

Energy Assessment
PA2504151

Murchs Corner BESS

 Officer Assessment



Department
of Transport
and Planning



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Executive Summary

Key Information	Details				
Application No:	PA2504151				
Received:	19 December 2025				
Statutory Days:	80				
Applicant:	EBARE Pty Ltd c/- Cogency Australia Pty Ltd				
Planning Scheme:	Moyne				
Land Address:	2977 Hamilton Highway, Darlington (Crown Allotment 1 Section 20 Parish of Darlington & Crown Allotment 2 of Parish Darlington)				
Proposal:	Use and development of land for a utility installation (Battery Energy Storage System (BESS), associated buildings and works, display of a business identification sign, and removal of native vegetation.				
Project Description:	The proposed Murchs Corner BESS has a storage capacity of up to 500MW/2000MWh and includes the following elements: - BESS units, power conversion systems, inverters and transformers. - 500kV cut-in terminal station to facilitate the connection into the existing 500kV transmission line. - Associated infrastructure including on-site substation, electrical infrastructure, switch rooms, and internal transmission cabling. - Permanent O&M building and both temporary and permanent laydown areas. - Two access points along Darlington-Terang Road: one new access point at the north-east corner and one existing access mid-way of the site. - 0.245ha native vegetation removal (basic assessment pathway) and earthworks. - One small business identification sign (under 3sqm) is proposed to be placed at the entrance to the site.				
Development Value:	\$1 billion				
Why is the Minister responsible?	Under Clause 72.01-1, the Minister for Planning is the responsible authority for a planning permit application for the use or development of land associated with a utility installation used to: - Transmit or distribute electricity; and/or, - Store electricity if the installed capacity is 1 megawatt or greater; and for an application where clause 53.22 applies.				
Planning Controls:	<table><tr><td>Zones:</td><td>Farming Zone (FZ)</td></tr><tr><td>Overlays:</td><td>N/A</td></tr></table>	Zones:	Farming Zone (FZ)	Overlays:	N/A
Zones:	Farming Zone (FZ)				
Overlays:	N/A				

Key Information	Details
Why is a permit required?	35.07-1 (FZ) - Use of land for the purpose of a utility installation 35.07-4 (FZ) - Construct a building or construct or carry out works for any use in Section 2 of Clause 35.07-1. 52.05-14 (Signs) – To construct or display business identification signage. Sign must not exceed 3sqm. 52.17-1 (Native vegetation) – To remove native vegetation.
Cultural Heritage:	The proposed BESS and associated works are located well outside the area of cultural heritage sensitivity. Further, the project area has been previously assessed as part of a Cultural Heritage Management Plan (CHMP) for the now operating Mortlake South Wind Farm (CHMPs 10152 and 11020) in 2008 and 2009 which did not identify any Aboriginal cultural heritage across the project area. A mandatory CHMP is not required.
Referral Authorities:	AusNet Services (section 55 determining) WorkSafe (section 55 determining)
Advice Sought:	Department of Energy, Environment and Climate Change (DEECA)
Public Notice:	Notice was given between 2 April 2026 and 1 May 2026. Four submissions (no objections) have been received at the time of writing this assessment. Submissions were received from the following agencies: – Country Fire Authority (CFA) – Glenelg Hopkins Catchment Management Authority (CMA) – Head, Transport for Victoria – Moyne Shire Council
Renewable Energy Zone:	The project lies just outside the boundary of the declared South-West REZ.
Delegation:	Permission to determine under delegation received on 06 July 2026.
Recommendation:	Issue a planning permit subject to conditions.

Process and Documentation

Planning Process

1. The key milestones in the application process were as follows:

Milestone	Date
Application lodgement	19 December 2025
Further information requested	16 January 2026
Further information received	17 March 2026
Public notice	2 April 2026 – 1 May 2026

Decision Documents

2. The subject of this report is the decision documents (as advertised with the application and described below):

Decision Documents

- Cover letter, prepared by Cogency Australia Pty Ltd dated 19 December 2025.
- Planning Report, prepared by Cogency Australia Pty Ltd, version 3 and dated 10 March 2026.
- Development Plans prepared by Cogency Australia Pty Ltd including:
 - Indicative Project Areas Plan, version 3.0 and dated 24 November 2025.
 - Context Plan, version 4.1 and dated 11 December 2025.
 - Regional Context Plan, version 1.1 and dated 28 November 2025.
 - Site Plan, version 4.1 and dated 11 December 2025.
 - Hydrology Plan, version 4.1 and dated 11 December 2025.
 - Dwellings Plan, version 5.0 and dated 17 February 2026.
 - Zone Plan, version 4.0 and dated 10 October 2025.
 - Concept Layout Plan, version 1.2 and dated 16 February 2026.
 - Concept Layout Plan, version 1.3 and dated 17 March 2026.
 - Business Identification Sign, version 1.0 and dated 12 March 2026.
- Development Plans prepared by WSP including:
 - 500kV Double Circuit Strain Tower Typical Outline Diagram, revision A and dated 5 November 2025.
 - 500kV Gantry Typical Outline Diagram, revision A and dated 5 November 2025.
 - Battery Unit Elevations, revision A and dated 10 February 2026.
 - Power Conversion System Unit Elevations, revision A and dated 10 February 2026.
 - Typical Power Transformer Elevations, revision A and dated 10 February 2026.
 - Switchgear & Control Building Elevations, revision A and dated 10 February 2026.
 - Operations, Maintenance & Storage Building Elevations, revision A and dated 10 February 2026.
- Certificates of Title produced 18 December 2025.
- Engagement Summary Memo, prepared by Cogency Australia Pty Ltd and dated 19 December 2025.
- Preliminary Noise Assessment, prepared by SLR Consulting Australia Pty Ltd, Revision 1.2 and dated 10 March 2026.
- Flora and Fauna Assessment, prepared by Biosis Pty Ltd, Version 4 and dated 24 February 2026.
- Fire Safety Study, prepared by NJM Design Pty Ltd, Revision 2 and dated 11 December 2025.



Decision Documents

- Flood Assessment Report, prepared by SWM Consulting Pty Ltd, Version R01-B and dated 4 December 2025.
- Landscape and Visual Impact and Visual Assessment Report prepared by Peter Haack Consulting and dated 15 December 2025.
- Traffic Engineering Assessment, prepared by Traffix Group, Issue No. C and dated 12 March 2026.
- Agricultural Assessment Report, prepared by Meridian Agriculture Pty Ltd, Revision 3 and dated 25 November 2025.
- Cultural Heritage Due Diligence Assessment, prepared by Niche Environment and Heritage Pty Ltd, Version 2 and dated 2 December 2025.

Proposal

3. The application proposes the use and development of a 500MW/2000MWh Battery Energy Storage System (BESS).
4. The project can be summarised as follows:
 - Up to 256 containerised BESS units, with approx. dimensions of 6.1 metre (m) (length) x 1.7m (width) x 2.9m (height).
 - A 500 kV cut-in terminal station to facilitate the connection into the existing 500kV transmission line.
 - Power conversion systems (PCS), including inverters, transformers, switchgear and control equipment.
 - Associated infrastructure such as an on-site substation, electrical systems, switch rooms, and internal cabling.
 - Electrical infrastructure to connect the BESS units and PCS equipment to the on-site 500/33 kV substation, with an underground transmission cable linking the BESS area to both the substation and the 500 kV cut-in terminal station. The substation will include two power transformers connecting to the terminal station.
 - Permanent operations and maintenance building, along with temporary and permanent laydown areas.
 - Water attenuation ponds, storage and firefighting infrastructure.
 - An asset protection zone comprising 10m of hardstand and an additional 20m of managed bare earth surrounding the perimeter.
 - Security infrastructure, including fencing, car parking and monitoring systems.
 - Site access arrangements, including a new construction and operational access point from Darlington–Terang Road at the north-east corner, and operational access via the existing southern entry.
 - Installation of a small business identification sign (less than 3sqm) at the site entrance.
 - Removal of 0.245 ha of native vegetation to facilitate augmentation works to an internal access track and the eastern transmission pylon within the DEECA mapped wetland (Mt Fyans Drain). The augmentation works are to be undertaken by AusNet.
 - Minor associated earthworks (approx. 300mm–700mm fill).
5. It is noted that the proposed augmentation works to be undertaken by Ausnet are exempt from a permit. The works to the existing transmission pylon and internal access track do not expand or relocate the footprint but instead comprise improvement works within the existing footprint. Pursuant to Clause 62.02-2 of the Moyne Planning Scheme, repair and routine maintenance to an existing building or works is exempt from a permit.

6. The applicant has provided the following concept plans and images of the proposal:

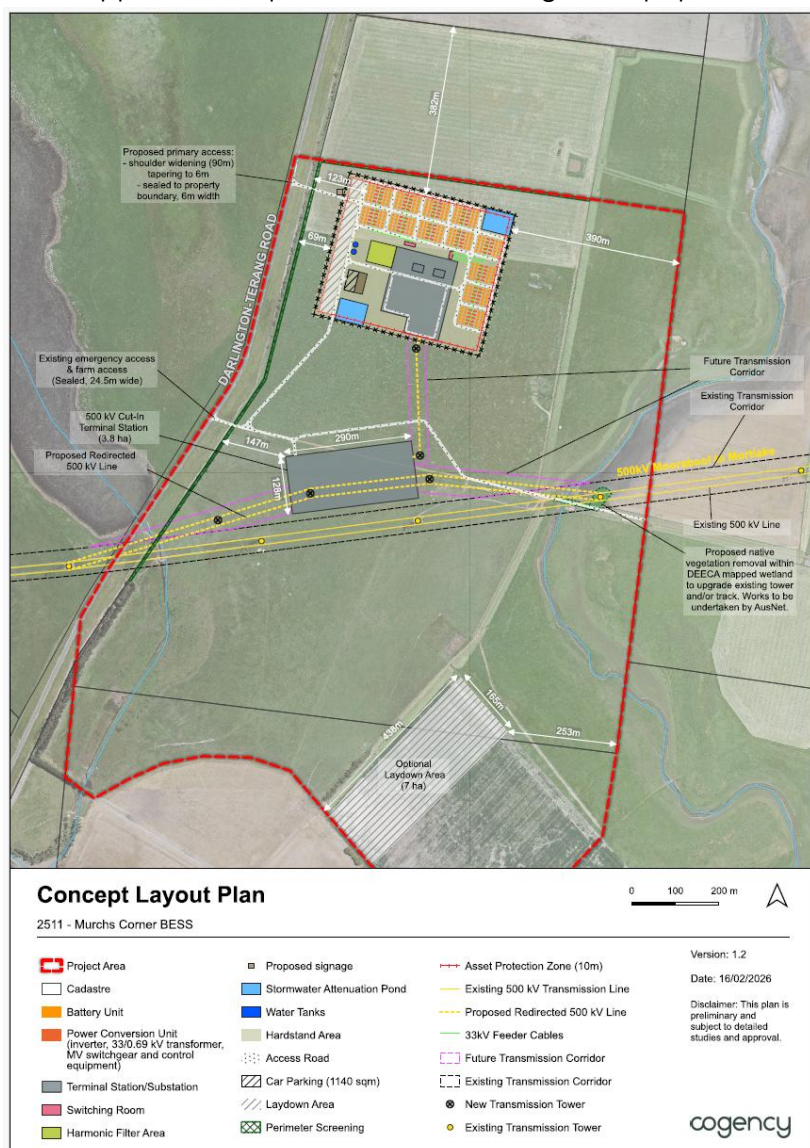


Figure 1: Proposed Murchs Corner BESS indicative site layout. Source: Decision Plans

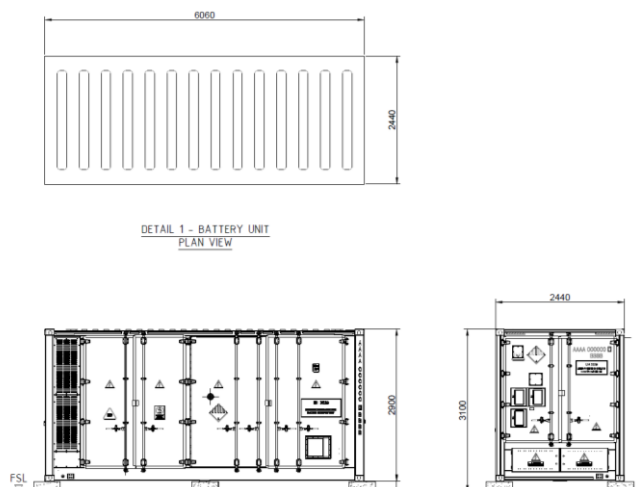


Figure 2: Elevation of the proposed battery energy storage units. Source: Decision Plans

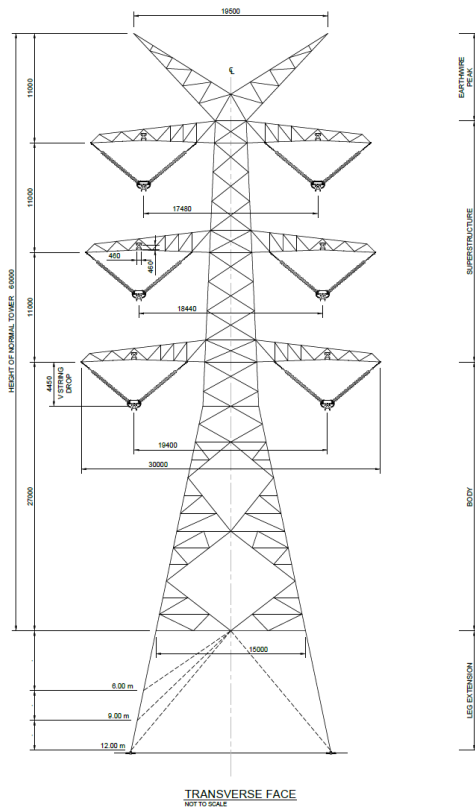


Figure 3: Elevation of the proposed 500kV 'cut-in' transmission tower. Source: Decision Plans.

Subject Site and Surrounds

Site Description

7. The site is located within Moyne local government area, which is approx. 170km south-west of Melbourne. The closest towns are Darlington and Mortlake, located approx. 4km north-east and 20km to the south-west of the site, respectively.
8. The site is located on agricultural land within the Stoney Point property (approx. land area of 1,870 ha) across several land parcels in Darlington.
9. The subject site is formally described as comprising the following land parcels:
 - "Stoney Point" 2977 Hamilton Highway, Darlington (Crown Allotment 1 Section 20 Parish of Darlington, Vol 10518 Fol 624 & Crown Allotment 2 Section 10 Parish of Darlington, Vol 10523 Fol 604).
10. The subject site comprises two land parcels along the western edge of the property, with a combined area of 391 ha. The proposed development footprint is approx. 31 ha.
11. The subject site has predominately been used for grazing and occasional cropping.
12. The site located within a Bushfire Prone Area (BPA).
13. Two waterways intersect the site: the eastern waterway locally known as the Mount Fyans Drain, and Mt Emu Creek located in the western portion of the site. A dam is located within the creek along the western boundary.
14. The site is primarily used for broadacre grazing and cropping, with limited centre pivot irrigation, several farm buildings, and a historic residence near Mt Emu Creek.
15. The topography of the site and surrounding area is flat to slightly undulating with minor drainage lines and ephemeral lakes.
16. An existing 500 kV Moorabool–Mortlake transmission line passes through the subject site.

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17. The proposal will enable connection to the National Energy Market (NEM) via a 'cut in' to the existing 500 kV Moorabool–Mortlake transmission line, which traverses the site in an east–west direction. While the transmission line is not associated with a formal easement on title, its operation is secured through other legislative mechanisms.
 18. The cut-in will require the construction of a new 500 kV terminal station to facilitate connection to the existing transmission infrastructure.
 19. Access to the site is via Darlington–Terang Road (local government road). Darlington–Terang Road is a sealed two-lane road that runs between Hamilton Highway to the north and Terang–Mortlake Road to the south.
 20. The subject site is broadly cleared of native vegetation, with the only native vegetation present (some native grasses) occurring along Mt Fyans Drain and some native trees and shrubs within the planted shelter belts just inside the boundary. The Darlington–Terang Road reserve is dominated by non-native species.
 21. There are no covenants or restrictions on any of the titles that would prohibit the proposed use or development of the land for a BESS.

