

## PLANNING PERMIT

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| <b>Permit No.:</b>            | PA2503779                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Planning scheme:</b>       | Benalla Planning Scheme                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Responsible authority:</b> | Minister for Planning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>ADDRESS OF THE LAND:</b>   | <ul style="list-style-type: none"><li>• 892 Benalla-Yarrowonga Road, Goorambat (Lot 1 on Plan of Subdivision 625748)</li><li>• Benalla-Yarrowonga Road, Benalla (Lot 1 on Title Plan 104377; Lots 1-2 on Title Plan 173518; Lot 1 on Local Plan 206524)</li><li>• Crown Land (Allotment 98B Parish of Goorambat PP2704)</li><li>• 616 Benalla-Yarrowonga Road, Benalla (Lots 2-5 on Local Plan 206524)</li><li>• 81 Lake Mokoan Road, Goorambat (Lot 2 on Plan of Subdivision 625748)</li><li>• Murray Road, Benalla (Lot 3 and 4 on Plan of Subdivision 318659)</li><li>• 51 Nelson Road, Benalla (Lot 6 on Plan of Subdivision 627741)</li><li>• 67 Nelson Road Benalla (Lot 7 on Plan of Subdivision 627741)</li><li>• 284 Benalla-Yarrowonga Road, Benalla (Lot 3 on Plan of Subdivision 715932)</li><li>• 127 Nelson Road, Benalla (Lot 2 on Plan of Subdivision 803108)</li><li>• Lake Mokoan Road, Winton North (Allotment 2020 Parish of Winton PP3843)</li><li>• 368 Benalla-Yarrowonga Road, Benalla (Lot 2 PS627741)</li><li>• 370 Benalla-Yarrowonga Road, Benalla (Lot 1 PS627741)</li><li>• 82 Snowy Lane, Benalla (Lot 2 LP123365)</li><li>• Benalla-Yarrowonga Road, Benalla (Lot 1 PS717978)</li><li>• Allotment 2019 Parish of Goorambat PP2704</li><li>• 524 Benalla-Yarrowonga Road, Benalla (Lot 6 LP206524)</li><li>• 572-616 Benalla-Yarrowonga Road (Lot 5 LP206524, Lot 4 LP206524 and Lot 3 LP206524)</li></ul> <p>As shown on the plans approved under condition 3 of this permit.</p> |

### THE PERMIT ALLOWS:

| Planning scheme clause | Matter for which the permit has been granted                                           |
|------------------------|----------------------------------------------------------------------------------------|
| Clause 33.01-1         | Use of the land for any other use (renewable energy facility) and utility installation |

Date of issue: 7 September 2026 Signature for the responsible authority:



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|                |                                                                                                  |
|----------------|--------------------------------------------------------------------------------------------------|
| Clause 33.01-4 | Construct or building or construct or carry out works                                            |
| Clause 35.07-1 | Use of land for a renewable energy facility and utility installation.                            |
| Clause 35.07-4 | Buildings and works associated with a use in section 2 of Clause 35.07-1.                        |
| Clause 36.01-2 | Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. |
| Clause 52.05-2 | Construct or put up for display a business identification sign.                                  |
| Clause 52.17-1 | Remove, destroy or lop native vegetation, including dead native vegetation.                      |
| Clause 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 associated with 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 development starts, including removal of vegetation, 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 'West Mokoan Solar Farm', dated 20 January 2026 prepared by Lightsource bp, but modified to include:
  - a) The colours and finishes of all buildings and works. All buildings and works must be non-reflective (excluding solar arrays) and of natural/muted tones to minimise visual impact.
  - b) Any staging of the permitted use and development (as relevant)
  - c) Detailed elevations all proposed infrastructure (including acoustic barriers) and plant equipment.
  - d) 15m setback from centreline of identified waterways on site detailed in the West Mokoan Solar Farm Surface Water Assessment, prepared by AECOM, dated 21 September 2020 and Kennedys Creek Solar Farm Assessment, prepared by AECOM, dated 23 February 2023.
  - e) A minimum 5 metre setback between the buildings, infrastructure, solar panels and BESS to any Goulburn Murray Water easements, freehold or reserve boundaries containing any Goulburn Murray Water pipelines

