

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2402939
Planning scheme:	Moyne Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	Land known as: <ul style="list-style-type: none">• Lot 1 on TP11005R, Vol 10431 Fol 238• Lot 2 on TP11005R, Vol 10431 Fol 239• Lot 3 on TP11005R, Vol 10431 Fol 237• Crown Allotment 2 Section 6 Parish of Hexham East, Vol 10415 Fol 616• Crown Allotment 3 Section 1 Parish of Hexham East, Vol 10415 Fol 617• Crown Allotment 4B Section 2 Parish of Hexham East, Vol 10415 Fol 597• Crown Allotment 8 Section 2 Parish of Connewarren, Vol 09531 Fol 763• Crown Allotment 9 Section 2 Parish of Connewarren, Vol 08941 Fol 340• Crown Allotment 10 Section 2 Parish of Connewarren, Vol 08650 Fol 978• Lot 1 on Plan of Subdivision 342923Q, Vol 10263 Fol 611• Lot 1 on Plan of Subdivision 636473H, Vol 11438 Fol 345• Lot 1 on Title Plan 011005R, Vol 10431 Fol 238• Lot 1 on Title Plan 012056S, Vol 10415 Fol 615• Lot 2 on Plan of Subdivision 076419, Vol 08670 Fol 974• Lot 2 on Plan of Subdivision 121574, Vol 09516 Fol 9134• Crown Allotment 2 Section 2 Parish of Connewarren, Vol 05957 Fol 396• Lot 2 on Plan of Subdivision 342923Q, Vol 10263 Fol 612• Lot 2 on Plan of Subdivision 347828G, Vol 10273 Fol 498• Lot 2 on Plan of Subdivision 409088E, Vol 10333 Fol 572• Lot 2 on Plan of Subdivision 525429F Vol 10857 Fol 051• Lot 2 on Plan of Subdivision 636473H Vol 11438 Fol 346• Lot 3 on Plan of Subdivision 076419H Vol 08670 Fol 975• Lot 3 on Plan of Subdivision 342923Q Vol 10263 Fol 613• Lot 3 on Plan of Subdivision 342923Q Vol 10263 Fol 613• Lot 1 on Plan of Subdivision 347828G Vol 10273 Fol 497• Crown Allotment 1 Section 10 Parish of Connewarren, Vol 10785 Fol 016• Lot 1 on Title Plan 012057Q, Vol 10415 Fol 595• Lot 2 on Title Plan 012057Q, Vol 10415 Fol 596• Lot 1 on Plan of Subdivision 620663R, Vol 11230 Fol 337• Lot 2 on Plan of Subdivision 620663R, Vol 11230 Fol 338

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed: <i>Use and development of the land for a solar energy facility and utility installation, associated buildings and works, alteration of access to a road in a Transport Zone 2, removal of native vegetation and display of a business identification sign.</i>
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Clause 35.07-1	Use of the land for the purpose of a solar energy facility. Use of the land for the purpose of Utility installation (other than Minor utility installation and Telecommunications facility).
Clause 35.07-4	Construct a building or construct or carry out works associated with a use in Section 2 of Clause 35.07-1. Earthworks which change the rate of flow or the discharge point of water across a property boundary. Construction of a building setback less than 50m from a Transport Zone 2.
Clause 52.05-14	Display of a business identification sign.
Clause 52.17-1	Remove, destroy or lop native vegetation including dead vegetation.
Clause 52.29-2	Create or alter access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

COMPLIANCE WITH DOCUMENTS APPROVED UNDER THIS PERMIT

1. At all times what the permit allows must be carried out in accordance with the requirements of any condition of this permit, to the satisfaction of the responsible authority.
2. The use and development as shown on the endorsed plans must not be altered (unless the Moyne Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

COMMENCEMENT

3. This permit will operate from the issued date of this permit.

AMENDED PLANS

4. Before the use and development commences, excluding demolition, bulk excavation and site preparation works, amended plans and elevations must be submitted to and approved by the Responsible Authority. The plans and elevations must be generally in accordance with the site plans and elevations prepared by URBIS, titled 'Mortlake Energy Hub', Rev E and B respectively and advertised with the application, but modified to show:
 - a) Specific details of the chosen infrastructure, including dimensions, heights and boundary setbacks, including but not limited to:
 - i. Connection infrastructure
 - ii. Solar arrays
 - iii. Battery energy storage system (BESS)

