

ADVERTISED PLAN

Planning and Environment Regulations 2015

Form 4

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PLANNING PERMIT

Permit No.: PA2000877

Planning Scheme: Horsham Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

Land

Address	Volume	Folio	Description
2387 Henty Highway Jung 3401	3795	850	Lot 1 TP830187
Henty Highway Jung 3401	5259	739	Lot 1 TP398880
Henty Highway Jung 3401	3415	832	Lot 1 TP567605
Henty Highway Jung 3401	3415	832	Lot 2 TP567605
Henty Highway Jung 3401	9603	689	Lot 224 PP2811
Henty Highway Jung 3401	7794	042	Lot 227 PP2811
1797 Henty Highway Jung 3401	7794	041	Lot 190 PP2811
Henty Highway Jung 3401	9302	679	Lot 191 PP2811
1797 Henty Highway Jung 3401	8179	174	Lot 189 PP2811
1797 Henty Highway Jung 3401	4696	021	Lot 2 PS306972
Henty Highway Jung 3401	4303	540	Lot 188 PP2811
Banyena Road Jung 3401	9358	368	Lot 193 PP2811
Bells Road Jung 3401	8671	416	Lot 194 PP2811
Bells Road Jung 3401	6377	246	Lot 196 PP2811
132 Ladlows Road Kalkee 3401	8028	093	Lot 107 PP2820
Smiths Road Jung 3401	1855	974	Lot 2 TP878608
Greenhills Road Jung 3401	6389	754	Lot 170 PP2811
Greenhills Road Jung 3401	3375	850	Lot 166 PP2811
Finlaysons Road Kalkee 3401	4135	910	Lot 103 PP2820
Bells Road Jung 3401	8912	534	Lot 172 PP2811
Greenhills Road Jung 3401	7766	018	Lot 167 PP2811
1648 Henty Highway Dooen 3401	8619	479	Lot 173 PP2811
Bells Road Jung 3401	6377	246	Lot 195 PP2811
Bells Road Jung 3401	6377	246	Lot 195A PP2811
Jung Wheat Road Jung 3401	8354	149	Lot 199 PP2811
Jung Wheat Road Jung 3401	1614	711	Lot 201 PP2811
530 Banyena Road Kalkee 3401	5367	304	Lot 99 PP2820
Dogwood Road Kalkee 3401	5584	694	Lot 1 TP248895

Finlaysons Road Kalkee 3401	5114	726	Lot 1 TP663294
Finlaysons Road Kalkee 3401	5114	726	Lot 2 TP663294
Address	Volume	Folio	Description
1648 Henty Highway Dooen 3401	5648	432	Lot 1 TP742692
1648 Henty Highway Dooen 3401	5648	433	Lot 1 TP675930
1648 Henty Highway Dooen 3401	4061	076	Lot 186 PP2811
1648 Henty Highway Dooen 3401	5170	952	Lot 187 PP2811
Henty Highway Kalkee 3401	1192	774	Lot 2 PS746710
132 Ladlows Road Kalkee 3401	8028	094	Lot 1 TP181102
466 Kelly Road Kalkee 3401	7806	055	Lot 1 TP240472
466 Kelly Road Kalkee 3401	7806	055	Lot 2 TP240472
466 Kelly Road Kalkee 3401	2663	565	Lot 1 TP515586
1648 Henty Highway Dooen 3401	9197	682	Lot 1 TP160623
Greenhills Road Jung 3401	6389	754	Lot 169 PP2811
Greenhills Road Jung 3401	7766	018	Lot 168 PP2811
Finlaysons Road Kalkee 3401	NA	NA	Lot 101A PP2820
Finlaysons Road Kalkee 3401	NA	NA	Lot 105A PP2820

Roads

Road reserve of:

Western Highway Reserve

Dimboola- Minyip Road Reserve

Henty Hwy Reserve

Wail-Kalkee Road Reserve

Wail-Dooen Road Reserve

Blue Ribbon Road Reserve

Rules E Road Reserve

Ladlows Road Reserve

Smiths Road Reserve

Shearwoods Road Reserve

Unnamed road reserve (adjacent to 1\TP830187)

Banyena Road Reserve

Dogwood Road Reserve

Dooen N Road Reserve

Finlaysons Road Reserve

Max Johns Road Reserve

Bells Road Reserve

Whytes Road Reserve

Jung Wheat Rd Reserve

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THE PERMIT ALLOWS

Use and development of the land for a wind energy facility and utility installation, the removal of native vegetation, the creation and alteration of access to a Road Zone Category 1 and the construction of business identification signage

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THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

DEVELOPMENT PLANS

1. Before development starts, amended development plans must be submitted to, approved, and endorsed by the responsible authority. When endorsed, the development plans will form part of this permit.

The development plans must be fully dimensioned and drawn to scale. They must be generally in accordance with the application plans but modified to show:

- a) A maximum of 52 turbines with the following specifications:
 - i. Maximum blade tip height of 247 metres above natural ground level;
 - ii. Minimum blade tip clearance of 75 metres from ground level;
 - iii. Maximum rotor diameter of 162 metres.
- b) No turbine located within 225 metres of an external property boundary or road.
- c) The final location, model, specifications, dimensions, materials and finishes of the turbines.
- d) The locations of concrete hardstands for each of the turbines as well as typical details.
- e) The locations of access tracks and typical details of local road upgrades, including confirmation that any required road upgrade works for the section of Finlayson Road affected by the Land Subject to Inundation Overlay (LSIO) will not change the finished level of the road surface.
- f) The locations of underground electricity cabling and typical details.
- g) The transformer associated with each turbine being located beside each tower or enclosed within the tower structure.
- h) The locations and details of other buildings and works.
- i) The colours and finishes of all buildings and works (including turbines), which must be non-reflective so as to minimise the visual impact of the development on the surrounding area.
- j) The location and detail of business identification signage.
- k) Native vegetation to be removed.
- l) The details of aviation hazard lighting (including light shielding) as required by condition 45 and 46. Any buildings and works designed to comply with any other condition of this permit.
- m) Any staging of the development.

WRITTEN CONSENT TO MODIFY ENDORSED PLANS

2. Except as permitted under conditions 4 and 5, the use and development must be generally in accordance with the plans endorsed in accordance with this permit. The development plans endorsed under condition 1 and any other plan endorsed under a condition of this permit, must not be altered or modified without the written consent of the responsible authority.

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STAGING

3. The use and development may be completed in stages in accordance with the endorsed development plans. The corresponding obligations arising under this permit may be completed in stages.

MICRO-SITING OF TURBINES

4. Before development starts, a Micro-siting Plan must be submitted to, approved, and endorsed by the responsible authority. When endorsed, the plan will form part of this permit. The plan must be fully dimensioned and drawn to scale. The plan must identify a footprint at ground level within which each wind turbine may be located, and the turbines can be located anywhere in the footprint shown. 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 allow a turbine to be moved to a location within one kilometre of a dwelling, unless evidence is provided to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint. This requirement can be varied as below:
 - i. If an approved turbine is located less than one kilometre from a dwelling, that turbine can only be micro-sited to move the turbine further away from the dwelling, unless evidence is provided to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint.
5. Any changes to access tracks, underground cabling and associated infrastructure arising from micro-siting a wind turbine in accordance with an endorsed Micro-siting Plan are permitted without requiring the consent of the responsible authority, or any amendments required 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

LANDSCAPING

7. Before development starts, an Off-Site Landscaping Program must be submitted to, approved, and endorsed by the responsible authority. When endorsed, the Program will form part of this permit. The Program must:
 - a) Include a plan accurately identifying all non-stakeholder dwellings (excluding those in Township, Commercial, Industrial or Residential Zones) within 5 kilometres of a wind turbine, to the satisfaction of the responsible authority in consultation with the Horsham Rural City Council.
 - b) Provide for off-site landscaping or other treatments to reduce the visual impact of all buildings and works (including turbines) from all relevant non-stakeholder dwellings (excluding those in Township, Commercial, Industrial or Residential Zones) within 5 kilometres of a turbine.
 - c) Include a methodology for determining:
 - i. The type of landscaping treatments to be proposed; and
 - ii. A timetable for establishing and maintaining the landscaping for at least two years.

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- d) Include a process for making offers to affected landowners to undertake landscaping on the landowner's land.
 - e) Include a process for recording:
 - i. Offers that have been made to landowners;
 - ii. Whether or not the offers are accepted; and
 - iii. When and how offers are actioned following acceptance.
 - f) Include a process for the preparation and provision of progress reports regarding the implementation of the endorsed Off-site Landscaping Program to be provided to the responsible authority annually from the date of this permit, and at other times on request.
8. The endorsed Off-site Landscaping Program must be implemented to the satisfaction of the responsible authority.

NOISE CONDITIONS

In conditions 9 to 21:

- 'The Standard' means *New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise*
- 'Noise sensitive location' means a location that meets the definition in the Standard and that was present at 26 May 2020.

Performance Requirement

9. Subject to condition 11, at any wind speed, noise emissions from the operation of the wind energy facility, when measured at noise sensitive locations, must comply with the limits specified in the Standard.
10. Subject to condition 11, noise emissions from the operation of the associated electrical infrastructure, when measured at noise sensitive locations, must comply with the limits specified in the EP Regulations.
11. The limits specified in the Standard do not apply if an agreement has been entered into with the relevant landowner waiving the limits at a noise sensitive location. The agreement must be in a form that applies to the land comprising the noise sensitive location for the life of the wind energy facility, to the satisfaction of the responsible authority, and be provided to the responsible authority upon request.

Pre-Construction Noise Assessment

12. Before the endorsement of development plans under Condition 1 of this permit, a Pre-Construction Noise Assessment based on the final turbine layout and turbine model to be installed, and associated electrical infrastructure, must be undertaken and the results submitted to the responsible authority.
13. The Pre-Construction Noise Assessment must be prepared in accordance with the Standard and must demonstrate that the wind energy facility and associated electrical infrastructure will comply with the performance requirements of the Standard, to the satisfaction of the responsible authority.
14. The Pre-Construction Noise Assessment Report required by this permit must be accompanied by an environmental audit report prepared under Part 8.3, Division 3 of the *Environment Protection Act 2017* from an environmental auditor appointed under Part 8.3, Division 3 of the *Environment Protection Act 2017*. The report must verify that the acoustic assessment undertaken for the purpose of the Pre-Construction Noise

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Assessment has been conducted in accordance with the Standard and meets the requirements of this permit.

