

Planning and Environment  
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## PLANNING PERMIT

<b>Permit No.:</b>	PA2503835
<b>Planning scheme:</b>	Wellington Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	<ul style="list-style-type: none"> <li>• Crown Allotment 23B, Section A, Parish of Alberton West, Vol 06276 Fol 023</li> <li>• Crown Allotment 23A, Section A, Parish of Alberton West, Vol 08418 Fol 802</li> <li>• Crown Allotment 1, Section A, Parish of Alberton West, Vol 10360 Fol 155</li> <li>• Lot 1 on Title Plan 578219F Vol 09793 Fol 782</li> <li>• Crown Allotment 24B, Section A, Parish of Alberton West, Vol 09406 Fol 296</li> <li>• Lot 1 on Title Plan 110485V, Vol 10183 Fol 193</li> <li>• Lot 1 on Title Plan 754717H, Vol 08603 Fol 663</li> <li>• Lots 1 and 2 on Title Plan 865659A, Vol 04729 Fol 636</li> <li>• Crown Allotment 78C, Parish of Alberton West, Vol 08617 Fol 567</li> <li>• Lot 2 on Plan of Subdivision 092727, Vol 09060 Fol 386</li> <li>• Crown Allotment 55A, Parish of Alberton West, Vol 10684 Fol 163</li> <li>• Lot 1 on Title Plan 578908F, Vol 09810 Fol 905</li> <li>• Lot 1 on Plan of Subdivision 506513A, Vol 10685 Fol 365</li> <li>• Crown Allotments 62 &amp; 62A Parish of Alberton West Vol 10890 Fol 142</li> <li>• Crown Allotments 53, 54, 59 &amp; 60 Parish of Alberton West Vol 05387 Fol 290</li> <li>• Crown Allotment 49B, Parish of Alberton West, Vol 03387 Fol 244</li> <li>• Lot 2 on Plan of Subdivision 404524N, Vol 10316 Fol 253</li> <li>• Lots 1,2 &amp; 3 on Title Plan 943340C, Vol 08820 Fol 377</li> <li>• Plan of Consolidation 362145 Vol 10415 Fol 520</li> <li>• Crown Allotment 12A Parish of Alberton West Vol 08137 Fol 959</li> <li>• Lot 1 on Title Plan 109933C, Vol 10060 Fol 723</li> <li>• Lot 1 on Title Plan 221442V Vol 08137 Fol 957</li> <li>• Lot 1 on TP004297P Vol 10233 Fol 349</li> <li>• Lot 1 on TP221443T Vol 08137 Fol 958</li> <li>• Lot 1 on Plan of Subdivision 714292D Vol 11439 Fol 675</li> <li>• Lot 2 on Plan of Subdivision 714292D Vol 11439 Fol 676</li> <li>• Lot 7 on Plan of Subdivision 004703 Vol 03173 Fol 544</li> <li>• Lot 2 on the Plan of Subdivision 617385M Vol 11082 Fol 236</li> <li>• Lot 1 on Title Plan 864748G Vol 06410 Fol 974</li> <li>• Lot 1 on Title Plan 128952Q Vol 09083 Fol 984</li> <li>• Lot 1 on Title Plan 222737U Vol 05824 Fol 685</li> <li>• Lot 3 on Plan of Subdivision 004703 Vol 03437 Fol 310</li> <li>• Lot 5 on Plan of Subdivision 004703 Vol 03141 Fol 079</li> <li>• The road reserves of the: <ul style="list-style-type: none"> <li>○ South Gippsland Highway</li> <li>○ Old Alberton West Road</li> <li>○ Great Southern Rail Trail</li> <li>○ Unnamed Government Roads</li> </ul> </li> </ul>

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**THE PERMIT ALLOWS:**

<b>Planning scheme clause</b>	<b>Matter for which the permit has been granted</b>
33.01-1	Use of land for a wind energy facility and utility installation.
33.01-4	Construct a building or construct or carry out works.
35.07-1	Use of the land for a wind energy facility and utility installation.
35.07-4	Construct a building or construct or carry out works associated with a use in section 2 of clause 35.07-1. Building setback less than 20m from a road.
36.04-1	Use of land for utility installation.
36.04-2	Construct a building or construct or carry out works for any use in section 2 of clause 36.04-1.
36.03-1	Use of land for utility installation.
36.03-2	Construct a building or construct or carry out works.
43.02-2	Construct a building or construct or carry out works.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.
52.29-2	Create or alter access to a road in a Transport Zone 2.
52.32-2	Use and develop land for a wind energy facility.

