



Notification of approval decision

Meadow Creek Solar Farm, Meadow Creek, Victoria (EPBC 2024/09931)

This decision is made under section 130(1) and 133(1) of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Note that section 134(1A) of the EPBC Act also applies to this approval. That provision provides, in general terms, that if the approval holder authorises another person to undertake any part of the Action, the approval holder must take all reasonable steps to ensure that the other person is informed of any conditions attached to this approval, and that the other person complies with any such conditions.


Approved Action

person to whom the approval is granted (approval holder)	Meadow Creek Solar Farm Pty Ltd ACN: 650 485 635
Action	To construct and operate a solar farm and associated infrastructure approximately 21 km southeast of Wangaratta and approximately 190 km northeast of Melbourne. See EPBC Act referral 2024/09931.

Approval decision

approval decision	My decision on whether or not to approve the taking of the Action for the purposes of the controlling provision for the Action is as follows.	
	Controlling Provision	Decision
	Listed threatened species and communities (section 18 and section 18A)	Approved
period for which the approval has effect	This approval has effect until 5 December 2065.	
conditions of approval	The approval is subject to conditions under the EPBC Act as set out in Annexure A.	

Person authorised to make decision

name and position	Brendan Linton-Smith Acting Branch Head Environment Assessments (Vic and Tas) and Post Approvals Branch Environment Regulation Division
signature	
date of decision	16 January 2026

Annexure A

Note: Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them at **Part C – Definitions**.

Part A – Avoidance and mitigation conditions

Clearance conditions

- 1) The approval holder must not:
 - a) **Clear** outside of the **Action area**.
 - b) **Construct** outside of the **Action area**.

State Conditions

- 2) The approval holder must comply with the conditions specified in the **Planning Permit**, to the extent that the conditions relate to **protected matters**.
- 3) The Environmental Management Plan to be prepared under Condition 10 of the Planning Permit must be prepared in accordance with the **department’s Environmental Management Plan Guidelines**.

Part B – Administrative conditions

MODIFICATIONS TO STATE OR TERRITORY APPROVAL

- 4) The approval holder must notify the **department** in writing of any proposed change to the Victorian approved **Planning Permit** that may relate to **protected matters** within 2 **business days** of formally proposing such a change and within 5 **business days** of becoming aware of any proposed change.
- 5) The approval holder must notify the **department** in writing of any change to the Victorian **Planning Permit** conditions that may relate to **protected matters**, within 5 **business days** of such a change to conditions coming into effect. Such notification must include a copy of the changed Victorian **Planning Permit** conditions showing what changes have been made.
- 6) The approval holder must not request any variation of the approved Environmental Management Plan required under condition 10 of the **Planning Permit** that may relate to **protected matters** unless the approval holder:
 - a) has notified the **department** in writing of the proposed changes in the Environmental Management Plan at least 20 **business days** prior to requesting the variation of the approved Environmental Management Plan and
 - b) accompanies the request for variation of the approved Environmental Management Plan with any advice regarding the proposed variation provided by the **department** in writing.

COMMENCEMENT OF THE ACTION

- 7) The approval holder must notify the **department** electronically of the date of **commencement of the Action**, within 5 **business days** following **commencement of the Action**.
- 8) The approval holder must not **commence the Action** later than 5 years after the date of this approval decision.

COMPLIANCE RECORDS

- 9) The approval holder must maintain accurate and complete **compliance records** and document the procedure for recording and storing **compliance records**.
- 10) If the **department** makes a request in writing, the approval holder must provide electronic copies of **compliance records** to the **department** within the timeframe specified in the request.

Note: Compliance records may be subject to audit by the **department**, or by an **independent auditor** in accordance with section 458 of the **EPBC Act**, and/or be used to verify compliance with the conditions. Summaries of the results of an audit may be published on the **department's** website or through the general media.

- 11) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guidelines for biological survey and mapped data*, Commonwealth of Australia 2018, or as otherwise specified by the **Minister** in writing.
- 12) The approval holder must ensure that any **monitoring data**, surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the *Guide to providing maps and boundary data for EPBC Act projects*, Commonwealth of Australia 2021, or as otherwise specified by the **Minister** in writing.
- 13) The approval holder must submit all **monitoring data**, surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the **department** within 20 **business days** of the next anniversary of the date of this approval except where otherwise specified in a **plan**.

