Planning and Environment
Interim Regulations 2026

Form 4 Regulation 22

PLANNING PERMIT

Permit No.:	PA2604203
Planning scheme:	Latrobe Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	Private Land • Tramway Road, Hazelwood North (Lot 1 on TP383784H, Vol 06470 Fol 870) • 530 Tramway Road, Hazelwood North (Crown Allotment 2G Section A Parish of Hazelwood, Vol 10294, Fol 910) Road Reserve • Tramway Road

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
35.07-1	Use of land for utility installation.
35.07-4	Construct a building or construct or carry out works associated with a use in section 2 of clause 35.07-1.
36.04-1	Use of land for utility installation.
36.04-2	Construct a building or construct or carry out works associated with a use in section 2 of clause 36.04-1.
37.01-4	Construct a building or construct or carry out works for utility installation.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation
52.29-2	Create or alter access to a road in the Transport 2 Zone.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Date of issue: 2 November 2026 **Signature for the responsible authority:**

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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.

Commencement

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

Development plans

3. Before the use and development starts, amended plans must be approved and endorsed by the responsible authority. The development plans must be fully dimensioned and drawn to scale. The plans must be generally in accordance with the plans prepared by Accent Environmental, titled 'Gippsland BESS', and dated ranging from 16/01/2026 to 27/072026 and advertised with the application, but modified to include:

    a. Detailed, fully dimensioned location / site layout, floor, elevation and other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings and works, including any:

        i. Operations and maintenance facility, car parking, substation, electrical cabling, including underground cabling, internal access tracks, retention pond, site access point, including emergency site access point(s).

        ii. Detailed, fully dimensioned layout of the Battery Energy Storage Systems (BESS), including internal separation setbacks and battery models, to demonstrate compliance with *CFA's Guidelines and Model Requirements for Renewable Energy Facilities* CFA 2025 (the CFA Guidelines).

        iii. The location of the finalised connection route, Horizontal Directional Drilling (HDD) corridor and all associated clearly shown.

    b. Details of the maximum height of all BESS infrastructure in Australian Height Datum (AHD) and demonstrate that all BESS infrastructure is located at least 300 mm above the 1% AEP flood level.

    c. The colours and finishes for all buildings and works. All buildings and works must be non-reflective and of natural/muted tones to minimise visual impact.

    d. Landscaping buffers to reduce the visual impact of the BESS facility along the northern, eastern and southern boundaries.

    e. The location and areas of all native vegetation on-site within 30 metres of any buildings and works, including tree protection zones of native trees calculated in accordance with *Australian Standard 4970 Protection of Trees on Development Sites*.

    f. Any noise mitigation measures for the BESS and substation.

    g. Any changes required to comply with other conditions of the permit.

    h. Any staging of the permitted use and development.

Written consent to modify endorsed plans

4. The use and development must be generally in accordance with the plans and documents approved and endorsed under this permit. The use and development as shown on the endorsed plans must not

be altered or modified (unless the Latrobe 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.

Landscaping Plan

6. Before the development starts, a landscaping plan must be submitted to, approved, and endorsed by the responsible authority. When endorsed, the on-site landscaping plan will form part of this permit. The plan must include:

   a. Landscaping or other treatments to reduce the visual impact of the facility, particularly along the northern, eastern and southern boundaries.

   b. Details (including type, location, species and height at maturity) of all vegetation buffers.

   c. A schedule for the implementation of landscaping works.

   d. A maintenance and monitoring program to ensure the ongoing health of landscaping and the replacement of dead or diseased plants.

   e. Any changes required to comply with any other condition of this permit.

Construction Environmental Management Plan (CEMP)

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

   The CEMP must:

   a. Include measures to avoid and minimise amenity and environmental impacts during construction of the facility.

   b. Include procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).

   c. Include procedures to manage mud and debris on the surrounding road network which may occur during construction.

   d. Include procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.

   e. Include procedures to minimise impacts to the designated waterway on the site.

   f. Include a construction timetable, including typical daily start and end times.

   g. Include details of the person(s) responsible for implementation and compliance of each of the CEMP requirements including details of a site contact / site manager.

   h. Include measures to protect any habitats of threatened fauna species, including but not limited to Glossy Grass Sink and Flinders Pygmy Perch, during construction works.

   i. Include measures to protect 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 within 30 metres of works (including tree protection zones), to the satisfaction of the responsible authority.

ii. Comply with Australian Standard 4970 Protection of Trees on Development Sites.

8. All persons undertaking works on-site must be fully briefed on all aspects and requirements of the endorsed CEMP.

Operational Environmental Management Plan

9. Before the use commences, or as otherwise agreed to in writing by the Responsible Authority, an Operational Environmental Management Plan (OEMP) must be approved and endorsed by the responsible authority.

   The OEMP must:

   a. Include measures to avoid and minimise amenity and environmental impacts during the operation of the energy facility, including measures to minimise impacts to the designated waterway on the site.

   b. Include design measures and / or procedures to manage dust, odour, 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.

Light Spill Management

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

Predictive Noise Assessment

11. Before the endorsement of development plans in accordance with condition 3 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 1826.5.

    b. Demonstrate that the proposal complies with EPA Publication 1826.5.

    c. Include details of any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.5.

12. The Predictive Noise Assessment submitted under condition 11 must be made available to the public upon request.

Traffic Management Plan

13. Before the development starts, a Traffic Management Plan (TMP) must be prepared in consultation with the relevant road authorities (or authorities), and be 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.

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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.

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.

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

15. 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.

16. Prior to works commencing, the roadworks identified in the approved TMP must be completed at no cost and to the satisfaction of the Head, Transport for Victoria.

Native Vegetation Removal

17. Before any native vegetation is removed, all persons undertaking vegetation removal or works on site must be advised of all relevant permit conditions and associated statutory requirements or approvals.

18. Native vegetation removal must be generally in accordance the development plans endorsed under condition 3 of this permit.

19. The following activities are prohibited within the areas of native vegetation to be retained, except with the written consent of the responsible authority:

    a. Vehicular or pedestrian access

    b. Trenching or soil excavations

    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.

20. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.018 hectares of native vegetation with a strategic biodiversity value score of 0.380 and 0.418.

21. To offset the removal of 0.018 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* (DEECA, 2025):

    a. A general offset of 0.005 general habitat units:

        i. Located within the West Gippsland Catchment Management Authority boundary or Latrobe municipal area.

        ii. With a minimum strategic biodiversity value of at least 0.3124.

22. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of 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, and / or

b. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

23. 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 DEECA region at PEA.energyproject@deeca.vic.gov.au.

24. Where the offset includes a first party offset, 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.

Complaint Investigation and Response Plan

25. 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, other than operational noise from the turbines.

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).

Complaints Register

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

a. The complainant's name and address and any other contact details provided by the complainant.

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.

27. All complaints received, except for complaints about noise from operational wind turbines, must be recorded in the Complaints Register.

28. 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

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

a. The location and boundaries of the facility extents polygon(s)

b. All access entry points onto private property.

c. All internal roads.

d. The locations of site compound, substations, maintenance facilities.

30. 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 within 30 days of the change, to enable details of any changes to the facility to be known to emergency services dispatchers.

Decommissioning

31. The responsible authority and Latrobe City Council must be notified of the facility's closure date within one year of AEMO being notified of the closure date under the National Electricity Rules.

32. 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 general 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.

33. No less than one year before the facility's close date, 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, structures and signs 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 32.

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 24 months after the closure date, or such other period approved by the responsible authority.

Notification of works commencing

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

Country Fire Authority (CFA) Conditions (not a referral authority)

35. Before plans are endorsed under condition 3, in consultation with 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 Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement), and:

a. Describe the risks and hazards at the facility to and from the battery energy storage system and related infrastructure.

b. Describe the risk controls for the facility, including:

I. Dedicated fire water supplies for the battery energy storage system:

a) Of a quantity no less than 576kL effective capacity (40L/s for four hours), to the satisfaction of CFA.

b) Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.

c) Located reasonably adjacent to the battery energy storage system but in a position that is accessible without undue danger in an emergency, to the satisfaction of CFA.

d) Commissioned prior to the arrival of the battery energy storage system enclosures/containers at the facility.

II. A fire hydrant system for the battery energy storage system provided in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations, to the satisfaction of CF.

III. The separation distance:

a) Of no less than 3m between battery containers/enclosures to adjacent battery containers/enclosures, to the side with the battery module access doors.

b) Of battery containers/enclosures and related battery infrastructure, buildings/structures, and vegetation based on radiant heat flux (output) as an ignition source.

IV. The management of on- and off-site hazards and risks at the facility, including:

a) All proposed battery energy storage system safety and protective systems.

b) For the storage of battery energy storage system enclosures/containers on-site, prior to their installation, for any length of time.

c) A copy or summary of the findings of WorkSafe and ESV's Arc Flash Self-Audit Tool (dated June 2022), including the proposed risk controls to manage arc flash risks for site personnel and emergency responders.

d) Where noise/acoustic barriers are proposed on three or more sides, include consequence modelling and assessment of toxic and flammable gas releases that takes into account the proposed position of acoustic barriers, to the satisfaction of CFA.

c. Provide an evidence-based determination of the effectiveness of the risk controls against the identified hazards, including justification for the omission of any safety and protective system/s.

d. Specify that planning for decommissioning of the facility will be in consultation with CFA.

e. Form the basis for the design of the facility.

36. Before plans are endorsed under condition 3, an Emergency Plan (EP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the responsible authority. The EP and FMP must be prepared in consultation with CFA and be in accordance with the CFA Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).

37. 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. Fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the responsible authority.

AusNet Conditions (determining referral authority)

Date of issue: 2 November 2026 **Signature for the responsible authority:**

38. Further details of the underground 500kV must be submitted and approved in writing by AusNet.
39. Access tracks undercrossing the existing transmission lines must maintain 10.5 metres in vertical clearance.
40. 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.
41. Fuelling or recharging of any vehicles, equipment or plant is not permitted on the easement.
42. 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.
43. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.
44. The storage of flammable materials, including that within waste bins, is not permitted on the easement.
45. Materials proposed to be stored on the easement must be approved in writing by AusNet Transmission Group.
46. 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.
47. The use of construction equipment including cranes that have the ability to extend into the easement are not permitted.
48. 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 Conditions (determining referral authority)

49. Only one point of access will be permitted from Tramway Road to Lot No. 1, TP383784.
50. The access must be constructed with a Basic right (BAR) turn treatment and a Basic left (BAL) turn treatment, generally in accordance with the requirements of the Austroads Guidelines and to the satisfaction of the Head, Transport for Victoria.
51. The existing Tramway Road pavement and surrounds must be upgraded to include the new access to accommodate the change in traffic loadings and movements at no cost and to the satisfaction of the Head, Transport for Victoria. These works include, but are not limited to:
    a. Pavement reconstruction
    b. Pavement Asphalting / Re-sealing
    c. Drainage Works
    d. Line Marking
    e. Signage
52. Prior to design plans beginning, the applicant's consultants must attend a predesign meeting with the Department of Transport (Gippsland Region). Pre-Design Meeting Requests must be submitted via email: nriw.eastern@transport.vic.gov.au.
53. Prior to works beginning on site, an Application for External Works – Functional Design Review, including Gippsland Regions Developer Funded Functional Layout Checklist, for the Tramway Road access must be submitted and endorsed by the Head, Transport for Victoria. The application must be

generally in accordance with the External works Review and Certification process as outlined on the Transport Victoria Website.

