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#### CONSTRUCTION OF A UTILITY INSTALLATION

CONNECTION TO ACENERGY STANHOPE SOLAR FARM 489 HILL ROAD, STANHOPE JUNE 2020

PREPARED FOR POWERCOR AUSTRALIA

This report has been prepared by the office of Spiire Level 6, 414 La Trobe Street PO Box 16084 **Melbourne** Victoria 8007

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#### 1. INTRODUCTION

This report has been prepared by Spiire Australia Pty Ltd on behalf of Powercor Australia Ltd in support of a planning permit application for the use and development of a utility installation in Stanhope, Victoria.

The proposed works are required as part of an upgrade to the existing electrical alignment to create a new connection to the 'ACEnergy' Stanhope Solar Farm at 489 Hill Road, Stanhope ('Hill Road Solar Farm').

Powercor is committed to providing an electricity network that is safe and reliable while minimising an impacts on the environment. Powercor has undertaken numerous upgrade and new connection projects across Victoria with minimal or no vegetation, environmental or community impact.

The purpose of this report is to:

- Provide an overview of the subject site and the surrounding area;
- Outline the proposal
- Identify the relevant planning controls, policies and decision guidelines within the Campaspe Planning Scheme.
- > Provide an analysis of the proposal against the relevant planning provisions

This report is accompanied by, and should be read in conjunction with:

- Siting Plan, prepared by Spiire, (26 May 2020) Appendix A;
- Construction Plan (PCA80 5120185 1), prepared by Powercor Australia Ltd Appendix B;
- ▶ Biodiversity Report, prepared by EcoAerial (dated 3 June 2020) Appendix C; and
- Hill Road 'Acenergy' Solar Farm Planning Permit, Campaspe Shire Appendix D.

#### 1.1 **PROJECT SUMMARY**

The below table summarise the relevant details of this application.

Table 1: Project Summary

Land Title Details	<ul> <li>Allotments 16, 17 &amp; 18 on TP302500; 489 Hill Road, Stanhope (Solar Farm address)</li> <li>Hill Road, road reserve (Connection point)</li> </ul>
Applicable Planning Scheme	Campaspe Planning Scheme
Planning Controls	Zones Farming Zone – Schedule 1 (FZ1)
Proposal	Construction of a utility installation (14 new poles, 1 replacement pole and approx. 992m of new conductor)

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Planning Permit Triggers	Clause 35.07-1	To use the land for a utility installation (Section 2 use) in the FZ.
	Clause 35.07-4	To construct a building or carry out works associated with a use in Section 2 of Clause 35.07-1.
Area of Aboriginal Cultural Heritage Sensitivity?	No	

Tentage Constituty.

#### 1.2 PROJECT BACKGROUND

Planning Permit PLN055/2019 was issued in September 2019 (refer to Appendix D) and grants approval for *use and development of the land for a renewable energy facility (micro solar farm) in the Farming Zone Schedule 1*, at 489 Hill Road, Stanhope (Hill Road Solar Farm).

#### 1.3 AMENDMENT VC157 AND PERMIT EXEMPTIONS

The works are best described as a 'utility installation' rather than a 'minor utility installation' as the definition of a minor utility installation <u>excludes</u> any power lines directly associated with an energy generation facility. The Hill Road Solar Farm is considered an energy generation facility. The Campaspe Planning Scheme defines a 'utility installation' as:

#### "Land used:

- a) for telecommunications;
- b) to transmit or distribute gas or oil;
- c) to transmit, distribute or store power, including battery storage;
- d) to collect, treat, transmit, store, or distribute water;
- e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.

It includes any associated flow measurement device or a structure to gauge waterway flow."

In accordance with Amendment VC157, which was gazetted on 15 March 2019, a planning permit is required for power lines associated with an energy generation facility.

Pursuant to Clauses 62.01 and 62.02-1, the Campaspe Planning Scheme states the following in relation to permit exemptions:

- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157; and
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157 (construction or carrying out of works).



As the Planning Permit for the Hill Road Solar Farm was issued in September 2019, after the gazettal date of Amendment VC157, these exemptions do not apply. As such, a planning permit is required for the use and development of the land for a utility installation.



#### 2. APPLICATION AREA

The project, to be undertaken by Powercor, will provide a connection from the Hill Road Solar Farm at 489 Hill Road to the existing electricity network. The project area is shown in **Error! Reference source not found.** below.



#### Figure 1: Project Area

The project area includes the following:

- ▶ The road reserve of Hill Road; and
- ▶ The property at 489 Hill Road, Stanhope (Hill Road Solar Farm site).



#### 3. PROPOSAL

The project involves the construction of fourteen (14) new poles, one (1) replacement pole within the same hole and associated conductor (approximately 992m) to connect the Hill Road Solar Farm to the existing 'Colinabbin Pipe Spur Line' electrical alignment, located within the Campaspe Shire.

This proposal is accompanied by, and should be read in conjunction with:

- Siting Plan, prepared by Spiire, (dated 26 May 2020) Appendix A;
- Construction Plans, prepared by Powercor Australia Ltd (PCA80 5120185) Appendix B;
- Biodiversity Report, prepared by EcoAerial Appendix C;
- 489 Hill Road Solar Farm Planning Permit, Campaspe Shire (dated 12 September 2019)
   Appendix D.

The impact of these works has been assessed by an ecologist, and it was determined that no native vegetation will be impacted by the proposal. The Biodiversity Report is provided for reference at Appendix C. The report demonstrates that the work areas are not located in proximity to any areas of native vegetation.

The new poles will be 10.2m in height (above ground) and will be constructed of concrete.

Poles located within the solar farm site are setback within the property boundary a minimum of 61m (approx.) from the edge of the road reserve. The replacement pole within the road reserve will be located in the same hole as the existing power pole, approximately 2.8m from the edge of the road pavement. This is not considered to impact on traffic safety as it is an existing pole.

The new poles are located a minimum of 389m from the nearest dwelling.

The location of the poles and relevant setback distances are included on the Siting Plan attached at Appendix A.

#### 3.1 CONSTRUCTION METHODOLOGY

Powercor's construction technique/methodology enables works to occur with minimum disturbance to existing biodiversity. A description of the methodology and examples of previous works conducted by Powercor is provided below:

- ► The pole within the road reserve will be accessed via trucks parked on the existing road easement pavement/verge. The construction methodology will then involve an arm reaching from the parked truck to the pole location to auger a hole. Another arm would then put the pole into place (refer to Figure , Figure , Figure and Figure below which illustrate the typical construction methodology).
- Where the trucks need to get closer, or off the road pavement, bog mats will be used to ensure any vegetation is not impacted.
- Pole installation within the property boundary will be undertaken as standard, however the trucks will not be confined to the road pavement. This land has previously been used for agricultural purposes and there is no native vegetation present at the new pole locations or surrounding areas within the site.

Provided these construction techniques are implemented, it is considered the proposed works can be completed with minimal impacts to vegetation. The above procedures would be



outlined in the standard Construction Environment Management Plan for the project to ensure compliance.



Figure 2: Example of a hole being augured via arm from truck (note in this example the roadside vegetation was deemed to be non-native, hence the truck parking slightly on the verge and the other truck in the background)

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Figure 3: Example of hole being augured via arm from truck (note in this example the roadside vegetation was deemed to be native in places and fencing was set up to keep the truck from the shoulder)



Figure 4: Example of pole being installed via truck crane

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Figure 5: Example of contractors working on the new or replacement installation. Note the truck is still in the road carriageway.



#### 4. PLANNING POLICY FRAMEWORK

The purpose of this section is to provide a summary of the relevant planning controls and provisions contained within the Campaspe Planning Scheme.

The proposal triggers the requirement for a planning permit for the following:

- ► To use the land for the purpose of a utility installation, within the Farming Zone (FZ), pursuant to Clause 35.07-1; and
- To construct a building or carry out works associated with a use in Section 2 within the Farming Zone (FZ) pursuant to Clause 35.07- 4.

#### 4.1 STATE AND LOCAL PLANNING POLICY

The following State and Local planning policies contained within the Campaspe Planning Scheme are considered relevant to the proposal:

- Clause 13.02-1S Bushfire Planning;
- Clause 15.02-1S Energy and Resource Efficiency;
- Clause 19.01-1S Energy Supply;
- Clause 19.01-2S Renewable Energy.

The objectives of these polices relevant to the project are reproduced below:

- ► To strengthen the resilience of settlements and communities to bushfire through riskbased planning that prioritises the protection of human life (13.02-1S).
- ► To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions (15.02-1S).
- ► To facilitate appropriate development of energy supply infrastructure (19.01-1S)
- ► To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met (19.01-2S).

#### 4.2 ZONES

The works are located within the Farming Zone – Schedule 1 (FZ1). This is illustrated in Figure 6.

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#### Figure 6: Zone

The purpose of the FZ includes:

- To provide for the use of land for agriculture;
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture;
- ▶ To encourage the retention of employment and population to support rural communities;
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision;
- To provide for the use and development of land for the specific purposes identified in a schedule to this zone

Schedule 1 does not apply any specific requirements to the land.

A utility installation is a 'Section 2' use within the FZ. Pursuant to Clause 35.07-1 of the Campaspe Planning Scheme, <u>a planning permit is required to use the land for the purpose of a utility installation.</u>

Pursuant to Clause 35.07-4 of the Campaspe Planning Scheme, <u>a planning permit is also</u> required to carry out works associated with a utility installation (being a Section 2 use).

#### 4.3 OVERLAY

The proposed works are not subject to any overlays.



#### 4.4 CULTURAL HERITAGE

The works are not located in an area of Aboriginal Cultural Heritage Significance. **Error! Reference source not found.** illustrates the nearest areas of Aboriginal Cultural Heritage significance.



Figure 7: Cultural Heritage Area

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#### 5. PLANNING ASSESSMENT

#### 5.1 PLANNING POLICY FRAMEWORK

Both State and Local policy identifies the need to ensure the efficient provision of services and infrastructure while considering potential environmental impacts.

These works will provide necessary electrical infrastructure within Campaspe Shire and will support the expansion of renewable energy industries. The Hill Road Solar Farm, which this project supports, will provide for sustainable energy generation within the region. The works are required to ensure that the solar farm can be connected to the existing network. This connection will allow for the energy generated by the solar farm to be distributed and to the surrounding region.

Powercor are experienced in minimising any potential impacts on vegetation. A concerted effort was taken within the design process to ensure that any environmental impacts have been appropriately considered and minimised through strategic siting of the works and through mitigation strategies which will be implemented during construction. The construction methods utilised will allow for heavy trucks and machinery to remain on the road pavement while undertaking works within the road reserve. The land within the property boundary has been used for agricultural purposes and does not contain any native vegetation. Accordingly, the construction methods utilised within the site do not require any restrictions to vehicle access. The design of the alignment and the proposed construction methods will ensure that there are no native vegetation impacts as a result of these works.

Overall, it is considered that the proposal complies with State and Local planning policy by delivering a sensitively designed electrical connection that will provide a net community benefit.

#### 5.2 USE & DEVELOPMENT OF THE LAND

The use of the land for the purpose of a utility installation is considered appropriate in the Farming Zone.

The works are predominantly located within private property. The agricultural land which the solar farm, and associated connection is located on has already been assessed with regards to agricultural production. The relatively minor works involved with a connection will not impact further on agricultural production. As such, it is considered that there will be no loss of agricultural land as a result of the construction of a utility installation within the Farming Zone, given the lesser impact of new poles compared to the infrastructure of a renewable energy facility.

The proposed poles are not likely to generate any road safety concerns. The works will not impact on the existing function of the road. There is sufficient distance between the road carriageway and the new poles to maintain driver sightlines and avoid potential traffic hazards. The minimum distance between any new pole and the edge of the carriageway is approximately 61 metres, as shown on the Siting Plan (Appendix A). The one replacement pole will be located in the same hole as the existing pole, and as such will not change the conditions of the road.

New poles will be constructed of concrete and will be 10.2m tall (above ground). The height of the poles is consistent with existing electrical infrastructure in the area. The newer poles will be significantly stronger and reduce the likelihood of electrical faults or damages.

The design and location of the poles is consistent within the surrounding site context and is unlikely to impact on any landscape features or visual amenity. The new poles will be located



approximately 389m from the nearest dwelling and will not impact on the amenity of this residence.

#### 5.3 VEGETATION IMPACT

In accordance with the Biodiversity Report at Appendix C, the proposed works will not impact on any vegetation. The construction methods utilised by Powercor will ensure that heavy equipment/vehicles can predominantly remain on the road and will not disturb areas of vegetation. There is no native vegetation within the property boundary given its previous agricultural land use. As such, new poles will not impact on native vegetation.



#### 6. CONCLUSION

This application seeks planning approval for the use and development of land for the purpose of a utility installation.

The proposed works are required to connect the approved ACEnergy Stanhope Solar Farm (Hill Road Solar Farm) to the existing Colinabbin Pipe Spur Line electricity alignment.

In summary, the proposal is considered appropriate for the following reasons:

- The proposal is consistent with the PPF and LPPF and provides necessary upgrades to electrical infrastructure within Campaspe Shire;
- This project is required to support the recently approved development of the Hill Road Solar Farm and will promote the expansion of renewable energy industries;
- The proposed works have been designed and located to avoid any impact on the environment and the removal of native vegetation;
- > Powercor's construction methodology allows for no disturbance to biodiversity; and
- The proposed works will not adversely impact on cultural heritage.

Based on the details set out in this report, it is considered that a planning permit should be issued for this proposal.

# APPENDIX A DEVELOPMENT PLAN



489 HILL ROAD, STANHOPE SOLAR FARM

SCALE 1:2500@A3

**LOCATION 1** 



0 6.75 12.5 18.75 25 31.75m SCALE 1:1250@A3

#### LEGEND

- Road reserve/boundary Edge of carriageway (road linemarking) \*\*\* Overhead powerlines \*\* Solar farm site and proposed buildings location \*\* Existing poles \*\* 0 Replacement poles \* \*\*
  - New poles \* \*\* \*\*\*







DATE **26/05/2020**  DES/DOC **JC**  AUTH LSH **TYPE 2 - ACR POLE SIDE PROFILE** 





Pole made from concrete material

GROUND LEVEL





#### CONSTRUCTION PLANS



V3.1

Electricity



#### **BIODIVERSITY REPORT**



#### **Biodiversity Snapshot**

STUDY AREA NAME: Ace	energy Solar Farm Date: 03/06/2020	
BIOREGION	Victorian Riverina	
LOCAL GOVERNMENT AREA	Campaspe Shire	
Catchment Management Area	Goulburn Broken CMA	
SUMMARY / COMMENTS		
Summary of findings and recommendations	Summary	
	1km of the project alignment (refer to Figure1).	
	The works entail the installation of 14 new poles within private property currently used for agriculture. One pole is to be replaced on the road reserve.	
	The due diligence assessment was confined to a desktop review and photographs (refer top Appendix 1), supplied by Powercor.	
	The replacement of the pole within the road reserve will not entail the removal of vegetation if the following recommendations are implemented.	
	Recommendations	
	Utilise existing roads and on-site tracks to access pole locations.	
	<ul> <li>Vehicles are confined to the hard surface of Hill Rd when undertaking pole replacement on road reserve.</li> </ul>	
DESKTOP REVIEW RESULTS		
* EPBC Act Protected	Threatened Ecological Communities: <b>5</b>	
Matters Search (DoEE)	Listed Threatened Species: 22	
Source: Protected Matters Search Tool (PMST) 1km buffer	Migratory Species: <b>12</b>	
Results include terrestrial species / communities only		
Proximity to significant wetlands/ waterways	N/A	
Habitat Corridors	N/A	



Surrounding land use	Agriculture and Greater Bendigo National Park	
EVC's & Significant flora and fauna records Source: NatureKit & VBA (DELWP). Refer to Figure 1	<ul> <li>Ecological Vegetation Class: 5</li> <li>1. Plains Woodland EVC_803 (Endangered)</li> <li>2. Drainage-line Aggregate EVC_168 (Endangered)</li> <li>3. Plains Grassy Wetland EVC_125 (Endangered)</li> <li>Threatened Flora: Dainty N/A</li> <li>Threatened Fauna: Brolga <i>Grus rubicunda</i> (FFG)</li> </ul>	
Reviewed report/s	N/A	
	ONS	
EPBC Act 1999	No EPBC listed ecological communities or species are present within the alignment. <i>There are no obligations under the EPBC Act.</i>	
EES Act 1978	An EES would be required if the impacts were deemed to potentially have a detrimental effect for species / communities of regional or state significance. An EES is <u>not required</u> as there is not a 'trigger' of any referral criterion (refer to Appendix 2 for trigger criteria).	
FFG Act 1988	Brolga <i>Grus rubicunda</i> have <i>been</i> observed within 1km of alignment (1994) Brolga will not be impacted by the proposed works.	
<i>Permitted clearing of native vegetation Clause 52.17</i>	Applies to native vegetation when there is a need to remove and / or impact native vegetation is unavoidable. Refer to Appendix 3 for the assessment pathway. <i>Analysis of the assessment pathway indicates that the removal, destruction</i> <i>or loping of native vegetation is not relevant for the works proposed.</i>	
Catchment Management Authority Regional Strategies	Goulburn Broken Regional Catchment Strategy 2013-2019.	
Local Government Environmental Planning Overlays	N/A	

\* Search results for EPBC Act threatened species is based on the likelihood of suitable habitat to occur in the search area only. It does not imply that there has been a definite record for the species.









#### **Database Searches**

*Environmental Protection and Biodiversity Conservation (EPBC) Act Protected Matters Search* – An online tool, provided by the Commonwealth Department of the Environment, Water, Heritage and the Arts which identifies matters of national environmental significance that *may* occur in, or *may* relate to the area nominated.

*Ecological Vegetation Classes (EVCs)* – A vegetation classification system developed by DSE for Victoria. EVCs are groupings of vegetation communities based on floristic, structural and ecological features. It should be noted that this database is incomplete and used only as a guide.

*Victorian Biodiversity Atlas* - data provided from the DELWP, lists all the flora and fauna species which have been identified within the search area from previous studies.

*Naturekit* - data provided from the DELWP, provides GIS layers and information on the presence of Ecological Vegetation Class's and general flora and fauna data.

#### Legislation

#### Environmental Effects Act 1978

The *Environmental Effects Act 1978* provides for assessment of proposed projects (works) that are capable of having a significant effect on the environment. The Act does this by enabling the Minister administering it to decide that an Environmental Effects Statement (EES) should be prepared. The Minister might typically require a proponent to prepare an EES when:

- there is a likelihood of regionally or State significant adverse effects on the environment
- there is a need for integrated assessment of potential environmental effects (including economic and social effects) of a project and relevant alternatives, and
- normal statutory processes would not provide a sufficiently comprehensive, integrated and transparent assessment.

The EES process provides for the analysis of potential effects on environmental assets and the means of avoiding, minimising and managing adverse effects. It also includes public involvement and the opportunity for an integrated response to a proposal.

#### **Environment Protection and Biodiversity Conservation Act 1999**

Any action that has, will have, or is likely to have a significant impact on a matter of national environmental significance, as defined under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires approval from the Commonwealth Environment Minister. Matters of National Environmental Significance relevant to this study may include nationally threatened species (plants and animals), migratory species, and endangered ecological communities.

#### Flora and Fauna Guarantee Act 1988

The provisions of the *Flora and Fauna Guarantee Act 1988* (FFG Act) bind all public agencies, public landowners and land managers. Removal of any native plants protected under the FFG Act requires a permit from the DSE, where this occurs on public land. It is understood that such a permit is not required for such works on private land. The Act allows for the listing of potentially threatening processes. Any actions that may result in a potentially threatening process should be avoided or managed appropriately.

#### Clearing of native vegetation- Biodiversity assessment guidelines

In Victoria, a planning permit is usually required to remove, destroy or lop native vegetation. Landholders / managers must apply for a planning permit from their local council. If a permit is granted, a native vegetation offset must be obtained before the native vegetation is removed, to compensate for the impact of the removal on biodiversity.



The Guidelines for the removal, destruction or lopping of native vegetation (2017) are incorporated into the Victoria Planning Provisions and all planning schemes in Victoria. The Guidelines replace the previous incorporated document titled Permitted clearing of native vegetation – Biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013).

There are three assessment pathways for an application to remove native vegetation: Basic, Intermediate and Detailed. The assessment pathway reflects the potential impact the removal has on biodiversity. These pathways are determined by:

- amount of native vegetation (in hectares)
- · whether any large trees are to be removed, and
- location of the native vegetation.

	Location category		
Extent of native vegetation	Location 1	Location 2	Location 3
Less than 0.5 hectares and not including any large trees	Basic	Intermediate	Detailed
Less than 0.5 hectares and including one or more large trees	Intermediate	Intermediate	Detailed
0.5 hectares or more	Detailed	Detailed	Detailed

Proponents can refer to the online-tool Native Vegetation Information Management to understand which riskpathway the application will be assessed under. The biodiversity report produced by NVIM can be used as part of an application under a Basic and Intermediate risk pathway, whereas a site assessment by an accredited quality vegetation assessor is required as part of an application under the Detailed-risk pathway.

#### Catchment Management Authority – Regional Catchment Strategies

A primary function of a Catchment Management Authority is to prepare a Regional Catchment Strategy (RCS) for its region and coordinate and monitor its implementation. The strategies describe the natural assets of a region, and how they are interrelated, outlining what needs to be done to manage and use the assets in a sustainable way.

The RCS is an important planning and working document for all organisations and people involved in natural resource management in the region, including government agencies and councils, water authorities, industry, Landcare and community groups. Its main focus is the land, water and biodiversity in the region. It provides a framework for effort, an investment guide, a means of integrating policy and an action plan for catchment works.

#### Local Government – Environmental Planning Overlays / Vegetation Protection Overlays



#### Appendix 1- Site Photograph supplied by Powercor



ID	Site Photograph	Comments
IMG-1		Pasture typical of paddocks where poles will be installed.
IMG-2		Pasture typical of paddocks where poles will be installed.
IMG-3		Pasture typical of paddocks where poles will be installed.







#### Appendix 2- EES Act Triggers

#### Referral criteria: individual potential environmental effects

Individual types of potential effects on the environment that might be of regional or State significance, and therefore warrant referral of a project, are:

- potential clearing of 10 ha or more of native vegetation from an area that:
  - is of an Ecological Vegetation Class identified as endangered by the Department of Sustainability and Environment (in accordance with Appendix 2 of Victoria's Native Vegetation Management Framework); or
  - is, or is likely to be, of very high conservation significance (as defined in accordance with Appendix 3 of Victoria's Native Vegetation Management Framework); and
  - is not authorised under an approved Forest Management Plan or Fire Protection Plan
- potential long-term loss of a significant proportion (e.g. 1 to 5 percent depending on the conservation status of the species) of known remaining habitat or population of a threatened species within Victoria
- potential long-term change to the ecological character of a wetland listed under the Ramsar Convention or in 'A Directory of Important Wetlands in Australia'
- potential extensive or major effects on the health or biodiversity of aquatic, estuarine or marine ecosystems, over the long term
- potential extensive or major effects on the health, safety or well-being of a human community, due to emissions to air or water or chemical hazards or displacement of residences
- potential greenhouse gas emissions exceeding 200,000 tonnes of carbon dioxide equivalent per annum, directly attributable to the operation of the facility.

#### Referral criteria: a combination of potential environmental effects

A combination of *two or more* of the following types of potential effects on the environment that might be of regional or State significance, and therefore warrant referral of a project, are:

- potential clearing of 10 ha or more of native vegetation, unless authorised under an approved Forest Management Plan or Fire Protection Plan
- matters listed under the Flora and Fauna Guarantee Act 1988:
  - potential loss of a significant area of a listed ecological community; or
  - potential loss of a genetically important population of an endangered or threatened species (listed or nominated for listing), including as a result of loss or fragmentation of habitats; or
  - potential loss of critical habitat; or
  - potential significant effects on habitat values of a wetland supporting migratory bird species
- potential extensive or major effects on landscape values of regional importance, especially where recognised by a planning scheme overlay or within or adjoining land reserved under the *National Parks Act 1975*
- potential extensive or major effects on land stability, acid sulphate soils or highly erodible soils over the short or long term
- potential extensive or major effects on beneficial uses of waterbodies over the long term due to changes in water quality, streamflows or regional groundwater levels
- potential extensive or major effects on social or economic well-being due to direct or indirect displacement of non-residential land use activities
- potential for extensive displacement of residences or severance of residential access to community resources due to infrastructure development
- potential significant effects on the amenity of a substantial number of residents, due to extensive or major, long-term changes in visual, noise and traffic conditions
- potential exposure of a human community to severe or chronic health or safety hazards over the short or long term, due to emissions to air or water or noise or chemical hazards or associated transport
- potential extensive or major effects on Aboriginal cultural heritage
- potential extensive or major effects on cultural heritage places listed on the Heritage Register or the Archaeological Inventory under the *Heritage Act* 1995.



#### Appendix 3 - Permitted vegetation clearing pathways



Step 1 Do I need a permit?	<ul> <li>Local council can confirm if you need a permit to remove native vegetation. Organise a pre-application meeting with your local council to help answer the following questions:</li> <li>Am I removing native vegetation? Appendix 1 will help you to determine if the vegetation is native.</li> <li>Do I qualify for an exemption? There are a range of exemptions that mean a permit is not required to remove native vegetation. Refer to the exemption guidance on the <u>DELWP website</u>.</li> <li>Are there any other requirements? Check with your local council whether any schedule, Native Vegetation Precinct Plan or environmental overlay applies. Also check whether the vegetation could be protected under other local, state or federal legislation.</li> </ul>			
Step 2 What is my assessment pathway?	Use the Native Vegetation Information Management removal tool ( <u>NVIM removal tool</u> ) to map the native vegetation and determine your assessment pathway: <u>https://nvim.delwp.vic.gov.au</u> /. <b>Note:</b> If you are removing 0.5 ha or more of native vegetation you are automatically in the Detailed Assessment Pathway. This is approximately a rectangle of 100 metres long and 50 wide or 7 large scattered trace.			
	Basic	Intermediate	Detailed	
	Assessment Pathway	Assessment Pathway	Assessment Pathway	
			L.	
Step 3 Do I need an accredited native vegetation assessor?	If you are in the Basic or Intermediate Assessment Pathway you do not need to appoint an accredited native vegetation assessor. You can complete the application yourself using the <u>NVIM removal tool</u> .		You need an accredited native vegetation assessor to complete a site assessment report.	
Step 4 Can I reduce my impacts, offset requirements and costs?	Use information in the NVIM removal tool to minimise impacts on native vegetation. Try notto remove areas of native vegetation with higher condition and strategic biodiversity value scores, large trees (allow space for a tree protection zone within 15 metres of the tree trunk) and areas shown as Location 2 and 3 on the <i>Location map</i> .			
Step 5 Prepare the application	Follow the prompts in the NVIM removal tool to provide additional information that is required for your application. The tool will calculate your offset requirement and you must decide how you will secure the offset – on your own property, or purchased through a broker. Check the costs to secure the offset before proceeding with the application. Download the <i>Native vegetation removal report</i> (NVR report). The report will form part of your planning permit application.		Obtain a NVR report for the Detailed Assessment Pathway from the accredited native vegetation assessor. Work with the accredited assessor to complete the application.	
Step 6 Lodge the application	Check you have completed all application requirements and attached any necessary information. Examples of statements you could use in the application are provided in Appendix 4 of guidelines			
	Lodge the planning permit application with your local council.			

# APPENDIX D HILL ROAD 'ACENERGY' SOLAR FARM PLANNING PERMIT

Permit No: Planning Scheme: Responsible Authority: Prop No.: PLN055/2019 (Amended) Campaspe Planning Scheme Campaspe Shire Council 11448



#### ADDRESS OF THE LAND

Land Title:	Volume 08331 Folio 531 and Volume 9804 Folio 760
Land Address:	489 Hill Road STANHOPE VIC 3623

#### THE PERMIT ALLOWS

Use and development of the land for a renewable energy facility (micro solar farm) in the Farming Zone Schedule 1

#### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

Conditions 1 to 27 (Inclusive)

#### 1. Amended plans required

Before the development starts, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and a minimum of three copies must be provided. Such plans must be generally in accordance with the plan submitted but modified to show:

- a) Detailed floor and elevation plans for all buildings on the site to the satisfaction of the Responsible Authority.
- b) Detailed schedule of colours and materials for the development to the satisfaction of the Responsible Authority.

To the satisfaction of the Responsible Authority.

#### 2. Layout not altered

The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

#### 3. General Amenity

The use and development must be managed so that the amenity of the area is not detrimentally affected.

Processes carried on;

- a) The transportation of materials, goods or commodities to or from the land;
- b) The appearance of any buildings, works or materials;

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- c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, or oil;
- d) The presence of vermin;

All to the satisfaction of the Responsible Authority

#### 4. <u>Noise</u>

Noise levels emanating from the premises must not exceed those required to be met under EPA Publication 411 Noise from Industry in Rural Victoria.

#### 5. Hours of Construction

Construction associated with the use must only be undertaken Monday-Sunday between 7am-7pm unless with the written consent of the Responsible Authority.

#### 6. <u>Construction Guidelines</u>

Construction works must comply with EPA Publication 480 Environmental Guidelines for Major Construction Sites.

#### 7. <u>Muted Colours</u>

All buildings shall be clad in muted tones to the satisfaction of the Responsible Authority.

#### 8. <u>Cessation of Use</u>

Upon cessation of the approved use the site must be reinstated as farming land to the satisfaction of the responsible authority.

#### 9. <u>Rehabilitation Plan</u>

A condition of the permit has required a rehabilitation plan to ensure that once the use ceases that the land will be able to revert or maintain productive agricultural qualities of the land including soil quality, access to water and rural infrastructure.

#### 10. Rural Vehicle Crossing Location

- a) Any new or otherwise vehicular entrances to the subject land from the road shall be constructed at a location and of a size and standard satisfactory to the Responsible Authority. The vehicle crossing(s) must be constructed at the applicant's expense to provide ingress and egress to the site to the satisfaction of the Responsible Authority.
- b) The crossover must be no less than 4.9 metres in length and include a pipe of a diameter suitable to accommodate the actual volume/flow (having a minimum diameter of 375 mm).

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Culverts located in the clear zone shall be installed with trafficable end walls (refer VicRoads standard drawing SD 1991). The final location of the crossing is to be approved by the responsible authority.

c) All bridges and crossings shall be designed to carry a vehicle weighing at least 15 tonnes and be at least three metres in width.

#### 11. Drainage Discharge Plan

Before any of the development starts, a properly prepared drainage discharge plan with computations to the satisfaction of the responsible authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions must be provided. The information submitted must show the details listed in the council's Infrastructure Design Manual and be designed in accordance with the requirements of that manual.

The information and plan must include:

- a) Details of how the works on the land are to be drained.
- b) Computations including total energy line and hydraulic grade line for the existing and proposed drainage as directed by Responsible Authority
- c) Measures to enhance storm water discharge quality from the site and protect downstream waterways Including the expected discharge quality emanating from the development (output from MUSIC or similar) and design calculation summaries of the treatment elements;
- d) A maximum discharge rate from the site is to be determined by computation to the satisfaction of Council
- e) No effluent or polluted water of any type may be allowed to enter the Council's storm water drainage system.
- f) The details of the incorporation of water sensitive urban design designed in accordance either "Urban Stormwater Best Practice Environmental Management Guidelines" 1999.
- g) Maintenance schedules for treatment elements.

Before the use begins all works constructed or carried out must be in accordance with those plans to the satisfaction of the Responsible Authority.

#### 12. <u>Maintenance Agreement</u>

Prior to the use and development commencing the applicant is to enter into an Agreement with Council for the ongoing maintenance and repair of Council's managed roads during and on completion of the works to the satisfaction of the responsible authority. The terms of the Agreement shall be confirmed prior to works commencing.

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#### 13. Construction Phase

Soil erosion control measures must be employed throughout the construction stage of the development to the satisfaction of the Responsible Authority.

Before the development starts, a construction management plan shall be submitted to and approved by the Responsible Authority. The plan must outline how issues such as mud on roads, dust generation and erosion and sediment control will be managed, on site, during the construction phase. Details of a contact person/site manger must also be provided, so that this person can be easily contacted should any issues arise.

#### 14. No Mud on Roads

Appropriate measures must be implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land, to the satisfaction of the Responsible Authority.

#### 15. Vehicle Turning

All car parking spaces must be designed to allow all vehicles to drive forwards both when entering and leaving the property.

#### 16. <u>Native Vegetation Retention</u>

No native vegetation shall be removed without prior written approval. A proposal to remove native vegetation must be submitted to the Responsible Authority as a separate application.

#### 17. Rural Drainage - Works

Before the use begins all storm water and surface water discharging from the site, buildings and works must be retained on site or conveyed to the legal point of discharge drains to the satisfaction of the Responsible Authority/Goulburn Murray Water. No effluent or polluted water of any type will be allowed to enter the storm water drainage system.

#### 18. Construction Management Plan

Before the development commences, a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved the Construction Management Plan will be endorsed and form part of the permit. The management plan must show:

- a) Confirmation of preferred transport routes for construction equipment
- b) A video survey of the approved transport routes demonstrating their condition prior to any development commencing.

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- Measures implemented throughout the construction stage of the development to rectify and/or minimise mud, crushed rock or other debris being carried onto public roads or footpaths from the subject land;
- d) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures;
- e) The developer/owner is to prepare a plan showing the route used during construction (up to an including site access). The plan is to include what measures are to be implemented to minimise dust along the roads, which could include sealing, wetting, dust suppression to minimise off-site impacts. The plan is to be endorsed and form part of this condition.
- f) Details outlining how the applicant will provide for the repair of Council's managed roads upon completion of the works, where damage to the road is determined to be the result of the works allowed by this permit.
- g) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction;
- h) Where access to the site for construction vehicle traffic will occur;
- i) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
- j) The location of any temporary buildings or yards.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

#### 19. Car Park Construction Requirements

Before construction works start associated with the provision of carparking, detailed layout plans demonstrating compliance with AustRoads Publication 'Guide to Traffic Engineering Practice: Part 11 Parking' and to the satisfaction of the relevant authority must be submitted to and approved by the responsible authority. The plans must be drawn to scale with dimensions. Before the use or occupation of the development starts, the area set aside for parking of vehicles and access lanes as shown on the endorsed plans must be:

- a) Surfaced with crushed rock or gravel and treated to the satisfaction of the Responsible Authority to prevent dust;
- b) Drained in accordance with an approved drainage plan;
- c) Provision of traffic control signage and or structures as required;

To the satisfaction of the responsibility authority.

The areas must be constructed and drained to prevent diversion of flood or drainage waters and maintained in a continuously useable condition to the satisfaction of the Responsible Authority.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

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#### 20. Internal Access

Before the use begins all internal access roads must be constructed, formed and drained to avoid erosion and to minimise disturbance to natural topography of the land to the satisfaction of the Responsible Authority.

#### 21. Delivery of Goods

The loading and unloading of goods from vehicles must only be carried out on the land subject to this permit.

#### 22. <u>Council's Assets</u>

Before and after the development starts and finishes respectively, the developer must submit to the Responsible Authority a written condition assessment report with photos / video of Council road and drainage infrastructure on route from the nearest Vic Road managed road. Listed in the report must be the condition of seal, signs and other public infrastructure on route. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to the Councils assets/Public infrastructure caused as a result of the development or use permitted by this permit.

#### 23. Risk Management Plan

Prior to the development commences, a risk management plan for the management and operation of the use must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The environmental management plan must be reviewed and submitted to the Responsible Authority. The use must at all times be conducted in accordance with the approved risk management plan. The environmental management plan management plan must include:

- a) Sediment and erosion measures that are to be implemented to ensure no-off-site impacts;
- b) Overall environmental objectives for the operation of the use and techniques for their achievement;
- c) Procedures to ensure that no significant adverse environmental impacts occur as a result of the use;
- d) Proposed monitoring systems including control of dust on the site;
- e) Identification of possible risks or operational failure and response measures to be implemented including emergency prevention of fire and mitigation activities;
- f) Static water supply in case of emergency. The size(s), location(s) and detail need to be included to the satisfaction of the Responsible Authority.

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g) Day to day management requirements for the use.

To the satisfaction of the Responsible Authority.

#### 24. Powercor

The applicant shall: -

- a) Provide an electricity supply to all properties within the development in accordance with Powercor's requirements and standards, including the extension, augmentation or rearrangement of any existing electricity supply system, as required by Powercor (A payment to cover the cost of such work may be required).
- b) Where buildings or other installations exist on the land and are connected to the electricity supply, they shall be brought into compliance with the Service and Installation Rules issued by the Victorian Electricity Supply Industry. You shall arrange compliance through a Registered Electrical Contractor.
- c) Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.

#### 25. <u>Goulburn Murray Water</u>

- a) No buildings are to be constructed within 30 metres of Goulburn-Murray Water's open channels and/or drains.
- b) All solar panels must be setback at least five metres from any easement, freehold, or reserve boundary (including the road reserve) containing any Goulburn-Murray Water infrastructure.
- c) The developer must allow a 10 metre vertical clearance for maintenance and works on Goulburn-Murray Water's open channels and drains.
- d) If applicable, all wastewater from the office must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the EPA Code of Practice Onsite Wastewater Management, Publication 891.4, and to the satisfaction of council's Environmental Health Department.
- e) If applicable, the wastewater disposal area must be located in accordance with Table 5 of the EPA Code of Practice Onsite Wastewater Management, Publication 891.4, July 2016, from any waterways, drainage lines, dams or bores.
- f) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

#### 26. Department of Environment, Land, Water and Planning

Before works start, a native vegetation protection fence must be erected around all remnant patches and trees to be retained on site. This fence must be erected around the remnant patch at a minimum distance of 2 metres from retained native vegetation and at a radius of 12 × the diameter

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at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of tree. The fence must be constructed of star pickets and plastic barrier mesh to the satisfaction of the department. The fence must remain in place until all works are completed to the satisfaction of the department.

Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- vehicular or pedestrian access .
- trenching or soil excavation
- storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products .
- entry and exit pits for underground services .
- any other actions or activities that may result in adverse impacts to retained native vegetation.

#### 27. **Time for Starting and Completion**

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

- The development is not started within two years of the date of this permit. a)
- The development is not completed within four years of the date of this permit. b)

The Responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

#### **NOTATIONS**

#### Responsible authority

The term "responsible authority" in the planning permit means the municipal council in accordance with section 13 of the Planning and Environment Act 1987.

#### **Building Approval Required**

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

#### THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	
2 March 2020	Pursuant to Section 71 of the <i>Planning and Environment Act</i> 1987 the	
	following changes were made:	
	Land Title amended	

Date Issued: 12 September 2019

Signature for the Responsible Authority:

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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



Version: 1, Version Date: 27/03/2020



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Version: 1, Version Date: 27/03/2020

drawing NR: G-3.0_000832			
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