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- iv. Inverters
 - v. Substation
 - vi. Switchroom
- b) The firewater tank for the BESS increased to 576kL with 4 hydrants in accordance with AS 2419.1-2021.
- c) The length of Boonerah Estate Road to be used for site access, and details of any proposed upgrades or works to the road (if required), in consultation with Moyne Shire Council.
- d) Any changes required to comply with:
- i. CFA conditions 30 to 32 (if required).
 - ii. Any other conditions of this permit.
- e) Vegetation to be removed and retained, and including:
- i. Georeferences (such as VicGrid94 co-ordinates).
 - ii. Standard parcel identifiers for freehold land.
 - iii. The location and area of all native vegetation present, including scattered trees, that are permitted to be removed under this permit.
 - iv. All areas of native vegetation to be retained within 15m of works, including the Tree Protection Zones (calculated in accordance with AS 4970-2009 Protection of Trees on Development Sites) of trees to be retained.
 - v. Details of the proposed screen tree planting.

LANDSCAPE PLAN

5. Before the use and development commences, excluding demolition, bulk excavation and site preparation works, a detailed landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the Responsible Authority. Landscaping must be implemented in accordance with the Landscape Strategy, prepared by URBIS, titled Mortlake Energy Hub and dated April 2024 to the satisfaction of the Responsible Authority. The landscape plan must show:
- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b) Details of all proposed ground covers including hardstand and access tracks.
 - c) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - d) Vegetation screening, generally in accordance with that shown on the plans and elevations prepared by URBIS, titled 'Mortlake Energy Hub', Rev E and B respectively and advertised with the application.
 - e) A landscape buffer adjoining the Mortlake Common Flora Reserve (Buffer type 2) incorporating species that are complimentary to the Ecological Vegetation Classes

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(EVCs) present within the Reserve (being Plains Grassland and Plains Grassy Woodland of the Victorian Volcanic Plain), to the satisfaction of the DEECA.

- f) A landscape management plan.
- g) Any changes required to comply with any other condition of this permit.

COMPLIANCE WITH LANDSCAPE PLAN

- 6. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

OPERATIONAL ENVIRONMENTAL MANAGEMENT PLAN

- 7. Before the commencement of the use, an Operational Environmental Management Plan (OEMP) must be approved and endorsed by the responsible authority.

The OEMP must be prepared by an appropriately qualified environmental consultant and:

- a) Include measures to avoid and minimise amenity and environmental impacts during the operation of the solar energy facility.
- b) Include design measures and / or procedures to manage dust, glint and glare, light spill, mud, flood, surface water quality and stormwater run-off.
- c) Include response measures to environmental incidents, including a program for recording and reporting environmental incidents.
- d) Include organisational responsibilities, and procedures for staff training and communication.

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

- 8. Before the development starts, including demolition, bulk excavation, site preparation works and native vegetation removal, a Construction Environmental Management Plan (CEMP) must be approved and endorsed by the responsible authority.

The CEMP must be prepared by an appropriately qualified environmental consultant and include:

- a) The environmental risk assessment prepared for the construction of the facility.
- b) Measures to avoid and minimise amenity and environmental impacts during construction of the facility.
- c) Procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).
- d) Procedures to manage mud and debris on the surrounding road network which may occur during construction.
- e) Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.



- f) A construction timetable, including typical daily start and end times.
- g) The person(s) responsible for implementation and compliance of each of the CEMP requirements, including details of a site contact / site manager.
- h) A detailed description of the measures to be implemented to protect the native vegetation to be retained during 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 within 15 metres of buildings and works, to the satisfaction of the Responsible Authority, including the tree protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 *Protection of Trees on Development Sites*, to the satisfaction of the Responsible Authority.

IMPLEMENTATION OF THE CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

- 9. All persons undertaking works on-site must be fully briefed on all aspects and requirements of the endorsed CEMP. All works constructed or carried out must be in accordance with the endorsed CEMP, to the satisfaction of the responsible authority.

DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION (DEECA) CONDITIONS – RECOMMENDING REFERRAL AUTHORITY

- 10. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
- 11. Before works start, a native vegetation protection fence must be erected around all patches of native vegetation and scattered trees to be retained on site. This fence must be erected around the patch of native vegetation at a minimum distance of 2 metres from retained native vegetation and/or at a radius of $12 \times$ the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of tree. The fence must be constructed of appropriate material to the satisfaction of the Responsible Authority. The fence must remain in place until all works are completed to the satisfaction of the Responsible Authority.
- 12. Except with the written consent of the Responsible Authority, within the area of native vegetation to be retained and any associated tree protection zone, the following are prohibited:
 - a) vehicular or pedestrian access
 - 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
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.



13. To offset the removal of 1.436 hectares (including 20 large trees) of native vegetation, the permit holder must secure a native vegetation offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017) as specified below:
- a) A general offset of 0.292 general habitat units; and,
 - b) Located within the Glenelg Hopkins Catchment Management Authority boundary or the Moyne Shire municipal area:
 - i. With a minimum strategic biodiversity value of at least 0.305, and
 - ii. The offset(s) secured must provide protection of at least 20 large trees.
14. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the DEECA. This evidence must be one or both of the following:
- a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year 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 the Department of Energy, Environment and Climate Action via pea.energyproject@deeca.vic.gov.au.

HEAD, TRANSPORT FOR VICTORIA CONDITIONS – DETERMINING REFERRAL AUTHORITY

15. Before development commences, a Transport Management Plan (TMP) must be submitted to, approved and endorsed by the Head, Transport for Victoria (Head, TfV). When endorsed, the TMP will form part of this permit.
16. The TMP must be prepared by a suitably qualified person and at no cost to the Head, TfV, prior to submission to the responsible authority. The TMP must address the transport and traffic impacts associated with the buildings and/or works, including:
- a) Specification of the travel routes, number and type of vehicles, that will be used to access the site during the construction and operation of the project;
 - b) The completion of a Road Safety Audit, including site visit, from an accredited provider that identifies risks and how these risks will be mitigated and managed;
 - c) The submission of a swept path analysis for the appropriate design vehicle for all movements associated with all the proposed access points, including how the largest design vehicle that could reasonably anticipated to use the site may enter and exit the development site;
 - d) Preparation of cross sections which show the formation, depth, drainage, and surface levels;
 - e) The identification of potential traffic impacts and required temporary or on-going measures resulting from the development, and how this will be managed.
 - f) Preparation of Functional Layout Plans that show:



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- i. the location and detailed design of the connection between the internal access tracks and the public roads.
 - ii. a demonstration that safe sight distances, turning movements, and the avoidance of traffic conflicts at the intersection of internal roads and public roads will be achieved.
 - g) Proposed measures to ensure construction vehicles are easily identifiable.
 - h) The designation of mitigation measures, including operating hours and speed limits for trucks on routes accessing the site which:
 - i. provide for appropriate safety measures around school bus routes and school bus times where relevant; and
 - ii. provide for resident safety.
17. When approved, the TMP will be endorsed by the Head, TfV. The TMP must be complied with, unless varied by the written consent of the Head, TfV.
18. The traffic management and road upgrade and maintenance works identified in the endorsed TMP must be carried out to the satisfaction of and at no cost to the Head, TfV.
19. Before development commences, an existing conditions report must be submitted to and approved by the Head, Transport for Victoria. The existing conditions report must include a survey of all impacted roads once known.
20. Within 6 months of the commencement of the use, a Dilapidation Report must be submitted to and approved by the relevant road manager prior to submission to the responsible authority. The Dilapidation Report must include the following:
 - a) The existing conditions report required by condition 19;
 - b) The report must cover the area outlined in the existing conditions report required by condition 19;
 - c) The report must assess the works that need to be undertaken to remedy any impacts the development has caused to the road pavement, road infrastructure and railway crossing;
 - d) The assessment must be undertaken after the completion of construction of the buildings and/or works.
21. Within 6 months of the approval of the Dilapidation Report; or any such time as agreed with the relevant road manager, the works outlined in the Dilapidation Report must be constructed to the satisfaction of and at no cost to the relevant road manager.
22. Prior to any works commencing within any arterial road reserve, the applicant must enter into a works agreement with the Head, TfV, confirming design plans and works approvals processes, including the determination of fees and the level of the Head, Transport for Victoria service obligations. Contact: southwestworks@roads.vic.gov.au.

TRAFFIC MANAGEMENT PLAN (TMP) TO BE PREPARED IN CONSULTATION WITH MOYNE SHIRE COUNCIL

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23. The Traffic Management Plan (TMP) required by Condition 15 above must be prepared in consultation with Moyne Shire Council.

WORKSAFE CONDITIONS – DETERMINING REFERRAL AUTHORITY

24. The applicant must update the proposed firewater tank for BESS from 288kL with 2 hydrants, to 576kL with 4 hydrants, as per AS 2419.1-2021.

AUSNET CONDITIONS – DETERMINING REFERRAL AUTHORITY

25. Details of any proposed development or use of the AusNet easements, including access roads, installation of lighting, underground services and the use of construction equipment and explosives, must be submitted to and approved by AusNet before work is commenced on site.
26. Buildings and structures including solar panels are not permitted on the AusNet easements without prior written approval from AusNet.
27. Vehicle access by AusNet and its service providers must remain available along the easements at all times.
28. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.
29. Details of the 33kV Underground power line which crosses under the Transmission Line must be submitted to AusNet for review.

CFA CONDITIONS – NOT A REFERRAL AUTHORITY

In conditions 30 to 32:

'The CFA Guidelines' means The CFA's Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).

30. Before plans are endorsed under Condition 3, in consultation with the CFA, a Risk Management Plan must be submitted to, approved and endorsed by the responsible authority. The Risk Management Plan must be prepared in accordance with the CFA Guidelines, and:
 - a) Describe the risks and hazards at the facility to and from the battery energy storage system and related infrastructure.
 - b) Include dedicated fire water supplies:
 - i. For the battery energy storage system:
 1. Of a quantity no less than 576kL (40L/s for four hours) effective capacity.
 2. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
 3. Located reasonably adjacent to the battery energy storage system but in a position that is accessible without undue danger in an emergency, to the satisfaction of CFA.



4. Commissioned prior to the arrival of the battery energy storage system enclosures/containers at the facility.
 - ii. For the solar panel infrastructure:
 1. Additional fire water tanks of a quantity of no less than 45,000L effective capacity each, one located at the primary vehicle entrance to each part of the facility, and at least one for every 100ha within the solar facility, to the satisfaction of CFA.
 2. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
 - c) Specify the separation distance, based on radiant heat flux (output) as an ignition source, between:
 - i. Adjacent battery containers/enclosures.
 - ii. Battery containers/enclosures and related battery infrastructure, buildings/structures, solar panel infrastructure, and vegetation.
 - d) List and describe all other controls for the management of on and off-site hazards and risks at the facility (including all proposed battery energy storage system safety and protective systems).
 - e) Provide an evidence-based determination of the effectiveness of the risk controls against the identified hazards, including justification for the omission of any battery safety and protective system/s.
 - f) Form the basis for the design of the facility.
31. Before plans are endorsed under condition 3, an Emergency Plan (EP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the responsible authority. The EP and FMP must be prepared in consultation with the CFA and be in accordance with the CFA Guidelines.
32. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. The fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the responsible authority.

DEECA CROWN LAND MANAGER CONDITIONS – NOT A REFFERAL AUTHORITY

33. Prior to the commencement of construction, temporary protection fencing must be erected along the shared boundary with the adjoining Crown Land (Mortlake Common Flora Reserve) to the satisfaction of the Responsible Authority and at the applicant's expense.
34. No polluted or sediment laden runoff is to be discharged directly or indirectly onto the adjoining Crown Land Reserve. Overland flows must be maintained at the same rate post-development as on the undeveloped land.



35. No vehicle or machinery access, nor material or plant storage, is permitted within the adjoining Crown Land Reserve.
36. No vegetation is to be removed from the adjoining Crown Land Reserve.
37. No structures are to encroach upon the adjoining Crown Land Reserve.
38. The adjoining Mortlake Common Flora Reserve must not be used as defensible space.

GLINT AND GLARE

39. The resting angle of the panels must be configured between 12-60 degrees (inclusive) from horizontal to ensure that glint and glare impacts are appropriately managed, unless otherwise agreed in writing by the responsible authority.

PREDICTIVE NOISE ASSESSMENT

40. Before the use and development commences, excluding demolition, bulk excavation and site preparation works, a Predictive Noise Assessment must be submitted to the responsible authority and must:
 - a) Model the final design layout and all electrical components of the facility and assess this against EPA Publication 1826.4.
 - b) Demonstrate compliance of the proposal with EPA Publication 1826.4.
 - c) Include details of any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.4 to the satisfaction of the responsible authority.
41. All measures relied on to achieve compliance with EPA Publication 1826.4 must be shown on the development plans under condition 3 and implemented to the satisfaction of the responsible authority.
42. The Predictive Noise Assessment must be made available to the public.

LIGHT SPILL MANAGEMENT

40. All lighting installed and operated at the site must comply with Australian Standard 4282 Control of the obtrusive effects of outdoor lighting.

COMPLAINT INVESTIGATION AND RESPONSE PLAN

41. Before the development starts, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the responsible authority.

The CIRP must:

- a) Respond to all aspects of the construction and operation of the facility.
- b) Be prepared in accordance with Australian Standard 10002 Guidelines for complaint management in organisations.



- c) Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).

42. The endorsed CIRP must:

- a) Be implemented to the satisfaction of the responsible authority.
- b) Not be altered or modified without the written consent of the responsible authority.

COMPLAINTS REGISTER

43. Before the development starts, a Complaints Register must be established, which records:

- a) The complainant's name and address (if provided).
- b) A receipt number for each complaint, which must be communicated to the complainant.
- c) The time and date of the incident, and operational conditions at the time of the incident.
- d) A description of the complainant's concerns.
- e) The process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.

44. All complaints received must be recorded in the Complaints Register.

45. A complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the responsible authority upon request.

EMERGENCY SERVICES

46. Before the development starts, the permit holder must provide spatial information data to Land Use Victoria via email at vicmap.help@delwp.vic.gov.au to be used to direct emergency services to and within the site. This information must be in the ESRI Shapefile or Geodatabase .gdb format, GDA94 or GDA2020 datum and include:

- a) The location and boundaries of the facility extents polygon(s)
- b) All access entry points onto private property.
- c) All internal roads.
- d) The locations of the site compound, substations, and maintenance facilities.

47. If there are any subsequent changes to infrastructure location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email vicmap.help@delwp.vic.gov.au within 30 days of the change, to enable details of any changes to the facility to be known to emergency services dispatchers.

DECOMMISSIONING

48. Once the facility permanently ceases operation, the responsible authority and Moyne Shire Council must be notified within three months.

49. Once the facility permanently ceases operation, all buildings and works must be removed from the site, and the site or the relevant part of the site must be rehabilitated and reinstated to the

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condition it was in prior to the commencement of development, unless otherwise agreed with the landowner, subject to the written consent of the responsible authority.

50. Within three months of the facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority.

The DMP must include, as a minimum:

- a) Identification of infrastructure, equipment, buildings, and structures to be removed, and details of how these will be removed.
- b) Details of how the site will be rehabilitated to meet the requirements of condition 49.
- c) A requirement that a Decommissioning Traffic Management Plan (DTMP) be submitted to, approved and endorsed by the responsible authority prior to decommissioning works starting. The DTMP must be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority for endorsement. The DTMP must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site, to the satisfaction of the responsible authority.
- d) A requirement that all decommissioning works identified in the DMP be completed to the satisfaction of the responsible authority as soon as practicable, but no later than 12 months after the DMP is endorsed, or such other period approved by the responsible authority.

51. The endorsed DMP must be implemented to the satisfaction of the responsible authority.

NOTIFICATION OF WORKS COMMENCING

52. The Department of Transport and Planning (DTP) must be notified when works commence on site, via email development.approvals@transport.vic.gov.au.

SIGNAGE

53. The sign must not be animated or contain any flashing or intermittent light.
54. The sign, including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority

PERMIT EXPIRY

55. This permit will expire if:
- a) The development is not commenced within four years of the date of this permit;
 - b) The development is not completed within eight years of the date of this permit; or
 - c) The use is not commenced within eight years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend:



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- The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- The completion date referred to if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.



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USEFUL INFORMATION:

(the following information does not form part of this permit)

- The use of the land must comply with EPA Publication 1826.4: *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues.*

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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 five years of the certification 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 and 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.
- A copy of 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.

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