**Date of issue:** 7 September 2026 **Signature for the responsible authority:**



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- f) Amended native vegetation plans, prepared in consultation with DEECA to include:
- i. The location of all final 'enhancement and restoration' areas to be established on project site, in accordance with an endorsed management plan.
  - ii. Identification of native vegetation protection fencing requirements around all enhancement and restoration areas, and all native vegetation and other biodiversity values to be retained on site, in accordance with the Australian Standard – AS4970-2025 Protection of trees on development sites and other permit requirements.
  - iii. Identification of Tree Protection Zones (in accordance with AS4970-2025 Protection of trees on development sites) for all trees to be retained within 15 metres of any impact/works areas, including at access/egress points to the sites.
  - iv. The location and extent of all stockpile and laydown areas, storage, parking and vehicle/machinery storage areas, including clear identification of all Tree Protection Zones to be applied to trees being retained on or directly adjoining these areas.
  - v. The location and alignment of all other structures proposed on site, including as relevant, terminal and sub-stations, inverters, power connection/transmission lines, office buildings, water storage facilities, parking and equipment/material storage facilities.
  - vi. Identification of all access/egress points to the site.
  - vii. Identification of setbacks and landscape buffer areas and widths to be established.
- g) Any other changes to comply with any other conditions of this permit.

**Staging**

4. 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.

**Written consent to modify endorsed plans**

5. 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 and documents must not be altered or modified without the prior written consent of the responsible authority.

**Landscaping Plan**

6. Before the development starts, an amended Landscaping Plan must be approved and endorsed by the responsible authority. The Landscaping Plan must be generally in accordance with the planting arrangements illustrated in the submitted West Mokoan Solar Farm Landscape Plan, dated 13 June 2019 and 21 June 2019 prepared by AECOM, West Mokoan Solar Farm Early Works Strategy, dated 13 June 2024 and Kennedys Creek Landscape Early Works Report, prepared by AECOM, dated 24 January 2022 but modified to include:
- a) Landscaping or other treatments to reduce the visual impact of the facility
  - b) Details (including type, location, species and height at maturity) of all vegetation buffers. This is to include 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. Species selection should prioritise EVCs indigenous to the site.



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- c) Details of surface finishes of pathways and driveways.
- d) Location of any rehabilitation and revegetation works to be completed e.g. in key areas of native vegetation and other biodiversity values to be retained in accordance with the endorsed Environmental Management Plan and Woodland Restoration Plan
- e) Details of how the ground cover under the solar panels will be maintained at a reasonable level, including during fire season(s).
- f) A schedule for the implementation of landscaping works. This is to include timing of planting, which must be completed prior to the installation of solar panels commencing (unless otherwise agreed to in writing by the responsible authority);
- g) A maintenance and monitoring program to ensure the ongoing health of landscaping and the replacement of dead or diseased plants. An annual report is required to demonstrate compliance for 3 years after commencement of the development. After consideration of this report, the responsible authority may direct further monitoring to its satisfaction.
- h) Any changes required to comply with any other condition of this permit.

**Advertising signage**

- 7. The signs must not be illuminated/animated or contain any flashing or intermittent light.
- 8. The signs must only contain an advertisement which provides or supplies information relating to the business conducted on the land as described in this permit or as shown on the endorsed plans.
- 9. The signs, including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority.

**Operational environmental management plan**

- 10. Before operations commence unless 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.
  - 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.
- 11. Be prepared in consultation with Department of Energy, Environment and Climate Action (DEECA), to the satisfaction of the responsible authority.

**Drainage and stormwater management plan**

- 12. Before the development starts, a Drainage and Stormwater Management Plan (DSWMP) must be approved and endorsed by the responsible authority. The DSWMP must:
  - a) Include details (and computations) of how the works on the land are to be drained including drains conveying stormwater to the legal point of discharge.



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- b) Include details of how the drainage design affects the continuation of existing overland flow paths and flood patterns across the land.
- c) Assess impacts on on-site infiltration and surface water quality, including adjacent land and waterways, specifically the site's south-eastern designated waterway.
- d) Include details about how polluted or contaminated runoff is to be managed.
- e) Include measures to avoid and mitigate impacts to water quality (ground water and surface water) during construction activities. These must include sediment and erosion control measures to mitigate sediment loads entering drainage lines, wetlands and waterways. The erosion and sediment control measures must be maintained throughout the construction period.
- f) Be prepared in consultation with Benalla Shire Council and Goulburn Murray Water to the satisfaction of the responsible authority.

**Light spill management**

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

**Noise**

14. 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 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 and identified in the updated Operational Noise Impact Assessments, prepared by Trinity Consultants Australia, dated 23 February 2026.
15. The Predictive Noise Assessment submitted under condition 14 must be made available to the public.

**Resting angle of solar arrays**

16. The resting angle of the solar arrays must be between:
- a) 14° from horizontal for West Mokoan as recommended by the Glint and Glare Assessment, prepared by AECOM Australia and dated 26 May 2021.
  - b) 0° from horizontal for Kennedys Creek, as recommended by the Glint and Glare Assessments, prepared by AECOM Australia and dated 16 June 2020 and 22 February 2023.
  - c) Or any other measures as agreed by the responsible authority.

**Complaint Investigation and Response Plan**

17. Before the 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.



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- c) Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).

The endorsed CIRP must:

- a) Be implemented to the satisfaction of the responsible authority.
- b) Not be altered or modified without the written consent of the responsible authority.

**Complaints Register**

- 18. Before the development starts, a Complaints Register must be established which records:
  - a) The complainant's name and address (if provided), including (for noise complaints) any applicable property reference number contained in the report titled Operational Noise Impact Assessment, prepared by Trinity Consultants, 23 February 2026.
  - 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.
- 19. All complaints received must be recorded in the Complaints Register.
- 20. 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**

- 21. Before the development starts, the permit holder must provide spatial information data to Land Use Victoria via email [vicmap@transport.vic.gov.au](mailto: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.
- 22. 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.

**Decommissioning**

- 23. Once the facility permanently ceases operation, the responsible authority and Benalla Rural City Council must be notified within three months.
- 24. 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



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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.

25. 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, 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 23
  - 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.
26. The endorsed DMP must be implemented to the satisfaction of the responsible authority.

**Notification of works commencing**

27. 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).

**Referral authority conditions**

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

**Traffic Management Plan**

28. Before the commencement of any works on the subject land (or stages thereof) and before the engagement of any haulage contractors, a Traffic Management Plan (TMP) must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The TMP (for each applicable stage), without limiting the generality of the plan, must include:
- a) Prior to commencement of any works, an existing conditions survey of public roads (not including M class roads) and associated road infrastructure that may be used in connection with the solar energy facility (for access, delivery of material, pre-construction or construction purposes etc), including details of the suitability of the proponent's use, design, condition and construction standard of the relevant public roads and bridges.
  - b) The existing conditions survey must be undertaken for the following location:
    - i. Benalla-Yarrawonga Road extending from 100m south of southern boundary of the subject land to 100m north of Lake Mokoan Road intersection including the intersection bell mouth.
  - c) The designation of all vehicle access points to the site from Benalla-Yarrawonga Road and Lake Mokoan Road. Vehicle access points must be designed and located to ensure safe sight distances, turning movements, and to be offset to avoid potential through traffic conflicts.



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- d) 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.
- e) Engineering Plans and reporting demonstrating whether, and if so, how truck movements to and from the site can be safely accommodated within the road reserve. Mitigation measures are to be developed by the proponent and agreed to by the Head, Transport for Victoria and the Responsible Authority for all hazards including, but not limited to:
  - i. Oversize and 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.
- f) The timing of when the works are to be undertaken.
- g) Works required by the TMP must be completed expeditiously to the satisfaction of The Head, Transport for Victoria and the Responsible Authority.
- h) A program to rehabilitate existing public roads and associated road infrastructure to a safe and usable condition to the greater standard of either the:
  - i. Standard no less than what is required to support the proposed use; or
  - ii. The condition identified by the surveys required under the condition above.

During the following stages:

- i. The construction period;
  - ii. At the conclusion of the construction of the solar energy facility; or
  - iii. First two years during the operation of the solar energy facility.
- i) 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. Neither the Head, Transport for Victoria nor the Responsible Authority will accept liability for such damage.
29. By no later than three (3) months after the date of completion of the solar energy facility, a post construction conditions survey of public roads (not including M roads) as identified by the approved TMP that have been used in connection with the solar energy facility (for access, preconstruction or construction purposes etc), must be submitted and approved by the Head, Transport for Victoria and the Responsible Authority.
- The report must detail any damage or deterioration of road infrastructure and include a rehabilitation program in accordance with the requirements of the approved TMP.
30. The traffic management and road upgrade and maintenance works identified in the endorsed TMP must be carried out in accordance with the endorsed TMP to the satisfaction of the Head, Transport for Victoria and Responsible Authority.



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31. The provision of a security bond (or other legal agreement as agreed in writing by The Head, Transport for Victoria) prior to the commencement of works on the subject land equal to the reasonable estimated costs of the rehabilitation/replacement of any road infrastructure identified as being at risk by the TMP to the satisfaction of the Head, Transport for Victoria and Responsible Authority. A contract between the Developer and the Head, Transport for Victoria must be prepared for the terms of use of the security bond (or other legal agreement) at no cost to, and to the written satisfaction of the Head, Transport for Victoria.
32. All roadworks and road associated works, reporting, contracts and the provision of road escort vehicles and personnel are to be at no cost to the Head, Transport for Victoria or the Responsible Authority, including but not limited to all additional:
- a) Route survey work, together with all associated VicRoads bridge assessments for the over dimensional and overmass vehicles and their loads; and
  - b) Traffic management resources and equipment such as variable message signs. Functional layout plan(s)
33. Prior to the commencement of any construction (or stages thereof) on the subject land hereby approved by this planning permit the following mitigating works must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria:
- a) The TMP must clearly identify where accesses to the subject land are to be located on Benalla-Yarrawonga Road and Lake Mokoan Road.
  - b) A Functional Layout Plan (FLP) must be submitted and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The FLP must be drawn to scale, clearly dimensioned to show (but not limit to) the following:
    - i. The intersection of Lake Mokoan Road and the Benalla-Yarrawonga Road.
    - ii. Vehicle access points on Benalla-Yarrawonga Road must be designed and located to ensure safe sight distances, turning movements, and to be off-set to avoid potential through traffic conflicts.
    - iii. A Basic Right (BAR) turn treatment at the proposed access intersections with the Benalla-Yarrawonga Road (excluding emergency access).
    - iv. A Basic Left (BAL) turn treatment at the proposed access intersections with the Benalla-Yarrawonga Road (excluding emergency access).
    - v. A Basic Right (BAR) turn treatment at the intersection of Lake Mokoan Road and Benalla-Yarrawonga Road.
    - vi. Include emergency access points to Benalla-Yarrawonga Road designed generally in accordance with VicRoads guideline drawing GD4010A, designed to accommodate the largest design vehicle expected to use the access in an emergency.
    - vii. All disused or redundant vehicle crossings must be removed, and the area reinstated.
    - viii. The swept path analysis of the following vehicles at 10 km/hr (min) and with 15 metres (min) radii:
      - a. Simultaneous 26 metre b-double trucks (one with 0.5 metre clearances on both sides of the vehicle) entering and exiting without overlapping each other or crossing into any opposing lanes and

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- b. The largest oversized or over-mass vehicle as identified in the TMP (without clearances).
- ix. All services, trees, line marking, signs, on-road lighting, other existing accesses and crossovers (on both sides of the arterial road) and other infrastructure (e.g. power poles etc) that are to remain in place or to be relocated or removed.
- c) Upon the Head, Transport for Victoria approval of the FLP, a Road Safety Audit must be undertaken at the detailed design stage in accordance with VicRoads' Road Safety Audit Policy.
  - i. The audit findings and the consultant's responses to the findings must be provided to the Head, Transport for Victoria for review and approval.
  - ii. Any mitigating works arising out of the audit must be carried out by the applicant at no cost and to the Head, Transport for Victoria satisfaction.
- d) The following roadworks must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria:
  - i. The BAR & BAL turn treatments at access intersections with the Benalla-Yarrawonga Road (excluding emergency access).
  - ii. The BAR turn treatment at Benalla-Yarrawonga Road/Lake Mokoan Road intersection.
  - iii. All access points with the Benalla-Yarrawonga Road.
  - iv. All disused or redundant vehicle crossings must be removed, and the area reinstated.
  - v. Any service relocation and vegetation removal and
  - vi. Any other works as required by the Head, Transport for Victoria within the arterial road reserve.

**WorkSafe Victoria Conditions – Determining referral authority**

- 34. The applicant must undertake a Risk Management Plan, Fire Management Plan and Emergency Response Plan in line with the CFA Guidelines, conducted by a suitably competent person, prior to BESS arrival onsite, and to the satisfaction of the CFA's Dangerous Goods Unit.
- 35. The applicant must engage Energy Safe Victoria regarding planned incident response to the high-pressure gas pipeline when the solar farm and BESS are in operation.
- 36. The applicant must consult with the owner of the high-pressure gas pipeline APA VTS Australia (Operations) Pty Ltd relating to:
  - a) proposed site layout
  - b) proposed pipeline maintenance activities
  - c) proposed response notification and coordination in the event of an emergency that could impact the pipeline, or where the pipeline could impact assets described within this proposal.
- 37. The applicant must undertake a safety assessment relating to:
  - a) possible electrical component proximity as a potential source of ignition in the event of a loss of containment from a high-pressure gas pipeline, and
  - b) the introduction of possible cathodic protection issues impacting a high-pressure gas pipeline due to installations at the solar farm.

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**AusNet Conditions – Determining referral authority**

38. Details of any proposed development or use of the AusNet easements, including access roads, installation of lighting, underground services and the use of construction equipment and explosives, must be submitted to and approved by AusNet before work is commenced on site.
39. Buildings and structures including solar panels are not permitted on the AusNet easements without prior written approval from AusNet.
40. Vehicle access by AusNet and its service providers must remain available along the easements at all times.
41. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.
42. Further detailed drawings of the new proposed transmission line must be provided to AusNet for approval.
43. Further detailed drawings of the new proposed sub-stations must be provided to AusNet for approval.
44. Further detailed drawings of the new proposed terminal station must be provided to AusNet for approval.

**DEECA Conditions - Recommending referral authority**

**DEECA Crown Land**

45. No structures, works, storage or vehicle turning and parking shall occur on, or encroach upon, the adjoining Crown land (unless an appropriate authorisation is obtained from DEECA).
46. Public access to Crown land must be maintained, with no fencing other than a stockproof fence if required, to the satisfaction of DEECA.

**Notification of permit conditions**

47. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

**Protection of vegetation to be retained**

48. Before any works start, a native vegetation protection fence must be erected around or along all patches of native vegetation and scattered trees to be retained on site and on any adjoining road reserves, including in the vicinity of access/egress construction or upgrade locations. This fence must be erected at:
  - d) a radius of 12 times the diameter of the tree trunk at a height of 1.3 metres to a maximum for 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - e) around any patches of native vegetation at a minimum distance of 2 metres from the dripline of the retained native vegetation, i.e. shrubs, herbs, grasses.

The protection fence must be constructed of star pickets and plain wire, para-webbing or similar durable and clearly visible material and marked as No-Go-Zones, to the satisfaction of the responsible authority. All tree protection zones must comply with AS4970-2025 Protection of trees on development sites, to the satisfaction of the responsible authority. The protection fence must remain in place for the life of the permitted use and development.

49. Except with the written consent of the responsible authority, within the areas of native vegetation and other biodiversity values to be retained, including any tree protection zones, the following are prohibited:



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- a) vehicular and machinery access
- b) trenching or soil excavation storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- c) entry and exit pits for the provision of underground services
- d) any other actions or activities that may result in adverse impacts to retained native vegetation.

**Native vegetation offsets**

50. The total area of native vegetation permitted to be removed is 17.762 hectares, as identified in Native Vegetation Removal Report (NVRID ID: 381\_20250214\_TA4) comprised of Location Category 2. To offset the removal of 17.762 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a) A general offset of 3.2490 general habitat units, comprising:
    - i. Past losses offset of 2.6850 general habitat
    - ii. Design losses offset of 0.5640 general habitat units
  - b) Located within the Goulburn Broken Catchment Management boundary or Benalla Rural City municipal area; and
  - c) With a minimum Strategic Biodiversity Value score of at least 0.3233
  - d) The offset(s) secured must also protect 67 large trees must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation (DEECA, 2025, Version 1.1)*.

**Offset evidence**

51. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be 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.
52. Before any native vegetation is removed, evidence that the required offset for the past, unauthorised native vegetation removal 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.
  - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
53. A copy of the offset evidence for the project related native vegetation removal, and the offset evidence for the past unauthorised native vegetation removal will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of each offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action
54. In the event that a security agreement is entered into as per Offset evidence conditions above (i.e. first party offset site), the permit holder must provide the annual offset site report to the responsible

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authority by the anniversary date of the execution of the offset security agreement/s, 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.

55. The requirements of conditions 45 to 54 must not be altered or modified without the prior written consent of the responsible authority.

**Construction Environmental Management Plan (CEMP)**

56. Before development starts, including the removal of native vegetation, a Construction Environment Management Plan (CEMP) must be prepared in consultation with Department of Energy, Environment and Climate Action, and must be submitted to and endorsed by the Responsible Authority. When approved, the CEMP will be endorsed and will form part of this permit. The CEMP must include the following:

- a) Details for the implementation of recommendations identified in Section 10 of the West Mokoan Solar Project - Flora and Fauna Assessment (AECOM, 16 June 2025).
- b) Measures to protect the native vegetation and other biodiversity values to be retained on site and on land directly adjoining the sites (ie. adjoining road reserves), during and post construction works. These measures must include the erection of native vegetation protection fencing around all native vegetation to be retained on site, establishment of Tree Protection Zones to prevent consequential losses, and No-Go-Zones in accordance with AS 4970-2025 Protection of trees on development sites.
- c) Clear demarcation of all stockpile and laydown areas, storage, parking and vehicle/machinery storage locations on site; and appropriate management requirements for these – all to be located within the identified facility development and impact areas.
- d) Erosion and sediment control, and drainage management measures to be implemented on site, to ensure no sediment or sediment laden runoff enters waterways, drainage lines, wetlands or moves off site.
- e) Weed and pathogen control measures and ongoing management actions on sites, including appropriate vehicle hygiene measures, during construction phase and post construction.
- f) Wildlife management protocols, including a requirement for the provision of a certified wildlife consultant and/or handler to be available to assist with identifying and handling of any wildlife disturbed by the works.

The protocols must also include specifications for native fauna identification, monitoring, protection, salvage and relocation measures to be implemented before and during removal of native vegetation and excavation works (ie. services and post holes), in particular when removing large hollow bearing trees, and any excavation works in the vicinity of habitat/potential habitat for native species. Suitable nearby release sites for the range of species likely to be found must be identified in the plan. These sites should be within the shortest possible distance and a list of the species and the correlating proposed relocation site is to be included in the plan.

- g) Monitoring and reporting requirements for all aspects of the construction phase, and all components of, and actions set out in the approved/endorsed CEMP. Monitoring for any construction impacts on areas to be retained, protected and enhanced, or impacts on other biodiversity values on and off site, needs to be part of regular monitoring included in the CEMP
- h) The person/s responsible for implementation and compliance of each aspect of the CEMP



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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.

**Amended Woodland Restoration Plan**

57. Before any works start, including removal of native vegetation, an amended Woodland Restoration Plan for the project, must be prepared in consultation with DEECA and submitted to and approved by the responsible authority. When approved, the WMP will be endorsed and will form part of this permit. The draft Woodland Restoration Plan (by AECOM, dated 13/05/2021) must be amended to include:

- a) Identification of all areas to be enhanced and restored on both the West Mokoan site and the Kennedy's Creek site; and all other areas of native vegetation to be retained across both sites.
- b) Specific actions and relevant details for the sites to be enhanced and restored, including pest plant and animal control, removal of grazing impacts, prevention of sediment movement into retained areas, avoidance of ground/soil disturbance and revegetation work requirements. The Revegetation Guide for the Goulburn Broken Catchment needs to be used to guide and inform revegetation and restoration works in the areas of retained vegetation to be enhanced and restored.
- c) All revegetation works, including within landscape buffers, to be done using suitable indigenous species appropriate to the Ecological Vegetation Class (EVC) of the particular sites, and species suitable for specific habitat enhancement purposes (eg. species suitable for woodland bird habitat or other threatened species known in the area). It is advised that the Revegetation Guide for the Goulburn Broken Catchment be used as a guide for species selection for all revegetation works, in accordance with the relevant EVCs, together with species already present on and nearby the sites.