Site Surrounds

22. The surrounding area is characterised by agricultural uses, primarily broadacre farming land, with some areas of irrigated agriculture and areas of wetland vegetation.
23. There are a several dwellings and/or farm buildings in the surrounding area, typical of a rural setting. It is noted that a total of four non-associated dwellings are located within a radius of 2.5km of the subject site.
24. The nearest townships are Darlington, approx. 4km north-east of the site, and Mortlake, approx. 20km to the south-west.
25. The land surrounding the site is predominantly used for farming, but also contains several energy facilities, as described below:
 - To the **north** of the site: The Mount Fyans Drain continues alongside the Hamilton Highway.
 - To the **north-west** of the site: Dundonnell Wind Farm (12.5km) and Salt Creek Wind Farm (20km) are both operational.
 - To the **west** of the site: The project is bounded by Darlington–Terang Rd, beyond which lies a wetland system and an unnamed creek. The proposed Darlington Wind Farm (45 turbines), immediately west of the site, is under assessment for the Environment Effects Statement (EES), with no planning permit application lodged to date. Mt Fyans Wind Farm (7km) and Mortlake Energy Hub (solar farm) (24km) have been approved.
 - To the **south** of the site: Predominately agricultural activity, including a centre pivot irrigation system indicative of intensified farming practices, and an unused airstrip.
 - To the **south-west** of the site: Mortlake South Wind Farm (15.9km) is operational.
 - To the **south-east** of the site: Bookaar Solar Farm (9.8km) has been approved.
 - To the **east** of the site: Stoney Point dwelling. The Mount Fyans Drain and Mount Emu Creek, which form part of the local hydrological network.

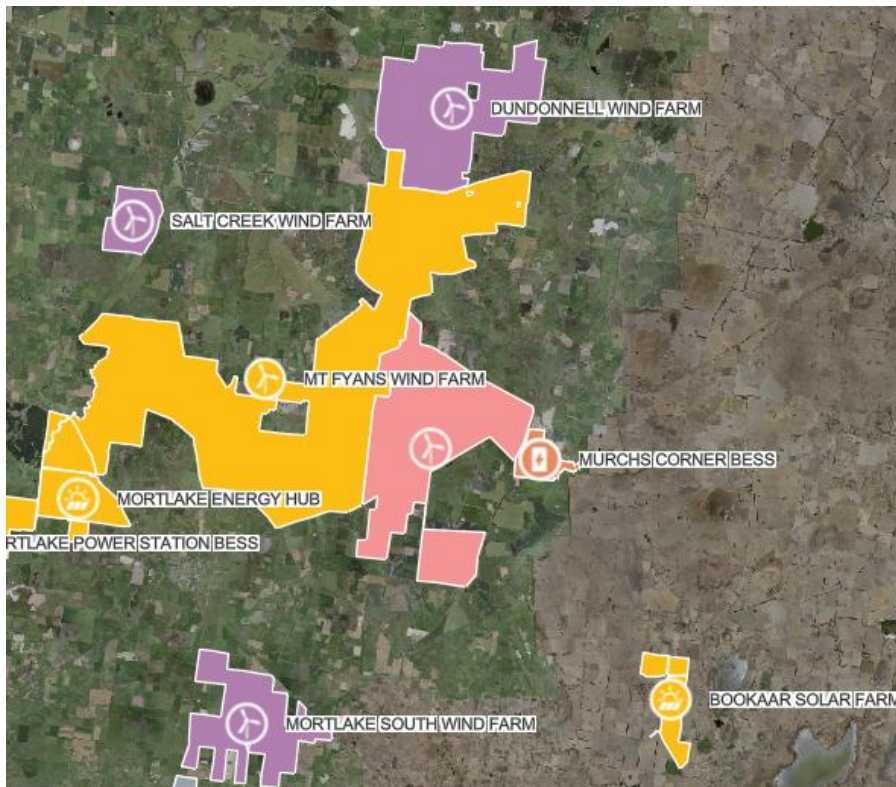


Figure 4: Context Plan showing surrounding energy facilities. Source: Renewables Editor.

26. A site inspection of the subject site and surrounds was undertaken on 27 April 2026. Images of the site and surrounds are shown in Figures 5 - 10.



Figure 5: Subject site as viewed from Darlington-Terang Rd.



Figure 6: Existing 500kV Moorabool to Mortlake powerline that bisects the project area, viewed from Darlington-Terang Rd.



Figure 7: Central western part of the project area's boundary with Darlington-Terang Rd.



Figure 8: View towards the Darlington-Terang Road and Hamilton Highway intersection.



Figure 9: Existing emergency and farm access to the site (west), viewed from Darlington-Terang Rd.



Figure 10: Vegetation boundary line along the south-west portion of the subject site.

Referrals

27. The application was referred to the following authorities under section 55 of the *Planning and Environment Act 1987* (PE Act), as summarised below:

Organisation	Referral Type	Clause	Response Date	Response	DTP Officer Comment
WorkSafe Victoria	Determining	66.02-7	13/02/26	No objection, subject to conditions requiring: The development of a Risk Management Plan and Emergency Management Plan in line with the CFA Guidelines and to the satisfaction of	These conditions have been included on the permit.

Organisation	Referral Type	Clause	Response Date	Response	DTP Officer Comment
				the CFA's Dangerous Goods unit. – The development of a Fire Management Plan in line with the CFA Guidelines and to the satisfaction of the CFA's Dangerous Goods Unit.	
AusNet Services	Determining	66.02-4	03/02/26	No objection, subject to conditions requiring: – Details of any proposed development or use of the AusNet easements. – Buildings and structures are not permitted on AusNet easements without prior written approval. – Vehicle access by AusNet to remain available. – Vegetation planted on the AusNet easement must not exceed 3m. – Future works within the easement must be approved by AusNet prior to the commencement of works.	These conditions have been included on the permit.

Public Notice

28. In accordance with Section 52 of the PE Act, public notice of the application was given between 2 April 2026 and 1 May 2026. Notice was given in the following manner:

Section of PE Act:	Notice was given to:	Given by:
52(1)(a)	Owners and occupiers of adjoining land	Permit applicant
52(1)(b)	Moyne Shire Council	DTP
52(1)(c)	N/A – The scheme does prescribe any notice	
52(1)(d)	In accordance with section 52(2) of the PE Act, notice under 52(1)(d) was given in the following ways:	Given by:
52(2)(a)(ii)	Notice was given in the Mortlake Dispatch for one issue.	Permit applicant



52(2)(a)(iii)	Owners and occupiers of all land within 1 km of the project boundary	Permit applicant
52(2)(b)	– Country Fire Authority (CFA) – Energy Safe Victoria (ESV) – Emergency Management Victoria (EMV) – Head, Transport for Victoria (TfV) – Eastern Maar Aboriginal Corporation – VicGrid – Corangamite Shire Council – Glenelg Hopkins Catchment Management Authority	DTP

29. Four submissions (including no objections) have been received at the time of writing this report (as of 14/07/2026).

Submissions

30. Four submissions were received from government agencies and authorities (who were not referral authorities under s55 of the PE Act), as summarised below:

Submitter	Date received	Summary of submission	DTP Officer Response
Country Fire Authority (CFA)	21/04/2026	No objection, and recommended conditions requiring the preparation of: - Amended plans to prepared to show any changes required to comply with CFA conditions. - A Risk Management Plan (RMP) - Emergency Plan (EP) - Fire Management Plan (FMP) Recommended conditions also require: - Before the use commences, all fire protection measures shown on the endorsed plans must be implemented.	These conditions have been included in the permit.
Glenelg Hopkins Catchment Management Authority (CMA)	07/04/2026	No objection, and requests the following permit note: "A Designated Waterway passes through the property. Any future works in, on or around a designated waterway require a licence from the Glenelg Hopkins CMA. Please visit their website at www.ghcma.vic.gov.au for more information."	The requested permit note has been incorporated into the permit.
Head, Transport for Victoria	01/04/2026	No objection, no recommended conditions.	N/A
Moyne Shire Council	23/04/26	No objection. Council identified several key issues that should be carefully assessed and managed through permit conditions if the project proceeds. These included: - No clear justification that the proposal will not impact adjoining and nearby operations. - Traffic and road infrastructure.	The issues raised by council have been considered in the traffic and fire risk sections of the assessment. In relation to fire risks, the CFA and WSV (determining authority for



Submitter	Date received	Summary of submission	DTP Officer Response
		- Bushfire and operational fire risk. Council also strongly encouraged engagement with the local land care network to inform species selection for the landscaping plan. Council suggested that the conditions of the recommendation include requirements for: - Copies of the permit and all endorsed plans under the permit to be displayed on the project's website. - Vehicle access points to be designed and located to the satisfaction of Moyne Shire Council. - A Traffic Management Plan (TMP). - Pre-construction public road survey. - External road upgrade works to be completed to the satisfaction of Moyne Shire Council.	utility installation) support the proposal, subject to conditions. Council's suggested traffic conditions have not been included in the permit, rather, DTP's standard TMP condition has been included and will require the TMP to be approved in consultation with the relevant road authorities (i.e. council and Head, TfV). Council's suggestion regarding engagement with the local land care network has not been incorporated in the permit conditions as they are not a statutory authority, however the proponent will be able to engage with the network outside of the planning process (if desired).

