

**PLANNING PERMIT GRANTED BY THE MINISTER UNDER SECTION 97F OF THE PLANNING AND ENVIRONMENT ACT 1987**

**PLANNING  
PERMIT**

**Permit No.: PL15/075**

**Planning Scheme: Moyne**

**Responsible Authority: Minister of Planning**

**ADDRESS OF THE LAND:**

1154 Connewarren Lane, Mortlake, Lot 1 & 2 PS620663R  
Connewarren Lane, Mortlake (Lot 3 Sect 10 Parish  
Connewarren TP18285T, Lot 2 PS525429F, Lot 2 Sect 9  
Parish of Connewarren TP369797D, Lot 3 Sect 9 Parish of  
Connewarren TP369797, Lot 4 Sect 7 Parish of  
Connewarren TP823345M, Lot 3 PS409088E, Lot 1 Sect 10  
Parish of Connewarren TP 369797D)  
Boonerah Estate Road, Mortlake (Lot 3 LP76419, Lot 2  
PS409088E, Lot 46 Parish Connewarren TP709249V, Lot 10  
Section 2 Parish of Connewarren TP410421B, Lot 2  
LP121574, Lot 3 on PS342923Q)  
409 Boonerah Estate Road, Morlake (Lot 8 Sect 2 Parish of  
Connewarren, TP61781L, Lot 9 Section 2 Parish of  
Connewarren TP842618U)  
Hamilton Highway, Hexham (Lot 2 TP11005R, Lot 1  
TP12056S, Lot 1 PS342923Q)  
757 Hamilton Highway, Hexham, Lot 2 PS342923Q  
33 North Road, Mortlake, Lots 1,2,3,4,5 and 6 TP514468T  
1492 Mortlake-Ararat Road, Woorndoo (Lot 71 & 72 Parish  
of Ligar TP753344C, Sub A&B Lot 73, Sub A&B Lot 74,  
Sub A Lot 75 Parish of Ligar TP780792U, Sub B Lot 75,  
Sub A&B Lot 76, Sub A&B Lot 77 Parish of Ligar  
TP780784T)  
Nine Mile Lane, Woorndoo (Sub A&B Lot 91 Parish of Ligar  
TP724T, Sub A & B Lot 90 Parish of Ligar TP724T, Sub A  
& B Lot 89 Parish of Ligar TP724T, Lots 1 & 2 TP000724T,  
Lot 22A Parish of Ligar TP296351B, Lot 1 TP382059S)  
440 Woorndoo-Darlington Road, Woorndoo, Lots 21 & 21A  
Parish of Ligar TP610085A  
Woorndoo-Darlington Road, Lot 14 Parish of Ligar  
TP610634S, Lot 135 Parish of Ligar TP525722U  
736 Woorndoo-Dundonnell Road, Woorndoo, Lots 1 & 2  
TP441685P  
888 Woorndoo-Dundonnell Road, Woorndoo (Lot 5 Parish  
of Ligar TP289433P, Lot 5A Parish of Ligar TP265135H,  
Lot 13 Parish of Eilyar TP785341D, Lot 1 PS415191C,  
Crown Allotment 13 Parish of Eilyar)  
526 Post Office Lane, Dundonnell (Lot 14 Parish of Eilyar  
TP327714X, Crown Allotment 94 & 95 Parish of  
Terrinallum)  
"Mount Violet" Dundonnell, Lot 8 & 9 of TP 449995E Parish  
of Eilyar  
Land adjoining the east of Lot 2 PS525429F

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Land adjoining the west and north of Lot 46 TP709249V  
Land adjoining the north of Lot 8 Sect 2 TP61781L & Lot 2 LP121574  
Section of the Hamilton Hwy at the intersection with Castle Carey Rd, east of Lots 1 & 2 PS 342923Q  
Section of the Castle Carey Rd spanning between Hamilton Hwy and the Mortlake – Ararat Rd  
Section of the Mortlake Ararat Rd spanning between Castle Carey Rd and west of Lot 1 TP514468T  
Land adjoining the north of Lots 1,3,5 of TP514468T, and also section of Nine Mile Lane north of Lot 71 TP753344C, Lots 73,74,75 TP780792U, and Lots 76,77 of TP780784T.  
Land adjoining the east of Lots 1 & 2 of TP000724T  
Section of the Woomdoo – Darlington Rd north east of Lots 21 & 21A TP610085A  
Land adjoining the east of Lot 5A TP265135H  
Section of the Woomdoo – Dundonnell Rd north of Lot 5 TP 289433P  
Land adjoining the western boundary of Lot 1 PS415191C

**THE PERMIT ALLOWS:**

Use and development of land for a utility installation (transmission line) and removal of native vegetation.

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT**

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**Development plans**

1. Before the development starts, development plans must be prepared to the satisfaction of the responsible authority. When approved, the plans will be endorsed by the responsible authority and will then form part of this permit. The plans must be fully dimensioned, drawn to scale and three copies must be provided. The plans must be generally in accordance with the plans *'Dundonnell Wind Farm EES Exhibition Drawings, April 2015* but modified to show:
  - a. the locations, elevations and dimensions of the buildings and works;
  - b. materials and finishes of the buildings and works;
  - c. the specific locations of poles and how they have been sited to minimise impacts on Striped Legless Lizard and Golden Sun Moth habitat;
  - d. alterations to the alignment west of the Hamilton Highway described as 'Proposed transmission line – revised layout' described on the plan called 'Proposed transmission line layout comparison' prepared by BL&A (Project 9184 dated 16 October 2015);
  - e. alterations to the access track and alignment resulting from pre-construction surveys to avoid or minimise impacts on listed species, and particularly the population of Spiny Rice Flower in the road reserve north of Nine Mile Lane;
  - f. setbacks to property boundaries; and
  - g. alterations to the alignment of the transmission line to avoid wetland 612.
2. The use and development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.

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### Native vegetation

3. Before works start, the permit holder must advise all persons undertaking the (vegetation removal/works) on site of all relevant conditions of this permit.
4. Before works start, a plan to the satisfaction of the responsible authority identifying all native vegetation to be retained, and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.
5. In order to offset the removal of 4.321 hectares of native vegetation and two scattered tree approved as part of this permit, the applicant must provide a native vegetation offset that meets the following requirements, and is in accordance with the *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*, unless other offsets are approved by the responsible authority if it is satisfied that the extent of native vegetation removal following detailed design of the utility installation is less than described in this permit.

### General offset

6. The general offset must:
  - a. contribute gain of 0.588 general biodiversity equivalence units;
  - b. be located within the Glenelg Hopkins Catchment Management Authority boundary or Moyne Shire; and
  - c. have a strategic biodiversity score of at least 0.290.

### Specific offset

7. The specific offset or offsets must contribute gain of:
  - a. 1.606 specific biodiversity equivalence units suitable habitat for Salt-lake Tussock Grass determined by the habitat importance map for Salt-lake Tussock Grass;
  - b. 0.501 specific biodiversity equivalence units suitable habitat for Derrinallum Billy-buttons determined by the habitat importance map for Derrinallum Billy-buttons;
  - c. 0.068 specific biodiversity equivalence units suitable habitat for Drunken Tussock-grass determined by the habitat importance map for Drunken Tussock-grass; and
  - d. 1.846 specific biodiversity equivalence units suitable habitat for Corangamite Water Skink determined by the habitat importance map for Corangamite Water Skink.
8. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. This offset must meet the offset requirements set out in this permit and be in accordance with the requirements of *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*. Offset evidence can be either:
  - a. A security agreement, to the required standard, for the offset site or sites including a 10 year offset management plan; or
  - b. A credit register extract from the Native Vegetation Credit Register.

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9. Marking of the wires of the sections of the powerline within 3 km of known Brolga breeding sites must be undertaken to the satisfaction of the responsible authority in order to minimise Brolga collision with powerlines.

#### Environmental Management Plan

10. Before the development starts, an environmental management plan must be prepared, to the satisfaction of the responsible authority. When approved, the environmental management plan will be endorsed by the responsible authority and will then form part of this permit. The environmental management plan must:
  - a. be generally in accordance with Chapter 25 of the Dundonnell Wind Farm EES (June 2015) and prepared in consultation with Moyne Shire Council and other agencies as directed by the responsible authority;
  - b. may be prepared in sections or stages;
  - c. must provide for the presence on-site of a suitably qualified ecologist(s) when construction work is occurring in areas of defined environmental sensitivity; and
  - d. must be in accordance with all relevant EPA requirements and guidelines.
11. The use and development must be carried out in accordance with the endorsed environmental management plan, to the satisfaction of the responsible authority.

#### Decommissioning

When the use of the transmission line ceases, the following must be undertaken to the satisfaction of, and within such timeframe as may be specified by, the responsible authority:

- a. remove all above ground non-operational equipment;
- b. remove and clean up any residual contamination;
- c. rehabilitate all storage areas, construction areas, access tracks and other areas affected by the decommissioning of the poles, if those areas are not otherwise useful to the ongoing use or decommissioning of the transmission line;
- d. submit a decommissioning traffic management plan to the responsible authority and, when approved by the Responsible Authority, implement that plan; and
- e. submit a post-decommissioning revegetation management plan, including a timetable of works, to the responsible authority and, when approved by the responsible authority, implement that plan.

