

PLANNING PERMIT

Permit No.: PA1900745

Planning Scheme: Benalla Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

Land

Address

Volume

Folio

Lot 1 Title Plan 903174T

8998

879

Lot 3 Title Plan 903174T

8998

879

Roads

~~Benalla-Yarrowonga Road~~

Nelson Road

Bowers Road

Lee Road Reserve

VicTrack rail reserve

ADVERTISED
PLAN

This copied document to be made available for the sole 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 may breach any copyright

THE PERMIT ALLOWS

Use and development of a solar energy facility, utility installations (batteries and powerlines) and associated buildings and works, native vegetation removal and business identification signage

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

DEVELOPMENT PLANS

1. Before development starts, including the removal of native vegetation, amended development plans must be submitted to, approved and endorsed by the responsible authority. When endorsed, the plans will form part of this permit.

The plans must be fully dimensioned and drawn to scale. The plans must be generally in accordance with the application plans received by DELWP on 21/09/2020 prepared by Lightsource BP but modified to include:

- a. Detailed location/site layout, floor, elevation and/or other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings, structures and works, including (as appropriate):
 - i. Solar panel(s) and associated mounting structure(s);
 - ii. Power conversion unit(s)/Inverter(s);
 - iii. Operations and maintenance facility;
 - iv. Control building;
 - v. Noise attenuation measures required for the facility to comply with Condition 15;

This copied document to be made available for the sole 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 may be a business or a right.

- vi. Security fencing, which is to be located between the solar arrays and landscaping/vegetation buffers;
 - vii. Glare screening, which must be designed in accordance with the revised Glint and Glare Assessment required by condition 11,;
 - viii. Business identification signage not exceeding 3 square metres in overall area;
 - ix. Underground cabling;
 - x. Internal access tracks, including indicative sections and information regarding material;
 - xi. Laydown area(s);
 - xii. Equipment/material storage area(s);
 - xiii. Any changes required by the risk and emergency management design features and facilities specified at conditions 40-61 inclusive;
 - xiv. Landscaping, in accordance with the Landscaping Plan required by condition 4;
 - xv. Any other development or design feature required to comply with any condition of this permit.
- b. The colours and finishes of all buildings and works, which must be non-reflective, and matched where possible to colours present within the surrounding landscape to minimise visual impact.
 - c. Setbacks of all buildings and solar arrays from adjacent site boundaries dimensioned.
 - d. Detailed plans and elevations of any overhead power lines and other grid connection works.
 - e. Electricity cabling within the facility being located underground.
 - f. The location and areas of all native vegetation on site and on adjoining land that is permitted to be removed under this permit.
 - g. Retention of trees 24, 46, and one tree from Patch 4.
 - h. All areas of native vegetation to be retained including the tree protection zones including:
 - I. all areas where enhancement work and any revegetation works are proposed;
 - II. details and alignment/location of the measures to be implemented to protect the native vegetation to be retained on site during construction works. These measures must include the erection of a native vegetation protection fence/s around all native vegetation to be retained on site including the tree protection zones of all native trees to be retained, and signage identifying No-Go-Zones, 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.
 - i. Any staging of the use and development.

WRITTEN CONSENT TO MODIFY ENDORSED PLANS

- 2. The use and development must be generally in accordance with the plans endorsed in accordance with this permit. The development plans endorsed under condition 1, and any other plan endorsed under a condition of this permit, must not be altered or modified without the written consent of the responsible authority.

STAGING

**ADVERTISED
PLAN**

ADVERTISED PLAN

3. The use and development may be completed in stages in accordance with the endorsed development plans. The corresponding obligations arising under this permit may be completed in stages.

LANDSCAPING

4. Before development starts, a Landscaping Plan must be submitted to the satisfaction of, and endorsed by, the responsible authority. When endorsed, the plan will form part of this permit.

The Landscaping Plan must generally be in accordance with the planting arrangements illustrated in the submitted *Landscape Strategy* (by Urbis, dated 30 July 2020) and include:

- a. Details and location of planting (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.
 - b. A maintenance and monitoring program, including weed management and to ensure the ongoing health of landscape works.
5. The landscaping works must be carried out and completed in accordance with the Landscaping Plan to the satisfaction of the responsible authority within the timeframe indicated in that plan.
 6. Once the landscaping is carried out, it must be maintained in good health for the operational life of the facility, including the replacement of any dead or diseased plants to the satisfaction of the responsible authority.
 7. Temporary stock-proof fencing must be provided around the landscaping if grazing is to occur during planting establishment, until the landscaping is sufficiently established to the satisfaction of the responsible authority.

CONSERVATION RESERVE

8. Before the development starts, excluding site preparation works and any clean up works, the owner must:
 - a. Enter an agreement under Section 173 of the Planning and Environment Act 1987 with Benalla Rural City Council;
 - b. Register the Agreement on the Title for the land in accordance with Section 181 of the Planning and Environment Act 1987; and
 - c. Provide Benalla Rural City Council with the dealing number confirming the registration of the Title.
9. The agreement must be in a form to the satisfaction of the Benalla Rural City Council, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including Benalla Rural City Council's reasonable costs and expense (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:
 - i. The provision of 7.88 hectares of the site to be maintained as conservation areas for the life of the solar energy facility.
 - ii. The conservation area must feature at least 120 instances of hollow-style habitat supportive of endemic native fauna. This must at least partially include the reuse of existing hollow bearing tree trunks and branches removed from the site.
 - iii. The solar energy facility operator is solely responsible for the care and maintenance of the conservation areas to the satisfaction of Benalla Rural City Council.

ADVERTISED PLAN

DRAINAGE AND STORMWATER MANAGEMENT PLAN

10. A Drainage and Stormwater Management Plan (DSMP), which must 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.
 - Details of how the drainage design affects the continuation of existing overland flow paths and flood patterns across the land.
- Assessment of impacts on onsite infiltration and surface water quality, including adjacent land and wetlands.

GLINT AND GLARE

11. Prior to the endorsement of plans in accordance with Condition 1 of this permit, a Glint and Glare Assessment report prepared by a suitably qualified person that:
- Assesses the potential impacts of the proposed facility on roads, dwellings, and railways within 1km of the proposed facility boundary;
 - Is modelled using the selected panels and tracking behaviour (including evidence of the selected tracking behaviour);
 - Provides recommendations on the length, height, and materials of glare mitigation screening (if required) to provide short-term mitigation until the landscaping required by condition 4 grows sufficiently, having regard for the elevation difference between the solar arrays causing the glare and the location of receptors;
 - Demonstrates how the landscaping required by condition 4 will mitigate glint/glare impacts to nearby receptors.
 - Confirms that following the implementation of the Landscaping Plan required by condition 4, and the construction of any mitigation methods until landscaping reaches maturity, glint and glare from the solar farm would not have an impact on road and/or rail safety, or the reasonable amenity of residents of dwellings within 1km of the facility.
12. All glare screening must be constructed in accordance with the endorsed development plans prior to construction or installation of any solar arrays on the subject site.
13. Despite what is shown on the endorsed development plans, any glare screening may be removed with the written consent of the responsible authority, following the satisfactory growth of the vegetated buffers.

CONTROL OF LIGHTING

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

OPERATIONAL NOISE

15. The use of the land must at all times comply with the Environmental Protection Authority's *Noise from Industry in Regional Victoria* standard (as documented in EPA publication 1411) (NIRV Standard).
16. Prior to the endorsement of plans in accordance with Condition 1 of this permit, an updated Predictive Noise Assessment report must be provided to the Minister for Planning that:
- Is modelled using the final design layout and electrical components for the entire facility, including inverters and components associated with the batteries;
 - Demonstrates the proposal will comply with the NIRV Standard at all times without relying on limiting the operating capacity of any part of the facility;

ADVERTISED PLAN

- c. provides detail of the mitigation measures that need to be implemented to achieve compliance with the NIRV Standard, if required.

All measures relied on to achieve compliance with the NIRV, as documented in EPA publication 1411 must be shown on the plans endorsed under condition 1, and implemented to the satisfaction of the Minister for Planning.

The Predictive Noise Assessment must be made available to the public.

17. Within 1 month of the commencement of the use, a Post-Construction Acoustic Assessment must be prepared by a suitably qualified acoustic engineer and must be submitted to the Responsible Authority. The Acoustic Report must be made available to the public. The report must assess the compliance of the use with the NIRV Standard and, where necessary, make recommendations to limit the noise impacts in accordance with the NIRV Standard. If recommendations to limit the noise impacts are made, they must be implemented to the satisfaction of the Responsible Authority.
18. Within 1 year of the commencement of the use, a Post-Construction Acoustic Assessment Report must be prepared by a suitably qualified acoustic engineer and must be submitted to the Responsible Authority, demonstrating compliance with the NIRV Standard at all times. The Acoustic Report must be made available to the public. The report must assess the compliance of the use with the NIRV Standard and, where necessary, make recommendations to limit the noise impacts in accordance with the NIRV Standard. If recommendations to limit the noise impacts are made, they must be implemented to the satisfaction of the Responsible Authority.

TRAFFIC MANAGEMENT

Vehicle Access Points

19. Vehicle access points must be designed and located to the following standards, to the satisfaction of the relevant road management authority (or authorities):
 - a. Truck movements to and from the site must be able to be accommodated on sealed roadways.
 - b. To the extent practicable, access points must be able to accommodate turning movements without vehicles encroaching onto the incorrect side of the road.
 - c. Safe sight distances must be provided.
 - d. Potential through traffic conflicts must be avoided.

Traffic Management Plan

20. Before development starts including the removal of native vegetation, a Traffic Management Plan must (TMP) be submitted to, approved and endorsed by the responsible authority. Once endorsed, the plan will form part of this permit.

The TMP must:

- a. Be prepared by a suitably qualified and experienced independent civil or traffic engineer.
- b. Specify measures to be taken to appropriately eliminate, reduce or mitigate road safety hazards and traffic impacts associated with the construction and operation of the solar energy facility.
- c. Ensure the site access points are suitable for 19m semi-trailers or a 25m B-double
- d. Identify the scheduling of all construction works.
- e. Design appropriate construction vehicle routes to the site.

PA190048

ADVERTISED PLAN

This copied document to be made available for the sole purpose of enabling its consideration and Design as part of a planning process under the Planning and Environment Act 1987. The document must not be approved by the responsible authority prior to its submission to the responsible authority.

f. Designate vehicle access points to the site from surrounding roads.

g. Address coordination between construction traffic and school bus travel.

h. Be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority.

i. Make recommendations consistent with the conditions supplied by the Country Fire Authority.

21. The endorsed TMP must be implemented to the satisfaction of the responsible authority and relevant road management authority (or authorities).

22. Vehicle crossings as shown on the endorsed plans must be constructed and sealed to the standards of Council's Infrastructure Design Manual. The final location of the crossings are to be approved by Benalla City Council.

~~23. Prior to any construction works commencing on site (excluding vegetation removal and relocation and drainage works), the developer must upgrade the road, drainage and other civil work from the intersection of Benalla Yarrowonga Gould Road to 100 meters past the main subject site entrance along Nelson Road and to incorporate earthworks, pavement, sealing, gravelled shoulder, drainage, line marking and environmental treatments across the frontage of the development, and in accordance with plans and specifications approved by the responsible authority in accordance with the Infrastructure Design Manual. Specific details are as follows:~~

~~a. Fully sealed pavement (including turning lanes and passing lanes), gravelled shoulders, signage and vehicular crossings, off Nelson Road (from the intersection of Benalla Yarrowonga Road/ Nelson Road unsealed section to 100 meters past the secondary entrance to the subject site along Nelson Road).~~

~~b. Passing lane at the entrance for the safe movement of heavy vehicles.~~

~~c. Underground drainage.~~

~~d. Appropriate signage, intersection and traffic (control/mitigation) measures.~~

~~e. Stormwater retention and quality treatments.~~

~~f. Road drainage.~~

~~Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual.~~

~~23. Prior to any construction works commencing on site excluding the following early works;~~

~~▪ Site establishment works, including general survey and set out;~~

~~▪ Vegetation clearing and earthworks, including weed management;~~

~~▪ Construction of internal roads, including grading and stormwater management/drainage;~~

~~▪ Construction of all-weather pad for construction compound and laydown areas;~~

~~▪ Laying out of temporary buildings (construction compound);~~

~~▪ Dust suppression works;~~

~~▪ Commencement of perimeter fencing works;~~

~~▪ Minor piling works~~

~~the developer must upgrade the road, drainage and other civil work from the intersection of~~

Nelson Road/Gould Road to 100 meters past the most western most subject site entrance along Nelson Road and to incorporate earthworks, all weather sealing, gravelled shoulder, drainage, line-marking and environmental treatments across the frontage of the development, and in accordance with plans and specifications approved by the responsible authority in accordance with the Infrastructure Design Manual. Specific details are as follows:

a. All weather sealing (including turning lanes and passing lanes), gravelled shoulders, signage and vehicular crossings from Nelson/Gould Road intersection to 100 metres past the western most subject site entrance

b. Passing lane at the entrance for the safe movement of heavy vehicles.

c. Underground drainage.

d. Appropriate signage, intersection and traffic (control/mitigation) measures.

e. Stormwater retention and quality treatments.

f. Road drainage.

Road reserve and road widths must be in accordance with the requirements of the Infrastructure Design Manual.

24. Any proposed alteration or modification to the endorsed TMP must be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority for endorsement.

VicTrack Conditions

25. The permit holder must not, at any time:
- 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.
26. The permit holder must not enter any railway land without the written consent of VicTrack and the Rail Infrastructure Manager ARTC. If the permit holder has obtained VicTrack's and ARTC's written consent to enter the railway land, the permit holder must comply with VicTrack's and the ARTC's Site Access Procedures, conditions and safety requirements when accessing the railway land. The permit holder must comply with all of VicTrack's and ARTC's reasonable requirements for works in railway land or immediately adjacent to the railway land.

**This copied document to be made available
for the sole 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 may breach any
copyright**

**ADVERTISED
PLAN**

ADVERTISED PLAN

27. Before the commencement of the development, including demolition and bulk excavation, detailed engineering plans for any construction, works and utilities within railway land must be submitted to, and approved by, VicTrack and ARTC. The plans must detail the design and method of construction and include all excavation of the site adjacent to the railway corridor having impact on the railway land. The construction or works must be carried out in accordance with the plans approved by VicTrack and ARTC. The contact for VicTrack for approval of plans is: services@victrack.com.au.
28. 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.

APA Conditions

29. Prior to the endorsement of plans in accordance with Condition 1, an electrical hazard study must be prepared in accordance with the requirements of Australian Standard 4853-2012 (for Low Frequency Induction and Earth Potential Rise), in consultation with the APA, and submitted to the Responsible Authority.
30. The current ground level over the existing high pressure gas pipeline easement is not to be reduced and must be maintained, unless agreed in writing with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd), to the satisfaction of the Responsible Authority.
31. The Construction Environmental Management Plan must include the requirement that: No stockpiles or storage of material is to be stored on the gas pipeline easement at any time.

Goulburn Broken CMA conditions

32. The finished floor levels for the housing of electrical infrastructure (such as inverters, batteries and the like) should be set at least 900 millimetres above the applicable 1% AEP water surface elevation as determined from the submitted hydraulic modelling.

COMPLAINTS

Complaint Investigation and Response Plan

33. Before development starts, including the removal of native vegetation, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the CIRP will form part of the permit.

The CIRP must:

- a. Respond to all aspects of the construction and operation of the solar energy facility including any impacts on adjacent rail infrastructure and operations.
 - b. Be prepared in accordance with *Australian/New Zealand Standard AS/NZS 10002:2014 – 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).
34. The endorsed CIRP must be implemented to the satisfaction of the responsible authority.

Publishing Information about Complaints Handling

35. Before development starts, including the removal of native vegetation, the following information must be made publicly available and readily accessible from the solar energy facility project website, or another publicly available resource to the satisfaction of the responsible authority:
 - a. A copy of the endorsed CIRP.
 - b. A toll-free telephone number and email contact for complaints and queries to the solar energy facility operator.

ADVERTISED PLAN

Complaints Register

36. Before development starts, including the removal of native vegetation, 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.
37. All complaints received must be recorded in the Complaints Register.
38. The 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 on request.

COUNTRY FIRE AUTHORITY

39. The design, commissioning and operation of solar facilities must be undertaken in accordance with CFA's Guidelines for Renewable Energy Installations.

Risk Management Plan

40. A risk management plan, incorporating a risk assessment, must be submitted to the satisfaction of CFA; the plan must:
 - a. Identify, assess and outline controls for the management of risks at the facility, including on-site and off-site planning.
 - b. Be prepared in accordance with CFA's Guidelines for Renewable Energy Installations.

Fire Protection

41. A fire protection system must be provided for the facility, the system must:
 - a. Be designed to allow adequate response to the risks and hazards posed by both the solar panel array and the proposed battery energy storage system (BESS).
 - b. Comply with Australian Standard 2419.1-2005: Fire hydrant installations.
 - c. Where it incorporates a static water storage, be designed to the satisfaction of CFA.

Access

42. A four (4) metre perimeter road should be constructed within the ten (10) metre perimeter Fire Break. Roads are to:
 - a. Be of all-weather construction and capable of accommodating a vehicle of fifteen (15) tonnes.
 - b. Where they are constructed roads, they must 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.
 - c. Be of average grade 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.
 - d. Where there are dips in the road, they must be no more than a 1 in 8 (12.5% or 7.1°) entry and exit angle.
 - e. 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 must be incorporated.

ADVERTISED PLAN

43. Road networks within the facility must:
 - a. Enable responding emergency services to access all areas of the facility.
 - b. Include a minimum of two but preferably more access points to the site.

Fuel/Vegetation Management

44. A fire break area of at least ten (10) metres width must be maintained around the perimeter of the facility. Where the vegetation screening zone/landscape buffer:
 - a. Is a width of 20 (twenty) metres or less, the fire break area must be at least ten (10) metres width (maintained between the screening vegetation and the solar panels and other infrastructure).
 - b. Exceeds a width of 20 (twenty) metres, the fire break area must be greater, as determined through a risk management process that considers radiant heat from a bank of solar panels fully involved in fire as an ignition source. The risk management plan, incorporating risk assessment, must be provided to the satisfaction of CFA.
45. A fire break area of at least ten (10) metres width must be maintained around electricity compounds, substations and battery installations.
46. Fire break(s) must:
 - a. At the perimeter, commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.
 - b. Be constructed of mineral earth or non-combustible mulch (such as crushed rock).
 - c. Be free of vegetation at all times.
 - d. Be free of all obstructions (e.g., no stored materials of any kind) at all times.
47. Grass is to be maintained at below 100mm in height during the declared Fire Danger Period.
48. There must be a clearance of at least 2 metres between the lowest branches and ground level within the vegetation screening (landscape buffer) zone (s).
49. There must be a clearance of at least 2 metres between the lowest branches and ground level within the vegetation screening (landscape buffer) zone(s).
50. 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.
51. Long grass and/or deep leaf litter must not be present in areas where plant and heavy equipment will be working.

Siting, Operation and Maintenance

52. Solar facilities must have a minimum 6 metre separation between banks of solar panels. A bank of solar panels may be that connected to a single inverter.
53. The area under solar arrays must be non-combustible material such as mineral earth; non-combustible mulch such as stone; or vegetation managed to no more than 100mm. Managed vegetation may include localised crops of root vegetables or other plants with low flammability, planted to ensure that no part of the plant extrudes from underneath panel banks.
54. 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, must be provided within the Emergency Information Book at the entrances to the facility.

55. For predominantly unoccupied facilities, appropriate monitoring for facility infrastructure must be provided, to ensure that any shorts, faults or equipment failures with the potential

This copied document to be made available for the sole 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 may breach any copyright

ADVERTISED PLAN

to ignite or propagate fire are rapidly identified and controlled, and any fire is notified to 000 immediately.

Battery Energy Storage Systems

56. The battery energy storage system(s) must be:
 - a. Located on a suitable access road for emergency vehicles.
 - b. Clear of vegetation and grass for at least ten (10) metres on all sides. This ten (10) metre area must be non-combustible, such as stone or mineral earth.
 - c. Clear of extraneous items and combustible materials of all kinds. Regular inspections and housekeeping must be regularly conducted to ensure that materials do not accumulate.
 - d. Designed and operated in compliance with 'AS/NZS 5139-2019: Electrical installations – Safety of battery systems for use with power conversion equipment for any battery installations'.
 - e. Provided with underground (buried) cabling, and closed wiring.
 - f. Provided with appropriate spill containment (bundling or otherwise) that includes provision for management of fire water runoff.
57. The specifications for safe operating conditions for temperature, and the effects on battery energy storage system if involved in fire, must be provided by the manufacturer and provided within the facility's Emergency Information Container.
58. The risk management process for battery energy storage systems must consider the risk of grassfire/bushfire impact from outside the facility.