Advice Sought

DEECA

31. Intradepartmental advice from DEECA regarding the removal of 0.245 ha of native vegetation within the DEECA mapped wetland was received on 23/04/2026.
This DEECA mapped wetland is located on site, along the Mt Fyans Drain.
32. DEECA supports the proposal and recommended condition requiring the preparation of a Construction Environment Management Plan (CEMP) to manage potential impacts of sedimentation and other pollutant runoff into the adjoining DEECA mapped wetland.
33. This condition has been included in the permit, with slight modifications.

Assessment

Key Considerations

34. The Moyne Planning Scheme (the scheme) contains policies and controls that guide the assessment of utility installations. These are found in the state, regional and local planning policies, the relevant zone and overlays, and other relevant provisions. The assessment below addresses the relevant sections of the planning scheme while having regard to the matters which must be considered in accordance with Section 60 of the PE Act.

35. The following are deemed the key considerations in assessing the acceptability of the proposal:

- Strategic policy context and planning controls
- Whether the proposal responds to the vision and strategic directions of the Municipal Planning Strategy (MPS) and the Planning Policy Framework (PPF)
- Suitability of the land use in the FZ and impacts on agricultural land
- Suitability of the proposal against the relevant particular provisions
- Acceptability of the proposed business identification signage
- Biodiversity and native vegetation impacts
- Fire risk, emergency management and dangerous goods
- Vehicle access, road and traffic considerations
- Amenity impacts in terms of noise, light spill, visual impact and construction impacts
- Hydrology impacts

Permit Triggers

36. A planning permit for the project is triggered by the following clauses of the Latrobe Planning Scheme (the scheme):

Clause	Permit Trigger
35.07-1	Use of the land for the purpose of a utility installation.
35.07-4	Construct a building or construct or carry out works for any use in Section 2 of Clause 35.07-1.
52.05-14	To construct or display a business identification sign not exceeding 3sqm.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.

Strategic Direction and Policy Context

37. Overall, the Purpose and Vision for Victoria (Clause 01), Municipal Planning Strategy (Clause 02) and the Planning Policy Framework (PPF) of the scheme encourage the development of energy storage projects to support responses to climate change, on balance with the protection of the environment, communities and agricultural land. In particular, Clause 01.01 (Purposes of this Planning Scheme) identifies that a key purpose of the scheme is “to support responses to climate change”.

38. The project is supported by Plan for Victoria (2025), which seeks to ensure that ‘Regional Victorian communities will attract and benefit from investment in renewable energy – wind, solar and battery storage – projects’.

39. Additionally, Victoria’s Renewable Energy Action Plan, 2018 and Victoria’s Climate Change Strategy, 2021 and the 2025 Victorian Transmission Plan all outline the importance of renewable energy generation and battery storage projects in Victoria’s renewable energy transition and the role they play in stabilising the electricity grid.
40. While the project is not located within a declared Renewable Energy Zone (REZ), it is situated on the boundary of the declared South West REZ (refer Figure 11) and utilises the existing 500 kV transmission line on site to connect to the grid.

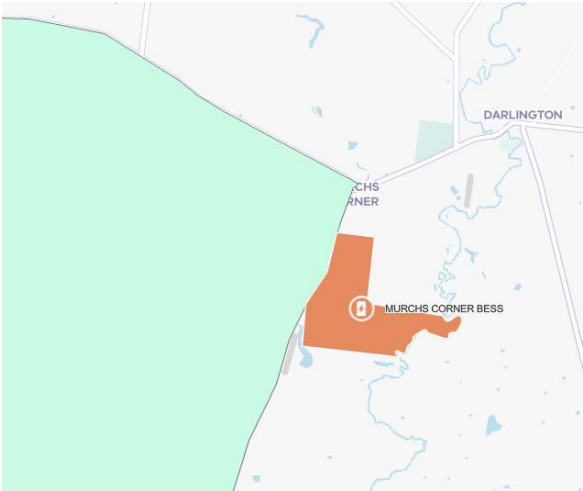


Figure 9: Location of proposal just outside the declared REZ (shown in green). Source: Renewables Editor.

Municipal Planning Strategy (MPS)

41. An assessment against the relevant objectives and strategies of the Municipal Planning Strategy (MPS) of the scheme is provided in the table below:

Clause	Description	Assessment
02.01	Context	The MPS acknowledges the Moyne Shire is located in south-western Victoria and is characterised as a predominantly rural landscape with agricultural activity, coastal environments, and three main urban centres: Port Fairy, Koroit and Mortlake.
02.02	Vision	
02.03	Strategic Directions	
02.04	Strategic Framework Plans	Council’s vision is to embrace the region’s cultural and ecological country, including a commitment to have access to renewable energy benefits, and reducing carbon emissions. The application provides for a \$1B project within the municipality, creating up to 200 jobs during construction and up to 6 jobs during operation, while supporting diversification of the local economy. The proposal has generally been sited to protect the key biodiversity values on site, respond to fire risk, and ensure only a minor reduction in agricultural production. The proposal responds appropriately to this policy context by providing a BESS in an appropriate location with minimal impacts on the valued elements and amenity of the area.

Planning Policy Framework

42. An assessment of the project against the relevant objectives and strategies of the PPF is provided in the table below:

Clause	Description	Assessment
Clause 12 Environment and Landscape Values		
12.01-1S	Protection of biodiversity	Clause 12 focuses on the protection of ecological systems, native vegetation, biodiversity, and identified environments or landscapes. Where possible, the project has avoided impacts to ecological values, including: – The impact of up to 0.250 ha of native vegetation removal limited to for the augmentation works for the existing transmission line pylon and access track; – A 200m buffer is maintained from unnamed creeks within the site; – Siting most of the project components in cleared agricultural land; and – Locating site access points to minimise native vegetation impacts. It is noted that the augmentation works itself is exempt from a permit under clause 62.02-2 for repair and routine maintenance works. Refer to the clause 52.17 and biodiversity sections of the report below for a more detailed discussion of these matters. Conditions of the recommendation will require protection of the native vegetation during construction.
12.01-2S	Native vegetation management	
12.05-2S	Landscapes	The project will have generally low visual impacts on the landscape and is considered acceptable due to the site context and presence of planted vegetation along the western boundary and southern portion of site. Refer to the landscape and visual assessment for further details.
Clause 13 Environmental Risks and Amenity		
13.02-1S	Bushfire	The facility has been developed in accordance with the <i>CFA's Guidelines and Model Requirements for Renewable Energy Facilities</i> (the CFA Guidelines) to appropriately respond to bushfire risks. Refer to the fire section of the report for assessment.
13.05-1S	Noise management	The project is predicted to achieve compliance with the relevant noise limits. Conditions of the recommendation will require the preparation of a final predictive noise assessment, measuring impacts of the final selected equipment and infrastructure for the facility. Refer to the noise section of the report below for assessment.
13.07-1S	Land use compatibility	As discussed further on in this assessment, the proposed use is considered acceptable with appropriate mitigations in place, on balance with the benefits of the provision of a storage facility.
Clause 14 Natural resource management		
14.01-1S	Protection of agricultural land	The development will not impact agricultural activities on surrounding land or the remainder of the Stoney Point property. The subject site is predominately used for grazing and occasional cropping. The BESS will

Clause	Description	Assessment
		occupy only a limited portion of the overall site and the majority of the land will remain available for ongoing agricultural use, ensuring that the development does not significantly constrain the site’s existing rural function. Conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the BESS ceases operations, to ensure that the land continues to remain suitable for agricultural uses into the future. Refer to the agricultural section of the report for assessment.
14.02-1S	Catchment planning and management	There are two unnamed creeks on site; one traverses a small area on western side of the site and the second, Mt Fyans Drain, along the eastern portion of the site. The proposed development footprint is located outside the estimated flood extent and will not impact the flood behaviour either on site or in the surrounding areas. Refer to the hydrology section of the report for assessment.
14.02-2S	Water Quality	
Clause 15 Built Environment and Heritage		
15.01-6S	Design for rural areas	The proposal is considered to respect the valued areas of rural character, and is appropriately sited, given the existing transmission line bisecting the site and its proximity to proposed, approved, and operational energy facilities. The BESS units are low-profile, with an approx. height of 3m above natural ground level, and visual impacts will be further reduced through landscape screening along the western and northern portions of the site.
Clause 17 Economic Development		
17.01-1S	Diversified economy	The proposed BESS meets the objectives of Clause 17 by creating jobs during the construction and operation of the facility and by supporting the rural economy to grow and diversify.
17.01-1R	Diversified economy – Great South Coast	
Clause 18 Transport		
18.01-1S	Land use and transport integration	The construction traffic impacts can be suitably managed through the preparation of a TMP and operational impacts on the road network will be negligible.
18.02-4S	Roads	A condition requires a TMP to be prepared, including access points to be sealed and basic left turn treatment from Darlington-Terang Road. Impacts are temporary and manageable. The development will not significantly change long-term traffic volumes.
Clause 19 Infrastructure		
19.01-1S	Energy supply	

Clause	Description	Assessment
19.01-2S	Renewable energy	The proposal is consistent with clause 19 which supports the renewable energy led transition to a low-carbon economy with reduced greenhouse gas emissions. The proposed facility is estimated to store approximately 500MW/200MWh of electricity. The proposed BESS will also assist the delivery of power during peak times to the network to meet community demand for energy needs. The project is located just outside the declared Sout West renewable energy zone (REZ). The REZ were introduced into legislation under the Ministerial Order made under section 63 of the National Electricity (Victoria) Act 2005, gazetted on 29 May 2026.

43. Overall, the proposal is consistent with the relevant planning policies within the MPS and PPF.

Zoning and Overlays

Farming Zone (FZ)

44. The project is entirely located within the FZ.
45. The FZ seeks to (as relevant) provide for the use of land for agriculture, encourage the retention of productive agricultural land, ensure that non-agricultural uses do not adversely affect the use of land for agriculture, encourage the retention of employment and population to support rural communities, and encourage the use and development of land based on comprehensive sustainable land management practices and infrastructure provision.
46. Having regard to the relevant decision guidelines at clause 35.07-6, the proposed use and development is appropriate outcome in the FZ as follows:
 - The proposal does not adversely affect the use of the land for ongoing farming activities (cropping and livestock grazing) on the remainder of the Stoney Point property, and it does not prevent or impede on the ability for surrounding properties in the FZ to continue to use their land for agricultural purposes.
 - The built form will be sufficiently setback from adjoining properties, with the nearest non-stakeholder dwelling located approx. 1.17 km from the site.
 - The siting and low-profile design of the BESS site infrastructure minimises visual and environmental impacts and materials and colours will be selected to reduce visual contrast with the landscape. On-site screen planting will be incorporated, via permit condition, where existing vegetation is limited.
 - The site is transversed by an existing 500kV transmission line (runs west to east); the proposal will 'cut-in' to the existing transmission line via an underground cabling to link the BESS to both the substation and the terminal station, allowing a direct connection from the site into the existing electricity network.
 - There will be a minor reduction (approx. 31 ha) in the extent of land under agricultural production from the footprint of the BESS, terminal station and ancillary infrastructure. However, this is not a permanent loss given that conditions of the recommendation will require the facility to be decommissioned at the end of its operational life.
 - The project will not affect soil quality, and the site can be returned to its existing condition when the BESS ceases use.
 - The proposal is located outside the two creeks on site and the estimated flood extent, and will not impact the flood behaviour either on site or in the surrounding areas.
 - The traffic impacts of the construction and use of the facility are discussed further in the relevant section of this report and are acceptable subject to standard conditions.
 - The proposal is expected to create 200 jobs during construction and six jobs during operation, encouraging long-term regional employment opportunities.

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- The proposal has considered potential fire hazards and incorporates safety design recommendations in accordance with CFA requirements, including fire breaks, site access and appropriate separation.

Particular and General Provisions

Clause 52.05 – Signs

47. Clause 52.05 seeks to regulate the development of land for signs and ensure they are compatible with the surrounding area.
48. Signage in the Farming Zone is in Category 4 – Sensitive areas.
49. The application proposes one small non-illuminated business identification sign at the site entrance point on Darlington-Terang Road. The proposed sign will have a dimension of 1.2m x 2.4m (display area of 2.88sqm).
50. Pursuant to clause 52.05-14, a permit is required to display business identification signage, noting the total display area must not exceed 3sqm.
51. The location, scale, general design and purpose of the sign is considered acceptable to the size of the facility and the character of the surrounding landscape. The sign will provide appropriate site identification without impacting on the amenity of the surrounds or road safety.
52. As such, the sign is considered to meet the objectives and decision guidelines of clause 52.05. The details of the proposed signage can be confirmed via a permit condition.

Clause 52.06 - Car parking

53. Clause 52.06 (Car parking) seeks to ensure that an appropriate number of car parking spaces is provided for new uses.
54. Pursuant to clause 52.06-6, car parking must be provided to the satisfaction of the responsible authority.
55. A car parking area comprising up to 10 car spaces is proposed adjacent to the operations and maintenance building to accommodate up to six staff as well as any visitors during the operation of the facility. The number of carparking spaces proposed is considered acceptable given the low car parking demand during the operational phase.

Clause 52.17 (Native Vegetation)

56. The application seeks the removal of up to 0.245 ha of native vegetation within a DEECA mapped wetland located to the east of the site, along the Mt Fyans Drain.

57. The proposed native vegetation removal is required to facilitate augmentation works to the eastern transmission line pylon and internal access track on site, to be undertaken by AusNet Services. Refer Figures 12 and 13 for the location of the proposed native vegetation removal.

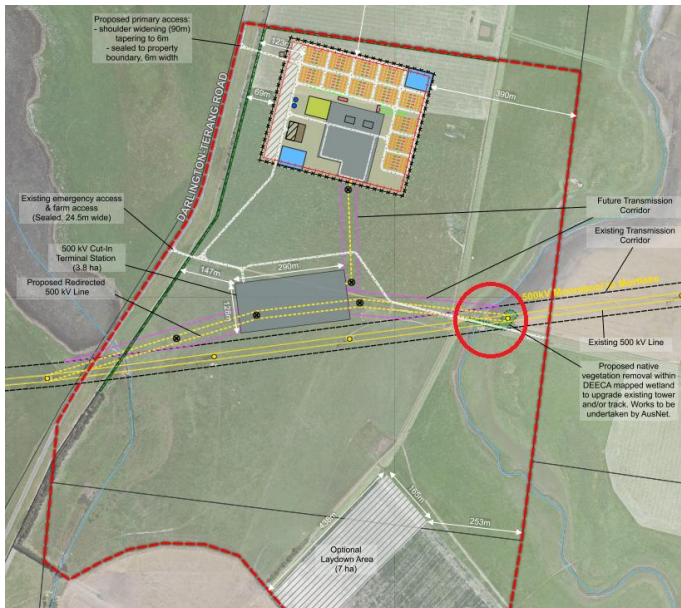


Figure 13: Location of proposed native vegetation removal (aerial imagery). Source: Flora and Fauna Assessment (Appendix 4)

Figure 12: Location of proposed native vegetation removal on site plan (shown in red circle). Source: Decision Plans.

58. Pursuant to clause 52.17-1 of the scheme, a permit is required to remove, destroy or lop native vegetation.
59. The application falls under the basic assessment pathway of the DEECA Guidelines, as the site is located within Location 1 and involves the removal of 0.245 ha of native vegetation (patches).
60. The Flora and Fauna Assessment (FFA) prepared by Biosis notes that the exact siting and design of these augmentation works are not yet defined. A detailed native vegetation assessment would be required if further augmentation of the existing AusNet transmission line be required in the future.
61. It is noted that the proposed augmentation works to be undertaken by Ausnet are exempt from a permit. The works to the existing transmission pylon and internal access track do not expand or relocate the footprint but instead comprise improvement works within the existing footprint. Pursuant to Clause 62.02-1 of the Moyne Planning Scheme, repair and routine maintenance to an existing building or works is exempt from a permit.
62. The removal requires an offset of 0.053 General Habitat Units with a minimum Strategic Biodiversity Score of 0.3520, including no large trees, located within Moyne Shire municipal area or Glenelg Hopkins CMA.
63. The application sought intradepartmental advice from DEECA, as the proposed native vegetation removal is within a DEECA mapped wetland.
64. DEECA did not object to the proposal and recommended that a permit condition be included for a CEMP to manage potential impacts of sedimentation and other pollutant runoff into this wetland. This condition has been included on the permit, with slight modifications.
65. The FFA includes the avoid and minimise statement for the project. The design and development of the facility have avoided and minimised impacts to native vegetation by:
- A 200m buffer is maintained from unnamed creeks within the site;
 - Siting most of the project components in cleared agricultural land; and
 - Locating site access points to minimise native vegetation impacts.
66. DTP officers recommend that permit conditions are included requiring the following:
- Amended plans showing the location of retained and removed vegetation and protection measures
 - Offset of removed vegetation

- CEMP (recommended by DEECA)
67. With these conditions included on the permit, the application is considered to meet the decision guidelines of clause 52.17 and the DEECA Guidelines. Refer to additional discussion of biodiversity matters further on in this assessment.

Clause 53.22 (Significant Economic Development)

68. Clause 53.22 seeks:
- To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.
 - To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.
69. This application is a Category 1 application at clause 53.22-1. As such it is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the PE Act.

Other Matters

Agricultural Impact

70. Clause 14.01-1S (Protection of agricultural land) seek to protect the state's agricultural base by preserving productive farmland.
71. The application includes an Agricultural Assessment Report prepared by Meridian Agriculture.
72. The subject site has predominately been used for grazing with occasional cropping.
73. The project area covers 169 ha, including 31 ha for the BESS component, and its siting in proximity to existing transmission infrastructure on site reduces fragmentation risk of existing agricultural land.
74. The minor reduction in production volumes has no direct effect on the local economy, with the estimated lost retail margin being \$3,289 for sheep grazing and \$2,846 for cropping.
75. The proposal's impact on agricultural land is considered acceptable. Conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the facility ceases operation, to ensure that the land remains suitable for agricultural use into the future.

Fire Risk

76. The subject site is located within a Bushfire Prone Area (BPA).
77. Clause 13.02-1S (Bushfire planning) requires all applications in a BPA to have consideration of bushfire risk, to strengthen the resilience of settlements and communities and prioritise the protection of human life.
78. The application is supported by a Fire Safety Study prepared by NJM Design, which has been prepared in accordance with the CFA's Design Guidelines and Model Requirements: Renewable Energy Facilities (the CFA Guidelines).
79. The assessment found that the potential risk the project presents to its surrounds can be managed to an acceptable level, if the risk mitigation measures specified are implemented.
80. The project has incorporated bushfire mitigation measures in its design, including:
- All-weather access roads and two access points from Darlington-Terand Road
 - Static water supply tanks
 - 10m wide fire breaks around the perimeter of the site
 - Compliant fire detection and suppression infrastructure
81. Notice of the application was given to CFA, which did not object to the application, subject to conditions that have been included in the recommendation requiring:
- Amended plans to be modified to show any changes required to comply with CFA conditions

- Risk Management Plan
- Emergency Management Plan & Fire Management Plan
- All fire protection measures shown on the endorsed plans must be implemented before the use starts.

82. DTP submits that, with CFA's conditions, the application has appropriately responded to the bushfire risk.

Dangerous Goods

83. The proposal includes the presence of dangerous goods on site in the form of lithium iron phosphate cells.
84. A referral to WorkSafe Victoria (determining referral authority) was required for the proposed use of land for a utility installation where the estimated dangerous goods exceed the fire protection quantity under the *Dangerous Goods (Storage and Handling) Regulations 2022*.
85. WorkSafe Victoria's referral response outlined that they do not object to the grant of the permit, subject to conditions in line with CFA's conditions, requiring a Risk Management Plan, Emergency Management Plan and Fire Management Plan in accordance with CFA Guidelines. These conditions have been included in the permit.

Noise

86. Clause 13.05-1S (Noise management) requires the consideration of noise effects on sensitive land uses, including the consideration of the noise requirements of the Environment Protection Regulations (EP Regulations) under the *Environment Protection Act 2017 (EP Act)* and the *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues* (Publication 1826.5, Environment Protection Authority) (the Noise Protocol).
87. The application is supported by a Noise Assessment (NA) prepared by SLR Consulting and dated 10 March 2026. The assessment has been prepared in line with the Noise Protocol and the EP Regulations.
88. The assessment adopted a conservative approach by assuming the operation of the BESS facility with all equipment, including BESS containers (primarily cooling equipment), inverters and high voltage transformer, running at full capacity (100%).
89. The assessment identified five noise sensitive receivers located within 3km of the project area as shown in Table 1 and Figure 14 below. This includes one stakeholder receiver (R4) located on the remainder of the Stoney Point property.

Table 1: Noise Sensitive Receivers. Source: Table 1 of NA.

Receiver ID	Easting (m)	Northing (m)	Distance to Project Boundary (m)
R1	675050	5790833	1250
R2	675090	5790683	1170
R3	677820	5791922	2470
R4 (project-involved)	678211	5788729	2050
R5	674272	5786791	3270



Figure 10: Noise receivers within 3km of the Murchs Corner BESS. Source: NA

90. The predicted noise levels at the identified representative sensitive receivers have been assessed against the most stringent night-time criterion. Table 2 presents the predicted noise levels and margin of compliance with the relevant night-time criteria. The proposal demonstrates compliance at night, and therefore, also meets the noise limits for the daytime and evening periods.

Table 2: Predicted Noise Levels from BESS Operations. Source: Table 8 of NA, SLR Consulting

Receiver	Predicted Noise Level, dBA	Night Noise Limit, dBA	Compliance Margin Night
R1	32	34	2
R2	34	34	0
R3	26	34	8
R4 (project-involved)	28	34	6
R5	20	34	14

91. The recommendations of the NA for the proposal are as follows:
- Source battery and inverter units with sound power levels of not exceeding 85 dBA and 92 dBA, respectively. This can be achieved via equipment selection, incorporation of available silencing options or other mitigation measures.
 - Battery and inverter units need to be free from tonal characteristics. If tonality is predicted at a receiver, a minimum of 2 dB tonal adjustment will be applied to the predicted noise level. Given the compliance margins at receivers R1 and R2 are 1 dB and 0 dB at night, respectively, a 2 dB tonal adjustment will result in marginal night-time non-compliances. This can be mitigated through the equipment selection and treatment measures (described above) or the installation of a noise wall along the north-western boundary of the BESS.
92. A condition has been included on the permit requiring the proponent to prepare an updated predictive noise assessment which models the final design and components of the facility against the Noise Protocol,



prior to the endorsement of plans. This will ensure that any noise mitigation measures required to achieve the noise limits are shown on the endorsed development plans.

93. Furthermore, cumulative noise impacts were considered, and no nearby commercial, industrial or trade premises were identified. No adjustment to noise limit is required.
94. The nearest energy facility that can be considered under the Noise Protocol is the approved Bookaar Solar Farm; however, it maintains a substantial setback of approx. 9.8 km from the site and has not been considered further in the cumulative noise assessment.
95. While the proposal is in close proximity to proposed Darlington and Mt Fyans Wind Farm, as well as existing Dundonell and Mortlake South Wind Farms, the noise sources from these wind energy facilities are regulated under the New Zealand Standard 6808:2010 Acoustics – Wind farm noise (NZS 6808:2010) and are not considered within the scope of the Noise Protocol assessment.
96. The Victorian Environment Protection Authority (EPA) will be responsible for enforcing the project's compliance with the Noise Protocol in accordance with the EP Regulations under the EP Act. A permit note will be included on the permit explaining that the facility must comply with EPA Publication 1826.5.

Landscape and Visual Impact

97. Clause 12.05-2S (Landscapes) and the decision guidelines of the FZ both require the consideration of the project's landscape and visual effects on the character and appearance of the surrounding area, landscapes, open spaces and natural environment.
98. The application is supported by a Landscape and Visual Impact and Visual Assessment Report (LVIVAR) prepared by Peter Haack Consulting.
99. The site and surrounding area comprise a flat landscape of open pasture or cropping land with vegetation that is scattered and occasionally arranged in dense bands. The existing agricultural landscape character of the project area and surrounds is of relatively low scenic quality and includes high-voltage transmission lines that bisect the site.
100. The visual study area identified five dwellings, including one stakeholder dwelling, within 4km; however, only two non-stakeholder dwellings were assessed. Viewpoints were confined to sensitive locations that are located generally within 2km (except Darlington township) of the project and within the viewshed. The remaining dwellings were found to have very low visual sensitivity due to the low-profile form of the proposal and their setbacks generally beyond 2km.
101. The assessment predicted visual impacts of the project from the following private receptors and public viewpoints:
 - Two locations on Darlington–Terang Rad (northbound and southbound)
 - Two locations on Hamilton Highway (westbound and eastbound)
 - [REDACTED] (residential property) (approx. 1.2km west of the site)
 - [REDACTED] (residential property) (approx. 2.1km south-east of the site)
 - Darlington township from Hall Street (approx. 3.7km north-east of the site)
102. The most affected viewpoint from the project will be from the south on Darlington–Terang Road, which was rated as 'low to moderate' level of visual impact as shown in Figure 15.



Figure 15: Photomontage of the proposed facility viewed south from Darlington-Terang Road. Source: LVIVAR (pg. 46)

103. The remaining public viewpoints from Hamilton Highway and Darlington-Terang Road (northbound) were rated to have 'low' visual impact from the BESS facility.
104. The two residential properties were rated 'no impact to low' for [REDACTED] and 'no impact' for [REDACTED]. Darlington township was assessed as having 'no impact', as the proposal is not visible.
105. The LVIVAR identified the following measures to mitigate the visual impacts of the project:
- Perimeter screening along the western boundary and to the north of the project area (refer Figure 16), to reduce views from the Darlington-Terang Road and Hamilton Highway, respectively; and
 - Use of recessive surface colour for BESS units and buildings to reduce visual mass.

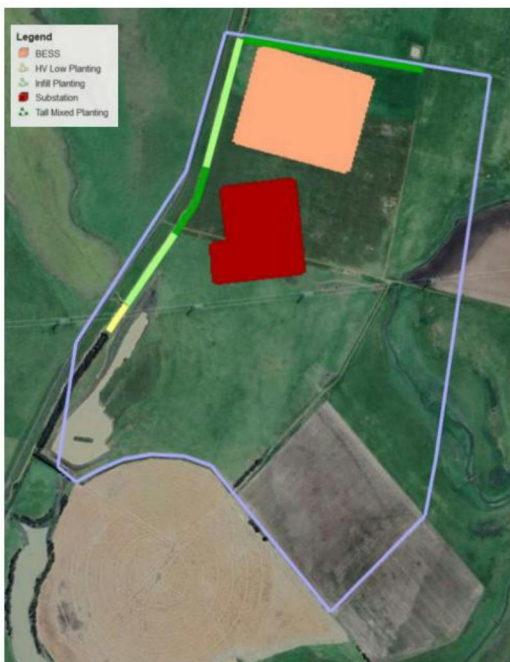


Figure 16: Landscape Amelioration Framework. Source: LVIVAR (pg. 64).

106. In terms of cumulative effects, the existing powerlines and the project, with its low-profile horizontal form, will be relatively minor within the context of the proposed Darlington Wind Farm. The project achieves colocation of similar activities.
107. Overall, it is considered that the proposal will have an acceptable level of visual impact, on balance with the benefits of the provision of a BESS facility that is well located near the existing transmission line on site.

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108. Conditions have been included in the recommendation requiring landscape screening, non-reflective and muted finishes of BESS units and buildings, and an on-site landscape plan for the facility.

Traffic and Transport

109. Clause 18.01-1S (Land use and transport integration), 18.02-4S (Roads), the FZ and clause 65.02 all require consideration of access and traffic impacts relating to the proposed use and development.
110. The application is supported by a Traffic Engineering Assessment (TEA) prepared by Traffix Group.
111. The site is to be accessed from two locations on Darlington-Terang Road (local rural road). A proposed (primary) access point at the northern portion of the site will be used during both construction and operation of the facility. The existing vehicular access point located midway along the western boundary will be upgraded (sealed) and utilised for the operation of the terminal station, emergency access and farm operations.
112. During construction, it is anticipated that up to 200 workers are expected on-site during peak periods, with approx. 33 heavy vehicle movements and up to 200 light vehicles movements per day. The construction phase for the BESS is expected to span 24 months, with traffic primarily generated by the transport of materials and equipment and daily workforce movements.
113. Heavy vehicles accessing the site will be primarily generated to/from the east via Hamilton Highway towards Geelong and Melbourne to deliver the BESS components and will access the site from Darlington-Terang Road.
114. The existing Hamilton Highway/Darlington-Terang Road intersection arrangement is satisfactory, and no upgrade is necessary as part of this project.
115. During the operation of the facility, it is anticipated that there will be a maximum of 6 vehicles accessing the site for repairs and maintenance activities. An additional four car parking spaces is provided to accommodate any visitors (e.g. external maintenance vehicles or deliveries).
116. The TEA outlines that the existing road network can generally accommodate the increase in traffic movements from the construction and operation of the facility, but recommended that:
- The existing and proposed vehicle access points to be sealed from the carriageway of Darlington-Terang Road up to the property boundary (approx. 30m) to mitigate any gravel spill onto the road. The remainder of the driveway and the internal road network within the facility is to have an unsealed gravel surface.
 - A rural basic left-turn treatment at the primary access of the facility in line with the requirements of the Austroads Guide to Road Design. This includes a widened shoulder for left-turn movement.
 - A TMP should be prepared and implemented during construction to accommodate the above recommendations.
117. Notice was given to Head, Transport for Victoria (TfV), who did not object to the proposal with no conditions.
118. Notice was also given to Moyne Shire Council who did not object to the proposal and suggested traffic and transport conditions, including:
- Vehicle access points to be designed and located to the satisfaction of Moyne Shire Council;
 - TMP;
 - Pre-construction public road survey; and
 - External road upgrade works to be completed to the satisfaction of Moyne Shire Council.
119. Council's suggested conditions have not been included in the permit, rather, DTP's standard TMP condition has been included and will require the TMP to be approved in consultation with the relevant road authorities (i.e. council and Head, TfV).
120. With these conditions, it is considered that the road network can satisfactorily accommodate the proposed facility.



Biodiversity

121. Clause 12.01-1S (Protection of biodiversity) and Clause 12.01-2S (Native vegetation management), seek to protect and enhance Victoria's biodiversity.
122. The application was supported by a Flora and Fauna Assessment (FFA) prepared by Biosis.
123. Much of the site has been cleared due to agricultural activities and is dominated by crops or pasture supporting non-indigenous grasses and weeds. The majority of the existing vegetation located on the western and southern boundaries of the site are planted shelterbelts (refer Figure 2 of the FFA).
124. Mt Fyans Drain runs along the eastern boundary of the site, with native vegetation confined to the creek. Creekline Tussock Grassland (EVC 654) and other wetland species are present and mapped within DEECA wetland inventory.
125. Vegetation within the roadside of Darlington-Terang Road is disturbed, subject to historical rock removal and likely pasture sowing, which has reduced the quality of vegetation for threatened flora and fauna.
126. Direct and indirect impacts to native vegetation have been already assessed at clause 52.17 above.
127. Some threatened flora and fauna species and biodiversity values are present (or potentially present) on or surrounding the site and along creek lines. These include:
 - Threatened flora species listed under the EPBC Act and/or FFG Act which have the potential to occur at the site, including Salt-lake Tussock-grass, Swamp Fireweed, Pale Swamp Everlasting, Salt Blown-grass, Purple Blown-grass and Wind-blown Tussock-grass.
 - One EPBC Act listed threatened ecological community, Seasonal Herbaceous Wetlands (Freshwater) of the Temperate Lowland Plains, has the potential to occur adjacent the Mt Fyans Creek.
 - Threatened fauna species listed under the EPBC Act and/or FFG Act which have potential to occur at the site, including Growling Grass Frog, White-throated Needletail, Latham's Snipe, Brolga, Black Falcon, Tussock Skink, Southern Toadlet, and Hairy Burrowing Crayfish.
128. The FFA recommends that the likelihood of significant impacts on threatened flora, fauna and ecological communities, is either negligible or low, as the proposed development area has been designed to avoid direct impact to these habitats and minimise indirect impacts by maintaining a 200m wetland buffer.
129. The installation (or relocation) of a transmission line pylon is proposed within the 200m wetland buffer area. It is unlikely this will result in significant impacts to threatened birds if the following recommendations can be implemented:
 - Attach devices (typically flappers, balls or spirals) to electricity transmission lines to increase their visibility;
 - Design or insulate poles and wires to reduce the risk of electrocution of birds or bats from contact; and
 - Design measures to reduce the vertical spread of lines, and Increase visibility of lines, and/or decrease the span length.
130. Advice was sought from DEECA on the proposed impacts to the mapped wetland.
131. DEECA did not object to the proposal and recommended that a permit condition be included for a CEMP to manage potential impacts of sedimentation and other pollutant runoff into this wetland. A sub-condition of the CEMP requires specific details for the implementation of the recommendations and mitigation measures outlined in the FFA, including those for threatened birds. This condition has been included on the permit, with minor modifications.
132. On 6 May 2026, the project was determined not to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), meaning it is not likely to have a significant impact on matters on national environmental significance.
133. Overall, it is considered that the project will not have any unreasonable impacts on the biodiversity values and threatened flora and fauna and is supported, subject to a CEMP being prepared prior to the commencement of works, to ensure construction impacts are appropriately managed.

Hydrology

134. Clause 12.03-1S seeks to protect and enhance waterway systems, including waterways and wetlands.
135. The application is supported by a Flood Assessment Report (FAR) prepared by SWM Consulting Pty Ltd, which outlines that:
- Two unnamed creeks on site; one traverses a small area on western side of the site and the second, Mt Fyans Drain, along the eastern portion of the site.
 - Hydraulic modelling indicates that overland flow paths and inundation only encroach on the project area during the estimated 1% AEP event in areas along the western and eastern boundaries and along the northern boundary where water escapes the Mt Fyans Drain.
 - The estimated 1% AEP flood depths within the project area range from 0m to 3.20m, with the largest flood depths within the dam located in the unnamed waterway along the western boundary, up to 1.7m in the Mt Fyans Drain.
136. The FAR concluded that the proposed development footprint is located outside the estimated flood extent and will not impact the flood behaviour either on site or in the surrounding areas (refer Figure 17). Drainage from the site can be managed within the surrounding catchment network. No mitigation measures are proposed.

