

## PLANNING PERMIT

<b>Permit No.:</b>	PA2403169
<b>Planning scheme:</b>	Glenelg Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	305 Madeira Packet Road, Portland VIC 3305 333 Madeira Packet Road, Portland VIC 3305 Formally known as: <ul style="list-style-type: none"><li>• 5A~13\PP3414</li><li>• 2\LP120030</li><li>• 1\LP120030</li><li>• 1\TP592015S</li></ul>

### THE PERMIT ALLOWS:

<b>Planning scheme clause</b>	<b>Matter for which the permit has been granted</b>
33.02-1	Use the land for the purpose of a utility installation (other than Minor utility installation and Telecommunications facility).
33.02-4	Construct a building or construct or carry out works.
36.04-1	Use of the land for the purpose of a utility installation (other than Minor utility installation and Telecommunications facility).
36.04-2	Construct a building or construct or carry out works associated with a Section 2 use.
52.17-1	Remove, destroy or lop native vegetation, including dead vegetation.
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 document approved under this permit to the satisfaction of the responsible authority.

Date of issue: 19 September 2025 Signature for the responsible authority:



### Commencement

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

### Amended Plans

3. Before the use and development commences, 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 EHV Consulting and Design, titled Portland Renewable Energy Hub 4x250MVA BESS Connection Proposed Site Plan (AEMO Ultimate), Rev R, 22 October 2023, Portland Renewable Energy HIB 250MW (2 Hours) BESS Block Proposed Layout Stage 1, Rev A, 28 March 2024, Portland Renewable Energy HIB 250MW (2 Hours) BESS Block Proposed Layout Stage 2, Rev A, 28 March 2024, Portland Renewable Energy HIB 250MW (4 Hours) BESS Block Proposed Layout Stage 3, Rev A, 28 March 2024, Portland Renewable Energy HIB 250MW (2 Hours) BESS Block Proposed Layout Stage 4, Rev A, 28 March 2024, Portland Terminal Station (POTS) 500kV Switching Station Proposed Layout, Rev A, 22 May 2024 (sheet 1 & 2), and Portland Renewable Energy HIB 500kV Transmission Line Road Crossing Detail, Rev A, 23 July 2024, but modified to show:
  - a) Elevations of all BESS components.
  - b) The colours and finishes of all building and works, ensuring they are non-reflective and of a natural or neutral colour.
  - c) Any proposed acoustic mitigation measures in accordance with Condition 9.
  - d) Location and areas of all native vegetation on-site.
  - e) Any other changes to comply with:
    - i. Fire Rescue Victoria (FRV) condition 47.
    - ii. Department of Environment Energy and Climate Action (DEECA) condition 21.
    - iii. The environmental and mitigation and management commitments of the Environmental Management Framework (EMF) required by Condition 22.
    - iv. Any other conditions of this permit.
  - f) Any staging of the permitted development.

### Layout not altered

4. The use and development as shown on the endorsed plans must be not altered (unless the Glenelg Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

### Staging

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

### Landscape Plan

6. Before the use and development commences, a detailed landscape plan prepared by a suitably qualified landscape architect must be submitted to and approved by the Responsible Authority.

The landscape plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Landscape Concept Plan prepared by Peter Haack Consulting, titled 'Portland Energy Park' and dated 20 August 2024, but modified to include:

- a) The location of all native vegetation to be retained and/or removed.
- b) 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.
- c) Vegetation screening, generally in accordance with that shown on the plans prepared by Landscape Concept Plan prepared by Peter Haack Consulting, titled 'Portland Energy Park' and dated 20 August 2024.
- d) A schedule for the implementation of landscaping works.
- e) A maintenance and monitoring program, including weed management to ensure the ongoing health of landscaping and the replacement of dead or diseased plants.
- f) Any changes required to comply with any other condition of this permit.

#### **Compliance with Landscape Plan**

7. 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 Environment Management Plan (OEMP)**

8. 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 BESS.
  - 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.

#### **Predictive Noise Assessment**

9. Before the endorsement of development plans in accordance with condition 3 of this permit, a Predictive Noise Assessment must be submitted to and approved by 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: *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues*, including the consideration of cumulative noise impacts
  - 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.

10. 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.
11. The Predictive Noise Assessment must be made available to the Minister for Planning, Glenelg Shire Council or the public upon request.

### **Traffic Management Plan**

12. Before the development starts, a Traffic Management Plan (TMP) must be prepared in consultation with Glenelg Shire Council and the relevant road authority (or authorities), and submitted to, approved and endorsed by the responsible authority. The TMP must:
  - a) Be prepared by a suitably qualified and experienced civil or traffic engineer.
  - b) Specify measures to be taken to manage traffic impacts associated with the construction and operation of the facility.
  - c) Specify designated transportation routes that will be used to access the site during construction of the facility, including the amount and type of vehicles required.
  - d) Include details of any proposed modifications or upgrades to existing roads that will be required before, during and after construction (where required).
  - e) Include a program to inspect, maintain and (where required) repair public roads used by construction traffic.
  - f) Be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority.
13. The endorsed TMP must be implemented to the satisfaction of the responsible authority and relevant road management authority (or authorities).
14. 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.

### **Construction Environmental Management Plan**

15. 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 manage mud and debris on the surrounding road network which may occur during construction.
- d) Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.
- e) A construction timetable, including typical daily start and end times.

- f) The person(s) responsible for implementation and compliance of each of the CEMP requirements, including details of a site contact / site manager.
  - g) Measures to protect native vegetation proposed to be retained during construction works. These measures must:
    - i. Include the erection of native vegetation protection fencing around all native vegetation to be retained (including tree protection zones), to the satisfaction of the responsible authority.
    - ii. Comply with Australian Standard 4970 Protection of Trees on Development sites.
16. 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.

### **Drainage Management**

17. Before the commencement of development for each stage, a properly prepared drainage discharge plan with computations, prepared in consultation with Glenelg Shire Council and submitted to and approved by the responsible authority. All works within the road reserve must be designed in accordance with the Infrastructure Design Manual. The information and plan must provide:
- a) Where applicable drainage line separate/independent of/form the council drainage networks to a separate outfall.
  - b) Details of how the works on the land are to be drained.
  - c) Computations including total energy line and hydraulic grade line for the proposed drainage.
  - d) Underground pipe drains conveying stormwater to the legal point of discharge.
  - e) Measures to enhance stormwater discharge quality from the site and protect downstream waterways including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements.
  - f) A maximum discharge rate from the site is to be determined by computation to the satisfaction of the responsible authority.
  - g) Documentation demonstrating approval from the relevant authority for the legal point of discharge.
  - h) Detail design of outfall structures including erosion & sediment control.
  - i) Any existing overland flow paths to the east to be retained and demonstration that the use and development will not increase these flows.
  - j) The provision of gross pollutant and/or litter traps installed at the drainage outfall of the development to ensure that no effluent or polluted water of any type may be allowed to enter the stormwater drainage systems.
  - k) Maintenance schedules for treatment elements.

- l) Evidence of control of the 1% Annual Exceedance Probability (AEP) rainfall run-off to ensure 1% AEP rainfall flows from the development will not enter neighbouring properties.
18. The proposed building and works must be drained to the satisfaction of the responsible authority.
19. Before the use begins all works constructed or carried out must be in accordance with those plans to the satisfaction of the responsible authority and must be thereafter maintained.

**Department of Energy, Environment and Climate Action (DEECA) Conditions –  
Recommending referral authority**

Notification of permit conditions

20. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Amended plans

21. Before any works start, including native vegetation removal, an amended site plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority in conjunction with the endorsement of development plans under condition 3 of this permit. When approved, the site plan will be endorsed and will form part of this permit: The plans must include:
- a) Location and exact extent of all stockpile, storage, parking and vehicle/machinery storage areas.
  - b) Location and alignment of all structures and works on site, including infrastructure, office buildings, water storage facility, equipment/material storage facilities, utility services to be provided for the site.
  - c) Clear identification of all access/egress points to the site, including primary and other access points.
  - d) The location and area of all native vegetation present within 15m of any works, including scattered trees, including clear identification of which vegetation is to be retained or is permitted to be removed under this permit.
  - e) Location and alignment of a native vegetation protection fence around all native vegetation and other biodiversity values to be retained on site (consistent with the EMP), including the tree protection zones of all native trees to be retained. All tree protection zones must comply with AS4970-2009 Protection of Trees on Development Sites.
  - f) Location and footprint of the planned landscaping that surrounds the property.

Environmental Management Plan

22. Before any works start, including native vegetation removal, an Environmental Management Plan (EMP) must be prepared in consultation with DEECA, to the satisfaction of the responsible authority 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) The recommendations contained within the MNES Assessment (Nature Advisory July 2024) and Flora and Fauna Assessment (Nature Advisory July 2024).

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- b) Measures to be implemented to protect the native vegetation and other biodiversity values to be retained on site and on land directly adjoining the site, including adjoining roadsides, during and post construction works.

These measures must include:

- i. The erection of native vegetation protection fencing around all native vegetation to be retained within 15m of any works, including the tree protection zones of all native trees to be retained in accordance with AS 4970-2009 Protection of Trees on Development Sites.
  - ii. Control of grazing.
  - iii. Pest plant and animal control, including weed control and management actions, including appropriate vehicle hygiene measures, during construction phase and post construction.
  - iv. Prevention of sediment movement into retained areas.
  - v. Sediment control, and erosion and drainage management to be implemented on site, to ensure no sediment or sediment laden runoff enters waterways, drainage lines, wetlands or moves off site.
  - vi. Avoidance of ground/soil disturbance.
- c) Identification of all stockpile, storage, parking and vehicle/machinery storage locations and appropriate management requirements for these – all to be located outside areas of retained native vegetation.
- d) 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).
- e) Monitoring and reporting requirements for all aspects of the construction phase, and all components of, and actions set out in the approved EMP.
- f) The person/s responsible for implementation and compliance of each aspect of the EMP.

23. All persons undertaking works on site must be fully 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 permitted to be removed, destroyed or lopped

24. The native vegetation permitted to be removed, destroyed, or lopped under this permit is 2.163 hectares as identified in Native Vegetation Removal Report ID NAA\_2024\_104.
25. Before works start, a native vegetation protection fence must be erected around all patches of native vegetation, wetlands 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 breast 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, from retained native vegetation. The fence must be constructed of appropriate material to the

Date of issue: 19 September 2025 Signature for the responsible authority:



satisfaction of DEECA. The fence must remain in place until all works are completed to the satisfaction of the responsible authority.

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.

#### Native vegetation offsets

26. To offset the removal of 2.163 hectares of native vegetation, the permit holder must secure the following native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017):

- a) A general offset of 0.599 general habitat units:
  - i. Located within the boundary of the Glenelg Hopkins Catchment Management Authority (CMA) or Glenelg Shire Council municipal district; and
  - ii. With a minimum strategic biodiversity value of at least 0.463.

#### Offset evidence

27. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction the responsible authority. 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.
- b) Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

28. A copy of the endorsed offset evidence must be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to DEECA at [PEA.energyproject@deeca.vic.gov.au](mailto:PEA.energyproject@deeca.vic.gov.au).

#### **WorkSafe Victoria – Determining referral authority**

29. The applicant must submit a risk management plan, fire management plan, and emergency response plan in line with CFA Guidelines, conducted by a suitably competent person, prior to BESS arrival onsite.
30. The applicant must complete a fire safety study conducted by a suitably competent person and provided to the responsible authority for review before dangerous goods arrival onsite.

31. The applicant must demonstrate to the responsible authority, compliance with risk controls outlined in the preliminary hazard analysis (PHA) and undertake any other required risk control assessments / measures in addition to the PHA.
32. The applicant must consult with ESV regarding the proximity to the APA gas pipeline .

**AusNet Conditions – Determining referral authority**

33. Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on the easement.
34. Vehicles and equipment exceeding 3 metres maximum operating height are not permitted on the easement without prior written approval from AusNet Transmission Group. The cleaning, washing down, or maintenance of large vehicles is not to be carried out on the easement.
35. Fuelling or recharging of any vehicles, equipment or plant is not permitted on the easement .
36. Any lighting poles erected on the easement must not exceed 3 metres in height and must be designed so as to allow lanterns to be lowered to ground level for servicing. Higher poles may be permitted subject to available conductor to ground clearances at this site. Power to lighting poles must be installed underground.
37. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.
38. The storage of flammable materials, including that within waste bins, is not permitted on the easement.
39. Materials proposed to be stored on the easement must be approved in writing by AusNet Transmission Group.
40. Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.
41. All services traversing the easement must be installed underground.
42. The use of construction equipment including cranes that have the ability to extend into the easement are not permitted.
43. The access roadway associated with Battery Park 3 is required to be a minimum of 15m away from the closest tower steelwork.
44. All future works within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

**Head, Transport for Victoria – Determining referral authority**

45. Before the works start, the proposed accessway from the Maderia Packet Road must be constructed generally in accordance with the design of a Typical Driveway Access to Rural Properties (see attached drawing GD4010) and must be kept maintained in a proper state with no compromise to operational road safety, transport efficiency or public safety (e.g. by spilling gravel or mud onto the roadway), all to the satisfaction of and at no cost to the Head, Transport for Victoria, note, this MUST involve:
  - a) Treating the surface with an all-weather seal or durable surface to the property boundary.

