

Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.:	PA2302383		
Planning scheme:	Latrobe Planning Scheme		
Responsible authority:	Minister for Planning		
ADDRESS OF THE LAND:	Vol.	Folio	Parcel description
	10795	100	CA55 Parish of Traralgon
	10795	102	CA67A Section A Parish of Traralgon
	10795	103	CA68A Section A Parish of Traralgon
	10794	854	CA68 Section A Parish of Traralgon
	10794	853	CA63 Section A Parish of Traralgon
	02719	797	Crown Grant CA3A Section A Parish of Traralgon; and CA8 Section 8 Parish of Traralgon
	02828	489	Crown Grant CA4A Section A Parish of Traralgon
	10795	116	Lot 1 on TP839333F
	10795	115	Lot 2 on TP839333F
	10795	117	Lot 3 on TP839333F
	10795	118	Lot 4 on TP839333F
	07551	125	CA4B Section A Parish of Traralgon
	08733	817	CA3B Section A Parish of Traralgon
	08181	866	CA57A Section A Parish of Traralgon
	10152	359	Lot 1 on TP741402H
		Street address	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	
		Firmans Lane, Hazelwood North	

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
	<i>Use and development of a renewable energy facility (solar energy facility), utility installations, installation of business identification signage, removal of native vegetation and alteration of access of land in a Transport Zone 2.</i>
35.07-1	The use of land for a solar energy facility and utility installations (battery energy storage system and substation).
35.07-4	Buildings and works associated with the use of the land for a solar energy facility and utility installations; Earthworks which change the rate of flow or the discharge point of water across a

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	property boundary; and Construction of a building within setbacks specified in the schedule to clause 35.07.
42.01-2	Buildings and works, and the removal, destruction or lopping of native vegetation, including dead native vegetation, under schedule 1 to the environmental significance overlay.
43.02-2	Buildings and works to construct a fence within 3 metres of any pipeline as specified in schedule 1 to the design and development overlay; Buildings and works under schedule 3 to the design and development overlay; Buildings and works under schedule 6 to the design and development overlay; and Buildings and works under schedule 10 to the design and development overlay.
43.02-2	Buildings and works under schedule 3 to the design and development overlay.
44.04-2	Buildings and works to construct a fence under schedule 1 to the land subject to inundation overlay.
52.05-14	To construct or put up for display a business identification sign.
52.17-1	The removal, destruction or lopping of native vegetation, including dead native vegetation.
52.29-2	The alteration of access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any condition of this permit, to the satisfaction of the responsible authority.
2. The use and development as shown on the endorsed plans must not be altered (unless the Latrobe Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

Commencement

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

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Amended Plans

4. Before development starts, 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 a scale. The plans must be generally in accordance with the application plans titled "Hazelwood North Solar Farm – Preliminary Concept", numbered REV 09, dated 9th November 2023, prepared by UrbanFold, but modified to show:
- a) The location, specifications, materials and finishes of the solar panels.
 - b) The location, elevation, materials and finishes of any ancillary buildings or works.
 - c) The colours and finishes of all buildings and works (including solar panels and supporting infrastructure), which must be non-reflective to minimise visual impact.
 - d) Electricity cabling being located underground.
 - e) The location and design of any proposed business identification signage.
 - f) The location and nature of any native vegetation that is permitted for removal and all native vegetation to be retained within 100m of works, as recommended in the Flora and Fauna Assessment prepared by Nature Advisory dated January 2024.
 - g) Any staging of the permitted development
 - h) Any amendments recommended by modified extent of vegetation removal recommended in the Flora and Fauna Assessment prepared by Nature Advisory dated January 2024.
 - i) Any modifications required to comply with CFA conditions 51 to 54.

Staging

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

Landscape Plan

6. Before development starts, a Landscaping Plan must be submitted to, approved and endorsed by the responsible authority. The plan must be fully dimensioned and drawn to a scale. When endorsed, the plan will form part of this permit.

