

PLANNING PERMIT

Permit No.:	PA2504098
Planning scheme:	Wangaratta Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	Wangaratta-Kilfeera Road, Laceby (Lot 1 in TP253930)

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 carry out works associated with a use in section 2 of clause 35.07-1.
44.03-2	Construct a building or to construct or carry out works including: • A fence • Rainwater tank with a capacity of no more than 10,000 litres
52.29-2	To 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.

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 application plans titled Development Plans prepared by Bison Energy Company and include drawing no; G01 dated

Date of issue: 14 August 2026 **Signature for the responsible authority:**



14 August 2026, G27 dated 24 April 2025, G26 dated 10 September 2025 and G24 dated 24 April 2026, but modified to include:

- a. Detailed, fully dimensioned layout of the Battery Energy Storage Systems (BESS), including internal separation setbacks and battery models.
- b. A schedule of materials and finishes for all buildings and works. The colours and finishes of the noise walls must be soft, natural finishes in keeping with the natural colours of the landscape.
- c. Any changes to the plans required by the Head, Transport for Victoria conditions 26 to 30, inclusive.
- d. Any changes to the plans required by the North East Catchment Management Authority conditions 34 to 46, inclusive.
- e. Any changes to the plans required by the Country Fire Authority (CFA) conditions 49 to 50, inclusive.
- f. Any changes, including mitigation measures, required to 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.

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 Wangaratta Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Landscaping

5. Before the development starts, a landscaping plan must be approved and endorsed by the responsible authority. The landscaping plan must be fully dimensioned and drawn to scale.

The plan must include:

- a. Landscaping or other treatments to reduce the visual impact of the facility, including:
 - i. Landscape screening along the northern boundary of the site.
 - ii. Landscaping on the north and east sides of the acoustic barriers.
- 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)

6. 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. Details of 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 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.
- h. Measures to protect mapped waterways on site.
- i. All persons undertaking works on-site must be fully briefed on all aspects and requirements of the endorsed CEMP.

Operational Environment Management Plan (OEMP)

7. Before the use starts, or 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 BESS facility.
- 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

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

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 the responsible authority and must:

Date of issue: 14 August 2026 **Signature for the responsible authority:**



- a. Model the final design layout and all electrical components of the facility and assess this against EPA Publication 1826.5.
 - b. Demonstrate compliance of the proposal with EPA Publication 1826.5.
 - c. Include details of any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.5.
10. All measures relied on to achieve compliance with EPA Publication 1826.5 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 public.

Complaint Investigation and Response Plan

12. Before development starts, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the responsible authority. The CIRP must:
 - a. Respond to all aspects of the construction and operation of the facility.
 - b. Be prepared in accordance with Australian Standard 10002 Guidelines for complaint management in organisations.
 - c. Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).

Complaints Register

13. Before the development starts, a Complaints Register must be established which records:
 - a. The complainant's name and address.
 - 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.
14. All complaints received must be recorded in the Complaints Register.
15. 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

16. 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.

17. 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

18. The responsible authority and Wangaratta Rural 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.
19. 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.
20. No less than one year before the facility's closure 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 19.
- 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

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



Head, Transport for Victoria (s55 determining referral authority)

Vehicle Access

22. Only two (2) vehicular access points will be permitted from the subject land, with the primary vehicular access to Wangaratta-Kilfeera Road (local network) and the secondary emergency and maintenance access to Snow Road (principal network).
23. Vehicle access from the subject site to Snow Road (principal road) as shown on the endorsed plans is only permitted to be used for maintenance activities and emergency access associated with the use. Access for all other activities associated with construction and operation of the utility installation will only be permitted from Wangaratta-Kilfeera Road (local road).
24. Before the use starts, or such other time agreed in writing by the Head, Transport for Victoria, the following must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria:
 - a. The crossover to Snow Road and associated driveway approved under this permit must be provided and available for use and be:
 - i. Formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - ii. Treated with an all-weather seal or an alternative durable surface;
 - iii. Constructed and located generally in accordance with DTP Guideline Drawing GD4010;
 - b. All disused or redundant vehicle crossings from subject site to Snow Road (principal road) must be removed and the area reinstated.
25. At all times, the crossover and associated driveway to Snow Road (principal road) must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety, to the satisfaction of and at no cost to the Head, Transport for Victoria.

Traffic Management Plan

26. Before the development starts, including any demolition, bulk excavation, or construction or site preparation works, and before the engagement of any haulage contractors, or such other time agreed in writing by the Head, Transport for Victoria, a Traffic Management Plan (TMP) must be submitted to and approved by the Head, Transport for Victoria and the responsible road authority (i.e. road authority for local roads). When approved, the TMP will be endorsed by the Responsible Authority and will form part of the permit. The following requirements of TMP may only be modified with the written approval of the Head, Transport for Victoria and the responsible road authority (i.e. road authority for local roads). The TMP must be prepared by a Head, TfV (VicRoads) pre-qualified consultant, and copies must be provided to the Head, TfV to show (but not limited to) the following:
 - a. An existing conditions survey of public roads (not including M roads) and associated road infrastructure that may be used in connection with the BESS facility (for access, delivery of material, pre-construction or construction purposes etc), including details of the suitability of the proponent's use, design, condition and construction standard of the relevant public roads and bridges.

- b. The designation and suitability assessment of appropriate pre-construction, construction and transport vehicle routes to and from the site. Any identified route(s) should avoid built up locations of towns, wherever practicable.
- c. Engineering Plans and reporting demonstrating whether, and if so, how truck movements to and from the site can be safely accommodated within the road reserve. Mitigation measures are to be developed by the proponent and agreed to by Head, Transport for Victoria and the responsible road authority (i.e. road authority for local roads) for all hazards including, but not limited to:
 - i. Oversize and overmass haulage;
 - ii. Traffic management;
 - iii. Removal of roadside vegetation;
 - iv. Reduction in speed limits;
 - v. Alteration to any road furniture or intersection;
 - vi. Emergency management; and
 - vii. Risk management.
- d. The timing of when the works are to be undertaken.
- e. A program of regular inspections to be carried out during the construction of the BESS facility to identify maintenance works necessary as a result of construction traffic.
- f. Works required by the TMP must be completed expeditiously to the satisfaction of Head, Transport for Victoria and the responsible road authority (i.e. road authority for local roads).
- g. A program to rehabilitate existing public roads and associated road infrastructure to a safe and usable condition to the greater standard of either the:
 - i. Standard no less than what is required to support the proposed use; or
 - ii. The condition identified by the surveys required under the condition above.

During the following stages:

- The construction period;
- At the conclusion of the construction of the BESS facility; or
- First two years during the operation of the BESS facility.

- 27. The proponent is responsible for any damage caused to construction vehicles or other vehicles in the event that the safe and usable quality of any public road and associated infrastructure is degraded or compromised as a result of the development, and that Head, Transport for Victoria or the responsible road authority (i.e. road authority for local roads) will not accept liability for any such damage.
- 28. By no later than three (3) months after the date of completion of the BESS facility, a post construction conditions survey of public roads (not including M roads) as identified by the approved TMP that have been used in connection with the BESS facility (for access, preconstruction or construction purposes etc), must be submitted and approved by Head,

Transport for Victoria and the responsible road authority (i.e. road authority for local roads). The report shall include details of any dilapidation or damage to the roads and a program of rehabilitation in accordance with the requirements of the approved TMP.

29. The traffic management and road upgrade and maintenance works identified in the endorsed TMP must be carried out in accordance with the endorsed TMP to the satisfaction of Head, Transport for Victoria and the responsible road authority (i.e. road authority for local roads).
30. All roadworks and road associated works, reporting, contracts and the provision of Head, Transport for Victoria road escort vehicles and personnel are to be at no cost to Head, Transport for Victoria or the responsible road authority (i.e. road authority for local roads), including but not limited to all additional:
 - a. Route survey work, together with all associated Head, Transport for Victoria bridge assessments for the over dimensional and overmass vehicles and their loads; and
 - b. Traffic management resources and equipment such as variable message signs.

The requirements of the TMP must not be modified except with the prior written consent of the Head, Transport for Victoria and the responsible road authority (i.e. road authority for local roads).

WorkSafe Victoria (s55 determining referral authority)

31. At least one month prior to the commencement of construction (except for preliminary site works that will not be affected by the outcome from any fire-related hazard assessment), the applicant must develop, implement, maintain and communicate written plans for dealing with any emergency associated with the storage and handling of dangerous goods onsite. The plans must include:
 - a. A 'preliminary' emergency management plan for the operational phase of the full site development, capable of being handed over to any future owner/occupiers. As a minimum the emergency plan assessment is required for the high-risk fire-related hazards associated with dangerous goods storage and handling. The plan must consider offsite impacts of an incident involving this site's dangerous goods on surrounding properties in including fire water runoff.
 - b. Consultation with the relevant fire authority's Dangerous Goods Unit. Consultation must be documented and included with the 'preliminary' emergency management plan. The fire protection system design must be amended, if required, to comply with any recommendations made by the fire authority.
 - c. Preliminary Pre-Incident Plans (PIPs) must be developed for the high-risk fire related incidents in line with Fire Rescue Victoria's Fire Safety Guideline GL-52: Development of Pre-Incident Plans at Major Hazard Facility and Dangerous Goods Sites.
32. The applicant must apply all proposals so far as reasonably practicable, made in the Laceby – BESS Preliminary Hazard Analysis dated 4/7/26 prepared by AusSafe Consulting, or subsequent updated reports.
33. The emergency response must consider the properties and infrastructure in the event of an incident. The applicant/owner/occupier must consult with the neighbouring occupiers regarding action in the event of an incident, to be documented in the emergency management plan.



North East Catchment Management Authority (s55 recommending referral authority)

34. The finished base level of the battery energy storage systems and the battery energy storage system inverters must be constructed no lower than RL 155.0 m AHD (500 mm above 1% AEP level).
35. The finished floor level of the control room must be constructed no lower than RL 155.0 m AHD (500 mm above 1% AEP level).
36. Water resistant building materials that minimise the physical effects of flooding on the foundations/footings of the battery energy storage systems, battery energy storage system inverters and control room must be used up to RL 155.0 m AHD.
37. All water sensitive electrical equipment must be located no lower than RL 155.0 m AHD or be waterproofed to provide suitable protection for continuous submergence in water.
38. Any chemicals, oil, fuel, grease, waste or other potential pollutants kept on the site must be stored above RL 155.0 AHD.
39. All elevated structures / infrastructure must be constructed on appropriate footings / piers engineered to withstand flood conditions including hydraulic loads.
40. Works must be designed and constructed to ensure that there is no impact on drainage of adjoining properties i.e. avoiding any change in the rate of flow or the discharge point of water across a property boundary.
41. The finished level of access roadways, carparks and the laydown area within the battery energy storage system facility must not exceed 100 mm above the existing surface level. Works shall be designed and constructed to avoid diversion or impedance of the flow of floodwater to the detriment of adjoining land.
42. Earthworks within the laydown area to the east of the BESS compound must be confined to land with existing surface level above RL 154.0 m AHD. Filling of land with existing surface level below RL 154.0 m AHD is not permitted.
43. Should earthworks, including any proposed fire water containment bund, be proposed on any part of the site below the 1% AEP flood level (RL 154.5 m AHD), resulting in a loss of floodplain storage, then compensatory earthworks below the 1% AEP flood level must be designed to compensate any loss of flood storage by a factor of 1.3 (the volume of cut below the 1% AEP level shall exceed the volume of fill below the 1% AEP level by 30%).
Excavations to deliver this storage must:
 - a. Ensure that existing overland flow paths and floodplain features are retained.
 - b. Be self-draining.
 - c. Be within the development site.
 - d. Provide for the equivalent hydraulic capacity.
 - e. Be compliant with any other Authority conditions.

Prior to the commencement of works, design plans and earthwork volume calculations demonstrating compliance with the above must be submitted to and approved by the Responsible Authority and the Authority. When approved, the calculations will be endorsed and will then form part of the permit. Earthworks carried out on site must accord with the calculations.



44. Runoff from buildings and other impervious surfaces shall be directed to a rainwater tank for re-use or on-site dispersal without impact on neighbouring properties to the satisfaction of the Responsible Authority.
45. Any fencing within the floodplain (below RL 154.5 m AHD) shall be of an open style that would not obstruct the conveyance of flood water across the property, for example post and wire fencing or open pool style fencing. Prior to the commencement of works, detailed plans of the proposed fencing within the floodplain area must be submitted to the Authority for approval.
46. Prior to finalization, the Fire Management Plan / Emergency Plan for the site must:
 - a. Provide details of proposed infrastructure to isolate fire runoff water (to prevent release to waterways).
 - b. Clearly document proposed operational procedures in the event of fire to provide for isolation of fire runoff water (no release to waterways unless tested and approved).
 - c. Include flood response measures and procedures to manage on site flood risks and minimise flood damage, risk to onsite personnel, and demands on emergency services.

Wangaratta Rural City Council (not a referral authority)

47. All stormwater runoff from roofed and paved and/or sealed areas must either be retained within the boundaries of the lot or collected and conveyed to a drainage easement or legal point of discharge, by such means so as to prevent stormwater nuisance to adjoining land and to the satisfaction of the Wangaratta Rural City Council.
48. No part of any open channel that conveys stormwater from and/or through the developed site may pass through the zone of influence of an effluent disposal field to the satisfaction of the Wangaratta Rural City Council.

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

49. 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:
 1. 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.
- 2. A fire hydrant system provided in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations, to the satisfaction of CFA.
- 3. 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.
- 4. 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.
- 50. 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).
- 51. 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.

Expiry

52. 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.

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.



USEFUL INFORMATION:

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

Head, Transport for Victoria

- Before works start, separate approval/s under the *Road Management Act 2004* may be required from the Head, Transport for Victoria for works within the road reserve.
- Prior to commencing any works in, on, under or over the arterial road reserve, the permit holder must obtain all necessary permits, consents and approvals required under the *Road Management Act 2004*.

North East Catchment Management Authority

- The two waterways traversing the property are gazetted by the Authority to be a designated waterways under the Water Act 1989. A Works on Waterways permit must be obtained from the Authority in accordance with By-Law No 2024/01 Waterways Protection prior to commencing any works in, on or over designated waterways (such as landscaping, access crossings, storm water outlets, etc). Further information and an application form can be obtained from the Authority at:
<http://www.necma.vic.gov.au/About-Us/Programs-Initiatives/Undertake-Works-on-Waterways>



Planning and Environment
Interim Regulations 2026

Form 4

Regulation 22

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 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 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 5 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: 14 August 2026 Signature for the responsible authority:

