Management

8.14 Before the development commences, including demolition, bulk excavation and site preparation works, a Traffic Management Plan (TMP) must be prepared in consultation with Knox City Council, and submitted to, approved

and endorsed by the Minister for Planning.

The TMP must:

a) Be prepared by a suitably qualified and experienced independent civil or traffic engineer;

b) Specify measures to be taken to appropriately manage traffic impacts associated with the construction and operation of the facility;

c) Identify the scheduling of all construction works;

d) Designate appropriate construction and transport vehicle routes to the site;

e) Traffic management measures to minimise disruption to the operation of Basin-Olinda Road and the Sheffield Road during construction (especially for deliveries).

f) Identify the location of all stockpiles and storage of building materials and any temporary buildings or facilities.

g) Identify the location of parking for workers within the site rather than on-street.

h) Designate vehicle access points to the site from surrounding roads;

i) Include a program to inspect, maintain and (where required) repair public roads used by construction traffic;

j) Address coordination between construction traffic and school bus travel, if relevant; and

k) Be approved by the relevant road management authority (or authorities) prior to submission to the Minister for Planning.

8.15 The endorsed TMP must be implemented to the satisfaction of the Knox City Council and relevant road management authority (or authorities).

8.16 Any proposed alteration or modification to the endorsed TMP must be approved by the relevant road management authority (or authorities) prior to submission to the Minister for Planning for endorsement.

Melbourne Water requirements

8.17 No fill is permitted within the 1% AEP flood extent.

8.18 Proposed carpark and internal maintenance road must be set as close to existing natural surface level as practical and must not reduce cross sectional area of the adjacent drain(s).

8.19 Any excavated spoils must not be placed within the 1% AEP flood extent.

8.20 All electrical components (inverter, cabling etc) must be set 600mm above the applicable 1% AEP flood level.

8.21 The proposed structures must be designed to the relevant standards and must be able to withstand flow velocity and debris impact.

Country Fire Authority requirements

8.22 In Clauses 6.23 to 6.24:

‘The CFA Guidelines’ means the CFA ‘s Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at the time of submitting plan for endorsement).

8.23 Before plans are endorsed under Clause 8.1, in consultation with the CFA, a Risk Management Plan must be submitted to, approved and endorsed by the Minister for Planning. The Risk Management Plan must be prepared in accordance with the CFA Guidelines, and:

a) Describe the risks and hazards at the facility to and from the solar facility infrastructure.

b) Include the following fire protection measures:

i. A dedicated fire water supply for the solar panel infrastructure of no less than 45kL effective capacity in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.

ii. An all-weather access track to, and hardstand for, the fire water supply in accordance with AS 2419.1-2021: Fire hydrant installations.

iii. A fire break around the site perimeter in accordance with the CFA Guidelines, or to the satisfaction of CFA.

iv. Provision for management of fire water runoff in accordance with the CFA Guidelines.

c) List and describe all other controls for the management of on and off-site hazards and risks at the facility.

8.24 Before plans are endorsed under Clause 8.1, an Emergency Plan (EP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the Minister for Planning. The EP and FMP must be prepared in consultation with CFA and be in accordance with the CFA Guidelines.

8.25 Before the use commences, all fire protection measures shown on the endorsed plans (including, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. The fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the Knox City Council.

Glint and glare

8.26 The angle of the panels must be configured at 14 degrees from horizontal to ensure that glint and glare impacts are appropriately managed, unless otherwise agreed in writing by the Minister for Planning.

Noise

8.27 Before the endorsement of development plans in accordance with Clause 8.1, a Predictive Noise Assessment must be submitted to the Minister for Planning and must:

a) Model the final design layout and all electrical components of the facility and assess this against EPA Publication 1826.4.

b) Demonstrate compliance of the proposal with EPA Publication 1826.4.

c) Include details of any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.4, to the satisfaction of the Minister for Planning.

8.28 All measures relied on to achieve compliance with EPA Publication 1826.4 must be shown on the development plans under clause 8.1, and implemented to the satisfaction of the Knox City Council.

8.29 The use of the land must at all times comply with EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial,

industrial and trade premises and entertainment venues (EPA Publication 1826.4).

8.30 The Predictive Noise Assessment must be made available to the public.

Light spill management

8.31 All lighting installed and operated at the site must comply with Australian Standard 4282 – 1997 Control of the obtrusive effects of outdoor lighting.

Complaint Investigation and Response Plan

8.32 Before the development starts, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the Minister for Planning.

The CIRP must:

a) Respond to all aspects of the construction and operation of the facility.

b) Be prepared in accordance with Australian Standard 10002 Guidelines for complaint management in organisations.

c) Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).

8.33 The endorsed CIRP must:

a) Be implemented to the satisfaction of the Minister for Planning.

b) Not be altered or modified without the written consent of the Minister for Planning.

Complaints Register

8.34 Before the development starts, a Complaints Register must be established, which records:

a) The complainant's name and address (if provided).

b) A receipt number for each complaint, which must be communicated to the complainant.

c) The time and date of the incident, and operational conditions at the time of the incident.

d) A description of the complainant's concerns.

e) The process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.

8.35 All complaints received must be recorded in the Complaints Register.

8.36 A complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the Minister for Planning and Knox City Council upon request.

Spatial Information

8.37 Before development starts, the permit holder must provide spatial information data to the Department of Transport and Planning (DTP) via email Vicmap@transport.vic.gov.au. This will enable Emergency Services to navigate to and access renewable sites.

The following information must be included:

a) The main address of the site and the addresses of any other entry points to the site. The developer must obtain the addresses from the Local

Government Authority (LGA) and pass this information onto the Department of Transport and Planning.

b) The spatial polygon extent of the site, which is the location and boundaries of the site/facility.

c) The locations of all site compounds, depots, substations, batteries, solar arrays and maintenance facilities (if any) including:

   i. The numbers/IDs and electricity generating capacity of the facility;

   ii. The location and extent of the solar array polygon(s) is required; and

   iii. The location and extent of the polygon(s) of sites compounds, depots or substations.

d) The location and name of all gates as the access entry points onto the property (e.g., gate ID is an example of an entry point name).

e) The location of all internal roads within the site, represented as lines rather than polygons, also including any road names if applicable.

f) All planning documents and plans relating to the site.

Decommissioning

8.38 Once the facility permanently ceases operation, the Minister for Planning and Knox City Council must be notified within three months.

8.39 Once the facility permanently ceases operation, all buildings and works must be removed from the site, and the site or the relevant part of the site must be rehabilitated and reinstated to the condition it was in prior to the commencement of development, unless otherwise agreed with the landowner, subject to the written consent of the Minister for Planning.

8.40 Within three months of the facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the Minister for Planning.

The DMP must include, as a minimum:

a) Identification of infrastructure, equipment, buildings, and structures to be removed, and details of how these will be removed.

b) Details of how the site will be rehabilitated to meet the requirements of Clause 8.39.

c) A requirement that a Decommissioning Traffic Management Plan (DTMP) be submitted to, approved and endorsed by the Minister for Planning prior to decommissioning works starting. The DTMP must be approved by the relevant road management authority (or authorities) prior to submission to the Minister for Planning for endorsement. The DTMP must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site to the satisfaction of the Knox City Council.

d) A requirement that all decommissioning works identified in the DMP be completed to the satisfaction of Minister for Planning as soon as practicable, but no later than 12 months after the DMP is endorsed, or such other period approved by the Minister for Planning.

8.41 The endorsed DMP must be implemented to the satisfaction of the Minister for Planning.

Notification of works commencing

8.42 The Department of Transport and Planning (DTP) must be notified when works commence on site, via email energy.assessment@transport.vic.gov.au

END OF DOCUMENT