The landscaping plan must include:

- a) A survey (including botanical names) of all existing vegetation to be retained.
- b) Details (type, location and species) of vegetation buffers to provide screening of the solar panels from surrounding roads and from longer range views from elevated locations. The buffers must be a minimum width of seven metres and a minimum height of three metres.
- c) Details (type, location and species) of landscaping to screen buildings and structures (other than the solar panels) from surrounding roads.
- d) Details of how the land under the solar panels maintains ground cover at a reasonable level and the management of ground cover in the fire season.
- e) Timing of planting, which must be before development starts.



- f) Height of plants at maturity maintenance program, including weed management and the replacement of dead or diseased plants.

Compliance with Landscape Plan

7. Landscaping must be implemented and maintained in accordance with the endorsed landscape plan to the satisfaction of the Responsible Authority.

Noise

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

Operational Environmental Management Plan

9. Before the commencement of the use, an Operational Environmental Management Plan (OEMP) must be approved and endorsed by the responsible authority.

The OEMP must be prepared by an appropriately qualified environmental consultant and:

- a) Include measures to avoid and minimise amenity and environmental impacts during the operation of the solar energy facility.
- b) Include design measures and / or procedures to manage dust, glint and glare, 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.

Construction Environment Management Plan

10. Before the commencement of construction, a Construction Environment Management Plan (CEMP) must be approved and endorsed by the responsible authority. The CEMP must be prepared by an appropriately qualified environmental consultant and must:

- a) Include the recommendations of the Flora and Fauna Assessment prepared by Nature Advisory, No. 22077.02 (1.5), dated January 2024.
- b) Include procedures to manage construction noise and vibration in accordance with the requirements of the Civil construction, building and demolition guide (EPA Publication 1834).
- c) State that no stockpiles or storage of material is to be stored on the gas pipeline easement at any time.
- d) Include 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. Straw or hay must not be used for these measures.



- e) Include procedures to manage dust emissions, including ensuring that any on-site blasting or crushing of rocks is appropriately located within the site to manage amenity impacts on surrounding properties.
- f) Include procedures and measures to identify and protect native vegetation and fauna habitat to be retained during works, including fauna habitat around dams.
- g) Include vehicle and equipment hygiene measures to prevent the spread of weeds and pathogens to and from the site.
- h) Include 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.
- i) Detail the persons responsible for implementing the above measures.
- j) Provide a detailed description of the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance. These measures must include the erection of a native vegetation protection fence around all native vegetation to be retained on site, to the satisfaction of the responsible authority, including the protection zones of all native trees to be retained. All tree protection zones must comply with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the responsible authority.
- k) Include measures to control sediment and sediment laden water run-off including design detail of any structures.
- l) Include measures to protect retained native vegetation during the planting.
- m) Detail where equipment, machinery and material are to be stored/ stockpiled.
- n) Include any proposed land rehabilitation techniques including revegetation and weed control.
- o) Include details of the proposed monitoring and reporting systems.

Drainage and Stormwater Plan

11. The Construction Environment Management Plan must include a Drainage and Stormwater Plan, which must include:
- a) details (and computations) of how the works on the land are to be drained including drains conveying stormwater to the legal point of discharge.
 - b) details of how the drainage design allows for the continuation of existing overland flow paths across the land.
 - c) assessment of impacts of the development on onsite infiltration and surface flow patterns and downstream environments, wetlands, and adjacent landholders.

Implementation of the Construction Environment Management Plan

12. 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.



Updated Glint and Glare Assessment

13. Prior to the commencement of development on the site, an updated glint and glare assessment, based on the final solar layout, must be submitted to by the responsible authority demonstrating no unreasonable glare impacts on the operation of the Latrobe Regional Airport.

Native Vegetation

14. Before any native vegetation is removed, all persons undertaking vegetation removal or works on site must be advised of all relevant permit conditions and associated statutory requirements or approvals.
15. Native vegetation removal must be generally in accordance the development plans endorsed under condition 4 of this permit.
16. The following activities are prohibited within the area of native vegetation to be retained Flora and Fauna Assessment by Nature Advisory, No. 22077.02 (1.5), dated January 2024, 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

Referral Authority conditions

Ausnet Conditions – determining referral authority

17. No buildings and works are to occur within easements E-1 or E-2 on Lot 1 of TP839333F without the prior written consent of AusNet.
18. Any fencing crossing E-1 or E-2 on Lot 1 of TP839333F must include 4 metre wide gates for access, to the satisfaction of AusNet, and AusNet must be permitted to install AusNet locks on the gates.

Department of Energy, Environment and Climate Action (DEECA) Conditions – recommending referral authority

Notification of permit conditions

19. 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.

Endorsed plans

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20. The following plans must be endorsed and form part of this permit:

- a) The former Department of Environment, Land Water and Planning (DELWP), now DEECA generated native vegetation report (ID: NAA_2024_007, dated 20/01/2024)

Protection of native vegetation to be retained

21. All trees and native vegetation patches not included in the Native Vegetation Removal Report must be retained and protected.
22. Before works start, a vegetation protection fence must be erected around all patches of native vegetation (or scattered trees) to be retained. Where the patch of native vegetation contains canopy trees, the vegetation protection fence must be at a distance from the retained native vegetation that is not less than the tree protection zones, in accordance with AS 4970-2009 Protection of Trees on Development Sites. The vegetation protection fence must be constructed of star pickets, chain mesh or similar to the satisfaction of the responsible authority.

The fence must include a notice advising on the purpose of the Tree/ Vegetation Protection Zone. The native vegetation protection fence must remain in place until all works are completed to the satisfaction of the responsible authority.

Except with the written consent of the responsible authority, 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) entry and exit pits for the provision of underground services
- d) any other actions or activities that may result in adverse impacts to retained native vegetation
- e) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products
- f) the native vegetation protection zone temporary fencing must be maintained until works are completed
- g) for clarity vehicular or pedestrian access is permitted when the action is required to fulfil a requirement of this permit such as placement of habitat logs, installation of nest boxes and release of fauna

Native vegetation permitted to be removed, destroyed or lopped

23. The native vegetation permitted to be removed, destroyed or lopped under this permit is 1.358 hectares of native vegetation, which is comprised of:
 - a) 1.358 hectares of patch native vegetation;
 - b) 2 scattered large trees

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Native vegetation offsets

24. To offset the removal of 1.358 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 (DELWP 2017):
- A general offset of 0.353 general habitat units:
 - Located within the West Gippsland Catchment Management boundary or Latrobe City Council municipal area
 - With a minimum strategic biodiversity value of at least 0.237
 - The offsets secured must provide protection of at least 2 large trees
25. Before any native vegetation is removed, evidence the required offset for each stage of the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
- 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.

Offsets evidence

26. 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 Planning & Approvals at the Department of Energy, Environment and Climate Action Gippsland regional office via Gippsland.Planning@delwp.vic.gov.au

First party offset reporting

27. 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.

Department of Health – Determining referral authority

28. Should any cranes and associated construction equipment be used, details of the crane location and height must be provided in writing to the Department of Health at least five (5) days prior to commencement of the development.

Head, Transport for Victoria Conditions – determining referral authority.

29. At the proposed site access from Firmin's Lane a Channelised right-turn (CHR) and Auxiliary left-turn treatment (AUL) must be constructed generally in accordance with the Austroads Guidelines and to the satisfaction of the Head, Transport for Victoria.

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30. Flag lighting must be provided to the satisfaction of the Head, transport for Victoria.
31. The existing Arterial Road Pavement and Surrounds must be upgraded to include the new access from Firmin's Lane at no cost and to the satisfaction of the Head, Transport for Victoria. These works include, but are not limited to
 - Pavement reconstruction
 - Pavement Asphaltting / Re-Sealing
 - Drainage Works
 - Flag Lighting
 - Line Marking
 - Signage
32. Any gates controlling vehicular access to the development must be located within the property boundary to enable vehicles to store clear of the Firmin's Lane Road pavement.
33. Any gates controlling vehicular access to the development must be located within the property boundary to enable vehicles to store clear of the Firmin's Lane Road pavement.
34. Any vegetation removal within the arterial road reserve must be referred and approved by the Responsible Authority.
35. Prior to design plans beginning, the applicant's consultants must attend a predesign meeting with the Department of Transport and Planning (Gippsland Region). Pre-Design Meeting Requests must be submitted via email: nriw.eastern@transport.vic.gov.au.
36. Prior to the construction activities beginning on site, an Application for External Works – Functional Design Review, including Gippsland Regions Developer Funded Functional Layout Checklist for the proposed site access from Firmin's Lane must be submitted and approved by the Head, Transport for Victoria.
37. Prior to the construction activities beginning on site, an Application for External Works – Detailed Design Review, including Gippsland Regions Developer Funded Detail Design Checklist for the proposed site access from Firmin's Lane must be submitted and approved by the Head, Transport for Victoria.
38. Prior to the construction activities beginning on site, the site access from Firmin's Lane, must be constructed at no cost and to the satisfaction of the Head, Transport for Victoria.
39. Prior to commencement of the earthworks on the site, a truck wheel-wash must be installed at the property boundary to enable all mud and other tyre borne debris from vehicles to be removed prior to exiting the land.
40. The truck wheel-wash must be maintained in good order during the construction phase of the development and may be removed at the end of the construction phase of the development.

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Hazelwood Road and Walsh's Road Bellmouth

41. The bell mouth at the intersection of Hazelwood Road and Walsh's Road must be upgraded to the satisfaction of the Head, Transport for Victoria. A dimensional plan of the bell mouth generally in accordance with standard drawing GD4010, must be submitted and approved by the Head, Transport for Victoria.
42. Prior to the construction activities beginning, the bell mouth at the intersection of Hazelwood Road and Walsh's Road must be upgraded at no cost and to the satisfaction of the Head, Transport for Victoria.

Traffic Management Plan

43. Before the development starts, a Traffic Management Plan (TMP) must be approved and endorsed by the responsible authority in consultation with the relevant road authorities. The TMP must be prepared to the satisfaction of the responsible authority and once endorsed, 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 manage traffic impacts associated with the construction and operation of the facility.
 - c) Specify designated transportation routes that will be used to access the site during construction of the facility, including the amount and type of vehicles required.
 - d) Include details of any proposed modifications or upgrades to existing roads that will be required before, during and after construction.
 - e) Include a program to inspect, maintain and (where required) repair public roads used by construction traffic.
 - f) Include the recommendations of the Traffic Engineering Assessment prepared by Traffix Group, Rev E and dated 18 July 2023.
 - g) Be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority.

Worksafe conditions – determining referral authority.

44. The applicant must conduct a safety study once the Battery Energy Storage System Type is selected and develop an appropriate fire management plan in conjunction with Fire Rescue Victoria (including placement and provision of access to the required firefighting water supply).
45. The applicant must complete relevant modelling on toxic smoke impacts from identified hazardous area zones (eg. BESS fire) on nearby infrastructure, populations, and sensitive land uses (ie. Morewell). This must be provided to relevant stakeholders, including Fire Rescue Victoria and relevant councils.

46. The applicant must identify all possible high-pressure gas or oil pipelines in the vicinity of the proposed site.
47. The applicant must consult with APA Pty Ltd (and if necessary, other relevant gas or oil pipeline operators) and ensure a safety assessment is completed in relation to:
- Possible electrical component proximity as a potential source of ignition in the event of a Loss of Containment from a high-pressure gas pipeline,
 - The introduction of possible cathodic protection issues impacting a high-pressure gas pipeline due to installations at the solar farm
 - expected radiant heat effects from the high-pressure gas pipeline in the event of ignited release on solar farm assets.

West Gippsland Catchment Management Authority conditions – not a referral authority

48. The monitoring and reporting outlined in Section 3.3 of the Hazelwood North Solar Farm Waterway Revegetation Plan (Nature Advisory, November 2023) must be undertaken to the satisfaction of the West Gippsland Catchment Management Authority. The Report must be provided annually and demonstrate that the management actions listed in Appendix 1: 5 Year Management Actions have been achieved. During this period, if any management actions have not been undertaken satisfactorily, the plan will need to be amended to the satisfaction of the West Gippsland Catchment Management Authority

VicTrack conditions – not a referral authority

49. No drainage, effluent, waste, soil or other materials must enter, be stored or be directed to the railway land.

APA conditions – not a referral authority

50. The current ground level over the existing high pressure gas pipeline easement is not to be reduced and must be maintained, unless agreed in writing with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd), to the satisfaction of the Responsible Authority.

CFA Conditions - not a referral authority

In conditions 51 to 54:

‘The CFA Guidelines’ means The CFA’s Design Guidelines and Model Requirements for Renewable Energy Facilities (newest version at time of submitting plan for endorsement).

51. Before Plans are endorsed under condition 4, 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 the CFA Guidelines, and:



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- a) Describe the risks and hazards at the facility to and from the battery energy storage system and related infrastructure.
 - b) Include dedicated fire water supplies:
 - i. For the battery energy storage system:
 - A. Of a quantity no less than 576kL (40L/s for four hours) effective capacity.
 - 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 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. For the solar panel infrastructure:
 - A. Additional fire water tanks of a quantity of no less than 45,000L effective capacity each, one located at the primary vehicle entrance to each part of the facility, and at least one for every 100ha within the solar facility, to the satisfaction of CFA.
 - B. Provided otherwise in accordance with the CFA Guidelines and AS 2419.1-2021: Fire hydrant installations.
 - c) Include fire breaks that meet the requirements of the CFA Guideline.
 - d) Specify that external access roads to the facility are suitable for emergency vehicles in accordance with the CFA Guidelines.
 - e) List and describe all other controls for the management of on and off-site hazards and risks at the facility.
 - f) Provide an evidence-based determination of the effectiveness of the risk controls against the identified hazards, including justification for the omission of any battery safety and protective system/s.
 - g) Form the basis for the design of the facility.
52. Before plans are endorsed under condition 4, a Fire Safety Study is to be prepared for the fire risk associated with the battery energy storage system, in accordance with the CFA Guidelines, to the satisfaction of CFA.
53. Prior to the commencement of the use, 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 the CFA and be in accordance with the CFA Guidelines.
54. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and

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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.

Complaint Investigation and Response Plan

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

The CIRP must:

- a) Respond to all aspects of the construction and operation of the facility.
- b) Be prepared in accordance with Australian Standard 10002 Guidelines for complaint management in organisations.
- c) Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).

56. The endorsed CIRP must:

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

Complaints Register

57. Before the development starts, 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 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.

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

59. A complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the responsible authority upon request.

Emergency Services

60. Before the development starts, the permit holder must provide spatial information data to Land Use Victoria via email at 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 facility extents polygon(s)
- b) All access entry points onto private property.
- c) All internal roads.



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

61. 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 facility to be known to emergency services dispatchers.

Decommissioning

62. Once the facility permanently ceases operation, the responsible authority and Latrobe Council must be notified within three months.

63. 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 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.

64. Within three months of the facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority.

The DMP must include, as a minimum:

- a) Identification of infrastructure, equipment, buildings, 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 61.
- 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.

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

Control of Light Spill

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

Signs

67. The location and details of the sign(s), and any supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the responsible authority.



68. The sign(s) must not be illuminated, animated or contain any flashing or intermittent light.
69. The sign(s), including the structure and content, must be constructed and maintained to the satisfaction of the responsible authority.

Notification of Works Commencing

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

Permit Expiry

71. This permit will expire if:
- The development is not commenced within five years of the date of this permit;
 - The development is not completed within eight years of the date of this permit; or
 - The use is not commenced within eight years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend:

- The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- The completion date referred to if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

USEFUL INFORMATION:

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

- The permitted use or development may need to comply with, or obtain the following further approvals:
 - The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
 - A building permit under the *Building Act 1993*.
- Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. For the purposes of this application the works will include provision of:
 - Channelised right-turn lane
 - Auxiliary left-turn lane
 - Flag lighting
 - Upgrade of bell mouth at the intersection of Hazelwood Road and Walsh's Road.



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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 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: 16 August 2024 Signature for the responsible authority:

