Appendix S

Land use and planning

MARINUS LINK

Marinus Link

Land Use and Planning Impact Assessment Report

May 2024

QUALITY INFORMATION

Revision history

Revision	Description	Date	Author	Reviewer	Approver
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EXECUTIVE SUMMARY

Marinus Link (the project) comprises a high voltage direct current (HVDC) electricity interconnector between Tasmania and Victoria, to allow for the continued trading and distribution of electricity within the National Electricity Market (NEM).

The project was referred to the Australian Minister for the Environment on 5 October 2021. On 4 November 2021, a delegate of the Minister for the Environment determined that the proposed action is a controlled action as it has the potential to have a significant impact on the environment and requires assessment and approval under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act) before it can proceed. The delegate determined that the appropriate level of assessment under the EPBC Act is an environmental impact statement (EIS).

On 12 December 2021, the former Victorian Minister for Planning under the *Environment Effects Act 1978* (Vic) (EE Act) determined that the project requires an environment effects statement (EES) under the EE Act, to describe the project's effects on the environment to inform statutory decision making.

The preparation of this Land Use and Planning Impact Assessment report ('this report') is required to inform the project's compliance with planning policy and its impacts on land use, in accordance with the scoping requirements.

This report considers the Victorian components of the project only. A summary of the key assets, values or uses potentially affected by the project within Victoria, and the associated impact assessment are summarised below.

The *Planning and Environment Act 1987* (Vic) is the key piece of State legislation in Victoria underpinning planning and land use. The *Planning and Environment Act 1987* (Vic) sets out a framework which provides for the protection, use and development of land in Victoria. It also outlines the policy basis for planning provisions and controls. The *Planning and Environment Act 1987* (Vic) establishes the Victoria Planning Provisions, which act as the template for municipal Planning Schemes. The project area includes land in both the South Gippsland and Latrobe Planning Schemes.

At the shore crossing, land comprises beach and coastal dunes, which are Crown land reserved for environmental purposes and providing an infrequently utilised recreational and open space resource. The land to be affected by the balance of the project consists mainly of agricultural uses, including dry land grazing, dairying and cropping as well as some associated rural industrial (dairy, potatoes, and other rural industry) and rural residential lifestyle land uses (including some tourism uses). Development associated with agricultural uses including sheds, dams, dwellings, and associated infrastructure are located within the study area. In some instances, the proposed cable alignment passes near to small local settlements characterised by greater residential density. Other notable uses in proximity to the alignment include extensive forestry and timber production interspersed with State Forest and agricultural land zoned Special Use regarded as having potential for brown coal mining.

This report concludes that the project as a whole would not result in any significant inconsistency with planning policy and would not result in any broad change of land use within the project area. The project would not result in unacceptable or long-term impacts to the existing composition of land uses within the study area and would not diminish the long-term vision for land use planning and settlement growth in the broader Gippsland region. Rather, the project would support State, regional and local land use objectives for efficient energy supply and has responded to the environmental constraints as outlined in the planning schemes.

Overall, the direct property impacts would generally be localised and site specific. Land use and planning related issues would be generally short term and construction related, such as inconvenienced movement within and around properties, impacts to native vegetation, utility services and amenity, which would be appropriately managed through the implementation of a construction environmental management plan. The majority of functional and land use-related impacts, occupation of Crown and private land and altered surface conditions are expected to be largely temporary for the duration of construction. It is intended to return land and infrastructure to previous conditions post-development through the restoration of productive agricultural land and infrastructure, and the rehabilitation of natural environments where necessary. Some longer-term impacts as the result of construction and ongoing operation of the project would include some restrictions on land use and development to be put in place in the form of easements and restrictions on land titles, for the protection of the project infrastructure.

To address impacts through construction, operation and decommissioning, mitigation measures would be implemented to comply with Environmental Performance Requirements. Environmental performance requirements would be subject to Ministerial approval under an Incorporated Document to the Latrobe and South Gippsland Planning Schemes, applied via a Specific Controls Overlay.

The Victorian component of the project's 90 km route travels through a number of properties located within the areas of South Gippsland Shire and Latrobe City Council. Under the provisions of the planning schemes of these councils, a planning permit would be required for various aspects of the project, including use (ongoing use for a utility installation), development (buildings and works (including construction of infrastructure)), earthworks, access, subdivision / creation of easements, removal of vegetation, etc. The preferred planning approval pathway for the project is a Planning Scheme Amendment, whereby a Specific Controls Overlay would be applied to the project area and apply specific controls with the effect that the subject land could be used and developed for the purposes of the project in accordance with conditions specified in an Incorporated Document. This approach enables a project specific and integrated planning approval to apply across the whole project within Victoria to facilitate further design, use and development of the purposes of the project. It would provide for a single planning approval and would implement the outcomes and recommendations of the Minister's Assessment under EE Act (Vic).

GLOSSARY AND ABBREVIATIONS

Term	Descriptions
AoD	Area of disturbance
BAO1	Buffer Area Overlay – Schedule 1
CLR Act	Crown Land (Reserves) Act 1978
DDO1	Design and Development Overlay – Schedule 1
DCCEEW	Department of Climate Change, Energy, Environment and Water, Commonwealth government
DTP	Department of Transport and Planning, Victorian government (formerly DELWP – Department of Environment, Land, Water and Planning)
DEECA	Department of Energy, Environment and Climate Action (formerly DELWP – Department of Environment, Land, Water and Planning)
DoTF	Department of Treasury and Finance, Victorian government
EE Act	*Environment Effects Act 1978* (Vic)
EES	environment effects statement
EIS	environmental impact statement
EMO	Erosion Management Overlay
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Cwlth)
EPRs	environmental performance requirements
ESO	Environmental Significance Overlay
FO	Floodway Overlay
FZ	Farming Zone
ha	hectare
HDD	horizontal directional drilling
HVAC	high voltage alternating current
HVDC	high voltage direct current
HVP	Hancock Victoria Plantations (a private timber plantation company)
IAC	Inquiry and Advisory Committee
IFC	International Finance Corporation
km	kilometre
kV	kilovolt
LGA	local government area
LSIO	Land Subject to Inundation Overlay
m	metre
M&C Act	*Marine and Coastal Act 2018*
MLPL	Marinus Link Pty Ltd
MPS	Municipal Planning Strategy

Term	Descriptions
MW	megawatt
NEM	National Electricity Market
NWTD	North West Transmission Developments
P&E Act	*Planning and Environment Act 1987*
PPF	Planning Policy Framework
RRV	Regional Roads Victoria
PSA	Planning Scheme Amendment
SCO	Specific Controls Overlay
TRZ2	Transport Zone – Schedule 2
VPP	*Victoria Planning Provisions*

1. INTRODUCTION

Marinus Link (the project) comprises a high voltage direct current (HVDC) electricity interconnector between Tasmania and Victoria, to allow for the continued trading and distribution of electricity within the National Electricity Market (NEM).

The project was referred to the Australian Minister for the Environment on 5 October 2021. On 4 November 2021, a delegate of the Minister for the Environment determined that the proposed action is a controlled action as it has the potential to have a significant impact on the environment and requires assessment and approval under the *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act) before it can proceed. The delegate determined that the appropriate level of assessment under the EPBC Act is an environmental impact statement (EIS).

On 12 December 2021, the former Victorian Minister for Planning under the Environment Effects Act 1978 (Vic) (EE Act) determined that the project requires an environment effects statement (EES) under the EE Act, to describe the project's effects on the environment to inform statutory decision making. In July 2022, a delegate of the Director of the Environment Protection Authority Tasmania determined that the project be subject to environmental impact assessment by the Board of the Environment Protection Authority (the Board) under the Environmental Management and Pollution Control Act 1994 (Tas) (EMPCA). As the project is proposed to be located within three jurisdictions, the Victorian Department of Transport and Planning (TP), Tasmanian Environment Protection Authority (Tasmanian EPA) and Australian Department of Climate Change, Energy, Environment and Water (DCCEEW) have agreed to coordinate the administration and documentation of the three assessment processes. One EIS/EES is being prepared to address the requirements of DTP and DCCEEW. Two EISs are being prepared to address the Tasmanian EPA requirements for the Heybridge converter station and shore crossing.

This Land Use and Planning Impact Assessment report ('this report') has been prepared by Tetra Tech Coffey for the Victorian jurisdiction, as part of the EIS/EES being prepared for the project.

1.1 PURPOSE OF THIS REPORT

The purpose of this report is to assess the potential planning and land use impacts associated with Marinus Link within Victoria, and to define the environmental performance requirements (EPRs) necessary to meet the EES evaluation objectives.

As outlined in Clause 71.02 Integrated Decision Making of the Victoria Planning Provisions, "*society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental, and social wellbeing affected by land use and development. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations. Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.*"

To this end, the objective of this report is to provide a detailed understanding of land use and planning impacts of the project, informing the development of management measures for construction, operation, and decommissioning.

1.2 PROJECT OVERVIEW

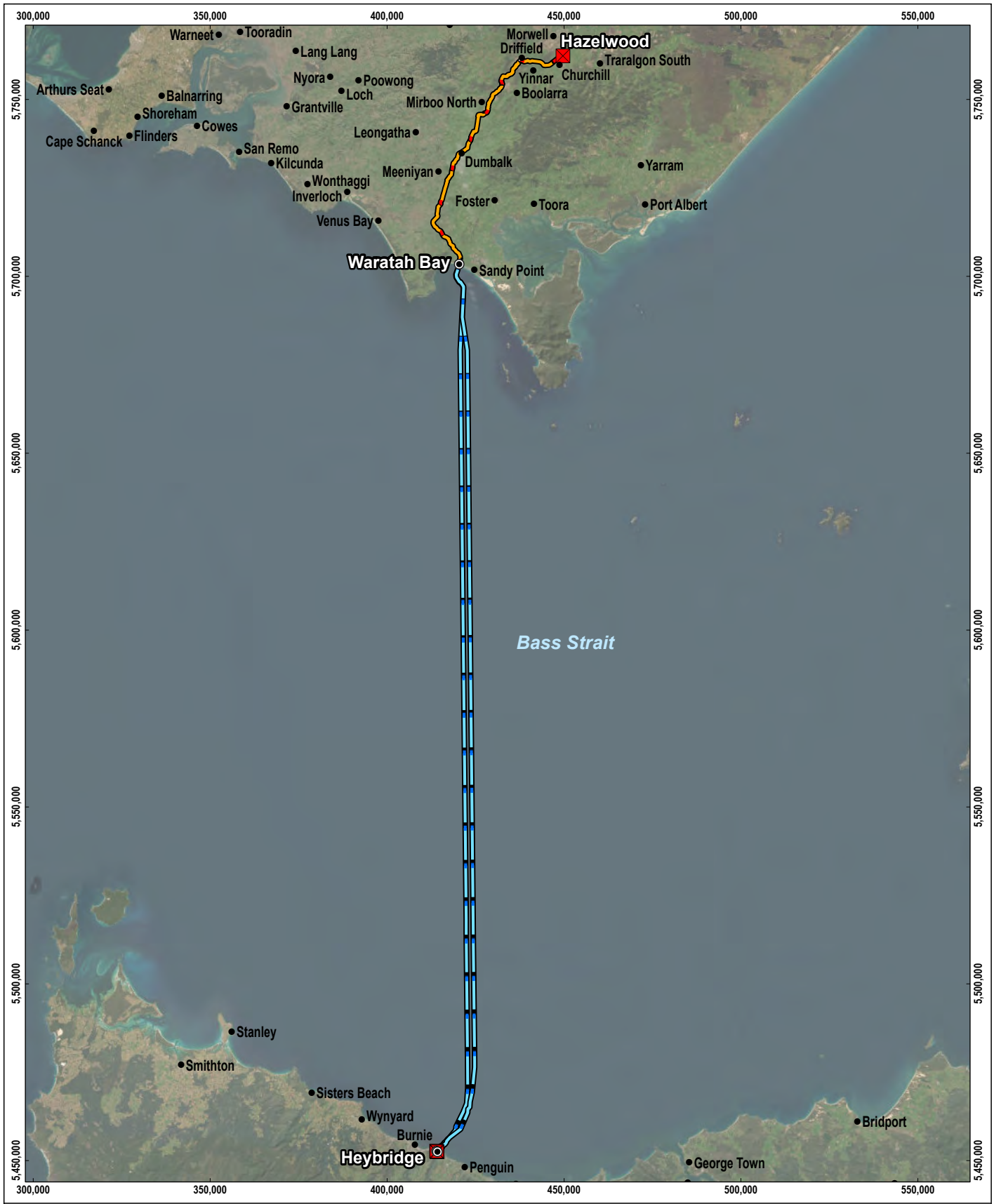
The project is a proposed 1500 megawatt (MW) HVDC electricity interconnector between Heybridge in northwest Tasmania and the Latrobe Valley in Victoria (Figure 1). Marinus Link is proposed to provide a second link between the Tasmanian renewable energy resources and the Victorian electricity grids, enabling efficient energy trade, transmission and distribution from a diverse range of generation sources to where it is most needed and will increase energy capacity and security across the NEM.

Marinus Link Pty Ltd (MLPL) is the proponent for the project and is a wholly owned subsidiary of Tasmanian Networks Pty Ltd (TasNetworks). TasNetworks is owned by the State of Tasmania, and owns, operates and maintains the electricity transmission and distribution network in Tasmania.

Tasmania has significant renewable energy resource potential, particularly hydroelectric power and wind energy. The potential size of the resource exceeds both the Tasmanian demand and the capacity of the existing Basslink interconnector between Tasmania and Victoria. The growth in renewable energy generation in mainland states and territories participating in the NEM, coupled with the retiring of baseload coal-fired generators, is reducing the availability of dispatchable generation that is available on demand.

Tasmania's existing and potential renewable resources are a valuable source of dispatchable generation that could benefit electricity supply in the NEM. The project will allow for the continued trading, transmission and distribution of electricity within the NEM. It will also manage the risk to Tasmania of a single interconnector across Bass Strait and complement existing and future interconnectors on mainland Australia. The project is expected to facilitate the reduction in greenhouse gas emissions at a state and national level.

Interconnectors are a key feature of the future energy landscape. They allow power to flow between different regions to enable the efficient transfer of electricity from renewable energy zones to where the electricity is needed. Interconnectors can increase the resilience of the NEM and make energy more secure, affordable and sustainable for customers. Interconnectors are common around the world including in Australia. They play a critical role in supporting Australia's transition to a clean energy future.



LEGEND

- Landfall
- Converter station
- HVDC subsea cable
- Underground HVDC cable
- Cable option not progressing

MARINUS LINK

N

0 15 30 km

SCALE **1:1,500,000**
PAGE SIZE: **A4**
PROJECTION: **GDA2020 MGA Zone 55**

SOURCE
Proposed route from Tetra Tech Coffey.
Imagery from ESRI Online.

MARINUS LINK PTY LTD

MARINUS LINK
EIS/EES

FIGURE 1

Marinus Link Overview

TETRA TECH COFFEY

DATE: **08.05.24** PROJECT: **754-MELEN215878ML** FILE: **215878ML_R06_F01-01_GIS**

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1.3 ASSESSMENT CONTEXT

Tasmania is a participant in the NEM. Energy trading between Tasmania and other mainland states and territories in the NEM is made possible by Basslink, a 600 MW HVDC interconnector between George Town in Tasmania and Loy Yang in Victoria. Available capacity on the interconnector is highly utilised to export renewable generation and import low-cost baseload power.

Tasmania has significant renewable energy resource potential, particularly hydroelectric power, and wind energy. The potential size of the resource exceeds both the Tasmanian demand and the capacity of Basslink. The growth in renewable generation in mainland states and territories participating in the NEM, coupled with the retiring of baseload coal-fired generators, is reducing the availability of dispatchable generation. Tasmania's existing and potential renewable resources are a valuable source of dispatchable generation that could benefit electricity supply in the NEM. Marinus Link would allow for the continued trading, transmission, and distribution of electricity within the NEM.

This report provides an assessment of the existing land use planning policy context and potential land use planning impacts relevant to the project within Victoria. The project area and immediate surrounds intersect a range of land uses, including residential, agricultural, forestry, commercial/rural industry, open space, and tourism/community facilities. The viability of these land uses is affected by a range of social, economic, and environmental characteristics including access, land size, and amenity conditions.

Land use impacts occur when a project has an effect on the form, ongoing function, amenity, or appearance of the existing environment and/or the character of a place or location. Project activities may have the potential to impact existing and future land uses or land use policies during the construction and operation phases of the project. Indirect impacts can also arise where a change is caused to an existing or proposed land use due to the project construction or operation. Land use impacts may be permanent or temporary.

It is important to consider if the project could affect the viability of existing land use and future land use as set out in both local and Victorian government planning policies. The *Victoria Planning Provisions* and Planning Schemes administered by the local and Victorian government provide controls for the sustainable use of land, supported by robust strategic assessment and analysis. Understanding how the project would impact land use is important to inform the development of effective and appropriate mitigation measures to minimise or manage impacts during both construction and operation of the project.

Inter-related assessments which consider agriculture, business, social, transport, biodiversity, cultural heritage bushfire, landscape, air, noise, and vibration are addressed in other EIS technical assessments, summarised in Section 2.2.

2. ASSESSMENT GUIDELINES

This section outlines the relevant assessment guidelines as relevant to the land use and planning assessment and the linkage to other EIS/EES technical assessments. A single consolidated EIS/EES is being prepared to address the requirements of all the Commonwealth and Victorian jurisdictions including the requirement for an EES. This will report will use the term EIS/EES going forward.

2.1 VICTORIA

This report assesses land use and planning impacts only for the Victorian components of the project. The land use and planning assessment is not relevant to the components of the project within the marine environment, in which any interaction of project elements and activities with other uses of the marine environment are to be regulated under the *Offshore Electricity Infrastructure Act 2021* and noting that the Victorian Planning Schemes extend only to apply to land above the high water mark. The project's offshore impacts are assessed in the Marine Ecology and Resource Use Assessment (EIS/EES Technical Appendix H).

2.1.1 Evaluation objective

The scoping requirements issued by the Minister for Planning under the EE Act set out the specific environmental matters to be investigated and documented in the project's impact assessment, which informs the scope of the EES/EES technical assessments. The scoping requirements include a set of evaluation objectives. These objectives identify the desired outcomes to be achieved in managing the potential impacts of constructing and operating the project.

The following evaluation objective is relevant to this land use planning assessment:

Avoid and, where avoidance is not possible, minimise adverse effects on land uses, social fabric of communities, and local infrastructure, businesses, and tourism.

(Section 4.4 Land use and socioeconomic, Scoping Requirements, Marinus Link Environment Effects Statement, February 2023)

2.1.2 Scoping requirements

The aspects from the scoping requirements relevant to the land use planning evaluation objective are shown in Table 1, as well as the location where these items have been addressed in this report.

Only those items applicable to land use planning have been listed for each of the scoping requirements. Some items are also inclusive of impacts that are addressed in other technical assessments being prepared to support the EIS/EES. The link between this assessment and other technical assessments is discussed in Section 2.2.

Table 1 Scoping requirements relevant to land use planning

Aspects to be assessed	Scoping Requirement	Report Section
Key Issues	Potential disruption to existing and/or proposed land uses, with associated economic and social effects, including cumulative effects. Reinstatement of land after construction to enable continuation of land use activities.	Section 7 – Impact assessment
Existing Environment	Describe the project area and its environs in terms of land use (existing and proposed), residences, zoning and overlays, public and private land, properties affected and infrastructure that supports current and strategic patterns of economic and social activity. Describe regional planning and economic development strategies.	Section 6 – Baseline characterisation
Likely effects	Assess potential long and short-term effects of the project on existing and potential land uses and public infrastructure.	Section 7 – Impact assessment
Mitigation	Demonstrate whether the project is consistent with relevant planning scheme provisions and other relevant policies. Outline measures to minimise potential adverse effects of the project and enhance benefits to the community, businesses, industry, and land uses.	Section 7 – Impact assessment
Performance	Describe the framework for monitoring and evaluating the measures implemented to mitigate socioeconomic and land use effects and contingencies.	Section 7 – Impact assessment

2.2 LINKAGES TO OTHER ASSESSMENTS

This report is informed by or informs the technical assessments outlined in Table 2.

Table 2 Linkages to other technical assessments

Technical assessment	Relevance to this assessment
Aboriginal and Historical Cultural Heritage (EIS/EES Technical Appendix J)	Provides an assessment of the land use history and identification of areas with known or potential Aboriginal cultural heritage value, and an assessment of the project's potential impacts on any areas of significant archaeological potential or value on land and underwater. Informs the compliance of the project with planning scheme policy.
Agriculture and Forestry (EIS/EES Technical Appendix K)	Provides an assessment of the potential impacts of the project on agriculture from property acquisition, change in access or amenity-related impacts on businesses. Information from the agriculture assessment has assisted in the preparation of the existing conditions section of this assessment and informed the impact assessment on agricultural land in particular.
Air Quality (EIS/EES Technical Appendix L)	Provides an assessment of the project's potential to impact air quality during construction and operation. Findings from the air quality assessment have informed the assessment of the ongoing use of land and the potential for impact through changes in air quality conditions.
Bushfire (EIS/EES Technical Appendix M)	Assesses bushfire risk of the project and to the project. Informs the compliance of the project with planning scheme policy.
Landscape and Visual (EIS/EES Technical Appendix R)	Identifies sensitive receptors and provides an assessment of potential visual and landscape impacts of the project. Linkages to land use planning include impacts on built form and strategic policy outcomes, which have informed the policy analysis and impact sections of this assessment.
Noise and Vibration (EIS/EES Technical Appendix T)	Provides an assessment of the potential surface noise and vibration impacts during construction and operation. Findings from the noise and vibration assessment have informed the assessment of the ongoing use of land and the potential for impact through changes in noise and vibration conditions.
Social (EIS/EES Technical Appendix U)	Information from the social assessment has assisted in the preparation of the existing conditions section of this assessment and informed the impact assessment on land used for community facilities.
Terrestrial Ecology (EIS/EES Technical Appendix V)	Provides an assessment of the project's potential to impact biodiversity values, including native vegetation. Findings from the biodiversity assessment have informed the assessment of the project against planning policy and the potential to impact the ongoing use of land through changes in biodiversity values.
Traffic and Transport (EIS/EES Technical Appendix W)	Provides an assessment of the project's impacts on the transport network. Information related to changes to local and regional access and connectivity from the project have informed the policy analysis and impact assessment in this report.
Planning Scheme Amendment (PSA) (EIS/EES Attachment 3)	The development and use of Marinus Link would be facilitated via a planning scheme amendment to the Latrobe and South Gippsland planning schemes. The Strategic Assessment is contained in the planning scheme amendment package forming part of the EIS/EES and outlines the assessment of the project against strategic planning policy and in accordance with the Ministerial Direction No.11. This has informed the policy analysis section of this report.

3. LEGISLATION, POLICY AND GUIDELINES

Numerous legislative, policy and guidance documents were found to be relevant to this land use planning impact assessment.

3.1 COMMONWEALTH LEGISLATION

Key Commonwealth legislation relevant to the land use planning impact assessment is listed in Table 3.

Table 3 Key Commonwealth legislation relevant to the land use planning impact assessment

Legislation	Relevance to this impact assessment
Environment Protection and Biodiversity Conservation Act 1999	The project is a controlled action requiring assessment and approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The EPBC Act provides for the protection of defined Matters of National Environmental Significance (MNES) including World Heritage Properties, National Heritage Places, Ramsar wetlands, nationally-listed threatened species and ecological communities and listed migratory species.
Native Title Act 1993	This project will likely require consideration under this Act and the related *Traditional Owner Settlement Act 2010* for native title determination.

The principal piece of Australian Government legislation applicable to Marinus Link is the EPBC Act. Whilst the EPBC Act is referred to in the Planning Schemes, the impact on relevant matters under the EPBC Act are considered in other specialist technical assessments, most notably EIS/EES Technical Appendix J: Aboriginal and Historical Cultural Heritage and EIS/EES Technical Appendix V: Terrestrial Ecology.

The *Native Title Act 1993* provides a national system for the recognition and protection of native title for Aboriginal and Torres Strait Islanders and for its coexistence with the national land management system. The *Native Title Act 1993* provides for Indigenous Land Use Agreements that facilitate the use and management of land by native title parties and other parties.

3.2 STATE LEGISLATION

Key legislation in the State of Victoria relevant to the land use planning impact assessment is listed in Table 4. As this report applies only to the Victorian components of the project, Tasmanian State legislation is not considered within this report.

Table 4 Key State legislation relevant to the land use planning impact assessment

Legislation	Relevance to this impact assessment
Planning and Environment Act 1987 **(Vic)**	The *Planning and Environment Act 1987* (P&E Act) establishes a framework for planning and managing the use, development, and protection of land in Victoria in the present and long-term interest of all Victorians. The P&E Act sets out objectives for planning in Victoria at section 4: • *To provide for the fair, orderly, economic, and sustainable use and development of land.* • *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.* • *To secure a pleasant, efficient, and safe working, living and recreational environment for all Victorians and visitors to Victoria.* • *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

Legislation	Relevance to this impact assessment
	• *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.* • *To facilitate development in accordance with the objectives set out in the points above.* • *To balance the present and future interests of all Victorians.* Planning schemes prepared under the provisions of the P&E Act apply to each municipality in Victoria. The P&E Act governs the process for approval pathways, including the preparation, approval, and adoption of planning schemes and planning scheme amendments by planning authorities. The construction and operation of the Victorian component of Marinus Link would occur in the municipalities of Latrobe and South Gippsland and is subject to a range of planning controls under the respective planning schemes. An amendment is required to each of these planning schemes under the P&E Act. Further discussion on the requirement to amend the planning schemes under is provided in Section 3.4.
Environment Effects Act 1978 **(Vic)**	The EE Act contains a framework by which projects with the potential to have significant effects on the environment may require the preparation of an EES for assessment by the Minister for Planning. Where an EES is required, scoping requirements are issued by the Minister for Planning to guide the preparation of the EES. An EES is required for the project.
Marine and Coastal Act 2018 **(Vic)**	Victorian waters extend three nautical miles to sea. Commonwealth waters lie beyond this point. The *Marine and Coastal Act 2018* (M&C Act) aims to protect Victoria's marine and coastal environment. It provides an integrated and coordinated approach to planning and managing the marine and coastal environment by enabling protection of the coastline and the ability to address the long-term challenges of climate change, population growth and ageing coastal structures. Any use or development of the Victorian marine area or coastal Crown land within 200 metres inland of the high-water mark requires consent under the M&C Act. As components of the project would be located offshore within Victorian waters and use sections of Crown Land within 200 metres of the high-water mark during construction, consent is required under the M&C Act from the Minister for Environment and Climate Action for any development and use on marine and coastal Crown land. Subject to outcome of the Ministers assessment of the EES, a consent under the M&C Act will be sought for the project. *Marine and Coastal Policy 2020* provides direction to decision makers including local councils and land managers on a range of issues relating to the planning, management and sustainable use of coastal and marine environments including the impacts of climate change, population growth and ageing coastal structures. The Policy applies to the planning and management of all private and public land and waters between the outer limits of the Victorian coast and five kilometres inland of the highwater mark, including 200 metres below the surface of that land.
Crown Land (Reserves) Act 1978[1] **(Vic)**	Crown land is land owned by the State or Commonwealth Government. Most Crown land in Victoria is owned by the Victorian Government. The key legislation governing Crown land reserves in Victoria is the *Crown Land (Reserves) Act 1978* (CLR Act). The CLR Act establishes committees of management and provides the framework for dealing with the reservation and management of reserved Crown lands in Victoria. The project may require a temporary lease to use reserved Crown land (during construction) and leases for easements (during operation).

[1] The Victorian Government is proposing to replace three existing Crown Land Acts (the *Crown Land (Reserves) Act 1978*, *Forests Act 1958* and *Land Act 1958*) with a new Public Land Act. Public consultation was undertaken in May 2021 and feedback is currently being considered.

Legislation	Relevance to this impact assessment
Land Act 1958[1] **(Vic)**	The *Land Act 1958* (Land Act) governs the management, sale, and occupation of Crown land in Victoria. It includes legislation for the leasing and licencing of Crown land, including for electric lines, and provides provisions for the bed and banks of certain watercourses, unused roads, and unclaimed land. The project may require a temporary lease to use unreserved Crown land (during construction) and leases for easements (during operation).
Subdivision Act 1988 **(Vic)**	The project must comply with the provisions of the *Subdivision Act 1988*. The *Subdivision Act 1988* provides the legal framework for the subdivision and consolidation of land, easements and restrictions, common property, and creation of owners' corporations. For the project, this Act is relevant to the creation of any easements.

Victorian Government legislation also includes several other Acts relevant to Marinus Link, and which are referred to in planning policy, including:

- *Aboriginal Heritage Act 2006* (Vic)
- *Environment Protection Act 2017* (Vic)
- *Heritage Act 2017* (Vic)
- *Water Act 1989* (Vic)
- *Traditional Owner Settlement Act 2010* (Vic)

3.2.1 Victoria Planning Provisions and Planning Schemes

The P&E Act provides the framework for land use and development in Victoria. Planning schemes are prepared for each municipality under the provisions of the P&E Act in Victoria, consistent with the Victoria Planning Provisions (VPP).

The land to which a planning scheme may apply includes land covered by water (such as lakes and some coastal waters) and areas above or below ground (such as air rights and excavations).

The Victorian component of Marinus Link would be mostly located in the City of Latrobe and South Gippsland Shire and is therefore subject to the Latrobe and South Gippsland Planning Schemes. Figure 6 shows the boundaries of the municipalities in the context of the study area. The provisions of each municipal planning scheme govern the use, development, protection, and conservation of land in that municipality.

It is noted that the South Gippsland Planning Scheme includes land above the high-water line at Waratah Bay. Land and waters below the high-water line are beyond the scope of the South Gippsland Planning Scheme. Land and waters within Victoria, below the high-water line, are therefore not subject to the Planning Schemes. Victorian waters extend three nautical miles to sea, and Commonwealth waters lie beyond this point. The scope of this assessment is limited to land-based impacts only, being within the Latrobe and South Gippsland Planning Schemes which lie inland of the high water mark. The project's offshore impacts are assessed in the EIS/EES Technical Appendix H: Marine Ecology and Resource Use.

The VPP are a state-wide document which frame the structure and content of planning schemes and include the policy guidance and land use controls as set out in Table 5. In planning terms, 'use of land' refers to using land for a particular purpose (such as a dwelling or a shop or for agriculture) and may not involve building anything, while 'development' includes the construction, alteration or demolition of a building or works and the subdivision or consolidation of land. In the context of this report, both use and development are considered with respect to land use impacts.

Table 5 Victoria Planning Provisions and Planning Scheme Structure

Policy guidance and land use controls	Purpose / description
Victoria Planning Provisions	
Municipal Planning Strategy (MPS)	The MPS is a succinct expression of the overarching strategic policy directions of a municipality. It provides for the planning scheme's policy foundation, based on the municipality's location and regional context, history, assets, strengths, key attributes, and influences. It is a focused and direct message about a council's planning aspirations. The form and content of the MPS is set out in the *Ministerial Direction – The Form and Content of Planning Schemes*.
Planning Policy Framework (PPF)	The PPF is the policy content of planning schemes. It includes part of the Victoria Planning Provisions (VPP) in the form of state and regional planning policies and local content in the form of local planning policies. The PPF structure provides for three tiers of integrated planning policy: state-wide, regional, and local. The state, regional and local levels of policy are grouped by theme with directly relevant regional and local policies 'nested' under the corresponding state planning policy.
Zones	Standard zones for state-wide application are included in the VPP. Broadly zones seek to control land use, and associated planning approval requirements. Also contains information relating to subdivision of land, construction of new buildings and other changes to the land. Schedules can contain local and/or state content. Zones applicable to the study area are shown in Appendix A and summarised in Appendix B.
Overlays	Overlays highlight some special feature of the land (for example heritage, flood risk, vegetation), and associated planning approval requirements. Apply in addition to the provisions of the zone and any other provision of the planning scheme. Land may be affected by more than one overlay. Standard overlays for state-wide application is included in the VPP, and schedules can contain local and/or state content. Overlays applicable to the study area are shown in Appendix A and summarised in Appendix B.
Particular Provisions	Particular provisions apply to the specified categories of use, development and other matters in addition to any provisions which apply due to any other provision of the planning scheme. Schedules contain local content.
General Provisions	General provisions are operational requirements which are consistent across the state. The general provisions include matters such as existing use rights, administrative provisions, ancillary activities, and referral of planning permit applications. Some general provisions have schedules for local requirements.
Definitions	A set of definitions is included in the VPP and applies in all planning schemes. Defined terms are separated into general terms, outdoor advertising terms and land use terms.
Incorporated Documents	Planning schemes may apply, adopt, or incorporate any document that relates to the use, development, or protection of land. This allows a link between the planning scheme and external documents that may inform the planning scheme, guide decision making or affect the operation of the scheme. This includes a range of codes, strategies, guidelines, plans or similar documents. An external document that is incorporated into a planning scheme is included in the list of incorporated documents in Clause 72.04 of the planning scheme. The document then carries the same weight as other parts of the scheme and can only be changed by a planning scheme amendment. Guidelines for the incorporation of documents is provided in *Planning Practice Note 13 – Incorporated and Reference Documents*.

Maps of the applicable zones and overlays are provided at Appendix A: Planning and Land Use Mapbooks. A summary of relevant policy and applicable zones and overlays as set out in the planning schemes is included at Appendix B: Description of Policy and Guidelines.

3.3 POLICY AND GUIDELINES

A number of Victorian state and regional policies and guidelines are relevant to the project in Victoria and the study area, including:

- *Coastal Spaces Landscape Assessment Study 2006*
- *Marine and Coastal Policy 2020*
- *Siting and Design Guidelines for Structures on the Victorian Coast 2020*
- *Marine and Coastal Strategy 2022*
- *Victoria's Climate Change Strategy 2021*
- *Water for Victoria 2016*
- *South Gippsland Rural Land Use Strategy 2011*
- *Strong, Innovative, Sustainable: A new strategy for agriculture in Victoria 2020*
- *Victoria's Regional Statement 2015*
- *Guidelines for the removal, destruction or lopping of native vegetation 2017*
- *Gippsland Regional Plan 2020-2025*
- *Victoria's Infrastructure Strategy 2021-2051*

A summary of these relevant policies is included at Appendix B: Description of Policy and Guidelines.

3.4 PLANNING APPROVAL PATHWAY

This section refers to the approval pathway pursuant to the provisions of the P&E Act that could be used to facilitate the use and development of Marinus Link.

Marinus Link is defined in the VPP and Planning Schemes as a 'utility installation', being "*Land used: … c) to transmit or distribute … power; …*".

The Victorian component of the project's 90 km route travels through a number of properties located within the areas of South Gippsland Shire and Latrobe City Council. Under the provisions of the planning schemes of these councils, a planning permit would be required for various aspects of the project, including use (ongoing use for a utility installation), development (buildings and works (including construction of infrastructure)), earthworks, access, subdivision / creation of easements, and removal of vegetation. In assessing the proposal against the relevant planning scheme policies, social, environmental, and economic factors will need to be considered as prescribed by the relevant planning scheme. Permit applications would be publicly exhibited, and submissions considered in the decision-making process. The Councils are the decision-making responsible authorities under the scheme unless otherwise specified. Submitters in relation to a planning permit application would generally have rights of review at the Victorian Civil and Administrative Tribunal (VCAT).

As the project crosses many properties through multiple councils, it is proposed that a PSA process be adopted to define a single set of specific conditions for the project. The PSA would provide the planning approval for the project and exempt it from being otherwise required to obtain a planning permit or permits for each affected property.

The PSA would apply the Specific Controls Overlay (SCO) (Clause 45.12) to the project area, and apply specific controls with the effect that the subject land could be used and developed for the purposes of the project in accordance with an Incorporated Document. The Incorporated Document would specify the land to which an exemption from any permit requirement applies, the use, works, and development that is exempt from permit requirements, and the conditions upon which the exemption applies. This approach enables a project specific and integrated planning approval to apply across the whole project within Victoria to facilitate further design, use and development of the purposes of the project.

An amendment to the South Gippsland Shire and Latrobe City Council planning schemes for all further works and activities would:

- Provide for a single planning approval and reduce administrative work required by the Minister by obviating the need to consider further planning permit submissions
- Have already been considered by the Minister for Planning under the EE Act
- Implement the outcomes and recommendations of the Minister's Assessment under the EE Act via the proposed inclusion of an Incorporated Document in the schedule to the SCO in the respective planning schemes.

The exhibition, consideration of social, environmental, and economic effects, public hearings and consideration of submissions as part of an EIS/EES process are consistent with those required for planning approvals. A draft PSA including a Incorporated Document, schedule to the SCO, and Explanatory Report would be exhibited with the EIS/EES, and landholders and other stakeholders invited to make submissions. The appointment of a joint Inquiry and Advisory Committee (IAC) by the Minister for Planning would review the planning scheme amendment and any submissions made in its investigation and consideration of the social, environmental, and economic effects. This process would enable the views of relevant parties to be heard, considered and reviewed by an inquiry, including in relation to the draft PSA.

In preparing a PSA a planning authority:

- Must have regard to the Minister's Directions;
- Must have regard to the VPP;
- In the case of a PSA, must have regard to any municipal strategic statement (or MPS), strategic plan, policy statement, code or guideline which forms part of the scheme;
- Must consider any significant effects which it considers the scheme or PSA might have on the environment or which it considers the environment might have on any use or development envisaged in the scheme or PSA; and
- Must consider its social effects and economic effects.

The preferred planning mechanism to enable the use and development of Marinus Link would be a 'GC' (Group) PSA (being an amendment which makes changes to a group of planning schemes, but not all Victorian planning schemes) to the Latrobe and South Gippsland planning schemes facilitated by the Minister for Planning.

The PSA would insert an Incorporated Document and associated SCO into the affected planning schemes, which have the purpose of providing a project-specific planning control that identifies the extent of the project.

The preparation of the PSA must have regard to *Ministerial Direction No 11 (Strategic Assessment of Amendments)*, which provides direction on the strategic evaluation of a PSA and the outcomes it produces.

Further detail on planning approval considerations for the project is provided in the Draft PSA (EIS/EES Attachment 3).

4. PROJECT DESCRIPTION

This section discusses the key components and details of the project and activities that are relevant to the land use and planning impact assessment. This report only assesses the land based components of the project within Victoria.

4.1 OVERVIEW

The project is proposed to be implemented as two 750 MW circuits to meet transmission network operation requirements in Tasmania and Victoria. Each 750 MW circuit would comprise two power cables and a fibre-optic communications cable bundled together in Bass Strait and laid in a horizontal arrangement on land. The two 750MW circuits would be installed in two stages with the western circuit being laid first as part of stage one, and the easter cable in stage.

The key project components for each 750 MW circuit are, from south to north are:

- HVAC switching station and HVAC-HVDC converter station at Heybridge in Tasmania. This is where the project will connect to the North West Tasmania transmission network being augmented and upgraded by the North West Transmission Developments (NWTD).
- Shore crossing in Tasmania adjacent to the converter station.
- Subsea cable across Bass Strait from Heybridge in Tasmania to Waratah Bay in Victoria.
- Shore crossing at Waratah Bay approximately 3 km west of Sandy Point.
- Land-sea cable joint where the subsea cables will connect to the land cables in Victoria.
- Land cables in Victoria from the land-sea joint to the converter station site in the Driffield or Hazelwood areas.
- HVAC switching station and HVAC-HVDC converter station at Driffield or Hazelwood, where the project would connect to the existing Victorian transmission network (Referred to as a converter station through the rest of this report).

A Transition Station at Waratah Bay may also be required if there are different cable manufactures or substantially different cable technologies adopted for the land and subsea cables. The location of the transition station will also house the fibre optic transition station in Victoria. However, regardless of whether a transition station is needed, a fibre optic terminal station will still be required in the same location.

In Tasmania, a converter station is proposed to be located at Heybridge near Burnie. The converter station will facilitate the connection of Marinus Link to the Tasmanian transmission network. There will be two subsea cable landfalls at Heybridge with the cables extending from the converter station across Bass Strait to Waratah Bay in Victoria. The preferred option for shore crossings is horizontal directional drilling (HDD) to about 10 m water depth where the cables would then be trenched, where geotechnical conditions permit.

Approximately 255 (km of subsea HVDC cable will be laid across Bass Strait. The preferred technology for Marinus Link is two 750 megawatt (MW) symmetrical monopoles using ±320 kV, cross-linked polyethylene insulated cables and voltage source converter technology. Each symmetrical monopole is proposed to comprise two identical size power cables and a fibre-optic communications cable bundled together. The cable bundles for each circuit would transition from approximately 300m apart at the HDD (offshore) exit to 2 km apart in offshore waters.

In Victoria, the shore crossing is proposed to be located at Waratah Bay with the route crossing at the Waratah Bay–Shallow Inlet Coastal Reserve. From the land-sea joint located behind the coastal dunes, the land cable will extend underground for approximately 90 km to the converter station. From Waratah Bay the cable would run northwest to the Tarwin River Valley and then travel to the north to the Strzelecki Ranges.

The project alignment crosses the ranges between Dumbalk and Mirboo North before descending to the Latrobe Valley where it turns northeast to Hazelwood. The Victorian converter station (comprising of the switching station and converter station) will be at either a site south of Driffield or Hazelwood adjacent to the existing terminal station.

The land cables will be directly laid in trenches or installed in conduits in the trenches. A construction area of 20 to 36 m wide would be required for laying the land cables and construction of joint bays. Temporary roads for accessing the construction area and temporary laydown areas would also be required to support construction. Where possible, existing roads and tracks will be used for access, for example, farm access tracks or plantation forestry tracks.

Land cables will be installed in ducts under major roads, railways, major watercourses and substantial patches of native vegetation using horizontal directional drilling (HDD), where geotechnical conditions permit. A larger area than the 36m construction area will be required for the HDD crossings.

The assessment is focused on the Victorian land based components of the project. This report will inform the EIS/EES being prepared to assess the project's potential environmental effects in accordance with the legislative requirements of the Commonwealth and Victorian governments (see Figure 2).

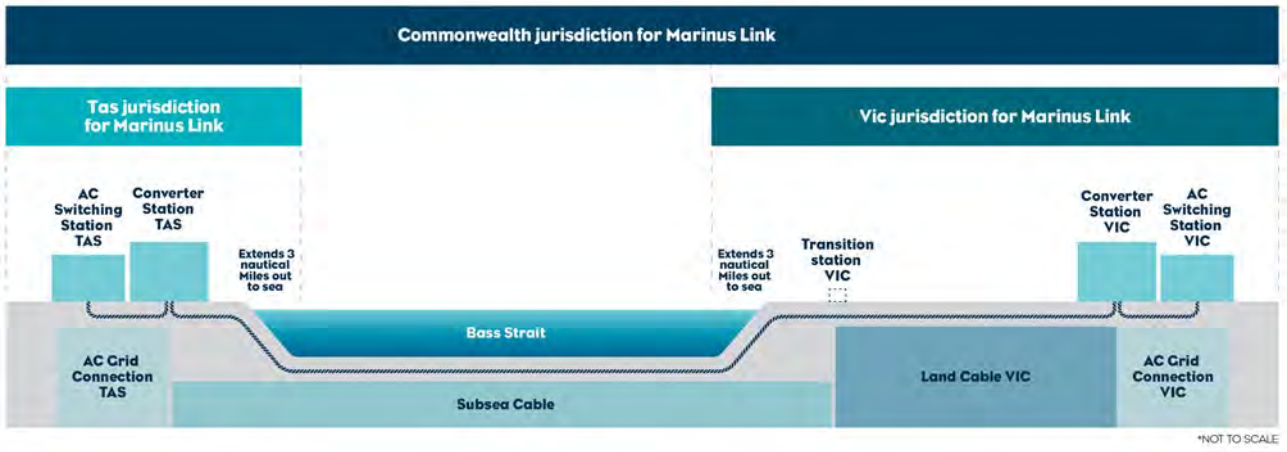

Figure 2 Project components considered under applicable jurisdictions (MLPL, 2022)

The project is proposed to be constructed in two stages over approximately five years following the award of works contracts to construct the project. On this basis, stage 1 of the project is expected to be operational by 2030 and stage 2 will follow with final timing to be determined by market demand. The project will be designed for an operational life of at least 40 years.

4.2 CONSTRUCTION

Elements of the project construction of particular relevance to the Land Use and Planning Impact Assessment relate to construction activities, the introduction of drill pads, the transition station, land cables, and the converter station.

Victorian Shore Crossing

The area of disturbance (AoD) is up to 10m wide for each subsea cable bundle which includes the area disturbed by the pre-lay grapnel run (a dredging process which clears the proposed cable pathway of debris which may obstruct the laying of cable), cable laying and cable protection (burial or rock armouring). The Victorian shore crossing HDD drill pad would be located inland from the coast behind the coastal reserve. The approximately 100m by 100m HDD pad would accommodate the bores for both circuits.

The Waratah Bay beach would not be closed during construction, unless required to manage public safety concerns at the time, in which case disruption would be short term and temporary.

Approximately 12 months of drilling would be required to construct both circuits.

Transition Station

The AoD of the transition station construction footprint is 75 m by 50 m. An engineered site bench of approximately 3,750 sqm is required to provide a stable base for the transition station. It is assumed approximately 750 mm of soil (including 350 mm of topsoil) would need to be excavated to reach suitable ground on which the bench would be constructed.

The haul road to access the transition station from Waratah Road and the transition station itself would be fenced.

Figure 3 provides an indicative site layout of the proposed transition station.

Figure 3: Transition station site layout

Legend

- Indicative transition station layout
- Indicative fibre optic terminal station location
- Proposed underground HVDC cable
- Proposed easement
- Survey area
- Major road
- Cadastre

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Scale: 1:1,000

20 10 0 20

m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

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Land Cables

The AoD for the land cables comprises a nominal 36 m wide (minimum 20 m wide) construction corridor for land cables, and would encompass two trenches, haul road, surface water runoff management structures, and topsoil and subsoil stockpiles. It would also encompass cable joint pit construction workspace. In addition, the AoD includes:

- Up to 10 m wide area for indicative access tracks to allow for drains and batters or cuttings where required.
- HDD drill pads (entry and exit) of 60 m by 60 m where this can be accommodated without impacting on native vegetation, watercourses and other features or infrastructure, with a minimum of 40 m by 40 m for where HDD is used for crossing major watercourse, major roads, railways, avoiding vegetation and major third-party infrastructure crossings.
- HDD drill pad and cable joint pit access tracks AoD would be up to 10 m wide with a preference to use or upgrade existing farm and plantation access tracks and roads where practicable. The 10 m wide areas of disturbance would accommodate the 3-4 m wide access track and, if required, area for construction of access tracks.
- Laydown areas up to 1ha at strategic locations along the land cable alignment. Seven major laydown areas approximately 13 km apart have been identified along the land cable route in Victoria. The laydown areas are on properties traversed by the proposed route. Two provisional laydown areas have been identified as alternatives if any of the identified areas are not available. The laydown areas would accommodate materials, spare parts, parking, a site office and amenities. Amenities would also be provided at cable joint pits.

Site establishment would include constructing site entries and gates, access roads and tracks to the construction corridor, weed and pathogen wash-down facilities, laydown areas, offices and amenities, and stock proof fencing, where required and agreed with landowner / land manager. Crossing points would be established where necessary to enable dairy cows to travel to and from milking sheds and for stock to access water troughs unless alternative watering arrangements are agreed with the landowner. Some access tracks and fences may be retained between stage 1 and stage 2 construction works. Unless agreed with the landowner / land manager to retain access roads, temporary haul roads and access tracks would be removed.

Minor laydown areas to support cable pulling operations would be located at approximately every second cable joint pit within the 20 m to 36 m wide construction corridor. These would be complemented, where needed, by smaller areas where the construction corridor needs to be reduced resulting in stockpiling of materials elsewhere.

Trenches would be backfilled with subsoil and topsoil to reinstate soil horizons and reinstatement of the construction corridor except at cable joint pits and where equipment is required to assist cable installation, e.g., at bends and HDD crossings. Following the pulling of land cables through the conduits between adjacent cable joint pits and cable jointing, the cable joint pit workspaces would be backfilled and reinstated.

In many cases where access tracks do currently exist, works would be required to upgrade these routes between main roads and laydown/works areas in line with project requirements. The project corridors to be utilised for the installation of cabling via trenching would require the creation or formalisation of haul roads for the transport of materials and machinery to the works area. In most cases, access track width can be 3-4m and utilise existing agricultural access tracks, however in some instances it is noted that to create and grade access tracks suitable for the carriage of plant and project machinery, an area of up to 10m in width may be required.

Converter Station

The AoD is up to 35ha at the Victorian converter station site (for primary infrastructure, plus additional area for temporary laydown, stormwater management, bushfire protection zone, landscaping, etc.). It is anticipated that all works for the converter stations would be contained within the converter station sites and major laydown areas where required.

Works would include the following:

- Site clearing of vegetation, including fire perimeter.
- Installation of perimeter fire trail and temporary access track.
- Civil works to level the site using a balance of cut and fill with some import, installation of site access road to the Strzelecki Highway.
- Civil works to install site drainage and stormwater management and internal roads.
- Installation of foundations.
- Erection of structures aligned without layout drawings.

Figure 4 and Figure 5 provide indicative layouts of the Driffield converter station site and the potential Hazelwood converter station site respectively.

4.3 OPERATION

Elements of the project of particular relevance to the Land Use and Planning Impact Assessment during operation relate to the proposed 20 m wide easement and associated restrictions on land titles, and ongoing maintenance activities.

The transition station at Waratah Bay would not require staff on site, and during normal operations, the site would be monitored remotely. There would be regular inspections of buildings and maintenance for weeds and drainage.

Easement conditions on land titles set out restrictions for activities on an easement. Most farming and cropping activities would be able to continue. No buildings or trees would be allowed on the easement. In general, land cables are typically maintenance free with routine maintenance being limited to several smaller activities around the jointing pits. Joint pits would be marked with poles and the cable route would be marked at field boundaries.

The converter stations would not be manned 24/7 and only attended during normal working hours. The project would ideally operate 24 hours per day, 365 days per year over an anticipated minimum 40-year operational lifespan. Operation and maintenance activities include:

- Routine inspections of the land cable easement for potential operational and maintenance issues, including:
  - Unauthorised activities and structures
  - Land stability
  - Rehabilitation issues
  - Weed infestations resulting from construction activities
  - Cover at watercourse crossings.
- Periodic inspection of the subsea cable routes by remotely operated vehicles
- Remote monitoring of shipping activity near the subsea cables for potential anchoring issues
- Servicing, testing and repair of the subsea and land cables, transition station and converter stations equipment and infrastructure including scheduled minor and major outages
- Maintenance of access tracks.

Figure 4: Driffield Converter Station site layout

Legend

- Indicative station layout
- Fire break area
- Proposed underground HVDC cable
- Proposed easement
- Major road
- Minor road
- Cadastre
- Survey area

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Scale: 1:10,000

200 100 0 200 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
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Figure 5: Hazelwood Converter Station site layout

Legend

- Indicative station layout
- Underground HVDC cable
- Indicative connection to converter station
- Proposed easement
- Converter station site boundary
- Survey area
- Major road
- Cadastre

N

Scale: 1:7,500

150 75 0 150 m

Coordinate System: GDA2020 MGA Zone 55
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4.4 DECOMISSIONING

Requirements at the time will determine the scope of decommissioning activities and impacts. The key objective of decommissioning is to leave a safe, stable and non-polluting environment.

In the event that the project is decommissioned, all above-ground infrastructure will be removed, and associated land returned to the previous land use or as agreed with the landowner or land manager. Land use may include re-use for electricity transmission infrastructure, re-use for another purpose or return to previous land use where practicable.

Decommissioning activities required to meet the objective will include, as a minimum, removal of above ground buildings and structures. Remediation of any contamination and reinstatement and rehabilitation of the site will be undertaken to provide a self-supporting landform suitable for the end land use. Decommissioning and demolition of project infrastructure will implement the waste management hierarchy principles being avoid, minimise, reuse, recycle and appropriately dispose. Waste management will accord with applicable legislation at the time.

Decommissioning activities may include recovery of land and subsea cables and removal of land cable joint pits. Recovery of land cables would involve opening the cable joint pits and pulling the land cables out of the conduits, spoiling them onto cable drums and transporting them to metal recyclers for recovery of component materials. The conduits and shore crossing ducts would be left in-situ as removal may cause significant environmental impact.

The concrete cable joint pits would be broken down to at least one metre below ground level and buried in-situ or excavated and removed. Subsea cables would be recovered by water jetting or removal of rock mattresses or armouring to free the cables from the seabed.

A decommissioning management plan will be prepared to outline how activities would be undertaken and potential impacts managed.

5. METHOD

This section describes the method that was used to assess the potential land use and planning impacts of the project.

5.1 STUDY AREA

A study area has been defined for this land use planning impact assessment to characterise baseline conditions and assess impacts. The study area includes land within Victoria only, excluding the offshore marine environment. The study area includes the terrestrial components of the project from Waratah Bay and extends to Hazelwood. The assessment considers this full extent, noting that only one of the two potential converter stations (Driffield or Hazelwood) will ultimately be constructed. It is noted that the segment of proposed cable alignment between Driffield and Hazelwood, as well as the Hazelwood converter station, will not be constructed if the Driffield site is selected as the converter station site. In this event all direct planning, land use and other impacts identified in association with the Driffield – Hazelwood segment will not eventuate.

The study area encompasses the project survey area, laydown areas, as well as the potential converter station sites at Driffield and Hazelwood, the HDD drill pad site at Waratah Bay and other drill pad sites along the alignment, the proposed transition station site at Waratah Bay, and up to 10 m wide access track where required.

The survey area is the area surveyed by technical specialists for the project during fieldwork, being an area of nominally 220 m wide, which would accommodate the 20 to 36 m wide construction corridor, minor laydown areas and an area of up to 10 m wide for access tracks. In some locations the survey area is wider or narrower and follows property boundaries. Major laydown areas are generally adjacent to the 220 m survey area corridor, though in some locations offset from the land cable route.

This area was nominated for the study area for this report as this captures key land uses in the vicinity of the project that need to be first understood before project impacts are identified and addressed. The project's land use impacts include direct impacts associated with acquisition and temporary occupation of land, changes to current and ongoing land use, and indirect impacts including those associated with implications for strategic policy and land use character. Buildings and structures were also considered to determine potential impacts to the ongoing use of land due to amenity impacts.

While the study area is the basis for understanding the existing conditions in the immediate surrounds of the project, broader consideration was also given to significant land uses, known significant redevelopments and PSAs outside the study area but which have the potential to influence land use and development within the study area and vice versa.

For this assessment, the project has been considered according to three land use planning segments within the study area that align with the broad land use characteristics of each:

- Waratah Bay to Baromi (including land within South Gippsland Shire)
- Baromi to Driffield (including land within both South Gippsland Shire and Latrobe City)
- Driffield to Hazelwood (including land within Latrobe City)

The segments have been defined with regards to:

- Location of project components
- Required construction works
- Municipal boundaries
- Potential impacts on local areas
- Character of surrounding communities.

An overview of the land use planning study area and segments is shown in Figure 6.

5.2 EXISTING CONDITIONS

As part of this assessment, the existing conditions have been identified to provide an understanding of baseline land use planning conditions in the study area.

To inform an understanding of existing conditions, a desktop assessment, baseline data review and site visit across the study area were undertaken. The key tasks are summarised in the following sections with notable findings for each precinct outlined in Section 7 of this report.

5.2.1 Desktop assessment and baseline data review

A desktop assessment was undertaken drawing upon a range of background reports, land use planning databases, mapping, and strategic documents to understand the existing conditions in the study area. The following baseline data was reviewed as part of the desktop assessment:

- Publicly accessible aerial imagery and ground level photography, including aerial photography overlayed with the reference project.
- Land titles and high-resolution aerial photography, provided by MLPL.
- Land use planning databases, zoning and overlay mapping and publicly accessible strategic planning documentation.
- The legislative context which applies to the reference project and land within the broader precinct. This included a review of affected planning schemes including for Latrobe and South Gippsland.
- PSAs and notable planning permit applications since the date of the project's announcement.
- Consultation with local government officers to understand any current or likely future land use planning changes within or close by the study area.

5.2.2 Site inspection

A site inspection was conducted on 27 June 2022 to observe and photograph the study area and surrounds. Observations were taken with regards to township extents, dwelling locations, access and key roads, land uses, and other key features that may affect land use. The site inspection was conducted on foot and by car from public viewpoints only. The outcome of the site inspection further informed the assessment of existing conditions and understanding of potential land use impacts across the study area.

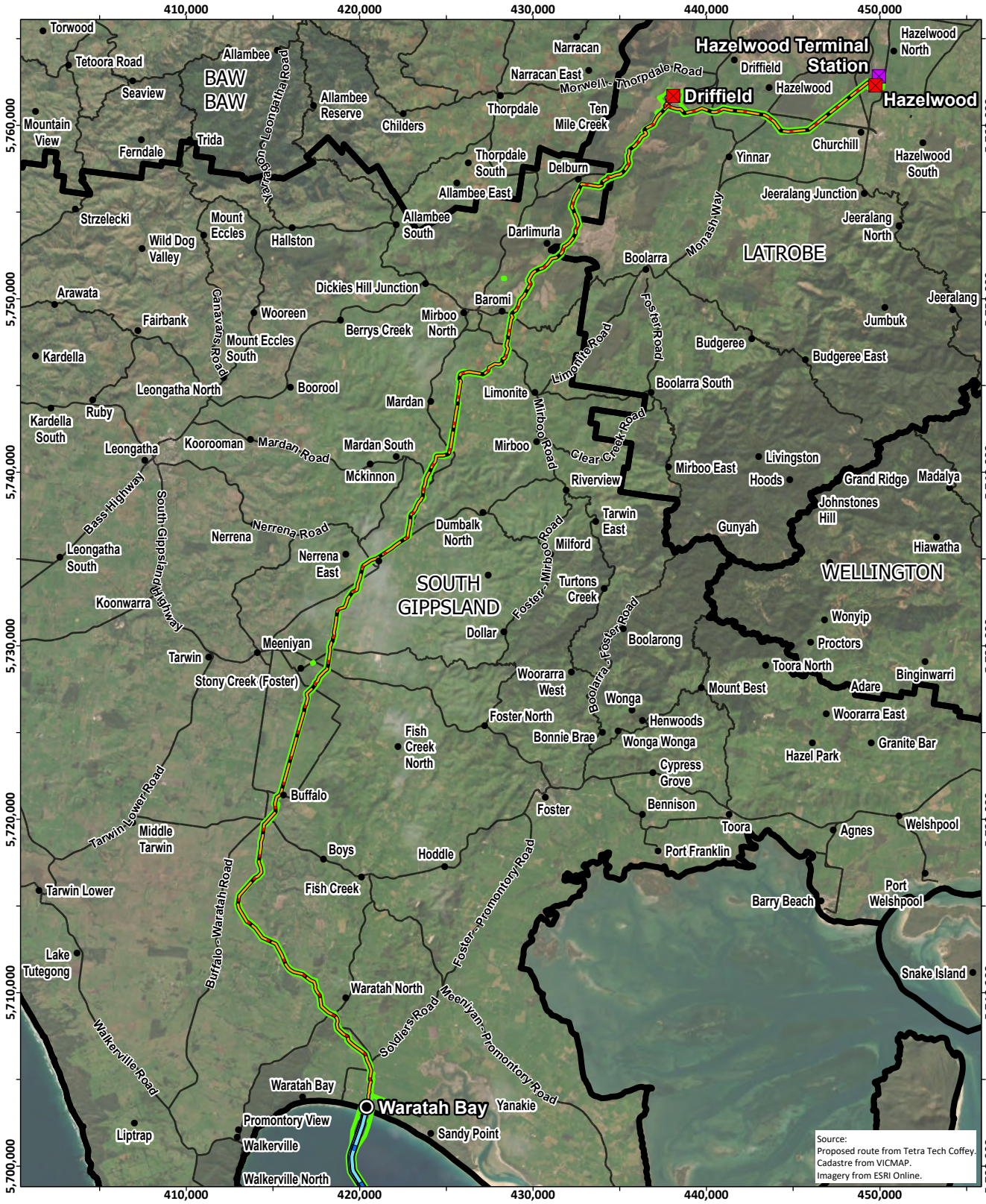

Figure 6: Planning and Land Use Assessment Study Area

Legend

- Existing substation
- Potential converter station
- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Marinus Link survey area
- Road
- Local Government Area (LGA)

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6.5 3.25 0 6.5 km

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5.3 IMPACT ASSESSMENT

The impact assessment included the following tasks:

- Identify and assess potential long and short-term effects of the project on existing and potential land uses and public infrastructure, including:
  - Permanent and temporary change in land use due to easement or land acquisition and occupation.
  - Impacts to land use and infrastructure due to acquisition, construction activities, and occupation for the project's construction have been assessed as the point in time when these would occur.
  - Temporary and permanent changes to the ongoing use of land adjacent to the project during operation.
  - Property acquisition required for the project and its impact to established land use character.
  - Potential for inconsistencies with planning policies and strategic plans due to land use changes for the project's construction and operation.
- Identifying EPRs to define the performance outcomes to be achieved to avoid, minimise, or mitigate land use planning-related impacts.
- During the preparation of this impact assessment other technical assessments were reviewed as outlined at Section 2.2 where interrelationships and linkages have been identified, and the relevant technical specialists consulted where necessary. The tasks outlined at Section 5.2.1 above forming part of the baseline conditions assessment have further contributed to the understanding of project impacts and resultant discussion.

The report has assessed the potential land use planning impacts that the project may have on land use, land use character, built form and strategic policy directives.

The method adopted for the impact assessment of planning matters is primarily a compliance assessment. Statutory planning controls and guidelines are provided (primarily via the VPP and Planning Schemes) which manage land use matters, and whereby an assessment of significance and magnitude or likelihood and consequence is not required. In this instance an assessment of compliance for the project against statutory controls and guidelines has been undertaken. Statutory requirements set out in regulatory documents are designed to protect the relevant values. The controls and guidelines include an implicit assessment of the vulnerability of the value through the setting of limits or thresholds.

For land use matters, a significance-based assessment has also been completed. Significance based assessment considers the significance of an impact on the value by evaluating the magnitude of an impact and the sensitivity of the value to change. This is the primary method of impact assessment to be used for the project.

This approach assumes the identified impacts would occur, as this conservative method enables a more comprehensive understanding and assessment of the likely impacts of a project. It focuses attention on the mitigation and management of potential impacts through the identification and development of effective design responses and environmental controls.

5.3.1 Cumulative impact assessment

The EIS guidelines and EES scoping requirements both include requirements for the assessment of cumulative impacts. Cumulative impacts result from incremental impacts caused by multiple projects occurring at similar times and within proximity to each other.

To identify possible projects that could result in cumulative impacts, the International Finance Corporation (IFC) guidelines on cumulative impacts have been adopted. The IFC guidelines (IFC, 2013) define cumulative impacts as those that 'result from the successive, incremental, and/or combined effects of an action, project, or activity when added to other existing, planned, and/or reasonably anticipated future ones.'

The approach for identifying projects for assessment of cumulative impacts considers:

- Temporal boundary: the timing of the relative construction, operation and decommissioning of other existing developments and/or approved developments that coincides (partially or entirely) with Marinus Link.
- Spatial boundary: the location, scale and nature of the other approved or committed projects are expected to occur in the same area of influence as the project. The area of influence is defined at the spatial extent of the impacts a project is expected to have.

Proposed and reasonably foreseeable projects were identified based on their potential to credibly contribute to cumulative impacts due their temporal and spatial boundaries. Projects were identified based on publicly available information at the time of assessment. The projects considered for cumulative impact assessment across Tasmania, Bass Strait and Victoria are:

- Delburn Windfarm
- Star of the South Offshore Windfarm
- Offshore wind development zone in Gippsland including Greater Gippsland Offshore Wind Project (BlueFloat Energy), Seadragon Project (Floatation Energy), Greater Eastern Offshore Wind (Corio Generation).
- Hazelwood Mine Rehabilitation Project
- Wooreen Energy Storage System
- North West Transmission Developments
- Guilford Windfarm
- Robbins Island Renewable Energy Park
- Jim's Plain Renewable Energy Park
- Robbins Island Road to Hampshire Transmission Line
- Bass Highway upgrades between Deloraine and Devonport
- Bass Highway upgrades between Cooee and Wynard
- Hellyer Windfarm
- Table Cape Luxury Resort
- Youngmans Road Quarry
- Port Latta Windfarm
- Port of Burnie Shiploader Upgrade
- Quaylink – Devonport East Redevelopment.

The projects relevant to this assessment have been determined based on the potential for cumulative impacts to land use values in Victoria. Projects assessed as relevant to this assessment are:

- Delburn Windfarm – a wind farm project proposed to consist of up to 33 turbines, largely within the Hancock Victoria Plantations (HVP) land between Pleasant Valley Road and the optional Marinus Link converter station site at Driffield.
- Star of the South Offshore Windfarm – an offshore windfarm of up to 200 turbines, off the south coast of Gippsland, approximately 70km from proposed Marinus Link shore crossing at Waratah Bay.
- Offshore wind development zones in Gippsland, including Greater Gippsland Offshore Wind Project (BlueFloat Energy), Seadragon Project (floatation Energy), Greater Eastern Offhsore Wind (Corio Generation) – these projects are known to be in the early planning and development phases and therefore have not progressed sufficiently to be considered in the cumulative impact assessment.
- Hazelwood Mine Rehabilitation Project – the rehabilitation of the former Hazelwood Mine and Power Station, involving the decommissioning remaining buildings, roads and infrastructure, earthworks to reprofile slopes, reinstating watercourses and creation of a mine lake.
- Wooreen Energy Storage System – four-hour utility-scale battery, to be collocated on the site of Jeeralang gas-fired power station at Hazelwood North.

In the context of this land use and planning study, how these projects may collectively change or impact land use and how they may influence or change planning policy was considered.

5.3.2 Sensitivity criteria

The sensitivity of a value is determined with respect to its protection status, intactness, uniqueness or rarity, resilience to change and replacement potential. These contributing factors are described below.

- **Protection status** is assigned to a value by governments (including statutory and regulatory authorities) or recognised international organisations (e.g., UNESCO) through legislation, regulations, and international conventions.
- **Intactness** is an assessment of how intact a value is. It is a measure (with respect to its characteristics or properties) of its existing condition, particularly its representativeness.
- **Uniqueness or rarity** of a value is an assessment of its occurrence, abundance, and distribution within and beyond its reference area (e.g., bioregion/biosphere).
- **Resilience to change** is determined by the extent to which a value can cope with change including that posed by threatening processes. This factor is an assessment of the ability of a value to adapt to change without adversely affecting its conservation status, intactness, uniqueness, or rarity.
- **Replacement potential** is the potential for a representative or equivalent example of the environmental value to be found to replace any losses.

The criteria for determining the level of sensitivity, from very high to very low for the land use impact assessment is set out in Table 6.

Table 6 Land use sensitivity criteria

Sensitivity level	Criteria
Very high sensitivity	The land use is listed on a recognised or statutory state, national or international register, or is protected under legislation, regulations or guidelines as being of very high significance. The land use is intact and retains its intrinsic value. It is unique. It is isolated to the affected area, which is poorly represented in the broader region, territory, country, or the world. It is fragile and predominantly unaffected by existing threatening processes. Small changes would lead to substantial changes to the prescribed land use. It is not widely distributed throughout the area and consequently would be difficult or impossible to replace.
High sensitivity	The land use is listed on a recognised or statutory state, national or international register, or is protected under legislation, regulations or guidelines as being of high significance. The land use is relatively intact and retains most of its intrinsic value. It is locally unique to the environment or community in which it occurs, with few regionally available alternatives. It is predominantly unaffected by existing threatening processes. Small changes would lead to changes to the prescribed value. It is not widely distributed throughout the area and consequently recovery potential would be limited.
Moderate sensitivity	The land use is listed on a recognised or statutory state, national or international register, or is protected under legislation, regulations or guidelines as being of moderate significance. The land use is in a moderate to good condition despite it being exposed to threatening processes. It retains many of its intrinsic characteristics and structural elements. It is relatively well represented in the areas in which it occurs, but its abundance and distribution are limited by threatening processes. Threatening processes have reduced the land use's resilience to change. Consequently, changes resulting from project activities may lead to degradation of the prescribed land use. Replacement of unavoidable losses is possible due to its abundance and distribution.
Low sensitivity	The land use is not listed on a recognised or statutory state, national or international register, or protected under legislation, regulations or guidelines as being of significance. It is in a poor to moderate condition as a result of existing threatening processes which have degraded its intrinsic value. It is not unique or rare and numerous representative examples exist throughout the area. It is less widely distributed throughout the area. There is slight detectable response to change of the land use but can quickly recover. The abundance and wide distribution of the land use ensures replacement of unavoidable losses is assured.
Very low sensitivity	The land use is not listed on any recognised or statutory register. It is not recognised locally by relevant suitably qualified experts or organisations. It is in a poor condition as a result of existing threatening processes which have degraded its intrinsic value. It is not unique or rare and representative examples exist abundantly throughout the area. It is abundant and widely distributed throughout the area. There is no detectable response to change, or change does not result in further degradation of the land use.

5.3.3 Magnitude

The magnitude of impacts on a value is determined by an assessment of the geographical extent, duration, and severity of the impact. These criteria are described below.

- **Geographical extent** is an assessment of the spatial extent of the impact where the extent is defined as site, local, regional, or widespread (meaning state-wide or national or international).
- **Duration** is the timescale of the effect i.e., if it is short, medium, or long term.
- **Severity** is an assessment of the scale or degree of change from the existing condition, as a result of the impact. This could be positive or negative.

The criteria for determining severe, major, moderate, minor and negligible magnitude of impacts are set out in Table 7. The magnitude of impact should be assessed for all credible impact pathways i.e., where a project activity may lead to an impact on a value.

Table 7 Magnitude criteria

Magnitude level	Criteria
Severe	An impact that causes permanent changes to land use or consequences of the impact are unknown and management controls are untested. Results in changes to land use that are inconsistent with planning policy. Avoidance through appropriate design responses is required to address the impact.
Major	An impact that is widespread, long lasting and results in substantial change to land use either temporary or permanent. Land use change can only be partially maintained or uncertain if it can successfully be maintained. Causes major inconsistencies with planning policy. Appropriate design responses are required to address the impact.
Moderate	Land use change that extends beyond the operational area to the surrounding area but is contained within the region where the project is being developed. Land use changes are short term and can be ameliorated with specific management controls.
Minor	A localised land use change that is short term and could be effectively mitigated through standard management controls. Remediation work and follow-up required.
Negligible	A localised land use change that is temporary and does not extend beyond operational area. Land use change is not inconsistent with policy. Changes to land use effectively mitigated through standard management controls. Full recovery expected.

5.3.4 Assessment of significance

The significance of impacts on a value is determined by the sensitivity of the value itself and the magnitude of the change it experiences. Table 8 shows how, using the criteria described above, the significance of impacts is determined having regard to the sensitivity of the value and the magnitude of the expected change. This approach adopts a five-by-five matrix.

Table 8 Assessment of significance of impacts

Magnitude of impact	Sensitivity of value				
	Very high	High	Moderate	Low	Very low
Severe	Major	Major	Major	High	Moderate
Major	Major	Major	High	Moderate	Low
Moderate	High	High	Moderate	Low	Low
Minor	Moderate	Moderate	Low	Low	Very low
Negligible	Moderate	Low	Low	Very low	Very low

A description of the significance of an impact derived using Table 8 is set out in Table 9.

Table 9 Significance of an impact

Significance of impact	Description
Major impact	Occurs when impacts would potentially cause irreversible or widespread harm to a land use that is irreplaceable because of its uniqueness or rarity. Avoidance through appropriate design responses is the only effective mitigation. Impact affects a large region (e.g., an LGA). Existing land uses are unable to continue. Very large change to baseline land use conditions. Duration of impact is for a long term (e.g., a period of greater than 10 years). Land use change is inconsistent with State level planning policy.
High impact	Occurs when the proposed activities are likely to exacerbate threatening processes affecting the intrinsic characteristics and structural elements of the land use. While replacement of unavoidable changes to land use is possible, avoidance through appropriate design responses is preferred to preserve its intactness or preferred character. Impact affects a large area (e.g., a whole township). Existing land uses are unable to continue. Large change to baseline land use conditions. Duration of impact is for a medium term (e.g., a period of 3-10 years). Land use change is inconsistent with regional level planning policy.
Moderate impact	Occurs where, although reasonably resilient to change, the land use would be further degraded due to the scale of the impacts or its susceptibility to further change. The abundance of the land use ensures it is adequately represented in the region, and that replacement, if required, is achievable. Impact affects a small area (e.g., many landholdings within a township). Existing land uses are unable to continue or require significant modification to continue. Considerable change to baseline land use conditions. Duration of impact is for a short term (e.g., a period of 1-3 years). Land use change is inconsistent with local level planning policy.
Low impact	Occurs where a land use is of local importance and temporary and transient changes would not adversely affect its viability provided standard environmental controls and management measures are implemented.

Significance of impact	Description
	Impact affects a discrete number of landholdings in a local area (e.g., a small number of landholdings within a township). Existing land uses are unable to continue or require some modification to continue. Noticeable change to baseline land use conditions. Duration of impact is for a very short term (e.g., a period of 3 months to 1 year). Land use change is somewhat inconsistent with local level planning policy.
Very low impact	A degraded (very low sensitivity) land use exposed to minor changes (negligible magnitude impact) would not result in any noticeable change in its intrinsic value and hence the proposed activities would have negligible or no effects. This typically occurs where the activities occur in industrial areas. Impact affects a small number of individual landholdings in a local area. Existing land uses can continue with no modification or minor modification. Little to no change to baseline land use conditions. Duration of impact is for a very short period (e.g., a period of less than 3 months). Land use change is somewhat inconsistent with local level planning policy.

Application of the model criteria for sensitivity and magnitude may produce inconsistent designations. For example, the magnitude of impacts might be assessed as widespread (large geographical extent) but readily reversible (short-term duration and low severity). In these instances, the assumptions and professional judgement used to determine the overall sensitivity of the value or magnitude of impacts is explained.

5.3.5 Assessment of residual impact

Residual impacts are the potential impacts remaining after the application of EPRs. EPRs set out the environmental outcomes that must be achieved during design, construction, operation and decommissioning of the project. Compliance with EPRs is intended to minimise impacts and the risk of harm to the environmental, social, and cultural values to within reasonable limits having regard to contextual factors and the practical delivery of the project.

This performance-based approach allows for flexibility in how a specified outcome is achieved, rather than providing prescriptive measures that must be employed. It allows contractors to determine the best way to achieve EPRs and manage impacts whilst developing and optimising their design solutions.

The extent to which potential impacts would be reduced is determined by undertaking an assessment of the significance of the residual impacts. This is a measure of the effectiveness of the EPRs in reducing the magnitude of the potential impacts, as the sensitivity of the value does not change.

The effectiveness of EPRs considers the application of mitigation and management measures that are proposed to be adopted to comply with EPRs. This report discusses the mitigation and management measures that have been considered to inform the impact rating.

5.4 STAKEHOLDER ENGAGEMENT

Two consultation meetings with local government stakeholders were held to inform the preparation of this report and to inform the development of the project and understanding of potential impacts.

Table 10 outlines the stakeholders consulted for the preparation of this land use impact assessment. Feedback received during other stakeholder and community consultation sessions are summarised in the EIS/EES.

Table 10 Summary of stakeholder engagement for land use and planning assessment

Stakeholder	Engagement activity and timing	Discussion topics	Outcomes
City of Latrobe	Online meeting, September 2022	Broad land use characterisation; Significant policy and strategy considerations; PSA requests that may not have reached public exhibition stage; Major development applications. The following feedback was provided: • Recommendations of planning panel associated with converter station for Delburn Windfarm for bushfire risk • Planning approvals pathway and the proposed likely controls, ie SCO • Koala Biolink project/policy (Strzelecki to Alpine Nat Park) • Consider cumulative impacts from multiple projects in the area • Refer to Hazelwood Rehabilitation EES • Consideration of coal buffers – DJPR has been undertaking coal buffer review	Understanding of land use, land use changes and strategic planning as pertains to the project and Impact Assessment. These topics were considered in the preparation of the report, and specifically the following sections: • Section 3.4 Planning approval pathway • Section 6 Existing conditions • Section 7 Impact assessment • Section 7.6 Cumulative impacts
South Gippsland Shire	Online meeting, September 2022	Broad land use characterisation; Significant policy and strategy considerations; PSA requests that may not have reached public exhibition stage; Major development applications. The following feedback was provided: • Recent corrections PSA, unlikely to have any implications for ML. • Recent major development approval for Delburn Windfarm. • 90% of the ML route is in FZ which is unlikely to change. Townships/rural centres have growth boundaries. • Council has commenced work internally on a coastal strategy (possibly complete by 2023), which may extend approx. 5km inland, but also not expected to have any impact on ML. • Refer to Gippsland Renewable Energy Zone project. • Planning approvals pathway and the proposed likely controls, i.e. SCO. Council preference is to ensure that the entire project is covered by the proposed controls. • How would land be acquired where landowners not agreeable to an easement.	Understanding of land use, land use changes and strategic planning as pertains to the Project and Impact Assessment. These topics were considered in the preparation of the report, and specifically the following sections: • Section 3.4 Planning approval pathway • Section 6 Existing conditions • Section 7 Impact assessment

5.5 ASSUMPTIONS AND LIMITATIONS

This land use planning assessment has involved a combination of desktop investigation, local government stakeholder liaison and a site visit.

The findings of this report are subject to the following limitations, uncertainties, and assumptions:

- This report assesses the proposed AoD, which includes the proposed easement, in the context of the 220m wide survey area and broader study area. This is considered a conservative approach whereby further design refinements would be undertaken during the detailed design process to confirm the cable and easement location, with a view to optimising environmental, economic, and social outcomes, including the potential for a smaller project footprint.
- Consultation with the Councils, regarding temporary occupation requirements (including the location of construction compounds and potential post construction opportunities) is underway and ongoing.
- Consideration of planning schemes, PSAs and development applications has been undertaken using publicly accessible sources of information and information provided by local councils and DTP. The availability of PSAs and planning permit applications data was limited to PSAs that were exhibited/on notice from 12 December 2021 (date of project announcement) and listed on council websites, DTP's website and/or from consultation with councils and DTP. In some cases, PSAs that were exhibited/on notice before this date were considered, based on project significance and relevance to the project. Planning permit application information is limited to that provided by the Councils as at September 2022. Exhibited PSAs published up until this report was finalised (March 2024) have been considered.
- Planning permit applications and PSAs have only been reviewed and assessed where it was determined that they may have material impact on the project (that is, a major development). For the purposes of the land use planning assessment, a major development is of significance such that it is captured in the DTP Urban Development Program or required an EIS/EES.

In addition to this report, it is noted that several other specialist assessment reports have been prepared. Planning is a specialist field which draws upon a number of these specialist areas. It is assumed that the environmental, social, and economic issues that are addressed by planning policies contained with the Planning Schemes have been considered within the other respective specialist assessment reports (refer section 2.2). This report therefore focuses specifically on land use related issues and planning policies, and utility infrastructure.

6. EXISTING CONDITIONS

This section describes existing land uses within the study area and the broader regional context.

The proposed infrastructure traverses both the South Gippsland Shire and Latrobe City municipalities. The proposed infrastructure is to be located within proximity of the localities of Waratah Bay, Buffalo, Stony Creek, Dumbalk, Mardan, Mirboo North-Baromi, Darlimurla, Delburn, Driffield, Churchill and Hazelwood. The South Gippsland and Latrobe Planning Schemes order these localities into district towns, small towns, coastal villages, and hamlets. The project would traverse northward, from its crossing of Bass Strait through the coastal foreshore of Waratah Bay, through mainly agricultural and plantation land, bypassing key townships in a northerly orientation, before extending north-easterly through Delburn and Driffield. The project has a termination in Hazelwood where a converter station would be located. A potential converter station is also being investigated at Driffield.

The South Gippsland Shire area is a large rural/coastal municipality comprising approximately 3,300 square kilometres, with its north-western boundary located approximately 100 km south-east of Melbourne. The municipality of Latrobe covers over 1,400 square kilometres and is positioned immediately adjacent the South Gippsland Shire to the north-east. Its western boundary is approximately 150km east of Melbourne. These two municipalities form the south and central portion of Eastern Victoria's Gippsland region, the majority of which has been historically given over to primary production including agriculture, forestry, and industrial activity including earth resources exploration and energy production and transmission.

6.1 CURRENT LAND USES AND DEVELOPMENT

The current proposed alignment for the HVDC cable, as described above, traverses approximately 90 km from the high-water mark at Waratah Bay, to the potential termination at the proposed converter station site, located at Hazelwood. The proposed cable would pass through areas characterised by differing land uses including agriculture, forestry, conservation, and rural residential areas. For the purposes of this report, the study area has been divided into three segments for ease of describing the land use characteristics:

- Waratah Bay to Baromi
- Baromi to Driffield
- Driffield to Hazelwood

Figure 7 provides an aerial photograph of the study area, showing these land use segments. Appendix A includes a mapbook showing the location of key land uses.

Each segment and its land use characteristics are explained below. Where relevant, land use characteristics outside the study area, but which may have an impact on the study area, are also considered.

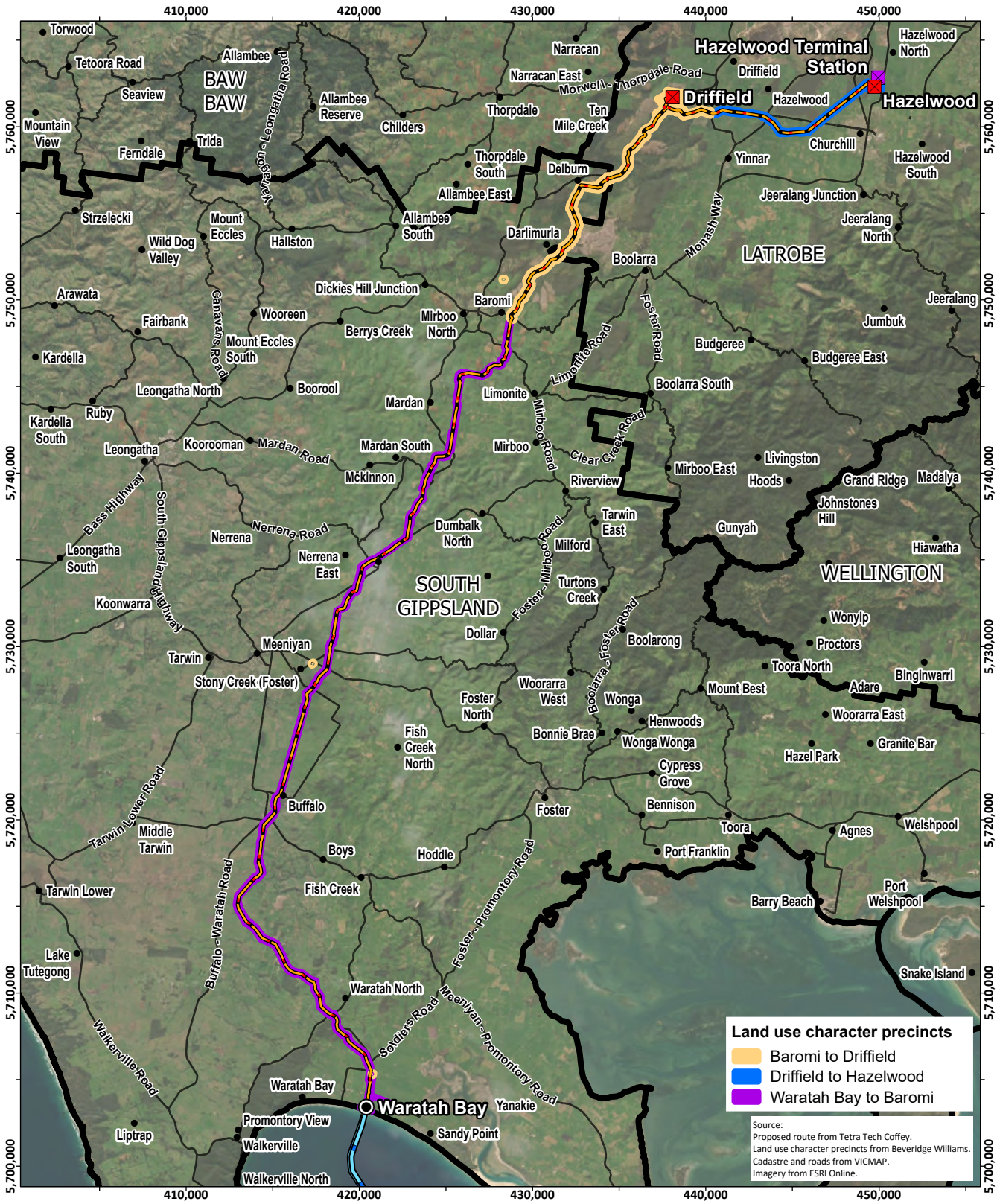

Figure 7: Land Use Character Precincts within the study area

Legend

- Existing substation
- Potential converter station
- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Road
- Local Government Area (LGA)

N

Scale: 1:325,000

6.5 3.25 0 6.5 km

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Date: 3/04/2024 11:11 AM
Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

6.1.1 Waratah Bay to Baromi

The survey area from the high-water line at Waratah Bay to Baromi, as shown in Figure 7, is located within South Gippsland Shire and spans approximately 55 kilometres of predominantly agricultural land. The majority of land in this segment of the study area is used for dry land grazing activities with some medium-scale cropping. There are several dams of various capacity, associated with agricultural use, within the survey area. The proposed cable alignment follows significant landscape features such as waterways where possible, as well as key roads and property boundaries. The alignment crosses several waterways including Little Morwell River as well as arterial roads within this segment of the study area. Vegetation exists within the survey area in variously sized patches, and on both freehold and Crown land. Within this segment of the study area, the alignment passes adjacent to local population centres at Buffalo, Meeniyan, Stony Creek, Dumbalk and Mirboo North / Baromi.

Some key notable land uses within this segment of the study area can be summarised as follows:

- The proposed shore crossing point for the HVDC cable would pass through Crown land at Waratah Bay-Shallow Inlet Coastal Reserve. Cape Liptrap Coastal Park is located to the west of the study area.
- Small powerlines as part of the local distribution network cross the proposed cable alignment at key intersections at Fish-Creek-Waratah Road, Fish Creek-Walkerville Road.
- Land uses associated with agriculture, including dwellings, holding pens and commercial dairies exist along Waratah Road in close proximity to uses associated with tourism, including small-scale accommodation.
- In the immediate environs of Waratah Road and Fish Creek-Waratah Road there are existing mobile phone / radio communication towers, one of which is located adjacent to the survey area approximately 1km north of the shore crossing.
- A bus stop is located near the intersection of Waratah Road and Fish-Creek-Walkerville Road, and powerlines cross the survey area at this location where it crosses Fish Creek -Walkerville Road.
- The cable alignment passes near a privately owned densely wooded area located at 235 Duncans Road, Fish Creek. The survey area narrows at this location. A key access point at the northern edge of this wooded area is to be accessed via a private unmade road.
- A proposed AoD for works associated with access extends eastward from the termination of Setfords Road, which runs east from Buffalo-Waratah Road. Signage in this location highlights that young children and pets often occupy Setfords Road between these dwellings.
- Land approximately 1,100m north of the survey area along the north side of Pilkington Road is currently used as a rural residential area although zoned for farming.
- A proposed AoD associated with access to the alignment is proposed along an unmade road approximately 1.4 km north of Harding-Lawson Road. A portion of this land immediately south of Setfords Road is currently used for livestock holding pens.
- The alignment passes to the west of the township of Buffalo, crossing Neals Road within proximity of the main street and General Store. The survey area is outside the township boundary. The township is a small concentration of low density residential, zoned Township Zone and comprises a small commercial area.
- Immediately to the north of Buffalo the survey area follows a Crown Allotment to the north which encompasses a 7km north-south portion of the Great Southern Rail Trail.
- The survey area extends in a northerly orientation approximately 3.6 km to the east of Meeniyan, crossing South Gippsland Highway approximately 1.7 km east of Stony Creek Recreation Reserve. It is noted that agricultural dams, as well as a dwelling, windmill, and other structures are in close proximity to this highway crossing. Some underground infrastructure appears to be located in this location.

- North of the South Gippsland Highway crossing, the survey area closely follows that of McKittericks Road- small structures including water troughs, dams and sheds are located within this segment of the survey area.
- The survey area passes through several wooded areas on freehold farming land. The proposed AoD avoids these where possible.
- The survey area passes within proximity to the rural hamlet of Dumbalk after crossing Mirboo North – Meeniyan Road. The survey area directly abuts the Township and Low Density Residential Zoned areas of Dumbalk.
- Non-agricultural rural residential uses exist in close proximity to the proposed easement, where some dwellings are located within the 220m-wide survey area.
- The survey area follows Loves Lane, alternating between the eastern and western side of the road to the north before crossing Meeniyan-Mirboo North Road. The incline of Loves Lane to the north is substantial and the alignment would pass by an existing dairy with substantial supporting infrastructure currently under development as well as tourist accommodation cottages further to the north. This stretch of Loves Lane is particularly spatially constrained, owing to the dramatic topography on both east and west sides of the road. Existing land uses and infrastructure would likely be impacted by the project, including through existing hardstand, road use dams and troughs.
- Within the survey area and immediately south of the intersection of the proposed alignment with Meeniyan-Mirboo North Road, the survey area passes through a property which includes rural storage silos and a significant hay storage.
- The cable alignment continues in a northerly direction away from main roads, through dramatically undulating agricultural land. Due to the topography in this area, the survey area passes through land with commanding view lines from some key points.
- South of Mirboo, the alignment passes in proximity to a dairy, a poultry farm and several dwellings. The survey area is narrowed through this area.
- The survey area passes to the east of Mirboo North-Baromi Road.

6.1.2 Baromi to Driffield

The study area covering the proposed cable alignment from Baromi to Driffield includes land within both the South Gippsland and Latrobe municipalities, as shown in Figure 7. In the south-west of this segment, the proposed cable alignment can be seen to generally follow that of the local government area (LGA) boundary, crossing it at several points. The study area from Baromi to Driffield, in the north-east is made distinct by the predominant use of the area for conservation and timber plantations. North of Baromi, the proposed cable alignment passes through the southern block of the Strzelecki State Forest, generally following Old Darlimurla Road.

The key and notable land uses within and adjacent to this segment of the study area are summarised below:

- Hancock Victoria Plantations (HVP) operate several plantations throughout this southern portion of the Strzelecki State Forest which span multiple unreserved Crown allotments which are under license for timber production by HVP.
- The survey area passes through large Crown allotments under license by HVP.
- Entering the Darlimurla area, the alignment crossed the Grand Ridge Rail Trail, and travels through a non-plantation valley break between Pleasant Valley Road and Darlimurla Road. Little Morwell River travels through the valley and is crossed by the proposed cable alignment in close proximity to several rural residential properties and a Wildlife Sanctuary on the northern side of the river. Signs observed in this area indicate the presence of scenic walking tracks. This landscape is small-scale and spatially constrained with rural living and extant infrastructure.

- The survey area crosses the Strzelecki Highway at several points throughout the plantation area.
- Much of the survey area is within current plantation land, with significant areas of vegetation.
- Land outside the survey area, immediately to the north of the potential Driffield Converter Station site is subject to a mining licence in favour of Driffield Energy Pty Ltd (Tenement No. MIN5526). Land more than 600 m west of the survey area to the south of the potential Driffield Converter Station site is used for active basalt quarries (WA293 and WA1098).
- Adjacent to the east of the proposed Driffield converter station site, the existing overhead HVAC corridor crosses the Strzelecki Highway in a south-easterly direction. The survey area crosses the powerline easement approximately 1.3 km south-east of the Driffield converter station.

6.1.3 Driffield to Hazelwood

The study area within the segment from Driffield to Hazelwood, as shown in Figure 7, is located within the Latrobe municipality, incorporating the survey area which runs between the potential converter sites at Driffield and Hazelwood respectively. The cable alignment is proposed to run in an easterly orientation through the remaining HVP allotments before again entering agricultural land at its intersection with Yinnar-Driffield Road. The land in this segment of the study area to the west of McFarlane Road is predominantly given over to agriculture and grazing on large allotments. Land to the east of McFarlane Road is divided into smaller agricultural allotments for cropping and rural residential uses.

Some key and notable land uses within and adjacent to this segment of the survey area can be summarised as follows:

- Existing HVAC transmission infrastructure as part of Victorian supply system which follows a cleared easement, intersecting with the survey area at several points: to the east of the proposed Driffield Converter Station site location, and at the south-eastern edge of the Hazelwood Cooling Ponds at Eel Hole Creek.
- The potential Hazelwood Converter Station site and its environs are located within an area zoned in the Latrobe Planning Scheme for Special Use Zone – Schedule 1 (Brown Coal) (SUZ1). Schedule 1 to the Special Use Zone outlines provisions which specifically facilitate land uses associated with brown coal mining, electricity generation and supportive non-urban use and development. This zone and schedule apply to a large region west and south of Morwell.
- A small collection of rural residential hobby farms is currently located immediately abutting Kings Road and the proposed alignment approximately 1.7 km east of the proposed converter station site at Driffield. Some dwellings in this area are located within proximity to property frontages.
- Sensitive uses, including multiple dwellings exist within the survey area, particularly north of Kings Road near Yinnar-Driffield Road, and in proximity to the HDD proposed crossing with McFarlane and Yinnar Roads.
- The Morwell River crosses through the survey area in a northerly-southerly orientation between Yinnar-Driffield Road and McFarlane Road.
- Between Switchback Road and Nadenbouschs Road the survey area crosses Eel Hole Creek, which itself runs from the south-eastern corner of the decommissioned Hazelwood Power Station cooling ponds.
- Immediately south of the proposed Hazelwood converter station site are some more concentrated residential developments.
- The survey area is in proximity to arterial roads such as the South Gippsland Highway in this area.
- Existing overhead HVAC lines run in a similar orientation to the proposed subsurface cable route, originating from the existing Hazelwood Terminal Station immediately north of the proposed converter station site at Hazelwood.

- There is a greater concentration of overhead domestic power supply infrastructure in this area owing to the presence of greater residential densities to the south.
- Proposed AoD for access tracks outside of the survey area run through existing road reserves where possible, however some are proposed to travel through existing private property. One such property is a horse training/agistment business (near the intersection of Silcocks Road and Nadenbouschs Lane).

6.2 LAND TENURE

Land titles supplied by MLPL have been reviewed for the survey area.

Approximately 308 land parcels are within the survey area (the survey area as defined by the approximately 220 m wide buffer to the proposed cable alignment, and associated laydown and accesses), between the proposed shore crossing point at Waratah Bay and its termination at the potential Hazelwood converter station site. Of these, 263 land parcels are within the proposed project easement. The majority of the study area is freehold land used for agricultural and rural residential activities. This assessment considers potential impacts to land parcels, however it is noted that land holdings often include multiple land parcels. It is noted that 91 freehold landowners would be affected by the proposed easement, and Crown land managed by six land managers.

Reservations for local access roads are generally local government roads, while key arterial roads form part of the Principal Road Network and are zoned Transport Zone accordingly and managed by the Department of Transport (DoT) (Regional Roads Victoria, RRV).

Some local access roads as well as creek and riverbeds are generally Crown land, managed by DTP, and local councils.

Table 11 Summary of Land Tenure

Summary of Land Tenure	Number of parcels
Number of land parcels within the project survey area	308 land parcels: • 125 are Crown land and government roads, managed across six land managers, and including 26 licence holders • 183 are freehold land across 93 ownerships
Number of land parcels within the proposed easement	263 land parcels: • 104 are Crown land and government roads, managed across six administrators, and including 25 licence holders • 159 are freehold land across 90 ownerships

6.2.1 Crown land

Crown land located within the survey area is illustrated in Figure 8.

Approximately 125 land parcels which fall within the survey area are Crown land or government roads, and of these, 104 comprise land within the proposed easement. Of these, it is noted that within the survey area:

- 16 (14 within easement) land parcels are Crown Land Reserves
- 94 (77 within easement) land parcels are Government roads (made and unmade)
- 15 (13 within easement) land parcels are unreserved Crown Land

In summary, it is observed that Crown land generally exists over specific road reservations, waterways, and special use areas.

The majority of Crown Land affected by the proposal is within the central segment of the study area between Baromi and Driffield to the north-east. Here, several land parcels form the south-eastern branch of the Strzelecki State Forest. While some of these parcels feature remnant native vegetation, the majority of those adjoining Old Darlimurla Road, Ten Mile Creek Road and Strzelecki Highway are given over to timber production under the management of HVP and are licensed for this purpose. The northernmost extent of the licensed Crown allotments is North Boundary Road after which, parcels used for pine production are freehold.

Immediately to the north of Buffalo, the project alignment follows the boundary of the Crown land reserved for the Great Southern Rail Trail for approximately seven kilometres.

Affected land managers include the following:

- Department of Transport and Planning (DTP)
- Department of Transport
- South Gippsland Shire
- Latrobe City Council
- Hancock Victoria Plantations
- Department of Treasury and Finance (DoTF)

Some of this Crown land is subject to active Crown land licences, whereby 26 licensees are within the survey area and 25 would be affected by the proposed easement (all grazing licences). A licence over Crown land provides personal permission to enter and use the land for a specified purpose, in this case for grazing, and does not offer exclusive use to the licensee.

Parts of the project will extend through Crown land that is subject to Gunaikurnai Settlement Indigenous Land Use Agreement[2] (ILUA) (VI2010/003). The ILUA covers about 13,390 sqkm over those parcels where Native Title has been determined to exist in the Gunai/Kurnai consent determination of 22 October 2010. Proposed actions or developments that affect native title are classed as 'future acts' under the *Native Title Act 1993*. The future acts regime in the *Native Title Act 1993* establishes procedures to be followed so that the future act can be validly done. The procedures differ depending on the type of future act.

In 2010, acknowledging the difficult nature of having native title determined under the Native Title Act, the Victorian Government developed an alternate system for recognising the rights of Victorian traditional owners. The Victorian *Traditional Owner Settlement Act 2010* allows the government and traditional owner groups to make agreements that recognise traditional owners' relationship to land and provide them with certain rights on Crown land. As at 20 December 2022 (time of writing this report) there are no Land Use Activity Agreements (LUAA) applying to the study area listed on the Register of Land Use Activity Agreements under the *Traditional Owner Settlement Act 2010.*

6.2.2 Freehold land

Approximately 183 land parcels which fall within the survey area are privately owned freehold land. Of these 159 land parcels would be affected by the proposed easement. It is understood that many landowners hold multiple adjoining allotments which fall within the survey area and would be affected by the proposal, such that 93 owners are within the survey area and 90 owners would be affected by the proposed easement.

Of the Freehold land, it is noted that:

- MLPL own ten (10) land parcels within the survey area, six (6) of which are within the easement

[2] The Commonwealth *Native Title Act 1993* provides a process through which Indigenous Australians can lodge an application to seek a determination of native title. Indigenous Land Use Agreements (ILUAs) are voluntary agreements between native title parties and other people or bodies about the use and management of areas of land and/or waters.

- One (1) land parcel is owned by Central Gippsland Region Water Corporation, which is outside the easement
- 20 land parcels are owned by APM Forests Pty Ltd, and 10 allotments are owned by Hancock Victorian Plantations – noting that both of these are subsidiaries of Hancock Victorian Plantations. 23 of these are within the easement.

The balance of the freehold land is owned by approximately 74 individuals and 15 business entities across the survey area (noting that of these 74 individuals and 13 business entities would be affected by the easement).

Many of the titles are affected by easements as follows:

- Powerline easements (benefiting Ausnet Electricity Services, Eastern Energy, SPI Electricity, TXU Electricity, Electricity Services Victoria, State Electricity Commission of Victoria (SECV))
- Right of Way / Road / Carriageway (benefiting adjoining and nearby properties or Roads Corporation)
- Drainage (beneficiaries include Latrobe City Council)
- Water supply (beneficiaries include Morwell Waterworks Trust, Latrobe Valley Water and Sewerage Board, Central Gippsland Region Water Authority)
- Gas Transmission (Gas and Fuel Corporation of Victoria)

The Delburn Wind Farm Pty Ltd have a Caveat over 17 land parcels associated with proposed works for the Delburn Wind Farm project within the survey area (10 within the easement). An additional three caveators are affected by the survey area (3 affected by the easement).

Ten (10) land parcels within the survey area are subject to a section 173 agreement (9 that are affected by the proposed easement). Generally, these agreements restrict the further subdivision of land or restrict the number of dwellings that can be constructed and are used by Council to minimise the further fragmentation of rural / farming land.

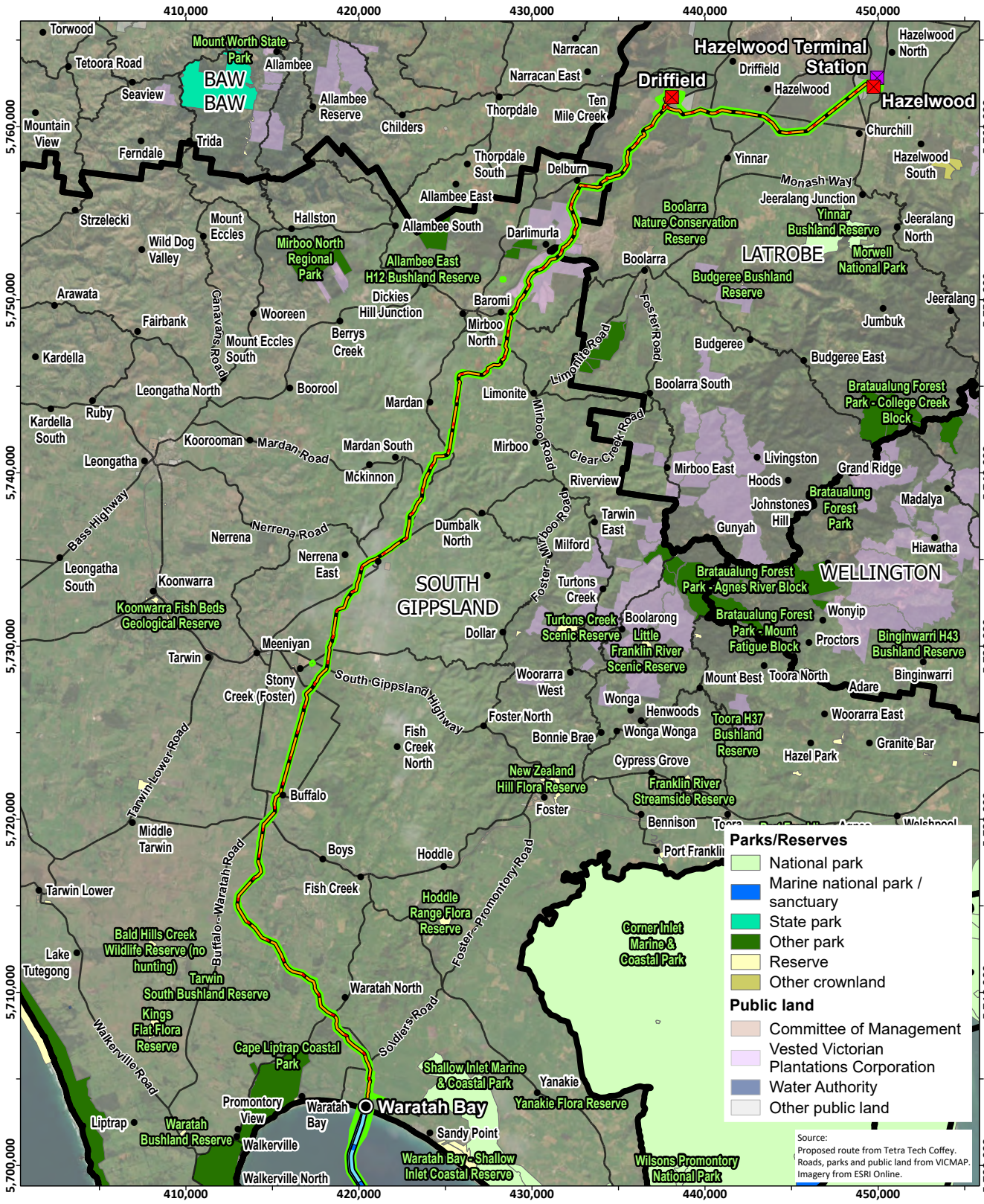

Figure 8: Crown Land within the study area

Legend

- Existing substation
- Potential converter station
- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Marinus Link survey area
- Road
- Local Government Area (LGA)

N

Scale: 1:325,000

6.5 3.25 0 6.5 km

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

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6.3 INFRASTRUCTURE

6.3.1 Major Physical Infrastructure

A review of existing services was undertaken based on available data. As illustrated in Figure 9, there are several major infrastructure assets located within the study area (only those with publicly available GIS layers are illustrated in these figures). The existing infrastructure in this region has developed over time as a result of the natural features and planning policy which supports the economic benefits derived from these uses.

A detailed description of road and rail and other infrastructure is provided in EIS/EES Technical Appendix W: Traffic and Transport.

A brief summary of major utilities infrastructure is provided below:

- **Gas –** The study area includes high pressure gas mains located to the south of Hazelwood Cooling Pond (Figure 9). These pipelines represent a high safety risk and are protected within the Planning Scheme via an Overlay (refer section 6.4.2.2 regarding proposed updates to these controls) whereby Energy Safe Victoria are a referral authority for works affecting the land within the overlay. The survey area is in proximity to the pipeline near Yinnar Road, and the project crosses the gas pipeline south of Switchback Road near Frasers Road, and again north of Switchback Road to the east of the Cooling Pond.
- **Electricity generation and transmission -** Existing overhead transmission lines which form a component of the Victorian state-wide electricity transmission network are located predominantly in the northern segment of the study area between Hazelwood and Driffield. This is largely due to the historical and ongoing use of this region for electricity generation and the infrastructure associated with this. While key components of the Hazelwood Power Station have been decommissioned and removed, a number of smaller installations are noted as still operable within the area, including the Hazelwood Terminal Station and Jeeralang Power Station. Major overhead powerlines also cross the project alignment in several locations, including south of Baromi and southwest of Dumbalk (Figure 9).

  Minor powerlines can be observed throughout the study area and noting that the project alignment crosses existing powerlines in multiple locations.
- **Communications –** To the east approximately 1.6 km from the shore crossing is the Telstra optic fibre and transmission cable which stretches across Bass Strait, and which provides communications capacity to Tasmania. The project alignment crosses the terrestrial Telstra cable on the north side of Waratah Road at Sandy Point, and again approximately 660m north on Waratah Road.

  Signage indicating the presence of underground telecommunications infrastructure have been sighted at multiple points within the study area. Some key areas include within the segment of study area between Driffield and Hazelwood, west of Buffalo, as well as at points along the length of the proposed cable alignment where the topography precludes this infrastructure being underground. Within the Waratah Bay hinterland, several low impact mobile telecommunications facilities have been noted, located adjacent main roads and within the study area.

A detailed services search would need to be undertaken prior to construction to identify any minor or localised infrastructure that may be impacted by the project.

6.3.2 Community infrastructure

It was noted in the desktop assessment and site visit that some community infrastructure was sited within proximity to the survey area or areas to be temporarily affected by works. These largely include community recreation facilities located near or within rural townships and residential hamlets, as well as former infrastructure re-developed for recreation purposes such as the Great Southern Rail Trail, located to the north of Buffalo and the Grand Ridge Rail Trail north or Baromi in the South Gippsland Shire. Impacts on community infrastructure are considered within the EIS/EES Technical Appendix U: Social.

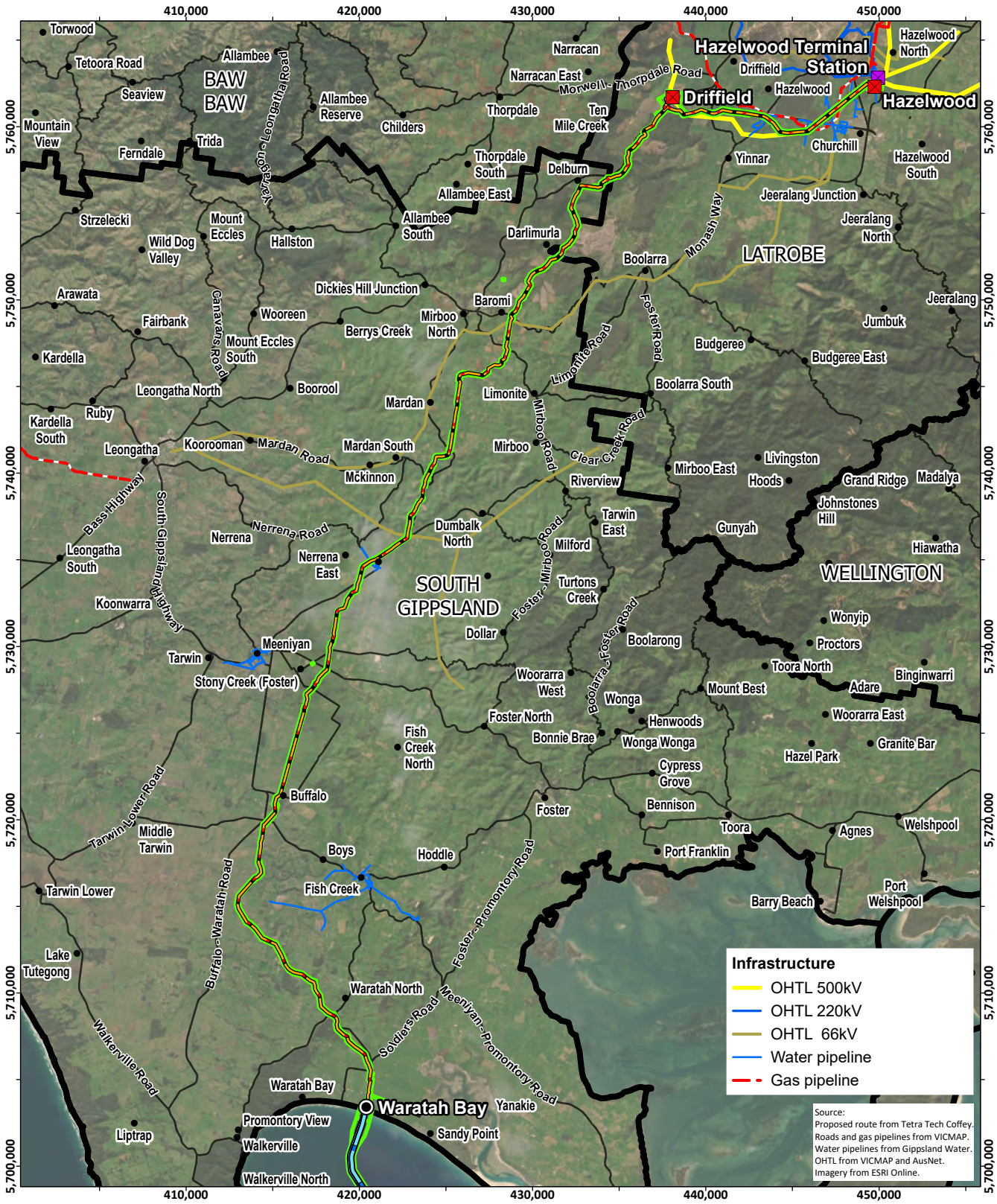

Figure 9: Infrastructure Servicing within the study area

Legend

- Existing substation
- Potential converter station
- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Marinus Link survey area
- Road
- Local Government Area (LGA)

N

Scale: 1:325,000

6.5 3.25 0 6.5 km

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

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6.4 POTENTIAL FUTURE LAND USE AND DEVELOPMENT

A review of potential future uses and development of land within, or in close proximity to, the study area is an important aspect of this report and its consideration of potential land use impacts. To inform this exercise consultation with both Latrobe and South Gippsland Councils as well as other statutory authorities is seen as a necessary step to ensure appropriate consideration is given to planned development which may not have yet commenced at the time of writing.

The majority of the survey area through which the proposed cable alignment would extend is zoned Farming Zone and comprises land holdings of a range of sizes. Land zoned Farming Zone (FZ) can be turned to a variety of uses, but the overarching purpose of the zone is to encourage and facilitate agricultural production. Ancillary uses such as dwellings and some forms of rural industry are also conducted within the FZ. Other zones include Public Conservation and resource (PCRZ), Public Park and recreation (PPRZ), Transport Zone (TZ), Rural Activity Zone (RAZ) and Special Use Zone (SUZ) (Appendix B: Description of Policy and Guidelines includes a full list of relevant zones including land use objectives for land within each).

This section describes the proposed developments as advised by the Council in September 2022, and policy updates considered from when the project was announced in December 2021 to the time that this report was finalised in March 2024.

6.4.1 Land Within South Gippsland Shire

6.4.1.1 Proposed Developments

The only significant development approval affecting land within the study area within South Gippsland Shire in the 12 months preceding the meeting with Council in September 2022 is the Delburn Wind Farm project, as discussed in Section 6.4.2.

6.4.1.2 Strategic Policy Updates

Amendment C125 has been gazetted and is for the purpose of amending various provisions of the South Gippsland Planning Scheme to correct mapping anomalies, delete redundant controls, correct grammatical errors, and make minor corrections to text. Whilst some of the policies are relevant to parts of the study area, the PSA has been reviewed and is not considered to impact on the project or this assessment.

Amendment C119 commenced exhibition in February 2024. The amendment will introduce Schedule 1 to Clause 44.01 Erosion Management Overlay (EMO1), delete Schedule 5 to Clause 42.01 Environmental Significance Overlay (ESO5), replace the mapping extent of the EMO and ESO5 with the EMO1 and update the Schedule to Clause 72.03. This PSA has been reviewed and is confirmed to impact on the project area. Specifically, the amendment will delete the ESO5 apply the EMO1 to areas which overlap with the Project within Planning Scheme maps 8, 9, 18, 19, 21, 26 and 35.

Amendment C041 Rezones Lot 5 PS141187 Fish Creek Waratah Road Waratah Bay from a Rural Zone to a Public Use Zone 1 (Services & Utility) to recognition the use of the land for a Sewerage Treatment Plant and applies an Environmental Significance Overlay 4 (Sewerage Treatment Plant and Environs) to parts of the Sewerage Treatment Plant site and adjoining lots. Part of the survey area is located with the ESO buffer.

Council has commenced a Coastal Strategy for South Gippsland, that will likely apply to all land within 5km of the coast. Council has indicated that this strategic work will be completed within the next 18 months and is unlikely to affect this assessment. No documentation for that project was available at the time of preparation of this assessment.

6.4.2 Land Within Latrobe City

6.4.2.1 Proposed Developments

In March 2022, the former Minister for Planning approved a proposal to develop the Delburn Windfarm project, comprising thirty-three turbines, twenty-eight of which are to be erected within the Latrobe City Council area on various parcels, which adjoin some of the sites affected by the project. The proposal includes the development of a visitor information centre with associated car park and an operations and management facility to be located around the intersection of the Strzelecki Highway and Smiths Road proximate to the Marinus Link Driffield converter station. No turbines are to be located on the same allotment as the proposed Marinus Link converter station locations at Hazelwood or Driffield, though it is noted that turbine T16 is to be located adjacent to the proposed Driffield converter station site.

An on-site battery was previously a component of the application, however the proposal has been approved without the inclusion of the battery, as the result of community and Country Fire Authority concerns regarding bushfire risk. As noted in the Delburn Wind Farm Panel Report, "*The many submissions from residents who experienced the 2009 Delburn Complex Fire and the 2014 Hazelwood mine fire attested to the devastating impact they had on local communities. The community remains traumatised and highly sensitive to any proposed land use change with the slightest chance of increasing bushfire risk or diminishing their capacity to fight them. Bushfire planning policy prioritises the protection of human life over other policy considerations. The Panel therefore needs to make a rigorous assessment of the bushfire risk issues and consider if the wind farm will result in a net increase in bushfire risk.*"

The wind energy facility proposal includes the removal of native vegetation and alterations to a road in a Transport Zone (TRZ2). The intersection of Smiths Road and the Strzelecki Highway is noted as a priority intersection in the development application.

Figure 10 shows the proposed location of the operations and management facility as well as the visitor centre and car park. It is noted that the proposed location of the visitor information centre and car parking area is the same approximate location of the proposed vehicular access to the proposed Marinus Link converter station location at Driffield. The hardstand associated with these buildings is proposed in the location proposed for the vehicular access and subsurface cable easement to the south-west of the proposed location of the converter station at Driffield.

The Hazelwood Mine and Power Station produced electricity in the Latrobe Valley for more than five decades until closure in 2017. The Hazelwood Rehabilitation Project seeks to rehabilitate the land disturbed by open cut mining operations, and involves decommissioning of remaining buildings, roads and infrastructure, earthworks to reprofile steep slopes, reinstating some water courses to a more natural alignment, and the proposed creation of a mine lake. Work on the Hazelwood Rehabilitation Project is progressing, with the major demolition program now complete. The preparation of an EES for the Hazelwood Rehabilitation Project is currently underway to consider the impacts of the creation of the mine lake. The Hazelwood Rehabilitation Project EES project area is intersected by the project in its south-eastern corner, near the corner of Switchback Road and Nadenbouschs Road (Figure 11). The Concept Masterplan prepared for the Hazelwood Rehabilitation Project EES referral envisages that land in the southeast of the project area, which intersects with the project, would be utilised for agricultural land uses, including animal grazing, hydroponics, soil-based agriculture, or forestry/timber.

At the meeting with Council in September 2022, officers advised that there had been no other significant development approvals within the study area within the City of Latrobe in the last 12 months.

The Star of the South Offshore Wind Farm project includes supporting electricity transmission assets required to transfer energy generated by the wind farm to the existing electricity transmission network. The project subject to an EES currently under preparation. The Star of the South project includes a potential option to connect underground powerlines to the grid at Hazelwood Terminal Station, in the event that a connection at

Loy Yang is not possible. Whilst located near the potential Marinus Link Hazelwood converter station site, the projects do not intersect.

The Gippsland Renewable Energy Zone project proposes developing the infrastructure and capacity to connect locally generated renewable energy to the grid. The project is being led by AusNet Services in partnership with renewable energy developers that have projects in Gippsland. AusNet is investigating the transmission infrastructure needed to connect these renewable sources of energy into the national electricity grid. The project has been referred to the Minister for Planning for a decision as to whether an EES is required. Whilst the ultimate design is currently being developed, it is likely to connect to the grid at the Hazelwood Terminal Station site, and similar to above, whilst located near the potential Marinus Link Hazelwood Converter Station site, the projects do not intersect.

These projects are further considered within the land use impact assessment of this report, with regards to the potential for cumulative impacts whereby both spatial and temporal aspects are considered.

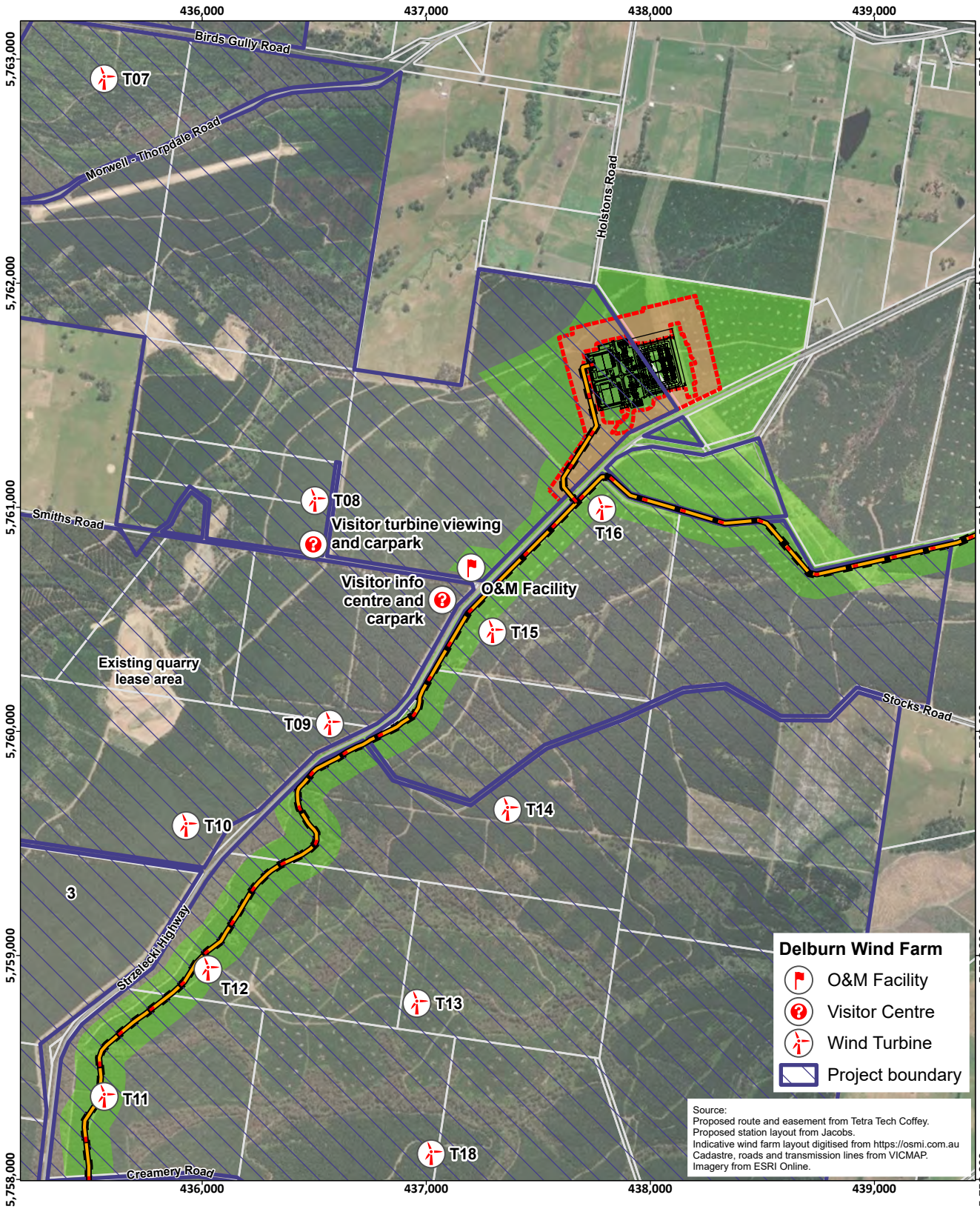

Figure 10: Delburn Wind Farm locality

Legend

- Indicative station layout
- Proposed fire break area
- Underground HVDC cable
- Proposed easement
- Survey area
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

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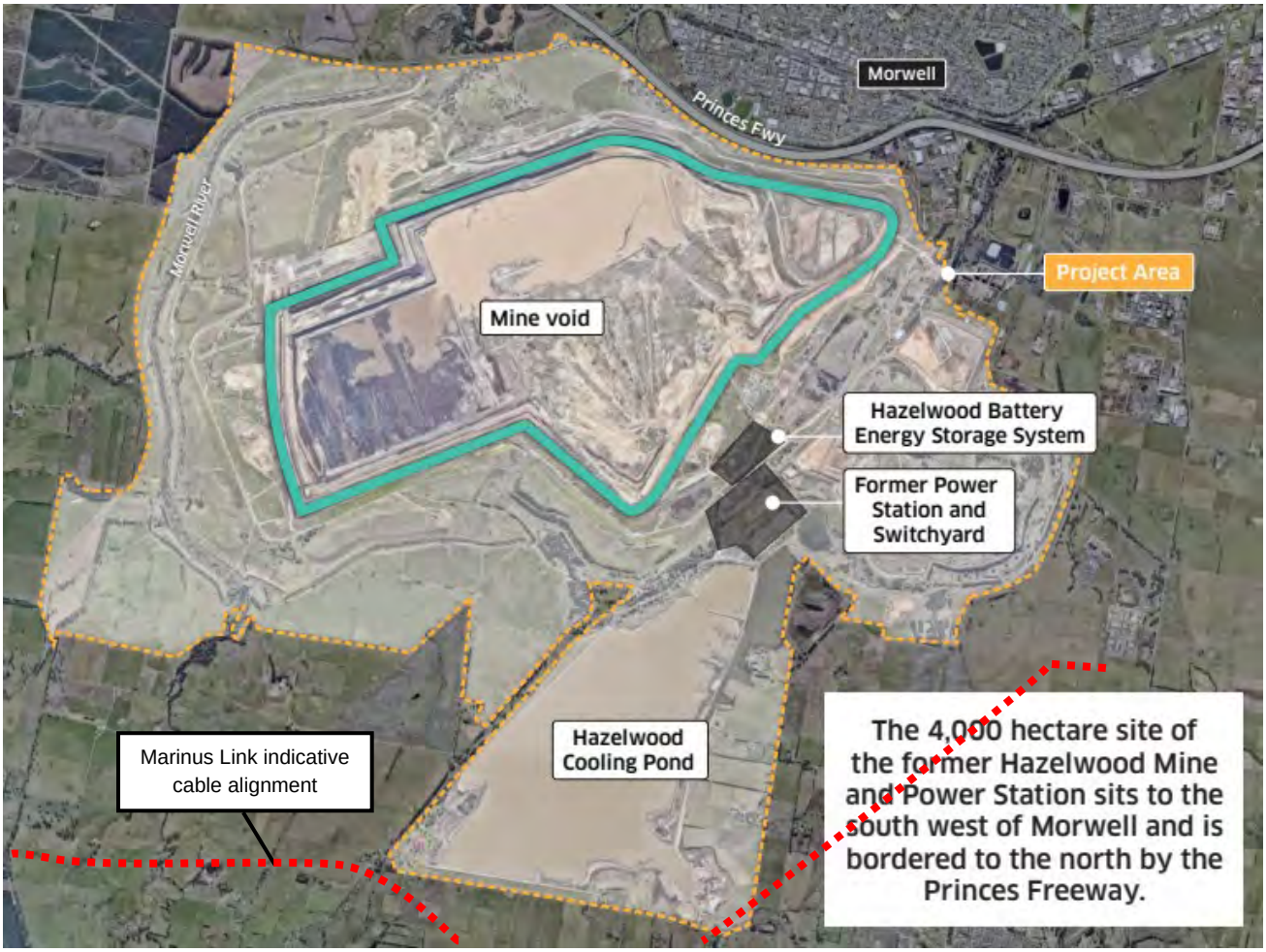

Figure 11 Hazelwood Rehabilitation Project EIS project area

Source: Excerpt from Hazelwood Rehabilitation Fact Sheet, Project, overlaid with cable alignment

6.4.2.2 Strategic Policy Updates

Amendment C121 has recently been gazetted (during the course of preparation of this assessment) and affects land in vicinity of the project, including land in the survey area, south of the Hazelwood Cooling Pond (Figure 12). Amendment C121 has replaced the Design and Development Overlay – Schedule 1 (DDO1) with the Buffer Area Overlay – Schedule 1 (BAO1) as a means of ensuring safe and appropriate land use and development around licensed pipelines, to protect human life, property, and the environment from the impacts of pipeline failure. It also prevents damage to licensed pipelines from development activities. Energy Safe Victoria is a referral authority and will need to be consulted regarding construction requirements around this pipeline. The updated overlay has been incorporated into the assessment within this report.

Figure 12 C121 Buffer Area Overlay – Schedule 1

Amendment C131 is currently on exhibition and will review and update the extent of existing flood overlays, which were last updated in 2012, where approximately 1,531 properties will have flood overlays added or amended on their land, and 335 properties will have flood overlays removed from them. The survey area is partially affected by C131 where the alignment crosses the proposed Floodway Overlay (FO) and Land Subject to Inundation Overlay (LSIO) in the vicinity of Monash Way and Nadenbouschs Lane, west of the Hazelwood converter station (Figure 13), and land along the Morwell River west of the Hazelwood Cooling Pond. This includes additional land affected by the FO within the survey area, where no previous Flood Overlay applied, it is now proposed.

Figure 13 Proposed Floodway Overlay

Amendment C127 is currently under consideration for adoption and will implement the findings of the draft *Municipal Bushfire Risk Assessment 2020* and the draft *Rural Living Strategy 2020* into the Latrobe Planning Scheme. This includes changes to the Planning Policy Framework to introduce the Municipal Landscape Bushfire Risk Map (Figure 14) and associated strategies, rezoning of land in accordance with the Rural Living Strategy and application of overlays for increased bushfire protection. The changes will assist Council with its decision making when identifying appropriate land for rezoning and whether further assessment of planning permit applications is required for bushfire risk as part of Clause 13.02 of the Latrobe Planning Scheme. It is noted that sections of the study area, particularly along the South Gippsland Highway, are high risk.

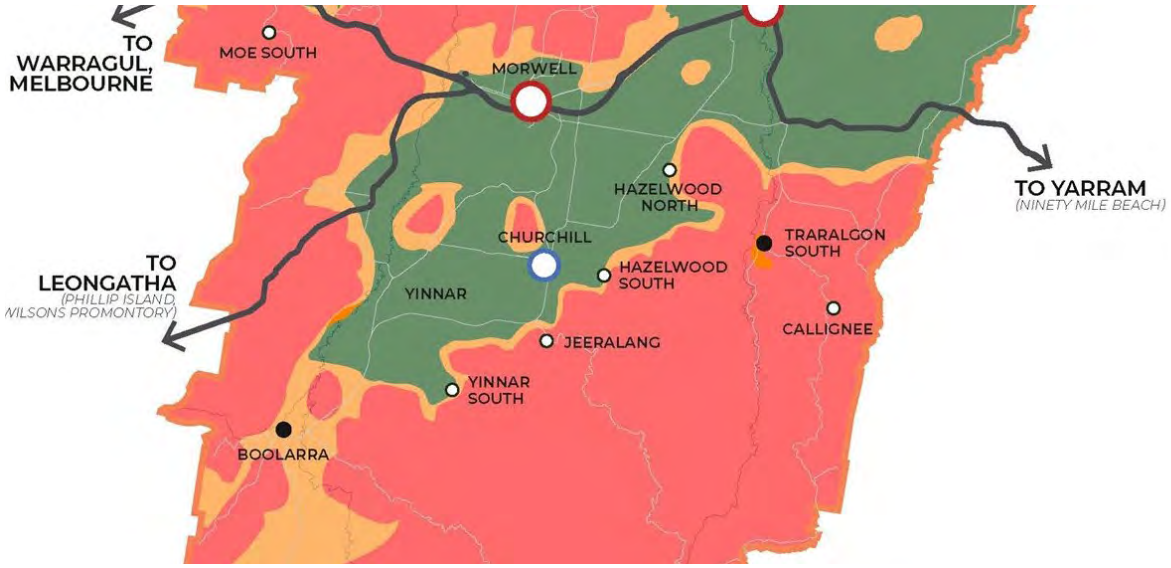

Figure 14 Proposed Bushfire Risk Rating Map (extract)

7. IMPACT ASSESSMENT

This section addresses potential land use planning impacts based on a review of the project against the planning controls and policy identified in Section 3, and the study area and its land use characteristics as described in Section 6. It includes an assessment of the direct and indirect impacts of the construction, operation, and decommissioning of the project on agricultural, residential, open space, commercial, tourism and community facility land uses. The assessment then outlines the proposed EPRs that would be implemented to address project impacts. Notably, the specifics of the impacts often interrelate with various other technical assessments (as outlined in Section 2.2) prepared for the project and would be mitigated through respective discipline specific EPRs.

As previously stated, the appropriate method assessment to be used in this instance is a compliance method, which considers whether impacts from the project would comply with the requirements of a key stakeholder or those of a statutory guideline or policy, as well as a significance method to assess to what extent the project effects identified land uses, whether in the short-term (mainly associated with the construction process and temporary arrangements required to facilitate this), or longer-term (associated with project elements and measures taken to ensure the long term viability, whose effects are felt on a timeframe matching, or exceeding the lifespan of the project itself).

The impact assessment also identifies potential benefits and opportunities to land use the project is expected to generate.

7.1 KEY ISSUES

The project is proposed to be located primarily in agricultural areas within Latrobe and South Gippsland municipalities. Land use surrounding the project comprises a mixture of primarily agricultural and forestry land uses, with some commercial, residential, tourism and utility land uses present within the study area. Potential impacts requiring assessment include impacts to the continuation of existing land uses and character and amenity, including agricultural, commercial, residential, and recreational values.

The consistency of the project with existing Victorian and local government policy and strategies requires consideration, to consider the effects of potential land use change on the planning of the study area.

This section outlines the pathways by which the construction and ongoing operation of the project may have both temporary and permanent impacts on land use. The significance assessment is presented in Section 7.7.

EPRs have been recommended to reflect compliance with legislation, policy, and guideline requirements. The final impact assessment discussion is based on the residual risk levels and therefore assumes successful implementation of EPRs. In practical terms, ‘successful implementation’ means that the types of controls known to be available to achieve the EPR have been implemented by suitably qualified and competent practitioners.

7.2 COMPLIANCE WITH PLANNING POLICY

The assessment has considered the impacts associated with land use changes as a result of project construction and ongoing operation which may bring about inconsistencies with relevant State and local planning policy in Victoria. Where relevant, other technical reports which accompany the EIS/EES provide detail on any discipline-specific compliance with policy and legislation.

Victorian Government planning policy as set out in the Victoria Planning Provisions (DELWP 2022c) is to '*minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including… energy generation and distribution systems'* (Clause 19). Further, planning for physical infrastructure should '*enable it to be provided in a way that is efficient, equitable, accessible and timely*' (Clause 19, DELWP 2022c). In particular, the state policy as set out in the Victoria Planning Provisions (DELWP 2022c) seeks to facilitate appropriate development of energy supply infrastructure, through the implementation of the following strategies:

- *Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low-carbon economy.*
- *Develop appropriate infrastructure to meet community demand for energy services.*
- *Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change.*
- *Support energy infrastructure projects in locations that minimise land use conflicts and that take advantage of existing resources and infrastructure networks.*
- *Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes.*

The project supports *Victoria's Climate Change Strategy* (DELWP 2021) whereby the State's vision is to achieve net-zero emissions by increasing energy efficiency and productivity, moving to a clean electricity supply, electrifying the Victorian economy, switching to clean fuels, reducing non-energy emissions and increasing carbon storage. The project is specifically identified as a key project in providing access to, and supporting, renewable energy development in Victoria and assisting in meeting the net zero emissions goal.

The relevant State planning policy in Victoria, as enacted in Clause 10 of the Latrobe and South Gippsland Planning Schemes, aims to further objectives of planning in Victoria.

State and local planning policy in both Latrobe and Gippsland Planning Schemes supports the ongoing development of appropriate energy supply infrastructure in the region in line with existing patterns of energy-related infrastructure development, as detailed in Appendix B: Description of Policy and Guidelines.

The project has considered the sensitive values that are reflected in State legislation and local planning schemes, specifically with respect to the protection and conservation of the environmental, social, cultural, and economic values. These values are seen as vulnerable to direct and residual impacts as the result of its construction and ongoing operation of a major project such as the project. This consideration is demonstrated in the route selection and refinement, which is documented in the Marinus Link Route Options Report (February 2021).

The consideration of sensitive values will also be achieved through the detailed assessment required as part of the EIS/EES process including technical studies of potential impacts, community engagement, agency and stakeholder consultation through the Technical Reference Group, and the nomination of EPRs to manage potential impacts.

The key values warranting consideration in this development include the protection of the natural environment, including minimising impacts to biodiversity and retention of native vegetation, management of bushfire risk and catchment protection, as well as the management of expected impacts on existing agricultural, rural industry, forestry, residential, tourism and public land uses. There are a range of planning policies that seek to manage a range of environmental impacts, as outlined in Appendix B: Description of Policy and Guidelines. These are considered in other relevant technical assessments undertaken for the EIS/EES (referred to in section 2.2).

It is particularly noted, as highlighted in Clause 71.02 of the Victoria Planning Provisions and relevant Planning Schemes, that "*in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations"*, and noting that bushfire risk has been assessed within the EIS/EES Technical Appendix M: Bushfire.

Coal resource areas, as protected within the SUZ1, SRO1, and ESO1, and supported by State and regional planning policy, apply to vast amounts of land in Latrobe which encumbers land, limiting its ability to be developed so as to reserve the land for potential coal mining and power generation land uses. The project is inconsistent with this policy, however the policy is considered to be somewhat outdated given the Victorian Government's strategic transition away from coal to more renewable energy sources. Further, the project is noted to have a limited impact on this potential resource given the small area affected relative to the resource area, the relatively short lifespan of the project, its ability to be decommissioned, and the distance of the project from existing mines. The existing zoning of the potential Driffield converter station site would remain as SUZ1, and whilst the primary purpose of this zone is to provide for brown coal extraction, the zone does allow for interim and non-urban uses which protect brown coal resources where compatible with future brown coal mining and industry.

Those values represented in policy relating to land use and infrastructure are considered within this report. For the purposes of assessment, it is considered that the primary impacts on these values would be experienced in the short term, i.e., as the result of the construction phase of the project, with long-term impacts generally limited to specific sites and above-ground infrastructure. The project is located outside township boundaries and does not impact on any zoned urban or designated urban growth areas. Whilst not currently contemplated, any future growth of townships would not be prejudiced by the project given that the proposed infrastructure is generally underground and would not present as a barrier to growth. The project would not result in any land use change that would be inconsistent with existing or proposed planning policy. The key measures implemented in the management of these short term localised impacts so far as they affect land use would include rehabilitation of disturbed land and the planning and management of operational effects to minimise disruption to land uses, as well as compensation for the occupation of land and acquisition of easements.

In summary, the project is consistent with the local policy of the *South Gippsland Planning Scheme* (DELWP 2022b) as:

- the project builds upon on the region's natural advantages with regards to access to renewable energy and energy transmission infrastructure, and locational advantages on the Bass Strait close to Tasmania, to provide the broader community with services and infrastructure that enhance liveability and environmental sustainability for current and future generations.
- the project design has considered locally significant views and vistas that contribute to the character of the coast and coastal hinterland region, noting that the project will be primarily underground (refer also EIS/EES Technical Appendix R: Landscape and Visual).
- the project minimises disruption to the agricultural industry through project staging and access agreements with landholders, and by placing the infrastructure underground, maintaining high quality agricultural land for primary production (refer also EIS/EES Technical Appendix K: Agriculture and Forestry).
- the project minimises impacts to tourism values including the coastline, rural landscapes, accommodation, the Great Southern and Grand Ridge rail trails (refer also EIS/EES Technical Appendix U: Social).

Further, the project is consistent with the local policy of the Latrobe Planning Scheme (DELWP 2022a) as:

- the project has sought to reduce bushfire risk through design measures and recommended EPRs (EIS/EES Technical Appendix M: Bushfire).
- the project has sought to minimise impacts on high quality agricultural land that supports dairy farming, broadacre farming, forestry, rural residential living, tourism, niche rural industry and small-scale farming operations (refer also EIS/EES Technical Appendix K: Agriculture and Forestry).
- the project would not prejudice the use of brown coal reserves and supports the transition to cleaner energy production.

Any further refinement to the design through the assessment and detailed design stages of the project could minimise potential policy conflict by having regard to relevant strategic policy, including any emerging or proposed policy changes.

7.2.1 Residual impacts

The residual impacts of the project on land use as prescribed by strategic planning policy and residual inconsistencies of the project with planning policy are considered to be low. This is because the project would not result in any change to land use and planning policy beyond the project area, it would be broadly consistent with land use and planning policy with the implementation of mitigation.

7.2.2 Environment Performance Requirements

The recommended EPR for minimising and managing impacts during design include:

LUP01 Minimise land use impacts through design

Design the project to minimise the footprint and avoid, so far as reasonably practicable, impacts on the following land uses:

- *Agricultural, rural industry, and forestry properties*
- *Townships and rural residential properties*
- *Native vegetation, state parks and nature reserves*
- *Significant landscapes*
- *Other sensitive land uses such as tourism facilities and community recreational areas.*
- *Crossing of other major services and utilities where possible.*

Prior to submission of Alignment Plans, identify any material changes to relevant strategic land use plans and planning policies that provide for current and future land use in the project area and that have occurred after planning approval for the project, and consider whether the Alignment Plans can respond to any such change.

7.3 CONSTRUCTION

This section provides an assessment of the potential impacts of the project's construction on land use and planning assets and values as a result of the construction of the project.

Land use impacts during construction are generally temporary in duration and limited in nature. The impacts may be associated with activities that are inconsistent with established land use. Impacts may also be associated with the temporary occupation of roads or land for the purpose of and during construction. The potential land use impacts during construction are identified below.

7.3.1 Impacts to land use due to construction

As outlined in Section 6.2, the project survey area traverses 308 land parcels, affecting 183 freehold owners, six land managers, and 26 licence holders, across the approximate 90 km project. Land ownership of the parcels is varied with several private owners, most notably Hancock Victorian Plantations, as well as a number of parcels of Crown Land including land managed by DTP, DoT, South Gippsland Shire, Latrobe City Council, Hancock Victoria Plantations, and DoTF. Many of the affected titles are subject to powerline, carriageway, drainage, water supply, and gas transmission easements. The Delburn Wind Farm Pty Ltd have a caveat over 17 properties associated with proposed works for the Delburn Wind Farm project. Across the study area, the majority of land uses are agricultural, with some associated rural industry (including dairies) and tourism (beach, rail trail, accommodation) uses, timber plantation, or rural residential.

During construction, the project places a 20 m – 36 m wide construction corridor around the cable alignment and uses additional land for temporary facilities that would support construction including laydown areas and access. The AoD has been designed to avoid dwellings, commercial buildings, and rural industry infrastructure. The width of the construction corridor would be reduced to 20 metres in some areas to minimise disturbance to these features. Construction would result in a number of temporary changes to existing land uses, including temporary occupation of land. The construction phase of the project is expected to have a range of short-term environmental impacts. These impacts can be characterised as having an effect on both existing land use (e.g., through visual amenity impacts, noise, dust, traffic, altered access) and the natural environment (e.g., land clearance/disturbance as a result of the construction process) and are therefore considered in the context of their impact on an existing or proposed land use remaining viable.

In the majority of cases (especially agricultural properties of larger allotment size), the occupation of land for construction purposes would be temporary and be limited to a small portion of the overall use. In most cases the alignment follows property boundaries, however in a number of instances the alignment bisects properties. Whilst the construction area would be fenced, the project would provide for crossings of the alignment by stock and machinery where required by and in negotiation with the landowner. Given that the project would generally result in localised changes to the way that individual land holders utilise their land, and that existing land uses would be able to continue albeit in a modified way, construction impacts on agricultural land use are considered to be negligible. While it is acknowledged that construction impacts on land use may be considered substantial by landowners, they are considered temporary and affected landowners will be compensated for the occupation of their land for construction, and for acquisition of an easement.

At the shore crossing at Waratah Bay, the beach is Crown land reserved for environmental purposes and is used for recreational purposes. However, the location is some distance from the Sandy Point and Waratah Bay townships. It is not proposed to close the beach during construction, restrict public access or to undertake any construction on the beach as HDD would be utilised to construct the shore crossing and the construction area would be located behind the coastal dunes on private property. Whilst there may be some temporary and localised amenity impacts, these are not expected to impact the continued ability to utilise the beach for recreational purposes, and land use impacts are therefore negligible.

Similarly, whilst the project would follow an alignment immediately adjacent to the Great Southern Rail Trail (immediately to the north of Buffalo) for approximately a distance of 7 km, the project is designed such that there would be no construction activity within the Crown land of the rail trail. Similarly, the project would cross the Grand Ridge Rail Trail at Baromi, however would be constructed utilising HDD so that access is retained. Accordingly, whilst there may be some temporary construction related amenity impacts to the recreational and tourism land use of the rail trails (considered in other specialist reports including noise, air quality, vibration, visual) and a need to manage the interaction of cyclists with the project construction traffic (considered in the EIS/EES Technical Appendix W: Traffic and Transport), it is noted that the rail trails would be able to continue to be utilised for tourism and recreation.

In locations closer to townships such as Baromi, Buffalo, Dumbalk, and for some smaller land parcels, the impact on land use due to construction is likely to be greater. In these locations the land uses are more residential in nature where amenity impacts from construction may affect enjoyment and attractiveness of residential dwellings and tourism facilities (including B&B accommodations) (refer also EIS/EES Technical Appendix U: Social). Amenity impacts associated with noise, vibration, air quality, access and visual impacts are considered in other technical reports. These impacts are localised and temporary for the duration of construction and would not result in any change to land use. Accommodation facilities may experience increased demand from the project workforce due to the limited availability of affordable rental accommodation in the area (refer EIS/EES Technical Appendix T: Social and EIS/EES Technical Appendix B: Economics).

Laydown areas would be utilised in seven locations (and potentially another two provisional locations). These sites have been selected to minimise impacts on existing land uses and environmental values. These sites identified for laydown areas will; be located within large agricultural properties, where the temporary occupation during construction would not impact the ongoing use of the balance of the land for agriculture. Construction would be managed to minimise disruption to the use of the land. Landowners would be compensated for the occupation of their land for construction.

In some instances, such as at the transition station (agricultural land) and proposed converter station site options (Driffield site is plantation, Hazelwood site is agricultural with an associated dwelling), the established land use on that part of the landholding would be unable to continue and ultimately result in a change in land use in only part of the land. For the potential transition station (refer Figure 3), the impact is minor, noting that the area is small in the context of the wider landholding, and that the proposed works are located along the property boundaries. It is expected that the size of the balance of the site would remain viable for the existing and permitted agricultural land use (refer EIS/EES Technical Appendix K: Agriculture and Forestry). For the converter station location at Driffield (refer Figure 3) the localised impact is somewhat greater, noting that the area of land is more substantial. Notwithstanding, the impact is considered to be minor given that the area is small relative to the balance of the plantation landholding. The potential Driffield converter station site would result in the removal of approximately 18 ha of HVP plantation and Marinus Link as whole would result in the loss of approximately 68.38 ha of plantation land. This is in the context of some 81,421 ha of HVP plantation in Gippsland or 169,240 ha of HVP plantation in Victoria. It is expected that the loss of this part of the plantation would not affect the viability of the plantation (refer EIS/EES Technical Appendix K: Agriculture and Forestry). In both of these cases, the impact is localised to the respective landowner and noting that landowners would be compensated for the acquisition of productive land. Operational impacts to forestry and agricultural properties during construction would be addressed through the preparation and implementation of property management plans. For the potential converter station site at Hazelwood, the impact is somewhat greater again noting that the whole site would be utilised (refer Figure 5), however it is noted that the land has already been acquired by MLPL.

Where possible, existing roads and access tracks would be utilised by the project during the construction phase, however the majority of the proposed cable alignment is not directly accessible via existing roads. The utilisation of private land for access tracks would remove some land from agricultural or forestry use. Where access roads are required to be upgraded or created for use by MLPL in the construction phase, it is proposed to remove these from private property at the completion of this phase to the extent required unless determined with the landowner in consultation, that they would benefit from the access remaining on-site. In this way, the land use change caused by the use of land for access, would be a temporary short-term impact, unless deemed to be of ongoing benefit by the landowner.

Short term activities associated with the construction phase would entail the limited clearing of pre-designated land along the cable alignment. Clearance (e.g., removal of vegetation, topsoil, earthworks etc) would be required for creation of access ways and haul roads, laydown of construction compounds, material and machinery storage, and excavation for the purpose of trenching and creation of drill pads and joint pits. For

the majority of the alignment, it is noted that the land has already been cleared of vegetation being primarily used for agricultural purposes and noting that the alignment and construction methods have been selected to avoid native vegetation wherever possible. Road and waterway crossing methods utilising horizontal directional drilling would be adopted to minimise impacts on vegetation where possible and the project is planned to traverse plantation land rather than State Forest and avoids remnant stands of vegetation on private land where practicable. In some locations, the project would result in the removal or loss of native vegetation. These aspects are addressed in the EIS/EES Technical Appendix V: Terrestrial Ecology. It is not expected that the removal of any vegetation would impact the ongoing as-of-right and approved use of land within the study area.

Earthworks would be constructed to relevant Catchment Management Authority requirements and the land reinstated following construction. These aspects are considered in the Technical Appendix Q: Surface Water. It is not expected that earthworks during construction would impact the ongoing as of right and approved use of land within the study area.

Impacts associated with environmental impacts such as vegetation removal, stormwater runoff, are addressed in the relevant technical reports, including Terrestrial Ecology, Surface Water, and Groundwater, and as included at Section 2.2.

7.3.1.1 Residual impacts

It is considered that the primary impacts associated with the construction phase are largely associated with the temporary occupation of public and private land, and that previous uses would be able to resume once construction and remediation works have been completed.

During the construction period there may be amenity impacts that include accessibility, air quality, noise and vibration, visual, and an increase in construction traffic. The detail of these potential amenity impacts together with any relevant mitigation measures have been assessed more specifically within the other relevant EIS/EES technical reports. The residual amenity impacts to land use during construction can be considered to be low – very low.

7.3.1.2 Environment Performance Requirements

The recommended EPR for minimising and managing impacts during construction include:

LUP01 Minimise Land use impacts through design

Design the project to minimise the footprint and avoid, so far as reasonably practicable, impacts on the following land uses:

- *Agricultural and forestry properties*
- *Townships and rural residential properties*
- *Native vegetation, state parks and nature reserves*
- *Significant landscapes*
- *Other sensitive land uses such as tourism facilities and community recreational areas*
- *Crossing of other major services and utilities where possible.*

Prior to submission of Alignment Plans, identify any material changes to relevant strategic land use plans and planning policies that provide for current and future land use in the project area and that have occurred after planning approval for the project, and consider whether the Alignment Plans can respond to any such change.

EPRs covered by the following disciplines would also minimise and manage impact on land use, access, and amenity in construction:

- EIS/EES Technical Appendix K: Agriculture and Forestry
- EES/EIS Technical Appendix L: Air Quality
- EIS/EES Technical Appendix R: Landscape and Visual
- EIS/EES Technical Appendix T: Noise and Vibration
- EIS/EES Technical Appendix U: Social
- EIS/EES Technical Appendix V: Terrestrial Ecology
- EIS/EES Technical Appendix W: Traffic and Transport.

7.3.2 Impacts to utilities and services due to construction

The presence of utility infrastructure is noted alongside and intersecting many parts of the survey area. The project may have both planned and unforeseen short-term impacts on existing utilities and services as a result of the construction phase.

The presence of subsurface infrastructure has been noted within and in close proximity to the survey area. The project has been designed to minimise impact on known subsurface and above-ground infrastructure, including potable water, gas, electricity, and sewerage, where known, for the length of the proposed alignment.

At a number of locations in the Driffield – Hazelwood segment of the survey area, the proposed alignment would cross paths with a known subsurface high pressure gas supply line. In these instances, the cable installation would need to comply with the relevant requirements of the gas authority, including managing risks in accordance with Australian Standard AS2885.

At Waratah Bay, the alignment crosses the Bass Strait 1 Telstra cable in two locations. Construction methods would be required to maintain the integrity of the fibre optic cable and comply with relevant requirements of Telstra.

Above-ground infrastructure can be readily observed within the survey area due to its visibility (e.g., electricity transmission lines), however it can be difficult to ascertain the full distribution of below ground infrastructure. Given much of the study area is agricultural land, there are limited anticipated impacts to water or sewerage infrastructure. Communications and power infrastructure are most frequently encountered throughout the study area, particularly around townships and in roadsides. Consultation with servicing authorities would be required as part of the detailed design of the project, and the likely extent of interruptions to these services would need to be communicated with service users should they occur during project construction. Any works that affect existing easements would require the approval of the relevant service provider and works to be undertaken consistent with requirements to protect or manage impacts to the assets.

Impacts to existing infrastructure, where unavoidable, would be temporary and any disruption to services should be communicated with users in advance and disruption periods minimised. In some cases, it may be possible to make small adjustments to the project in situ to avoid these impacts, however in the event that impacts between the project and existing infrastructure cannot be avoided it may be necessary to remove and relocate assets in consultation with the relevant authority. Should any relocation works be required in certain impact locations, the extent and duration of any outage, where unavoidable, would need to be determined.

7.3.2.1 Residual impacts

The primary impacts to utility and services infrastructure are associated with the construction phase and can be appropriately managed through appropriate design and through construction methodology and in accordance with the requirements of the relevant service infrastructure provider to ensure the ongoing safe and efficient operation and maintenance of services. In particular it is understood that a risk assessment will need to be undertaken in accordance with Australian Standard AS2885 to manage risks associated with crossing the high-pressure gas main, and compliance with the associated management measures will reduce risk accordingly.

Overall, residual land use impacts associated with construction are considered very low.

7.3.2.2 Environment Performance Requirements

The recommended EPR for minimising and managing impacts during construction include:

LUP04 Avoid and minimise impact on services and utilities

Prior to commencement of project works by each principal contractor, consult with asset owners and managers with the objective to:

- *Agree requirements when construction is proximate to other services, particularly high voltage powerlines and high-pressure gas lines.*
- *Design requirements for crossing other assets and services.*
- *Minimise disruption to localised services and reinstate interrupted services as required. Where services are planned to be disrupted, advance notification must be provided to service users.*

7.4 OPERATION

This section provides a detailed assessment of land use planning impacts due to the operation of Marinus Link. This includes impacts on the ongoing use of land, future redevelopment of land, and on the intended use of land due to project structures.

7.4.1 Impacts to land use due to operation

This assessment considers the varied impacts which project operation and permanent land acquisition associated with the project would have on land uses along its proposed route from Waratah Bay to Hazelwood. Operation and maintenance activities, as identified in the project description, would include:

- Routine inspections of the land cable easement for potential operational and maintenance issues, including:
  - Unauthorised activities and structures.
  - Land stability
  - Rehabilitation issues
  - Weed infestations resulting from construction activities
  - Cover at watercourse crossings.
- Servicing, testing and repair of the land cables, transition station and converter stations equipment and infrastructure including scheduled minor and major outages.
- Maintenance of access tracks.

The above maintenance activities would require periodic access to the cable easement as agreed with landowners and involve entry onto land for inspection on approximately an annual to biannual basis.

While some components of the project would require the permanent acquisition of land, the majority of the alignment would take the form of a subsurface cable and the acquisition of an easement, which would in most cases allow the resumption of former uses after the construction phase and land rehabilitation is complete. Primary uses along the corridor such as cropping and grazing will be permitted across the easement, however the installation of structures over the easement would be limited. How these restrictions affect typical activities for various land uses is detailed in the EIS/EES Technical Appendix K: Agriculture and Forestry.

The placement of an easement on title would include some restrictions to protect the ongoing integrity of the cable infrastructure, however given the majority of agricultural land is used for grazing and cropping, it is expected that this would have a negligible impact on agricultural land use. Activities such as cropping, grazing, irrigation, gardening and driving of vehicles/machinery will be permitted within the easement. Some earthworks, installation of utility services, driveways, minor structures and fencing will be subject to conditions to protect the cable infrastructure. Construction of dams, planting of deep rooted vegetation, and construction of houses or other substantial structures will be prohibited. As most of the survey area comprises agricultural land and the size of the easement is 20 m wide in the context of larger landholdings, the implications for land use are localised and minimal. The EIS/EES Technical Appendix K: Agriculture and Forestry notes that no farm business will be removed from operation because of the project, though the agricultural yield of some affected properties may be impacted by restrictions placed on the use of land subject to easement.

Due to the impacts of root systems on the project infrastructure, the resumption of plantation use over the 20 m wide easement during the operational phase would not be possible within forestry areas. The loss of productive land for forestry activities due to the easement comprises a small part of a significantly larger forestry asset (refer discussion section 7.3.1) and would not affect the ongoing viability of the forestry operations. Forestry vehicles and machinery would be able to continue to traverse the easement following construction of the project during operation and forestry operations are expected to be able to be maintained on surrounding land throughout operation (refer EIS/EES Technical Appendix K: Agriculture and Forestry).

Crown land leases or licences may be required in lieu of an easement where the project affects Crown land. It is expected that given the project will be generally underground, typically a licence would be required as this is permits non-exclusive use of Crown land and would therefore allow the continued use of the Crown land at surface level for another purpose or by another licensee if required. Licences are typically issued by the responsible minister, a delegate of the responsible minister, the Governor in Council or a delegated land manager. Where land is licenced by a delegated land manager, these licences are subject to approval by the responsible minister or delegate of the responsible minister. Licences for Crown land can be issued for specified uses under legislation. Where an existing licence exists (noting all affected by the project are for grazing purposes) it is expected that the land can continue to be utilised consistent with the license following construction. Licences under the *Victorian Plantations Corporation Act 1993* held by Hancock Victorian Plantations for the use of Crown land for plantation will be affected whereby the project would limit the ability to use the easement area for plantation, and the licence would need to be varied under that Act through agreement with HVP.

Some elements required for the project would require the permanent acquisition of land for above ground infrastructure and access arrangements associated with maintenance and monitoring. Major permanent infrastructure associated with the project which would entail a long-term change in land use would include the proposed potential converter station at either Driffield or Hazelwood, as well as a land-based transition station at Waratah Bay if required. Joint pits are to be located approximately every 800-1200m along the entire length of the cable route and would be finished at sub-surface level. Joint pits would be periodically inspected for maintenance purposes.

The proposed transition station site is located adjacent Waratah Road, approximately 750m inland from the shore crossing and Waratah Bay Shallow Inlet Coastal Reserve. It is expected to occupy a built footprint of approximately 75 m by 50 m once completed and would be fenced for security reasons. Vegetation screening would also be planted around the boundary of the site where it is visible from Waratah Road. It is noted that

the sourcing of cable for the project has yet to be confirmed and should the sub-sea and land cable be supplied by the same manufacturer, the transition station would not be required. For the transition station, the impact is minor, noting that the area is small in the context of the wider landholding, and that the proposed works are located along the property boundaries.

The proposed potential converter stations at Driffield or Hazelwood would occupy approximately up to 35 ha each, including auxiliary components like access. Land would be acquired for this purpose and current landowners would be appropriately compensated. In the case of the potential converter station site at Driffield this would mean that land used as part of the HVP for forestry activities would cease, and would be changed to use as a utility installation for the functional lifespan of the project, as enabled by the proposed PSA, while the zoning applicable to the land would remain unchanged. Refer further discussion section 7.3.1 regarding impacts to loss of active forestry land.

It is understood that a large portion of the proposed site at Hazelwood is currently used for a single dwelling associated with dry land cropping and the existing dwelling would fall within the project's AoD, with the entire property included in the project survey area. Should this site be ultimately determined as the location for a converter station, it is expected that the current use and occupation of the property (including the dwelling) would be ceased. For the Hazelwood converter station site, the land use impact is localised to the affected landowner, noting that the whole site has been acquired by MLPL. Amenity impacts associated with noise, vibration, air quality, access and visual impacts are considered in other technical reports, and aren't expected to result in any land use change surrounding this location.

Arrangements would need to be made to facilitate ongoing access to the cable alignment, once in operation, to enable the effective maintenance and monitoring of the infrastructure.

Operational impacts to sensitive land uses (including townships and rural residential land uses) are limited. Infrequent and short duration monitoring and maintenance during the operational activities will not impact on land use, however may possibly be considered inconvenient by some landholders, and can be appropriately managed through the implementation of EPRs (see also EIS/EES Technical Appendix U: Social). Similarly, it is not anticipated that there will be any operational impacts that will have the potential to affect the amenity of or restrict the use of tourism and recreational facilities (including accommodation, rail trails and beaches), whereby maintenance and monitoring activities will be temporary, short term, and infrequent. Visual impacts of the project on the users of the regional reserves, rail trails and beaches will be appropriately managed through the implementation of EPRs (EIS/EES Technical Appendix R: Landscape and Visual).

The project is not anticipated to have a detrimental impact on nearby existing or proposed brown coal mining and future development of brown coal resources in the area. Whilst the SUZ1 land is of State significance, notably the proposed works area forms only a limited area of the overall land zoned SUZ1. The project is not located within, adjacent or proximate to any existing mine, and does not affect any existing licence or work authority. The project does not significantly reduce the area available for future or sequential development of brown coal resources in the area. Whilst approximately 264 ha of SUZ1 is located within the project survey area, only 54 ha of SUZ1 land is located within the project AoD.

The project is not expected to have any impact on existing infrastructure during operation.

During the operation of the converter station and transition station there may be amenity impacts that include air quality, noise, and vibration, amongst others. The detail of these potential amenity impacts together with any relevant mitigation measures have been assessed more specifically within the other relevant technical assessments prepared for the project (noise, vibration, air quality, access and visual impacts). However, from a land use perspective, it is recognised that there are no sensitive uses in close proximity to the Driffield converter station. The Hazelwood converter station currently contains a dwelling but as it is expected not be occupied in the event that this site is used for the converter station. Within this context, the potential amenity impacts during operation are not expected to impact on existing land uses and as such can be considered to be negligible. No land use specific mitigation measures are considered required or recommended.

7.4.2 Residual impacts

The project is consistent with and supported by existing and future land use anticipated in this location to facilitate the use of energy resources. The project, including the cables and transition and converter station would operate in a region currently utilised for power infrastructure.

The operation of the project would result in impacts to existing land uses which would comprise some change to the existing use, namely at locations where above ground infrastructure is proposed, and in plantation areas. This impact during operation is considered to be very low – low for the reasons outlined below.

Other than pre-arranged periodic access for the purposes described above, the ongoing operation and maintenance of the project is generally not expected to have any considerable long-term impact on the way land is used along the cable alignment in the long-term. The cable easement to be registered on land titles would effectively preclude the erection of any structures and the planting of trees in that location (as described in section 7.4.1 and the EIS/EES Technical Appendix K: Agriculture and Forestry, however the majority of affected land would be able to return to its original land use function once construction activities have concluded and rehabilitation has occurred. The use of land for the operation of an underground cable is consistent with the established land use, therefore land use impacts are considered to be very low. For forestry areas however, plantation over the easement will be precluded, so the impact is greater, though given the small land area affected, the ability for forestry machinery to traverse the easement, and that the balance of the land can continue to be utilised for forestry, the impact is considered low.

As discussed in Section 7.3.1 and EIS/EES Technical Appendix K: Agriculture and Forestry, the project is expected to have a low impact on forestry activities in the Gippsland region. Forestry land use in the region occupies a large area of over 81,000 ha, of which a smaller area in the order of 68 ha would be directly impacted through construction and approximately 35 ha in operation of the Project. While some disruption is expected to forestry activities during the operation of the Project, the proposed easement will only preclude the planting of trees within the area it directly affects. The use of existing and new access tracks within the easement will be able to resume upon completion of construction and throughout the lifespan of the project.

The use of land for the operation of the transition station and converter station would not impact the ongoing operation of surrounding land use, whereby the balance of the affected land holdings would be able to continue to be used for productive agricultural and forestry land uses, and whereby land use impacts would be isolated to the affected landholding. The impact is therefore considered to be low. The impacted area within plantation land with small in the context of the broader plantation landholding and the impact is considered low.

Overall, residual land use impacts associated with the operation of the project are considered low – very low.

7.4.3 Environment Performance Requirements

The recommended EPRs for minimising and managing impacts during operation include:

EPR LUP02 Minimise disruption due to property and easement acquisition

Design the project to minimise property and easement acquisition where reasonably practicable and to provide for safe asset operation and maintenance.

Engage with affected landowners to, where reasonably practicable, negotiate property and easement acquisition, and the terms of ongoing access arrangements to minimise impact on existing land uses, access, and amenity.

EPR LUP03 Minimise land use impacts during and post construction

Prior to commencement of project works*, develop a plan to:*

- *Minimise the construction footprint and any temporary land use impacts due to construction activities where reasonably practicable.*
- *Undertake construction to minimise disturbance to ongoing use of land for existing purposes.*
- *Reinstate land and access following construction to pre-construction conditions to enable existing land uses to resume, unless otherwise agreed with landowners (EPR A04).*

EPRs covered by the following disciplines would also minimise and manage impact on land use, access, and amenity in operation:

- EIS/EES Technical Appendix K: Agriculture and Forestry
- EIS/EES Technical Appendix U: Social
- EIS/EES Technical Appendix W: Traffic and Transport.

7.5 DECOMMISSIONING

The decommissioning of the project would take place at the end of its operational lifespan, which is anticipated to be approximately 40 years from construction. At the end of this lifespan the project would either be decommissioned or refurbished to extend its function.

Should the project be decommissioned, it is understood that all above-ground infrastructure would be removed, and previous land use reinstated as appropriate and agreed with the landowner. Decommissioning requirements associated with any subsurface infrastructure cannot be predicted at this time as the conditions of the land use at the time of decommissioning are unknown. Should the full removal of this infrastructure be required at the time, it is expected that the extent and magnitude nature of the impacts would be no greater than those discussed in Section 7.3 and the recommended EPRs would apply.

7.5.1 Impacts to land use and infrastructure due to decommissioning

It is expected that where decommissioning activities are required at the end of the project lifespan, any land or use of land previously occupied or given over to the ongoing operation of the project would be rehabilitated, monitoring and maintenance activities would cease, and its former land use resumed.

Any land affected by decommissioning works such as the establishment of works areas, access and the removal of subsurface cable infrastructure is expected to be restored to its ongoing use after works are complete and all material is removed r.

It has been noted that in many instances it is less impactful for subsurface infrastructure to be decommissioned and left in-situ, than to carry out the full removal of the infrastructure and associated land disturbance. If, in accordance with the requirements of the time, the subsurface infrastructure is to remain in place, this may have ongoing implications for the way in which its presence is noted on title and the permitted uses of land within any ongoing easement or restriction. It is recommended that following decommissioning, that the easement and any associated restrictions are removed from title.

7.5.2 Residual impacts

Depending on the extent of decommissioning and rehabilitation works required at the termination of the project, it can be expected that residual impacts would be similar to those discussed in Section 7.3 . It is unknown to what degree any patterns of land use, infrastructure development and planning requirements may shift over the projected lifespan of the project and therefore the comparative severity of any potential residual impacts cannot be fully appreciated at this time.

Based on current land use, the decommissioning of the project would result in changes to the land uses introduced by the project, making land uses consistent with the existing land use. This impact is therefore considered negligible at this time. The use of land for the decommissioning of the cable, shore crossing, transition station and converter station is consistent with the established land use, therefore residual land use impacts are considered very low.

7.5.3 Environmental Performance Requirements

No further EPRs are recommended for decommissioning. The EPRs for construction would be implemented to mitigate any impacts form the decommissioning of the project, although the ultimate form of these works is unknown. It is further anticipated that environmental performance expectations and practicality of implementation shift to some degree over the projected lifespan of the project.

Managing decommissioning of the infrastructure would be addressed in the Operational Environmental Management Plan.

7.6 CUMULATIVE IMPACTS

The *Good Practice Handbook on Cumulative Impact Assessment and Management: Guidance for the Private Sector in Emerging Markets* (IFC, 2013) has been used as the basis for guiding the cumulative impact assessment. IFC (2013) defines cumulative impacts as those that “result from the successive, incremental, and/or combined effects of an action, project, or activity when added to other existing, planned, and/or reasonably anticipated future ones.”

The cumulative impact of one project within the study area has been particularly considered due to its direct interaction with the project survey area, being the Delburn Windfarm project.

The Delburn Windfarm has recently been approved as detailed in Section 6.4, and the timing for its construction may contribute to cumulative short term impacts to land use during construction, particularly around the potential Driffield converter station site and surrounds. This impact could be due to the physical area of disruption during construction, increased traffic, and reduced amenity. These matters are considered within other technical assessments prepared for the project. Ongoing consultation would be required with the Delburn Windfarm project to confirm construction timing.

These projects would also cumulatively have a greater impact on the use of land for forestry plantation purposes, though collectively still represent a small area of the overall plantation land. Potential impacts on the forestry use should be managed through consultation with the landowners to ensure that impacts on harvesting are minimised.

Potential future projects including the Gippsland Renewable Energy Zone and Star of the South, may similarly impact cumulatively with the project on land use around the potential Hazelwood Converter Station site, noting that all three projects are proposing significant transmission line infrastructure through the study area. Notwithstanding, cumulative construction impacts are not expected to result in any changes to land use in this area, though it is acknowledged that there may be some cumulative amenity and other impacts on land use during construction depending on project timing (refer to other technical assessments).

No cumulative land use impacts are expected as a result of the Hazelwood Rehabilitation Project, given that land use of the former Hazelwood pondage site within and proximate to Marinus Link is expected to transition to agricultural land use.

Following construction, there are not expected to be any impacts on land use as a result of cumulative impacts of the project and Delburn Wind Farm, or other identified projects, with respect to land use. There is already a number of significant energy infrastructure located through the study area, particularly in the north of the study area, as identified in Section 6.3.1, and the existing infrastructure in this region has developed over time and the planning policy has evolved which supports the economic benefits derived from these uses and these types of projects. Whilst there are other energy and power infrastructure and associated facilities in this study area, it is considered that the cumulative impact of these infrastructure assets is not significant with regards to land use.

7.7 SUMMARY OF IMPACTS

A compliance and a significance assessment of project activities was performed in accordance with the methodology described in Section 5.3. The assessment has been used to prioritise the focus of the impact assessments and development of EPRs. Potential impacts were assessed for the construction, operation and decommissioning of the project.

The project, as described in Section 4 of this report, as a whole would not contradict any existing or expected land use and planning policy. The project is broadly supported by policy which supports the timely provision of energy distribution infrastructure to meet community demand for energy services. Environmental impacts are considered in the various technical assessments prepared for the EIS/EES, consistent with planning policy. This includes an assessment of bushfire risk which is a critical planning requirement for approximately a third of the project survey area, specifically the northern segments.

It is further not expected that in the long-term it would compromise or alter any specific land use as observed within the study area. The impacts discussed in this report are limited to property specific matters, noting that there would be some impacts to specific structures and infrastructure on individual properties as well as short term impacts upon the way in which properties are used during construction. While it is acknowledged that construction impacts on land use may be considered substantial by landowners, they are short-term and affected landowners will be compensated for the occupation of their land for construction, and for acquisition of an easement. There are minimal offsite impacts expected to land use in the longer term, noting that some short-term amenity impacts are likely to be experienced by sensitive land uses including residential land, tourism, and recreational land uses.

Land for easements would be acquired from landowners and recognised on title to ensure the ongoing protection of infrastructure. Impacts associated with land use would generally be temporary, i.e., as the result of construction works, but the 20 m wide easement for the protection of the infrastructure once constructed would be in place for the duration of the project lifespan (anticipated to be 40 years minimum). This easement would affect some of the ways that land is used and developed, noting that cropping and grazing could continue but development of structures would be restricted. The easement is to be generally located in larger land parcels where the impact is minimal given the overall size of the properties.

Whilst the Brown Coal resource area in the north of the project is of State significance, the project would not impact any existing or proposed mine or licence, and the area affected is small relative to the SUZ1. The project would not impact on the sequential development of brown coal resources in the area.

Other short-term impacts related to construction include disruptions to utilities and services, reduced amenity and impacts to environmental values. It is generally understood that while these impacts cannot be avoided, efforts can be made to mitigate and reduce their severity and extent. To the extent that these cannot be avoided, a Construction Environmental Management Plan would set out effective procedures for management and mitigation.

Table 12 Significance summary table

Affected value	Impact Assessment			Environmental Performance Requirements	Residual Impact		
	Sensitivity	Magnitude	Significance		Sensitivity	Magnitude	Significance
Land Use: Productive agricultural land	Very low	Negligible	Very low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Very low	Negligible	Very low
Land use: Township and residential land uses	Low	Negligible	Very low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Very low	Negligible	Very low
Land use: Rural industry	Low	Negligible	Very low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Very low	Negligible	Very low
Land use: Forestry and timber production	Low	Negligible	Very low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Low	Negligible	Very low
Land Use: Brown coal	Moderate	Negligible	Low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Moderate	Negligible	Low
Land Use: Recreational / open space	Moderate	Negligible	Low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Moderate	Negligible	Low
Land use: Utility services and infrastructure	Moderate	Negligible	Low	EPR LUP01 EPR LUP02 EPR LUP03 EPR LUP04	Moderate	Negligible	Low

7.8 ENVIRONMENTAL PERFORMANCE REQUIREMENTS

Table 13 lists the recommended EPRs relevant to the land use planning assessment.

Table 13 Environmental Performance Requirements

EPR ID	Environmental Performance Requirement	Project Stage
LUP01	**Minimise land use impacts through design** Design the project to minimise the footprint and avoid, so far as reasonably practicable, impacts on the following land uses: • Agricultural, rural industry, and forestry properties • Townships and rural residential properties • Native vegetation, state parks and nature reserves • Significant landscapes • Other sensitive land uses such as tourism facilities and community recreational areas • Crossing of other major services and utilities where possible. Prior to submission of Alignment Plans, identify any material changes to relevant strategic land use plans and planning policies that provide for current and future land use in the project area and that have occurred after planning approval for the project, and consider whether the Alignment Plans can respond to any such change.	Design
LUP02	**Minimise disruption due to property and easement acquisition** Design the project to minimise property and easement acquisition where reasonably practicable and to provide for safe asset operation and maintenance. Engage with affected landowners to, where reasonably practicable, negotiate property and easement acquisition, and the terms of ongoing access arrangements to minimise impact on existing land uses, access, and amenity.	Design
LUP03	**Minimise land use impacts during and post construction** Prior to commencement of project works, develop a plan to: • Minimise the construction footprint and any temporary land use impacts due to construction activities where reasonably practicable. • Undertake construction to minimise disturbance to ongoing use of land for existing purposes. • Reinstate land and access following construction to pre-construction conditions to enable existing land uses to resume, unless otherwise agreed with landowners (EPR A04).	Construction
LUP04	**Avoid and minimise impact on services and utilities** Prior to commencement of project works by each principal contractor, consult with asset owners and managers with the objective to: • Agree requirements when construction is proximate to other services, particularly high voltage powerlines and high-pressure gas lines. • Design requirements for crossing or other assets and services. • Minimise disruption to localised services and reinstate interrupted services as required. Where services are planned to be disrupted, advance notification must be provided to service users.	Construction

In addition to the above land use planning EPRs, the relevant supporting EIS/EES technical assessments outlined in Section 2.2 are considered to provide sufficient mitigation measures to appropriately reduce the potential for land use impacts caused by the project. A full list of EPRs will be documented as part of the EIS/EES.

8. CONCLUSION

The purpose of this report is to assess the potential land use planning impacts associated with Marinus Link within Victoria to inform the preparation of the EIS/EES required for the project, and to define the EPRs necessary to meet the EIS/EES evaluation objectives.

The report provides an assessment of land use planning considerations associated with the construction and operation of the project that would have the potential to impact existing and future land use, land use character, built form and the strategic land use planning policy framework.

Key considerations in the assessment of land use planning impacts of the project include:

- Permanent and temporary changes in land use due to acquisition and temporary occupation.
- Permanent and temporary changes in the ongoing use of land adjacent to the project during construction and operation.
- Inconsistencies with planning policies and strategic plans due to land use changes brought about by the project, including the potential for future redevelopment in the survey area.

8.1 BASELINE CHARACTERISATION

The project traverses both the South Gippsland Shire and Latrobe City municipalities. The alignment is largely located in agricultural land and comes within proximity of Waratah Bay, Sandy Point, Buffalo, Stony Creek, Dumbalk, Mardan, Mirboo North-Baromi, Darlimurla, Delburn, Driffield, Churchill and Hazelwood. The current proposed alignment for the HVDC cable, traverses approximately 90 km from the high-water mark at Waratah Bay, to the potential termination at a proposed converter station site located at either Driffield or Hazelwood.

The project area from the high-water line at Waratah Bay to Baromi is located within South Gippsland Shire and spans predominantly agricultural land. The majority of land in this segment of the study area is used for dry land grazing activities with some medium-scale cropping. The proposed cable alignment follows roads or property boundaries where possible, or significant landscape features such as waterways. The alignment crosses a number of waterways including Little Morwell River as well as arterial roads within this segment of the study area. A significant amount of vegetation exists within the study area in variously sized patches, along roadsides, and on both freehold and Crown land. The current revision of the alignment has been selected to avoid existing dams and buildings/structures. Non-agricultural rural residential uses exist in close proximity to the proposed alignment, particularly near townships. Along Loves Lane, the alignment passes close to tourist accommodation and a dairy that is undergoing a substantial upgrade.

From Baromi to Driffield land within both the South Gippsland and Latrobe municipalities predominantly used for conservation and timber plantations. North of Baromi, the proposed cable alignment passes through the edge of the southern block of the Strzelecki State Forest.

The study area segment from Driffield to Hazelwood is located within the Latrobe municipality and incorporates the survey area and cable alignment which runs between the potential converter sites at Driffield and Hazelwood respectively. The cable alignment extends through the remaining HVP allotments and agricultural land that has been reserved for potential coal resource.

The 220m-wide survey area around the proposed cable alignment, and associated laydown and accesses, affects approximately 308 land allotments between the proposed shore crossing point at Waratah Bay and its termination at a converter station at either Driffield or Hazelwood. Of these, 263 land allotments are within the 20 m project easement. The majority of the study and survey areas is freehold land used for agricultural and rural residential activities. The easement is not confirmed in any location and is subject to final design development. Approximately 125 land allotments which fall within the survey area are Crown land (104 of these comprise land within the easement). These are primarily government roads, though it is observed that

Crown land also exists over specific road reservations, waterways, and special use areas. Immediately to the north of Buffalo, the project follows the alignment of the Crown land reserved for the Great Southern Rail Trail for approximately seven kilometres.

There are several major state and regionally significant infrastructure assets located within the project area including high pressure gas mains, major overhead transmission lines, and optic fibre. Additional local infrastructure is located throughout the study area.

The majority of the land through which the proposed land-based cable alignment would run is zoned Farming Zone (FZ) and comprises land holdings of a range of sizes. Land zoned FZ can be turned to a variety of uses, but the overarching purpose of the zone is to encourage and facilitate agricultural production. Ancillary uses such as dwellings and some forms of rural industry are also conducted within the FZ. Neither Council anticipates any change of land use within the study area.

The Delburn Windfarm project has the potential to contribute to cumulative impacts during construction.

The project during construction, operation and decommissioning would need to appropriately manage the potential bushfire risk and impacts on other environmental values.

8.2 IMPACT ASSESSMENT

The project would not contradict any existing or expected planning policy. The project is broadly supported by policy which supports the timely provision of energy distribution infrastructure to meet community demand for energy services.

In the long term, the project is not expected compromise or alter any specific land use as observed within the study area. Land for easements would be acquired from landowners and recognised on title to ensure the ongoing protection of infrastructure. The impacts discussed in this report are generally limited to property specific matters, noting that there would be some impacts to specific structures and infrastructure on individual properties as well as short term impacts upon the way in which properties are used during construction. There are minimal offsite effects expected to land use in the longer term, noting that some short-term amenity impacts are likely to be experienced by sensitive land uses including residential land, tourism, and recreational land uses.

Impacts associated with land use would generally be temporary, i.e., as the result of construction works, but the 20 m wide easement for the protection of the infrastructure once constructed would be in place for the duration of the project lifespan (anticipated to be 40 years minimum). This easement would affect the way that land is used and developed, noting that cropping and grazing could continue but development of structures would be restricted. The easement is generally located in larger agricultural allotments where this impact would be minor.

Other short-term impacts related to construction include disruptions to utilities and services, reduce amenity, as well as the loss of, or impact upon, native vegetation. It is generally understood that while these impacts cannot be avoided, efforts can be made to mitigate and reduce their severity and extent. To the extent that these cannot be avoided, a construction environmental management plan would set out effective procedures for management and mitigation.

8.2.1 Environmental Performance Requirements

EPRs relevant to land use planning were described in the discussion of identified land use impacts in Section 7 and are listed in Section 7.8.

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APPENDIX A: PLANNING & LAND USE MAPBOOKS

Figure A1.1: Project layout

Legend

- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

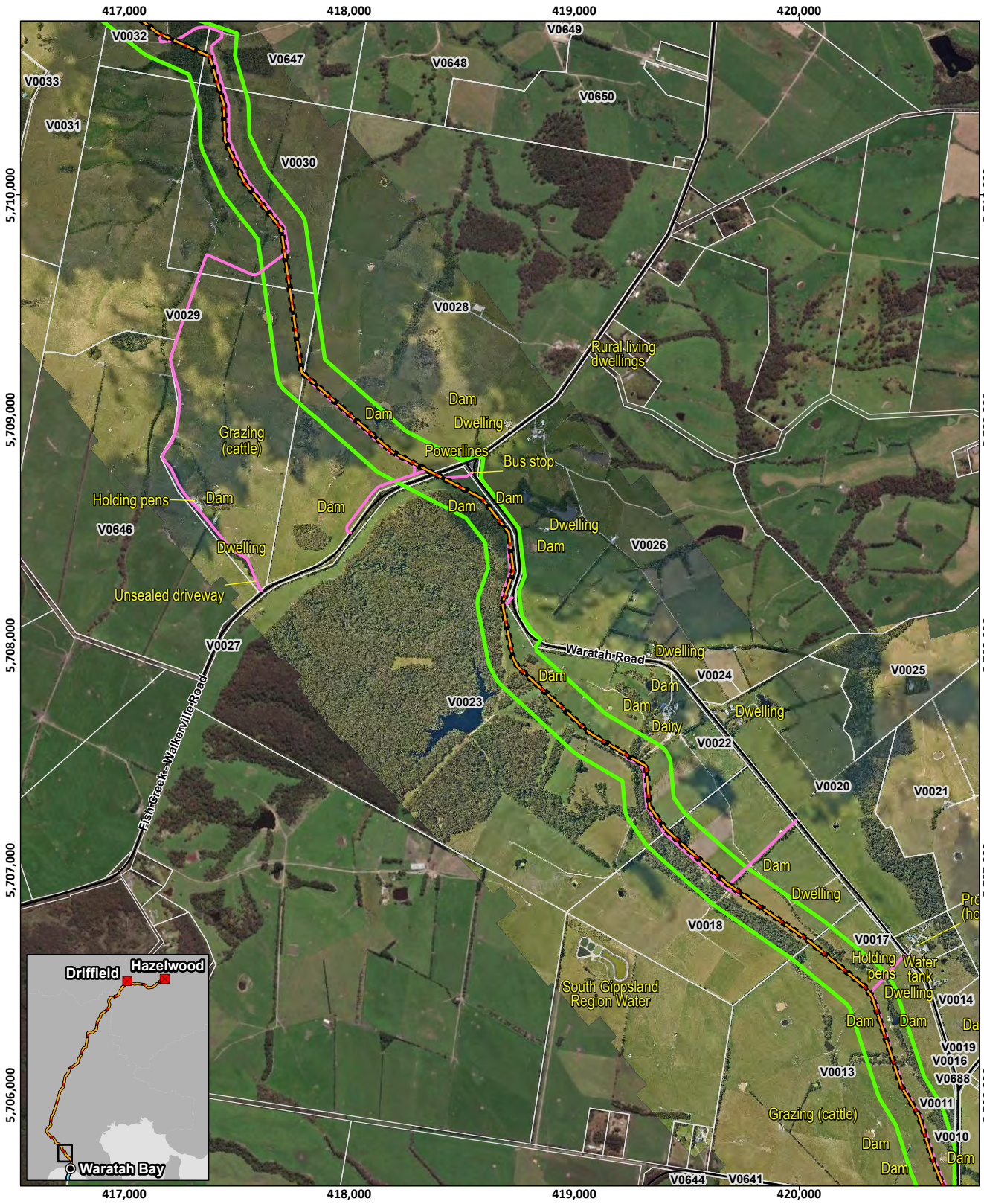

Figure A1.2: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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MARINUS LINK

Figure A1.3: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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MARINUS LINK

Figure A1.4: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

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Projection: Transverse Mercator
Datum: GDA2020

Source:
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MARINUS LINK

Figure A1.5: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
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MARINUS LINK

Figure A1.6: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

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Projection: Transverse Mercator
Datum: GDA2020

Source:
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Roads, cadastre and transmission lines from VICMAP.
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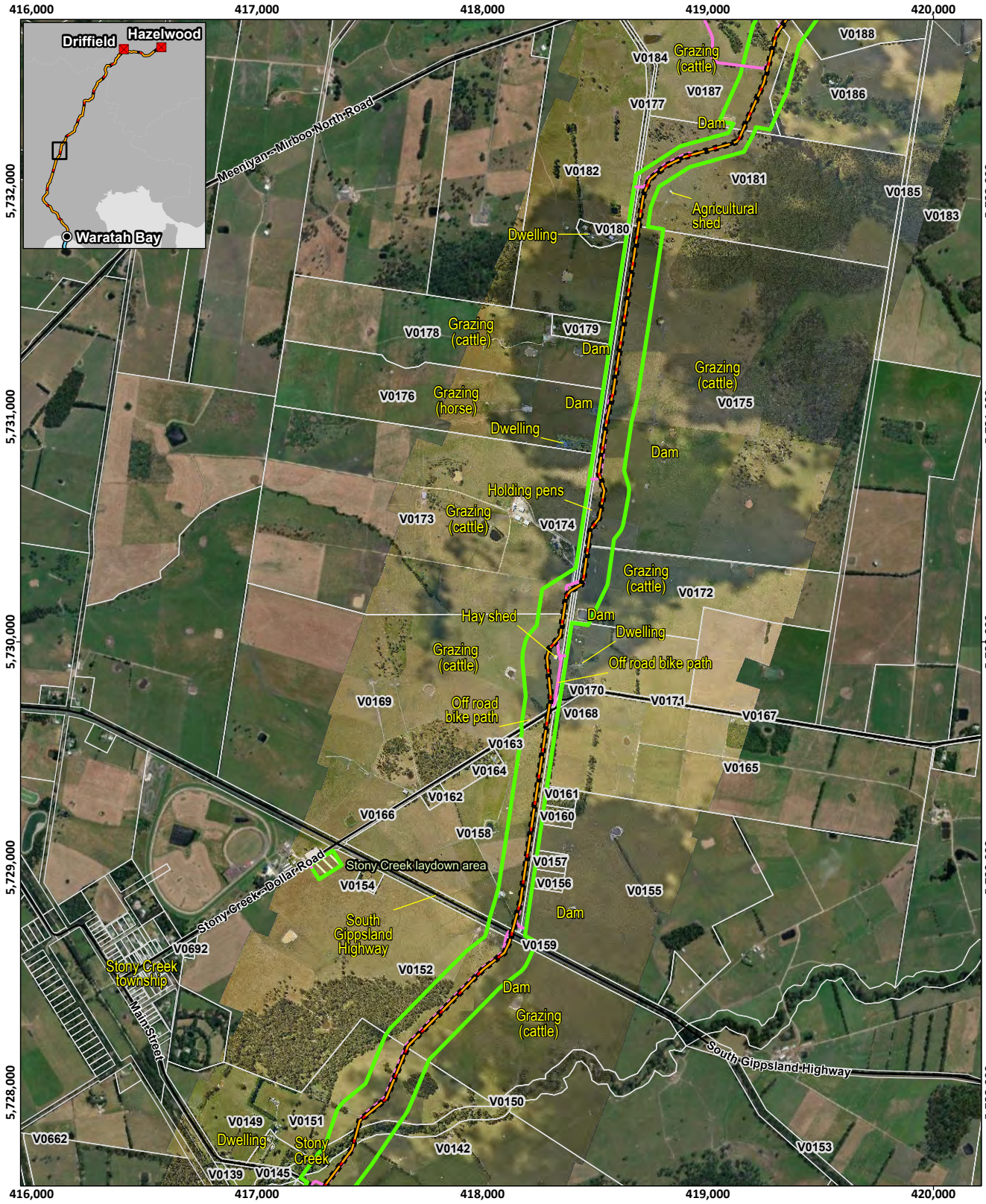

Figure A1.7: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

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Projection: Transverse Mercator
Datum: GDA2020

Source:
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Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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MARINUS LINK

Figure A1.8: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
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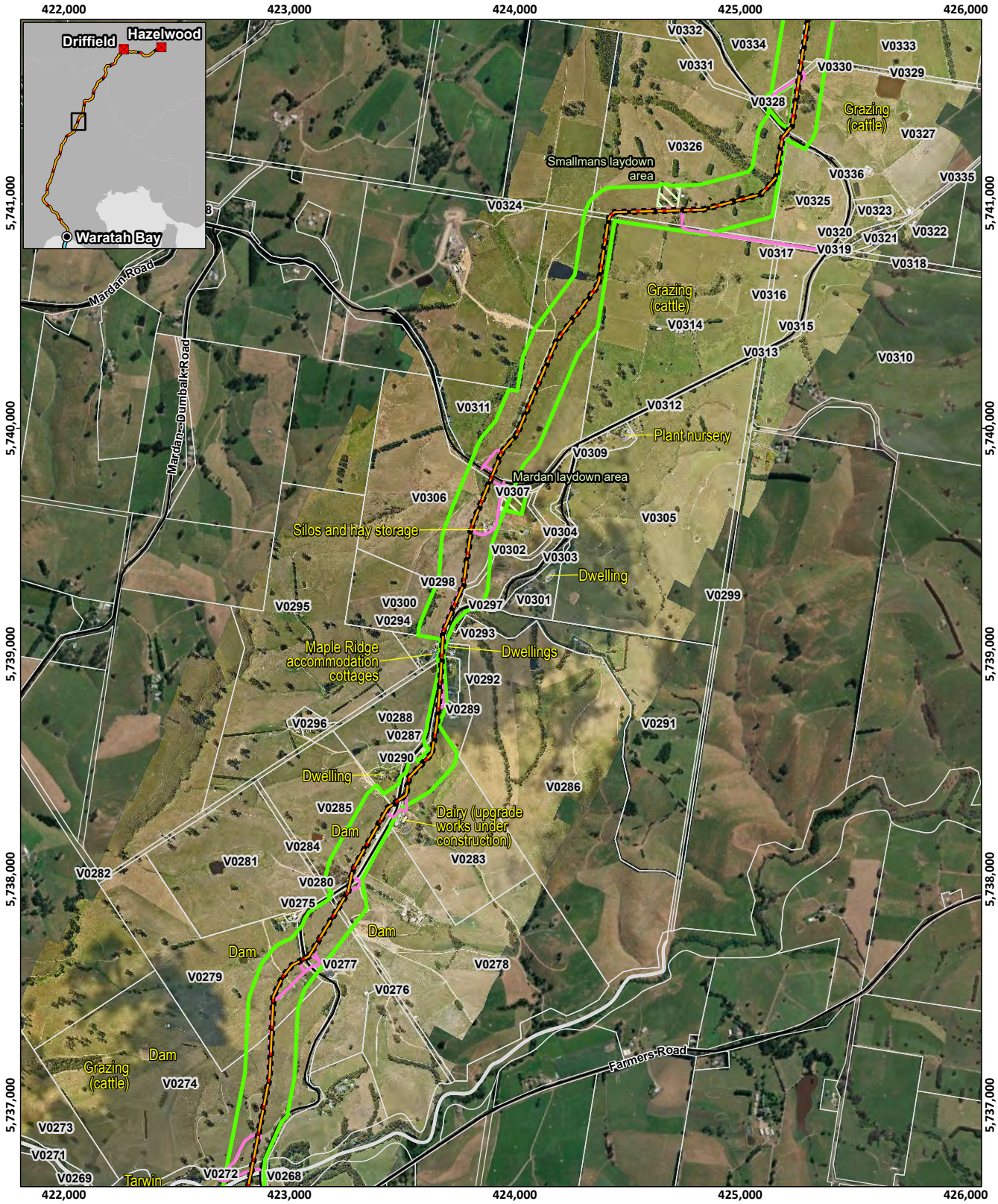

Figure A1.9: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
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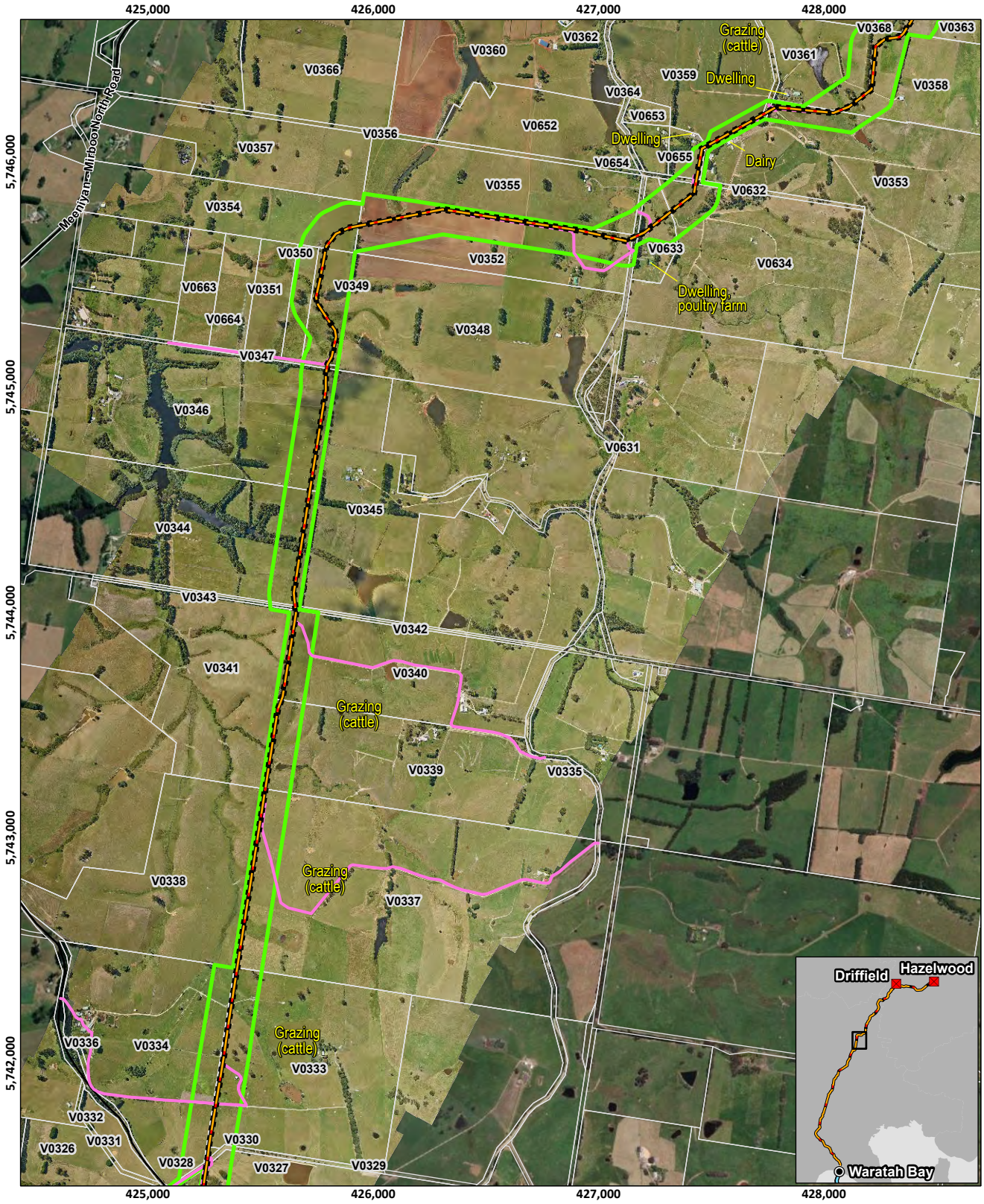

Figure A1.10: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
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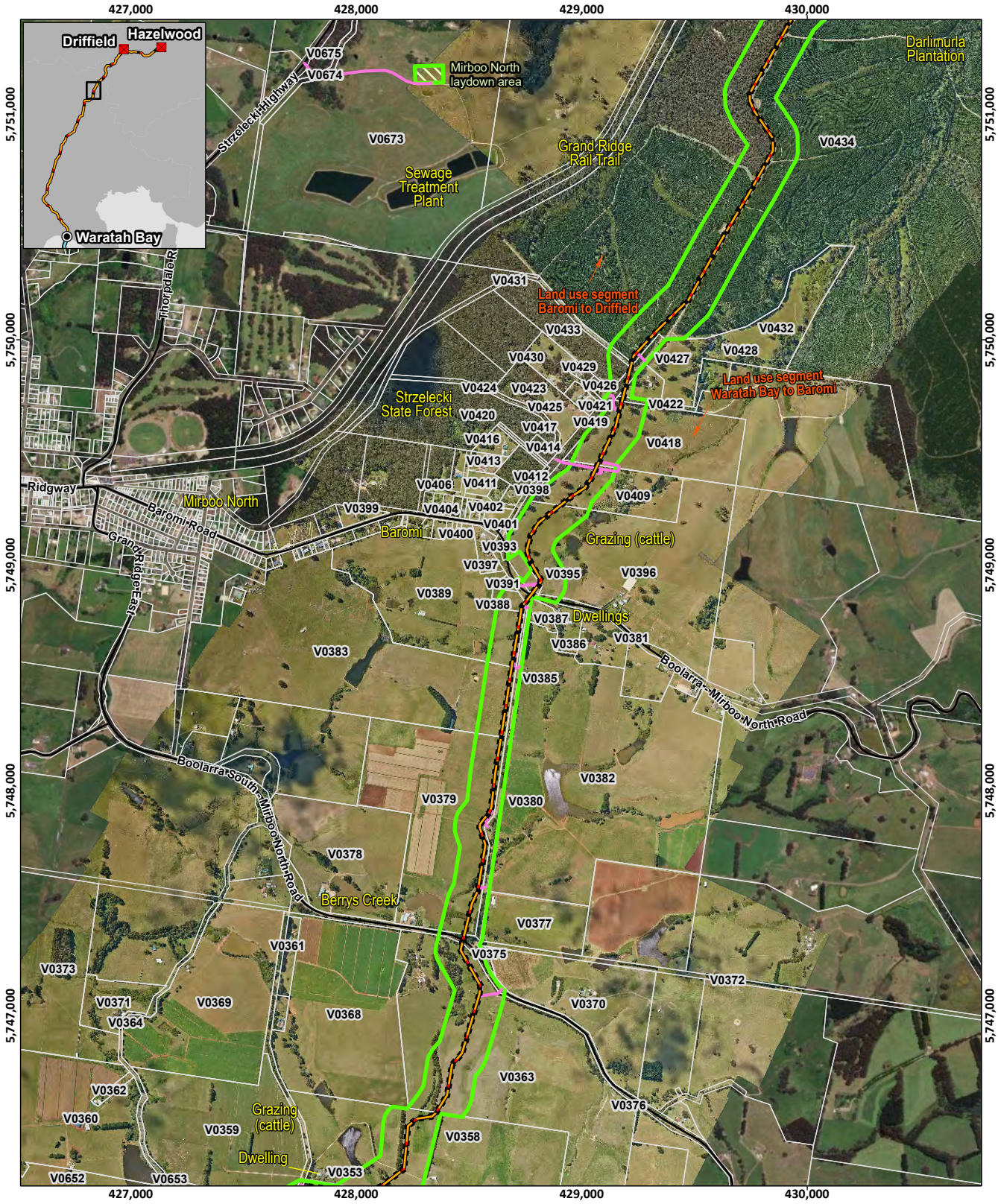

Figure A1.11: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
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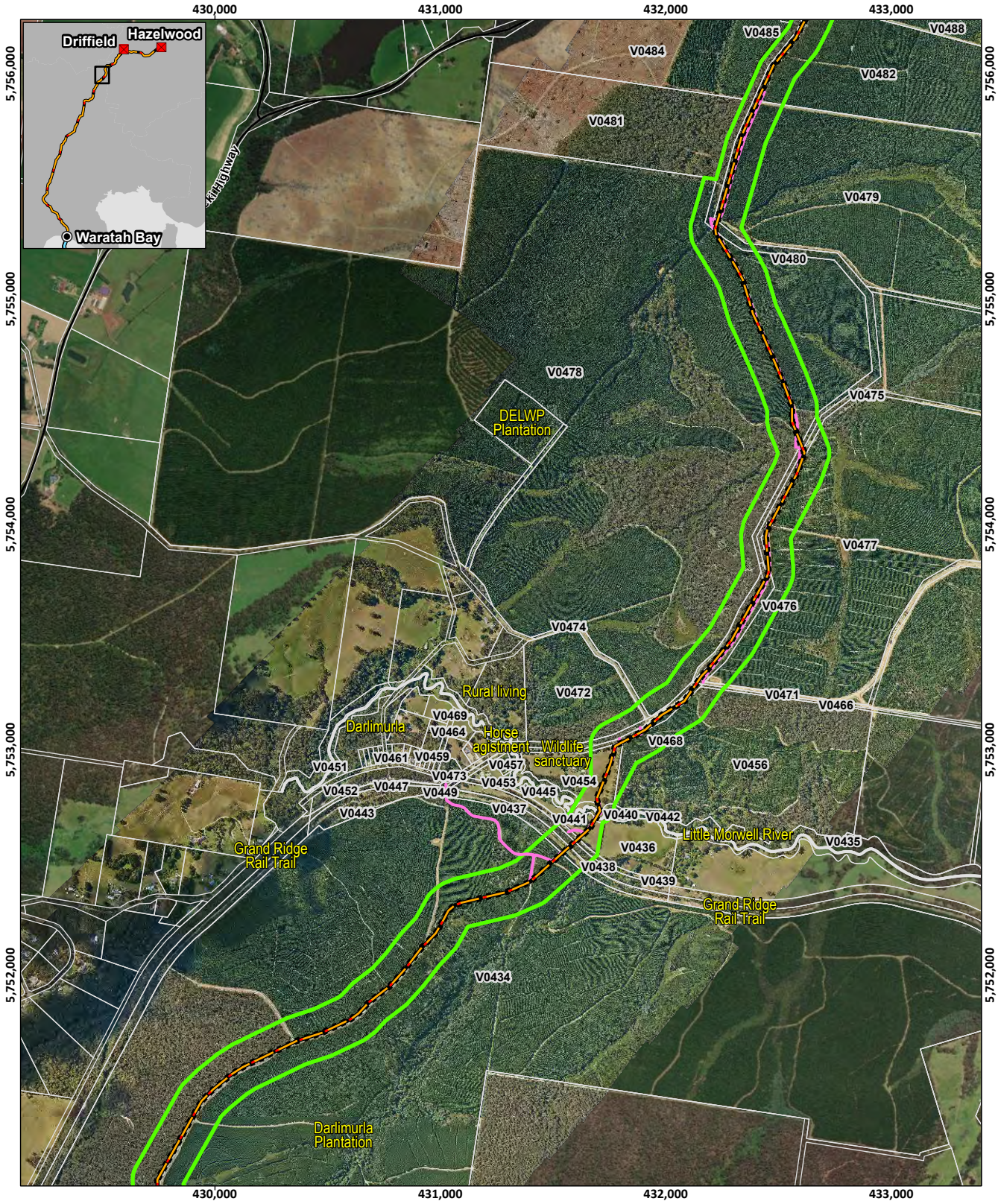

Figure A1.12: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
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Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
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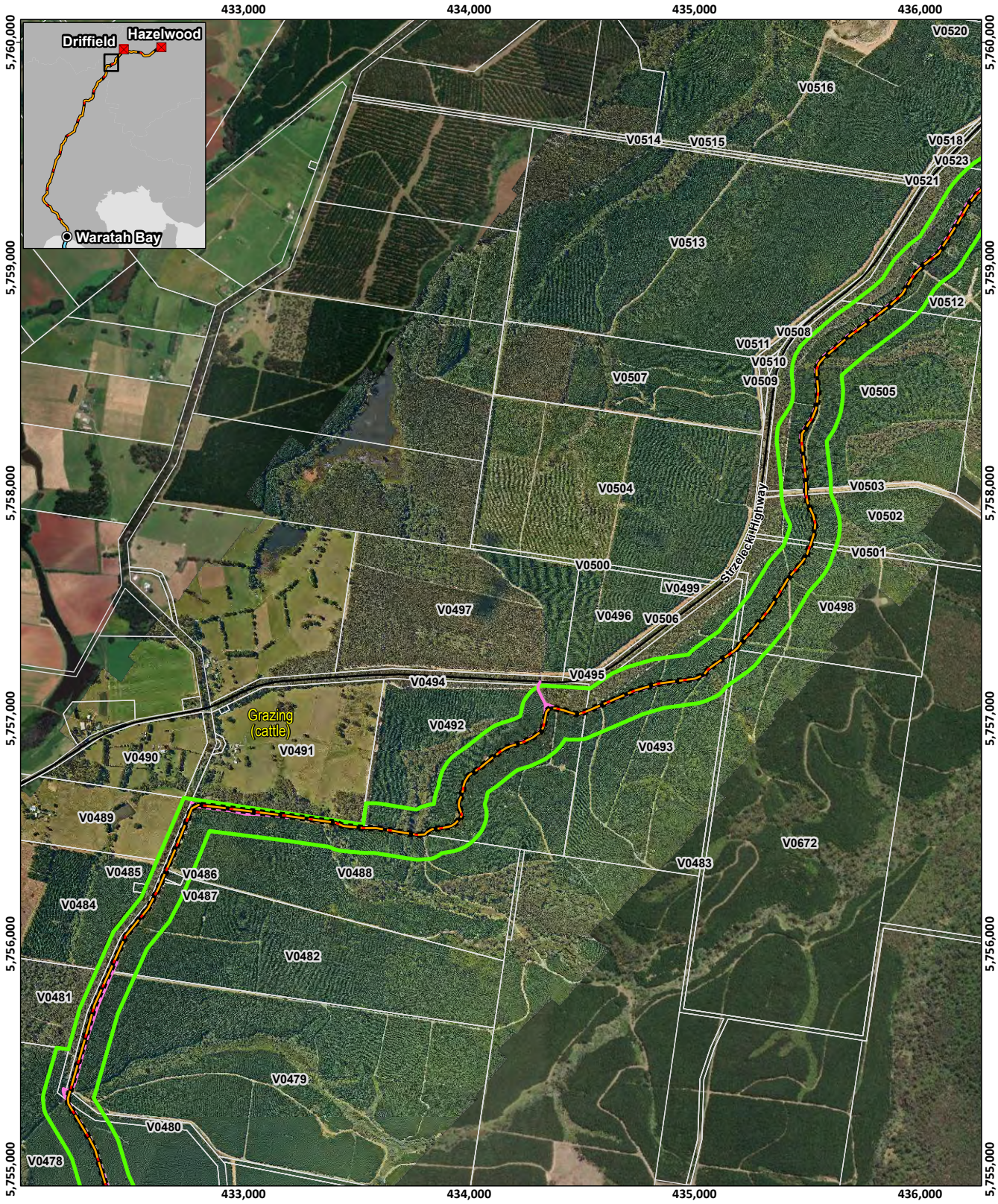

Figure A1.13: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road

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Scale: 1:25,000

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Coordinate System: GDA2020 MGA Zone 55
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Source:
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Roads, cadastre and transmission lines from VICMAP.
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TETRA TECH COFFEY

MARINUS LINK

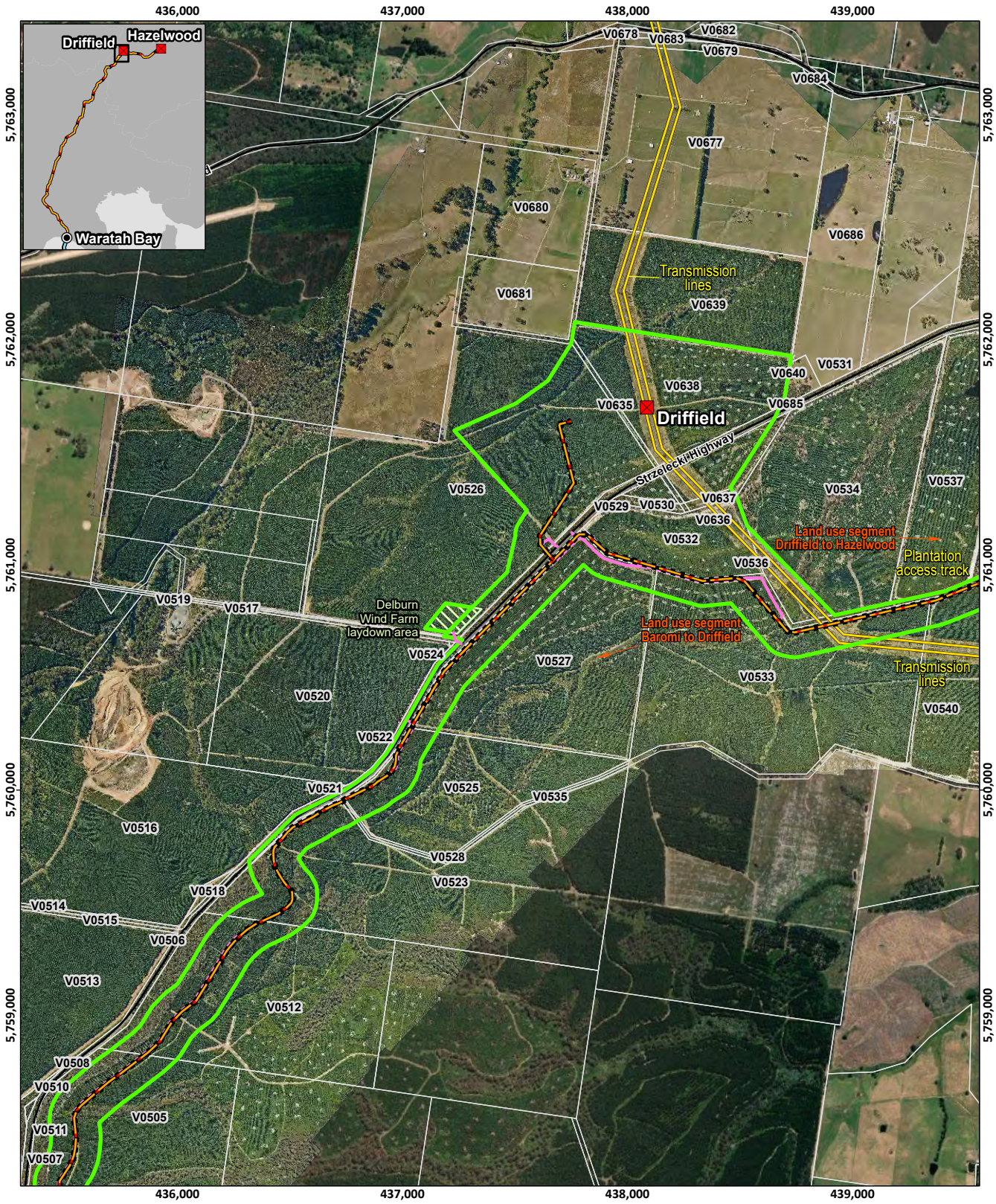

Figure A1.14: Project layout

Legend

- Potential converter station
- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road
- Existing 500 kV transmission line

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

Date: 3/04/2024 9:49 AM
Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

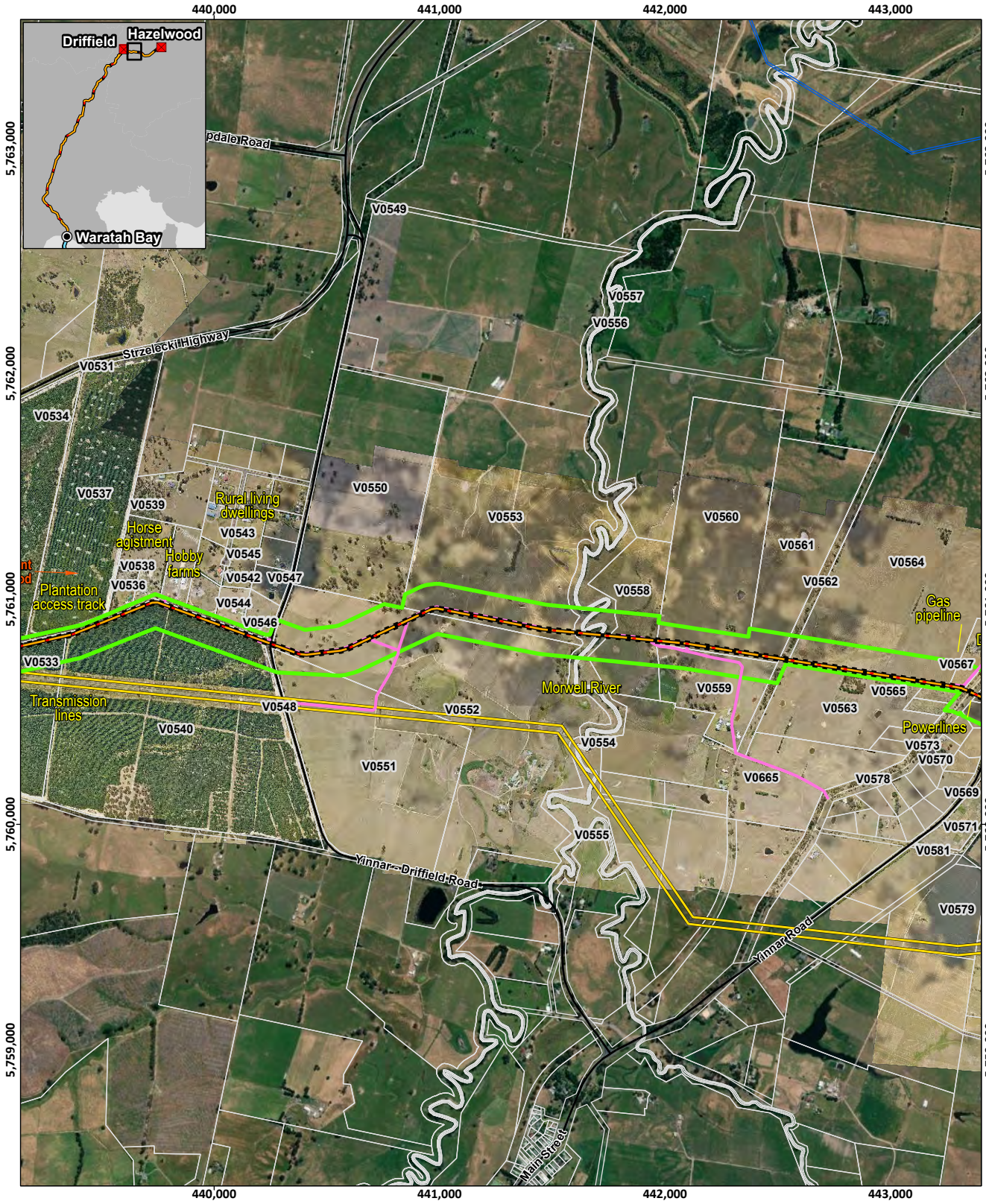

Figure A1.15: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road
- Existing 500 kV transmission line
- Existing 220 kV transmission line

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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MARINUS LINK

Figure A1.16: Project layout

Legend

- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Marinus Link survey area
- Cadastre
- Road
- Existing 500 kV transmission line

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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MARINUS LINK

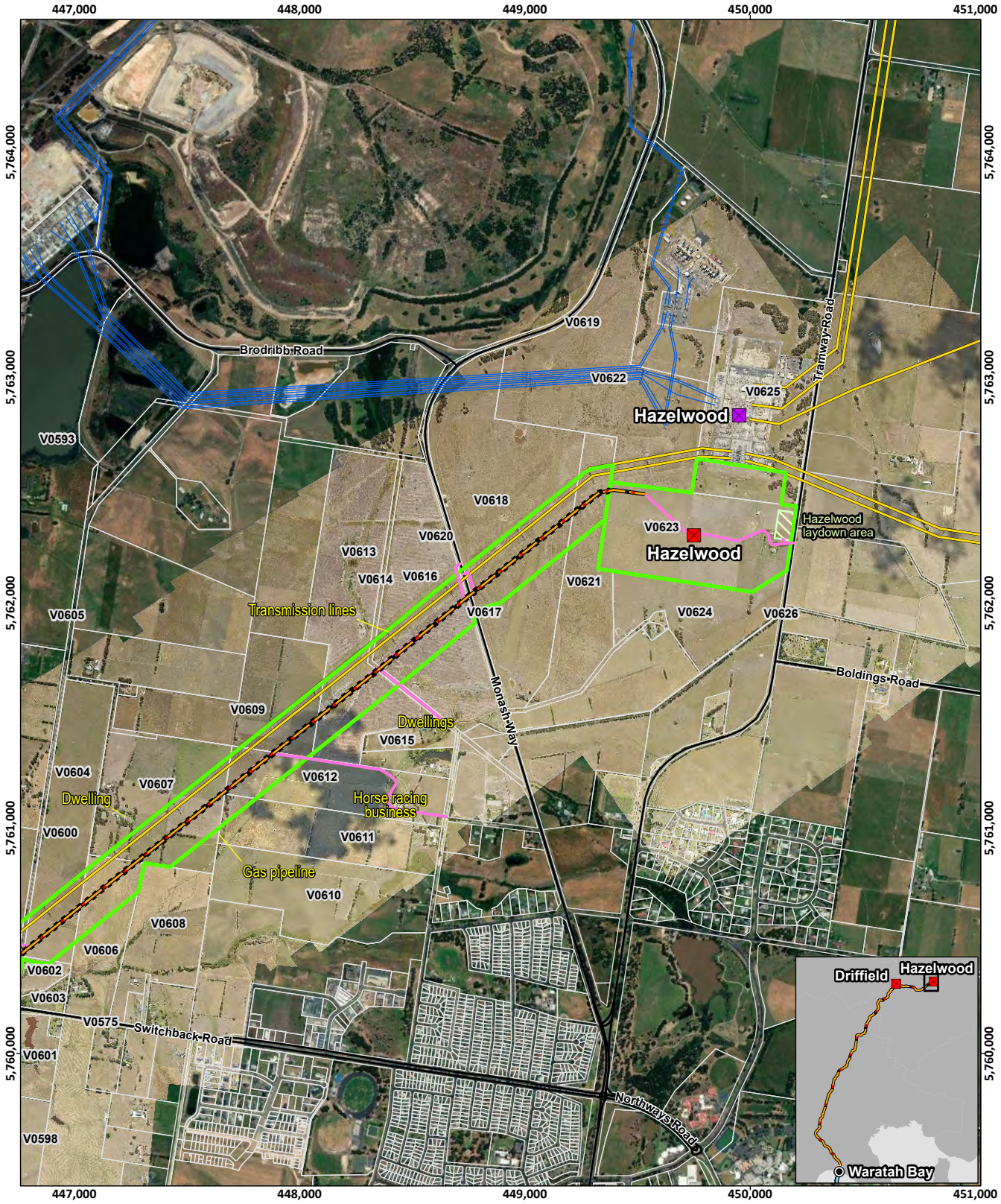

Figure A1.17: Project layout

Legend

- Existing terminal station
- Potential converter station
- Proposed underground HVDC cable
- Proposed access track
- Proposed easement
- Laydown area
- Marinus Link survey area
- Cadastre
- Road
- Existing 500 kV transmission line
- Existing 220 kV transmission line

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Proposed route from Tetra Tech Coffey.
Roads, cadastre and transmission lines from VICMAP.
Imagery from ESRI Online.

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TETRA TECH COFFEY

MARINUS LINK

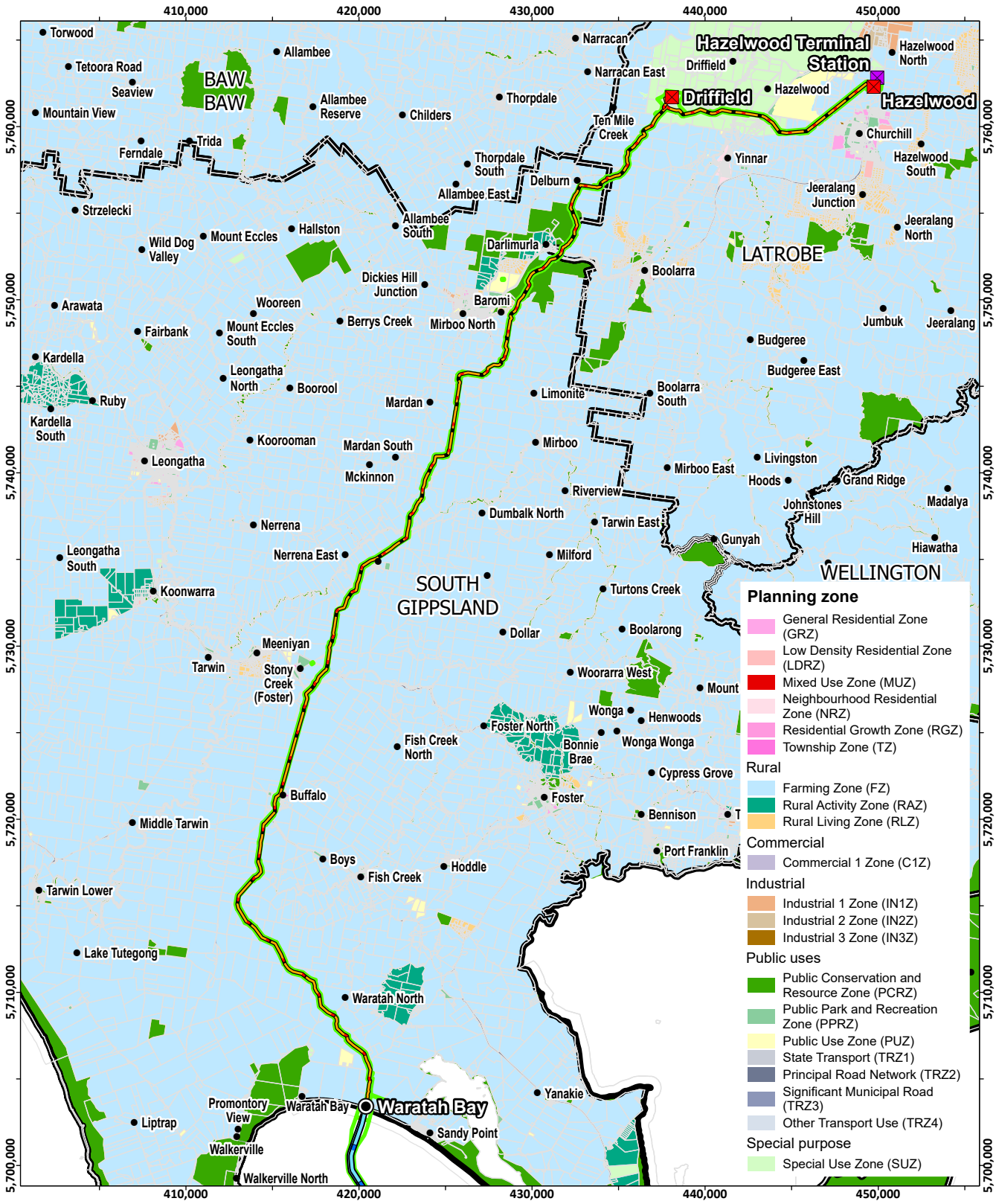

Figure A2.0: Planning zones within survey area

Legend

- Potential converter station
- Existing substation
- Landfall

Proposed route

- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Marinus Link survey area
- Local Government Area (LGA)

N

Scale: 1:325,000

6.5 3.25 0 6.5 km

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

Date: 3/04/2024 11:11 AM
Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

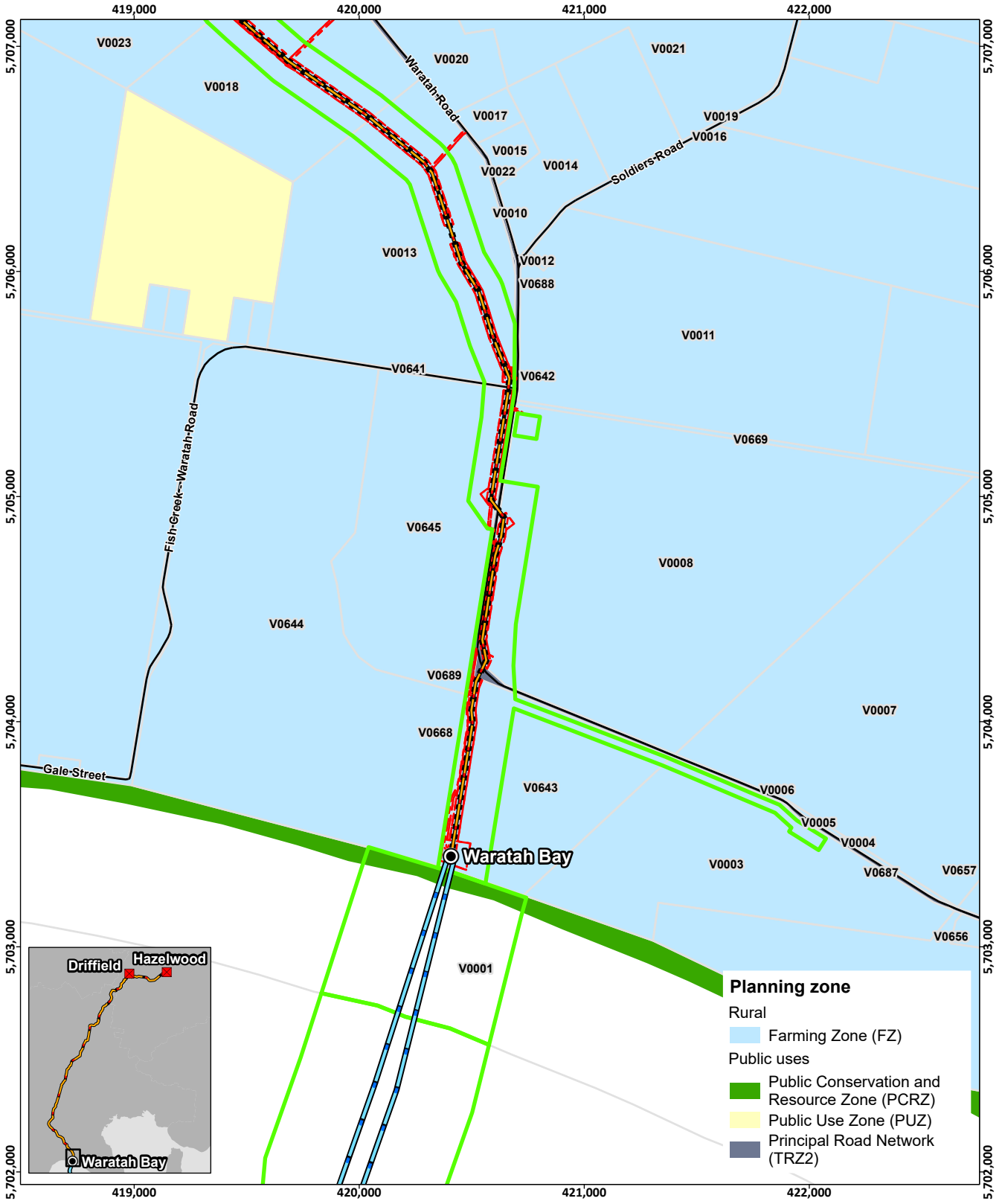

Figure A2.1: Planning zones

Legend

- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

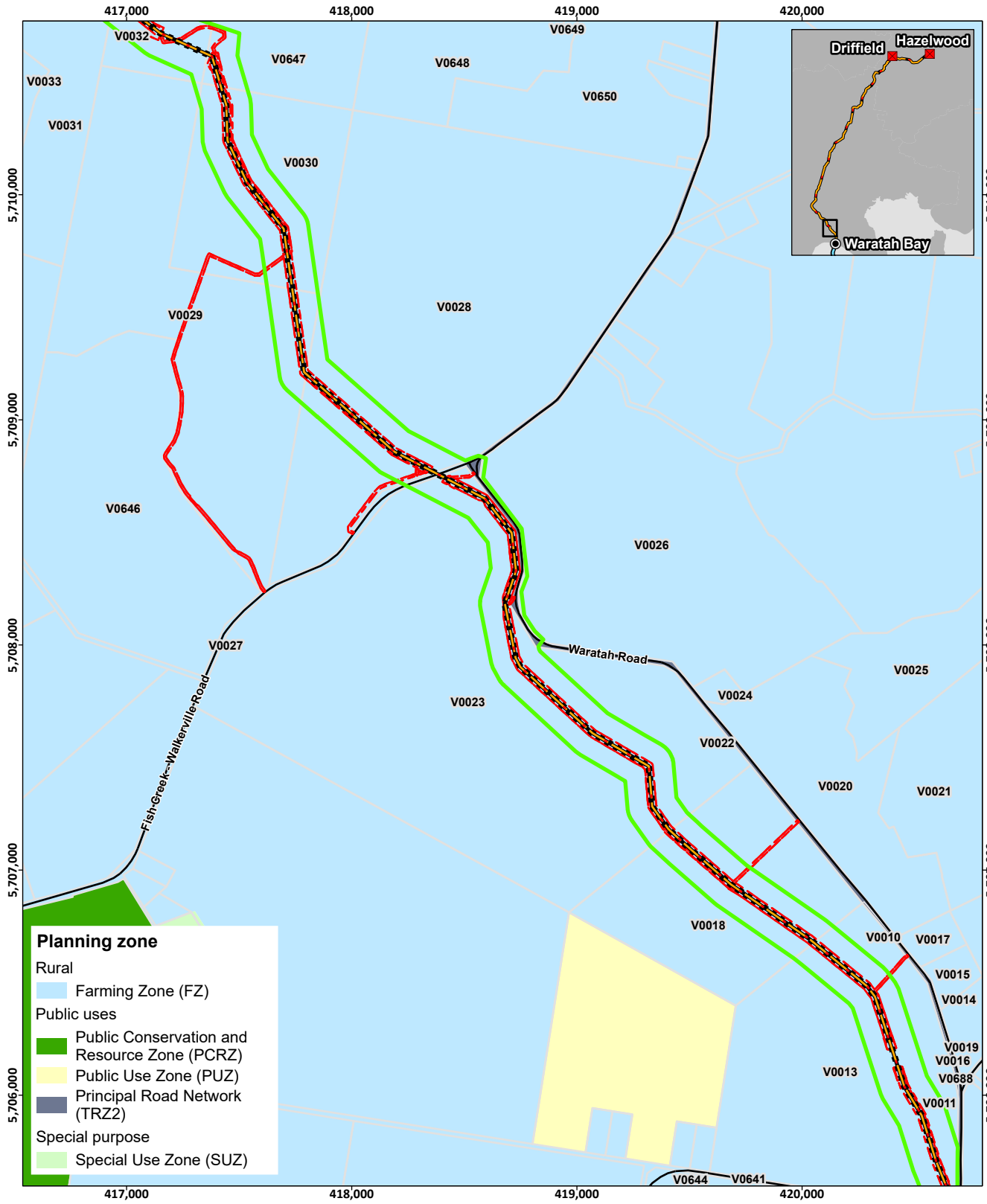

Figure A2.2: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

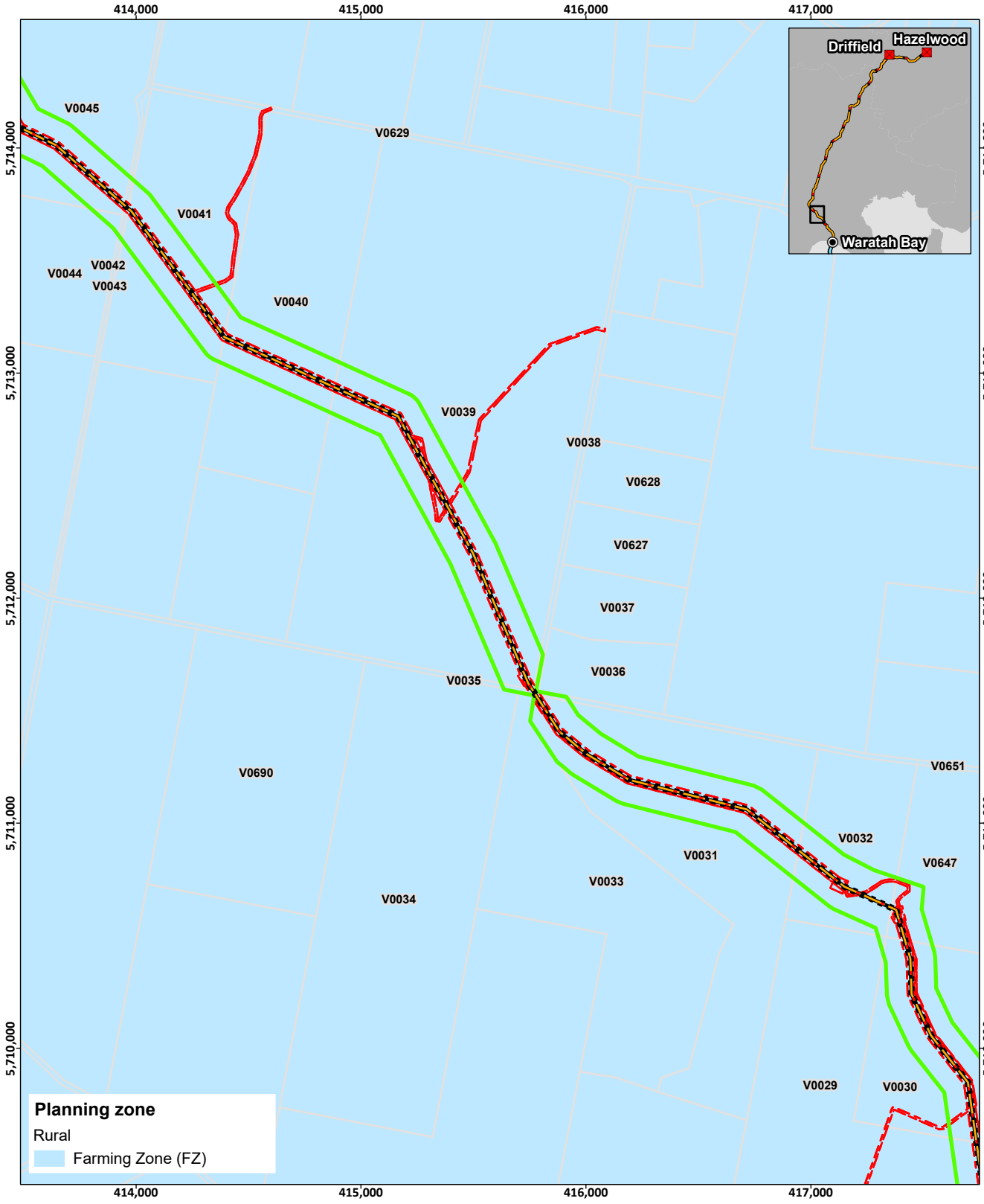

Figure A2.3: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

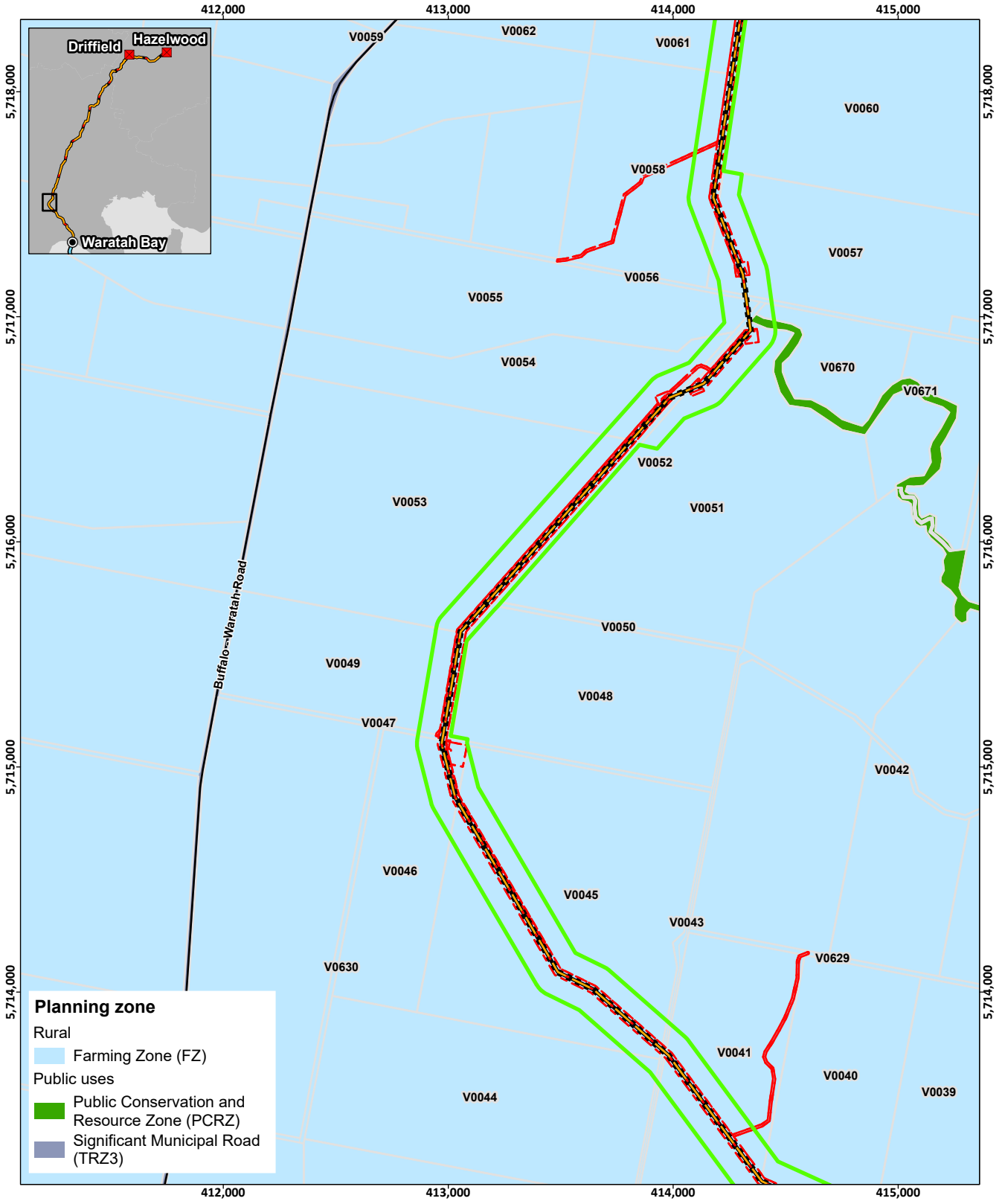

Figure A2.4: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

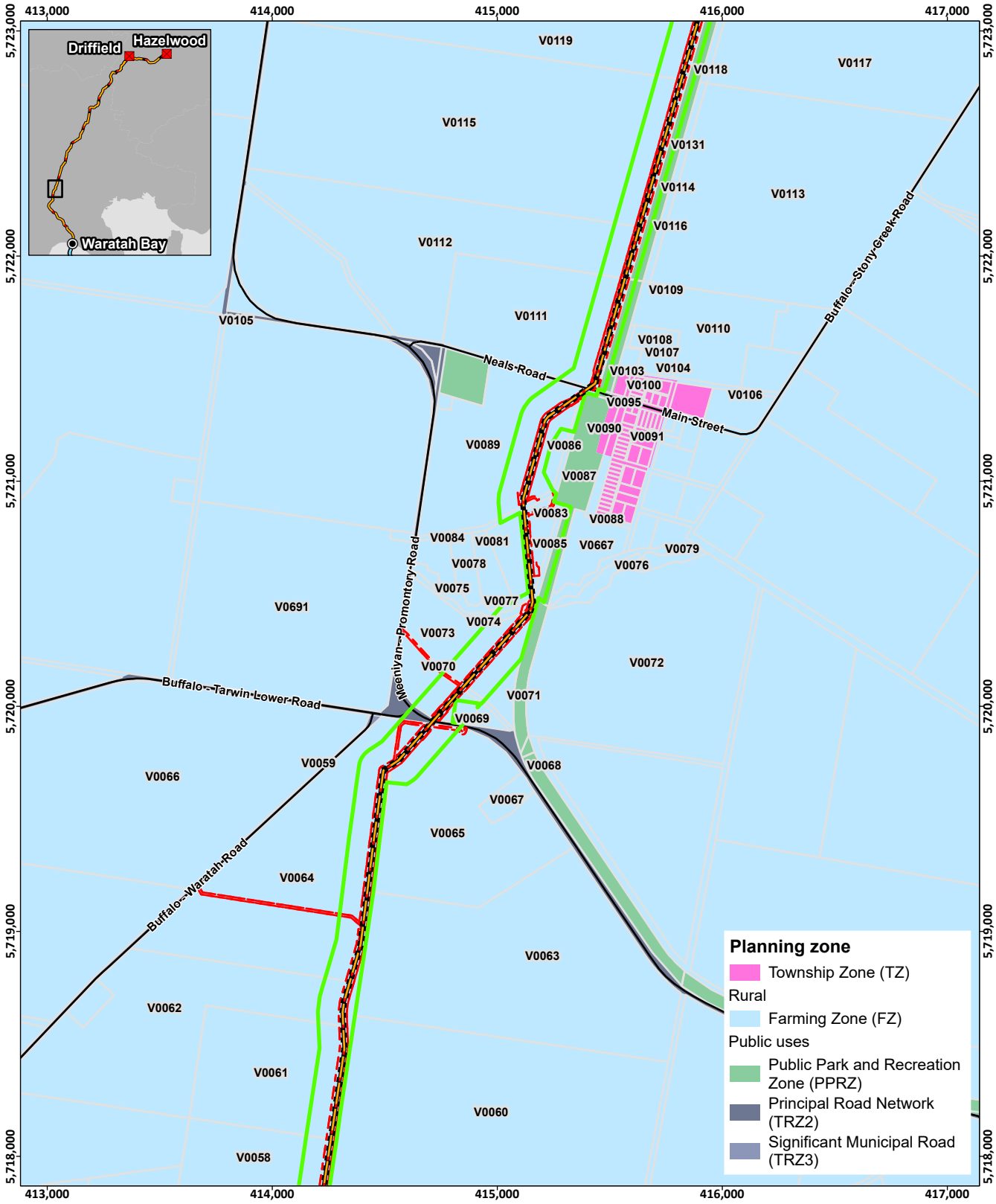

Figure A2.5: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

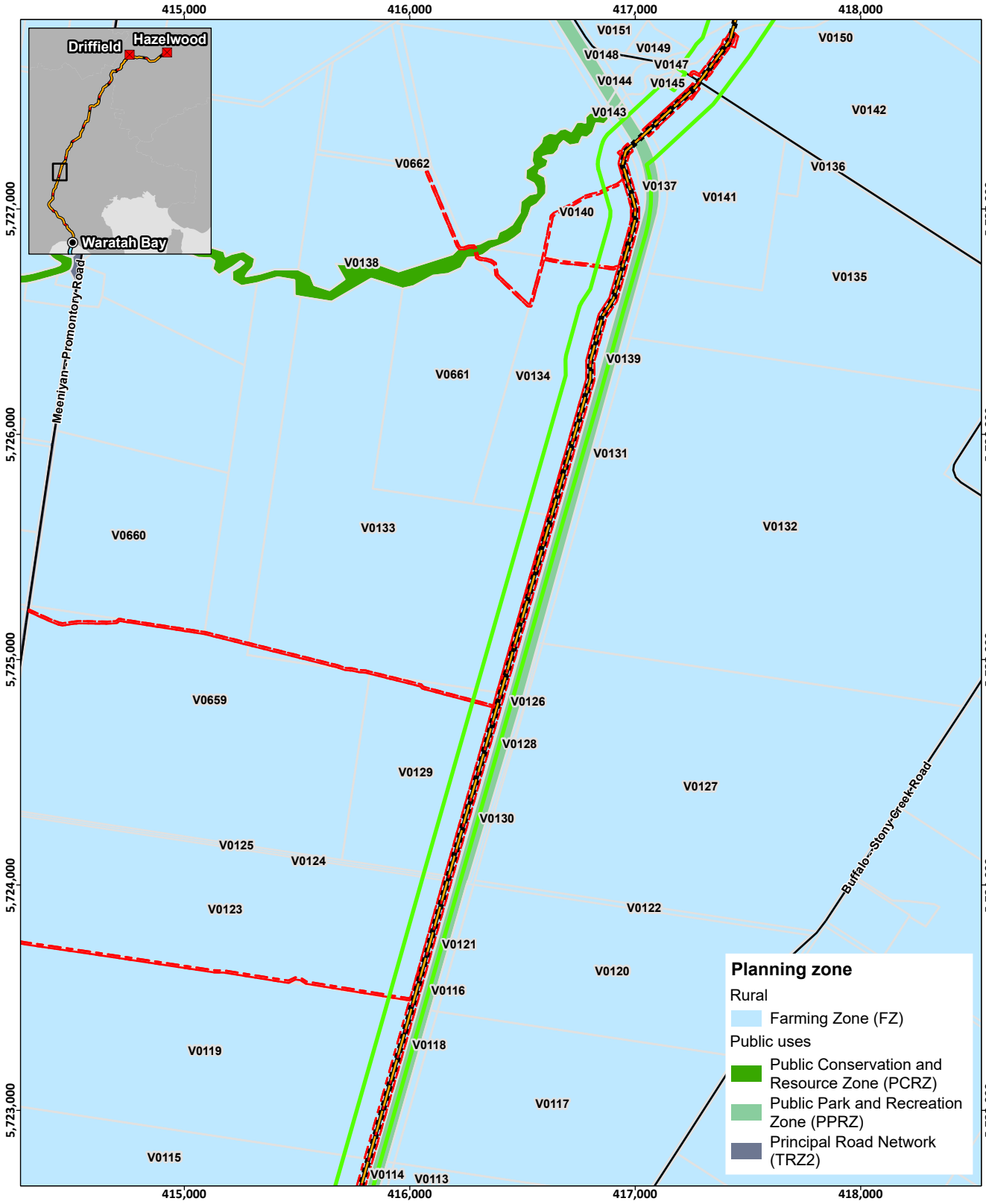

Figure A2.6: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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MARINUS LINK

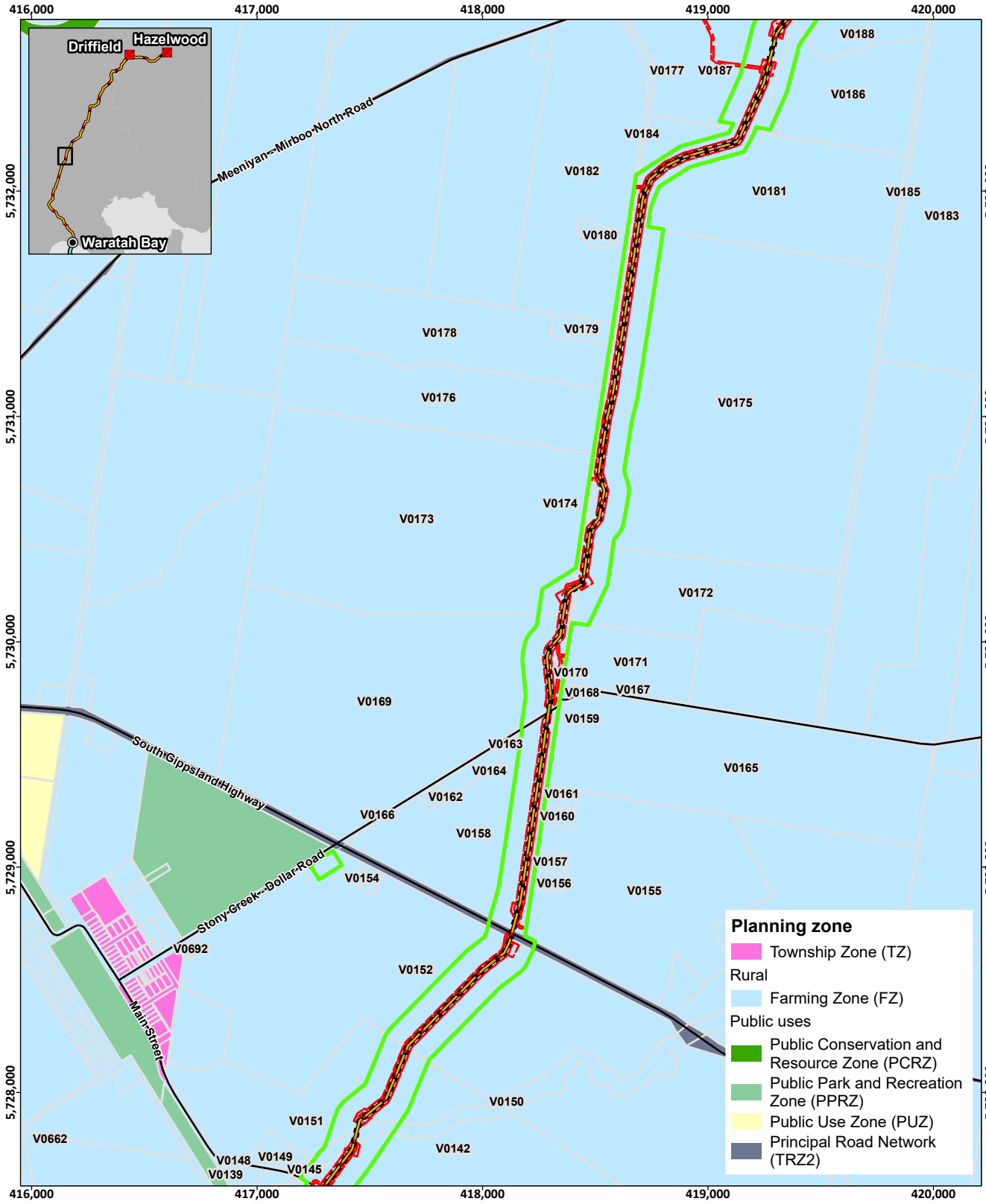

Figure A2.7: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

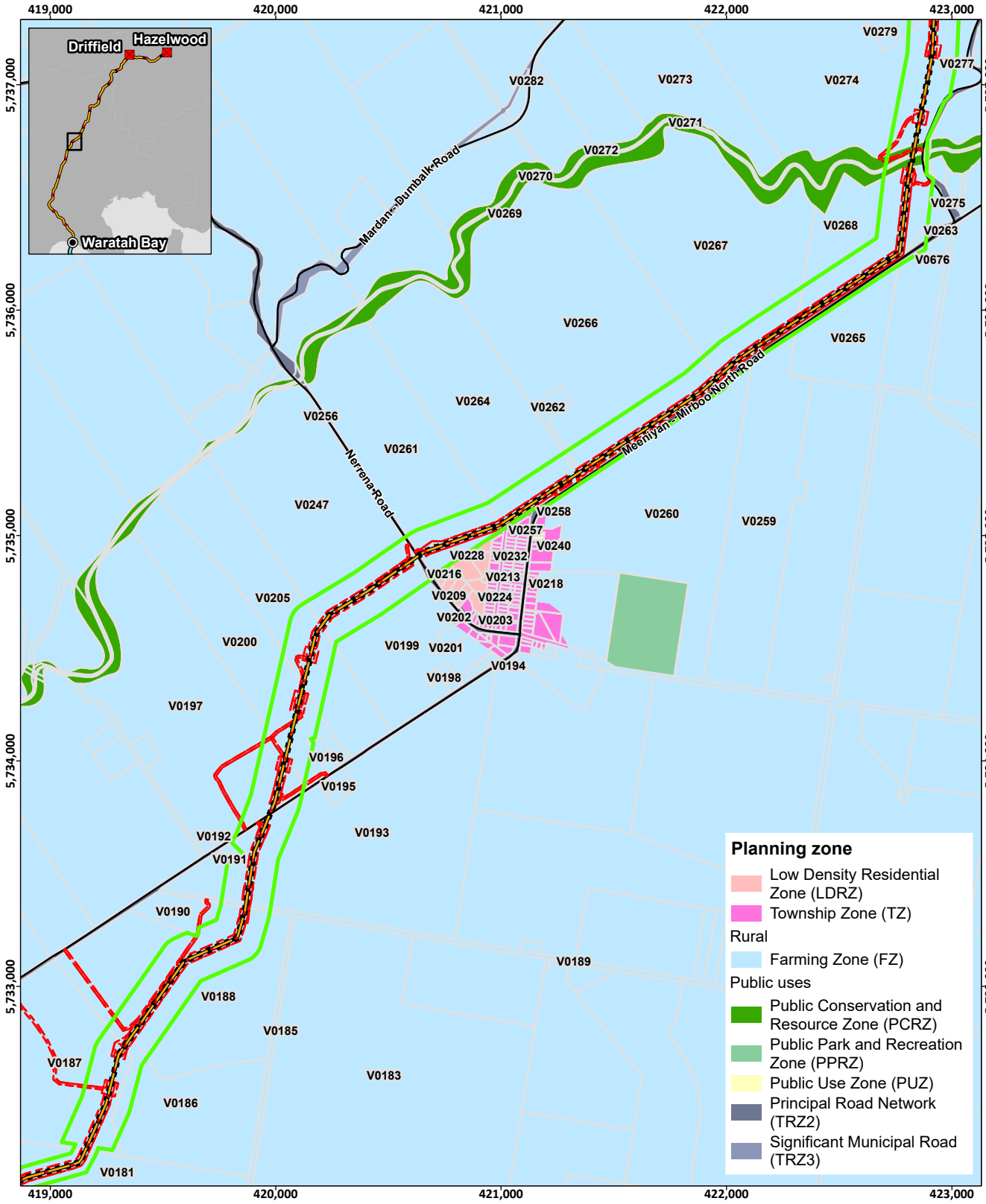

Figure A2.8: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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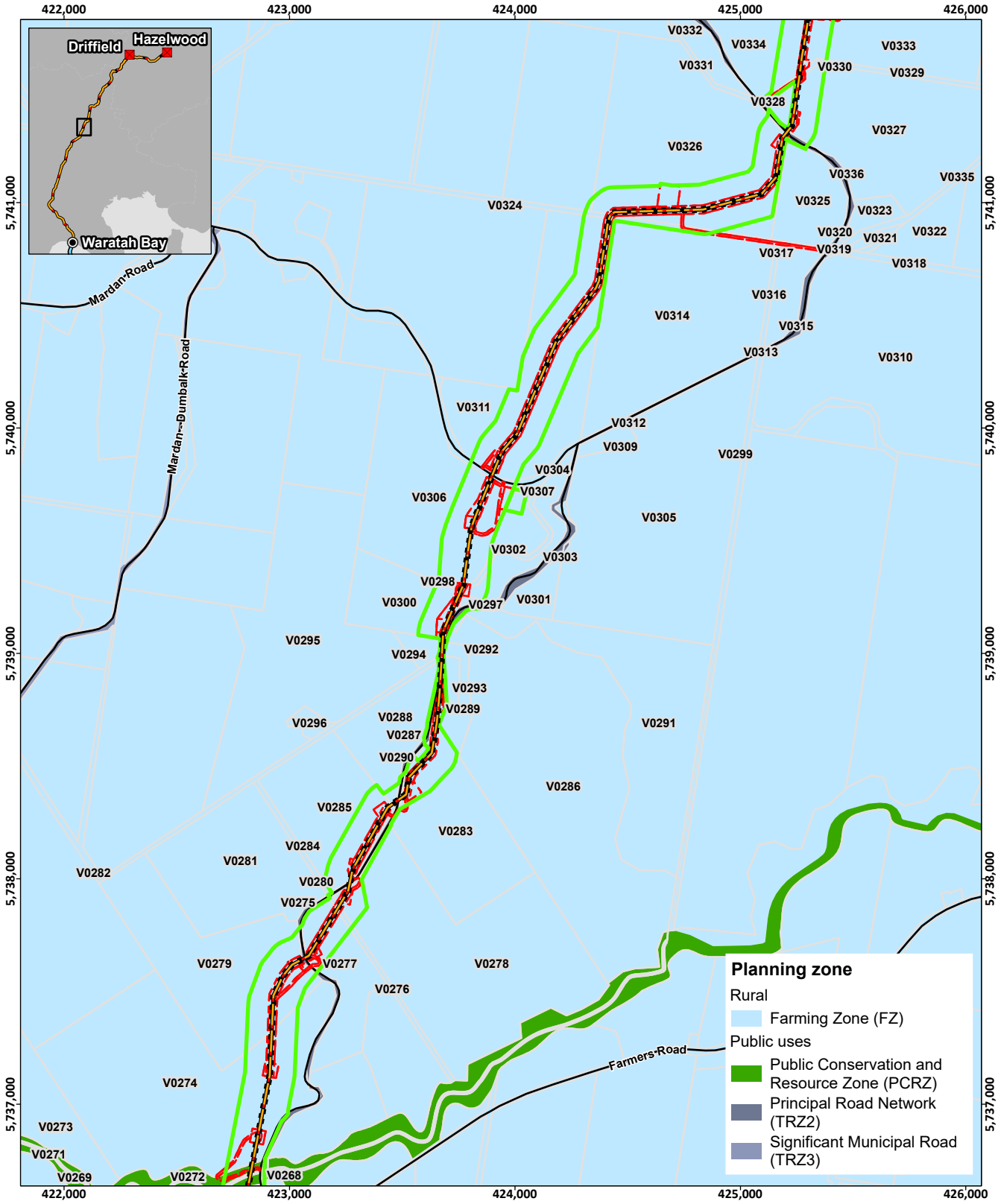

Figure A2.9: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

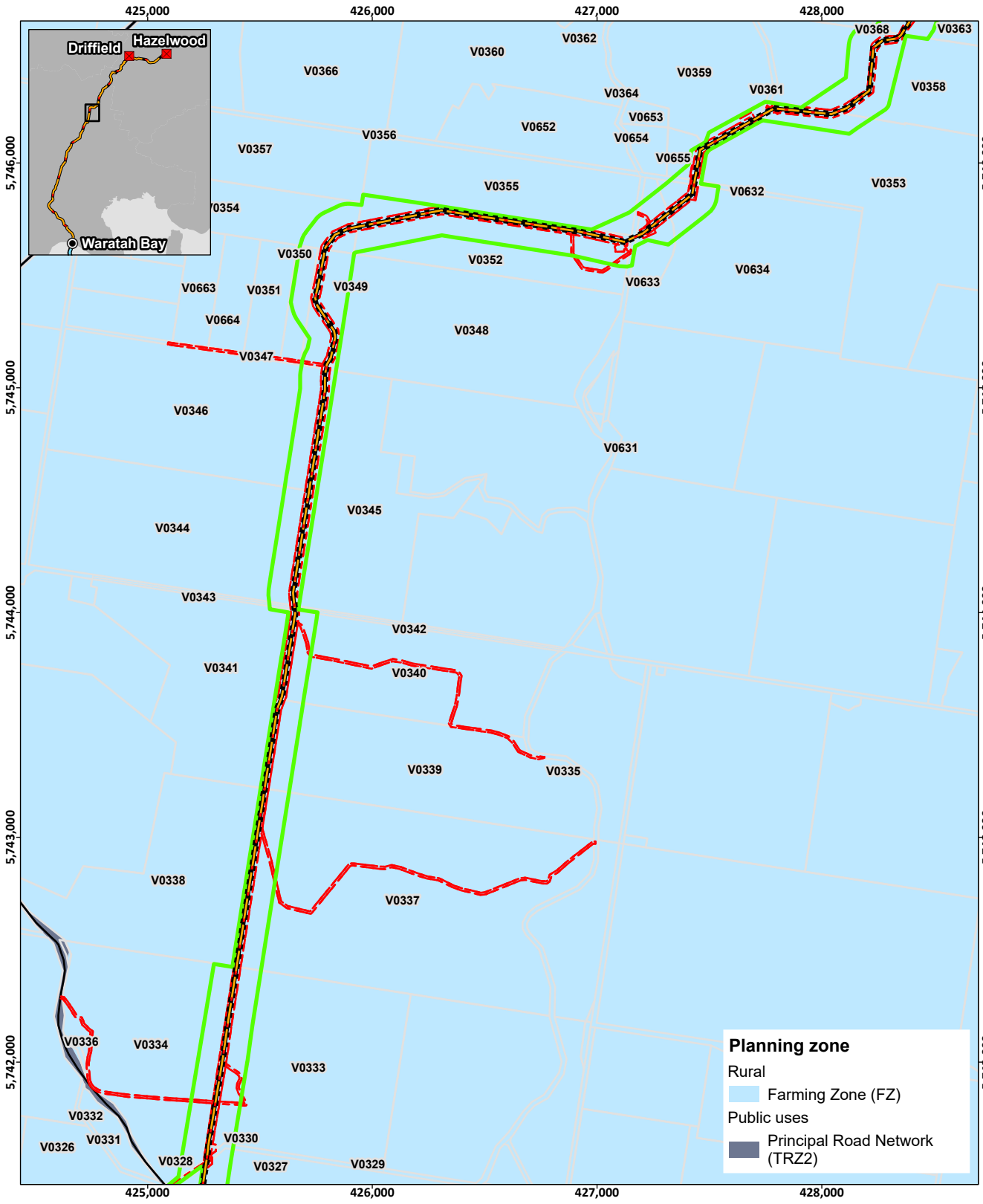

Figure A2.10: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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MARINUS LINK

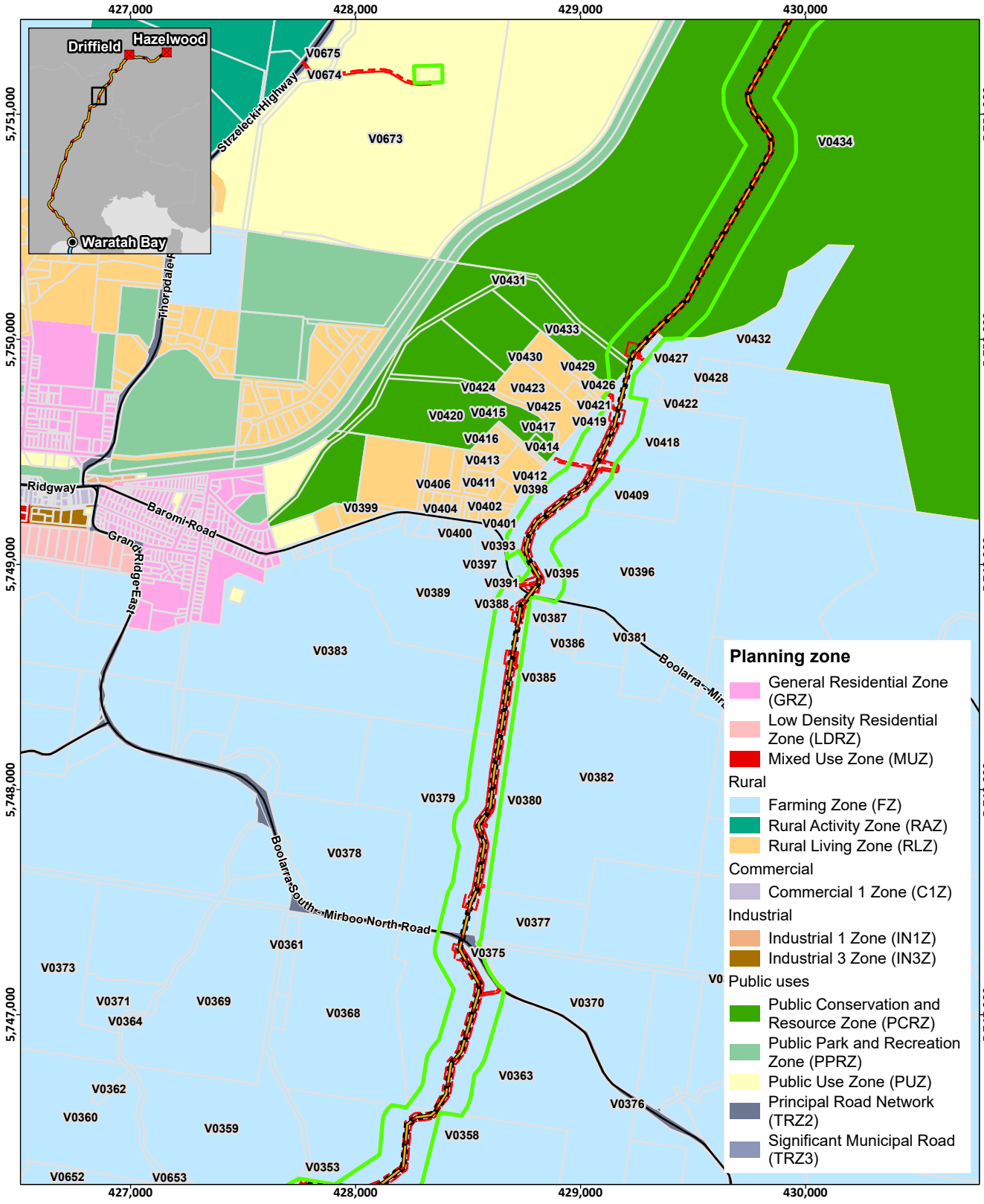

Figure A2.11: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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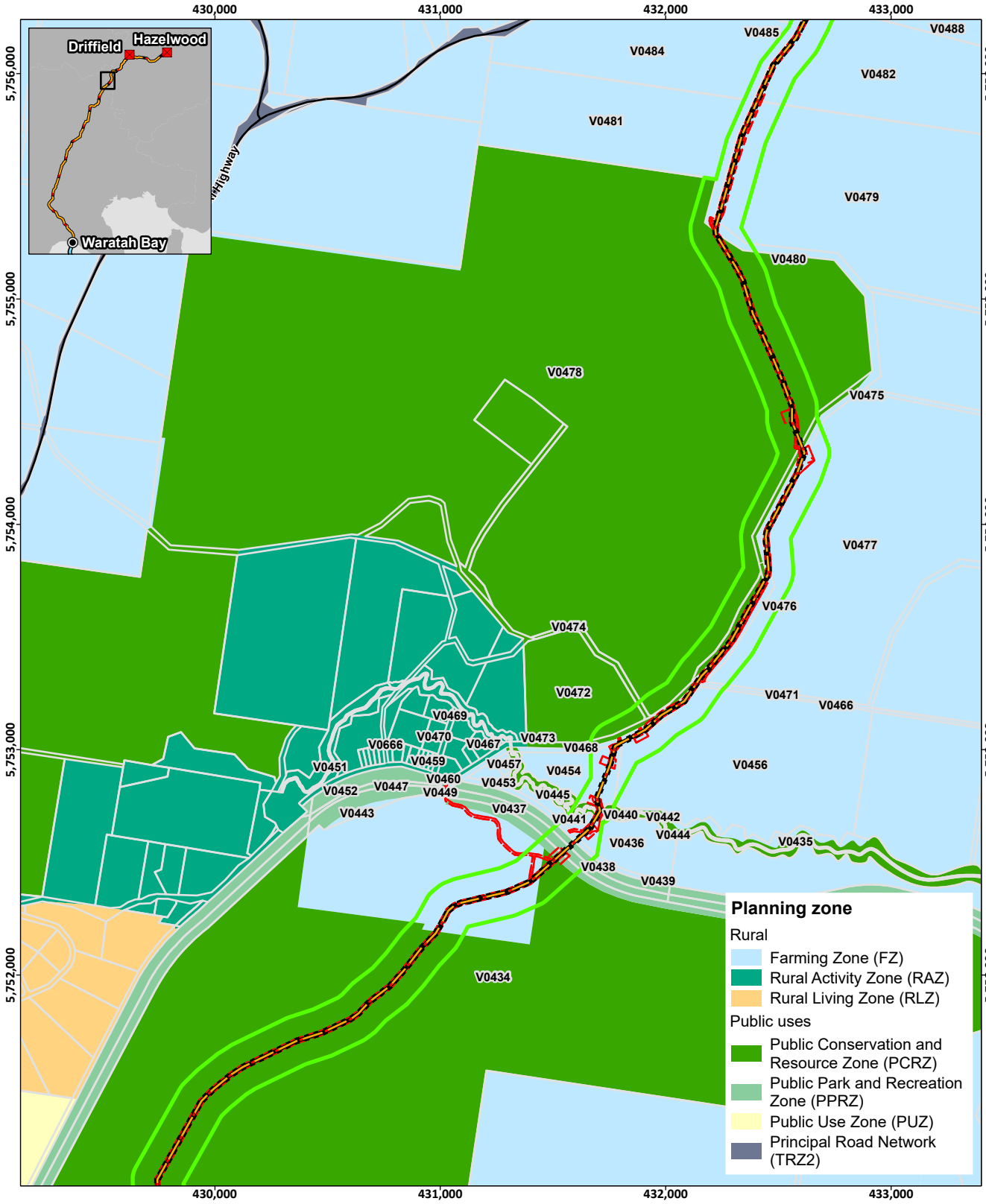

Figure A2.12: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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TETRA TECH COFFEY

MARINUS LINK

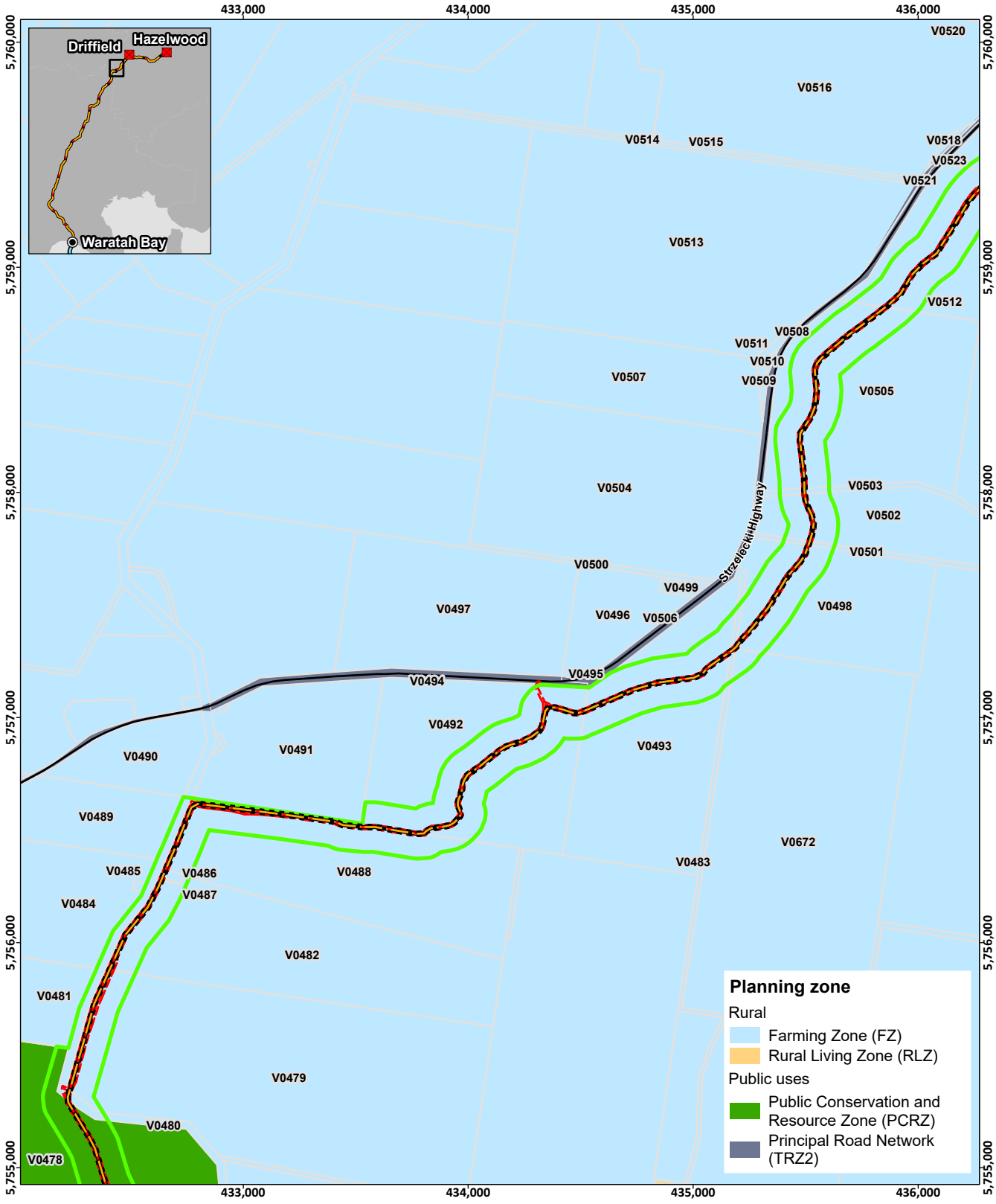

Figure A2.13: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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MARINUS LINK

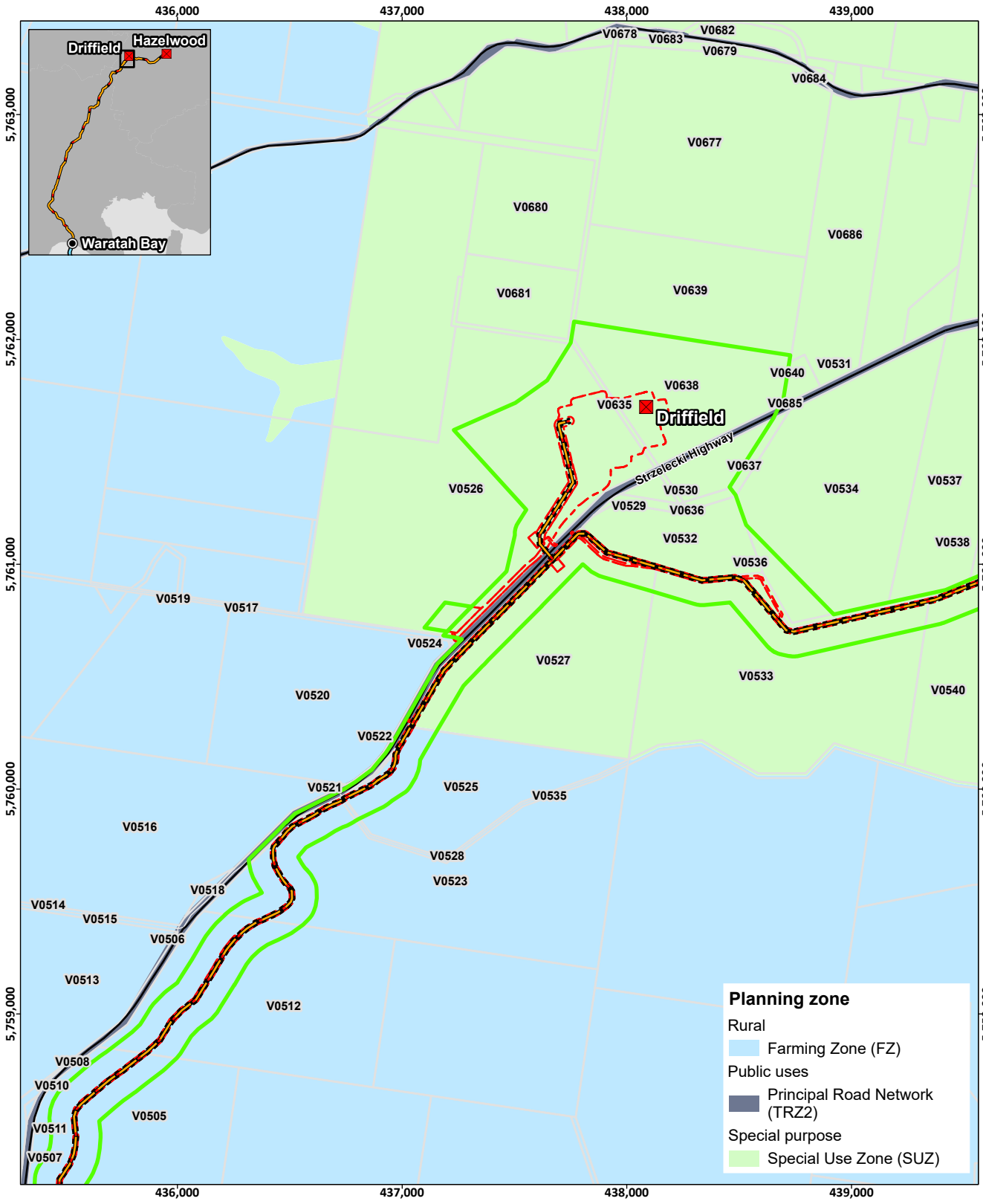

Figure A2.14: Planning zones

Legend

- Potential converter station
- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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MARINUS LINK

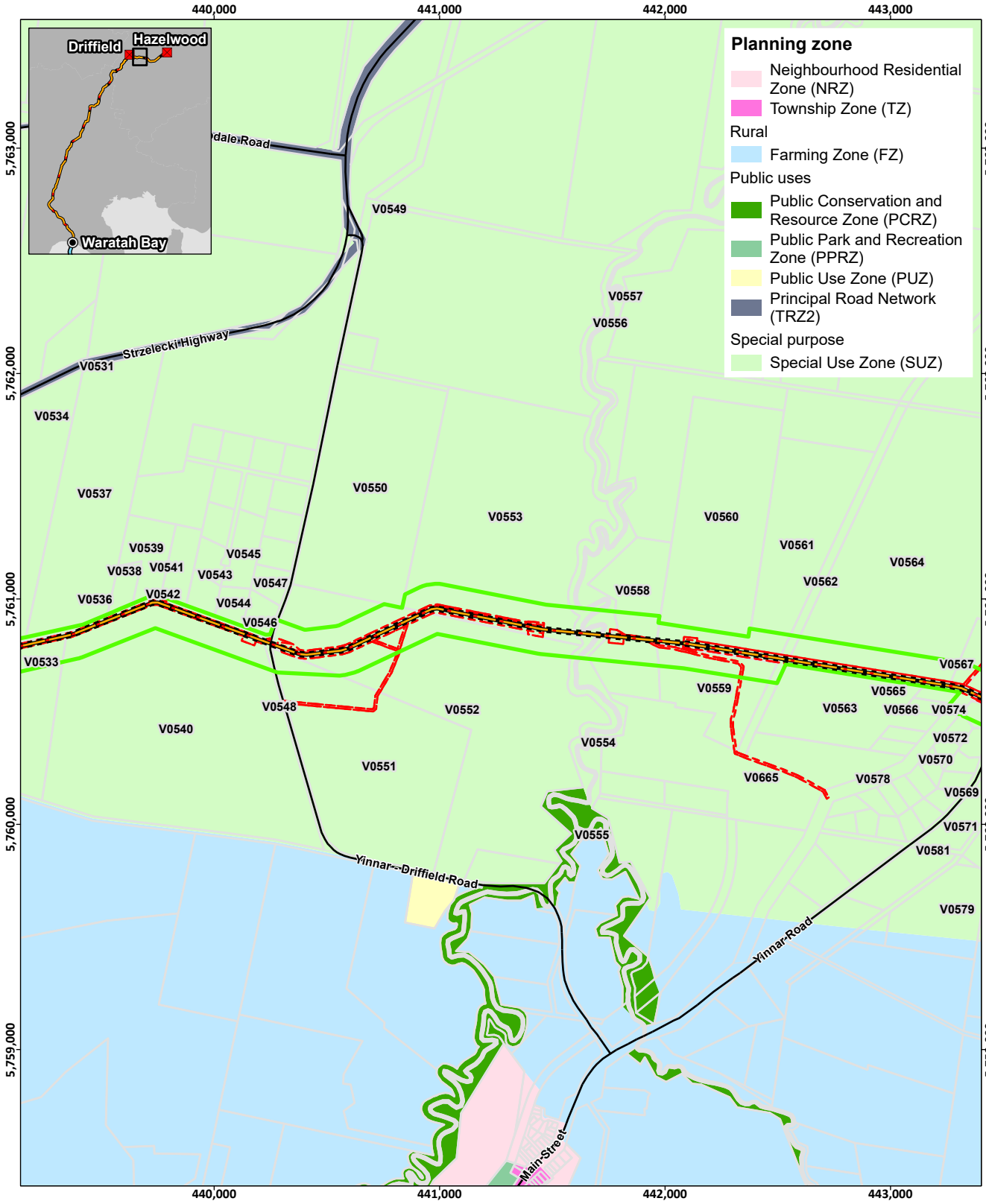

Figure A2.15: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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Prepared by: HELEN.UNKOVICH

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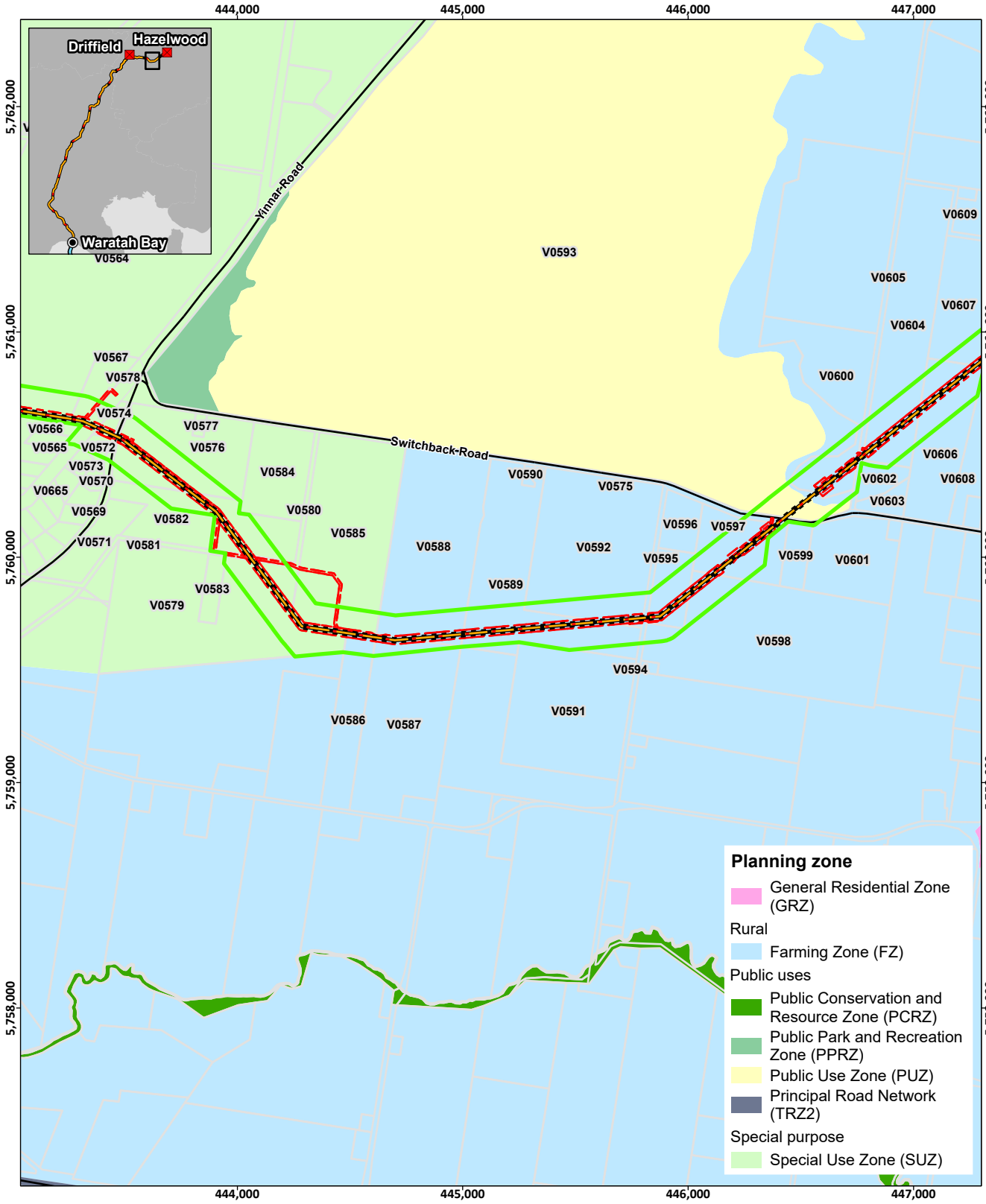

Figure A2.16: Planning zones

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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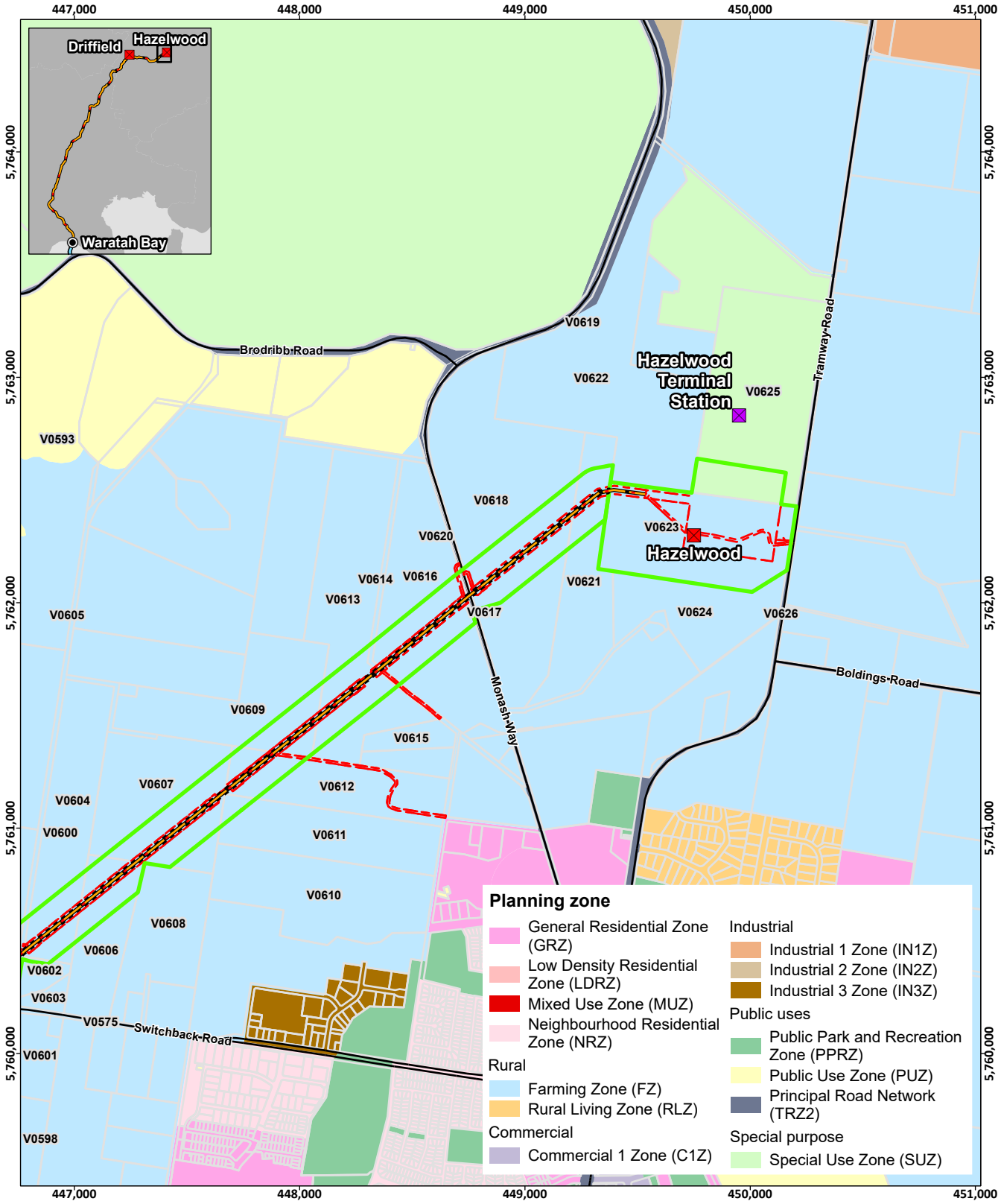

Figure A2.17: Planning zones

Legend

- Existing substation
- Potential converter station
- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and zones from VICMAP.

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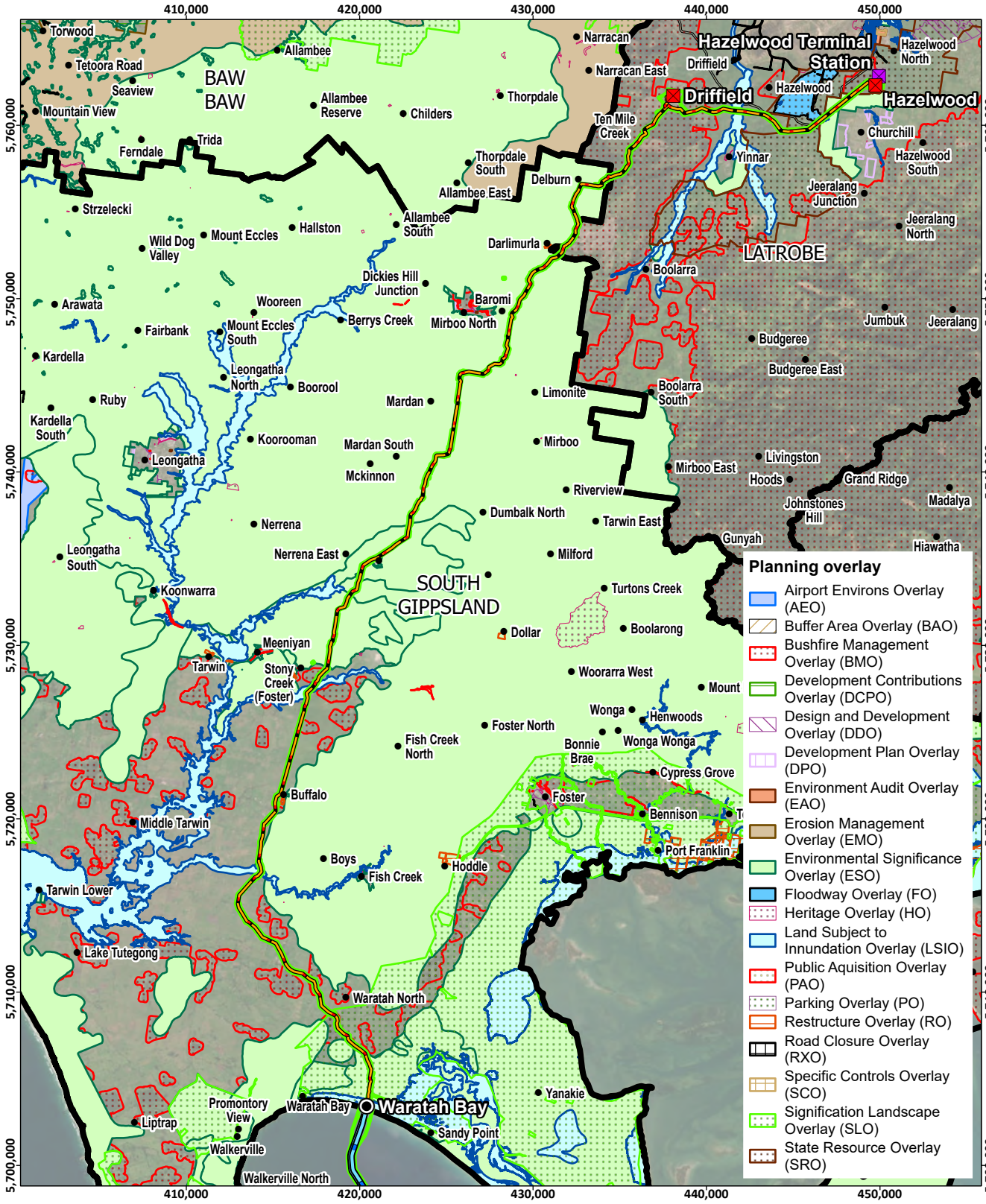

Figure A3.0: Planning overlays within survey area

Legend

- Landfall
- Existing substation
- Potential converter station
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Marinus Link survey area
- Local Government Area (LGA)

N

Scale: 1:325,000

6.5 3.25 0 6.5 km

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads and overlays from VICMAP.
Imagery from ESRI Online.

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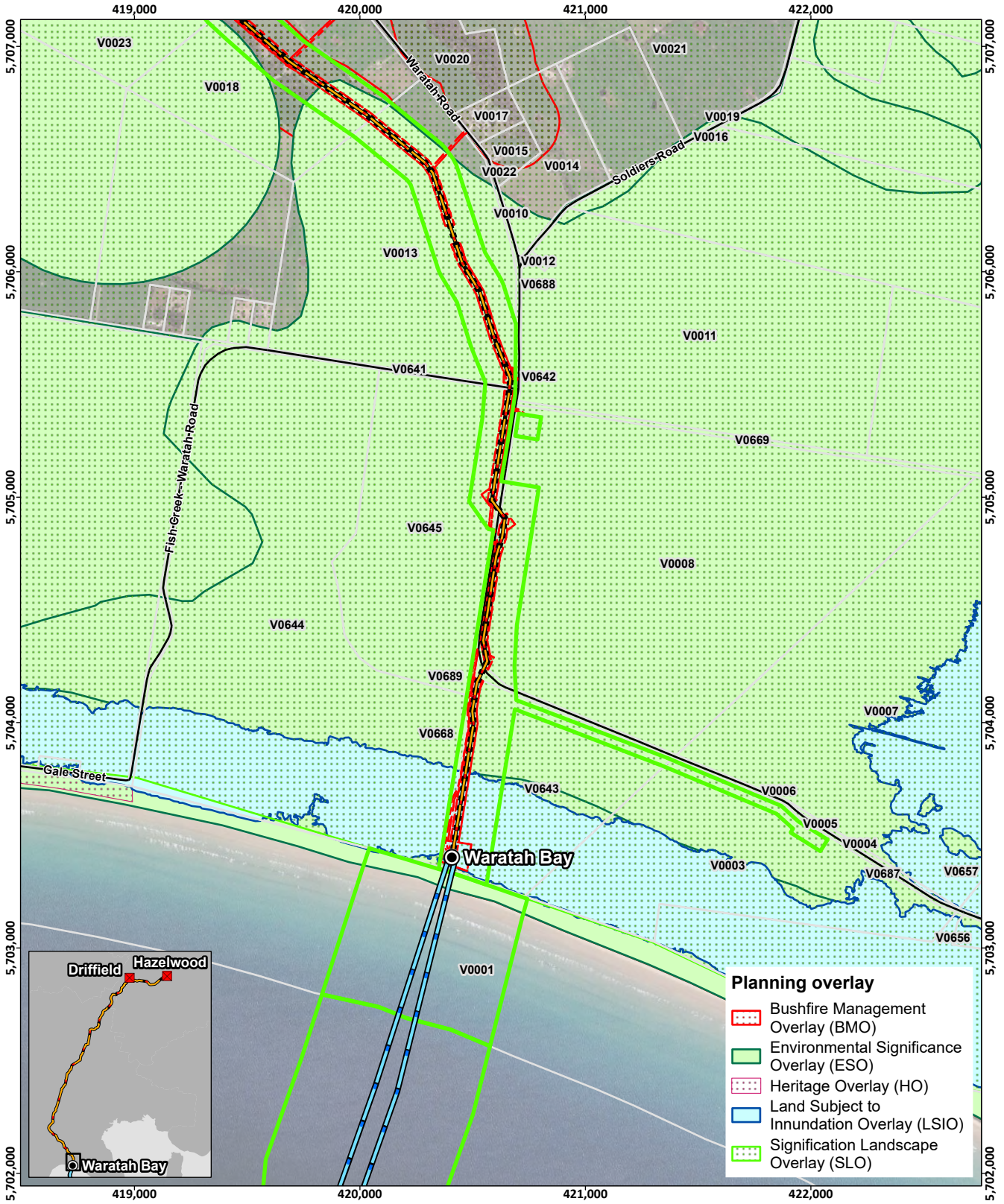

Figure A3.1: Planning overlays

Legend

- Landfall
- Proposed underground HVDC cable
- Proposed HVDC subsea cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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MARINUS LINK

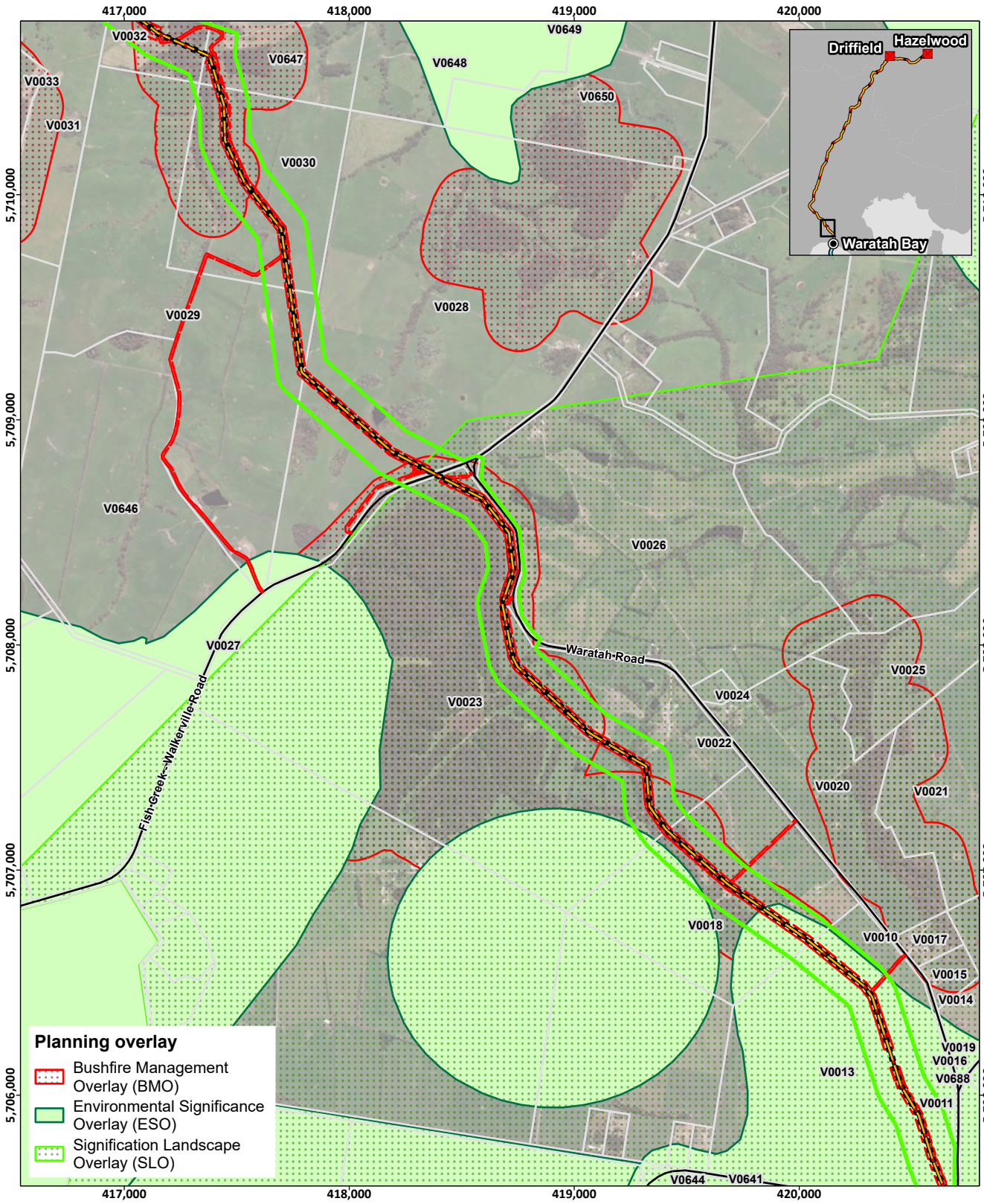

Figure A3.2: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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TETRA TECH COFFEY

MARINUS LINK

Figure A3.3: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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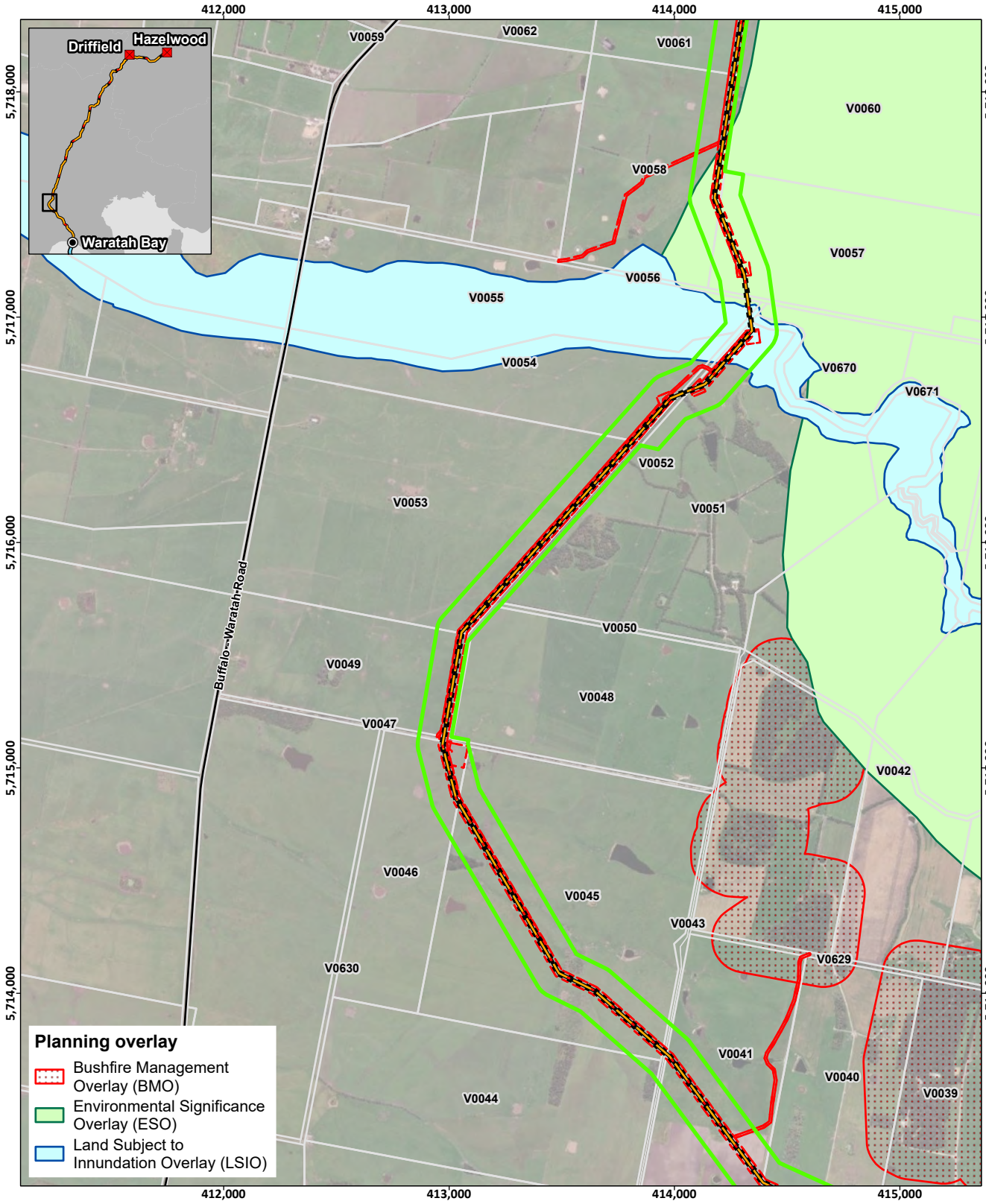

Figure A3.4: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
Imagery from ESRI Online.

Date: 3/04/2024 11:05 AM
Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

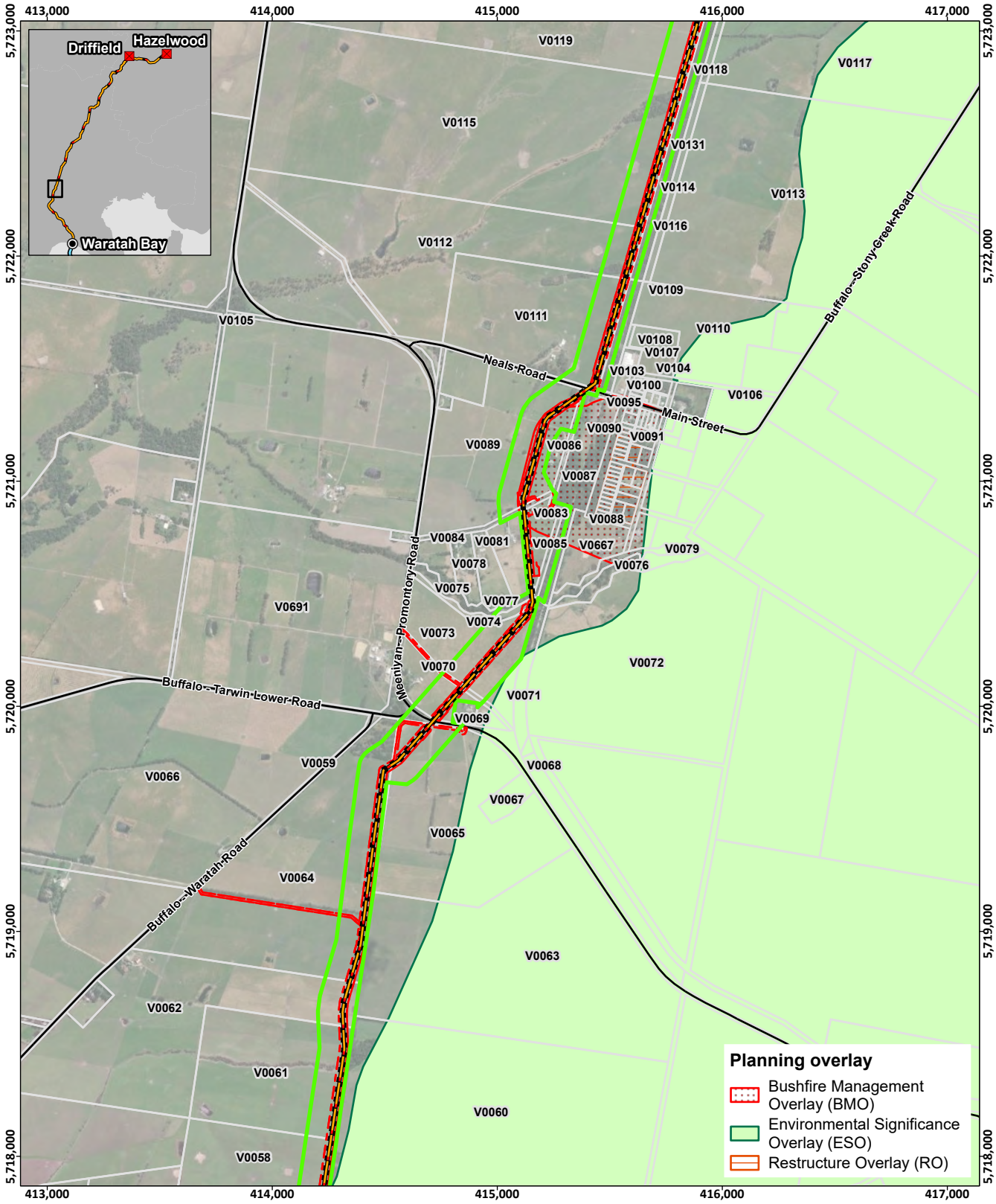

Figure A3.5: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
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TETRA TECH COFFEY

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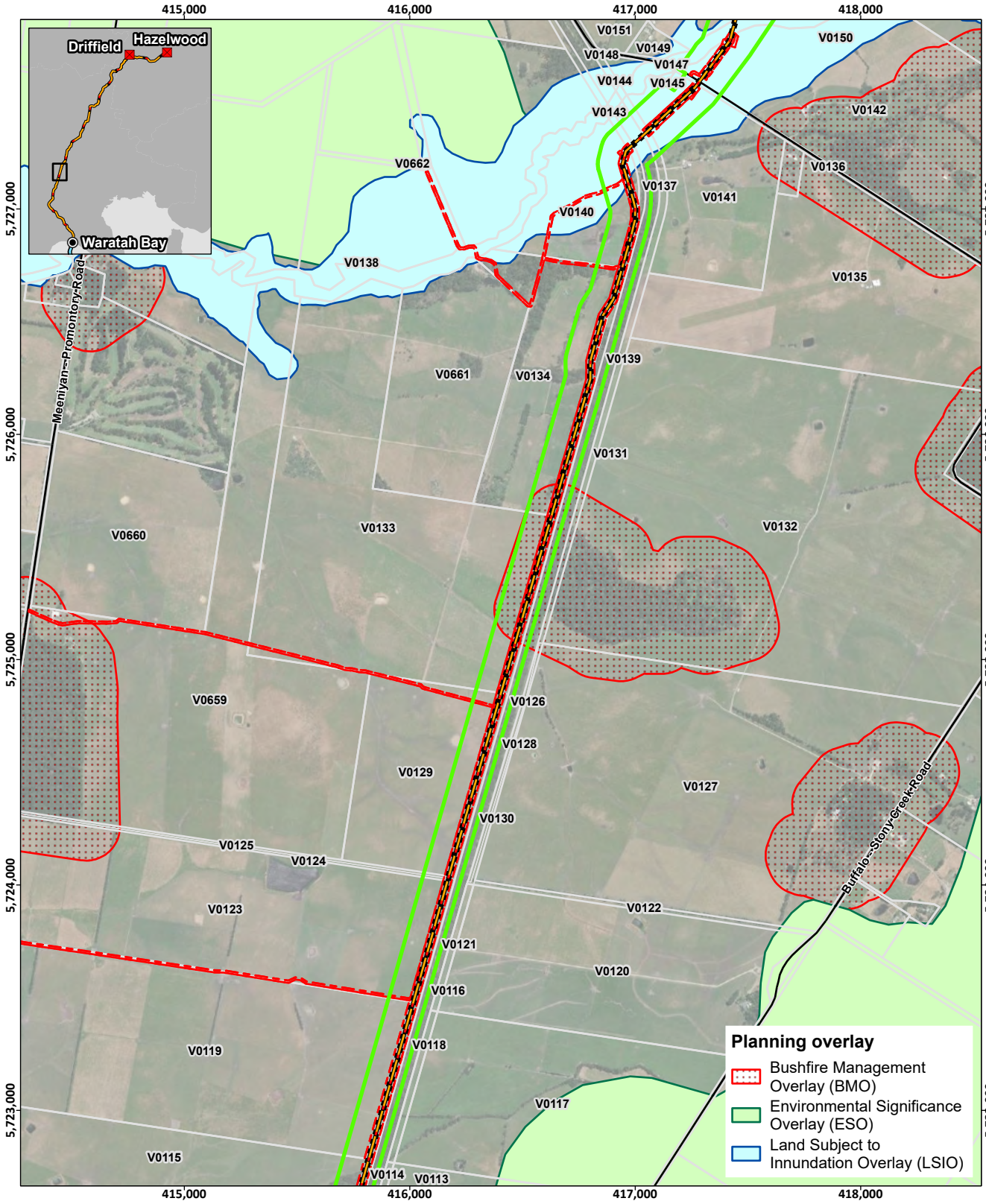

Figure A3.6: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
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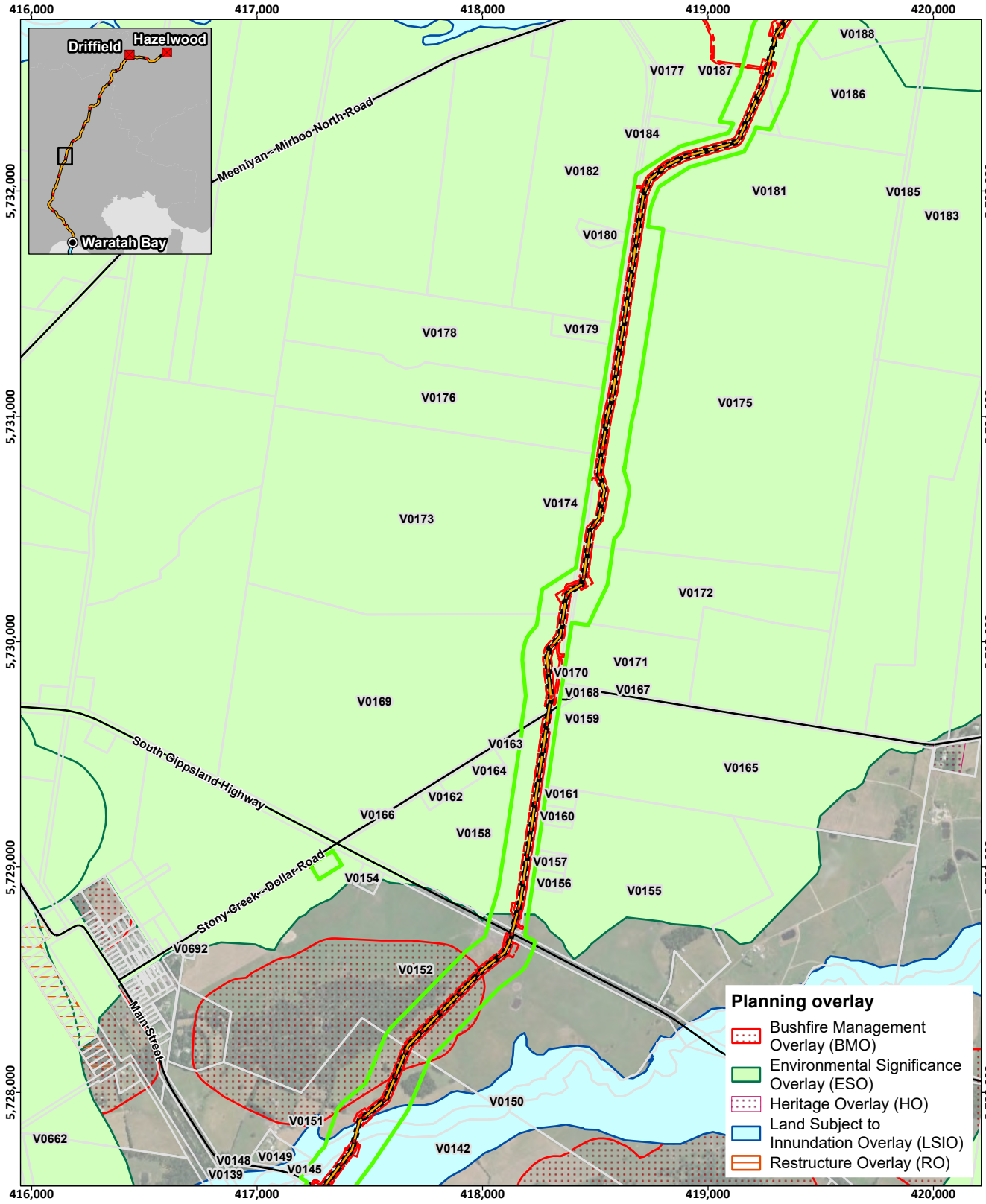

Figure A3.7: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
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Roads, cadastre and overlays from VICMAP.
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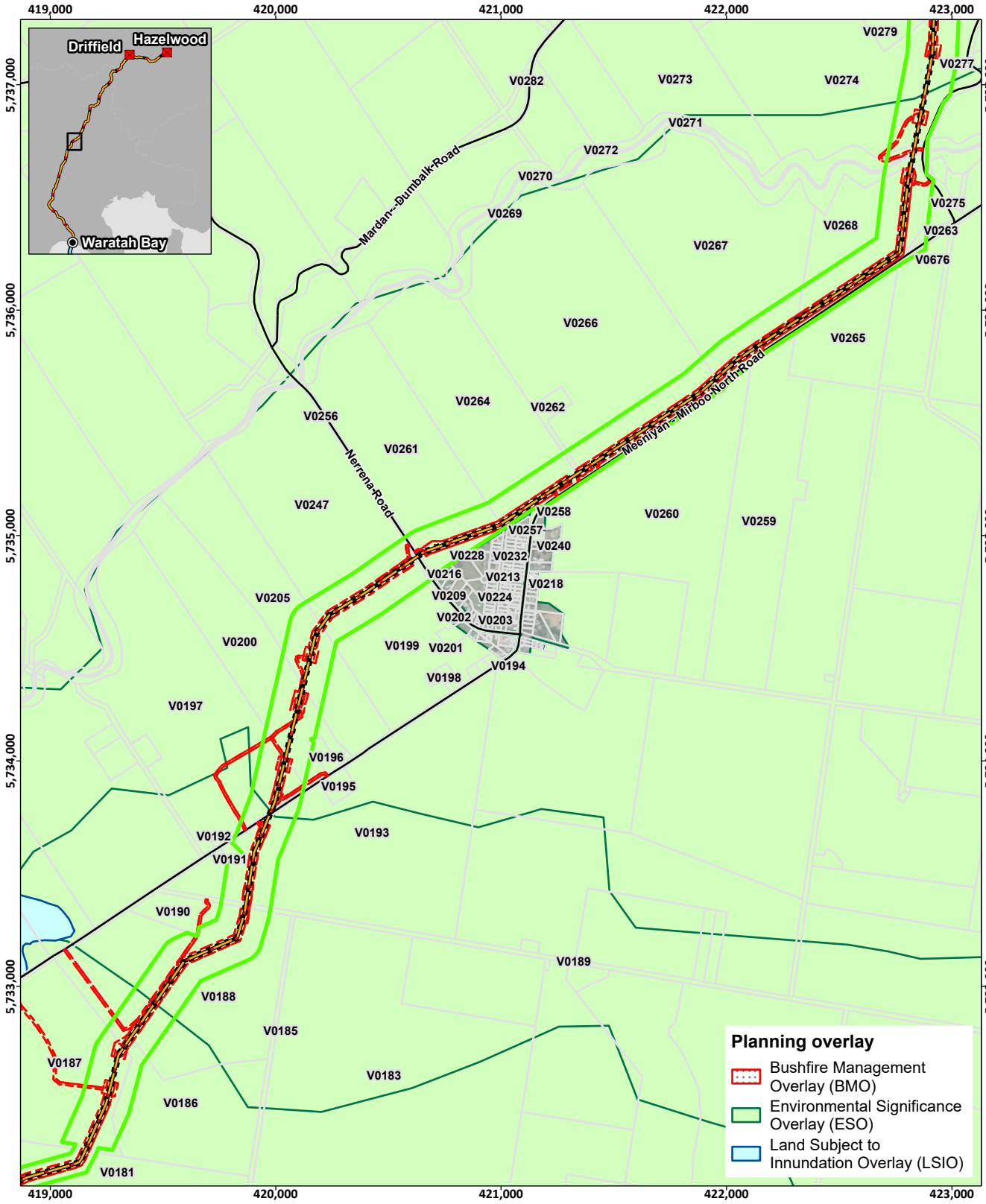

Figure A3.8: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
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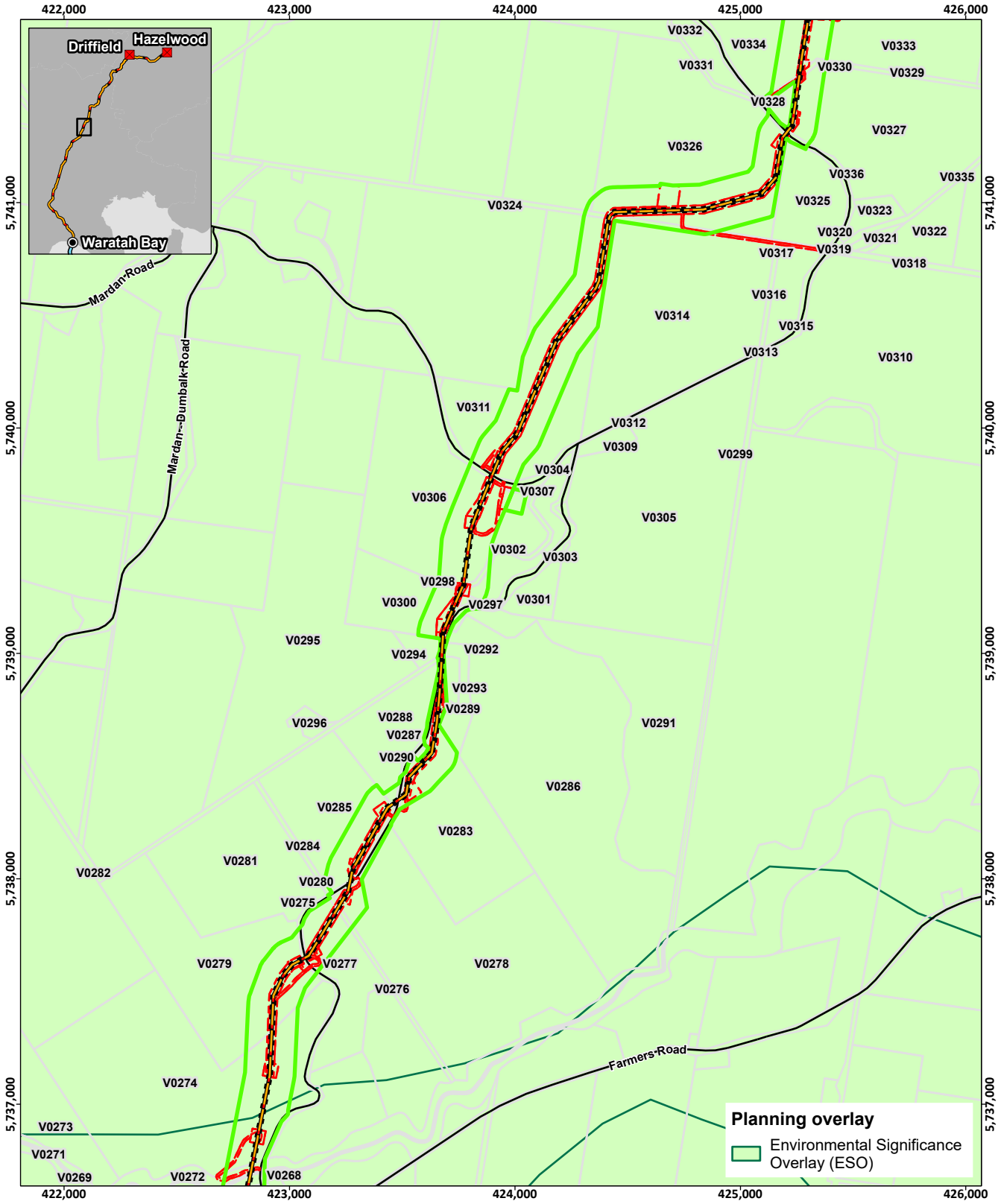

Figure A3.9: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
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Roads, cadastre and overlays from VICMAP.
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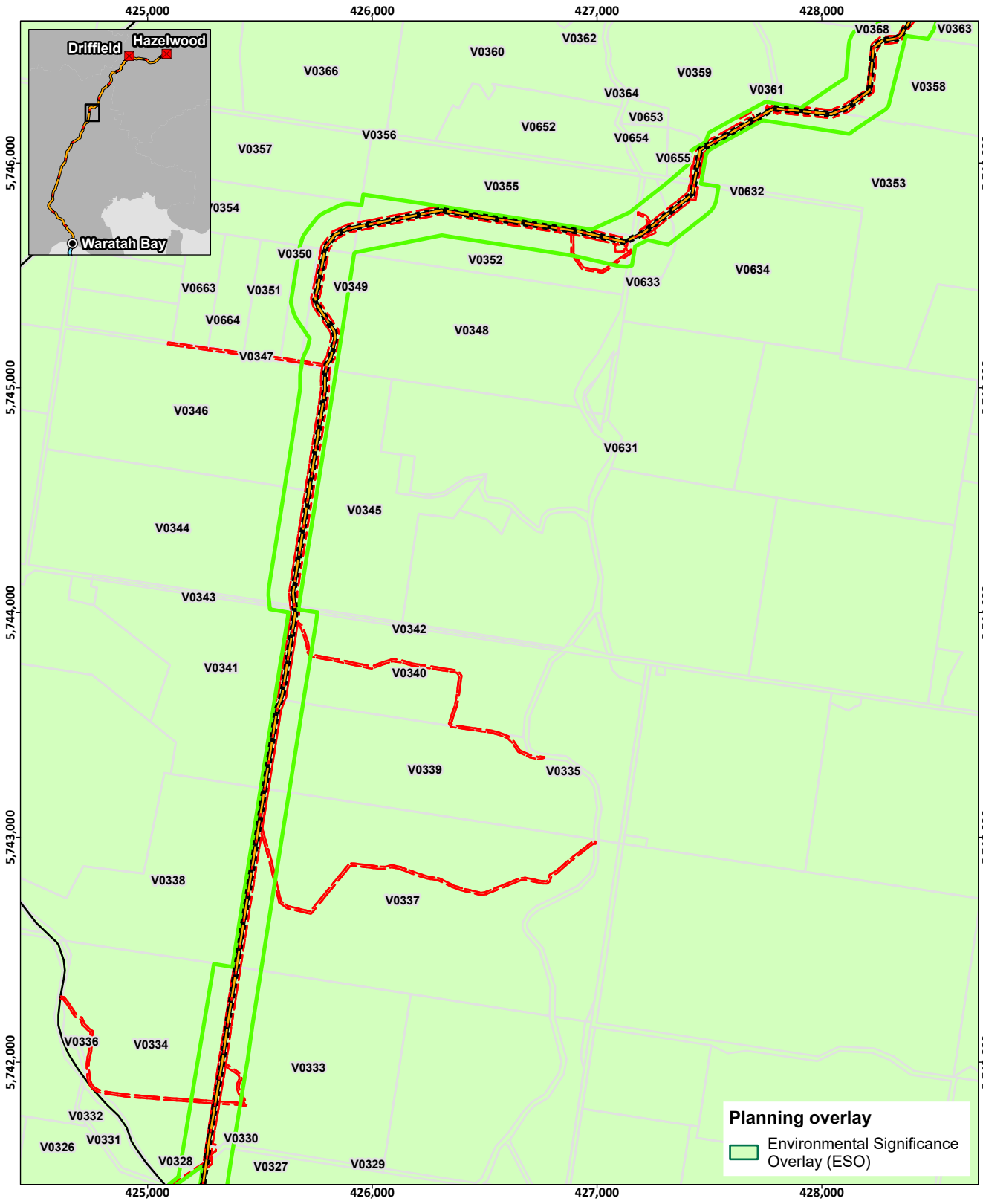

Figure A3.10: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
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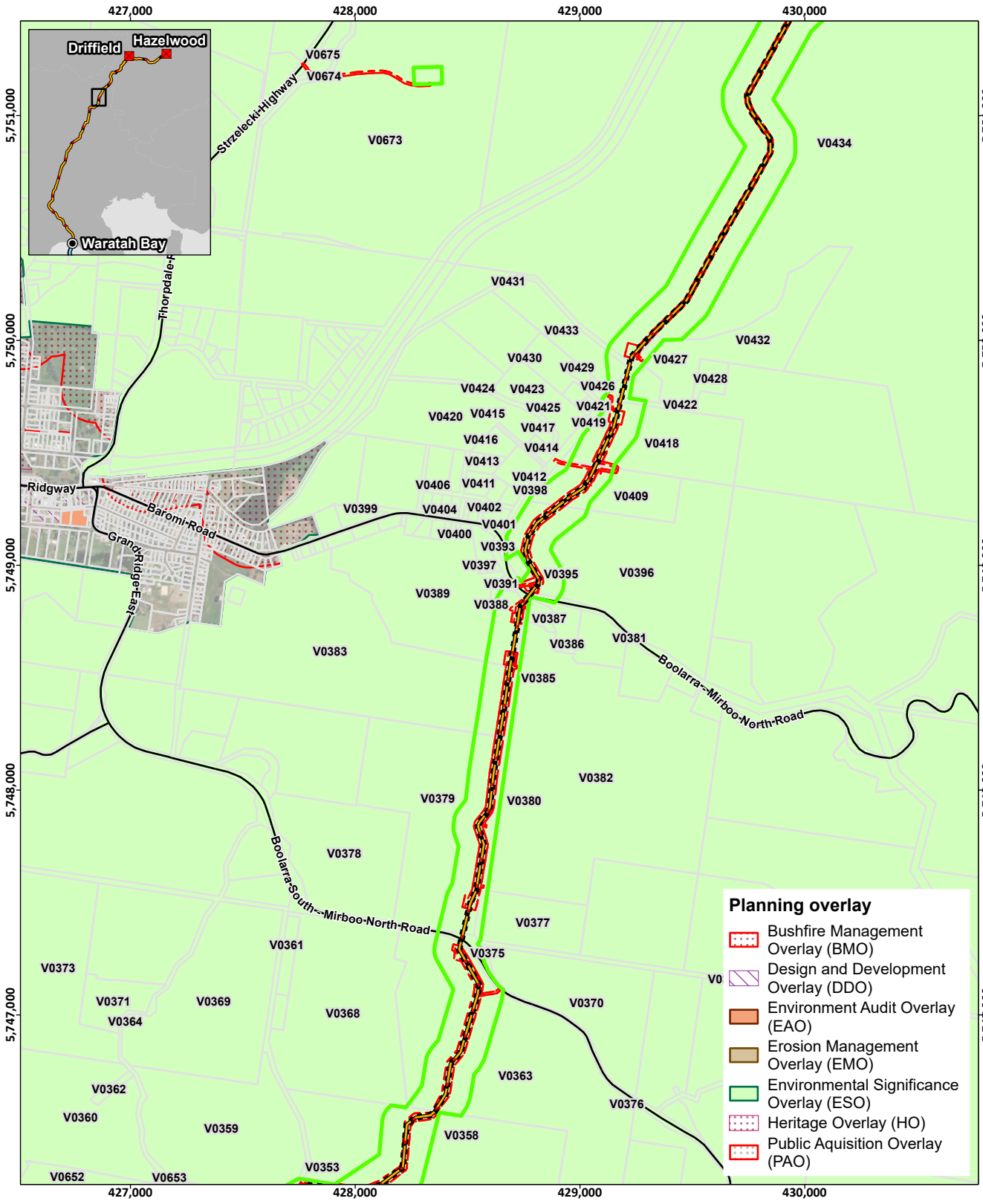

Figure A3.11: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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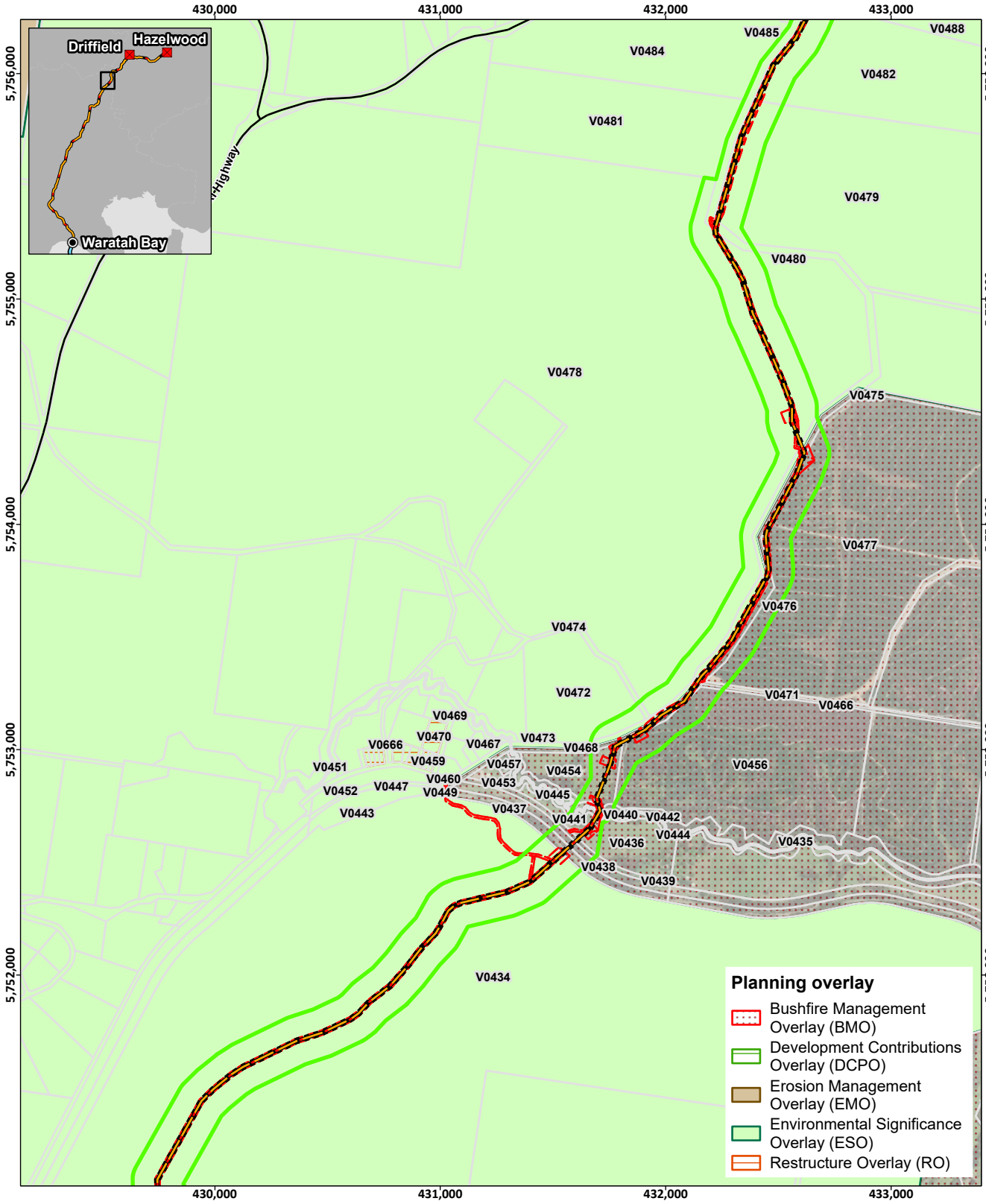

Figure A3.12: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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Date: 3/04/2024 11:05 AM
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TETRA TECH COFFEY

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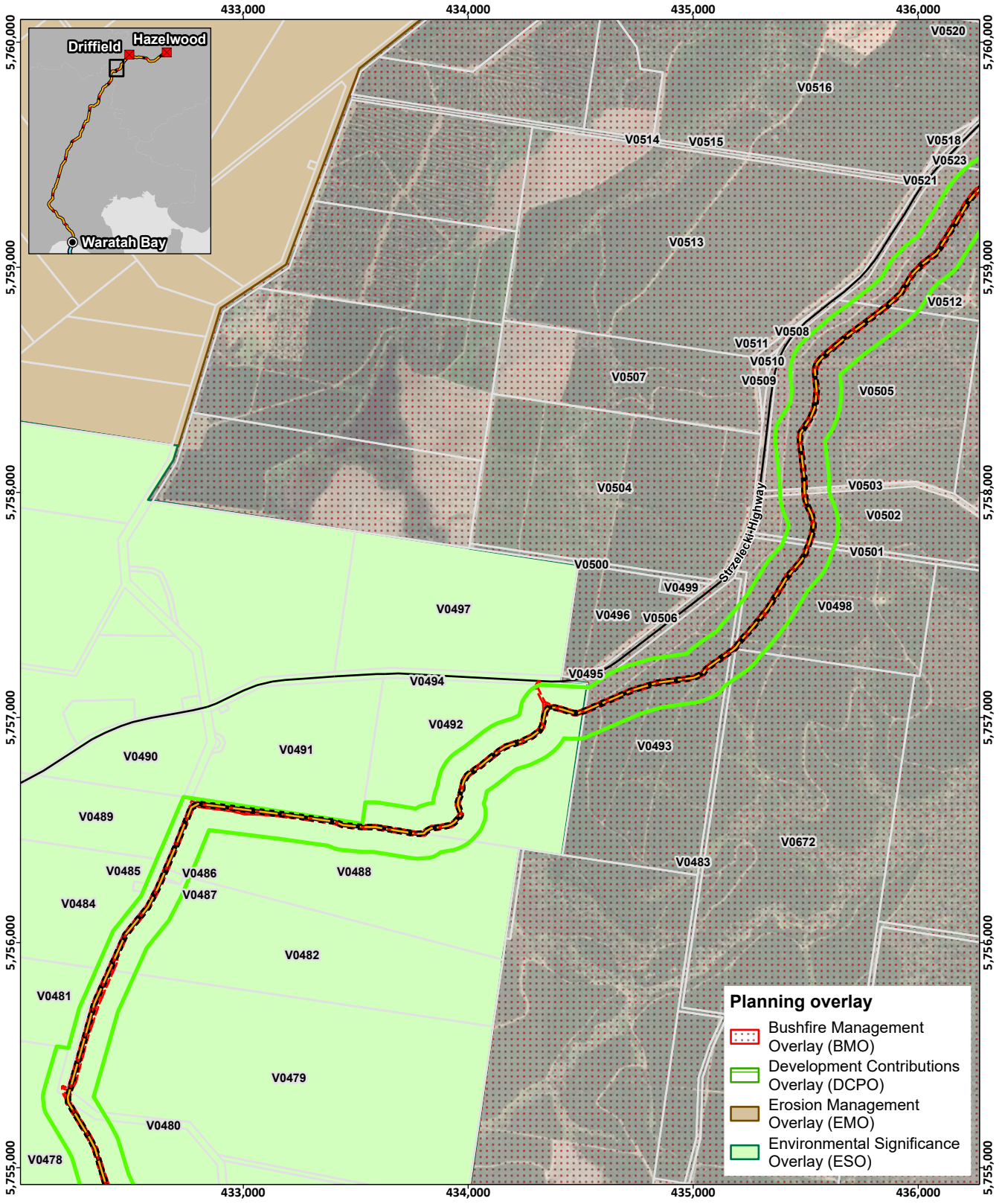

Figure A3.13: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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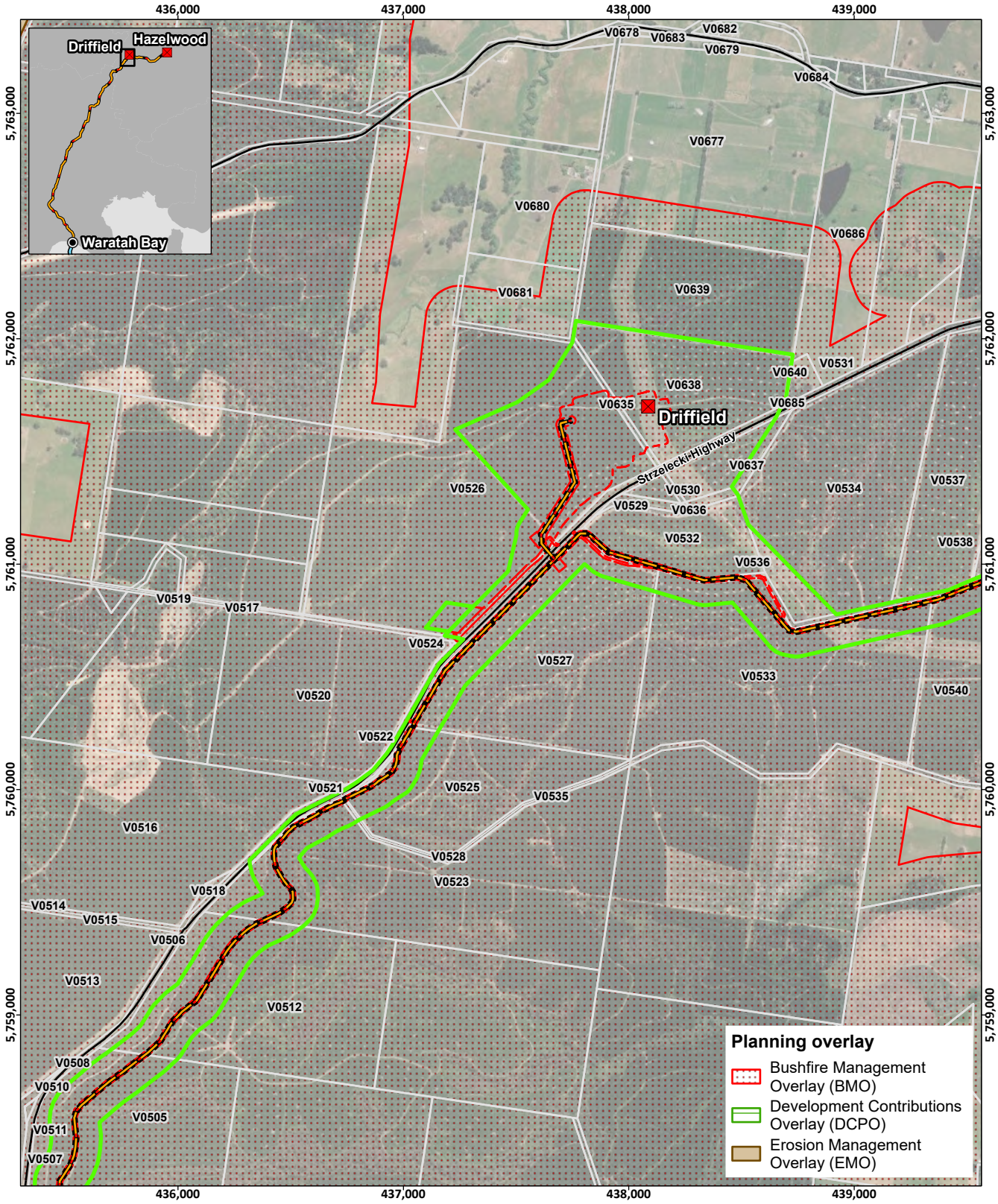

Figure A3.14: Planning overlays

Legend

- Potential converter station
- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
Imagery from ESRI Online.

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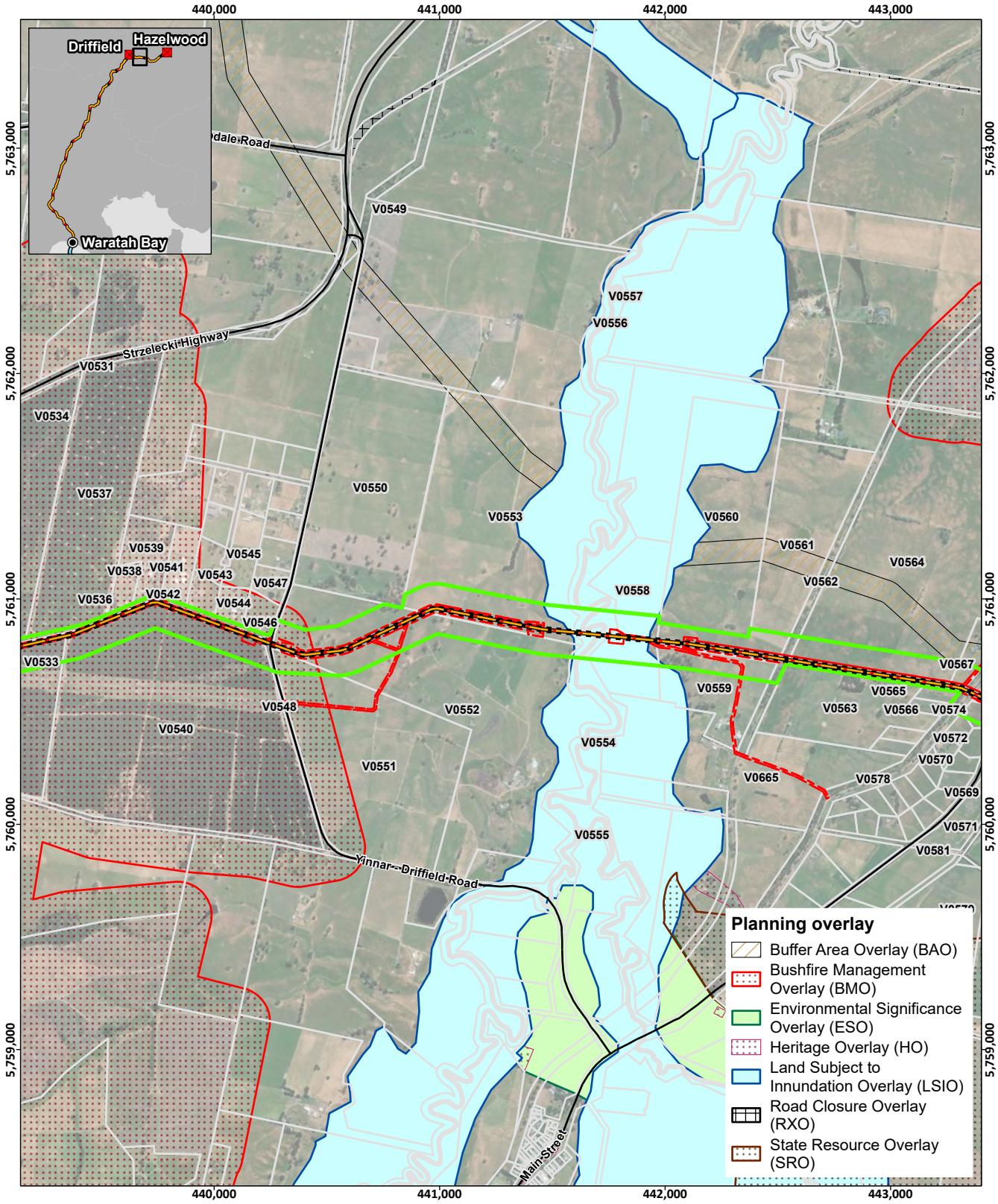

Figure A3.15: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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TETRA TECH COFFEY

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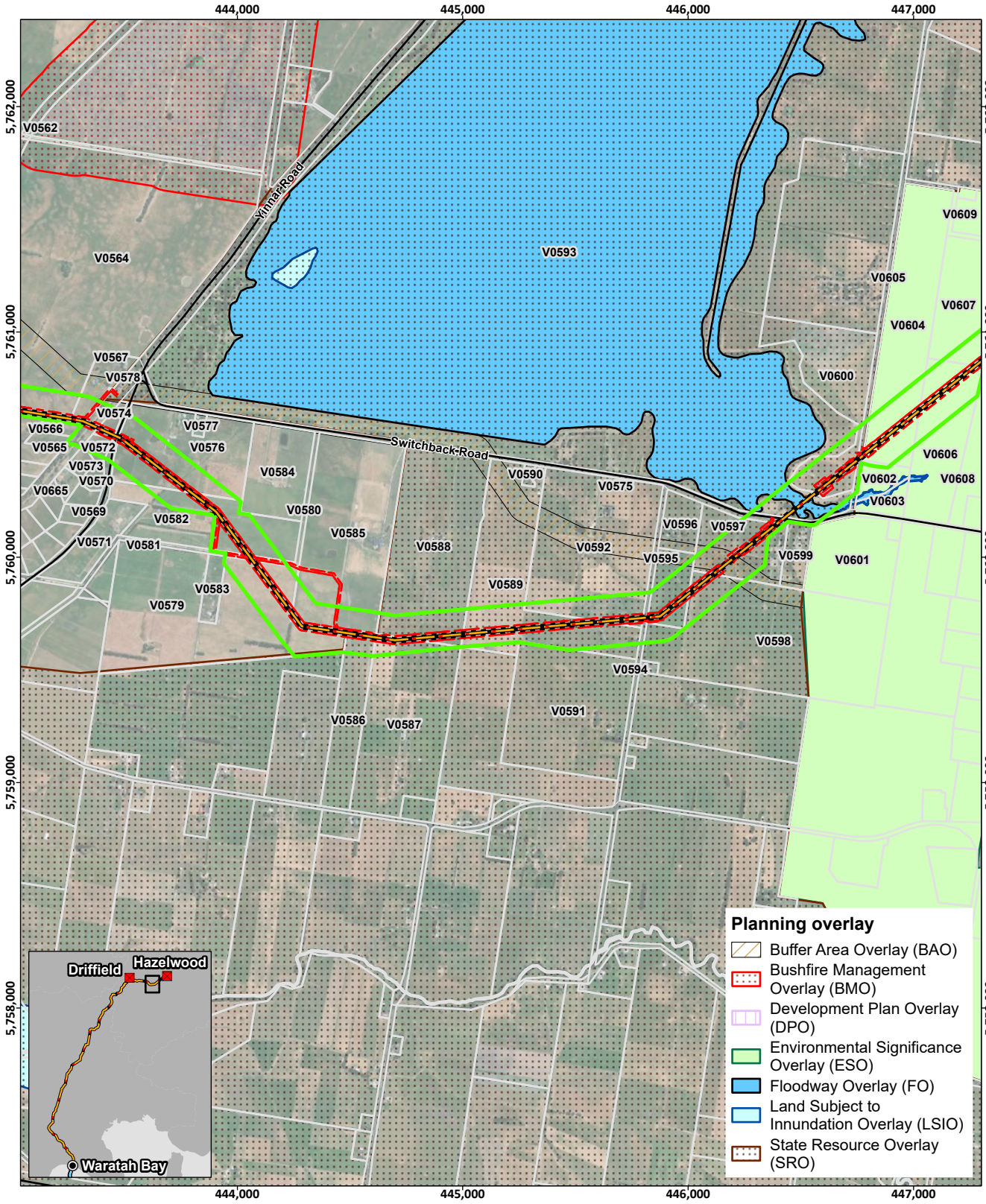

Figure A3.16: Planning overlays

Legend

- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
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TETRA TECH COFFEY

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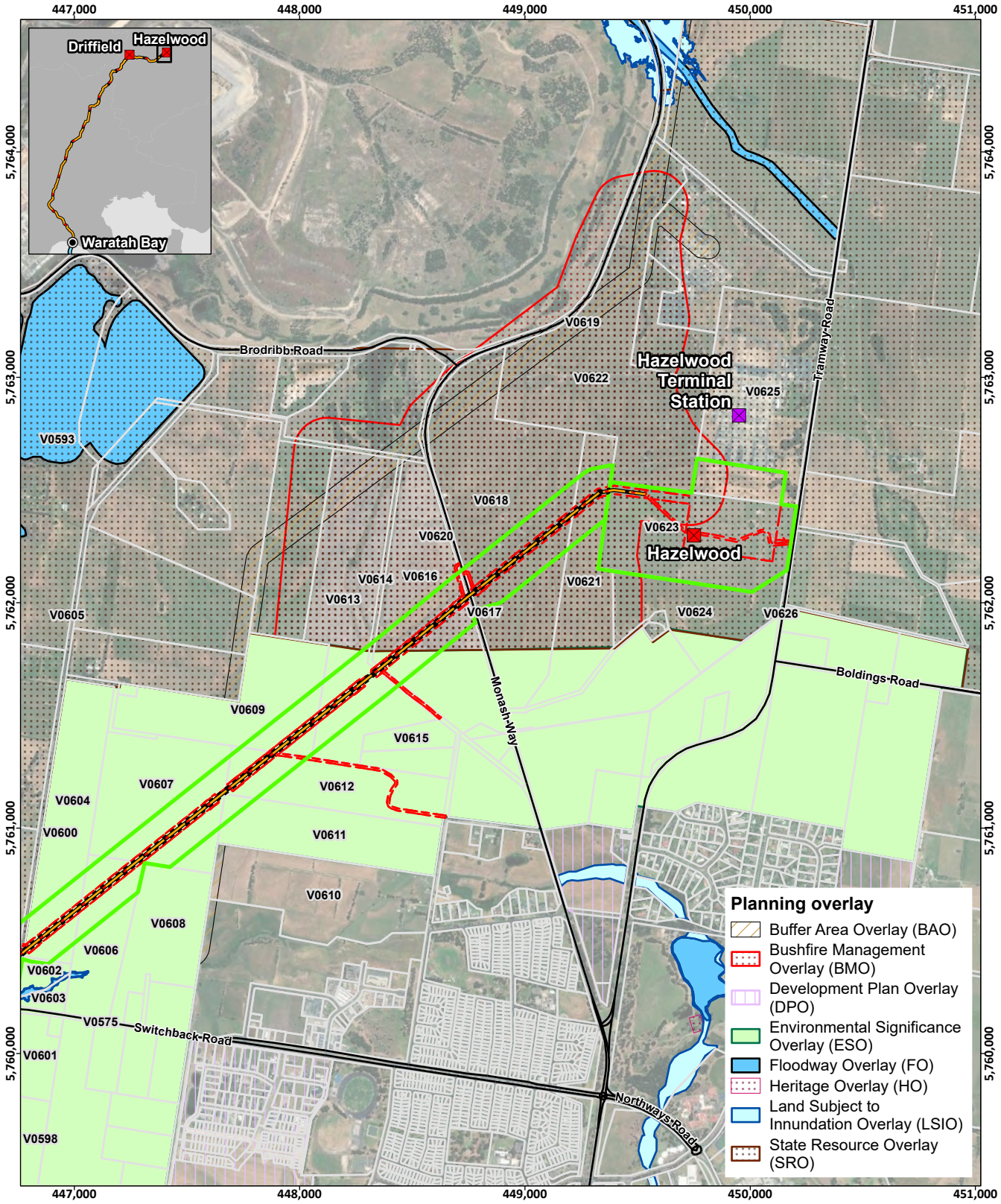

Figure A3.17: Planning overlays

Legend

- Existing substation
- Potential converter station
- Proposed underground HVDC cable
- Proposed easement
- Area of disturbance
- Marinus Link survey area
- Road
- Cadastre

N

Scale: 1:25,000

500 250 0 500 m

Coordinate System: GDA2020 MGA Zone 55
Projection: Transverse Mercator
Datum: GDA2020

Source:
Preferred route and sites of interest from Tetra Tech Coffey.
Roads, cadastre and overlays from VICMAP.
Imagery from ESRI Online.

Date: 3/04/2024 11:05 AM
Prepared by: HELEN.UNKOVICH

TETRA TECH COFFEY

MARINUS LINK

APPENDIX B: DESCRIPTION OF POLICY AND GUIDELINES

VICTORIA PLANNING PROVISIONS AND PLANNING SCHEMES

Further to **Section 3.2.1** of the Land Use and Planning Impact Assessment report, the *Planning and Environment Act 1987* provides the framework for land use and development in Victoria. Planning schemes are prepared for each municipality under the provisions of the *Planning and Environment Act* in Victoria, consistent with the Victoria Planning Provisions (VPP).

The land to which a planning scheme may apply includes land covered by water (such as lakes and some coastal waters) and areas above or below ground (such as air rights and excavations).

The project would be located in municipalities that are subject to the Latrobe and South Gippsland Planning Schemes. The provisions of each municipal planning scheme govern the use, development, protection and conservation of land in that municipality.

It is noted that the South Gippsland Planning Scheme includes land above the high-water line at Waratah Bay. Land and waters below the high-water line are beyond the scope of the South Gippsland Planning Scheme. Land and waters within Victoria, below the high water line, are therefore not subject to the Planning Schemes.

The Victoria Planning Provisions (VPP) are a state-wide document which frame the structure and content of planning schemes and include the following policy guidance and land use controls:

- Municipal Planning Strategy (MPS)
- Planning Policy Framework (PPF),
- Zones, which broadly seek to control land use.
- Overlays, which apply in addition to the provisions of the zone and any other provision of the planning scheme.
- Particular Provisions, which apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of the planning scheme.
- General Provisions
- Definitions
- Incorporated Documents.

Key elements of the VPP, Latrobe Planning Scheme, and South Gippsland Planning Scheme relevant to Marinus Link are outlined below.

Municipal Planning Strategy

The MPS provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme. A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme. A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under the planning scheme.

The relevant aspects of the MPS and supporting strategic documents for each municipal area are briefly identified in the following section and provide insight into the policies and objectives that guide land use planning. The relevant EIS/EES technical reports provide detail on polices relevant to other considerations of the project.

South Gippsland Planning Scheme

South Gippsland is a large rural municipality with a decentralised population of approximately 30,000. As identified by a desktop assessment and site inspection, the main agricultural land use is dairy farming and associated activities. It is noted that climate change will see South Gippsland's agricultural production taking on greater importance as the result of its comparatively stable climatic conditions.

Primary economic drivers in the South Gippsland region include primary industries combined with associated activities and food processing. Areas in closer proximity to the coast have a greater focus on tourism, food and wine.

Some of the key MPS policies as relevant to the project include:

- South Gippsland MPS 02.02 – The vision of the South Gippsland Shire Council is to establish the Shire as a thriving and diverse local economy that builds on the region's natural advantages and to provide the community with services and infrastructure that enhance liveability and environmental sustainability for current and future generations.
- South Gippsland MPS 02.03-2 – Specific landscapes within the Shire have been determined to have either state or regional significance, and Council seeks to: Retain undeveloped breaks between settlements; Ensure coastal development responds to the landscape setting and character; and Maintain locally significant views and vistas that contribute to the character of the coast and coastal hinterland region.
- South Gippsland MPS 02.03-4 – South Gippsland Shire contains some of the most productive agricultural areas in Victoria and provides a substantial proportion of Victoria's milk as well as beef, prime lamb and vegetables, and underpins the Shire's economy. Council seeks to: Maintain a viable and sustainable agricultural industry by protecting high quality agricultural land for primary production.
- South Gippsland MPS 02.03-7 –Tourism is fast becoming a significant employer and generator of economic activity within the Shire. Council seeks to: Protect the Shire's heritage assets, coastline, rural landscapes and agricultural produce for their tourism value; and Encourage tourism use and development in association with the Great Southern Rail Trail and the Grand Ridge Rail Trail.

Latrobe Planning Scheme

Although Latrobe Valley has one of the world's largest reserves of brown coal, Latrobe is experiencing a period of economic restructuring associated with the change in traditional employment sectors that support Victoria's power production including manufacturing and mining. Industry diversification and employment generation are major priorities for Latrobe and the Gippsland region, drawing on the extensive natural resource base, built infrastructure and local workforce. Latrobe is one of Victoria's strongest regional economies. It is the regional retail service centre for Gippsland with retail providing a large proportion of jobs and contributing significantly to the local economy. It is also at the centre of a large forestry industry that services the largest pulp and paper mill in Australia. Other industries in the area include food processing, engineering, health, and post-secondary education. Latrobe also has an agricultural industry that is based primarily on dairy farming and livestock.

Some of the key MPS policies as relevant to the project include:

- Latrobe MPS 02.03-3 - Most of the municipality is within a bushfire prone area. Fires in bushland reserves, grasslands and plantations also pose a risk to development across Latrobe. Planning for bushfire seeks to: Reduce bushfire risk through various bushfire protection measures; and decrease the level of risk to life, property, the environment and biodiversity from bushfire.
- Latrobe MPS02.03-4 - Most rural areas in Latrobe contain high quality agricultural land that supports dairy farming, broadacre farming and forestry. There are some rural areas that are highly fragmented. These areas provide opportunities for rural residential living, tourism, niche rural industry and small scale farming.

- Latrobe MPS 02.03-4 - Latrobe has one of the largest brown coal reserves in the world and is recognised as the centre of Victoria's electricity industry. The coal resource in the Latrobe Valley is of national and state importance and significantly contributes to the economy of Latrobe.

Planning Policy Framework

The PPF outlines state-wide and regional strategic planning issues and is common in content across all Victorian Planning Schemes, and also includes where relevant integrated local policy. It provides a context for spatial planning and decision making by planning and responsible authorities.

The PPF seeks to ensure the objectives of planning in Victoria (as set out in section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

The objectives of planning in Victoria as set out in the Planning and Environment Act are:

a) To provide for the fair, orderly, economic and sustainable use and development of land

b) To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity

c) To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria

d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value

e) To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community

f) To facilitate development in accordance with the objectives set out in paragraphs a), b), c), d) and e)

fa) To facilitate the provision of affordable housing in Victoria

g) To balance the present and future interests of all Victorians.

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.

Each municipal planning scheme includes land use planning and environmental policies that are relevant to the project to varying degrees. Generally, relevant policies in the planning scheme include issues relating to land use planning, transport, infrastructure provision, environmental considerations and public realm design. The relevant aspects of the PPF and supporting strategic documents are briefly identified in the following sections and provide insight into the policies and objectives that guide land use planning.

The relevant EIS/EES technical reports provide detail on polices relevant to other considerations of the project.

The PPF clauses that are most relevant to the project are detailed below.

- **Clause 11 Victoria** includes key strategies of relevance at Clause 11.01-1S ‘Settlement’, which relate to provision of access to jobs, services, infrastructure and community facilities to promote investment and growth. The policy recognises the need for planning to contribute towards adaptation in response to changing technology, economic viability and the protection of environmentally sensitive areas and natural resources. Additionally, planning is required to prevent adverse environmental and amenity impacts created by siting incompatible land uses close together. *Clause 11.02-1S Supply of urban land* seeks to ensure that a sufficient supply of land is available for various uses as required, specifically identifying the

need to ‘maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.’ *Clause 11.03-5S (Distinctive areas and landscapes)* seeks to protect and enhance the valued attributes of identified distinctive areas and landscapes. Relevant strategies that support this objective include (as relevant) protecting ‘identified key values of and activities of these areas’, avoiding ‘use and development that could undermine the long-term natural or non-urban use of land in these areas’ and protecting ‘areas that are important for food production.’

- *Latrobe Clause 11.01-1L* includes policy for Churchill. It is noted that the project alignment is located outside the nominated township boundaries and associated growth areas of Churchill.
- *South Gippsland Clause 11.01-1L* includes policy for Mirboo North, Buffalo, and Dumbalk. It is noted that the survey area includes land that is located within the township boundary of Mirboo North and nominated as public land (Crown land forest), though the proposed easement is proposed outside the township boundary. The survey area is outside the other nominated township boundaries.

- **Clause 12 Environmental and Landscape Values** acknowledges the importance of protecting the health of ecological systems, biodiversity and conservation areas with identified environmental value. Planning must also implement the environmental principles of ecologically sustainable development and should protect sites and features of nature conservation, biodiversity, geological or landscape value. Some of the relevant policies include *Clause 12.01 Biodiversity* and specifically *Clause 12.01-1S Protection of biodiversity* and *Clause 12.1-2S Native Vegetation Management* which are relevant to the project and require the project to avoid and minimise impacts to vegetation and biodiversity values, including consideration of cumulative impacts. *Clause 12.02 Marine and Coastal Environment*, including *Clause 12.02-1S Protection of the marine and coastal environment* and *Clause 12.02-2S Marine and coastal crown land* are relevant to the project at Waratah Bay, and seek to protect and enhance the marine environment, minimise impacts on cultural and environmental values, and improve public benefit. *Clause 12.05 Significant Environments and Landscapes*, including *Clause 12.05-1S Environmentally sensitive areas*, and *Clause 12.05-2S Landscapes,* which seek to protect and conserve environmentally sensitive areas, significant landscapes and open spaces. In particular, the following local policies are relevant:
  - *Latrobe Clause 12.01-1L Protection of biodiversity* seeks to facilitate the creation of a biolink from the Strzelecki Ranges bioregion to the Southern Fall bioregion, as shown on the Rural Framework Plan in Clause 02.04 (extract below). In addition, this policy seeks to protect roadside vegetation, especially in the Strzelecki Ranges from Boolarra to Gormandale, that provides linkages between public and private remnant native vegetation. Retain native vegetation on roadsides, waterways and public and private land to facilitate healthy habitats to improve biodiversity.

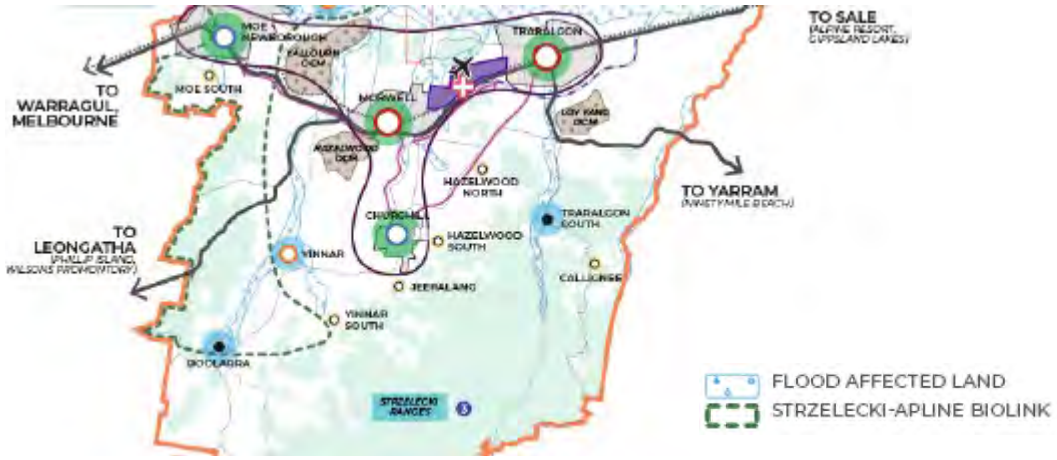

Figure B1 Latrobe Strategic framework plan (extract of Clause 02.04, Latrobe Planning Scheme)

- *South Gippsland Clause 12.05-2L-01 Coastal and hinterland landscapes* seeks to ensure that development is subordinate to the natural, visual and environmental landscape character and significance; that views of Mt Hoddle, the Welshpool Hills and the Corner Inlet Amphitheatre and other hinterland areas are protected by avoiding development in these areas that is visually intrusive, particularly when viewed from the South Gippsland Highway, as well as from other key touring routes, lookouts and residences. The policy also discourages development on prominent ridgelines, particularly those close to the coast. It encourages the planting of indigenous vegetation for rehabilitation works and landscaping around development, and seeks to retain existing shelterbelts and non-indigenous feature planting where they are features of the area and the species are non-invasive.
- *South Gippsland Clause 12.05-2L-02 Significant landscape character areas*, Character Area 1.5, is relevant where it provides the following Waratah Bay/Corner Inlet strategies: Protect the rural character and views that create a scenic 'gateway' to Wilsons Promontory, especially along Foster – Promontory Road, by restricting linear urban sprawl or the cluttering of built development; Ensure that long stretches of the coastal strip remain free of development of any kind; Reduce the visibility of buildings or structures, within the coastal strip, outside settlements; Manage development at the Corner Inlet coastal edge to retain intact natural coastal character by restricting heights of dwellings, using colours that blend with the natural environment, clustering development at already developed centres (e.g. Port Welshpool), and minimise clutter of built elements throughout hinterland areas to protect the rural character.

- **Clause 13 Environmental Risk and Amenity** provides overarching objectives which seek to strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach. It includes policy relating to climate change, natural hazards and bushfire, erosion, floodplain, soil degradation, noise, and air quality. Some of the relevant policies include:
  - *Clause 13.02-1S Bushfire Planning* aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. This policy must be applied to all panning and decision making under the *Planning and Environment Act 1987* relating to land that is within a designated Bushfire Prone Area, or Subject to a Bushfire Management Overlay, or proposed to be used or developed in a way that may create a bushfire hazard.
  - *Clause 13.07-1S Land use compatibility* aims to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts. The policy emphasises the importance of ensuring use and development is compatible with nearby and adjoining land uses. In this regard, the assessment of various potential noise, dust, visual and traffic impacts are relevant.

  Some of the local relevant policy includes:
  - *Latrobe Clause 13.02-1L Bushfire Prone Areas* seeks to ensure that development, subdivision and uses incorporate measures to mitigate bushfire risk, including: A construction standard no higher than BAL-29 unless there are significant siting constraints, with commensurate vegetation management for defendable space; A reliable water supply for property protection and fire fighting; Adequate access for emergency management vehicles; A Bushfire Emergency Management Plan (BEMP), including triggers for closure or restricted operation on days of elevated fire danger.

- **Clause 14 Natural Resource Management** seeks to assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development. It includes policies for catchment management. Also to ensure that agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.

This clause contains policy regarding the protection of coal resources which is relevant to parts of the study area. Some of the relevant policies include:

- *Clause 14.03-1S Resource exploration and extraction* includes strategies to Provide for the long-term protection of natural resources and to protect the opportunity for exploration and extraction of natural resources. The policy specifically seeks to protect the brown coal resource in Central Gippsland by ensuring that changes in use and development of land overlying coal resources do not compromise the winning or processing of coal.
- *Clause 14.03-1R Resource exploration and extraction - Gippsland Coal Resource* is relevant whereby land is included in the Special Use Zone and where the policy protects the Gippsland brown coal resource and associated buffer areas. The extraction and use of coal is the primary planning consideration in protected coal resource areas. Proposed land use should not impede coal development in the protected coal resource areas and should not compromise the existing and future use of the coal resource.

Figure B2 Gippsland Coalfields Policy Area Map (extract of Clause 14.03-1R, Latrobe Planning Scheme and South Gippsland Planning Scheme)

- *Clause 14.01 Agriculture,* and specifically *Clause 14.01-1S Protection of agricultural land* are particularly relevant to the project. It seeks to avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors, and to protect productive agricultural land from unplanned loss due to permanent changes in land use. In considering a proposal to use, subdivide or develop agricultural land, consider the: Desirability and impacts of removing the land from primary production, given its agricultural productivity; Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production; Compatibility between the proposed or likely development and the existing use of the surrounding land; The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas; and Land capability.

- *Latrobe Clause 14.01-1L Protection of agricultural land* applies to land in the Farming Zone and discourages non-agricultural uses from locating or developing in a manner that will inhibit the expansion of farming uses; and ensure that the siting of a building does not compromise the operation of nearby commercial agricultural enterprises, including its impacts on noise, odour, sight lines and infrastructure and livestock movements.
- *Latrobe Clause 14.01-3L Forestry and timber production* includes the policies to encourage expansion of plantation forestry opportunities including within the proposed Strzelecki-Alpine Biolink, and to avoid non-agricultural uses from locating or developing in a manner that will inhibit the expansion or operation of forestry uses.

- **Clause 15 Built Environment and Heritage** recognises the role of energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods. Planning should ensure that all development appropriately responds to its surrounding landscape, character and cultural context. Planning should also protect places and sites with significant aesthetic, scientific and cultural value. The planning of development should be environmentally sustainable and should minimise detrimental impacts on the built and natural environment. Of relevance to the project are:
  - *Clause 15.01-6S Design for Rural areas* seeks to ensure development respects valued areas of rural character. Strategies include: Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located; and Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.
  - *Clause 15.03-2S Aboriginal cultural heritage* which has the key objective, *to ensure the protection and conservation of places of Aboriginal Cultural Heritage Significance.* A key strategy, as relevant to this proposal, is to *ensure that permit approvals align with the recommendations of any relevant Cultural Heritage management Plan approved under the Aboriginal Heritage Act 2006.*
  - *South Gippsland Clause 15.01-1L-01 Urban design* seeks to locate infrastructure away from highly scenic locations, key views and coastal locations, or underground wherever possible in the case of powerlines and other utility services; Locate access tracks and other infrastructure in areas of low visibility, preferably in previously cleared locations; Avoid the use of materials that contrast with the landscape; Use vegetation to screen infrastructure from key viewing corridors and public use areas; Encourage reticulated electricity to be provided using underground cabling.

- **Clause 19 Infrastructure** states that planning should minimise the impact of development on the operation of major infrastructure of national, state and regional significance such as communication networks and energy generation and distribution systems. Planning for physical infrastructure should 'enable it to be provided in a way that is efficient, equitable, accessible and timely'. Strategies in place to achieve these objectives include:
  - *Clause 19.01 Energy* is relevant, and particularly *Clause 19.01-1S Energy supply* which seeks to facilitate appropriate development of energy supply infrastructure, by: Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low-carbon economy; Develop appropriate infrastructure to meet community demand for energy services; Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change; Support energy infrastructure projects in locations that minimise land use conflicts and that take advantage of existing resources and infrastructure networks; Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes.
  - *Latrobe Clause 19.01-3L Pipeline infrastructure* seeks to minimise risks associated with land use and subdivision within the measurement length of high pressure gas transmission pipelines.

- *South Gippsland Clause 19.01-2L* discourages structures associated with alternative energy production that detrimentally affect the character of the area and discourages tall structures on ridgelines or in view corridors. It also seeks to minimise the potential impact of alternative energy sources on public health and safety, including fire hazard.

Zone and Overlay Controls

Due to the significant length of the alignment, it is subject to a wide range of zone and overlay controls as these apply in the affected municipal planning schemes. A summary of applicable zones and overlays as these affect the project is provided in the tables below and the detailed zone and overlay mapping is provided in Appendix A: of the Land Use and Planning Impact Assessment. An overview of planning permit triggers associated with the project is included as part of the draft Planning Scheme Amendment.

Clause 30 (Zones) of the VPP outlines the zone controls that govern the use and development of land. Zone controls cover land use classifications including agriculture, residential, commercial, industrial, open space, public use and special uses. Table B1 summarises the zones which apply to land within the Area of Disturbance[3] (AoD).

Clause 40 (Overlays) builds upon zone requirements and seek to guide matters including built form, environment, landscape, heritage and land management outcomes. Table B2 summarises the relevant overlays affected by the AoD.

Table B1 Relevant Zones

Planning Zone	Planning Scheme	Objectives	Area of project (AoD) (ha)	Permit triggers
Farming Zone (FZ)	South Gippsland	To provide for the use of land for agriculture; To encourage the retention of productive agricultural land; To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture; To encourage the retention of employment and population to support rural communities; To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision; and To provide for the use and development of land for the specific purposes identified in a schedule to this zone.	238.31	Use of land and buildings and works for a utility installation
Schedule 1 (FZ1)	Latrobe		47.89	
Public Conservation ad Resource Zone (PCRZ)	Latrobe	To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values; To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes; and To provide for appropriate resource based uses.	0.22	Buildings and works for a utility installation, including earthworks, and road construction
	South Gippsland		10.26	

[3] Area of disturbance is the extent of physical disturbance of ground, vegetation, and watercourses.

Planning Zone	Planning Scheme	Objectives	Area of project (AoD) (ha)	Permit triggers
Public Park and Recreation Zone (PPRZ)	Latrobe	To recognise areas for public recreation and open space; To protect and conserve areas of significance where appropriate; and To provide for commercial uses where appropriate.	0.39	Use of land and buildings and works for a utility installation, including construction of a fence
	South Gippsland		0.00	
Rural Activity Zone (RAZ)	South Gippsland	To provide for the use of land for agriculture; To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area; To ensure that use and development does not adversely affect surrounding land uses; To provide for the use and development of land for the specific purposes identified in a schedule to this zone; To protect and enhance natural resources and the biodiversity of the area; and To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.	0.04	Use of land and buildings and works for a utility installation
Transport Zone (TRZ)		To provide for an integrated and sustainable transport system; To identify transport land use and land required for transport services and facilities; To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation; To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.		Use of land and buildings and works for a utility installation
Schedule 3 (TRZ3) Significant Municipal Road	South Gippsland		0.01	
Schedule 2 (TRZ2) Principal road network	Latrobe		0.07	
	South Gippsland		0.67	
Special Use Zone (SUZ)		To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.		Use of land and buildings and works for a utility installation, including earthworks, and construction of a fence
Schedule 1 (SUZ1) Brown coal	Latrobe	To provide for brown coal mining and associated uses; To provide for electricity generation and associated uses; and To provide for interim and non-urban uses which protect brown coal resources and to discourage the use or development of land incompatible with future brown coal mining and industry.	34.91	
Public Use Zone (PUZ)		To recognise public land use for public utility and community services and facilities.		
Schedule 1 (PUZ1) Service and Utility	South Gippsland	To provide for associated uses that are consistent with the intent of the public land reservation or purpose.	1.51	Use of land and buildings and works for a utility installation

Table B2 Relevant Overlays

Planning Overlay	Planning Scheme	Objectives	Area of project AoD (ha)	Permit triggers
Bushfire Management Overlay (BMO)	Latrobe	To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire. To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented. To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.	37.96	Subdivision
	South Gippsland		47.53	
Buffer Area Overlay (BAO)		To identify buffer areas where there is potential for off-site impacts on human health or safety, or significant off-site impacts on amenity, from industry, warehouse, infrastructure or other uses. To ensure that use and development within buffer areas is compatible with potential off-site impacts.		-
Schedule 1 (BAO1) Major Pipeline Infrastructure	Latrobe	To identify the location of licensed pipelines and the region where impacts from pipeline failure are greatest. To ensure that land use and development around pipelines is appropriately designed and sited to minimise risks. To protect the integrity of licensed pipelines.	0.69	
Environmental Significance Overlay (ESO)		To identify areas where the development of land may be affected by environmental constraints. To ensure that development is compatible with identified environmental values.		Buildings and works, construction of a fence, subdivision, removal/destruction/lopping of vegetation including dead vegetation.
Schedule 1 (ESO1) Urban Buffer	Latrobe	To ensure that development in the Gippsland Coalfields Policy Area provides mutual protection of urban amenity, coal resource development, the continued social and economic productive use of land and is compatible within a buffer area including reservations and for services ancillary to a Brown Coal Open Cut outside the buffer area.	8.67	As per ESO
Schedule 1 (ESO1) Areas of Natural Significance	South Gippsland	To preserve and enhance existing indigenous flora and fauna. To conserve areas of wildlife habitats and allow for the generation and regeneration of habitats. To conserve areas of high environmental and landscape quality, ensuring development minimises adverse environmental impact. To ensure that development reinforces existing flora through the	1.18	As per ESO but note: - Buildings and works to lay underground powerlines is exempt from a permit provided they do not alter the topography of the land - Removal, destruction or lopping vegetation in a

Planning Overlay	Planning Scheme	Objectives	Area of project AoD (ha)	Permit triggers
		revegetation of valleys and drainage lines. To protect the views of identified significant vistas.		domestic garden is exempt
Schedule 2 (ESO2) Special Water Supply Catchment Areas	South Gippsland	To protect and maintain water quality and quantity in Special Water Supply Catchment areas used for human consumption, domestic, industrial and rural water supply. To ensure that development activity and land management practices are consistent with environmental values and the long term conservation of potable water supply resources. To minimise the impact of residential development and intensive farming activity in Special Water Supply Catchment areas, particularly near water supply take-off points and storage reservoirs. To encourage retention of native vegetation and the establishment of new vegetation cover, particularly within 30 metres of a waterway. To consider the cumulative impact of use and development on Special Water Supply Catchments over an extended time period having regard to both climate variability and anticipated reduced inflows in catchments . To minimise the impact of development in townships without reticulated sewerage, particularly having regard to small lot sizes, existing water contamination levels and the long term expectation that small towns will remain unsewered. To ensure new development proposals meet best practice guidelines for agricultural, domestic, commercial and industrial wastewater treatment which result in reduced nutrient, pathogenic and sediment flows. To protect public health from the risk of waterborne diseases.	99.71	As per ESO but note: - Buildings and works and vegetation removal are exempt where reticulated sewer is connected to a lot - Buildings and works are exempt where they are located more than 100 metres from a waterway or more than 300 meters from a water supply reservoir or potable water supply take-off structure - Removal, destruction or lopping of vegetation which is non-native to Victoria is exempt except where the vegetation is within 30 metres of a waterway, wetland, flood plain or water reservoir
Schedule 3 (ESO3) Coastal Settlements – Non Residential Zones	South Gippsland	To protect and enhance the natural beauty of the coastal area. To protect and enhance the environmental quality of the coastal area. To minimise the risk of erosion, pollution and destruction of the environment through poorly managed development. To ensure that development adjacent to coastal areas is compatible with the environment and does not result in adverse impacts on coastal processes.	9.79	As per ESO but note: - Buildings and works to lay underground powerlines is exempt from a permit provided they do not alter the topography of the land - Buildings and works for powerlines provided they do not involve the construction of towers is exempt - Removal, destruction or lopping of non-indigenous vegetation in

Planning Overlay	Planning Scheme	Objectives	Area of project AoD (ha)	Permit triggers
				a domestic garden is exempt
Schedule 4 (ESO4) Sewage Treatment Plant and Environs	South Gippsland	To protect sewage treatment plants from the encroachments of incompatible development. To provide for a buffer area around the plant as required by the Environment Protection Authority.	1.46	-
Schedule 5 (ESO5) Areas Susceptible to Erosion **Please note that current Amendment C119 proposes replace this overlay with the Erosion Management Overlay (EMO)*	South Gippsland	To protect areas prone to erosion by minimising land disturbance and vegetation loss. To prevent increased surface runoff or concentration of surface water runoff leading to erosion or siltation of watercourses.	108.73	As per ESO but note: - Buildings and works to lay underground powerlines is exempt from a permit provided they do not alter the topography of the land - Buildings and works for powerlines provided they do not involve the construction of towers is exempt - Removal, destruction or lopping vegetation in a domestic garden is exempt
Land Subject to Inundation Overlay (LSIO)	Latrobe	To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority. To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity. To minimise the potential flood risk to life, health and safety associated with development. To reflect a declaration under Division 4 of Part 10 of the Water Act, 1989. To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater. To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.	0.48	Buildings and works including a fence, and roadworks, and subdivision
	South Gippsland		7.49	
Significant Landscape Overlay (SLO)		To identify significant landscapes. To conserve and enhance the character of significant landscapes.		Buildings and works and removal, lopping or destruction of any vegetation

Planning Overlay	Planning Scheme	Objectives	Area of project AoD (ha)	Permit triggers
		To maintain and improve indigenous vegetation, particularly at roadsides and in riparian strips throughout the landscape.		(excluding dead vegetation and non-native vegetation that is less than 7.5m in height)
Schedule 3 (SLO3) Corner Inlet Amphitheatre	South Gippsland	To protect indigenous coastal vegetation and ensure that it is the dominant feature of the landscape, particularly when viewed from the foreshore. To protect cultural vegetation patterns in the landscape. To protect locally significant views and vistas that contribute to the character of the landscape, including open views to Wilsons Promontory, the Welshpool Hills and Mt Hoddle. To protect the rural character and views that create a scenic 'gateway' to Wilsons Promontory (especially along Foster – Promontory Road). To ensure that development in and around settlements does not impact on the characteristics of the landscape, including key views and viewing opportunities. To manage development at the coastal edge of settlements so that the intact, natural, coastal character is the dominant feature of the landscape i.e. the Corner Inlet mangrove coastal edge of Port Albert and Port Welshpool and the Waratah Bay dunal coastal edge of Waratah Bay and Sandy Point. To ensure buildings and structures sit within, rather than dominate the landscape. To ensure that long stretches of the coastal strip remain free of development of any kind. To reduce the visibility of buildings or structures, within the coastal strip, outside settlements. To retain the open, rural character of the hinterland landscape. To minimise the visual intrusion of infrastructure and signage, particularly between settlements. To protect landscape character and attributes that are consistent with the Aboriginal cultural heritage values of the area. To recognise, and protect, the landscape of the Corner Inlet Amphitheatre as a place of significant Aboriginal cultural heritage value.	25.70	
State Resource Overlay (SRO)		To protect areas of mineral, stone and other resources, which have been identified as being of state significance, from use and development that would prejudice the current or future productive use of the resource.		No permit trigger A report is required which explains how the proposed use, building, works or subdivision is consistent with

Planning Overlay	Planning Scheme	Objectives	Area of project AoD (ha)	Permit triggers
Schedule 1 (SRO1) Gippsland Brown Coalfields	Latrobe	In order to ensure the medium to long term extraction and use of the coal resource for power generation, building, works and subdivision of land over the resource should be of a type that will not inhibit, by way of community significance or cost of removal, the eventual productive use of that resource.	31.62	the management objective and decision guidelines

Particular Provisions

Clause 50 of the VPP relates to 'Particular Provisions' which apply to a range of matters in addition to zone and overlay requirements. Their purpose is to provide an additional level of guidance to land use and development outcomes. Particular Provisions considered relevant to Marinus Link include:

- *Clause 52.02 Easements, Restrictions and Reserves* seeks to ensure that easements and restrictions are applied appropriately so as to facilitate development that is consistent with the provisions and directions of the planning scheme, while balancing the interests of affected parties.
- *Clause 52.06 Car Parking* seeks to ensure that sufficient parking is made available to staff and visitors are commercial facilities. This will be relevant to the converter station sites and transition station site.
- *Clause 52.17 Native Vegetation* seeks to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017) (the Guidelines).
- *Clause 52.29 Land Adjacent to a the Principal Road Network* aims to manage the impacts of proposed land use and development on identified existing and planned roads.

The draft Planning Scheme Amendment documentation expands upon those provisions.

General Provisions

General Provisions are found at Clause 60 of the VPP and relate to the administration of planning schemes, existing uses, decision guidelines and the referral requirements for planning applications amongst other matters.

General Provisions relevant to Marinus Link include:

- *Clause 62.01 Uses Not Requiring a Permit*
- Cl*ause 62.02-1 Buildings and works not requiring a permit* and *Clause 62.02-2 Building and works not requiring a permit unless specifically required by the planning scheme*
- *Clause 66 Referral and Notice Provisions*.

The draft Planning Scheme Amendment documentation expands on those provisions.

Operational Provisions

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.

Responsible Authority

Whilst Latrobe Council and South Gippsland Council are responsible for administering the respective Planning Schemes, it is highlighted that *Clause 72.01-1* notes that the Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act (and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority), in relation to the use and development of land for a utility installation used to transmit or distribute electricity or for a utility installation used to store electricity if the installed capacity is 1 megawatt or greater.

Land Use Definition

Clause 73 Meaning of Terms sets out the meaning of land use terms within the Planning Scheme.

The Marinus Link project is defined in the Victorian Planning Schemes as a 'utility installation', being "*Land used:… to transmit, distribute or store power*".

POLICY AND GUIDELINES

Further to **section 3.3** of the Land Use and Planning Impact Assessment report, a number of State and regional policies are relevant to the project and the Study Area. These include:

- *Coastal Spaces Landscape Assessment Study 2006*
- *Marine and Coastal Policy 2020*
- *Siting and Design Guidelines for Structures on the Victorian Coast 2020*
- *Marine and Coastal Strategy 2022*
- *Victoria's Climate Change Strategy 2021*
- *Water for Victoria 2016*
- *South Gippsland Rural Land Use Strategy 2011*
- *Strong, Innovative, Sustainable: A new strategy for agriculture in Victoria 2020*
- *Victoria's Regional Statement 2015*
- *Guidelines for the removal, destruction or lopping of native vegetation 2017*
- *Gippsland Regional Plan 2020-2025*
- *Victoria's Infrastructure Strategy 2021-2051*

These policies are briefly summarised below.

State and Regional Policies

Coastal Spaces Landscape Assessment Study 2006

The Coastal Spaces Landscape Assessment Study provides a thorough assessment of landscape characteristics and identification of visually significant landscapes across Victoria's coasts and hinterland and provides a detailed implementation framework to assist local government, landholders and other agencies to manage future development impacts within the coastal landscape.

The project is located within regionally significant landscape character areas described as South Gippsland Coastal Plains (Waratah Bay / Corner Inlet) and Strzelecki Highlands (Welshpool Hills and Mount Hoddle), where the land is noted for its 'scenic coastal landforms and extensive views to the Promontory' and 'the topographic 'amphitheatre' setting to Corner Inlet' where the hills form 'highly visible backdrops to coastal hinterland areas'. A range of policy was recommended for inclusion in Planning Schemes and was subsequently included in the Victoria Planning Provisions at what is now Clause 12.02-1S.

While the initial construction process will have visibility within the identified significant landscape character areas, it should be noted that any physical landscape changes associated with construction activity, laydown areas and access arrangements is temporary.

The majority of infrastructure associated with the project between the Waratah Bay shore crossing and the optional converter station sites at Driffield or Hazelwood will be constructed beneath the land surface. Any impacts on the landscape as a result of the construction process, dredging and any presence of plant and machinery such as may be involved in construction, specifically HDD drill pads and laydown areas will be temporary and is to be removed following construction. The ongoing operation of the project is not considered to threaten the significant landscape or visual qualities identified in this assessment. Visual impacts are further considered in EIS/EES Technical Appendix R: Landscape and Visual.

Marine and Coastal Policy 2020

DELWP released the *Marine and Coastal Policy* in March 2020 with the aim to guide decision makers in the planning, management and sustainable use of coastal and marine environments. It provides direction to

decision makers including local councils and land managers on a range of issues such as dealing with the impacts of climate change, population growth and ageing coastal structures.

The Policy applies to the planning and management of all private and public land and waters between the outer limits of the Victorian coast and five kilometres inland of the highwater mark, including 200 metres below the surface of that land.

The Policy includes a Marine Spatial Planning Framework which guides long term planning and management of Victoria's marine environment in an integrated and coordinated way.

In responding to the overall guiding principles of the *Marine and Coastal Act 2018*, the *Marine and Coastal Policy* elevates the importance of considering the marine and coastal environment in all planning and decision making on development, land use and other activities within these areas. As a contemporary, state significant utility infrastructure project, Marinus Link has been conceived with sustainable land use and development as a key driving principle. In this sense the project can be seen as directly supportive of the objectives of the *Marine and Coastal Act 2018*, specifically *Objective F – to promote the ecologically sustainable use and development of the marine and coastal environment and its resources in appropriate areas.*

In accordance with the *EE Act* the EIS/EES process to which this report contributes, has been subject to the preparation of an EES. Consistent with the Marine and Coastal Policy, the preparation of the EIS/EES ensure that decision making is based on evidence through thorough risk based assessment. The statement outlines how the construction, operation and decommissioning of the project will be carefully managed so as to ensure that its impact on the Marine and Coastal Environment can be avoided where possible and mitigated where unavoidable, and by complying with the EPRs deemed appropriate for the assessment of the project.

The Marine and Coastal Policy includes a range of objectives to ensure “a healthy, dynamic and biodiverse marine and coastal environment” that “benefits the Victorian community, now and in the future” (policy p8). These include objectives relating to: Traditional Owners’ rights, aspirations and knowledge; Ecosystems and habitats; Natural features and landscapes; Cultural values and heritage sites; Value of marine and coastal Crown land; Managing coastal hazard risk; Emergency response and preparedness; Coastal settlements; Marine and coastal industries; Recreation and tourism; Buildings, structures and access; Stewardship and collaborative management; Funding for sustainable management of marine and coastal Crown land; and Marine Spatial Planning Framework.

Having considered the project in the context of these objectives and associated policies, the following is noted:

- As part of the preliminary design of the project, Traditional Owner groups (including Gunaikurnai Land and Waters Aboriginal Corporation, Bunurong Land Council Aboriginal Corporation, and Boonwurrung Land and Sea Council Aboriginal Corporation) have been consulted and their views taken into consideration to inform the development of the project, to ensure that it responds to Traditional Owners’ rights, aspirations, and knowledge. The Cultural Values Assessment will identify both tangible and intangible cultural values that the Traditional Owner groups associate with the study area, to understand their concerns regarding the ways in which project activities might negatively impact these values. Details of the assessment of cultural heritage values and potential impacts of the project is contained in the EIS/ESS Technical Appendix J: Aboriginal and Historical Cultural Heritage and EIS/EES Technical Appendix I: Underwater Cultural Heritage and Archaeology, with appropriate identification of EPRs relating to the management of potential impacts of the project on cultural values and heritage sites. Importantly, the project has been designed to maintain access to and use of the marine and coastal environment and with the implementation of EPRs does not impact on any known historic (post-contact) heritage values. The EPRs will enable impacts to any unknown heritage values to be minimised as the project progresses and be appropriately managed through implementation of Cultural Heritage Management Plans and ongoing engagement and partnership with Traditional Owners.

- Potential impacts on ecosystems and habitats are considered within EIS/EES Technical Appendix E: Terrestrial Ecology and EIS/EES Technical Appendix H: Marine Ecology and Resource Use. The project has sought to minimise impacts to the marine and coastal ecosystems consistent with the Marine and Coastal Policy through the proposed design and construction approach along with implementation of EPRs developed to avoid and minimise impacts to ecological values. Through the design of the project and implementation of EPRs, the project aims to achieve best practice in the management of the marine and coastal ecosystems. No impacts are predicted at the shore crossing on beach morphology, coastal processes, or beach habitats and associated intertidal flora and fauna. Seabed disturbance impacts to water and sediment quality, seabed habitats and associated benthic biological communities are short-term and recoverable. EPRs propose strategies to manage impacts of noise and light on fauna, and to minimise the risk of introducing or translocating of invasive marine species. These assessments have considered both direct and indirect impacts, as well as cumulative impacts, consistent with the Marine and Coastal Policy.
- Potential impacts on water and soils have also been assessed to inform the project. Potential for disturbance of acid sulfate soils are considered in EIS/EES Technical Appendix N: Contaminated Land and Acid Sulfate Soils. Consistent with the Marine and Coastal Policy, the assessment proposes EPRs to manage and mitigate potential environmental hazards, including the requirement to develop and implement an acid sulfate soils (ASS) management plan, consistent with the *Victorian Acid Sulphate Soils Strategy 2009* and *Victorian Best Practice Guidelines for Assessing and Managing Coastal Acid Sulphate Soils 2010*. Water and soil impacts have also been considered in the EIS/EES Technical Appendix Q: Surface Water having regard to the relevant provisions of the Environment Reference Standards in accordance with the EP Act, EPA Victoria publications and in EIS/EES Technical Appendix O: Geomorphology and Geology, and whereby impacts can be minimised and managed through appropriate design, construction, and operational strategies.
- Natural features and landscapes (including seascapes) in the marine and coastal environment are considered in the EIS/EES Technical Appendix R: Landscape and Visual. It found that most the project's visual impacts have been avoided through the undergrounding of the proposed transmission lines and rehabilitation following construction. Construction impacts on coastal areas and sensitive landscapes will be mitigated through HDD rather than open-cut trenching, avoiding surface disturbance and clearing. EPRs have been proposed to assist with managing the project's residual visual impacts, including strategies to reduce the prominence of the converter station, and to screen and manage views from public roads, ensuring that the project is consistent with the Marine and Coastal Policy.
- Public access will be retained to coastal Crown land, with temporary exclusion zones in waters during construction as discussed in the EIS/EES Technical Appendix H: Marine Ecology and Resource Use. As detailed in this Land Use and Planning Impact Assessment, Crown land licences may be required where the project affects Crown land and would be obtained following the Minister’s assessment of the EIS/EES and confirmation of the final project alignment.
- EIS/EES Technical Appendix C: Climate Change considers the impacts of sea level rise and extreme weather affecting the project. These risks have been considered in the design of the project, with additional EPRs proposed to address the risk, and ensuring that buildings and structures are resilient and safe. Erosion and inundation risks are also considered withing the EIS/EES Technical Appendix Q: Surface Water and EIS/EES Technical Appendix O: Geomorphology and Geology, ensuring that the project is designed and located appropriately consistent with the objectives of the Marine and Coastal Policy.
- The project would have minimal impacts on the recreation and tourism values of the coastal and marine area as assessed in this Land Use and Planning Impact Assessment, as well as the EIS/EES Technical Appendix H: Marine Ecology and Resource Use and EIS/EES Technical Appendix U: Social.

- The various technical assessments undertaken to inform the EIS/EES confirm that the project has appropriately designed and located structures, responsive to the policy of the Marine and Coastal Policy with regards to ecological, cultural heritage, geomorphological, hydrological, geological, and landscape values, and considers noise and visual impacts. Proposed infrastructure of Crown land will be underground, such that use of and access to Crown land may be maintained.

Siting and Design Guidelines for Structures on the Victorian Coast 2020

The *Marine and Coastal Policy* provides the policies for use and development on the coast. The Guidelines provide further details, examples of excellence and inspiration for how the policies apply. The Guidelines apply to all development on Victoria's coast, whether on public or private land. They provide a set of fundamental considerations that underpin best practice for future use and development of structures and facilities on the coast.

The Guidelines apply to the planning and management of matters relating to, and affecting, the marine and coastal environment as defined in the *Marine and Coastal Act 2018*. The Guidelines also provide direction for coastal development proposals on private land, by informing the application of policies set out in the Victorian Planning Provisions.

As defined in the *Marine and Coastal Act 2018,* the marine and coastal environment includes all private and public land and waters between the outer limit of Victorian coastal water and five kilometres inland of the high-water mark of the sea. The main project components, being most accurately defined in a planning consideration as a 'utility installation', are not specifically provided for or referenced in the guidelines. However, due to the spatial requirements of the project, the shore crossing and transition station at Waratah Bay is considered essential and would be designed to be visually unobtrusive and not a feature in the landscape.

EIS/EES Technical Appendix R: Landscape and Visual found that most of the project's visual impacts have been avoided through the undergrounding of the proposed transmission lines and rehabilitation following construction. Construction impacts on coastal areas and sensitive landscapes will be mitigated through HDD rather than open-cut trenching, avoiding surface disturbance and vegetation clearing. EPRs have been proposed to assist with managing the project's residual visual impacts, including strategies to reduce the prominence of the converter station, and to screen and manage views from public roads, ensuring that the project is consistent with the Siting and Design Guidelines.

Marine and Coastal Strategy 2022

The *Marine and Coastal Strategy 2022* provides for the sustainable use and management of the health of the marine and coastal environment. It is a five-year action plan to implement the *Marine and Coastal Policy 2020*. The Strategy sets out six actions with supporting activities to achieve these objectives.

- *Action 1: Traditional Owners determine how their rights and obligations are embedded into planning and management of the marine and coastal environment*
- *Action 2: Improve the condition and ecological connectivity of habitats and respect and care for our marine and coastal areas*
- *Action 3: Adapting to impacts of climate change*
- *Action 4: Support sustainable use and development of the marine and coastal environment*
- *Action 5: Implement the Marine Spatial Planning Framework*
- *Action 6: Identify resource needs for sustainable marine and coastal management*

This strategy, particularly Action 4, has relevance in the EIS/EES process for Marinus Link and relates to Objective F of the *Marine and Coastal Policy 2020*. The EIS/EES has made appropriate consideration of the project's potential impact on the marine and coastal environment, processes and activities through completion of technical assessments that address the environmental impacts relevant across a range of disciplines. The

technical assessments provide recommendations as to the management of each phase of the project, including proposing appropriate EPRs to further manage and mitigate potential impacts which will comply with the objectives of the *Marine and Coastal Strategy 2022*.

Victoria's Climate Change Strategy 2021

Victoria's Climate Change Strategy identifies the Government's long-term vision for climate change action. The vision for 2050 for Victoria is for net-zero emissions by increasing energy efficiency and productivity, moving to a clean electricity supply, electrifying our economy and switching to clean fuels; and reducing non-energy emissions and increase carbon storage. Amongst the policies set to achieve this, are:

- *50 per cent of Victoria's electricity sourced from renewables.*
- *All Government operations, including schools, hospitals, metropolitan trains and trams will be powered by 100 per cent renewable electricity from 2025.*
- *Cessation of commercial native timber harvesting in Victoria's state forests.*

The project will facilitate Victoria's additional access to Tasmania's hydroelectric generation and energy storage infrastructure, assisting the State in meeting the vision for 2050, set out in *Victoria's Climate Change Strategy 2021* by reducing general reliance on fossil fuels in both government and private sectors. By utilising existing power distribution infrastructure centred around Hazelwood, the project will connect the Victorian energy grid to clean and renewable energy generation infrastructure.

Water for Victoria 2016

Water for Victoria provides a long term framework to guide smarter water management, bolster the water grid and support more liveable Victorian communities. The actions set out in Water for Victoria support a healthy environment, a prosperous economy with growing agricultural production, and thriving communities.

Key actions of Water for Victoria include (among others):

- *Protect water quality through the State Environment Protection Policy; and*
- *Support regional development and change.*

Groundwater and surface water impact assessments have been undertaken and form part of the EIS/EES prepared for the project under the EE Act.

EIS/EES Technical Appendix P: Groundwater identified project construction and operation activities with the potential to alter groundwater levels or volume or affect environmental values of groundwater as well as those activities with the potential to cause groundwater contamination. The report contains a range of management and mitigation measures, recommended to limit both direct and residual impacts.

EIS/EES Technical Appendix Q: Surface Water appropriately considers the Environment Reference Standards in accordance with the EP Act, EPA Victoria publications and recommends measures to avoid and mitigate potential risks to surface water. Particularly, the assessment considered direct and residual potential impacts associated with the construction and operational activities of the project and recommends mitigation measures where these impacts cannot be avoided.

Strong, Innovative, Sustainable: A new strategy for agriculture in Victoria 2020

The Victorian Agriculture Strategy recognises the sector's importance to economic growth and its potential for enhancing social and economic wellbeing across Victoria. The Strategy recognises a number of challenges for Victorian farmers including adaptation to climate change. In part, the strategy seeks to '*protect and enhance the future of agriculture by ensuring it is well-placed to respond to climate change, pests, weeds, disease and increased resource scarcity*'.

EIS/EES Technical Appendix K: Agriculture and Forestry considers the potential impacts of the project on agriculture and forestry. The project is considered to have short-term impacts upon existing agricultural operations during construction and during operation there will be some restrictions on activities within the

cable easement. The construction phase impacts result from the disturbance of existing land uses by physical construction operations, laydown areas and both internal and external land access disruptions. Regional road and freight movement could also be impacted however these impacts are considered minor and will be temporary. At the completion of the construction phase, agricultural land will be returned to its original condition and use. Occasional access throughout the lifespan of the operational phase of the project will be required to be ensured through the implementation of easements placed on land titles, however this is not expected to impact meaningfully on any ongoing agricultural activities.

Beyond the construction and operational aspects, the project will see broader State and regional benefits through increased access to clean energy and a reduced reliance on more environmentally impactful means of energy production and associated resource extraction which formerly took place in the region.

South Gippsland Rural Land Use Strategy 2011

This strategy provides recommendations to update policy in the planning scheme to assist in the control of subdivision and development of dwellings in rural areas, and has since been implemented in the South Gippsland Planning Scheme at Clauses 14 and 17.

In consideration of this policy and its translation into local planning schemes, it is recognised that the impact of the project will be primarily limited to the construction phase, specifically the localised disturbance to these uses by temporary occupation of land for accessways, laydown areas and haul roads as well as the construction activity itself. At the completion of the construction phase, land which is not required for above ground infrastructure such as the Converter Station(s) and Transition Station will be rehabilitated to its previous ground condition and use.

The project will not have any significant or permanent impact on existing and ongoing strategically valued land uses, namely resource exploration and extraction for brown coal, agricultural land and plantation timber production.

Victoria's Regional Statement 2015

Victoria's Regional Statement identifies the diverse aspects of Victoria's regional economy, including food, fibre, tourism, manufacturing and natural resources. The Statement identifies that Government supports 'sustainable enterprises such as nature-based tourism, resource recovery / recycling industries and clean and innovative industries that have a natural home in the regions, such as new energy technology.' Further, the Statement identifies that the Victorian Government is committed to a $20 million fund (New Energy Jobs Fund) to support Victorian-based new energy technology projects that create or preserve long term sustainable jobs.

The Statement specifically identifies the Gippsland region as traditionally deriving its growth from '*its strengths in natural resources, energy, agriculture and forestry, manufacturing and tourism'.* In addition, *'the region produces around 90 per cent of Victoria's electricity, 97 per cent of Victoria's natural gas*.'

The project will strengthen the established role that the region plays in Victoria's energy production and distribution, particularly in making use of existing energy distribution infrastructure, allowing a more seamless transition from fossil fuel energy generation to a greater reliance on clean and sustainable sources.

Guidelines for the removal, destruction or lopping of native vegetation, 2017

The Guidelines set out and describe the application of Victoria's state-wide policy in relation to assessing and compensating for the removal of native vegetation, including the assessment of impacts from removing native vegetation on biodiversity and other values and how offsets are calculated and established to compensate for the loss in biodiversity value from the removal of native vegetation. The Guidelines are incorporated into all planning schemes in Victoria. This means that the Guidelines (as relevant and appropriate):

- *Must be considered by planning authorities when preparing a planning scheme amendment.*
- *Must be considered by responsible authorities when making decisions in relation to development plans.*

- *Must be applied when a permit is required under Clauses 52.16 or 52.17 of planning schemes.*
- *Must be applied when developing a Native Vegetation Precinct Plan (NVPP).*
- *May be considered in other planning decisions to meet state-wide objectives for native vegetation protection and management.*

The project has been designed to avoid impacts on native vegetation to the extent reasonably practicable and to minimise these impacts where native vegetation removal cannot be avoided. The amendment includes a proposed incorporated document to be inserted into both the South Gippsland and Latrobe Planning Schemes, allowing vegetation to be removed prior to the securing of offsets, which will ensure that time-sensitive vegetation removal, where required, can occur when necessary without sacrificing timely project delivery through one-off planning approval processes, mitigating the associated administrative burden this would otherwise have on Councils.

These Guidelines have been considered in detail in EIS/EES Technical Appendix V: Terrestrial Ecology.

Gippsland Regional Plan 2020-2025

The *Gippsland Regional Plan 2020-2025* is the region's strategic plan for improving the economic, social, cultural, and environmental outcomes for the Gippsland region. The plan highlights the region as a leading energy producer with extensive transmission networks, and whereby Gippsland is leading technology advancements of carbon capture and storage, wind, solar farm developments, and research and development across renewable and clean energy production (amongst other regional advantages). Part of the regional vision is as a supplier of renewable energy.

The Plan notes that "*Gippsland's $16 billion economy has long leveraged our diverse and worldclass natural resources to underpin our reputation in energy production, timber production, food and fibre, horticulture, and tourism… We will continue to responsibly leverage our natural advantages as we embark on a path of innovation and investment in high-value industries to create a future economy with greater prosperity and sustainability*."

The significance of Gippsland's existing infrastructure is further leveraged by the project: *"Our renewable and clean energy opportunities are amplified by Gippsland's significant advantages of legacy high-capacity electricity transmission network, support businesses and power industry trained workforce, that also support the declaration of Gippsland as one of Australia's Renewable Energy Zones."* …

"A key competitive advantage for Gippsland in attracting these new energy investments is our high capacity transmission infrastructure, an important legacy of our traditional power generation that connects Gippsland to the National Electricity Market, and to Tasmania. We must continue to develop Gippsland's position as a world-class innovative energy hub, with a declaration of Gippsland as a Renewable Energy Zone a key requirement."

The economic benefit of embracing key energy infrastructure projects such as the project is noted to include a potential boost in the local employment market.

Victoria's Infrastructure Strategy 2021 – 2051

The Strategy presents a vision for a thriving, inclusive and sustainable Victoria over the next 30 years. It contains 94 recommendations for projects, policies, and reforms, spanning many types of infrastructure. They are based on extensive evidence, research and consultation and informed by innovative land use and transport modelling and represent a capital cost of around $100 billion over 30 years. The strategy is divided into four themes focused on confronting long-term challenges, managing urban change, harnessing infrastructure for productivity and growth and developing regional Victoria.

In particular, the strategy includes recommendations to navigate the energy transition to achieve the Victorian target of net zero emissions by 2050, while retaining an affordable, sustainable and reliable energy system,

and support climate change adaptation, improving infrastructure resilience to emergencies and regional economic development. Recommendation 3 is particularly relevant:

Augment electricity transmission for renewable energy and resilience: Support augmentation of critical electricity transmission infrastructure by 2027–28 to accommodate new renewable energy generation and improve network resilience and reliability through interconnection with other states.

It also identifies the top infrastructure priorities for Victoria's nine regions – including the project, and states:

The Australian Energy Market Operator (AEMO) is responsible for planning Victoria's transmission network. Through its Integrated System Plan for the National Electricity Market, AEMO has identified two critical transmission extensions for Victoria: Victoria – New South Wales Interconnector (VNI) West and Marinus Link. Both projects provide access to, and support, renewable energy development in Victoria and assist in meeting the net zero emissions goal.

… The Marinus Link project is a second, and potentially third, underground and undersea cable between Victoria and Tasmania that would access Tasmania's hydroelectricity. Three projects totalling 1.7GW have been shortlisted within the Battery of the Nation project to proceed to feasibility studies. The Victorian Government can assist by progressing design and approvals processes to support the project being shovel-ready by 2023–24, allowing the first cable to be delivered by 2028–29. This project should be delivered no later than 2036–37. Cost recovery and allocation issues will need to be resolved before the project proceeds.

As a key state-significant infrastructure project, Marinus Link responds directly and positively to Victoria's Infrastructure Strategy 2021-2051. The utilisation of energy transmission infrastructure in Hazelwood represents the preferred augmentation of infrastructure to support renewable energy provision in Victoria and network resilience, allowing renewable energy transmission from Tasmania to be distributed within the main Victorian energy grid.