

Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

## PLANNING PERMIT

<b>Permit No.:</b>	PA2302155
<b>Planning scheme:</b>	Pyrenees Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	Lot 1 on Plan of Subdivision 702370C Lot 2 on Plan of Subdivision 702370C Lot 36 on Plan of Subdivision 004975 Lot 37 on Plan of Subdivision 004975 Lot 39 on Plan of Subdivision 004975 Crown Allotment 2014 Parish of Eversley

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
	<i>Use and development of land for a utility installation (synchronous condenser) with associated works and the removal of native vegetation.</i>
35.06-2	Use of land associated with a section 2 use.
35.06-4	Buildings and works associated with a section 2 use.
42.01-2	Construct or carry out works. Remove, destroy or lop any vegetation, including dead vegetation.
43.02-2	Construct or carry out works
52.17-1	Remove, destroy or lop native vegetation, including dead vegetation.

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

#### Commencement

2. This permit will operate from the issued date of this permit.

Date issued: 1 May 2024

Signature for the responsible authority:



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### Development Plans

3. Before development starts, amended plans must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the development plans will form part of this permit. The development plans must be fully dimensioned and drawn to scale. The Plans must be generally in accordance with the application plans titled General Layout, Synchronous Condenser Station Ararat, Dwg. No. AU-ARAR-P22-010, Rev. A, Drawn by BREZ, dated 24/3/2023 (Sheets 1-5) but modified to include any:
- a) Operations and maintenance facility, including car parking.
  - b) Internal access tracks.
  - c) The colours and finishes of all buildings and works.
  - d) Emergency management measures required to comply with the relevant fire authority's conditions at condition 12 to 14 inclusive.
  - e) Any other changes required to comply with any other condition of this permit.

### Environmental Management Plan

4. Before development starts, an Environmental Management Plan (EMP) must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the EMP will form part of this permit. The EMP must:
- a) Include measures to avoid and minimise amenity and environmental impacts during the operation of the utility installation.
  - b) Include design measures and / or procedures to manage dust, odour, light spill, mud, flood, surface water quality and stormwater run-off.
  - c) Include response measures to environmental incidents, including a program for recording and reporting environmental incidents.
  - d) Include organisational responsibilities, and procedures for staff training and communication.
  - e) Include a Construction Environment Management Plan, which must include:
    - i. Procedures to manage dust and noise emissions, erosion, mud and stormwater run-off.
    - ii. Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.
    - iii. A construction timetable, including typical daily start and end times.
    - iv. All person(s) responsible for implementation and compliance of each of the CEMP requirements.
    - v. Detailed description of measures to protect native vegetation proposed to be retained during construction works.
  - f) Include a Drainage and Stormwater Management Plan, which must include:
    - i. Details (and computations) of how the works on the land are to be drained including drains conveying stormwater to the legal point of discharge.
    - ii. Include details of how the drainage design affects the continuation of existing overland flow paths and flood patterns across the land.
    - iii. Assess impacts on on-site infiltration and surface water quality, including adjacent land and waterways.
    - iv. Include details about how polluted or contaminated runoff is to be managed.



### Light Spill Management

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

### Native Vegetation Offsets

6. To offset the removal of native vegetation, the permit holder must secure a native vegetation offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP 2017), the permit holder must secure the following offset:

A general offset of 0.097 general habitat units which must meet the following criteria:

- The offset must be located within the Wimmera Catchment Management Authority boundary or the Pyrenees municipal area and
- With a minimum strategic biodiversity value of at least 0.247.

The offset(s) secured must also protect 3 large trees.

7. Before any native vegetation is removed, evidence of offset security must be provided to the satisfaction of the Department of Transport and Planning. This evidence must be credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
8. A copy of the offset evidence will be endorsed by the Department of Transport and Planning and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of endorsed offset evidence must be provided to [PEA.energyproject@delwp.vic.gov.au](mailto:PEA.energyproject@delwp.vic.gov.au)

### Traffic Management

9. Prior to commencement of the buildings and/or works, a Transport Management Plan (TMP) must be submitted to, approved and endorsed by the responsible authority. When endorsed, the Transport Management Plan will form part of this permit. The TMP must:
  - a) Be prepared by a suitably qualified and experienced civil or traffic engineer.
  - b) Specify measures to be taken to manage traffic impacts associated with the construction and operation of the facility.
  - c) Specify designated transportation routes that will be used to access the site during construction of the facility, including the amount and type of vehicles required.
  - d) Include details of any proposed road modifications or upgrades to existing roads that will be required before, during and after construction.
  - e) Include a program to inspect, maintain and (where required) repair public roads used by construction traffic.
  - f) Be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority.
10. The endorsed TMP must be implemented to the satisfaction of the responsible authority and relevant road management authority (or authorities).



11. Any proposed alternation or modification to the endorsed TMP must be approved by the relevant road management authority (or authorities) prior to submission to the responsible authority for endorsement.

**Emergency Management (Country Fire Authority)**

12. Before Plans are endorsed under condition 1, in consultation with the CFA, a Risk Management Plan must be submitted to, approved and endorsed by the responsible authority. The Risk Management Plan must:
- Describe the risk and hazards at the facility to and from synchronous condenser technology and related infrastructure.
  - Include a dedicated on-site fire water supply of a quantity no less than 45,000L:
    - Provided otherwise in accordance AS 2419.1-2021: Fire Hydrant Installations.
    - Located at the main entrance to the facility.
    - Commissioned prior to the commissioning of the synchronous condenser technology.
  - List and describe all other controls for the management of on and off-site hazards and risks at the facility.
  - Provide an evidence-based determination of the effectiveness of the risk controls against the identified hazards.
  - Form the basis for the design of the facility.
13. Before plans are endorsed under condition 1, an Emergency Plan (EP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the responsible authority. The EP and FMP must be prepared in consultation with CFA.
14. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. The fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the responsible authority.

**Noise**

15. The use of the land must at all times comply with *EPA Publication 1826.4: Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues* (EPA publication 1826.4).
16. Before the endorsement of development plans in accordance with condition 1 of this permit, an updated Predictive Noise Assessment must be provided to the responsible authority and must:
- Model the final design layout and all electrical components of the facility and assess this against EPA Publication 1826.4, if required.
  - Demonstrate the proposal will comply with EPA Publication 1826.4 at all times without relying on limiting the operating capacity of any part of the facility.
  - Provide details of any mitigation measures that will be implemented to achieve compliance with EPA Publications 1826.4, if required.



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Regulations 2015

Form 4

Sections 63, 64, 64A and 86

17. All measures relied on to achieve compliance with EPA Publication 1826.4 must be shown on the development plans under condition 1 and implemented to the satisfaction of the responsible authority.
18. The Predictive Noise Assessment must be made available to the public.
19. Within 6 months of the use commencing, a Post-Construction Noise Assessment must be prepared by a suitably qualified acoustic engineer and must be submitted to the Minister for Planning and Pyrenees Shire Council, demonstrating compliance with EPA Publication 1826.4 at all times. The Post-Construction Noise Assessment must:
  - a) Assess the compliance of the use with EPA Publication 1826.4.
  - b) If necessary make recommendations to achieve compliance with EPA Publication 1826.4, to the satisfaction of the responsible authority.
  - c) Be made available to the public.
20. Where the Post-Construction Noise Assessment recommends measures to achieve compliance with EPA Publication 1826.4, the measures must be:
  - a) Implemented within 2 months of the Post Construction Noise Assessment being submitted to the Minister for Planning and Pyrenees Shire Council.
  - b) Assessed within 2 months to demonstrate compliance with EPA Publication 1826.4.

### Complaints

21. Before development starts, a Complaint Investigation and Response Plan (CIRP) must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the CIRP will form part of this permit. The CIRP must:
  - a) Respond to all aspects of the construction and operations of the facility.
  - b) Be prepared in accordance with Australian Standard 10002:2002 – Guidelines for complaint management in organisations.
  - c) Include a process to investigate and resolve complaints.

### Complaints Register

22. Before development starts, a Complaints Register must be established which records:
  - a) The complainant's name and address (if provided).
  - b) A receipt number for each complaint, which must be communicated to the complainant.
  - c) The time and date of the incident, and operation conditions at the time of the incident.
  - d) A description of the complainant's concerns.
  - e) The process for investigating the complaint, and the outcome of the investigation, including the actions taken to resolve the complaints.
23. All complaints received must be recorded in the Complaints Register
24. A complete copy of the Complaints Register must be provided, along with a reference map of complaints locations, to the responsible authority of each anniversary of the date of this permit and at other times upon request.

Date issued: 1 May 2024

Signature for the responsible authority:



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Regulations 2015

Form 4

Sections 63, 64, 64A and 86

25. Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email [vicmap.help@delwp.vic.gov.au](mailto:vicmap.help@delwp.vic.gov.au) to be used to direct emergency services to and within the site. This information must be in the ESRI Shapefile or Geodatabase.gdb format, GDA94 or GDA2020 datum and include:
- The location and boundaries of the facility extents polygon(s).
  - All access entry points onto private property.
  - All internal roads.
  - The locations of site compound, substations, maintenance facilities.
26. If there are any subsequent changes to infrastructure location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email [vicmap.help@delwp.vic.gov.au](mailto:vicmap.help@delwp.vic.gov.au) within 30 days of the change, to enable details of any changes to the facility to be known to emergency services dispatchers.

**Permit Expiry**

27. This permit will expire if:

- The development is not commenced within three years of the date of this permit;
- The development is not completed within six years of the date of this permit.

In accordance with section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend:

- The commencement date referred to if a request is made in writing before the permit expires or within six months afterwards.
- The completion date referred to if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

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Signature for the responsible authority:



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Regulations 2015

Form 4

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**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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The responsible authority may amend this permit under Division 1A 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—
  - 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.

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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.

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**WHAT ABOUT REVIEWS?**

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- 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.

Date issued: 1 May 2024

Signature for the responsible authority:



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