

# PLANNING PERMIT

Permit No.: PA1600139-A

**ADVERTISED PLAN**

Planning Scheme: Corangamite

Responsible Authority: Minister for Planning

## ADDRESS OF THE LAND:

Lot 1 on Plan of Subdivision 097062 Volume 08876 Folio 795

Lot 2 on Plan of Subdivision 98607 Volume 08870 Folio 539

The north side of Princetown Road on the Road Reserve near the entrance boundary to Lot 2 on Plan of Subdivision 098607

## THE PERMIT ALLOWS:

Development and use of land for a wind energy facility and associated buildings and works including a met mast, earthworks, a building within 100m of a Road Zone, alter access to a Road Zone 1 (Princetown Road), and the removal of native vegetation.

## THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

### DEVELOPMENT PLANS

1. Before the development starts, development plans must be prepared and submitted to, and approved by, the responsible authority. When approved, the plans will be endorsed and will form part of this permit. The plans must be fully dimensioned, drawn to a scale and three copies must be provided to the responsible authority. The plans must be generally in accordance with the Planning Permit Application Ferguson Wind Farm (October 2016) and the Amendment to Planning Application No. PA1600139 (August 2018) but modified (where required) to show:
  - a. Turbine specifications including:
    - i. Details of the model and capacity of the turbines to be installed.
    - ii. Elevations and dimensions of the turbines, including overall maximum and minimum height of turbines to the tip of the rotor blade when vertical, and base diameter at ground level, including tower and concrete base.
    - iii. Materials and finishes of the turbines.
    - iv. Details of the single steady red medium intensity hazard light on the highest fixed point of the Turbine 1.

- v. Global positioning system coordinates using WGS84 datum for the centre of each turbine at ground level.
  - vi. Distance from the centre of each turbine to the nearest boundary of the wind energy facility site, and each dwelling (if any) within 1 km of the turbine.
- b. The location, setbacks to property boundaries, layout and dimensions of all works including site entrances, access tracks, power cable routes, security fencing and infrastructure and any designated car parking areas, and ancillary works such as firefighting infrastructure and water tanks.
  - c. The locations, elevations, dimensions, materials and finishes of all buildings, including any temporary concrete batching plant(s).
  - d. The location, elevations and dimensions of any permanent anemometers.
  - e. Any staging of the permitted development, including the identification and timetabling of the works comprised in each stage.
  - e-f. [A plan detailing the proposed safety measures associated with the anemometer/met mast including type, size, location, spacing and a brief justification for how these proposed safety measures increase the level of safety associated with the anemometer/met mast.](#)
2. Except as permitted under condition 5, and subject to condition 4, the use and development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.

#### **STAGING**

3. The use and development may be completed in stages. The corresponding obligations arising under this permit may be completed in stages.

#### **MICRO-SITING OF TURBINES**

4. Before the development starts, a Micro-siting Plan must be prepared and submitted to, and approved by, the responsible authority. The plan must identify a footprint at ground level within which each turbine may be located. When approved, the plan will be endorsed and will form part of this permit, and the turbines can be located anywhere in the footprint shown. The plan must be fully dimensioned, drawn to a relevant scale and three copies must be provided to the responsible authority. The footprint for each turbine identified on the Micro-siting Plan:
- a. Must not extend more than 100 metres in any direction from the centre of the turbine at ground level as shown on the development plans endorsed under condition 1;
  - b. Must not be within 1 km of a dwelling that existed on 26 April 2018 (measured from the centre of the turbine at ground level to the closest point of the dwelling), unless the operator has provided evidence to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint;
  - c. The micro-siting does not result in the removal of native vegetation, unless that removal has been authorised by a planning permit.
  - d. No turbine is located closer Princetown Road than the location shown on 'Figure 5 –Site Plan, Planning Permit Application Ferguson Wind Farm (October 2016).
5. Any changes to access tracks, electricity cabling and associated infrastructure arising from micro-siting a turbine in accordance with an endorsed Micro-siting Plan are permitted without requiring the consent of the responsible authority, or any amendments to the development plans endorsed under condition 1.
6. The endorsed Micro-siting Plan must not be altered or modified without the written consent of the responsible authority

## **SPECIFICATIONS**

7. The wind energy facility must comprise no more than 3 turbines.
8. The wind energy facility must meet the following requirements, unless varied by the written consent of the responsible authority:
  - a. The overall maximum height of the turbines (to the tip of the rotor blade when vertical) must not exceed 200 metres above natural ground level.
  - b. The minimum clearance of the rotor blade tip must not be less than 64 metres above ground level at the turbine base.
  - c. The transformer associated with each wind generator must be located beside each tower or enclosed within the tower structure.
  - d. Electricity cabling must generally be placed underground, provided that the turbines may be connected together or to the substation by means of aboveground cabling.
  - e. The colours and finishes of all buildings and works (including turbines) must be non-reflective such as to minimise the visual impact of the development on the surrounding area.
  - f. The control building must be generally to the specifications as shown on Figure 4B: Floor Plan and Elevations of Proposed Control Building (September 2016).

## **LANDSCAPING**

### **On-site Landscaping Plan**

9. Before the development starts, an On-site Landscaping Plan 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. The plan must be fully dimensioned and drawn to a relevant scale.

The On-site Landscaping Plan must include:

- a. Landscaping to screen the control building (other than the turbines);
- b. Details of plant species proposed to be used in the landscaping, including height and spread at maturity;
- c. A timetable for implementation of all on-site landscaping works;
- d. Maintenance and monitoring program to ensure the ongoing health of the landscaping.

The landscaping as shown on the endorsed On-site Landscaping Plan must be completed in accordance with the implementation timetable, and monitored and maintained, all to the satisfaction of the responsible authority.

### **Off-site Landscaping Program**

10. Within six months after the date of endorsement of the development plans under condition 1, an Off-site Landscaping Program must be prepared and submitted to, and approved by, the responsible authority. When approved, the program will be endorsed and will form part of this permit.

The Off-site Landscaping Program must:

- a. Provide for off-site landscaping or other treatments to reduce the visual impact of the turbines from any dwelling within 4.6 kilometres of any turbine.
- b. Include a methodology for determining:
  - i. The type of landscaping treatments to be proposed.
  - ii. A timetable for establishing and maintaining the landscaping for at least two years.

- c. Include a process for making offers to affected landowners to undertake landscaping on the landowner's land.
  - d. Include a process for recording:
    - i. Offers that have been made to landowners.
    - ii. Whether or not the offers are accepted.
    - iii. When and how offers are actioned following acceptance.
11. The endorsed Off-site Landscaping Program must be implemented to the satisfaction of the responsible authority. The endorsed off-site Landscaping Program must not be altered or modified without the written consent of the responsible authority.
12. Progress reports regarding the implementation of the endorsed Off-site Landscaping Program must be provided to the responsible authority on each anniversary of the date of this permit, and at other times on request.

### **NOISE**

13. In conditions 14 - 24:
- a. 'The Standard' means New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise.
  - b. 'Noise sensitive locations' are locations defined as such in the Standard and that were present at 26 April 2018.

### **Performance Requirement**

14. Subject to condition 15, at any wind speed, noise emissions from the operation of the facility, when measured at noise sensitive locations, must comply with the limits specified in the Standard.
15. The limits specified in condition 14 do not apply if an agreement has been entered into with the relevant landowner waiving the limits. Evidence of the agreement must be provided to the satisfaction of the responsible authority upon request and be in a form that applies to the land for the life of the wind energy facility.

### **Pre-construction Noise Assessment**

16. Before the development starts, a Pre-Construction Noise Assessment report based on the final turbine layout and turbine model to be installed must be undertaken and the results submitted to the responsible authority for endorsement. The Pre-Construction Noise Assessment report must be prepared in accordance with the Standard and must demonstrate that the facility will comply with the performance requirements specified in the standard, to the satisfaction of the responsible authority.

### **Post-construction Noise Assessment**

17. A Post-Construction Noise Assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the responsible authority.

If the wind energy facility is constructed in stages, additional Post-Construction Noise Assessment reports for each stage must be submitted to the responsible authority.

18. Each Post-Construction Noise Assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the Post-Construction Noise Assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

19. The initial Post-Construction Noise Assessment report must be submitted to the responsible authority within 12 months of the first turbine commencing operation. Any Post-Construction Noise Assessment report submitted to and approved by the responsible authority will be endorsed and will form part of this permit.