54. Prior to works beginning in the Road Reserve, an Application for External Works – Detailed Design Review, including Gippsland Regions Developer Funded Detailed Design Checklist, for the Tramway Road access must be submitted and endorsed by the Head, Transport for Victoria. The application must be generally in accordance with the External works Review and Certification process as outlined on the Transport Victoria Website.

55. Before any development starts (including bulk earthworks), a Basic left (BAL) turn treatment must be constructed, generally in accordance with the requirements of the Austroads Guidelines and to the satisfaction of the Head, Transport for Victoria.

56. Prior to above ground works commencing on site, a Basic right (BAR) turn treatment must be constructed, generally in accordance with the requirements of the Austroads Guidelines and to the satisfaction of the Head, Transport for Victoria.

57. Any security boom, barrier, gate or similar device controlling vehicular access to the site must be located entirely within the property boundary to accommodate the largest expected vehicle, measured from the Tramway Road reserve boundary.

58. Prior to commencement of the earthworks on the site, a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.

59. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development.

60. The discharge of any stormwater from the site into the roadside table drain will not be permitted unless approved in writing by the Head, Transport for Victoria.

61. Any vegetation removal within the arterial road reserve must be referred to and approved by the responsible authority.

WorkSafe Victoria Conditions (determining referral authority)

62. The detailed smoke and gas consequence analysis mentioned to be undertaken should also consider potential toxic and flammable gas generation and be incorporated into relevant studies and management plans to support optimal site design and consideration of potential onsite/offsite impacts and response.

63. The Risk Management Plan and development designs must be reviewed and updated once the specific battery technology and supplier has been finalised to confirm the requirements of the latest version of *CFA Guidelines* (current version is v4.4) are met, and to the satisfaction of the CFA's Dangerous Goods Unit, prior to BESS arrival on site.

64. The applicant must develop a Fire Management Plan and Emergency Plan in line with the latest version of CFA Guidelines (current version is v4.4), conducted by a suitably competent person and to the satisfaction of the CFA's Dangerous Goods Unit, prior to commissioning and operation.

Expiry

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

    a. The development is not started 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.

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In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development 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)

Noise

- The use of the land must at all times comply with *EPA Publication 1826.5: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (EPA Publication 1826.5).

AusNet

- 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.

DEECA

- The proponent to engage with relevant species experts when designing and implementing any habitat rehabilitation or restoration works, to ensure measures are informed by current best practice and species-specific requirements.

Head, Transport for Victoria

- Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act. For the purposes of this application the works will include provision of:
    - Basic right (BAR) turn treatment,
    - Basic left (BAL) turn treatment,
    - Drainage works
    - HV cable routing
- For more information and forms relating to External Works, including Functional Layout Plans, Detailed Layout Plans & Traffic Signal Plans please visit the Transport Victoria Website. Refer to: https://transport.vic.gov.au/road-and-active-transport/business/external-works-onthe-road-network

West Gippsland Catchment Management Authority

- All works within 50 metres of a designated waterway require a Works on Waterways permit from West Gippsland Catchment Management Authority issued under the Water Act 1989. This includes (but is not limited to) construction of any recreational paths and crossings, construction of any vehicle access over a designated waterway, and installation of any above or below-ground transmission infrastructure within 50 metres of a designated waterway. An application form is available at https://wgcma.vic.gov.au/planning-and-advice/apply-for-a-works-on-waterways-permit/works-on-waterways-application-form.

Date of issue: 2 November 2026 **Signature for the responsible authority:**



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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–
  (a)the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  (b) 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 if no time is specified, within 3 years after the issue of 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 2 years of the issue of the permit, unless the permit contains a different provision; or
   - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within 5 years of the 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 3 years after the issue of the permit; or
   - the use is discontinued for a period of 3 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 if no time is specified, within 3 years after the issue of 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 5 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 3 years after the completion of the development; or
   - the use is discontinued for a period of 3 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 2 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 of issue: 2 November 2026 **Signature for the responsible authority:**

