Energy Assessment

PA2604454

Winton RESST

Officer Assessment

VICTORIA State Government | Department of Transport and Planning

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Executive Summary

Key Information	Details		
Application No:	PA2604454		
Received:	4 June 2026		
Statutory Days:	93		
Applicant:	Winton Renewable Energy Stability and Storage Terminal Pty Ltd c/- Cogency Australia		
Planning Scheme:	Benalla		
Land Address:	576 Winton-Glenrowan Road Winton VIC 3673 (Lots 1 and 2 TP836611) 17 Glenwest Lane Winton VIC 3673 (Lot 1 TP381841 and Lot 1 TP345760) Winton-Glenrowan Road Reserve		
Proposal:	- 400 megawatt (MW) battery energy storage system (BESS) - Inverters and transformers - Switching station and associated electrical infrastructure - Underground transmission connection to the existing Glenrowan Terminal Station - Associated buildings and works including an operations and maintenance building, site office, access tracks, water storage and fire-fighting infrastructure, earthworks, drainage, security fencing and landscaping		
Permit preamble:	Use and develop land for a utility installation, display of business identification signage, removal of native vegetation and associated buildings and works		
Development Value:	$750 million		
Why is the Minister responsible?	Under Clause 72.01-1, the Minister for Planning is the responsible authority for a planning permit application for the use or development of land associated with a: Utility installation used to: - Transmit or distribute electricity - Store electricity if the installed capacity is 1 megawatt or greater. Application where clause 53.22 applies		
Why is a permit required?	**Clause**	**Control**	**Permit Trigger**
Zone:	Clause 35.07-1	Farming Zone (FZ)	Use of land for a utility installation.
	Clause 35.07-4	Farming Zone (FZ)	Construct a building or construct or carry out works associated with a section 2 use including:

Key Information	Details		
			A building which is within 100m of a Transport Zone 2 Earthworks which change the rate of flow or the discharge point of water across a property boundary Earthworks which increase the discharge of saline groundwater
Overlays:	Clause 42.02-2	Vegetation Protection Overlay (VPO3)	To remove, destroy or lop any vegetation specified in a schedule to the overlay.
Particular Provisions:	Clause 52.05-14	Sign	Display of business identification signage
	Clause 52.17-1	Native vegetation	Remove, destroy or lop native vegetation, including dead native vegetation
Cultural Heritage:	The proposal is not located in an area of cultural heritage sensitivity. A mandatory CHMP not required		
Referral Authorities:	WorkSafe (s55 – determining) AusNet (s55 – determining)		
Public Notice:	Notice of the application under section 52 of the Act was required. 34 submissions (including 28 objections) have been received as of 6 October 2026. Submissions were received from the following agencies: - Benalla Rural City Council - Head, Transport for Victoria (Head, TfV) - Goulburn Broken Catchment Management Authority - Country Fire Authority (CFA)		
Renewable Energy Zone:	The project is not within the REZ.		
Recommendation:	Issue a planning permit subject to conditions.		

Process and Documentation

Planning Process

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

Milestone	Date
Application lodgement	**4 June 2026**
Further information requested	2 July 2026

Milestone	Date
Further information received	20 July 2026
Public notice (section 52)	21 August 2026 – 21 September 2026

Decision Documents

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

Decision Documents

- Planning permit application report prepared by Cogency Australia, Revision 3, dated 20 July 2026.
- Title Plans produced 4 June 2026.
- Concept layout plans and elevations including:
  - Preliminary concept layout plan prepared by Cogency Australia, Version 3, dated 10 July 2026.
  - Ecological Assessment plan prepared by DM ecological.
  - Plan view and elevations prepared by Celero Infrastructure dated 8 May 2026.
- Ecological Assessment prepared by DM Ecological **Pty** Ltd, Revision 4, dated 4 June 2026.
- Cultural Heritage Assessment prepared by Niche Pty Ltd dated 29 May 2026.
- Noise Impact Assessment prepared by SLR Consulting Pty Ltd, Revision1, dated 1 June 2026.
- Hydrology and Stormwater Management prepared by Dalton Consulting Engineers, Revision B, dated May 2026.
- Transport Impact Assessment prepared by One Mile Grid, dated 29 May 2026.
- Landscape and Visual Impact Assessment prepared by Peter Haack Consulting, Revision Final, dated 29 May 2026.
- Fire Safety Study prepared by NJM, Revision 3, dated 2 June 2026.

Proposal

3. The application proposes the use and development of a 400 megawatt (MW) battery energy storage system (BESS) known as the Winton Renewable Energy Stability and Storage Terminal (Winton RESST)
4. The project can be summarised as follows:

   - 400 MW BESS facility
   - Inverters and transformers
   - Switching station and associated electrical infrastructure
   - Underground transmission connection to the existing Glenrowan Terminal Station
   - Associated buildings and works including an operations and maintenance building, site office, access tracks, water storage and fire-fighting infrastructure, earthworks, drainage, security fencing and landscaping.

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

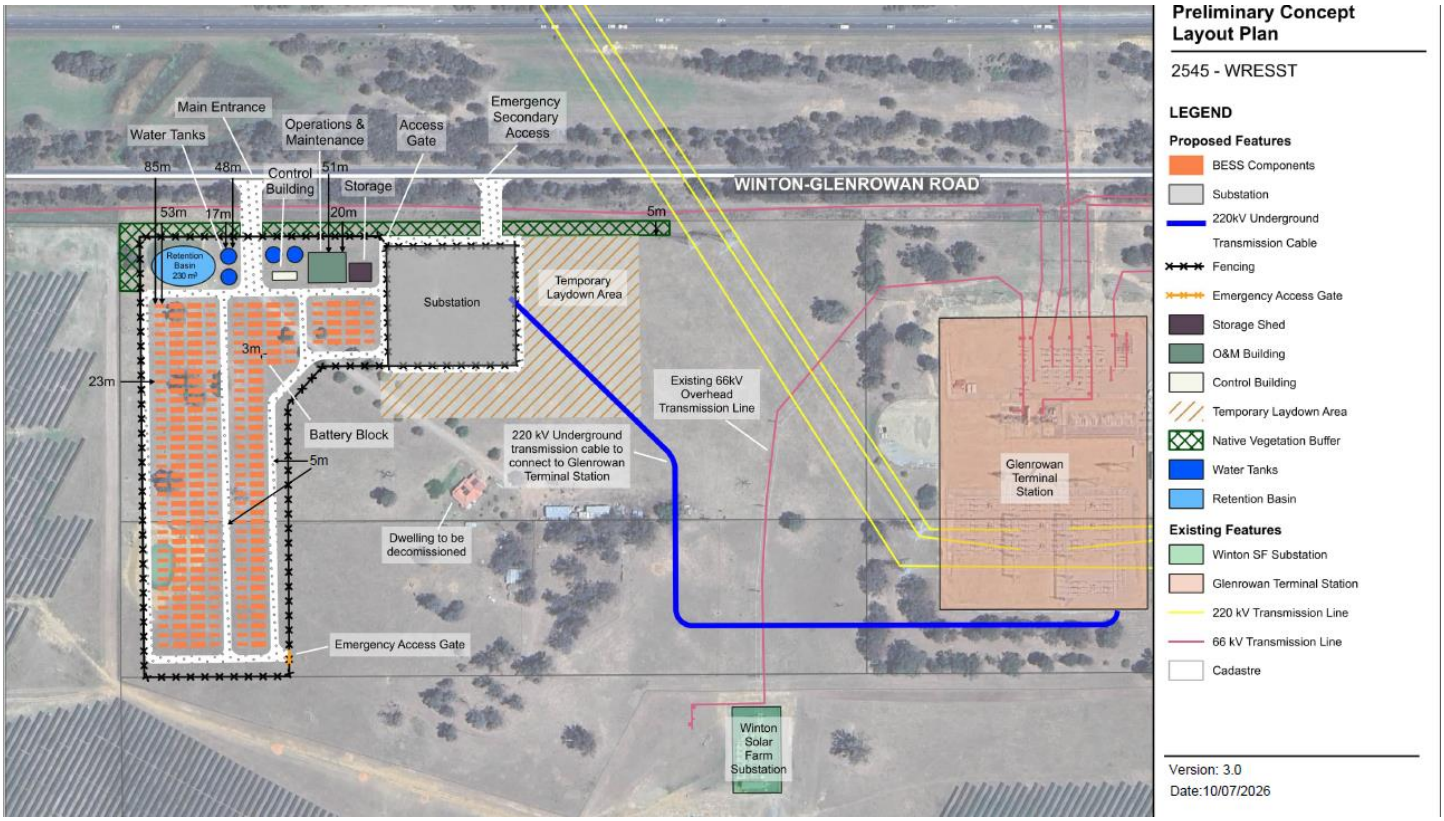

Figure 1: Proposed layout of the Winton RESST. Source: Concept layout plans.

Subject Site and Surrounds

Site Description

6. The site is located at 576 Winton-Glenrowan Road, Winton (BESS Area), and 17 Glenwest Lane, Winton (Transmission Area), within the Rural City of Benalla, approximately 4.5 km northeast of Winton, 9 km southwest of Glenrowan and 14 km northeast of Benalla.
7. The site comprises approximately 26 hectares (ha), including private land for the proposed BESS area, land within Glenrowan Terminal Station for the electrical connection and part of the Winton-Glenrowan Road reserve for access.

8. The BESS area is currently used for rural residential purposes and grazing and contains an existing dwelling, a farm dam and some remnant native vegetation. The dwelling is proposed to be removed.
9. Vehicle access to the site is via an existing crossover on Winton-Glenrowan Road near the northwestern corner of the private land.
10. The BESS area is located in the Farming Zone (FZ). The connection works extend into the Special Use Zone Schedule 4 (SUZ4), and the access works extend into the Transport Zone 3 (TRZ3).
11. The site is affected by the Vegetation Protection Overlay Schedule 3 (VPO3).
12. The site is within a designated Bushfire Prone Area (BPA) but is not affected by the Bushfire Management Overlay (BMO).
13. As illustrated in **Figure 2**, an existing 220 kV overhead transmission line crosses the northeastern part of the development area.