### **Noise Management Plan**

20. Before the development starts, a Noise Management Plan must be submitted to and endorsed by the responsible authority. When endorsed, the plan will form part of this permit.

The Noise Management Plan must specify details of:

- a. Post-construction Noise Assessment reports: detailing how these will be prepared in accordance with the Standard, to demonstrate whether or not the facility complies with the performance requirements specified in condition 14.
  - b. Noise Investigation Reports: detailing procedures for when complaints are received in accordance with the endorsed Complaints Investigation and Response Plan (condition 51) or when potential non-compliance with the performance requirements in condition 14 is otherwise detected.
  - c. Noise Remediation Plans: detailing procedures for when non-compliance with the performance requirements in condition 14 is found to have occurred.
  - d. The requirements for each of the documents referred to in condition 20 (a), (b) and (c), including what matters they must address, and when they must be submitted.
21. The Noise Management Plan must be accompanied by a peer review from an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The peer review report must verify that the Noise Management Plan meets the requirements of the Standard and this permit.
  22. The endorsed Noise Management Plan:
    - a. Must be implemented to the satisfaction of the responsible authority; and
    - b. Must not be altered or modified without the written consent of the responsible authority.

### **Peer Review of Reports**

23. If requested by the responsible authority, the Noise Investigation Reports required under Condition 20(b) must be accompanied by a peer review from an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970* verifying that the report or plan meets the Standard and the requirements of this permit.
24. The environmental auditor or peer reviewer must be independent of the author of the report being reviewed.

### **SHADOW FLICKER**

25. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling existing at 26 April 2018, unless the operator has entered into an agreement with the relevant landowner waiving this requirement. Evidence of the agreement must be provided to the satisfaction of the responsible authority upon request and be in a form that applies to the land for the life of the wind energy facility. The agreement must be to the satisfaction of the responsible authority.

### **TELEVISION AND RADIO RECEPTION INTERFERENCE**

26. Before the development starts, a survey to determine television and radio reception strength must be conducted in the area within 5 km of the site. The results of the survey must be submitted to, and approved by, the responsible authority. When approved, the survey will be endorsed and will form part of this permit. The survey must:

- a. Be carried out by a suitably qualified and experienced independent television and radio-monitoring specialist.
  - b. Include testing at selected locations within 5 km of the facility to enable the average television and radio reception strength to be determined.
27. If a complaint is received regarding the effect of the facility on television or radio reception at any dwelling existing at 26 April 2018 within 5 km of the site, the operator must:
- a. Investigate the complaint in accordance with the Complaint Investigation and Response Plan referred to in condition 51.
  - b. If the investigation indicates that the facility has had a detrimental impact on the quality of reception, restore reception at the pre-existing dwelling to at least the quality determined in the survey carried out under condition 26, to the satisfaction of the responsible authority.

## **TRAFFIC MANAGEMENT**

### **Access Tracks**

28. Access tracks within the site must be sited and designed to minimise impacts on overland flows, soil erosion, the landscape value of the site, cultural heritage sites, environmentally sensitive areas and, where appropriate, the farming activities on the site, to the satisfaction of the responsible authority.

### **Vehicle Access Points**

29. Vehicle access points must be designed and located to the following standards, to the satisfaction of the relevant road management authority:
- a. Truck movements to and from the site must be able to be accommodated on sealed roadways.
  - b. To the extent practicable, access points must be able to accommodate turning movements without vehicles encroaching onto the incorrect side of the road.
  - c. Safe sight distances must be provided.
  - d. Potential through traffic conflicts must be avoided.

### **Pre-construction Assessment**

30. Before development starts, an existing conditions survey of public roads that may be used in connection with the construction of the facility, and proposed access points to the site must be submitted to the responsible authority.

The survey must assess the suitability, design, condition and construction standard of the relevant public roads and access points, and must:

- a. Be prepared by a suitably qualified and experienced independent civil or traffic engineer.
- b. Include recommendations, if any, regarding upgrades required to accommodate construction traffic, and to meet the requirements of condition 29.
- c. Be approved by the relevant road management authority prior to submission to the responsible authority.

### **Traffic Management Plan**

31. Before development starts, a Traffic Management Plan 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.

The Traffic Management Plan must:

- a. Be prepared by a suitably qualified and experienced independent civil or traffic engineer.