ANNUAL COMPLIANCE REPORTING

- 14) The approval holder must prepare a **compliance report** for each **Annual Compliance Report period (ACR period)**.
- 15) The approval holder must ensure each **compliance report** includes:
 - a) accurate and complete details of compliance and any non-compliance with:
 - i) each condition imposed under a state approval, if a condition attached to this approval decision requires compliance with that condition,
 - ii) each condition attached to this approval decision, and
 - iii) all commitments made in each **plan**,

- b) a schedule of all **plans** in effect in relation to these conditions during the **ACR period**,
 - c) accurate and complete details of how each **plan** was implemented during the **ACR period**, and
 - d) if any **incident** occurred, accurate and complete details of each **incident**.
- 16) The approval holder must ensure each **compliance report** is completed to the satisfaction of the **Minister** and is consistent with the *Annual Compliance Report Guidelines, Commonwealth of Australia 2023*.
- 17) The approval holder must, within 20 **business days** following the end of each **ACR period**, in a format that is easily accessible and downloadable, publish on the **website**:
- a) each **compliance report**, and
 - b) a **shapefile** showing all **clearing of protected matters**, and their habitat, undertaken within the **ACR period**.
- 18) The approval holder must:
- a) Exclude or redact **sensitive biodiversity data** from each **compliance report** and **shapefile** published on the **website** or otherwise provided to a member of the public.
 - b) If **sensitive biodiversity data** is excluded or redacted from a version of a **compliance report** published or otherwise provided to a member of the public, submit the full **compliance report** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
 - c) If **sensitive biodiversity data** is excluded or redacted from a version of a **shapefile** published or otherwise provided to a member of the public, submit the full **shapefile** to the **department** within 5 **business days** of its publication on the **website** and notify the **department** in writing what exclusions and redactions have been made in the version published on the **website** or otherwise provided to a member of the public.
- 19) The approval holder must notify the **department** electronically, within 5 **business days** of each date of publication that the **compliance report** has been published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **compliance report** and related **shapefile** are published on the **website**.
- 20) The approval holder must keep each **compliance report** and related **shapefile** published on the **website** from the first date which that **compliance report** must be published and until the expiry date of this approval.

Note: **Compliance reports** may be published on the **department's** website.

REPORTING NON-COMPLIANCE

- 21) The approval holder must notify the **department** electronically, within 2 **business days** of becoming aware of any **incident**. The approval holder must specify in each notification:
 - a) any condition or commitment made in a **plan** which has not been, or may have not been, complied with,
 - b) a short description of the **incident**, and
 - c) the location (if applicable, including co-ordinates), date and time of the **incident**.
- 22) The approval holder must provide to the **department** in writing, within 12 **business days** of becoming aware of an **incident**, the details of that **incident**. The approval holder must specify:
 - a) all corrective measures and investigations which the approval holder has already taken in respect of the **incident**,
 - b) the potential impacts of the **incident**,
 - c) the method and timing of any corrective measures that the approval holder proposes to undertake to address the **incident**, and
 - d) any variation of these conditions or revision of a **plan** that will be required to prevent recurrence of the **incident** and/or to address its consequences.

INDEPENDENT AUDIT

- 23) The approval holder must ensure that an **independent audit** of compliance with the conditions is conducted for every **audit period**.
- 24) The approval holder must submit details of the proposed **independent auditor** and their qualifications to the **department** within 10 **business days** following the end of each **audit period**.
- 25) The approval holder must ensure the scope of each **independent audit** is sufficient to determine the compliance status for each condition of approval, and each commitment made in each **plan**.
- 26) The approval holder must ensure the criteria for each **independent audit** and the undertaking of each **independent audit** are consistent with the **Independent Audit and Audit Report Guidelines**.
- 27) The approval holder must submit an **audit report** to the **department** for written agreement from the **department** within 3 months following the end of each **audit period**, or as otherwise directed by the **Minister** in writing.
- 28) The approval holder must ensure each **audit report** is completed to the satisfaction of the **Minister** and is consistent with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

- 29) The approval holder must publish each **audit report** on the **website**, in a format that is easily accessible and downloadable, within 10 **business days** of the date the **department** agrees to that **audit report** in writing.
- 30) The approval holder must notify the **department** within 5 **business days** of the date the **audit report** is published on the **website**. In this notification, the approval holder must provide the **department** with the web address for where the **audit report** is published on the **website**.
- 31) The approval holder must keep each **audit report** published on the **website** from the first date which that **audit report** must be published and until the expiry date of this approval.

COMPLETION OF THE ACTION

- 32) Within 20 **business days** after the **completion of the Action**, and, in any event, at least 20 **business days** prior to the expiry date of this approval, the approval holder must notify the **department** electronically of the date of **completion of the Action** and provide **completion data**. The approval holder must submit any spatial data that comprises **completion data** as a **shapefile**.
- 33) The approval holder must notify the **department** electronically at least 60, but not more than 70, **business days** prior to the expiry date of this approval, that the approval is due to expire.

Note: Section 145C of the **EPBC Act** entitles the approval holder to request an extension to the period of effect of this approval.

Part C – Definitions

Words and terms appearing in **bold** (excluding headings) have the meaning assigned to them in the list below:

Action area means the location of the Action, represented in Attachment A by the zone enclosed by the solid red line designated as ‘Study area’.

Annual Compliance Report period or **ACR period** means each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the **Minister**.

