Appendix A

Planning Permits
(PA2000978 & PA1900684-1 and Extension of Time PA1900684-1)

Planning and Environment Regulations 2015
Form 4

Section 63, 64, 64A and 86

PLANNING PERMIT

Application No.: PA2000978

Planning Scheme: Benalla Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

Land

Address	Formal land description
892 Benalla-Yarrawonga Road, Goorambat	Lot 1 on PS 625748F
Benalla-Yarrawonga Road, Benalla	Lot 1 on PS 173518C
Benalla-Yarrawonga Road, Benalla	Lot 1 on TP 104377J
Benalla-Yarrawonga Road, Benalla	Lot 1 on TP 576184J
Benalla-Yarrawonga Road, Benalla	Lots 1, 2, 3, 4 & 5 on LP206524H
Lake Mokoan Road, Benalla	CA 98B Parish of Goorambat

Roads

Lake Mokoan Road

WHAT WILL THE PERMIT ALLOW?

Use and development of a Solar Energy Facility and Utility Installation and associated buildings and works, removal of native vegetation, display of business identification signage, removal and creation of easements and create or alter access to the Transport Zone 2

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

DEVELOPMENT PLANS

Amended Plans

1) Before development starts, amended plans must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the plans will form part of this permit. The plans must be fully dimensioned and drawn to scale. The plans must be generally in accordance with the plans titled "West Mokoan Solar Farm" prepared by AECOM and dated 12 October 2021, but modified to show:

   a) The colours and finishes of all buildings and works, which must be non-reflective, and matched where possible to colours present within the surrounding landscape to minimise visual impact;

   b) The layout of the proposed operations and maintenance and Battery Energy Storage System (BESS) area.

c) The location of water to be used for fire suppression purposes throughout the site considering the requirements of *Guidelines for Renewable Energy Installations (CFA, March 2021 (As amended))*

d) Landscaping, in accordance with the Landscaping Plan required by condition 3

e) Details of the glint and glare mitigation methods that will be employed to ameliorate glint and glare at each Observation Point (dwelling) and Route Receiver (constructed road). If methods include temporary boundary screening, details (length, height and materials) must be provided.

f) Emergency management design features and facilities specified by the Country Fire Authority (CFA) at conditions 33-61 inclusive;

g) The design requirements specified by the Goulburn Broken Catchment Management Authority at conditions 64-66 inclusive;

h) Any other development or design feature required to comply with any other condition of this permit.

WRITTEN CONSENT TO MODIFY ENDORSED PLANS

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

LANDSCAPING PLAN

3) Before development starts, excluding site preparation works, a Landscaping Plan must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the plan will form part of this permit. The plan must be fully dimensioned and drawn to a scale.

The Landscaping Plan must be prepared by a suitably qualified expert and be generally in accordance with the advertised Landscape Design Plan (prepared by AECOM (16 June 2021) and the site plans "West Mokoan Solar Farm" prepared by AECOM and dated 12 October 2021, but modified to include:

a) A planting plan and planting section for a 15m wide planting zone

b) A 15m wide landscaping screen to the following areas:

i) Surrounding the operations and maintenance area

ii) Along the Lake Mokoan Road frontages

c) A planting schedule clearly specifying trees and shrubs to be used.

d) A specific screening design for the eastern boundary of the site adjacent to the Dam Wall Road/Boundary Road that incorporates the landscaping response recommended by the Landscape and Visual Impact Assessment AECOM (18 June 2021) (Section 6.4 – Landscape Strategy Response – LS2 (Table 21)

e) A statement summarising the design and species selection process and justification.

f) Details of how the ground cover under the solar panels will be maintained at a reasonable level, including during fire season(s).

g) 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);

h) A maintenance program, including weed management and the replacement of dead or diseased plants for the life of the facility.

4) The endorsed Landscaping Plan must be completed in accordance with the implementation timetable, and monitored and maintained, all to the satisfaction of the responsible authority.

ENVIRONMENT MANAGEMENT PLAN

5) Before development starts, Including the removal of native vegetation, an Environment Management Plan (EMP) must be submitted to and endorsed by the responsible authority in consultation with the Benalla Rural City Council.

The EMP must include the following:

a) Describe measures to minimise any amenity and environmental impacts of the construction, operation and decommissioning of the solar energy facility.

b) Provide for the operational requirements specified in the Emergency Management conditions 34-37, 47, 48 and 52-56 inclusive.

c) Provide for a regime for routine fire risk reduction, including:

i) that grass within the facility must be maintained at below 100mm in height

ii) procedures for minimising risk associated with days of elevated fire danger

d) the inclusion of measures to manage surface water quality as recommended at Section 6.0 of the West Wimmera Solar Farm Surface Water Assessment (AECOM, 21 September 2020 (as amended))

e) Provide for the regular monitoring and removal of vegetation from all existing open-air drains within the subject site so that the drains function similarly to their pre-development state;

f) Include organisational responsibilities (i.e. the persons/positions responsible for implementing the above measures) and procedures for staff training and communication.

g) Require the implementation and use of a remote solar farm monitoring system to provide:

i) early notification of faults and emergencies;

ii) 24/7 on-call capability to respond to faults and emergencies;

iii) CCTV cameras monitoring, at a minimum, access points and BESS/substation areas

h) Require the BESS be inspected regularly for any signs of mechanical damage to the external container(s) and any accumulation of materials (including leaf litter) in or within ten (10) metres of the system. Any identified issues must be immediately remedied.

i) Require the BESS s be regularly serviced as per the manufacturer's specifications to ensure that all safety and protective systems are in effective working order.

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

6) The EMP must include a Construction Environment Management Plan (CEMP), which must be developed incorporating the standards of the Infrastructure Design Manual (IDM) prepared by the Local Government Infrastructure Design Association and must include:

a) Procedures to manage noise emissions and vibration generally in accordance with the requirements of the Noise Control Guidelines (EPA Publication 1254) and the Environmental Guidelines for major construction sites (EPA Publication 480), including that the requirement that only low noise works are undertaken during construction on Saturdays between 1pm and 5pm.

b) erosion and sediment control measures to ensure that no polluted and/or sediment laden run-off is discharged directly or indirectly into drains or watercourses.

c) procedures to manage dust emissions to manage amenity impacts on surrounding properties

d) locations of any construction wastes, equipment, machinery and/or earth storage/stockpiling during construction

e) the location of any temporary buildings or yards

f) procedures and measures to identify and protect any native vegetation and fauna habitat to be retained during and post construction. These measures must include:

   i) the erection of a native vegetation protection fence around all native vegetation to be retained on site, on any adjoining road reserves and on areas outside of vehicle accesses.

   ii) the tree protection zones of all native trees to be retained and this to be marked on plan(s). All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites

g) explicitly state that no access is permitted to the site for both construction and private vehicles associated with the construction of the facility from the east of the site on Lake Mokoan Road.

h) vehicle and equipment accesses and hygiene measures to prevent the spread of weeds and pathogens to and from the site

i) procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, and to rehabilitate construction zones with appropriate species (i.e. pasture), when construction is complete

GLINT AND GLARE MANAGEMENT

7) Before the endorsement of development plans in accordance with condition 1 of this permit, an updated Glint and Glare Assessment, similar to that submitted with the application (prepared by AECOM, dated 26 August 2021), must be prepared in consultation with Benalla Rural City Council and Department of Defence, and submitted to and approved by the responsible authority.

8) The Glint and Glare Assessment must include:

   a) An updated assessment based on the final design and layout of the facility, including assessment of potential impacts to:

      i) Residents of dwellings within 1 kilometre of the subject site;

      ii) Road users within 1 kilometre of the subject site;

   b) Modelling of the tracking behaviour (e.g. backtracking) of the selected system.

c) Recommendations to mitigate potential glint and glare impacts to the receptors identified in condition 8a, including:

i) Details (including location, height and materials) of any glare screening or other method required to mitigate glint and glare impacts while landscaping treatments are established to an appropriate height and density;

ii) Details (including location, width, height and density) of any landscaping treatments required.

d) An assessment from a suitably qualified person confirming that subject to any proposed mitigations, the glint and glare from the solar farm would not have an impact on road safety, aviation safety or the reasonable amenity of the residents of dwellings assessed in the Glint and Glare Assessment.

9) Before any solar arrays are installed on the site, any glare screening must be constructed in accordance with the endorsed development plans.

10) Despite what is shown on the endorsed development plans, any glare screening may be removed with the written consent of the responsible authority, following the satisfactory growth of landscaping planted under this permit.

LIGHT SPILL MANAGEMENT

11) All lighting installed and operated at the site must comply with *AS 4282 Control of the obtrusive effects of outdoor lighting*.

OPERATIONAL NOISE

12) 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* (the EPA Publication 1826.4).

13) Prior to the endorsement of development plans in accordance with condition 1 of this permit, an updated Predictive Noise Assessment report must be provided to the Minister for Planning and Benalla City Council and must:

a) model the final design layout and electrical components for the facility and assess this against EPA Publication 1826.4;

b) demonstrates the proposal will comply with EPA Publication 1826.4, at all times without relying on limiting the operating capacity of any part of the facility.

c) provides details of any noise attenuation measures that need to be implemented to achieve compliance with the EPA Publication 1826.4.

All measures relied on to achieve compliance with EPA Publication 1826.4, must be shown on the endorsed plans under condition 1, and implemented to the satisfaction of the responsible authority.

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

14) Within 1 month of the commencement of the use, a Post-Construction Acoustic Assessment Report must be prepared by a suitably qualified acoustic engineer and must be submitted to the Minister for Planning and Benalla Rural City Council, demonstrating compliance with EPA Publication 1826.4 at all times. The report must assess the compliance of the use with EPA Publication 1826.4 and, where necessary, make recommendations to limit the noise impacts

in accordance with EPA Publication 1826.4 to the satisfaction of the responsible authority. The report must be made available to the public.

15) Within 1 year of the commencement of the use, a Post-Construction Acoustic Assessment Report must be prepared by a suitably qualified acoustic engineer and must be submitted to the Minister for Planning and Benalla Rural City Council, demonstrating compliance with EPA Publication 1826.4 at all times. The report must assess the compliance of the use with EPA Publication 1826.4 and, where necessary, make recommendations to limit the noise impacts in accordance with EPA Publication 1826.4 to the satisfaction of the responsible authority. The report must be made available to the public.

AUSNET SERVICES

16) No part of the proposed development is permitted on AusNet Transmission Group's easement unless otherwise agreed to in writing by AusNet Transmission Group.

17) Access to and along the easement must be maintained at all times for AusNet Transmission Group's vehicles, staff and contractors.

18) Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.

19) The use of vehicles and equipment exceeding 3 metres in height are not permitted to operate on the easement without prior written approval from AusNet Transmission Group.

20) Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads that are proposed within the AusNet Transmission Group easement.

Roads that run parallel or cut at an angle of less than 45 degrees to the power line/s are not permitted within the easement.

In this regard the applicant must make contact with AusNet Transmission Group (LMG@ausnetservices.com.au) at an early stage to ensure that any road proposals within a transmission line easement are acceptable to AusNet Transmission Group.

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

21) Details of any proposed services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

BENALLA RURAL CITY COUNCIL

22) Before development starts, the final location of the crossings are to be approved by Benalla Rural City Council through the approval of a "Works within the Road Reserve" application process.

23) Before site preparation works start, the proposed vehicle crossing points as shown on the endorsed plans must be constructed to an all-weather standard in accordance with Council's

Infrastructure Design Manual standards (SD 265), and to the satisfaction of the Benalla Rural City Council.

24) Before development starts, an assessment of the structural integrity of existing culverts under Lake Mokoan Road must be completed, submitted and approved to the satisfaction of Benalla Rural City Council. The assessment must determine if the culverts under Lake Mokoan Road have the structural capacity to facilitate the weight and movement of B-Double trucks throughout the construction of the facility.

25) Before development starts, any recommendations/upgrades arising from the assessment of culverts under Lake Mokoan Road must be undertaken to the satisfaction of Benalla Rural City Council.

26) Any damage to Council or Roads Corporation assets (i.e. roads, table drains etc.) must be repaired at the cost of the applicant to the satisfaction of the responsible authority.

27) Vehicle access and egress from the property must take place in a forward direction at all times.

28) All loading and unloading of vehicles must at all times be undertaken within the curtilage of the subject land, unless agreed otherwise by the Benalla Rural City Council.

29) Stormwater drainage systems must be designed to prevent contaminants from the site entering the storm-water drainage system to the satisfaction of Benalla Rural City Council.

30) There must not be any discharge of concentrated drainage into the adjoining road drains or culverts without the approval of the Benalla Rural City Council.

31) The approved works must not cut off natural drainage from adjacent properties.

32) Before the development of any office facilities or toilets associated with the operations and maintenance area, an application to install a septic tank system must be submitted and approved by Benalla Rural City Council. All effluent disposal areas must be retained on the land in accordance with EPA requirements.

COUNTRY FIRE AUTHORITY CONDITIONS

Risk Management Plan

33) Before development plans are endorsed under condition 1, a Risk Management Plan (RMP), incorporating a risk assessment, must be prepared in consultation with the relevant fire authority. The plan must:
   a) Be prepared with consideration to the CFA's *Guidelines for Renewable Energy Installations* (the most up-to-date version at the time of preparing the RMP).
   b) Specify an appropriate fire break width around the facility perimeter, between any landscape buffer/screening vegetation and solar panels, battery energy storage systems and related infrastructure. The width must be no less than 10m and determined relative to the potential for radiant heat from vegetation to ignite infrastructure, or infrastructure to ignite to vegetation, whichever is the greater.
   c) Identify and assess controls for the management of onsite and offsite risks at the facility, including but not limited to:

i) Battery chemistry and technology risks including thermal runaway, off-gassing, toxic smoke.
ii) Electrical equipment faults.
iii) Fire spread between battery containers.
iv) Grassfire/bushfire to and from the battery energy facility.
v) Ember attack to the battery energy facility.
vi) Radiant heat and flame contact.
vii) Physical/mechanical damage to battery containers.
viii) Radiant heat from battery containers fully involved in fire as an ignition source (to other battery containers, site infrastructure, on-site buildings, site boundary and vegetation).
ix) Related dangerous goods storage and handling including transformer oil/diesel spills/leaks, refrigerant gas releases.
x) Evidence-based determination of the effectiveness of the risk controls against the identified hazards.

d) Identify battery safety and protective systems including battery management systems, monitoring systems, overcharge detection, off-gas detection, pressure relief systems, thermal detection, smoke detection, gaseous or extinguishing agent systems, refrigeration/cooling systems, visual and audible warning systems.

Fire Management Plan

34) Before development starts, a Fire Management Plan, incorporating a risk assessment, must be prepared in conjunction with the relevant fire authority. The plan must:
a) Inform the construction and operational requirements for the facility.
b) Consider fire risks to and from the site and detail the control measures (systems, activities and accountabilities) for the prevention and management of fire.
c) Include but not be limited to:
i) Monitoring for fire in the area.
ii) Vegetation and fire break management.
iii) Battery energy storage system inspections, testing, monitoring and servicing.
iv) Peat presence and management (if applicable).
v) Fire detection, protection systems and equipment inspections and servicing.
vi) Hot work permits/processes and other ignition control mechanisms.
vii) Internal access roads, gates and fencing maintenance.

Siting and Design for Solar Arrays and Power Conversion Equipment (PCE)

35) Solar facilities are to have a minimum six (6) metre separation between solar panel banks. A bank of solar panels may be that connected to a single power conversion unit/inverter.

36) The area under solar arrays must consist of non-combustible material such as mineral earth, crushed rock, or vegetation managed to no more than 100mm. Managed vegetation may include localised crops of root vegetables or other plants with low flammability, planted to ensure that no part of the plant extrudes from underneath panel banks.

Siting and Design for Battery Energy Storage Systems

37) BESS facilities must be:
a) Located so as to be reasonably adjacent to a site vehicle entrance (suitable for emergency vehicles).

b) Located so that the site entrance and any fire water tanks are not aligned to the prevailing wind direction (therefore least likely to be impacted by smoke in the event of fire at the battery energy storage system.)

c) Designed to separate battery containers to a distance that prevents radiant heat exposure from igniting:
   i) Other battery containers (battery to battery ignition).
   ii) Related system infrastructure (power conversion equipment, substations, etc.).
   iii) Buildings and structures.
   iv) Vegetation, both on-site and off-site, including screening vegetation. The potential for radiant heat impact from surrounding vegetation must be reduced to a level that prevents ignition of battery infrastructure.

d) Provided with an in-built fire detection and suppression system in each battery container/enclosure.

e) Provided with a suitable access road for emergency services vehicles to and within the site, including to battery energy storage system(s) and fire service infrastructure.

f) Installed on a non-combustible surface such as concrete.

g) Provided with adequate ventilation as per the manufacturer's requirements/the Safety Data Sheet(s) for the BESS and/or any relevant national or international standards.

h) Provided with underground (buried) cabling and enclosed wiring, except where required to be above-ground for grid connection.

i) Provided with impact protection to at least the equivalent of the W guardrail-type barrier, installed in accordance with the manufacturer's instructions.

j) Provided with appropriate spill containment (bunding or otherwise) that includes provision for management of fire water runoff.

38) Landscaping/vegetation (buffers, screening or otherwise) to be planted under a requirement of this permit with a width of greater than 15m must be designed in consultation with the relevant fire authority.

Fire Monitoring and Detection

39) For BESS facilities at unmanned sites, appropriate monitoring and intervention measures must be provided to ensure that any shorts, faults, off-gassing, temperature increases above normal parameters and equipment failures with the potential to ignite or propagate fire are rapidly identified and controlled, and any off-gassing, smoke or fire is notified to 000 immediately.

40) The provision for direct alarm monitoring to the fire brigade for BESS automatic detection systems must be considered.

Fire Protection for Solar Facilities

41) The fire protection system for solar facilities must incorporate at least one (1) x 45,000L static water tank for every 100ha. For example, a 500ha site requires a minimum of five (5) x 45,000L static water tanks, located at site vehicle access points.

42) The fire water tank/s must be located at the primary vehicle access points to the facility, or elsewhere in consultation with CFA.

Fire Protection for Battery Energy Storage Systems

43) A fire protection system suitable for the risks and hazards at the facility must be provided. The fire protection system must be designed in line with the requirements of AS 2419.1-2005: Fire hydrant installations, Section 3.3: Open Yard Protection.

44) For the purposes of determining system requirements, the 'area' referenced within AS 2419.1 may be considered that of the battery installation, including the fire break around the battery infrastructure, rather than the entire area of the yard or site.

45) The fire protection system must include at a minimum:

a) A fire hydrant system that meets the requirements of *AS 2419.1-2005: Fire hydrant installations*, Section 3.3: Open Yard Protection, and Table 3.3: Number of Fire Hydrants Required to Flow Simultaneously for Protected Open Yards. Fire hydrants must be provided and located so that every part of the BESS is within reach of a 10m hose stream issuing from a nozzle at the end of a 60m length of hose connected to a fire hydrant outlet.

OR

b) Where no reticulated water is available, a fire water supply in static storage tanks.

i) The fire water supply must be of a quantity no less than 300,000L or as per the provisions for Open Yard Protection of AS 2419.1-2005 flowing for a period of no less than four hours, whichever is the greater.

ii) The quantity of static fire water storage is to be calculated from the number of hydrants required to flow from *AS 2419.1-2005,* Table 3.3. (E.g., For battery installations with an aggregate area of over 27,000m2, 4 hydrant outlets are required to operate at 10l/s for four hours, which equates to a minimum static water supply of 576kL.)

iii) Fire hydrants must be provided and located so that every part of the BESS is within reach of a 10m hose stream issuing from a nozzle at the end of a 60m length of hose connected to a fire hydrant outlet.

iv) The fire water supply must be located so as to be reasonably adjacent to the battery energy storage system and shall be accessible without undue danger in an emergency. (E.g., Fire water tanks are to be located closer to the site entrance that the battery energy storage system).

v) The fire water supply must comply with AS 2419.1-2005, Section 5: Water Storage.

Firefighting Water Supply

46) Fire water access points must be clearly identifiable and unobstructed to ensure efficient access.

47) Any static fire water storage tank(s) must be:

a) Above ground water tank(s) constructed of concrete or steel.
b) Capable of being completely refilled automatically or manually within 24 hours.
c) Located at vehicle entrances to the facility and must be positioned at least 10m from any infrastructure (electrical substations, power conversion equipment, BESS, etc.).
d) Provided with a hard-suction point, with a 150mm full bore isolation valve, equipped with a Storz connection, sized to comply with the required suction hydraulic performance. (Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap provided.) The hard-suction point must be:
   i) Positioned within four (4) metres to a hardstand area and provide a clear access for emergency services personnel.

ii) Protected from mechanical damage (eg., bollards) where necessary.

e) An all-weather road access and hardstand must be provided to the hard-suction point. The hardstand must be maintained to a minimum of 15 tonne GVM, eight (8) metres long and six metres wide or to the satisfaction of the relevant fire authority.

f) The road access and hardstand must be kept clear at all times.

g) Where the access road has one entrance, a ten (10) metre radius turning circle must be provided at the tank(s).

h) An external water level indicator must be provided to the tank and be visible from the hardstand area.

i) Signage indicating 'FIRE WATER' and the tank capacity must be fixed to each tank.

j) Signage must be provided at the front entrance to the facility, indicating the direction to static water tank(s).

Access

48) Construction of a four (4) metre perimeter road within the perimeter fire break.

49) Roads including on-site access tracks, are to:

a) Be of all-weather construction and capable of accommodating a vehicle of fifteen (15) tonnes.

b) Where roads are constructed roads, they are to be a minimum of four (4) metres in trafficable width with a four (4) metre vertical clearance for the width of the formed road surface.

c) Be of average grade no more than 1 in 7 (14.4% or 8.1°) with a maximum of no more than 1 in 5 (20% or 11.3°) for no more than fifty (50) metres.

d) Where there are dips in the road, they are to be no more than a 1 in 8 (12.5% or 7.1°) entry and exit angle.

e) Where a single point of access is proposed, a suitable turning arrangement at the end of the internal access road must be provided, such as a turning circle of 10m radius or T-turn arrangement.

50) Road networks must enable responding emergency services to access all areas of the facility.

Operation of Battery Energy Storage Systems

51) BESS facilities are to be inspected regularly for any signs of mechanical damage to the external container(s) and any accumulation of materials (including leaf litter) in or within ten (10) metres of the system. Any identified issues must be immediately remedied.

52) BESS facilities are to be regularly serviced as per the manufacturer's specifications to ensure that all safety and protective systems are in effective working order.

Fuel/Vegetation Management

53) Fire breaks of a width specified in the Risk Management Plan, must be maintained around:

a) The perimeter of the facility.

b) Containers and infrastructure for BESS facilities.

54) Fire break(s) must:

a) At the perimeter, commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.

b) Be constructed using either mineral earth or non-combustible mulch such as crushed rock.
c) Be free of vegetation, including grass, at all times.
d) Be free of all combustible and extraneous materials at all times (e.g., this area must not be used for the storage of materials or the placement of infrastructure of any kind).

55) Grass within the facility must be maintained at below 100mm in height during the declared Fire Danger Period.

56) All plant and heavy equipment must carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the Fire Danger Period.

57) Long grass and/or deep leaf litter must not be present in areas where plant and heavy equipment will be working.

Emergency Management Plan

58) Before development starts, an Emergency Management Plan (EMP) must be developed for the facility in conjunction with the relevant fire authority. The plan must:
a) Be prepared with consideration to CFA's *Guideline for Renewable Energy Installations*.
b) Incorporate emergency procedures based on identified risks and hazards at the facility, including but not limited to:
i) Bushfire/grassfire.
ii) Electrical infrastructure faults and fire.
iii) BESS damage or faults, including battery monitoring faults, temperature increases above normal operating parameters, electrical faults, chemical spills or reactions, off-gassing, thermal runaway, smoke and fire.
c) Incorporate a plan for partial and full decommissioning of the BESS in the event of an emergency incident that renders the facility inoperable or unsafe, prior to its anticipated end-of-life.

59) Arrangements must be made for site familiarisation with the local brigade prior to commissioning of facilities to confirm access arrangements, fire detection, suppression and protection systems, and contact information for at least two persons who may be able to provide information or support during emergencies (24 hours a day).

60) An invitation is to be provided to the local brigade at least annually for a site familiarisation visit, prior to October each year.

Provision of Emergency Information

61) Prior to the commissioning of the facility, an Emergency Information Container must be installed at each road entry to the site. The container must:
a) Be painted red and marked 'EMERGENCY INFORMATION' in white contrasting lettering not less than 25mm high.
b) Be installed at a height of 1.2m-1.5m above ground level.
c) Be unobstructed and accessible with a fire brigade standard 003 key.
d) Be maintained to ensure that the information within is current and accurate, and that the container remains accessible (e.g., clear of vegetation and infestations, and clearly identifiable).
e) Contain emergency information for the facility, including:

General Information

i) A description of the facility, its infrastructure and operations.

ii) Site plans that include the layout of the entire site, including any buildings, internal roads, infrastructure, fire detection and protection systems and equipment, solar panels, dangerous goods storage areas (including BESS facilities) power conversion equipment, substations, grid connections, bunds, drains and isolation valves, site neighbours and the direction of north.

iii) Details of smoke and fire detection, fire suppression (including the quantity of any on-site fire water supply and related infrastructure) warning and alarm systems at the facility.

iv) Contact details for site personnel and/or facility operators, regulatory authorities and site neighbours.

v) Procedures for management of emergencies, including evacuation, containment of spills and leaks, and fire procedures (including bushfire/grassfire).

vi) A manifest of dangerous goods (if required) as per Schedule 3 of the Dangerous Goods (Storage and Handling) Regulations 2012.

vii) Safety Data Sheets (SDS) for any dangerous goods stored on-site, including batteries.

Solar Facilities

i) Specifications for safe operating conditions for temperature and the safety issues related to electricity generation, including isolation and shut-down procedures if solar panels and related infrastructure are involved in fire.

Battery Energy Storage Systems

i) Specifications for safe operating conditions for temperature.

ii) Schematics and technical data for BESS containers.

iii) Details of the hazards for the BESS, including thermal runaway, electrical safety hazards, explosion hazards, dangerous goods hazards (including off-gassing), and the effects of fire on the BESS.

iv) Details of battery monitoring systems and safety systems, including battery smoke and fire detection systems, fire suppression systems, thermal detection, gas detection and pressure relief systems, cooling systems, and warning and alarm systems at the facility.

v) The shut down and/or isolation procedures if the batteries are involved in fire.

PROVISION OF GIS INFORMATION TO EMERGENCY RESPONDERS

62) Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email Vicmap.help@delwp.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 solar farm extents polygon(s)

b) All access entry points onto private property

c) All Internal roads

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

63) 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.help@delwp.vic.gov.au within 30 days of the change, to enable details of any changes to the solar energy facility to be known to emergency services

dispatchers.

GOULBURN BROKEN CATCHMENT MANAGEMENT AUTHORITY

64) The finished floor level of the proposed inverter, transformer blocks and any buildings must be constructed at least 300 millimetres above the applicable 100-year ARI (1% AEP) flood level as set out in the provided Hydrology and Hydraulic Modelling Report (AECOM, 10 June 2021) and Surface Water Assessment (AECOM, 10 June 2021). Where such infrastructure falls outside the determined flood extent, then the finished floor level is to be set at least 450 millimetres above the general surrounding ground level.

65) The solar panels and associated infrastructure are to be in accordance with the submitted plans, West Mokoan Solar Farm – Appendix B Plans – 12/10/2021.

66) A Works on Waterways Permit is obtained from the Goulburn Broken CMA for any proposed crossings of a designated waterway (or upgrades to existing crossings), or any works in, on, under or over a designated waterway.

TRANSPORT FOR VICTORIA

67) Only two accesses will be permitted from the subject land to the Benalla-Yarrawonga Road located as shown on the plan appended to the application

Traffic Management Plan

68) Before development starts, a Traffic Management Plan (TMP) is required.

The TMP must be prepared by a VicRoads pre-qualified consultant and shall identify the points of access to the subject land from the local road network during all phases of the development (e.g. the construction phase and on-going operations and maintenance etc).

The TMP may be prepared and submitted in stages

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 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 locations:
   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.
   ii) Lake Mokoan Road from the intersection of Benalla-Yarrawonga Road to the easternmost site access gate.

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 avoid potential through traffic conflicts.

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) A program of regular inspections to be carried out during the construction of the solar energy facility to identify maintenance works necessary as a result of construction traffic.

h) Works required by the TMP must be completed expeditiously to the satisfaction of The Head, Transport for Victoria and the Responsible Authority.

i) 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.

j) 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.

k) 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 VicRoads or the Responsible Authority will not accept liability for any such damage.

69) 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 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.

70) 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 Benalla Rural City Council.

71) 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 Benalla Rural City Council. 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.

72) All roadworks and road associated works, reporting, contracts and the provision of VicRoads 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)

73) Prior to the commencement of any construction (or stages thereof) on the subject land hereby approved by this planning permit the applicant must complete mitigating works to the satisfaction of and at no cost to the Head, Transport for Victoria as follows:
   a) The TMP shall clearly identify where access to the subject land is to be located on Benalla-Yarrawonga Road and Lake Mokoan Road.
   b) For vehicular access to the subject land from Benalla-Yarrawonga Road:
      i) A Functional Layout Plan (FLP) must be submitted and approved by the Head, Transport for Victoria. The FLP shall be drawn to scale undertaken by a VicRoads pre-qualified consultant, clearly dimensioned to show (but not limit to) the following:
         (1) The intersection of Lake Mokoan Road and the Benalla-Yarrawonga Road.
         (2) A Basic Right (BAR) turn treatment at the proposed access intersections with the Benalla-Yarrawonga Road in accordance with Austroads (2017) Guide to Road Design Parts 4 (Figure A28).
         (3) A Basic Right (BAR) turn treatment at the Lake Mokoan Road intersection with the Benalla-Yarrawonga Road in accordance with Austroads (2017) Guide to Road Design Parts 4 (Figure A28).
         (4) A Basic Left (BAL) turn treatment at the proposed access intersections with the Benalla-Yarrawonga Road in accordance with Austroads (2017) Guide to Road Design Parts 4 (Figure 8.2).
         (5) All disused or redundant vehicle crossings must be removed, and the area reinstated.
         (6) 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
            (b) The largest oversized or over-mass vehicle as identified in the TMP (without clearances).
         (7) 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.
      ii) 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.
         (1) The audit findings and the consultant's responses to the findings must be provided to the Head, Transport for Victoria for review and approval.
         (2) 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.
      iii) The following roadworks shall be completed to the satisfaction of and at no cost to the Head, Transport for Victoria:

(1) The BAR & BAL turn treatments at access intersections with the Benalla Yarrawonga Road;
(2) The BAR turn treatment at Benalla-Yarrawonga Road/Lake Mokoan Road intersection.
(3) All disused or redundant vehicle crossings must be removed, and the area reinstated
(4) Any service relocation and vegetation removal; and
(5) Any other works as required by the Head, Transport for Victoria within the arterial road reserve.

NATIVE VEGETATION

Native Vegetation Offsets

74) To offset the removal of 1.891 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the permit holder must secure the following offsets:
   a) A general offset of 0.394 general habitat units:
      i) located within the Goulburn Broken Catchment Management boundary or the Benalla Rural City Council municipal area; and
      ii) with a minimum strategic biodiversity value of 0.312
      iii) The offset(s) secured must also protect 26 large trees.

Offset Evidence

75) Before any native vegetation is removed, evidence that the required offset by this permit has been secured must be provided to the satisfaction of the Benalla Rural City Council. This evidence must be one or both of the following:
   a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
   b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register.

76) A copy of the offset evidence will be endorsed by the Benalla Rural City Council and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning Approvals at the Department of Environment, Land, Water and Planning Seymour regional office.

Notification of Permit Conditions

77) 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 Retained Vegetation

78) Before works start, a plan to the satisfaction of the Benalla Rural City Council identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared in consultation with the Department of Environment, Land, Water and Planning and submitted to and approved by the Benalla Rural City Council. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.

79) Except with the written consent of the Benalla Rural City Council, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
   a) vehicular or pedestrian access
   b) trenching or soil excavation
   c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
   d) entry and exit pits for the provision of underground services
   e) any other actions or activities that may result in adverse impacts to retained native vegetation.

COMPLAINTS

Complaint Investigation and Response Plan

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

   The CIRP must:

   a) Respond to all aspects of the construction and operation of the solar energy facility.

   b) Be prepared in accordance *with Australian/New Zealand Standard AS/NZS 10002:2014 - Guidelines for Complaint Management in Organisations*.

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

81) The endorsed CIRP must be implemented to the satisfaction of the responsible authority.

Publishing Information About Complaints Handling

82) Before development starts, including the removal of native vegetation, the following information must be made publicly available and readily accessible from the solar energy facility project website, or another publicly available resource to the satisfaction of the responsible authority:

   a) A copy of the endorsed Complaints Investigation and Response Plan.

   b) A toll-free telephone number and email contact for complaints and queries to the solar energy facility operator.

Complaints Register

83) Before development starts, including the removal of native vegetation a Complaints Register must be established which records:

   a) The complainant's name and address (if provided)

   b) A receipt number for each complaint, which must be communicated to the complainant

   c) The time and date of the incident, and the prevailing weather 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

84) All complaints received must be recorded in the Complaints Register.

85) A complete copy of the Complaints Register along with a reference map of complaint locations must be provided to the responsible authority on each anniversary of the date of this permit, and at other times on request.

DECOMMISSIONING

86) Subject to condition 88, once the solar energy facility ceases operation, all infrastructure, equipment, buildings, structures and works must be removed, and the site must be rehabilitated and reinstated to the condition it was in prior to the commencement of development, to allow it to be used for agricultural purposes (or any proposed alternative use).

87) Infrastructure to be removed includes, but is not limited to, all solar panels, supporting infrastructure including foundations, substation, buildings, access tracks and above and below ground electrical infrastructure.

88) If the landowner requests, items of infrastructure that are suitable for the ongoing agricultural use of the land (or any proposed alternative use) may be retained, subject to the approval of the responsible authority.

89) Within two months of the solar energy facility permanently ceasing operation, a Decommissioning Management Plan, prepared by a suitably qualified person must be submitted to, approved and endorsed by the responsible authority. When endorsed, the plan will form part of this permit.

The Decommissioning Management Plan must include, as a minimum:

a) Identification of structures to be removed, and details of how infrastructure and structures will be removed.

b) Details of how the site will be rehabilitated to meet the requirements of condition 86.

c) A requirement that all decommissioning works identified in the Decommissioning Management Plan be completed to satisfaction of the responsible authority as soon as practicable, but no later than 12 months after the Plan is endorsed, or such other period approved by the Responsible Authority.

90) The endorsed Decommissioning Management Plan must be implemented to the satisfaction of the responsible authority.

EXPIRY

91) This permit will expire if:

a) The development is not commenced within three years of the date of this permit;

b) The development is not completed within six years of the date of this permit; or

c) The use is not commenced within six years of the date of this permit.

DATE ISSUED: 3/11/2022

SIGNATURE OF MICHAEL JUTTNER, MANAGER, DEVELOPMENT APPROVALS AND DESIGN, AS DELEGATE FOR THE MINISTER FOR PLANNING

NOTES

1. Prior to works commencing on public land or roads, the applicant must obtain a permit from the relevant authority giving *Consent to Work Within a Road Reserve*.
2. Designated waterway 36/1-10-28-1 passes through this property – see attached plan, Plan_GHCMA-F-2021-00129. A works on Waterways License will be required for any works on a designated waterway as per Section 67 of the Water Act 1989. The applicant shall provide a Construction Environmental Management Plan (CEMP) which addresses surface water and erosion control measures specific to works to be undertaken to the satisfaction of the Glenelg Hopkins CMA.

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from -
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if –
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
   - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.

1. A permit for the use of land expires if -
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years of the issue of the permit; or
   - the use is discontinued for a period of two years.

2. A permit for the development and use of land expires if -
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
   - the use is discontinued for a period of two years.

3. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within two years of the issue of the permit.

4. 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.

Planning and Environment Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA1900684-1
Planning scheme:	Benalla Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	

Address	Volume	Folio	Description
Murray Road Benalla	10241	081	Lot 3 PS318659S
Murray Road Benalla	10241	082	Lot 4 PS318659S
51 Nelson Rd, Benalla	11257	205	Lot 6 PS627741K
67 Nelson Rd, Benalla	11257	202	Lot 7 PS627741K
127 Nelson Rd, Benalla	11255	784	Lot 2 PS803108D
284 Benalla-Yarrawonga Rd, Benalla	11459	279	Lot 3 PS715932M
572-616 Benalla-Yarrawonga Road, Benalla 3672	09742	673	Lot 5 LP206524H
572-616 Benalla-Yarrawonga Road, Benalla 3672	09742	672	Lot 4 LP206524H
572-616 Benalla-Yarrawonga Road, Benalla 3672	09742	671	Lot 3 LP206524H
Lake Mokoan Road, Winton North 3673			Allotment 2020 Parish of Winton PP3843
N/A			Allotment 2019 Parish of Goorambat PP2704
368 Benalla-Yarrawonga Road, Benalla	11257	201	Lot 2 PS627741K
370 Benalla-Yarrawonga Road, Benalla	11257	200	Lot 1 PS627741K
82 Snowy Lane, Benalla 3672	09256	156	Lot 2 LP123365
Benalla-Yarrawonga Road, Benalla	11625	237	Lot 1 PS717978A
524 Benalla-Yarrawonga Road, Benalla	09742	674	Lot 6 LP206524H
Roads Benalla-Yarrawonga Road Nelson Road Snowy Lane Benalla Road Reserve			

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
	Use and development of a solar energy facility, utility installation and associated buildings and works, native vegetation removal, creation of access to a Transport Zone 2, business identification signage, and remove, vary and create easements.
33.01-1	Use the land for a renewable energy facility and utility installation.

Date issued: 30 November 2020

Signature for the responsible authority:

35.07-1	Use the land for a renewable energy facility and utility installation.
36.01-1	Use the land for a renewable energy facility and utility installation.
33.01-4	Construct a building or construct or carry out works.
35.07-4	Construct a building or construct or carry out works.
36.01-2	Construct a building or construct or carry out works.
52.02	Create, vary or remove an easement.
52.05-14	Display of a business identification sign.
52.17-1	Remove, destroy or lop native vegetation.
52.29-2	Create or alter access to a road in a Transport 2 Zone.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

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

The plans must be fully dimensioned and drawn to scale. The plans must be generally in accordance with the application plans all generally titled 'Kennedys Creek Solar Farm' dated 31 January 2023 but modified to include:

a) The colours and finishes of all buildings and works, which must be non-reflective, and matched where possible to colours present within the surrounding landscape to minimise visual impact

b) The location of water to be used for fire suppression purposes throughout the site considering the requirements of Guidelines for Renewable Energy Installations (CFA, March 2021 (As amended))

c) Landscaping, in accordance with the Landscaping Plan required by condition 3

d) Details of the glint and glare mitigation methods that will be employed to ameliorate glint and glare at each Observation Point (dwelling) and Route Receiver (constructed road). If methods include temporary boundary screening, details (length, height and materials) must be provided.

e) Emergency management design features and facilities specified by the Country Fire Authority (CFA) at conditions 32-35 inclusive;

f) Any other development or design feature required to comply with any other condition of this permit.

Written Consent to Modify Endorsed Plans

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

Landscaping Plan

3 Before development starts, excluding site preparation works, a Landscaping Plan must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the plan will form part of this permit. The plan must be fully dimensioned and drawn to a scale.

The Landscaping Plan must be prepared by a suitably qualified expert and be generally in accordance with the advertised Landscape Design Plan (prepared by AECOM (24 January 2023) but modified to include.

(a) A planting plan and planting section for a 10m wide planting zone

(b) A planting schedule clearly specifying trees and shrubs to be used.

(c) A statement summarising the design and species selection process and justification.

(d) Details of how the ground cover under the solar panels will be maintained at a reasonable level, including during fire season(s).

(e) 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);

(f) A maintenance program, including weed management and the replacement of dead or diseased plants for the life of the facility.

4 The endorsed Landscaping Plan must be completed in accordance with the implementation timetable, and monitored and maintained, all to the satisfaction of the responsible authority.

Environmental Management Plan

5 Before development starts, including the removal of native vegetation, an Environmental Management Plan (EMP) must be submitted to, approved and endorsed by the responsible authority, in consultation with Benalla Rural City Council. Once endorsed, the EMP will form part of the permit.

The EMP must include the following:

(a) Describe measures to minimise any amenity and environmental impacts of the construction, operation and decommissioning of the solar energy facility.

(b) Provide for the operational requirements specified in the Emergency Management conditions 32-35 .

(c) Provide for a regime for routine fire risk reduction, including:

i that grass within the facility must be maintained at below 100mm in height

ii procedures for minimising risk associated with days of elevated fire danger

(d) the inclusion of measures to manage surface water quality as recommended in the Kennedys Creek Solar Farm Surface Water Assessment (AECOM, 06 December 2022 (as amended)

(e) Provide for the regular monitoring and removal of vegetation from all existing open-air drains within the subject site so that the drains function similarly to their pre-development state;

(f) Include organisational responsibilities (i.e. the persons/positions responsible for implementing the above measures) and procedures for staff training and communication.

(g) Require the implementation and use of a remote solar farm monitoring system to provide:

i early notification of faults and emergencies;

ii 24/7 on-call capability to respond to faults and emergencies;

iii CCTV cameras monitoring, at a minimum and access points

The recommendations of the endorsed EMP must be implemented to the satisfaction of the responsible authority.

Construction Environment Management Plan

6 Before any works start, including removal of native vegetation, a Construction Environmental Management Plan (CEMP) must be prepared in consultation with DEECA, and must be submitted to and approved by the responsible authority. When approved, the CEMP will be endorsed and will form part of this permit.

The CEMP must be in accordance with the requirements at Clause 53.13 and must include details regarding the following:

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

b) Details for the implementation of the recommendations made at Section 5.2 of the Flora and Fauna Assessment Report – Kennedy's Creek Solar Farm (AECOM, 23 March 2020) and Section 7 of the Ecological Assessment – Transmission Line – Kennedy's Creek Solar Farm (AECOM, 13 February 2024).

c) A specific construction management plan component.

d) Identification of all stockpile, storage, parking and vehicle/machinery storage locations (within the identified facility development areas) and management requirements for these areas.

e) Appropriate sediment control and erosion and drainage management to be implemented on site, to ensure no sediment or sediment laden runoff enters waterways, wetlands or moves off site.

f) Weed control and management on site, including appropriate vehicle hygiene measures, during construction phase and post construction.

g) A wildlife management plan including protocols for native fauna identification, monitoring, protection, salvage and relocation measures to be implemented during removal of native vegetation, in particular when removing large hollow bearing trees, and during any excavation works (ie. for post holes). This will need to include an appropriately qualified and experienced person being on site when removing/felling large trees and during excavation works to identify the fauna and oversee the relocation measures. *Note: Any native fauna* salvage, handling or relocation needs to be conducted by a licenced native fauna handler.

h) Retention of felled trees/some felled trees, in particular any hollow sections, and relocation of these into areas of native vegetation identified for retention and protection on site, to improve habitat quality in retained areas.

i) Appropriate monitoring and reporting requirements for all aspects of the construction phase, and all components or and actions set out in the approved CEMP.

j) The person/s responsible for implementation and compliance of each aspect of the CEMP.

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.

Date issued: 30 November 2020 Signature for the responsible authority:

Glint and Glare Management Plan

7 Prior to the endorsement of plans in accordance with Condition 1 of this permit, an updated Glint and Glare Assessment (GGA) report similar to that by AECOM (Glint and Glare Assessment Addendum dated 22 February 2023) must be submitted to and approved by the responsible authority.

8 The Glint and Glare Assessment must include:

(a) An updated assessment based on the final design and layout of the facility, including assessment of potential impacts to:

i Residents of dwellings within 1 kilometre of the subject site;

ii Road users within 1 kilometre of the subject site;

(b) Modelling of the tracking behaviour (e.g. backtracking) of the selected system.

(c) Recommendations to mitigate potential glint and glare impacts to the receptors identified in condition 8a, including:

i Details (including location, height and materials) of any glare screening or other method required to mitigate glint and glare impacts while landscaping treatments are established to an appropriate height and density;

ii Details (including location, width, height and density) of any landscaping treatments required.

(d) An assessment from a suitably qualified person confirming that subject to any proposed mitigations, the glint and glare from the solar farm would not have an impact on road safety, aviation safety or the reasonable amenity of the residents of dwellings assessed in the Glint and Glare Assessment.

9 Before any solar arrays are installed on the site, any glare screening must be constructed in accordance with the endorsed development plans.

10 Despite what is shown on the endorsed development plans, any glare screening may be removed with the written consent of the responsible authority, following the satisfactory growth of landscaping planted under this permit.

Light Spill Management

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

Operational Noise

12 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* (the EPA Publication 1826.4).

13 Prior to the endorsement of development plans in accordance with Condition 1 of this permit, an updated Predictive Noise Assessment report must be provided to the Minister for Planning and Benalla City Council and must:

(a) model the final design layout and electrical components for the facility and assess this against EPA Publication 1826.4;

(b) demonstrates the proposal will comply with EPA Publication 1826.4, at all times without relying on limiting the operating capacity of any part of the facility.

(c) provides details of any noise attenuation measures that need to be implemented to achieve compliance with the EPA Publication 1826.4.

All measures relied on to achieve compliance with EPA Publication 1826.4, must be shown on the endorsed plans under condition 1, and implemented to the satisfaction of the responsible authority.

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

14 Within 1 month of the commencement of the use, a Post-Construction Acoustic Assessment Report must be prepared by a suitably qualified acoustic engineer and must be submitted to the Minister for Planning and Benalla Rural City Council, demonstrating compliance with EPA Publication 1826.4 at all times. The report must assess the compliance of the use with EPA Publication 1826.4 and, where necessary, make recommendations to limit the noise impacts in accordance with EPA Publication 1826.4 to the satisfaction of the responsible authority. The report must be made available to the public.

15 Within 1 year of the commencement of the use, a Post-Construction Acoustic Assessment Report must be prepared by a suitably qualified acoustic engineer and must be submitted to the Minister for Planning and Benalla Rural City Council, demonstrating compliance with EPA Publication 1826.4 at all times. The report must assess the compliance of the use with EPA Publication 1826.4 and, where necessary, make recommendations to limit the noise impacts in accordance with EPA Publication 1826.4 to the satisfaction of the responsible authority. The report must be made available to the public.

Ausnet Conditions

16 No part of the proposed development is permitted on AusNet Transmission Group's easement unless otherwise agreed to in writing by AusNet Transmission Group.

17 Access to and along the easement must be maintained at all times for AusNet Transmission Group's vehicles, staff and contractors.

Date issued: 30 November 2020 Signature for the responsible authority:

18 Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.

19 The use of vehicles and equipment exceeding 3 metres in height are not permitted to operate on the easement without prior written approval from AusNet Transmission Group.

20 Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads that are proposed within the AusNet Transmission Group easement.

21 Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads that are proposed within the easement.

22 Details of any proposed services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

Benalla Rural City Council

23 Before development starts, the final location of the crossings are to be approved by Benalla Rural City Council through the approval of a “Works within the Road Reserve” application process

24 Before site preparation works start, the proposed vehicle crossing points as shown on the endorsed plans must be constructed to an all-weather standard in accordance with Council’s Infrastructure Design Manual standards (SD 265), and to the satisfaction of the Benalla Rural City Council.

25 Any damage to Council or Roads Corporation assets (i.e. roads, table drains etc.) must be repaired at the cost of the applicant to the satisfaction of the responsible authority.

26 Vehicle access and egress from the property must take place in a forward direction at all times.

27 All loading and unloading of vehicles must at all times be undertaken within the curtilage of the subject land, unless agreed otherwise by the Benalla Rural City Council.

28 Stormwater drainage systems must be designed to prevent contaminants from the site entering the storm-water drainage system to the satisfaction of Benalla Rural City Council.

29 There must not be any discharge of concentrated drainage into the adjoining road drains or culverts without the approval of the Benalla Rural City Council.

30 The approved works must not cut off natural drainage from adjacent properties.

31 Before the development of any office facilities or toilets associated with the operations and maintenance area, an application to install a septic tank system must be submitted and approved by Benalla Rural City Council. All effluent disposal areas must be retained on the land in accordance with EPA requirements.

Date issued: 30 November 2020 Signature for the responsible authority:

Country Fire Authority (CFA) Conditions

Risk Management Plan

32 Before development plans are endorsed under condition 1, in consultation with the 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 CFA's Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).

Fire Management Plan

33 Before plans are endorsed under condition 1, a Fire Management Plan (FMP) must be submitted to, approved and endorsed by the responsible authority. The FMP must be prepared in consultation with the CFA and be in accordance with CFA's Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).

Emergency Plan

34 Before plans are endorsed under condition 1, an Emergency Plan (EP) must be submitted to, approved and endorsed by the responsible authority. The EP must be prepared in consultation with the CFA and be in accordance with CFA's Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).

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

Provision of GIS Information to Emergency Responders

36 Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email Vicmap.help@delwp.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 solar farm extents polygon(s)

b) All access entry points onto private property

c) All Internal roads

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

37 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.help@delwp.vic.gov.au within 30 days of the change, to enable details of any changes to the solar energy facility to be known to emergency services dispatchers.

Department of Transport Conditions

38 Prior to the commencement of construction of the solar energy facility:

a) Each of the three separate accesses to the site from Benalla-Yarrawonga Road must be constructed and sealed in accordance with VicRoads standard drawing SD2065 Truck Access to Rural Properties Type B to the satisfaction of and at no cost to the Roads Corporation.

b) A Traffic Management Plan for traffic using the arterial road network must be provided to, and approved by, Roads Corporation.

Traffic Management

Vehicle Access Points

39 Prior to the commencement of any construction (or stages thereof) on the subject land hereby approved by this planning permit the applicant must design and locate vehicle access points to the following standards, at no cost to, and to the satisfaction of the relevant road management authority (or authorities):

(a) Truck movements to and from the site must be able to be accommodated on sealed roadways.

(b) To the extent practicable, access points must be able to accommodate turning movements without vehicles encroaching onto the incorrect side of the road.

(c) Safe sight distances must be provided.

(d) Potential through traffic conflicts must be avoided.

Traffic Management Plan

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

The TMP must:

a. Be prepared by a suitably qualified and experienced independent civil or traffic engineer.

b. Specify measures to be taken to appropriately eliminate, reduce or mitigate road safety hazards and traffic impacts associated with the construction and operation of the solar energy facility.
c. Identify the scheduling of all construction works.
d. Designate appropriate construction vehicle routes to the site.
e. Designate vehicle access points to the site from surrounding roads.
f. Address coordination between construction traffic and school bus travel.
g. Be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority.
h. Make recommendations consistent with the conditions supplied by the Country Fire Authority.

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

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

DEECA Conditions

Native vegetation permitted to be removed, destroyed or lopped

43 The native vegetation permitted to be removed, destroyed or lopped under this permit is 1.703 hectares of native vegetation (as identified in the Native Vegetation Removal Report ID:ACM_2024_003), which is comprised of:

(a) 0.015 hectares of patch native vegetation including zero (0) large trees (transmission line alignment)

(b) 24 scattered large trees

(c) Zero (0) scattered small trees.

Native vegetation offsets

44 To offset the removal of 1.703 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017).

(a) A general offset of 0.317 general habitat units:

i located within the Goulburn Broken Catchment Management Authority boundary or Benalla Council municipal area;

ii with a minimum strategic biodiversity value of at least 0.187, and

(b) The offset(s) secured must also protect 24 large trees.

Offset Evidence

45 Before any native vegetation is removed or impacted, evidence that the offset required by this permit has been secured, must be provided to the satisfaction of the responsible authority.

This evidence must be one or both of the following:

(a) Credit extract(s) allocated to the permit from Victoria's Native Vegetation Credit Register; and/or

(b) 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.

46 A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to DEECA via pea.energyproject@delwp.vic.gov.au.

Where the offset includes a first party offset(s), the permit holder must provide an annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Notification of Permit Conditions

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

Protection of retained vegetation

48 Before any works start, including removal of native vegetation, a protection fence must be erected around all native vegetation, including scattered trees and dead trees, and other biodiversity values to be retained on site and on any adjoining land in the vicinity of where access may be required.

The protection fencing must be located and aligned in a manner that avoids any additional impacts on native vegetation and needs to be clearly marked on final plans. The fencing must be constructed of star pickets and plain wire, strong webbing or other clearly visible and durable materials and marked as "No-Go Zones". The fencing must protect all native vegetation not permitted to be removed, including the tree protection zones (TPZ) of trees to be retained and the structural root zones (SRZ) of any dead trees to be retained, in accordance with the Australian Standard - *AS4970-2009 Protection of trees on development sites*, to the satisfaction of the responsible authority.

Evidence of the protection fencing having been erected must be provided to the responsible authority before works start. The fence must remain in place until all works associated with the project construction are completed to the satisfaction of the responsible authority.

49 Except with the written consent of the responsible authority, within the areas of native vegetation to be retained and any tree or vegetation protection zones associated with the permitted use and development, the following are prohibited.

(a) Vehicular or machinery access

(b) Trenching, soil excavation or ground disturbance

(c) Storage, dumping or spreading of any soils, materials, equipment, vehicles, machinery or waste products

(d) Entry and exit pits for the provision of underground services

(e) Any other actions or activities that may result in adverse impacts to retained native vegetation.

Site Rehabilitation

50 Before any native vegetation removal begins, a Site Rehabilitation Plan (SRP) must be prepared in consultation with DEECA and must be submitted to and approved by the responsible authority. When approved, the Site Rehabilitation Plan will be endorsed and will form part of this permit.

The SRP must include:

(a) Identification of the areas of native vegetation to be retained on site that are to be rehabilitated.

(b) Specific management actions to be implemented at the areas to be rehabilitated, to improve the quality of those areas and enhance biodiversity values. Management actions for these areas should include:

i. Appropriate protection measures for the retained areas, eg. Fencing
ii. Weed control
iii. Control of other impacts, ie. pest animals, grazing pressure
iv. Allowing natural regeneration to occur via removal of current impacts
v. Revegetation in suitable locations with locally sourced indigenous species appropriate for the relevant Ecological Vegetation Class (EVC)
vi. Location of felled trees/hollow sections from the solar farm development area into these retained areas, to the levels of cover specified in the benchmark for the relevant EVC
vii. Ongoing maintenance requirements

(c) Timeframes and person/s responsible for implementation of the management actions to be implemented.

Complaints

Complaint Investigation and Response Plan

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

The CIRP must:

(a) Respond to all aspects of the construction and operation of the solar energy facility.

(b) Be prepared in accordance with *Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for Complaint Management in Organisations*.

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

52 The endorsed CIRP must be implemented to the satisfaction of the responsible authority.

Publishing Information about Complaints Handling

53 Before development starts, including the removal of native vegetation, the following information must be made publicly available and readily accessible from the solar energy facility project website, or another publicly available resource to the satisfaction of the responsible authority:

(a) A copy of the endorsed CIRP.

(b) A toll-free telephone number and email contact for complaints and queries to the solar energy facility operator.

Complaints Register

54 Before development starts, including the removal of native vegetation, a Complaints Register must be established which records:

(a) The complainant's name and address (if provided).

(b) A receipt number for each complaint, which must be communicated to the complainant.

(c) The time and date of the incident, the prevailing weather 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.

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

56 The complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the responsible authority on each anniversary of the date of this permit and at other times on request.

Decommissioning

57 Subject to condition 58, once the solar energy facility permanently ceases operation, all infrastructure, equipment, buildings, structures and works must be removed, and the site or the relevant part of the site must be rehabilitated and reinstated to the condition it was in prior to the commencement of development to allow it to be used for agricultural purposes (or any proposed alternative use). This includes, but is not limited to, all solar panels, power conversion units, operations and maintenance facility, control building, substation, switchyard, and above and below ground electrical infrastructure and equipment.

58 If the landowner requests, items of infrastructure or other works (such as access tracks or the control building) that are suitable for the ongoing agricultural use of the land (or proposed alternative use) may be retained, subject to the written consent of the responsible authority.

59 Within three months of the solar energy facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the DMP will form part of the permit.

The DMP must include, as a minimum:

(a) Identification of infrastructure, equipment, buildings and structures to be removed, and details of how these will be removed.

(b) Details of how the site will be rehabilitated to meet the requirements of condition 56.

(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.

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

Date issued: 30 November 2020 Signature for the responsible authority:

Gas Pipeline Condition

61 No buildings, structures, roadway, pavement, pipeline, cable, fence, stockpile, materials or any other improvement may be constructed or placed on or under the land within the gas transmission pipeline easement without prior consent in writing from the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd). No structure or vegetation will be permitted on the easement that prohibits maintenance of line of sight along the pipeline easement.

Expiry

62 This permit will expire if one of the following applies:

(a) the development is not started within four years of the date of this permit;

(b) the development is not completed within six years of the date of this permit;

(c) the plan of subdivision is not certified within four years of the date of this permit; or

(d) the registration of the certified plan of subdivision is not completed within six years of the date of this permit.

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

THIS PERMIT HAS BEEN AMENDED/CORRECTED AS FOLLOWS:

Date of amendment	*Brief description of amendment*	*Name of responsible authority that approved the amendment*
5 February 2021	This permit was corrected in accordance with Section 71 of the *Planning and Environment Act 1987* with the correction of one clerical error at condition 73.	Department of Environment, Land, Water and Planning (DELWP)
23 April 2024	The permit was amended in accordance with Section 72 of the *Planning and Environment Act 1987,* as follows: • Amendments to the layout of the development, including: ○ The construction of a powerline between the site and West Mokoan Solar Farm. ○ Relocation of the substation to the north-east of the site. ○ Removal of an additional 0.578ha of native vegetation. ○ Various other design changes as a result	Department of Transport and Planning (DTP)

Date issued: 30 November 2020 Signature for the responsible authority:

	of the above. • Amendment to the address of the land to add in the following land parcels: ○ Lot 5 LP206524H ○ Lot 4 LP206524H ○ Lot 3 LP206524H ○ Allotment 2020 Parish of Winton PP3843 ○ Allotment 2019 Parish of Goorambat PP2704 ○ Lot 2 PS627741K ○ Lot 1 PS627741K ○ Lot 2 LP123365 ○ Lot 6 LP206524H • Various amendments to the conditions of the permit, including: ○ Replacement of various conditions with updated standard conditions ○ Updating references to current legislation ○ Deletion and replacement of the former CFA conditions (35-56) with four new CFA conditions for consistency with the conditions of the West Mokoan Solar Farm permit (PA2000978). • Various amendments to the notes of the permit, including the addition and deletion of some permit notes, to match those of the West Mokoan Solar Farm permit (PA2000978).	

NOTES

1. The site is near the Winton Wetlands and there is potential for Aboriginal archaeological remains and intangible values to be present within the site. A voluntary Cultural Heritage Management Plan is recommended.
2. There is potential for historical archaeological remains to be discovered. An 'unexpected finds procedure' is recommended in the event of historical heritage being identified during works.
3. Historical aerials have identified a structure that may have heritage value. A heritage assessment is recommended if any impacts to it are proposed.
4. Additional consent may be required under separate legislation for the use and development of land within easements.
5. Before any works on public land start, a permit to take protected flora under the Flora and Fauna Guarantee (FFG) Act 1988 may be required. To obtain an FFG permit or for further information go to:

Date issued: 30 November 2020 Signature for the responsible authority:

https://www.environment.vic.gov.au/__data/assets/pdf_file/0020/50438/Application-for-Permit-to-Take-Protected-Flora.pdf
Before any works commence, a permit(s) may be required under the Wildlife Act 1975 for the destruction of wildlife habitat. The applicants/project management should liaise with DELWP – Hume Region to determine requirements Contact: Andrew Dean 0428 150 049.

6. Where any flora species listed as protected under the *Flora and Fauna Guarantee* (FFG) *Act 1988* are present on public land impacted by the permitted use and development (ie. transmission line alignment), then before any works on the public land start a permit to take protected flora under the FFG Act will be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer at a Hume regional office of the Department of Energy, Environment and Climate Action.
7. A permit under the *Wildlife Act 1975* may be required for the proposed removal of native vegetation and construction works associated with the development, where this impacts on habitat for native fauna species. This is of particular concern where removing large hollow bearing trees and may be relevant where soil/ground excavation occurs (ie. for post holes). To obtain a wildlife permit or further information regarding this, please contact the Office of the Conservation Regulator in the Hume Region of DEECA.

Planning and Environment Regulations 2015

Form 4 Sections 63, 64, 64A and 86

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit at the direction of the Victorian Civil and Administrative Tribunal. (Note: This is not a permit granted under Division 5 or 6 of Part 4 of the *Planning and Environment Act 1987*).

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from–
  - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - ii. the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if–
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
   - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if–
   - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
   - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if–
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
   - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision–
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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 issued: 30 November 2020 Signature for the responsible authority:

Department of Transport and Planning

GPO Box 2392
Melbourne, VIC 3001 Australia
www.dtp.vic.gov.au

Ref: PA1900684-1

Grace Xu
AECOM AUSTRALIA Pty Ltd
Building, Level 10
727 Collins Street
MELBOURNE VIC 3008

grace.r.xu@aecom.com

Dear Grace

EXTENSION OF TIME APPLICATION PA1900684-1
KENNEDYS CREEK SOLAR FARM, BENALLA VIC 3672: MURRAY ROAD; 51 NELSON ROAD; 67 NELSON ROAD; 125 NELSON ROAD; 284 BENALLA-YARRAWONGA ROAD, ROAD RESERVES

I refer to the above matter submitted to the Minister for Planning on 6/02/2025.

I give notice that under delegation from the Minister for Planning, planning permit PA1900684-1 has had its expiry extended pursuant to section 69 of the *Planning and Environment Act 1987*.

Planning permit PA1900684-1 will now expire if one of the following applies:

- The development has not commenced by 30 November 2025.
- The development has not been completed 30 November 2027.

If you have any questions, please contact me on 03 5172 2310 or email belinda.casic@transport.vic.gov.au.

Yours sincerely

Belinda Casic
Planner, Energy Assessment

05/03/2025