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TOWN PLANNING REPORT

CONSTRUCTION OF A UTILITY INSTALLATION
AND REMOVAL OF NATIVE VEGETATION AT
5923 MIDLAND HIGHWAY, TATURA
MAY 2021

PREPARED FOR POWERCOR AUSTRALIA LTD

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1. INTRODUCTION

This report has been prepared by Spiire Australia Pty Ltd on behalf of Powercor Australia Ltd in support of a planning permit application for the use and development of a utility installation and removal of native vegetation in Tatura, Victoria.

The proposed works are required as a part of an upgrade to the existing electrical alignment to create a new connection to the 'Tatty' Solar Farm at 5923 Midland Highway, Tatura.

Powercor is committed to providing an electricity network that is safe and reliable while minimising any impacts on the environment. Powercor has undertaken numerous upgrades and new connection projects across Victoria, with minimal or no vegetation, environmental or community impact. These works have been designed to minimise the extent of native vegetation impacted.

The purpose of this report is to:

- ▶ Provide an overview of the subject site and the surrounding area;
- ▶ Outline the proposal;
- ▶ Identify the relevant planning controls, policies and decision guidelines within the Greater Shepparton Planning Scheme; and
- ▶ Provide an analysis of the proposal against the relevant planning provisions.

This report is accompanied by, and should be read in conjunction with:

- ▶ Certificate of Title – Appendix A;
- ▶ Development Plan, prepared by Spiire dated 11/05/2021 (drawing no 305658 ID 09) – Appendix B;
- ▶ Construction Plans, prepared by Powercor, 11/05/2021 (drawing no. PCA80_5124440_1) – Appendix C; and
- ▶ Ecology Report, prepared by EcoAerial (11/05/2021) – Appendix D.

1.1 PROJECT SUMMARY

The table below summarises the relevant details of this application.

Table 1: Project Summary

Land Title Details	<ul style="list-style-type: none"> ▶ Road reserve of Midland Highway ▶ Lot 2 LP133123 (5923 Midland Highway, Tatura 3616)
Applicable Planning Scheme	Greater Shepparton
Planning Controls	Zones <ul style="list-style-type: none"> ▶ Farming Zone – Schedule 1 (FZ1); and ▶ Road Zone, Category 1 (RDZ1).

	Overlays	<ul style="list-style-type: none"> ▶ Land Subject to Inundation Overlay (LSIO); and ▶ Specific Controls Overlay – Schedule 3 (SCO3).
Proposal	Construction of a utility installation (8 new poles, 2 new ground stays, approximately 583 metres of overhead conductor and approximately 67 metres of underground cable) and removal of native vegetation (removal of 8 trees).	
Planning Permit Triggers	Clause 35.07-1	To use the land for a utility installation (Section 2 use) in the FZ.
	Clause 35.07-4	To construct a building or carry out works associated with a use in Section 2 of Clause 35.07-1.
	Clause 36.04-1	To use the land for utility installation in the RDZ1.
	Clause 36.04-2	To construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
	Clause 44.04-2	To construct a building or to construct or carry out works within the LSIO.
	Clause 52.17-1	To remove, destroy or lop native vegetation, including dead native vegetation.
Bushfire?	Yes - Bushfire Prone Area.	
Area of Aboriginal Cultural Heritage Sensitivity?	No.	

1.2 PROJECT BACKGROUND

Planning Permit 2019-190 was issued in October 2019 and grants approval for the use and development of a Renewable Energy Facility (Micro Solar Farm) in the Farming Zone and Land Subject to Inundation Overlay, and alteration of access to a Road Zone, Category 1. The proposed works will provide for the connection of this solar farm to the existing electricity network.

1.3 AMENDMENT VC157 AND PERMIT EXEMPTIONS

The works proposed are best described as ‘utility installation’ rather than ‘minor utility installation’ as the definition of a minor utility installation excludes any power lines directly associated with an energy generation facility. The Tatty Solar Farm is considered to be an energy generation facility.

The Greater Shepparton Planning Scheme defines a 'utility installation' as:

“Land used:

- a. for telecommunications;*
- b. to transmit or distribute gas or oil;*
- c. to transmit, distribute or store power, including battery storage;*
- d. to collect, treat, transmit, store, or distribute water; or*
- e. to collect, treat, or dispose of storm or flood water, sewage or sullage.*

It includes any associated flow measurement device or a structure to gauge waterway flow.”

Amendment VC157 introduced changes to the Victoria Planning Provisions (VPP) and all planning schemes to require planning approval for power lines to connect new large-scale energy generation facilities to the electricity network (gazetted on 15 March 2019). In accordance with this amendment, a planning permit is required for power lines associated with an energy generation facility.

Clauses 62.01 and 62.02-1 of the Greater Shepparton Planning Scheme state the following in relation to permit exemptions:

- *The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157; and*
- *Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157 (construction or carrying out of works).*

As the Planning Permit for the Tatty Solar Farm was issued in October 2019, after the gazettal date of the Amendment VC157, the exemptions do not apply. As such, a planning permit is required for the use and the development of the land for a utility installation.

2. APPLICATION AREA

The project, to be undertaken by Powercor, will provide a connection from the Tatty Solar Farm to the existing electricity network. The project area, shown in Figure 1, is located within the road reserve of the Midland Highway and within the property boundary of 5923 Midland Highway, Tatura.

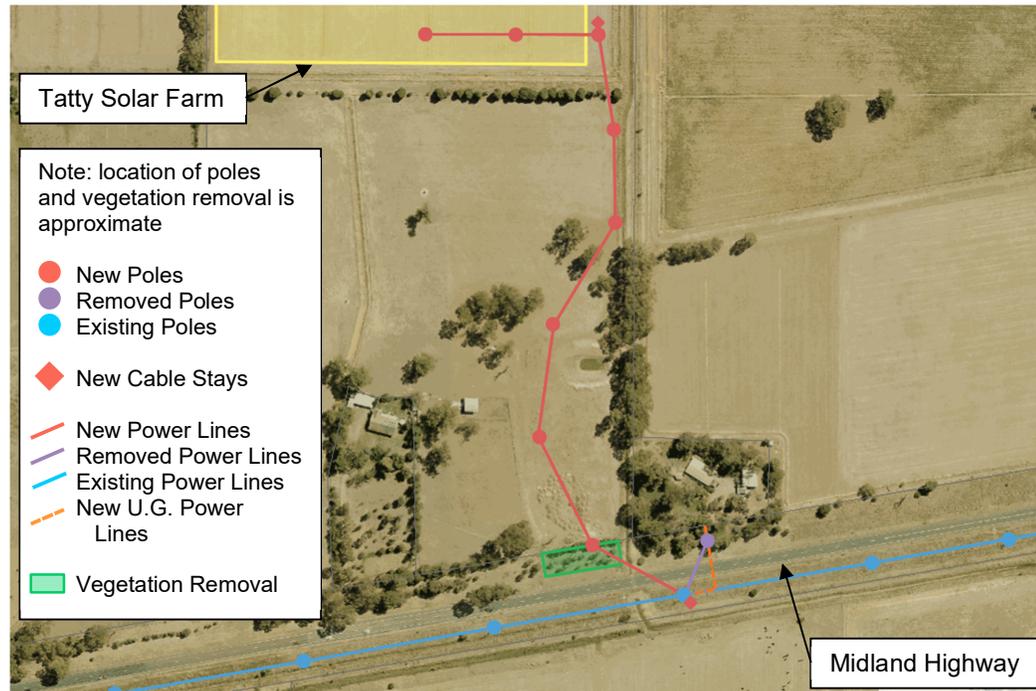


Figure 1: Project Area

2.1 LAND TITLE

The land is formally described as Lot 2 of Plan of Subdivision 133123

The following was listed as part of the title document:

- ▶ There is a lease listed on the title with Goulburn-Murray Rural Water Authority (AB479129R).
- ▶ There is a caveat listed on the title between owner and Greentech in relation to a lease (AT942686U).
- ▶ There are three easements shown on the plan of subdivision: Easements E-1, E-2 and E-3; and are all water supply easements. Refer to the Plan of Subdivision in Appendix A for further details.

The proposed use and development and associated vegetation removal is not affected by any existing title restrictions There are no further caveats, encumbrances or notices listed on the title.

A copy of the Title is attached at Appendix A.

3. PROPOSAL

The proposed works are required as a part of an upgrade to the existing electrical alignment to create a new connection to the Tatty Solar Farm at 5923 Midland Highway, Tatura. This upgrade is required to increase the carrying capacity of the existing electrical infrastructure to accommodate the additional supply generated by the Tatty Solar Farm.

This proposal is accompanied by, and should be read in conjunction with:

- ▶ Development Plan, prepared by Spiire dated 11/05/2021 (drawing no 305658 ID 09) – Appendix B;
- ▶ Construction Plans, prepared by Powercor, 11/05/2021 (drawing no. PCA80_5124440_1) – Appendix C; and
- ▶ Biodiversity Report, prepared by EcoAerial (11/05/2021) – Appendix D.

The project involves the construction of eight (8) new poles, two (2) new ground stays, approximately 583 metres of new overhead conductor, approximately 67 metres of new underground cable and removal of eight (8) native trees and the pruning of an additional tree.

As detailed in the Biodiversity Report, the eight (8) trees to be removed are two Yellow Gums, three Red Iron Barks, a Eucalypt sp, a River Red Gum and a Grey Box. This removal is required to meet the power distribution line clearance requirements.

The new poles will be 12.5m concrete poles and will have approximately 10.2m of pole exposed above ground. The new underground powerlines will be at least 1.2m below the surface of the road reserve. The underground powerlines will run within the road reserve, stopping at the edge of the road reserve and the property of 5935 Midland Highway.

The new poles will run from the boundary of the road reserve and the property boundary of 5923 Midland Highway, and will continue up the eastern side of the property avoiding vegetation where possible, before making a ninety degree turn west to connect to the solar farm. The closest dwelling is approximately 84m away from the nearest new pole to be erected.

See the detailed plan in Appendix B for further information.

3.1 CONSTRUCTION METHODOLOGY

Powercor is adept at minimising the environmental or community impacts during the construction or replacement of electrical infrastructure, and frequently undertake new and replacement projects without impact, facilitating the delivery of critical electrical infrastructure within communities.

Powercor's construction technique/ methodology enables works to occur with minimal disturbance to existing biodiversity. A description of the methodology and examples of previous works conducted by Powercor is provided below:

- ▶ New pole locations will be accessed via Pole Erection and Recovery Units (PERUs) which will be parked on the existing road pavement/ verge or existing access tracks. The construction methodology will then involve an arm reaching from the parked vehicle to the pole location to auger a hole. Another arm would then put the new pole in place.
- ▶ Where the trucks need to get closer, or off the road pavement, bog mats will be used to ensure any vegetation is not impacted.

- ▶ Any areas of native vegetation adjacent to work sites which need to be preserved will be contained within no-go fencing to avoid any unintended impacts. There will be erected prior to construction.

The installation of a new pole has a disturbance footprint of approximately 0.35m².

There is a small section of underground works, proposed to be installed via boring. As such, it is likely that some small sections of ground disturbance will occur on either side of the road reserve. Where boring is proposed, a 2m x 1m bore pit will be required on either side of the road reserve. Horizontal Directional Drilling (HDD or boring) is considered to have minimal impact to vegetation with the exception of the entry and exit points. No native vegetation will be impacted in this area.

The ecology assessment recommends that access to Pole 1 is via the private property and that all works should be conducted in dry conditions. If works are not undertaken in dry conditions, bog mats will be utilised to minimise impacts to ground cover.

Provided these construction techniques are implemented, it is considered the proposed works can be completed with minimal impacts to vegetation. The above procedures would be outlined in the standard Construction Environment Management Plan for the project to ensure compliance.

Figure 2 to Figure 5 provide examples on how a new pole is installed:



Figure 2: Example of a hole being augured via arm from truck (note in this example the roadside vegetation was deemed to be non-native, hence the truck parking slightly on the verge and the other truck in the background).



Figure 3: Example of hole being augured via arm from truck (note in this example the roadside vegetation was deemed to be native in places and fencing was set up to keep the truck from the shoulder).



Figure 4: Example of pole being installed via truck crane.



Figure 5: Example of contractors working on the new or replacement installation. Note the truck is still in the road carriageway.

4. PLANNING POLICY FRAMEWORK

The purpose of this section is to provide a summary of the relevant planning controls and provisions contained within the Greater Shepparton Planning Scheme.

The proposal triggers the requirement for a planning permit for the following:

- ▶ To use the land for a utility installation within the Farming Zone (FZ), pursuant to Clause 35.07-1;
- ▶ To construct a building or carry out works associated with a Section 2 use in the Farming Zone (FZ), pursuant to Clause 35.07-4;
- ▶ To use the land for a utility installation within the Road Zone – Category 1 (RDZ1), pursuant to Clause 36.04-1;
- ▶ To construct a building or to construct or carry out works associated with a Section 2 use within the Road Zone, Category 1 (RDZ1), pursuant to Clause 36.04-2;
- ▶ To construct a building or to construct or carry out works within the Land Subject to Inundation Overlay (LSIO), pursuant to Clause 44.04-2; and
- ▶ To remove native vegetation, including dead native vegetation, pursuant to Clause 52.17-1.

