

PLANNING PERMIT

Permit No.:	PA2402710
Planning scheme:	Benalla Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	Baddaginnie-Benalla Road Baddaginnie 3670 (Lot 1 TP106246)

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
35.07-1	Use of the land for the purpose of a Renewable energy facility (other than a Wind energy facility).
35.07-4	Construct a building or construct or carry out works associated with a Section 2 use.
52.17	Remove, destroy or lop native vegetation, including dead native vegetation

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 document approved under this permit to the satisfaction of the responsible authority.

Development Plans

2. 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 development plans must be generally in accordance with the application plans prepared by Birdwood Energy, dated 16 & 18 July 2023 but modified to show:
 - a. Detailed, fully dimensioned site layout, elevation and other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings and works.



- b. A notation stating that the colours, materials and finishes of all buildings and works other than solar panels must be non-reflective and matched where possible to colours present within the surrounding landscape to minimise visual impact.
- c. Detailed plans (including dimensions and materials) of the section of Forshaw Road between the proposed access and the Baddaginnie-Benalla Road, including proposed crossovers and access tracks servicing the subject site.
- d. The location and areas of all native vegetation on-site, including tree protection zones of native trees (within 30m of any works) calculated in accordance with Australian Standard 4970 Protection of Trees on Development Sites.
- e. Any changes required to comply with Condition 4 (Landscape Plan).
- f. Details of glare screening required by the recommendations of the Glint and Glare Assessment prepared by Environmental Ethos, dated 8 January 2024, to comply with condition 7.
- g. Any changes required by DEECA's requirements at conditions 16-26.
- h. Any changes required to comply with DTP's (Head, Transport for Victoria's requirements at 27-30.
- i. Any changes required to comply with CFA Conditions 31 to 33 (if required).
- j. Any changes required to comply with Benalla Rural City Council's requirements at conditions 34-36.
- k. Any other design changes required to comply with any other conditions of this permit.

Written consent to modify endorsed plans

- 3. The use and development must be generally in accordance with all plans and documents approved and endorsed under this permit. The endorsed plans must not be altered or modified without the prior written consent of the responsible authority.

Landscaping Plan

- 4. Before any works (including native vegetation removal) commence, a Landscape Plan must be prepared in consultation with DEECA and submitted to, approved and endorsed by the responsible authority. Once endorsed, the landscaping plan will form part of this permit.

The Landscaping Plan must be in accordance with the recommendations of the Visual Impact Assessment, prepared by Confluence Ecology and Community, dated 16 July 2024 and any updated assessment against the amended development plans required by Condition 2) to the satisfaction of the Responsible Authority. The Landscape plan must include:

- a. The use of indigenous species appropriate to the Ecological Vegetation Class of the site.
- b. Details of all proposed landscaping and vegetation (including species, density, height at time of planting and maturity, and separation in both plan and elevation) to provide screening of the solar panels and other components of the solar farm from surrounding roads and dwellings.

- c. Security fencing and details of glare screening required by the recommendations of the Glint and Glare Assessment prepared by Environmental Ethos, dated 8 January 2024 to comply with condition 9.
 - e. A maintenance and monitoring program to ensure the ongoing health of landscaping and the replacement of dead or diseased plants.
5. The endorsed Landscaping Plan must be implemented to the satisfaction of the responsible authority.
6. Temporary stock-proof fencing must be provided around the landscaping if grazing is to occur during the planting establishment, until the landscaping is sufficiently established to the satisfaction of the responsible authority.

Glint and Glare Management Plan

7. Concurrent to the endorsement of development plans in accordance with condition 2 of this permit, an updated Glint and Glare Assessment, similar to that submitted with the application (Glint and Glare Assessment prepared by Environmental Ethos, dated 8 January 2024), must be submitted to and approved by the responsible authority that includes:
- a) Details (including location, height and materials) of any glare screening or other method required to mitigate glint and glare impacts while landscaping treatments are established to an appropriate height and density;
 - b) Details (including location, width, height and density) of any landscaping treatments required.
 - c) An assessment from a suitably qualified person confirming that subject to any proposed mitigations, the glint and glare from the solar farm would not have an impact on road safety, or the reasonable amenity of the residents of dwellings assessed in the Glint and Glare Assessment.
8. Before any solar arrays are installed on the site, any glare screening must be constructed in accordance with the endorsed development plans.
9. Despite what is shown on the endorsed development plans, any glare screening may be removed with the written consent of the responsible authority, following demonstration that glint and glare impacts have been appropriately mitigated by other means, to the satisfaction of the responsible authority.

Construction Environmental Management Plan

10. Before the development starts, a Construction Environmental Management Plan (CEMP) must be approved and endorsed by the responsible authority.

The CEMP must include:

- a) Measures to avoid and minimise amenity and environmental impacts during construction of the facility.

- b) Procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).
 - c) Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.
 - d) A construction timetable, including typical daily start and end times.
 - e) The person(s) responsible for implementation and compliance of each of the CEMP requirements, including details of a site contact / site manager.
11. All persons undertaking works on-site must be 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.

Drainage and Stormwater Management Plan

12. Before the development starts, a Drainage and Stormwater Management Plan (DSWMP) must be developed in consultation with Benalla Rural City Council, and approved and endorsed by the responsible authority.

The DSWMP must:

- a) Include details (and computations) of how the works on the land are to be drained, including drains conveying stormwater to the legal point of discharge.
- b) Include details of how the drainage design affects the continuation of existing overland flow paths and flood patterns across the land.
- c) Assess impacts on on-site infiltration and surface water quality, including adjacent land and waterways, specifically the site's south-eastern designated waterway.
- d) Include details about how polluted or contaminated runoff is to be managed.

Noise

13. The use of the land must at all times 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* (EPA Publication 1826.4).
14. Before the endorsement of development plans in accordance with condition 2 of this permit, 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.
15. All measures relied on to achieve compliance with EPA Publication 1826.4 must be shown on the development plans under condition 2 and implemented to the satisfaction of the responsible authority.

DEPARTMENT OF ENERGY, ENVIRONMENT AND CLIMATE ACTION (recommending referral authority)

Notification of permit conditions

16. 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.

Environmental Management Plan

17. Before any works start, including removal of native vegetation, an environmental management plan (EMP) must be prepared in consultation with DEECA and submitted to and approved by the responsible authority. When approved, the EMP will be endorsed and will form part of this permit.

The EMP must include:

- a) Measures to be implemented to protect the native vegetation and other biodiversity values being retained on site and on land directly adjoining the site, including adjoining roadsides, during construction and operation. These measures must include the erection of a native vegetation protection fence during construction around all native vegetation to be retained on site within 30 metres of 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.
- b) Details for the implementation and use of low/minimum impact site preparation and construction systems and techniques, and any mitigation measures identified in the Updated Native Vegetation Impact Assessment –Baddaginnie Solar Farm (Confluence Ecology and Community, Version 3, July 2024).
- c) Measures and techniques to minimise impacts on existing ground cover native vegetation.
- d) Identification of all stockpile, storage, parking and vehicle/machinery storage locations and management requirements for these – all to be located within the identified facility development and impact areas.
- e) Sediment control, and erosion and drainage management to be implemented on site, to ensure no sediment or sediment laden runoff enters waterways, wetlands or moves off site.
- f) Weed control and management on site, including appropriate vehicle hygiene measures, during construction phase and post construction.
- g) Appropriate stockpile and storage area management.
- h) Protocols for native fauna identification, monitoring, protection, salvage and relocation to be implemented during construction (in particular during removal of native vegetation). This will need to include an appropriately qualified and experienced fauna spotter being on site when removing/felling large trees (Note: Any native fauna salvage, handling or relocation needs to be conducted by a licenced native fauna handler).



- i) The retention of felled trees, in particular any hollow sections, and relocation of these into areas of native vegetation identified for retention and protection on site, to improve habitat quality in retained areas.
 - j) Monitoring and reporting requirements for all aspects of the construction phase, and all components of, and actions set out in the approved EMP.
 - k) The person/s responsible for implementation and compliance of each aspect of the EMP.
18. All persons undertaking works on site must be briefed on all aspects and requirements of the endorsed EMP. All works constructed or carried out must be in accordance with the endorsed EMP, to the satisfaction of the responsible authority.

Native Vegetation Removal

19. The native vegetation permitted to be removed, destroyed or lopped under this permit is 6.153 hectares of native vegetation, which includes three (3) large trees within patch vegetation as identified in the Native Vegetation Removal Report associated with this permit – ID: CEC_2024_002.
20. Before any works start, a native vegetation protection fence must be erected around all patches of native vegetation and trees, including dead trees, to be retained on site and on any adjoining road reserves. The protection 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 star pickets and plain wire, strong webbing or other highly visible, durable materials and marked as “No-Go-Zones”, 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.
21. Except with the written consent of the responsible authority, within the areas of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and development, the following is prohibited:
- i. vehicular or machinery access
 - ii. trenching or soil excavation
 - iii. storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
 - iv. entry and exit pits for the provision of underground services
 - v. any other actions or activities that may result in adverse impacts to retained native vegetation.

Native Vegetation Offsets

22. To offset the removal of 6.153 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).
- i. A general offset of 3.862 General Habitat Units:

- ii. Located within the Goulburn Broken Catchment Management Authority boundary or Benalla Council municipal area
 - iii. With a minimum strategic biodiversity value of at least 0.721, and
- ii. The offset(s) secured must also protect three (3) large trees.
23. Before any native vegetation is removed, evidence that the offset required by this permit has been secured, must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following.
- i. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register, and/or
 - ii. 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.

At the conclusion of the project, offset requirements can be reconciled with agreement by the Department of Transport and Planning, and the Department of Energy, Environment and Climate Action.

24. 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 and Environment Assessment team via: pe.assessment@deeca.vic.gov.au.
25. Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority,
26. Within 12 months of the conclusion of the project, the native vegetation offset requirements can be reconciled with the written agreement of the responsible authority and DEECA.

Note: This will require a follow-up assessment by an accredited assessor, of the actual losses and impacts from construction of the solar facility on native vegetation, to identify any discrepancies from the current Native Vegetation Removal Report (CEC_2024_002) associated with this permit. In the event that further native vegetation is able to be avoided on site, then the offsets required by this permit may be reconciled.

HEAD, TRANSPORT FOR VICTORIA (Not a referral authority)

27. No access is permitted from the subject land to Hume Freeway (M31).
28. Before the commencement of any works on the subject land (or stages thereof) and before the engagement of any haulage contractors, unless otherwise agreed in writing, a Traffic Management Plan (TMP) is required.

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The TMP must be prepared by a VicRoads pre-qualified consultant and must identify the points of access to the subject land from the local road network during all phases of the development (e.g. the construction phase and on-going operations and maintenance etc). The TMP, without limiting the generality of the plan, must include:

- a) That prior to commencement of any works, an existing conditions survey of public roads (not including M roads) and associated road infrastructure that may be used in connection with the solar energy facility (for access, delivery of material, pre-construction or construction purposes etc), including details of the suitability of the proponent's use, design, condition and construction standard of the relevant public roads and bridges.
- b) The designation and suitability assessment of appropriate pre-construction, construction and transport vehicle routes to and from the site. Any identified route(s) should avoid built up locations of towns, wherever practicable.
- c) Engineering Plans and reporting demonstrating whether, and if so, how truck movements to and from the site can be safely accommodated within the road reserve. Mitigation measures are to be developed by the proponent and agreed to by the Head, Transport for Victoria and the Responsible Authority for all hazards including, but not limited to:
 - i. Oversize and over-mass haulage;
 - ii. Traffic management;
 - iii. Removal of roadside vegetation;
 - iv. Reduction in speed limits;
 - v. Alteration to any road furniture or intersection;
 - vi. Emergency management; and
 - vii. Risk management.
- d) The timing of when the works are to be undertaken.
- e) Works required by the TMP must be completed expeditiously to the satisfaction of The Head, Transport for Victoria and the Responsible Authority.
- f) A program to rehabilitate existing public roads and associated road infrastructure to a safe and usable condition to the greater standard of either the:
 - i. Standard no less than what is required to support the proposed use; or
 - ii. The condition identified by the surveys required under the condition above.

During the following stages:

- i. The construction period;
- ii. At the conclusion of the construction of the solar energy facility; or
- iii. First two years during the operation of the solar energy facility.

The proponent is responsible for any damage caused to construction vehicles or other vehicles in the event that the safe and usable quality of any public road and associated infrastructure is degraded or compromised as a result of the development, and that the Head, Transport for Victoria or the Responsible Authority will not accept liability for any such damage.



29. By no later than three months after the date of completion of the solar energy facility, a post construction conditions survey of public roads (not including M roads) as identified by the approved TMP that have been used in connection with the solar energy facility (for access, preconstruction or construction purposes etc), must be submitted and approved by the Head, Transport for Victoria and the Responsible Authority.

The report shall include details of any dilapidation or damage to the roads and a program of rehabilitation in accordance with the requirements of the approved TMP.

30. The traffic management and road upgrade and maintenance works identified in the endorsed TMP must be carried out in accordance with the endorsed TMP to the satisfaction of the Head, Transport for Victoria.

COUNTRY FIRE AUTHORITY – not a referral authority

In conditions 31 to 33:

'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).

31. Before plans are endorsed under condition 2, 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. Of a quantity no less than 288kL (20L/s for four hours) effective capacity.
 - ii. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
 - iii. Located reasonably adjacent to the battery energy storage system but in a position that accessible without undue danger in an emergency, to the satisfaction of CFA.
 - iv. Commissioned prior to the arrival of the battery energy storage system enclosures/containers at the facility.
 - 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.
32. Before plans are endorsed under condition 2, 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.
33. 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.

BENALLA RURAL CITY COUNCIL (Not a referral authority)

34. Before development starts, the section of Forshaw Road between the proposed access and the Baddaginnie-Benalla Road shall have a granular pavement re-sheet with 100mm of compacted additional gravel to the satisfaction of Council. During the solar farm works the applicant shall maintain the road surface to a standard as specified in Council's Road Management Plan. At the completion of the project, the gravel surface shall be graded and compacted (if required) to the satisfaction of Council.
35. Before development starts, the applicant shall construct a vehicle access in accordance with the Infrastructure Design Manual drawing SD255 as recommended in the TRAFFICWORKS™ Traffic Impact Assessment Report dated 16/7/24.
36. All works within Forshaw Road will require the application of a Works in Road Reserve Permit from Council.

Light Spill Management

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

Complaints

38. Before 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).
39. 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

40. Before the development starts, a Complaints Register must be established, which records:
- The complainant's name and address (if provided).
 - A receipt number for each complaint, which must be communicated to the complainant.
 - The time and date of the incident, and operational conditions at the time of the incident.
 - A description of the complainant's concerns.
 - The process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.
41. All complaints received must be recorded in the Complaints Register.
42. A complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the responsible authority on each anniversary of the date of this permit and at other times upon request.

Emergency Services

43. 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:
- The location and boundaries of the facility extents polygon(s)
 - All access entry points onto private property.
 - All internal roads.
 - The locations of the site compound, substations, and maintenance facilities.
44. 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

45. Once the facility permanently ceases operation, the responsible authority and Benalla Rural City Council must be notified within three months.
46. 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 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.
47. 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:

- 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 45.
- 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.

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

Notification of Works Commencing

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

Expiry

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

- a) The development is not started within 3 years of the date of this permit.
- b) The development is not completed within 6 years of the date of this permit.
- c) The use has not commenced within 3 years of the completion of the development.

The responsible authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

USEFUL INFORMATION:

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

- In the event that any works are conducted on public land, and if the works include removal of flora species listed as protected under the Flora and Fauna Guarantee Act 1988, a permit to take protected flora will be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer at a Hume regional office of the Department of Energy, Environment and Climate Action. (Note: it is understood that no native vegetation removal from any public land is part of the proposed works).
- A permit under the Wildlife Act 1975 is required for destruction of wildlife habitat and management of any displaced wildlife. Contact the Office of the Conservation Regulator for further information, advice and application requirements.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

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.

Date issued: 7 November 2024 Signature for the responsible authority:

