

West Mokoan Solar Farm

PA2503379

Use and development of land for a solar energy facility, utility installations, and removal of native vegetation



Department
of Transport
and Planning

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Executive Summary



Key Information	Details
Application No:	PA2503379
Received:	18 June 2025
Statutory Days:	417
Applicant:	Lightsource bp c/- AECOM Pty Ltd
Planning Scheme:	Benalla
Land Address:	West Mokoan Solar Farm: • 892 Benalla-Yarrowonga Road, Goorambat (Lot 1 on Plan of Subdivision 625748) • Benalla-Yarrowonga Road, Benalla (Lot 1 on Title Plan 104377; Lots 1-2 on Title Plan 173518; Lot 1 on Local Plan 206524) • Crown Land (Allotment 98B Parish of Goorambat PP2704) • 616 Benalla-Yarrowonga Road, Benalla (Lots 2-5 on Local Plan 206524) • 81 Lake Mokoan Road, Goorambat (Lot 2 on Plan of Subdivision 625748) Kennedys Creek Solar Farm: • Murray Road, Benalla (Lot 3 and 4 on Plan of Subdivision 318659) • 51 Nelson Road, Benalla (Lot 6 on Plan of Subdivision 627741) • 67 Nelson Road Benalla (Lot 7 on Plan of Subdivision 627741) • 284 Benalla-Yarrowonga Road, Benalla (Lot 3 on Plan of Subdivision 715932) • 127 Nelson Road, Benalla (Lot 2 on Plan of Subdivision 803108) Transmission line area: • Lake Mokoan Road, Winton North (Allotment 2020 Parish of Winton PP3843) • 368 Benalla-Yarrowonga Road, Benalla (Lot 2 PS627741) • 370 Benalla-Yarrowonga Road, Benalla (Lot 1 PS627741) • 82 Snowy Lane, Benalla (Lot 2 LP123365) • Benalla-Yarrowonga Road, Benalla (Lot 1 PS717978) • Allotment 2019 Parish of Goorambat PP2704 • 524 Benalla-Yarrowonga Road, Benalla (Lot 6 LP206524) • 572-616 Benalla-Yarrowonga Road (Lot 5 LP206524, Lot 4 LP206524 and Lot 3 LP206524)
Proposal:	The use and development of a Solar Energy Facility (300MW) and Utility Installation (transmission line and 300 MW Battery Energy Storage System and substation) and associated buildings and works, removal of native vegetation, creating or altering access to the Transport Zone 2, display of business identification signage and remove, vary or create easements.
Project name	West Mokoan Solar Farm
Description	• Use and development of a 300 megawatt (MW) solar energy facility. • Use and development of a 300 MW battery energy storage system. • Transmission line between Kennedy Creek & West Mokoan land parcels • Removal of 17.762 hectares of native vegetation. • Substation and ancillary infrastructure. • Re-alignment of easements • Display of a 3 square metre business identification sign.
Development Value:	\$ 600,000,000
Why is the Minister responsible?	Under Clause 72.01-1, the Minister for Planning is the responsible authority for a planning permit application for the use or development of land associated with: • Energy generation facility with an installed capacity of 1 megawatt or greater. • Utility installation used to: ○ Transmit or distribute electricity. ○ Store electricity if the installed capacity is 1 megawatt or greater. • Matter to which Clause 53.22 applies.



Why is a permit required?	Clause	Control	Trigger
Zone:	Clause 35.07	Farming Zone (FZ)	<i>CI 35.07-1 - Use the land for renewable energy facility (other than wind energy facility), and utility installation.</i> <i>CI 35.07-4 - Construct a building or construct or carry out works associated with a solar energy facility and utility installations</i>
	Clause 33.01	Industrial 1 Zone (INZ1)	<i>Clause 33.01-1 (IN1Z) – Any other use (renewable energy facility) and utility installation</i> <i>Clause 33.01-4 (IN1Z) - Construct a building or construct or carry out works</i>
	Clause 36.01	Public Use Zone (PUZ1)	<i>Clause 36.01-2 Construct a building or carry out works for any section 2 use of Clause 36.01-1.</i>
Overlays:	Nil		
Particular Provisions:	Clause 52.02	Easements, restrictions and reserves	<i>To create, vary or remove an easement</i>
	Clause 52.05	Signs	<i>A permit is required to construct or put up for display a sign in Section 2 of 52.02-14 (Business identification sign – must be less than 3m²)</i>
	Clause 52.06	Car Parking	<i>N/A – but car parking must be provided to the satisfaction of the responsible authority.</i>
	Clause 52.17	Native Vegetation	<i>To remove, destroy or lop native vegetation, including native vegetation.</i>
	Clause 52.29	Land adjacent to the Principal Road Network	<i>Create or alter access to a Transport Zone 2</i>
	Clause 53.13	Renewable Energy Facility (Solar Farm)	<i>Not a permit trigger, but this clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).</i>
	Clause 53.22	Significant Economic Development	<i>N/A – The proposal qualifies under this process since it meets the conditions listed for the use of renewable energy facility. The proponent submitted written confirmation that clause 53.22 applies to the project.</i>
Cultural Heritage:	CHMP dated 16918 dated 24 February 2024 – West Mokoan CHMP 18734 dated 30 June 2023 – Kennedys Creek		



Referral Authorities:	AusNet (s55 Determining) Head, Transport for Victoria (s55 Determining) WorkSafe (s55 Determining) Secretary to DEECA (s55 Recommending)
Public Notice:	Notice of the application under section 52(1)(a) of the Planning and Environment Act 1987 (the Act) was given to owners and occupiers of all land adjoining the site. Notice of the application was given to Benalla Rural City Council under section 52(1)(b) of the Act. Notice of the application was given to the following authorities under section 52(1)(d) of the Act: • Country Fire Authority • Goulburn-Broken Catchment Management Authority (GBCMA) • Goulburn Murray Water • Head, Transport for Victoria • Yorta Yorta Nation Aboriginal Corporation • North East Water • Park Victoria • Environmental Protection Agency • Energy Safe Victoria (ESV)
Objection:	16 (including 4 from one party)
Submission:	Ten (10): CFA, North East Water, EPA, Goulburn Broken Catchment Management Authority, Goulburn Murray Water, AusNet, WorkSafe, DEECA, Head, Transport for Victoria and a private submitter.
Delegates List:	Approval to determine under delegation received on 17 August 2026



Application Process

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

Milestone	Date
Pre-application meeting	N/A
Application lodgement	18 June 2025
Further information requested	15 July 2025
Further information received	30 July 2025
Application amended	23 April 2026
Decision Plans	Application plans prepared by AECOM and Arcadis dated variously between 25 July 2025 and 30 January 2026
Other Assessed Documents	- Acoustic Assessments, dated 9 May 2024 - Agricultural Impact Assessment, dated 21 May 2021 - Compiled Titles (within 3 months) - Consultation Material - Flora and Fauna Assessment, dated 16 June 2025 - Flood Assessment 23 July 2024 - Glint and Glare Assessment, dated 26 May 2021 - West Mokoan - Glint and Glare Assessment dated 16 June 2020 – Kennedys Creek - Glint and Glare Assessment, dated 22 Feb 2023 (addendum to Kennedys Creek Solar Farm to assess transmission line and amendments to solar farm layout) - CHMP dated 16918 dated 24 February 2024 – West Mokoan - CHMP 18734 dated 30 June 2023 – Kennedys Creek - Updated Landscape and Visual Impact Assessment, (combined) 21 April 2026 - Landscape Plan and Landscape and Early Works Strategy 11 June 2025 - Native Vegetation Removal 16 June 2025 - Plan of Subdivision - Preliminary Environmental Management Plans, dated 16 June 2021 - Preliminary Geotechnical Assessment, dated 10 June 2021 - Preliminary Hazard Analysis, dated 27 May 2025 - Surface Water Assessment, dated 21 September 2020 - Traffic Impact Assessment Addendum, dated 2 March 2026 - Woodland Restoration Plan, dated 13 May 2021 - Updated Operational Noise Impact Assessment dated 23 February 2026

2. The subject of this report is the listed documents (as described above).

Background

The proposal seeks approval for a new planning permit for two solar farms that previously were granted planning permits. These were known as the Kennedys Creek solar farm (PA1900684-1) and the West Mokoan solar farm (PA2000978).

Kennedys Creek Solar Farm (PA1900684-1)

3. On 30 November 2020, a planning permit was issued for the use and development of a solar energy facility, utility installation and associated buildings and works, native vegetation removal, creation of access to a Road Zone Category 1, business identification signage, and remove, vary and create easements. This is known as Kennedys Creek Solar Farm.
4. On 5 February 2021, the permit was corrected under section 71 of the *Planning and Environment Act 1987* (PE Act) to update the street addresses and amended under section 72 of PE Act to correct a clerical error at condition 73.
5. The permit applies to the following properties:
 - Murray Road, Benalla, Lot 3 PS318659S
 - Murray Road, Benalla, Lot 4 PS318659S
 - 51 Nelson Road, Benalla, Lot 6 PS627741K
 - 67 Nelson Road, Benalla, Lot 7 PS627741K
 - 127 Nelson Road, Benalla, Lot 2 PS803108D
 - 284 Benalla-Yarrawonga Road, Benalla, Lot 3 PS715932M

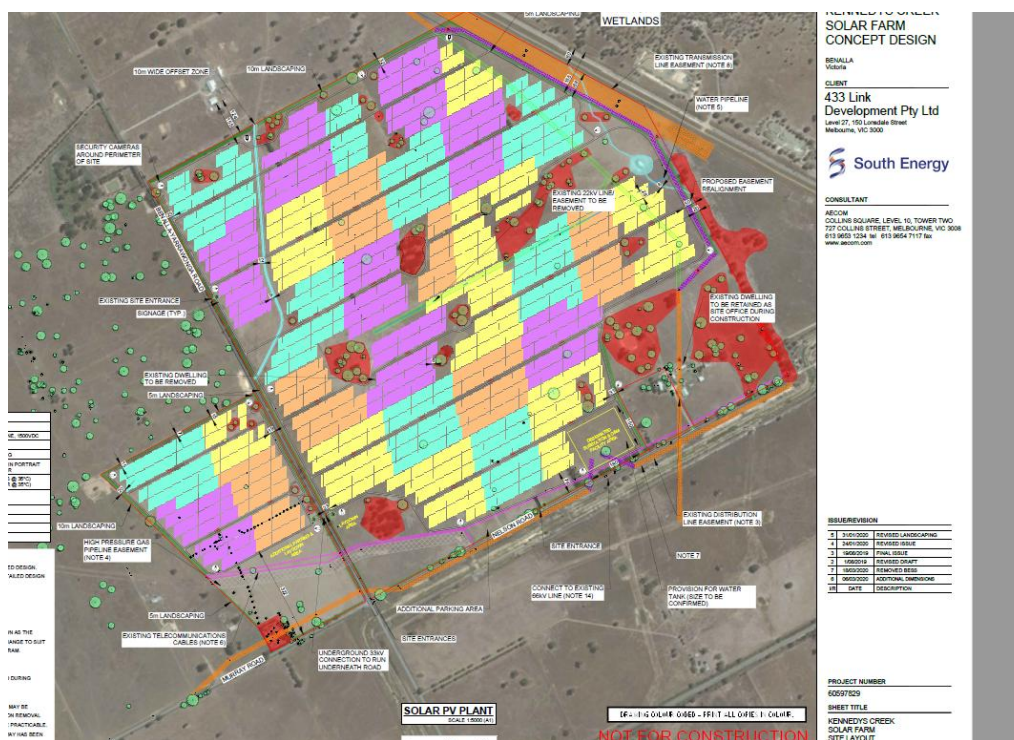


Figure 1. Approved Kennedys Creek solar farm.

West Mokoan Solar Farm (PA2000978)

6. On 3 November 2022, a planning permit was issued for the use and development of a Solar Energy Facility and Utility Installation and associated buildings and works, removal of native vegetation, display of business identification signage, removal and creation of easements and create or alter access to the Transport Zone 2. This is known as West Mokoan Solar Farm.
7. The permit applies to the following properties:
 - 892 Benalla-Yarrawonga Road, Goorambat Lot 1 on PS625748F
 - Benalla-Yarrawonga Road, Benalla Lot 1 on PS173518C
 - Benalla-Yarrawonga Road, Benalla Lot 1 on TP104377J

- Benalla-Yarrowonga Road, Benalla Lot 1 on TP576184J
- Benalla-Yarrowonga Road
- Benalla Lots 1, 2, 3, 4 & 5 on LP206524H
- Lake Mokoan Road, Benalla CA 98B Parish of Goorambat

8. The approved layout for the facility is shown in figure 2:

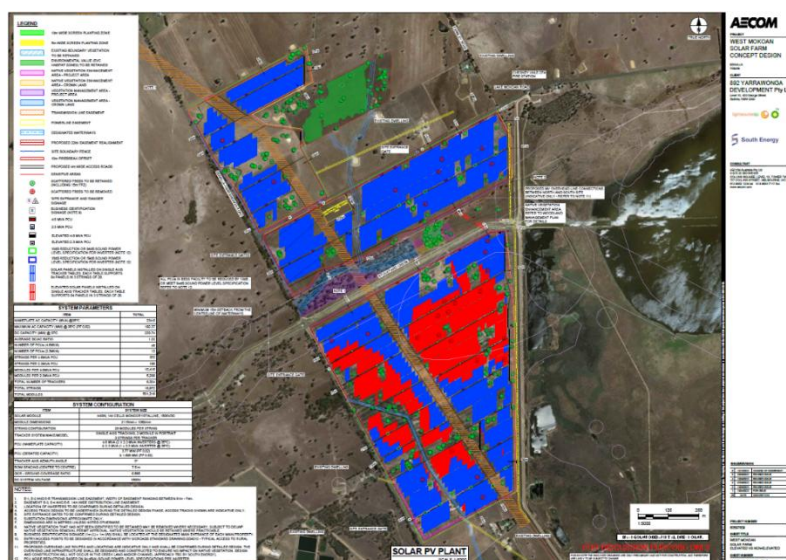


Figure 2. Approved West Mokoan solar farm.

9. On 23 April 2024 an amendment to the permit was approved which allowed:

- A transmission connecting the Kennedys Creek and West Mokoan solar farms.
- Relocation of the substation to the north east of the site to connect to the new transmission infrastructure.
- Amendment to the development plans to rearrange the solar energy facility.
- Removal of 0.578ha of native vegetation
- Amendment to permit conditions to reflect recent approvals and standard conditions.

10. The amendment also included the following properties:

- Lot 5 LP206524H
- Lot 4 LP206524H
- Lot 3 LP206524H
- Allotment 2020 Parish of Winton PP3843
- Allotment 2019 Parish of Goorambat PP2704
- Lot 2 PS627741K
- Lot 1 PS627741K
- Lot 2 LP123365
- Lot 6 LP206524H

11. The Kennedys Creek Planning Permit expired on 30 November 2024, and an extension of time was sought and granted on 5 March 2025, with a second extension of time granted on 12 December 2025. The permit will now expire if one of the following applies:

- *'The development has not commenced 30 November 2027*
- *The development has not been completed 30 November 2029'.*



Figure 3 - Proposed Site Plan identifying the West Mokoan and Kennedys Creek Solar Farms and transmission line easement

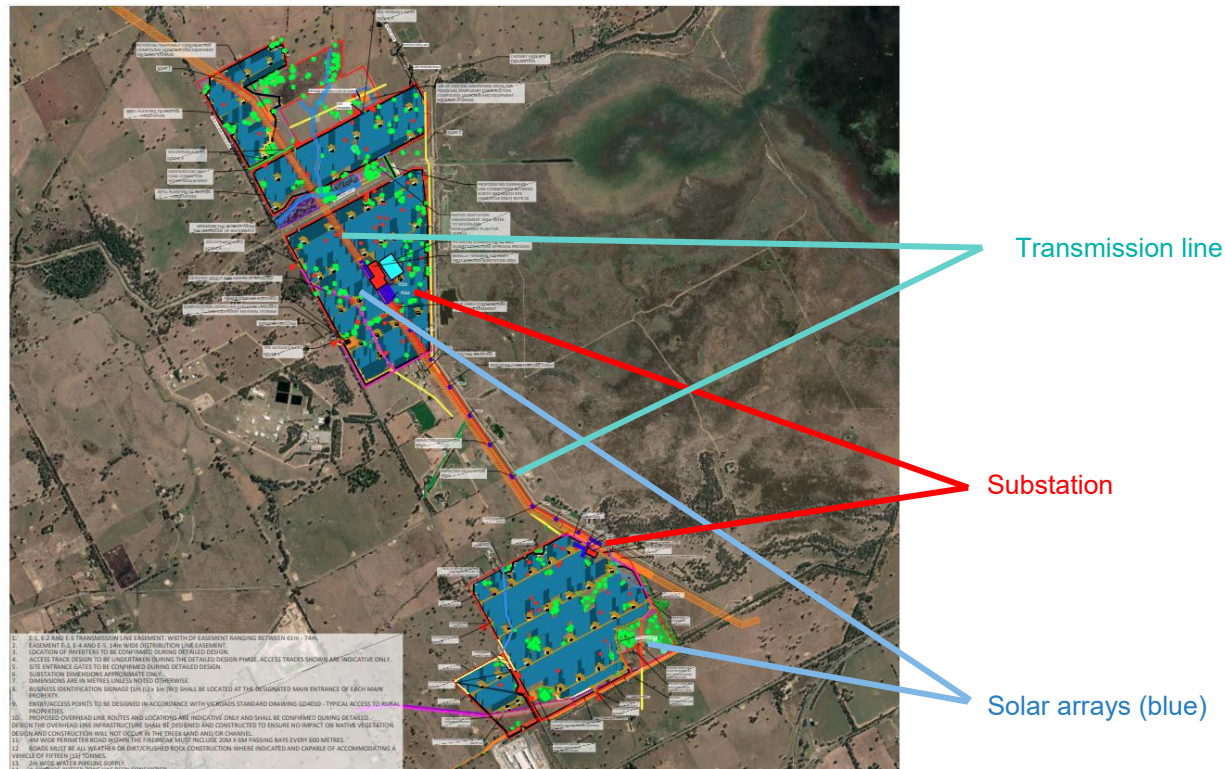




Figure 4 - Proposed project layout

Site Description

15. The project area comprises a total of approximately 770 hectares (ha) of private agricultural land situated across three areas that can be described as follows;
 - The northern portion of the project area known as West Mokoan (approx. 464 hectares)
 - The southern portion of the project area known as Kennedys Creek (283 hectares)
 - The transmission line (approx. 22 hectares).
16. The project area is located approximately 10km north east of Benalla town centre in Victoria, within the local government area of Benalla City Shire Council.
17. The sites are primarily used for agricultural use including grazing and cropping.
18. The majority of the project area is located in the Farming Zone (FZ) with a section of land in the south west corner of the Kennedys Creek site located within the Industrial Zone (INZ) and a small section within the West Mokoan project area zoned Public Use Zone (PUZ)
19. The project area is within a designated Bushfire Prone Area.
20. Areas of vegetation across the sites are classified as Ecological Vegetation Class (EVC) 803 Woodland, EVC 55_62 Plains Grassy Woodland, EVC 235 Woodland/Herb-rich Gilgai Wetland Mosaic and EVC 175-61 Grassy Woodland.

West Mokoan section

21. The West Mokoan site is located on the eastern side of Benalla-Yarrawonga Road and has frontages to Benalla-Yarrawonga Road, Lake Mokoan Road and Dam Wall/Boundary Road.
22. Stockyard Creek intersects this site and is a channelised watercourse that bisects the site in an east-west direction and connects to the Winton Wetlands to the east. It is the natural overflow from this wetland and is a partly constructed drain that carries water from the Wetlands to the Broken River between the northern and southern parcels of the land.
23. The central portion of the site in proximity to Stockyard Creek is an area of legislated Cultural Heritage Sensitivity. The area of sensitivity extends further into the site within the central east of the site.
24. The site generally flat and is currently used for agricultural purposes including livestock grazing and cropping. The site has been generally cleared of native vegetation although there are several scattered trees and patches of native vegetation evident.
25. There are 13 dams scattered across the West Mokoan project area.
26. There are currently three dwellings that form part of this section of the project area located at:
 - 892 Benalla-Yarrawonga Road
 - 616 Benalla-Yarrawonga Road
 - 81 Lake Mokoan Road

27. The majority of the area is zoned FZ with a small portion zoned Public Use Zone within the vicinity of Stockyard Creek.

Kennedys Creek section

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28. The project area is located on the northern side of Nelson and Murray Road and is bisected by Benalla-Yarrawonga Road with frontages to Nelson Road, Benalla-Yarrawonga Road and Murray Road resulting in two separate site areas.
29. The site generally flat and is currently used for agricultural purposes including livestock grazing and cropping. The site has been generally cleared of native vegetation although there are several scattered trees and patches of native vegetation evident.
30. There are two dwellings located close to the southern boundary featuring associated farm and outbuildings. There are two unnamed watercourses traversing the eastern portion of the site.
31. 318 scattered native trees and 34 patches of native vegetation remain. The scattered trees are reflective of Ecological Vegetation Class (EVC) 55_62 Riverina Plains Grassy Woodland – patches of Eucalypt canopy trees over exotic understorey, which has an ‘endangered’ bioregional conservation status.
32. The site has existing access points from Benalla-Yarrawonga Road, Murray Road and Nelson Road. Benalla-Yarrawonga Road is an RDZ1 and Murray Road is an RDZ2, while Nelson Road is an unsealed local road. The site is adjacent to the existing 66kV GNTS-BN1 overhead line, located in Nelson Road along the southern boundary.
33. The site includes a high pressure gas pipeline easement that traverses the south west corner of the project area.
34. This site located on the eastern side of Benalla-Yarrawonga Road is zoned FZ.
35. The site located on the south western side of Benalla-Yarrawonga Road (Lots 3 and 4 PS318659S) are zoned IN1Z.

Transmission Connection

36. The transmission connection between West Mokoan and Kennedys Creek runs along mainly the western boundary of sites adjacent to Boundary Road and Dam Wall Road.
37. This area is zoned FZ.

Land Restrictions

38. The West Mokoan section is affected by the following easements:
- Lot 1 on LP625748F is affected by E-1 through E-5, all being powerline easements, E-1 and E-2 being for the high voltage transmission line, and the others for local distribution powerlines
 - Lot 1 on TP 173518C is affected by powerline easement C for the high voltage transmission line
 - Lot 1 on LP206524H is affected by E-1 and E-2 being powerline easements (E-1 being for the high voltage transmission line, and E-2 for local distribution powerlines)
 - Lots 2-5 on LP206524H are affected by E-1 and E-2 being powerline easements and E-3 being a drainage easement.
39. The Kennedys Creek section is affected by the following easements:
- Lot 3 & 4 PS318659 are affected by E-1 being powerline easements and E-2 being for a gas pipeline.
 - Lot 6 PS627741 is affected by E-2 being a powerline easement, E-3 being for a pipeline and E-6 through E-10 for watersupply.
 - Lot 2 PS803108 is affected by E-1 being a powerline easement and E-4 & E-9 being for a powerline easement and E-10 for water supply.
 - Lot 7 PS627741 is affected by E-6 through E-10 for water supply
40. There are no covenants or restrictions on any of the titles that would prohibit the proposed use or development.

Site Surrounds

41. Development surrounding the site can be described as follows:



- The sites are in the eastern part of the Benalla Plain, which is predominantly used for cattle and sheep grazing and broadacre cropping.
 - Much of the surrounding area reflects the characteristics of the site; flat land that has been cleared of vegetation and used for agricultural purposes
 - Immediately to the north of the West Mokoan project area is a property containing a dwelling and outbuildings at 368 Benalla-Yarrowonga Road. This is the nearest neighbouring dwelling to the proposed solar farm and is about 130m beyond the boundary. Land beyond this dwelling is primarily used for agricultural purposes and within the FZ.
 - To the south of the West Mokoan project area between Kennedys Creek land is zoned FZ primarily used for agricultural purposes and contains a dwelling and farm related infrastructure.
 - To the east of the sites land is zoned predominantly Public Use Zone (PUZ) and Public Park and Recreation Zone (PPRZ) and known collectively as the Winton Wetlands (Lake Mokoan and Winton Swamp), a large, restored wetland.
 - To the west of Kennedys Creek land is Benalla-Yarrowonga zoned TRZ2 which separates Australian Munitions zoned SUZ1 (Defence Industries Benalla) and the Benalla Landfill and Resource Recovery Centre zoned PUZ1 (Service and Utility). Land in this vicinity is also zoned FZ and used for agricultural uses and associated dwelling.
 - To the south of Kennedys Creek Solar Farm is Nelson Road and the Benalla-Winton Discovery Trail.
 - To the south west is the Benalla Transfer Station and land is zoned for the purposes of the Benalla Industrial Park comprising a pre-cast concrete facility, timber mill and manufacturing facility.
42. There is existing power infrastructure that runs along Nelson Road to the southern boundary of the Kennedys Creek site. The 220kV Glenrowan to Shepparton overhead transmission line traverses through the West Mokoan site.
43. There are several dwellings within close proximity that do not form part of the proposal interspersed between and around the project area. These include:
- 18 Farnley Road, Goorambat – approximately 580 metres northwest of West Mokoan Solar Farm
 - 286 Farnley Road, Goorambat - adjacent to the eastern boundary of the West Mokoan project area
 - 28 Sergeant Road, Chesney Vale – approximately 450 metres east of West Mokoan Solar Farm
 - 524 Benalla-Yarrowonga Road, Benalla – adjacent to southern boundary of West Mokoan Solar Farm
 - 632 Benalla-Yarraonga Road, Benalla – adjacent to the south west boundary of West Mokoan Solar Farm
44. Road surrounding the project area include both local and arterial roads.
- **Benalla-Yarrowonga Road:** Sealed, two-way carriageway which abuts the site to the west and is an arterial road managed by the Department of Transport
 - **Lake Mokoan Road:** Sealed, two-way carriageway which separates the northern and southern land parcels of the subject site and is managed by Benalla Rural City Council.
 - **Boundary Road:** Unsealed, single carriageway to the east of the site and is managed by Benalla Rural City Council.
 - **Nelson Road:** Unsealed, single carriageway to the east of the site and is managed by Benalla Rural City Council.
 - **Farnley Road:** Unsealed, single carriageway to the north of West Mokoan Solar Farm
 - **Sergeant Road:** Unsealed, single carriageway to the north east of West Mokoan Solar Farm
 - **Channel Road:** Unsealed, single carriageway along the southern-eastern boundary of Kennedys Creek Solar Farm
 - **Snowy Lane:** Unsealed single carriageway between West Mokoan Solar Farm and Kennedys Creek Solar Farm
45. There are several other operating Solar Farms located within vicinity of the sites located along the Winton-Glenrowan Road proximate to the Glenrowan Terminal Station. These include; Winton Solar Farm, Mokoan Solar Farm, Glenrowan West Solar Farm and Glenrowan Solar Farm. Winton North Solar Garm, Goorambat Solar Farm and Goorambat East Solar Farm also have current approvals.



Planning Policy Framework

46. The following objectives and strategies of the Planning Policy Framework of the scheme are relevant to the proposal:

Clause 11	Settlement
11.01-1S	Settlement
11.03-6S	Regional and local places
Clause 12	Environmental and Landscape Values
12.01-1S	Protection of biodiversity
12.01-2S	Native vegetation management
Clause 13	Environmental Risks and Amenity
13.01-1S	Natural hazards and climate change
13.02-1S	Bushfire planning
13.03-1S	Floodplain management
13.05-1S	Noise management
13.07-1S	Land use compatibility
Clause 14	Natural Resource Management
14.01-1S	Protection of agricultural land
14.01-2S	Sustainable agricultural land use
14.02 -1S	Catchment planning and management
14.02-2S	Water quality
Clause 15	Built Environment and Heritage
15.03-2S	Aboriginal cultural heritage
Clause 17	Economic Development
17.01-1S	Diversified economy
Clause 18	Transport
18.02-4S	Roads
Clause 19	Infrastructure
19.01-1S	Energy supply
19.01-2S	Renewable energy

47. The assessment section of this report provides a detailed assessment of the relevant planning policies.

Zoning and Overlays

Farming Zone – (FZ)

48. The purpose of land includes to provide for use of land for agricultural use, to encourage the retention of productive agricultural land, and to ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

49. Pursuant to Section 2 of Clause 35.07-1, a planning permit is required for the use of land for a renewable energy facility (other than a wind energy facility), and for use of land as a utility installation.

50. Pursuant to Clause 35.07-2, a planning permit is required to construct a building or construct or carry out works associated with a Section 2 use of Clause 35.07-1.

Public Use Zone – Service Utility (PUZ 1)

51. The purpose of public land use under PUZ1 is service and utilities.
52. Pursuant to section 2 of Clause 36.01-1, a planning permit is required for the use of land for a renewable energy facility (other than a wind energy facility).
53. Pursuant to Clause 36.01-2, a planning permit is required to construct a building or carry out works associated with a section 2 use of Clause 36.01-1.

Industrial Zone – (IN1Z)

54. The purpose of Industrial Zone is to ensure availability of land for industry.
55. Pursuant to section 2 of Clause 33.01-1 a planning permit is required for a utility installation (other than Minor utility installation and Telecommunications facility).
56. Pursuant to section 2 of Clause 33.01-4 a planning permit is required to construct a building or construct or carry out works associated with a section 2 use of Clause 33.01-1.

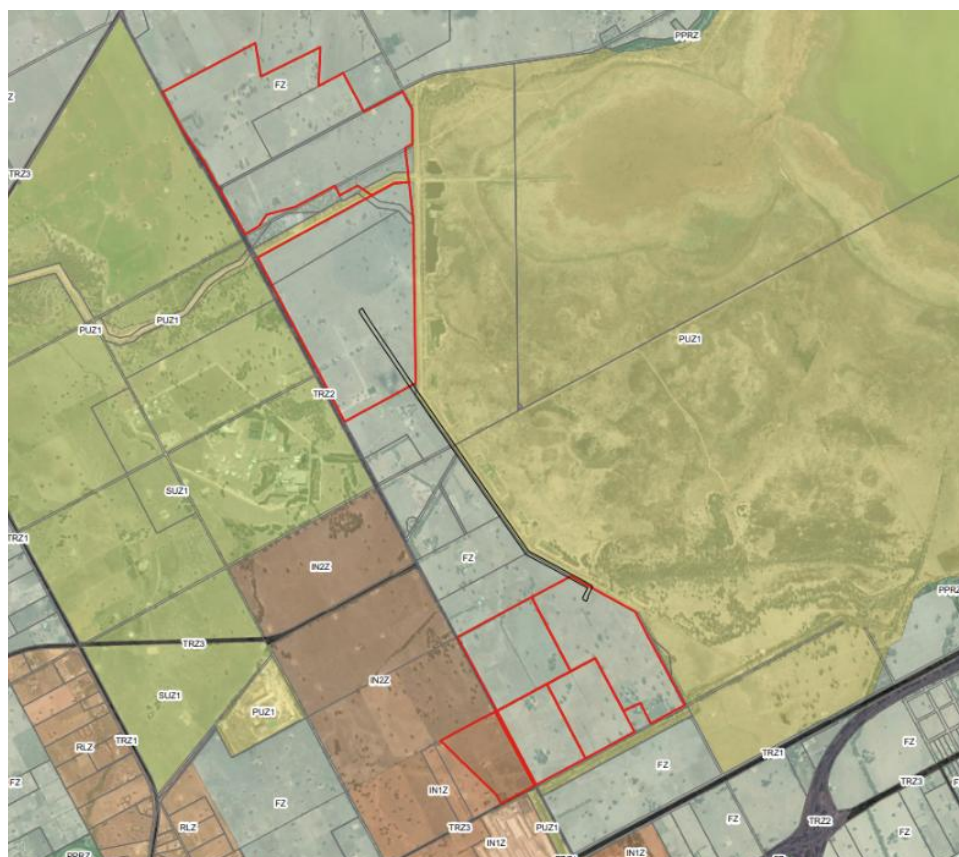


Figure 5 – Zoning map

Overlays

57. There are no overlays that affect the site.



Particular and General Provisions

Provisions that Require, Enable or Exempt a Permit

58. Clause 52.05 sets out the requirements for easement, restrictions and reserves. It is proposed to re-align the existing transmission line adjacent the existing transmission easement to reduce footprint and impact of transmission lines as far as practicable.
59. Clause 52.06 sets out the requirements of car parking design. The proposed use of land is not specified within the provision, as such car parking spaces must be provided to the satisfaction of the responsible authority.
60. Clause 52.17 seeks to provide for the protection, management and removal of native vegetation. Pursuant to Clause 52.17-1, a permit is required to remove native vegetation to facilitate the proposed crossovers and improve sightlines. The proposal seeks to remove a total of 17.762 ha of native vegetation which is combined of historic and proposed removal.
61. Clause 53.13 seeks to facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimum impact on the amenity of the area. The provision includes several application requirements relating to site and context plans, and design response and also references the Solar Energy Facilities Design and Development Guidelines (the Solar Guidelines) as a decision guideline for the assessment of solar energy facilities.
62. 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. This application for the development of land for a renewable energy facility qualifies under this process and falls under Category 1. The proposed meets the condition listed for the use of solar energy facility, as it will have a generation capacity greater than 1MW (with 300MW proposed). The proponent provided written confirmation that the application is an application to which this clause applies in accordance with the requirements of clause 53.22-1.
63. Clause 53.22 includes renewable energy projects and utility installations.
64. Under this control, all renewable energy applications that are lodged after 20 September 2023 and have a generation capacity 1MW or greater will be treated as significant economic development, making them eligible for consideration under this clause. Under this clause objections do not have third-party appeal rights and are no longer be able to appeal a decision to Victoria Civil and Administration Tribunal (VCAT).

Other Planning and Environmental Approvals

65. It is the proponent's responsibility to ensure all relevant approvals outside the *Planning and Environment Act 1987* (P&E Act) are in place. However, comment is made of the following relevant legislation:

Environment Protection Regulations

66. The noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (Noise Protocol), is incorporated into the Environment Protection Regulations as of 1 July 2021 (EPA publication 1826.4).
67. The Noise Protocol is used to determine noise limits for new and existing commercial, industrial and trade premises within Victoria. As of 1 July 2021, the Noise Protocol replaces the *Noise from Industry in regional Victoria (NIRV; EPA publication 1411)*.

Environment Protect and Biodiversity Conservation Act 1999 (EPBC Act)

68. Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on matters of national environmental significance, including nationally or internationally important flora, fauna, ecological communities, and heritage places must be referred to the Commonwealth Minister for Environment and Water.

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69. The submitted Flora and Fauna Assessment prepared by AECOM, dated 16 June 2025, states that a total of 17.762 ha of native vegetation would be removed, which is made up of 14.917 ha of past vegetation removal and 2.845 ha of proposed removal. A 3.249 general habitat units of offset is required with a minimum biodiversity scope of 0.323. The proponent has advised that a referral under the EPBC Act has not been undertaken for threatened flora and fauna species, migratory species, or ecological communities listed under the Act as the threshold requirements have been met

Environment Effects Act 1978

70. The Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978 (DTP, 2023) outlines the triggers for referral of a project to the Victorian Minister for Planning who will determine if an Environment Effects Statement (EES) is required.
71. The submitted Flora and Fauna Assessment prepared by AECOM, dated 16 June 2025 has outlined that the proposal is not considered to require a referral under the EE Act as it meets the requirements for effects on flora and fauna values and meets the vegetation removal threshold.

Flora and Fauna Guarantee Act 1988 (FFG Act)

72. Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land.
73. The submitted Flora and Fauna Assessment prepared by AECOM, dated 16 June 2025, states that the proposal does not affect any flora species under the Act, however Victorian Temperate Woodland Bird Community was identified. Notwithstanding this, there are no specific approvals required under the FFG Act for this community, and as such a FFG permit is not required for the works.

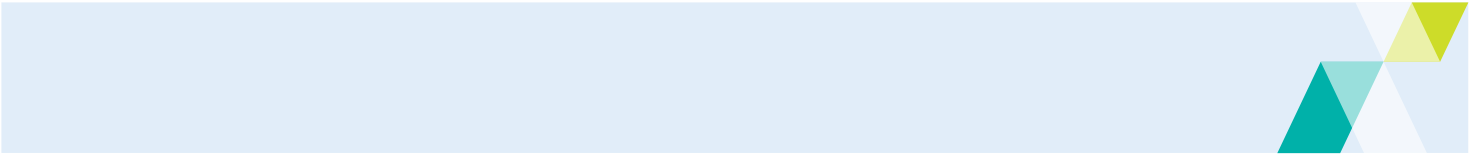
Aboriginal Heritage Act 2006 (AH Act)

74. 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.
75. CHMP plans have been prepared for both the West Mokoan and Kennedys Creek project areas. Two areas of Aboriginal Cultural Sensitivity are partially located within the West Mokoan site and are associated with Stockyard Creek and Koo-Wee-Rup Plain.
76. One Aboriginal place was identified within the Activity Area for Kennedys Creek – Aboriginal ring tree (VAHR 81240028) – located approximately 50m north of Nelson Road. There is no impact to any place of cultural sensitivity proposed.

Climate Change Act 2017 (CC Act)

77. The purpose of the CC 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.*
78. Section 20 of the CC 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.

- 
79. This assessment has had consideration of the policy objectives and the guiding principles of the CC Act. The proposed facility is estimated to generate approx. 300MW of solar energy which will help achieve the emissions reduction targets set by Victorian Government.



Referrals

80. The application was referred to the following groups:

Provision / Clause	Organisation	Response and date received
Section 55 Referral – Determining CI 66.04	AusNet	No objection subject to conditions set out in response dated 11/05/2025
Section 55 Referral – Determining	Head, Traffic for Victoria	No objection subject to conditions set out in response dated 28/05/2026
Section 55 Referral – Determining	WorkSafe	15/06/2026 – No objection subject to conditions set out in response dated 13/11/2025
Section 55 Referral – Recommending CI 66.02-2	Secretary to DEECA	2/06/2026 – No objection subject to conditions set out in response dated 27/10/2025

Notice

81. In accordance with Section 52(1) of the *Planning and Environment Act 1987* (P&E Act), notice of the application was given for a period of 28 days by letter and/or email to:

- Section 52(1)(a) of the P&E Act:
 - Owners and occupiers of land within 1km of the of the solar energy facility site (excluding land forming part of the project site)
- Section 52(1)(b) of the P&E Act:
 - Benalla Rural City Council
- Section 52(1)(d) of the P&E Act:
 - Country Fire Authority;
 - PEA DEECA
 - Environmental Protection Agency
 - Parks Victoria
 - Emergency Management Victoria
 - EnergySafe Victoria
 - Yorta Yorta Land and Waters Aboriginal Corporation;
 - Goulburn-Broken Catchment Management Authority (GBCMA);
 - Goulburn Murray Water
 - North East Water
 - AusNet (easement beneficiary)

82. Notice was given in the Benalla Ensign newspaper on 17 June 2026

83. At the time of writing this report, the application received 16 objections, including one from Benalla Shire Council.

84. Ten submissions were received from agencies including CFA, Goulburn-Broken CMA, North East Water, and EPA

85. One letter of support was received from a community member.

Objections

86. The following concerns were raised in the objections:



- Loss of strategic agricultural land
- Impact on agricultural land from potential contamination from the facility
- Flooding and risk of restricted site access in flood events
- Soil and groundwater contamination
- Bushfire risk and emergency access, including lack of local CFA brigade capabilities to respond to fires at solar farms and Fire Rescue Victoria responders being located in distant towns with longer response times
- Interface with the Department of Defence has not been adequately considered
- Lack of community consultation and communication
- Construction impact concerns on surrounding agricultural land
- Biodiversity impacts, including on:
 - Winton Wetlands
 - Native vegetation
 - Large and old trees
- Previously unauthorised removal of native vegetation within the last 5 years
- Adequacy of the applications supporting documentation, including:
 - Incomplete technical assessments that do not individually identify adjacent properties and have not been visited in-person
 - The project has not been assessed as a single development
 - Technical reports incorrectly identify parcels of land that are not included in the project area
 - Non-sensitive receptors have not been adequately responded to
 - Traffic conditions have not adequately been identified, including recent local crash history.
- Landscape and visual impacts including loss of visual amenity, light pollution, and glint and glare
- Traffic, the inadequacy of the existing road network, associated noise, and suggested improvements to support the construction of the project
- Increase to insurance costs to surrounding properties
- Biosecurity risks
- Loss of ability for future land use of adjoining properties
- Loss of ability for third-party review rights
- Lack of confidence with the Proponent
- Concerns regarding the establishment of the proposed landscaping
- Lack of investment by the State Government in support of attracting new industry, creating jobs and growing Benalla economy.
- Insufficient consideration given to the cumulative loss of agricultural land
- No major upgrades to critical infrastructure to support the project and levels of construction activities and ongoing use.

Council objection

- The Council objection raised concerns generally about energy projects in the region, rather than specifically about the West Mokoan solar farm. The primary issues raised in the objection relate to things being rushed through before caretaker period, general land use concerns, loss of agricultural land, cumulative impacts, traffic and road damage impacts, decommissioning, rural character.
It is noted that these concerns are considered in the assessment below, and many matters are addressed through conditions on the permit which require a construction traffic management report, decommissioning requirements, landscape plans and stormwater drainage plans to be undertaken in conjunction with Council and the responsible authority.

87. An officer assessment relating to matters of flooding, water quality, bushfire risk, visual impact, glint and glare, agriculture, noise, 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 Planning Officer Response
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Property values	The consideration of property values and land devaluation is not included within the decision guidelines of the Scheme and cannot be considered within the assessment and determination of the project.
Lack of community consultation and social licence	As outlined in this report, public notice of the application was given in the Benalla Ensign and to all properties within 1km of the site, in accordance with (and beyond) the requirements of s52 of the Act. Additionally, it is understood that the proponent undertook consultation with the community prior to the lodgement of the planning application and throughout the planning process including: • Meetings with Council, local politicians and other relevant government agencies during the early development of the project; • Contacting neighbouring properties via letter, phone calls and in-person meetings; • Providing updates on the project website, including project newspapers; • Drop-in local engagement sessions; The proponent also undertook various community consultation activities throughout the life of the project commencing in 2019 when the original applications were made.
Insurance costs	DTP is aware of concerns from landowners about the impact of energy projects on their public liability insurance. However, the consideration of insurance costs is not included within the decision guidelines of the Scheme and has not been considered as part of this assessment. It is noted that the Insurance Council of Australia issued a statement on 14 May 2024 saying: <i>Current information indicates that insurers generally do not have specific concerns related to a property hosting transmission lines or neighbouring energy infrastructure. At the time of writing, the Insurance Council is not aware of any instances where Insurance Council members have been unable to provide insurance or have increased premiums as a result of a farm (or a neighbouring property) hosting energy infrastructure.</i>
Adequacy of Technical assessments	DTP has assessed the suite of documents that include technical assessments dating from 2019 to 2026. It is considered that the documentation provided is acceptable with updated technical reviews provided where changes to the project have occurred. Updated materials include: updated TIA, LVIA, NVR, Noise and Flora and Fauna Assessments.

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

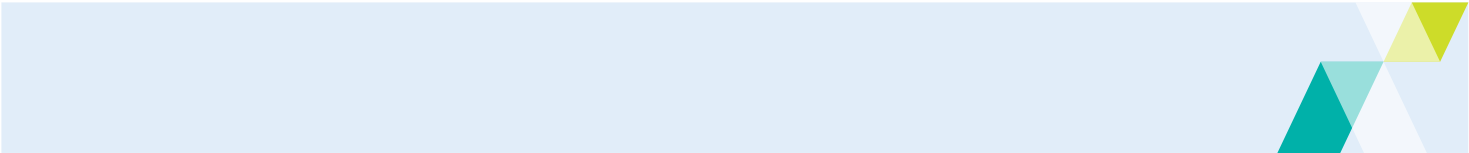
Submissions

89. The submissions are summarised below.

Agency / Authority	Date Received	Issues Raised
CFA	19/06/2026	Proposal found to be acceptable, and suggested inclusion of permit conditions requiring: • Amended plans to show any changes required to comply with CFA conditions • Risk Management Plan • Emergency Plan • Fire Plan • All fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. Conditions to this effect have been included within the recommendation.
Goulburn-Broken CMA	15/06/2026	No objection subject to the following conditions: • The finished floor level of all buildings must be constructed at least 300 millimetres above the applicable 1% AEP flood level. The 1% AEP flood levels are to be determined from the Flood Report (22 July 2024). • The applicant must submit a plan showing all buildings with a table insert that specifies the finished floor level for each building to the satisfaction of the Goulburn



		Broken Catchment Management Authority. Conditions to this effect have been included within the recommendation.
North East Water	24/06/2026	No objection. Note to include: Proponent to contact North East Water on commencement of construction.
EPA	2/09/2025 (emailed through on 17/06/2026)	No objection. Permit Note to include: - The Environment Protection Act 2017 came into effect on 1 July 2021. The general environmental duty (GED) is a centrepiece of the laws. It applies to all Victorians. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable. - This involves a continuous, preventative approach and should be undertaken with the understanding that where an operation presents low-level risks, or already has appropriate risk mitigation measures in place, further mitigation measures may still be necessary at a future point. For further information on what the laws mean for Victorian businesses and community go to: https://www.epa.vic.gov.au/general-environmental-duty
Goulburn Murray Water	6/08/2026	No objection subject to the following conditions: - Show a minimum 5 metre setback between the buildings, infrastructure, solar panels and BESS to any Goulburn Murray Water easements, freehold or reserve boundaries containing any Goulburn Murray Water pipelines - Show a minimum 30 metres setback between buildings, infrastructure, solar panels and BESS from: - Waterways within the site - The full extent of the Winton Wetlands - Goulburn Murray Water's Winton Wetland Overflow Channel - Any dams or drainage lines on site - Preparation of CEMP in consultation with GMW - Preparation of an Operation and Maintenance Environmental Management Plan in consultation with GMW - Preparation of a Stormwater Management Plan - Preparation an Emergency Management Plan & Fire Water Management Plan - Preparation of a Land Capability Assessment to the satisfaction of GMW Discussion on these proposed conditions are included within the assessment below.
Yorta Yorta Land and Waters Aboriginal Corporation		No response
Parks Victoria		No response
Emergency Management Victoria		No response
EnergySafe Victoria		No response
AusNet		No response
Benalla Rural City Council	20/08/2026	Objection. Noting the following: - Loss of agricultural land - Incompatible use in a rural landscape - Cumulative land use impact - Precedent for further conversion - Critical infrastructure dilapidation surveys required - No major upgrades to critical infrastructure contemplated

- 
- No environmental and infrastructure bond proposed to ensure adequate repair of critical infrastructure or returning farmland at end of project life cycle
 - Impact to rural character and landscape values
 - Fragmentation of farming operations
 - Absence of demonstrated net community benefit

Discussion on these proposed conditions are included within the assessment below.



Key Considerations

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

Mandatory considerations under section 60 of the PE Act

s60 Mandatory consideration	How this is addressed in this report
(a) 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.
(b) 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 application, 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.
(c) Objections and submissions	Summarised in the Public Notice section and considered through the relevant assessment sections.
(d) 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.
(e) Any significant environmental effects	Addressed through biodiversity, native vegetation, hydrology, fire, construction, traffic, landscape, amenity and environmental management considerations throughout the report.
(f) Any significant social and economic effects	Social effects are addressed through discussion on community concerns, amenity, traffic, landscape and bushfire 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,



s60 Mandatory consideration	How this is addressed in this report
	referral authority responses, objections and submissions, and proposed permit conditions.

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

- Policy context and planning controls
- Amenity impacts
- Landscape and visual impact
- Impact on agricultural land
- Natural environment and natural systems
- Vehicle access and traffic

Policy Context

Hazards and safety

92. Overall, the proposal is generally consistent with the relevant planning policies which supports the transition and provision of renewable energy, diversification of service industries for future economic growth, supports the creation of jobs and skilled workforce while protecting the environment and agricultural land. It is noted that both the West Mokoan and Kennedys Creek Solar Farms each have current planning approvals for use and development of solar farms. This application seeks to combine both approved planning permits into one new permit now that the project is under single ownership, with the proponent submitting that there are greater efficiencies, operationally, through a single approval. Additional infrastructure is proposed with the inclusion of de-centralised BESS units across both sites.
93. The proposal is consistent with the relevant state planning policies which support the renewable energy led transition to a low-carbon economy with reduced greenhouse gas emissions, as encouraged by Clause 19.01-2S (Renewable energy). The proposed facility is estimated to generate approx. 300MW of solar energy and all energy generated from the facility will be distributed to the national electricity transmission network, with the total capacity of the BESS being 600-1400MWh
94. State planning policies encourage appropriate land use and development which enhances the built environment, supports economic growth, meets the community expectations in relation to impacts on amenity, and which supports the improvement of public infrastructure. New development should be designed and implemented in a manner that is suitable for existing conditions.
95. The Victorian Government has committed to transition towards a climate resilient economy to reduce environmental effects and air pollution of fossil fuels and as such the proposal will have an overall positive impact on the environment, community and economy.
96. The proposal is supported by Clause 17 (Economic Development) which seeks to provide for a strong and innovative economy, where all sectors are critical to economic prosperity. The proposal solar energy facility meets the objectives of Clause 17 by creating jobs during the construction and in the operation of the facility.
97. The proposal has been sited and designed in an appropriate manner to ensure that the effects of the project on the environment and community are minimised, specifically:

Environment and Landscape Values

- Clause 12 (Environmental and Landscape Values) focuses on the protection of ecological systems, native vegetation, biodiversity, and identified environments or landscapes. The application supports the objectives of Clause 12 by:

- Where possible, infrastructure has been sited to avoid impacts to native vegetation as per the strategies of Clause 12.01-1S and Clause 12.01-2S. This includes:
 - Restricting access tracks to the minimum required for vehicles and machinery needed for the works and operation of the solar facility; and
 - Using No-Go Zones to avoid impacts to retained vegetation and proposed rehabilitated areas.
- Undertaking the avoid, minimise, offset assessment for the project in accordance with the strategies identified at Clause 12.01-2S. The application is supported by an avoid and minimise statement. A condition of the recommendation will require offsets to be secured for the native vegetation that is proposed to be removed.

Environmental Risks and Amenity

- Clause 13 (Environmental Risks and Amenity) seeks to:
 - *Strengthen the resilience and safety of communities by adopting a best practice environmental management and risk management approach.*
 - *Identify, prevent and minimise the risk of harm to the environment, human health, and amenity.*
 - *Identify and manage the potential for the environment and environmental changes to impact on the economic, environmental or social wellbeing of society.*
 - *Prepare for and respond to the impacts of climate change.*
- The proposed solar farm and battery and transmission line appropriately respond to environmental risks and protects amenity. The site has been developed in accordance with the CFA's Guidelines and Model Requirements for Renewable Energy Facilities CFA 2025 (the CFA Guidelines) to appropriately respond to bushfire risks.
- Noise requirements in accordance with the EPA Noise Protocol can be met with proposed mitigation measures in place including the 4m noise walls at specified BESS locations. (Clause 13.05-1S).
- A Bushfire Management Plan will be required to ensure that appropriate fire risk assessments are undertaken and measures implemented during development operation.

Natural Resource Management

- Clause 14 (Natural Resource Management) seeks to:
 - Assist in the conservation and wise use of natural resources including energy, water, land, stone and minerals to support both environmental quality and sustainable development.
 - Ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production.
- The site has not been identified as strategically significant agricultural land in the Hume Regional Growth Plan, May 2014 and the submitted Agricultural Assessments conclude that the sites are not considered high-quality agricultural land. Notwithstanding this, the conditions of the recommendation will require the rehabilitation of the site to its former condition at the end of operations of the solar farm and BESS use, ensuring it can be returned to agricultural use after the energy use ceases.
- The development will not adversely impact agricultural activities on surrounding land.
- The Flood Report concludes that whilst the proposed development will have some impact on the existing flood behaviour across the site, mitigation measures such as appropriate finished floor levels, fencing and setbacks from waterways have been adopted in addition to advice from Goulburn Broken Catchment



Management Authority noting they are satisfied with the documentation proposed and have no objection subject to conditions and Goulburn Murray Water. Further to this, a drainage and stormwater plan will be required before the development starts to be prepared in conjunction with Benalla Shire Council and GMW.

- The proponent has proposed a range of 5-15m setbacks to identified and ephemeral waterways which responds to advice by GBCMA but is inconsistent with advice received from GMW. Notwithstanding, it is considered that the project will not have unreasonable impacts to the water quality of the Winton Wetlands or the Stockyard Channel and identified unnamed watercourses and a condition requiring a CEMP will be required. It is further noted that the GMW is not a referral authority.

Refer to the agricultural section of the report below for additional discussion.

Farming Zone – (FZ) and agricultural impacts

98. Clause 35.07 (Farming Zone) seeks to provide for the use of land for agricultural purposes, 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.
99. The majority of the solar arrays, BESS units, ancillary buildings and transmission line are proposed to be located within the FZ. A small portion of solar arrays are proposed within the IN1Z. The PUZ zone traverses through the West Mokoan section.
100. Clauses 14.01-1S, 14.01-1L, 14.01-2S and 14.01-2L also seek to protect the state's agricultural base by preserving productive farmland and facilitating diversified and sustainable agricultural uses.
101. 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.
102. 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:
- Solar energy infrastructure has been proven to be compatible with agricultural operations across Victoria, enabling the continuation of modified farm management practices around and under solar panel arrays.
 - The project has been sited and designed to connect into the nearby existing terminal station.
 - The project will contribute to the diversification of the local economy and the sustainability of the rural community.
 - The site is located near a 220kV powerline, enabling connection to the existing electricity network.
 - The proposal has considered existing and future agricultural land use both on and around the site. As a low-impact land use, the solar facility will not adversely affect surrounding farming operations. Conditions will require the site to support ongoing livestock grazing during operation.
 - Fire risk has been assessed, with the design incorporating CFA-recommended measures including fire breaks, site access, water supply and noise wall design.
 - The solar arrays, BESS and ancillary infrastructure are appropriate for the site. Subject to conditions, they will be adequately setback from adjoining properties and, where possible, screened by vegetation. While visual



impacts are discussed elsewhere in this report, it is noted that the Farming Zone primarily seeks to support agricultural use rather than protect residential visual amenity.

- Construction and operational traffic impacts are acceptable, subject to standard conditions, and are discussed further in the relevant section of this report.

Public Use Zone – Service and Utility (PUZ1)

103. Part of Lot 1 on Local Plan 173518C is located within the PUZ1 land.
104. Clause 36.01 seeks to recognise public land for public utility and community services and facilities and to provide for associated uses that are consistent with the intent of the public land reservation or purpose. For PUZ1 the purpose of the land use is service and utility.
105. The purpose of the public land use is Service and Utility.
106. Pursuant to Section 2 of Clause 36.01-1, a planning permit is required for the use of land for a renewable energy facility.
107. Pursuant to Clause 36.01-2, a planning permit is required to construct a building or construct or carry out works associated with a Section 2 use of Clause 36.01-1.
108. Having regard to the relevant decision guidelines at Clause 36.01-4, the proposed use and development of a solar energy facility is an appropriate outcome in the PUZ1 as follows:
 - It is anticipated the development will not impact future agricultural potential in the future. A standard decommissioning plan will be included as a permit condition in any permit issued.
 - The proposed use will not limit agricultural activity in the surrounding area.
 - The built form will be sufficiently setback from adjoining properties and will be screened from view by existing vegetation from the road reserves and boundary line vegetation. Additional landscaping providing a visual buffer between the facility and surrounding interfaces are also included.
 - The proposed use and development of the site have considered potential fire hazards by siting the project area away from vegetation and incorporating fire safety design recommended by CFA guidelines such as provision for a four metres wide perimeter track sited within a 10 metre wide fire break.

Industrial Zone

109. Murray Road, Benalla (Lot 3 and Lot 4 of PS 318659) are located within the Industrial 1 zoned land. Clause 33.01 seeks to recognise public land for public utility and community services and facilities and to provide for associated uses that are consistent with the intent of the public land reservation or purpose.
110. The purpose of the public land use is Service and Utility.
111. Pursuant to Section 2 of Clause 33.01-1, a planning permit is required for the use of land for a renewable energy facility (other than a wind energy facility).
112. Pursuant to Clause 33.01-2, a planning permit is required to construct a building or construct or carry out works associated with a Section 2 use of Clause 33.01-1.
113. Having regard to the relevant decision guidelines at Clause 33.01-4, the proposed use and development of a solar energy facility is an appropriate outcome in the INZ1 as follows:
 - The use is consistent with the underlying objectives of the zone.
 - The site is located near a 220kV powerline, enabling connection to the existing electricity network.

- The proposed use will not limit agricultural activity in the surrounding area.
- Construction and operational traffic impacts are acceptable, subject to standard conditions, and are discussed further in the relevant section of this report.

Amenity Impacts

Glint and Glare

114. The Solar Energy Facilities Design and Development Guidelines (DELWP 2022) and the decision guidelines of Clause 53.13 (Renewable Energy Facility other than a Wind Energy Facility) require the assessment of potential glint and glare impacts to dwellings and roads within 1km of a proposed facility and any aviation infrastructure near a facility, including air traffic control towers or runway approaches.
115. The application includes separate Glint and Glare Assessments (GAA) for the West Mokoan project area, the Kennedys Creek project area and an amendment for the Kennedys Creek project area related to the relocation of several solar arrays in the southern portion of the site prepared by AECOM Pty Ltd which form part of the current assessment. The cumulative assessments found that:
 - There are 61 potential point receptors up to a maximum distance of 3km from the site (referred as observation points (OPs) during the visual impact assessment of these receptors.
 - There are 22 route receptors (roads surrounding the development footprint)
 - CASA advises that, in the absence of Australian-specific guidance, solar PV glare assessments near airports should follow the US FAA guidelines. Under these guidelines, solar developments located beneath runway approach paths and within approximately 5 nautical miles (10 km) of a runway end require a specific glare assessment. The nearest aviation facility is the Gliding Club of Victoria airstrip, located approximately 10 km south-west of the site. As the site is within the FAA's 10 km assessment threshold, a glare impact assessment was undertaken to determine any potential effects on aircraft during approach and departure. The airstrip does not appear to have an air traffic control tower; therefore, the assessment focused on potential impacts to aircraft operations.
 - The West Mokoan Glint and Glare Assessment comprise of the following observation points and route receptors:
 - OP1-OP4, OP6, OP 7-13, OP16, OP19-21, OP24, OP 26-29, OP 31-33
 - Benalla-Yarrawonga Road
 - Boundary Road
 - Chesney Road
 - Farnley Road
 - Lake Mokoan Road
 - Old Thoona Road
 - Dam Wall Road
 - Flynns Road
 - North Road
 - North Road – 2
 - Snowy Lane
 - Route 11
 - FP1-FP4

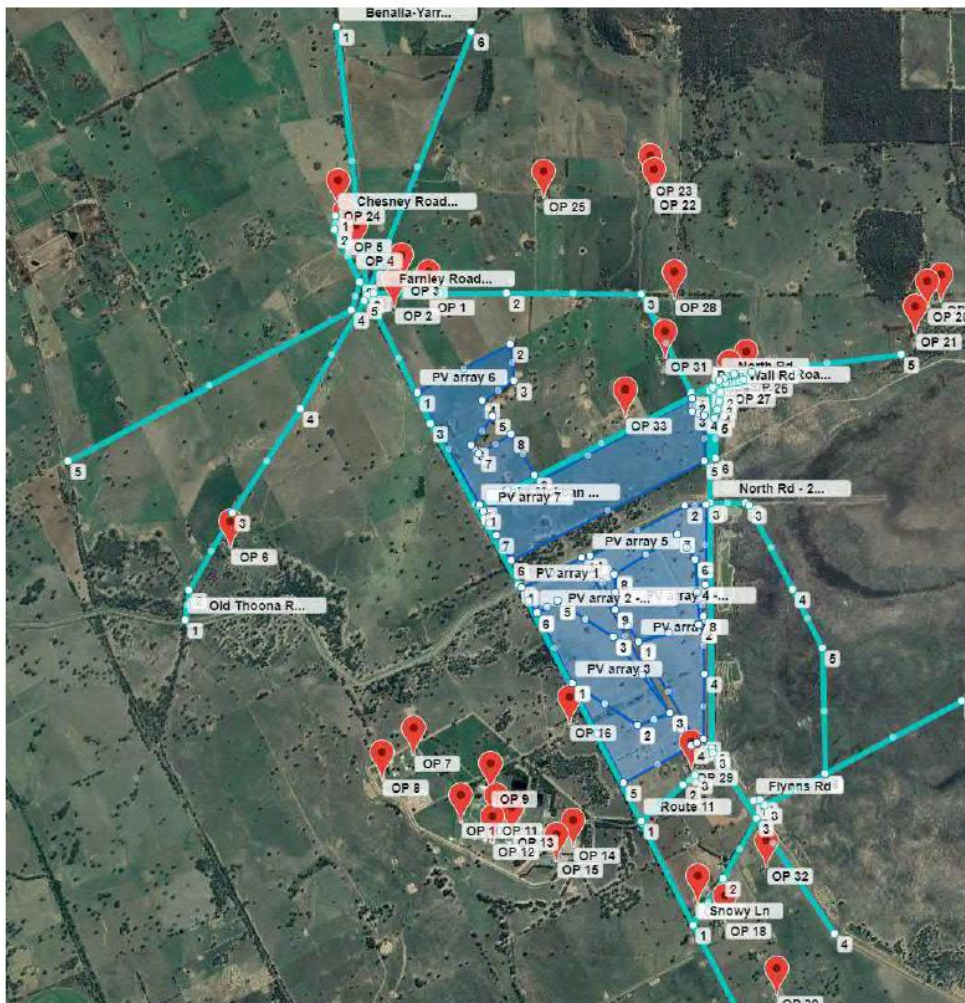


Figure 6: Key viewpoints and route receptors analysed. Source: Glint & Glare Assessment

- The Kennedy's Creek Glint and Glare Assessment comprise of the following observation points and route receptors:
 - OP1-OP4, OP6, OP 7-13, OP16, OP19-21, OP24, OP 26-28
 - Benalla-Yarrowonga Road
 - Snowy Lane
 - Railway Track
 - Boundary Road
 - Link Road
 - Sydney Road
 - Murray Road
 - Nelson Road
 - Old Farnley Road
 - Witt Road

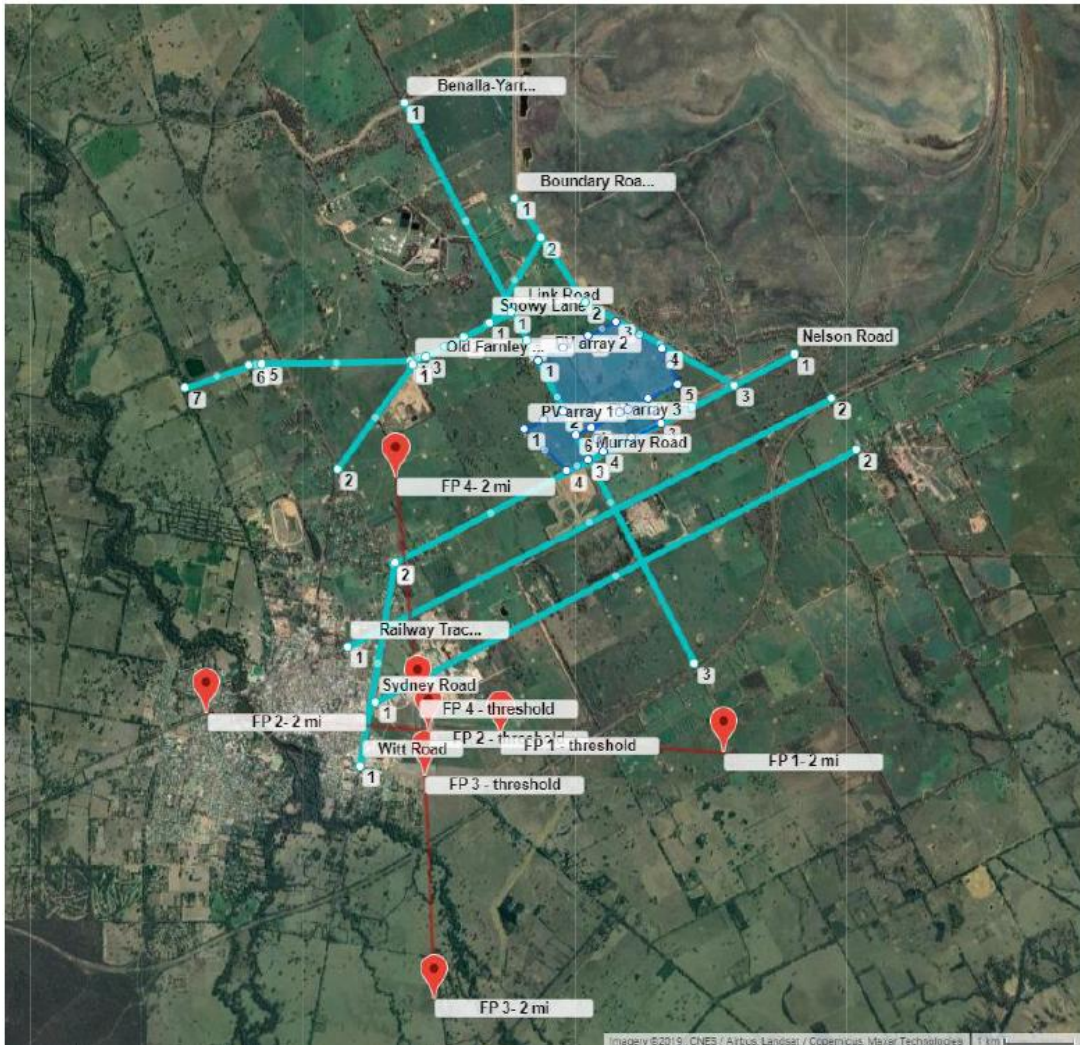


Figure 7: Key viewpoints and route receptors analysed. Source: Glint & Glare Assessment

116. The assessment includes the Single Axis Tracker (SAT) modelling where the photovoltaic arrays have a maximum tracking angle of 60 degrees and the resting angle of 0 degrees to represent worst-case impacts.
117. The GAA states yellow glare has been predicted across identified observation points and route receptors. Whilst yellow glare typically has the potential to cause after-image, in the scenario where yellow glare has been predicted, the retinal irradiance relative to the subtended source angle is relatively small and thus is borderline 'green glare' and unlikely to pose any threat or damage to an observer. As an example, the following table for the West Mokoan section identifies the location and duration of glare that could potentially occur.

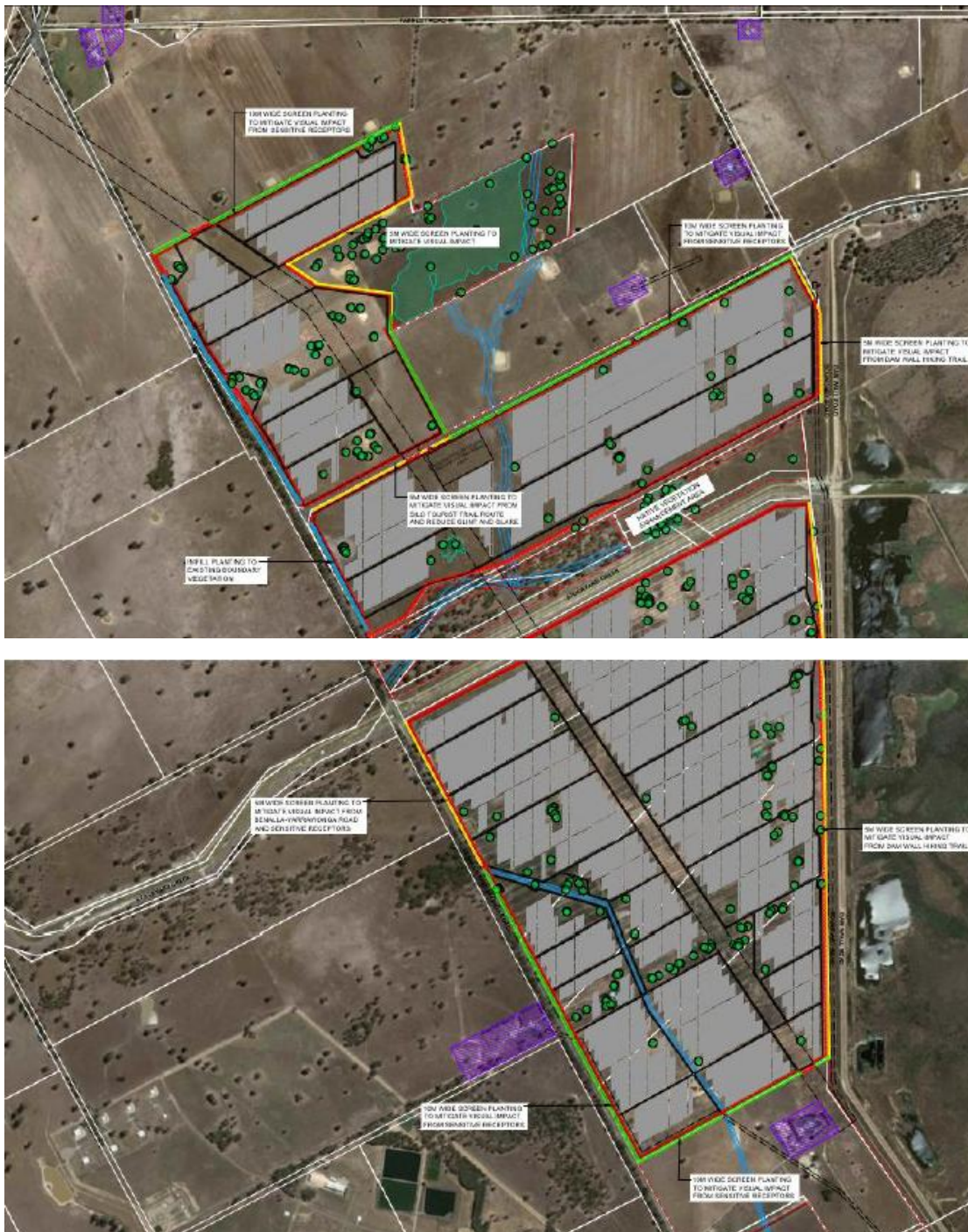
Table 5 Summary of modelling results

Resting Angle	Glare with low potential for after image		Glare with moderate potential for after image	
	Affected Observation Points	Total annual glare duration (min/year)	Affected Observation Points	Total annual glare duration (min/year)
0°	Lake Mokoan Road; Chesney Road; Flynn's Road; Old Thoona Road; North Road; North Road 2; OP 3; OP 6 – OP 13; OP 19 – OP 21; OP 24; OP 26 – OP 28	21,358	Lake Mokoan Road; Benalla-Yarrawonga Road; Boundary Road; Chesney Road; Dam Wall Road; Farnley Road; Flynn's Road; North Road; North Road 2; Route 11; OP 1 – OP 4; OP 6 – OP 13; OP 16; OP 19 – OP 21; OP 24; OP 26 – OP 29; OP -31; OP -33	178,171
5°	N/A	0	Benalla-Yarrawonga Road; Lake Mokoan Road; Boundary Road; North Road;	14,693
10°	N/A	0	Lake Mokoan Road	1,397
13°	N/A	0	Lake Mokoan Road	8
14°	N/A	0	N/A	0
15°	N/A	0	N/A	0

Figure 8: West Mokoan summary. Source: Glint & Glare Assessment

118. In addition to the setbacks of the arrays from all site boundaries, the cumulative assessments indicate that there will be glint and glare impacts and the GAA's recommend the following mitigation measures along the impacted observation points and route receptors:

- Limiting the resting angle of the solar array to 14 degrees above horizontal for West Mokoan and 0 degrees above horizontal for Kennedys Creek.
- 10m wide vegetation buffers (identified in green)
- 5m wide vegetation buffers (identified in yellow)
- Supplementary infill vegetation screening (identified in blue)
- Installation of mesh and fencing of sufficient height



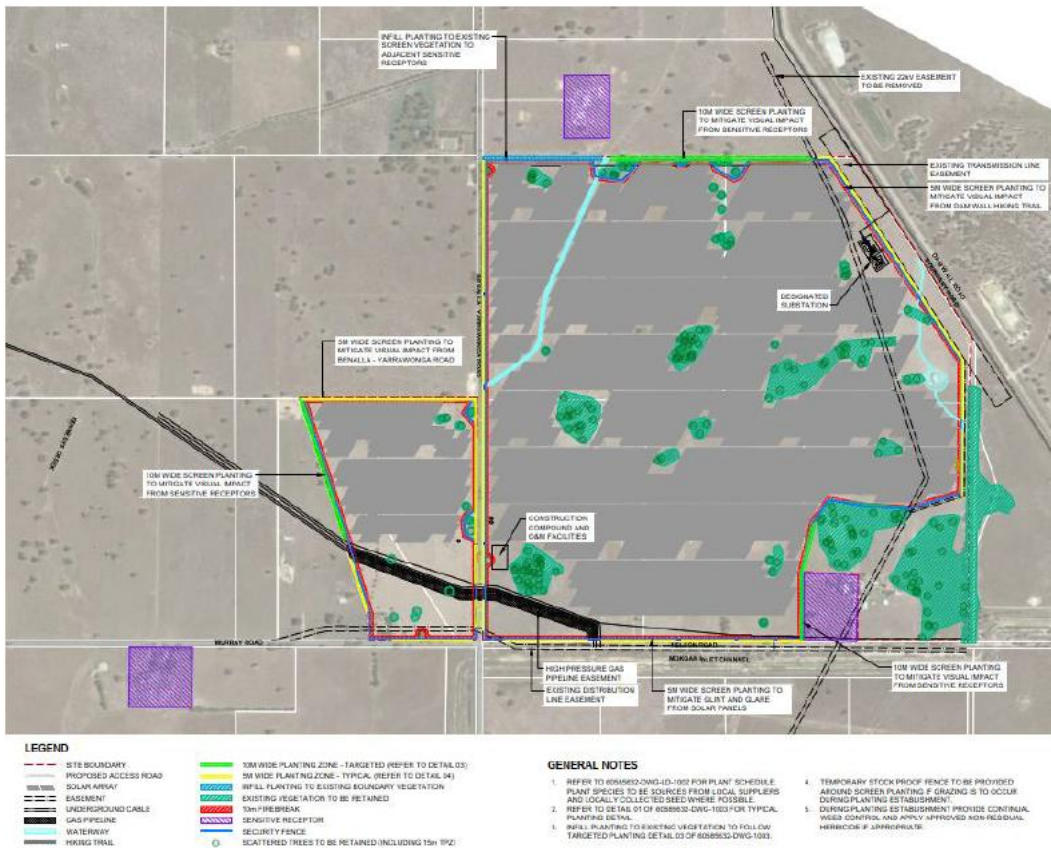


Figure 10: Proposed mitigation for Kennedy's Creek Source: Glint & Glare Assessment (Landscape plan)

119. It is noted that mesh screening will be required in the short to medium term until the proposed vegetation buffers mature. As the landscaping will be planted as tube stock, the Landscape Early Works Strategy indicates the 10m buffers will take approximately 10 years to provide effective screening. Accordingly, a combination of tube stock and a detailed management plan, together with perimeter glare screening, to reduce the facility's short-term visual and glare impacts will be required.
120. It is recommended that conditions are included on any permit to ensure that the glint and glare impacts are appropriately mitigated.

Noise

121. Clause 13.05-1S (Noise management) requires the consideration of noise effects on sensitive land uses.
122. The application is supported by a Noise Assessment (NA), prepared by Trinity Consultants, dated 23 February 2026. The noise impact assessment has been prepared in line with EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.

Operational Noise

123. The predictive noise assessment identified 8 sensitive receivers in the vicinity of the sites, as shown below:

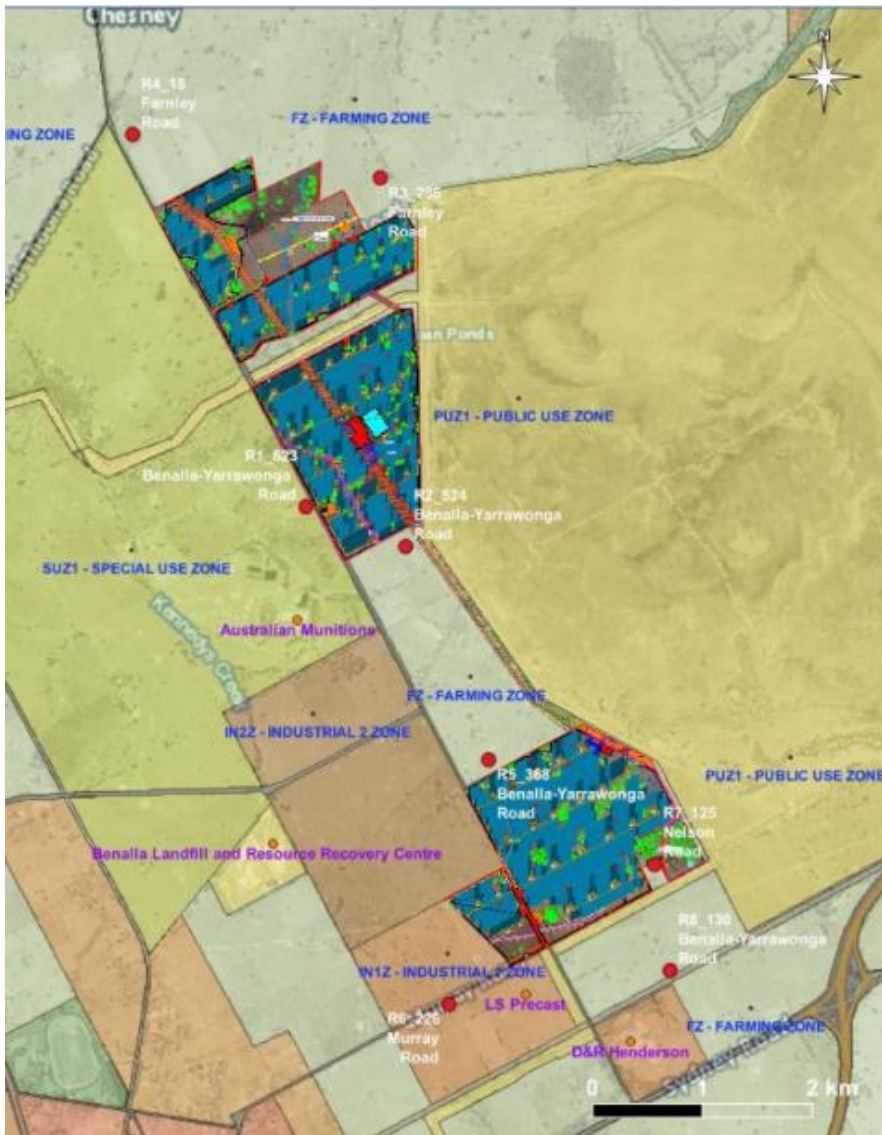


Figure 11 – Location of identified Sensitive Receptors Source: Trinity Noise Impact Assessment

124. The report notes that the primary noise producing items are transformers, inverters and converters and were modelled as point sources, the BESS units including chiller fans, were also included in the modelling as 3D building noise sources and were assumed to be running 24/7. Tracker motors were also included as an area source covering the solar farm areas. The mitigation strategies proposed therefore focus on these noise producers.
125. Exceedances of up to 4dBA were predicted at two of the eight residential receivers (R5 & R7) under downwind conditions. Under neutral weather conditions no exceedances were predicted.

Table 5.2: Predicted Noise Levels

Predicted levels including +2 dBA tonality correction are underlined.

Predicted exceedances are marked with **bold red**.

Receiver	Noise Criteria (L _{eq} dBA)			Predicted (L _{eq} dBA) Calm Weather Condition			Predicted (L _{eq} dBA) Downwind Weather Condition		
	Day	Evening	Night	Day	Evening	Night	Day	Evening	Night
R1	54	49	44	<u>41</u>	<u>36</u>	<u>36</u>	<u>46</u>	<u>41</u>	<u>41</u>
R2	46	41	36	<u>35</u>	<u>29</u>	<u>29</u>	<u>41</u>	<u>35</u>	<u>35</u>
R3	46	41	36	<u>30</u>	<u>25</u>	<u>25</u>	<u>36</u>	<u>31</u>	<u>31</u>
R4	46	41	36	<u>25</u>	18	18	<u>31</u>	24	24
R5	46	41	36	<u>40</u>	<u>35</u>	<u>35</u>	<u>45</u>	<u>40</u>	40
R6	58	53	48	<u>26</u>	<u>20</u>	<u>20</u>	<u>32</u>	<u>26</u>	<u>26</u>
R7	46	41	36	<u>39</u>	<u>33</u>	<u>33</u>	<u>44</u>	<u>38</u>	38
R8	45	37	32	24	<u>20</u>	<u>20</u>	30	<u>26</u>	<u>26</u>

Figure 12 - Predicted noise levels during the evening period without mitigation. Source: Noise Impact Assessment

126. As such, the proponent has explored a number of noise mitigation measures, including:

- Use of significantly quieter DC-DC converters
- Use of lower fan speeds for evening, where possible
- Use of 4m noise barriers on selected BESS units
- Rotation of selected BESS units
- Minimum of 4-metre setback distance between noise barriers and BESS units where required

127. With the identified mitigation measures in place, the assessment demonstrates that the facility will comply with the relevant noise limits during the day, evening and night periods. Conditions of any planning permit issued will require these measures to be implemented.

Table 5.3: Predicted Noise Levels with Mitigation – Calm Weather Condition

Predicted levels including +2 dBA tonality correction are underlined.

Receiver	Noise Criteria (L _{eq} dBA)			Predicted (L _{eq} dBA) Calm Weather Condition			Difference (Predicted minus Criteria)		
	Day	Evening	Night	Day	Evening	Night	Day	Evening	Night
R1	54	49	44	<u>41</u>	<u>36</u>	<u>36</u>	-13	-13	-8
R2	46	41	36	<u>35</u>	<u>29</u>	<u>29</u>	-11	-12	-7
R3	46	41	36	<u>30</u>	<u>25</u>	<u>25</u>	-16	-16	-11
R4	46	41	36	<u>25</u>	18	18	-21	-23	-18
R5	46	41	36	<u>35</u>	28	28	-11	-13	-8
R6	58	53	48	<u>26</u>	<u>21</u>	<u>21</u>	-32	-33	-28
R7	46	41	36	<u>36</u>	<u>30</u>	<u>30</u>	-10	-11	-6
R8	45	37	32	24	<u>19</u>	<u>19</u>	-21	-18	-13

Figure 13: Predicted noise levels with mitigation in calm conditions. Source: Noise Impact Assessment

Table 5.4: Predicted Noise Levels with Mitigation – Adverse Weather Condition

Predicted levels including +2 dBA tonality correction are underlined.

Receiver	Noise Criteria (L _{eq} dBA)			Predicted (L _{eq} dBA) Adverse Weather Condition			Difference (Predicted minus Criteria)		
	Day	Evening	Night	Day	Evening	Night	Day	Evening	Night
R1	54	49	44	<u>46</u>	<u>41</u>	<u>41</u>	-8	-8	-3
R2	46	41	36	<u>41</u>	<u>35</u>	<u>35</u>	-5	-6	-1
R3	46	41	36	<u>36</u>	<u>31</u>	<u>31</u>	-10	-10	-5
R4	46	41	36	<u>31</u>	24	24	-15	-17	-12
R5	46	41	36	<u>41</u>	34	34	-5	-7	-2
R6	58	53	48	<u>32</u>	<u>26</u>	<u>26</u>	-26	-27	-22
R7	46	41	36	<u>41</u>	<u>36</u>	<u>36</u>	-5	-5	-0
R8	45	37	32	30	<u>25</u>	<u>25</u>	-15	-12	-7

Figure 14: Predicted noise levels with mitigation in adverse conditions. Source: Noise Impact Assessment

128. Further, conditions of the recommendation will require the proponent to complete an updated predictive noise assessment that demonstrates that the final selection of components will comply with the Noise Protocol.

Construction Noise and Vibration

129. The conditions of the recommendation will require the proponent to prepare a Construction and Environmental Management Plan (CEMP) which outlines procedures to manage construction noise and vibration in accordance with the requirements of the *Civil construction, building and demolition guide* (EPA Publication 1834.1).

Heat island effect

130. The Solar Guidelines state that where a solar farm is proposed adjacent to existing horticulture or cropping activities, a minimum 30m separation is appropriate, measured from the property boundary to any part of the panel array. The guidelines note that there is potential temperature increase by 3 to 4 degrees Celsius at solar energy facilities.
131. The facility is located further than 30m from any adjoining agricultural activities. Land to the south is not used for horticultural purposes and intermittently for cropping. The parcel of land to the south within 25m of the proposed solar facility is relatively small and not used for intensive agricultural pursuits. Coupled with the proposed 10m wide landscape screening it is not considered that any heat island effect from the facility would adversely affect the agricultural pursuits on adjoining land.

Light spill

132. It is considered that the proposal will not cause unreasonable off-site amenity impacts from lighting as there is no requirement for operational lighting. A condition has been included on the permit that requires light to not cause unreasonable offsite impacts in accordance with the Australian Standard.

Electromagnetic field/interference

133. The Australian Radiation Protection and Nuclear Safety Agency advise that the strength of radiation decreases exponentially with distance from the source, and it will become indistinguishable from background radiation within 50m of a high voltage power line and within 5m to 10m of a substation.

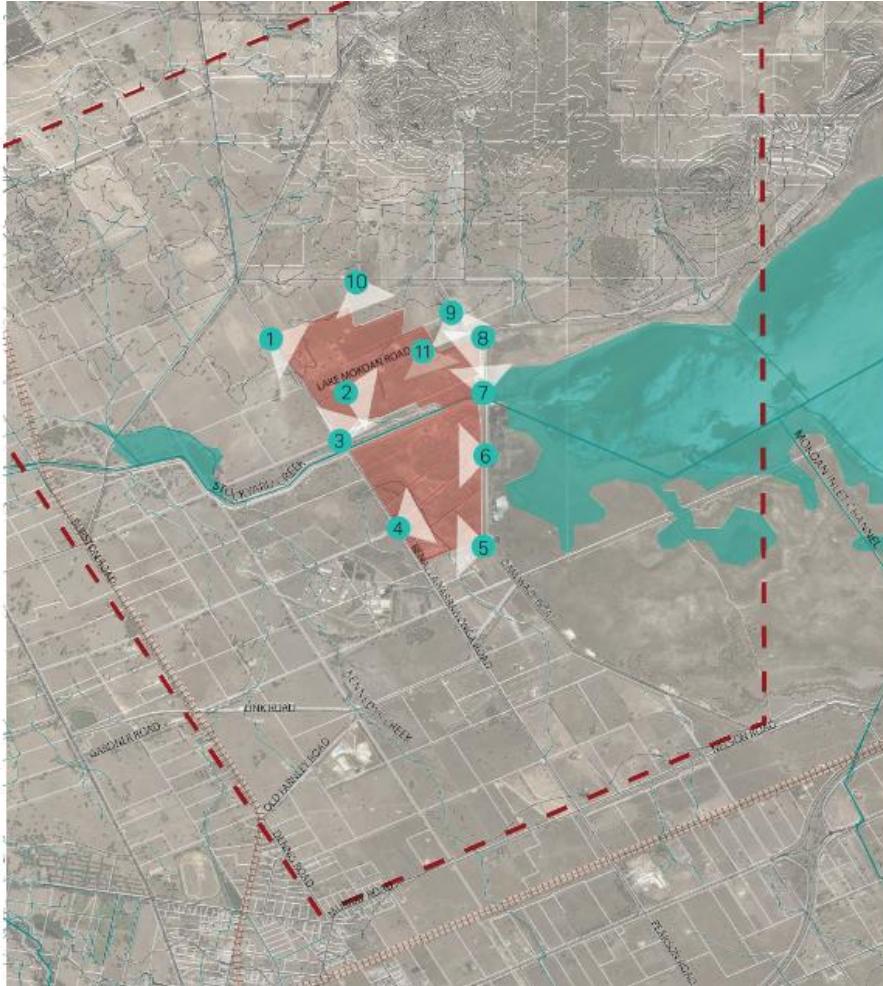
134. The proposal is considered to produce low levels of electromagnetic energy associated with electrical equipment. The closest dwelling is located approx. 112m from the facility, in excess of the 50m separation recommended in the Solar Energy Facilities Design and Development Guidelines. No further mitigation measures are required.

Landscape and visual impact

135. Clause 12.05-2L (Landscapes) seeks to protect the landscape, biodiversity values and scenic quality of highly visible elevated areas and other significant rural landscapes, including the King Valley.
136. The application is supported by a Landscape and Visual Impact Assessment Report (LVIA), prepared by AECOM Pty Ltd dated 21 April 2026.
137. In preparing the LVIA, a landscape character assessment was undertaken that:
- Identified and mapped Landscape Character Zones (LCZs)
 - Assessed the sensitivity of the viewpoints to the facility
 - Assessed the magnitude of change that the facility would have on these viewpoints
 - Combined these criteria to provide an overall 'Significance of Landscape Effects' finding, described as being between 'negligible' and 'high' in relation to the existing environment, as shown in Figures 15 & 16 below.
138. Six (6) Landscape Character Zones (LCZs) have been identified in the LVIA including; LCZ1: Infrastructure Corridor; LCZ: Rural Agricultural; LCZ 3: Rural Industrial; LCZ4: Wooded Hillsides; LCZ5: Benalla Township and LCZ6: Waterways and Wetlands for West Mokoan.
139. Five (5) Landscape Character Zones (LCZs) have been identified in the LVIA including; LCZ1: Infrastructure Corridor; LCZ: Rural Agricultural; LCZ 3: Rural Industrial; LCZ4: Benalla Township and LCZ5: Waterways and Wetlands for Kennedys Creek.
140. In total, the LVIA assesses the potential visual impacts of the proposed facility from 20 different viewpoints. The viewpoints include a mixture of public and private viewpoints and sensitive receptors. It is noted that the planning policies in the FZ and PPF do not 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*.

West Mokoan Project Area

141. The LVIA identified that a result of the topography of the area being relatively flat that few opportunities for viewing long distances exist. Stands of trees within paddocks, lining road corridors and along boundary fences and creek lines limit the opportunity for distant views.
142. The report identified that the Dam Wall Hiking Trail adjacent the Winton Wetlands, sections of the road corridor along Lake Mokoan Road and a residence that forms part of the project area having the highest overall rating. Other residences were not deemed to have a high rating due to existing screening and setbacks.



Viewpoint	Sensitivity	Magnitude	Overall rating
Viewpoint 1: Benalla-Yarrawonga Road North	Moderate	Moderate	Moderate
Viewpoint 2: Lake Mokoan Road	Moderate	High	High to Moderate
Viewpoint 3: Benalla-Yarrawonga Road Mid	Moderate	Moderate	Moderate
Viewpoint 4: Benalla-Yarrawonga Road South	Moderate	Moderate	Moderate
Viewpoint 5: South Eastern WMSF Site Boundary	High	High	High
Viewpoint 6: Dam Wall Hiking Trail South	High	High	High
Viewpoint 7: Dam Wall Hiking Trail Mid	High	High	High
Viewpoint 8: Dam Wall Hiking Trail North	High	Moderate	High to Moderate
Viewpoint 9: Farnley Road East	Moderate	Low	Moderate to Low
Viewpoint 10: Farnley Road West	Moderate	Moderate	Moderate
Viewpoint 11: 81 Lake Mokoan Road	Moderate	High	High to Moderate

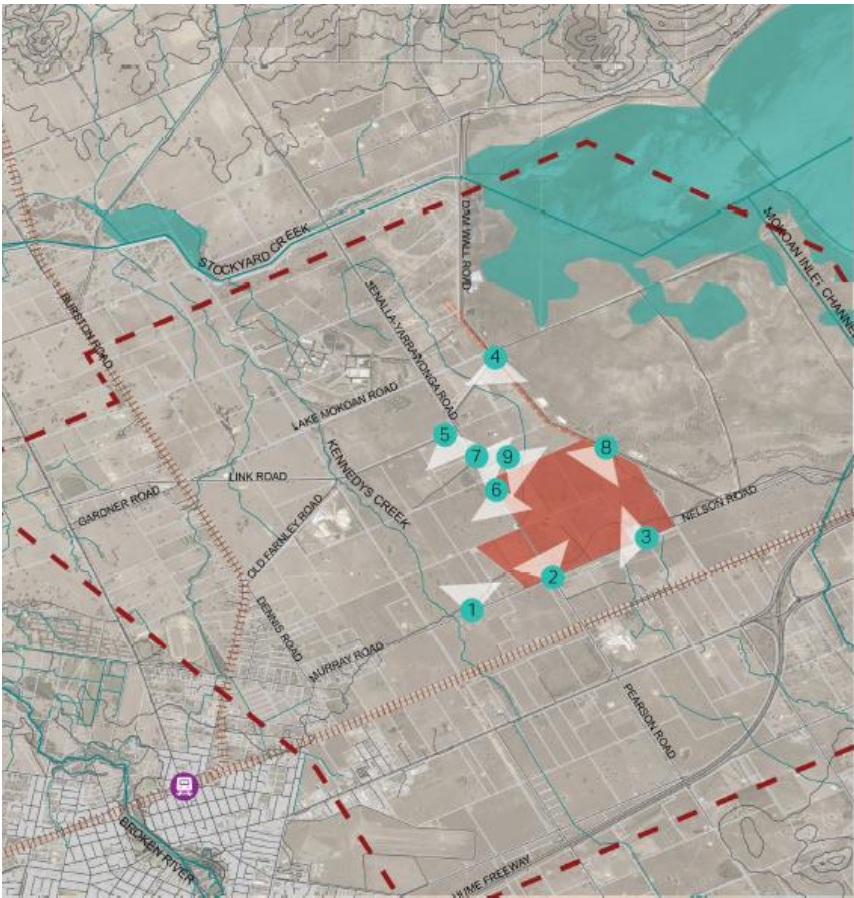


Landscape Character Zone	Sensitivity	Magnitude	Overall rating
LCZ 1: Infrastructure Corridor	Low	Negligible	Negligible
LCZ 2: Rural Agricultural	Moderate	Moderate	Moderate
LCZ 3: Rural Industrial	Low	Moderate	Moderate to Low
LCZ 4: Wooded Hillside	Moderate	Negligible	Negligible
LCZ 5: Benalla township	Low	Negligible	Negligible
LCZ 6: Waterways and Wetlands	High	Moderate	High to Moderate

Figures 15, 16, 17 – Identified viewpoints and summary of visual impact ratings Source: West Mokoan LVIA

Kennedys Creek Project Area

- 143. The LVIA identified that a result of the topography of the area being relatively flat that few opportunities for viewing long distances exist. Stands of trees within paddocks, lining road corridors and along boundary fences and creek lines limit the opportunity for distant views.
- 144. The report identified that the Dam Wall Hiking Trail and the adjacent residence at 368 Benalla-Yarrowonga Road having the highest overall rating due to proximity. Other residences were not deemed to have a high rating due to existing screening and setbacks.
- 145. The LVIA identified industrial elements scattered throughout the area, consistent with the adjoining zoning uses.





Viewpoint	Sensitivity	Magnitude	Overall rating
Viewpoint 1: Murray Road	Moderate	Moderate	Moderate
Viewpoint 2: Benalla-Yarrawonga Road South	Moderate	High	High to Moderate
Viewpoint 3: Nelson Road	Moderate	Moderate	Moderate
Viewpoint 4: Dam Wall Hiking Trail	High	Moderate	High to Moderate
Viewpoint 5: Link Road	Moderate	Low	Moderate to Low
Viewpoint 6: Benalla-Yarrawonga Road North	Moderate	Moderate	Moderate
Viewpoint 7: Benalla-Yarrawonga Road Driveway	High	Moderate	High to Moderate
Viewpoint 8: Dam Wall Hiking Trail South	High	High	High
Viewpoint 9: Private Residence	High	Moderate	High to Moderate

Landscape Character Zone	Sensitivity	Magnitude	Overall rating
LCZ 1: Infrastructure Corridor	Low	Negligible	Negligible
LCZ 2: Rural Agricultural	Moderate	Moderate	Moderate
LCZ 3: Rural Industrial	Low	Moderate	Moderate to Low
LCZ 4: Benalla Township	Low	Negligible	Negligible
LCZ 5: Wetlands and Waterways	High	Moderate	High to Moderate

Figures 18,19 & 20 - Identified viewpoints and summary of visual impact ratings Source: Kennedys Creek LVIA

146. The LVIA has concluded the following:

- The greatest change to landscape character for the project collectively would occur around the waterway and wetland landscapes, including the Dam Wall Hiking Trail, some sections of road corridor and some nearby residences. As such, mitigation is proposed at these interfaces.
- Mitigation recommendations, include:
 - 10m wide planting along Lake Mokoan Road, both sides of Lake Mokoan Road (where project infrastructure is proposed), southern end of Benalla-Yarrawonga Road, and the southern site boundary – West Mokoan.
 - 5m wide planting along all of the eastern edges sides of the site boundary and part of Benalla-Yarrawonga Road – West Mokoan
 - Infill planting along the northern end of Benalla-Yarrawonga Road – West Mokoan
 - 10m wide planting along part of the northern site boundary, western site boundary, and south-eastern corner to mitigate visual impact to the dwellings located at 368 Benalla-Yarrawonga Road, 226 Murray Road, and 125 Nelson Road respectively – Kennedys Creek
 - 5m wide planting along both sides of Benalla-Yarrawonga Road, part of the southern boundary, and the north-eastern boundary – Kennedys Creek
 - Infill planting along part of the northern site boundary – Kennedys Creek
 - Targeted planting to the northern and southern interfaces where residences are located



- Vegetation proposed for planting quality includes; trees, shrubs, grasses and ground covers selected from indigenous vegetation communities to assist in re-instating habitat for surrounding species
 - Limiting the resting angle during backtracking as identified by the glint and glare assessments
 - Commencement of planting 6 months prior to the construction of the solar infrastructure.
147. These mitigation recommendations have been incorporated into the submitted landscape plans and early works strategies. It is considered that these mitigations in conjunction with a detailed management plan are appropriate and will minimise both obvious and perceived impact.
148. In addition to these it is considered the following additional mitigation measure should be included in the absence of any detail provided as part of the development plans:
- Use non-reflective materials and natural or neutral colours for taller elements such as administrative buildings and switch rooms to blend with the landscape.
149. Overall, it is considered that the proposal will not result in unreasonable visual impacts from private or public land subject to conditions on any permit issued. The proposed facility will have moderate visual impacts given the setbacks from project boundaries, coupled with the additional vegetation buffers proposed and is considered acceptable on balance with the benefits of the provision of a renewable energy generation and storage facility. A permit condition will be included requiring the assessment and endorsement of a landscaping plan to confirm the proposed screen planting and future maintenance.

Impact on agricultural land

150. The agricultural assessments submitted advise that the project areas (West Mokoan and Kennedys Creek) have primarily been used for the purposes of broadacre cropping and grazing.
151. The cumulative Agricultural Assessments identify that the sites are of fair agricultural value for grazing and broadacre cropping and contribute to the extensive land resource that supports the grazing and broadacre cropping districts of Benalla.
152. Despite this, the Agricultural Assessments conclude that the sites are not significant agricultural land, are not unique, not highly productive, not highly versatile for a multiple range of uses, and not located within a declared irrigation district.
153. The Agricultural Assessments state that the soils have a tendency in providing poor internal drainage, winter waterlogging and have a limited diversity of potential uses. It was found that the northern parcels of the land were poorer than the southern parcels that tended to drain slightly better. The Surface Water reports noted that whilst the proposal may result in changes to the local drainage and flood characteristics of the area, these could be managed through the following:
- Setback of solar arrays from identified waterways
 - Solar panels/substation/inverter blocks to be elevated at least 300mm above the predicted 1% AWP flood level when stowed in a horizontal position.
 - Tracks and roads to be maintained at the current elevation
 - Site fencing to allow for unobstructed flow across the sites
 - Site grading
154. A drainage and stormwater plan will be required before the development starts to be prepared in conjunction with Benalla Shire Council and GMW which responds to the above mitigations.

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155. The Agricultural Assessments identify that the project has the potential to remove around 0.03% of the regional beef herd or 0.4% of the cropping land within the region having ‘...*no noticeable effect on supply or competition within the region*’ within the West Mokoan project area and 0.08% of the regional beef herd for Kennedys Creek.
156. The Agricultural Assessments conclude that in relation to avoiding the loss of high-value agricultural land as defined by the Guideline, the site is not considered to be ‘strategically important’ agricultural land and as such, is deemed suitable for use for the proposal.
157. The Agricultural Assessments also find the proposal will not affect regional agricultural production capability in a broader sense, for example through the fragmentation of farmland, loss of irrigated areas, or contrary nature to government funded infrastructure upgrades or modernisation efforts. The solar arrays and other infrastructure are sufficiently set back from property boundaries to mitigate any heat island effects.
158. As such, it is considered that the facility will not unreasonably impact the potential of agricultural land and therefore the objectives and strategies of Clause 14.01-1S (Protection of agricultural land) are appropriately met.
159. Conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the solar farm ceases operations, to ensure that the land remains suitable for agricultural use into the future.

Natural environment and natural systems

Flora and fauna impacts

160. The application was accompanied by a Flora and Fauna Assessment prepared by AECOM for both sites with a cover note dated 16 June 2025, which addresses both flora and fauna impacts. Previous ecological assessments undertaken for both the West Mokoan solar farm and Kennedys Creek solar farm support this report.
161. The VBA database search for records within 10km identify the following:
- 24 EPBC ACT listed threatened species (two flora and 22 fauna)
 - Four EPBC Act listed migratory (but not otherwise EPBC listed threatened) bird species;
 - 81 FFG Act listed terrestrial species (27 flora and 54 fauna)
162. The project area identifies a total of 57 native vegetation patches (habitat zones) covering 49.91 hectares and 601 trees (including 341 Scattered Trees and 260 Large Trees in patches), comprising five Ecological Classes (EVCs), including 55.62 Plains Grassy Woodland, 125-Plains Grassy Wetland, 175_61-Grassy Woodland, 235-Plains Woodland/Herb-rich Gilgai Wetland Mosaic and 803 – Plains Woodland.
163. A Native Vegetation Removal Report confirms the removal of 17.762 ha. According to this report and offset of 3.2490 general habitat units is required with a minimum biodiversity score of 0.3233. within Goulburn Broken Catchment Management Authority (CMA) Benalla Rural City Area. It is noted that the 17.762ha loss is made of up of:
- 14.917 ha of patch vegetation (in 5 patches) of past removal
 - 2.845 ha of proposed removal
 - 67 large trees (combining both historic and proposed)
 - 8 small trees (combining both historic and proposed).
164. The total loss of native vegetation is based upon the proposed use and development in addition to the inadvertent loss that has occurred in the last 5 years and treated as ‘past loss as defined by the *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)*. This approach has been confirmed through consultation with DEECA.

- 
165. The Flora and Fauna Assessments states that there are trees and patches that provide potential habitat for threatened fauna, particularly woodland birds and the potential for Striped Legless Lizard. The site also supports woodland habitat consistent with the FFG Act-listed Victorian Temperate Woodland Bird Community.
166. The Flora and Fauna Assessment concluded that out of the 73 fauna species listed as threatened under the EPBC Act and the FFG Act, limited species are anticipated to utilise habitat within the project area.
167. Of the species listed the following EPBC Act-listed fauna were identified as potentially utilising the site:

Birds

- Woodland birds (Southern Whiteface, Regent Honeyeater, Gang-gang Cockatoo, Brown Treecreeper, Painted Honeyeater, Swift Parrot, Hooded Robin, Superb Parrot and Diamond Firetail). The Brown Treecreeper has previously been recorded within the TFN woodland.
- Plains-wanderer. This species has potential occur in areas of open pasture or stubble, but unlikely to use the area regularly.
- Migratory birds included the Fork-tailed Swift and White-throated Needletail. These birds are aerial foragers that utilise a range of habitats.

Mammals

- Grey-headed Flying fox which is wide roaming and could forage in trees from their camp at Cussen Park Tatura.

Reptiles

- Striped Legless Lizard. The SSL has historically been recorded around Benalla and recent records from north-east Victoria suggest this species could occur in the grassland and grassy woodlands in the project area.

168. Over several years, surveys have been undertaken to determine the presence of Striped Legless Lizard on site. Whilst potential habitat zones have been identified and will be retained, the Flora and Fauna Assessment concluded that due to conditions of the soil, previous agricultural use of the land, there is a low likelihood of occurrence with the project area.

169. Of the species listed the following FFG Act-listed fauna were identified as potentially utilising the site:

Birds

- (Wetland Birds) Eastern Great Egret, Plumed Egret.
- (Woodland birds) Bush Stone-curlew, Diamond Dove, Turquoise Parrot, Grey-crowned Babbler, Speckled Warbler. The project area is not a core breeding or foraging habitat for these species but may use the trees onsite to move between larger area of woodland.

Mammals

- Squirrel glider and Brush-tailed Phascogale could utilise large trees with high habitat value and hollow types.

Reptiles

- Bearded Dragon and Lace Goanna may utilise large trees.

170. A woodland restoration plan has been prepared for land within the West Mokoan Project area. This plan outlines enhancement and restoration around the TFN Woodland area and the Plains Grassy Woodland restoration area on the site in addition to the treatment of weeds, pests and fencing. A permit condition will be required for the preparation of a woodland restoration plan for the Kennedys Creek Project area. These restoration plans are intended to enhance the biodiversity opportunities for the sites and the relationship with the Winton Wetlands.

- 
171. The Flora and Fauna Assessments contain the avoid and minimise statement for the project. The design and development of the facility have suitably avoided and minimised impacts to native vegetation by:
- Restricting access tracks to the minimum required for vehicles and machinery needed for the works and operation of the solar facility.
 - Using No-Go Zone fencing around retained vegetation.
 - Avoiding impacting FFG Act listed species, high-quality vegetation, large trees and hollow-bearing trees where possible.
 - Retention of all potential habitat for SLL that has been identified
172. DEECA confirmed there is no objection to the proposal, providing appropriate conditions are included.
173. On this basis, the proposal is considered to be acceptable with regarding to impacts on flora and fauna.

Vehicle access and traffic

174. The application is supported by a Traffic Impact Assessment (TIA) prepared by AECOM Pty Ltd dated 13 June 2025. The assessment considers the impacts of the proposed use on local roads and traffic during construction and operation, as well as the anticipated car parking demand of the facility.
175. Access to the facility is proposed via the following:
- 6 primary access points comprising:
 - Three from Benalla-Yarrawonga Road
 - Two from Lake Mokoan Road
 - One from Boundary Road
176. It is anticipated that there will be approximately 171 workers per day required during peak construction with construction traffic volumes predicated at approximately 57 vehicles entering/exiting the site during the morning and evening peak period times for the West Mokoan Project Area
177. A total of 50 heavy vehicle movements during the peak construction works, however these are anticipated outside of construction peak periods for the West Mokoan Project Area.
178. It is anticipated that there will be approximately 229 workers per day required during peak construction with construction traffic volumes predicated at approximately 59 vehicles entering/exiting the site during the morning and evening peak period times for the Kennedys Creek Project Area.
179. A total of 68 heavy vehicle movements during the peak construction works, however these are anticipated outside of construction peak periods for the Kennedys Creek Project Area.
180. The largest vehicle anticipated is a B-Double vehicle with heavy vehicles expected to come from the west via Hume Freeway, Sydney Road and Benalla-Yarrawonga Road.
181. 80% of works are assumed to travel to and from the site via bus shuttles. The remaining workers are assumed to travel in single-occupancy vehicles
182. The TIA recommends several measures including;
- Temporary traffic measures such as traffic signals
 - Minor localized grass clearing and widening
 - Intersection upgrades to improve vehicular access during construction as well as traffic management in consultation with Benalla Rural City Council.



Figure 21: Proposed access routes - TIA

183. The TIA has concluded the following:

- The local road network is expected to have capacity to accommodate the combined construction traffic volumes, and the project is unlikely to have a material traffic impact on the local road network during construction.

184. Head, Transport for Victoria reviewed the application documents and did not object to the facility, subject to a series of conditions, including:

- Preparation of a Traffic Management Plan
- Post construction conditions survey of public roads
- Traffic management and road upgrade and maintenance works
- Preparation of functional layout plans

185. Council has reviewed the application documents and objected to the proposal noting in part, that there are no major upgrades proposed to critical infrastructure to support the level of construction activities and ongoing use of the site. It is noted that TfV require a traffic management plan which is considered to adequately respond to this concern.

186. It is considered that the proposed vehicle access, car parking spaces and traffic impacts from the facility are acceptable, subject to the conditions listed above and address issues raised in the submissions by responding to road maintenance, construction traffic, safety and use of roads for heavy vehicles. The preparation of a Traffic Management Plan required by condition will respond to current traffic conditions at the time of construction



Hazards and Safety

Fire and Emergency Management

187. The subject site is located within a Bushfire Prone Area (BPA). The application is informed by a Planning Report, a CFA Fire Safety Response, prepared by RED Fire Engineers dated May 2025 and a preliminary hazard analysis prepared by Riskcon Engineering.
188. Overall, the reports conclude that the risks at the site boundaries are not considered to exceed the acceptable risk criteria.
189. The proposed facility contains various bushfire mitigation features in its design, including primary and emergency access points, access roads, firewater tanks, vegetation management, fire detection systems with the BESS units and fire breaks.
190. Notice was given to the CFA under section 52 of the P&E Act who did not object to the application, subject to the inclusion of conditions requiring:
- Risk Management Plans; including dedicated fire water supplies for the decentralised battery energy storage systems and the solar panel infrastructure.
 - Emergency Plan
 - Fire Management Plan
 - All fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented
191. It is also noted that the application was referred to Worksafe who are a section 55 referral for the battery component of the project. Worksafe did not object to the proposal subject to conditions. These have been included on the permit.
192. It is considered that the recommended conditions provided by the CFA appropriately address any bushfire concerns and are to be included as part of the recommendation.

Social and Economic Impacts

193. Under section 60(1)(f) of the PE Act, the responsible authority is required to consider any significant social effects and economic effects which the responsible authority considers the use or development may have. Under section 60(1)(b) of the PE Act, the responsible authority must also have regard (where appropriate) to the number of objectors in considering whether the use or development may have a significant social effect. The application received 12 objections to date.
194. The proposal is expected to result in local and regional economic benefits, including the provision of construction jobs and ongoing operational employment opportunities.
195. The use will also contribute to the enhancement of the electricity network by providing additional renewable energy and ensuring grid reliability during peak demand periods.
196. The proposal will have economic and social benefits for the local community through job creation and ensuring electricity network reliability.
197. Overall, while there will be some potential amenity impacts in terms of noise, bushfire, construction traffic and visual impact, these are within acceptable limits and can be mitigated via the recommended permit conditions.
198. It is considered that, on balance, the proposal achieves a net community benefit when balanced with its other social, economic and environmental outcomes.



199. The proposal is consistent with the relevant planning policies of the Benalla Planning Scheme and will contribute to the provision of renewable energy within the Benalla area.
200. The proposal is generally supported by the various referral agencies that the department sought comments from.
201. It is recommended that a delegate to the Minister of Planning issue Planning Permit No. PA2503779 for the use and development of the land for a solar energy facility and removal of native vegetation, subject to conditions.
202. It is recommended that the applicant, referral authorities, agencies and the council be notified of the above in writing.