Audit period means each subsequent five -year period following the **commencement of the Action** until the expiry date of this approval unless otherwise specified in writing by the **Minister**.

Audit report means a written report of an **independent audit**.

Biodiversity data means ‘biodiversity data’ as described in the *Policy on Accessing and Sharing Biodiversity Data*, Commonwealth of Australia 2024.

Business day means a day that is not a Saturday, a Sunday, or a public holiday in Victoria.

Clear, cleared or **clearing** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting, or burning of vegetation.

Commence the Action or **commences the Action** means the first instance of any on-site **clearing, construction** or other physical activity associated with the Action, but does not include minor physical disturbance necessary to:

- Undertake pre-clearance surveys or monitoring programs.
- Install signage and/or temporary fencing to prevent unapproved use of the **Action area**, so long as the signage and/or temporary fencing is located where it does not **harm any protected matter**.
- Protect environmental and property assets from fire, weeds, and feral animals, including use of existing surface access tracks.
- Install temporary site facilities for persons undertaking pre-commencement activities so long as these facilities are located where they do not **harm any protected matter**.
- Undertake soil sampling or geotechnical investigations provided these cause only minor physical disturbance, will not **harm any protected matter** and are required in advance of commencement of site works].

Commencement of the Action means the date on which the approval holder **commences the Action**.

Completion data means an environmental report and spatial data clearly detailing how the conditions of this approval have been met.

Completion of the Action means the date on which all activities associated with the approved Action, other than those which provide compensation for the impacts of the Action, have permanently ceased and/or been completed.

Compliance records means all documentation or other material in whatever form required to demonstrate compliance with these conditions of approval (including compliance with commitments made in **plans**) in the approval holder's possession, or that are within the approval holder's power to obtain lawfully.

Compliance report means a written report of compliance with, and fulfilment of, these conditions (including compliance with commitments made in **plans**).

Construction means:

- the erection of a building or structure that is, or is to be, fixed to the ground and wholly or partially fabricated on-site,
- the alteration, maintenance, repair or demolition of any building or structure,
- any work which involves breaking of the ground (including pile driving) or bulk earthworks,
- the laying of pipes and other prefabricated materials in the ground, and

- any associated excavation work.

Construction does not include the installation of temporary fences or signage.

Department means the Australian Government agency responsible for administering the **EPBC Act**.

Environmental Management Plan Guidelines means the *Environmental Management Plan Guidelines*, Commonwealth of Australia 2024.

EPBC Act means the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Harm means to cause any measurable direct or indirect disturbance or deleterious change as a result of any activity associated with the Action.

Incident means any:

- event which has the potential to, or does, **harm any protected matter**,
- potential non-compliance with these conditions, including the administrative requirements,
- actual non-compliance with these conditions, including the administrative requirements,
- potential non-compliance with one or more commitment made in a **plan**, and/or
- actual non-compliance with one or more commitment made in a **plan**.

Independent audit means an audit, conducted by an **independent auditor**, of compliance with and fulfilment of these conditions and the commitments made in **plans**, objectively evaluated against the audit criteria developed by the **independent auditor**, in accordance with the **Independent Audit and Audit Report Guidelines** to the extent that the **Independent Audit and Audit Report Guidelines** are consistent with these conditions.

Independent Audit and Audit Report Guidelines means the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019.

Independent auditor means a person, or firm, who:

- does not have any individual, financial*, employment* or family affiliation or any conflicting interests with the Action, the approval holder or the approval holder's staff, representatives, or associated persons,
- has demonstrated experience in undertaking government-regulated environmental compliance audits, and
- holds relevant professional qualifications and accreditations.

*Other than for the purpose of undertaking the role for which the person, or firm, is required.

Minister means the Australian Government Minister administering the **EPBC Act**, including any delegate thereof.

Monitoring data means the data required to be recorded under the conditions of this approval, including **sensitive biodiversity data**.

Plan means any action management plan or strategy that the approval holder is required by these conditions to implement.

Planning Permit means Planning Permit PA2403133 issued 31 October 2025 by the Victorian Department of Planning.

Protected matter(s) means Sloane's Froglet (*Crinia sloanei*), Regent Honey Eater (*Anthochaera phrygia*), Murray Cod (*Maccullochella peelii*), Gang-gang Cockatoo (*Callocephalon fimbriatum*), Golden Sun Moth (*Synemon plana*) and Brown Treecreeper (*Climacteris picumnus*).

Sensitive biodiversity data means **biodiversity data** which, if released, published or otherwise exposed, may result in **harm** to the relevant **protected matter** as a result of the intentional or unintentional misuse of that **biodiversity data**.

Shapefile means location and attribute information about the Action provided in an Esri shapefile format containing:

- '.shp', '.shx', '.dbf' files,
- a '.prj' file which specifies the projection or geographic coordinate system used, and
- an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.

Attachments

A: Map showing location of Action area

Attachment A: Map showing location of Action area