Post-Construction Noise Assessment

15. 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.
16. Each Post-Construction Noise Assessment report must be accompanied by an environmental audit report prepared under Part 8.3, Division 3 of the *Environment Protection Act 2017* by an environmental auditor appointed under Part 8.3, Division 3 of the *Environment Protection Act 2017*. 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.
17. The first Post-Construction Noise Assessment report must be submitted to the responsible authority within 6 months of the first turbine operating. Further Post-Construction Noise Assessment reports prepared in accordance with this condition must be submitted to the responsible authority annually from the date of the first report being submitted until one year after the final turbine commences operation.

Noise Management Plan

18. Before development starts, a Noise Management Plan must be submitted to, approved and endorsed by the responsible authority. When endorsed, the Noise Management 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 and audited by an a suitably accredited auditor, to demonstrate whether the wind energy facility complies with the performance requirements specified in the Standard.
 - b. Noise Investigation Procedure detailing the specific procedures that are to be followed for when noise complaints are received by the proponent, in accordance with the endorsed Complaints Investigation and Response Plan, as required by condition 93 of this permit or when potential non-compliance with the performance requirements in the Standard is otherwise detected.
 - c. Noise Remediation Plans: detailing procedures for resolving non-compliance with the performance requirements in the Standard is found to have occurred.
 - d. The requirements for each of the documents referred to in condition 18(a), 18(b) and 18(c), including what matters they must address, and when they must be submitted to the responsible authority.
19. The Noise Management Plan must be accompanied by a peer review from an environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017*. The peer review report must verify that the Noise Management Plan meets the requirements of the Standard and this permit.
 20. The endorsed Noise Management Plan must be implemented to the satisfaction of the responsible authority.

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Peer Review of Reports

21. If requested by the responsible authority, the Noise Investigation Reports required under condition 18(b) must be accompanied by a peer review from an environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017* verifying that the report or plan meets the Standard and the requirements of this permit.
22. The environmental auditor or peer reviewer must be independent of the author of the report being reviewed.

BLADE SHADOW FLICKER

23. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any pre-existing dwelling at 20 July 2021, unless an agreement has been entered into with the relevant landowner waiving this requirement. The agreement must be in a form that applies to the land comprising a pre-existing dwelling for the life of the wind energy facility, to the satisfaction of the responsible authority, and must be provided to the responsible authority upon request.

ELECTROMAGNETIC INTERFERENCE

24. Before development starts, a Telecommunications, Television and Radio Strength Survey must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the survey will form part of the permit. The survey must be to the satisfaction of the responsible authority, and must:
 - a) Be carried out by a suitably qualified and experienced independent telecommunications, television and radio monitoring specialist
 - b) Include testing at selected locations within 5 kilometres of the facility to enable the average telecommunications, television and radio reception strength to be determined.
25. If a complaint is received regarding the effect of the facility on telecommunications, television or radio reception at a pre-existing dwelling at 20 July 2021 within 5 kilometres of the site, the operator must:
 - a) Investigate the complaint in accordance with the Complaint Investigation and Response Plan required by this permit.
 - 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 Telecommunications, Television and Radio Reception Strength Survey required by this permit, to the satisfaction of the responsible authority.

TRAFFIC MANAGEMENT

Traffic Management Plan

26. Before the development starts and once construction methods and transportation routes are revealed, a detailed Traffic Management Plan must be prepared to the satisfaction of VicRoads and the responsible authority. When approved, the Traffic Management Plan will be endorsed by the responsible authority and the Head, Transport for Victoria and will then form part of this permit. The Traffic Management Plan must be complied with, unless varied by the written consent of Horsham Rural City Council and the Head, Transport for Victoria.
27. The Traffic Management Plan must include:

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- a) the scope of the expertise, duties and role of the nominated Road Quality Auditor engaged under condition 30, including inspection frequency and reporting requirements;
- b) the number and type of anticipated vehicle movements and the time of day when local roads will be used;
- c) the nominated routes for traffic accessing and departing the wind energy facility site.
- d) an existing conditions survey (including testing of road base) of public roads that may be used in connection with the wind energy facility (for access, pre-construction or construction purposes), including details of the suitability, design, condition and construction standard of the relevant public roads;
- e) the designation of all vehicle access points to the wind energy facility site from surrounding roads. Vehicle access points must be designed and located to ensure safe sight distances, turning movements, and avoid potential through traffic conflicts;
- f) the designation of appropriate pre-construction, construction and transport vehicle routes to and from the wind energy facility site, including designation of transport vehicle routes being used to establish the on-site quarries;
- g) engineering plans demonstrating whether, and if so how, truck movements to and from the wind energy facility site can be accommodated on sealed roadways and turned without encroaching onto the incorrect side of the road;
- h) measures to be undertaken to record traffic volumes on the nominated road network during the construction of the wind energy facility;
- i) recommendations regarding the need for road and intersection upgrades to accommodate any additional traffic or site access requirements (whether temporary or ongoing). Where upgrades are required, the Traffic Management Plan must include:
 - i. detailed engineering plans showing the required works, including cross sections which show their formation, depth, drainage and surface levels to the satisfaction of the responsible authority and the Head, Transport for Victoria; and
 - ii. the timing of when the works are to be undertaken;
- j) proposed measures to ensure workers enter and exit the wind energy facility site from the designated site entrances;
- k) proposed measures to ensure construction vehicles are easily identifiable;
- l) the designation of mitigation measures, including operating hours and speed limits for trucks on routes accessing the wind energy facility site which:
 - i. provide for appropriate safety measures around school bus routes and school bus times where relevant; and
 - ii. provide for resident safety;
- m) proposed measures to manage traffic impacts associated with the ongoing operation of the wind energy facility on the traffic volumes and flows on surrounding roads; and
- n) a program to rehabilitate existing public roads within agreed timeframes to the condition identified in the surveys carried out under condition 27(d) or to the condition to which the roads have been upgraded, whichever is relevant.

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28. The Traffic Management Plan required by Condition 32 must provide for a maintenance bond/bank guarantee, to be submitted to Horsham Rural City Council if required by it, to be held for a period of 12 months from the date of practical completion of the works. The bond/bank guarantee is to be to the value of 5 per cent of the cost of the road upgrade works required by the Traffic Management Plan. The remediation works required by Condition 27 (n) must be completed prior to the release of the bond/bank guarantee.
29. Where there is:
- a) a significant increase in vehicle numbers, determined by the Road Quality Auditor, above the anticipated vehicle movements identified in the endorsed Traffic Management Plan; or
 - b) any change to an endorsed vehicle route identified in the Traffic Management Plan,
- the Traffic Management Plan must be updated to the satisfaction of Horsham Rural City Council and the Head, Transport for Victoria within 28 days of the event described in condition 29 (a) or (b).
30. Prior to endorsement of the Traffic Management Plan, the permit holder must submit to the Horsham Rural City Council and the Head Transport for Victoria for approval the identity of a suitably qualified engineer, independent of the proponent's traffic adviser who will undertake the duties of the Road Quality Auditor identified in the traffic management plan. Once approved, the developer of the wind energy facility must engage, at its cost, the approved Road Quality Auditor to fulfil the requirements of the Road Quality Auditor as defined in the Traffic Management Plan.
31. Council may require at any time the appointment of an alternate proposed Road Quality Auditor within 21 days of making a written request to the wind energy facility developer, if the appointed Road Quality Auditor is unable to maintain independence or is unable to meet project timelines to Council's or the Head, Transport for Victoria's satisfaction. The alternate auditor must, if approved, be appointed by the wind energy facility developer to undertake the duties identified under the Traffic Management Plan.
32. Prior to endorsement of the Traffic Management Plan, the terms of reference for the Road Quality Auditor must be endorsed by Horsham Rural City Council and the Head, Transport for Victoria, including but not limited to:
- a) a program of regular inspections to be carried out during the construction of the wind energy facility to identify maintenance works necessary as a result of construction traffic;
 - b) frequency of inspections;
 - c) frequency of reporting to the wind energy facility developer, Horsham Rural City Council and the Head, Transport for Victoria;
 - d) standards to which all agreed local roads are constructed;
 - e) ongoing maintenance and repair regime during construction of the wind turbine generators;
 - f) procedures for corrective works resulting from non-compliance; and
 - g) penalties for non-compliance.
33. Prior to the commencement of development of the wind energy facility, engineering plans for all road works required by the Traffic Management Plan must be submitted to the Horsham Rural City Council and the Head, Transport for Victoria for approval. The engineering plans

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must be designed to Australian Standards and in accordance with VicRoads guidelines and include:

- a) the location and detailed design of the connection between the internal access tracks and the public roads;
 - b) a demonstration that safe sight distances, turning movements, and the avoidance of traffic conflicts at the intersection of internal roads and public roads will be achieved to the satisfaction of Horsham Rural City Council and the Head, Transport for Victoria;
34. Prior to the commencement of construction of wind turbine footings, crane hardstand, internal access roads, the substation or transmission towers, road construction works as shown on the plan(s) endorsed under condition 33, must be undertaken, completed and assessed and approved by the Independent Road Quality Auditor to the satisfaction of Horsham Rural City Council and the Head, Transport for Victoria.
35. The traffic management and road upgrade and maintenance works identified in the endorsed Traffic Management Plan must be carried out to the satisfaction of the Horsham Rural City Council and the Head, Transport for Victoria.
36. Prior to any works commencing within the Henty Highway road reserve, the applicant must enter into a works agreement with the Head, Transport for Victoria, confirming design plans and works approvals processes, including the determination of fees and the level of the Head, Transport for Victoria service obligations. Contact: western.mail@roads.vic.gov.au

ENVIRONMENTAL MANAGEMENT PLAN

Environmental Management Plan

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

The Environmental Management Plan must:

- a) Describe measures to minimise the amenity and environmental impacts of the construction, operation and decommissioning of the wind energy facility.
 - b) Include organisational responsibilities, and procedures for staff training and communication.
 - c) Procedures to manage dust and noise emissions, erosion, mud and stormwater runoff.
 - d) Procedures to remove temporary works, plant equipment, buildings and staging areas, and reinstate the affected parts of the site when construction is complete.
38. The endorsed Environmental Management Plan must be implemented to the satisfaction of the responsible authority and must not be altered or modified without the written consent of the responsible authority.

Construction Environmental Management Plan

39. The Environmental Management Plan must include a Construction Environment Management Plan, which must include:

- a) Procedures to manage noise emissions generally in accordance with the requirements of the Noise Control Guidelines (EPA Publication 1254) and the Environmental Guidelines for major construction sites (EPA Publication 480).

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- b) Erosion and sediment control measures to ensure that no polluted and/or sediment laden run-off or other stormwater is discharged directly or indirectly into drains or watercourses.
- c) Procedures to manage dust emissions, including ensuring that any on-site blasting or crushing of rocks is appropriately located within the site to manage amenity impacts on surrounding properties.
- d) Vehicle and equipment hygiene measures to prevent the spread of weeds and pathogens to, from and within the site.
- e) Procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, and to rehabilitate construction zones with appropriate species (i.e. pasture), when construction is complete.
- f) The persons responsible for implementing the above measures.

Native Vegetation Management Plan

40. The Environment Management Plan must include a Native Vegetation Management Plan containing the information required by condition 58.

Bats and Avifauna Management Plan

41. The Environmental Management Plan must include a Bat and Avifauna Management Plan (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 Portfolio). The monitoring program must include:
 - i. procedures for reporting any bird and bat strikes to DELWP (Environment Portfolio) 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
 - iii. procedures for the regular removal of carcasses likely to attract raptors to areas near turbines
- c) be approved by DELWP (Environment Portfolio) prior to submission to the responsible authority.

42. When the monitoring program required under the BAM Plan is complete, the operator must submit a report to the responsible authority and DELWP (Environment Portfolio), setting out the findings of the program. The report must be:

- a) to the satisfaction of the responsible authority and DELWP (Environment Portfolio)
- b) made publicly available on the operator's website.

43. After considering the findings of the monitoring program and consulting with DELWP (Environment Portfolio), the responsible authority may direct further investigation of impacts on birds and bats. The further investigation must be undertaken to the satisfaction of the responsible authority and DELWP (Environment Portfolio).

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LIGHTING

44. External lighting is not permitted on the site other than:
- a) Low-level, low-intensity security lighting.
 - b) Lighting for construction purposes.
 - c) Lighting necessary in the case of an emergency or for operational call-outs at reasonable times.
 - d) Aviation safety lighting.

AVIATION

45. Aviation hazard lighting must be installed at the top of the following wind turbines:
- a) T1, T5, T7, T15, T24, T30, T33, T35, T43, T48, T53, T54 (as per plan "Wimmera Plains Energy Facility Site Plan", dated 17 July 2020)
46. Any aviation lighting must have a brightness of not more than 200 candela. The lighting must include shielding, such that lighting is not visible from ground level, to the satisfaction of the responsible authority.
47. Within 30 days of the endorsement of development plans under condition 1 of this permit:
- a) the coordinates and estimated survey heights of each turbine must be reported to ensure that the location of the wind farm can be mapped for the information of pilots to the Airservices Australia Vertical Obstacle Database (VOD) email address vod@airservicesaustralia.com.
 - b) 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:
 - i. Civil Aviation Safety Authority;
 - ii. The Department of Defence (Royal Australian Air Force Aeronautical Information Service);
 - iii. Horsham Airport;
 - iv. Warracknabeal Airport;
 - v. Any aerodrome operator within 30 kilometres of the site;
 - vi. The Aerial Agricultural Association of Australia;
 - vii. Any agency responsible for providing Air Ambulance services in the area; and
 - viii. Any agency responsible for aerial firefighting in the area.
48. One month prior to works commencing, Airservices Australia must be contacted via vod@airservicesaustralia.com so that a NOTAM (Notice to Airmen) can be published advising pilots that construction of tall structures in the area is imminent.
49. Within 30 days of the completion of works, Airservices Australia must be advised via vod@airservicesaustralia.com of the surveyed height and location of each turbine so that the wind farm details can be accurately recorded in the Airservices Australia Vertical Obstacle Database (VOD).
50. Before development starts, the permit holder must provide evidence to the responsible authority, that the 10-nautical mile (nm) Minimum Safe Altitude (MSA) for Horsham Airport has been raised from 2,200ft to 2,300ft. This change must be published in the Aeronautical Information Publication and the permit holder must make appropriate notifications, to the satisfaction of Airservices Australia, that relevant mitigation measures have been taken.

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EMERGENCY SERVICES

51. Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email 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 wind farm extents polygon(s)
 - Tower location and name/number
 - All access entry points onto private property
 - All Internal roads that lead to the individual towers
 - The locations of site compound, substations, maintenance facilities, and anemometers.
52. If there are any subsequent changes to turbine 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 within 30 days of the change, to enable details of any changes to the wind energy facility to be known to emergency services dispatchers.

NATIVE VEGETATION REMOVAL

Native vegetation permitted to be removed, destroyed or lopped

53. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.296 hectares of native vegetation (of which 0.009 hectares is past removal).

Native vegetation offsets

54. To offset the removal of 0.296 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the permit holder must secure the following offsets:
- A general offset of 0.034 general habitat units:
 - located within the Wimmera Catchment Management Authority (CMA) or Horsham Rural City municipal area
 - with a minimum strategic biodiversity value of at least 0.097.

Offset evidence

55. Before any native vegetation is removed:
- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site, and/or
 - credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
56. 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, a copy of the endorsed offset evidence must be provided to grampians.planning@delwp.vic.gov.au

Notification of permit conditions

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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.

Protection of retained vegetation

58. Before works start, a plan prepared in consultation with DELWP (Environment Portfolio) 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. The plan must also outline how the State significant Buloke *Allocasuarina luehmannii* and Buloke Mistletoe *Amyema linophylla sub species orientalis* recorded within the study area will be protected. 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.

59. Except with the written consent of the responsible authority in consultation with the DELWP (Environment Portfolio), within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:

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

Monitoring and reporting on onsite offset implementation

60. Where the offset includes a first party offset(s), the permit holder must provide an 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.

AUSNET TRANSMISSION GROUP CONDITIONS

61. No wind turbine shall be constructed within 250 metres of AusNet Transmission Group's easement, and no Meteorological Towers shall be constructed within 165 metres of the easement.

62. No buildings or structures are permitted on AusNet Transmission Group's easement other than interface works required for connection of the wind farm electrical system to the 220 kilovolt transmission line. Design plans for such work must be submitted to and approved in writing by AusNet Transmission Group prior to the commencement of construction.

63. Details of any road or track construction and the installation of services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

64. Gates must be installed in any new boundary fences that cross the easement to enable access by AusNet Transmission Group vehicles.

65. Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.

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66. A 'Permit to Work Adjacent to Exposed High Voltage Electrical Apparatus' must be obtained prior to the commencement of any works on the easement that involves the use of any plant or equipment exceeding 3 metres operating height.
67. Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on the easement.
68. All future works in the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

POWERCOR AUSTRALIA CONDITIONS

69. Negotiate with Powercor for the connection of the development, to the existing power distribution network.
70. Any buildings must comply with the clearances required by the Electricity Safety (Installations) Regulations.
71. Any construction work must comply with Energy Safe Victoria's "No Go Zone" rules.
72. Set aside for the use of Powercor Australia Ltd reserves and/or easements satisfactory to Powercor Australia Ltd where any electric substation (other than a pole mounted type) is required
73. Alternatively, at the discretion of Powercor Australia Ltd a lease(s) of the site(s) and for easements for associated powerlines, cables and access ways shall be provided. Such a lease shall be for a period of 30 years at a nominal rental with a right to extend the lease for a further 30 years. Powercor Australia Ltd will register such leases on the title by way of a caveat prior to the registration of the plan of subdivision.
74. Provide easements satisfactory to Powercor Australia Ltd, where easements have not been otherwise provided, for all existing Powercor Australia Ltd electric lines on the land and for any new powerlines required to service the lots and adjoin land, save for lines located, or to be located, on public roads set out on the plan. These easements shall show on the plan an easements(s) in favour of "Powercor Australia Ltd: for "PowerLine" pursuant to Section 88 of the Electricity Industry Act 2000.
75. Obtain for the use of Powercor Australia Ltd and other easement external to the development.

CFA

CFA's Guidelines for Renewable Energy Installations 2019

76. The design, commissioning and operation of wind facilities must be undertaken in accordance with CFA's Guidelines for Renewable Energy Installations 2019.

Fire Protection

77. A fire protection system must be provided for the facility, the system must:
 - a) Be designed to allow adequate response to the risks and hazards at the facility.
 - b) Incorporate:
 - i. A static fire water storage tank of at least 45,000L effective capacity to cover sheds, control rooms, substations and grid connection areas.
 - ii. Additional static fire water storage tanks of at least 45,000L effective capacity as determined through a comprehensive risk management process, to the satisfaction of CFA.

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- c) The static water storage tank(s) must comply with AS 2419.1-2005: Fire hydrant installations, and:
- i. Be above-ground, constructed of concrete or steel.
 - ii. Be located at vehicle entrances to the facility and positioned at least 10m from any infrastructure (including buildings, wind turbines and electricity infrastructure).
 - iii. Be capable of being completely refilled automatically or manually within 24 hours.
 - iv. Be equipped with an external water level indicator that is visible from the hardstand area.
 - v. Have signage fixed to the tank as per AS 2419.1-2005: Fire hydrant installations.
 - vi. Be provided with a hard-suction point:
 - (a) With a 150mm full bore isolation valve equipped with a Storz connection, sized to comply with the required suction hydraulic performance. Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap to be provided.
 - (b) Positioned within 4 metres of a hardstand area with clear access for fire services personnel.
 - (c) Protected from mechanical damage (i.e., bollards) where necessary.
 - (d) Accessible via an all-weather access road and hardstand.
 - (i) The hardstand must be maintained to a minimum of 15 tonne GVM, 8 metres long and 6 metres wide or to the satisfaction of the relevant fire authority.
 - (ii) ii. The road access and hardstand must be kept clear at all times. Where the access road has one entrance, a 10-metre radius turning circle must be provided at the tank.

Access

78. Constructed roads developed during construction of the facility must be maintained post-commissioning and throughout the operational life of the facility, to allow access to each turbine for maintenance and emergency purposes.
79. Roads are to:
- a) Be of all-weather construction and capable of accommodating a vehicle of fifteen (15) tonnes.
 - b) Where they are constructed roads, they are to be a minimum of four (4) metres in trafficable width with a four (4) metre vertical clearance for the width of the formed road surface.
 - c) Be of average grade no more than 1 in 7 (14.4% or 8.1°) with a maximum of no more than 1 in 5 (20% or 11.3°) for no more than fifty (50) metres.
 - d) Where there are dips in the road, they are to be no more than a 1 in 8 (12.5% or 7.1°) entry and exit angle.
 - e) Incorporate passing bays at least every 600 metres, which must be at least 20 metres long, and have a minimum trafficable width of 6 metres. Where roads are less than 600 metres long, at least one passing bay is to be incorporated.

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80. Roads networks must:

- a) Enable responding emergency services to access all areas of the facility.
- b) Include a minimum of two but preferably more access points to the site, as determined through a risk management process.

Fuel/Vegetation Management

81. A fire break area of at least ten (10) metres width must be maintained around control rooms, electricity compounds and substations. This area is to be of non-combustible mulch, crushed rock or mineral earth. The fire break must:

- a) Be constructed using either mineral earth or non-combustible mulch such as crushed rock.
- b) Be free of vegetation at all times.
- c) Be free of all obstructions (e.g., no stored materials of any kind) at all times.

82. Grass within the facility must be maintained at below 100mm in height during the declared Fire Danger Period.

83. There must be a clearance of at least 2 metres between the lowest branches and ground level within any vegetation screening (landscape buffer) zone.

84. All plant and heavy equipment must carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the Fire Danger Period.

85. Long grass and/or deep leaf litter must not be present in areas where plant and heavy equipment will be working, during construction or operation.

Siting, Operation and Maintenance

86. Wind turbines must be located no less than 300 metres apart.

87. Where weather monitoring stations/towers greater than 100' are installed, they must:

- a) Be clearly marked and guy wires fitted with markers; and
- b) Be notified to CFA and Geoscience Australia (for inclusion in the Vertical Obstruction Database).

88. The base of wind turbines must be non-combustible and clear of vegetation, including grass, for at least a ten (10) metre radius. This area may be constructed road and/or non-combustible mulch such as crushed rock or mineral earth.

89. Specifications for safe operating conditions for temperature and the safety issues related to electricity generation, including isolation and shut-down procedures if turbines are involved in fire, must be provided within the Emergency Information Book at the entrances to the facility.

90. For predominantly unoccupied facilities, appropriate monitoring for facility infrastructure must be provided, to ensure that any shorts, faults or equipment failures with the potential to ignite or propagate fire are rapidly identified and controlled, and any fire is notified to 000 immediately.

Emergency Management Plan

91. An Emergency Management Plan (EMP) must be submitted to the satisfaction of CFA; the plan must:

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- a) Be prepared in accordance with CFA's Guideline for Renewable Energy Installations 2019 (or as updated from time to time).
- b) Incorporate a Fire Management Plan, that identifies, assess and outlines controls for the management of fire risks, both on- and off-site, at the facility.
- c) Include maximum operational wind speed and temperature conditions and operating procedures to limit fire risk. This information must also be provided within the content of the site's Emergency Information Book.

Provision of Emergency Information

92. An Emergency Information Container must be installed at each road entry to the site. The container must:

- a) Be painted red and marked 'EMERGENCY INFORMATION' in white contrasting lettering not less than 25mm high.
- b) Be installed at a height of 1.2m-1.5m above ground level.
- c) Be unobstructed and accessible with a fire brigade standard 003 key.
- d) Contain emergency information for the facility, including:
 - i. A description of the premises, its infrastructure and operations.
 - ii. Site plans that include the layout of the entire site, including any buildings, internal roads, infrastructure, fire protection systems and equipment, dangerous goods storage areas (if present), drains and isolation valves, neighbours and the direction of north.
 - iii. Contact details for site personnel, regulatory authorities and site neighbours.
 - iv. Procedures for management of emergencies, including evacuation, containment of spills and leaks, and fire (including infrastructure, grassfire/bushfire) procedures.
 - v. A manifest of dangerous goods (if required) as per Schedule 3 of the Dangerous Goods (Storage and Handling) Regulations 2012.
 - vi. Safety Data Sheets (SDS) for any dangerous goods stored on-site.

COMPLAINTS

Complaint Investigation and Response Plan

93. Before development starts a Complaint Investigation and Response Plan must be submitted to and endorsed by the responsible authority. When endorsed the plan will form part of this permit. The Plan must enable response to any and all complaints that may be raised about all aspects regarding the construction and operation of the wind farm and must:

- a) Be prepared in accordance with the requirements of the Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for Complaint Management in Organisations;
- b) Include the process(es) that will be followed to investigate and resolve complaints that may arise about the wind farm (different processes may be required for different types of complaints);
- c) Require the proponent to issue a complaint reference number to the complainant;
- d) Include target timeframes for making contact with complainants, and all steps related to the investigation and resolution of complaints;

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- e) Include the ability to escalate the complaint to a management or executive level person in the event that the complainant is not satisfied with how the complaint is being handled or the proposed resolution; and
 - f) Advise complainants of their options to escalate the complaint to an external body, such as local council, the EPA or the Australian Energy Infrastructure Commissioner.
94. The endorsed Complaint Investigation and Response Plan must be implemented to the satisfaction of the responsible authority and is subject to ongoing audit by the authority.

Publishing Information about Complaints Handling

95. Before development starts, the following information must be made publicly available and readily accessible from the wind farm project website, or another publicly available resource to the satisfaction of the responsible authority:
- a) A copy of the endorsed Complaints Investigation and Response Plan;
 - b) A plain English summary document that clearly explains the process for handling complaints and facilitating resolution, ideally in the form of a flow diagram
 - c) A toll-free telephone number, email address, and postal address to lodge complaints and make inquiries to the wind energy facility operator.
 - d) The wind farm operator's privacy policy, advising how information collected about the complainant will be stored and used and the ability for the complainant to be provided with data held or request removal of the data, consistent with relevant and current legislation.
 - e) The toll-free number telephone required by condition 95(c) must be attended during normal business hours. When the telephone is unattended, the telephone must include a greeting message advising the caller that they have reached the wind farm complaints line and have the ability for the caller to leave a voice message with information about the caller and the complaint.

The project website must be easily found on the internet via a search engine by using a basic search string, such as the project's name.

Complaints Register

96. 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 *Operational Noise Assessment* (4 March 2020) prepared by Marshall Day Acoustics.
 - b) A receipt number for each complaint, which must be communicated to the complainant.
 - c) The time and date of the incident, and, if relevant, 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 the status of that resolution; and
 - ii. For noise complaints, the findings and recommendations of an investigation report undertaken in accordance with the endorsed Noise Management Plan;and

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- iii. Confirmation, or otherwise, that the complainant is satisfied with the resolution and that the complaint has been closed.
- 97. All complaints received must be recorded in the Complaints Register. The handling of all complainant data must be in accordance with current privacy and other related legislation.
- 98. The complete copy of the Complaints Register must be provided, along with a reference map of complaint locations, to the responsible authority on each anniversary of the date of this permit and at other times on request.

DECOMMISSIONING

- 99. Once a turbine or turbines permanently cease operation, the responsible authority must be notified within two months.
- 100. Subject to condition 101, once a turbine or turbines permanently cease operation, all infrastructure, equipment, buildings and structures must be removed, and the site or the relevant part of the site must be rehabilitated and reinstated to the condition it was in prior to the commencement of development, to allow it to be used for agricultural purposes (or any proposed alternative use). This includes, but is not limited to, all turbines, turbine foundations, access tracks and above and below ground electrical infrastructure and equipment.
- 101. If the landowner requests, items of infrastructure or other works (such as access tracks) that are suitable for the ongoing agricultural use of the land (or proposed alternative use) may be retained, subject to the written consent of the responsible authority.
- 102. Within two months of a turbine or turbines permanently ceasing operation, a Decommissioning Management Plan prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the responsible authority. When endorsed, the Plan will form part of this permit. The Plan must include, as a minimum:
 - a) Identification of infrastructure, equipment, buildings and structures to be removed, and details of how these will be removed.
 - b) Details of how the site will be rehabilitated to meet the requirements of condition 100.
 - c) A requirement that a Decommissioning Traffic Management Plan be submitted to, approved and endorsed by the Horsham Rural City Council prior to decommissioning works starting. The Plan must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site, to the satisfaction of the Horsham Rural City Council.
 - d) A requirement that all decommissioning works identified in the Decommissioning Management Plan be completed to satisfaction of the responsible authority as soon as practicable, but no later than 12 months after the Plan is endorsed, or such other period approved by the responsible authority.

The endorsed Decommissioning Management Plan must be implemented to the satisfaction of the responsible authority.

EXPIRY

- 103. This permit will expire if one of the following 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.

DATE ISSUED: 20/07/2021



**SIGNATURE OF MICHAEL JUTTNER, MANAGER, DEVELOPMENT APPROVALS AND DESIGN,
AS DELEGATE FOR THE MINISTER FOR PLANNING**

NOTES

1. Before any works on road reserves and channel reserves (public land) start, a permit to take protected flora under the *Flora and Fauna Guarantee (FFG) Act 1988* may be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer at the Ballarat regional office of DELWP (Environment Portfolio) via email on grampians.environment@delwp.vic.gov.au.
2. Before any works on road reserves and channel reserves (public land) start, the applicant must comply with applicable Commonwealth, State and local legislation, regulations and permits.
3. Wimmera Catchment Authority recommends the proponent undertake surface water analysis for rare and extreme events (1% to 10% Annual Exceedance Probability as a minimum) within the proposed locations, to ensure infrastructure is appropriately sited and constructed so they are not impacted by flooding.

Please Note:

The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

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 a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; 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 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 of 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.

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