



Department of Transport and Planning  
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Melbourne VIC 3001

Via Department of Transport and Planning  
- Planning Portal

DATE  
19 May 2026

SUBJECT  
Wimmera Plains Energy Facility  
Planning Permit No. PA2000877-2  
Section 72 Amendment

REFERENCE  
0711332

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## ADVERTISED PLAN

### Section 72 Amendment: Change to Condition 45 in PA2000877-2

Environmental Resources Management Australia Pty Ltd (**ERM**) continues to act on behalf of BayWa r.e. Projects Australia Pty Ltd (the Proponent) for the Wimmera Plains Energy Facility (the Project) in relation to the below matter.

The Proponent is seeking a Section 72 Amendment to amend the Conditions related to the Bird and Avifauna Management Plan (**BAM Plan**), Condition 45 of Planning Permit No. PA2000877-2.

The application is supported by the attached documentation:

- Planning Permit No. PA2000877-2 (Appendix A);
- Certificates of Title (Appendix B).

It is noted that this application does not seek to amend the approved use or development of the site. The amendment to Condition 45 seeks to alter the requirement of the BAM Plan, to remove the requirement as a subplan to the Environmental Management Plan (**EMP**) and to enable the endorsement of the BAM Plan separately to the endorsement of the EMP, which is required to be endorsed prior to construction commencing.

We provide that this is reasonable given there is no risk to bird and bat strike during construction, and this management plan has the objective of "minimising bird and bat strike arising from operation of the facility" (Condition 45a).

We suggest the following wording for the change of Condition 45:

Current permit condition	Suggested wording (changes underlined)
45. The Environmental Management Plan must include a Bat and Avifauna Management Plan (BAM Plan), prepared in consultation with DEECA, which must:	45. <u>Before operation commences, a Bat and Avifauna Management Plan (BAM Plan), prepared in consultation with DEECA, must be approved and endorsed by the responsible authority. The BAM Plan must:</u>
a) Include a statement of the objectives and overall strategy for minimising bird and bat strike arising from the operation of the facility with emphasis on species listed under the Flora and Fauna Guarantee Act 1988 and the Environment Protection and Biodiversity Conservation Act 1999 (Cwth).	a) Include a statement of the objectives and overall strategy for minimising bird and bat strike arising from the operation of the facility with emphasis on species listed under the Flora and Fauna Guarantee Act 1988 and the Environment Protection and Biodiversity Conservation Act 1999 (Cwth).

- b) Include a mortality monitoring program of at least three years duration that commences when the first turbine is commissioned or such other time approved by the responsible authority. The monitoring program must include:
- procedures for reporting any bird and bat strikes to DEECA (Environment Portfolio) quarterly.
  - procedures for reporting any strike of a species listed under the Flora and Fauna Guarantee Act 1988 and the Environment Protection and Biodiversity Conservation Act 1999 (Cwth) to DEECA within seven days.
  - information on the efficacy of searches for carcasses of birds and bats, and, where practicable, information on the rate of removal of carcasses by scavengers, so that correction factors can be determined to enable calculations of the likely total number of mortalities.
  - procedures for the regular removal of carcasses likely to attract raptors to areas near turbines.
- c) include proposed mitigations and future monitoring of impacts with specific requirements for the following species:
- Black Falcon (*Falco subniger*),
  - Grey Falcon (*Falco hypoleucos*)
  - Gang Gang Cockatoo (*Callocephalon fimbriatum*)
  - Little Eagle (*Hieraaetus morphnoides*)
  - Blue-winged Parrot (*Neophema chrysostoma*)

- b) Include a mortality monitoring program of at least three years duration that commences when the first turbine is commissioned or such other time approved by the responsible authority. The monitoring program must include:
- procedures for reporting any bird and bat strikes to DEECA (Environment Portfolio) quarterly.
  - procedures for reporting any strike of a species listed under the Flora and Fauna Guarantee Act 1988 and the Environment Protection and Biodiversity Conservation Act 1999 (Cwth) to DEECA within seven days.
  - information on the efficacy of searches for carcasses of birds and bats, and, where practicable, information on the rate of removal of carcasses by scavengers, so that correction factors can be determined to enable calculations of the likely total number of mortalities.
  - procedures for the regular removal of carcasses likely to attract raptors to areas near turbines.
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  - Little Eagle (*Hieraaetus morphnoides*)
  - Blue-winged Parrot (*Neophema chrysostoma*)

Given the minor nature of this amendment resulting in a wording change only, which does not introduce new impacts or alter the approved use or development of the site, and would not cause material detriment to any person, it is respectfully submitted that public notice is not warranted under Section 52(1)(a) of the *Planning and Environment Act 1987*.

Should you have any questions or require additional information during the assessment, please feel free to contact Natalie Cefala via email at [Natalie.cefala@erm.com](mailto:Natalie.cefala@erm.com).

Yours sincerely,



**Natalie Cefala**  
Managing Consultant

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