4.1 STATE AND LOCAL PLANNING POLICY

The following State and Local planning policies contained within the Greater Shepparton Planning Scheme are considered relevant to the proposal:

- ▶ Clause 12.01-1S Protection of Biodiversity;
- ▶ Clause 12.01-2S Native Vegetation Management;
- ▶ Clause 13.02-1S Bushfire Planning;
- ▶ Clause 13.03-1S Floodplain Management;
- ▶ Clause 15.02-1S Energy and Resource Efficiency;
- ▶ Clause 19.01-1S Energy Supply;
- ▶ Clause 19.01-2S Renewable Energy;
- ▶ Clause 21.05-1 Natural Environment and Biodiversity;
- ▶ Clause 25.05-2 Floodplain and Drainage Management;
- ▶ Clause 21.05-3 Best Practice Land Management; and
- ▶ Clause 21.07-4 Infrastructure Planning, Design and Construction.

The objectives of these policies relevant to the project are reproduced below:

- ▶ *To assist the protection and conservation of Victoria's biodiversity (Clause 12.01-1S).*
- ▶ *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation (Clause 12.01-2S).*
- ▶ *To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life (Clause 13.02-1S).*
- ▶ *To assist the protection of:*
 - *Life, property and community infrastructure from flood hazard.*

- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health (Clause 13.03-1S).
- ▶ To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions (Clause 15.02-1S).
- ▶ To facilitate appropriate development of energy supply infrastructure (Clause 19.01-1S).
- ▶ To promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met (Clause 19.01-2S).
- ▶ To maintain and enhance biodiversity of native flora and fauna communities (Clause 21.05-1).
- ▶ To recognise the constraints of the floodplain on the use and development of land. (Clause 21.05-2)
- ▶ To reduce greenhouse gas emissions (Clause 21.05-3).
- ▶ To provide clear and consistent guidelines for the planning, design and construction of infrastructure (Clause 21.07-4).

4.2 ZONES

The works are located within the Farming Zone – Schedule 1 (FZ1) and Road Zone, Category 1 (RDZ1). This is illustrated in Figure 6 below:

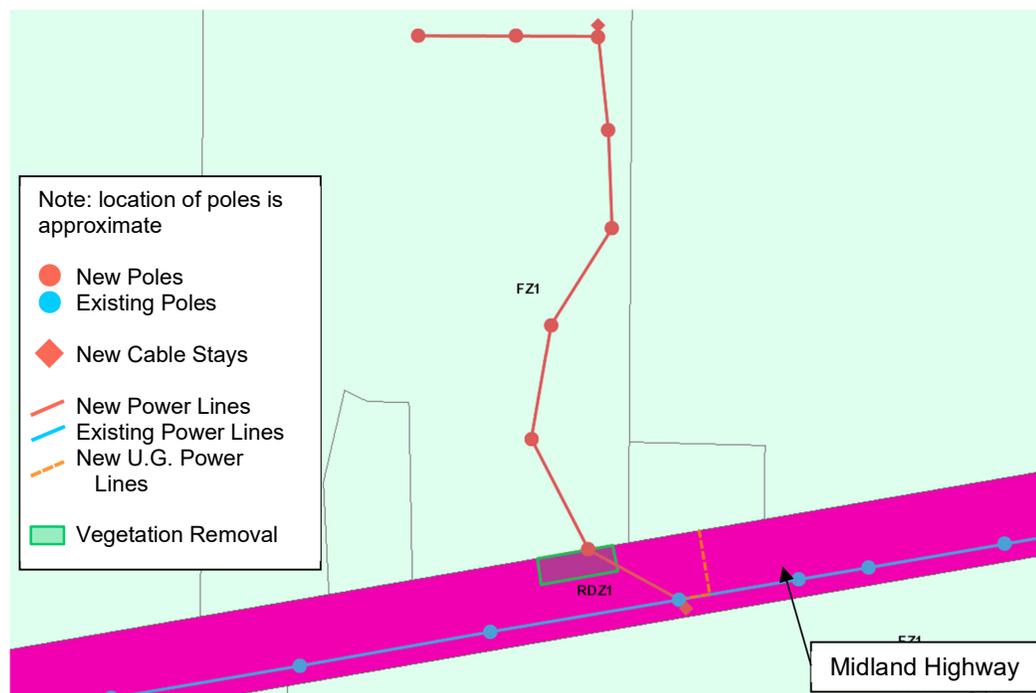


Figure 6: Zoning Map of Tatty Solar Farm

4.2.1 FARMING ZONE – SCHEDULE 1 (FZ)

Part of the alignment, within the property boundary of 5923 Midland Highway, is located in the FZ.

The purpose of the FZ includes:

- ▶ *To implement the Municipal Planning Strategy and the Planning Policy Framework;*
- ▶ *To provide for the use of land for agriculture;*
- ▶ *To encourage the retention of productive agricultural land;*
- ▶ *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture;*
- ▶ *To encourage the retention of employment and population to support rural communities;*
- ▶ *To encourage use and development of land based on comprehensive and sustainable land management practises and infrastructure provision; and*
- ▶ *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

A utility installation is listed as a ‘Section 2’ use within the table of uses at Clause 35.07-1. On this basis, a planning permit is required to use the land for the purpose of a utility installation within the FZ.

Pursuant to Clause 35.07-4, a planning permit is also required to construct a building or carry out works associated with a utility installation (being a Section 2 use).

Schedule 1 to the FZ does not apply any specific requirements to the land relevant to this proposal.

4.2.2 ROAD ZONE – CATEGORY 1 (RDZ1)

Part of the alignment, within the road reserve of the Midland Highway, is located within the RDZ1.

The purpose of the RDZ1 includes:

- ▶ *To implement the Municipal Planning Strategy and the Planning Policy Framework;*
- ▶ *To identify significant existing roads; and*
- ▶ *To identify land which has been acquired for a significant proposed road.*

A utility installation is listed as a ‘Section 2’ use within the table of uses at Clause 36.04-1. On this basis, a planning permit is required to use the land for the purpose of a utility installation within the RDZ1.

Pursuant to Clause 36.04-2, a planning permit is also required to construct a building or carry out works associated with a utility installation (being a Section 2 use) in the RDZ1.

Before deciding on an application, the responsible authority (being the Department of Environment, Land, Water and Planning) must consider the views of the relevant road authority, as well as the effect of the proposal on the operation of the road and on public

safety. As such, it is expected that the application will be referred to the Department of Transport (DoT) for comment.

4.3 OVERLAYS

The project area is affected by the following overlays:

- ▶ Land Subject to Inundation Overlay (LSIO); and
- ▶ Specific Controls Overlay – Schedule 3 (SCO3).

A description of each is provided below.

4.3.1 LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

The whole alignment is located within the LSIO.

The purpose of the LSIO includes:

- ▶ *To implement the Municipal Strategy and the Planning Policy Framework;*
- ▶ *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other are determined by the floodplain management authority;*
- ▶ *To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*

Pursuant to Clause 44.04-2 of the Greater Shepparton Planning Scheme, a planning permit is required to construct a building or to construct or carry out works in the LSIO.

Pursuant to Clause 44.04-6 of the Greater Shepparton Planning Scheme:

- ▶ *An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.*

The Schedule to the LSIO requires that the responsible authority must consider the relevant local floodplain development plan incorporated at the Schedule to Clause 81.01. In this instance, the *Greater Shepparton Floodplain Development Plan – Precinct of Mosquito Depression, October 2006* applies to the site. In addition, the responsible authority must consider the *'Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010'* incorporated at the Schedule to Clause 81.01.

An assessment of the works against the relevant development requirements contained within the incorporated documents is provided at Section 5.3 of this report.

The project alignment in relation to the LSIO is shown in Figure 7: LSIO Figure 7 below:

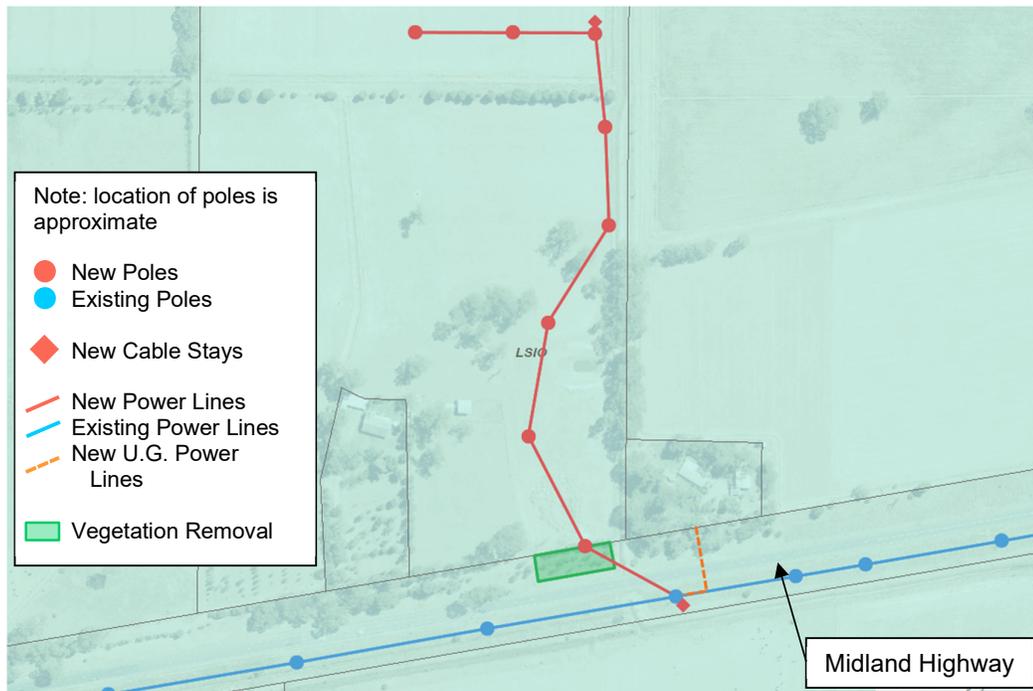


Figure 7: LSIO

4.3.2 SPECIFIC CONTROLS OVERLAY – SCHEDULE 3 (SCO3)

The whole alignment is located in the SCO3.

The purpose of the SCO3 is:

- ▶ *To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.*

Pursuant to Clause 45.12, land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notion on the planning scheme map. The Schedule to the SCO lists the *Goulburn-Murray Water Connections Project Incorporated Document June 2020* (the Incorporated Document) as relevant to the SCO3.

The purpose of the Incorporated Document is to allow the use and development of land for the purpose of irrigation modernisation works to be undertaken by or on behalf of the Goulburn-Murray Rural Water Corporation (Goulburn-Murray Water).

The proposed works and overall project are not undertaken on or behalf of Goulburn-Murray or related to the Goulburn-Murray Water Connections Project. As such the controls of this document are not relevant to this proposal, however they have been documented in this report for completeness.

Therefore, the use and development of the land for a utility installation under the SCO3 does not trigger any planning requirements. The project alignment in relation to the SCO3 is shown in Figure 8 below:

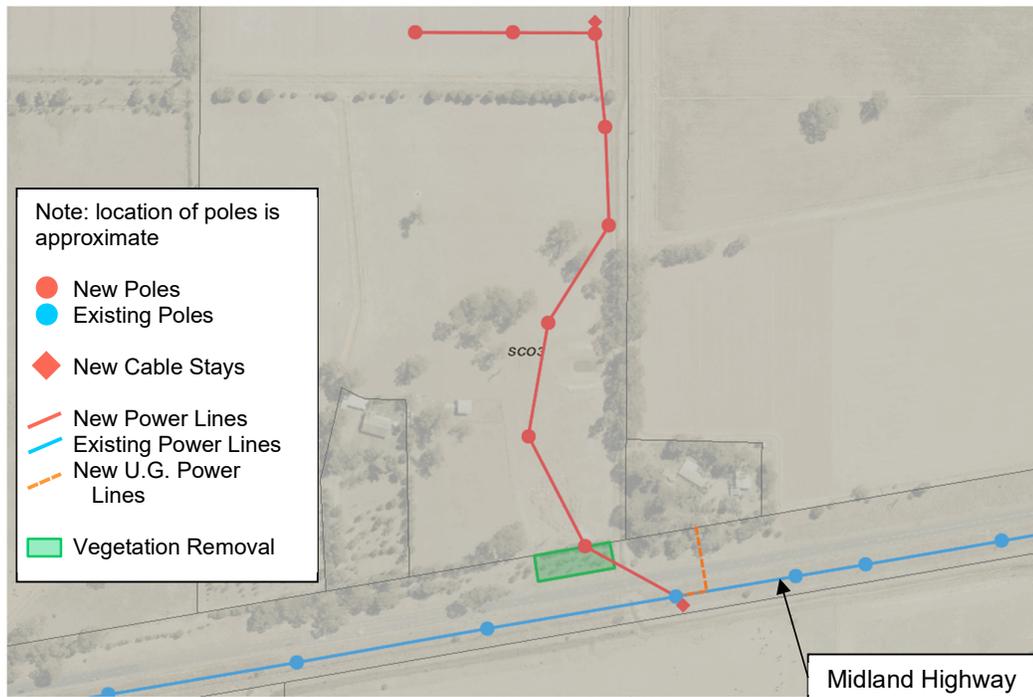


Figure 8: SC03

4.4 PARTICULAR PROVISIONS

4.4.1 CLAUSE 52.17-1 NATIVE VEGETATION

The purpose of Clause 52.17-1 includes:

- ▶ *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*
 1. *Avoid the removal, destruction or lopping of native vegetation.*
 2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
 3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation; and*
- ▶ *To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

Pursuant to Clause 52.17-1, a planning permit is required to remove, destroy or lop native vegetation.

As detailed in the Biodiversity Report at Appendix D, eight (8) trees are proposed to be removed, and the additional pruning of a fourth tree is proposed, to facilitate the proposal.

In accordance with the purpose of Clause 52.17-1, an offset to compensate for the biodiversity impact through the removal of native vegetation will be made in line with the conditions of the permit.

4.5 OTHER CONSIDERATIONS

4.5.1 BUSHFIRE

The whole alignment is located within a Bushfire Prone Area (BPA). Bushfire risk has been considered in Section 5 of this report.

The project alignment in relation to the BPA is shown in Figure 9 below:

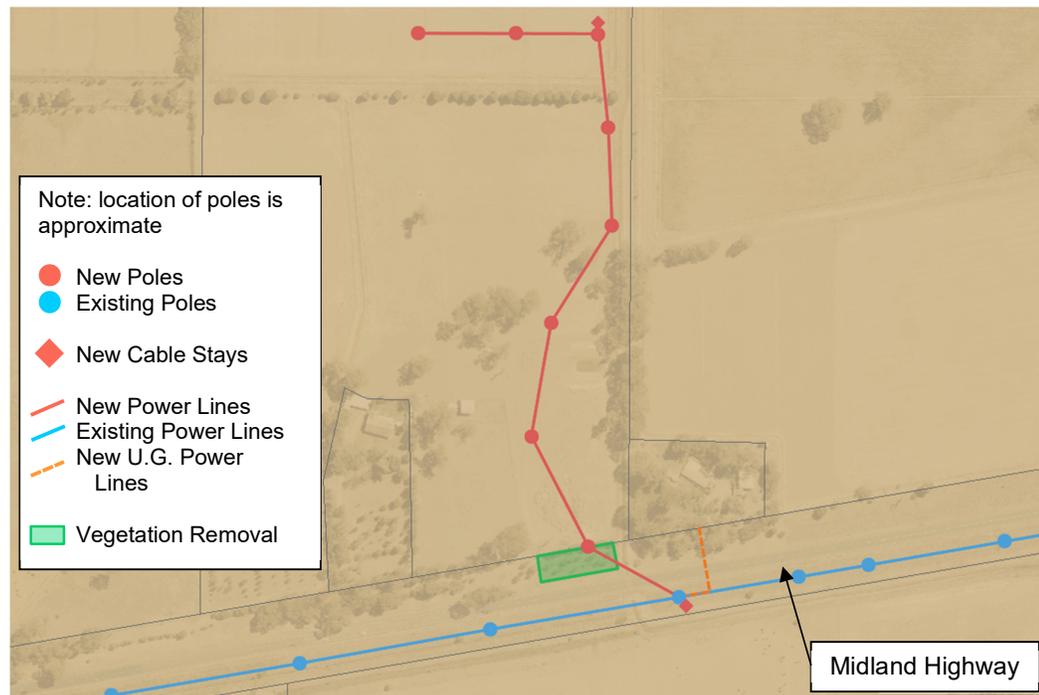


Figure 9: BPA

4.5.2 ABORIGINAL CULTURAL HERITAGE

The project area is not located within a mapped area of Aboriginal Cultural Heritage Sensitivity. On this basis, a Cultural Heritage Management Plan (CHMP) is not required.

The nearest areas of sensitivity is shown in Figure 10.

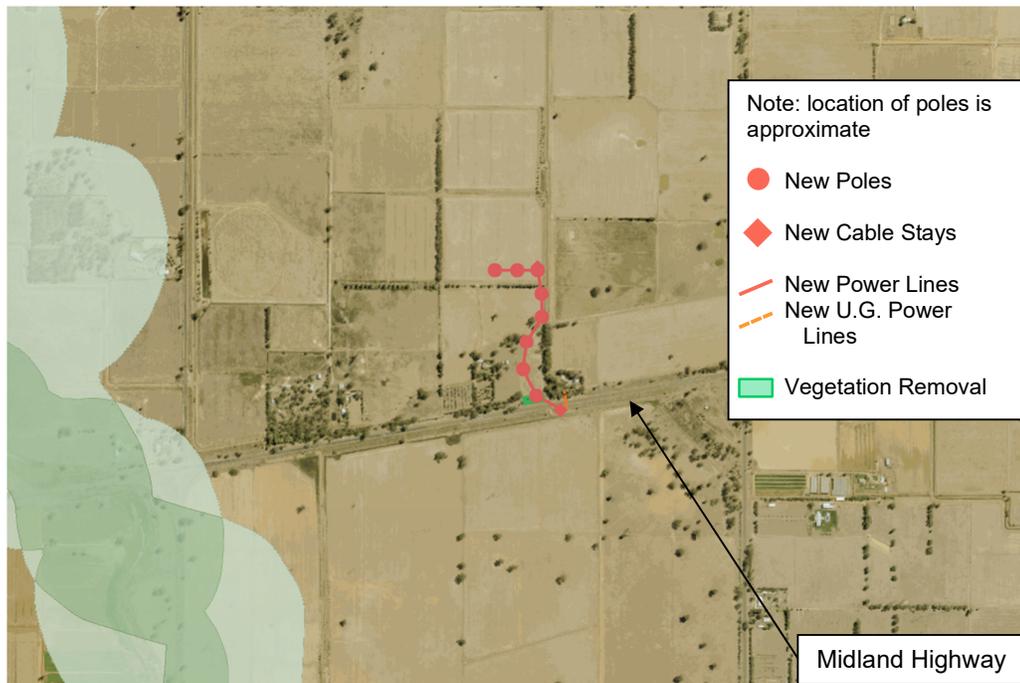


Figure 10: Areas of Aboriginal Cultural Heritage Sensitivity

4.6 REFERENCE DOCUMENTS

4.6.1 EARTHWORKS CONTROLS IN THE SHIRE OF CAMPASPE, CITY OF GREATER SHEPPARTON AND MOIRA SHIRE AUGUST 2010 INCORPORATED DOCUMENT

The *Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire August 2010 Incorporated Document* (the Incorporated Document) applies to any development that triggers a planning permit for works in the LSIO.

The objectives of the Incorporated Document are:

- ▶ *To manage and provide for long term land sustainability, improved salinity, and a reduction in nutrient levels leaving a property.*
- ▶ *To manage the drainage system for the region in a way that allows the reasonable flow of water through the region.*
- ▶ *To provide a consistent approach to earthworks and drainage management in the catchment regardless of municipal boundaries or whether land is within the irrigation region.*
- ▶ *To allow floodplains to function so as to provide flood conveyance and flood storage.*

Section 4 of the Incorporated Document sets out permit exemptions for 'works' in the LSIO which do not:

- ▶ *Change the discharge point of water across a property boundary; or*
- ▶ *Change the rate of flow of water across a property boundary; or*
- ▶ *Increase the discharge of saline groundwater; or*

- ▶ *Adversely impede the free passage and temporary storage of floodwater (and so long as the written approval of the relevant floodplain management authority has been obtained).*

The proposed works are considered to comply with the above exemption provisions and will not impact on the movement of floodwater across the property. Accordingly, the works are considered appropriate within the LSIO.

A further assessment of the works against the provisions of the LSIO is provided at Section 5.3 of this report

5. PLANNING ASSESSMENT

5.1 PLANNING POLICY FRAMEWORK

Both State and Local policy identifies the need to ensure the clear and efficient provision of services and infrastructure while considering potential environment impacts and conserving biodiversity (Clause 12.01-1S, Clause 12.01-S, Clause 21.05-1 and Clause 21.07-4).

These works will provide necessary electrical infrastructure within the Greater Shepparton region and will support the expansion of renewable energy generation and distribution (Clause 15.02-1S, Clause 19.01-1S and Clause 19.01-2S). The works are necessary in supporting the connection of the Tatty Solar Farm to the existing power grid and allowing for the power to be distributed to the surrounding region (Clause 21.05-3).

The proposal poses no further risk of bushfire. Poles will be constructed of concrete and are similar to other electrical infrastructure in the area (Clause 13.03-1S).

Powercor are experienced in minimising any potential impacts on vegetation. Appropriate actions will be taken to minimise the impact on native vegetation during the works. A concerted effort was taken within the design process to ensure that any environmental impacts have been appropriately considered and minimised as much as possible through strategic siting of the works and through mitigation strategies which will be implemented during construction.

Overall, it is considered that the proposal complies with State and Local planning policy in delivering a sensitively designed electrical connection that will provide a net community benefit.

5.2 ZONING

The use of the land for the purpose of a utility installation is considered appropriate in both the FZ and the RDZ1. The works within the FZ are small in footprint and should not affect the productivity of the land within the FZ in the long term. The development of the Tatty Solar Farm has already been approved within the site and the proposed works will provide the necessary supporting infrastructure.

The works located within the RDZ1 are consistent with typical infrastructure located within the road reserve such as utility services and road and drainage infrastructure. The underground powerlines will run under the road carriageway and any impacts to road users during construction will be managed appropriately. The underground powerline will have no impact on drivers once installed.

The proposed new pole within the road reserve is situated as close as possible to the border of the RDZ1 and the property boundary, with the rest of the poles completely within the property boundary. The poles are not likely to generate any road safety concerns. The location of the proposed poles will ensure that there is sufficient distance between the road carriageway and the poles, having minimal impact on potential traffic hazards and driver sightlines.

New poles will be constructed of concrete and will be 10.2 metres tall (above ground). The height of the poles is consistent with existing electrical infrastructure in the area. The new poles are significantly stronger than the existing poles and will reduce the likelihood of electrical faults and damages. The design and location of the poles is consistent within the

surrounding site context and is unlikely to impact on any landscape features or visual amenity.

5.3 OVERLAY ASSESSMENT

The proposed alignment is located within the LSIO, however, the overlay is not considered to impact on the proposal. The works will not redirect or obstruct floodwater or stormwater runoff, nor will they impact on flood storage capabilities. Further the poles will not increase flood levels or flood velocities in the area.

The *Greater Shepparton Floodplain Development Plan – Precinct of Mosquito Depression, October 2006* sets out specific development requirements for works within the LSIO. The proposal is considered to meet these requirements as follows:

- ▶ Supporting documents and plans have been provided which include the relevant details of the proposed works and demonstrate the works are of a scale and nature which will not impact on flooding or drainage in the wider area; and
- ▶ The proposal will not involve any earthworks which obstruct natural flow paths or drainage lines.

In addition, the proposed works comply with the relevant exemption provisions under the *'Earthworks Controls in the Shire of Campaspe, City of Greater Shepparton and Moira Shire – August 2010'* Incorporated Document and will not impact on the movement of floodwaters across the site.

On the above basis, the proposal is considered to comply with the requirements of the LSIO and the associated incorporated documents.

The proposed alignment is located within the SCO3, relating to the *Goulburn-Murray Water Connections Project Incorporated Document (June 2020)*. The overlay is not considered to impact on the proposal, as the works are not related to the Water Connections Project nor are they undertaken by or on behalf of the Goulburn Murray Water Authority.

5.4 BUSHFIRE

The proposed alignment is affected by the BPA. Bushfire risk as a result of these works is minimal, as the upgrading of old infrastructure and construction of new infrastructure will reduce the potential hazard or likelihood of an electrical fault. The proposed new poles are located in an area which has been predominantly cleared for agricultural purposes, and the pole materials will minimise any further risk.

5.5 VEGETATION IMPACT

The proposed works will involve the removal of eight (8) native trees. As a condition of the permit, appropriate offsets of any removed vegetation will be sought.

Where possible, the installation of new power infrastructure will aim to minimise the impact on native vegetation. The removal of trees will support the connection of the Tatty Solar Farm which will provide valuable renewable power generation to the region.

An assessment against the Decision Guidelines for the Removal of Native Vegetation is provided in Table 2:

Table 2: Decision Guidelines for the Removal of Native Vegetation

Guideline	Response
<p>Efforts to avoid the removal of, and minimise the impacts on, native vegetation should be commensurate with the biodiversity and other values of the native vegetation, and should focus on areas of native vegetation that have the most value. Taking this into account consider whether:</p> <ul style="list-style-type: none"> ▶ the site has been subject to a regional or landscape scale strategic planning process that appropriately avoided and minimised impacts on native vegetation ▶ the proposed use or development has been appropriately sited or designed to avoid and minimise impacts on native vegetation ▶ feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal. 	<p>The vegetation to be cleared is limited to eight (8) trees, with the surrounding vegetation untouched.</p> <p>Powercor endeavour to minimise the extent of all vegetation that is required to be removed as part of the works.</p>
<p>The role of native vegetation to be removed in:</p> <ul style="list-style-type: none"> ▶ Protecting water quality and waterway and riparian ecosystems, particularly within 30 metres of a wetland or waterway in a special water supply catchment area listed in the Catchment and Land Protection Act 1994. ▶ Preventing land degradation, including soil erosion, salination, acidity, instability and water logging particularly: <ul style="list-style-type: none"> – where ground slopes are more than 20 per cent – on land which is subject to soil erosion or slippage – in harsh environments, such as coastal or alpine areas. ▶ Preventing adverse effects on groundwater quality, particularly on land: <ul style="list-style-type: none"> – where groundwater recharge to saline water tables occurs – that is in proximity to a discharge area – that is a known recharge area. 	<p>The trees do not play a significant role in protecting the water quality or preventing land degradation.</p> <p>The removal of these trees will not affect the floodways or drainage of the surrounding area.</p>

Guideline	Response
The need to manage native vegetation to preserve identified landscape values.	There are no identified landscape values in the area.
Whether any part of the native vegetation to be removed, destroyed or lopped is protected under the Aboriginal Heritage Act 2006.	No vegetation is identified as being protected under the Aboriginal Heritage Act 2006.
The need to remove, destroy or lop native vegetation to create defendable space to reduce the risk of bushfire to life and property, having regard to other available bushfire risk mitigation measures.	Whilst the vegetation being removed is not creating defendable space, the removal will directly reduce the risk of bushfire and will facilitate safe line clearance.
Whether the native vegetation to be removed is in accordance with any Property Vegetation Plan that applies to the site	There is no Property Vegetation Plan applicable to the site.
Whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.	The vegetation will be offset in accordance with the Guidelines.
<p>For Clause 52.16 applications, consider in relation to the native vegetation to be removed:</p> <ul style="list-style-type: none"> ▶ The purpose and objectives of the Native Vegetation Precinct Plan. ▶ The effect on any native vegetation identified for retention in the Native Vegetation Precinct Plan. ▶ The potential for the effectiveness of the Native Vegetation Precinct Plan to be undermined. ▶ The potential for the proposed development to lead to the loss or fragmentation of native vegetation identified for retention in the Native Vegetation Precinct Plan. ▶ Offset requirements in the Native Vegetation Precinct Plan. 	N/A – This application seeks removal under Clause 52.17.
For applications in both the Intermediate and Detailed Assessment Pathway only – consider the impacts on biodiversity based on the following values of the native vegetation to be removed:	N/A – The application will follow a Basic Assessment Pathway.

Guideline	Response
<ul style="list-style-type: none"> ▶ The extent. ▶ The condition score. ▶ The strategic biodiversity value score. ▶ The number and circumference of any large trees. ▶ Whether it includes an endangered Ecological Vegetation Class. ▶ Whether it includes sensitive wetlands or coastal areas. 	
<p>For applications in the Detailed Assessment Pathway only – consider the impacts on habitat for rare or threatened species. Where native vegetation to be removed is habitat for rare or threatened species according to the Habitat importance maps, consider the following:</p> <ul style="list-style-type: none"> ▶ The total number of species’ habitats. ▶ The species habitat(s) that require a species offset(s). ▶ The proportional impact of the native vegetation removal on the total habitat for each species, as calculated in section 5.3.1. ▶ The conservation status of the species (per the Advisory Lists maintained by DELWP). ▶ Whether the habitats are highly localised habitats, dispersed habitats, or important areas of habitat within a dispersed species habitat. 	<p>N/A – The application will follow a Basic Assessment Pathway.</p>

6. CONCLUSION

This planning report seeks planning approval for the use and development of land for the purpose of a utility installation and the removal of native vegetation.

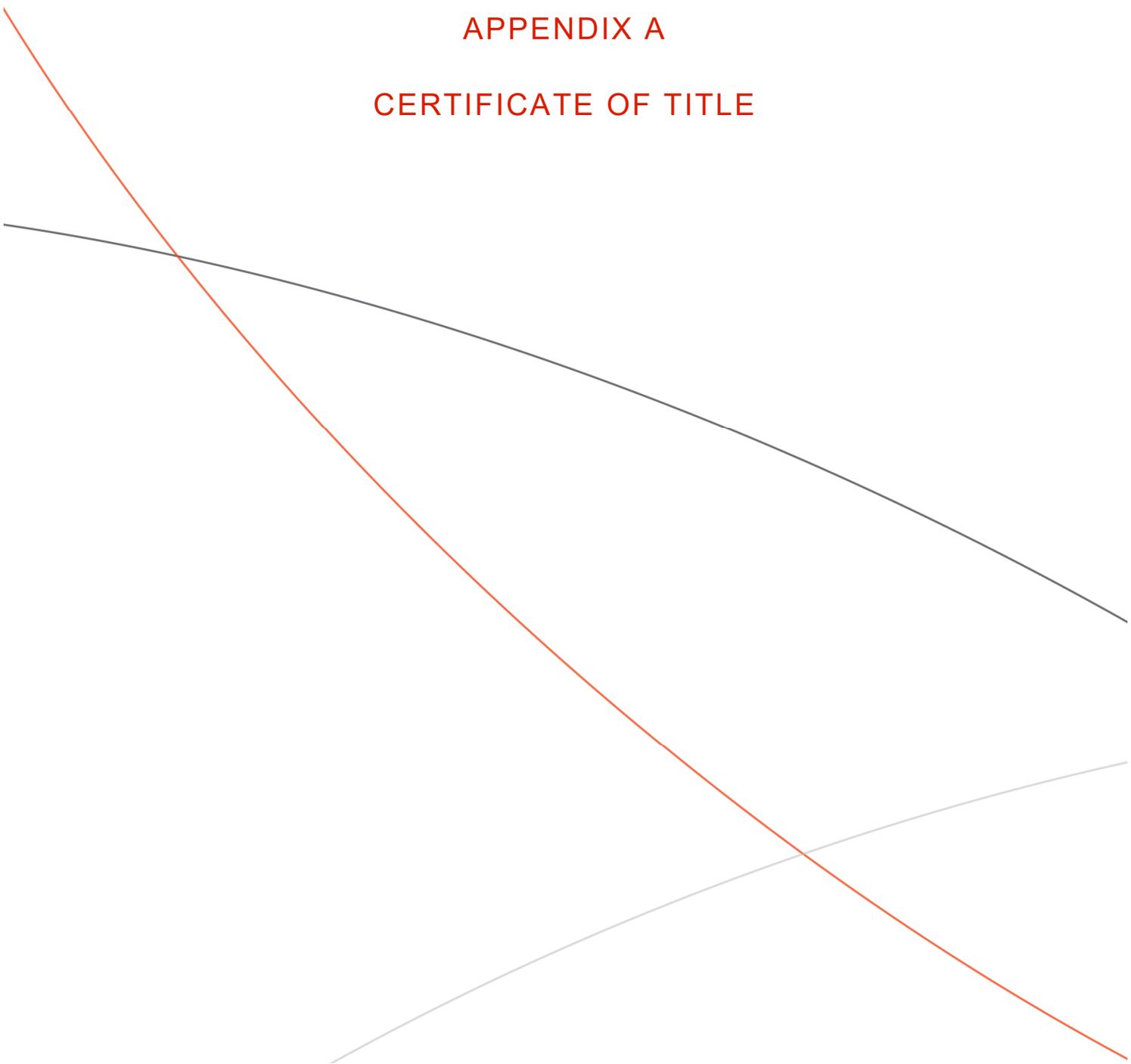
The proposed works are required to connect the recently approved Tatty Solar Farm to the existing power grid.

In summary, the proposal is considered appropriate for the following reasons:

- ▶ The proposal is consistent with the Planning Policy Framework and Local Planning Policy Framework, and provides necessary upgrades to electrical infrastructure within Greater Shepparton;
- ▶ This project is required to support the recently approved development of the Tatty Solar Farm and will promote the expansion of renewable energy industries;
- ▶ The proposed works have been designed and located to minimise the impact on native vegetation, with only eight trees to be removed.
- ▶ Powercor's construction methodology allows for minimal additional disturbance to biodiversity and vegetation;
- ▶ The works will not impact on floodwater or stormwater runoff within the area and are consistent with the provisions of the LSIO and the associated incorporated documents;
- ▶ The proposed works will not introduce any additional risk of bushfire; and
- ▶ The proposed works will not adversely impact on cultural heritage.

Based on the details set out in this report, it is considered that a planning permit should be issued for this proposal.

APPENDIX A
CERTIFICATE OF TITLE



**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

VOLUME 10024 FOLIO 508

Security no : 124089365224Q
Produced 19/04/2021 02:19 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 133123.
PARENT TITLES :
Volume 09402 Folio 704 Volume 10024 Folio 507
Created by instrument P843663E 13/06/1990

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
ERIC WILLIAM GRAY
PAULINE VERONICA GRAY both of 5915 MIDLAND HIGHWAY TATURA VIC 3616
AE107307W 10/01/2006

ENCUMBRANCES, CAVEATS AND NOTICES

LEASE as to part AB479129R 10/08/2002
Expiry Date 01/11/2201
GOULBURN-MURRAY RURAL WATER AUTHORITY

CAVEAT AT942686U 14/01/2021
Caveator
GREENTECH 6 PTY LTD ACN: 633805615
Grounds of Claim
OPTION TO LEASE WITH THE FOLLOWING PARTIES AND DATE.
Parties
THE REGISTERED PROPRIETOR(S)
Date
20/06/2019
Estate or Interest
EXECUTORY OR CONTINGENT INTEREST
Prohibition
UNLESS I/WE CONSENT IN WRITING
Lodged by
JURISBRIDGE LEGAL
Notices to
SCARLETT YANG of LEVEL 46 680 GEORGE STREET SYDNEY NSW 2000

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP133123 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER	CAVEAT	STATUS	DATE
AT942686U (E)	CAVEAT	Registered	14/01/2021

-----END OF REGISTER SEARCH STATEMENT-----

**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 2 of 2

Additional information: (not part of the Register Search Statement)

Street Address: 5923 MIDLAND HIGHWAY TATURA VIC 3616

ADMINISTRATIVE NOTICES

NIL

eCT Control 22960R LIPSHUT LAW
Effective from 24/04/2020

DOCUMENT END

ORIGINAL

AB479129R



LEASE

Section 66(1) Transfer of Land Act 1958

CH m/a TO ISSUE
to DAWES - VARY P/L

mm 10/08/02

Lodged by:

Name: Goulburn-Murray Rural Water Authority
Phone: (03) 5833 5500
Address: 40 Casey Street, Tatura 3616
Ref: AN:rsk:2001/7126/1
Customer Code: 0043E

The Lessor leases to the Authority the land for the term and consideration (rental) specified subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this lease and subject to the covenants and conditions contained in this lease.

Land: *All that piece of land shown hatched on the plan annexed hereto and being part of the land in Part Lot 2 on LP 133123 being part Crown Allotment 109 described in Certificate of Title Volume 10024 Folio 508 Parish of Toolamba West*

Lessors: *Olwyn Louise Milner and William Robert Milner
(A.B.N. 49 438 977 207)*

Lessee: *Goulburn-Murray Rural Water Authority
40 Casey Street TATURA 3616 (A.B.N. 46 761 336 846)*

Term: *200 years*

Commencement date: *The first day of November, 2001*

Rental: *One dollar (\$1.00) (being the total rental for the term) payable in advance on the commencement date (receipt of which is hereby acknowledged by the Lessor) plus 10% GST, if applicable.*

Covenants: *As set out in the annexure sheets attached.*

Date: *27 June 2002*

Signed by the lessors

In the presence of:

[Signature]
(witness)

[Signatures of Olwyn Louise Milner and William Robert Milner]



The Common Seal of the Goulburn-Murray Rural Water Authority was hereto affixed in the presence of:

[Signature of Denis William Flett]
Director **Denis William Flett**
13 Maskell Lane
TATURA 3616

[Signature of Brian Marshall Carr]
Corporate Secretary **Brian Marshall Carr**
71 Albion Crescent
GREENSBOROUGH 3088

mm 10/08/02

ANNEXURE PAGE

Transfer of Land Act 1958

This is page 2 of the *Lease* dated 27 June 2002 between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

Panel Heading

COVENANTS FORMING PART OF THE LEASE (Continued)



1. Definitions

- 1.1 In this lease unless the context otherwise indicates the following terms and phrases have the following meanings:-
 "Authority" means the Goulburn-Murray Rural Water Authority, its successors, whether pursuant to the *Water Act 1989* or the *Water Industry Act 1994* or any other Act and its permitted assigns.
 "community surface drain" means a drainage system, whether or not constructed by the Authority, which is designed to provide a drainage service to a group of rural landowners including the Lessor.
 "dividing fence" means a fence situated longitudinally along the boundaries of the land save where a boundary also constitutes a boundary of the Lessor's Title.
 "drainage works" means an earthen or piped drain or channel together with all beaching, structures, syphons, inlets, outlets, fittings, pipes and any other ancillary works used in connection with or incidental thereto.
 "GST" means GST within the meaning of the "*A New Tax System (Goods & Services Tax) Act 1999*".
 "land" means the land described on the face of this lease.
 "Lessor" means the named Lessor and his personal representatives transferees and assigns.
- 1.2 The singular includes the plural and vice versa.
- 1.3 A word denoting any gender includes all genders.
- 1.4 A reference to a person includes a reference to a firm, corporation or other corporate body and vice versa.
- 1.5 If a party consists of more than one person this lease binds them jointly and each of them severally.
- 1.6 A reference to a statute shall include any statutes amending, consolidating or replacing same and shall also include any regulations made under such statutes as those regulations are in force from time to time.
- 1.7 All headings are for ease of reference only and shall not be taken into account in the construction or interpretation of this lease.

2. The Authority COVENANTS with the Lessor:-

2.1 Use Land

To use the land as part of a community surface drain and for that purpose to construct, operate and maintain drainage works.

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- 1. If there is insufficient space to accommodate the required information insert the words "See Annexure Page 2" (or as the case may be) before the words "Annexure Page 2" under the appropriate panel heading. **THE BALANCE OF THIS PAGE IS NOT TO BE USED**
- 2. If multiple copies of a mortgage are lodged, original Annexure Page 2 must be attached to the mortgage.
- 3. The Annexure Pages must be properly identified and signed by the person whose name is annexed.
- 4. All pages must be attached together by being stapled in the top left corner.

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ANNEXURE PAGE

Transfer of Land Act 1958

This is page 3 of the *Lease* dated 27 June 2002 between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

Panel Heading

COVENANTS FORMING PART OF THE LEASE (continued)

2.2 Remove earthworks and structures

The Authority shall, within a period of twelve months of the expiration or sooner determination of the term hereby created, if required by the Lessor, at the expense of the Authority, leave the land as nearly as possible in the same condition as it was on the commencement date of the Lease.

2.3 Erect and maintain fences

To erect a stockproof dividing fence and at its own cost maintain, and when appropriate replace such dividing fence. The Authority may also erect, maintain, replace or abandon such other fences as it thinks fit. All such fences shall be constructed to the standards from time to time adopted by the Authority for construction of fences.

2.4 Comply with Statutes

At all times at the Authority's cost in all respects to comply with all statutes and in particular the *Catchment and Land Management Act 1994*, *Water Act 1989* and *Environmental Protection Act 1970*.

2.5 Not to sublet

Not to assign, sublet, mortgage, charge or part with the possession of the land or any part thereof without the consent in writing of the Lessor first had and obtained and the provisions of section 144(1) of the *Property Law Act 1958* are excluded from this lease PROVIDED HOWEVER the Lessor must not unreasonably withhold its consent to an assignment or sub-lease if the proposed assignee or sub-tenant is:-

- a Council within the meaning of the *Local Government Act 1989*;
- an Authority under the *Water Act 1989*;
- a licensee under the *Water Industry Act 1994*;
- a public statutory authority;
- a Government department;
- any subsidiary body within the meaning of section 127(1) *Water Act 1989*;
- any other body (whether public or private enterprise) which takes over the function of operating and maintaining a community surface drain and to which the Authority proposes to assign most of its community surface drain leases.



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ANNEXURE PAGE

Transfer of Land Act 1958

This is page 4 of the *Lease* dated 27 June 2002 between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

Olwyn Louise Milner *William Robert Milner* *DWFless*

Panel Heading

COVENANTS FORMING PART OF THE LEASE (continued)

2.6 Indemnity

To indemnify the Lessor against all or any liability for loss, damage, expense, injury or death (altogether called "the loss") sustained, incurred or suffered by any person which is caused or brought about as a result of the use or occupation of the land by the Authority except where the loss was due to the negligence or default of the Lessor, its employees, agents or contractors provided however where such loss, damage or expense is due to a flow of water from the drainage works this indemnity shall not apply and the provisions of section 157 *Water Act 1989* shall apply instead.

2.7 Keep in repair

To at all times maintain and keep in good repair and condition the drainage works erected on the land so as to provide, as far as possible, the design standard service level to be met.

2.8 To pay costs

To pay the Lessor's Legal Practitioner's reasonable costs of and incidental to the perusal and execution of this lease and obtaining any consent to this lease and any variation of this lease as required by the Authority (such costs to be calculated on an item remuneration basis under the Practitioner Remuneration Order) together with the stamp duty, registration or any other out-of-pocket expenses payable in respect thereof and any such costs and expenses incurred by the Lessor arising out of any default by the Authority in compliance with the covenants of this lease.

3. The Lessor COVENANTS with the Authority:-

3.1 Quite enjoyment

That the Authority performing and observing the covenants herein contained may peacefully and quietly hold and enjoy the land during the term without any interruption or disturbance by the Lessor or by any person claiming through him.

3.2 Indemnity

To indemnify the Authority against all or any liability for loss, damage, expense, injury or death (altogether called "the loss") sustained, incurred or suffered by the Authority or any person claiming under the Authority which is caused or brought about by any occupation or use of the land (whether with the permission of the Authority or not) by the Lessor, its employees, agents or contractors except where the loss was due to the negligence or default of the Authority or any person claiming under the Authority.



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A1



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ANNEXURE PAGE

Transfer of Land Act 1958

This is page 5 of the *Lease* dated 27 June 2002 between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

[Handwritten signatures: Olwyn Louise Milner, William Robert Milner, and Goulburn-Murray Rural Water Authority]

Panel Heading

COVENANTS FORMING PART OF THE LEASE (continued)



4. IT IS HEREBY MUTUALLY AGREED:-

4.1 Breach of Covenants

That if the Authority shall fail or neglect to perform or observe any covenants or conditions herein and on its part to be observed and performed (and such failure or neglect continues for a period of sixty (60) days after service of notice to remedy the default) then it shall be lawful for the Lessor or the Lessor's Agent or any person authorised by the Lessor at any time thereafter (notwithstanding the waiver or non-existence of any previous default) to enter upon the land only for the purposes of remedying the breach or default by the Authority and all costs and expense incurred by the lessor shall be a debt due by the Authority to the Lessor and be paid on demand. The entry pursuant to this clause by the Lessor shall not constitute a forfeiture of this lease.

4.2 Service of Notice

Where this lease provides for notice to be given to a person or party then, unless the lease provides otherwise, the notice must be in writing and may be given-

- (a) by delivering it personally to the person to whom it is to be given;
- (b) by pre-paid post, addressed to the person to whom it is to be given at that person's last known address;
- (c) by facsimile to the facsimile number of the addressee; or
- (d) by any other method of electronic service or communication approved at law.

4.3 A notice or other communication is deemed served:

- (a) if delivered, upon delivery;
- (b) if posted, on the expiration of 2 business days after the day of posting;
- (c) (i) if sent by facsimile prior to 5.00 pm on a business day - that day;
(ii) if sent by facsimile after 5.00 pm - at 9.00 am on the next business day at the place where it is received;
- (d) if sent by any other method of electronic service or communication - at the time the notice or communication is communicated to the person concerned.

4.4 Interest

The Authority shall pay interest at the rate for the time being fixed under section 2 of the *Penalty Interest Rates Act 1983* on any moneys due to the Lessor but unpaid for thirty (30) days, such interest to be computed from the due date for payment of the moneys in respect of which the interest is chargeable.

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ANNEXURE PAGE

Transfer of Land Act 1958

This is page 6 of the *Lease* dated *27 June 2002* between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

Panel Heading

COVENANTS FORMING PART OF THE LEASE (continued)

4.5 Severance

If any provision of this lease is held void or unenforceable by any Arbitrator, Court or Tribunal, then to the extent possible at law, that provision shall be struck out and the balance of this lease shall continue to apply.

4.6 Waiver

No consent or waiver by a party to this lease of any breach by the other party to this lease shall amount to a waiver of the relevant party's rights arising under this lease.

4.7 Dispute resolution - Mediation

If a dispute arises under this lease a party may give the other party a notice of the dispute. Upon the giving of a notice of dispute the following procedures and provisions shall apply:-

- a. the parties must jointly agree to appoint a Mediator within 14 days of the notice of dispute;
- b. if the parties are unable to agree as to the appointment of a Mediator either party may within fourteen days thereafter request the President of the Victorian Chapter of the Institute of Arbitrators and Mediators Australia to appoint a Mediator;
- c. the parties must comply with the Mediator's instructions;
- d. the fees and expenses of the Victorian Chapter of the Institute of Arbitrators and Mediators Australia (or its successors) and the Mediator are to be paid equally by the parties;
- e. the parties must bear their own costs of the mediation;
- f. if the dispute is settled the parties must sign terms of agreement which are binding on the parties;
- g. if the dispute is not resolved within 30 days of the appointment of the Mediator (or any longer period agreed by the parties in writing), or if the Mediator is of the opinion that the mediation is likely to be unsuccessful or if the parties advise the Mediator that the mediation will be unsuccessful, then the mediation shall cease;
- h. the mediation is confidential and statements made by the Mediator and the parties or discussions between the participants of the mediation before, after or during the mediation, cannot be used in any legal proceedings or in any determination pursuant to clause 4.8 of this lease;
- i. the Mediator is not bound by the rules of natural justice and may discuss the dispute with a party in the absence of any other party; and
- j. the Mediator may otherwise determine the procedure.

4.8 Dispute resolution - determination by expert

If the dispute is unable to be settled pursuant to clause 4.7 the parties shall, within 14 days of the cessation of the mediation proceedings, jointly appoint a person with experience or expertise in the area of the dispute to act as an expert and determine the dispute. If the parties are unable to agree as to the appointment of such a person either party may within a further fourteen days thereafter request the President of the Victorian Chapter of the Institute of Arbitrators and Mediators Australia or its successors to appoint a person to act as an expert.



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ANNEXURE PAGE

Transfer of Land Act 1958

This is page 7 of the *Lease* dated 27 June 2002 between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

Panel Heading

COVENANTS FORMING PART OF THE LEASE

- 4.9 In determining the dispute the expert shall:-
 - a. consider any written submissions made by the parties within such time as allowed by the expert;
 - b. determine the dispute as an expert and not as an arbitrator;
 - c. as soon as possible after receiving the written submissions, determine the dispute and give a written copy of such determination to each party; and
 - d. otherwise determine the procedure.
- 4.10 a. The fees and expenses of the Victorian Chapter of the Institute of Arbitrators and Mediators Australia (or its successors) and the expert shall be borne equally by the parties; and
 - b. the expert's determination shall be final and binding upon the parties.
- 4.11 **Victorian laws apply**
This lease shall be governed by the law relating to the State of Victoria.
- 4.12 **No right of re-entry by Lessor**
A breach of, or a failure to perform or observe any of the covenants or conditions of this lease by the Authority shall not entitle, either at law or equity, the Lessor to re-enter the land and terminate this lease.
- 4.13 **Drainage charges**
The Lessor acknowledges that the Authority may levy the Lessor charges, rates and tariffs in respect of the drainage works insofar as such works benefit lands owned by the Lessor not subject to this lease.
- 4.14 **Covenants implied by Transfer of Land Act**
All the covenants implied by section 67 of the *Transfer of Land Act 1958* are hereby negated and do not apply to this lease.



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A1



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ANNEXURE PAGE

Approved Form A1
Victorian Land Titles Office

Transfer of Land Act 1958

This is page 8 of the *Lease* dated 27 June 2002 between Olwyn Louise Milner and William Robert Milner and Goulburn-Murray Rural Water Authority

Signatures of the parties

Olwyn Louise Milner
William Robert Milner
to ml
Outlets

Panel Heading

COVENANTS FORMING PART OF THE LEASE

ORDER TO REGISTER



To the Registrar of Titles

Please register this Lease and upon completion return Certificate of Title Volume 10024 Folio 508 to ~~Statewide Secured Investments Ltd~~ DAWES & UARY PTY

[Signature]
John Murray Alfred Adams
93 Howards Lane
Kyabram Vic 3620

[Signature]
JOHN MURRAY ALFRED ADAMS
5 LAKE ROAD KYABRAM
A CURRENT PRACTITIONER UNDER
THE LEGAL PRACTICE ACT 1996

CONSENT

Statewide Secured Investments Ltd being the registered proprietor of Mortgage No. S716661T and subsequent Transfer W474529U HEREBY consents to the within Lease.

[Signature]
Neils Edward John Neale
147 Fenaughty St
KYABRAM 3620

National Australia Bank Limited being the registered proprietor of Mortgage No. V375220C HEREBY consents to the within Lease.

Executed on behalf of National Australia Bank Limited by its Attorney

JOHN SEPE

[Signature]
Manager - JOHN SEPE
National Australia Bank Limited

under Power of Attorney dated 28 / 02 / 1991 who states that he/she holds the office in the Bank indicated under his/her signature in the presence of:

[Signature]
Witness

Approval No: 520964A



- 43. If there is insufficient space to accommodate the required information in : insert the words "See Annexure Page 2" (or as the case may be) and enter Annexure Page under the appropriate panel heading. **THE BACK OF T NOT TO BE USED**
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- 3. The Annexure Pages must be properly identified and signed by the partie is annexed.
- 4. All pages must be attached together by being stapled in the top left corner.



GOULBURN - MURRAY RURAL WATER AUTHORITY

LAND OCCUPIED FOR COMMUNITY SURFACE DRAIN No. RODNEY 5/6P
 G-MW SERVICE IDENTIFICATION No. 223484
 G-MW SURVEY No. 4166
 G-MW FIELDNOTE No. 16469
 PART OF CROWN ALLOTMENT 109
 PARISH OF TOOLAMBA WEST
 PART OF LOT 2 LP 133123
 CERTIFICATE OF TITLE VOL.10024 FOL.508



FORD ROAD

N.W. CORNER
 C/T VOL.10024 FOL.508



TATURA - UNDERA ROAD

109

108

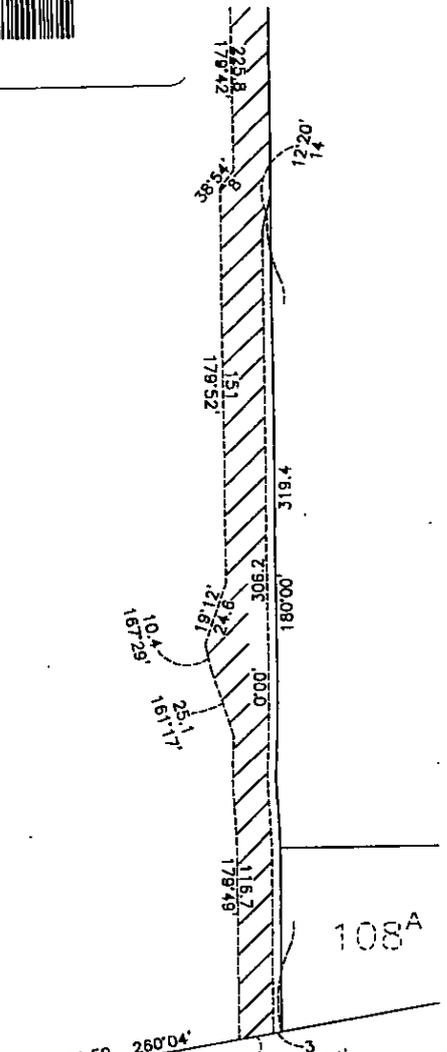
108A

S.W. CORNER
 C/T VOL.10024 FOL.508

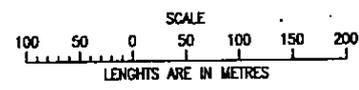
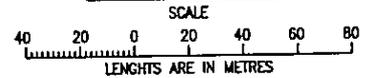
MIDLAND HIGHWAY

HIGHWAY

SEE ENLARGEMENT



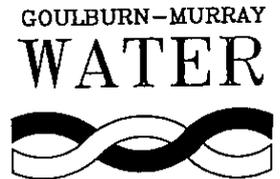
MIDLAND HIGHWAY ENLARGEMENT



AB479129R



CAUTION
 CADASTRAL BOUNDARIES HAVE NOT
 BEEN SURVEYED AND TITLE HAS BEEN
 ADJUSTED TO FIT FENCES
 WHERE APPROPRIATE



SURVEYED BY: **ADRIAN CUMMINS & ASSOCIATES**

PLAN PREPARED BY: **GOULBURN VALLEY IRRIGATION SERVICES**

TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

Lodged by: ~~Ken Pewtress~~ *CBA*
Name:
Phone: ~~58 211 229~~
Address: ~~44 Thomson St., Tatura.~~
Ref.:
Customer Code: *210*



AE107307W

10/01/2006 \$622 45



MADE AVAILABLE / CHANGE CONTROL
Land Titles Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: (volume and folio reference)

Volume 10024 Folio 508

Estate and Interest: (e.g. "all my estate in fee simple")

All my Estate Fee and Simple.

Consideration:

\$ 215,000.

Transferor: (full name)

Geoffery Hayden Barnes and Lorraine Joy Barnes.

Transferee: (full name and address including postcode)

Eric William Gray and Pauline Veronica Gray
5915 Midland Highway, Tatura 3616.

Directing Party: (full name)

Dated: *21/12/05*

Execution and attestation:

Signed by the Transferors)
In the presence of:)
Witness *T. Davis*

Geoffery Barnes *Lorraine*

Signed by the Transferees)
in the presence of:)
Witness *Shane*

Pauline Gray
Eric Gray

Approval No. 571027L

ORDER TO REGISTER
Please register and issue title to

STAMP DUTY USE ONLY

5766

T1

Signed Cust. Code:

Original Land Transfer
Section 10
Stamped with \$5,766.00
Doc ID 2044914, 04 Jan 2006
SRD Victoria Duty, UNVO





Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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Produced 19/04/2021 04:10:35 PM

Status	Registered	Dealing Number	AT942686U
Date and Time Lodged	14/01/2021 11:27:54 AM		

Lodger Details

Lodger Code	19537W
Name	JURISBRIDGE LEGAL
Address	
Lodger Box	
Phone	
Email	
Reference	186330 Greentech 6

CAVEAT

Jurisdiction	VICTORIA
--------------	----------

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference

10024/508

Caveator

Name	GREENTECH 6 PTY LTD
ACN	633805615

Grounds of claim

Option to lease with the following Parties and Date.

Parties

The Registered Proprietor(s)

Date

20/06/2019

Estate or Interest claimed

Executory or Contingent Interest

Prohibition

Unless I/we consent in writing

Name and Address for Service of Notice

Scarlett Yang



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Address

Floor Type	LEVEL
Floor Number	46
Street Number	680
Street Name	GEORGE
Street Type	STREET
Locality	SYDNEY
State	NSW
Postcode	2000

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

Execution

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator or his, her or its administrator or attorney.

Executed on behalf of	GREENTECH 6 PTY LTD
Signer Name	DEREK XU
Signer Organisation	JURISBRIDGE LEGAL
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	14 JANUARY 2021

File Notes:

NIL

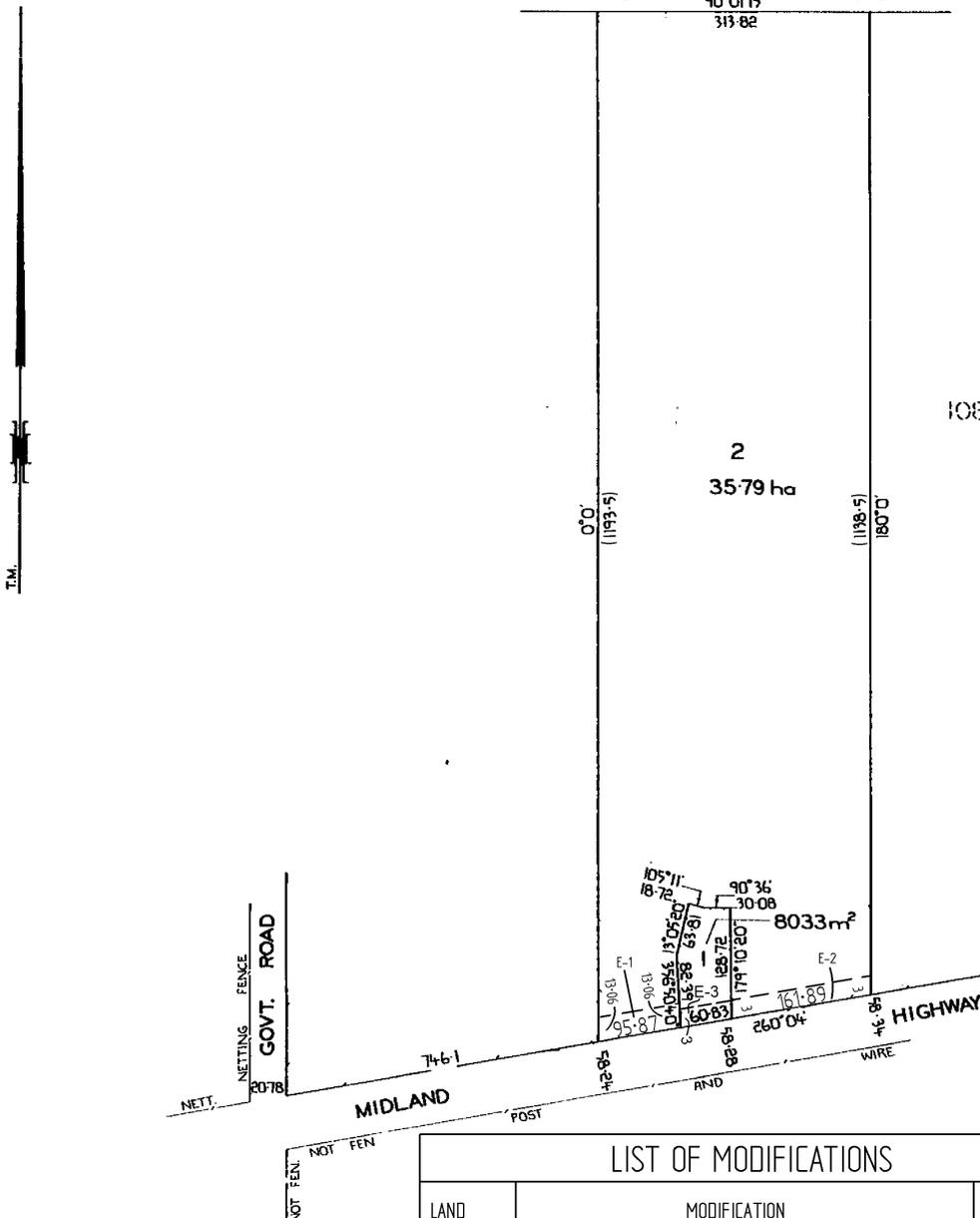
This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

PLAN OF SUBDIVISION OF: PART OF CROWN ALLOTMENT 109 PARISH: TOOLAMBA WEST COUNTY: RODNEY LENGTHS ARE IN METRES	APPROPRIATIONS	ENCUMBRANCES & OTHER NOTATIONS
		LOT 2 IS BALANCE OF TITLE AND IS NOT SUBJECT TO SURVEY FOR DATUM & REF. MARKS, SEE FIELD NOTES GOVT. ROAD IS NOT DRAWN TO SCALE E-1 = WATER SUPPLY EASEMENT CREATED BY C/E R59451E IN FAVOUR OF LOT 1 E-1 & E-2 = WATER SUPPLY EASEMENT CREATED BY C/E R59452B E-3 = WATER SUPPLY EASEMENT CREATED BY R59449H

Vol. 8647 Fol. 544

APPURTENANCIES
 AS TO LOT 1
 TOGETHER WITH THE WATER SUPPLY EASEMENT CREATED IN R59450H



LIST OF MODIFICATIONS				
LAND	MODIFICATION	DEALING No.	A.R.T	EDN. No.
LOT 2	CREATION OF EASEMENT	C/E R59451E		2
LOT 2	CREATION OF EASEMENT	C/E R59452B		2
LOT 1	CREATION OF EASEMENT	C/E R59449H		3

APPENDIX B
DEVELOPMENT PLAN





POWER POLE PROFILE TABLE

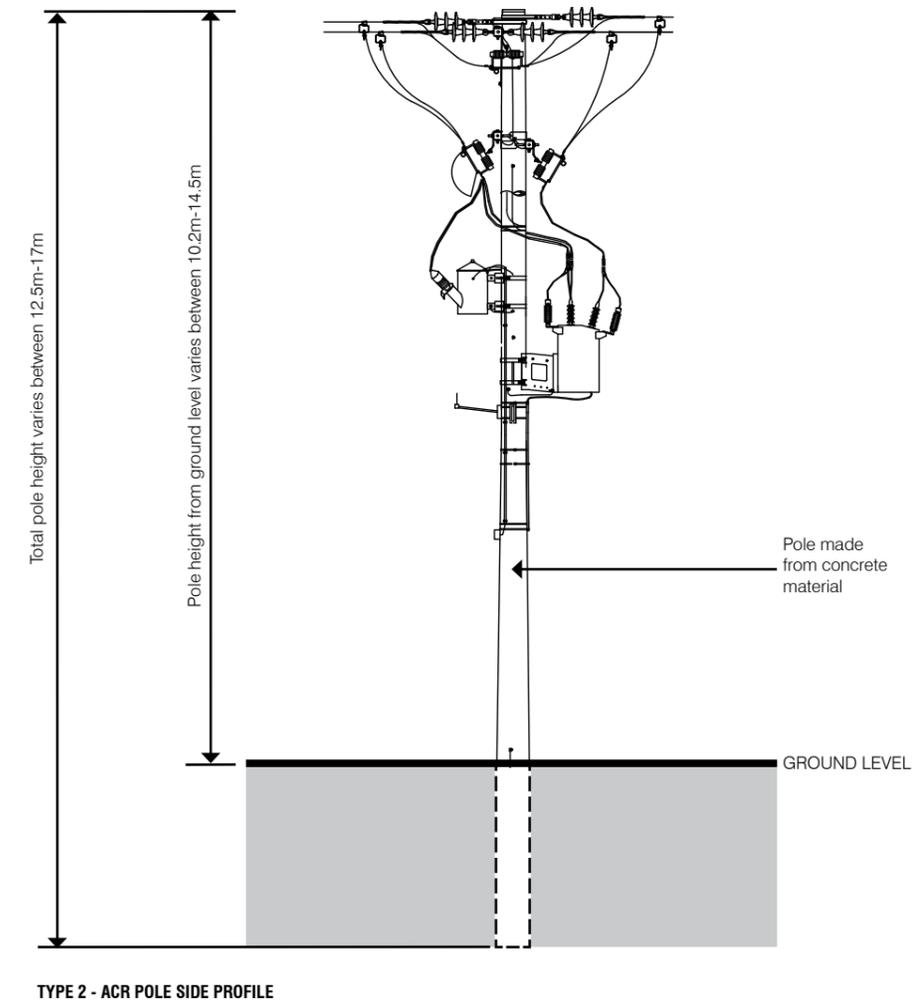
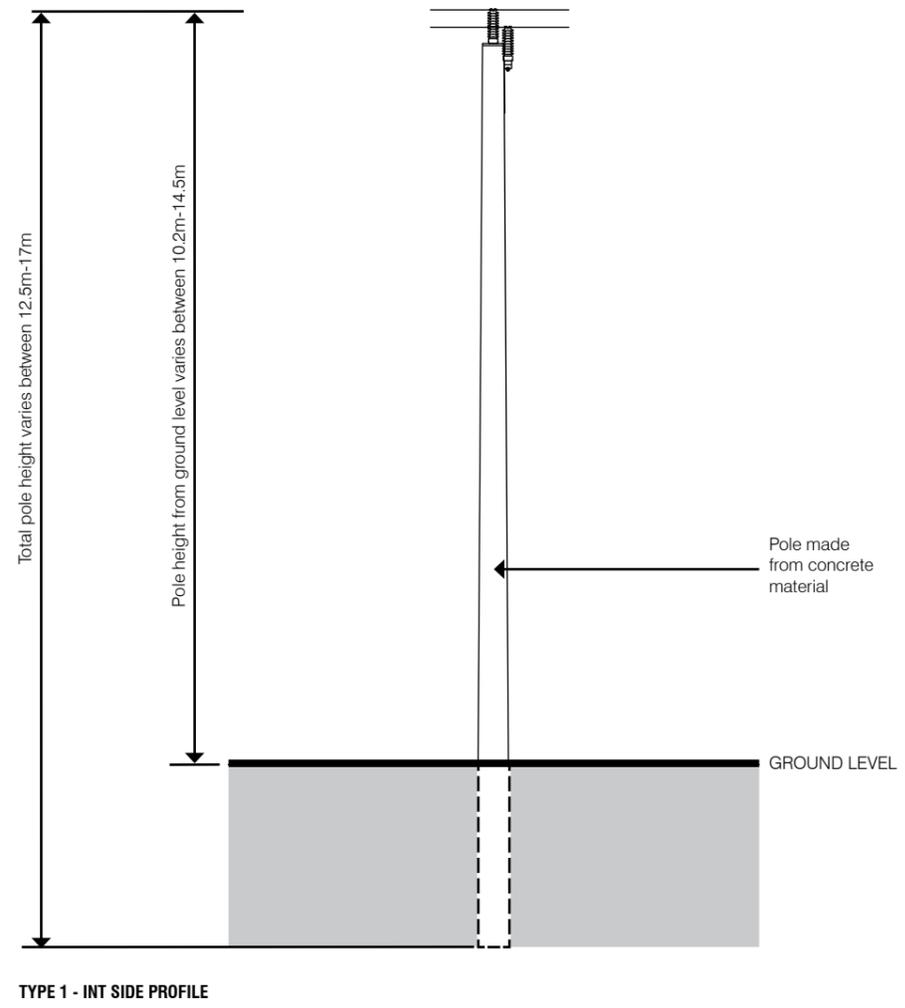
	TYPE	HEIGHT
A1	INT SIDE PROFILE	12.5m poles: 10.2m out of the ground
A2	ACR SIDE PROFILE	
B1	INT SIDE PROFILE	14m poles: 11.6m out of the ground
B2	ACR SIDE PROFILE	
C1	INT SIDE PROFILE	15.5m poles: 13m out of the ground
C2	ACR SIDE PROFILE	
D1	INT SIDE PROFILE	17m poles: 14.5m out of the ground
D2	ACR SIDE PROFILE	

LIMITATION OF PLAN

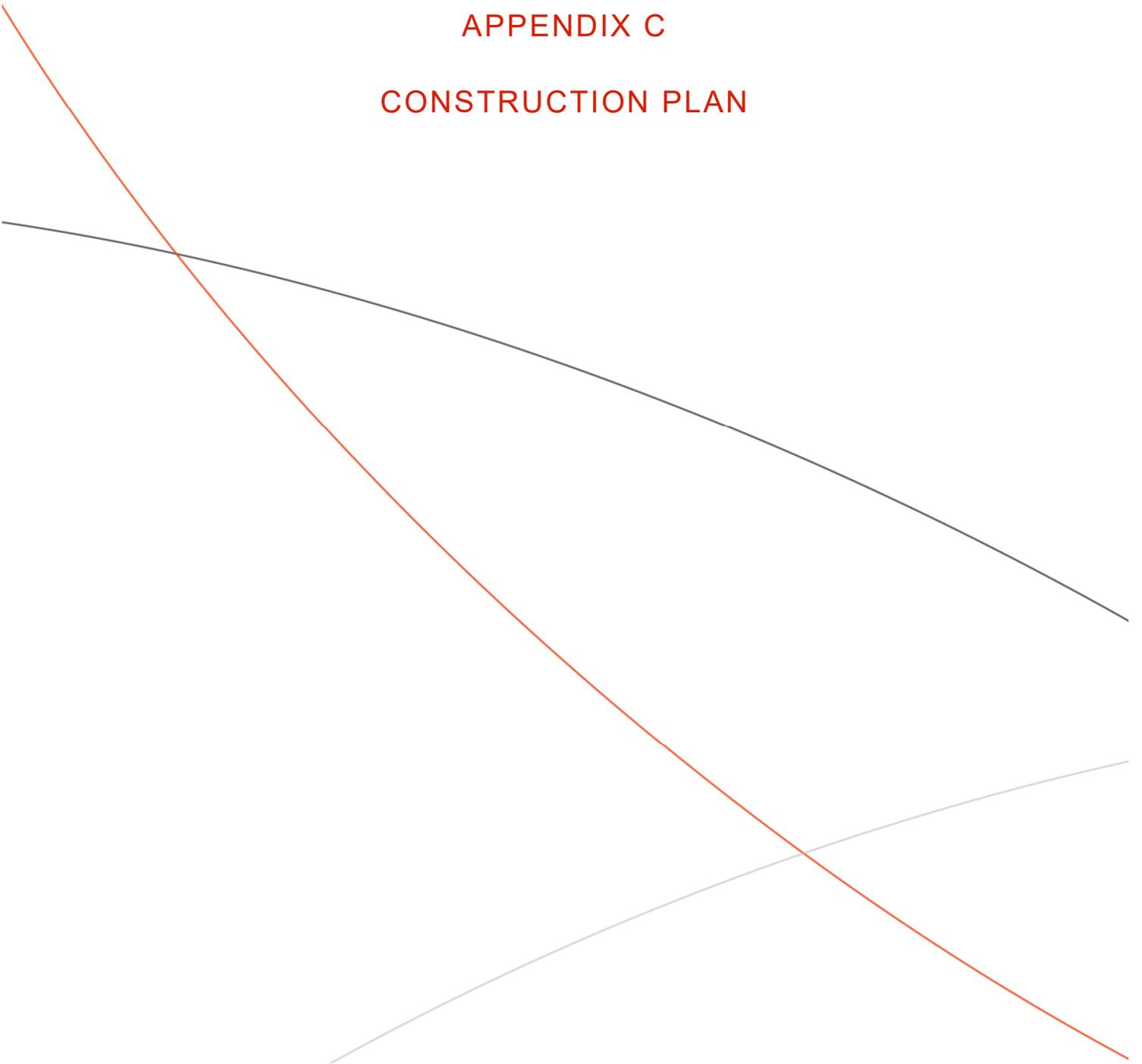
- ▶ * New and replacement poles will be made of concrete materials. Refer to elevation plans for specifics
- ▶ ** Layout is based on City Power Drawing No. PCA80 512440 -1. Aerial imagery is sourced from nearmap and is approximate in location.
- ▶ *** Offset to carriageway and dwellings has been traced from nearmap and is approximate. Detail survey is required for exact dimensions.
- ▶ **** Vegetation to be removed based on Eco Aerial Biodiversity Site Assessment (Tatura Site, May 2021).
- ▶ Distances have been calculated from pole centre to road reserve when located within property boundary, and from pole centre to road line marking when within road reserve.
- ▶ Data has been collated from <https://www.data.vic.gov.au/>
- ▶ This plan has been based on MGA 1994 Zone 55

LEGEND

- Road reserve/boundary
- Edge of carriageway (road line-marking) ***
- New/replacement overhead powerlines **
- Existing overhead powerlines **
- Existing overhead powerlines to be removed**
- Existing poles **
- Existing poles to be removed
- New poles * ** **
- ✗ Tree to be Removed (As Per Eco Aerial Ecology Report - October 2020)
- Area of vegetation to be removed****

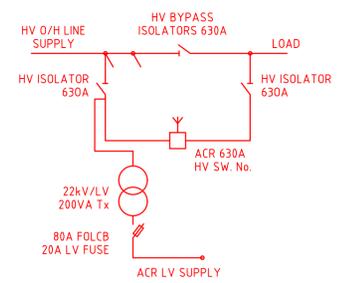
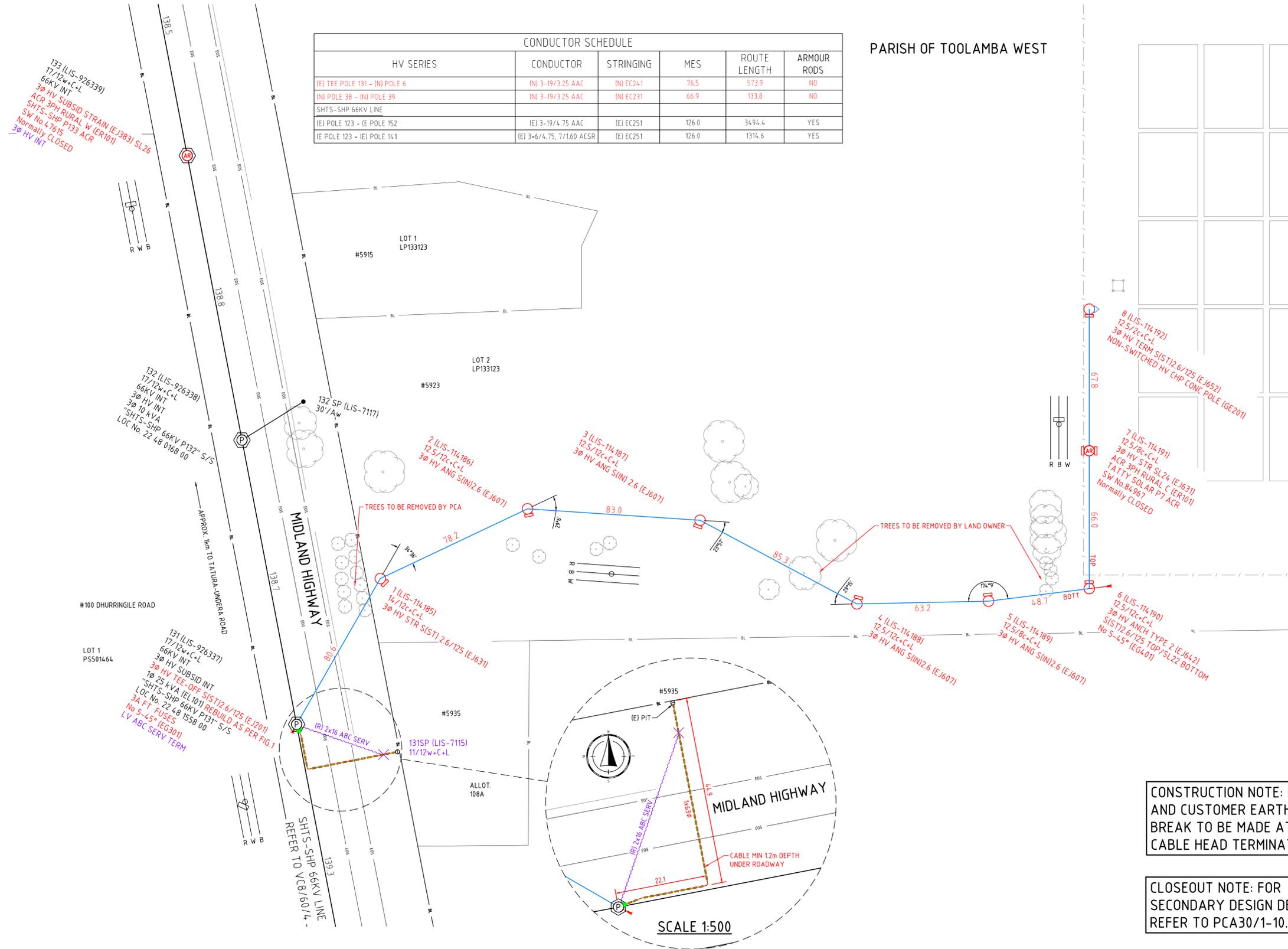


APPENDIX C
CONSTRUCTION PLAN

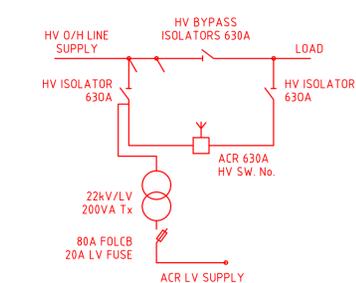


PARISH OF TOOLAMBA WEST

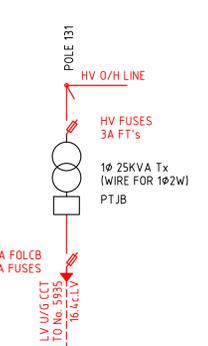
CONDUCTOR SCHEDULE					
HV SERIES	CONDUCTOR	STRINGING	MES	ROUTE LENGTH	ARMOUR RODS
(E) TEE POLE 131 - (N) POLE 6	(N) 3-19/3.25 AAC	(N) EC241	76.5	573.9	NO
(N) POLE 38 - (N) POLE 39	(N) 3-19/3.25 AAC	(N) EC231	66.9	133.8	NO
SHTS-SHP 66KV LINE					
(E) POLE 123 - (E) POLE 152	(E) 3-19/4.75 AAC	(E) EC251	126.0	3494.4	YES
(E) POLE 123 - (E) POLE 141	(E) 3-6/4.75, 7/1.60 ACSR	(E) EC251	126.0	1314.6	YES



PROPOSED CONNECTION DIAGRAM
"TATTY SOLAR P7 ACR" (ER101)
(WITH AUXILIARY Tx SUPPLY)
(HV SW. No. 84967)



PROPOSED CONNECTION DIAGRAM
"SHTS-SHP P133 ACR" (ER101)
(WITH AUXILIARY Tx SUPPLY)
(HV SW. No. 47615)



PROPOSED CONNECTION DIAGRAM
"SHTS-SHP 66KV P131" S/S
(L.O.C. No. 22-48-1558-00)

CONSTRUCTION NOTE: PCA AND CUSTOMER EARTH BREAK TO BE MADE AT CABLE HEAD TERMINATION.

