

Cooba Solar Farm

Planning Application PA2403122 | Officer Report

Officer Assessment Report
Energy Assessment

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Summary

| Key information | Details |
|---------------------------------|---|
| Application Number: | PA2403122 |
| Lodged: | 13 August 2024 |
| Applicant: | Venn Energy Pty Ltd c/- NGH Pty Ltd |
| Planning Scheme: | Campaspe Planning Scheme |
| Land Address: | <ul style="list-style-type: none">124 Cornella Church Road, Colbinabbin (parcel details below)Heathcote Rochester RoadChurch RoadMyola RoadPlain RoadDavey Road |
| Project Name: | Cooba Solar Farm |
| Project Description: | Use and development of: <ul style="list-style-type: none">500 megawatt (MW) solar energy facility300MW battery energy storage system (BESS)Ancillary infrastructureBusiness identification signage6.505ha native vegetation removal |
| Development value: | \$600M |
| Zone: | Farming Zone (FZ) |
| Overlays: | Land Subject to Inundation Overlay (LSIO) – no permit triggered. |
| Relevant Particular Provisions: | Clause 52.05 – Signs Clause 52.06 – Car Parking Clause 52.17 - Native Vegetation Clause 52.29 - Land Adjacent to the Principal Road Network Clause 53.13 - Renewable Energy Facility (Other than wind energy facility) Clause 53.22 - Significant Economic Development |
| Why is a permit required? | Clause 35.07 – Farming Zone (Schedule 1): 35.07-1 – Use of land for a renewable energy facility (other than wind energy facility). 35.07-1 – Use of land for a utility installation. 35.07-4 – Construct a building or construct or carry out works associated with a Section 2 use of Clause 35.07-1. 35.07-4 – Earthworks which change the rate of flow or the discharge point of water across a property boundary. 35.07-4 – A building setback less than 100m from a Transport Zone 2 (pursuant to Schedule 1 to the Zone). Clause 52.05 – Signs: 52.05-14 – Display of business identification signage. Clause 52.17 – Native Vegetation: Clause 52.17-1 – Remove, destroy or lop native vegetation, including dead native vegetation. |
| Responsible Authority: | 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: |



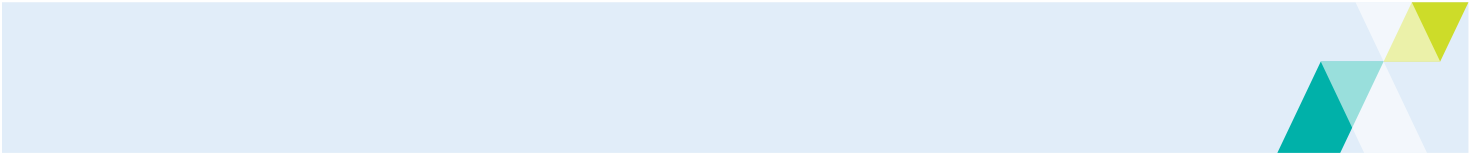
| Key information | Details |
|-------------------------|--|
| | <ul style="list-style-type: none">• Energy generation facility with an installed capacity of 1 megawatt or greater• Utility installation used to:<ul style="list-style-type: none">◦ Transmit or distribute electricity◦ Store electricity if the installed capacity is 1 megawatt or greater |
| Referral authorities | <ul style="list-style-type: none">• Clause 66.02-2 - Secretary to the Department of Energy, Environment and Climate Action (DEECA) (Recommending referral authority)• Clause 66.02-4 – AusNet (Determining referral authority)• Clause 66.02-7 – WorkSafe (Determining referral authority) |
| Notice: | <ul style="list-style-type: none">• Owners and occupiers of land with 1km of the subject site• Campaspe Shire Council• Head, Transport for Victoria• Country Fire Authority (CFA)• Taungurung Land and Water Council Aboriginal Corporation• EnergySafe Victoria• Goulburn-Murray Rural Water Corporation (adjoining assets)• Secretary to DEECA (for adjoining Crown land)• Newspapers: Campaspe News and Riverine Herald |
| Submissions/objections: | 276/271 |
| CHMP | Mandatory Cultural Heritage Management Plan (CHMP) required and approved on 19 December 2024 |
| Delegation | Permission to determine under delegation was granted by the Minister of Planning on 3 June 2025 |



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

| Milestone | Date |
|-------------------------------|--|
| Pre-application meeting | Various meetings between October 2018 and 15 March 2024 |
| Application lodgement | 13 August 2024 |
| Further information requested | N/A |
| Further information received | N/A |
| Section 50 Amendment | 25 October 2024 to reduce the height of the solar panels from 8m to 5.5m |
| Public notice period | 11 November 2024 to 18 December 2024 by mail and newspaper, and Following the notice period, the proponent submitted additional reports and the application was placed on notice again from 13 January 2025 to 29 January 2025 by newspaper |
| Decision Plans and Elevations | <p>Site plans and elevations:</p> <ul style="list-style-type: none"> • DA01 (rev W), DA02 – DA04 (rev E), SK230307 (rev F), CLB-GA-240306 (rev A), CLB-GA-240127 (rev A), CLB-SK-230823-2 (rev A), CLB-EL-03 (rev C), 'Single Axis Tracking System Elevation' (rev C), CLB-SK-231123-2 (rev A), CLB-SK-231202 (rev A), CLB-EL-02 (rev A), CLB-GA-231217 (rev B), SK-230316-1 (rev A), SK-230316-2 (rev A), SK-230316-3 (rev A), prepared by Venn Energy and Brighty Energy • DRG-02-01 (rev C), prepared by Impact and dated 24 May 2024 <p>Landscape Plans:</p> <ul style="list-style-type: none"> • TP01 and TP03 (Dec 23) and TP02 and TP04-TP05 (Jan 24), prepared by CDA Design Group <p>as advertised with the application.</p> |

2. The subject of this report is the decision plans and elevations.
3. The assessment has been informed by the following consultant reports all advertised with the application:
 - Planning Report, prepared by NGH and dated October 2024
 - Agricultural Assessment, prepared by Meridian and dated 30 July 2024
 - Biodiversity Assessment, prepared by Ecology and Heritage Partners and dated 30 July 2024
 - Environmental Management Plan, prepared by Venn Energy and dated May 2024
 - Flood Impact Assessment, prepared by Venn Energy and dated 12 July 2024
 - Aeronautical Impact Assessment and Glare Analysis, prepared by Chiron Aviation Consultants and dated 18 October 2024 (addendum dated 9 January 2025)
 - Landscape and Visual Impact Assessment, prepared by Orbit Solutions and dated 25 October 2024 (addendum dated 20 December 2024)
 - Noise Impact Assessment, prepared by ADP Consulting Engineering and dated 18 March 2024 (addendum dated 10 January 2025)
 - Traffic and Transport Assessment, prepared by Impact and dated 2 August 2024 (addendum dated 19 December 2024)
4. Following the notice period (Nov-Dec 2024), the following updated reports / addendums were provided by the permit applicant to further support the application:
 - Addendum to the Aeronautical Impact Assessment and Glare Analysis, prepared by Chiron Aviation Consultants and dated 9 January 2025
 - Updated Landscape and Visual Impact Assessment, prepared by Orbit Solutions and dated 20 December 2024

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- Addendum to the Noise Impact Assessment, prepared by ADP Consulting Engineering and dated 10 January 2025
 - Updated Traffic and Transport Assessment, prepared by Impact and dated 19 December 2024

5. The above were provided for assessment purposes only and did not result in any changes to the project design or layout. Nevertheless, they were made publicly available with subsequent notice carried out in January 2025 accordingly.
6. A revised Agricultural Report (prepared by Meridian and dated 7 April 2025) was submitted in response to preliminary advice provided by Agriculture Victoria which recommended more detail be provided. The report has been used for assessment purposes. Both the advertised and revised Agricultural Report were provided to Agriculture Victoria for comment.



Site Description

7. The subject site is located approximately 4km south-west of Colbinabbin in Victoria, within the local government area of Campaspe Shire Council.
8. The site is irregularly shaped with a total area of approximately 1,147 hectares in size. The site has frontages to various roads, including Heathcote-Rochester Road, Cornella Church Road, Plain Road, Myola Road, and Davey Road.
9. The site is primarily used for low intensity agriculture (grazing and cropping). There is an existing dwelling and associated outbuildings located in the north-west of the site near to Cornella Church Road. Most of the remnant native vegetation exists along creek lines, with the Yallagalloh Creek running through the eastern portion of the subject site.
10. The site topography is relatively flat, with a modest fall from west to east.
11. A 220kV power line cuts diagonally through the northern portion of the project site in a southwest-northeast direction (indicated by the blue line in Figure 1).

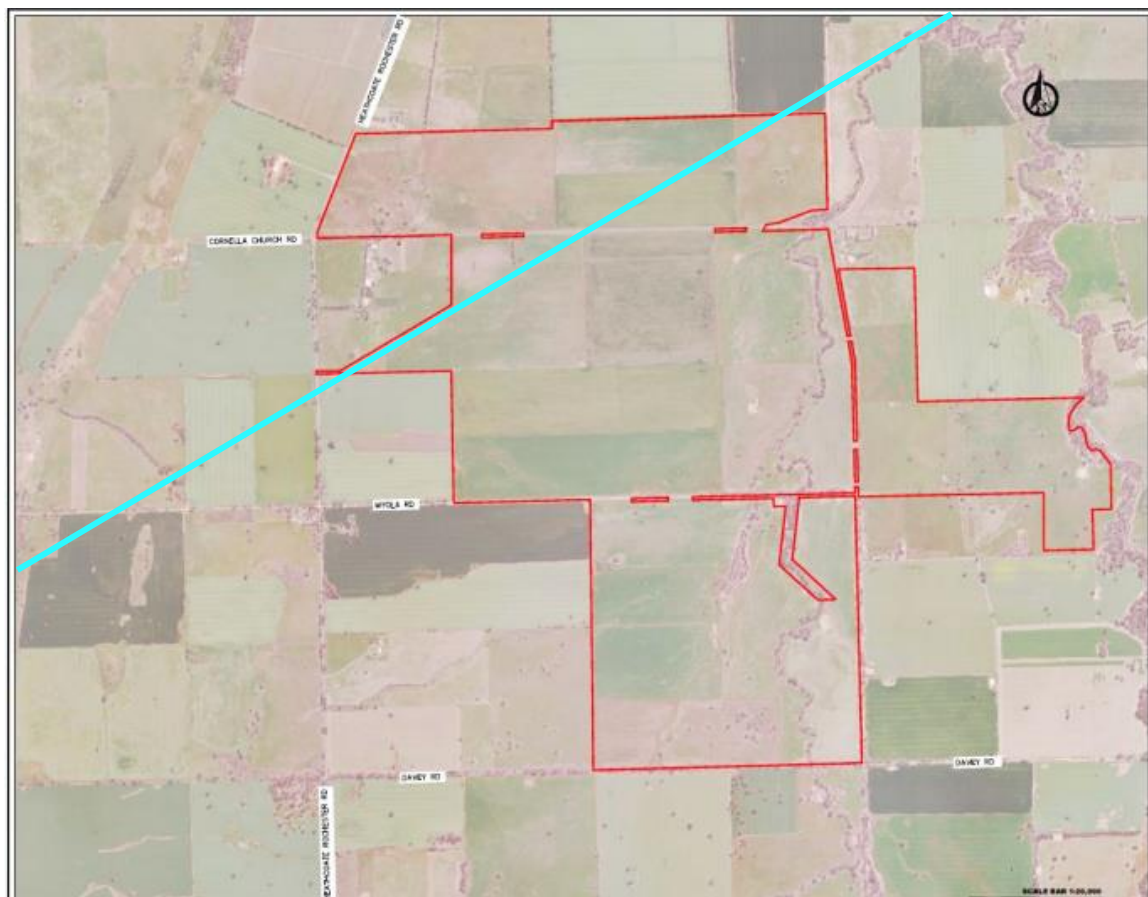


Figure 1: Aerial view of the subject site (Planning Report)

12. Ground cover on the agricultural lots of the site is primarily improved pasture species such as ryegrass and clover. Many of the paddocks have Cyprus tree windbreaks. However, remnant vegetation in the form of Plains Grassy Woodland, Floodplain Riparian Woodland and Plains Grassland is also present across the site.
13. The relevant parcels of land for the application are:
 - Lot 1 on Title Plan 082687J
 - Lot 1 on Title Plan 372228C

- Lot 2 on Title Plan 372228C
- Lot 3 on Title Plan 372228C
- Lot 4 on Title Plan 372228C
- Lot 5 on Title Plan 372228C
- Lot 6 on Title Plan 372228C
- Lot 7 on Title Plan 372228C
- Lot 1 on Title Plan 375179W
- Lot 2 on Title Plan 375179W
- Lot 3 on Title Plan 375179W
- Lot 1 on Title Plan 384871H
- Lot 2 on Title Plan 384871H
- Lot 3 on Title Plan 384871H
- Lot 4 on Title Plan 384871H
- Lot 5 on Title Plan 384871H
- Crown Allotment 29 Section C Parish of Colbinabbin 29~C\PP2407
- Crown Allotment 14A Parish of Cornella 14A\PP2455
- Crown Allotment 15 Parish of Cornella 15\PP2455
- Crown Allotment 14C Parish of Cornella 14C\PP2455
- Crown Allotment 25A Parish of Cornella 25A\PP2455
- Crown Allotment 19B Parish of Cornella 19B\PP2455
- Crown Allotment 20 Parish of Cornella 20\PP2455
- Crown Allotment 21A Parish of Cornella 21A\PP2455
- Lot 1 on Plan of Subdivision 330195Q
- Plain Road
- Heathcote-Rochester Road
- Cornella Church Road
- Myola Road
- Plain Road
- Davey Road

14. The site is encumbered by the following easements which both cut through the site in a southwest-northeast direction (indicated by the blue line in Figure 1):
 - Transmission/supply of electricity
 - Pipeline for water supply
15. There are no solar arrays proposed over the easements, however, the pipeline easement (which affects 8 of the 25 parcels) has associated Agreements under Section 234 and Section 244 of the *Water Act 1989* which relates to the affected land's right to access for water supply, generally including access over land, construction of works and maintenance of works.
16. Further to the above, one parcel (Crown Allotment 29 Section C) is subject to Caveat AX018142J relating to the right to use the land to mine silver, gold and other materials.

Site Surrounds

17. As discussed, Colbinabbin is the nearest township, located 4km to the north.
18. The surrounding properties are mostly used for farming and agriculture (including viticulture), with a number of dwellings proximate to the site. The nearest dwellings to the site are 2240 Heathcote-Rochester Road and 507 Plain Road, located 50 metres to the north and north-east of the site respectively.
19. The landforms of the site and wider region are characterised by undulating rises and extensive plateaus. A steep north-south aligned ridge is located to the west of the site.

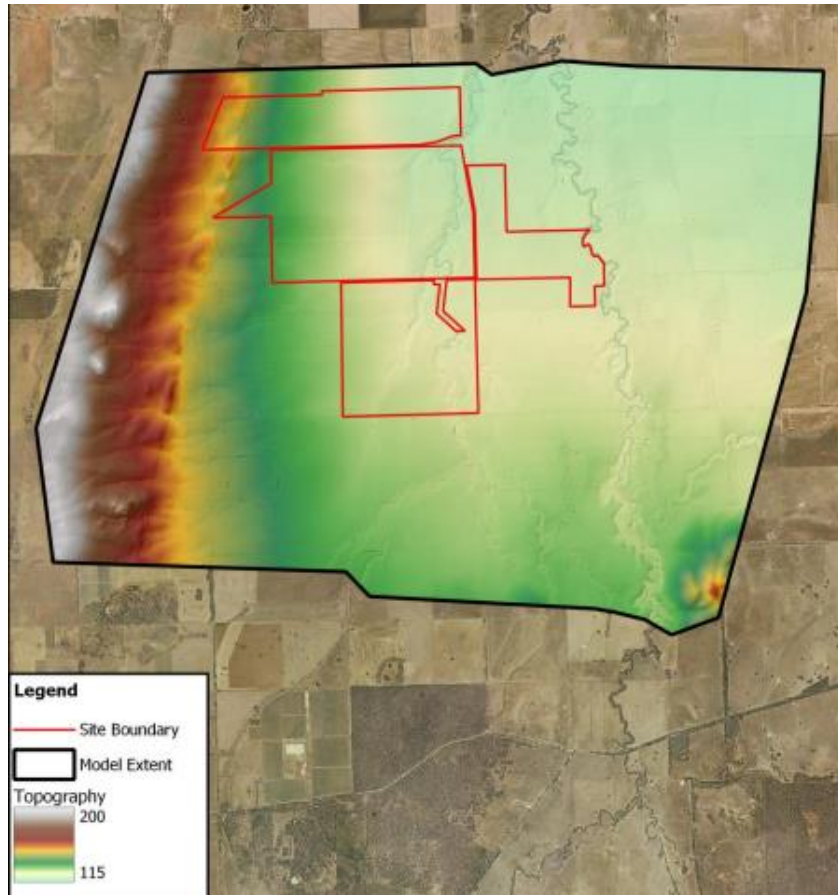


Figure 2: Topography Plan of site and surrounds (Flood Impact Assessment)

20. The subject site and surrounding land is located in Farming 1 Zone (F1Z), and Heathcote-Rochester Road which is adjacent to the site is located in the Transport Zone Schedule 2 (TRZ2).
21. The site is affected by the Land Subject to Inundation Overlay (LSIO) on the very eastern edge of the site, with the Specific Controls Overlay and Salinity Management Overlay affecting neighbouring sites.

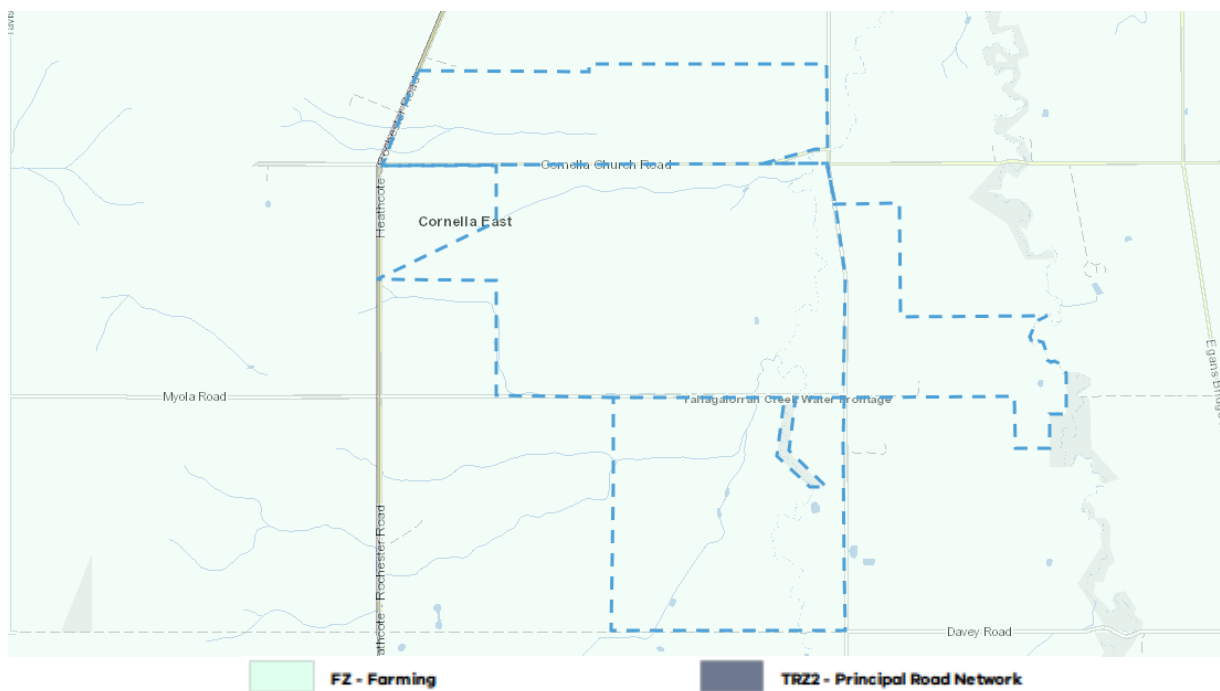


Figure 3: Planning Zones Map (Vicplan, March 2025)

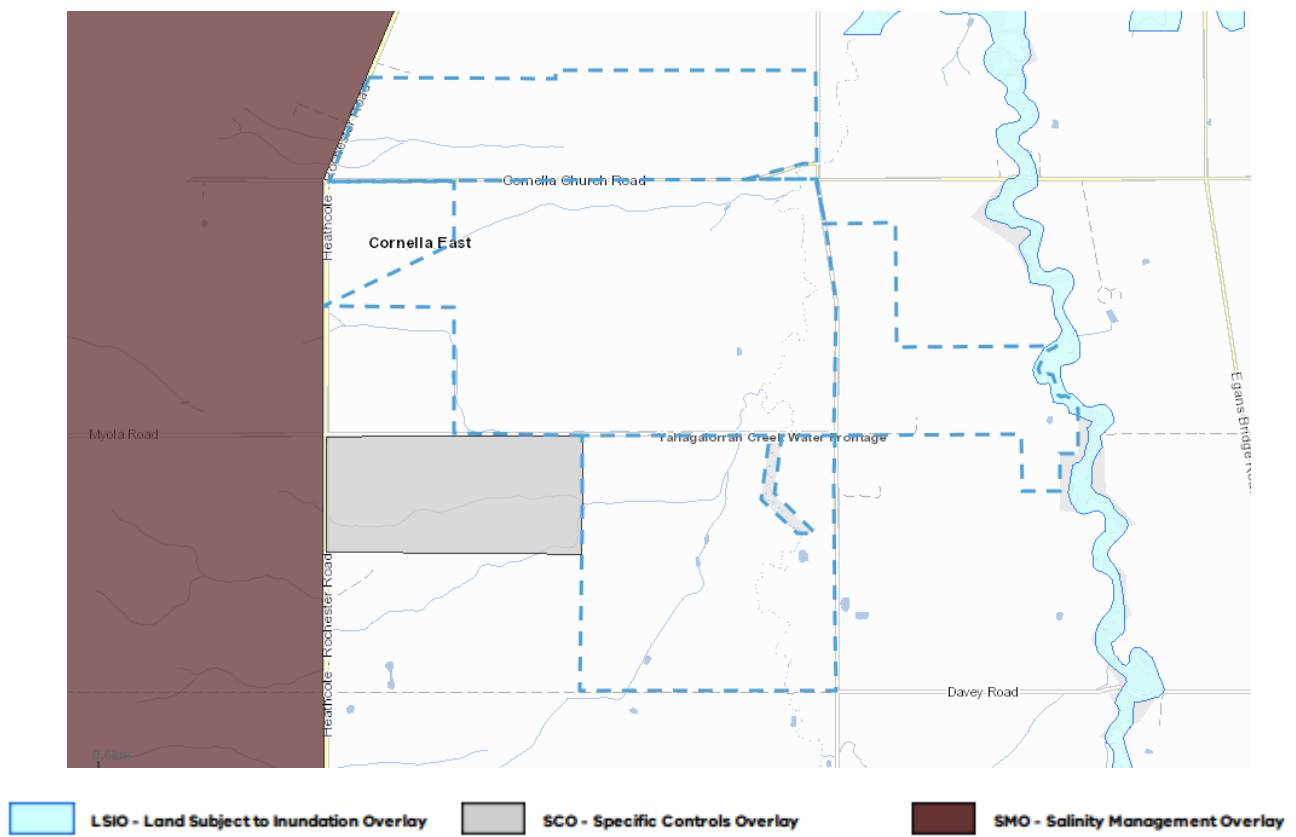


Figure 42: Planning Overlays Map (Vicplan, March 2025)

22. The application seeks planning approval for the use and development of a solar energy facility and utility installation (battery energy storage system) with associated buildings and works, removal of native vegetation, and to construct and display signage.
23. The proposed solar energy facility features the following components:
 - 500MW solar energy facility:
 - Installation of approximately 700,000 ground mounted solar panels
 - Single axis technology
 - Max height of 5.5m at the steepest incline
 - Approximately 100 solar power conversion units
 - Substation (on the BESS site)
 - Battery Energy Storage System (BESS):
 - Nominal capacity of 300MW
 - Construction of internal access and perimeter roads
 - 2.5m high chain mesh security fence and 1.15m high stock proof fencing
 - Removal of 6.505ha of native vegetation including 71 large trees
 - Grid connection comprising:
 - Switchyard and substation utilising the existing 220kV overhead powerlines.
24. An overview of the project elevations is shown in Figures 11 to 13.

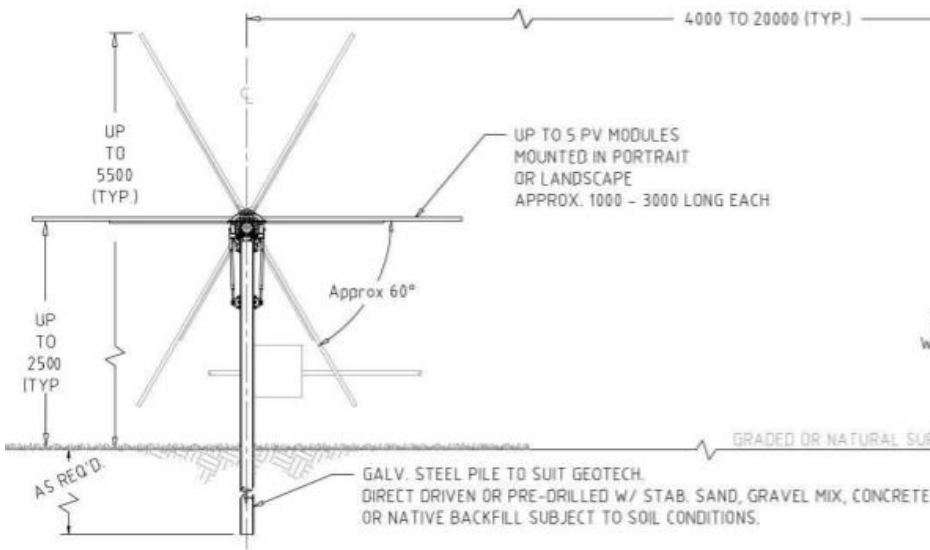


Figure 53: Elevation of proposed solar arrays (Advertised Development Plans)

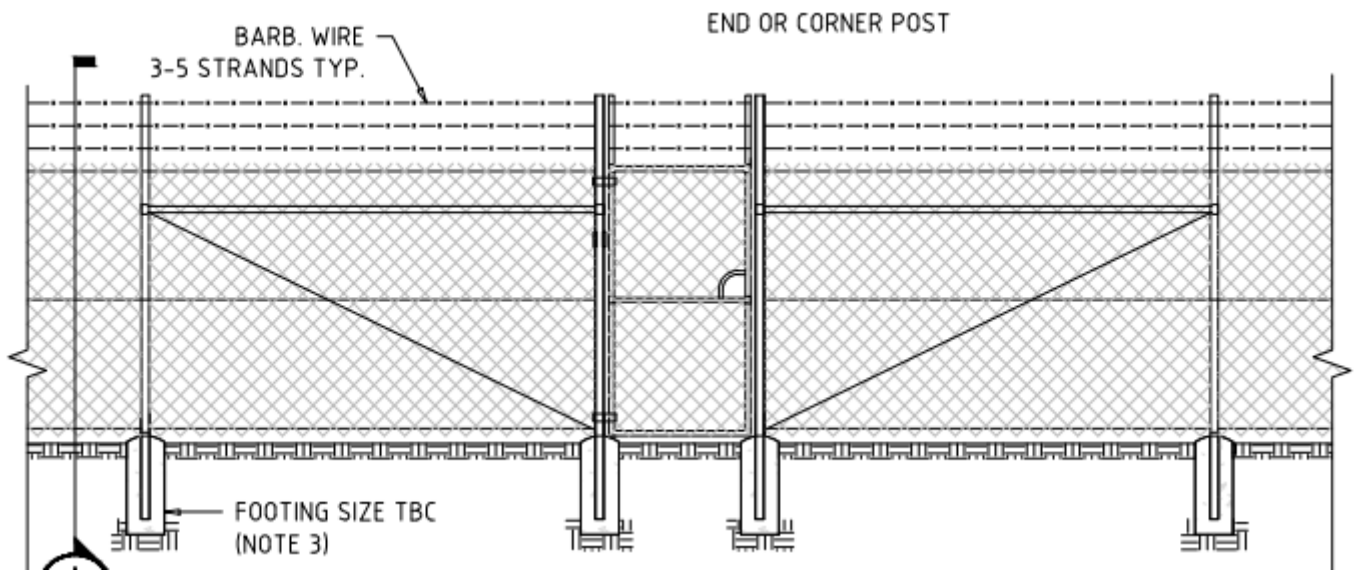


Figure 6: Elevation of proposed security fencing (Advertised Development Plans)

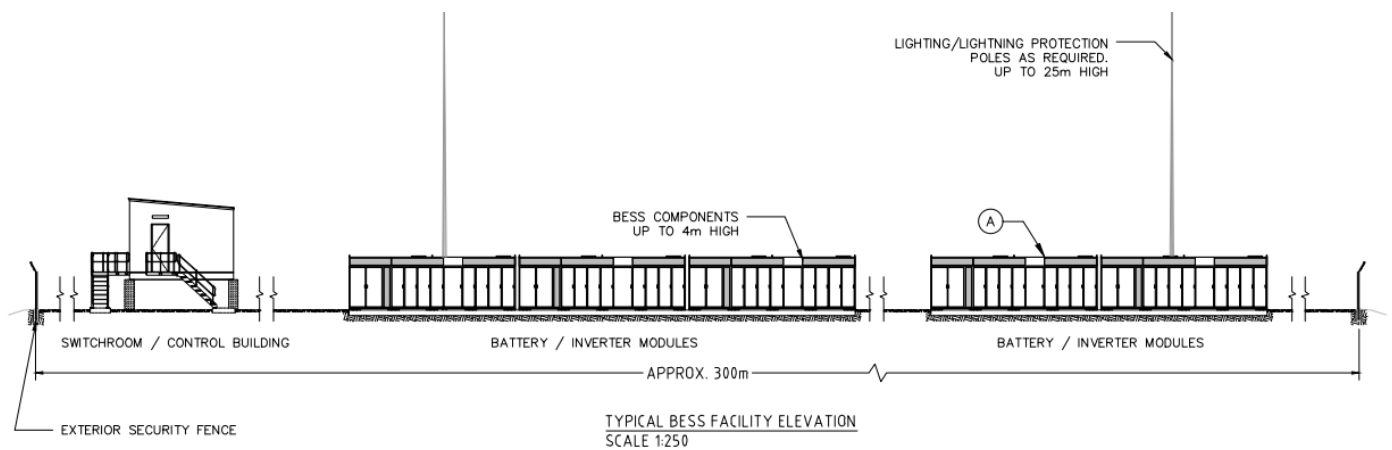


Figure 7: Elevation of proposed BESS facility (Advertised Development Plans)

Referrals and Notice

Referrals

25. The application was referred to the following groups pursuant to Section 55 of the Act:

| Organisation | Referral Type | Provision/ Clause | Response Date | Response | DTP Officer Assessment |
|--|---------------|---|-------------------|--|--|
| Secretary to the Department of Energy, Environment and Climate Action (DEECA) | Recommending | Clause 66.02-2 - To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation. | 13 September 2024 | No objection subject to conditions No objection, subject to conditions requiring/relating to: <ul style="list-style-type: none">• An Environment Management Plan• A Biodiversity Management Plan• Notification of works• Native vegetation protection measures during construction• Tree pruning• Native vegetation offsets | These conditions have been included in the recommendation. |
| The relevant electricity transmission authority (AusNet) | Determining | Clause 66.02-4 – To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement. | 29 August 2024 | No objection, subject to conditions No objection subject to conditions including: <ul style="list-style-type: none">• AusNet approval for all access roads, lighting and services over AusNet easements.• Details of the 33kV overhead powerline to be submitted to AusNet to review. | These conditions have been included in the recommendation. |
| The Victorian WorkCover Authority (WorkSafe) | Determining | Clause 66.02-7 – To use land for an industry, utility installation or warehouse where a fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012. | 17 September 2024 | No objection, subject to conditions No objection subject to conditions including: <ul style="list-style-type: none">• A fire management plan• An emergency response plan• The centralised BESS option to be determined | These conditions have been included in the recommendation |

Notice

26. In accordance with Section 52(1) of the *Planning and Environment Act 1987* (the Act), notice of the application was given for a period of 28 days (in November and December of 2024) by letter to:
- Section 52(1)(a) of the Act:
 - Owners and occupiers of adjoining land
 - Section 52(1)(b) of the Act:
 - Campaspe Shire Council
 - Section 52(1)(d) of the Act:
 - Country Fire Authority (CFA)
 - Head, Transport for Victoria
 - Taungurung Land and Waters Council Aboriginal Corporation
 - Goulburn-Murray Rural Water Corporation (adjoining assets)
 - EnergySafe Victoria
 - Owners and occupiers within 1km of the proposal
27. Notice was also given in two local newspapers (Campaspe News and Riverine Herald).
28. The application was put on notice again in January 2025, after an error was identified in Form 2. The applicant used this opportunity to amend plans and reports.

Advice Sought

29. The Department of Transport and Planning sought intradepartmental advice from Agriculture Victoria on the revised Agricultural Report (prepared by Meridian and dated 7 April 2025). Agriculture Victoria provided a response 28 April 2025, which can be summarised as follows:
- a. *Local planning schemes are suitable to consider 'strategically important' agricultural land noting that the Victorian State Government does not have a working definition of strategic agricultural land within the Victoria Planning Provisions.*
 - b. *The land parcel is not considered 'strategically significant' to Agriculture Victoria from an output / productivity perspective.*
 - c. *Having regard to Campaspe Shire's submission that the site is in an area of strategic significance, AgVic considered that the Campaspe Shire may be considering broader economic values including for example, visual amenity benefits supporting agritourism.*
 - d. *Agriculture Victoria is unable to confirm the assertion [made in the Agricultural Report submitted by the Proponent] that 4 hectares of ferrosols are present within the property boundary with the data available.*
 - e. *The proponents assertions regarding soil types located within the proposed development area and broader catchment align with Agriculture Victoria's understanding of the area. Agriculture Victoria agrees with the analysis within the report regarding the utility of the two dominant soil types and the productivity projections, considering readily available data like the Victorian Land Use Information System.*
 - f. *The ferrosol's referred to are generally considered to be the highest value soils for agriculture in Victoria. However, sodosol's, which are stated to be the dominant soil type, are of much lower value and are susceptible to erosion and water logging and require appropriate management to maintain. Agriculture Victoria would anticipate these sorts of soils to be most suited to grazing or cropping.*
30. The Department of Transport and Planning sought intradepartmental advice from DEECA Water on 29 January 2025. DEECA Water responded on 2 December 2024. The advice can be summarised as follows:
- a. *8 of the 26 lots forming the subject site are supplied water via the Colbinabbin Cornella Pipeline, however, the lots have not been formally declared part of the Goulburn-Murray Water (GMW) irrigation district.*
 - b. *To become part of the irrigation district, individual property owners would need to make applications to GMW to have their land included.*
 - c. *Clause 14.02-3S (Protection of declared irrigation districts) is relevant as it reflects state policy to protect agricultural land services by irrigation infrastructure to ensure the future viability of an irrigation district. This policy is designed to ensure that the siting of solar energy facilities aligns with rural water corporation assets and future planning. Enabling optimal use of resources and assets within irrigation district infrastructure where sustainable.*

Objections and Submissions

31. The application received a total of 276 submissions, comprising:

- 271 objections
- Submission from CFA
- Submission from Council
- Submission from DEECA (land manager of the adjoining crown land)
- Submission from Head, Transport for Victoria
- Submission from Goulburn-Murray Water

Objections

32. The following concerns were raised in the objections:

- Bushfire risk, and associated increase to insurance costs
- Visual impact, including the cumulative visual impact of the application
- Ecological impacts and displacement of fauna
- Impacts to irrigation infrastructure
- Property values
- Destruction of agricultural land
- Glint, glare and heat impacts
- Traffic
- Noise
- Social community impacts, including the division of the community for/against the project
- Lack of consultation

33. An officer assessment relating to matters of bushfire risk, visual impact, glint and glare, noise, traffic and ecology and biodiversity impacts is detailed in the assessment section of this report. A response to the other matters raised in the objections is provided in the table below:

| Objector Concern | DTP Officer response |
|---------------------------|---|
| 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. |
| Insurance Premiums | Concerns were raised regarding the potential for insurance premiums of nearby properties to increase as a result of the development. It is noted that this is not a relevant consideration in the Scheme or Act. |
| Social Impacts | Concerns were raised in the objections relating to the social impact of the proposed facility, including the division of the local community for/against the proposal. DTP officers consider that the proposed facility will have a positive impact on the community by creating jobs during the construction and operation of the facility. |

Lack of community consultation

As outlined in this report, public notice of the application was given in two newspapers and to all properties within 1km of the site, in accordance with the requirements of s52 of the Act.

It is noted that public notice had to be repeated due to a typo in the form 2 notice. The Department of Transport and Planning renotified all owners and occupiers within 1km of the site by physical mail and instructed the proponent to provide notice in two newspapers for an additional 14 days.

34. 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.

CFA Submission

35. The CFA provided a submission on 20 November 2024. The CFA did not object to the application subject to conditions requiring:

- Risk Management Plan
- BESS fire water supply increased to 576kL (in line with recommendation from WorkSafe)
- Additional fire water tanks for the solar arrays in accordance with the CFA Guidelines
- Emergency Plan and Fire Management Plan


36. Conditions to this effect have been included in the recommendation.

Head, Transport for Victoria (TfV) Submission

37. On 30 April 2025, Head, Transport for Victoria provided a submission which did not object to the proposal subject to the following conditions.

38. Following intra-departmental discussions relating to the proposed access points and use of Heathcote-Rochester and Cornella-Church Road intersection, Head TfV provided the following revised conditions on 5 June 2025:

1. *Prior to the commencement of any construction (whether staged or not) on the subject land and before the engagement of any haulage contractors,*
 - a. *a Functional Layout Plan (FLP) must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must show:*
 - i. *A Basic Right (BAR) turn treatment on Heathcote-Rochester Road at Cornella Church Road.*
 - ii. *A Basic Left (BAL) turn treatment on Heathcote-Rochester Road at Cornella Church Road.*
 - iii. *Speed signage on Heathcote-Rochester Road.*
 - b. *A Functional Layout Stage Road Safety Audit must be submitted to and approved by the Head, Transport for Victoria. The Road Safety Audit must be undertaken by a suitably qualified road safety auditor and include a sight distance assessment of the intersection of Heathcote-Rochester Road at Cornella Church Road in accordance with the Austroads guidelines and relevant DTP supplements. Any mitigation works arising from the Functional Layout Stage Road Safety Audit*




must be carried out by the applicant at no cost to, and to the satisfaction of, the Head Transport for Victoria.

- c. *A Traffic Management Plan (TMP) must be submitted to and approved by the relevant road authorities (Head, Transport for Victoria and Campaspe Shire Council). When approved by the relevant road authorities, the plans must be endorsed by the Responsible Authority to form part of the permit. The TMP must include, but not be limited to:*
- i. *The designation of all vehicle access points*
 - ii. *Assessment of safe sight distances for any vehicle access points to Heathcote-Rochester Road, either direct access or via intersections*
 - iii. *Provision of BAR and BAL turn treatments on Heathcote-Rochester Road at Cornella Church Road*
 - iv. *Any mitigation works required*
 - v. *The designation and suitability assessment of appropriate pre-construction, construction and transport vehicle routes to and from the site*
- d. *The following works must be completed to the satisfaction and at no cost to the Head, Transport for Victoria:*
- i. *All works identified in the approved Functional Layout Plan*
 - ii. *All works identified in the approved Traffic Management Plan*
 - iii. *Any works identified in the road safety audit*
 - iv. *Any other works required.*

39. DTP Officers are supportive of these conditions and they will be included on the permit accordingly. Condition 1(d) will be amended to also reference Campaspe Shire Council to ensure it is also not liable for any required upgrades.

Campaspe Shire Council Submission

40. On 16 December 2024, Council provided a submission which requests that the Minister refuse to grant a permit for the Permit Application for the reasons summarised as follows:
- Council recognises that the subject site has strategic and physical attributes that support the proposed use and development but submit that the permit application should be refused for the following reasons:
 - *the proposal leads to the loss of productive, state-significant agricultural land;*
 - *the proposal may lead to an increased exposure of the area to flooding and environmental hazard (and this has not been fulsomely considered in the Permit Application material);*
 - *the visual impact assessment accompanying the Permit Application is deficient and the loss of landscape values of significance has not been properly considered; and*
 - *insufficient information has been provided by the permit applicant to conclude the project is acceptable in economic terms.*
41. The concerns raised above are discussed in the body of this report.

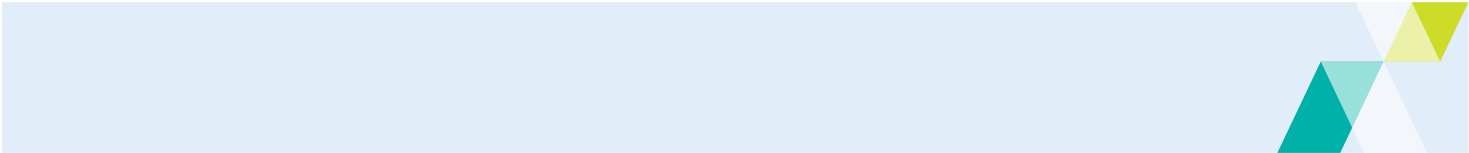
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42. Although Council does not support the application in full, Council provided draft conditions to be considered in the event that Minister determined to grant a permit. They will be referenced and discussed within the body of this report as relevant.
43. Finally, Council provided an addendum submission (dated 20 December 2024), in which it was submitted that the subject site should be within the Goulburn Murray Irrigation District and as such, the site is unsuitable for the proposal and the application should be refused. This submission will be discussed within the *Assessment* section of this report.

DEECA Submission

44. On 28 January 2025, DEECA on behalf of the Minister for Environment as landowner for Crown Land in Victoria in relation to the Crown Land abutting the site provided a submission on the application.
45. Their response noted that *as an adjoining landowner, DEECA does not object to the proposal, and requests the following conditions are included on any permit issued:*
- *Unless relevant consent is obtained from the land owner and/or manager, no structures (including temporary storage) are to be constructed on, or encroach upon, the adjoining Crown land.*
 - *All works should ensure that they do not impact the native vegetation on Crown land.*
46. DTP Officers are satisfied that the conditions provided by DEECA are appropriate and they will be included in the recommendation accordingly.

Goulburn-Murray Water (GWM) Submission

47. On 19 December 2024, GWM provided a submission which requested the following conditions be included on any permit issued:
- a. *A Land Capability Assessment with respect to wastewater treatment and disposal that adheres to the recommendations of the current EPA Guideline for Onsite Wastewater Management (May 2024), and includes:*
 - i. *A description of the topographic features of the site.*
 - ii. *A description of the soil profile and its properties with respect to sustaining any proposed disposal of wastewater onsite.*
 - iii. *A calculation of the area required for any proposed onsite wastewater disposal based on a full water balance specific to the site.*
 - iv. *A scale drawn site plan of the subject land showing dimensions, any existing structures or notable features and the location of the any proposed buildings, proposed toilet facilities, and any proposed onsite wastewater disposal envelopes.*
 - v. *The distance of the toilet facilities (and any associated wastewater disposal fields if applicable) to any waterways, dams or bores showing that these meet the relevant setback requirements of the current EPA Guideline for On-site Wastewater Management (Note that any composting toilets, whether permanent or not, must be at least 100 metres from all waterways.*
 - vi. *Recommendations regarding the most suitable wastewater treatment and disposal systems given the constraints of the land.*
 - b. *A site plan which clearly shows the location of the proposed toilet facilities, and a floor plan which shows the number of toilets proposed for the potential 350 workers. The plan must show the toilet facilities setback 100m from any waterways onsite if composting toilets are proposed.*
 - c. *Confirmation of who the Responsible Authority will be in terms of management of the wastewater produced onsite (DTP or Campaspe Shire Council).*
48. It is considered that a Land Capability Assessment is unnecessary in this instance, with wastewater management dealt with via other regulatory bodies and not through a planning application. Nevertheless, a standalone condition will require that all wastewater on-site must be in accordance with EPA Guidelines for On-site Waste



Management, including any prescribed setbacks. This is considered to meet the intent of the items raised in GMW's submission.



Permit Triggers

49. A planning permit is triggered by the following clauses of the Campaspe Planning Scheme:

| Clause | Permit Trigger |
|------------------------------------|---|
| Clause 35.07-1 (FZ) | Use of the land for the purpose of a renewable energy facility. Use of land for the purpose of a utility installation (other than Minor utility installation and Telecommunications facility). |
| Clause 35.07-4 (FZ) | Construct a building or construct or carry out works associated with Section 2 use. Earthworks which change the rate of flow or the discharge point of water across a property boundary. Construction of a building setback less than 100m from a Transport Zone 2. |
| Clause 52.05-14 (Signs) | Display of a business identification sign. |
| Clause 52.17-1 (Native Vegetation) | Remove, destroy or lop native vegetation including dead vegetation. |

Key Considerations

50. The planning scheme contains policies and controls that guide the assessment of solar energy facilities. 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 Act.

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

- General policy context and planning controls
- Amenity impacts in terms of noise, light spill, glint and glare, and visual impact and landscaping
- Impact on agricultural land
- Native vegetation impacts
- Vehicle access and traffic
- Signs
- Bushfire risk

Policy Context

52. Overall, the proposed facility is consistent with the relevant planning policies which supports the transition and provision of renewable energy, supports the creation of jobs and skilled workforce while protecting the environment and agricultural land.

53. 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 approximately 500MW of solar energy and store 300MW of electricity. The proposed BESS will also assist the delivery of power during peak times to the network to meet community demand for energy needs.



54. The proposal will have an overall positive impact on the environment, community and economy. The Victorian Government has committed to transition towards a climate resilient economy to reduce environmental effects and air pollution of fossil fuels. The project facilitates a \$600 million energy development within the Campaspe Shire Council area which maximises resource use and is appropriately designed.
55. 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 proposed solar energy facility meets the objectives of Clause 17 by creating 250 jobs during the construction and 5 permanent jobs in the operation of the facility.
56. The subject site itself has a number of strategic and physical attributes which support its use for a solar farm, including:
- The site is reasonably flat and as such avoids the need for unnecessary or excessive earthworks or adverse changes to the natural landscape.
 - The site, particularly where development is proposed, has already been cleared for the purposes of farming and as such, any loss of native vegetation or biodiversity can reasonably be avoided or offset.
 - A high-voltage (220kv) powerline runs directly through the subject site, allowing for ease of access to the electricity grid, minimising the need to additional infrastructure off-site.
 - The subject site is a sufficient distance from existing urban areas or designated urban growth areas, with the nearest established town (Colbinabbin) being 4km to the north.
 - There are no approved or proposed renewable energy projects in the vicinity, thus, avoiding any cumulative impacts.
 - The subject site is not in a declared irrigation district.
 - The subject site has ready access to main roads.
57. 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.
 - 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 (Section 5.1 of Biodiversity Assessment Report). 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*** (emphasis added).
- The proposed solar farm appropriately responds to environmental risks and protects amenities. The site has been developed in accordance with the CFA's *Guidelines and Model Requirements for Renewable Energy Facilities CFA 2023* (the CFA Guidelines) to appropriately respond to bushfire risks (Clause 13.02-1S). Noise requirements in accordance with the EPA Noise Protocol can be met with appropriate mitigation in place (Clause 13.05-1S).

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” and “ensure agricultural land is managed sustainably, while acknowledging the economic importance of agricultural production”.

- The subject site is located on predominantly agricultural land that is currently used for sheep and cattle grazing. The assessment outlines that the proposed solar farm will have some impacts on the future agricultural viability of the land being:
 - Grazing of cattle will no longer be practical; and,
 - If fertilizer cannot be applied during the operation of the solar farm, soil fertility will decline.

However, the Agricultural Assessment concludes that there will be no detrimental impacts of the proposed solar farm on surrounding farms or on the agricultural amenity of the region. As such, it is considered that the objectives and strategies of Clause 14 are appropriately met. Additionally, 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.

Zones

Farming Zone

58. Although Clause 35.07 (Farming Zone) seeks to provide for the use of land for agricultural purposes and encourages the retention of productive agricultural land, the clause does allow for non-agricultural uses where they do not adversely affect the use of land for agriculture more broadly.
59. As discussed, the use of the land for a renewable energy facility and associated utility installation is a Section 2 (Permit required) use in the Farming Zone, thus, is a use which can be permitted subject to appropriate design and management.
60. Having regard to the relevant decision guidelines at Clause 35.07-6, the proposed use and development is an appropriate outcome in this instance for the following reasons:
 - The proposal has considered agricultural land use in the surrounding area, within the site and in the future. It will not impede on agricultural production for surrounding farmers as a solar energy facility is a relatively low-impact use. As discussed further in this report, there will be no detrimental impacts on surrounding farms or on the agricultural amenity of the region.
 - The proposed use and development of the site has considered potential fire hazards and incorporates the fire safety design recommendations in accordance with CFA guidelines, including fire breaks, site access and appropriate separation. As discussed, conditions are to be included in the recommendation to increase the water tank supply in accordance with CFA guidelines.
 - The proposed design and layout of the solar arrays, BESS and ancillary infrastructure are appropriate for the site. The built form will be sufficiently setback from adjoining properties and where necessary, will be screened from view by the proposed vegetation screening.
 - The operation of the facility is expected to employ up to five staff, encouraging long-term regional employment opportunities.
 - As discussed, the subject site benefits from existing infrastructure (powerline) and land clearing.
 - The use of the land for a solar farm will allow for on-going sheep grazing (part of the existing farming use). As will be elaborated on, a solar farm will not detrimentally impact the soil quality or permanently remove land from agricultural production given that it can be readily decommissioned in the future.

Overlays

Land Subject to Inundation Overlay (LSIO)

61. The site is partially affected by the LSIO to the east of the site. Works do not occur within the overlay and a permit is not triggered in the LSIO.

Particular Provisions

Clause 52.05 (Signs)

62. The application seeks approval for a business identification signage. The planning report states that the signage will be a maximum of 3sqm in area, for site entrance identification and safety information purposes to comply with Australian Standards. However, the location of the sign(s) has not been identified on the plans. This will be required via condition.
63. Pursuant to Clause 52.05-14, a permit is required to construct a business identification sign in a Category 4 (Sensitive areas) location.
64. The purpose of Clause 52.05 (Signs) is:
- *To regulate the development of land for signs and associated structures.*
 - *To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.*
 - *To ensure signs do not contribute to excessive visual clutter or visual disorder.*
 - *To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.*
65. The planning report stipulates that the sign is to be less than 3m² in display area and thus meets the condition in the table to Section 2 – Permit required.
66. It is considered that a maximum of 3sqm is an appropriate scale for the large site and will be proportionate to the size of the facility and the character of the surrounding landscape. The design of the sign has not been identified in the decision plans; however, it is expected that any sign(s) for the purpose of site entry and safety information will be generally unobtrusive. A condition will require that the design and location be identified in plans. However, it is considered that the modest signage will meet the objectives and decision guidelines of Clause 52.05, subject to standard conditions relating to lighting, and construction and maintenance.


Clause 52.06 (Car Parking)

67. Clause 52.06 (Car parking) seeks to ensure that an appropriate number of car parking spaces is provided to new uses.
68. Pursuant to Clause 52.06-6, car parking must be provided to the satisfaction of the responsible authority.
69. The site is expected to be staffed by up to 5 employees during operations. While no designated carparking area has been provided, the internal access roads will be sufficiently wide enough to enable vehicles to park onsite while still maintaining two-way vehicle movements. This is considered acceptable.

Clause 52.17 (Native Vegetation)

70. The application seeks approval for the removal of 1.436ha of native vegetation, comprised of:
- 6.505 hectares in patches
 - 71 large trees (12 large trees in Patches and 59 scattered large trees)
 - 11 small scattered trees
71. Pursuant to Clause 52.17-1 of the Campaspe Planning Scheme, a permit is required to remove, destroy or lop native vegetation.
72. The purpose of Clause 52.17 is:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for



the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

- 1. Avoid the removal, destruction or lopping of native vegetation.*
- 2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- 3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

73. As the site is located with Location 2, and the application proposes the removal of 6.505ha of native vegetation, the application falls under the Detailed Assessment Pathway of the Guidelines.
74. The Biodiversity Assessment dated August 2024 contains the avoid and minimise statement for the project. The design and development of the facility has suitably avoided and minimised impacts to native vegetation by:
- Locating the development footprint in pastured areas, avoiding areas of native vegetation. 30 metre buffers are provided from the Cornella and Yallagalorrah Creeks.
 - Inclusion of overhead line creek crossing and direct buried crossing combinations to minimise ecological impact (within constraints).
 - The design has undergone a number of iterations, reducing the proposed vegetation loss down from 7.749 hectares and 118 large trees to what is shown in the current proposal.
75. The application was referred, under Section 55 of the Act, to DEECA who did not object to the application subject to conditions which have been included in the recommendation, requiring:
- An Environment Management Plan
 - A Biodiversity Management Plan
 - Notification of works to be given
 - Native vegetation removal and tree pruning requirements
 - Native vegetation measures during construction
 - Native vegetation offsets
76. Subject to these conditions the application is considered to meet the decision guidelines of the Guidelines, and Clause 65.

Clause 53.13 (Renewable Energy Facility (other than Wind Energy Facility))

77. Pursuant to Clause 53.13-1, an application under any provision of the planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility), must meet the application requirements and decision guidelines (as appropriate) contained in Clause 53.13.
78. The application is accompanied the relevant application requirements outlined at Clause 53.13-2.
79. As discussed through this assessment, the facility is considered to meet the objectives and decision guidelines of Clause 53.13 by facilitating the construction of a solar energy facility and supporting the renewable energy led transition to a low-carbon economy.

Clause 53.22 (Significant Economic Development)

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

Amenity Impacts

Noise

82. The proposed solar energy facility is not expected to result in any unreasonable noise impacts.
83. The application is supported by a Noise Impact Assessment prepared by ADP Consulting and Engineering, dated March 2024. 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*. The assessment is based on 'worst case' conditions and the assumption that all infrastructure will be always operating simultaneously at maximum loads.
84. The predictive noise assessment identified nine noise sensitive residential receivers within a one-kilometre radius of the subject site, the nearest of which are located approximately 50 metres from the site boundary (2240 Heathcote-Rochester Road and 507 Plain Road, Colbinabbin). It is noted that the addendum, prepared by ADP Consulting and dated January 2025 identified two additional residential receivers, located a distance of 1km and 1.1km from the site boundaries respectively. Given the distance of these receivers, however, ADP submit that they would have a lower noise level than the nearer receivers, had they been included in the noise assessment.

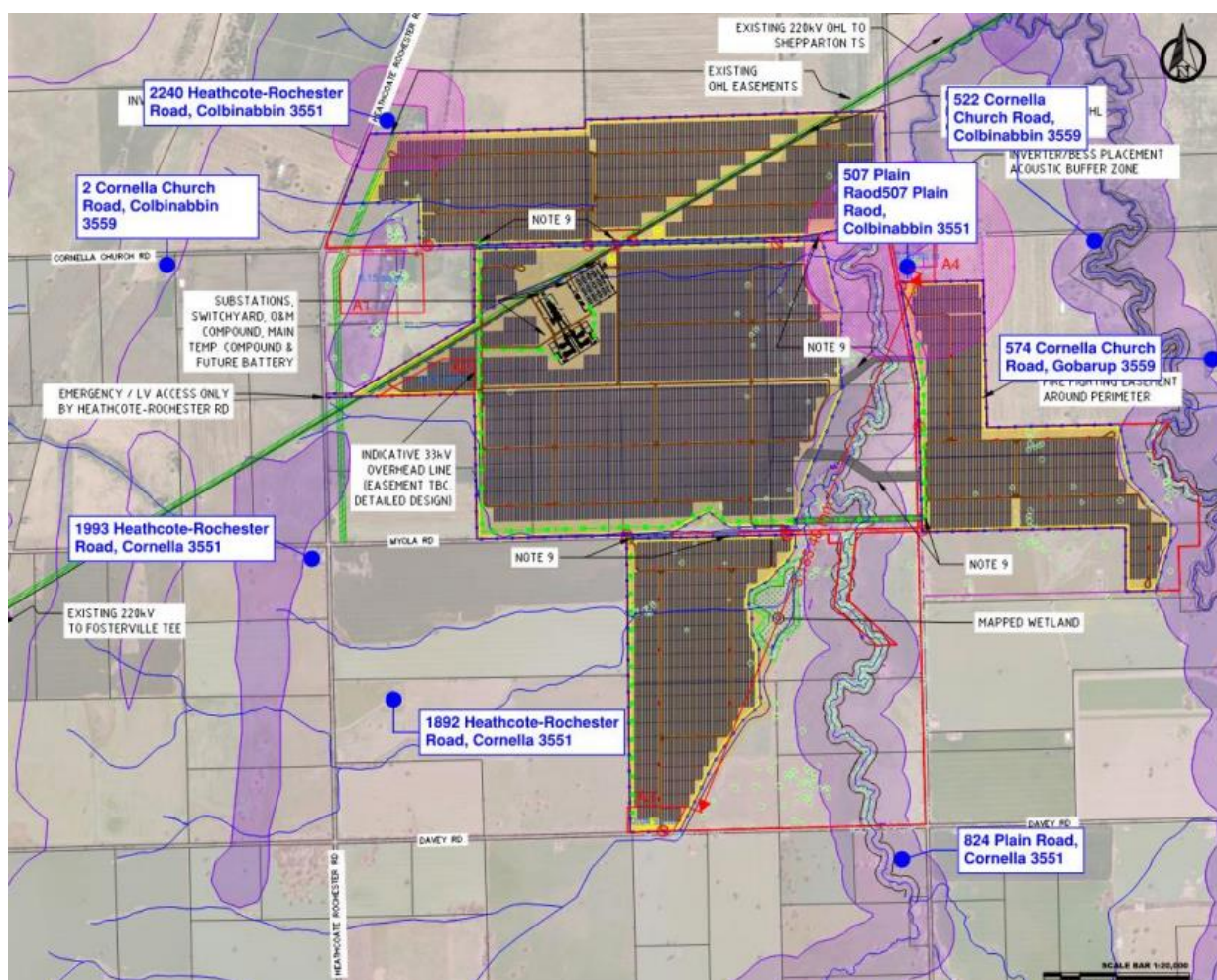



Figure 8: Cooba Solar Project Site Layout including Noise-Sensitive Receiver Locations from the Noise Impact Assessment dated March 2024 (Figure 1)

85. Noise emission criteria for the Cooba Solar Project have been determined based on the methodology contained in the EPA Noise Protocol for commercial, industrial and trade premises. As the operation of the facility will be 7-days a week, the most stringent criteria of 36 dB(A) (during the night-time period) will be used as the site-specific noise emission criteria for this development.

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86. The predicted equipment noise levels in Table 2 do not include a tonality adjustment, as required by EPA Noise Protocol, given that the equipment selection has not been finalised. ADP Consulting therefore recommend that further assessment may be required to determine if any tonality adjustments are required at the detailed design stage.
87. ADP Consulting submit that, based on their assessment, which includes a number of conservative assumptions (outlined at section 3.2.1 of the report), the noise levels at the worst affected locations all comply with the identified night-time noise limit of 36 dB(A).
88. It is noted that operational noise impacts will continue to be set by the EPA in accordance with EPA Publication 1826, and compliance with the Noise Protocol will be managed by Council. As such, a condition has been included in the recommendation requiring the proponent to complete a final predictive noise assessment demonstrating that the final infrastructure chosen will comply with the protocol. Additionally, a note has been included on the permit explaining that the facility should comply with EPA Publication 1826.
89. Council requested that in the event the Minister determines to approve the subject proposal, a condition be included on any permit requiring a post-construction noise assessment be carried out. In this instance, the department considers that it is appropriate to include such a condition given that the noise assessment predicted that compliance would only just be achieved (ie 36 dB(A)) at some locations.

Glint and Glare

90. 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.
91. The application is supported by a Glint and Glare Assessment prepared by Chiron Aviation Consultants. The report utilizes the *Sandia National Laboratories Solar Glare Hazard Analysis Tool* (SGHAT) which is accepted by Australian Civil Aviation Safety Authority (CASA). It is noted, however, that there are no certified aerodromes or known uncertified aerodromes within 15km of the site boundary.
92. Chiron Aviation Consultants submit that the glint and glare analysis for nearby roads and buildings shows that there is no glare predicted for the roads or for any of the buildings, and as such, there will not impact to nearby roads, buildings or to aviation safety.
93. The Glint and Glare Assessment does not make any recommendations beyond the details shown in the Development Plans (ie a tracking axis at 2.5m, rotating 120 degrees from east to west).

Light spill

94. 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 interference

95. It is considered that no unreasonable electromagnetic interference impacts will occur. As discussed, a high voltage powerline already intersects the subject site, and the plans demonstrate that the proposed substation will be reasonably setback from dwellings. The closest dwelling to the substation (2240 Heathcote-Rochester Road) is at a distance of approximately 1.1km, well in excess of the 5-10m separation recommended in the *Solar Energy Facilities Design and Development Guidelines*.

Landscape Character and Visual Amenity

96. The application is supported by a Landscape and Visual Impact Assessment, prepared by Orbit Solutions and dated December 2024.

97. The assessment demonstrates that while the facility proposes a significant change to the existing landscape character when viewed from above, the topography of the land, existing vegetation and the facility's low profile will ensure that only localized changes to the landscape character will occur.
98. The assessment analyses nearby affected dwellings (Figure 29 of the assessment) and potential viewpoints (Figure 30) which assist in identifying six key observation points (KOPs) which best represent where there is public sensitivity to visual change. Orbit Solutions submit that the chosen KOPs are strategically distributed around the surrounding areas to observe the proposal from various angles, including major roads, surrounding dwellings, denser areas, and other key buildings.



Figure 9: Cooba Solar Project Site Layout including Key Observation Points from the Landscape and Visual Impact Assessment dated December 2024 (page 61)

99. The KOPs as illustrated in Figure 9 are described as follows:
- KOP 1 is north of the proposal representing the view from Colbinabbin settlement toward the proposed solar energy facility.
 - KOP 2 is located to the east of the site representing the view of the Sacred Heart Catholic Church which is a stand-alone building surrounded by vegetation and grassy fields.
 - KOP 3 is taken at the intersection of Davey Road and Plain Road located to the south-east of the site.
 - KOP 4 is located to the south-west of the site along Heathcote-Rochester Road, near the driveway to a dwelling in close proximity to the site.
 - KOP 5 is located to the west of the site on the porch of a surrounding dwelling which overlooks the proposed solar energy facility.
 - KOP 6 is the closest KOP to the proposal, located north-west of the proposal on Heathcote-Rochester Road
100. The perspectives indicate that the built form will be most visible from KOP 5 given the relative elevation above the subject site. It is noted that the perspectives indicate the visual extent of both 5.5m panels (blue) and 8m panels (purple), however, the subject application has committed to 5.5m panels (at the greatest incline).



Figure 10: Perspective of the Proposed Built Form with Landscaping & Building outlines for 8m Panels & 5.5, panels from KOPs 5, Landscape and Visual Impact Assessment dated December 2024 (page 132)

101. The remainder of the KOPs, which are from adjacent roads or low-lying private land, will be reasonably buffered by existing and proposed vegetation.
102. Proposed vegetation (as committed to in Landscaping Plans and the Landscape and Visual Impact Assessment) incorporates a mixture of small to large, native and indigenous (2-15m height at maturity), evergreen trees and large evergreen shrubs to create dense continuous screening along most title boundaries, with the exception of the boundary to Plain Road where a wide buffer is created by the Yallagalorrah Creek.
103. The Assessment states that the Magnitude of Change for the proposed built form is 2.0 (low), which is within the Visual Absorption Capacity of 3.0 (Moderate) which has been attributed to the site, and as such, submits that the visual compatibility for all identified viewpoints is satisfactory.
104. Overall, it is considered that the proposal will not result in any unreasonable visual impacts from private or public land subject to a condition of the permit requiring the assessment and endorsement of a landscaping plan to confirm the proposed screen planting and future maintenance.

Traffic and Transport

105. The PPF and the FZ both require the consideration of access and traffic relating to the proposed use and development.
106. The application is supported by a Transport Impact Assessment (TIA) which considers the traffic impacts of the proposed facility on local and state roads during construction and operation.



107. The TIA identifies that there are multiple site access locations proposed along Cornella-Church Road, Myola Road, Plain Road and Davey Road with access to these locations afforded from Heathcote-Rochester Road.
108. The TIA estimates that up to 200 vehicle movements are expected during peak construction activities, to accommodate up to 100 workers. It is anticipated that construction is expected to take approximately 12 to 18 months to complete.
109. During the operation of the facility, ten vehicle movements are expected each day for routine maintenance operations and to cater for a maximum of 20 staff. Adequate space for the parking of vehicles during the operation of the facility is available in the internal access roads on site. As such, car parking provision is considered satisfactory.
110. Head, Transport for Victoria made a submission for the planning application, recommending that conditions be included on any permit as follows:
- Functional Layout Plans for the Heathcote-Rochester and Cornella-Church Road intersection:
 - A Functional Layout Stage Safety Audit: and
 - A Traffic Management Plan (TMP)
111. Council, as the relevant road manager for all roads adjacent to the subject site, have also recommended a number of conditions be included on the permit, requiring:
- a. A Traffic Management Plan.
 - b. Vehicle access points be designed and located to the satisfaction of the relevant road management authority.
 - c. The length of Davey Road, between Heathcote-Rochester Road and Plain Road must be upgraded to the satisfaction of the relevant road management authority.
 - d. No vehicle access is permitted to the site from Davey Road during the construction phase of the project. All construction traffic must be routed to Myola Road.
 - e. A detailed survey of all adjacent roads pre-construction to document existing damage.
 - f. Following construction, remediation works be undertaken to restore the road conditions to the relevant road management.
 - g. Dilapidation surveys be conducted during construction to determine the need for emergency road works, with emergency road works to be completed to the satisfaction of the responsible authority.
112. The conditions recommended by Head, Transport for Victoria relevantly address the items raised by Campaspe Shire Council, ensuring that access points are designed and located for road safety, and that any upgrades required will be delivered at the cost of the developer.
113. The wording of the conditions will ensure that the TMP will need to be approved by both the Head, Transport for Victoria and Campaspe Shire Council, as the relevant road authorities.

Impacts on Agricultural Land

114. This assessment is guided by clause 02 (Municipal Planning Strategy), clause 11.03-5S (Distinctive areas and landscapes), clause 13.07-1 (Land Use compatibility), clause 14.01-1S (Protection of agricultural land), clause 14.01-1L-03 (Non-agricultural land use in Campaspe), 17.04 (Tourism) and the decision guidelines of the Farming Zone. The assessment also considers, as appropriate, the advertised Agricultural Assessment, prepared by Meridian and dated 30 July 2024, the revised assessment dated 7 April 2025, submissions and objections received including Campaspe Shire Council's submissions, and advice from Agriculture Victoria.
115. With regards to the site context, Campaspe Shire Council submit that the site is identified as being 'Productive Agricultural Land' and within the 'Viticulture along Mt. Camel Range' pursuant to Clause 02.04 (Strategic Framework Plan) of the Campaspe Planning Scheme. However, the figure provided with the statement shows that the subject site (identified by Council with an arrow), is outside of the area identified as productive agricultural land (shown as hashed blue).

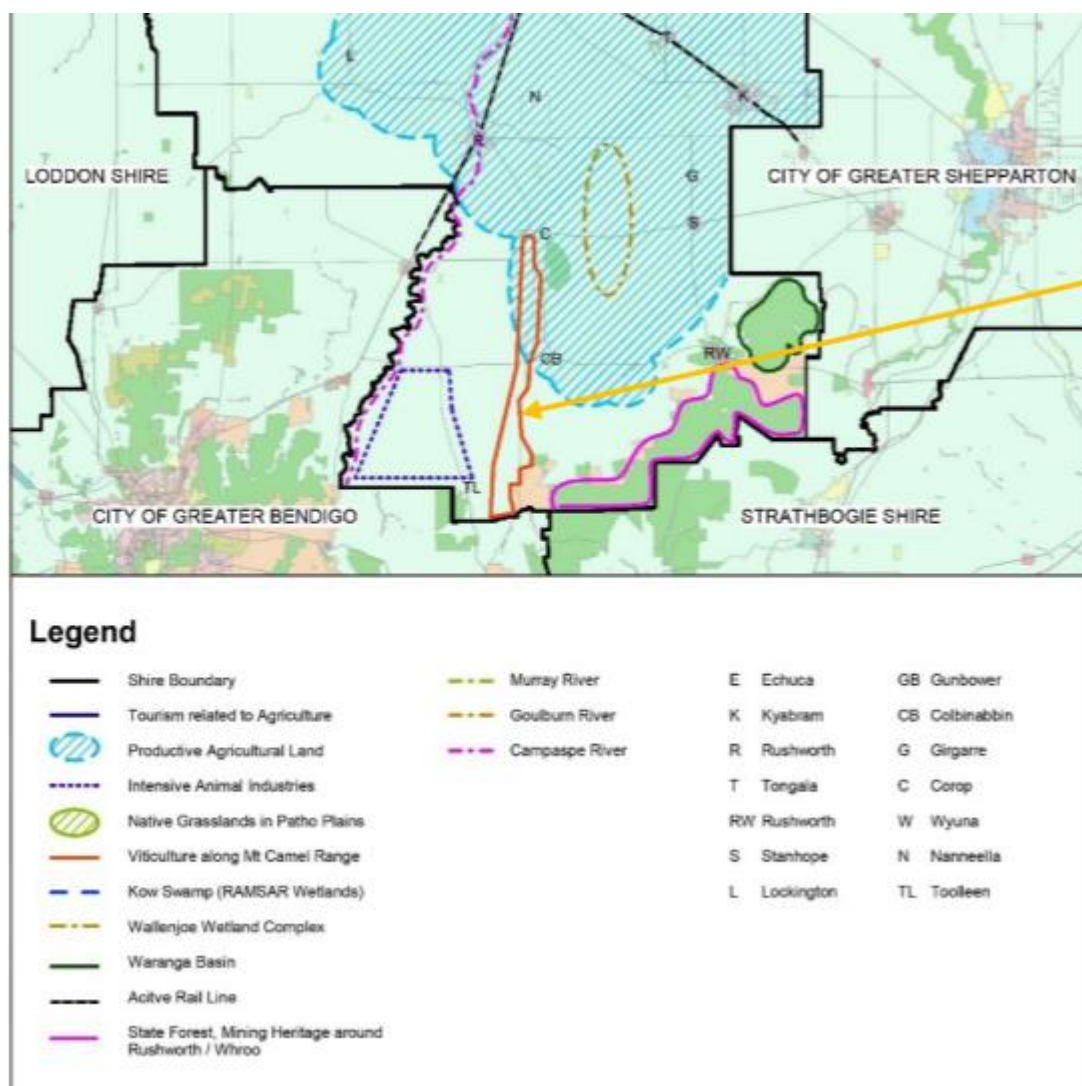


Figure 11: excerpt of Strategic Framework Plan from Campaspe Shire Council submission (page 6)

116. The map does, however, confirm the site is located on the eastern boundary of the 'viticulture along Mt Camel Range', as reflected by the site's proximity to vineyards (Colbinabbin Estate and Kennedy Winter Vineyards being 600 metres and 1.4km to the north, respectively) and the identification of ferrosol soils on approximately 4ha of the north-west section of the site.
117. Nevertheless, proximity to a locally strategic viticultural region doesn't dictate what the site can or must be used for in the future. As already discussed, the proposed use is a Section 2 (permit required use) and as such, must be considered as a potential use for the site, subject to it meeting the decision guidelines of the Farming Zone. These decision guidelines have been discussed previously, and the proposal is considered to substantially comply. Moreover, it has been identified in the proponent's Agricultural Report that the ferrosol soils are only located in 4ha of the 1,147ha site, providing for a relatively insignificant opportunity for viticulture on the site.
118. In a subsequent submission dated 20 December 2024, Campaspe Shire Council submits that the site should be within the Goulburn Murray Irrigation District due to the existing infrastructure assets on site. The Solar Energy Facilities Design and Development Guideline (the Guidelines) identify that solar energy facilities should not lead to the loss of productive, state significant agricultural land. In addition, they identify that *solar energy facilities should be located to avoid land in a declared irrigation district that is serviced, or was serviced at 17 September 2019 by irrigation infrastructure managed by a rural water corporation, unless the infrastructure has been, or is planned to be decommissioned*. On this basis, Council submit that the application should be refused.

119. However, department officers consider that the proposal can be supported for the following reasons:

- a. The Guidelines, although discouraging solar farms in declared irrigation districts, would not result in the proposal being prohibited.
- b. As discussed in the subject site description, a pipeline easement affects 8 of the 25 parcels comprising the subject site, however, this pipeline is private and has not been included in the declared irrigation district. Council submit that the site must be included in the declared irrigation district due the existing water pipeline, however, DEECA water has advised to become part of the irrigation district, individual property owners will need to make applications to GMW to have their land included. At the time of this report, the site is not within a declared irrigation system and as such, the recommendations of the solar guidelines are not applicable.
- c. As mentioned, only 8 of the 25 lots comprising the site have an existing water supply arrangement which could suggest high agricultural productivity for these allotments. However, the Agricultural Assessment states that the existing pipeline does not supply the subject land with an amount of water suitable for intensive cropping or horticulture.
- d. The site is located on the south-west periphery of the Goulburn Murray irrigation district (as illustrated by Figure 12), thus, the use of the site for a solar farm would be unlikely to have a detrimental impact on the functionality or viability of the declared irrigation district more broadly.

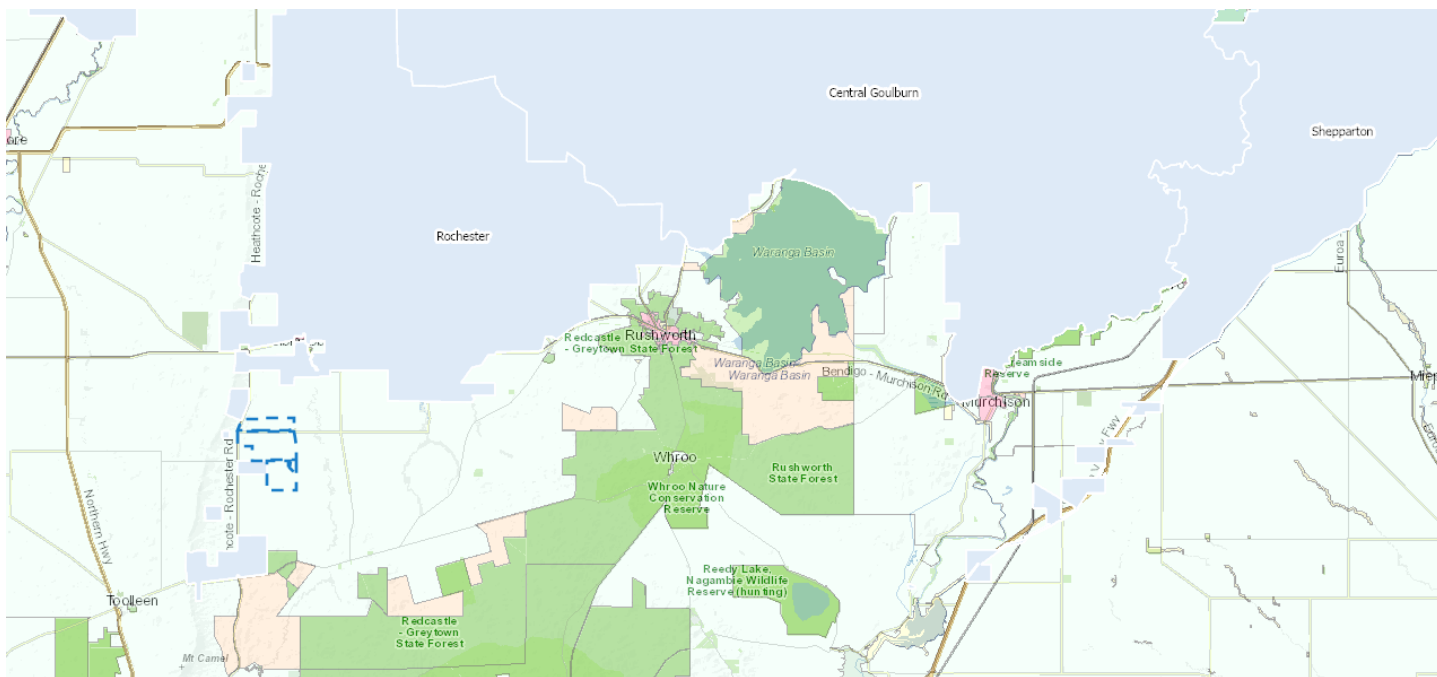



Figure 12: the subject site in relation to the Goulburn Murray declared irrigation system (VicPlan map, April 2024)

120. With regards to the agricultural quality of the land and proximity to strategic viticulture regions, clause 14.01-1S (Protection of Agricultural Land) relevantly seeks to *protect the state's agricultural base by preserving productive farmland*. The policy includes strategies to achieve this objective which relevantly include:

- a. *Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.*
- b. *Protect productive farmland that is of strategic significance in the local or regional context.*
- c. *Protect strategically important agricultural and primary production land from incompatible uses.*
- d. *Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.*

121. The proposal is considered to meet these strategies for the following reasons:

- 
- a. As discussed, the proposal does not result in the permanent removal of productive agricultural land given that the solar farm can be readily decommissioned in the future (with conditions included on the permit accordingly).
 - b. The proposal provides for continued pasture preservation through conservative stocking which will continue to provide an agricultural output and will minimise erosion risk.
 - c. The cessation of cropping on the site will result in an insignificant reduction in the crop production for the Region and the State.
 - d. Solar facilities are generally considered a low risk use for land within a farming zone and the proposal will not impact the agricultural productivity of the wider region. The risks associated with such a proposal generally relate to the impacts of traffic, hydrology and fire management, all have which is addressed in this report.
 - e. Biosecurity concerns will be satisfactorily addressed by the CEMP and OEMP included on the permit which includes measures (such as vehicle washdown) to avoid contaminants crossing between properties.
 - f. With regards to impacts to nearby agritourism and viticulture, the Guidelines recommend that solar pods/zones are setback a minimum of 30m from a neighbouring property boundary to effectively limit risk relating the heat island effect, visual and noise impacts and to support emergency management. Solar zones have a minimum setback of 15m from property boundaries (though generally greater setbacks are provided), with adjacent public road providing buffers to neighbouring properties. The nearest established vineyards are a minimum distance of 600m from the site, and as such, are well separated to avoid heat island effects.
 - g. Moreover, nearby existing vineyards are located to the north and are generally at level with the subject site. As such, any views to the proposal will be reasonably buffered by existing and proposed vegetation. Views, or the right to any particular outlook, are not protected by the farming zone regardless.
 - h. Though it is not expected that the proposed solar facility with continued grazing will irreversibly impact the soil, water quality or land salinity, a condition will include a Construction Environment Management Plan (CEMP) and an Operational Environment Management Plan (OEMP) which will include general stormwater management and erosion control measures during construction and operation of the facility.

Bushfire Risk

122. The subject site is located within a Bushfire Prone Area (BPA) and is partially within a BMO.
123. Clause 13.02-1S (Bushfire Planning) requires all applications in a BPA or BMO to have consideration of bushfire risk, to strengthen the resilience of settlements and communities and prioritise the protection of human life.
124. The facility contains various bushfire mitigation features in its design, including emergency access points, firewater tanks and fire breaks.
125. Notice of the application was given to the CFA who did not object to the application, subject to the inclusion of conditions requiring:
 - Risk Management Plan
 - BESS fire water supply increased to 576kL (in line with the same recommendation from WorkSafe)
 - Additional fire water tanks for the solar arrays in accordance with the CFA Guidelines
 - Emergency Plan and Fire Management Plan

These conditions have been included in the recommendation.

Hydrology

126. Pursuant to Clause 35.07-4, a planning permit is required for earthworks which change the rate of flow of water across a property.
127. The application is supported by a Hydrology Assessment prepared by Ecological to assess the hydrological conditions of the site and the potential flood impacts at the proposed facility under the 10%, 2%, 1%, 0.5%, 0.2% and 0.1% Annual Exceedance Probability (AEP) flood events.



128. The flood assessment showed that the predicted flows are generally concentrated to the waterways and defined overland flow paths in the region. The maximum flood velocities observed within the subject site are small outside of the river channels and the flood hazards indicated that a minimum flood hazard category of H1 is identified.

129. The report provides the following recommendations:

- A setback of 30 metres from top of the river bank is recommended for the Cornella and Yallagalorrah Creeks.
- For smaller waterways, it is likely that the setback is likely to vary across the site.
- Any roadways or access tracks crossing the waterways should ensure they are designed to maintain the drainage function of the waterways.
- Solar panels and other critical infrastructure be raised sufficiently above 1% AEP flood levels (i.e. 300-500mm)

130. Conditions have been included in the recommendation requiring a Construction Environment Management Plan (CEMP) and an Operational Environment Management Plan (OEMP) which will include general stormwater management and erosion control measures during construction and operation of the facility, as recommended in the Hydrology Assessment.

Other legislation

131. It is the proponent's responsibility to ensure all relevant approvals outside of the *Planning and Environment Act 1987* are in place. However, comment is made on the following relevant legislation:

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

132. 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 Environment Minister.

133. The submitted Biodiversity Impact Assessment prepared by the proponent determined that no EPBC referral is required as the proposed action is unlikely to have a significant impact on any matters of National Environment Significance (MNES).

Environment Effects Act 1978 (EE Act)

134. The EE Act requires the preparation of an Environmental Effects Statement (EES) for activities considered to have, or to be capable of having, a significant effect on the environment. The *Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978 (DSE 2006)* outlines the criteria for triggering a referral of a project to the Victorian Minister for Planning who will determine if an EES is required.

135. The biodiversity assessment for the project contains a self-assessment against the EE Act criteria and demonstrates that a referral is not required. As such, the proponent has not referred the project.

Environment Protection Act 2017 (EP Act)

136. The EP Act is a legislative framework for protecting the environment in Victoria from pollution and waste. At the centre of the EP Act is the 'general environmental duty', which requires any person in Victoria engaging in an activity that may risk harming human health and the environment from pollution and waste to minimise those risks, so far as reasonably practicable.

137. The applicant has advised that the proposed facility does not require a Works Approval or Licence under the EP Act.

138. Additionally, preventative measures to reduce risks as far as reasonably practicable will be included within the Construction Environment Management Plan (CEMP) to be prepared for the project. This will include a detailed risk assessment of likelihood and consequence for all activities on site. A condition to this effect has been included within the recommendation.

Flora and Fauna Guarantee Act 1988 (FFG Act)

139. Under the FFG Act, a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land.

Aboriginal Heritage Act 2006 (AH Act)

140. 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.

141. The subject site is located within an area of cultural heritage sensitivity, a mandatory Cultural Heritage Management Plan (CHMP) was required.

142. An CHMP was approved by TLWaC on 17 December 2024.



Climate Change Act 2017 (CC Act)

143. 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.*

144. 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.

145. The policy objectives of the CC Act include:

- a) **to reduce the State's greenhouse gas emissions** consistently with the long-term emissions reduction target and interim emissions reduction targets;
- b) **to build the resilience of the State's infrastructure**, built environment and communities through effective adaptation and disaster preparedness action;
- c) *to manage the State's natural resources, ecosystems and biodiversity to promote their resilience;*
- d) *to promote and support the State's regions, industries and communities to adjust to the changes involved in the transition to a net zero greenhouse gas emissions economy, including capturing new opportunities and addressing any impacts arising from the need to reduce greenhouse gas emissions across the economy; and,*
- e) *to support vulnerable communities and promote social justice and intergenerational equity (emphasis added).*

146. The guiding principles of the CC Act include:

- *that a decision, policy, program or process should integrate the competing long-term, medium-term and short-term environmental, economic, health and other social considerations relating to climate change to ensure that:*
 - a) *all relevant issues relating to climate change associated with the decision, policy, program or process are taken into consideration during the decision making process; and*
 - b) *there is a proper examination of all the issues which are relevant to climate change; and*
 - c) *any measures adopted as a result of the decision, policy, program or process are cost effective and in proportion to the problems relating to climate change that are relevant to the decision, policy, program or process.*
- *opportunities should be created by the present generation to increase the capacities within that generation and future generations to adapt to climate change*
- *that community involvement in decisions, policies, programs or processes relating to climate change that may affect members of the community or members of the community in future generations, especially members of vulnerable or marginalised communities, should be facilitated and this includes:*
 - a) *providing appropriate information to the community; and*
 - b) *providing opportunities for the community to be involved in the decision, policy, program or process; and*
 - c) *providing for appropriate and adequate public consultation with the community.*

147. This assessment has had consideration of the policy objectives and the guiding principles of the CC Act. The proposed facility is estimated to generate approximately 500MW of solar energy and store 300MW of electricity, which will help achieve the emissions reduction targets in Part 2 of the CC Act.

Recommendation

148. It is recommended that the delegate of the Minister for Planning:

- Issue Planning Permit PA2403122 for the use and development of the land for a solar energy facility and utility installation (battery energy storage system and associated infrastructure) with associated buildings and works, removal of native vegetation, and to construct and display signage, subject to conditions.
- Send a copy of the permit to:
 - The applicant
 - Each objector
 - Submitters
 - Referral authorities: DEECA, AusNet, WorkSafe,
 - Campaspe Shire Council

Prepared by: [REDACTED]

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

☒ **No Conflict**

☐ Conflict and have therefore undertaken the following actions:

- ☐ Completed the **State Planning Services declaration of Conflict/Interest form**.
- ☐ Attached the State Planning Services declaration of Conflict/Interest form on to the hardcopy file.
- ☐ Attached the State Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [REDACTED]

Title: Senior Planner, Development Approvals and Design, Renewables

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 5 June 2025

Reviewed: [REDACTED]

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

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Name: [REDACTED]

Title: Senior Planner, Development Approvals and Design, Renewables

Signed: [REDACTED]

Phone: [REDACTED]

Dated: 5 June 2025

Approved: [REDACTED]



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|--------|-----------------------------------|---------|-------------|
| Name: | <div></div> | Signed: | <div></div> |
| Title: | Acting Manager, Energy Assessment | | |
| Phone: | | Dated: | 5 June 2025 |