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:**

**Development plans**

1. Before the use and development starts, amended development plans must be approved and endorsed by the responsible authority. The development plans must be fully dimensioned and drawn to scale. The plans must be generally in accordance with the advertised plans titled 'Gelliondale Wind Farm' and dated between December 2024 and May 2025, but modified to include:

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- a. Detailed, fully dimensioned location / site layout, floor, elevation and other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings and works, including:
  - i. The location of the permanent meteorological masts and an annotation confirming that they will be lit with aviation hazard lighting until all wind turbines are constructed.
  - ii. All turbines located outside of the Bushfire Management Overlay (BMO).
- b. Georeferenced information (such as VicGrid94 co-ordinates), that clearly shows the location of all native vegetation present, including scattered trees, and clearly identify what vegetation is to be retained or removed under this permit, and describe the measures to be used during construction to protect retained vegetation.
- c. The location and areas of all native vegetation on-site within 30 metres of any buildings and works, including tree protection zones of native trees calculated in accordance with Australian Standard 4970 Protection of Trees on Development Sites.
- d. Any staging of the permitted development.
- e. A maximum of 13 wind turbines with the following specifications:
  - i. Maximum blade tip height of 210 metres above ground level.
  - ii. Minimum blade tip clearance of 40 metres from ground level.
  - iii. Maximum rotor diameter of 164 metres.
- f. The colours and finishes of all buildings and works (including turbines), which must be non-reflective to minimise the visual impact of the development on the surrounding area.
- g. Any changes required to comply with any of the conditions of this permit, including CFA conditions 50 to 54.

**Micro-siting of turbines**

2. Before the use and development starts, a micro-siting plan must be approved and endorsed by the responsible authority, identifying a footprint at ground level within which each turbine may be located. Once endorsed the micro-siting plan will form part of this permit.

The micro-siting plan must be fully dimensioned and drawn to a scale. The footprint for each turbine identified on the micro-siting plan:

- a. Must not extend more than 100 metres in any direction from the centre of the turbine at ground level as shown on the development plans endorsed under condition 1.
  - b. Must not be within 1 km of a dwelling unless the operator has provided evidence to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint.
  - c. Must not include native vegetation (other than native vegetation approved for removal by this permit).
3. Any changes to access tracks, electricity cabling and associated infrastructure arising from micro-siting a turbine in accordance with an endorsed micro-siting plan do not require further written consent of the responsible authority, and do not require amendments to the development plans endorsed under condition 1.
  4. The endorsed micro-siting plan must not be altered or modified without the written consent of the responsible authority.

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**Staging**

5. The use and development may be completed in stages in accordance with the development plans endorsed under condition 1. The corresponding obligations under this permit may be completed in stages.

**Off-Site Landscaping Program**

6. Before the use and development starts, an off-site landscaping program must be submitted to, approved and endorsed by the responsible authority. When endorsed, the off-site landscaping program will form part of this permit.

The off-site landscaping program must:

- a. Include a plan identifying all non-stakeholder dwellings within 5 kilometres of a turbine.
  - b. Include a methodology for determining:
    - i. The type, amount and location of landscaping treatments to be proposed.
    - ii. A timetable for establishing and maintaining the landscaping for at least two years.
  - c. Include a process for consultation with affected landowners to undertake landscaping on affected landowner's land.
  - d. Include a process for the preparation and provision of progress reports regarding the implementation of the endorsed off-site landscaping program to be provided to the responsible authority annually from the date of this permit, and at other times on request.
7. The endorsed off-site landscaping program:
- a. Must be implemented to the satisfaction of the responsible authority.
  - b. Must not be altered or modified without the written consent of the responsible authority.

**Operational Environmental Management Plan**

8. Before the use starts, an Operational Environmental Management Plan (OEMP) must be approved and endorsed by the responsible authority.

The OEMP must:

- a. Include measures to avoid and minimise amenity and environmental impacts during the operation of the energy facility.
- b. Include design measures and / or procedures to manage dust, odour, light spill, mud, flood, surface water quality and stormwater run-off.
- c. Include response measures to environmental incidents, including a program for recording and reporting environmental incidents.
- d. Include organisational responsibilities, and procedures for staff training and communication.

**Light Spill Management**

9. All lighting installed and operated at the site must comply with Australian Standard 4282 Control of the obtrusive effects of outdoor lighting.
10. The wind turbines must not be illuminated, unless with the prior written consent from the responsible authority.

**Shadow Flicker**

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11. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any pre-existing dwelling as of 25 August 2025, unless an agreement has been entered into with the relevant landowner waiving this requirement. The agreement must be in a form that applies to the land comprising a pre-existing dwelling for the life of the wind energy facility, to the satisfaction of the responsible authority, and must be provided to the responsible authority upon request.

**Telecommunications and Electromagnetic Interference**

12. Before the development starts, a Telecommunications, Television and Radio Reception Strength Survey must be approved and endorsed by the responsible authority. Once endorsed, the survey will form part of this permit.

The Telecommunications, Television and Radio Reception Strength Survey must:

- a. Be carried out by a suitably qualified and experienced telecommunications or electromagnetic interference specialist.
  - b. Include a baseline survey of all relevant services, including, Bureau of Meteorology radar, mobile phone services and GPS guidance systems used for precision agronomy, within 5 kilometres of the wind energy facility to enable the average signal strengths to be determined for all relevant services.
  - c. Include testing at selected locations within 5 kilometres of the facility to enable the average telecommunications, television and radio reception strength to be determined.
13. If a complaint is received regarding the effect of the facility on telecommunications, television or radio reception at a pre-existing dwelling as of 25 August 2025 within 5 kilometres of the site, the operator must:
- a. Investigate the complaint in accordance with the Complaint Investigation and Response Plan required by this permit;
  - b. If the investigation indicates that the facility has had a detrimental impact on the quality of reception, restore reception at the pre-existing dwelling to at least the quality determined in the Telecommunications, Television and Radio Reception Strength Survey required by this permit, all to the satisfaction of the responsible authority.

**Wind Turbine Noise**

14. In conditions 14 to 17:
- a. 'the Standard' means New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise.
  - b. Noise sensitive location means a location that meets the definition in the Standard and that was present at 25 August 2025.
15. Before development starts, a Predictive Noise Assessment based on the final turbine layout and turbine model to be installed must be undertaken and the results submitted to the responsible authority.
- The Predictive Noise Assessment must:
- a. Demonstrate to the satisfaction of the responsible authority that the proposal can comply with the Standard including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard, including an assessment of dwelling H13.
  - b. Be made publicly available and readily accessible from the wind farm project website, or another publicly available resource to the satisfaction of the responsible authority.
16. An environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017*, must prepare a report that verifies if the acoustic assessment undertaken for the purpose of the Predictive

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Noise Assessment has been conducted in accordance with the Standard. The verification report must be made publicly available and readily accessible from the wind farm project website, or another publicly available resource to the satisfaction of the responsible authority.

17. The requirements of conditions 15 and 16 may be completed in stages where this permit provides for the approved development to be constructed in stages.

**Other Noise**

18. Before the endorsement of development plans in accordance with condition 1 of this permit, a Predictive Noise Assessment must be submitted to the responsible authority and must:
- Model the final design layout and all electrical components of the facility and assess this against EPA Publication 1826.5.
  - Demonstrate compliance of the proposal with EPA Publication 1826.5, including an assessment of dwelling H13.
  - Include details of any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.5.
19. All measures relied on to achieve compliance with EPA Publication 1826.5 must be shown on the development plans under condition 1 and implemented to the satisfaction of the responsible authority.
20. The Predictive Noise Assessment must be made available to the public upon request.
21. The requirements of condition 18 may be completed in stages where this permit provides for the approved development to be constructed in stages.

**Complaint Investigation and Response Plan**

22. Before the use and development starts, a complaint investigation and response plan (CIRP) must be submitted to, approved and endorsed by the responsible authority.

The CIRP must:

- Respond to all aspects of the construction and operation of the facility, other than operational noise from the turbines.
  - Be prepared in accordance with Australian Standard 10002:2022 Guidelines for complaint management in organisations.
  - Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).
23. The endorsed CIRP must:
- be implemented to the satisfaction of the responsible authority.
  - not be altered or modified without the written consent of the responsible authority.

**Publishing Information About Complaints Handling**

24. Before the use and development starts, the following information must be made publicly available and readily accessible from the wind farm project website, or another publicly available resource to the satisfaction of the responsible authority:
- A copy of the endorsed CIRP.
  - A toll-free telephone number and email contact for complaints and queries to the wind energy facility operator.

**Complaints Register**

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25. Before the use and development starts, a Complaints Register must be established which records:
- The complainant's name and address (if provided), including any applicable property reference number contained in the advertised plans titled 'Gelliondale Wind Farm' and dated between December 2024 and May 2025.
  - A receipt number for each complaint, which must be communicated to the complainant.
  - The time and date of the incident, and operational conditions at the time of the incident.
  - A description of the complainant's concerns.
  - The process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.
26. All complaints received must be recorded in the Complaints Register.
27. A complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the responsible authority on each anniversary of the date of this permit and at other times upon request.

**Department of Energy, Environment and Climate Action (DEECA) Conditions (recommending referral authority)**

Notification of permit conditions

28. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Native Vegetation Removal

29. Before any works start, a native vegetation protection fence must be erected around or along all patches of native vegetation and scattered trees to be retained on site and on any adjoining road reserves, including in the vicinity of access/egress construction or upgrade locations. This fence must be erected at:
- A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - Between the patch(es) of native vegetation and construction works (to fence off the construction area from surrounding native grass), at a minimum distance of 2 metres from retained native vegetation.

The protection fence must be constructed of star pickets and plain wire, para-webbing or similar durable and clearly visible material and marked as No-Go-Zones, to the satisfaction of the responsible authority. All tree protection zones must comply with AS4970-2025 Protection of trees on development sites, to the satisfaction of the responsible authority. The protection fence must remain in place for the life of the permitted use and development.

30. Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use/development, the following is prohibited:
- Vehicular and pedestrian access;
  - Trenching and soil excavation;
  - Storage and dumping of any soils, materials, equipment, vehicles, machinery or waste products;
  - Construction of entry and exit pits for underground services; or
  - Any other actions or activities that may result in adverse impacts to retained native vegetation.

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Native vegetation offsets

31. The total area of native vegetation permitted to be removed is 1.244 hectares, as identified in Native Vegetation Removal Report NVRR ID: 370\_20241010\_HLO. To offset the removal of 1.244 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- A general offset of 0.422 general habitat units
  - Located within the West Gippsland Catchment Management boundary or South Gippsland Council LGA or Wellington Shire Council LGA; and
  - With a minimum Strategic Biodiversity Value score of at least 0.305
  - The offset(s) secured must also protect 2 large trees must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DEECA, 2025).

Offset evidence

32. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:
- an established first party offset site. This must include:
    - security agreement signed by both parties, and
    - management plan detailing the 10-year management actions and ongoing management of the site; to the satisfaction of DEECA and approved by the Responsible Authority; and/or
    - credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

33. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to DEECA at [PEA.energyproject@deeca.vic.gov.au](mailto:PEA.energyproject@deeca.vic.gov.au).

Construction Environmental Management Plan

34. Before development starts, including the removal of native vegetation, a Construction Environment Management Plan (CEMP) must be prepared in consultation with Department of Energy, Environment and Climate Action (DEECA), and must be submitted to and endorsed by the Responsible Authority. When approved, the CEMP will be endorsed and will form part of this permit.

The CEMP include details regarding the following:

- Measures to be implemented to protect native vegetation and other biodiversity values being retained on site and on land directly adjoining the site, including roadsides, during and post construction.
- Identification of all stockpile, storage, parking and vehicle/machinery storage locations, temporary buildings or yards, and management requirements for this area.
- Appropriate erosion and sediment control measures to ensure that no polluted and/or sediment laden run-off is discharged directly or indirectly into waterways, wetlands or moves offsite.
- Weed control and management on site, including appropriate vehicle and equipment hygiene measures, during construction phase and post construction.
- Monitoring and reporting requirements for all aspects of the construction phase, and all components of, and actions set out in the approved/endorsed CEMP. Monitoring for any construction impacts on

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areas to be retained, protected and enhanced, or impacts on other biodiversity values on and off site, needs to be part of regular monitoring included in the CEMP.

- f. The person/s responsible for the implementation and compliance of each aspect of the CEMP.
- g. Procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).
- h. Procedures to manage mud and debris on the surrounding road network which may occur during construction.
- i. Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.
- j. Procedures to manage waste soil.
- k. A construction timetable, including typical daily start and end times.
- l. West Gippsland Catchment Management Authority requirements in accordance with condition 70.

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

**Bat and Avifauna Management (BAM) Plan**

35. For BAM plan conditions:

- 'listed species' means all bird and bat taxa listed as threatened under the *Flora and Fauna Guarantee Act 1988* (FFG Act) and all bird and bat taxa listed as threatened or migratory under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).
- 'the first turbine commences operating' means the time from which a turbine first commences generating electricity.

36. Before development starts, a Bat and Avifauna Management (BAM) Plan must be prepared, in consultation with DEECA approved and endorsed by the responsible authority. The BAM Plan must include:

- a. A statement of the objectives and overall strategy for minimising bird and bat mortality arising from the operation of the facility, which must include:
  - i. Definitions of impact thresholds that trigger the need for mitigation action.
  - ii. Appropriate contingency/response measures in the event of an impact threshold being met, including an explanation of how the measure will address the impact, as part of a strategy to detect, manage and mitigate impacts to listed species, including species-specific measures for:
    - Blue-winged Parrot
    - Swift Parrot
    - White-throated Needletail
    - White-bellied Sea Eagle
    - Latham's Snipe
    - Fork-tailed Swift
    - Grey-headed Flying-fox
    - Common Bent-wing Bat