- b. Specify measures to be taken to manage traffic impacts associated with the construction of the facility.
  - c. Include a program to inspect, maintain and (where required) repair public roads used by construction traffic.
  - d. Be approved by the relevant road management authority prior to submission to the responsible authority.
  - e. Address the 'Access to Road Zone 1' requirements detailed in Conditions 33-35 below.
32. The endorsed Traffic Management Plan must not be altered or modified without the written consent of the responsible authority. Prior to submission to the responsible authority, the relevant road management authority must approve any proposed alteration or modification to the endorsed Traffic Management Plan.

### **Access to Road Zone 1**

33. Prior to the commencement of any works, a detailed Traffic Management Plan must be submitted to Corangamite Shire Council and VicRoads for approval. This Traffic Management Plan must address:
- a. Road safety issues associated with construction traffic.
  - b. Access points (including control of entry/exit) to the site.
  - c. Transport routes to and from the site.
  - d. Type and number of vehicles, hours of operation, etc. over various construction phases.
  - e. Minimisation of interaction with school buses.
  - f. Provision for the safety of the general community.
  - g. Appropriately detailed Traffic Guidance Scheme depicting traffic management on Princetown Road.
34. Alterations to the crossovers and driveways are to be constructed generally in accordance with VicRoads SD2065 at a minimum, taking into consideration the necessity for access by over-dimensional vehicles, to the satisfaction of, and at no cost to, VicRoads prior to the commencement of the use hereby approved.
35. At least 10 working days prior to commencing work within the declared road, the developer must contact Mr Mark McDonald, Senior Surveillance Officer, on telephone number 0400 051670, to discuss construction methods and traffic management issues.

### **Traffic Management and Road Upgrade and Maintenance Works**

36. The traffic management and road upgrade and maintenance works identified in the endorsed Traffic Management Plan must be carried out in accordance with the endorsed plan to the satisfaction of the responsible authority.
37. Upon completion of construction activities, the permit holder must reinstate any damage to local roads caused by truck traffic associated with construction related to the project, to the satisfaction of the responsible authority and at no cost to Council.
38. Before the development starts, a maintenance bond/bank guarantee to the value of 5 per cent of the cost of the road upgrade and maintenance works shall be submitted to the Corangamite Shire Council to be held for a period of 12 months from the date of practical completion of the works. Prior to the release of the bond/bank guarantee the permit holder must provide an independent report that certifies that the roads are in a satisfactory condition.

### **LIGHTING**

39. External lighting is not permitted on the site other than as follows:

- a. Lighting for construction purposes;
  - b. Low-level, low-intensity security lighting;
  - c. Lighting necessary in the case of an emergency or for operational call-outs at reasonable times; and
  - d. Aviation obstacle lighting as required by this permit.
40. The wind energy facility must be lit with a single steady red medium intensity hazard light on the highest fixed point of the Turbine 1 whenever aircraft is in the near vicinity, at night time and in other low light conditions. Lighting must be installed in accordance with the Civil Aviation Safety Authority Manual of Standards Part 139 – Aerodromes, Chapter 9, paragraph 9.4.7. No other aviation obstacle lighting is permitted, except with the written consent of the responsible authority.
- The requirements of this condition may be altered or modified with the written consent of the responsible authority. The responsible authority may also direct the wind energy facility operator to alter operation of lighting is to be operated without the written consent of the responsible authority.
41. Any aviation light must have directional shielding to restrict the vertical spread of light to not more than 3.0 degrees and light spread below the horizontal to not more than 1.0 degree.
42. No other aviation obstacle lighting is permitted, except with the written consent of the responsible authority.

#### **AIRSERVICES AUSTRALIA CLEARANCES**

43. Within 30 days of the endorsement of development plans under condition 1, copies of the endorsed development plans must be provided to the following entities to enable details of the wind energy facility to be shown on aeronautical charts of the area:
- a. CASA;
  - b. The Department of Defence (RAAF Aeronautical Information Service);
  - c. Airservices Australia;
  - d. Any aerodrome operator within 15 km of the outside property boundaries of the site;
  - e. The Aerial Agriculture Association of Australia;
  - f. Western Aerial Agriculture;
  - g. Any organisation responsible for providing air ambulance services in the area; and
  - h. Agencies responsible for aerial firefighting.

#### **ENVIRONMENTAL MANAGEMENT PLAN**

##### **Environmental Management Plan**

44. Before development starts, an Environmental Management Plan must be submitted to, and approved by, the responsible authority. When approved, the plan will be endorsed and will form part of this permit.

The Environmental Management Plan must describe measures to minimise the amenity and environmental impacts of the construction and decommissioning of the facility. The Environmental Management Plan must:

- a. Be generally in accordance with Planning Permit Application Ferguson Wind Farm, Volume 1, 2 and 3 (October 2016) and the Amendment to Planning Application No. PA1600139 (August 2018).
- b. Include organisational responsibilities, and procedures for staff training and communication.



- c. Meet the requirements of conditions 46, 47 and 48.
45. The endorsed Environmental Management Plan must be implemented to the satisfaction of the responsible authority. The endorsed Environmental Management Plan must not be altered or modified without the written consent of the responsible authority.

#### **Construction Environment Management Plan**

46. The Environmental Management Plan must include a Construction Environment Management Plan, which must be prepared in consultation with DELWP Environment. The plan must include:
- a. Procedures to manage dust and noise emissions, erosion, mud and stormwater runoff.
  - b. Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the site, when construction is complete.
  - c. A Work Site Management Plan.
  - d. A Sediment, Erosion and Water Quality Management Plan.
  - e. A Hydrocarbon and Hazards Substances Plan.
  - f. A Fire Prevention and Emergency Response Plan.
  - g. A Biosecurity Management Plan.
  - h. Details of security fencing for the site during construction
  - i. An implementation timetable.

#### **Native Vegetation Management Plan**

47. The Environmental Management Plan must include a Native Vegetation Management Plan, which must be prepared in consultation with DELWP Environment. The plan must include:
- a. Describe the measures to be used to protect the identified vegetation during construction, including identification of buffer areas and 'no go' zones. These areas must be clearly marked on the ground or marked with tape or temporary fencing.
  - b. Describe who is responsible for implementing the above measures and how they will be communicated.
  - c. Include a site plan or map identifying the above measures,
  - d. Outline that any fill material being brought in should be clean and free of pathogens.
  - e. Outline that all works must accord with the report titled, 'Biodiversity Assessment: Haulage route between Princes Highway and Princetown Road, Ferguson Wind Farm, Coorimungle, Victoria' by Ecology and Heritage Partners Pty Ltd, dated August 2018.

#### **Bats and Avifauna Management Plan**

48. The Environmental Management Plan must include a Bat and Avifauna Management (BAM) Plan, which must:
- a. Include a statement of the objectives and overall strategy for minimising bird and bat strike arising from the operation of the facility.
  - b. Include a mortality-monitoring program of at least two years duration that commences when the first turbine is commissioned, or such other time approved by DELWP Environment. The monitoring program must include:
    - i. Procedures for reporting any bird and bat strikes to DELWP Environment monthly.
    - ii. 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; and

- iii. Procedures for the regular removal of carcasses likely to attract raptors to areas near turbines.
  - c. Procedures for periodic reporting, within agreed timeframes, of the findings of the monitoring to the DELWP Environment Portfolio and the local community
  - d. Recommendations in relation to a mortality rate for specified species which would trigger the requirement for responsive mitigation measures to be undertaken by the operator of the wind energy facility to the satisfaction of the Minister for Planning;
  - e. Be approved by DELWP Environment prior to submission to the responsible authority.
49. When the monitoring program required under the BAM Plan is complete, the operator must submit a report to the responsible authority and DELWP Environment, setting out the findings of the program. The report must be:
- a. To the satisfaction of the responsible authority and DELWP Environment.
  - b. Made publicly available on the operator's website.
50. After considering the report submitted under condition 49 and consulting with DELWP Environment, the responsible authority may direct the operator to conduct further investigation of impacts on birds and bats. The wind energy facility operator must undertake the further investigation to the satisfaction of the responsible authority and DELWP Environment.

## **COMPLAINTS**

### **Complaint Investigation and Response Plan**

51. Before development starts, a Complaint Investigation and Response Plan must be submitted to, and approved by, the responsible authority. When approved, the plan will be endorsed and will form part of this permit.

The Complaint Investigation and Response Plan must:

- a. Respond to all aspects of the construction and operation of the wind farm.
  - b. Be prepared in accordance with Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for complaint management in organisations.
  - c. Include a process to investigate and resolve complaints (different processes may be required for different types of complaints).
52. The operator must implement the endorsed Complaint Investigation and Response Plan to the satisfaction of the responsible authority. The endorsed Complaint Investigation and Response Plan must not be altered or modified without the written consent of the responsible authority.

### **Publish Information about Complaints**

53. The operator must publish the following information on its website:
- a. A copy of the endorsed Complaints Investigation and Response Plan.
  - b. A toll-free telephone number and email contact for complaints and queries to the operator.
  - c. Details of the appropriate council contact telephone number and email address (where available).

This information should be readily available on the wind farm project website.

### **Complaints Register**

54. Before development starts, a Complaints Register must be established which records:

- a. The complainant's name and address (if provided), including (for noise complaints) any applicable property reference number contained in the report titled Ferguson Wind Farm: Pre-Development Noise Assessment, by Marshall Day Acoustics, dated 23 March 2018.
  - b. A receipt number for each complaint, which must be communicated to the complainant.
  - c. The time and date of the incident, and the prevailing weather and operational conditions at the time of the incident
  - d. A description of the complainant's concerns, including (for a noise complaint) the potential occurrence of special audible characteristics.
  - e. The process for investigating the complaint, and the outcome of the investigation, including:
    - i. The actions taken to resolve the complaint; and
    - ii. For noise complaints, the findings and recommendations of an investigation report undertaken in accordance with the endorsed Noise Management Plan.
55. All complaints received must be recorded in the Complaints Register.
56. A complete copy of the Complaints Register, along with a reference map of complaint locations must be provided to the responsible authority on each anniversary of the date of this permit, and at other times on request.

#### **NATIVE VEGETATION**

57. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.
58. To offset the removal of 0.2506 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Permitted Clearing of Native Vegetation – Guidelines for the Removal, Destruction or Lopping of Native Vegetation (DELWP 2017) as specified below:
- a. A general offset of 0.255 general habitat units:
  - b. To be located within the Corangamite Catchment Management Authority boundary or Corangamite Shire municipal district; and
  - c. A minimum biodiversity score of at least 0.568.
59. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of responsible authority. This evidence is one or both of the following:
- a. An established first party offset site including a security agreement signed by both parties detailing the 10-year management actions and ongoing management of the site; and/or
  - b. Credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
- A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.
60. In the event that a security agreement is entered into as per the above condition, the applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

#### **DECOMMISSIONING**

61. The following requirements must be met when a turbine(s) permanently ceases operation:
- a. The responsible authority must be notified within two (2) months after the turbine(s) permanently ceases operation.
  - b. Prior to commencing decommissioning works, a decommissioning traffic management plan specifying measures to manage traffic impacts associated with removing the turbine(s) and associated infrastructure from the site, must be submitted to the satisfaction of the responsible authority
  - c. All infrastructure, plant, equipment excluding turbine footings and access tracks that are no longer required for the on-going use or decommissioning of the facility must be removed.
  - d. Turbine footings will be capped with topsoil and rehabilitated to pasture.
  - e. Reinstatement of the site, or the relevant part of the site, to the condition it was in prior to the commencement of development must occur to the satisfaction of the responsible authority.

**EXPIRY**

62. 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
  - b. The development is not completed within ten years of the date of this permit.
63. The responsible authority may extend the permit if request is made in writing:
- a. Prior to the expiry of the permit; or
  - b. Within six months after the permit expires.

**Date Issued:** 12 April 2017

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**Signature for the Responsible Authority**

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS**

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<i>Date of Amendment</i>	<i>Brief Description of Amendment</i>	<i>Name of Responsible Authority that Approved the Amendment</i>
	<p>This permit was amended in accordance with Section 72 of the <i>Planning and Environment Act 1987</i> as follows:</p> <ul style="list-style-type: none"> <li>• Increase the overall maximum height from 150m to 200m above natural ground level and increase the minimum clearance from 24m to 64m.</li> <li>• Require aviation obstacle/safety lighting on the highest fixed point of the Turbine 1.</li> <li>• Remove 0.2506 hectares of native vegetation in the road reserve.</li> <li>• Update permit conditions to be consistent with those within the Policy and Planning</li> </ul>	Minister for Planning

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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.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**).

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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.