- b) Suitable culvert to address the drainage issue.
- c) The location of any proposed private access gate to be located at the minimum of 25 meters from the edge of road and traffic on the Maderia Packet Road, to allow for a design vehicle to stop clear of traffic.

46. Prior to the works commencing, the applicant must enter into a works agreement with DTP, confirming design plans and works approvals processes, including the determination of fees and the level of DTP's service obligations, and how the Reserve will be utilised and maintained for the purpose of creating additional foliage screening for the project.

#### **Fire Rescue Victoria – Not a referral authority**

47. Prior to the commencement of construction, a Fire Safety Study (FSS) must be prepared in accordance with FRV's Fire Safety Guideline GL-54, to the satisfaction of Fire Rescue Victoria, and submitted to the responsible authority for endorsement.

#### **Light Spill Management**

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

#### **Complaints Register**

49. 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.

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

51. 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**

52. Before the development starts, the permit holder must provide spatial information data to Land Use Victoria via email at [vicmap@transport.vic.gov.au](mailto:vicmap@transport.vic.gov.au) and [development.assessment@transport.vic.gov.au](mailto:development.assessment@transport.vic.gov.au). This will enable Emergency Services to navigate to and access renewable sites. The following must be included:

- The main address of the site and the addresses of any other entry points to the site. The developer must obtain the addresses from the Local Government Authority (LGA) and pass this information onto the Department of Transport and Planning.
- The spatial polygon extent of the site, which is the location and boundaries of the site/facility.
- The locations of all site compounds, depots, substations, batteries and maintenance facilities (if any).

- The location and name of all gates as the access entry points onto the property. E.g. Gate ID is an example of an entry point name.
- The location of all internal roads within the site, represented as lines rather than polygons, also including any road names if applicable.
- All planning documents and plans relating to the site.

Notes about spatial information:

- Spatial information should be supplied in a GIS spatial format such as an ESRI shapefile; Mapinfo tab; KLM/KMZ; or in a geodatabase.gdb. Please specify the datum used (e.g, GDA94 or GDA2020).
- For a smaller facility, for example a biomass facility, a screen grab showing the aerial imagery with the internal infrastructure marked on an image file will suffice.

Note on addressing:

- The requirement is that the entry point and the extent of the facility must have a main address allocated to it. Additionally, all access fates to the site must have associated secondary addresses. The developer must approach the respective Local Government Authority (LGA) to allocate site addresses. The address information must be supplied to the Department of Transport and Planning by the developer in an Excel table as per the M1 Form used by LGAs.

53. 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@transport.vic.gov.au](mailto:Vicmap@transport.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.

**Notification of works commencing**

54. The Department of Transport and Planning (DTP) must be notified when works commence on site, via email [development.assessment@transport.vic.gov.au](mailto:development.assessment@transport.vic.gov.au).

**Decommissioning**

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

56. 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.

57. 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, piping and electrical infrastructure, including underground infrastructure, 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 56.

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- 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.

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

**Permit expiry**

59. This permit will expire if:

- a) The development is not commenced within three years of the date of this permit;
- b) The development is not completed within six years of the date of this permit; or
- c) The use has not commenced within three years of the completion of the development date of this permit.

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

- 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* at all times.
- It should be noted that there are restrictions on development of the AusNet easement, including buildings, structures, earthworks, roads, services and trees, and that vehicle access is required by AusNet at all times.
- Details of any proposed use of the easement must be submitted to and approved by AusNet before work is commenced on site. Further information is available from AusNet on request.

Date of issue: 19 September 2025 Signature for the responsible authority:



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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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The responsible authority has issued a permit

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### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

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### WHEN DOES A PERMIT BEGIN?

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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.

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### WHEN DOES A PERMIT EXPIRE?

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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.

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### WHAT ABOUT REVIEWS?

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- 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 of issue: 19 September 2025 Signature for the responsible authority:

