

Enquiries: Joel Ingham – Planning Coordinator
03 5760 2637



Our Ref: DA6886/3

Benalla Rural City Council
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2 September 2022

ABN 42 379 380 529

Mr Nathan Kelly
Neoen Australia Pty Ltd
Level 21 / 570 George Street
SYDNEY NSW 2000

Dear Mr Kelly

Amended Planning Permit P0102/19

Please find enclosed an amended Planning Permit P0102/19 for the use and development of land for a renewable energy facility (solar farm) at 379 Goorambat Chesney Road, Goorambat.

The modifications to the permit are;

- Amending condition number 39.

Should you require further information please contact me.

Yours sincerely

A handwritten signature in black ink, appearing to be "J Ingham".

Joel Ingham
Planning Coordinator

ADVERTISED PLAN

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**PLANNING
PERMIT**

Permit No: **P0102/19 (Amended)**

Development Approval Number: **DA6886/3**

Planning Scheme: **Benalla Planning Scheme**

Responsible Authority: **Benalla Rural City Council**

ADDRESS OF THE LAND:

Benalla Tocumwal Road, 256 Peck Road, Spinks Lane, 379 Goorambat Chesney Road and Sharp Road, Goorambat, Lots 1 & 2, TP399580, Lots 1 & 2, TP179662, Lot 1, TP 161528, CA39B, TP785955Q, CA41, TP270337Q, CA59A, TP328038H

THE PERMIT ALLOWS:

The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. Prior to the development commencing, plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three (3) copies must be provided. The plans must show:
 - a. the full site layout of the operation and maintenance areas, terminal substation and site laydown areas on the land
 - b. detailed elevations and floor plans of any proposed structures within the operation and maintenance area, terminal substation and laydown areas
 - c. details of car parking spaces and access ways within the operation and maintenance area and laydown areas to be in accordance with Clause 52.06 of the Benalla Planning Scheme
2. The development and/or use permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.
3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
4. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - a. appearance of any building, works or materials
 - b. transport of materials, goods or commodities to or from the land
 - c. emission of noise, artificial light, vibration, smell, fumes, smoke,
 - d. vapour steam, soot, ash, dust, waste water, waste products, grit or oil
 - e. presence of vermin.
5. The storage of goods or materials in conjunction with the use or development hereby permitted shall:

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THE PERMIT ALLOWS:

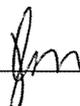
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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- a. be carried out in a manner so as to prevent the exposure to view from any adjacent premises or from any public place of any unsightly matter
- b. be stored to the satisfaction of the Responsible Authority so as to not become visually obtrusive on the site.
- 6. All lighting used to externally illuminate buildings, works and uses shall be fitted with cut-off luminaires (baffles), so as to prevent the emission of direct and indirect light onto adjoining roadways, land and premises.
- 7. The occupier shall take all necessary steps to ensure that no noise or other disturbance emanates from the premises which would be likely to cause a nuisance to the adjoining occupiers or a detriment to the amenity of the neighbourhood.
- 8. Before commencement of the use, an Environmental Management Plan for the management and operation of the use must be submitted to and approved by the Responsible Authority and must be submitted to and approved by the Responsible Authority. When approved, the Environmental Management Plan will be endorsed and will then form part of the permit. The Environmental Management Plan must be reviewed and submitted to the Responsible Authority for further approval every three years. The use must at all times be conducted in accordance with the endorsed plan. The Council will have a right to request a review of the plan where it receives frequent and verified complaints from surrounding properties The Environmental Management Plan must include:
 - a. overall environmental objectives for the operation of the use and techniques for their achievement
 - b. procedures to ensure that no significant adverse environmental impacts occur as a result of the use
 - c. proposed monitoring systems
 - d. identification of possible risks of operational failure and response measures to be implemented
 - e. day to day management requirements for the use
 - f. a pest animal and plant management plan must be submitted to and approved by the Responsible Authority prior to the commencement of the use on the subject site.

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The plan must include ongoing actions and measures to be undertaken to control pest animals and plants and inform surrounding property owners of works that present a risk to their homes or animals.

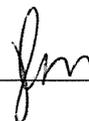
9. Before works and development start, a native vegetation temporary protection fence must be erected around all native vegetation including remnant patches and the Tree Protection Zone of scattered trees to be retained. Except with the written consent of the Responsible Authority, within the native vegetation protection fenced area to be retained, the following are prohibited:
- vehicular or pedestrian access
 - trenching or soil excavation
 - storage or dumping of any materials, equipment, vehicles, machinery or waste products
 - entry and exit pits for underground services
 - any other actions or activities that may result in adverse impacts to retained native vegetation.

The temporary protection fence must be constructed of star pickets and flagging or similar to the satisfaction of the Responsible Authority. A TPZ applies to a tree and is a specific area above and below the ground. The temporary protection fence must remain in place until all works and development are completed to the satisfaction of the Responsible Authority.

10. The following requirements must be met when the solar energy facility permanently ceases operation:
- Not less than 12 months prior to the solar energy facility use ending, a Decommissioning and Rehabilitation Management Plan (DMP) prepared by a suitably qualified person must be submitted to the satisfaction of the Responsible Authority. When approved, the DMP will be endorsed and will then form part of the permit. The DMP must include but is not limited to:
 - Identification of persons and/or bodies responsible for the implementation of the DMP

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- ii. Identification of structures to be removed, including but not limited to all solar panels, substation, buildings (if they are not useful for ongoing use) and electrical infrastructure
- iii. How they will be removed, including addressing the construction management measures as outlined in condition 12, as relevant
- iv. A traffic management plan specifying measures to manage traffic impacts associated with removing the solar farm and associated infrastructure from the site for the satisfaction of the Responsible Authority
- v. Details of how the land will be rehabilitated and restored to allow it to be used for agricultural purposes (not proposed alternative use)
- vi. Identification of materials to be recycled

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(b) Within 12 months of the endorsement of the DMP, the decommissioning must be completed in accordance with the DMP to satisfaction of the Responsible Authority.

11. Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads from the subject land, to the satisfaction of the Responsible Authority.

12. Before the use starts, a construction management plan in accordance with the Council's *Infrastructure Design Manual* for the management and operation of the use which is to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will then form part of the permit. The construction management plan must be in place until the completion of the construction phase and again be operationalised during decommissioning works. The construction must at all times be conducted in accordance with the endorsed plan. The construction management plan must include:

- a. overall construction objectives for the construction and techniques for their achievement
- b. procedures to ensure that no significant adverse environmental impacts occur as a result of the use

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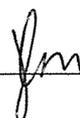
- c. proposed monitoring systems
- d. identification of possible risks or operational failure and response measures to be implemented
- e. day to day management requirements for the use
- f. construction times
- g. noise mitigation measures
- h. measures to mitigate airborne dust, silt and debris on site, both during and after the construction phase
- i. removal of hazardous material
- j. protection of Private and Council asset
- k. on-site building waste equipment, machinery and/or earth storage/stockpiling during construction
- l. building waste on Public and Private land (streets, footpaths, laneways and reserves)
- m. tradesperson vehicle parking
- n. heavy vehicle movements where access to the site for construction vehicle traffic will occur
- o. trees protection zones - the location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences
- p. road, lane closures and cranes
- q. decommissioning plan
- r. how issues such as mud on roads, erosion and sediment control will be managed, on site, during the construction phase

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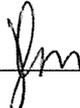
THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- s. details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise
- t. measures to control erosion and sediment and sediment laden water runoff, including the design details of structures
- u. the location of trenching works, boring, and pits associated with the provision of services
- v. the location of any temporary buildings or yards

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- 13. Before the development starts developing must submit to the Responsible Authority a written report and photos of any and all damage to public infrastructure. Listed in the report must be the condition of the property and abutting any public infrastructure fronting the property and abutting any at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Council's assets/public infrastructure caused as a result of the development or use permitted by this permit until the site is decommissioned.
- 14. The applicant must ensure that dust suppression is undertaken in the form of constant water spraying or other natural based proprietary dust suppressant to ensure that dust caused by vehicles moving along the access roads within the site does not cause a nuisance to surrounding properties to the satisfaction of the Responsible Authority.
- 15. The development shall not have an adverse impact on existing or future air quality. Deliveries to and from the site for all commercial vehicles, including waste collection, must only take place between 7am and 6pm Monday to Friday (excluding weekends and public holidays).
- 16. Access to and from the site for all commercial vehicles, including waste collection, must only use the nominated access points to the property.
- 17. All roads/storage areas/external stockpiles/vacant or grazed areas must be covered and/or maintained to avoid dust and grit nuisance to any residences to the satisfaction of the responsible authority.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 18. Before any construction commences, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.

The information and plans must include

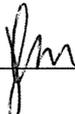
This copied document to be made available for the sole purpose of enabling site on the land to be reviewed as part of a planning process under the Planning and Environment Act 1987. It is directed by Responsible Authority for the purpose which may breach any copyright.

- a. details of how the works on the land are to be drained or retarded
- b. computations including potential ground and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
- c. underground pipe drains conveying stormwater to the legal point of discharge for each allotment
- d. measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements
- e. a maximum discharge rate from the site is to be determined by computation to the satisfaction of Council
- f. maintenance schedules for treatment elements.

Before the use begins all works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.

- 19. No contaminants will be permitted to enter the storm-water drainage system under any reasonably foreseeable circumstances.
- 20. Any damage to Council assets (i.e. roads, table drains etc.) must be repaired at the cost of the applicant to the satisfaction of the Responsible Authority. The Construction Management plan must include photos/videos and other supporting evidence of the state of the network at the time of lodgement of the plan.

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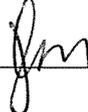
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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 21. There must not be any discharge of concentrated drainage into the adjoining road drains or culverts without the approval of the Responsible Authority.
- 22. The approved works must not cut off natural drainage from adjacent properties.
- 23. Before the use begins, the applicant or owner must construct any traffic management works identified in Traffic Impact Assessment Report dated 16 August 2019 prepared by AECOM Australia Pty Ltd for Neoen Australia Pty Ltd with report reference number 60591336 to the satisfaction of Council. The cost of such works shall be fully met by the applicant.
- 24. Prior to construction commencing on the site, the applicant must submit design plans showing turning movements for B-Double Access and egress at each access point. Access and egress from the property must only be from the Saunders Road and Goorambat Chesney Road (at Spinks Lane) as nominated on the endorsed plan, unless otherwise agreed in writing by the Responsible Authority. Access point must be constructed:
 - a. to allow safe and convenient B-Double vehicle access and egress from the property
 - b. enable vehicles to exit in a forward direction at all times, and
 - c. to drain adequately.
- 25. Before any construction commences on site, detailed construction plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in accordance with the Infrastructure Design Manual. When approved, the plans will be endorsed and will then form part of the permit. The plans must include:
 - a. the upgrade of Saunders Road to a "Rural Access Road" standard, 6.2m wide seal and 1.5m wide shoulders as per Table 6 of the IDM (including turning lanes and passing lanes) with 1.5m wide gravelled shoulders, signage and guidepost drainage and any underground pipes (from the intersection of Goorambat Thoona to 100 meters past the main entrance to the subject site along Saunders Road).
 - b. the upgrade of Goorambat Chesney Road to "Rural Access Road" standard, 6.2m wide seal and 1.5m wide shoulders as per Table 6 of the IDM (including turning

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lanes and passing lanes) with 1.5m wide gravelled shoulders, signage and guidepost drainage and any underground pipes from Saunders Road to 100m past the Spinks Lane intersection

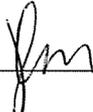
- c. swept path analysis for heavy vehicles and turning lanes as required
- d. underground pipes if required (cross culverts)

e. upgrading of the ~~vehicular access from heavy vehicles, including construction traffic and service vehicles .~~

vehicular access from heavy vehicles, including construction traffic and service vehicles for the sole purpose of enabling its consideration and review as part of planning to any new or otherwise vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The Responsible Authority shall provide ingress and egress to the site to the satisfaction of the Responsible Authority. That crossover must be no less than 4.9 metres in length and include a pipe of a diameter suitable to accommodate the actual volume/flow and be generally in accordance with IDM standard drawing SD255.

- 26. Prior to construction commencing ~~planning to any new or otherwise vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The Responsible Authority shall provide ingress and egress to the site to the satisfaction of the Responsible Authority. That crossover must be no less than 4.9 metres in length and include a pipe of a diameter suitable to accommodate the actual volume/flow and be generally in accordance with IDM standard drawing SD255.~~ Culverts located in the clear zone shall be installed with trafficable end walls in accordance with the Infrastructure Design Manual. The final location of the crossings are to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.
- 27. All works constructed or carried out must be in accordance with those plans.
- 28. All loading and unloading of vehicles must at all times be undertaken within the curtilage of the subject land, unless otherwise agreed in writing by the Responsible Authority.
- 29. Prior to the commencement of the use, access ways and manoeuvring areas created by the proposed development and as shown on the endorsed plan(s) must be constructed, to an all-weather standard to the satisfaction of the Responsible Authority.
- 30. All vehicles must be parked in the allocated car spaces on the land at all times.
- 31. Any security gate, barrier or similar device controlling vehicle access to the premises must be located a minimum of six metres inside the property to allow vehicles to store clear of Saunders Road pavement and road shoulder.

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32. Before the use begins all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.
33. No excavated or construction materials may be placed or stored outside the site area or on the adjoining road reserves, unless agreed otherwise by the Responsible Authority.
34. Upon cessation of the approved use the site must be reinstated as farming land or any other permitted use to the satisfaction of the Responsible Authority.
35. Payment to the Responsible Authority of an amount up to 2.5% of the actual cost of work, being for costs of the Responsible Authority supervision of the works, as determined by the Responsible Authority, **Planning and Environment Act 1987.**
36. Payment to the Responsible Authority of an engineering design checking fee of an amount up to 0.75% of the value of documented works.
37. Prior to the commencement of the use of the facility, the following "as constructed" drawings and information are required to be submitted to the responsible authority by the developer for all works carried out on the road reserve.
 - a. Copies of engineering drawings/data in MapInfo Tab or MIF_MID format with a Projection GDA94/MGA55
 - b. Copies of engineering drawings/data in PDF format
 - c. "As Constructed Information" of the Road and Drainage information component of the development along Saunders as well as information of all of Benalla's assets in accordance with the current versions of D-Spec & R-Spec. Please refer to the A-SPEC website for further information www.a-specstandards.com.au
38. Before any road/drainage works associated with the development start, the following items must be satisfied;
 - a. approved construction plans.
 - b. payment of all relevant fees (supervision fees, plan checking fees and statutory fees)

This copy of the document is made available for the sole purpose of enabling the Responsible Authority and Council to supervise the works under the Planning and Environment Act 1987. The document must not be used for any other purpose.

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- c. An on-site meeting with officers of the municipality, the contractor and the developer or the developer's consultant to discuss matters such as, roadside management, construction techniques, vegetation clearing controls and vegetated areas to be barricaded off prior to and during construction.

39. Prior to the commencement of buildings and works a landscape screening plan which provides for landscaping or other treatments to reduce the visual impact of the solar farm to the surrounds must be submitted to and approved by the responsible authority. When endorsed the Landscape Screening Plan will form part of this permit.

The Landscaping Screening Plan must include

a) The type of landscaping treatments to be proposed.

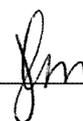
b) A timetable for establishing and maintaining the landscaping.

- c) An increase in the width of vegetation screening around the perimeter of the site from 5 metres to 10 metres.
- d) The screen planting around the perimeter of the site must be completed prior to construction during a period with acceptable ground conditions as determined by a qualified landscaper.
- e) Planted seedlings must be forestry – or hyko – style seedlings and when matured must reach approximately 3 metres or higher.
- f) A watering regime.
- g) A 'tree replacement' plan whereby any deceased seedling must be identified within three months, then either replaced prior to October within the year of planting or during the next planting season, whichever can be achieved first.
- h) Weed management.
- i) Native shrubs that will reach a height of 1 – 1.5 metres when matured.

ADVERTISED PLAN

Date Issued: 31 January 2020

Signature for the Responsible Authority: _____



PLANNING PERMIT

Permit No: **P0102/19 (Amended)**

Development Approval Number: **DA6886/3**

Planning Scheme: **Benalla Planning Scheme**

Responsible Authority: **Benalla Rural City Council**

ADDRESS OF THE LAND:

Benalla Tocumwal Road, 256 Peck Road, Spinks Lane, 379 Goorambat Chesney Road and Sharp Road, Goorambat, Lots 1 & 2, TP399580, Lots 1 & 2, TP179662, Lot 1, TP 161528, CA39B, TP785955Q, CA41, TP270337Q, CA59A, TP328038H

THE PERMIT ALLOWS:

The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

40. Before the use allowed by this permit starts, landscaping works shown on the endorsed plan must be completed and then maintained to the satisfaction of the Responsible Authority.
41. All wastewater must be disposed of and contained within the curtilage of the land to the satisfaction of the responsible authority and must not be discharged directly or indirectly to an adjoining property, road or any water course or drain. Sufficient land must be set aside and kept available for the purposes of effluent disposal. The new on site wastewater system must be designed in accordance with Environment Protection Authority code of practice to the satisfaction of the Responsible Authority.

Condition Nos. 42 to 60 Required by the Department of Environment, Land, Water and Planning

Amended plans

42. Prior to the commencement of works, including native vegetation removal, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in consultation with the Department of Environment, Land, Water and Planning. When approved, the plans will be endorsed and will form part of this permit.

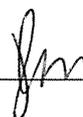
The plan/s must include (and not necessarily be limited to) the following.

- a. Identification and location of measures to be implemented to protect the native vegetation to be retained on site during and post construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site and on any adjoining road reserves and must include the tree protection zones of all native trees to be retained, to be marked on plan, to the satisfaction of the responsible authority. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the responsible authority.
- b. An amended site/design plan for the development, drawn to an appropriate scale with dimensions over aerial photography, that clearly shows:

ADVERTISED PLAN

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**PLANNING
PERMIT**

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Development Approval Number: **DA6886/3**

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THE PERMIT ALLOWS:

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- i. the location and exact extent of the panel installations and clear identification of any differences in panel types etc (ie. different colours of panels used on plan must be clearly defined in legend to plan)
- ii. the location and exact extent of all associated infrastructure
- iii. the location and alignment of all other structures proposed on site, including inverters, transformers, substation, office buildings, parking, water storage facility, equipment, **This material storage to be made available for the sole purpose of enabling all access/egress points to be part of a planning process under the Planning and Utility Services Act 1987. The document must not be used for any purpose relating to native vegetation on any site.**
- iv. clear identification of all access/egress points to the site/s and between the sites
- v. location and alignment of all utility services to be provided for the site
- vi. the location and area of all native vegetation on site and on adjoining land that is permitted to be removed under this permit
- vii. the location and areas of all native vegetation on site and on adjoining land that is to be retained, this must include all patches of vegetation, scattered trees and associated tree protection zones that are to be retained on site and on any adjoining land; and
- viii. the location of any rehabilitation/revegetation works to be completed as part of the permitted development, ie. buffers, retained vegetation areas, perimeters.

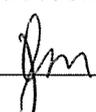
Site Environmental Management Plan

- 43. Prior to the commencement of works, including native vegetation removal, an environmental management plan (Site Environmental Management Plan or as part of Construction Environmental Management Plan) must be prepared to the satisfaction of the responsible authority and submitted to and approved by the responsible authority in consultation with the Department of Environment, Land, Water and Planning. When approved, the plans will be endorsed and will form part of this permit.

The environmental management plan must include (but not necessarily be limited to) details of:

- a. measures to protect native vegetation being retained on site and in the vicinity of the subject land, including tree protection zones during construction and permanent

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Signature for the Responsible Authority: 

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THE PERMIT ALLOWS:

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

stock proof fencing outside the tree protection zones for scattered trees or patches, where appropriate, to allow for regeneration. Areas of permanent stock proof fencing for regeneration must show underplanting with species from the dominant EVC at appropriate densities and an ongoing maintenance plan must be provided;

- b. measures to mitigate any consequential impacts on native vegetation retained on and off site, including tree protection zones;
- c. sediment and water runoff control measures;
- d. weed management and control vehicle hygiene measures;
- e. appropriate stockpile and storage area management;
- f. a rehabilitation/revegetation plan for areas of vegetation to be retained across the site and any perimeter or buffer planting using suitable indigenous species appropriate to the ecological vegetation class of the site;
- g. monitoring requirements for the rehabilitation/revegetation works and any vegetation/tree protection areas being retained on site; and
- h. the person or persons responsible for all requirements in the environmental management plan.

This notice does not need to be made available for the sole purpose of enabling control vehicle hygiene measures part of a planning process under the Planning and Environment Act 1987. The document must not be used for any other purpose.

ADVERTISED PLAN

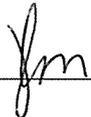
All works constructed or carried out as part of the development must be in accordance with the endorsed plan.

Fauna/wildlife Management Plan

- 44. Prior to the commencement of works, including native vegetation removal, a fauna/wildlife management plan must be prepared in consultation with a Department of Environment, Land, Water and Planning Hume region wildlife officer and the responsible authority to the satisfaction of the Department of Environment, Land, Water and Planning. When approved the plan will be endorsed by the responsible authority and the Department of Environment, Land, Water and Planning and will form part of the permit.

The plan must include:

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Signature for the Responsible Authority: 

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PERMIT**

Permit No: **P0102/19 (Amended)**

Development Approval Number: **DA6886/3**

Planning Scheme: **Benalla Planning Scheme**

Responsible Authority: **Benalla Rural City Council**

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

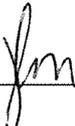
- a. the requirement for a suitably qualified zoologist to be engaged to conduct targeted investigations to identify fauna using the trees prior to any removal;
- b. the suitably qualified zoologist must be on site during the removal of trees and site disturbance;
- c. management and mitigation measures to address other impacts to fauna eg. impacts to reptiles from site disturbance;
- d. installation of nest boxes to compensate for loss of hollows – this must be implemented prior to any tree removal;
- e. measures to recreate connectivity of remaining trees across the landscape where required;
- f. salvage and translocation plan for each species;
- g. relocation of any fauna that is identified as being at risk from the construction activity must be relocated to an area of similar ecological value. The relocation must be undertaken in accordance with the endorsed plan; and
- h. works must cease until fauna is relocated.
- i. The requirement for a report to the Department of Environment, Land, Water and Planning (Hume Region) on the completion of tree removal that provides details of all species identified and relocated, including the relocation sites.

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Decommissioning/Section 173 Agreement

- 45. Before the use of the solar facility starts, the operator of the solar farm facility and the owners of the properties which make up the site must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. The agreement must require the operator of the solar farm facility to do the following once significant sections of the solar panels have permanently ceased to generate electricity.
 - a. Notify the responsible authority in writing of the solar panels ceasing operation. Such notification must be given no later than two months after the panels cease operation;

Date Issued: 31 January 2020

Signature for the Responsible Authority: 

PLANNING PERMIT

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Development Approval Number: **DA6886/3**

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Responsible Authority: **Benalla Rural City Council**

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

b. Undertake the following to the satisfaction of the responsible authority within such time frame as may be specified by the responsible authority:

i. Remove all above ground non-operational equipment;

ii. Remove and clean up any residual contamination;

iii. Rehabilitate all areas of infrastructure removal, access tracks and other areas affected by the decommissioning of the solar panel infrastructure, if those areas are not otherwise useful to the on-going use or decommissioning of the solar farm facility;

iv. Submit a post-decommissioning revegetation management plan to the responsible authority and the Department of Environment, Land, Water and Planning (Hume Region) that shows corridor planting a minimum distance of 75 metres from any vegetation to be retained consisting of species from the dominant EVC and must include a minimum of 200 large tree species. Varieties of understory planting must also be included. The plan must provide methods for planting, maintenance requirements and the protection of the vegetation from stock.

ADVERTISED PLAN

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Notification of permit conditions and site induction

46. Prior to the commencement of works, including native vegetation removal, the permit holder must advise and brief all persons undertaking any works on site of all relevant permit conditions, including conditions regarding the vegetation removal and tree protection requirements and provide the appropriate endorsed plans and associated statutory requirements or approvals.

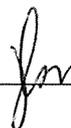
47. A DELWP Hume Region Planning Approvals representative must be in attendance at the initial site induction to provide guidance and information to the project/site management team. (email: Humeregion.planning@delwp.vic.gov.au)

Site Monitoring

48. In order to assist with compliance of the Site Environmental Management Plan (SEMP), DELWP Hume Region must be notified of the staging of the project including anticipated time lines in order to attend the project site to observe and monitor key stages of the project as follows:

Date Issued: 31 January 2020

Signature for the Responsible Authority: _____



PLANNING PERMIT

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THE PERMIT ALLOWS:

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- a. Site set up prior to works commencing;
- b. Tree protection fencing and permanent fenced areas;
- c. Vegetation removal;
- d. Salvage and placement of tree material; and
- e. Location of nest boxes
- f. Planting of regeneration areas

Notification of staging and commencement of the project must be sent to email: Humeregion.planning@delwp.vic.gov.au

Protection of retained vegetation

49. Prior to the commencement of works, including native vegetation removal, a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site and on any adjoining road reserves. This fence must be erected around any patches of native vegetation at a minimum distance of two (2) meters from the dripline of the retained vegetation; and at a radius of 12 X the diameter at breast height (1.3m), to a maximum of 15 meters but no less than 2 metres from the base of the trunk, of any trees being retained. The fence must be constructed of highly visible, durable materials to the satisfaction of the responsible authority. The protective fence must remain in place until all works are completed to the satisfaction of the responsible authority.
 - a. Except with the written consent of the responsible authority, within the areas of native vegetation to be retained and any tree protection zone, the following are prohibited:
 - b. vehicular access (except for the locating of salvaged tree material if necessary with minimal disturbance);
 - c. trenching or soil excavation;

ADVERTISED PLAN

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Date Issued: 31 January 2020

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PLANNING PERMIT

Permit No: **P0102/19 (Amended)**
Development Approval Number: **DA6886/3**
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THE PERMIT ALLOWS:

The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- d. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- e. entry and exit pits for the provision of underground services; or
- f. any other actions or activities that may result in adverse impacts to retained native vegetation.

50. After the placement of salvaged trees, stock proof permanent fencing must be erected around all identified patches of native vegetation and scattered trees to be retained on site and on any adjoining road reserves that will be permanently fenced with stock proof permanent fencing as identified in the endorsed Environmental Management Plan. This fence must be erected around any identified patches of native vegetation at a minimum distance of two (2) metres from the dripline of the retained vegetation; and at a radius of 12 X the diameter at breast height (1.3m), may a maximum of 15 metres but no less than 2 metres from the base of the trunk, of any trees being retained. The fence must be constructed to prevent the entry of stock to these fenced areas and be of durable materials to the satisfaction of the responsible authority.

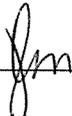
Except with the written consent of the responsible authority, within the areas of native vegetation to be retained and any tree protection zone of the areas identified for stock proof permanent fencing, the following are prohibited:

- a. vehicular access (except for the locating of salvaged tree material if necessary, with minimal disturbance);
- b. trenching or soil excavation;
- c. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- d. entry and exit pits for the provision of underground services; or
- e. any other actions or activities that may result in adverse impacts to retained native vegetation.

Underplanting of regeneration areas

ADVERTISED PLAN

Date Issued: 31 January 2020

Signature for the Responsible Authority: 

PLANNING PERMIT

Permit No: **P0102/19 (Amended)**
Development Approval Number: **DA6886/3**
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THE PERMIT ALLOWS:

The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

51. Following the installation of salvaged trees and stock proof fencing to regeneration areas, understory planting must be undertaken in accordance with the requirements of the endorsed Environmental Management Plan to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning.

Native vegetation permitted to be removed, destroyed or lopped

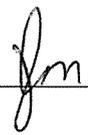
52. Before any removal of native vegetation approved by this permit can occur, all other approvals, authorisations and consents must be finalised and approved by the responsible authority.
53. The native vegetation permitted to be removed, destroyed or lopped under this permit is 4.376 hectares of native vegetation, which is comprised of:
- a. 66 scattered large trees;
 - b. 1 scattered small tree.

This map is intended to be made available for the only purpose of enabling its consideration and review as permitted by the Vegetation Management Act 1987. The document must not be used for any purpose which may breach any copyright

ADVERTISED PLAN

Native vegetation offsets

54. To offset the removal of 4.376 hectares of native vegetation, the permit holder must secure the following native vegetation offset, in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017).
- a. A general offset of 0.796 general habitat units:
 - i. located within the Goulburn Broken Catchment Management boundary or Benalla Rural City municipal area;
 - ii. with a minimum strategic biodiversity value score of at least 0.170.
 - b. The offset(s) secured must also provide protection of at least 66 large trees.
55. Before any native vegetation is removed, evidence that the offset required by this permit has been secured must be provided to the satisfaction of responsible authority. This evidence must be one or both of the following:

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**PLANNING
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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- a. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year active management actions and ongoing management of the site; and/or
- b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning, Humera Regional office via - humeregion.planning@delwp.vic.gov.au for consideration and review as part of a planning process under the Planning Act 1987.

- 56. Post construction of the solar farm facility, a follow up assessment of the actual impacts from the construction of the solar farm facility, including retained trees and associated tree protection zones, must be conducted by a suitably qualified and experienced environmental assessor or arborist, to identify any discrepancies from the current native vegetation removal report associated with this permit (NVR Report ID No. ACM_2019_008).
- 57. In the event that further native vegetation is able to be avoided and the actual losses of/impacts on native vegetation are less than what is included in the current native vegetation removal report associated with this permit (NVR Report ID No. ACM_2019_008), then the offsets required by this permit (secured prior to works starting) can be reconciled in accordance with the guidance provided in the Assessor's Handbook – Applications to remove, destroy or lop native vegetation (DELWP, October 2018).

Other conditions

- 58. Felled trees or sections of felled trees must be salvaged where ever possible (tree structure/branches with hollows, loose branches).
- 59. Salvaged tree material must be placed within retained patches of native vegetation on site if possible and/or at locations as near as possible to the site.
- 60. If infrastructure is required to be located on or under the unused road reserve a licence agreement must be entered into with DELWP prior to the commencement of works on the road reserve. If the road is required to be used for legal access purposes in the

Date Issued: 31 January 2020

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PLANNING PERMIT

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THE PERMIT ALLOWS:

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

future this licence may be revoked, and the infrastructure required to be removed to the satisfaction of DELWP.

Condition Nos. 61 to 67 Required by AusNet

61. No part of the proposed development is permitted on AusNet Transmission Group's easement unless otherwise agreed to in writing by AusNet Transmission Group.
62. Access to and along the easement must be maintained at all times for AusNet Transmission Group's vehicles, staff and contractors.
63. Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.
64. The use of vehicles and equipment exceeding 3 metres in height are not permitted to operate on the easement without prior written approval from AusNet Transmission Group.
65. Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads/maintenance tracks that are proposed within the AusNet Transmission Group Easement
66. Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads that are proposed within the easement.
67. Details of any proposed services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on the site.

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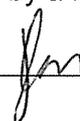
ADVERTISED PLAN

Condition Nos. 68 to 81 Required by VicTrack

68. Except within the written consent of VicTrack and the Responsible Authority, a permanent buffer of 20 metres between all solar panels and the title edge of the rail corridor shall be maintained at all times, to the satisfaction of the Responsible Authority and VicTrack.
69. Building materials (including solar panels) or advertising signs likely to have an effect on train driver operations along the rail corridor must be shown by a reflectivity/light study

Date Issued: 31 January 2020

Signature for the Responsible Authority: _____



**PLANNING
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not to cause reflections or glare that may interfere with train driver operations and avoid using red, green or yellow colour schemes or shapes capable of being mistaken for train signals, to the satisfaction of the Responsible Authority and VicTrack.

70. The permit holder must, at all times, ensure that the common boundary with railway land is fenced at the permit holder's expense. Fencing of railway land must be a minimum of 1.8 metres high black chain mesh or paling construction with the orientation of any supporting rails on the railway side to prohibit unauthorised access to the rail corridor.

71. The permit holder must not, **at any time for any purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which breaches any copyright**
a. allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or
b. store or deposit any waste, soil or other materials on the railway land.

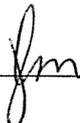
72. The permit holder must not plant any plants or tree species that are likely to cause any future overhang onto the railway land or disturbance to the railway operations.

73. The permit holder must not enter any railway land without the written consent of the Rail Operator. If the permit holder has obtained the Rail Operator's written consent to enter the railway land, the permit holder must comply with the Rail Operator's Site Access Procedures, conditions and safety requirements when accessing the railway land. The permit holder must comply with the Rail Operator's reasonable requirements for works on, over or adjacent to the railway land.

74. Prior to the commencement of works, including demolition and bulk excavation, the permit holder must enter into all necessary construction control and indemnity agreements as required by the Rail Operator to ensure that the disruption to train operation within the railway corridor is kept to a minimum during construction and in compliance with the Rail Operators Safety and Environmental requirements contained within the Rail Operators construction control and indemnity agreement.

75. The permit holder must not carry out, or allow to be carried out, any excavation, filling or construction on the common boundary between the subject land and the railway land unless it has obtained the prior written approval of VicTrack and the Rail Operator.

76. All works, including hoardings, must be undertaken within the subject land and must not encroach onto the railway land.

Date Issued: 31 January 2020
Signature for the Responsible Authority: 

**PLANNING
PERMIT**

Permit No: **P0102/19 (Amended)**

Development Approval Number: **DA6886/3**

Planning Scheme: **Benalla Planning Scheme**

Responsible Authority: **Benalla Rural City Council**

ADDRESS OF THE LAND:

Benalla Tocumwal Road, 256 Peck Road, Spinks Lane, 379 Goorambat Chesney Road and Sharp Road, Goorambat, Lots 1 & 2, TP399580, Lots 1 & 2, TP179662, Lot 1, TP 161528, CA39B, TP785955Q, CA41, TP270337Q, CA59A, TP328038H

THE PERMIT ALLOWS:

The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

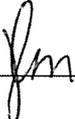
- 77. The permit holder must not at any time erect lighting (permanent or temporary) that spills light onto the railway tracks or which interferes with the visibility of signals and rail lines by train drivers.
- 78. Building materials likely to have an effect on train driver operations along the rail corridor must be shown by a reflectivity and or light study not to cause reflections or glare that may interfere with train driver operations and avoid using red, green or yellow colour schemes or shapes capable of being mistaken for train signals.
- 79. The permit holder must not install or cause to be installed, any permanent or temporary ground anchors within the railway corridor.
- 80. Before the commencement of the development, including demolition and bulk excavation, detailed construction/engineering plans and computations for any construction or works likely to have an impact on railway operations, railway infrastructure assets or railway land are to be submitted to, and approved by, VicTrack and the Rail Operator. The plans must detail all excavation of the site adjacent to the railway corridor having any impact on the railway land. The construction or works must be carried out in accordance with the plans approved by VicTrack and the Rail Operator.
- 81. Before the commencement of the development, including demolition and bulk excavation, amended plans must be submitted to, and approved by, the Responsible Authority in consultation with VicTrack. The plans must be drawn to scale with dimensions and must be generally in accordance with the plans submitted with the application but modified to show that the development, including temporary structures, maintains all the clearances required to be maintained from all railway infrastructure (including without limitation 22kV AC lines and overhead wiring structures) under the Electrical Safety Act 2009 (Vic) and the Electrical Safety Regulations (including the Energy Safety (Installation) Regulations 2009 page 75 Table 313 Rows C and D). The development must be constructed in accordance with the plans approved by the Responsible Authority.

This copied document to be made available inside site to be installed, always validated and review as part of a planning process under the Planning Development Act 1987. The construction/engineering plans and computations for any construction or works likely to have an impact on railway operations, railway infrastructure assets or railway land are to be submitted to, and approved by, VicTrack and the Rail Operator.

Conditions Nos. 82 to 85 Required by the Goulburn Broken Catchment Management Authority

- 82. Inverter and transformer blocks, buildings, infrastructure and solar panels must be located a minimum distance of 30 metres from the nearest top of bank of the waterways shown in Figure 1.

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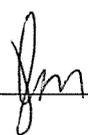
- 83. The finished floor levels of inverter and transformer blocks and any buildings are to be set at least 300 millimetres above the applicable 1% AEP flood level contours as shown in Figure 1.
- 84. The corridors along the waterway shown in Figure 1 shall be revegetated in accordance with the Revegetation Guide for the Goulburn Broken Catchment. (<https://revegetation.gbcma.vic.gov.au/>)

85. Where fencing crosses the waterway, the fencing shall be designed such that it does not obstruct flood flows. For example, farm type fencing, large open mesh (150 mm centres), vertical post style fencing (150mm centres), or fencing that lifts with the floodwater or similar.

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Condition Nos. 86 to 124 Required by the Country Fire Authority

- 86. The developer must undertake a comprehensive risk management process, as per CFA's Guidelines for Renewable Energy Installations 2018.
- 87. The developer/operator must develop an Emergency Information Book, provided in an Emergency Information Container at site entrances, as per CFA's Guidelines for Renewable Energy Installations 2018.
- 88. The developer/operator must have, adherence to (DR) AS/NZS 5139-2017: Electrical installations – Safety of battery systems for use with power conversion equipment for any battery installations, and CFA's Guidelines for Renewable Energy Installations 2018.
- 89. A four (4) metre perimeter road should be constructed within the ten (10) metre perimeter Fire Break.
- 90. Roads are to be of all-weather construction and capable of accommodating a vehicle of fifteen (15) tonnes.
- 91. Constructed roads should be a minimum of four (4) metres in trafficable width with a four (4) metre vertical clearance for the width of the formed road surface.
- 92. The average grade should be no more than 1 in 7 (14.4% or 8.1°) with a maximum of no more than 1 in 5 (20% or 11.3°) for no more than fifty (50) metres.

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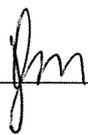
The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 93. Dips in the road should have no more than a 1 in 8 (12.5% or 7.1°) entry and exit angle.
- 94. Incorporate passing bays at least every 600 metres which must be at least 20 metres long and have a minimum trafficable width of 6 metres. Where roads are less than 600 metres long, at least one passing bay is to be incorporated.
- 95. Road networks must enable responding emergency services to access all areas of the facility.
- 96. Two but preferably more access points to the site, to ensure safe and efficient access to and egress from areas that may be impacted or involved in fire. The number of access points is to be informed through a risk management process.
- 97. The static water storage tank shall be of not less than 15 000 litres effective capacity.
- 98. The static water storage tank(s) must be an above-ground water tank constructed of concrete or steel. The location and number of tanks should be determined as part of the site's risk management process and in consultation with a CFA delegated officer.
- 99. The static storage tanks shall be capable of being completely refilled automatically or manually within 24 hours.
- 100. The hard-suction point shall be provided, with a 150mm full bore isolation valve equipped with a Storz connection, sized to comply with the required suction hydraulic performance. Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap to be provided.
- 101. The hard-suction point shall be positioned within 4 metres to a hardstand area and provide clear access for fire personnel.
- 102. An all-weather road access and hardstand shall be provided to the hard-suction point. The hardstand shall be maintained to a minimum of 15 tonne GVM, 8 metres long and 6 metres wide or to the satisfaction of the relevant fire authority.
- 103. The road access and hardstand shall be kept clear at all times.
- 104. The hard-suction point shall be protected from mechanical damage (i.e., bollards) where necessary.