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- iii. Processes (including roles, responsibilities, timing) for implementing mitigation measures prior to the endorsement of the BAM Plan.
  - iv. A monitoring, reporting and evaluation program of the effectiveness of any implemented mitigation measures.
  - v. Outline the adaptive management approach to be adopted to manage residual impacts and/or impacts that arise from new information and/or conditions. It should outline the impact thresholds, actions and a process for consultation with DEECA when triggers are met.
  - vi. Provision of mortality estimates predicted for the key species of concern over the life of the windfarm.
  - vii. If offsetting/compensatory measures are included as a response measure, then details regarding the scope, purpose, roles and responsibilities for delivering the compensation action must be included.
  - viii. Details of how the mitigation identified at Section 14 (Conclusions) of the Flora and Fauna Assessment (Nature Advisory, June 2025) will be implemented.
- b. A comprehensive, science-based monitoring and reporting program to monitor mortality of listed species and any other bat and avifauna species. The monitoring and reporting program must commence when the first turbine commences operating and must be carried out for a duration of at least five years. The duration and timing of the monitoring and reporting program may be altered with the written consent of the responsible authority. The monitoring and reporting program must include:
- i. Surveys conducted at a time interval and sampling frequency to ascertain:
    - a. the species, number, age, sex (if possible) and date of any listed species mortality and any other bat and avifauna species mortality.
    - b. seasonal and yearly variation in the number of listed species mortality and any other bat and avifauna species mortality.
    - c. whether further detailed investigations of any potential impacts on listed species and any other bat and avifauna species mortality are warranted.
  - ii. Procedures for the regular removal of any bird or animal carcasses likely to attract raptors to areas near turbines.
  - iii. Procedures for providing all data obtained through the monitoring and reporting program to DEECA, including:
    - a. Procedures for reporting strikes/mortalities of listed species to DEECA Environment Portfolio within 7 days of becoming aware of any strike/mortality.
    - b. Procedures for reporting strikes/mortalities of bat and avifauna species other than listed species to DEECA Regions quarterly.
    - c. Procedures for annual reporting to DEECA and the Responsible Authority, within agreed timeframes of the findings of the mortality and operational monitoring program. Reports must be made publicly available on the operator's website.
    - d. Information on the efficacy of searches for carcasses of birds and bats, and, where practicable, information on the rate of removal of carcasses by scavengers, so that correction factors can be determined to enable calculations of the likely total number of mortalities.

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- iv. At conclusion of the five-year monitoring program, the operator must submit a final report to the Responsible Authority and DEECA setting out the findings of the program to the satisfaction of the Responsible Authority, and make the report publicly available on the operator's website.
- v. After considering the information reported under Conditions 1(b)(iii) 1(c)(i)(a) or the report submitted under the 1(d), the Responsible Authority, after consulting with DEECA, may direct that further consideration of potential or actual impacts on bird and bats is to be undertaken, in which case:
  - a. The duration and details of the further investigations must be to the satisfaction of the Responsible Authority; and
  - b. The investigations must be carried out to the satisfaction of the Responsible Authority.

**Emergency services**

37. Before the development starts, the permit holder must provide spatial information data to Land Use Victoria via email [vicmap@transport.vic.gov.au](mailto:vicmap@transport.vic.gov.au) to be used to direct emergency services to and within the site. This information must be in the ESRI Shapefile or Geodatabase .gdb format, GDA94 or GDA2020 datum and include:
- a. The location and boundaries of the facility extents polygon(s)
  - b. Tower location and name/number.
  - c. All access entry points onto private property.
  - d. All internal roads.
  - e. The locations of site compound, substations, maintenance facilities, and anemometers.
38. If there are any subsequent changes to infrastructure location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email [vicmap@transport.vic.gov.au](mailto:vicmap@transport.vic.gov.au) within 30 days of the change, to enable details of any changes to the facility to be known to emergency services dispatchers.

**Aviation**

39. Prior to commencement of construction of turbine towers:
- a. 'As constructed' details of wind turbines and meteorological monitoring masts exceeding 100 metres above ground level must be reported to Civil Aviation Safety Authority CASA as soon as practicable after forming the intention to construct or erect the proposed object or structure, in accordance with Civil Aviation Safety Regulations Part 139.165(2).
  - b. 'As constructed' details of wind turbines and meteorological monitoring masts coordinates and elevation should be provided to Airservices Australia, using the following email address: [VOD@airservicesaustralia.com](mailto:VOD@airservicesaustralia.com).
40. Any obstacles above 100 metre above ground level (including temporary construction equipment) should be reported to Airservices Australia NOTAM office until they are incorporated in published operational documents. With respect to crane operations during the construction of the project, a notification to the NOTAM office may include the following details:
- a. the planned operational timeframe and maximum height of the crane; and
  - b. either the general area within which the crane will operate and/or the planned route with timelines that crane operations will follow.
41. Details of the wind farm should be provided to local and regional aircraft operators prior to construction in order for them to consider the potential impact of the wind farm on their operations.

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**Marking and lighting of wind monitoring towers**

42. The anemometers/wind monitoring towers must include:
- the top third of the anemometer tower painted in alternating contrasting bands of colour to improve visibility
  - marker balls or high visibility flags or high visibility sleeves placed on the outside guy wires;
  - guy wire ground attachment points have contrasting colours to the surrounding ground/vegetation;  
or
  - a flashing strobe light during daylight hours.
43. If the anemometers/wind monitoring towers are proposed to be taller than 100 metres, they should be marked in accordance with NASF Guideline D and that the base around the outer guy wires should be marked in a contrasting colour to the ground.
44. The anemometers/wind monitoring towers must be lit with aviation hazard lighting until the turbines have completed construction. This must include steady red low intensity (200cd) aviation hazard lighting at a minimum.

**Decommissioning**

45. Once the facility permanently ceases operation, the responsible authority and Wellington Shire Council must be notified within three months.
46. Once the facility permanently ceases operation, all buildings and works must be removed from the site, and the site or the relevant part of the site must be rehabilitated and reinstated to the general condition it was in prior to the commencement of development, unless otherwise agreed with the landowner, subject to the written consent of the responsible authority.
47. Within three months of the facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority.

The DMP must include, as a minimum:

- Identification of infrastructure, equipment, buildings, structures and signs to be removed, and details of how these will be removed.
  - A requirement that a Decommissioning Traffic Management Plan (DTMP) be submitted to, approved and endorsed by the responsible authority prior to decommissioning works starting. The DTMP must be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority for endorsement. The DTMP must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site, to the satisfaction of the responsible authority.
  - A requirement that all decommissioning works identified in the DMP be completed to the satisfaction of the responsible authority as soon as practicable, but no later than 12 months after the DMP is endorsed, or such other period approved by the responsible authority.
48. The endorsed DMP must be implemented to the satisfaction of the responsible authority.

**Notification of works commencing**

49. The Department of Transport and Planning (DTP) must be notified when works commence on site, via email [development.assessment@transport.vic.gov.au](mailto:development.assessment@transport.vic.gov.au).

**Country Fire Authority (CFA) conditions (not a referral authority)**

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50. Wind turbine generators must be located:
- a. Outside of the Bushfire Management Overlay.
  - b. At least 500 metres from any fire station.
51. Before plans are endorsed under condition 1, in consultation with CFA, a Risk Management Plan must be submitted to, approved and endorsed by the responsible authority. The Risk Management Plan must be prepared in accordance with the CFA Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement), and:
- a. Describe the risks and hazards at the facility to and from the battery energy storage system and related infrastructure.
  - b. Include dedicated fire water supplies:
    - i. For the battery energy storage system:
      - a. Of a quantity no less than 288kL (20L/s for four hours) effective capacity, to the satisfaction of CFA.
      - b. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
      - c. Located reasonably adjacent to the battery energy storage system but in a position that is accessible without undue danger in an emergency, to the satisfaction of CFA.
      - d. Commissioned prior to the arrival of the battery energy storage system enclosures/containers at the facility.
    - ii. For the wind facility infrastructure:
      - a. Of a quantity of no less than 45,000L effective capacity, located at each entrance to the wind energy facility, and at the substation.
      - b. Additional static fire water tanks of at least 45,000L effective capacity; the number and location of tanks are to be to the satisfaction of CFA.
      - c. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
  - c. Specify the separation distance:
    - i. Of no less than 3m between battery containers/enclosures to adjacent battery containers/enclosures, to the side with the battery module access doors.
    - ii. Of battery containers/enclosures and related battery infrastructure, buildings/structures, solar panel infrastructure, and vegetation based on radiant heat flux (output) as an ignition source.
  - d. Specify the fire risk controls for the storage of battery energy storage system enclosures/containers on-site, prior to their installation, for any length of time.
  - e. Include a copy and summary of the findings of WorkSafe and ESV's Arc Flash Self-Audit Tool (dated June 2022), including the proposed risk controls to manage arc flash risks for site personnel and emergency responders.
  - f. Where noise/acoustic barriers are proposed, include consequence modelling and assessment of toxic gas releases that takes into account the proposed position of acoustic barriers, in accordance with Part 3 of CFA's Fire Safety Studies for Battery Energy Storage Systems Guidelines (dated June 2025).
  - g. List and describe all other controls for the management of on and off-site hazards and risks at the facility (including all proposed battery energy storage system safety and protective systems).

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- h. Provide an evidence-based determination of the effectiveness of the risk controls against the identified hazards, including justification for the omission of any battery safety and protective system/s.
  - i. Form the basis for the design of the facility.
52. Before plans are endorsed under condition 1, an Emergency Plan (EP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the responsible authority. The EP and FMP must be prepared in consultation with CFA and be in accordance with the CFA Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).
53. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. Fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the responsible authority.
54. Planning for decommissioning of all or part of the facility must be in consultation with CFA.

**WorkSafe conditions (determining referral authority)**

55. The Risk Management Plan, including fire safety study must be updated once the battery supplier has been finalised to confirm the requirements of the CFA Guidelines are met.
56. A Fire Management Plan must be developed in line with the CFA Guidelines before development starts.
57. An Emergency Management Plan must be developed in line with the CFA Guidelines prior to dangerous goods arrival on site.

**Head, Transport for Victoria conditions (determining referral authority)**

58. Prior to works associated with the wind farm commencing, a Traffic and Asset Management Plan (TAMP) plan must be prepared by a suitably qualified and experienced road and traffic engineer to the satisfaction of The Head, Transport for Victoria. When approved, the plan will be endorsed by the responsible authority and form part of the permit.

The plan must include:

- a. An existing pavement conditions survey of public roads to be used during construction, and decommissioning using an agreed method suitable to The Head, Transport for Victoria.
  - b. Designation of appropriate construction and transport routes to the wind energy sites – including routes for all delivery vehicles, concrete trucks and any other large vehicles associated with the construction of the project.
  - c. The identification and scheduling of any construction works including vegetation removal works.
  - d. A program of regular inspections to be carried out during the construction period in line with the requirements of the relevant road authority to identify and complete any maintenance works required.
  - e. A program to rehabilitate roads to the satisfaction of The Head, Transport for Victoria as identified in the pavement conditions survey.
  - f. A communications plan outlining construction works, travel interruptions and contacts numbers during the construction activity is to be developed in consultation with The Head, Transport for Victoria, Wellington Shire Council and the developer or contractor to the satisfaction of The Head, Transport for Victoria.
59. Before the installation of the wind turbines, the road construction works as shown on the plan(s) endorsed as part of this permit must be completed by the permit holder and assessed by a suitably

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qualified road pavement engineer in consultation with Wellington Shire Council and/or South Gippsland Shire Council (as required) to the satisfaction of the Head, Transport for Victoria.

If requested by the Head, Transport for Victoria, Wellington Shire Council, South Gippsland Shire Council, or the Responsible Authority the permit holder must provide a security deposit or bond to the Responsible Authority for a stipulated maintenance period to secure the works set out in the endorsed TAMP, with such security deposit or bond to be released at the end of that period less any monies used by the Head, Transport for Victoria, Wellington Shire Council, South Gippsland Shire Council or the Responsible Authority to maintain or rectify the works.

60. Before the endorsement of the Traffic and Asset Management Plan (TAMP), the permit holder must submit to the Head, Transport for Victoria and the Responsible Authority for approval the name and contact details of an independent, suitably qualified road pavement engineer who will undertake all relevant actions in the TAMP.

The selection of an independent, suitably qualified road pavement engineer must be to the satisfaction of the Head, Transport for Victoria and the Responsible Authority.

Once approved, the permit holder must engage, at its cost, the suitably qualified road pavement engineers to undertake all relevant actions in the TAMP.

The permit holder must not engage a different road pavement engineer to undertake the relevant actions in the endorsed TAMP without the prior written consent of the Head, Transport for Victoria and the Responsible Authority.

61. Prior to works associated with the wind farm commencing, the permit holder must obtain written consent from Freight Victoria for all heavy and over dimensioned vehicle transport to the site.
62. Prior to works associated with the wind farm commencing, Functional Layout Plans for any alterations of access or new access along the approved transport route on Barry Road and the South Gippsland Highway (or as otherwise agreed to by the responsible authority) must be submitted and approved by The Head, Transport for Victoria.
63. Prior to works commencing (including demolition and bulk excavation), a Survey of Existing Conditions of Public Roads must be submitted to and approved by the Head, Transport for Victoria and the Responsible Authority. When approved, the Survey of Existing Conditions of Public Roads will be endorsed by the Responsible Authority to form part of the permit. The Survey of Existing Conditions of Public Roads must:
- be prepared to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority;
  - be prepared by a suitably qualified and experienced civil or traffic engineer; and
  - cover all arterial roads which may be impacted by transportation of goods and materials during the construction and decommissioning phase. These roads may include (but are not necessarily limited to) Barry Road, Nerrena Road and Meeniyan-Mirboo North Road.
  - include recommendations regarding any necessary road upgrades to accommodate construction and decommissioning traffic.
  - Include high quality video imagery of the selected routes
  - include high quality images of any existing defects and surrounds

The findings and recommendations of the endorsed Survey of Existing Conditions of Public Roads must be implemented to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority.

The endorsed Survey of Existing Conditions of Public Roads must not be modified except with the prior written consent of the Head, Transport for Victoria and the Responsible Authority.

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64. Before the use commences, a Dilapidation Report must be submitted to and approved by the Head, Transport for Victoria and the Responsible Authority. When approved, the Dilapidation Report will be endorsed by the Responsible Authority to form part of the permit. The Dilapidation Report must:
- be prepared to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority;
  - include the Survey of Existing Conditions of Public Roads required by the above condition;
  - cover the area outlined in the Survey of Existing Conditions of Public Roads required by the above condition; and
  - detail the works that are required to be undertaken to remedy any impacts of the development on the road pavement road infrastructure and any railway crossing, with such assessment to be undertaken after the completion of construction of the building and/or works.

Before the use commences (or at such other time as agreed to in writing by the Head, Transport for Victoria and the Responsible Authority), all works outlined in the endorsed Dilapidation Report must be carried out to the satisfaction of and at no cost to the Head, Transport for Victoria and the Responsible Authority.

The endorsed Dilapidation Report must not be modified except with the prior written consent of the Head, Transport for Victoria and the Responsible Authority.

65. Prior to works associated with the wind farm commencing, the applicant must attend a pre-design and construction meeting with Gippsland Region to ensure compliance with access and maintenance requirements including design and plan submissions.
66. Prior to works associated with the wind farm commencing, the intersection improvement works must be designed generally in accordance with the Austroads guidelines and regional checklist, and completed at no cost, all to the satisfaction of the Head, Transport for Victoria.
67. Prior to works associated with the wind farm commencing, the intersection and access roadworks identified in the approved traffic and asset management plan must be completed at no cost and to the satisfaction of The Head, Transport for Victoria.
68. Unless otherwise agreed in writing with The Head, Transport for Victoria, all temporary access and access modification works are to be removed, once the construction phase/heavy vehicle transport has been completed. The intersection and road reserve must be returned to an acceptable standard to the satisfaction of The Head, Transport for Victoria.
69. All heavy and over dimensioned vehicles are to be restricted to the approved haulage routes identified in the traffic and asset management plan unless approved in writing by The Head, Transport for Victoria.

**West Gippsland Catchment Management Authority Conditions (not a referral authority)**

70. Prior to the commencement of works, a Construction Environmental Management Plan (CEMP) must be developed to the satisfaction of the West Gippsland Catchment Management Authority and must identify:
- any access tracks within the 1% Annual Exceedance Probability flood extent, demonstrating that the proposed works will not alter the existing surface profile by more than 150 mm.
  - any earthworks required within 30 metres of a designated waterway.
  - any vegetation to be removed within 30 metres of a designated waterway.
  - suitable erosion and sediment controls measures to prevent discharge of poor water quality into the receiving waterways.
71. The finished floor level of any buildings within the 1% Annual Exceedance Probability flood extent must be at or above the existing ground surface level. Additionally:

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- a. any fill imported to the site must not alter the existing surface profile by more than 150 mm
- b. all electrical outlets must be installed a minimum of 0.3 metres above the 1% Annual Exceedance Probability flood level as determined by the West Gippsland Catchment Management Authority
- c. all high value and hazardous goods must be stored a minimum of 0.3 metres above the 1% Annual Exceedance Probability flood level as determined by the West Gippsland Catchment Management Authority.

**Section 173 Agreement – Cessation of dwelling H09**

72. Before the use and development starts, the permit holder must enter into an agreement with the responsible authority pursuant to section 173 of the *Planning and Environment Act 1987*. The agreement must provide for the following:

- a. Agreement that building/s identified as H09 on the advertised plans titled 'Gelliondale Wind Farm' and dated between December 2024 and May 2025, cease to be used as dwellings within 6 months of the commissioning of the first turbine; and
- b. Allow for the re-use of the building/s as dwellings following the decommissioning of the wind farm.

Application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the *Planning and Environment Act 1987* within one month after the agreement is executed.

The permit holder must pay all of council's reasonable legal costs and expenses related to this agreement, including preparation, execution and registration on title.

**Compliance with documents approved under this permit**

73. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.
74. The use and development as shown on the endorsed plans must not be altered (unless the Wellington Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

**Commencement**

75. This permit will operate from the issued date of this permit.

**Expiry**

76. This permit will expire if one of the following applies:

- a. The development is not started 5 years of the date of this permit.
- b. The development is not completed within 10 years of the date of this permit.
- c. The use has not commenced within 3 years of the completion of the development.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

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**USEFUL INFORMATION:**

(the following information does not form part of this permit)

**Cultural Heritage**

- The project must comply with the requirements of the approved cultural heritage management plan (CHMP) approved under the *Aboriginal Heritage Act 2006*.

**Noise**

- The use of the land must at all times comply with:
  - *EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (EPA Publication 1826.5).
  - *New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise*
- The Environment Protection Act 2017 introduced the general environmental duty (GED) and it applies to all Victorians. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable. This involves a continuous, preventative approach and should be undertaken with the understanding that where an operation presents low-level risks, or already has appropriate risk mitigation measures in place, further mitigation measures may still be necessary at a future point. For further information on what the laws mean for Victorian businesses and community go to: [General environmental duty](http://www.epa.vic.gov.au) | Environment Protection Authority Victoria (epa.vic.gov.au)

**Roads**

- National Heavy Vehicle Register approval may be required.
- A Works in Road Reserve Permit is required before commencing any works on council-managed roads or road reserves, including the construction of new vehicle accesses.
- Coal Mine Road is not actively maintained by Wellington Shire Council and is not included in the Council's Register of Public Roads under the Road Management Plan. Any proposed use of Coal Mine Road or works within its road reserve for construction access, deliveries, or site entry should be discussed with Council and supported by detailed design drawings (geometry, drainage, vegetation removal, and access construction).

**Works on Waterways**

- All works within 30 metres of a designated waterway require a Works on Waterways permit from the West Gippsland Catchment Management Authority issued under the *Water Act 1989*. This includes (but is not limited to) construction of any vehicle access over a designated waterway, installation of any underground cabling and installation of any turbine or associated infrastructure.

**FFG**

- DEECA advises that any works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DEECA office (gippsland.environment@deeca.vic.gov.au).

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**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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**WHEN DOES A PERMIT BEGIN?**

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A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
  - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - ii. the date on which it was issued, in any other case.

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**WHEN DOES A PERMIT EXPIRE?**

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1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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**WHAT ABOUT REVIEWS?**

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- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

**Date of issue:** 7 May 2026 **Signature for the responsible authority:**

*Katherine Morton*