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#### Preliminary Investigative Works

12. For the purposes of this permit, the carrying out of preliminary investigative works, including geotechnical investigations, for the purposes of gathering data or making other assessments necessary or desirable in order to prepare the development plans or other plans specified in this permit, is not considered to be commencement of the development.

#### Traffic management plan

13. At least eight weeks before the development starts (unless a shorter time frame is agreed by Moyne Shire Council), a traffic management plan must be prepared to the satisfaction of, and endorsed by, Moyne Shire Council and VicRoads. The traffic management plan must be complied with, unless varied by the written consent of Moyne Shire Council and VicRoads. The traffic management plan:
  - a. is to be prepared in consultation with Ararat Rural City Council if transport routes affect that municipality; and
  - b. must be reviewed and audited by an independent traffic consultant. The consultant



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must be to the satisfaction of the responsible authority after first consulting with VicRoads, Moyne Shire Council and (if relevant) Ararat Rural City Council. The costs of the independent traffic consultant must be paid for by the wind energy facility developer.

When approved, the traffic management plan will be endorsed by the responsible authority. The traffic management plan must be complied with to the satisfaction of the responsible authority, unless varied by the written consent of the responsible authority.

14. The traffic management plan must:
- a. identify pre-construction, construction and transport vehicle routes to and from the transmission line corridor;
  - b. nominate the expected average daily vehicle movements on identified access routes to and from the transmission line alignment;
  - c. identify any crossovers with public roads that need to be constructed or upgraded.
  - d. where works are required under condition 15(c), the traffic management plan must include:
    - i. detailed engineering plans showing the required works; and
    - ii. the timing of when the works are to be undertaken; and
  - e. identify construction traffic management measures to be implemented on public roads during the construction of the transmission line.

## **Traffic management and road upgrade and maintenance works**

15. The traffic management, road works and maintenance works identified in the endorsed traffic management plan must be carried out in accordance with the endorsed traffic management plan to the satisfaction of VicRoads, Moyne Shire Council and the responsible authority.
16. All costs associated with the traffic management and road upgrade and maintenance works must be borne by the owner of the wind energy facility.
17. Construction of all external road works must be supervised by and completed to the satisfaction of a suitable road quality auditor. The auditor must be to the satisfaction of the responsible authority after first consulting with VicRoads, Moyne Shire Council and (if relevant) Ararat Rural City Council. The road quality auditor must advise VicRoads, Moyne Shire Council and the responsible authority when the construction of all external road works have been completed to their satisfaction.

## **AusNet Services**

18. Detailed plans of that part of the proposed transmission line that crosses and runs parallel with Ausnet Transmission's Group's existing 500 kilovolt transmission line must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of works on site.

## **Staging**

19. The use and development authorised by this permit may be completed in stages as shown on the endorsed development plan(s) to the satisfaction of the responsible authority. Any corresponding obligation arising under this permit (including the preparation and approval of plans) may be similarly completed in stages or parts.

## **Expiry**

20. This permit will expire if one of the following circumstances applies:
- a. the development is not started within five years of the date of this permit; or
  - b. the development is not completed within ten years of the date of this permit.
21. The responsible authority may extend the permit if a request is made in writing:
- a. prior to the expiry of the permit, or
  - b. within 6 months after the permit expires.

Date issued: 23 October 2016



Signature for the Minister

**THIS PERMIT HAS BEEN CORRECTED AS FOLLOWS:**

<i>Date of correction</i>	<i>Brief description of correction</i>
24/11/2017	This permit was corrected in accordance with Section 71 of the Planning and Environment Act 1987 by changing Condition 5 and 6 to reflect correct native vegetation offset requirements.

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## IMPORTANT INFORMATION ABOUT THIS NOTICE

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### WHAT HAS BEEN DECIDED

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The Minister has granted and issued a permit under Division 6 of Part 4 of the **Planning and Environment Act 1987**.

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### WHEN DOES A PERMIT BEGIN?

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A permit operates—

- \* from the date specified in the permit; or
- \* if no date is specified, from the date on which it was issued.

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### WHEN DOES A PERMIT EXPIRE?

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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.
6. In accordance with section 97H of the **Planning and Environment Act 1987**, the responsible authority specified in the planning scheme is the responsible authority for the administration and enforcement of the **Planning and Environment Act 1987** and the relevant planning scheme in respect of this permit (whether or not the permit is amended) except that the Minister remains the responsible authority in respect of—
  - \* any matters which the permit specifies to be done by, approved by or done to the satisfaction of the Minister; and
  - \* any extension of time under section 69 in relation to the permit; and
  - \* the correction of the permit under section 71(1); and
  - \* the amendment of the permit under section 97J.

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### WHAT ABOUT REVIEWS?

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In accordance with section 97M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

Planning and Environment Regulations 2015 Form 11

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