Planning and Environment
Interim Regulations 2026

Form 4 Regulation 22

PLANNING PERMIT

Permit No.:	PA2504110
Planning scheme:	Benalla
Responsible authority:	Minister for Planning
Address of the land:	Private Land • 6 Bowers Road, Winton (Lot 1 on TP098336B, Vol 09612 Fol 942) • 17 Glenwest Lane, Winton (Lot 1 on TP381841J, Vol 08606 Fol 400 & Lot 1 on TP345760N, Vol 08606 Fol 710) Road Reserves • Lee Road • Bowers Road • Winton-Glenrowan Road • Hume Freeway

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
35.07-1	Use of the land for a utility installation.
35.07-4	Construct a building or construct or carry out works associated with a use in section 2 of clause 35.07-1; earthworks which change the rate of flow or discharge point of water across a property boundary.
52.05-14	Display of business identification signage.
52.17-1	Remove, destroy or lop native vegetation, including dead native vegetation.
52.29-2	Create or alter access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents associated with this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Commencement

Date of issue: 15 October 2026 **Signature for the responsible authority:**

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

Development plans

3. Before the use and development starts, amended development plans must be approved and endorsed by the responsible authority. The development plans must be fully dimensioned and drawn to scale. The plans must be generally in accordance with the application plans, prepared by FYFE Pty Ltd, titled 'Winton BESS' and dated 14/11/2025, but modified to include:

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

        i. Operations and maintenance facility, terminal station, car parking, substation, electrical cabling, including underground cabling, internal access tracks, stormwater detention basin, site access points, including emergency / secondary site access points.

        ii. The location of the finalised connection route, open trenching footprint, Horizontal Directional Drilling (HDD) corridor with all entry and exit laydown areas and intermediate pits clearly shown.

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

        iv. The location, design, dimensions and elevations of the business identification signage.

    b. The location and area of all native vegetation:

        i. Present along the connection corridor, including scattered trees, that are to be removed under this permit.

        ii. On-site within 30 metres of any buildings and works, including tree protection zones of native trees calculated in accordance with *Australian Standard 4970 Protection of Trees on Development Sites*.

    c. Landscaping buffers to reduce the visual impact of the facility, in accordance with the Landscape Masterplan on page 4 of the Visual Impact Assessment, prepared by GbLA Landscape Architects, Revision F and dated 29 April 2026.

    d. All mitigation measures recommended for flood management in accordance with the Surface Water Assessment, prepared by Cumulus Engineering Pty Ltd.

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

    f. Any noise mitigation measures required to comply with EPA Publication 1826.5 for the BESS and/or substation.

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

    h. Any staging of the permitted use and development.

Written consent to modify endorsed plans

4. The use and development must be generally in accordance with the plans and documents approved and endorsed under this permit. The use and development as shown on the endorsed plans must not be altered or modified (unless the Benalla Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Date of issue: 15 October 2026 **Signature for the responsible authority:**

Staging

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

Landscaping Plan

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

   The plan must include:

   a. Landscaping treatments to reduce the visual impact of the facility, in accordance with the Landscape Masterplan on page 4 of the Visual Impact Assessment, prepared by GbLA Landscape Architects, Revision F and dated 29 April 2026.

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

   c. A schedule for the implementation of landscaping works.

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

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

Advertising signage

7. The signs must not be illuminated/animated or contain any flashing or intermittent light.

8. The signs, including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority.

9. The signs must only contain an advertisement which provides or supplies information relating to the business conducted on the land as described in this permit or as shown on the endorsed plans.

Construction Environmental Management Plan (CEMP)

10. Before the development starts, including the removal of native vegetation, a Construction Environment Management Plan (CEMP) must be approved and endorsed by the responsible authority.

    The CEMP must include the following:

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

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

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

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

    e. Identify the location of all any stockpile sites, storage, parking and vehicle/machinery storage areas, and appropriate procedures management requirements for these. They must be located within the construction footprint and avoid native vegetation that is not permitted to be removed under this permit.

    f. Procedures to protect the native vegetation and other biodiversity values being retained within the works area and on land directly adjoining the works areas during construction, including the following:

       i. Implementation of protection measures for native vegetation protection fencing erected around or along (as relevant) all patches of native vegetation and scattered trees to be

retained on site and on land directly adjoining the site. Fencing must be erected around or along potential impact edges of any patches of native vegetation and at a radius of 12 X the diameter at a height of 1.4 metres from the base of the trunk of any tree being retained, to a maximum of 15 metres but no less than 2 metres, according to the Australian Standard 4970-2025 - Protection of trees on development sites. These requirements may vary through the advice of an appropriately qualified arborist if it is determined that the long-term viability of the tree can be maintained.