*Note: It is advised that EVC Benchmarks are not appropriate for species selection purposes.*

- d) Fencing of all areas of native vegetation to be retained on both project sites, including areas to be enhanced and restored, and all vegetation to be retained, in accordance with the Australian Standard – AS4970-2025 Protection of trees on development sites. These standards must be used where fencing is required for the purpose of protection of native trees to be retained.
- e) Process for placement of felled tree material, in particular any hollow sections, into areas of native vegetation being retained, and enhanced and restored. Placement of felled tree material into areas containing retained native vegetation should not exceed the amount and lengths identified in the relevant Ecological Vegetation Class benchmarks and must not cause impacts on any native vegetation not permitted to be removed.
- f) Mitigation measures to preclude any adverse impacts on retained native vegetation areas, enhancement and restoration areas, and any landscape buffers. Ongoing management and mitigation must allow for natural regeneration to occur. Process for rehabilitation of areas impacted by the construction works, including revegetation were necessary, in particular where adjacent/close to areas of native vegetation to be retained, protected and enhanced.
- g) Management and maintenance details for the eastern part of Stockyard Creek alignment (east of proposed enhancement/restoration area) to Boundary Road to provide improved linkage to Winton Wetland and enhance the narrow community group revegetation project area.
- h) Management and maintenance should include protection fencing, pest plant and animal control, avoidance of ground/soil disturbance, avoidance of sediment movement into area, allowance for natural regeneration to occur, and potential revegetation works.



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- i) Minimum management and maintenance standards for areas of native vegetation to be retained on both sites, to assist in sustaining the retained vegetation across the sites and landscape connectivity values the retained vegetation provides. At a minimum, this needs to include protection fencing, pest plant and animal control, and avoidance of ground/soil disturbance, during the construction and use periods of the solar facility.
- j) That no ploughing or rip-lines are to occur within Tree Protection Zones (TPZ) of trees to be retained, or where any native understory or ground cover species exist.
- k) That monitoring is required for natural regeneration in the areas to be restored and enhanced, as well as other areas of native vegetation to be retained, following removal of protection fencing. It is likely that natural regeneration will occur around some trees being retained once impacts are removed. Where natural regeneration occurs around trees being retained, modification of species and numbers/densities to be planted will need to be considered. An annual report is required to demonstrate compliance for 3 years after commencement of the development. After consideration of this report, the responsible authority may direct further monitoring to its satisfaction.
- l) Monitoring and ongoing maintenance work for the enhancement and restoration sites also needs to include checking of survival rates and replacement of any non-surviving plants from revegetation works.

**End of referral authority conditions**

**Country Fire Authority (CFA) conditions – Not a referral authority**

**Amended Plans**

- 58. Before plans are endorsed under condition 1, in consultation with CFA, a Risk Management Plan must be submitted to, approved and endorsed by the responsible authority.
- 59. The Risk Management Plan must be prepared in accordance with the CFA Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at the time of submitting plan for endorsement), and:
  - a) Describe the risks and hazards at the facility to and from the battery energy storage system, solar panel infrastructure and related infrastructure.
  - b) Describe the risk controls for the facility, including:
    - i. Dedicated fire water supplies for the decentralised battery energy storage system:
      - a) In static fire water tanks, of an effective capacity of no less than 45,000L each, located within 120m of, and providing full coverage of, each battery energy storage system enclosure/container onsite, to the satisfaction of CFA,
      - b) Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
      - c) Commissioned prior to the installation of the battery energy storage system enclosures/containers within the facility.
    - ii. Fire water supplies for the solar panel infrastructure:



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- a) In static fire water tanks, of an effective capacity of no less than 45,000L each, one located at the primary vehicle entrance to each part of the facility, and at least one for every 100ha within the solar facility, to the satisfaction of CFA
    - b) Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
  - 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) 61.2.3.2. Of battery containers/enclosures and related battery infrastructure, buildings/structures, and vegetation based on radiant heat flux (output) as an ignition source.
  - iv. 61.2.4. All proposed battery energy storage system safety and protective systems.
  - v. 61.2.5. For the storage of battery energy storage system enclosures/containers on-site, prior to their installation, for any length of time.
  - vi. 61.2.6. For the management of arc flash hazards, including 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.
  - vii. 61.2.7. Where noise/acoustic barriers are proposed on three or more sides of battery installations, 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.
  - viii. 61.3. 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/or protective system/s.
  - ix. 61.4. Specify that planning for decommissioning of the facility will be in consultation with CFA.
  - x. 61.5. Form the basis for the design of the facility.
60. 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.
61. 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.
62. The applicant must undertake a Risk Management Plan, Fire Management Plan and Emergency Response Plan in line with the CFA Guidelines (conducted by a suitably competent person, prior to BESS arrival onsite, and to the satisfaction of the CFA's Dangerous Goods Unit.

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**Goulburn Broken Catchment Management Authority conditions – Not a referral authority**

63. The finished floor level of all buildings must be constructed at least 300 millimetres above the applicable 1% AEP flood level. The 1% AEP flood levels are to be determined from the Flood Report (22 July 2024).
64. The applicant must submit a plan to the Goulburn Broken Catchment Management Authority showing all buildings with a table insert that specifies the finished floor level for each building to the satisfaction of the Goulburn Broken Catchment Management Authority.

**Goulburn Murray Water condition – not a referral authority**

65. All construction and ongoing activities must be in accordance with EPA Publication 1834.1 Civil Construction, Building and Demolition Guide (September 2023).

**Expiry**

66. This permit will expire if one of the following applies:
- a) The development is not started 5 years of the date of this permit.
  - b) The development is not completed within 8 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.

**Permit Notes**

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

- The permitted use or development may need to comply with, or obtain the following further approvals:
  - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
  - A building permit under the *Building Act 1993*.

Head, Transport for Victoria notes:

- The increase in discharge of any drainage onto the arterial road reserve from the subject land is not permitted unless approved in writing by the Head, Transport for Victoria.
- Tree removal constitutes works within the Benalla-Yarrawonga Road reserve and separate approval under the Road Management Act 2004 for this activity is required from the Head, Transport for Victoria.
- Separate 'detailed design' approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of:
  - Basic right turn and left turn treatments; and

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o Any other works in the arterial road reserve.

- Further information regarding consent to work within the road reserve can be found on the VicRoads Website: <https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>

WorkSafe Victoria notes

- Submission of a Dangerous Goods Storage and Handling notification as per regulation 64 of the Dangerous Goods (Storage and Handling) Regulations 2022 due to exceeding manifest quantities as outlined in Schedule 2

DEECA notes

- All native wildlife in Victoria is protected under the *Wildlife Act 1975*, and approval to remove native vegetation does not exempt the development or planning permit holders from other statutory obligations under the Wildlife Act 1975. Where works may impact on native fauna, and or habitat used by native fauna, the project managers/project staff must ensure that measures are implemented, and to act in a manner that does not harm, injure or kill wildlife. Prior to removal of vegetation, project managers/project staff are advised to determine whether a Wildlife Act authorisation is required. For further information please visit <https://www.vic.gov.au/wildlife-licences-and-permits>

Works or other activities on public land, including road reserves, which may affect protected native plants, may require a Protected Flora Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the most up to date Protected Flora List (DEECA) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DEECA office – [Hume\\_NEP@deeca.vic.gov.au](mailto:Hume_NEP@deeca.vic.gov.au). In accordance with Section 66 of the Planning and Environment Act 1987, please provide a copy of the permit if one should be granted, or any notice to grant or refuse to grant a planning permit to [pea.energyproject@deeca.vic.gov.au](mailto:pea.energyproject@deeca.vic.gov.au)

EPA notes

- The Environment Protection Act 2017 came into effect on 1 July 2021. The general environmental duty (GED) is a centrepiece of the laws. It applies to all Victorians. If your business engages in activities that may give rise to a risk to human health or the environment from pollution or waste, you must understand those risks and take action to minimise them as far as reasonably practicable.
- This involves a continuous, preventative approach and should be undertaken with the understanding that where an operation presents low-level risks, or already has appropriate risk mitigation measures in place, further mitigation measures may still be necessary at a future point.
- For further information on what the laws mean for Victorian businesses and community go to: <https://www.epa.vic.gov.au/general-environmental-duty>

Noise

- The use of the land must at all times comply with *EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (EPA Publication 1826.4).

Roads



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- National Heavy Vehicle Register approval may be required.

North East Water

- Proponent to contact North East Water on commencement of construction.



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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.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

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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 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.

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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: 7 September 2026 Signature for the responsible authority:

