

PLANNING PERMIT

Permit No.: PA2101321

West Wimmera Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

Private land

Land on Goroke-Harrow Road, Charam
(Crown Allotment 33, Parish of Konnepra)

Road reserve

Charam-Wombelano Road, Charam

THE PERMIT ALLOWS:

Use and development of a solar energy facility, in accordance with the endorsed plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

DEVELOPMENT PLANS

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

The plans must be generally in accordance with the advertised plans titled "Goroke-Harrow Road, Charam", received 14 January 2022, but amended to show:

- a. Final detailed location/site layout, floor, elevation and/or other typical detail plans (including the specifications, model, dimensions and materials) of all proposed buildings, structures, fencing, and works, including their setbacks from boundaries and other structures.
- b. The colours and finishes of all buildings and works. The colours and materials must be non-reflective and matched where possible to colours present within the surrounding landscape to minimise visual impact.
- c. Detailed plans and elevations of any power lines and other grid connection works.
- d. Any updates as necessary in accordance with the Traffic Management Plan required by condition 18.
- e. The retention of tree 1, as identified in the Aboricultural Impact Assessment prepared by Tree Care Consulting and dated 6 April 2022.

- f. Any landscaping in accordance with the Landscaping Plan required by condition 3.
- g. Any additional measures relating to fire and fire protection in accordance with the corresponding conditions below.

USE AND DEVELOPMENT

- 2. The use and development must be generally in accordance with the endorsed plans. The endorsed plans must not be altered or modified without the prior written consent of the responsible authority.

LANDSCAPING

- 3. Concurrently with the endorsement of plans under condition 1 of this permit, a Landscaping Plan must be submitted to, approved, and endorsed by the responsible authority, to the satisfaction of the responsible authority. When endorsed, the plan will form part of the permit.

The Landscaping Plan must:

- a. Be generally in accordance with the landscaping shown in the landscaping impact assessment prepared by Urban Initiatives and dated 19 August 2021.
 - b. Include details of all landscaping and vegetation (including species, density, height at time of planting and maturity, and separation in both plan and elevation) and visual impact mitigation techniques and landscape buffers, including screen planting, selected architectural finishes that blend into existing background features, use of existing and proposed landscaping, that will provide reasonable screening of the facility from public land and adjoining allotments.
 - c. Include details of all ground surface finishes including internal access tracks, pathways, laydown areas, and driveways including how these areas will be maintained at a reasonable level.
 - d. Include a timetable for implementation of landscape works.
 - e. Include a maintenance and monitoring program to ensure the ongoing health of landscape works.
- 4. The landscaping works must be carried out and completed in accordance with the landscaping plan to the satisfaction of the responsible authority within the timeframe indicated in that plan.
 - 5. Once the landscaping is carried out, it must be maintained in good health for the operational life of the facility, including the replacement of any dead or diseased plants to the satisfaction of the Responsible Authority.

CONSTRUCTION MANAGEMENT & VEGETATION

Construction Management

- 6. Before the development commences, excluding site preparation works, a Construction Environment Management Plan (CEMP) must be submitted to, approved and endorsed by the responsible authority.

The CEMP must include (but not necessarily be limited to) the following:

- a. Measures to ensure the prevention of construction deliveries from using the intersection of the Wimmera Highway (B240) and Goroke-Harrow Roads between dusk

and dawn, to the satisfaction of the responsible authority and the Head, Transport for Victoria.

- b. Measures to be implemented to protect native vegetation being retained on site and on land directly adjoining the site, during construction works.
- c. Identification of all stockpile, storage, parking and machinery storage locations and management requirements for these. These need to be located within the identified facility development areas.
- d. Sediment/erosion control and drainage management to be implemented on site, as required, to ensure no sediment or sediment laden runoff enters waterways, wetlands or moves off site.
- e. Weed control/management on site, including appropriate vehicle hygiene measures, during construction phase and post construction.
- f. Measures to mitigate any detrimental impacts on the native vegetation present on adjoining road reserves.
- g. Monitoring and reporting requirements for all aspects of the construction phase, and all components of/actions set out in the endorsed CEMP.
- h. The person/s responsible for implementation and compliance of each aspect of the endorsed CEMP.

All persons undertaking works on site must be fully briefed on all aspects and requirements of the endorsed CEMP. All works constructed or carried out must be in accordance with the endorsed CEMP, to the satisfaction of the responsible authority.

Protection of Retained Native Vegetation

7. Before the development commences, a plan to the satisfaction of the responsible authority must be prepared, and submitted to and approved by the responsible authority. The plan must identify:
 - a. All native vegetation to be retained onsite.
 - b. Tree Protection Zones (TPZ) must be established around the retained vegetation, visibly marked, and maintained to ensure minimal disturbance during various stages of construction and during operation of the project.

AS-4970-2009-Protection of Trees on Development Sites should be used as a guideline when planning all works.

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.

8. Except with the written consent of the responsible authority, 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 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.

CONTROL OF LIGHTING

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

WEST WIMMERA SHIRE COUNCIL

10. Stormwater runoff must be restricted, using onsite detention to predevelopment runoff for 1% Annual Exceedance Probability (AEP) discharge rate, to the satisfaction of the responsible authority in consultation with West Wimmera Shire Council.
11. Before the development commences, a detailed plan of a bituminous sealed vehicle crossing to Infrastructure Design Manual (IDM) standards must be submitted to and approved by Council officers. Prior to the construction, a site inspection with a Council representative is to be undertaken and a Work in Road Reserve application made. Consideration of Sheetting/Widening of shoulders to allow ingress and egress of heavy vehicles is to be considered when developing a detailed plan for site access.

OPERATIONAL NOISE

12. The use of the land must at all times comply with the Environmental Protection Authority's Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (Noise Protocol) (as documented in EPA Publication 1826.4).
13. Concurrently with the endorsement of plans in accordance with condition 1 of this permit, an updated Predictive Noise Assessment report must be provided to the responsible authority that:
 - a. Is modelled using the final design layout and electrical components for the entire facility (including all ancillary infrastructure and any cooling systems).
 - b. Demonstrates that the proposal will comply with the Noise Protocol at all times without relying on limiting the operating capacity of any part of the facility.
 - c. Provides detail of the mitigation measures that need to be implemented to achieve compliance with the noise protocol, if required.
14. All measures relied on to achieve compliance with the Noise Protocol must be shown on the plans endorsed under condition 1, and implemented to the satisfaction of the responsible authority.
15. The Predictive Noise Assessment must be made available to the public.

EMERGENCY SERVICES

16. Before the development commences, 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:
 - a. The location and boundaries of the solar farm extents polygon(s)
 - b. All access entry points onto private property
 - c. All Internal roads
 - d. The locations of site compound, substations, batteries, and maintenance facilities.
17. If there are any subsequent changes to infrastructure location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au within 30 days of the

change, to enable details of any changes to the solar energy facility to be known to emergency services dispatchers.

TRAFFIC MANGAGEMENT PLAN

18. Before the development commences, a Traffic Management Plan (TMP) must be prepared in consultation with the relevant road authority, and submitted to, approved, and endorsed by the responsible authority. When endorsed, the TMP will form part of this permit.

The TMP must:

- a. Include measures to be taken to manage traffic impacts associated with the construction of the facility, including powerlines.
- b. Specify designated transportation routes that will be used to access the site during construction of the facility, including powerlines, including the amount and type of vehicles required.
- c. Include a program to inspect, maintain and repair public roads used by construction traffic.
- d. Include details of any proposed modifications or upgrades to existing roads that will be required before, during and after construction of the Solar energy facility and Utility installation.
- e. Address potential environmental and amenity impacts associated with the traffic generated by construction of the Solar energy facility and Utility installations, including potential coordination with public transport routes.
- f. Be prepared by a suitably qualified independent civil or traffic engineer.
- g. Be approved by the relevant road management authority (or authorities) prior to submission.

DECOMMISSIONING

19. Once the facility permanently ceases operation, the Minister for Planning and West Wimmera Shire Council must be notified within three months.
20. Subject to condition 23, once the solar energy facility permanently ceases operation, all infrastructure, equipment, buildings, structures and works 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 solar arrays, inverters/transformer containers, control building, substation, switchyard, and above and below ground electrical infrastructure and equipment.
21. Within three months of the facility permanently ceasing operation, a Decommissioning Management Plan (DMP) prepared by a suitably qualified and experienced person must be submitted to, approved and endorsed by the Responsible Authority. Once endorsed, the DMP will form part of the permit.

The DMP 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. If the landowner requests, identification of items of infrastructure or other works (such as access tracks or the control building) that are suitable for the ongoing agricultural use of the land (or proposed alternative use) may be retained.
- c. Details of how the site will be rehabilitated to meet the requirements of condition 25.

22. Before decommissioning commences, a Decommissioning Traffic Management Plan (DTMP) must be submitted to, approved and endorsed by the Minister for Planning. The DTMP must be approved by the relevant road management authority (or authorities) prior to submission to the Minister for Planning for endorsement. The DTMP must specify measures to manage traffic impacts associated with removing the infrastructure, equipment, buildings and structures from the site, to the satisfaction of the Minister for Planning.
23. All decommissioning works identified in the DMP must be completed to the satisfaction of the Minister for Planning. Decommissioning works must be completed as soon as practicable, but no later than 12 months after the DMP is endorsed, or such other period approved by the Minister for Planning.
24. The endorsed DMP must be implemented to the satisfaction of the Responsible Authority.

COUNTRY FIRE AUTHORITY

In conditions 26 to 28:

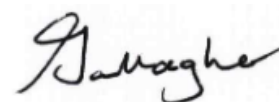
‘the CFA Guidelines’ means The *CFA’s Design Guidelines and Model Requirements for Renewable Energy Facilities* (newest version at time of submitting plan for endorsement)

25. Before plans are endorsed under condition 1, in consultation with the CFA, a Risk Management Plan must be submitted to, approved and endorsed by the responsible authority. The Risk Management Plan must be prepared in accordance with the CFA Guidelines.
26. Before plans are endorsed under condition 1, an Emergency Management Plan (EMP) and Fire Management Plan (FMP) must be submitted to, approved and endorsed by the responsible authority. The EMP and FMP must be prepared in consultation with the CFA and be in accordance with the CFA Guidelines.
27. Before the use commences, all fire protection measures shown on the endorsed plans (including separation distances, emergency vehicle access, firefighting water supply and equipment, and fire breaks) must be implemented. The fire protection measures must be maintained on a continuing basis for the life of the permit, to the satisfaction of the responsible authority.

EXPIRY

28. This permit will expire if one of the following applies:
 - The development is not started within four years of the date of this permit.
 - The development is not completed within six years of the date of this permit.
 - The use is not started within one year following the completion of the development.

DATE ISSUED: 1 AUGUST 2022



**Signature of Tom Gallagher, Development
Approvals and Design, as delegate for the
Minister for Planning**

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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**.)

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.