ii. Fences must be constructed of star pickets and plain wire, strong webbing or other highly visible, durable materials and marked as “No-Go-Zones”, to the satisfaction of the responsible authority. The protection fencing must remain in place until all works are completed to the satisfaction of the responsible authority.

g. Pre-construction weed management plans for targeted weed control along the identified works alignment and adjoining land, with particular attention to control of Regionally Controlled and Restricted weed species identified on the site.

h. Weed and pathogen management and control plans to be implemented on site throughout construction, including appropriate vehicle and machinery hygiene measures.

i. Sediment and erosion control plans that will be implemented on site throughout construction, to ensure no sediment or sediment laden runoff enters waterways, drainage lines, wetlands, or moves off site.

j. Monitoring and reporting requirements for all plans and actions described within the CEMP.

k. Reporting requirements of any additional losses of, impacts on, or damage to, native vegetation identified to be retained, for the duration of the construction period. This must include any damage to trunks of retained trees, excessive impacts on TPZs, severing of any roots exceeding 80mm in diameter, lopping of more than one third of the canopy of retained trees and other native vegetation removed beyond development footprint/extent of works.

l. A construction timetable, including typical daily start and end times.

m. Details of the person/s responsible for implementation and compliance of each aspect of the CEMP, including details of a site contact /site manager, and information on how the requirements of the CEMP are to be communicated to all work parties.

n. Any further mitigation measures not already described, as recommended in Table 10 of the Flora and Fauna Assessment, prepared by Biosis, and dated 8 July 2026.

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

Operational Environmental Management Plan

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

    The OEMP must:

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

    b. Include design measures and / or procedures to manage dust, odour, light spill, mud, flood, surface water quality and stormwater run-off.

    c. Include response measures to environmental incidents, including a program for recording and reporting environmental incidents.

    d. Include organisational responsibilities, and procedures for staff training and communication.

Light Spill Management

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

Predictive Noise Assessment

14. Before the endorsement of development plans in accordance with condition 3 of this permit, a Predictive Noise Assessment must be submitted to the responsible authority and must:
    a. Model the final design layout and all electrical components of the facility and assess this against EPA Publication 1826.5.
    b. Demonstrate compliance of the proposal with EPA Publication 1826.5.
    c. Include details of any mitigation measures that will be implemented to achieve compliance with EPA Publication 1826.5.
15. The Predictive Noise Assessment submitted under condition 14 must be made available to the public.

Native Vegetation Removal

16. Before any native vegetation is removed, 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.
17. Native vegetation removal must be generally in accordance the development plans endorsed under condition 3 of this permit.
18. The following activities are prohibited within the areas of native vegetation to be retained, except with the written consent of the responsible authority:
    a. Vehicular or pedestrian access
    b. Trenching or soil excavations
    c. Storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
    d. Entry and exit pits for the provision of underground services
    e. Any other actions or activities that may result in adverse impacts to retained native vegetation.
19. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.392 hectares of native vegetation with a strategic biodiversity value score of 0.360 to 0.550.
20. To offset the removal of 0.392 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with *Guidelines for the removal, destruction or lopping of native vegetation* (DEECA, 2025):
    a. A general offset of 0.147 general habitat units:
        i. Located within the Goulburn Broken Catchment Management Authority boundary or Benalla Rural City municipal area
        ii. With a minimum strategic biodiversity value of at least 0.3750.
21. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
    a. An established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and / or

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

22. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to DEECA region at PEA.energyproject@deeca.vic.gov.au.

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

Complaint Investigation and Response Plan

24. Before development starts, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the responsible authority.

    The CIRP must:

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

    b. Be prepared in accordance with *Australian Standard 10002 Guidelines for complaint management in organisations*.

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

Complaints Register

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

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

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

    c. The time and date of the incident, and operational conditions at the time of the incident.

    d. A description of the complainant's concerns.

    e. The process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaint.

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

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

Emergency services

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

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

    b. All access entry points onto private property.

    c. All internal roads.

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

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29. If there are any subsequent changes to infrastructure location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email vicmap@transport.vic.gov.au within 30 days of the change, to enable details of any changes to the facility to be known to emergency services dispatchers.

Decommissioning

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

31. Once the facility permanently ceases operation, all buildings and works must be removed from the site, and the site or the relevant part of the site must be rehabilitated and reinstated to the general condition it was in prior to the commencement of development, unless otherwise agreed with the landowner, subject to the written consent of the responsible authority.

32. No less than one year before the facility's closure date, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority.

    The DMP must include, as a minimum:

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

    b. Details of how the site will be rehabilitated to meet the requirements of condition 33.

    c. A requirement that a Decommissioning Traffic Management Plan (DTMP) be submitted to, approved and endorsed by the responsible authority prior to decommissioning works starting. The DTMP must be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority for endorsement. The DTMP must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site, to the satisfaction of the responsible authority.

    d. A requirement that all decommissioning works identified in the DMP be completed to the satisfaction of the responsible authority as soon as practicable, but no later than 24 months after the closure date, or such other period approved by the responsible authority.

Notification of works commencing

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

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

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

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

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

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

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

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

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

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

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

III. The separation distance:

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

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

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

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

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

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

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

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

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

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

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

36. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. Fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the responsible authority.

AusNet Conditions (determining referral authority)

37. Details of any proposed development or use of the AusNet easements, including access roads, installation of lighting, underground services and the use of construction equipment and explosives, must be submitted to and approved by AusNet before work is commenced on site.

38. Buildings and structures including any part of the Battery Energy Storage System are not permitted on the AusNet easements without prior written approval from AusNet.

Date of issue: 15 October 2026 **Signature for the responsible authority:**

39. Vehicle access by AusNet and its service providers must remain available along the easements at all times.

40. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.

41. All future works within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

Head, Transport for Victoria (determining referral authority)

Endorsed Plans

42. The plan titled *Site Plan*, Project No. *83000-4616*, Drawing No. *83000-4616-PL-01- SITE01-r0*, Sheet 1 of 8, REV *0*, prepared by Fyfe and dated 14.11.2025 which include the location of the proposed subterranean transmission line crossing the Hume Freeway road reserve must be endorsed by the responsible authority and form part of the planning permit.

    The plans must not be modified except with the written consent of the Head, Transport for Victoria and the responsible authority.

Vehicle Access

43. Vehicle access (entry/egress) from the subject site must at all times be to Bowers Road and Lee Road (local road) only, to the satisfaction of the Head, Transport for Victoria and the responsible authority.

Traffic Management Plan

44. Before the development starts (including demolition and bulk excavation) or at such other time agreed to in writing by the Head, Transport for Victoria and any other relevant road management authority, a Traffic Management Plan (TMP) must be submitted to and approved by the Head, Transport for Victoria and any other relevant road management authority. When approved, the TMP will be endorsed by the Responsible Authority and form part of the permit.

    The TMP must address the transport and traffic impacts associated with the development and must:

    a. Be prepared to the satisfaction of, and at no cost to, the Head, Transport for Victoria and any other relevant road management authority.

    b. Specify travel routes, and the number and type of vehicles, to the satisfaction of the Head, Transport for Victoria, for vehicles accessing the site during construction and operation.

    c. Include an assessment to determine the required length of the acceleration lane from Bowers Road, utilising the existing freeway shoulder, which must provide:

        i. Details of the largest gazetted vehicle expected to regularly access the site, including consideration of load conditions for vehicles departing the site;

        ii. Truck performance modelling based on power-to-weight ratios, adjusted for carriageway grading;

        iii. A lane length sufficient for vehicles to reach 80km/h prior to the merge taper; and

        iv. A merge taper length in accordance with current Austroads guidelines, unless otherwise agreed by the Head, Transport for Victoria.

    d. Include an assessment of the operation of the existing auxiliary left turn lane (AUL) from the Hume Freeway into Bowers Road. The assessment must consider:

        i. AM peak left-turn volumes (including construction staff traffic);

        ii. The number of heavy vehicles expected to use the AUL per hour;

        iii. Through traffic volumes; and

iv. Observed and predicted queue behaviour.

The assessment must also account for the cumulative impacts of traffic associated with the nearby Winton Energy Reserve 1, should construction periods overlap, including the combined effect on traffic volumes, heavy vehicle movements and queue demand.

The assessment must demonstrate, to the satisfaction of the Head, Transport for Victoria, that either:

i. the existing storage length and taper are adequate to accommodate peak queue demand without spillback into the through traffic lane(s); or

ii. where this cannot be achieved, appropriate mitigation measures are identified and proposed. These may include, but are not limited to, increased storage length, or demand management measures.

e. Include the completion of a Road Safety Audit (RSA) for the intersection of the Hume Freeway and Bowers Road that must:

i. Be prepared by a pre-qualified engineer/auditor in accordance with the Department of Transport and Planning's Pre-Qualification Register;

ii. Include a site visit;

iii. Identify road safety risks associated with ingress to and egress from the intersection of Bowers Road and the Hume Freeway; and

iv. Recommend mitigation works to address any identified road safety risks.

f. Include the preparation of a Functional Layout Plan (FLP) that must:

i. Be prepared to the satisfaction of, and at no cost to, the Head, Transport for Victoria;

ii. Incorporate the recommendations of the RSA; and

iii. Include the following details:

a) Adaptation of the shoulder on the Hume Freeway from Bowers Road to form an acceleration lane, with a minimum length determined by the assessment in condition 44c;

b) Measures to ensure left-turning vehicles from Bowers Road do not encroach into the through lane of the Hume Freeway;

c) Modification of the intersection of Bowers Road and the Hume Freeway to accommodate the swept path of the design vehicle (noting that changes to the existing left-turn layout are expected). Permanent or temporary kerbing must be included to direct left-turning vehicles into the acceleration/auxiliary lane, consistent with the departure nose concept shown in current Austroads guidelines;

d) Temporary closure of the existing wide median treatment for the duration of the construction phase, including appropriate treatments and signage;

e) Any mitigation measures determined by the assessment in condition 44d and approved by the Head, Transport for Victoria.

f) Any mitigation measures identified in the RSA.

g. Include a swept path analysis for the relevant design vehicle for all access movements, demonstrating how the largest design vehicle can:

i. Enter and exit the development site simultaneously;

ii. Undertake left-in/left-out movements between Bowers Road and the Hume Freeway;

iii. Complete right turns from the Hume Freeway (northbound) off-ramp onto Winton-Glenrowan Road and from Winton-Glenrowan Road onto the Hume Freeway (southbound) on-ramp.

h. Include details of staff transport to and from the site during the construction phase.

i. Include details of how the TMP will be communicated to the drivers of heavy vehicles associated with the development and all staff during the construction phase.

45. The endorsed TMP must not be modified except with the written consent of the Head, Transport for Victoria and any relevant road management authority.

46. Before the development starts, the TMP must be implemented to the satisfaction of, and at no cost to, the Head, Transport for Victoria and any relevant road management authority.

47. Before the development starts (including demolition and bulk excavation) or at such other time agreed to in writing by the Head, Transport for Victoria and any other relevant road management authority, an Existing Conditions Report must be submitted to and approved by the Head, Transport for Victoria and any other relevant road management authority.

    The report must include a survey of:

    a. The deceleration lane into Bowers Road;

    b. The Hume Freeway shoulder extending one (1) kilometre north of Bowers Road;

    c. The Winton-Glenrowan Interchange; and

    d. Any other public roads in the vicinity of the renewable energy facility that may be used for the approved haulage route, access, including details of the suitability, design and construction standard of the roads.

48. Before the use starts, or any such time as agreed with the Head, Transport for Victoria, a Dilapidation Report must be submitted to and approved by the Head, Transport for Victoria and any other relevant road management authority. The Dilapidation Report must:

    a. Include the existing conditions report required by condition 47.

    b. Cover the same areas surveyed in the approved Existing Conditions Report.

    c. Assess any impacts of the development on road pavement infrastructure, and identify required remedial works; and

    d. Be prepared following the completion of the construction phase.

49. Prior to the commencement of use, or any such time as agreed with the Head, Transport for Victoria, the works outlined in the Dilapidation Report must be carried out to the satisfaction of and at no cost to the Head, Transport for Victoria, and any other relevant road management authority.

50. Any damage to road infrastructure, including pavement, shoulders, drainage, signage or other transport assets caused by the development, must be rectified at no cost, and to the satisfaction of, the Head, Transport for Victoria and any other relevant road management authority.

WorkSafe Conditions (determining referral authority)

51. The Risk Management Plan, including fire safety study, must be updated once the battery supplier has been finalised to confirm the requirements of the *CFA Guidelines* are met.

52. A Fire Management Plan must be developed in line with the *CFA Guidelines* before development starts.

53. An Emergency Management Plan must be developed in line with the *CFA Guidelines* prior to dangerous goods arrival on site.

Goulburn Broken Catchment Management Authority (CMA) (not a referral authority)

Date of issue: 15 October 2026 **Signature for the responsible authority:**

54. Before the commencement of works, amended Surface Water Assessment (SWA), prepared by Cumulus Engineering Pty Ltd, must be submitted to, approved and endorsed by the Goulburn Broken Catchment Management Authority (CMA).

    The amended SWA must:

    a. Include flood modelling that considers impacts of climate change, including the SSP3-7.0 climate change scenario at 2100.

    b. Provide justification for the location of the facility and why the flood free land is not suitable for the facility. This is consistent with the hierarchy of floodplain risk management (i.e., avoid the risk, and if avoidance is not possible then mitigate). Goulburn Broken CMA notes the provided mapping indicates that the facility will be in an area which flood to depths of up to 0.2 metres and that flood free land is available on the property (south-west corner).

    c. Demonstrate that the facility can be designed and managed appropriately to not have an adverse impact on flood levels on neighbouring properties. The assessment should demonstrate no flood impacts in more frequent flood events (i.e., 1 in 5 AEP through to 1 in 100 AEP).

55. The proposed fill platform to support the BESS must be elevated at least 300 millimetres above the applicable 1 in 100 AEP flood level.

56. A Works on Waterways Permit is obtained for any works located on, over or under a Designated Waterway.

57. Any removal of, or impact to, native vegetation must be undertaken in accordance with the *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (DEECA, 2025).

58. A copy of the endorsed Surface Water Assessment must be provided to the responsible authority.

Expiry

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

    a. The development is not started within 3 years of the date of this permit.

    b. The development is not completed within 6 years of the date of this permit.

    c. The use has not commenced within 3 years of the completion of the development.

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

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

Noise

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

Roads

- National Heavy Vehicle Register approval may be required.

AusNet

- There are restrictions on development of the AusNet easement, including buildings, structures, earthworks, roads, services and trees, and that vehicle access is required by AusNet at all times.

- Details of any proposed use of the easement must be submitted to and approved by AusNet before work is commenced on site. Further information is available from AusNet on request.

DEECA

- All native wildlife in Victoria is protected under the Wildlife Act 1975, and approval to remove native vegetation does not exempt the works from other statutory obligations under the Wildlife Act 1975. Where works may impact on native fauna, and or habitat used by native fauna, the applicant must ensure that measures are implemented, and to act in a manner that does not harm, injure or kill wildlife. Prior to removal of vegetation, permit holder is advised to determine whether a Wildlife Act authorisation is required.

- Works or other activities on public land, which may affect protected native plants, may require a Protected Flora Permit under the Flora and Fauna Guarantee (FFG) Act 1988. It is likely that a Protected Flora permit will be required for native vegetation removal associated with the threatened ecological community, Creekline Grassy Woodland (Goldfields). Protected Flora Permits and application guidance can be obtained from the DEECA website at Protected flora and listed fish.

- The granting of this permit does not exempt the holder of a permit from the requirements of other Commonwealth and State legislation or policy.

Head, Transport for Victoria

- Before works start, separate approval/s under the Road Management Act 2004 are required from the Head, Transport for Victoria for works within the road reserve.

- Before works start in relation to the subterranean transmission line crossing the Hume Freeway road reserve, a licence will be required to be entered into between the proponent and the Head, Transport for Victoria. For more information on this process, and relevant requirements, please contact the Department of Transport and Planning's Land & Property team via landandproperty@transport.vic.gov.au.

Goulburn Broken Catchment Management Authority

- The 1 in 100 AEP flood is not the maximum possible flood. There is always a possibility that a flood larger in height and extent, than the 1 in 100 AEP flood, may occur in the future.

Date of issue: 15 October 2026 **Signature for the responsible authority:**

Planning and Environment
Interim Regulations 2026

Form 4 Regulation 22

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if–
   - the development or any stage of it does not start within the time specified in the permit; or if no time is specified, within 3 years after the issue of the permit; or
   - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
   - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within 5 years after the issue of the permit or in the case of a subdivision or consolidation, within 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 3 years after the issue of the permit; or
   - the use is discontinued for a period of 3 years.
3. A permit for the development and use of land expires if–
   - the development or any stage of it does not start within the time specified in the permit; or if no time is specified, within 3 years after the issue of the permit; or
   - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within 5 years after the issue of the permit; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within 3 years after the completion of the development; or
   - the use is discontinued for a period of 3 years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision–
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within 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 of issue: 15 October 2026 **Signature for the responsible authority:**