Energy Assessment
PA2604440 (Corangamite) & PA2604445 (Golden Plains)

Moreton Hill Wind Farm

Officer Assessment

VICTORIA State Government | Department of Transport and Planning

Contents

Executive Summary ____ 2

Process and Documentation ____ 4

Proposal ____ 5

Subject Site and Surrounds ____ 8

Referrals ____ 14

Public Notice ____ 18

Assessment ____ 26

Recommendation ____ 58

Attachment 1: Other Legislative Requirements ____ 61

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Executive Summary

The proposed Moreton Hill Wind Farm is located across two local government areas (LGA); Corangamite and Golden Plains. A separate permit is required for the parts of the project in each LGA.

The combined applications identify a possible 68 wind turbine locations but proposes the construction of 62.

The assessment of this proposal is for all 68 locations as the most impactful scenario, but conditions will be included requiring that only 62 can be constructed (16 in Corangamite and 46 in Golden Plains).

Key Information	Details	
Application Numbers:	**PA264440**	**PA264445**
Planning Scheme:	Corangamite	Golden Plains
Received:	10/06/2026	10/06/2026
Statutory Days:	103	
Applicant:	MHWF Nominees Pty Ltd c/- Umwelt Pty Ltd	
Location:	Various lots in Skipton, Borriyalloak, Mannibadar & Argyle, Victoria	
Description	Development of a 62-turbine wind farm, 100 MW battery, 15 km transmission line, alteration of access to roads, and removal of 1.64 hectares of native vegetation in the Corangamite and Golden Plains shire councils	
Proposal:	Use and development of a 16-turbine wind energy facility, utility installations (100MW Battery Energy Storage System (BESS) and substation), creation of access to a Transport Zone and removal of0.211 hectares (ha) of native vegetation and large tree	Use and development of a 46-turbine wind energy facility, utility installation (powerline), creation of access to a Transport Zone and removal of 1.429 hectares (ha) of native vegetation.
Development Value:	$1.5 billion	
Why is the Minister responsible?	Clause 72.01-1 energy generation facility with an installed capacity greater than 1 megawatt (MW), and utility installation to transmit electricity, or store electricity with capacity of 1 MW and clause 53.22 applications.	
Zones and overlays:	Farming Zone (FZ) Transport Zone 2 (TRZ2) Vegetation Protection Overlay (VPO2) Environmental Significance Overlay (ESO1)	Farming Zone (FZ) Vegetation Protection Overlay (VPO2) Environmental Significance Overlay (ESO2) Salinity Management Overlay (SMO) Land Subject to Inundation Overlay (LSIO)
Irrigation district:	No	No
Renewable Energy Zone:	Yes (Central Highlands)	Yes (Central Highlands)
CHMP:	A mandatory CHMP 19190 was approved on 8 October 2026	
Referral Authorities:	Secretary to DEECA (recommending for vegetation removal)	Secretary to DEECA (recommending for vegetation removal)

Key Information	Details	
	WorkSafe Victoria (determining for utility installations that exceed a fire protection quantity under the Dangerous Goods Regulations) Head, Transport for Victoria (determining for creation or alteration of access to a freeway or arterial road)	Secretary to DEECA (determining) for salinity management overlay AusNet (determining within 60 metres of a major transmission line or easement 220kV or more) Head, Transport for Victoria (determining for creation or alteration of access to a freeway or arterial road) Corangamite Water Catchment Authority (recommending as the relevant floodplain management authority)
Objections and submissions:	6 objections 8 submissions – CFA, CASA, Airservices Australia, Dept of Defence, Head Transport for Victoria (Heavy Vehicles), Corangamite Shire Council, Golden Plains Shire Council.	
EE Act	On 24 September 2024, the Victorian Minister for Planning determined that an Environments Effects Statement was not required for the project, subject to conditions being met to assess and manage specific impacts to avoid/minimise adverse environmental effects on threatened species of birds and bats (Brolga, Grey-headed Flying-fox, Southern Bent-wing Bat, Eastern (common) Bent-wing Bat and White-throated Needletail. These conditions also require the preparation of an Environment Report.	
EPBC:	On 17 July 2024 the project was determined to be a controlled action under s75 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The project is to be assessed by the state using the accredited Environment Report process set out in Schedule 1 (part 5) of the Bilateral (Assessment) Agreement under section 45 the EPBC Act (the Bilateral Agreement). On 23 October 2026 the Minister for Planning signed the Moreton Hill Wind Farm Minister's assessment of controlled action (EPBC 2024/09797) under EPBC Act Bilateral Agreement (Environment Report). This assessment determined that the eastern side of Willowvale Road should be assessed for the presence of native vegetation in accordance with the Guidelines and EPBC guidance for the NTGVPP community prior to detailed design.	
Delegation:	Approval to determine under delegation received on 12 October 2026	
Recommendation:	Issue two planning permits, all subject to conditions.	

Process and Documentation

Planning Process

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

Milestone	Date
Application lodgement	10 June 2026
Request for Further Information	1 July 2026
Public notice	29 July 2026 – 26 August 2026

Decision Documents

2. The subject of this report includes the decision documents submitted with the applications which refer to the project in its entirety across both Corangamite Shire Council and Golden Plains Shire Council (as advertised with the applications and described below). Other documents considered are also listed below.

Decision Documents (PA2604440 and PA2604445)

- Development Plans, prepared by Umwelt and Squadron Energy, dated variously between July 2025 and 2026, 70 pages
- Moreton Hill Wind Farm Aviation Impact Assessment prepared by Aviation Projects, dated February 2026
- Moreton Hill Wind Farm Ecological Assessment prepared by Ecology & Heritage Partners, dated 26 May 2026
- Moreton Hill Wind Farm Risk Management and Fire Safety Study Plan prepared by Fire Risk Consultants, dated 28 April 2026
- Moreton Hill Wind Farm Cultural Heritage Management Plan prepared by Heritage Insight, dated 3 July 2025
- Moreton Hill Wind Farm Electromagnetic Interference Assessment prepared by GHD Pty Ltd, dated 2 February 2026
- Moreton Hill Wind Farm Flood Impact Assessment prepared by Water Technology, dated 25 August 2025
- Moreton Hill Wind Farm Historical Heritage Assessment prepared by Heritage Insight, dated 26 August 2025
- Moreton Hill Wind Farm Environmental Noise Assessment prepared by Marshall Day Acoustic, dated 26 June 2026
- Moreton Hill Wind Farm Auditor Verification of Pre-Construction Noise Assessment prepared by Tonkin & Taylor, dated 10 February 2026
- Moreton Hill Wind Farm Landscape and Visual Impact Assessment prepared by Moir Studio, dated 23 February 2026
- Moreton Hill Wind Farm Shadow Flicker Assessment prepared by GHD Pty Ltd, dated 10 February 2026
- Moreton Hill Wind Farm Social and Economic Impact Assessment prepared by Colliers Urban Planning, dated 2 April 2026
- Moreton Hill Wind Farm Traffic Impact Assessment prepared by Impact Traffic Engineering Pty Ltd, dated 27 February 2026
- DTP Request for information – dated 1 July 2026

Decision Documents (PA2604440 and PA2604445)

- Request under section 50 of *Planning & Environment Act 1987* – dated 9 July 2026 (updated Noise Report & updated Planning Report).
- Response to request for information received – dated 23 July 2026
- Section 55 Referral responses
    - AusNet – dated 28 July 2026
    - Corangamite Catchment Management Authority – dated 18 July 2026
    - Head, Transport for Victoria – dated 22 July 2026
    - WorkSafe Victoria – dated 19 August 2026
    - DEECA – dated 11 September 2026
- Interagency advice
    - Air Services Australia – 10 August 2026
    - Bureau of Meteorology – 29 July 2026
    - CASA – 24 July 2026
    - CFA – 24 August 2026
    - DEECA Regions – 11 September 2026
    - Department of Defence – 25 June 2026
    - Head, Transport for Victoria (Heavy Vehicles) – 12 July 2026
- Objections and submissions to the applications, including:
    - CFA – 24 August 2026
    - Corangamite Rural Council – 8 October 2026
    - Golden Plains Rural Council – 13 October 2026
    - Six objections variously dated

Proposal

3. The applications propose the use and development of the land for a 62-turbine 421-megawatt (MW) wind energy facility, utility installations (battery energy storage system (BESS) and associated utility infrastructure), removal of native vegetation, earthworks, business identification signage and alteration of access to a road in a Transport 2 Zone.
4. The project can be summarised as follows:

    – 62 wind turbines

        – Up to 16 WTGs (Wind Turbine Generator) will be located within Corangamite
        – Up to 46 WTGs will be located within Golden Plains

    – Wind turbines to the following specifications:

        – Maximum height of 252 metres (m)
        – Maximum rotor diameter of 172 m

    – Minimum blade tip clearance of 44m above finished ground level
    – Maximum hub height of 166m
    – Matte white finish
    – No lighting is proposed on the turbines
    – Note that the proponent has sought approval for a turbine envelope to allow some flexibility. Turbines will have a maximum 172m diameter, but the rotor may be mounted on varied tower heights. A 252m tip height would have an 80m minimum blade clearance. A 216m tip height would have a 44 m minimum blade clearance.

    – Associated on-site infrastructure:

- Operations and maintenance (O&M) facilities,
- Permanent hardstands (approximately 90m x 50m)
- Internal access tracks – approximately 65km across the project area
- 10 x 45,000 litre water storage tanks for fire-fighting water supply
  - Up to four permanent meteorological masts of approximately 166 m in height with associated footings and guy wires
  - Temporary facilities to support construction, including a two temporary concrete batching plants – approximately 100m x 60m inclusive of plant aggregate storage, water storage and treatment, and temporary construction compounds and turbine component laydown areas.

- Battery energy storage system (BESS) 100MW/4 hours storage capacity.

- Transmission line infrastructure:
  - Approximately 67 kilometres (km) of underground and overhead 33kV electrical reticulation cabling between WTGs and connection to the onsite substation
  - 15 kilometres (km) of underground 220 kV transmission cabling to allow for ultimate connection from the substation to the National Electricity Market (NEM) at Berrybank Terminal Station along Willowvale Road.
  - Approximately 600m of overhead reticulation cables across Naringhil Creek
- Associated buildings and works to facilitate road and intersection upgrades
- Site access provided by gates proposed in eight locations from the road network across both Corangamite Shire and Golden Plains Shire specifically being:
  - Two via Rokewood-Skipton Road at intersections with Rankin Road and Stretchs Road – within the TRZ2 which straddle both Corangamite and Golden Plains Shires.
  - Six via local roads
- Removal of up to 1.64ha of native vegetation:
  - 1.429 ha of native vegetation within Golden Plains Shire
  - 0.211 ha of native vegetation, including 1 large tree in Corangamite Shire

5. A breakdown of the project components within each LGA are detailed as follows

Project Component	Corangamite Shire	Golden Plains Shire
WTGs (maximum 62 across both LGAs)	18 (up to 16 of 18)	50 (up to 46 of 50)
BESS	1	0
Onsite substation	1	0
O&M facility / construction compound	1	0
Underground transmission line	Approx. 2.5 km	Approx. 12.5 km
Underground reticulation	Approx. 20 km	Approx. 47 km
Overhead reticulation	0 m	600 m
Permanent meteorological masts	TBC – likely at least 1 of 4	TBC – likely at least 1 of 4
Internal access tracks	Approx. 23 km	Approx. 42 km
Site entry points	4	4
Water tanks	5	5
Temporary concrete batching plants	1	1
Temporary laydown areas	2	3
Temporary intersection modifications (within Corangamite and Golden Plains LGAs	5	6
Temporary meteorological masts (existing)	1	1

Figure 1: Breakdown of project components within Corangamite and Golden Plains LGAs. Source: Advertised documents.

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

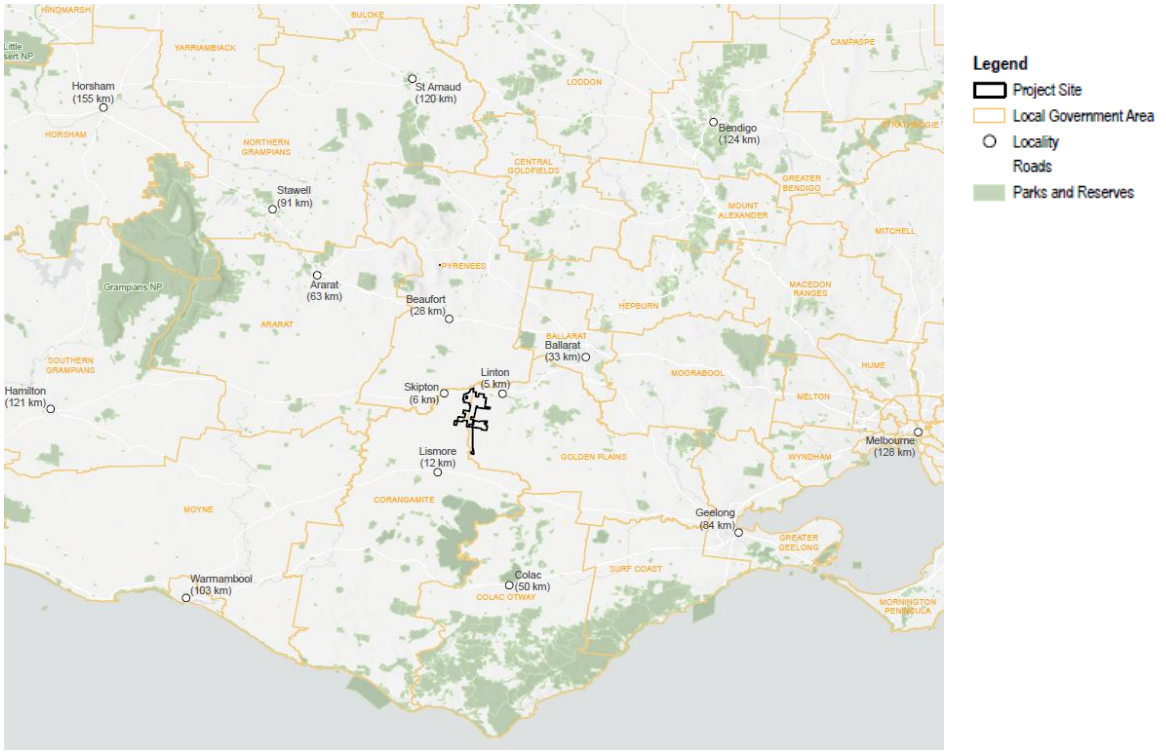


Figure 2: Regional context plan of the proposed wind farm, project area shown in black. Source: Advertised documents.

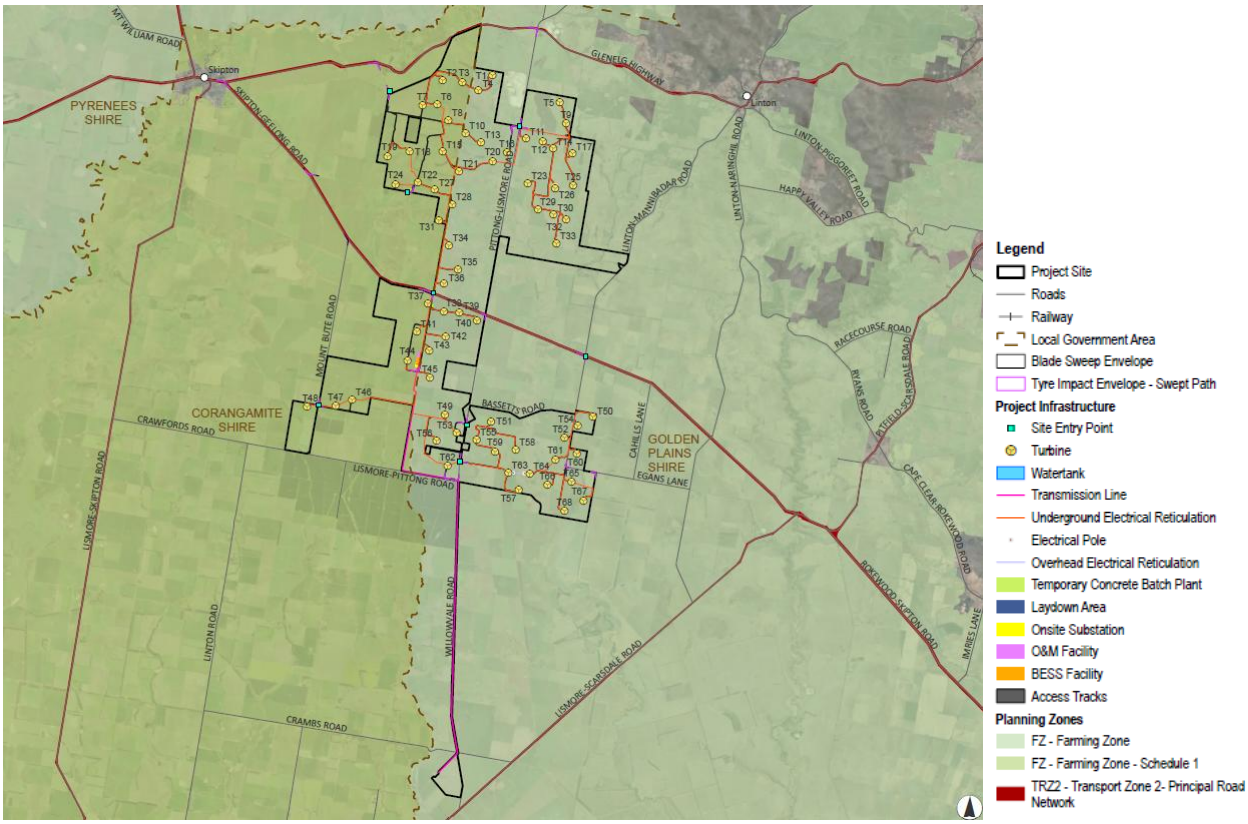


Figure 3: Site plan of the proposed wind farm identifying the LGAs, the project area shown in black and the WTGs in yellow. Source: Advertised documents.

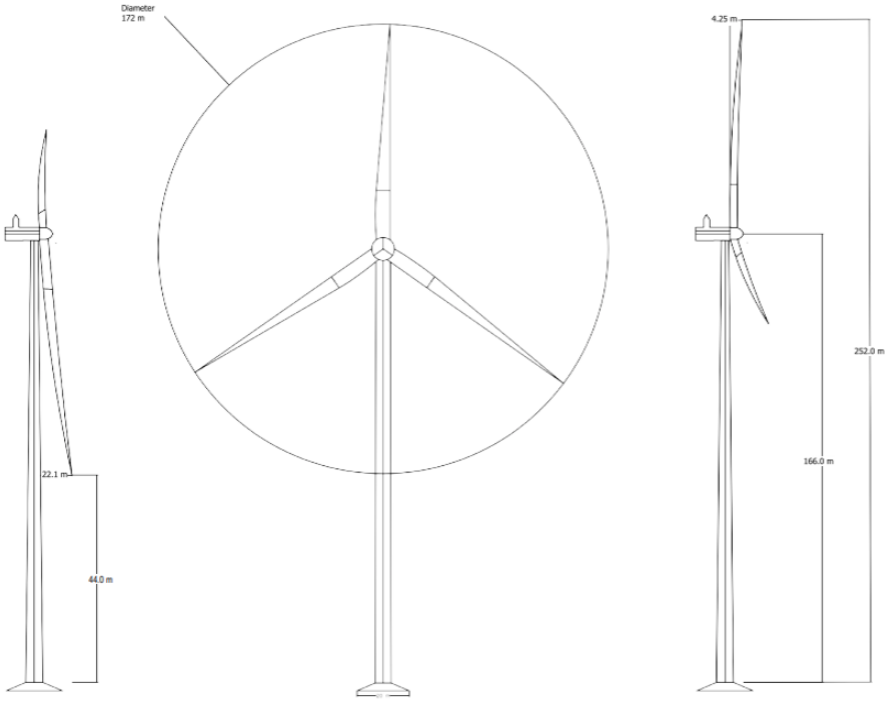


Figure 4: Elevation of the proposed turbines. Source: Advertised documents.

Subject Site and Surrounds

Site Description (Corangamite & Golden Plains)

7. The site comprises approximately 6800 ha of predominately privately owned agricultural land located across Golden Plains and Corangamite Shires. The construction footprint including the temporary works, occupy approximately 153ha – 2.2% of the total project site. Once construction is complete, the operational footprint equates to approximately 70ha – approximately 1% of the project site.
8. The site is located within the Central Highlands Renewable Energy Zone (REZ) declared under section 63 of the *National Electricity (Victoria) Act 2005*.
9. The site is bound by the Glenelg Highway to the north, Linton-Mannibadar Road/Cahills Lane in the east, Lismore-Pittong Road in the south and Mount Bute Road in the west. Rokewood-Skipton Road bisects to the project site east to west.
10. A total of 83 titles combined make up the site area with a total of 24 landowners. The site includes one Crown land parcel is managed by the Secretary to the Department of Environment, Land, Water and Planning (known as DEECA) which relates to the Hoyles Creek/Naringhil Creek. Title documents for the site have been provided, and the proposal does not breach any covenants, encumbrances, or agreements under section 173 of the PE Act. Several easements affect the site, including transmission and distribution line easements.
11. Construction proposed on freehold land, Crown Land and within public road reserves, with the consent of the relevant authorities.
12. The project area is predominantly undulating and is primarily used for agricultural stock grazing and cereal, grain and canola cropping and has been cleared or modified by agricultural practices, resulting in much of the native vegetation being previously removed.
13. Native scattered trees are evident and linear areas of planted vegetation close to dwellings, dams and paddock boundaries. It is noted that much of the linear planting contain Eucalypt and Acacia species.

14. There are 13 dwellings within the project boundary, including five dwellings (one to be demolished) which are located within 1 km of a proposed turbine (stakeholder dwellings). Consent from these landowners was provided with the applications in accordance with clause 52.32-3, and the proposed minimum setback distances to turbines are listed below:

    - Dwelling ID #111 –213 m setback (proposed to be demolished, supported by a signed deed of variation)
    - Dwelling ID #107 – 719 m setback
    - Dwelling ID #84 – 750 m setback from T11 and 963m from T16
    - Dwelling ID #143 – 995m setback
    - Dwelling ID #129 – 997 m setback

15. An existing 66 kV transmission line passes through the project area along Rokewood-Skipton Road on the northern side of the road.
16. The site contains 15.8ha of native vegetation represented by six ecological vegetation classes (EVCs). These include Plains Grassy Woodland (EVC 55), Plains Grassy Wetland (EVC 125), Plains Sedgy Woodland (EVC 647), *Heavier soils* Plains Grassland (EVC132_61), Grassy Woodland (EVC 175) and Healthy Dry Forest (EVC 20). 41 scattered indigenous trees, including 26 large scattered trees and 15 small scattered trees are located across the site.
17. The project area intersects with the following identified ephemeral waterways:
    - Naringhil Creek (a tributary of Woady Yaloak River) traversing the southern part of the site towards the site.
    - Hoyles Creek (a tributary of Naringhil Creek) traversing the northern part of the site, connecting with the Naringhil Creek south of the Rokewood-Skipton Road.
    - Gnarkeet Chain of Ponds and Mundy Gully – originating in the southern part of the site that flows south to Lake Corangamite
18. The project area is located in the following zones:

    Corangamite

    Farming Zone (FZ), Transport Zone 2 (TRZ2)

    Golden Plains

    Farming Zone (FZ), Transport Zone 2 (TRZ2)
19. The project area is affected by the following overlays:

    Corangamite

    – Environmental Significance Overlay Schedule 1 (ESO1 – Watercourses, water body and wetland protection)
    – Vegetation Protection Overlay Schedule 2 (VPO2 – Roadside Vegetation Protection Area)

    Golden Plains

    – Environmental Significance Overlay Schedule 2 (ESO2 – Watercourse protection)
    – Vegetation Protection Overlay Schedule 2 (VPO2 – Bushland reserves and roadside vegetation areas)
    – Salinity Management Overlay
    – Land Subject to Inundation Overlay Schedule 1

20. The project area is located within a Bushfire Prone Area (BPA).
21. The project area is formally described as comprising the following land parcels:

    – Lot 1 on Plan of Subdivision 217910Q (Easement – Powerline)
    – Lot 1 on Title Plan 544999Q
    – Crown Allotment 1 Section 14A Parish Skipton
    – Crown Allotment 15B Section 15A Parish of Skipton
    – Crown Allotment 16 Section 15A Parish of Skipton
    – Crown Allotment 17 Section 15A Parish of Skipton
    – Crown Allotment 18 Section A Parish of Borriyalloak
    – Crown Allotment 19 Section 15A Parish of Skipton

- Crown Allotment 19 Section A Parish of Borriyalloak
- Lot 2 on Plan of Subdivision 217910Q
- Lot 2 on Title Plan 759089J
- Crown Allotment 20 Section 15A Parish of Skipton
- Crown Allotment 21 Section A Parish of Borriyalloak
- Crown Allotment 21B Section 15A Parish of Skipton
- Crown Allotment 21B Section A Parish of Borriyalloak
- Crown Allotment 35 Section 15A Parish Skipton
- Crown Allotment 36 Section 15A Parish of Skipton
- Crown Allotment 37 Section 15A Parish of Skipton
- Crown Allotment 38 Section 15A Parish of Skipton
- Crown Allotment 39 Section 15A Parish of Skipton
- Crown Allotment 40 Section 15A Parish of Skipton
- Crown Allotment 41 Section 15A Parish of Skipton
- Crown Allotment 42 Section 15A Parish of Skipton
- Crown Allotment 43 Section 15A Parish of Skipton
- Crown Allotment 44 Section 15A Parish of Skipton
- Crown Allotment 45 Section 15A Parish of Skipton
- Crown Allotment 47 Section 15A Parish of Skipton
- Crown Allotment 48 Section 15A Parish of Skipton
- Crown Allotment 49 Section 15A Parish of Skipton
- Crown Allotment 52 Section 15A Parish of Skipton
- Crown Allotment 53 Section 15A Parish of Skipton
- Crown Allotment 55 Section 15A Parish of Skipton
- Crown Allotment 56 Section 15A Parish of Skipton
- Crown Allotment 57 Section 15A Parish of Skipton
- Crown Allotment 58 Section 15A Parish of Skipton
- Crown Allotment 59 Section 15A Parish of Skipton
- Crown Allotment 60 Section 15A Parish of Skipton
- Crown Allotment 61 Section 15A Parish of Skipton
- Crown Allotment 62 Section 15A Parish of Skipton
- Crown Allotment 9 Section A Parish of Borriyalloak
- Crown Allotment 1B Parish of Mannibadar
- Crown Allotment 2B Parish of Mannibadar
- Crown Allotment 2002 Parish of Mannibadar
- Crown Allotment 1 Parish of Mannibadar
- Lot 1 on Title Plan 241260P
- Lot 1 on Title Plan 595563S
- Crown Allotment 13 Section C Parish of Argyle
- Crown Allotment 15 Section C Parish of Argyle
- Crown Allotment 17 Section C Parish of Argyle
- Crown Allotment 19 Section C Parish of Argyle
- Crown Allotment 2 Parish of Mannibadar
- Lot 2 on Plan of Subdivision 741212B
- Lot 2 on Plan of Subdivision 838361T
- Crown Allotment 20 Section C Parish of Argyle
- Crown Allotment 21 Section C Parish of Argyle
- Crown Allotment 22B Section C Parish of Argyle
- Crown Allotment 2A Parish of Mannibadar
- Crown Allotment 3 Parish of Mannibadar

- Lot 3 on Title Plan 267762S
- Crown Allotment 30 Parish of Mannibadar
- Crown Allotment 30D Parish of Mannibadar
- Crown Allotment 34 Parish of Mannibadar
- Crown Allotment 35 Parish of Mannibadar
- Crown Allotment 36 Parish of Mannibadar
- Crown Allotment 37 Parish of Mannibadar
- Lot 4 on Title 267762S
- Crown Allotment 45 Parish of Mannibadar
- Crown Allotment 46 Parish of Mannibadar
- Crown Allotment 47 Parish of Mannibadar
- Crown Allotment 4B Parish of Mannibadar
- Crown Allotment 5 Parish of Mannibadar
- Lot 5 Title Plan 267762S
- Crown Allotment 57 Parish of Argyle
- Crown Allotment 6 Parish of Mannibadar
- Lot 6 on Title Plan 267762S
- Crown Allotment 7 Parish of Mannibadar
- Lot 7 on Title Plan 267762S
- Crown Allotment 8 Parish of Mannibadar
- Crown Allotment 9 Parish of Mannibadar
- The site also includes the road/reserves of the:
- Rokewood-Skipton Road (generally between Rankin Road and Lismore Pittong Road)

Site Surrounds

22. The land surrounding the wind farm site is predominantly used for dryland and agriculture, including cereal cropping, pasture and livestock grazing.
23. The broader landscape is characterised by a highly modified, generally flat to gently undulating agricultural setting with several ephemeral creeks situated in and around the project area. One nationally significant flora species – Spiny Rice-flower, was recorded along Rankin Road.
24. The Pittong Kaolin Mine to the north, abuts the project site to the west and east. This mine is Australia's only wet kaolin mine and processing plant in Australia.
25. The closest township to the site is Linton, located approximately 5.5 km to the east. Skipton is located approximately 6km to the west.
26. The Ballarat Airport is located 32km northeast of the site.
27. Several conservation reserves, lakes and areas of environmental significance occur within the broader area including:
    - Ballarat-Skipton Rail Trail Reserve to the north
    - Willowvale Dam Bushland Reserve
    - Bradvale Recreation Reserve
    - Pine Plantation sites to the south

    Other public reserves within the vicinity include:
    - Mount Bute Scenic Reserve 1.7km north east
    - Flagstaff Hill Reserve to the 1.5km east
    - Mount Yirup State Forest 4.3km east
    - Happy Valley Crossing Streamside Reserve 5.6km east
    - The Western Districts Lakes Ramsar, containing Lake Corangamite is located approximately 20km south of the site.

- Lake Widdering/Widderin Swamps are located approximately 3.7km west of the project site from the nearest WTG which is listed as an 'Important Wetland' in the Directory of Important Wetlands in Australia.

28. The closest operational wind farm is Stockyard Hill Wind Farm is located further to the north west approximately 2.7km from the most northern boundary of the site.
29. Other operating and approved renewable energy generation and storage projects include:
    - Chepstowe Wind Farm, located approximately 9.3km to the north
    - Golden Plains Wind Farm is located 9.5km to the south east (partially operational)
    - Berrybank Wind Farm located 8.9km to the south south east.
30. The Berrybank Terminal Station is located approximately 15km south of the site

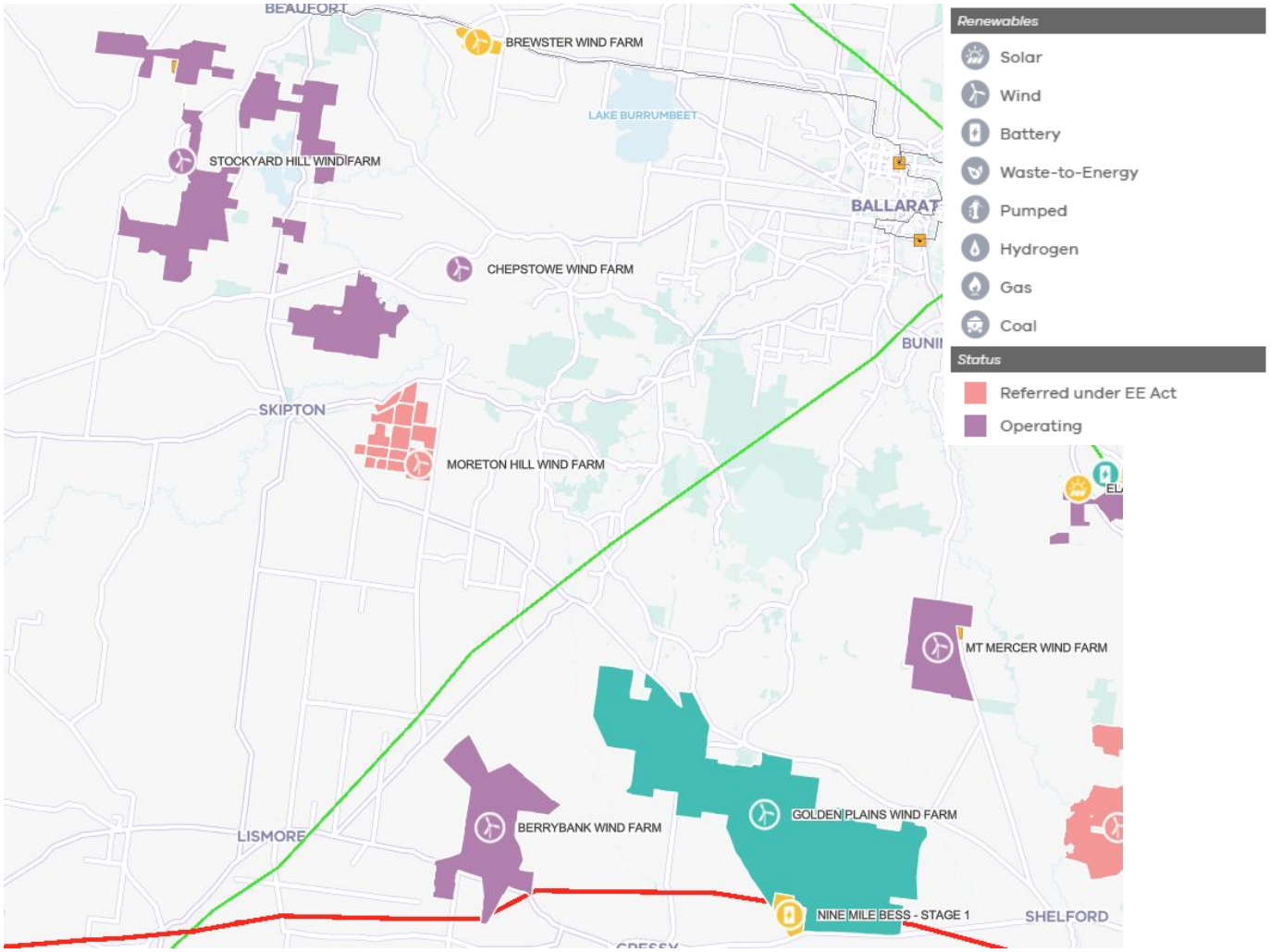


Figure 5: Energy facilities proximate to the site. Source: Advertised documents

31. A site inspection of the subject site and surrounds was undertaken on 30 September 2026. Images of the site and surrounds are shown in Figures 6 – 10.



Figure 6: View of project area to the south. Photo taken from Rokewood-Skipton Road on 30 September 2026.



Figure 7: View of project area to the south. Photo taken from Rokewood-Skipton Road on 30 September 2026.



Figure 8: View of project area to the north. Source: Google Maps.



Figure 9: Intersection of Mount Bute Road and Rokewood-Skipton Road on 30 September 2026.



Figure 10: View of project area to the west showing Pine plantation in background. Photo taken from Willowvale Road on 30 September 2026.

Referrals

32. The applications were referred to the following authorities under section 55 of the Planning and Environment Act 1987 (PE Act), as summarised below:

Organisation	Applies to Application/s	Clause/ Type/Provision	Response Date	Response	DTP Assessment
WorkSafe Victoria	PA2604440	66.02-7 (Determining) to use land for a utility installation where a fire protection quantity is exceeded under	19/08/26	No objection, subject to conditions requiring: – Emergency Management Plan in line with CFA guidelines	These conditions have been included on the Corangamite

Organisation	Applies to Application/s	Clause/ Type/Provision	Response Date	Response	DTP Assessment
		the Dangerous Goods (Storage and Handling) Regulations 2022.		– Must apply all mitigations outlined in the Moreton Hill RMP and Fire Safety Study prepared by Fire Risk Consultants reports dated April 2026.	permit (PA2604440).
Secretary to the Department of Energy, Environment and Climate Action (DEECA)	PA2604440 & PA2604445	66.02 & 66.03 (Determining) for an application under the overlay (Clause 44.-02-8) and any site capability report *(for PA2604445 only)* (Recommending) for the removal of native vegetation in the 'detailed assessment pathway' *(for PA2604440 & PA2604445)*	11/09/26	No objection, subject to conditions requiring: ***PA2604445 (SMO)*** – Preparation of a Salinity Assessment and Management Plan to be prepared in consultation with DEECA. ***PP2604440*** – Secure a general offset of 0.072ha within the Corangamite CMA or Golden Plains Council LGA or Corangamite Council LGA with a minimum strategic biodiversity value score of at least 0.401 ***PP2604445*** - Avoidance of the removal of Natural Temperate Grassland of the Victorian Volcanic Plain on the western side of Willowvale Road (along the grid connection route).	These conditions have been included on the permits where applicable. Note that the DEECA referral also included suggested conditions about birds and avifauna. These have been considered in the assessment of the proposal and included in the permit conditions with modifications.

Organisation	Applies to Application/s	Clause/ Type/Provision	Response Date	Response	DTP Assessment
				- Secure a general offset of 0.633ha within the Corangamite CMA or Golden Plains Council LGA with a minimum strategic biodiversity value score of at least 0.285.	
Head, Transport for Victoria (TfV)	PA2604440 & PA2604445	66.03 (Determining) for the creation or alteration of access to a freeway or arterial road. *(for PA2604440 & PA2604445)*	22/07/26	No objection, subject to conditions requiring the preparation of a Traffic Management Plan (TMP), including an existing conditions survey, final details of the intersection upgrades, Decommissioning Transport Management Plan and the appointment of a Road Quality Auditor. – NB. For oversize and over mass vehicle routes, approved from the National Heavy Vehicle Regulator will be required.	These conditions/ notes have been included on the permits.
AusNet Services	PA2604445	66.02-4 (Determining) for works within 60 metres of a major transmission line or easement (220kV or more)	28/07/26	No objection, subject to conditions requiring: - No wind turbine shall be constructed within 252m of an AusNet easement and no anemometry mast to be constructed within 166m. - No buildings or structures are	These conditions have been included on the Golden Plains permit (PA2604445)

Organisation	Applies to Application/s	Clause/ Type/Provision	Response Date	Response	DTP Assessment
				permitted on AusNet's easement other than interface works required for connection to the wind farm electrical system to the transmission line. - Details of any road or track construction and the installation of services within the easement must be submitted to AusNet and approved prior to the commencement of work on site - Other standard AusNet conditions.	
Corangamite Catchment Management Authority	PA2604445	66.03 (Recommending) for an application under the LSIO Clause 44.04-7)	18/07/26	No objection subject to the conditions requiring: - All infrastructure must be located a minimum of 100m from any major named waterway and 50m from unnamed waterways. - Detailed design to ensure o Access crossings over waterways and floodplains meet the H1 hazard vulnerability classification and culverts are appropriately	These conditions have been modified and included on the Golden Plains permit (PA2604445)

Organisation	Applies to Application/s	Clause/ Type/Provision	Response Date	Response	DTP Assessment
				sized to minimise impediment to waterway flows. o Demonstrate how the project will not divert floodwaters to the detriment of any adjoining property o Increase flood velocity on any adjoining property o Increase flood levels on adjoining property o Result in a detrimental loss of flood storage - Appropriate cut and fill details - Flood emergency response plan to be included within the Construction Management Plan	

Public Notice

33. In accordance with Section 52 of the PE Act, public notice of the applications was given between 29 July 2026 and 26 August 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)	Corangamite Shire Council Golden Plains Shire Council Pyrenees 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 Pyrenees Advocate, Ballarat Courier and Camperdown Chronicle for one issue.	Permit applicant
52(2)(a)(iii)	Notice was given to the owners and occupiers of all land within 5 km of the main wind farm project boundary.	Permit applicant
52(2)(b)	– Bureau of Meteorology (BoM) – Civil Aviation Safety Authority (CASA) – Airservices Australia – Department of Defence – Country Fire Authority (CFA) – Energy Safe Victoria (ESV) – Wadawurrung Traditional Owners Aboriginal Corporation – Corangamite Shire Council – Golden Plains Shire Council – Pyrenees Shire Council – Corangamite Catchment Management Authority	DTP

34. Six objections and 8 submissions have been received at the time of writing this report (as of 26/10/2026).

Objections

35. The following key concerns were raised in the objections:

- Noise impacts from the wind turbines will result in health issues and nuisance. The project's Environmental Noise Assessment (ENA) is deficient. One objector submitted a peer review prepared by L Huson & Associates Pty Ltd, dated 29 August 2026 which states that:
  - The noise modelling parameters have been understated and are incorrect;
  - The ENV needs to be updated with the proposed revised noise model inputs and revised predicted sound levels; and
  - A revised wind turbine layout is required
- Decommissioning. The approval sought involves significant decommissioning cost without evidence demonstrating how the decommissioning would be financed and the extent to which landholders rather than the company will bear this risk.
- Querying how the removal of the turbines and oils be discarded after decommissioning in an environmentally safe way.
- Biodiversity impacts including;
  - Native vegetation removal
  - Impacts to protected species and migratory birds, including Black falcon and Brolga
- Concerns about who is responsible for enforcement of the planning permit conditions
- Social and economic impact assertions by proponent; including benefits to local accommodation and hospitality businesses and ability to generate local employment opportunities
- Health and safety impacts including risk of turbine and blade 'drop'
- Inherent conflict of interest – The Planning Minister or Ministers delegates should act as the enforcing authority, not the Councils as each Council benefit financially from the development
- Bushfire concerns and risk to community
- Lack of community consultation
- Visual impact

- Construction impacts on local roads and surrounding roads that are not designed to support heavy construction
- Flood and hydrology impacts
- Supporting documentation is not accurate
- Biosecurity concerns (debris that may spread and affect the adjacent farming land)
- Property values
- Inadequacy of time allowed to respond to applications
- Concern that the applications have not been given due time for rigorous and evidence-based assessment and is being rushed through prior to caretaker period
- Impact from proposed work to be undertaken at Berrybank Terminal Station (BTS)
- Drainage & flooding issues associated on the adjacent site to BTS
- Any additional grid connection works to facilitate connection to BTS risk worsening the drainage conditions and increasing flooding impacts causing economic harm

36. An officer assessment relating to matters of site suitability, noise, shadow flicker, flooding, fire risk, landscape and visual impact, agriculture, traffic, ecology and biodiversity impacts is detailed in the assessment section of this report. A response to some of the other prominent matters raised in the objections is provided in the table below:

Objector Concern	DTP Response
Property values	The consideration of property values and land devaluation is not included within the decision guidelines of the Corangamite and Golden Plains Planning Schemes and cannot be considered as part of the assessment and determination of the project.
Lack of consultation	As outlined in this report, public notice of the applications was given in three newspapers and to all properties within 5 km of the site, in accordance with the requirements of s52 of the PE Act. Additionally, it is understood that Squadron Energy undertook extensive consultation with the community, commencing in 2022, prior to the lodgement of the applications, 4 public meetings across Skipton and Linton, and ongoing community events including shop-fronts, pop-up information sessions, newsletters, mailouts, local notice and a project website. Community Benefits Workshops were also undertaken in both Skipton and Linton in August 2026.
Conflict of interest	The Minister for Planning is the Responsible Authority as the applications were submitted pursuant to Clause 53.22 (Significant Economic Development) under both the Corangamite and Golden Plains Planning Schemes. Whilst Councils are incumbent to undertake enforcement and dispute resolution of each planning permit, the decision maker, ie. the Minister for Planning, is independent of each Council. Concern was raised that because council may benefit financially from the project, this may affect their role to enforce the permit conditions.
Procedural inadequacy	The applications were lodged on 10 June 2026 and were placed on notice on 27 July 2026 as it was deemed that sufficient information was provided to allow for notice.

Objector Concern	DTP Response
	As outlined in this report, public notice of the applications was given in three newspapers and to all properties within 5 km of the site, in accordance with the requirements of s52 of the PE Act. The applications were placed on public notice for 28 days. Further, the RA has 60 statutory days to process a planning permit under the PE Act. Based upon this, it is considered that the applications met the relevant timeframes ensuring that the project was widely advertised and appropriate opportunity was given to all persons to make submissions.
Catastrophic Tower failure	It is incumbent upon the owner and operator of the Wind Farm to ensure that the facility is designed and maintained in appropriate working order to prevent any occurrence of failure.

37. Overall, DTP submits that the matters raised in the objections which are relevant to the planning assessment are suitably addressed subject to the recommended conditions.

Submissions

38. Eight 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
CFA	24/08/26	CFA recommends the following conditions: – Dedicated water supply (576kL for the BESS and 45,000L for the wind energy facility) – A fire hydrant system for the BESS with separation distances of 3 metres between battery containers – Risk Management Plan (RMP) – Emergency Plan (EP) and Fire Management Plan (FMP)	These conditions will be included on any permits issued.
CASA	24/07/26	CASA did not object to the proposal, and recommends that: – The wind farm should be lit with at least 200 candela steady red lighting at night and during low visibility – If wind monitoring masts are proposed to be taller than 100 m, 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. – Wind monitoring masts to be lit with aviation hazard lighting at least until the turbines are constructed. – All permanent obstacles 100 m or higher be reported to Airservices Australia.	The department does not recommend including aviation safety lighting on turbines due to visual impacts at night. All other recommendations will be incorporated into the conditions of any permits issued.
Corangamite Shire Council	8/10/26	Council does not object and recommends the following conditions (inter alia): - Pre-construction dilapidation assessment and remediation works of any damage attributable to the project - Preparation and implementation of a TMP in consultation with Council - Ongoing maintenance of haulage routes throughout the construction period to the satisfaction of Council - Dust suppression where haulage routes are located near residences	The intent of these recommendations will be incorporated into the conditions of any permit issued, where appropriate.

Submitter	Date received	Summary of submission	DTP Officer Response
		- Compliance with National Heavy Vehicle Regulator <u>Bushfire & Emergency Management</u> - Implementation of perimeter fire breaks - Formal consultation with CFA and local brigades prior to construction & during operation - Further assessment of Turbine 25 as it located within a BMO - Preparation of a Fire and Emergency Management Plan - Preparation of a Construction Environmental Management Plan - A community benefit framework to be developed in construction with Council and local communities	
Golden Plains Shire	13/10/26	Council does not object and recommends the following conditions: - Vehicle crossings to be designed in accordance with the Infrastructure Design Manual (IDM) standard drawings SD 265 to the satisfaction of Council. - Preparation of a CMP approved by the RA. - A road condition and capacity assessment prepared by a suitable and experienced independent civil engineer - Engineering plans for works affecting public roads/intersections/bridges/culverts/roadside drainage or site access approved by the RA - Preparation of a Construction Traffic and Road Maintenance plan prior to construction commencing and approved by the relevant road authority and the RA. - The proponent must, at its expense repair damage and rectify deterioration attributable to works. - Within 3 months after completion of construction haulage, a post construction condition assessment must be prepared by a suitably qualified and experienced independent civil engineer.	The intent of these recommendations will be incorporated into the conditions of any permit issued, where appropriate.

Submitter	Date received	Summary of submission	DTP Officer Response
		- Preparation of a Stormwater and Drainage Management Plan	
Air Services Australia	10/08/26	Air Services Australia (ASA) advised that Moreton Hill Wind Farm will not impact Airservices operations or facilities. ASA requested that the Vertical Obstacle Notification Form be completed and submitted as soon as the development reaches the maximum height.	The recommendations will be incorporated into the conditions of any permit issued.
Bureau of Meteorology	29/07/26	BoM advised that they had engaged with the Proponent directly and had no further comments.	Noted.
Department of Defence	25/06/26	The Department of Defence requested that AsA be provided with a vertical obstacle notification.	The recommendations will be incorporated into the conditions of any permit issued.
Head, Transport for Victoria (Heavy Vehicles)	9/7/26	TfV (Heavy Vehicles) made the following observations: - Obligations regarding the dilapidation report and pre-post construction works should be outlined in the TMP - In the TMP, reference to the vehicle configurations being used to transport the wind farm componentry, including diagrams of the intended laden vehicle configurations as well as axle and spacing details should be provided. - Further details regarding access routes need to be provided noting that Berrybank Terminal Station was completed in 2021 and current road conditions have likely altered in the last 3 years, particularly as there has been an increase in wind farm projects operating in the area. The TMP should consider potential road infrastructure upgrades to facilitate the movement of these components. - Further details in the TMP will need to be included to address whether truck movements from the wind energy facility can be accommodated on sealed roadways without encroaching on the incorrect side of the road.	The TMP required will respond to the comments provided.

Submitter	Date received	Summary of submission	DTP Officer Response
		- Potential road upgrades required along the turbine delivery route from the Port of Portland to the site given the length of the blade lengths proposed. - Impact of traffic volumes will need to be addressed as part of the TMP taking into account other construction project timelines of work within the SW REZ areas.	

Assessment

Key Considerations

39. The Victoria Planning Provisions and the applicable planning schemes contain policies and controls that guide the assessment of wind energy facilities, utility installations and native vegetation removal. These are found in the planning policy framework, the relevant zone and overlays, and other relevant provisions. The assessment below addresses the relevant sections of the planning schemes while having regard to the matters which must be considered in accordance with Section 60 of the PE Act, including the objections and submissions, referral authority responses, significant social, economic and environmental effects, approved cultural heritage management plans where relevant, and relevant approved policy and strategy documents.
40. The following are deemed the key considerations in assessing the acceptability of the project:
    - 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 overlays and particular provisions
    - Biodiversity and native vegetation impacts
    - Fire risk and emergency management
    - Vehicle access, road and traffic considerations
    - Aviation safety
    - Amenity impacts in terms of noise, light spill, visual impact, electromagnetic interference, shadow flicker and construction impacts
    - Flooding and hydrology impacts
    - Social and economic impacts

Mandatory considerations under section 60 of the PE Act

s60 Mandatory consideration	How this is addressed in this report
Relevant planning scheme	Addressed through the sections that identify and discuss permit triggers, the MPS and PPF, zones, overlays, particular provisions and relevant decision guidelines.
Objectives of planning in Victoria	The most relevant objectives include those relating to the fair, orderly, economic and sustainable use and development of land; protection of natural and man-made resources and ecological processes; securing a pleasant, efficient and safe working, living and recreational environment; balancing present and future community interests; facilitating development that supports community wellbeing and economic growth; and integrating environmental, social and economic considerations in decision-making. These matters have been addressed through integrated assessment of the applications, as discussed throughout the report in sections that outline strategic policy considerations, land use compatibility and orderly planning, renewable energy and climate action objectives, agricultural, environmental, social, landscape and amenity considerations.

s60 Mandatory consideration	How this is addressed in this report
Objections and submissions	Summarised in the Public Notice section and considered through the relevant assessment sections.
Any decision and comments of a referral authority	Summarised in the Referrals section, with determining referral authority requirements and recommending referral authority conditions identified for inclusion where appropriate.
Any significant environmental effects	Addressed through biodiversity, native vegetation, hydrology, fire, construction, landscape, amenity and environmental management considerations throughout the report. The Climate Change Act, FFG Act, EE Act and EPBC Act and requirements arising under those Acts are addressed as relevant in Attachment 1.
Any significant social and economic effects	Social effects are addressed through discussion on community concerns, amenity, consultation, health and safety, traffic, aviation, landscape and cumulative impact considerations throughout the report. Economic effects are addressed through renewable energy benefits, regional investment, employment, agricultural land use, local economic impacts and decommissioning considerations throughout the report.
1A(f) Any other relevant matter	Addressed within the assessment of the relevant zones, overlays and particular provisions, including clauses 52.05, 52.17, 52.29, 52.32. Clause 65 decision guidelines have also been considered. The assessment has had regard to the matters relevant to the decision, including the MPS, PPF, purpose and decision guidelines of relevant zones, overlays and particular provisions, orderly planning, the effect on amenity, the suitability of the land for the proposed use and development, environmental, social and economic effects, traffic and access, infrastructure, native vegetation, referral authority responses, objections and submissions, and proposed permit conditions.

Permit Triggers

41. A planning permit for the project is triggered by the following clauses of the scheme:

Clause	Permit Trigger	Application/Scheme
35.07 (FZ)	Use of land for a wind energy facility and utility installation Buildings and works associated with a use in Section 2 of Clause 35.07-1 Building and works setback less than 100m from a TRZ2 and 20m from any other road	PA2604440 (Corangamite) & PA2604445 (Golden Plains)

Clause	Permit Trigger	Application/Scheme
35.07 (FZ)	Building and works for earthworks which would change the rate of flow or the discharge point of water across a property boundary or increase the discharge of saline groundwater	PA2604445 (Golden Plains)
36.04-1 (TRZ)	Use of land for a utility installation. (Power transmission (underground reticulation) – located within Corangamite & Golden Plains)	PA2604440 (Corangamite) & PA2604445 (Golden Plains)
36.04-2 (TRZ)	Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1.	PA2604440 (Corangamite) & PA2604445 (Golden Plains)
42.01-2 (ESO)	Remove, destroy or lop vegetation, including dead vegetation.	PA260444 (Corangamite) & PA260445 (Golden Plains)
42.02-2 (VPO)	Remove, destroy or lop vegetation.	PA2604440 (Corangamite) & PA2604445 (Golden Plains)
44.02 (SMO)	Construct a building or carry out works and remove destroy or lop any vegetation.	PA2604445 (Golden Plains)
44.04-2 (LSIO)	Construct a building or carry out works	PA2604445 (Golden Plains)
52.05-2	Construct or put up for display a business identification sign.	PA2604440 (Corangamite) & PA2604445 (Golden Plains)
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.	PA2604440 (Corangamite) & PA2604445 (Golden Plains)
52.29-2	Create or alter access to a road in a TRZ2.	PA2604440 (Corangamite) & PA2604445 (Golden Plains)
52.32-2	Use and develop land for a wind energy facility.	PA2604440 (Corangamite) &

Clause	Permit Trigger	Application/Scheme
		PA2604445 (Golden Plains)

Strategic Direction and Policy Context

42. 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 renewable energy and battery 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". Additionally, the Corangamite & Golden Plains MPS acknowledges that the generation of renewable energy would create employment opportunities and could reduce the overall costs of energy in the Shire.
43. The project is supported by Plan for Victoria (DTP, 2025), which seeks to ensure that 'Regional Victorian communities will attract and benefit from investment in renewable energy – wind, solar and battery storage – projects'.
44. Additionally, clause 19.01-2S, clause 19.01-2R, Victoria's Renewable Energy Action Plan, 2018, Victoria's Climate Change Strategy, 2021 and the 2025 Victorian Transmission Plan all outline the importance of wind energy projects in Victoria's renewable energy transition.
45. The project is located within the Central Highlands REZ and in an area with consistently strong winds, as sought by clause 19.01-2S. Additionally, the project has been designed to connect into the existing Berrybank Terminal Station (although this does not form part of the current applications), ultimately making use of existing transmission infrastructure to connect the project into the NEM and reduce the visual impacts of new above ground powerlines.
46. The project will create diversified employment opportunities, including approximately 320 construction jobs and up to 40 ongoing jobs during operation, meeting the objectives of clauses 17.01-1S and 17.01-1R.

Zones and Overlays

Farming Zone (FZ) and Agricultural Impacts

47. Clause 35.07 seeks to provide for the use of land for agricultural purposes, and for non-agricultural uses that do not adversely affect the use of the land for agriculture, encourages the retention of productive agricultural land and promotes the retention of rural employment to support rural communities.
48. All of the proposed wind turbines, the substation and operation and maintenance facilities for both applications are proposed to be located in the FZ.
49. Clauses 14.01-1S and 14.01-2S also seek to protect the state's agricultural base by preserving productive farmland and facilitating diversified and sustainable agricultural uses.
50. The decision guidelines of the FZ require the consideration of (amongst other things):

    - **General issues:** The MPS, PPF, the ability of the land to accommodate the use and development, whether the use is compatible with adjoining and nearby land uses and whether it makes use of existing infrastructure.
    - **Agricultural issues:** The effect of the use and development agricultural production and nearby agricultural uses, soil quality, and removal of agricultural land.
    - **Environmental issues:** Impacts on the natural physical features of the area, soil and water quality, flora and fauna impacts, and effluent disposal.
    - **Design and siting issues:** Minimising impacts on agricultural land, the impacts of the siting, design, height, bulk, colours and materials to be used, and traffic and construction management.

51. Having regard to the relevant decision guidelines at clause 35.07-6 and the PPF, the proposed use and development is an appropriate agricultural outcome in the FZ as follows:

    - Wind energy infrastructure has been proven to be compatible with agricultural operations across Victoria, enabling the continuation of normal farm management practices.
    - The operational footprint of the project will occupy approximately 1 per cent of the total site area and has been designed in consultation with the landowners to ensure that it will not prejudice the existing farming activities on the land. Agricultural uses will be able to continue across the remainer of the site.
    - The project has been sited and designed to ultimately connect into the nearby existing terminal station (Berrybank) minimising the project's footprint and impacts to existing uses.
    - The project has been designed to avoid the fragmentation of productive farmland.
    - The project has been designed to avoid impact to neighbouring faming activities through appropriate setbacks.
    - Biosecurity impacts to surrounding farming activities will be mitigated through the preparation of a Construction Environment Management Plan, which will conditioned as part of any permit issued.
    - The project will provide supplementary income to landowners to stabilise and increase the resilience of agricultural activities.
    - The project will contribute to the diversification of the local economy and the sustainability of the rural community.
    - The facility is located adjacent to the Glenelg Highway and is bisected by Rokewood-Skipton Road, allowing the consolidation of infrastructure and access to the sites. The traffic impacts of the construction and use of the facility are discussed further in the below section of this report and are acceptable subject to standard conditions, including the preparation of a TMP. The proposed setbacks of the infrastructure to roads are considered appropriate.
    - The proposal has considered potential fire hazards and incorporates fire safety design recommendations in accordance with CFA requirements.
    - The project will impact approximately 1 per cent of the land and the remainder of the site will be available to continue to manage and maintain soil health for the agricultural uses. The project does not result any impacts to soil quality on adjoining land.

52. It is acknowledged that there will be a minor (1 per cent) reduction in the extent of land available for agricultural production. However, this will be a negligible impact on the agricultural function and potential of the land and its capacity to support viable agriculture and associated communities. Conditions of the recommendation will require the facility to be decommissioned at the end of its operational life.

Transport Zone (TRZ2)

53. Clause 36.04 – requires a planning permit to construct a building or carry out works for any use within Section 2 of 36.04-1.
54. The proposed underground powerline cabling connecting into the Berrybank Terminal Station will cross Lismore-Pittong Road and extend along Willowvale Road, which triggers a permit in the TRZ2 for buildings and works.
55. Pursuant to the TIA, there are limited road upgrade works proposed in theTRZ2 for the haulage routes proposed, notwithstanding this does not trigger a permit for roadworks in the TRZ due to the permit exemption at clause 62.02-2.
56. The applications included the written consent from the Head, Transport for Victoria for the applications to be made, pursuant to clause 36.04-3.
57. The TRZ seeks to provide for the use and development of land that complements, or is consistent with, the transport system and to ensure the efficient and safe use of transport infrastructure.

58. The proposed underground cabling is compatible with the purpose of the TRZ, as once constructed, it will not have any impacts on the traffic use of Willowvale Road and/or Rokewood-Skipton Roads.
59. No sensitive or incompatible uses are introduced to TRZ2 land, and it is considered that recommended conditions for a TMP and EMP will manage the impacts and ensure works will not unreasonably compromise the operation of the transport system.

Overlays

60. Environmental Significance Overlay (ESO)
61. Both applications seek approval for buildings and works in the:
    - Schedule 1 (ESO1) – Watercourses, waterbody & wetland protection (Corangamite Planning Scheme)
    - Schedule 2 (ESO2) – Watercourse protection (Golden Plains Planning Scheme)
62. The purpose of the ESO is to ensure that the development is compatible with the identified environmental values in the ESOs.
63. The statement of environmental significance of the ESO1 (Corangamite) is:
    The Shire has Australia's largest permanent lake, Lake Corangamite, which is part of Victoria's Western Lakes Ramsar site. The Ramsar site also includes Lakes Colongulac, Bookar, Milangil, Terangpom and Gnarpurt, as well as Lake Cundare. The volcano complexes of Mt Elephant, Mt Leura, Mt Sugarloaf and Mt Emu Creek are also important. The lakes of Bullen Merri and Gnotuk formed within maar craters are of international significance for their contribution to scientific endeavour especially regarding climate change studies. These significant water bodies play an important part in the ecology of the Shire and need to be protected from inappropriate land use and development.
64. The environmental objectives of the Corangamite ESO1 seek following:
    - *To maintain the biological, physical and chemical quality and quantity of water within the watercourse, water body or wetland.*
    - *To maintain the ability of streams and watercourses to carry natural flows.*
    - *To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.*
    - *To protect and encourage the long term future of fauna and flora habitats along watercourses.*
    - *To ensure development does not occur on land liable to flooding.*
    - *To prevent waste discharge, nutrients and other pollutants from entering watercourses and water bodies.*
    - *To prevent increased surface runoff or concentration of surface water runoff leading to erosion or siltation of watercourses.*
    - *To conserve existing wildlife habitats close to natural watercourses and encourage regeneration of riparian and fringing vegetation.*
    - *To minimise the potential damage caused to human life, buildings and property by flood waters.*
    - *To restrict the intensity of use and development of land and to activities which are environmentally sensitive and which are compatible with potential drainage or flooding hazards.*
    - *To promote the use and environmental solutions in siting and design in preference to modification of natural systems through technical and engineering measures.*
    - *To minimise the environmental impact on estuarine environments by controls over water releases and sand bar management in line with Southern Rural Water's established protocol.*

- *To maintain the natural role of wetlands in filtering nutrients and absorbing soluble pollutants in water, and discourage the further loss of wetlands through drainage.*
- *To protect and ensure the long term future of fauna and flora habitats in wetland and estuarine areas.*

65. The statement of environmental significance of the ESO2 (Golden Plains) is:
Water quality is important for urban and rural communities alike and consideration of downstream effects is essential. The Corangamite Catchment Management Board has identified high priority issues in the catchment as water erosion, eutrophication and the quality of groundwater.
The protection of watercourses is necessary to prevent the degradation of the environment, with respect to water quality, habitat, vegetation and erosion.
66. The environmental objectives of the Golden Plains ESO2 seek to protect the safety and maintain the water quality and water quantity within the Moorabool Rover (Sheoaks) and Stony Creek Special Water Supply Catchment Areas, to encourage best practice land water management in areas within the Moorabool River (Sheoaks) and Stony Creek Special Water Supply Catchment areas, prevention of erosion banks, streambeds and land adjoining watercourses, drains and other features, prevent pollution, increased nutrient loads and increased turbidity and prevent increased surface water runoff, or concentration of surface water runoff leading to erosion, siltation, pollution of watercourses, drains and other features.
67. Referral of the applications was given to the Corangamite Catchment Management Authority pursuant to clause 66.03 as a recommending authority, who did not object pursuant to conditions requiring setback of infrastructure a minimum of 100m from any named major waterway and 50m from unnamed waterways identified in the Vicmap watercourses layer in addition further detailed design requirements.
68. It is considered that conditions required by CCMA in conjunction with the preparation of an EMP satisfactorily ensure that the objectives of the ESO continue to be met.

Salinity Management Overlay (SMO) (Golden Plains only)

69. The application within Golden Plains seeks approval to construct a building or carry out works in the SMO.
70. The SMO is located within north east part of the project area bounded by Rokewood-Skipton Road to the south, the border of Corangamite Shire to the west, the Glenelg Highway to the north and the Linton-Mannibadar Road to the east. See figure 11 with SMO overlay highlighted in 'pink'.
71. Approximately 20 WTGs are located within the vicinity of the SMO.

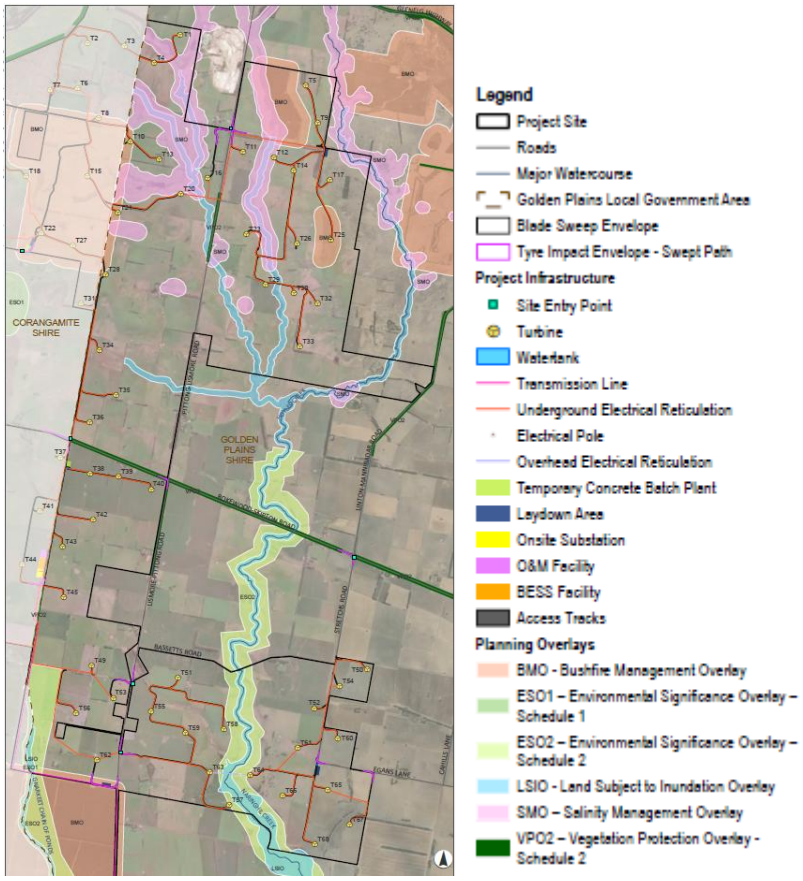


Figure 11: Proposed project identifying zoning and overlays of land within Golden Plains. Source: Advertised Planning Report

72. The purpose of the SMO is to identify areas subject to saline ground water discharge or high ground water recharge, facilitate the stabilisation of areas affected by salinity, encourage revegetation of areas which contribute to salinity, encourage development undertaken in a manner which brings about the reduction of salinity recharge , ensure development is compatible with the site capability and retention vegetation and complies with the objectives of any salinity management plan for area and prevent damage to buildings and infrastructure for saline discharge and high watertable.
73. The application in Golden Plains Shire was referred to DEECA. As the determining authority, DEECA did not object to the proposal but required specifically that a Salinity Assessment Report and Management Plan is prepared in consultation and approved by the RA. This will be a condition of any permit issued.

Land Subject to Inundation (LSIO) (Golden Plains only)

74. The application within Golden Plains seeks approval to construct a building or carry out works in the LSIO (LSIO2)– Schedule 2 (Riverine Flooding).
75. Parts of the project area are impacted by the LSIO- see figure 11 The LSIO travels north to south along the identified creek lines on the site and are highlighted in 'blue'. There are several WTGs located within the vicinity of the LSIO across the northern and southern parts of the site.
76. The purpose of the LSIO is to identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 percent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority, to ensure that the development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity, to minimise the potential flood risk to life, health and safety associated with development, to reflect a declaration under Division 4 of

Part 10 of the *Water Act, 1989*, to protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, managing saline discharges to minimise the risks to the environmental quality of water and groundwater and to ensure that development maintains or improves river, marine, coastal, wetland health, waterway protection and floodplain health.

77. Referral and notice of the application was given to Corangamite Catchment Management Authority. As detailed previously, CCMA did not object providing appropriate conditions are included.

Vegetation Protection Overlay (VPO)

78. Both applications both seek approval for removal of vegetation in the:

- Schedule 2 (VPO2) – Removal of native vegetation – (Corangamite Planning Scheme)
- Schedule 2 (VPO2) – Bushland reserves and roadside vegetation areas (Golden Plains Scheme)

79. The purpose of the VPO is to protect trees and areas of significant vegetation. A permit is required to remove, destroy, or lop any vegetation specified in a schedule to the overlay unless Clause 42.02-3 specifically states that a permit is not required. In both cases vegetation removal is not exempt.
80. The proposed combined native vegetation removal in the VPO results in 1.64 ha, identified between the LGAs as follows:
    - 1.429 ha located within Golden Plains
    - 0.211 ha located within Corangamite

<u>VPO2 – Removal of native vegetation (Corangamite)</u>

81. The area of the VPO2 impacted by the project relates to a site entry point from Spring Hill Road.
82. The statement of nature and significance of vegetation to be protected in the Corangamite VPO2 identifies that *Roadside vegetation plays an important role as a wildlife habitat. Roadside areas are important locations of rare, threatened and endangered flora and fauna species. It is important to maintain and enhance habitat and corridor requirements for indigenous fauna. Roadside vegetation also determines the quality of travel experience and contributes to the visual quality of the area. Tracts of remnant vegetation are fragmented in the area and roadside areas represent one of the largest reserves of native vegetation species.*
83. It is proposed to remove 0.211 ha of native vegetation as a result of the proposed works. This vegetation removal consists of EVC Endangered (Plains Grassland, Grassy Woodland) and a large tree. The offset required is 0.072 GHU within the Corangamite CMA/Corangamite Shire with a minimum strategic value of 0.401.
84. The application was referred to the Secretary to DEECA pursuant to clause 66.02 as a recommending authority, who did not object but recommended conditions requiring the vegetation to be offset and the protection of retained vegetation during construction. In addition, it was recommended that the underground cable route be relocated from the western side of Willowvale Road, for the protection of identified native grassland patches, to the eastern side of the road. It is noted that whilst this is supported, further investigation will be required along the eastern side of Willowvale to ensure that additional native vegetation is not impacted. A condition would be included to ensure this.

85. <u>VPO2 – Bushland reserves and roadside vegetation (Golden Plains)</u> The area of the VPO2 impacted by the project is identified in dark green in Figure 12 evident within road reserves, including Willowvale Road, Rokewood Skipton Road, Rankin Road and Lismore-Pittong Road.
86. Native vegetation removal is required within this overlay to facilitate the following:
    - A section of underground transmission Willowvale Road south of Lismore-Pittong Roads to Crambs Road.
    - Underground transmission line and underground electrical reticulation crossing Ranking Road south of the BESS facility

- A section of underground electrical reticulation crossing Lismore-Pittong Road
- A Swept path associated with the entry point via Rokewood-Skipton Road at Stretches Road
- A swept path at the intersection of Rokewood-Skipton Road and Lismore-Pittong Road.

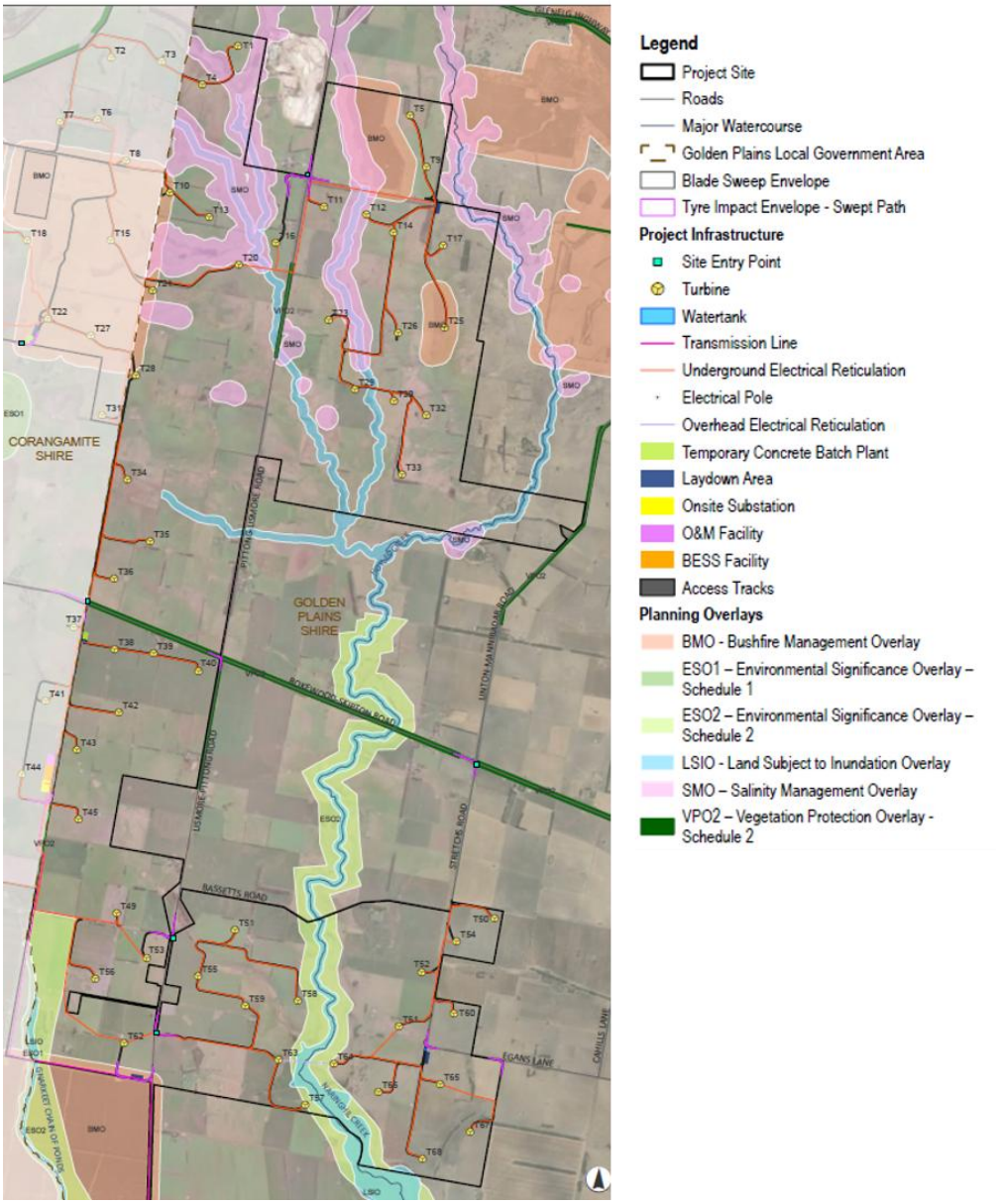


Figure 12: VPO2 within Golden Plains. Source: Advertised Planning Report

87. The statement of nature and significance of vegetation to be protected in the Golden Plains VPO2 seeks to protect remnant bushland reserves and government road reserves including significant species of: Red Ironbank, Yellow Box and Red Stringy Bark eucalyptus species and rare and endangered flora and fauna species of regional significance.
88. It is proposed to remove 1.429 ha of native vegetation as a result of the proposed works. This vegetation removal consists of EVC Endangered (Plains Grassland). The offset required is 0.633 GHU within the Corangamite CMA/Golden Plains Shire with a minimum strategic value of 0.285.
89. The application was referred to the Secretary to DEECA as previously detailed above.
90. Offsets are required for both and will be included as conditions of any permit issued.

Bushfire Management Overlay (BMO)

91. The Bushfire Management Overlay applies to minor portions of the subject site straddling both LGAs and partly adjacent to the west, north east and south west of the project area. Much of the landscape located within the BMO relates to Pine Plantations, with some already being removed and replaced with farming activities.

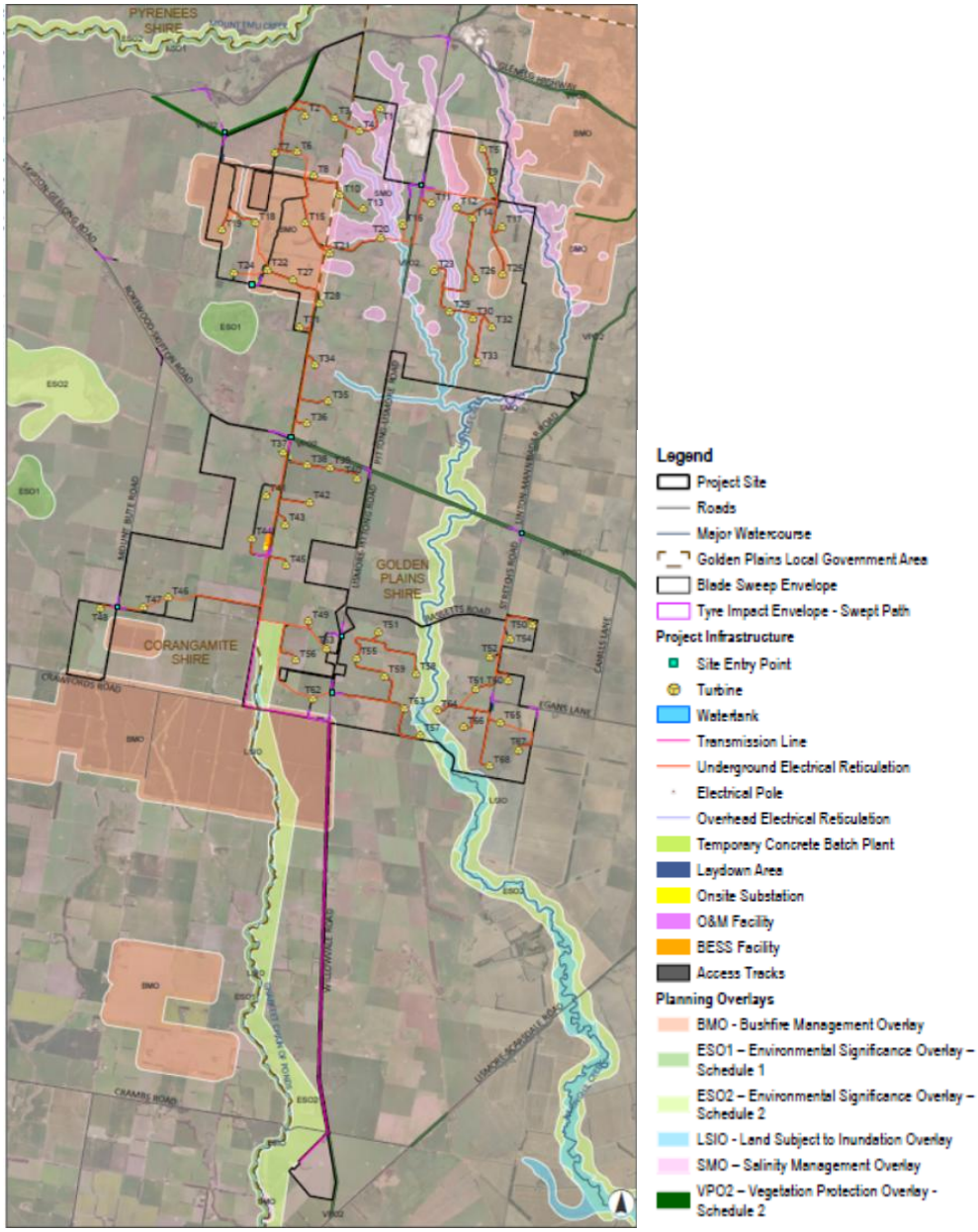


Figure 13: BMO locations across Project Area (Corangamite & Golden Plains). Source: Advertised Planning Report

92. The proposed wind energy facility and utility installation uses do not require planning permission under the Bushfire Management Overlay. Further below in this assessment, fire risk is considered in further detail against relevant planning scheme provisions.

Particular and General Provisions

Clause 52.05 (Signs)

93. Clause 52.05 seeks to regulate the development of land for signs and ensure they are compatible with the surrounding area.
94. The applications both seek planning permission for a business identification sign for the project.
95. Neither application specifies details regarding the precise location, size or structure of the signs. Notwithstanding this it is considered the provision of discrete signage is reasonable given the land use is dispersed, and signage will assist access to the site.
96. As both applications are within the FZ (Category 4 – Sensitive area), Clause 52.05-14 requires that the 'total' display area to each premises must not exceed 3sqm. In this context, it is considered it is considered that the total display area of the signs must not exceed 3sqm within each LGA/for each permit.
97. Conditions are recommended on both permits to:

    - limit the total display area of the signs to be less than 3sqm permit;
    - Must not be illuminated or contain flashing light; and
    - are appropriately maintained.

Clause 52.06 (Car parking)

98. Clause 52.06 seeks to ensure that an appropriate number of car parking spaces is provided for new uses.
99. Pursuant to clause 52.06-6, car parking must be provided to the satisfaction of the responsible authority.
100. A designated car parking area is proposed next to the operations and maintenance area to comprise of 9 car parking space for the ongoing operation of the facility. Additionally, the internal access roads will enable vehicles to park elsewhere onsite while undertaking maintenance activities, including closer to the turbines. This is considered acceptable given the low car parking demand during operations.

Clause 52.17 (Native vegetation)

101. The applications seek the combined removal of up to 1.64 ha of native vegetation, including one large tree.
102. Pursuant to clause 52.17-1 of the scheme, a permit is required to remove, destroy or lop native vegetation.
103. The purpose of clause 52.17 is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
104. The location of the proposed native vegetation to be removed can be found in Figures 2a–3ab of the Ecological Assessment.
105. As the applications propose the removal of 1.64 ha of native vegetation in total (1.429ha - Golden Plains and 0.211 - Corangamite), the combined applications fall under the detailed assessment pathway of the DEECA Guidelines, requiring a referral to the Secretary to DEECA.
106. Despite the smaller portion of the native vegetation removal located within Corangamite, strictly not triggering a detailed assessment pathway, DEECA has been referred the application as a whole and has accordingly provided advice to respond to the entire project and cumulative native vegetation loss amount.
107. The Ecological Assessment prepared by EHP, dated March 2026 contains the avoid and minimise statement for the project. The design and development of the facility has avoided and minimised impacts to native vegetation by:

    – Locating turbine hardstands to avoid mapped patches or native vegetation or scattered trees;
    – Siting most of the project components in cleared agricultural land;
    – Siting the electrical reticulation routes between WTGs to avoid impacts to native vegetation;
    – Alignment of an underground transmission line within the Willowvale Road corridor to reduce impact to native vegetation;
    – Locating site access tracks to minimise native vegetation impacts.

108. DEECA's referral response outlined that they do not object to the applications, subject to conditions requiring:

- Amended plans showing the location of retained and removed vegetation and protection measures
- Native vegetation fencing
- Offset of removed vegetation (a total of 0.705 General Habitat Units and one large tree are required) and are identified as follows:
- 0.072 GHU with a minimum strategic biodiversity value of 0.401 for the project area within Corangamite Shire
- 0.633 GHU with a minimum strategic biodiversity value of 0.285 for the project area within Golden Plains Shire
- An Environment Management Plan (EMP)
- Avoidance of vegetation removal of Natural Temperate Grassland of the Victorian Volcanic Plain on the western side of Willowvale Road (along the cabling route).

109. With these conditions included on the permit, the combined 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 52.29 (Land adjacent to the principal road network)

110. The applications seek to create or alter access to the various intersection of roads zoned Transport Zone 2 (TRZ2) within both Corangamite and Golden Plains Shires.
111. These include; Glenelg Highway, Rokewood-Skipton Road (Corangamite) andLismore Pittong Roads (Golden Plains), Rankin Road (Corangamite & Golden Plains) and Stretchs Road (Golden Plains).
112. The applications also seek to undertake works within the TRZ2 related to underground reticulation works at the Rokewood-Skipton/Rankin Road intersection within Golden Plains.
113. The applications were referred to the Head, Transport for Victoria who did not object, subject to the inclusion of permit conditions requiring:

- Traffic Asset Management Plan (TMP)
- Head, TfV approval of the road pavement engineer who will undertake the actions in the TAMP
- Freight Victoria approval for the over dimensioned vehicle roads to the site from Port of Portland
- Functional layout plans for the approved transport route
- Existing conditions surveys
- Dilapidation report

all in consultation with and to the satisfaction of Head, TfV.

114. The proposed site access is considered acceptable, as established further in the Traffic and Transport section of this assessment.

Clause 52.32 (Wind energy facility)

115. The purpose of clause 52.32 is to facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.
116. The applications meet the application requirements of clause 52.32-3 and 52.32-4.
117. Refer to the relevant thematic sections of this report for an assessment of the project against the decision guidelines of clause 52.32-5.

Clause 53.22 (Significant Economic Development)

118. 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.

119. Both applications are a Category 1 application under clause 53.22-1. As such it they are 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 Key Matters

Bushfire Risk

120. The subject site is located within a Bushfire Prone Area (BPA) and a Bushfire Management Overlay (BMO) covers portions of the site across both LGAs.
121. Clause 13.02-1S (Bushfire planning), clause 52.34 (Wind energy facilities) and Clause 65.01 requires the consideration of bushfire risk to strengthen the resilience of settlements and communities and to prioritise the protection of human life.
122. The applications are supported by a Risk Management Plan (including Fire Safety Study) which has been prepared in accordance with the CFA's *Design Guidelines and Model Requirements: Renewable Energy Facilities, v4.4, June 2025* (the CFA Guidelines).
123. The risk assessment found that the most likely bushfire scenario involves fire approaching the site from the north-west or south-west, although bushfires may also originate from other directions. The risk assessment found that the most likely bushfire scenario would be from a grass / crop fire travelling to the site or starting on the site during construction the declared fire danger periods between October and May. The assessment also noted that the Pine plantation to the south and other treed areas could also contribute to the generation of embers. Potential sources of ignition could be from:

    - Lightning strikes
    - Arson
    - Ignition of flammable and combustible fuels stored onsite and within the nacelle, housing generator, gearbox and other electrical components.
    - Welding, cutting and grinding
    - Sparks from faulty vehicle and machinery exhaust systems
    - Discarded cigarettes

124. The project has incorporated bushfire mitigation measures in its design, including:

    - Static water supply tanks
    - Fire breaks
    - Smoke detection and fire suppression systems within the nacelle
    - Use of low flammability oils within the nacelle
    - Fire safety systems within the BESS
    - Access tracks and overtaking bays for firefighting vehicles.
    - Construction management measures (e.g. procedures for managing hot works during fire danger periods)
    - Ongoing maintenance programs for the life of the facility (e.g. vegetation management)

125. Notice of the applications was given to the CFA who did not object, subject to conditions that will be included in the recommendation requiring:

    - Dedicated water supply (576 kL for the BESS and 45,000 L for the wind energy facility)
    - Additional static fire water tanks (45,000 L for the wind energy facility)
    - 3m separation between battery containers/enclosures

- Risk Management Plan (RMP), Emergency Plan (EP) and Fire Management Plan (FMP)

126. The applications were referred to WorkSafe who did not object subject to conditions.
127. Corangamite Council, in their response, noted that robust fire prevention and emergency management measures are required throughout the life of the project. Council noted the following:
    - Provision of firebreaks consistent with CFA requirements
    - Further assessment of Turbine 25 and its location within the BMO
    - Preparation of a fire and emergency management plan
    - Formal consultation with CFA and local volunteer brigades prior to construction and during operation
    - Establishment of ongoing relationships and communication protocols with local brigades to support emergency response arrangements
    - Maintenance of emergency access infrastructure and water supply arrangements necessary for firefighting operations
128. DTP submits that with CFA's and WSV conditions, the applications have appropriately responded to the bushfire risk and Council comments.
129. As the CFA Guidelines are a regularly updated document, the recommended conditions have been worded to specifically require the facility to be designed in accordance with the current version of the CFA Guidelines (version 4.4, June 2025).

Noise

Wind Turbine Noise

130. The wind farm applications include an Environmental Noise Assessment (ENA) prepared by Marshall Day Acoustics and a Verification Report of the Pre-Construction Wind Turbine Noise Assessment (VRPCWTNA) prepared by Tonkin + Taylor Pty Ltd.
131. The predictive noise assessment report is prepared by a suitably qualified and experienced acoustician that meets the requirements of 52.32-4 as it:

    - reports on a pre-construction (predictive) noise assessment conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.
    - provides an assessment of whether the proposed wind energy facility will comply with the noise limit for that facility under Division 5 Part 5.3 of the *Environment Protection Regulations 2021*.
    - specifies the premises to which the noise agreements are in place and provides an assessment of whether the proposed wind energy facility will comply with the modified noise limit for that facility specified in the agreement.
    - is prepared on the basis that the relevant noise standard under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021* will be *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise* and includes an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the standard.

<u>Findings in the ENA and VRPCWTNA</u>

132. The VRPCWTNA concludes that the ENA has been conducted in accordance with the New Zealand Standard 6808:2010.
133. The noise modelling in the ENA was based on two candidate turbine model; Vestas V172-7.2MW, Vestas V162-6.8MW with a maximum tip height of 252 m, a hub height of 166 m and a rotor diameter between 162 m and 172 m. The noise modelling assumes that the wind turbines will operate in an unconstrained mode of generation (i.e. without noise reduced operating modes) and with blade serrations.
134. The noise modelling within the ENA has reviewed other wind farms within 10km of the Project; including Stockyard Hill WF (3km), Chepstowe WF (10km), Berrybank WF (10km) and Golden Plains WF under construction and partially operational (11km)

135. The ENA identified 67 receivers located within 3 km of the proposed turbines as shown below in Figure 14. This includes 12 stakeholder receivers located within the project boundary and 35 receivers outside the project boundary:



Figure 14 Noise receivers within 3 km of the wind farm. Source: ENA.

136. The ENA has identified the noise limits applicable to stakeholder and non-stakeholder receivers as shown below:

Receiver	Noise limit
Non-stakeholder	40 dB or background L_{A90} + 5 dB, whichever is the greater
Stakeholder with noise agreement	45 dB or background L_{A90} + 5 dB, whichever is the greater

137. The ENA concludes that the proposal will comply with New Zealand Standard 6808:2010 and the noise limits determined in accordance with the Environment Protection Regulations 2021 (EP Regulations). The highest predicted noise level at non-stakeholder receivers is 39.5 dB LA90 at receiver 124. The highest predicted noise level at stakeholder receivers is 49.7 dB LA90 at receiver 111, which is proposed to be demolished and

confirmed through a signed deed of variation. The second highest predicted noise level at a stakeholder receiver is 41.9 at receiver 107. The predicted noise levels are shown in Figure 15 below:

Receiver	V162-6.8MW	V172-7.2MW
Non-stakeholder receivers		
17	28.5	30.5
21	28.7	30.8
23	28.4	30.4
26	28.8	30.8
27	31.1	33.2
28	33.1	35.3
31	28.7	30.7
35	29.3	31.4
36	29.1	31.2
37	29.0	31.1
40	32.7	34.8
43	32.8	34.9
45	33.7	35.8
59	34.3	36.5

Receiver	V162-6.8MW	V172-7.2MW
60	29.5	31.6
63	29.5	31.5
64	29.8	31.8
82	35.4	37.5
95	30.1	32.2
99	37.1	39.2
101	31.4	33.5
113	33.9	36.0
114	32.2	34.3
119	33.0	35.1
120	33.9	36.1
121	32.4	34.5
123	30.8	32.9
124	37.3	39.5
125	30.2	32.3
131	36.6	38.8
138	31.9	34.1
139	32.0	34.1
140	32.2	34.3
141	34.3	36.4
171	31.2	33.3

Stakeholder receivers within the Project boundary		
39 (S)	35.2	37.4
97 (S)	38.7	40.9
100 (S)	34.0	36.1
102 (S)	37.4	39.6
107 (S)	39.6	41.9
111 (S)	47.0	49.7
117 (S)	38.1	40.3
128 (S)	38.9	41.1
129 (S)	39.1	41.4
132 (S)	38.5	40.8
137 (S)	32.9	35.1
143 (S)	39.4	41.7

Figure 15: Predicted noise levels at receivers with predicted noise above 30dB or above. Source: ENA.

138. Section 5.6 of the New Zealand Standard 6808:2010 specifies that the relevant noise limits of the New Zealand Standard 6808:2010 should apply to the cumulative sound level of all wind farms affecting a noise sensitive receiver. This requirement relevantly applies to constructed wind farms.
139. The ENA notes an assessment of potential cumulative noise considerations can be made comparing the individual predicted 30dB contours of each farm operating in isolation. For consideration this includes: Chepstowe, Berrybank, Golden Plains and Stockyard Hill, closest to the project area.
140. The ENA notes that the results demonstrate that the Moreton Hill WF would not overlay with the predicted 30dB contour of Berrybank, Chepstowe or Golden Plains. It therefore concludes that these three wind farms are sufficiently low to be inconsequential and would not affect compliance outcomes.
141. As such, the only wind farm included in the cumulative assessment is Stockyard Hill, located to the northeast of the site. Figure 13 details the predicated cumulative noise levels of Stockyard Hill. It is noted that the cumulative predicted noise levels meet the relevant requirements.

	Predicted noise level, dB L_{A90}			
Receiver	Moreton Hill only	Stockyard Hill only [1]	Cumulative	Change in compliance outcome due to cumulative effects
27	33.2	33.0 [2]	36.1	No
40	34.8	31.6	36.5	No
43	34.9	31.8	36.6	No
45	35.8	31.1	37.1	No

Figure 16 Predicted cumulative noise levels of Stockyard Hill Source: Advertised Noise report

Consideration of Noise

142. 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 EP Regulations under the Environment Protection Act 2017 (EP Act) (as considered in the above paragraphs).
143. Additionally, clause 52.32-5 and clause 13.05-1S require consideration of matters in relation to the noise effects of the proposal.

144. The starting point for the assessment of the noise effects is that the proposal is expected to comply with New Zealand Standard 6808:2010 as confirmed above.
145. Division 5 of Part 5.3 of the EP Regulations provides a bespoke framework for wind turbine noise.
146. The EP Regulations use the New Zealand Standard 6808:2010 as the default standard for operational noise limits which supports its use as a benchmark in a planning assessment. It is also relevant that the EP Act will prohibit unreasonable noise (s166), even where no condition is proposed in relation to management of operational noise in a planning permit. Noise emitted from turbines other than in compliance with the EP Regulations will be unreasonable noise. In addition, noise in compliance with the EP Regulations may still be unreasonable noise in contravention of s166 of the EP Act based on factors set out in paragraph (a) of the definition of 'unreasonable noise' in s3 of the EP Act.
147. Since July 2021, the Victorian EPA is the primary regulator of operational wind farm noise. The standard practice since July 2021, is not to include noise regulation conditions on permits where the EPA regulatory framework is sufficient to manage noise impacts of wind farm proposals.
148. Therefore, the remaining issue is whether the proposal's demonstrated capacity to comply with New Zealand Standard 6808:2010, and the requirement for the proposal to comply with other requirements of the EP Act framework, is sufficient to manage the noise effects of the proposal.
149. In *Uren v Bald Hills Wind Farm [2022] VSC 145*, the Supreme Court made findings or observations that suggest there are potential negative amenity impacts that the 1998 and 2010 New Zealand Standards do not address. That is, that even when these standards are complied with, impacts including the following may still arise:

    – The standards do not require differentiation between day and night hours, leaving the potential for disturbance of sleep at dwellings;
    – The standards do not adequately account for intermittent noises, and only assess continuous or ongoing wind turbine noise;
    – The 40dB(A) noise limit adopted by the 1998 New Zealand Standard is higher than most other jurisdictions, which prescribe 35dB(A) as an acceptable limit (either generally, or at specific locations or times).

150. In relation to the third matter, the 2010 New Zealand Standard introduces a 35dB(A) limit for 'high amenity areas' whereby 'a more stringent noise limit may be justified to afford a greater degree of protection of amenity during evening and night-time' (clause 5.3.1). Guidance on what areas should be characterised as high amenity areas is provided by the VCAT decision of *Cherry Tree Wind Farm Pty Ltd v Mitchell Shire Council & Ors [2013] VCAT 521* and in EPA Guidance. The 'high amenity area' classification has been interpreted by VCAT as not generally applying to the FZ. This interpretation has been adopted by the EPA. The same interpretation has been adopted for the purposes of this decision. There are no dwellings that are classified as having the benefit of the high amenity 35dB(A) limit.
151. The New Zealand Standard 6808:2010 is designed to reduce noise effects, not eliminate all potential negative amenity impacts.
152. The applications have been submitted with the ENA that predicts that of all surrounding non-stakeholder dwellings, the highest noise levels are predicted at receiver 124 (39.5 dB LA90 predicted and based upon the V-172 WTG candidate model). It is unlikely that there will be adverse amenity impacts from noise from the facility.
153. Even if there are the possibility of adverse amenity impacts arising, notwithstanding the wind energy facility's expected compliance with the New Zealand Standard 6808:2010, that standard is still considered to achieve an appropriate balance of impacts from a planning perspective. The effects of the proposal and its noise on the environment and people, and the potential level of audible noise at dwellings permitted by the New Zealand Standard 6808:2010, is considered to be acceptable from a planning perspective when balanced against the benefits that the wind energy facility will produce. The benefits are addressed throughout this report.

154. It is considered that compliance with the New Zealand Standard 6808:2010 and the unreasonable noise requirement of the EP Act framework provides a sufficient level of protection to human health, community amenity and the environment. The New Zealand Standard 6808:2010 is considered to sufficiently manage the risk of wind turbine noise, whilst ensuring wind farm operators can operate responsibly and contribute to renewable energy generation in an economic manner.
155. Finally, clause 13.05-1S of the scheme relevantly contains a strategy, policy guidelines and policy documents regarding noise emissions.
156. Clause 13.05-1S also requires consideration as relevant of 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, September 2025) (Noise Protocol). However, under the EP Regulations, the Noise Protocol does not apply to wind turbine noise, in lieu of the noise standards outlined above. Given the EP Regulations contains a bespoke framework for assessing wind turbine noise and appropriate noise limits, it is preferable to respond to that framework in this assessment.
157. Clause 13.05-1S also requires consideration as relevant of the Environment Reference Standard (Gazette No. S 245, 26 May 2021) (ERS).
158. The ERS sets out objectives for different land use categories. However, these are typical ambient sound level values and are neither noise limits nor noise design criteria. For the category of land that is of a kind likely to be affected by wind turbine noise, the ERS noise objectives are lower than the noise limits under the New Zealand Standard 6808:2010, particularly during the night. However, due to the unconventional way wind turbine noise propagates through environments (unconventional when compared to other commercial industrial or trade noise), it is appropriate to rely on a standard developed specifically for sound emitted from wind energy facilities.
159. For these reasons, it is considered that despite the potential for some limited negative amenity impacts, it is sufficient to rely on the New Zealand Standard 6808:2010 for appropriate noise limits.
160. Additionally, the EPA–DTP Publication 3011 Wind Energy Facility Turbine Noise – Technical Guideline provides guidance on the application of noise limits in high amenity areas. DTP agrees with the proponent's assessment that the high amenity noise limit is not justified for the project because there are no houses within a zone where the high amenity noise limit applies.
161. DTP recommends that conditions be included on any permit issued requiring an updated pre-construction predictive noise assessment to be undertaken prior to the commencement of construction, to confirm that the final project design and turbine selection can comply with the applicable noise limits.
162. DTP notes that an objector submitted a peer review of the project's ENA prepared by L Huson & Associates Pty Ltd and dated 29 August 2026 that outlines various concerns with the parameters of the ENA. DTP considers that the ENA has been appropriately prepared in line with the application requirements and the relevant standards as explained above and further notes the ENA has been verified by an environmental auditor in accordance with the application requirements at clause 52.32-4.

Noise from sources other than wind turbines

163. Clause 13.05-1S also requires consideration, as relevant, of the Noise Protocol.
164. The ENA has also been prepared in line with the Noise Protocol for the substation and BESS.
165. The ENA concludes that the ancillary infrastructure will meet the applicable night-time noise limit of 34dB. As the substation and BESS have the potential to operate any time in a 24 hour day across 7 days a week, DTP understands the ENA to conclude that in meeting the lower night time noise limit, it will necessarily not exceed the higher daytime as shown in Figure 14 below:

Period	Day of week	Start time	End time	Noise limit
Day	Monday- Saturday	0700 hrs	1800 hrs	45
Evening	Monday- Saturday	1800 hrs	2200 hrs	39
	Sunday, Public holidays	0700 hrs	2200 hrs	
Night	Monday-Sunday	2200 hrs	0700 hrs	34

Figure 14: Noise Protocol time periods and noise limits for the transformer station. Source: Advertised ENA.

166. The predicted noise levels at all receivers within the vicinity of the substation and BESS are predicted to comply with the night period noise limit by at least 4 dB, with the nearest receiver (124,128 & 129) predicted to experience up to 30 dB.
167. Regulation 119 of the EP Regulations requires that if two or more facilities are emitting noise, the operators of those facilities must take all reasonable steps to ensure that the facilities when combined, do not exceed the application Noise Limit.
168. The ENA notes that the proponent has not completed selection and specification of other proposed infrastructure on site (ie. the substation/BESS).
169. Notwithstanding, in lieu of selected infrastructure, the ENA has considered the predicted cumulative noise impact of the proposed BESS and terminal station in conjunction with the existing noise from nearby facilities using estimated and quantitative assessment and concluded that the proposed infrastructure currently meets regulation, however specification and selection of equipment and/or other information related to layout and equipment operating duties will be required to be verified to ensure compliance.
170. Conditions are recommended to be included on any permit issued, requiring an updated pre-construction predictive noise assessment be undertaken before construction starts, to confirm that the selected transformer/BESS and final project design can comply with the Noise Protocol.
171. The Victorian EPA will be responsible for enforcing the project's compliance with the Noise Protocol in accordance with the EP Regulations under the EP Act, as well as enforcing regulation 119. As such, operational noise conditions have not been included on the permit.

Landscape and Visual Impact, Shadow Flicker and Blade Glint

172. Clauses 12.05-2S (Landscapes), 52.32-5 and the Wind Farm Guidelines require the consideration of the impact of the project on significant landscapes, open spaces, sightlines and views from dwellings. It is noted that the planning policies in the zones and PPF do not specifically require the consideration of the impact of the development on views from private properties, as similarly established in *Dance vs Colac Otway SC [2024] VCAT 443*.
173. The applications are supported by a Landscape Visual Impact Assessment (LVIA) prepared by Moir Studio. The LVIA assesses the predicted visual impacts of the proposed facility from 10 different public viewpoints.

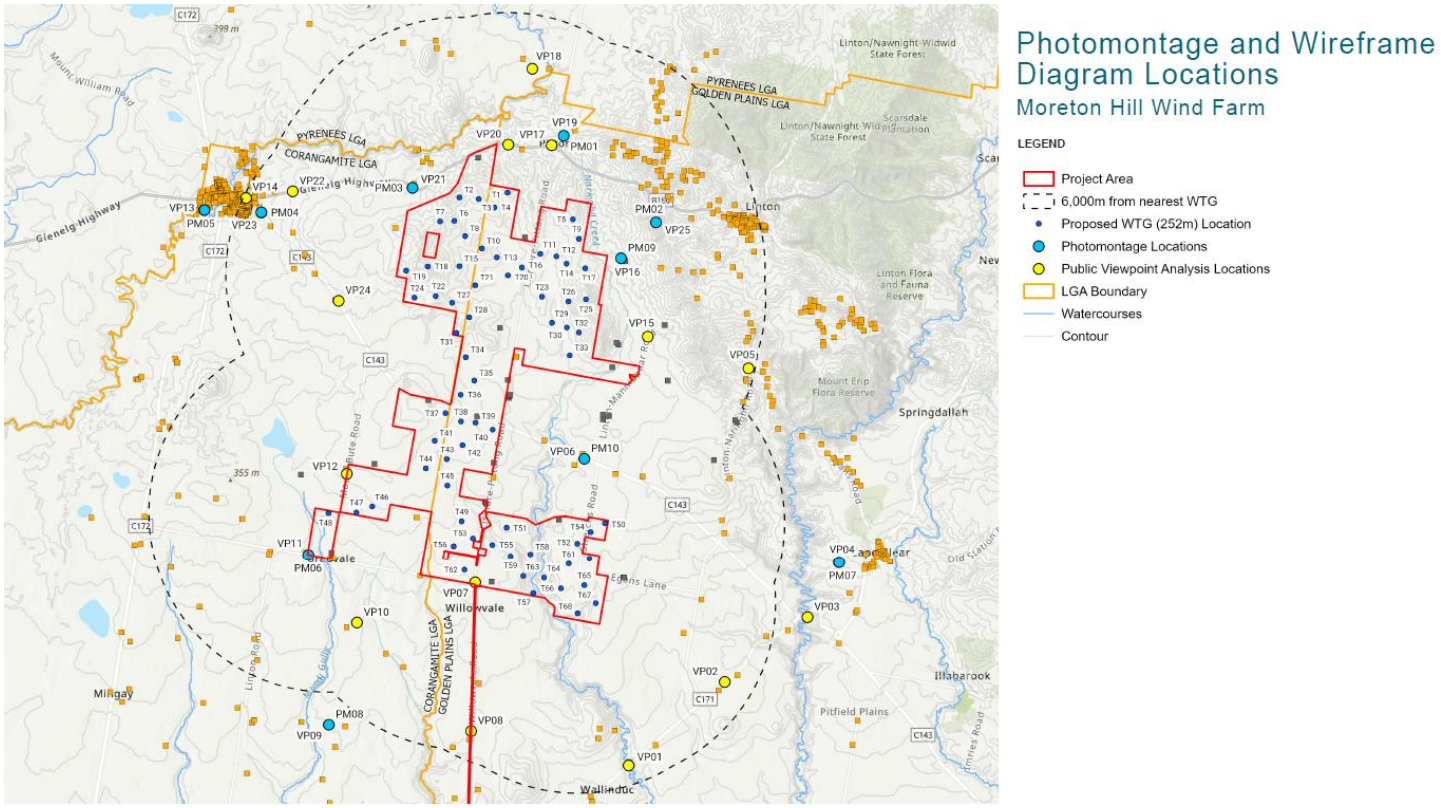


Figure 15: Location of the 27 public viewpoints assessed by the LVIA. Source: LVIA.

174. There are 7 viewpoints and receptors experiencing the greatest level of visual impact from the wind farm and BESS. VP25 is rated as 'High'. VP07, VP11, VP12, VP16, VP17 and VP20 are rated as 'Moderate'.
175. Six view locations, VP06, VP13, VP14, VP15, VP19, VP21 and VP24 were rated as 'Moderate-Low', VP01, VP02, VP03, VP04, VP05, VP08, VP09, VP10, VP18, VP22 and VP23 were rated as 'Low' visual impact.



Figure 16: Photomontage of view location 25, The Flagstaff Hill Lookout. Source: LVIA.

176. The LVIA has also undertaken a private viewpoint analysis of proximate dwellings. One property is rated as having a 'High' visual impact. Four properties are rated as having a 'Moderate' visual impact. Supplementary screening is proposed as the mitigation measures to be undertaken in consultation with the adjoining property owners.

Summary of Private Viewpoint Analysis				
Non-Involved Dwelling ID	Location	Distance to Nearest Turbine	Visual Impact Rating	Mitigation Measures
Dwelling 3	Mount Emu Settlement Road, Skipton, VIC	4.78 km	LOW	N/A
Dwelling 4	Mount Emu Settlement Road, Skipton, VIC	4.49 km	LOW	N/A
Dwelling 12	Linton-Mortchup Road, Linton, VIC	4.55 km	NIL	N/A
Dwelling 37	Flagstaff Ridge Road Linton, VIC	2.79 km	HIGH	Supplementary planting with consultation with the landowner.
Dwelling 50	Bryants Road, Linton VIC	4.33 km	NIL	N/A
Dwelling 60	Glenelg Highway, Linton, VIC	2.77 km	LOW	N/A
Dwelling 62	Flagstaff Ridge Road Linton, VIC	3.26 km	LOW	N/A
Dwelling 99	Pittong-Lismore Road, Pittong, VIC	1.61 km	MODERATE	Supplementary planting may be required, opportunity for screen planting within Site Boundary.
Dwelling 119	Rokewood-Skipton Road, Mannibadar, VIC	2.97 km	MODERATE	Supplementary planting may be required, with consultation with the landowner.
Dwelling 120	Mount Bute Road Bradvale, VIC	1.50 km	MODERATE	Supplementary planting may be required, opportunity for screen planting within Site Boundary.
Dwelling 134	Linton-Naringhil Road, Mannibadar, VIC	4.00 km	LOW	N/A
Dwelling 141	Lismore-Pittong Road, Bradvale, VIC	1.49 km	MODERATE	Supplementary planting may be required, with consultation with the landowner.
Dwelling 147	McIntyres Road, Bradvale, VIC	3.84 km	LOW	N/A
Dwelling 149	Lismore-Scarsdale Road, Mannibadar, VIC	5.29 km	NIL	N/A

Figure 15: Summary of private viewpoint analysis in LVIA. Source: LVIA.

177. Mitigation measures proposed within the LVIA:
    - Uniformity in the colour, design, rotational speed, height and rotor diameter of the turbines, blades, nacelles and tower
    - Siting of ancillary infrastructure to avoid vegetation loss
    - Avoidance of unnecessary lighting, signage on fences
    - Boundary screen planting to implemented to assist in ameliorating visual impact from construction and ancillary structures
178. Other infrastructure proposed, including the BESS facility, O&M Building and on-site substation are located within the Corangamite Shire between WTG 44 & WTG 45 well setback from Mount Bute Road to the west, Lismore_Pittong Road to the south and Rokewood-Skipton Road to the north. These building have been sited together and include a 10m landscape buffer along the west to provide integration within the site.
179. The LVIA notes that the BESS and substation are not likely to be highly visible from the surrounding roads given the extensive setbacks proposed. Views may be obtained via Henderson and Rankin Road due to the current lack of vegetation, however additional landscaping proposed will assist in mitigating this.
180. Minimal signage is proposed for the facility. These will be limited to 3sqm of signage for each LGA, that cannot be flashing or illuminated, via a condition of each permit.
181. The applications are also supported by a Shadow Flicker and Blade Glint assessment, which demonstrates that:

    – A total of six dwellings will experience some shadow flicker from the turbines all of which are host dwellings.
    – Of the six host dwellings, three will experience shadow flicker above the recommended limit of 30 hours per year. However, one house is proposed to be demolished, which is confirmed by a Deed of variation and the other two dwellings are occupied by participating landowners who are aware of the potential for shadow flicker.

- Blade glint is not expected to be problematic, as modern wind turbines are generally finished with low reflectivity surfaces.

182. Overall, DTP considers that the proposed facility will have moderate to low visual impacts and is acceptable on balance with the benefits of the provision of a renewable energy facility. Conditions recommended to be included on any permits to issue will:

    - Require selection of low-reflective finishes for the turbines; and,
    - Require the preparation of an Off-site Landscape Program that provides for the provision of landscape screening (if desired) to all dwellings within 5 km of the turbines identified with the LVIA. It is noted that all 'moderate' and the 'high' impact property are located within 5km of a turbine.

183. With the inclusion of the Off-site Landscaping Program condition, it is considered that adequate consideration has been given to the project's views on existing dwellings.
184. Conditions of the recommendation will also require the preparation of an on-site landscape plan to be included on any planning permits issued to provide visual screening to limit impacts of the BESS and other ancillary buildings.

Traffic and Transport

185. Clauses 18.01-1S, 18,01-2R, the decision guidelines of 35.07 (FZ) and 65.02 all require consideration of access and traffic impacts relating to the proposed use and development.
186. The project is located adjacent to the Glenelg Highway in the north and bound by Linton-Mannibadar Road to the east, Lismore-Pittong Road to the south, Mount Bute Road to the west, with most heavy and light vehicle to utilise the Glenelg Highway and Rokewood-Skipton Road, which bisects the site, as a connection to the project site.
187. The applications are supported by a Traffic Impact Assessment (TIA) which considers the traffic impacts of the proposed facility on local and state roads during construction and operation. The site is proposed to be accessed from 8 locations:

    - Site access 1: & 8 Rokewood-Skipton Road/Rankin Road (Existing intersection - main access point providing access to construction and operations compound / BESS / substation)
    - Site access 2: Notmans Road/private access (existing land entry farm track and gate to be upgraded)
    - Site access 3: Lismore-Pittong Road/Francis Lane (existing intersection)
    - Site access 4: Mount Bute Road/Parkers Road/Watkins Road (existing intersection)
    - Site access 5: Spring Hill Road/private access close to Browns Road (existing land entry farm track and gate to be upgraded)
    - Site access 6L Lismore-Pittong Road/Parkers Road (existing intersection)
    - Site access 7: Lismore-Pittong Road/private access (new intersection)
    - Site access 8: Rokewood-Skipton Road/Stretches Road (existing intersection)

188. During construction, materials will be transported to the site on over-size over-mass (OSOM) vehicles from:

    - Port of Portland (for the turbine components)
    - Glenelg Highway/Rokewood-Skipton Road (B-double and HML travel).

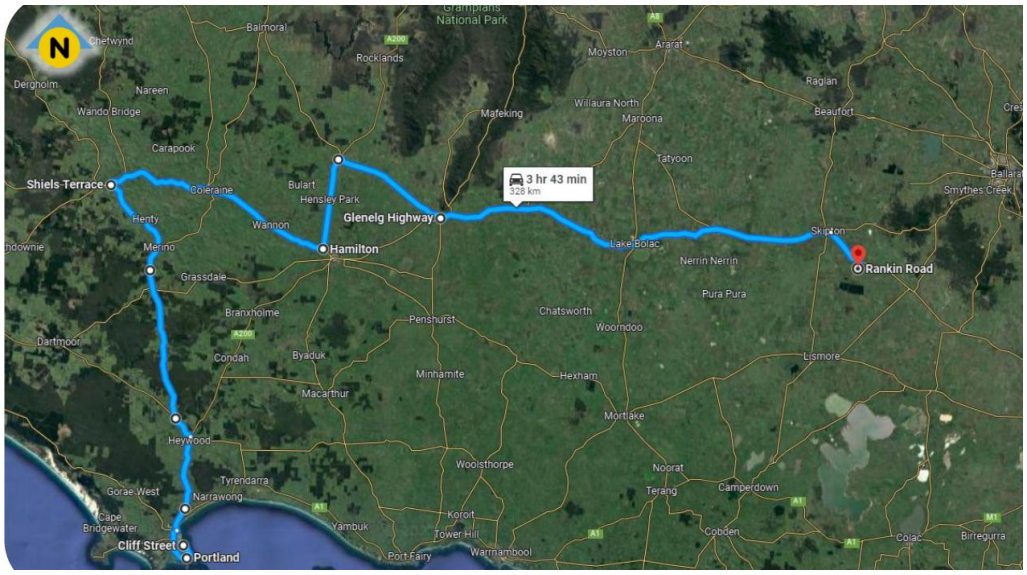


Figure 17: OSOM haulage routes from Port of Portland. Source: TIA

189. The TIA estimates that during peak construction, the project will generate in order of 289 daily vehicle movements, comprising 65 heavy vehicle, 222 light vehicles and 2 OD vehicles. The TIA notes that the external road network can accommodate this temporary traffic increase but recommends the local gravel roads be upgraded to all-weather standard during the construction period. This will be conditioned as part of any approval.
190. The TIA notes that the gravel will be sourced by local contractors with the potential for the Skipton Quarry and Ballarat Quarry used to assist in supply.
191. The TIA notes that external water and fuel deliveries required for construction will be sourced locally from Skipton or Linton.
192. Raw materials for the concrete batching plans will be sourced locally, in addition to plants in both Ballarat and Melbourne.
193. Steel reinforcements, according to the TIA are intended to be delivered from Ballarat. The TIA notes that there is an expectation that the delivery vehicles will use the shortest possible routes and likely arrive north-east via the Glenelg Highway,
194. In general, the proposed delivery vehicles required throughout the construction process have been considered, where possible locally sourced materials will be utilised and where materials cannot be obtained locally consideration has been given locating laydown areas and the batching plants closest to the most appropriate traffic routes surrounding the project area.
195. The largest vehicle expected to be accessing the site is turbine blade vehicle of 85 m in length. The TIA recommends on-site confirmation of extent of impact (including loss of vegetation/impact to fences) and a medium level of intersection works and/or upgrades at the following locations to accommodate these vehicles:

    – Intersection/Turn 1 - Cliff Street and Madeira Packet Road intersection
    – Intersection/Turn 2 Madeira Packet Road
    – Intersection/Turn 8 Portland-Casterton Road/Glenelg Highway

196. The TIA notes that other intersections may experience low level alterations based upon on-site confirmation of impact and may accordingly need to be upgraded which would be undertaken in accordance with TfV requirements.
197. The applications were referred to the Head, Transport for Victoria, who did not object subject to the inclusion of conditions on the permit requiring:

- Traffic Management Plan (TMP)
- A suitably qualified independent engineer to undertake the duties of the Road Qualified Auditor in accordance with the Terms of Reference and the TMP.
- Freight Victoria approval for the over dimensioned vehicle roads to the site
- Existing conditions surveys
- Dilapidation report
- Decommissioning Transport Management Plan (DTMP) prior to decommissioning of the project

all in consultation with and to the satisfaction of Head, TfV.

198. Notice of the applications was given to the Corangamite and Golden Plains Shire councils.
199. Corangamite Shire advised the following in relation to local road infrastructure and traffic management:

- Several local roads proposed to be utilised as construction haulage routes are currently dry weather roads and are not suitable for the scale and intensity of heavy vehicle movements (including Spring Hill Road, Notmans Road, Watkins Road, Hendersons Road & Rankin Road)
- Council has requested that these roads be upgraded at the proponents expense prior to the commencement of construction and are capable of accommodating construction traffic and remain safe for local road users.
- Drainage upgrades, including works to protect associated drainage infrastructure and downstream assets should also be undertaken by the proponent.
- Requirement for a pre-construction dilapidation report of all Council roads and drainage infrastructure forming part of the haulage routes
- Requirement of a post constriction dilapidation assessment and remediation of any damage attributable to the project.
- Ongoing maintenance of haulage routes during construction
- Dust suppression measures where haulage routs are located near residences
- Compliance with NHVR requirements
- Preparation of a CEMP

200. Golden Plains Shire suggested a series of conditions that related to local infrastructure. These related to:

- Preparation of a CMP
- Pre-construction road condition and capacity assessment
- Detailed engineering plans for works affecting public roads, intersections, bridges, culverts, roadside drainage or site access points to be approved by the relevant road authority before works commence.
- Preparation of a construction traffic and road maintenance plan
- Requirements for road repair and reinstatement at the proponent's expense

201. It is considered that the Head TfV conditions, the CEMP conditions respond to these concerns. Further, additional conditions are proposed requiring that the cost of works is borne by the permit holder and that Council must be consulted in the preparation of the TMP. This ensures that each permit adequately responds to the issues raised by the councils and will result in measures to ensure the road network can satisfactorily accommodate the construction traffic for the proposed facility.

Aviation

202. Clause 18.02-7S and the decision guidelines of clause 52.34 (Wind energy facility) seek to assess the impacts of the project on aviation and safeguard the ongoing, safe and efficient operation of Victorian airports and airfields.
203. The closest airports, aerodromes and heliports to the project are:

- Ballarat (approximately 32km northeast)
- Beaufort Aerodrome (approximately 20 km north)

204. The applications are supported by an Aviation Impact Assessment. This assessment proposes key recommendations (inter alia):

- The owner or proponent of a structure that will be 100m or more to inform CASA.
- The proponent is required to report the WTGs and WMTs to CASA as soon as practicable.
- Final location and height details of WTGs and WMTs should be provide at least 2 weeks prior to construction to Airservices Australia (ASA).
- Any obstacles 100m or more AGL (including temporary construction equipment) would be reported to ASA.
- Details of the wind farm should be provided to local and regional aircraft operators prior to construction.
- Details of the project, including 'as constructed' location and height of WTGs and WMTs and overhead transmission lines should be provided to landowners so that when asked for hazard information on their property, the landowner may provide the aerial application pilot with all relevant information.
- Rotor blades, nacelle and masts of the WTGs should be painted in low reflective off-white or white paint with no additional marking measures.
- The two installed temporary WMTs be painted in alternating contrasting bands, and marker balls installed 8m from the top of the outer most guy wire and are marked in accordance with requirements set out in CASR Part 139 MOS Section 8.10 (as modified by guidance in NASF Guideline D).
- The two temporary WMTs installed be lit, including a low intensity steady/hazard/warning obstacle lighting.
- Micrositing has been considered and is not likely to result in the maximum overall blade tip if this occurs within 100m of the siting currently proposed for the WTGs and WTMs.

205. It is noted that aviation obstacle lighting is not recommended for the turbines.
206. Notice of the applications were given to Department of Defence, CASA and Airservices Australia who did not object, but suggested the following:

207. CASA advised that as the proposed development is above 100m AGL the wind turbines will be a hazard to aviation safety. CASA recommended the following mitigations to address this hazard:

- The wind farm should be lit with at least 200 candela steady red lighting at night and during low visibility.
- The visual impact of lighting on the community should be a consideration when assessing lighting options.
- Details of the WGTs should be reported to Airservices (vod@airservicesaustralia.com) and Defence (land.planning@defence.gov.au)
- Airservices should be contacted to publish a NOTAM (Notice to Airmen) advising pilots that the construction of tall structures in the area is imminent

208. Airservices Australia (ASA) advised:

- The wind farm will not affect any sector or circling altitude or any instrument approach or departure procedure at any aerodrome.
- That the Vertical Obstacle Notification should be completed and submitted to ASA.

209. The Department of Defence requested that the proponent provides ASA with vertical obstacle notification.
210. It is recommended that permit conditions be included that require:

- Reporting location of turbines and wind monitoring towers (anenometers) to CASA.
- Post construction validation of the report locations.
- 'As constructed' details of wind turbines be reported to CASA and ASA.
- Temporary structures and construction equipment (eg cranes) be reported to ASA.

- Details of the wind farm should be provided to local and regional aircraft operators prior to construction.
- Wind monitoring towers to include coloured marking, visibility flags, and flashing strobe light during daylight hours.

211. DTP does not support CASA's recommendation that obstacle lighting be installed on the wind turbines. This position is informed by the Aviation Impact Assessment which conclude that the risk of aircraft collision with the turbines is tolerable in the absence of obstacle lighting. DTP also notes that the project does not penetrate any airport OLS. Further, the introduction of aviation safety lighting would result in additional visual impacts on the surrounding area that have not been assessed as part of the planning applications. Should aviation regulatory requirements change in the future, obstacle lighting could be installed on the turbines retrospectively.
212. DTP considers that the project's impacts on aviation operations are acceptable. The Aviation Impact Assessment demonstrates that the project would not penetrate any airport OLS, or materially reduce access to nearby airports.

Biodiversity

213. The following PPF policies seek to protect and enhance Victoria's biodiversity:

- Clause 12.01-1S (Protection of biodiversity)
- Clause 12.01-2S (Native vegetation management)

214. The Wind Farm Guidelines, and the PE Act seek to protect and enhance Victoria's biodiversity, including (but not limited to) the following strategies and objectives:

- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:
  - Cumulative impacts.
  - Fragmentation of habitat.
  - The spread of pest plants, animals and pathogens into natural ecosystems.
  - Avoid impacts of land use and development on important areas of biodiversity.
  - Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).
  - Assist in the identification, protection and management of important areas of biodiversity.
  - To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
  - Conserve native vegetation on private land, Crown land, declared water stream-side reserves and roadsides.

215. On 17 October 2023, the project was determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as it was considered to have a significant impact on the following matters of national environmental significant (MNES):

- Listed threatened species and communities (sections 18 and 18A)
- Listed migratory species (sections 20 and 20A)

216. It is noted that the Minister for Planning determined that an environmental effects statement (EES) was not required, subject to conditions being met to assess and manage impacts which required the preparation of an Environment Report. (ER).

217. The ER has been prepared and must incorporate an assessment of Commonwealth matters identified in accordance with the EPBC Act Bilaterial (Assessment) Agreement between the Commonwealth and State Victorian governments. This process is concurrent with the planning application assessments. The Environment Report is the accredited assessment pathway for the project under the bilateral agreement.
218. The permit applications are supported by an Ecological Assessment prepared by Ecology & Heritage Partners and dated May 2026.
219. As the majority of the site has been cleared for farming, most of the remnant vegetation and fauna habitats have been removed. However, there are still some threatened flora and fauna species and biodiversity values present (or potentially present) on, or surrounding the site. These include:

    - Remnant vegetation on roadsides, internal fence lines and small patches on private land, specifically;
    - EPBC Act ecological communities:
        - Natural Grasslands of the Victorian Volcanic Plain
    - EPBC Act flora communities:
        - Spiny Rice-flower
    - FFG ecological communities:
        - Western Basalt Plains Grassland
        - Semi-arid Northwest Plains Buloke Grassy Woodland Community
    - FFG flora communities:
        - Pale Swamp Everlasting
        - Yarra Gum
        - Generally protected flora including members of the Orchidaceae family (Common Onion-orchid, Slender sun-orchid and Common Golden Moths)
    - Threatened species including Blue-winged Parrot, Brown Treecreeper, White-throated Needletail, Grey-headed Flying-fox, Sharp-tailed Sandpiper, Striped Legless Lizard, Southern Bent-wing Bat, Black Falcon, Brolga, Eastern Bent-wing, Little Eagle, Tussock Skink.

220. The key biodiversity impacts of the project are:

    - Direct and indirect impacts to native vegetation (as already discussed and assessed at clause 52.17 above); and
    - Risk of bird and bat collisions with wind turbines.

221. Advice was sought from the DEECA Regions, who did not object but recommended conditions requiring:

    - A Native Vegetation Protection Plan
    - A Bat and Avifauna Management Plan, including Brolga Mitigation Trial Plan, a Brolga Mitigation Plan and a Brolga Compensation Plan, prepared in consultation with DEECA Regions; and
    - The implementation of the Ecological Assessment's recommendations within the EMP.

222. With these mitigation measures in place, the project will not have unreasonable impacts on biodiversity or threatened species.
223. Overall, it is considered that impacts to biodiversity values and threatened flora and fauna are acceptable, and that further detailed consideration of impacts to EPBC species have been undertaken through the Commonwealth's EPBC assessment process.
224. It is noted that, if the EPBC assessment determines that additional mitigation, or changes to the project are required, these can be accommodated within the planning approval. The proposal must be constructed and operated in accordance with the planning approval and the EPBC approval. If the EPBC approval requires more restriction than the planning permits, then the EPBC conditions will prevail.

225. Under section 4B(1) of the *Flora and Fauna Guarantee Act 1988* (FFG Act), the Minister for Planning is required to give proper consideration to the objectives of the FFG Act, so far as is consistent with the proper exercise of her functions under the PE Act.
226. The objectives set out in section 4 of the FFG Act are:

- to guarantee that all taxa of Victoria's flora and fauna, other than taxa specified in the Excluded List, can persist and improve in the wild and retain their capacity to adapt to environmental change; and
- to prevent taxa and communities of flora and fauna from becoming threatened and to recover threatened taxa and communities so their conservation status improves; and
- to protect, conserve, restore and enhance biodiversity, including
    - flora and fauna and their habitats; and
    - genetic diversity; and
    - ecological communities; and
    - ecological processes; and
- to identify and mitigate the impacts of potentially threatening processes to address the important underlying causes of biodiversity decline; and
- to ensure the use of biodiversity as a natural resource is ecologically sustainable; and
- to identify and conserve areas of Victoria in respect of which critical habitat determinations are made.

227. In addition, section 4B(2) of FFG Act states that a Minister and a public authority, so far as is consistent with the proper exercising of their functions, must consider any instrument made under the FFG Act, including:

- Biodiversity Strategy; and
- action statements; and
- critical habitat determinations; and
- management plans.

228. Section 4B(4) of FFG Act further states that consideration must also be given to the potential impacts on biodiversity, including:

- long and short-term impacts; and
- beneficial and detrimental impacts; and
- direct and indirect impacts; and
- cumulative impacts; and
- the impacts of potentially threatening processes.

229. An assessment of the project's impacts on FFG-listed species is provided in sections above.
230. On balance, it is considered that the project will support the objectives of the FFG Act by contributing to the reduction of greenhouse gas emissions and assisting Victoria's transition to renewable energy. By lessening reliance on fossil fuel-based energy generation and helping to reduce the effects of climate change, the project reduces a key threatening process to biodiversity and supports the long-term survival of native flora, fauna and ecological communities, consistent with the objectives of the FFG Act.

Electromagnetic Interference (EMI)

231. The decision guidelines of clause 52.32 (Wind energy facility) and the Wind Farm Guidelines require the responsible authority to consider the effect of the proposal on electromagnetic interference (EMI).
232. The applications are supported by an EMI assessment, which identifies that:

- Turbines may interfere with point-to-area style services such as mobile phone signals, radio broadcasting, and terrestrial television broadcasting, particularly in areas with poor signal coverage.

- Dwellings in the vicinity of the project may experience interference to digital television (DTV) signals from Mount Cole (where the Ballarat transmitter is located).
- Interference is possible for satellite television and internet signals; although the signals that are likely to be intercepted by turbines are from satellites that do not provide services designed for Australian audiences.
- The project is unlikely to have a significant impact on point-to-multipoint links, emergency services, meteorological radar, wireless internet services, trigonometrical stations, and citizen's band (CB) radio.
- The project will not impact Aircraft communications serves at Ballarat Airport or any route LSALT as advised by Airservices Australia.

233. The EMI assessment outlines that there are opportunities to mitigate the EMI from the project by:

- Realigning the affected television antenna more directly towards the existing transmitter.
- Tuning the affected antenna into alternative sources of the same television signal or a substitute signal.
- Installing a more directional or higher gain antenna at the affected dwelling.
- Relocating the antenna to a less affected position.
- Installing cable or satellite television at the affected dwelling.
- Installation of an appropriate amplifier
- Installing a television relay transmitter.
- Installing signal repeaters or boosters to improve reception and transition to Viewer Access Satellite Television System (VAST)

234. Conditions have been included in the recommendation that require a telecommunications and EMI survey undertaken within 5 km of the site, including a procedure for investigating complaints and restoring any EMI or reception concerns to the receiver's pre-existing quality.

Surface Water and Groundwater & Flooding

235. Clauses 12.03, 13.03-1S, 13.04, 14.02-1S, 14.02-1L, 14.02-2S and 52.32 all seek to protect and enhance waterway systems and require the consideration of hydrological impacts and flood risk to life and safety.
236. The Golden Plains application seeks approval for earthworks specified in Schedule 1 to the Farming Zone noting that earthworks can change the rate of flow or the discharge point of water across a property boundary and increase the discharge of saline groundwater. This applies for works within Golden Plains Shire only.
237. The application was supported by a Flood Impact Assessment prepared by Water Technology, which found that:

- The project area is within the Lake Corangamite Basin and sits south of the Mt Emu Creek, but outside of the Mt Emu Creek floodplain.
- There are several water ways proximate to the project area, with the Naringhil Creek (a tributary of the Woady Yaloak River) flowing through the southern part of the project area towards the south, Hoyles Creek (a tributary of the Naringhil Creek) flowing south through the northern part of the project area, connecting Naringhil Creek to the south of Rokewood-Skipton Road and Gnarkeet Chain of Ponds and Mundy Gully, originating on the southern part of the project area and flowing south towards Lake Corangamite. In addition, there are a number of wetlands within and around the site.
- Inundation across the site is characterised by flow paths originating within the site and running from the site east, west and south. The largest depths and flooding were observed at Hoyles Creek and its tributaries.
- Potential surface water impacts identified include:
  - Flood risk areas (where water enters excavations during construction, hazard water levels observed at proposed internal access tracks);

- Hydrological changes to surface water flows (introduction of impermeable surfaces, physical disturbance for waterway crossings/tracks/cables); and
- Water quality reductions (erosion, damage to stream beds, disposal of poor quality water, accidental spills)

238. The assessment recommends a series of design and management measures to be implemented to address the potential impacts and notes that risks to surface water and groundwater were considered low and could be effectively managed through standard environmental management measures.
239. Notice of the applications was given to the Corangamite CMA who did not object, but as a recommending authority suggested the relocation of Turbine 34 and further investigation in the location of Turbine 50 & 54 noting these are located within an ephemeral wetland.
240. CCMA also recommended a series of conditions requiring:

- All infrastructure (other than waterway crossings) must be located a minimum 100m from any of the major named waterways
- Demonstrate how the development/works (including earthworks) will not divert floodwaters to the detriment of adjoining properties, increase the flood velocity of adjoining properties, increase flood levels to adjoining properties and result in detrimental loss of flood storage.
- Appropriate cut and fill details to ensure no loss of flood plain storage.
- Preparation of a flood emergency response plan to be included within the CEMP demonstrating appropriate flood mitigation measures.

241. Golden Plains Council suggested the following matters be dealt with through conditions to be included on any permits:

- Preparation of a stormwater and drainage management plan
- Protection of public road drainage
- Ongoing maintenance of drainage work

DTP notes the proponent has reviewed the location of Turbines 34, 50 and 54 and advises that the final 62-turbine layout has not yet been confirmed. It is considered that the issues raised by CCMA can be addressed through permit conditions and further detailed design investigations, which may result in micro-siting of these turbines if required.

242. DTP concludes that, with the CMA's conditions, a further condition to prepare a Drainage and Stormwater Management Plan to be undertaken in consultation with Council, and any works associated are undertaken at the permit holders expense, the project has appropriately responded to the flooding and hydrology risks.

Historic Heritage and Aboriginal Cultural Heritage

243. Whilst the site is not affected by a Heritage Overlay, there are several heritage places in proximity to the subject site. It is recommended that any CEMP, approved under the planning permit, capture any necessary controls to manage impacts to unknown heritage values protected under the *Heritage Act 2017*.
244. A mandatory CHMP was approved on 8 October 2026 by Wadawurrung Traditional Owners Aboriginal Corporation. The project must be undertaken in accordance with the requirements set out in the approved CHMP.

Social and Economic Effects

245. 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.
246. The project will contribute to the local economy by creating up to 320 direct FTEs and 510 indirect FTEs during peak construction. On commissioning, the project will continue to support 40 FTE operational jobs,

including 10 FTE jobs directly onsite. The proponent has committed to a community benefit program for the life of the facility which is estimated to contribute between $442,500 - $690,000 a year to local community and Golden Plans & Corangamite LGAs for the life of the project.

247. It is considered that, on balance, the proposal achieves a net community benefit when balanced with its other social, economic and environmental outcomes.

Decommissioning

248. 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.

Other Victorian and Commonwealth legislation

249. The subject of this report is the assessment of the project under the PE Act.
250. 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

251. The proposal has been assessed against all matters at section 60 of the PE Act, is consistent with the relevant planning policies of the Corangamite and Golden Plains Planning Schemes and will contribute to the provision of renewable energy generation and storage within the Ballarat region.
252. The proposal is generally supported by the various referral agencies, subject to conditions which have been included in the recommendation.
253. It is recommended that Planning Permit No's. PA264440 & PA264445 for the use and development of the Moreton Hill Wind Farm (as described in this report) be issued under delegation from the Minister for Planning, subject to conditions.
254. It is recommended that the following stakeholders be notified of the decision in writing:

Application ref:	Planning Scheme:	Decision:	Notify:
PA2604440	Corangamite	Planning permit (Form 4) with conditions	Corangamite Shire Council Golden Plains Shire Council Head, TfV Secretary to DEECA AusNet WorkSafe Victoria Corangamite CMA CASA Airservices Australia Department of Defence CFA All objectors and submitters
PA2604445	Golden Plains	Planning permit (Form 4) with conditions	Golden Plains Shire Council Corangamite Shire Council Head, TfV Secretary to DEECA AusNet WorkSafe Victoria Corangamite CMA

Application ref:	Planning Scheme:	Decision:	Notify:
			CASA Airservices Australia Department of Defence CFA All objectors and submitters

[redacted]

Dated: 26 October 2026

[redacted]

Dated: 30 October 2026

[redacted]

Dated: 30/10/26

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 17 October 2023, the project was determined to be a controlled action under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as it was considered to have a significant impact on the following matters of national environmental significant (MNES): – Listed threatened species and communities (sections 18 and 18A) – Listed migratory species (sections 20 and 20A) The action is being assessed by the Commonwealth via a public environment report (PER). This planning applications can be determined prior to the Commonwealth's decision on the controlled action.
***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. *The Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978* (DTP 2023) outlines the criteria for referring a project to the Victorian Minister for Planning who will determine if an EES is required. On 24 September 2024, the Victorian Minister for Planning determined that an Environment Effects Statement was not required, subject to certain conditions being met to assess and manage specific impacts. These conditions required the preparation of an Environment Report which will be the accredited assessment pathway of the EPBC controlled action as set out in Schedule 1 (part 5) of the Bilateral (Assessment) Agreement under section 45 the EPBC Act (the bilateral Agreement). On 23 October 2023 the Minister for Planning signed the Environment Report.
***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 subject site includes areas of Aboriginal cultural heritage sensitivity, and therefore a mandatory Cultural Heritage Management Plan (CHMP) is required. A CHMP was approved on 8 October 2026 by the Wadawurrung Traditional Owners Aboriginal Corporation. The applications are consistent with the activity described in the CHMP.
***Flora and Fauna Guarantee Act 1988* (FFG Act)**	The FFG Act seeks to promote the conservation of Victoria's native flora and fauna. The responsible authority (in their assessment of the project's environmental impacts has considered impacts on FFG threatened species. The responsible authority is also required to give proper consideration to the objectives of the FFG Act, so far as is consistent with the proper exercise of functions under the PE Act. It is noted that consideration has been given to

Act	Discussion

	Section 4 of the FFG Act, including its objectives and principles, and other areas where the responsible authority is expected to give proper consideration, including to relevant instruments made under the 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 project is predicted to impact three FFG listed flora species (Spiny Rice Flower (also listed under the EPBC Act), Pale Swamp Everlasting and Yarra Gum) and has potential to impact a number of FFG listed fauna species including; Black Falcon, Brolga, Eastern Bent-wing Bat, Grey-headed Flying-fox, Growling Grass Frog, Southern Bent-wing Bat, White-throated Needletail & Yellow-bellied Sheath-tailed Bat. The proponent will need to obtain a permit under the FFG Act prior to the removal of these communities and species.
	
	DTP notes that native vegetation offsets are required to be secured prior to the removal of any native vegetation, which is consistent with FFG Act objectives that seek to protect, conserve, restore and enhance biodiversity. DTP also notes that the proposed development, by contributing to efforts to reduce emissions will not be likely to worsen climate change impacts and therefore will mitigate the impacts of potentially threatening processes to address important underlying causes of biodiversity decline.
	
	Under section 4B of the FFG Act, the Minister is required to give proper consideration to the objectives of the FFG Act, so far as is consistent with the proper exercise of her functions under the PE Act.
	
	The objectives set out in section 4 of the FFG Act are:
	
	• to guarantee that all taxa of Victoria's flora and fauna, other than taxa specified in the Excluded List, can persist and improve in the wild and retain their capacity to adapt to environmental change; and
	• to prevent taxa and communities of flora and fauna from becoming threatened and to recover threatened taxa and communities so their conservation status improves; and
	• to protect, conserve, restore and enhance biodiversity, including:
	  • flora and fauna and their habitats; and
	  • genetic diversity; and
	  • ecological communities; and
	  • ecological processes; and
	• to identify and mitigate the impacts of potentially threatening processes to address the important underlying causes of biodiversity decline; and
	• to ensure the use of biodiversity as a natural resource is ecologically sustainable; and
	• to identify and conserve areas of Victoria in respect of which critical habitat determinations are made.

Act	Discussion
	In addition, section 4B(2) of FFG Act states that a Minister and a public authority, so far as is consistent with the proper exercising of their functions, must consider any instrument made under the FFG Act, including: • Biodiversity Strategy; and • action statements; and • critical habitat determinations; and • management plans. Section 4B(4) of FFG Act further states that consideration must also be given to the potential impacts on biodiversity, including: • long and short-term impacts; and • beneficial and detrimental impacts; and • direct and indirect impacts; and • cumulative impacts; and • the impacts of potentially threatening processes. *Consideration* The planning permit applications facilitate the development and operation of a 62-turbine wind energy facility. The impacts from the facility have been considered with regards to impacts on biodiversity matters including the FFG Act. The assessment concludes that the impacts are acceptable, subject to mitigations and monitoring.
***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, – 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: *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.* This assessment has had consideration of the policy objectives and the guiding principles of the CA Act. The project is anticipated to generate 1,6000 GWh of electricity per year, reducing 350,000 tonnes of CO2 emissions annually which will help achieve the emissions reduction targets in Part 2 of the CA Act. 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. Under the CA Act, six principles are to inform decision-making.

Act	Discussion
	Informed decision making (section 23) The permit applications have been informed by assessments relating to flooding, and bushfire as relevant. The permit applications consider potential reduction in greenhouse gas emissions. It is considered that positive climate impacts will result from the proposal, resulting in better air quality and reducing Victoria's greenhouse gas emissions. Integrated decision making (section 24) The assessment of the permit applications includes consideration of climate change risks outlined in the VPP, including fire and flooding, amongst others. Risk management (section 25) The assessment includes consideration (as noted above) relating to fire and flooding, and increasing resilience to climate change risks, as discussed in the risk management and flood impact assessment reports Equity (section 26) The permit applications seek approval for additional renewable energy generation. Impacts on the community and neighbouring landowners has been considered and was considered to be acceptable due to appropriate siting of the proposed facilities ensuring that adjacent properties could continue to use their land unimpeded Community engagement (section 27) The community has been engaged with and provided feedback as outlined in the Social and economic impact assessment report. Compatibility (section 28) The proposal responds to other relevant State policy and objectives as discussed throughout this report. *Overall summary with respect to consideration of climate change:* The permit applications are consistent with the CA Act in that they aim to support land use and development to mitigate and adapt to climate change impacts and support emissions reduction targets. The permit applications facilitate greater provision of renewable energy generation and reducing greenhouse gas emissions.

Act	Discussion
	This supports emissions reductions targets identified in the Climate Action Act 2017 of net zero emissions by 2045, along with interim emissions reduction targets of 28-33% by 2025, 45-50% by 2030 and 75-80% by 2040.
***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. As a public authority under the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), the Minister must give proper consideration to relevant human rights when making decisions (the procedural obligation), and act compatibly with those rights (the substantive obligation) pursuant to section 38(1) of the Charter. The purpose of this section is to record the matters that must be considered in deciding to approve the planning permit applications. In order to satisfy the procedural obligation and give proper consideration to relevant human rights, there is a requirement to: • understand the relevant human rights of a person or class of persons that may be impacted by a decision; • consider the possible impact of a decision on the human rights of a person or persons; • identify any countervailing interests or obligations; and • balance competing private and public interests to assess whether any impact on a relevant human right by the decision is justified, in the sense that it is appropriate in all the circumstances. The following rights may be relevant in deciding on the planning permit applications: • right to privacy (section 13); • the right to take part in public life (section 18); • cultural rights (section 19); and • property rights (section 20). <u>Right to Privacy (s 13)</u> Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home, or correspondence, unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law that is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought. 'Privacy' is a right of considerable breadth. Relevantly, privacy protects a person's place of residence, regardless of whether they have a legal interest in that residence. What constitutes an interference with this aspect of the right to privacy has been approached in a practical manner and may cover actions that prevent a person from continuing to live in and enjoy their home.

Act	Discussion
	The area that is the subject of the decision does include private land, and the decision may impact the capacity owners of land within the project site, and neighbouring land, may otherwise have had with respect to future changes in use or development of their land. In some cases the permit applications will impact the scope of what landowners may permissibly do in terms of development of their land. The permit applications may have the effect of allowing a new use that impacts the ability to use farming land for residential purposes within close proximity of wind turbines. In the event that any landowners are in impacted in their ability to use or develop their property, to the extent that this would tend to interfere with their privacy rights, such rights would only be limited under the Charter where the interference is unlawful or arbitrary. Given the decision would be pursuant to a precise and appropriately circumscribed law that is predictable and proportionate to the legitimate aim of increasing renewable energy supply in the State of Victoria, it is open for the Minister to conclude that any interference is not unlawful or arbitrary, and therefore the decision is compatible with the right to privacy under s 13 of the Charter. <u>Right to take part in public life (s 18)</u> Section 18 of the Charter provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. The right extends to a person's entitlement to attend a public forum to help make decisions on local issues. Engagement with community, councils, peak industry bodies, and surrounding landowners was undertaken through notice of the applications. The details of the engagement, feedback received, and assessment, are outlined in the Officer Report. Considering all of these factors, it is open to the Minister to be satisfied that the consultation is sufficient to satisfy the requirements of the PE Act, and that the process leading to the Minister's approval is compatible with the right to take part in public life. <u>Aboriginal Cultural Rights (s 19)</u> Section 19(2) of the Charter recognises that Aboriginal persons hold distinct cultural rights and provides that they must not be denied the right, with other members of their community to (among other things) maintain their distinctive spiritual, material, and economic relationship with the land and waters, and other resources, with which they have a connection under traditional laws and customs (section 19(2)(d)). Consultation with the Wadawurrung Aboriginal Land Corporation was undertaken by giving notice of both planning permit applications to the corporation.

Act	Discussion
	The Corporation did not provide a response to the notice of the permit applications. A Cultural Heritage Management Plan has been approved for the project. Areas of aboriginal cultural heritage sensitivity fall within the project sites. Where development envisioned under the permit applications falls within areas of aboriginal cultural heritage sensitivity, it will continue to be addressed as required under the *Aboriginal Heritage Act 2006* and Aboriginal Heritage Regulations 2018. It is therefore open to the Minister to be satisfied that the decision does not limit cultural rights. <u>Property rights (s 20)</u> Under section 20 of the Charter, a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Case law recognises that Acts like the PE Act, and planning schemes made under it, remove and regulate the right an owner in fee simple would otherwise have to develop land. The regulation of the right to develop land is not considered an acquisition of property rights. Case law also recognises that owners of land have no specific right to immunity from this class of regulation. Nonetheless, the permit applications may impact or limit a change in use or development of property (even though it does not deprive landowners of possession or ownership). To the extent the decision impacts private landowners' ability to use, develop or enjoy their property, any such interference with property rights of landowners will be in accordance with the law, namely the PE Act. Accordingly, the decision will not limit the right to property under s 20 of the Charter. These planning applications have 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 *Transport Integration Act 2010* (TI Act) is to create a new framework for the provision of an integrated and sustainable transport system in Victoria. The assessment of these planning permit applications has had regard to the transport system objectives and decision-making principles of the TI Act as follows: - As an interface body under the TI Act 2010 (as the Minister administering the PE Act, which is interface legislation for the purposes of the TI Act), the Minister must have regard to transport system objectives (sections 7-13), decision making principles (section 14-21) and any applicable statement of policy principles (section 22) when making decisions likely to have a significant impact on the transport system. The Minister may determine the weight to give each transport system objective or decision making principle.

Act	Discussion
	- This assessment has considered the objectives of the TI Act and determined that: ➢ The proposal will not create unreasonable barriers to persons using the transport system. ➢ The proposal will contribute to facilitating economic prosperity to the Region and the state of Victoria through investment to develop the facility. ➢ The proposal will result in increased traffic during construction. However, the environmental impacts from this are considered to be acceptable, given the environmental benefits of the project, once operation commences. ➢ The proposed land use, impacts, and efficiency of the transport system have been considered, and were found to be acceptable, subject to conditions of the planning approval. ➢ The impacts of the proposal on safety and wellbeing have been considered and were determined to be acceptable, subject to conditions of the approval.


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