The site is formally known as:

- Lots 1 on TP836611 (BESS Area)
- Lots 2 on TP836611 (BESS Area)
- Lot 1 on TP381841 (Glenrowan Terminal Station point of connection)
- Lot 1 on TP345760 (Glenrowan Terminal Station point of connection)
- Winton-Glenrowan Road Reserve (Road access)

14. The site is affected by two electricity transmission easements that protect the existing 220 kV transmission line route into Glenrowan Terminal Station. No works are proposed within the easements, which are listed below:
    - Lot 1 on TP836611: Easement AU009263X
    - Lot 2 on TP836611: Easement H912061

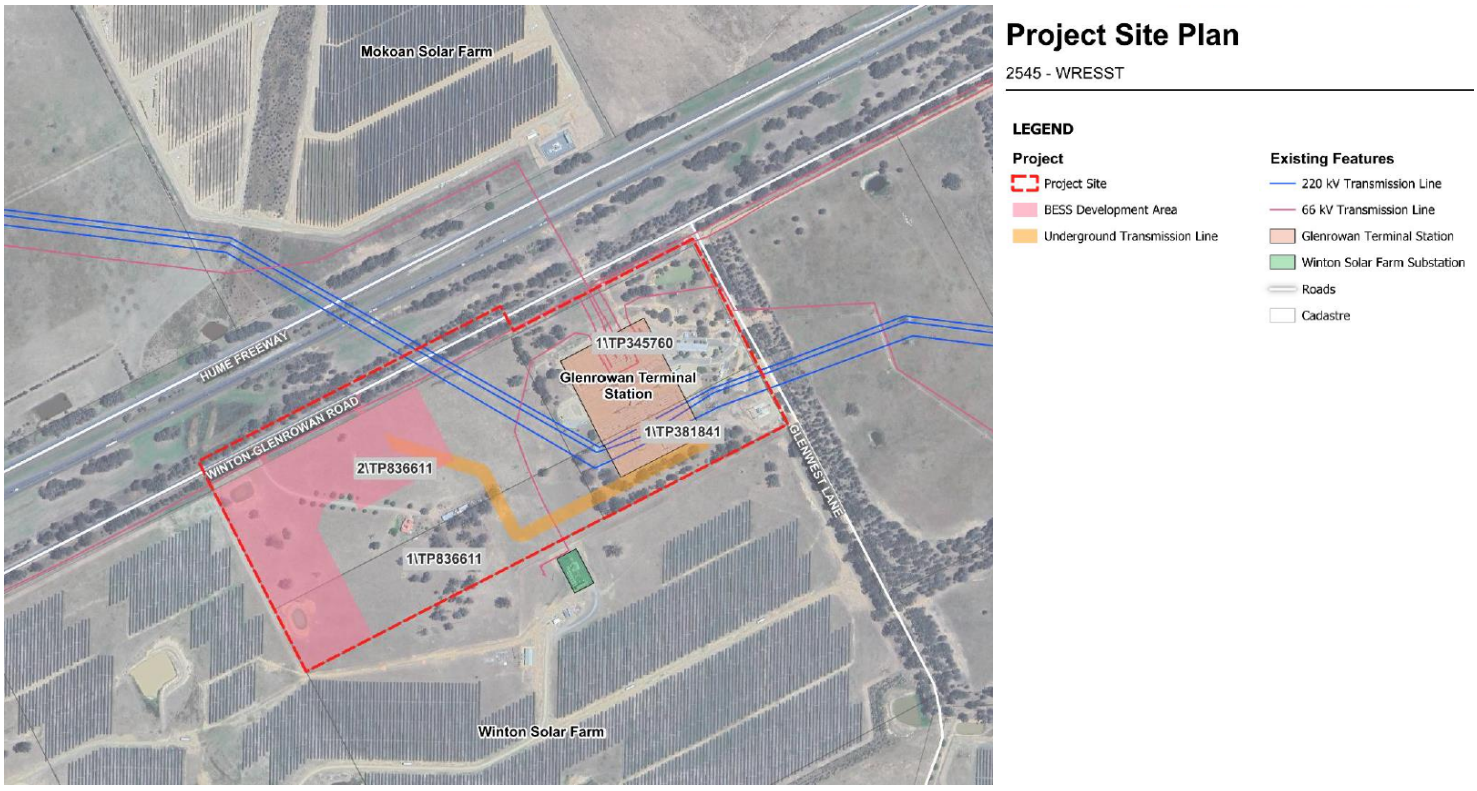

Figure 2: Project site plan. Source: Planning report

15. The landscape surrounding the project area is characterised by agricultural uses, renewable energy facilities, electricity transmission infrastructure. Agricultural land is predominantly used for grazing and some cropping.
16. There are 10 dwellings within 2 km of the site, including five within 1 km. The nearest dwelling is located at 6 Bowers Road, approximately 450 metres northwest of the site.
17. The land surrounding the site can be described as follows:
    - To the **north** of the site is Winton-Glenrowan Road, beyond which is the Hume Freeway. Winton Wetlands is approximately 1.5 km north of the site.
    - To the **south** of the site is Winton Solar Farm, with the approved Glenrowan BESS further south.
    - To the **east** of the site is Glenrowan Terminal Station, with Glenrowan West Solar Farm further east.
18. To the **west** of the site is Winton Solar Farm, with agricultural land in the wider area.
19. There are several other operational, approved and proposed solar farms and battery energy storage facilities in the wider area, as illustrated in **Figure 3 and 3a**.

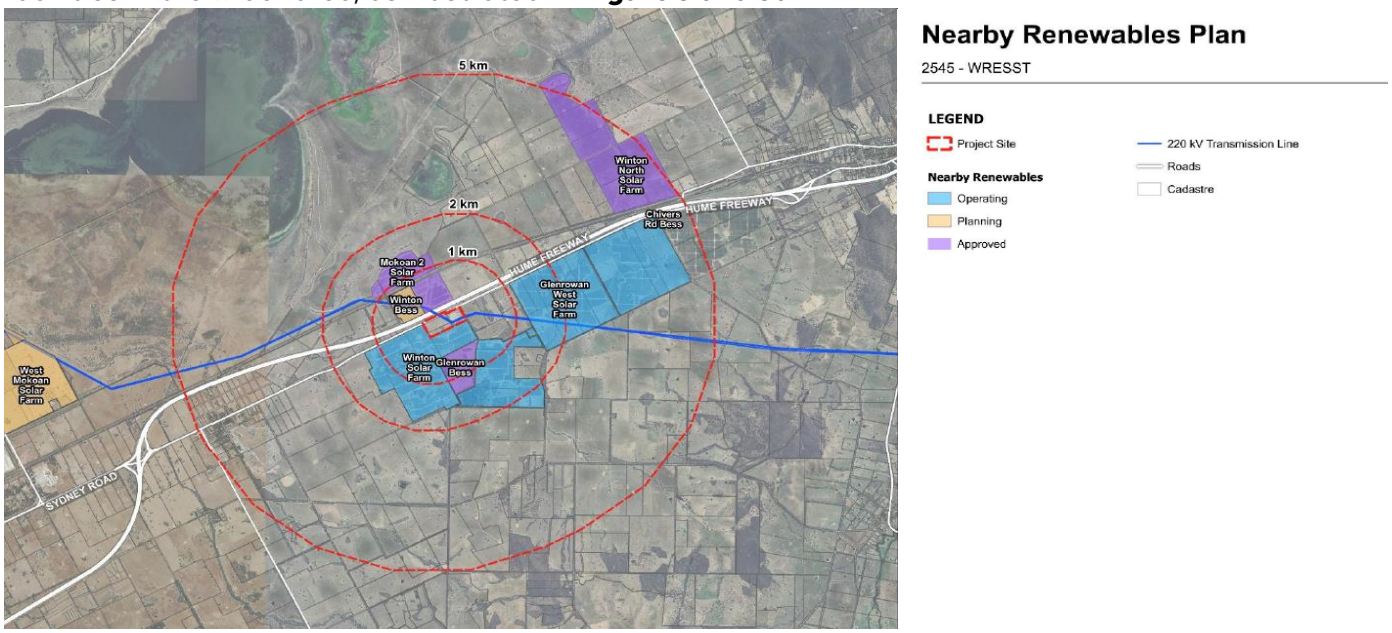

Figure 3 and 3a:

Above: View of nearby energy projects.

Right: View over site towards Winton Solar Farm



20. A site inspection of the subject site and surrounds was undertaken in October 2026**.** Images of the site and surrounds are reflected in **Figures 4-6**.



Figure 4: View of site towards Glenrowan Terminal Station



Figure 5: View of the north-west of the site



Figure 6: View of Glenrowan Terminal Station, from Winton-Glenrowan Road

Referrals

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

Organisation	Referral Type	Provision/ Clause	Response Date	Response	DTP Assessment
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.	4 August 2026	No objection subject to conditions regarding development and activities within the transmission easement, separation distances, overhead line clearances and connection to AusNet's infrastructure. All future works within the easement require AusNet's written approval prior to the commencement of works on site.	These conditions have been included in the recommendation.

Organisation	Referral Type	Provision/ Clause	Response Date	Response	DTP Assessment
WorkSafe	Determining	66.02-7 – To use land for an industry, utility installation or warehouse if any of the following apply: a fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022	14 September 2026	No objection subject to conditions requiring: - That an Emergency Management Plan be developed in line with CFAs Guidelines, and for it to include mitigation strategies to reduce impact on the Hume Highway in case of an emergency; - An updated Fire Safety Study; - Plans in place to ensure early access to safety information.	These conditions have been included in the recommendation.

Public Notice

22. In accordance with section 52 of the PE Act, public notice of the application was given between **21 August 2026** and **21 September 2026**.
23. Notice was given in the following manner:

Section of PE Act:	Notice was given to:	Given by:
52(1)(a)	Owners and occupiers of adjoining land	Permit applicant
52(1)(b)	Benalla Rural City Council	DTP
52(1)(c)	N/A - The scheme does not prescribe any notice	
52(1)(d)	**In accordance with section 52(2) of the PE Act, notice under 52(1)(d) was given in the following ways:**	**Given by:**

52(2)(a)(ii)	Benalla Ensign newspaper for one issue.	Permit applicant
52(2)(a)(iii)	Owners and occupiers of all land within **1** km of the project boundary	Permit applicant
52(2)(b)	To the following agencies: - Head, Transport for Victoria (Head, TfV) - CFA - Yorta Yorta Nation Aboriginal Corporation - Energy Safe - Goulburn Broken Catchment Management Authority - VicGrid	DTP

24. **34** submissions (including **28** objections) have been received at the time of writing this report.

Public objections and submissions

25. There were 27 were objections and 3 submissions made from members of the public. The following concerns were raised in the objections, or otherwise requested to be addressed by submitters:
    - Loss of productive agricultural land
    - Incompatible use in a rural landscape
    - Cumulative impacts of energy developments in the area
    - Landscape and visual impacts, including rural character
    - Biodiversity impacts, including wildlife corridors and Winton Wetlands
    - Flooding, drainage and emergency access
    - Bushfire risk and emergency response, including local CFA brigade capabilities
    - Risk of fire, thermal runaway and resulting pollution
    - Adequacy of the application's supporting documentation, including final equipment specifications and plume modelling
    - Contaminated firefighting water and runoff
    - Impacts on agricultural land and food production from potential contamination
      Biosecurity risks
    - Traffic impacts during construction and potential Hume Freeway closures
    - Lack of community consultation and communication
    - Community and social impacts
    - Matters related to local businesses, property values and compensation
    - Post-incident testing, quarantine and remediation responsibilities.
    - Smoke, gases and potential plume consequences during a serious battery incident.

<u>Benalla Rural City Council</u>

26. The council also submitted an objection, dated 4 September 2026, raising concerns regarding the proposal, including:
    - Concerns about the application process being rushed ahead of the caretaker period
    - Cumulative loss of agricultural land and fragmentation of farming operations
    - Incompatible use in a rural landscape and impact on rural character
    - Strategic implications of converting to an energy hub
    - Precedent for further conversion for industrial development within FZ

- Impacts on rates, lack of recognition and lack of financial support to Benalla for their role in supporting Victoria's energy transition.
- Impacts to local roads and infrastructure
- No major upgrades to critical infrastructure are proposed to support construction activities and operation of the BESS.
- Lack of community consultation
- Absence of demonstrated Net Community Benefit Funding

27. The concerns raised by council and other objectors are assessed in the relevant thematic sections of the report below, including matters of site suitability, cumulative impacts, noise, flooding and hydrology, fire risk, landscape and visual impact, agriculture, traffic, ecology and biodiversity impacts.
28. A response to some of the other prominent 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 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: *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.*
Tourism impacts	The proposal is unlikely to adversely affect tourism. The BESS is located on private agricultural land and will not affect access to tourist destinations. Any visual impacts are addressed via a condition for an on-site landscaping plan. It is further noted that there are already many solar farms constructed in the vicinity of the site. It is unlikely that the addition of this battery project would have a significant impact on tourism through visual impacts.
Lack of community consultation	Public notice of the application was given in one newspaper and to all properties within 1km of the site, in accordance with the requirements of s52 of the Act. Additionally, it is understood that applicant undertook extensive consultation with the community prior to the lodgement of the application, including via information session, newspaper advertisement, phone calls, meetings. Multiple meetings have occurred with council.
Lack of detailed design and equipment selection	Sufficient information has been provided to make an informed decision on this application. The recommendation includes several conditions requiring details for the final equipment and detailed design to be submitted and approved

Objector Concern	DTP Officer Response
	prior to construction. Conditions will also require a final predictive noise assessment to be provided prior to endorsement of plans.
No environmental and infrastructure bond	There is no requirement for an environmental and infrastructure bond under the Planning Scheme or the PE Act. A Decommissioning Plan and Dilapidation Surveys are required and will be addressed via a permit condition.
Not in a Renewable Energy Zone	On 17 August 2025, VicGrid released the Victorian Transmission Plan (VTP), a 15-year strategic plan outlining the infrastructure required to transition Victoria's electricity system to renewable energy. The VTP identifies Renewable Energy Zones (REZs), which indicate preferred locations for new renewable energy generation and supporting transmission infrastructure. In 2026, five of these onshore REZs were declared; however, neither the Victoria Planning Provisions nor the VTP will require that all new projects be located exclusively within these areas. Planning permit applications are assessed on their individual merits against the relevant planning legislation and policy. Separate to this planning approval, the proponent would be required to seek access and connection into the grid which is a separate regulatory process.

29. Additionally, 3 submissions were received from government agencies and authorities (who were not referral authorities under section 55 of the PE Act), as summarised below.

Submitter	Date received	Summary of submission	DTP Officer Response
Goulburn Broken Catchment Management Authority	4 September 2026	No objection subject to the following conditions: - Further flood modelling must be undertaken to determine the site's flood risk and submitted to the Goulburn Broken Catchment Management Authority for review and endorsement. - Flood-sensitive infrastructure and buildings must be constructed at the highest of 300 millimetres above the modelled 1% AEP flood level, 300 millimetres above surrounding ground levels, or a higher level required by the responsible authority.	See hydrology section of assessment.
Head, Transport for Victoria	2 September 2026	No objection. No conditions recommended.	

Submitter	Date received	Summary of submission	DTP Officer Response
Country Fire Authority (CFA)	21 September 2026	No objection subject to conditions. Conditions include: - Preparation of a Risk Management Plan - Preparation of an Emergency Plan and Fire Management Plan - Implementation of all fire protection measures prior to commencement of use.	See discussion of bushfire risk in the Assessment section below. CFA's conditions have been added to the recommendation.

30. Overall, it is considered that the matters raised in the objections which are relevant to the planning assessment are suitably addressed by the application, subject to the recommended permit conditions.

Assessment

Key Considerations

31. The Benalla Planning Scheme (the scheme) contains policies and controls that guide the assessment of 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.
32. The following are deemed the key considerations in assessing the proposal:

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

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 identified for inclusion where appropriate.
(e) Any significant environmental effects	Addressed through biodiversity, native vegetation, hydrology, fire, construction, landscape, amenity and environmental management considerations throughout the report.

s60 Mandatory consideration	How this is addressed in this report
(f) Any significant social and economic effects	Social effects are addressed through discussion on community concerns, amenity, consultation, safety, traffic, landscape and cumulative impact considerations throughout the report. Economic effects are addressed through storage energy benefits, regional investment, employment, agricultural land use, local economic impacts and decommissioning considerations throughout the report. The proposal is appropriately located in an area where there is existing energy generation and utility infrastructure. The project will contribute to the local economy by creating up to 90 jobs during the construction phase and up to two jobs during operational phase, meeting the objectives of clause 17.01-1S. The use will also contribute to the enhancement of the electricity network by ensuring grid reliability during peak demand periods.
1A(f) Any other relevant matter	Addressed within the assessment of the relevant zones, overlays and particular provisions, including clauses 52.05, 52.17. Clause 65 decision guidelines have also been considered. The assessment has had regard to the matters relevant to the decision, including the MPS, PPF, purpose and decision guidelines of relevant zones, overlays and particular provisions, orderly planning, the effect on amenity, the suitability of the land for the proposed use and development, environmental, social and economic effects, traffic and access, infrastructure, native vegetation, referral authority responses, objections and submissions, and proposed permit conditions.

Permit Triggers

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

Clause	Permit Trigger
35.07-1 (FZ)	Use of land for a utility installation.
35.07-4 (FZ)	Construct a building or construct or carry out works associated with a section 2 use including: - A building which is within 100m of a Transport Zone 2 - Earthworks which change the rate of flow or the discharge point of water across a property boundary - Earthworks which increase the discharge of saline groundwater
42.02-3 (VPO3)	To remove, destroy or lop any vegetation specified in a schedule to this overlay

Clause	Permit Trigger
52.05 (Signs)	Display of business identification signage
52.17 (Native vegetation)	Remove, destroy or lop native vegetation, including dead native vegetation

Strategic Direction and Policy Context

34. Overall, the Purpose and Vision for Victoria (Clause 01), Municipal Planning Strategy (Clause 02) and the Planning Policy Framework (PPF) of the scheme encourage the facilitation of renewable energy and storage projects, on balance with the protection of the environment and agricultural land. In particular, Clause 01.01 (Purposes of this Planning Scheme) identifies that a key purpose of the scheme is "to support responses to climate change".
35. The project is supported by *Plan for Victoria* (2025), which seeks to ensure that 'Regional Victorian communities will attract and benefit from investment in renewable energy – wind, solar and battery storage – projects'.
36. Additionally, *Victoria's Renewable Energy Action Plan, 2018* and *Victoria's Climate Change Strategy, 2021* and the *2025 Victorian Transmission Plan* all outline the importance of renewable energy generation and battery storage projects in Victoria's renewable energy transition and the role they plan in stabilising the electricity grid.
37. While the projects is not located within a declared Renewable Energy Zone (REZ), it is appropriately located in close proximity to Glenrowan Terminal Station and other renewable energy generation projects.

Municipal Planning Strategy (MPS)

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

Clause	Description	Assessment
02.01	Context	The MPS acknowledges the Benalla Council is a diverse rural municipality in north-eastern Victoria and is characterised by major environmental features, agricultural production and transport infrastructure. Council's vision is to provide a sustainable, thriving and cohesive community where lifestyle, culture, health and wellbeing are supported by strong leadership and community partnership. The application provides for a $750M project within the municipality, creating local employment opportunities in both construction and operation stages. The proposal has generally been sited to protect the key biodiversity values on site, respond to fire risk, and ensure only a minor reduction in agricultural production. The proposal responds appropriately to this policy context by providing a BESS in an appropriate location with minimal impacts on the valued elements and amenity of the area.
02.02	Vision	
02.03	Strategic Directions	
02.04	Strategic Framework Plans	

Planning Policy Framework (PPF)

39. An assessment of the project against the relevant objectives and strategies of the Planning Policy Framework (PPF) is provided in the table below:

Clause	Description	Assessment
Clause 12	**Environment and Landscape Values**	
12.01-1S	Protection of biodiversity	Clause 12 focuses on the protection of ecological systems, native vegetation, biodiversity, and identified environments or landscapes. Where possible, the project has avoided impacts to ecological values, including: - Avoidance of high-quality areas of native vegetation. - Limitation of native vegetation impacts to 0.286 hectares, resulting in an offset requirement of 0.065 general habitat units. - Design refinements to avoid impacts on Grey Box Woodland trees. - Measures to minimise impacts on the potential habitat and presence of the Regent Honeyeater. - Siting of the majority of project infrastructure within cleared agricultural land. - Location of key infrastructure within previously disturbed areas where possible. - Refinement of the project layout to retain existing vegetation and minimise vegetation removal. Conditions of the recommendation will further minimise impacts to biodiversity values during construction through the inclusion of a CEMP. The CEMP will provide measures for native vegetation protection fencing and establish no-go zone areas during construction. Please refer to hydrology and biodiversity sections for further information.
12.01-2S	Native vegetation management	
12.03-1S	Rivers and riparian corridors, waterways, lakes, wetlands and billabongs	
12.05-2S	Landscapes	The BESS will have limited visibility from major public vantage points, including the Hume Freeway, and will be further screened by proposed vegetation planting. The materials and finishes of the proposed BESS would not present a significant additional visual impact to the existing landscape. Refer to the landscape and visual assessment for further details.
Clause 13	**Environmental Risks and Amenity**	
13.02-1S	Bushfire	The facility has been developed in accordance with the *CFA's Guidelines and Model Requirements for Renewable Energy Facilities* (the CFA Guidelines) to appropriately respond to bushfire risks. Refer to the fire section of the report for assessment.
13.03-1S	Floodplain management	The BESS site is not located within any flood-related overlays but is within an area of low flood risk. Goulburn Broken CMA have recommended conditions that require addition flood modelling, and that the project be sited 300 millimetres above the applicable 1 in 100 AEP flood levels. The additional flood modelling must be provided to the Goulburn Broken CMA for review and endorsement. Subject to the conditions recommended by the Goulburn-Broken CMA and other mitigation measures discussed in

Clause	Description	Assessment
		the hydrology section of this assessment below, it is considered that the risk posed by the project in relation to flood impacts is appropriately managed.
13.05-1S	Noise management	The project is predicted to achieve compliance with the relevant noise limits. Conditions of the recommendation will require the preparation of a final predictive noise assessment, measuring impacts of the final selected equipment and infrastructure for the facility. Refer to noise assessment for further details.
13.07-1S	Land use compatibility	As discussed further on in this assessment, the proposed use is considered acceptable with appropriate mitigations in place, on balance with the benefits of the provision of a storage facility.
Clause 14	**Natural resource management**	
14.01-1S	Protection of agricultural land	The project site is currently used for rural residential purposes and is not used for high-intensity agricultural production. Further, the site is not recognised within the Benalla Panning Scheme as being high quality. The proposal will occupy approximately 6.5 ha of the broader 15 ha lot. The project site is bounded by Winton-Glenrowan Rd to the north, Glenwest Lane to the east, and Winton Solar Farm to the west and south, limiting the opportunity for land to be consolidated into any larger agricultural holding. Conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the BESS ceases operations, to ensure that the land continues to remain suitable for agricultural uses into the future.
14.02-1S	Catchment planning and management	No waterways contained on BESS site or Glenrowan Terminal Station. With the recommended mitigation measures in place, the project is unlikely to have major impacts on flood within and outside the site or adversely impact adjacent properties. Refer to the hydrology section of the report for assessment.
14.02-2S	Water quality	
Clause 17	**Economic Development**	
17.01-1S	Diversified economy	The proposed BESS meets the objectives of clause 17 by creating up to 100-150 jobs during the construction and 4-6 FTE jobs during operation of the facility and by supporting the rural economy to grow and diversify.
17.01-1R	Diversified economy - Hume	
Clause 18	**Transport**	
18.01-1S	Land use and transport integration	The construction traffic impacts can be suitably managed through the preparation of a TMP and operational impacts on the road network will be negligible. Impacts are temporary and manageable. The development will not significantly change long-term traffic volumes. Refer to traffic assessment for further details.
18.01-1L	Land use and transport integration - Benalla	
18.02-4S	Roads	
Clause 19	**Infrastructure**	
19.01-1S	Energy supply	

Clause	Description	Assessment
19.01-2S	Renewable energy	The proposal is consistent with clause 19 which supports the renewable energy led transition to a low-carbon economy with reduced greenhouse gas emissions. The proposed facility is estimated to store approximately 400MW of electricity, and although it is not a renewable energy facility, battery storage plays a supporting role to the energy transition. The proposed BESS will also assist the delivery of power during peak times to the network to meet community demand for energy needs. The project is not located within a declared renewable energy zone. However, the proposed BESS is a utility installation, not a renewable energy facility, and it is co-located with existing and approved renewable energy and utility installation facilities.
19.01-2R	Renewable energy - Hume	

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

Zoning and Overlays

Farming Zone (FZ)

41. The BESS site is predominately located within the FZ as shown in **Figure 7**



Figure 7: Zoning map of subject site and surrounds

41. The FZ seeks to (as relevant) provide for the use of land for agriculture, encourage the retention of productive agricultural land, ensure that non-agricultural uses do not adversely affect the use of land for agriculture, encourage the retention of employment and population to support rural communities, and encourage the use

and development of land based on comprehensive sustainable land management practices and infrastructure provision.

42. Having regard to the relevant decision guidelines at clause 35.07-6, the proposed use and development is appropriate in the FZ as follows:
    - The proposal is located on land that has low agricultural potential and is currently used as a rural residential property. It does not prevent or impede on the ability for surrounding properties in the FZ to continue to use their land for agricultural purposes and renewable energy facilities.
    - The BESS is co-located and proximate to other renewable energy generation and transmission infrastructure supports the efficient integration of energy infrastructure and avoids unnecessary land consumption elsewhere in the region.
    - The built form will be sufficiently setback from adjoining properties, with the nearest non-stakeholder dwelling located approx. 590m from the site.
    - The siting and low-profile design of the BESS infrastructure minimises visual and environmental impacts, and materials and colours will be selected to reduce visual contrast with the landscape. There is existing roadside vegetative screening, and a landscape plan will be required via a permit condition.

43. There will be a minor reduction (approx. 6.5 ha) in the extent of land. However, this is not currently under agricultural production, and it will not be a permanent loss given that conditions of the recommendation will require the facility to be decommissioned at the end of its operational life.
    - The project will not affect soil quality, and the site can be returned to its existing condition when the BESS ceases use.
    - The BESS site is within an area with limited flooding data available. The Goulburn Broken CMA has requested further flood modelling be undertaken and included various conditions including one that requires infrastructure be built 300 millimetres above the applicable levels to manage these matters.
    - The traffic impacts of the construction and use of the facility are discussed further in the relevant section of this report and are acceptable subject to Head, TfV conditions.
    - The proposal is expected to create up to 150 jobs during construction and up to 6 jobs during operation, encouraging long-term regional employment opportunities.
    - The proposal has considered potential fire hazards and incorporates safety design recommendations in accordance with CFA requirements, including fire breaks, site access and appropriate separation.

Vegetation protection Overlay – Schedule 3 (VPO3) Regent Honeyeater Habitat/Lurg Ironbark Vegetation Protection Area

44. The proposal is within the Vegetation Protection Overlay, Schedule 3 (Regent Honey Eater Habitat / Lurg Iron bark Vegetation Protection Area) (VPO3). The purpose of the overlay is to protect and prevent the removal of native vegetation in areas that support the Regent Honeyeater.

45. More specifically, VPO3 specifies that an application must show measures to minimise removal of Mugga Ironbark, White Box, Yellow Box, and Blakely's Red Gum, as these species are vital to the survival of the Regent Honeyeater and other threatened wildlife.

46. The proposal includes an Ecological Assessment, prepared by DM Ecological and dated June 2026, which assesses the vegetation proposed for removal and identifies measures taken to avoid and minimise impacts on native vegetation and habitat values.

47. This report specifies that this proposal seeks to remove 4 native trees and 0.286 hectares of native vegetation. It is noted that one of these trees is a small Yellow Box. The Ecological Assessment notes that this tree is non-hollow bearing and contains one stick nest attributable to an Australian Magpie. The Ecological Assessment

finds that removal of this tree is unlikely to reduce the available habitat for Regent Honeyeater, given its isolated location within the paddock and known Regent Honeyeater behaviour.

48. The Ecological Assessment concluded that the proposed works are unlikely to significantly impact any threatened flora species, threatened ecological communities, or threatened fauna species under the FFG Act and the EPBC Act. This includes the Regent Honeyeater, which is identified as a key species to be protected under the schedule to the VPO. The assessment determined that the native vegetation and scattered trees within the subject site do not provide suitable foraging, breeding, or habitat resources for the Regent Honeyeater and, as such, the proposal is unlikely to adversely affect this species. Please see biodiversity section for further assessment on this matter.

Particular and General Provisions

Clause 52.05 – Signs

49. Clause 52.05 seeks to regulate the development of land for signs and ensure they are compatible with the surrounding area.
50. Pursuant to clause 52.05-14, a permit is required to display business identification signage, noting the total display area must not exceed 3sqm.
51. As part of this project, a small business identification sign is proposed to be placed at the entrance to the site. While design details are unknown, the application notes that the sign will be no more than 3 m2 and will provide for appropriate identification of the facility and directions for workers and visitors. The sign will not be illuminated. The details of the sign are proposed to be finalised at the detailed design stage. Other minor signs that do not require a permit may be installed on the site.
52. The location, scale and purpose of the sign is considered acceptable to the size of the facility and the character of the surrounding landscape. It is considered the sign will provide appropriate site identification without impacting on the amenity of the surrounds or road safety.
53. As such, the proposed sign is considered to meet the objectives and decision guidelines of clause 52.05. It is recommended the details of the proposed signage can be confirmed via a permit condition.

Clause 52.06 – Car Parking

54. Clause 52.06 (Car parking) seeks to ensure that an appropriate number of car parking spaces is provided for new uses.
55. Pursuant to clause 52.06-6, car parking must be provided to the satisfaction of the responsible authority.
56. During construction, it is proposed that parking will be provided across the broader site for construction staff as required. Once operational, car parking for staff will be provided within a parking area at the entrance of the facility near the Operations and Maintenance building. This is expected to provide 4 spaces to service sporadic site attendance for maintenance and inspection purposes.
57. The number of carparking spaces proposed is considered acceptable given the low car parking demand during the operational phase.

Clause 52.17 – Native Vegetation

58. Pursuant to clause 52.17-1 of the Benalla Planning Scheme, a permit is required to remove, destroy or lop native vegetation.
59. 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):*
        - *Avoid the removal, destruction or lopping of native vegetation.*
        - *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
        - *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

- *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

60. An Ecological Assessment has been undertaken by DM Ecological to support this application.
61. The proposal seeks to remove of up to 0.286 ha of native vegetation, comprising:

- Extent of proposed removal – Patches (ha) – 0.083
- Extent of proposed removal – Scattered Trees (ha) – 0.203
- Removal of zero large patch trees
    61.1. Removal of two large, scattered trees
- Two small scattered trees

62. The location of the proposed native vegetation to be retained / removed can be found in **Figure 8.**

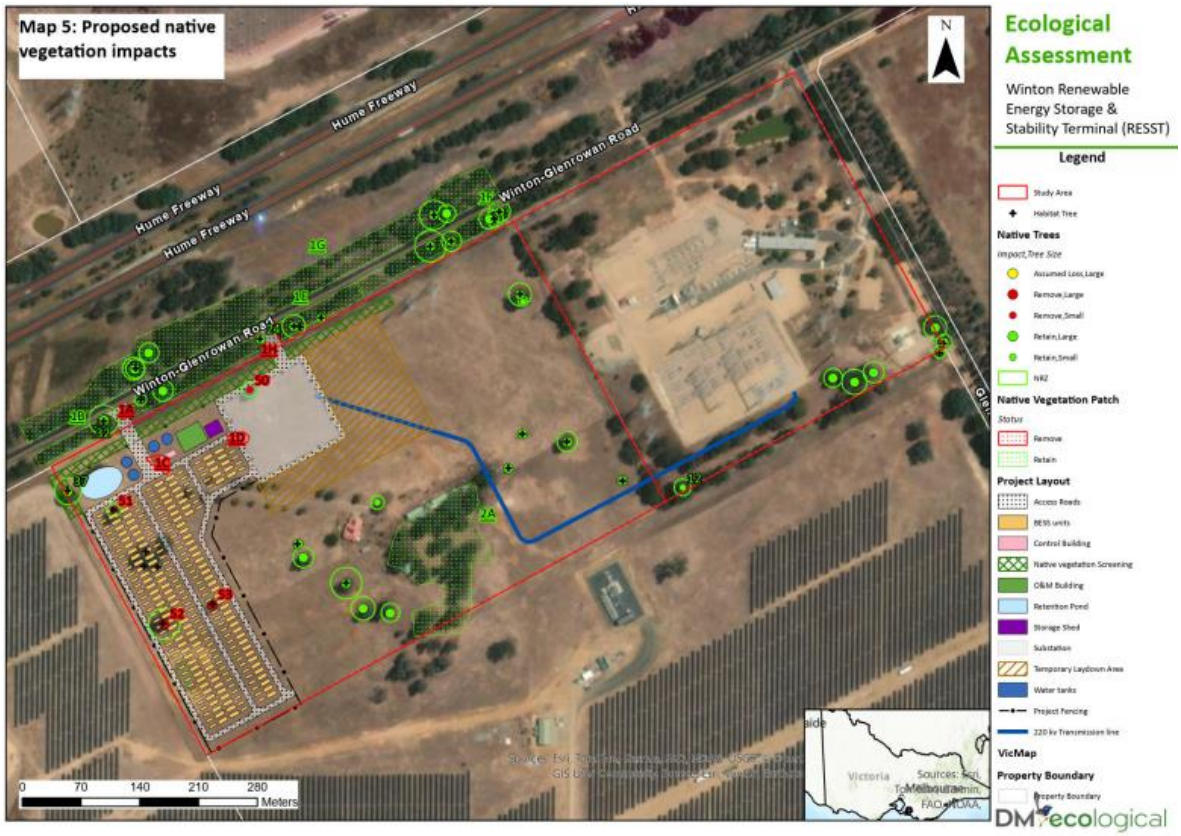

Figure 8: Ecological Assessment – DM Ecological

63. As the site is located within Location 2, and the application proposes the removal of 0.286 ha of native vegetation, the application falls under the Intermediate Assessment Pathway of the Guidelines, and as such does not require referral to DEECA.
64. The Ecological Assessment contains the avoid and minimise statement for the project. The design and development of the facility has avoided and minimised impacts to native vegetation by locating infrastructure and services in areas of cleared farmland.
65. Offsets required to compensate for the proposed removal of native vegetation from the site are:
    - 0.065 general habitat units, with following offset attribute requirements:
        - A minimum strategic biodiversity value of 0.3466
        - 2 Large Trees
        - Located within the Goulburn Broken CMA or Benalla Rural City LGA
66. Under the Guidelines all offsets must be secured prior to the removal of native vegetation. A condition will be included in the recommendation accordingly.
67. Refer to additional discussion of biodiversity matters further on in this assessment.

Clause 53.22 – Significant Economic Development

68. Clause 53.22 seeks:

    - *To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.*
    - *To provide for the efficient and effective use of land and facilitate use and development with high-quality urban design, architecture and landscape architecture.*

69. This application is a Category 1 application at clause 53.22-1. As such it is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the PE Act.

Other Matters

Agricultural Impact

70. Clause 14.01-1S (Protection of agricultural land) seeks to protect the state's agricultural base by preserving productive farmland.
71. The application includes a Planning Permit Application Report prepared by Cogency, dated June 2026, which outlines agricultural considerations for the proposal.
72. It is noted:
    - The land is considered to have low agricultural potential, as it is currently used as a rural residential property.
    - The proposal has a relatively small development footprint, with the BESS project area covering approx. 6.5 ha of the 15 ha site.
    - The project is strategically located to existing energy infrastructure, being adjacent to the existing Glenrowan Terminal Station.
    - The proposal would not limit nearby agricultural operations, particularly given several of the adjoining and nearby properties are already used for renewable energy generation. More specifically, the proposal is proximate to Winton Solar Farm and Glenrowan West Solar Farm.
73. Overall, the proposal's impact on agricultural land is considered acceptable. Conditions have been included in the recommendation requiring the rehabilitation of the site back to its prior condition after the facility ceases operation, to ensure that the land remains suitable for agricultural use into the future.

Bushfire Risk

74. The subject site is located within a Bushfire Prone Area (BPA), but it is not affected by the Bushfire Management Overlay (BMO).
75. Clause 13.02-1S (Bushfire Planning) requires all applications in a BPA to have consideration of bushfire risk, to strengthen the resilience of settlements and communities and prioritise the protection of human life.
76. The application is supported by a Risk Management Plan (including Fire Safety Study) prepared by NJM Design, dated 2 June 2026, which has been prepared in accordance with the *CFA's Design Guidelines and Model Requirements: Renewable Energy Facilities v.4.4 (June 2025)* (the CFA Guidelines).
77. The Risk Assessment found that the proposal can achieve an acceptable level of fire safety risk management through appropriate design, separation distances, and mitigation measures. Subject to detailed design review and compliance with relevant Australian Standards and NCC requirements, the assessment found that the proposal is not expected to result in significant off-site fire impacts and can be safely operated with manageable residual risk. The proponent notes that once a BESS supplier has been selected, an updated Risk Management Plan will be provided to confirm these conclusions before construction.
78. The project has incorporated bushfire mitigation measures in its design, including:

    – Access to the site to include full perimeter access to the BESS area, including appropriate widths and
    – Static water supply tank of 576,000 litres made of concrete or steel
    – 10m wide fire breaks around the perimeter of the site and screening vegetation
    – Compliant fire detection and suppression infrastructure

- Clearence between BESS units that is 3m
- Ongoing maintenance programs for the life of the facility (e.g. vegetation management plan)

79. As part of the assessment process, notice of the application was given to CFA who did not object to the application, subject to conditions that have been included in the recommendation requiring:

- Amended plans to be modified to show any changes required to comply with CFA conditions
- Risk Management Plan
- Emergency Plan & Fire Management Plan
- All fire protection measures shown on the endorsed plans must be implemented before the use starts.

80. Overall, DTP is satisfied that fire risk on site can be managed subject to the inclusion of CFA's recommended conditions and has recommended that these be included in the permit.

Dangerous Goods

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

Noise

84. Clause 13.05-1S (Noise management) requires the consideration of noise effects on sensitive land uses, including the consideration of the noise requirements of the *Environment Protection Regulations* (EP Regulations) under the *Environment Protection Act 2017* (EP Act) and the *Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826.5, Environment Protection Authority)* (the Noise Protocol).
85. The application is supported by a Noise Impact Assessment (NIA) prepared by SLR Consulting Pty Ltd. The assessment has been prepared in line with the Noise Protocol and the EP Regulations.
86. The assessment identified 13 sensitive receptors within approximately 3 km of the subject site and concluded that operational noise from the proposal is predicted to comply with the applicable Noise Protocol at all sensitive receivers for all relevant time periods under 3 scenarios applied in the assessment. See **Figure 9** below.

Receiver	Noise Target (D/E/N), dBA	Predicted Noise Level with 2 dB Tonal adjustment, dBA			Compliance?
		Scenario 1: Day	Scenario 2: Evening	Scenario 3: Night	
R2	52/47/42	43	43	40	Yes
R3	50/45/40	39	39	36	Yes
R4	40/37/34	37	37	34	Yes
R5	39/36/34	36	36	33	Yes
R6	39/36/35	31	31	28	Yes
R7	39/36/34	28	28	25	Yes
R8	42/39/37	29	29	26	Yes
R9	42/39/37	28	27	25	Yes
R10	39/36/34	27	27	24	Yes
R11	40/34/29	20	20	18	Yes
R14	40/34/29	24	24	21	Yes
Campground	40/35/30	31	30	28	Yes

Figure 9: EPA Noise Protocol Assessment Results

87. The NIA also considered cumulative noise for the project, together with the existing industries in the vicinity of the project. Considering the modelled operating fan duties, operational noise levels (with 2 dB tonal adjustment factor applied) are expected to comply with the noise limits at all receivers throughout the Day, Evening and Night periods.
88. Construction noise impacts were also assessed. The NIA found that construction of the BESS facility may be audible for several receivers from time to time, however noise impacts are minimised due to the distance to receivers, and works being temporary and conducted during EPA normal working hours (day period) only.
89. While the project is predicted to comply with the Noise Protocol, the NIA recommended that all plant, equipment and design layout be reviewed during the detailed design stage to ensure that compliance with the noise criteria, including cumulative noise, is maintained as the acoustic performance of the plant and layout is refined.
90. Clause 13.05-1S also requires consideration as relevant of the Environment Reference Standard (Gazette No. S 245, 26 May 2021) (ERS).
91. Winton Wetlands is located approximately 2km to the northwest of the site. Winton Wetlands is considered to be ecologically and culturally sensitive due to the presence of fauna in the area. The NIA noted that although noise limits under the Noise Protocol do not apply to this area, based on noise emissions predicted at the Campground, BESS operational noise levels are expected to be less than 30dBA during the day, evening and night periods. The NIA found these anticipated noise emissions from the Wetlands are unlikely to be audible. The predicted noise levels within the wetlands were also expected to be less than 40dBA for all construction stages. The NIA considered these noise impacts to be insignificant and unlikely to be intrusive to any humans visiting the wetlands.
92. A condition has been included on the permit requiring the proponent to prepare an updated predictive noise assessment which models the final design and components of the facility against the Noise Protocol, prior to the endorsement of plans. This will ensure that any noise mitigation measures required to achieve the noise limits are shown on the endorsed development plans.
93. A further condition will be added to the permit to ensure that the existing residence onsite cannot be used for accommodation purposes for the duration of the project.
94. The Victorian Environment Protection Authority (EPA) will be responsible for regulating the project's compliance with the Noise Protocol in accordance with the EP Regulations under the EP Act. A permit note will be included on the permit explaining that the facility must comply with EPA Publication 1826.5.

Traffic

95. Clause 18.01-1S, the FZ and clause 65.02 all require consideration of access and traffic impacts relating to the proposed use and development.
96. A Transport Impact Assessment has been prepared by One Mile Grid, dated 29 May 2026.
97. The site abuts Winton-Glenrowan Road, which is within a Transport 3 Zone. To the north of this road (running parallel) is the Hume Highway.
98. It is expected that most vehicles will approach the site from the west along Winton-Glenrowan Road via Hume Freeway, with the closest interchange with Hume Freeway located roughly six kilometres west of the subject site. Similarly, vehicles are anticipated to exit the site to the west using Winton Glenrowan Road to reach Hume Freeway. The access route in the vicinity of the site is depicted below.



Figure 10: Access and Egress Routes

99. Two access points are proposed along Winton-Glenrowan Road. The existing access point / driveway at the north-western corner of the site is proposed to be upgraded to accommodate construction vehicles and will serve as the primary site access. A secondary access point is proposed to be established approximately 155 metres east of the primary access. Both access points will be utilised during construction, with the secondary access retained for emergency vehicle use only during operation.
100. The proposal will generate its highest traffic levels during the construction phase. The assessment found that during the operating phase, the facility would require periodic maintenance and inspection visits. As such, the proposal is expected to generate a low volume of ongoing traffic and is not anticipated to adversely affect the capacity, efficiency or safety of the surrounding road network.

Stage	Duration of Stage	Light Vehicles	Semi-trailers (19.0m)	26m B-Double (BD)	Total
Civil Works	6 months	80	50	0	130
Construction	10 months (Overlap preceding and following stages)	160	50	7	217
Commissioning	6 months	80	10	0	90

Figure 11: Anticipated Daily Traffic Movements

101. The assessment found that given current traffic levels, and the previous use of Winton-Glenrowan Road for construction traffic, that additional intersection upgrades are not considered necessary. The assessment found that safe turning movements can be accommodated at both access points without significant road upgrades.
102. The assessment recommended that advanced warning signage is recommended at both access points during construction to assist vehicle movements and notify motorists of temporary traffic changes. It also recommends a Construction Traffic Management Plan (CTMP) be prepared to outline traffic management and mitigation measures during construction.
103. The Head, TfV has reviewed the proposal and has raised no objection.
104. Council's objection raised the need for a critical Infrastructure dilapidation survey be undertaken by independent consultant, agreed to by council. In response, a TMP condition has been recommended that will require a program to inspect, maintain and (where required) repair public roads.
105. The TMP is to be prepared in consultation with, and approved by, the relevant road authorities. This TMP would be expected to address matters relating to construction traffic, vehicle access routes, cumulative traffic, road safety and the management of heavy vehicle movements. Conditions also require that any roadworks identified in the approved TMP must be delivered at no cost, and to the satisfaction of the relevant road authority.

Hydrology

106. Clauses 12.03-1S seeks to protect and enhance waterway systems, including waterways and wetlands. Clause 13.01-1S seeks to minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.
107. The application is supported by a Hydrology and Stormwater Management Assessment, dated May 2026, prepared by Dalton Consulting Engineers.
108. The study area for the assessment comprises approximately 26 hectares (ha), which includes the Glenrowan Terminal Station and the associated 15 ha development area. The proposed BESS development footprint occupies approximately 6.5 ha. The Winton Wetlands are located downstream of the study area and have therefore been considered as part of this assessment from both a hydrology and water quality perspective.
109. The assessment found while the study area is not subject to riverine flooding, potential flooding caused by limited culvert capacity at the Winton–Glenrowan Road crossing, adjacent to the study area, may result in water ponding within the study area. It recommends further assessment be undertaken to better define the performance of the culvert during a major rainfall event. The modelling is also proposed to establish a 1% AEP flood level so the BESS is be sited above this level.
110. As part of the assessment, a stormwater management strategy was developed for the study area to ensure that the existing hydrology is maintained after development.
111. Key components of the stormwater management strategy include:
    - Indicative grading of the BESS development footprint to protect the utility installation from 1% AEP overland flows from the south and east.
    - Construction of bypass swales around the study area to direct external flows around the BESS development footprint.
    - A 1% AEP pipe to convey external flows from a small upstream catchment under the proposed BESS installation.
    - Internal conveyance swales to collect all surface runoff from the utility installation and direct it west-ward to the retention pond and intercept dam.
    - Construction of a retention pond at the western corner of the study area through the modification and integration of the existing dam. The retention pond will:
        - Provide a retention volume to reduce peak flows for events up to and including the 1% AEP to those experienced in the existing condition
        - Provide an intercept dam that can isolate surface runoff generated from the study area to protect downstream waterways, such as the Winton Wetlands, in case of a fire or other environmental incidents.
112. Notice was given to Goulburn Broken CMA, who did not object to the proposal and recommended permit conditions, that in line with the proponent's assessment, require further flood modelling be undertaken. Specifically, any infrastructure which is sensitive to the ingress of floodwaters, along with any constructed structures (i.e., control room and the operations/maintenance shed), must be constructed to the higher of 300 millimetres above the applicable 1 in 100 AEP flood level as determined by flood modelling undertaken in a future stage of the project. The flood modelling must be provided to the Goulburn Broken CMA for review and endorsement.
113. These conditions have been added to the recommended permit.

Biodiversity

114. Clause 12.01-1S (Protection of biodiversity) and Clause 12.01-2S (Native vegetation management), seek to protect and enhance Victoria's biodiversity.
115. The application was supported by an Ecological Assessment (EA) prepared by DM Ecological, dated July 2026.
116. The assessment found that the majority of the site has been cleared for agricultural activities. It notes that the proposed design has been guided by an avoid-and-minimise approach to environmental impacts and that the development footprint is sited within areas of low ecological value.
117. The EA found that the impacts of the project generally stem from the proposed native vegetation removal. More specifically, the removal of 0.286 ha of native vegetation for the proposed BESS infrastructure, access and

associated works; removal of four scattered trees; removal of habitat features associated with some trees, including hollows and nesting structures; and temporary disturbance of vegetation during construction.

118. It also found threatened fauna species listed under the EPBC Act and/or FFG Act that have potential to occur at the site and road reserves, including Gang-gang Cockatoo (EPBC – Endangered, FFG – Endangered), Painted Honeyeater (EPBC – Vulnerable, FFG – Vulnerable), White-throated Needletail (EPBC – Vulnerable, FFG – Vulnerable), Diamond firetail (EPBC – Vulnerable, FFG – Vulnerable), and Grey-crowned Babbler (FFG – Vulnerable).
119. However, the EA determined potential impacts are not considered significant and are likely to be negligible. It is noted that significant impacts on threatened fauna is unlikely as the development footprint has been designed to avoid direct impact to these habitats where possible and minimise indirect impacts by avoiding large remnant trees.
120. The EA has provided mitigation measures to address any potential impacts, these recommended measures would be required as part of the Construction Environmental Management Plan (CEMP). For example, through the CEMP, vegetation and habitat nominated for retention will be treated as no-go zones and are not to be encroached upon as development progresses.
121. This proposal was also voluntarily referred to the Australian Government, under the EPBC Act, 1999. On 3 August 2026, it was determined the project is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed. Further consideration of the proposal under the EPBC Act is provided in Appendix 1.
122. Overall, it is considered that the proposal has been appropriately designed to minimise biodiversity impacts.
123. Permit conditions are recommended to ensure offsets be secured prior to the removal of native vegetation, and a CEMP be prepared ahead of works commencing onsite to manage environmental impacts associated with the construction stage of the project.

Landscape and Visual Impacts

124. Clause 12.05-2S (Landscapes) and the decision guidelines of the FZ both require the consideration of the project's landscape and visual effects on the character and appearance of the surrounding area, landscapes, open spaces and natural environment.
125. The application included a Landscape and Visual Impact Assessment (VIA) prepared by Peter Hack Consulting, dated 29 May 2026.
126. The VIA assessed 15 locations that were considered to be of higher sensitivity (see below). Due to the low profile form of the project and existing screening provided by vegetation, the detailed assessment viewpoints were confined to locations within 1km of the subject site and within the "theoretical zone of visual influence." More specifically viewpoints 1-8 were assessed in detail (see summary of findings below), while viewpoints 9 – 15 were within 1-2km away and were considered not to be impacted by the project.

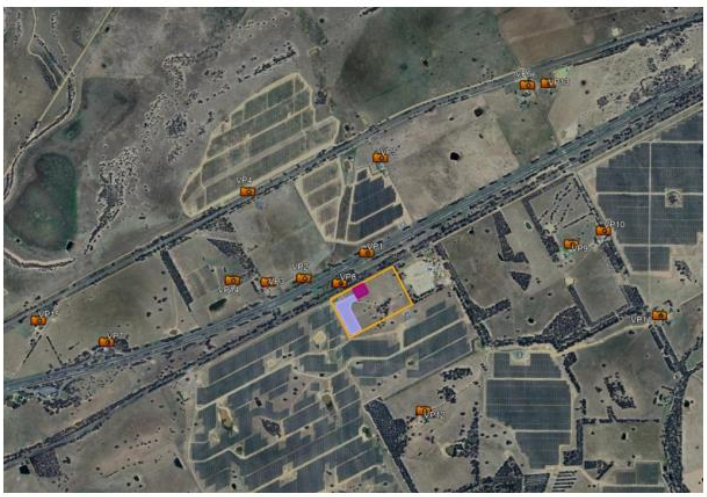

Figure 12: Assessed viewpoints locations, source VIA

Viewpoints	Proposed Amelioration	Residual Impact
1. Hume Freeway - Southbound	Perimeter screening	Not visible, to very low
2. Hume Freeway – Northbound	Perimeter screening	No impact, view would be fully screened.
3. Residence at Bowers Road	Perimeter screening, along northern and western perimeter	No impact or very low, screening would almost full screen the project.
4. Melbourne – Sydney Railway Line	None required	No impact
5. Residence at 116 Lee Road	Perimeter screening, along northern perimeter	No impact or very low, screening would almost full screen the project.
6. Residence at Eleven Mile Creek Road	Perimeter screening, along northern perimeter	No impact or very low, screening would almost full screen the project.
7. Hume Freeway – Northbound Rest Area	None required	No impact
8. Winton – Glenrowan Road southern verge to northeast and northwest of project area	Perimeter screening, along northern and western perimeter	Very low, screening would almost full screen the project. See **Figure 13.**



Figure 13: The existing view southwest from Winton-Glenrowan Road to the proposal (left) photomontage at completion of construction (middle) and photomontage at 5 years post construction (right)

127. The VIA found that, given the presence of solar arrays, electricity infrastructure, the adjacent terminal station and numerous transmission lines, the proposal would effectively be a small addition within an established energy precinct. As such, it would not constitute a large change to the developing character and its proposed "co-location" near existing infrastructure is in accordance with best practice.
128. It further found that the landscape setting has a generally high landscape absorptive capacity, with the landscape surrounding the proposal being comprised of flat to slightly undulating topography and vegetation that is scattered and occasionally arranged in dense bands. More specifically, that within this type of landscape, overlooking is generally not possible from most sensitive viewpoints, and even relatively low vegetation (up to eye-height) is effective at screening views.
The assessment recommended that the BESS units and other buildings be ameliorated with an appropriate choice of recessive surface colour. It also recommended that, although the proposal has limited initial visual impacts, that the interface with Winton-Glenrowan Road should be planted with a minimum 5m wide strip of

dense medium to tall shrubs and small to medium trees. Some photo montages of the proposal are included below.

129. The proposal is located within a landscape that includes existing renewable energy facilities and transmission infrastructure. In terms of cumulative impacts, the project would add additional infrastructure to this setting. However, the modest scale of the project, use of recessive colours and finishes, and the siting and proposed landscape screening ensure that any cumulative visual impacts when viewed by any nearby roads or sensitive receivers are minimal.
130. Overall, it is considered that the proposal will have an acceptable level of visual impact, on balance with the benefits of the provision of a BESS facility, subject to the implementation of the mitigation measures including requirements for a landscape plan, vegetative screening, and non-reflective and muted finishes of BESS units.

Cultural Heritage

131. The application included a Cultural Heritage Assessment, prepared by Niche Environment and Heritage (Niche), dated May 2026.
132. The assessment identified that the study area is not situated within an area of cultural heritage sensitivity under the *Aboriginal Heritage Regulations 2018*. It also noted that the study area has undergone various ground-disturbing activities, including land clearance, livestock grazing, development of residences and other energy infrastructure.
133. The study recommended that:
    - A mandatory Cultural Heritage Management Plan is not required under the *Aboriginal Heritage Regulations 2018* as the study area is not located within an area of mapped cultural heritage sensitivity.
    - A Cultural Heritage Permit is not required under the *Aboriginal Heritage Act 2006* for the proposed activity, as there are no recorded Aboriginal Places located within the study area.
134. No approvals are required for historic cultural heritage under the *Environment Protection and Biodiversity Conservation Act 1999*, the *Heritage Act 2017*, nor the *Planning and Environment Act 1987*.
    - A mandatory Cultural Heritage Management Plan is not required under the *Aboriginal Heritage Regulations 2018* as the study area is not located within an area of mapped cultural heritage sensitivity.

    A Cultural Heritage Permit is not required under the *Aboriginal Heritage Act 2006* for the proposed activity, as there are no recorded Aboriginal Places located within the study area. Although a mandatory CHMP is not required as the study area does not contain areas of cultural heritage sensitivity, the proponent has elected to prepare a voluntary CHMP to ensure that the cultural values and heritage of the Traditional Custodians are appropriately recognised, respected, and protected throughout the development process.
135. Notice of this application was given to Yorta Yorta Aboriginal Corporation, but they did not provide a response.
136. DTP is satisfied that the application responds to cultural heritage matters.

Social and Economic Effects

137. Sections 60(1)(f) and 60(1B) of the PE Act require the responsible authority to consider any significant social effects the use or development may have, including having regard to the number of objectors in considering whether the use or development may have a significant social effect.
138. A total of 34 submissions have been received, including 28 objections. Key issues raised in the objections have been carefully considered through this assessment process and mitigations have been proposed.
139. The proposal is also expected to bring economic benefits representing a $750M investment, including 100-150 jobs during the construction and 4-6 jobs during operation of the facility and by supporting the rural economy to grow and diversify.
140. It is considered that, on balance, the proposed development responds appropriately to the MPS and PPF of the Benalla Planning Scheme, and that the proposal achieves a net community benefit when balanced with its other social, economic and environmental outcomes.

Decommissioning

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

Staging

142. Given the scale of the proposed project/upon request of the proponent, conditions have been included on the permit to allow the use and development to be completed in stages, providing that the corresponding conditions/obligations are also satisfied in stages.

Other Victorian and Commonwealth legislation

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

Recommendation

145. The proposal has been considered against the matters at section 60 of the PE Act, is consistent with the relevant planning policies of the **Benalla** Planning Scheme and will contribute to the provision of **renewable energy storage.**
146. The proposal is supported by the various referral agencies, subject to conditions which have been included in the recommendation.
147. It is recommended that planning permit **PA2604454** for **use and development of land for a utility installation, display of business identification signage, removal of native vegetation and associated buildings and works** be issued under delegation from the Minister for Planning, subject to conditions.
148. It is recommended that the following stakeholders be notified of the above decision in writing:

- Applicant
- Benalla Shire Council
- Objectors
- All submitters, including the following agency submitters:
  - CFA
  - Head, Transport for Victoria
  - Goulburn Broken Catchment Management Authority
- Referral authorities:
  - AusNet
  - WorkSafe

Prepared by: [redacted]

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

☒ No Conflict

☐ Conflict and have therefore undertaken the following actions:

☐ Completed the Statutory Planning Services declaration of Conflict/Interest form.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form on to the hardcopy file.

☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [redacted]

Title: Senior Planner

Signed: [redacted]

Dated: 2 November 2026

Reviewed by: [redacted]

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

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Name: [redacted]

Title: Planner

Signed: [redacted]

Dated: 2 November 2026

Approved by: [redacted]

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

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☐ Conflict and have therefore undertaken the following actions:

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☐ Attached the Statutory Planning Services declaration of Conflict/Interest form into the relevant electronic workspace.

Name: [redacted]

Title: Manager, Energy Assessment

Signed: [redacted]

Dated: 2 November 2026

Attachment 1: Requirements under other legislation

Act	Discussion
***Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)**	Under the EPBC Act, an action that has, will have, or is likely to have, a significant impact on matters of national environmental significance (MNES), must be referred to the Commonwealth Minister for Environment and Water. Consideration of EPBC matters was provided in the submitted Ecological Assessment prepared by DM Ecological, Revision 4, dated 4 June 2026. The Ecological Assessment found no Matters of National Environmental Significance were recorded within the site, and it is unlikely there would be any off-site or indirect impacts to any Matters of National Environmental Significance. The proponent voluntarily referred this matter. On 3 August 2026, it was determined that the project is not a controlled action. Accordingly, the proposal does not require further assessment or approval under the EPBC Act.
***Environment Effects Act 1978* (EE Act)**	The EE Act requires the preparation of an Environmental Effects Statement (EES) for activities considered to have, or to be capable of having, a significant effect on the environment. *The Ministerial Guidelines for Assessment of Environmental Effects under the Environment Effects Act 1978* (DTP 2023) outlines the criteria for referring a project to the Victorian Minister for Planning who will determine if an EES is required. Consideration of EE Act matters were provided in the Ecological Assessment. The Assessment demonstrated that there will be no significant impacts on any flora and fauna species, or communities listed under the FFG Act.
***Aboriginal Heritage Act 2006* (AH Act)**	The AH Act seeks to avoid adverse effects to Aboriginal cultural heritage values as far as reasonably practicable. Where adverse effects cannot be avoided, measures must be implemented to minimise and mitigate adverse effects. The subject site is not located within an area of Aboriginal cultural heritage sensitivity. Although a mandatory CHMP is not required as the study area does not contain areas of cultural heritage sensitivity, the proponent has elected to prepare a voluntary CHMP to ensure that the cultural values and heritage of the Traditional Custodians are appropriately recognised, respected, and protected throughout the development process.
***Flora and Fauna Guarantee Act 1988* (FFG Act)**	The FFG Act seeks to promote the conservation of Victoria's native flora and fauna. The responsible authority (in their assessment of the project's environmental impacts has considered impacts on FFG threatened species. The responsible authority is also required to give proper consideration to the objectives of the FFG Act, so far as is consistent with the proper exercise of functions under the PE Act. It is noted that consideration has been given to Section 4 of the FFG Act, including its objectives and principles, and other areas where the responsible authority is expected to give proper consideration, including to relevant instruments made under the FFG Act.

Act	Discussion
	Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land. There are permit exemptions under the FFG Act which apply to the non-commercial removal of protected flora from private land, unless there is 'critical habitat' that has been declared on the land. The application included an Ecological Assessment prepared by DM Ecological, Revision 4, dated 4 June 2026. The Assessment found that no fauna communities listed under the Victorian FFG Act were recorded within the study area. The Assessment concluded that the proposed works are unlikely to significantly impact any threatened flora species, threatened ecological communities, or threatened fauna species under the FFG Act and the EPBC Act. This includes the Regent Honeyeater, which is identified as a key species to be protected under the VPO3. The assessment determined that the native vegetation and scattered trees within the Project Site do not provide suitable foraging, breeding, or habitat resources for the Regent Honeyeater and, as such, the Proposal is unlikely to adversely affect this species. It is noted that native vegetation offsets are required to be secured prior to the removal of any native vegetation, which is consistent with FFG Act objectives that seek to protect, conserve, restore and enhance biodiversity. It is also noted that, by contributing to emissions reduction efforts, the proposed development is unlikely to worsen climate change impacts and therefore will mitigate the impacts of potentially threatening processes to address important underlying causes of biodiversity decline. Under section 4B of the FFG Act, the Minister is required to give proper consideration to the objectives of the FFG Act, so far as is consistent with the proper exercise of her functions under the PE Act. The objectives set out in section 4 of the FFG Act are: - to guarantee that all taxa of Victoria's flora and fauna, other than taxa specified in the Excluded List, can persist and improve in the wild and retain their capacity to adapt to environmental change; and - to prevent taxa and communities of flora and fauna from becoming threatened and to recover threatened taxa and communities so their conservation status improves; and - to protect, conserve, restore and enhance biodiversity, including: - *flora and fauna and their habitats; and* - *genetic diversity; and* - *ecological communities; and* - *ecological processes; and* - to identify and mitigate the impacts of potentially threatening processes to address the important underlying causes of biodiversity decline; and - to ensure the use of biodiversity as a natural resource is ecologically sustainable; and - to identify and conserve areas of Victoria in respect of which critical habitat determinations are made.

Act	Discussion
	In addition, section 4B(2) of FFG Act states that a Minister and a public authority, so far as is consistent with the proper exercising of their functions, must consider any instrument made under the FFG Act, including: - Biodiversity Strategy; and - action statements; and - critical habitat determinations; and - management plans. Section 4B(4) of FFG Act further states that consideration must also be given to the potential impacts on biodiversity, including: - long and short-term impacts; and - beneficial and detrimental impacts; and - direct and indirect impacts; and - cumulative impacts; and - the impacts of potentially threatening processes. Under the FFG Act a permit is required to take, kill, injure, disturb or collect threatened species or protected flora species from public land. There are permit exemptions under the FFG Act which apply to the non-commercial removal of protected flora from private land, unless there is 'critical habitat' that has been declared on the land. Consideration of FFG Act matters was provided in the submitted Ecological Assessment. This report found that the proposal does not require referral under the EPBC Act and there are not expected to be any impacts to FFG Act listed species. However, this proposal was voluntarily referred to the Australian Government, under the EPBC Act, 1999. On 3 August 2026, it was determined the project is not a controlled action. This means that the proposed action does not require further assessment and approval under the EPBC Act before it can proceed. DTP notes that the proposed development, by contributing to efforts to reduce emissions will not be likely to worsen climate change impacts and therefore will mitigate the impacts of potentially threatening processes to address important underlying causes of biodiversity decline.
***Climate Action Act 2017* (CA Act)**	The purpose of the CA Act includes (but is not limited to): 1. to facilitate the consideration of climate change issues in specified areas of decision making of the Government of Victoria; and, 2. to set policy objectives and guiding principles to inform decision-making under this Act and the development of government policy in the State. Section 20 of the CA Act states that: *The Government of Victoria will endeavour to ensure that any decision made by the Government and any policy, program or process developed or implemented by the Government appropriately takes account of climate change if it is relevant by having regard to the policy objectives and the guiding principles.*

Act	Discussion
	This assessment has had consideration of the policy objectives and the guiding principles of the CA Act. The project is anticipated to store 400 MW of energy, which will assist in supporting energy needs and meet peak evening demand for approximately 138,000 households, as well as contribute towards achieving emissions reduction targets in Part 2 of the CA Act. It is noted that the community were invited to be involved in the decision-making process via public notice under s52 of the PE Act. Under the CA Act, six principles are to inform decision-making. *Informed decision making (section 23)* The permit applications have been informed by assessments relating to flooding, and bushfire as relevant. The permit applications consider potential reduction in greenhouse gas emissions. It is considered that positive climate impacts will result from the proposal and support reductions in Victoria's greenhouse gas emissions. *Integrated decision making (section 24)* The assessment of the permit applications includes consideration of climate change risks outlined in the VPP, including fire and, flooding, amongst others. *Risk management (section 25)* The assessment includes consideration (as noted above) relating to fire, and flooding) and increasing resilience to climate change risks. *Equity (section 26)* The permit applications seek approval for additional energy storage. Impacts on the community and neighbouring landowners has been considered and was found to be acceptable due to appropriate siting of the proposed facilities ensuring that adjacent properties could continue to use their land unimpeded. *Community engagement (section 27)* The community has been engaged with and provided feedback as outlined in the Social and economic impact assessment report. e officer report. *Compatibility (section 28)* The proposal responds to other relevant State policy and objectives as discussed throughout this report.

Act	Discussion
	Overall summary with respect to consideration of climate change: The permit application is consistent with the CA Act. It aims to help stabilise Victoria's grid and support Victoria's renewable energy transition and goals to reduce greenhouse gas emissions. The proposed facility is estimated to store 400MW of electricity, meeting evening peak demand needs for approximately 138,000 households which will help achieve the emissions reduction targets in Part 2 of the CA Act.
***Charter of Human Rights and Responsibilities Act 2006* (the Charter)**	The Charter gives legal recognition and protection in Victoria to many important human rights, particularly civil and political rights. DTP is committed to upholding its responsibilities under the Charter. As a public authority under the *Charter of Human Rights and Responsibilities Act 2006* (the Charter), the Minister must give proper consideration to relevant human rights when making decisions (the procedural obligation), and act compatibly with those rights (the substantive obligation) pursuant to section 38(1) of the Charter. The purpose of this section is to record the matters that must be considered in deciding to approve the planning permit applications. In order to satisfy the procedural obligation and give proper consideration to relevant human rights, there is a requirement to: 3. understand the relevant human rights of a person or class of persons that may be impacted by a decision; 4. consider the possible impact of a decision on the human rights of a person or persons; 5. identify any countervailing interests or obligations; and 6. balance competing private and public interests to assess whether any impact on a relevant human right by the decision is justified, in the sense that it is appropriate in all the circumstances. The following rights may be relevant in deciding on the planning permit application: 7. right to privacy (section 13); 8. the right to take part in public life (section 18); 9. cultural rights (section 19); and 10. property rights (section 20). *Right to Privacy (s 13)* Section 13(a) of the Charter provides that a person has the right not to have their privacy, family, home, or correspondence, unlawfully or arbitrarily interfered with. An interference will be lawful if it is permitted by a law that is precise and appropriately circumscribed, and will be arbitrary only if it is capricious, unpredictable, unjust or unreasonable, in the sense of being disproportionate to the legitimate aim sought.

Act	Discussion
	'Privacy' is a right of considerable breadth. Relevantly, privacy protects a person's place of residence, regardless of whether they have a legal interest in that residence. What constitutes an interference with this aspect of the right to privacy has been approached in a practical manner and may cover actions that prevent a person from continuing to live in and enjoy their home. The area that is the subject of the decision does include private land, and the decision may impact the capacity owners of land within the application site. In the event that any landowners are in impacted in their ability to use or develop their property, to the extent that this would tend to interfere with their privacy rights, such rights would only be limited under the Charter where the interference is unlawful or arbitrary. Given the decision would be pursuant to a precise and appropriately circumscribed law that is predictable and proportionate to the legitimate aim of increasing renewable energy supply in the State of Victoria, it is open for the Minister to conclude that any interference is not unlawful or arbitrary, and therefore the decision is compatible with the right to privacy under s 13 of the Charter. *Right to take part in public life (s 18)* Section 18 of the Charter provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives. The right extends to a person's entitlement to attend a public forum to help make decisions on local issues. Engagement with community, councils, peak industry bodies, and surrounding landowners was undertaken through notice of the applications. The details of the engagement, feedback received, and assessment, are outlined in the Officer Report. Considering all of these factors, it is open to the Minister to be satisfied that the consultation is sufficient to satisfy the requirements of the PE Act, and that the process leading to the Minister's approval is compatible with the right to take part in public life. *Aboriginal Cultural Rights (s 19)* Section 19(2) of the Charter recognises that Aboriginal persons hold distinct cultural rights and provides that they must not be denied the right, with other members of their community to (among other things) maintain their distinctive spiritual, material, and economic relationship with the land and waters, and other resources, with which they have a connection under traditional laws and customs (section 19(2)(d)).

Act	Discussion
	Consultation was undertaken by giving notice of the planning permit to First Peoples State Relations and Yorta Yorta Nation Aboriginal Corporation. No responses were received. A mandatory CHMP is not required, as the study area does not contain areas of cultural heritage sensitivity. However, the Proponent has elected to prepare a voluntary CHMP to ensure that the cultural values and heritage of the Traditional Custodians are appropriately recognised, respected, and protected throughout the development process. Areas of aboriginal cultural heritage sensitivity fall within the application sites. Where development envisioned under the permit applications falls within areas of aboriginal cultural heritage sensitivity, it will continue to be addressed as required under the Aboriginal Heritage Act 2006 and Aboriginal Heritage Regulations 2018. It is therefore open to the Minister to be satisfied that the decision does not limit cultural rights. *Property rights (s 20)* Under section 20 of the Charter, a person must not be deprived of their property other than in accordance with law. This right requires that powers which authorise the deprivation of property are conferred by legislation or common law, are confined and structured rather than unclear, are accessible to the public, and are formulated precisely. Case law recognises that Acts like the PE Act, and planning schemes made under it, remove and regulate the right an owner in fee simple would otherwise have to develop land. The regulation of the right to develop land is not considered an acquisition of property rights. Case law also recognises that owners of land have no specific right to immunity from this class of regulation. Nonetheless, the permit application may impact or limit a change in use or development of property (even though it does not deprive landowners of possession or ownership). To the extent the decision impacts private landowners' ability to use, develop or enjoy their property, any such interference with property rights of landowners will be in accordance with the law, namely the PE Act. Accordingly, the decision will not limit the right to property under s 20 of the Charter. In conclusion, the planning application has been assessed in a manner that is compatible with the human rights identified in the Charter.
***Transport Integration Act 2010* (TI Act)**	The purpose of the *Transport Integration Act 2010 (TI Act)* is to create a new framework for the provision of an integrated and sustainable transport system in Victoria.

Act	Discussion
	The assessment of this planning application has had regard to the transport system objectives and decision-making principles of the TI Act as follows: As an interface body under the TI Act 2010 (as the Minister administering the PE Act, which is interface legislation for the purposes of the TI Act), the Minister must have regard to transport system objectives (sections 7-13), decision making principles (section 14-21) and any applicable statement of policy principles (section 22) when making decisions likely to have a significant impact on the transport system. The Minister may determine the weight to give each transport system objective or decision-making principle. This assessment has considered the objectives of the TI Act and determined that: 11. The proposal will not create unreasonable barriers to persons using the transport system. 12. The proposal will contribute to facilitating economic prosperity to the Region and the state of Victoria through investment to develop the facility. 13. The proposal will result in increased traffic during construction. However, the environmental impacts from this are considered to be acceptable, given the environmental benefits of the project, once operation commences. The proposed land use, impacts, and efficiency of the transport system have been considered, and were found to be acceptable, subject to conditions of the planning approval. The impacts of the proposal on safety and wellbeing have been considered and were determined to be acceptable, subject to conditions of the approval.


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