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

105. Where the access road has one entrance, a 10 metre radius-turning circle shall be provided at the tank.
106. An external water level indicator is to be provided to the tank and be visible from the hardstand area.
107. Signage shall be fixed to each tank.
108. Grass is to be maintained at below 100mm in height during the declared Fire Danger Period.
109. A fire break area of ten (10) metres width is to be maintained around the perimeter of the facilities, electricity compounds and substations. This area is to be of non-combustible mulch or mineral earth.
 - a. The fire break area must commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.
 - b. The fire break must be constructed using either mineral earth or non-combustible mulch such as crushed rock.
 - c. The fire break must be vegetation-free at all times.
 - d. No obstructions are to be within fire break area (e.g., no stored materials of any kind).
110. Adhere to restrictions and guidance during the Fire Danger Period, days of high fire danger and Total Fire Ban days (refer to www.cfa.vic.gov.au).
111. All plant and heavy equipment is to carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the Fire Danger Period.
112. There is to be no long grass or deep leaf litter in areas where plant and heavy equipment will be working.
113. Solar facilities are to have a 6 metre separation between solar panel banks/rows. Where this cannot be achieved, advice is to be sought from CFA's State Infrastructure and Dangerous Goods Unit sidgu@cfa.vic.gov.au

ADVERTISED PLAN

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Signature for the Responsible Authority: _____



**PLANNING
PERMIT**

Permit No: **P0102/19 (Amended)**

Development Approval Number: **DA6886/3**

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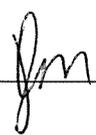
The use and development of land for a renewable energy facility (solar farm), the removal of native vegetation and the construction and display of Business Identification Signage in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 114. Solar farm operators must provide specifications for safe operating conditions for temperature and the safety issues related to electricity generation, including isolation and shut-down procedures, if solar panels are involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.
- 115. Solar arrays are to have grass or other vegetation maintained to 100mm under the array installation or mineral earth or non-combustible mulch such as stone.
- 116. Where practicable, solar energy installations can be sited on grazed paddocks. In this case, vegetation is to be managed in accordance with the requirements of this guideline, or as informed through a risk management process.
- 117. Containers/infrastructure for battery installations are to be located so as to be directly accessible to emergency responders (to be provided with a suitable access road).
- 118. Adequate ventilation of the battery container/storage area is to be provided where required under (DR) AS/NZS 5139-2017; the manufacturer's requirements and/or SDS for battery storage.
- 119. Containers/infrastructure for battery installations are to be provided with appropriate spill containment/bunding that includes provision for fire water runoff.
- 120. Battery installations that contain dangerous goods may have to comply with the requirements of the Dangerous Goods Act 1985; the Dangerous Goods (Storage and Handling) Regulations 2012; and relevant Australian Standards.
- 121. Battery storage manufacturers must provide specifications for safe operating conditions for temperature and the effects on battery storage if involved in fire. This information must be provided within the content of the Emergency Information Book at the main entrance of the facility.
- 122. Battery installations are to be kept free of extraneous materials and combustible materials of all kinds. Regular inspections and housekeeping is to be conducted to ensure materials do not accumulate.
- 123. Battery installations are to be serviced/maintained as per the manufacturer's requirements.

This copied document to be made available for the sole purpose of enabling an application to be made in accordance with the provisions of the Planning and Environment Act 1987. The document is not to be used for any purpose which may breach any copyright.

Date Issued: 31 January 2020

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PERMIT**

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

124. Containers/infrastructure for battery installations must be clear of vegetation for ten (10) metres on all sides, including grass. CFA requires non-combustible mulch such as stone or mineral earth within this ten (10) metre area.

125. This permit will expire if one of the following circumstances applies:

- a. The development is not started within two years of the date of this permit.
- b. The development is not completed within four years of the date of this permit.
- c. the use does not start within two years after completion of the development; or
- d. the use is discontinued for a period of two years.

The Responsible Authority may extend the commencement date if a request is made in writing by the owner or the occupier of the land to which the permit applies before the permit expires or within 6 months afterwards.

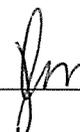
The Responsible Authority may extend the time within which the development is to be completed if the development has commenced and a request in writing is made by the owner or the occupier of the land to which it applies within 12 months after the permit expires.

Advice Notes

1. The granting of this permit does not obviate the necessity for compliance with the requirements of any other authority under any act, regulation or local law.
2. Prior to any works being carried out in relation to any part of the septic system a permit for the works must be obtained from the Benalla Rural City Council. A land capability assessment must be accompanied with each application on the proposed subdivision.
3. A road opening/crossing permit must be obtained from the Responsible Authority prior to the carrying out of any vehicle crossing works.
4. This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Date Issued: 31 January 2020

Signature for the
Responsible Authority: _____



PLANNING PERMIT

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DELWP Notes

1. A permit under the Wildlife Act is required for the destruction of wildlife habitat and management of any displaced wildlife. Contact Andrew Dean for further information and application requirements - andrew.dean@delwp.vic.gov.au
2. For public safety reasons the licence relating to the unused road reserve will require the restriction of public access to the satisfaction of DELWP.
3. Any further refinement of the site layout of the infrastructure by the proponent must continue to further avoid native vegetation removal.

VicRoads Notes

Traffic Management must be provided on Benalla-Tocumwal Road near Sharp Road (Goorambat-Thoona Road) to ensure the safe movement of vehicles during the construction phase. A Memorandum of Authorisation and Traffic Management Plan will need to be approved by VicRoads prior to the commencement of work.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

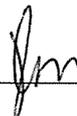
<i>Date of amendment</i>	<i>Brief description of amendment</i>	<i>Name of responsible authority that approved the amendment</i>
2 September 2022	• Amending condition number 39.	Benalla Rural City Council

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Date Issued: 31 January 2020

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from -
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if-
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit, or in the case of a subdivision or consolidation within 5 years of the certificate of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if-
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if-
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A (2) of the **Planning & Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- An application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

**ADVERTISED
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