Emergency Management Plan

59. An Emergency Management Plan (EMP) must be submitted to the satisfaction of CFA; the plan must:
 - g. Be prepared in accordance with CFA's Guideline for Renewable Energy Installations 2019 (or as updated from time to time).
 - h. Incorporate a Fire Management Plan, that identifies, assess and outlines controls for the management of fire risks, both on- and off-site, at the facility.
 - i. Incorporate procedures for bushfire/grassfire threat. Bushfire procedures must be linked to 'Fire Danger Ratings', and include triggers, measures and accountabilities for:
 - i. Monitoring for bushfires;
 - ii. Limiting staff access to the site;
 - iii. Limiting site operations/activities, particularly hot-work processes; and
 - iv. Evacuation of personnel from the site.

Provision of Emergency Information

60. An Emergency Information Container must be installed at each road entry to the site. The container must:
 - a. Be painted red and marked 'EMERGENCY INFORMATION' in white contrasting lettering not less than 25mm high.
 - b. Be installed at a height of 1.2m-1.5m above ground level.
 - c. Be unobstructed and accessible with a fire brigade standard 003 key.
 - d. Contain emergency information for the facility, including:
 - A description of the premises, its infrastructure and operations.

This copied document to be made available for the sole 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 may breach any copyright

ADVERTISED PLAN

This copied document to be made available for the sole 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 may breach any copyright.

- ii. Site plans that include the layout of the entire site, including any buildings, internal roads, infrastructure, fire protection systems and equipment, dangerous goods storage areas (if present), drains and isolation valves, neighbours and the direction of north.
- iii. Contact details for site personnel, regulatory authorities and site neighbours.
- iv. Procedures for management of emergencies, including evacuation, containment of spills and leaks, and fire procedures.
- v. A manifest of dangerous goods (if required) as per Schedule 3 of the Dangerous Goods (Storage and Handling) Regulations 2012.
- vi. Safety Data Sheets (SDS) for any dangerous goods stored on-site.

Fire Brigade Site Familiarisation

61. Arrangements must be made for a site familiarisation visit by the local CFA brigade prior to commissioning of facilities. Site familiarisation must include:
 - a. A comprehensive site tour and explanation of the hazards and risks at the facility.
 - b. Confirmation of access arrangements to the site.
 - c. The provision of contact information for at least two persons who may be able to provide information or support during emergencies (24 hours a day).

NATIVE VEGETATION REMOVAL

62. Before development starts, including the removal of native vegetation, the permit holder must advise all persons undertaking the native vegetation removal and associated works on site of all relevant permit conditions and associated statutory requirements or approvals.
63. Except with the written consent of the responsible authority, within the area of native trees and patches of native vegetation to be retained and any associated protection zones, 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 underground services.
 - e. Any other actions or activities that may result in adverse impacts to retained native vegetation.
64. No removal of native vegetation is to occur until evidence of access to the power grid has been issued by the relevant authority and provided to the responsible authority and DELWP Hume Region.
65. To offset the removal of 3.657 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
 - a. A general offset of 0.945 general habitat units located within the Goulburn Broken Catchment Management Authority boundary or Benalla Rural City Council municipal district;
 - b. have a Strategic Biodiversity Value score of at least 0.492;
 - c. provide protection for at least 58 large trees;
 - d. must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

ADVERTISED PLAN

66. 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 responsible authority. This evidence must be an established ~~first~~third party offset site. This must include:
- a security agreement signed by both parties, and
 - a management plan detailing the 10-year management actions and ongoing management of the site
67. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must submit notification of the management actions undertaken towards implementing the offset management plan, to the Responsible Authority. An offset site condition statement, including photographs must be included in this notification;
- credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.
68. A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit. Once endorsed a copy is to be forwarded to DELWP's Hume Region via email to humeregion.planning@delwp.vic.gov.au.

CONSTRUCTION/ENVIRONMENTAL PLAN

69. Before any works start, including removal of native vegetation, a Site/Construction Environmental Management Plan (S/CEMP) in consultation with DELWP Hume Region and must be submitted to and approved by the responsible authority. When approved, the S/CEMP will be endorsed and will form part of this permit.
70. The S/CEMP must be provided in accordance with the requirements at Clause 53.13 and must include but not necessarily be limited to the following:
- measures to be implemented to protect native vegetation and other biodiversity values being retained and enhanced on land adjoining the site, during and post construction works including during construction works
 - any recommendations made in the Biodiversity Impact Assessment (Eco Logical Australia, 21 September 2020, Version 8), and how these will be implemented
 - a specific construction management plan component outlining construction techniques and methodology
 - identification of all stockpile, storage, parking and machinery storage locations and management requirements for these. These need to be located within the identified facility development area
 - sediment control, erosion, and drainage management to be implemented on site, to ensure no sediment or sediment laden runoff enters waterways, wetlands or moves off site in accordance with EPA document Construction Techniques for Sediment Pollution Control No.275 199
 - weed control and management on site, including vehicle hygiene measures, during construction phase and post construction
 - measures to mitigate any detrimental impacts on the native vegetation being retained or on adjoining land
 - a Wildlife Management Plan including specifications for native fauna identification, monitoring, protection, salvage, and relocation measures to be implemented during removal of native vegetation, in particular removal of large hollow bearing trees, and the construction works phase. Any native fauna salvage, handling or relocation must be conducted by a licenced native fauna handler

This copied document to be made available for the sole purpose of enabling its consideration and review as part of the process to protect native vegetation and other biodiversity values being retained and enhanced on land adjoining the site, during and post construction works including during construction works. This document is not to be used for any purpose which may breach any confidentiality.

ADVERTISED PLAN

This copied document to be made available for the sole 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 may breach the copyright.

- i. appropriate monitoring/compliance and reporting requirements for all aspects of the construction phase, and all components of and actions set out in the S/CEMP
 - ii. the person/s responsible for implementation and compliance of each aspect of the S/CEMP.
 - k. All persons undertaking works on site must be fully briefed on all aspects and requirements of the endorsed S/CEMP. All works constructed or carried out must be in accordance with the endorsed S/CEMP, to the satisfaction of the responsible authority.
71. Before any works start, including removal of native vegetation, a protection fence must be erected around all native vegetation in accordance with the amended site plans. The fencing must be constructed of star pickets and plain wire, strong webbing or other clearly visible and durable materials and marked as "No-Go Zones".
 72. Evidence of the protection fencing having been erected must be provided to the responsible authority before works start. The fence must remain in place until all works associated with the project are completed to the satisfaction of the responsible authority.
 73. Except with the written consent of the Responsible Authority, within the area/s of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
 - a. vehicular access
 - b. trenching or soil excavation
 - c. storage, stock piling 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.
 74. Felled trees and logs must be retained on site where possible and placed in situ within the areas set aside for revegetation works or native vegetation retention. Winton Wetlands, GBCMA or other local organisations must be advised of the availability of excess felled trees and logs and where required must be placed in situ by the holder of this permit.
 75. The works associated with any translocation of felled trees and logs within the site must not damage or impact existing native vegetation.
 76. The works associated with any translocation of felled trees and logs within the site must avoid soil disturbance where possible.
 77. Any areas of soil disturbance within the area of native vegetation to be retained must be rehabilitated including stabilisation works and revegetation using indigenous species relevant to the Ecological Vegetation Class for the site, to the satisfaction of the responsible authority.

AUSNET CONDITIONS

78. To ensure that safe distances are maintained where the current easement location does not accord with the position of the transmission line, the enclosed easement creation document KSHD242 needs to be used to derive these safe distances from the transmission line.

The Easement Width Diagram within the easement creation document details off sets which must be maintained to ensure the safety and security of the transmission line.

In this regard the applicant must contact AusNet Transmission Group (LMG@ausnetservices.com.au) to ensure safe distances are maintained.

ADVERTISED PLAN

79. No part of the proposed development is permitted on AusNet Transmission Group's easement or within the safe distances from the transmission line unless otherwise agreed to in writing by AusNet Transmission Group.
80. Access to and along the easement and within the safe distances from the transmission line must be maintained at all times for AusNet Transmission Group's vehicles, staff and contractors.
81. Natural ground surface levels on the easement and within the safe distances from the transmission line must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.
82. The use of vehicles and equipment exceeding 3 metres in height are not permitted to operate on the easement or within the safe distances from the transmission line without prior written approval from AusNet Transmission Group.
83. Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads that are proposed within the AusNet Transmission Group easement or within the safe distances from the transmission line.
84. Roads that run parallel or cut at an angle of less than 45 degrees to the power line/s are not permitted within the easement or within the safe distances from the transmission line.
85. In this regard the applicant must make contact with AusNet Transmission Group (LMG@ausnetservices.com.au) at an early stage to ensure that any road proposals within a transmission line easement or within the safe distances from the transmission line are acceptable to AusNet Transmission Group.

There are strict requirements regarding roads in transmission easements including road length, clearance to existing and future towers and overhead conductors as well as safety considerations relating to installation, operation and maintenance of services within road reserves.

86. Details of any proposed services within the easement or within the safe distances from the transmission line must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

CROWN LAND

87. A minimum width of 20.12 metres of Nelson Road reserve must be retained to allow for its continued use as a government road.
88. Prior to any works on or occupation of Bowers and Nelson (part) Roads, the roads must be closed, and a lease over the unreserved Crown land must be granted by DELWP to the operator of the renewable energy facility.
89. No buildings or works must occur within Crown land (Crown Allotment 2020) Parish of Winton, being Winton Wetlands.

DECOMMISSIONING

90. The responsible authority must be notified within two (2) months after the solar farm permanently ceases operation
91. Subject to condition 89, once the solar energy facility permanently ceases operation, all infrastructure, equipment, buildings, structures and works must be removed, 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 to allow it to be used for agricultural purposes (or any proposed alternative use). This includes, but is not limited to, all solar panels, power conversion units, operations and maintenance facility, control building, substation, switchyard, and above and below ground electrical infrastructure and equipment.

This copied document to be made available for the sole 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 may breach any copyright

ADVERTISED PLAN

92. If the landowner requests, items of infrastructure or other works (such as access tracks or the control building) that are suitable for the ongoing agricultural use of the land (or proposed alternative use) may be retained, subject to the written consent of the responsible authority.
93. Within three months of the solar energy 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. Once endorsed, the DMP will form part of the permit.

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 90.
 - 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. All infrastructure, plant, equipment and access tracks that are no longer required for the on-going use or decommissioning of the facility must be removed
 - e. Reinstatement of the site, or the relevant part of the site, to the condition it was in prior to the commencement of development must occur to the satisfaction of the responsible authority.
 - f. 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.
94. The endorsed DMP must be implemented to the satisfaction of the responsible authority.

EXPIRY

95. This permit will expire if one of the following applies:
- a. the development is not started within four years of the date of this permit;
 - b. the development is not completed within six years of the date of this permit;

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

DATE ISSUED: 1/06/2021



**Signature of Michael Juttner, Manager,
Development Approvals and Design, as
delegate for the Minister for Planning**

**This copied document to be made available
for the sole 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 may breach any
copyright**

PA1900745

NOTES

1. The site is near the Winton Wetlands and there is potential for Aboriginal archaeological remains and intangible values to be present within the site. A voluntary Cultural Heritage Management Plan is recommended.
2. There is potential for historical archaeological remains to be discovered. An 'unexpected finds procedure' is recommended in the event of historical heritage being identified during works.
- ~~3. Historical aeriels have identified a structure that may have heritage value. A heritage assessment is recommended if any impacts to iheritance are proposed.~~
- 4.3. Additional consent may be required under separate legislation for the use and development of land within easements.
- 5.4. Before any works on public land start, a permit to take protected flora under the Flora and Fauna Guarantee (FFG) Act 1988 may be required. To obtain an FFG permit or for further information go to:
https://www.environment.vic.gov.au/_data/assets/pdf_file/0020/50438/Application-for-Permit-to-Take-Protected-Flora.pdf
- 6.5. Where the permit holder, or a contractor to the permit holder, is handling native wildlife, a permit under the Wildlife Act 1975 will be required prior to the interference with native wildlife. This is likely to include prior to removal of the native vegetation on site, ie all large trees.

ADVERTISED PLAN

This copied document to be made available for the sole 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 may breach any copyright

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 a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; 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 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 of 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.

**ADVERTISED
PLAN**

This copied document to be made available for the sole 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 may breach any copyright