Planning and Environment Regulations 2015

Form 4

Sections 63, 64, 64A and 86

PLANNING PERMIT

Permit No.: PA2101132-2

Latrobe Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

- Monash Way, Morwell (Lot 2 PS725239)
- 240 Monash Way, Morwell
- 300 Monash Way, Morwell

THE PERMIT ALLOWS:

Use and development of a utility installation and the alteration of access to a road in a Transport Zone 2.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

DEVELOPMENT PLANS

1. Before development starts, excluding preliminary site works, demolition, and bulk excavation, an electronic set of plans must be submitted to, approved and endorsed by the responsible ruthority. Once endorsed, the plans will form part of this permit. The plans must be generally in accordance with the advertised plans prepared by Aurecon titled *'Latrobe Valley BESS Project'* and dated 13 May 2021, but amended to show:

    a. A staging plan detailing any staging for the use and development, including expected start and finish times for each stage.

    b. Detailed location/site layout, floor, elevation and/or other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings, structures, signage, fencing, and works, including their setbacks from boundaries and other structures.

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

    d. A Tree Protection Zone around the large scattered tree, Tree 1, in the Morwell Terminal Station site, as recorded in Aurecon's Ecology Assessment dated 22 February 2021.

    e. Any updates as necessary in accordance with the corresponding traffic conditions below.

    f. Any landscaping in accordance with the corresponding landscaping conditions below.

    g. Any additional measures relating to fire and fire protection in accordance with the corresponding conditions below.

    h. Car parking and design of car parking spaces in accordance with clause 52.06 of the Latrobe Planning Scheme.

USE AND DEVELOPMENT

2. The use and development must be generally in accordance with the endorsed plans. The endorsed plans must not be altered or modified without the prior written consent of the responsible authority.

STAGING

3. 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.

LANDSCAPING

4. Concurrently with the endorsement of plans, a Landscaping Plan must be submitted to, approved, and endorsed by the responsible authority. Once endorsed, the Landscaping Plan will form part of the permit.

   The Landscaping Plan must include:

   a. Details of all landscaping and vegetation (including species, density, height at time of planting and maturity, and separation in both plan and elevation) and visual impact mitigation techniques and landscape buffers, including screen planting, selected architectural finishes that blend into existing background features, use of existing and proposed landscaping, that will provide appropriate screening of the facility from Monash Way.
   b. Details of all ground surface finishes including internal access tracks, pathways, laydown areas, and driveways including how these areas will be maintained at a reasonable level.
   c. A timetable for implementation of landscape works.
   d. A maintenance and monitoring program to ensure the ongoing health of landscape works.

5. The landscaping works must be carried out and completed in accordance with the Landscaping Plan to the satisfaction of the responsible authority within the timeframe indicated in that plan.

6. Once the landscaping is carried out, it must be maintained in good health for the operational life of the BESS facility, including the replacement of any dead or diseased plants to the satisfaction of the responsible authority.

ENVIRONMENTAL MANAGEMENT PLAN

7. Before development starts, excluding site preparation works, an Environmental Management Plan (EMP) must be submitted to, approved, and endorsed by the responsible authority. Once endorsed, the EMP will form part of the permit.

   The EMP must include:

   a. Measures to avoid and minimise amenity and environmental impacts during the operation of the BESS facility.
   b. Measures to mitigate any consequential impacts on native vegetation retained on and off site, including tree protection zones where necessary.
   c. Design measures and/or procedures to manage dust, odour, light spill, mud, flood, surface water quality and stormwater runoff.
   d. Procedures for weed management and control prior to construction and post construction that do not risk causing offsite soil contamination.

e. Vehicle and equipment hygiene measures to prevent the spread of weeds and pathogens to, from and within the site.
f. Fuel load management measures that are to be implemented including but not limited to vegetation management and possible grazing opportunities.
g. Any other measures to address the requirements of the CFA's Guidelines for Renewable Energy Installations.
h. Measures to manage, monitor and review erosion and control sediment-laden runoff.
i. Response measures to environmental incidents.
j. A program for recording and reporting environmental incidents.
k. The persons responsible for implementing the above measures, including procedures for staff training and communication

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

CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN

9. The EMP must include a Construction Environment Management Plan (CEMP), which must include:

a. Measures to avoid and minimise amenity and environmental impacts during the construction of the BESS facility.
b. Procedures to manage construction noise and vibration in accordance with the requirements of the Noise Control Guidelines (EPA Publication 1254) and the Environmental Guidelines for major construction sites (EPA Publication 480).
c. Erosion and sediment control measures to ensure that no polluted and/or sediment laden runoff or other stormwater is discharged directly or indirectly onto adjoining land or into drains, watercourses or wetlands.
d. Procedures to manage any dust emissions.
e. Vehicle and equipment hygiene measures to prevent the spread of weeds and pathogens to, from and within the site.
f. Locations of any construction waste storage and the method of storage and disposal.
g. Appropriate stockpile and storage area management.
h. The location of any temporary buildings or works and procedures to remove these and reinstate the affected parts of the land when construction is complete.
i. Measures to protect native vegetation being retained on site and in the vicinity of the subject land, including tree protection zones 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 and on any adjoining road reserves; and
    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;
j. A construction timetable, including typical daily start and end times.
k. Road maintenance measures to be put in place for Monash Way to ensure its condition does not deteriorate during the construction phase of the project.
l. Procedures to manage mud and debris on the surrounding road network which may occur during construction.
m. Monitoring requirements for the rehabilitation/revegetation works and any vegetation/tree protection areas being retained on site.

n. The persons responsible for implementing the above measures, including details of a site contact/site manager.

CONTROL OF LIGHTING

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

OPERATIONAL NOISE

11. The use of the land must at all times comply with the Environmental Protection Authority's *Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (Noise Protocol) (as documented in EPA Publication 1826.4).

12. Prior to the endorsement of plans in accordance with condition 1, an updated Predictive Noise Assessment report must be provided to the Responsible Authority that:

    a. Is modelled using the final design layout and electrical components for the entire facility (including all ancillary infrastructure and any battery cooling systems).

    b. Demonstrates the proposal will comply with the Noise Protocol at all times without relying on limiting the operating capacity of any part of the facility.

    c. Provides detail of the mitigation measures that need to be implemented to achieve compliance with the Noise Protocol, if required.

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

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

13. Within 1 month of the commencement of the use, a Post-Construction Acoustic Assessment must be prepared by a suitably qualified acoustic engineer and must be submitted to the responsible authority. The Acoustic Assessment must be made available to the public. The report must assess the compliance of the use with the Noise Protocol and, where necessary, make recommendations to limit the noise impacts in accordance with the Noise Protocol. If recommendations to limit the noise impacts are made, they must be implemented to the satisfaction of the responsible authority.

14. Within 1 year of the commencement of the use, a Post-Construction Acoustic Assessment must be prepared by a suitably qualified acoustic engineer and must be submitted to the responsible authority demonstrating compliance with the Noise Protocol at all times. The Acoustic Assessment must be made available to the public. The report must assess the compliance of the use with the Noise Protocol and, where necessary, make recommendations to limit the noise impacts in accordance with the Noise Protocol. If recommendations to limit the noise impacts are made, they must be implemented to the satisfaction of the responsible authority.

COMPLAINTS

Complaint Investigation and Response Plan

15. Before development starts, excluding site preparation works, 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 BESS 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).

The endorsed CIRP must be implemented to the satisfaction of the Minister for Planning.

Publishing Information about Complaints Handling

16. Before development starts, the following information must be made publicly available and readily accessible from the BESS facility project website, or another publicly available resource to the satisfaction of the Minister for Planning:

    a. A copy of the endorsed CIRP.

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

Complaints Register

17. Before 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.

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

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

VEHICLE ACCESS

20. Vehicle access points must be designed and located to the following standards, to the satisfaction of the relevant road management authority (or authorities):

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

    b. Safe sight distances must be provided.

    c. Potential through traffic conflicts must be avoided.

TRAFFIC MANAGEMENT PLAN

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

    The TMP must:

    a. Include, where relevant, the recommendations of the Traffic Impact Assessment, prepared by Aurecon and dated 25 March 2021.

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

c. 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 BESS facility.
d. Identify the scheduling of all construction works.
e. Designate appropriate construction vehicle routes to the site.
f. Designate vehicle access points to the site from surrounding roads.
g. Address coordination between construction traffic and general traffic.
h. Demonstrate how the proposal complies with Clause 52.06 of Latrobe Planning Scheme regarding all on-site vehicle access and egress.
i. Be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority.

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

23. 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 Minister for Planning for endorsement.

DEPARTMENT OF TRANSPORT

24. Prior to any mitigating or temporary works required at the Monash Way access, civil plans to the satifaction of the Head Transport for Victoria must be submitted and approved.

DECOMMISSIONING

25. Once the BESS facility permanently ceases operation, the Minister for Planning and Latrobe City Council must be notified within three months.

26. Subject to the requirements of this permit, once the BESS 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 battery storage containers, inverters/transformer containers, control building, substation, switchyard, and above and below ground electrical infrastructure and equipment.

27. 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.

28. Within three months of the BESS 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 26.
    c. A requirement that a Decommissioning Traffic Management Plan (DTMP) be submitted to, approved and endorsed by the Minister for Planning prior to decommissioning works starting. The DTMP must be approved by the relevant road management

authority (or authorities) prior to submission to the Minister for Planning 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 Minister for Planning.

d. A requirement that all decommissioning works identified in the DMP be completed to the satisfaction of the Minister for Planning as soon as practicable, but no later than 12 months after the DMP is endorsed, or such other period approved by the Minister for Planning.

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

WEST GIPPSLAND CATCHMENT MANAGEMENT AUTHORITY

30. All electric outlets and any high value and/or hazardous materials must be fixed a minimum of 0.6 metres above the nearest applicable 1% AEP flood level as defined by the *Proposed Condition 1% AEP Event – Maximum Flood Level (m AHD) in the Latrobe Valley Battery Energy Storage System (BESS) Tilt Renwables Desktop Hydrology and Flood Risk Assessment – Phase 2.*

31. Prior to the commencement of works, a Waterway Management Plan (WMP) must be endorsed in writing by the West Gippsland Catchment Management Authority. The WMP must include:

    a. Details of existing environmental values.

    b. Details of any initial stabilisation and vegetation works.

    c. A landscape plan for revegetation of land within 30 metres of the waterway on land that aligns with the commercial agreement area, including a species list and proposed density of plantings. The vegetation must be representative of the Ecological Vegetation Class for the site. Revegetation within the buffer must not encroach into an area required to be cleared to create defendable space.

    d. A maintenance plan detailing the sequencing and periods of short, medium and long term actions, including inspections, and the parties responsible for each action.

32. Prior to the commencement of works, a Stormwater Management Plan (SMP) must be endorsed in writing by the West Gippsland Catchment Management Authority. The Stormwater Management Plan must demonstrate that all stormwater discharge from the development will meet the *Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO, 1999).*

AUSNET TRANSMISSION GROUP

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

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

35. Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on the easement.

36. Fuelling of any vehicles, equipment or plant is not permitted on the easement.

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

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

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

40. 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.

41. All services traversing the easement must be installed underground.

42. 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.

GIPPSLAND WATER

43. Prior to the commencement of buildings and works, the following are required to be submitted to the satisfaction of Gippsland Water:

    a. A Construction Management Plan for works impacting on the Gippsland Water pipeline that traverses the property.
    b. Location plan of the main within the easement in proximity of where all works (including access tracks and roads) are to cross any Gippsland Water Assets.
    c. In consultation with Gippsland Water, determine requirements for advanced Cathodic protection, from induced currents generated by transmission cables on Gippsland Water assets.
    d. A suitably qualified engineers assessment and design which provides protection of the Gippsland Water main from traffic from access track is to be submitted to the satisfaction of Gippsland Water which considers WSAA codes and the potential for heavy vehicle traffic both during construction and use of the land.

44. During the design and construction of the Battery Energy Storage System project, the following must be considered to Gippsland Water's satisfaction:

    a. Underground electricity transmission cables are to be 4 metres below pipeline at the edge of easement.
    b. Transmission lines over the top of easement need to adhere to no-go zone clearance requirements.
    c. Location of access track (or road) are to cross perpendicular to Gippsland Water easements. Access tracks must not be constructed within Gippsland Water easements that run parallel to Gippsland Water mains within the easement. If the design of the site precludes an ability to meet this condition, we require that appropriate build over conditions are met to ensure the protection of the Gippsland Water assets.
    d. Battery Energy Storage System cells are not permitted to be placed within the Gippsland Water easement.
    e. Angle of Repose must be considered to Gippsland Water's assets if construction is located close to the edge of Gippsland Water's easement.

FIRE RESCUE VICTORIA

Risk Management Plan

45. Before development plans are endorsed under condition 1, a risk management plan, incorporating a risk assessment, must be prepared in conjunction with the relevant fire authority. The plan must:

    a. Be prepared with consideration to the CFA's *Guidelines for Renewable Energy Installations*.

b. Identify, assess and outline 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.
c. Identify failure of battery safety and protective systems including battery management systems, monitoring systems, ventilation/exhaust systems, smoke detection, fire detection, fire suppression or gas detection system.
d. Inform the design requirements for the facility. Battery energy storage system facilities must be:
    i. Designed to separate battery containers to a distance that prevents radiant heat exposure from igniting:
        - Other battery containers (battery to battery ignition)
        - Related system infrastructure (inverters, substations, etc.)
        - Buildings and structures.
        - On-site vegetation, including screening vegetation. The potential for radiant heat impact from surrounding vegetation must not exceed 90oC directly on battery infrastructure.
    ii. Installed on a non-combustible surface such as concrete.
    iii. Provided with adequate ventilation.
    iv. Provided with underground cabling.
    v. Provided with impact protection.
    vi. Provided with spill containment.
    vii. Provided with suitable access for emergency services vehicles must be provided to and within the site, including to battery energy storage system and fire service infrastructure.
e. Inform the construction and operational requirements for the facility through the development of a Fire Management Plan (FMP). The FMP must consider fire risks to and from the site and detail the control measures (systems, activities and accountabilities) for the prevention and management of fire. The FMP is to be developed in conjunction with the relevant fire authority before development starts. The FMP is to 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, monitoring and servicing. BESS must 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 BESS. Any identified issues must be immediately remedied.
- Regularly serviced as per the manufacturer's specifications.

iv. Peat presence and management (if applicable).

v. Fire 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.

Fire Detection

46. For battery energy storage systems 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.

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

Fire Protection System

48. A fire water supply suitable for the risks and hazards at the facility must be provided. The fire water supply must include at a minimum:

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, except:

a. 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 90m length of hose connected to a fire hydrant outlet.

b. The area of the battery installation including the 10m fire break around battery infrastructure, rather than the area of yard or site may be substituted for the purposes of determining requirements under AS 2419.1.

OR

c. Where no reticulated water is available, a fire water supply in static storage tanks. The fire water supply must:

d. 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.

e. 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 90m length of hose connected to a fire hydrant outlet.

f. Comply with AS 2419.1-2005, Section 5: Water Storage.

Note: 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.)

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

50. 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, inverters, 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 (i.e. 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 CFA.
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.
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). Signage must be to the satisfaction of CFA.

Access

51. 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.
52. Road networks must enable responding emergency services to access all areas of the facility.

Fuel / Vegetation Management

53. A fire break area of at least ten (10) metres width must be maintained around the perimeter of the facility. The width of the fire break must be scaled to the risk of surrounding vegetation, including screening vegetation;

    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).

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

55. There must be a clearance of at least 2 metres between the lowest branches and ground level within the vegetation screening (landscape buffer) zone.

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 suppression and detection 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 protection systems and equipment, dangerous goods storage areas (including BESS and inverters), 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.

Battery Energy Storage Systems (BESS)

viii. Schematics and technical data for BESS containers.

ix. 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.

x. Details of battery monitoring systems, battery smoke and fire detection systems, fire suppression systems, gas detection and pressure relief systems, cooling systems, and warning and alarm systems at the facility.

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

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 ten years of the date of this permit.

c. The use is not started within one year following the completion of the development.

Date issued: 16 November 2021

Signature for the responsible authority:

Signature of Danielle Foster, Senior Planner, Development Approvals and Design, as delegate for the Minister for Planning

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Responsible Authority
24 June 2022	Section 71 Correction of the permit to: • Update the street addresses Section 72 Amendment to (using revised numbering): • Include new condition 1(h) relating to car parking. • Include new condition 3 relating to staging. • Amend condition 21 relating to the TMP. • Amend condition 21(h) relating to access. • Update numbering and cross-referencing accordingly.	Minister for Planning
9 May 2023	Section 71 correction of the permit to: • Correct spelling errors, inconsistent language and formatting across the permit. Section 72 amendment to the permit to: • Amend condition 31 to clarify the extent of landscaping works required under the Waterway Management Plan.	Minister for Planning

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**.
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 of 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.