

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ5**.

SHAW RIVER POWER STATION

Purpose

To facilitate the development and use of a gas-fired power station.

To provide for electricity generation using natural gas as the energy source.

1.0

Table of uses

Section 1 - Permit not required

Use	Condition
Agriculture (other than Animal keeping, Cattle feedlot, Intensive animal production, Rice growing and Timber production)	
Animal keeping (other than Animal boarding)	Must be no more than 5 animals.
Bed and breakfast	No more than 6 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Cattle feedlot	Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i> . The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Caretaker's house	
Dependent person's unit	Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 35.07-2.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares. Must meet the requirements of Clause 35.07-2.
Home based business	
Industry (other than Materials recycling, Refuse disposal and Transfer station)	Must meet the requirements of Sections 2.0 and 4.0 of this Schedule. Must be for gas-fired power generation.

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Use	Condition
Informal outdoor recreation	
Railway	
Timber production	<p>Must meet the requirements of Clause 53.11.</p> <p>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</p> <p>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</p> <p>The plantation must not be within 100 metres of:</p> <ul style="list-style-type: none"> ▪ Any dwelling in separate ownership. ▪ Any land zoned for residential, business or industrial use. ▪ Any site specified on a permit which is in force which permits a dwelling to be constructed. <p>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</p>
Tramway	
Utility installation (other than Minor utility installation)	Must meet the requirements of Sections 2.0 and 4.0 of this Schedule.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Accommodation (other than Caretaker's house, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)	<p>Must be for the purposes of accommodating persons constructing and commissioning a gas-fired power station on the land.</p> <p>Must not be permanent buildings and all buildings must be movable.</p>
Animal boarding	
Broiler farm	Must meet the requirements of Clause 53.09.
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot – if the Section 1 condition is not met	<p>Must meet the requirements of Clause 53.08.</p> <p>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</p>

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Use	Condition
<p>Cemetery</p> <p>Crematorium</p>	
<p>Dependent person's unit – if the Section 1 condition is not met</p>	<p>Must meet the requirements of Clause 35.07-2.</p>
<p>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</p> <p>Emergency services facility</p>	
<p>Freeway service centre</p>	<p>Must meet the requirements of Clause 53.05.</p>
<p>Group accommodation</p>	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p> <p>Must be no more than 6 dwellings.</p>
<p>Host farm</p> <p>Intensive animal production (other than Broiler farm and Cattle feedlot)</p> <p>Interpretation centre</p> <p>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</p> <p>Manufacturing sales</p> <p>Market</p>	
<p>Place of assembly (other than Carnival and Circus)</p>	<p>Must not be used for more than 10 days in a calendar year.</p>
<p>Primary produce sales</p>	
<p>Renewable energy facility (other than Wind energy facility)</p>	<p>Must meet the requirements of Clause 53.13.</p>
<p>Residential hotel</p> <p>Restaurant</p>	<p>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</p>
<p>Rice growing</p> <p>Rural industry</p> <p>Rural store</p> <p>Saleyard</p>	
<p>Store (other than Freezing and cool storage and Rural store)</p>	<p>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</p>
<p>Timber production – if the Section 1 condition is not met</p>	<p>Must meet the requirements of Clause 53.11.</p>

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Use	Condition
Transfer station	The use must cover no greater than 500sqm and must not accept construction and demolition or commercial and industrial waste.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Veterinary centre	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
Brothel
Industry (other than Rural industry and Transfer station)
Materials recycling
Motor racing track
Office
Refuse disposal
Refuse transfer station
Retail premises (other than Market, Manufacturing sales, Primary produce sales and Restaurant)
Warehouse (other than Store)

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Use of land

A permit is not required to use land for a gas-fired power station in accordance with this clause.

For the purpose of this schedule, a gas-fired power station means an industrial complex or utility installation using plant, equipment and facilities for the generation of electricity for public use and for connection and export of the electricity into the high voltage transmission system. This includes import of natural gas by pipeline, import of water by pipeline, treatment of the water to remove contaminants, purification and storage of untreated and treated water, any waste treatment systems, lagoons, ponds and storage tanks, fire protection, utilities, control rooms, administration, maintenance, chemical storage areas, training and amenity buildings, works and facilities which are ancillary to the use of the land as a gas-fired power station.

The exemption from a permit under this clause does not apply to:

- The use of any plant, equipment or facilities on site as gas storage reservoirs.
- The retail sale from the site of any material stored or processed on the land.

The use of the land must be consistent with both the Development Plan and Environmental Management Plans required by Section 4.0 of this Schedule as approved by the responsible authority.

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Subdivision

None specified.

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Buildings and works

No permit is required to construct a building or construct or carry out works for buildings or works that:

- Rearrange, alter or renew existing plant if the location, area or height of the plant is not increased.
- Are amenities provided for persons constructing and commissioning any plant on the land.

All buildings and works must be consistent with the Environmental Management Plans and the Development Plan required by this clause as approved by the responsible authority.

Development plan

Before the construction of any buildings and works start, a Development Plan must be prepared to the satisfaction of the responsible authority with regard, as appropriate, to the views of relevant agencies including Department of Sustainability and Environment, Department of Primary Industries, Environment Protection Agency, VicRoads, Energy Safe Victoria, Country Fire Authority, the State Emergency Service and WorkSafe Victoria.

The Development Plan must provide for a gas-fired power station with a maximum building footprint of 45 hectares (including the switch yard area but excluding the area used for accommodation, outdoor car parking and landscaping) and a maximum overall height of 50 metres above ground level. The area and height may be varied with the approval of the responsible authority.

The Development Plan must address the principles, actions and commitments contained in the exhibited Environmental Effects Statement, including the Strategic Environmental Management Plan and Environmental Commitments, except where they are specifically varied in the Minister’s assessment of the Environmental Effects or by the conditions of other statutory approvals.

The Development Plan must include:

- The location and layout and height of all buildings and plant and details of site and other works.
- The colour, material and finish of all buildings.
- The location of all vehicle and pedestrian access ways.
- The location of all parking areas.
- The location of all loading areas.
- The location of security areas or areas not available for public access and security fencing.
- Details of proposed signage.
- Details of proposed outside lighting and measures to reduce the impact of outside lighting on nearby dwellings, properties and roads.
- Details of the staging of the development, if any.
- Details of major physical infrastructure ancillary to or to be used in conjunction with the development including provision of water, sewerage, drainage, electricity and telecommunications.
- Compliance with recommended noise limits in accordance with the *Interim Guidelines for Control of Noise from Country Victoria N3*.
- Compliance with SEPP (Air Quality Management) and SEPP (Waters of Victoria) design criteria and standards.
- A sealed upgrade of Riordans Road from Hamilton Highway – Port Fairy Road intersection to the entrance of the Power Station (before development starts) and internally for all roads regularly used by B double vehicles.

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- Provision of sufficient parking at the Power Station to meet requirements during construction phase and maintenance periods.
- Incorporation of management measures from the approved Cultural Heritage Management Plan.
- Details of landscaping, including such landscaping measures as appropriate both on the land and on surrounding land to screen views and provide a buffer of the development to surrounding farming operations, existing dwellings and key public vistas and routes, in accordance with the landscape character of the surrounding area.
- An Off-site Landscaping Plan to mitigate the visual impact within 3 kilometres of the Power Station site. Where an offer is accepted, the plan should:
 - Be prepared by the relevant land owner or the proponent;
 - Incorporate the species to be used, timetable and maintenance arrangements;
 - Be implemented within 3 months of the endorsement (unless otherwise agreed between the landowner and the proponent); and
 - Specify that all costs for design, implementation and the maintenance to establishment are to be the responsibility of the Proponent or operator.

All buildings and works shall be in accordance with the Development Plan to the satisfaction of the responsible authority.

The Development Plan may be prepared in stages to the satisfaction of the responsible authority.

The Development Plan may be amended to the satisfaction of the responsible authority.

Environmental management plans

Before the construction of any buildings and works start, a Construction Environmental Management Plan and an Operations Environmental Management Plan must be prepared to the satisfaction of the responsible authority with regard, as appropriate, to the views of relevant agencies including Department of Primary Industries, Department of Sustainability and Environment, Environment Protection Authority, VicRoads, Energy Safe Victoria, Country Fire Authority, the State Emergency Service and WorkSafe Victoria.

The Environmental Management Plans must describe (but not necessarily be limited to) management processes and procedures to minimise the amenity and environmental impacts of the use and development of the site as a gas-fired power station and associated construction activities. The plans must set out objectives, performance and monitoring requirements.

The Environmental Management Plans must address the principles, actions and commitments contained in the exhibited Environmental Effects Statement, including the Strategic Environmental Management Plan and Environmental Commitments, except where they are specifically varied in the Minister's assessment of the Environmental Effects or by the conditions of other statutory approvals.

The Construction Environmental Management Plan must address the following:

- Air emissions
- Noise management
- Surface water and storm water management
- Soil management and erosion control
- Ground water
- Flora and fauna
- Measures to audit and correct native vegetation removal offsets

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- Southern Bent-wing Bat monitoring on the Power Station site and any required mitigation measures as a consequence of these findings
- Rehabilitation techniques and monitoring measures for both aquatic and terrestrial species
- Weed control
- Cultural heritage material, including drystone walls
- Waste management and minimization
- Spill prevention and response
- Fuel and chemical storage and handling
- Monitoring
- Off-site dust emissions
- The transfer of site mud to roads
- Staff training and communication
- Reporting for monitoring, audits, incidents and complaints
- Emergency response
- A Safety Management Plan prepared by a suitably qualified person
- Traffic management, including but not limited to:
 - Preferred traffic routes
 - Over-dimensional vehicles and loads
 - The upgrade of the Hamilton–Port Fairy and Riordans Road intersection to the satisfaction of VicRoads and the responsible authority
 - Hours of construction and construction deliveries
 - Procedures for access to adjacent properties
 - Provision of staff car parking
 - Traffic circulation within the construction zone
 - Emergency vehicle access
 - Provision for public pedestrian access
 - Training
 - Notice of works and their publicity
 - Contact personnel.
- Accommodation and community services, including but not limited to:
 - A strategy to manage the accommodation needs of the workforce.
 - Identification of measures to minimise adverse impacts on the delivery of social and community services to the broader community.

The Operations Environmental Management Plan must address the following:

- Environmental management framework, including:
 - Environmental management system
 - Standards and guidelines
 - Environmental objectives

- Organisational responsibilities
 - Training
 - Reporting
 - Routine
 - Safety Management Plan prepared by a suitably qualified person
 - Incidents
 - A Complaint management process that adopts the principles outlined in Australian Standard *Customer Satisfaction – Guidelines for complaints handling in organizations* (AS10002:2006)
 - Emergency response.
- Operational guidelines, including:
 - Water and discharge quality management
 - Air emissions
 - Noise management
 - Vegetation and fauna management
 - Cultural heritage
 - Weed control
 - Waste management and minimisation
 - Spill prevention and response
 - Fuel and chemical storage and handling
 - Monitoring.
 - Wildfire Management Plan to protect power station employees and those persons resident in the construction camp and from the effects of fire generated from outside the site and to control the spread of fire generated from within the site.
 - Worker’s Construction Camp, including protocols and procedures to ensure that surrounding amenity levels are not adversely affected by activities and noise generated by persons resident in the workers construction camp.

The Environmental Management Plans may be prepared in stages and both may be amended to the satisfaction of the responsible authority.

Car and bicycle parking

This section exempts a gas-fired power station from the provisions of Clauses 52.06 and 52.34.

A gas-fired power station must have provision for a minimum of 50 staff car parking spaces and 5 visitor car parking spaces except with the consent of the responsible authority.

The location, design and construction of car parking spaces for a gas-fired power station must be to the satisfaction of the responsibly authority.

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Signs

Sign requirements are at Clause 52.05. All land located within this zone is in Category 2.