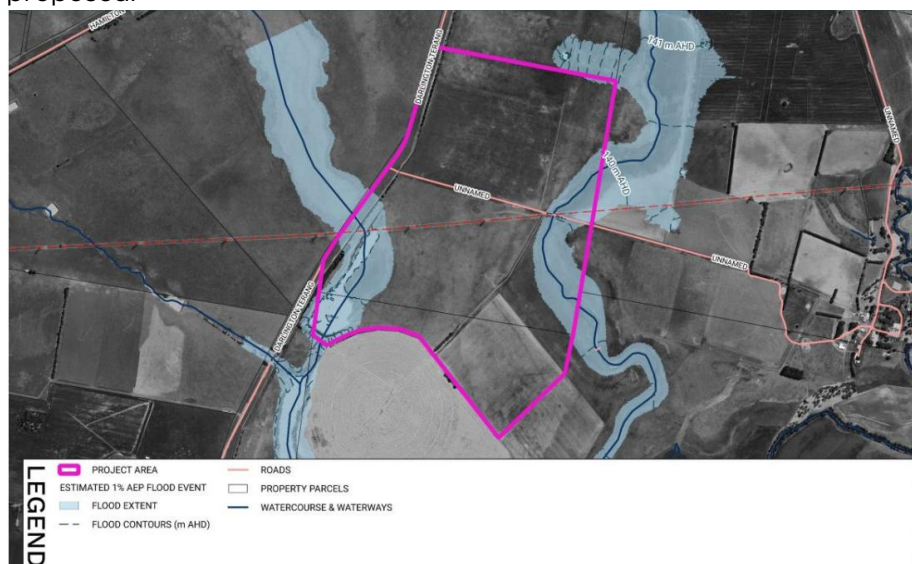


Figure 17: Estimated 1% AEP Flood Height (Water Surface Elevations) Source: FAR (Appendix C3).

137. Notice was given to Glenelg Hopkins CMA, who did not object to the proposal and recommended a permit note advising that any future works in, on or around a designated waterway requires a license from the Glenelg Hopkins CMA. This permit note has been incorporated on the permit.
138. A CEMP condition will be included in the permit to detail measures to manage waste and soil on site and the avoidance of impacts to the waterway during construction.
139. The application has appropriately responded to the hydrology impacts.

Social and Economic Effects

140. Sections 60(1)(f) and 60(1B) of the PE Act require the responsible authority to consider any significant social effects the use or development may have, including having regard to the number of objectors in considering whether the use or development may have a significant social effect.
141. The project will contribute to the local economy by creating approx. 200 jobs during the construction phase and approx. six jobs during operational phase, meeting the objectives of clause 17.01-1S.

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142. The use will also contribute to the enhancement of the electricity network by ensuring grid reliability during peak demand periods.
143. It is considered that, the proposal achieves a net community benefit when balanced with its other social, economic and environmental outcomes.

Decommissioning

144. The future decommissioning of the proposed facility can be adequately addressed via permit conditions requiring a decommissioning management plan (DMP). These conditions will require the infrastructure to be removed from the site and the land to be rehabilitated and reinstated to its prior condition to ensure that there is no permanent loss of agricultural land.

Staging

145. Given the scale of the proposed project, conditions have been included on the permit to allow the use and development to be completed in stages, providing that the corresponding conditions/obligations are also satisfied at each stage.

Other Victorian and Commonwealth legislation

146. The subject of this report is the assessment of the project under the PE Act.
147. The table at Attachment 1 of this report provides an overview of the project's key approval and assessment requirements under other Victorian and Commonwealth legislation.



Recommendation

148. The proposal is consistent with the relevant planning policies of the Moyne Planning Scheme and will contribute to the provision of energy storage within the Moyne local government area.
149. The proposal is supported by the various referral agencies, subject to conditions which have been included in the recommendation.
150. It is recommended that Planning Permit No. PA2504151 for the use and development of the Murchs Corner BESS project (as described in this report) be issued under delegation from the Minister for Planning, subject to conditions.
151. It is recommended that the following stakeholders be notified of the above decision in writing:
- Applicant
 - Moyne Shire Council
 - All submitters, including the following agency submitters:
 - CFA
 - DEECA
 - Head, TfV
 - Glenelg Hopkins CMA
 - Referral authorities:
 - AusNet
 - WorkSafe

Prepared by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ No Conflict
 - ☐ Conflict and have therefore undertaken the following actions:
 - ☐ Completed the Statutory Planning Services declaration of Conflict/Interest form.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.
- [REDACTED]

Reviewed by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ No Conflict
 - ☐ Conflict and have therefore undertaken the following actions:
 - ☐ Completed the Statutory Planning Services declaration of Conflict/Interest form.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.
- [REDACTED]

Approved by: [REDACTED]

I have considered whether there is a conflict of interest in assessing this application and I have determined that I have:

- ☒ No Conflict
 - ☐ Conflict and have therefore undertaken the following actions:
 - ☐ Completed the Statutory Planning Services declaration of Conflict/Interest form.
 - ☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.
- [REDACTED]

Attachment 1: Other Legislative Requirements

Act	Discussion
Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)	Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on matters of national environmental significance (MNES), must be referred to the Commonwealth Minister for Environment and Water. On 6 May 2026, the project was determined not to be a controlled action under the EPBC Act, meaning it is not likely to have a significant impact of MNES.
Environment Effects Act 1978 (EE Act)	The EE Act requires the preparation of an Environmental Effects Statement (EES) for activities considered to have, or to be capable of having, a significant effect on the environment. <i>The Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978</i> (DTP 2023) outlines the criteria for referring a project to the Victorian Minister for Planning who will determine if an EES is required. The Flora and Fauna Assessment, prepared by Biosis and dated 24 February 2026, determined that impacts to biodiversity are unlikely to trigger an EES. The proponent did not refer the project under the EE Act.
Aboriginal Heritage Act 2006 (AH Act)	The AH Act seeks to avoid adverse effects to Aboriginal cultural heritage values as far as reasonably practicable. Where adverse effects cannot be avoided, measures must be implemented to minimise and mitigate adverse effects. The proposed BESS and associated works are located well outside the area of cultural heritage sensitivity. Further, the project area has been previously assessed as part of a Cultural Heritage Management Plan (CHMP) for the now operating Mortlake South Wind Farm (CHMPs 10152 and 11020) in 2008 and 2009 which did not identify any Aboriginal cultural heritage across the project area. A mandatory CHMP is not required.
Flora and Fauna Guarantee Act 1988 (FFG Act)	Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land. There are permit exemptions under the FFG Act which apply to the non-commercial removal of protected flora from private land, unless there is 'critical habitat' that has been declared on the land. The Flora and Fauna Assessment, prepared by Biosis, and dated 24 February 2026, determined that there is a likelihood of presence of threatened flora and fauna species listed under the FFG Act occurring within the site. However, as the study area is privately owned and does not contain any declared 'critical habitat' and as such a permit under the FFG Act is not required if these species are removed as part of the development.
Climate Action Act 2017 (CA Act)	The purpose of the CA Act includes (but is not limited to): – to facilitate the consideration of climate change issues in specified areas of decision making of the Government of Victoria; and,

Act	Discussion
	– to set policy objectives and guiding principles to inform decision-making under this Act and the development of government policy in the State. Section 20 of the CA Act states that: <i>The Government of Victoria will endeavour to ensure that any decision made by the Government and any policy, program or process developed or implemented by the Government appropriately takes account of climate change if it is relevant by having regard to the policy objectives and the guiding principles.</i> This assessment has had consideration of the policy objectives and the guiding principles of the CA Act. The project is anticipated to meet evening peak demand needs for approx. 172,414 households. It is noted that the community were invited to be involved in the decision-making process via public notice under s52 of the PE Act.
Charter of Human Rights and Responsibilities Act 2006 (the Charter)	The Charter gives legal recognition and protection in Victoria to many important human rights, particularly civil and political rights. DTP is committed to upholding its responsibilities under the Charter. This planning application has been assessed in a manner that is compatible with the human rights identified in the Charter.
Transport Integration Act 2010 (TI Act)	The purpose of the TI Act is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. The assessment of this planning application has had regard to the transport system objectives and decision-making principals of the TI Act.



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