CLOSEOUT NOTE: FOR SECONDARY DESIGN DETAILS REFER TO PCA30/1-10.

Electricity Networks - EN OH CONSTRUCTION PLAN A1 - V3.1

OVERHEAD LINE	EXISTING (E)	NEW (N)	REMOVE (R)	GENERAL
CONDUCTOR (GENERAL)	ST	NST	RST	BL BOUNDARY LINE
SUB-TRANSMISSION (66, 22kV)	HV	NHV	RHV	BOK BACK OF KERB
HV OPEN WIRE (22, 11 & 6.6 kV)	HVABC	NHVABC	RHVABC	FOK FACE OF KERB
HV AERIAL BUNDLED CABLE	HVABC	NHVABC	RHVABC	LOK LIP OF KERB
HV & LV OPEN WIRE	HVLV	NHVLV	RHVLV	
LV OPEN WIRE (LV MAINS)	LVM	NLVM	RLVM	
LV AERIAL BUNDLED CABLE	LVABC	NLVABC	RLVABC	
PUBLIC LIGHTING CABLE	PL	NPL	RPL	OTHER SERVICES
OPTIC FIBRE CABLE	OPC	NOPC	ROPC	DRAIN
SUPERVISORY CABLE	SUPV	NSUPV	RSUPV	FENCE
SERVICE CABLE (LV)	LVS	NLVS	RLVS	GAS MAIN
SERVICE CABLE (Neutral Screened)	NS	N/A	RNS	SEWER
				TELCO CABLE
				WATER MAIN

LV POLE (GENERAL)	POLE NUMBER
HV POLE	(456789)
HV/LV POLE	POLE MATERIAL:
SUBTRANS POLE	CONCRETE, STEEL, WOOD
ST/HV/LV POLE	POLE FOOTING: CONCRETE, LOG
HV CABLE TERMINATION	AERIAL STAY & SIZE
LV CABLE TERMINATION	GROUND STAY & SIZE
REMOVE POLE (ASSET)	REMOVE GROUND STAY
PUBLIC LIGHTING (GENERAL)	(F) FUTURE (SHOWN AS DASHED)
VIBRATION DAMPER	SERVICE PILLAR (CUSTOMER)
	SERVICE PIT (TYPICAL)
	SERVICE PIT (ROADWAY)
	UG CABLE (GENERAL)

CAUTIONS	
FOR DETAILS OF CONDITIONS REFER TO DIAL BEFORE YOU DIG INFORMATION	
PROJECT NUMBER	5124440
ROAD DIRECTORY	VR 32 E8
GIS MAP REF.	MAP 123.H1
MAP PROJECTION	MGA ZONE 55
FEEDER / SWITCHING ZONE	FDR: MNA014/SWZ: 4.828090
REFERENCE DRAWING	VCR/60/4
REFERENCE DRAWING	N/A
PROJECT MANAGER	LACHLAN STEPHEN

SCALE: 1:1000

LENGTHS ARE IN METRES

CITIPower AUSTRALIA

Electricity Networks
Locked Bag 14090
Melbourne 8001
www.citipower.com.au
www.powercor.com.au

REVISION	DRAWING NUMBER	OH CONSTRUCTION PLAN	SUPPLY TO TATTY SOLAR FARM	SHTS-SHP 66KV LINE	TATURA
	PCA80 5124440 1 A				
DRAWN	DRAFTING CHECK	DESIGNER	DESIGN APPROVAL	PROJECT MANAGER	
E.VANDERPAAL	C.TOBIAS	E.VANDERPAAL	C.TOBIAS	L.STEPHEN	
13/10/2020	19/10/2020	13/10/2020	19/10/2020	17/09/2020	

APPENDIX D
ECOLOGY REPORT



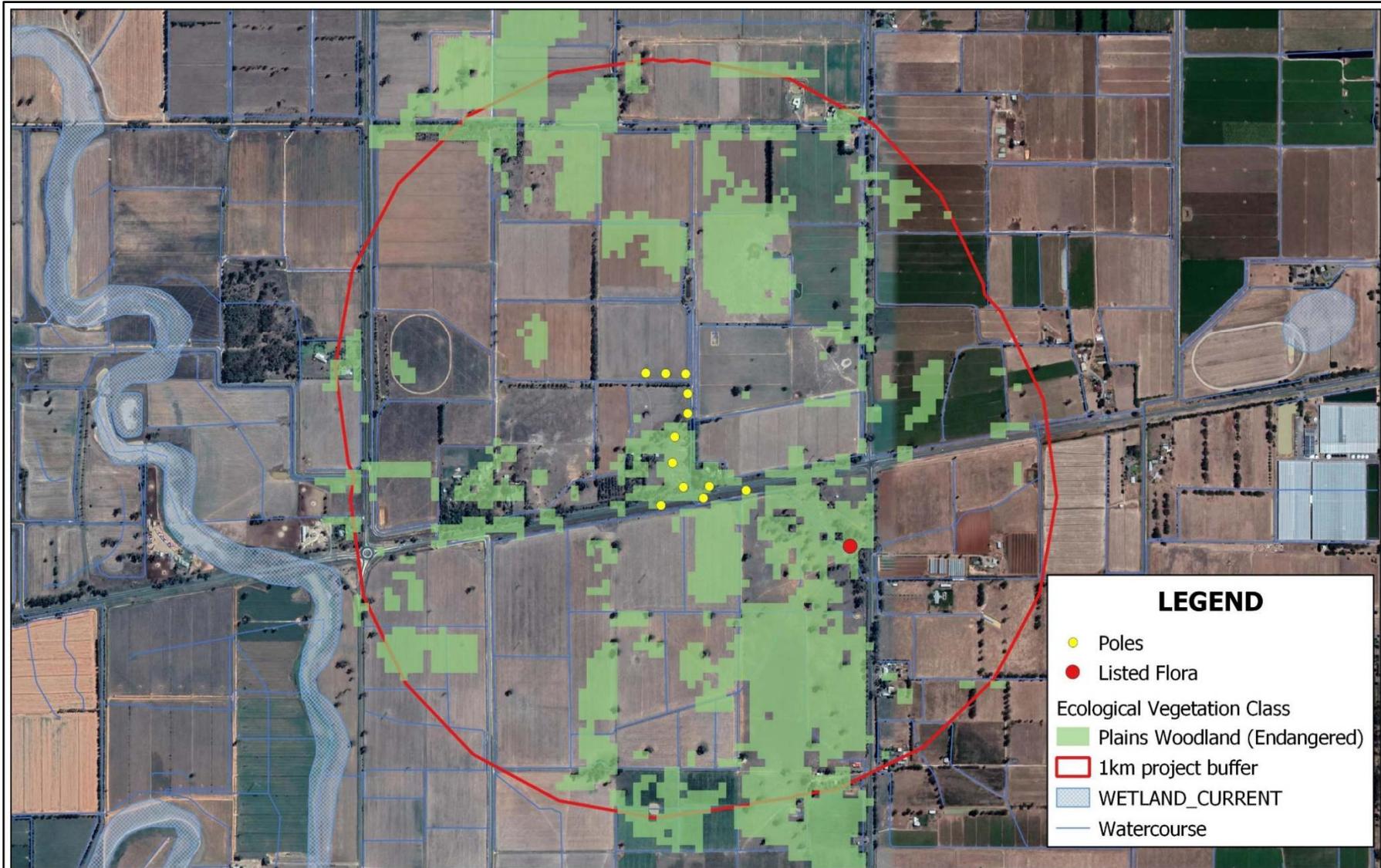
Biodiversity Site Assessment Report

STUDY AREA NAME: Tatura Solar Farm Connection		Date: 11/05/2021
BIOREGION	Victorian Riverina	
LOCAL GOVERNMENT AREA	Greater Shepparton City	
Catchment Management Area	Goulburn Broken CMA	
SUMMARY / COMMENTS		
Summary of findings and recommendations	<p>Summary</p> <p>The work entails the installation of 8 power poles on private property to service the Tatura Solar Farm. A site assessment was undertaken on the 7 May 2021 to confirm if native vegetation was likely to be impacted by the proposed works.</p> <p>One ecological vegetation class (EVC), Plains Woodland EVC_803, is modelled to occur within 1km of the proposed alignment (refer to Figure1). The extent of the modelled EVC is not consistent with the site assessment, the EVC is predominantly confined to the road reserve. The EVC is also confined to canopy trees with a lack of native understorey and ground cover. Ground cover is dominated by ribwort, phalaris and cocksfoot.</p> <p>The installation of the poles will not directly impact on native canopy trees. However, to meet the power distribution line clearance requirements, eight small trees will require removal (refer to Figure 2). The trees appear to be planted; a rip line exists where the trees are in rows. Notwithstanding this, four tree species are consistent with canopy trees associated with Plains Woodland EVC and considered to be approx. 10-years of age. Therefore, the trees are being assessed under Clause 52.17. The trees requiring removal are as follows:</p> <ol style="list-style-type: none"> 1. Yellow Gum - DBH 38cm 2. Yellow Gum – DBH 37cm 3. Red Iron Bark - DBH 29.5cm 4. Red Iron Bark – DBH 22cm 5. Red Ironbark – DBH 28cm 6. Eucalypt sp – DBH 15cm 7. River Red Gum - DBH 31cm 8. Grey Box – DBH 27cm. <p>Refer to Appendix 1 for photographs of the above trees.</p> <p>The trees to be removed were entered into the NVIM tool and triggered the basic pathway. The offset requirements are 0.054 General Habitat Units (refer to Appendix 4).</p>	

	<p>Recommendations</p> <ul style="list-style-type: none"> Access Pole 1 from private property and conduct works in dry ground conditions (Figure 2 Pole 1) or deploy bog mats.
DESKTOP REVIEW RESULTS	
<p>* EPBC Act Protected Matters Search (DoEE)</p> <p><i>Source: Protected Matters Search Tool (PMST) 1km buffer</i></p> <p><i>Results include terrestrial species / communities only</i></p>	<p>Threatened Ecological Communities:</p> <ol style="list-style-type: none"> Buloke Woodlands of the Riverina and Murray-Darling Depression Bioregions Grey Box (Eucalyptus microcarpa) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia Natural Grasslands of the Murray Valley Plains White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland <p>Listed Threatened Species: 23</p> <p>Migratory Species: 11</p>
<p>Proximity to significant wetlands/ waterways</p> <p><i>Source: Google Earth</i></p>	No wetlands / waterways within 1km of the alignment
Habitat Corridors	NA
Surrounding land use	Agriculture
<p>EVC's & Significant flora and fauna records</p> <p><i>Source: NatureKit & VBA (DELWP).</i></p> <p><i>Refer to Figure 1</i></p>	<p>Ecological Vegetation Class: 2</p> <ol style="list-style-type: none"> Plains Woodland EVC_803 (Endangered) <p>Threatened Flora: Buloke <i>Allocasuarina luehmannii</i></p> <p>Threatened Fauna: N/A</p>
Reviewed report/s	N/A
LEGISLATIVE IMPLICATIONS	
EPBC Act 1999	<p>No EPBC listed ecological communities or species are present within the alignment.</p> <p><i>There are no obligations under the EPBC Act.</i></p>
EES Act 1978	<p>An EES would be required if the impacts were deemed to potentially have a detrimental effect for species / communities of regional or state significance.</p> <p><i>An EES is <u>not required</u> as there is not a 'trigger' of any referral criterion (refer to Appendix 2 for trigger criteria).</i></p>
FFG Act 1988	<i>No species will be impacted by the proposed works.</i>
Permitted clearing of native vegetation Clause 52.17	Applies to native vegetation when there is a need to remove and / or impact native vegetation is unavoidable. Refer to Appendix 3 for the assessment pathway.

	<i>Eight trees will be removed as result of the proposed works and triggers the basic analysis pathway. The offset requirements are 0.054 General Habitat Units.</i>
Catchment Management Authority Regional Strategies	Goulburn Broken Regional Catchment Strategy 2013-2019.
Local Government Environmental Planning Overlays	N/A

* Search results for EPBC Act threatened species is based on the likelihood of suitable habitat to occur in the search area only. It does not imply that there has been a definite record for the species.



LEGEND

- Poles
- Listed Flora
- Ecological Vegetation Class
 - Plains Woodland (Endangered)
- 1km project buffer
- WETLAND_CURRENT
- Watercourse

Figure 1. Tatura Solar Farm

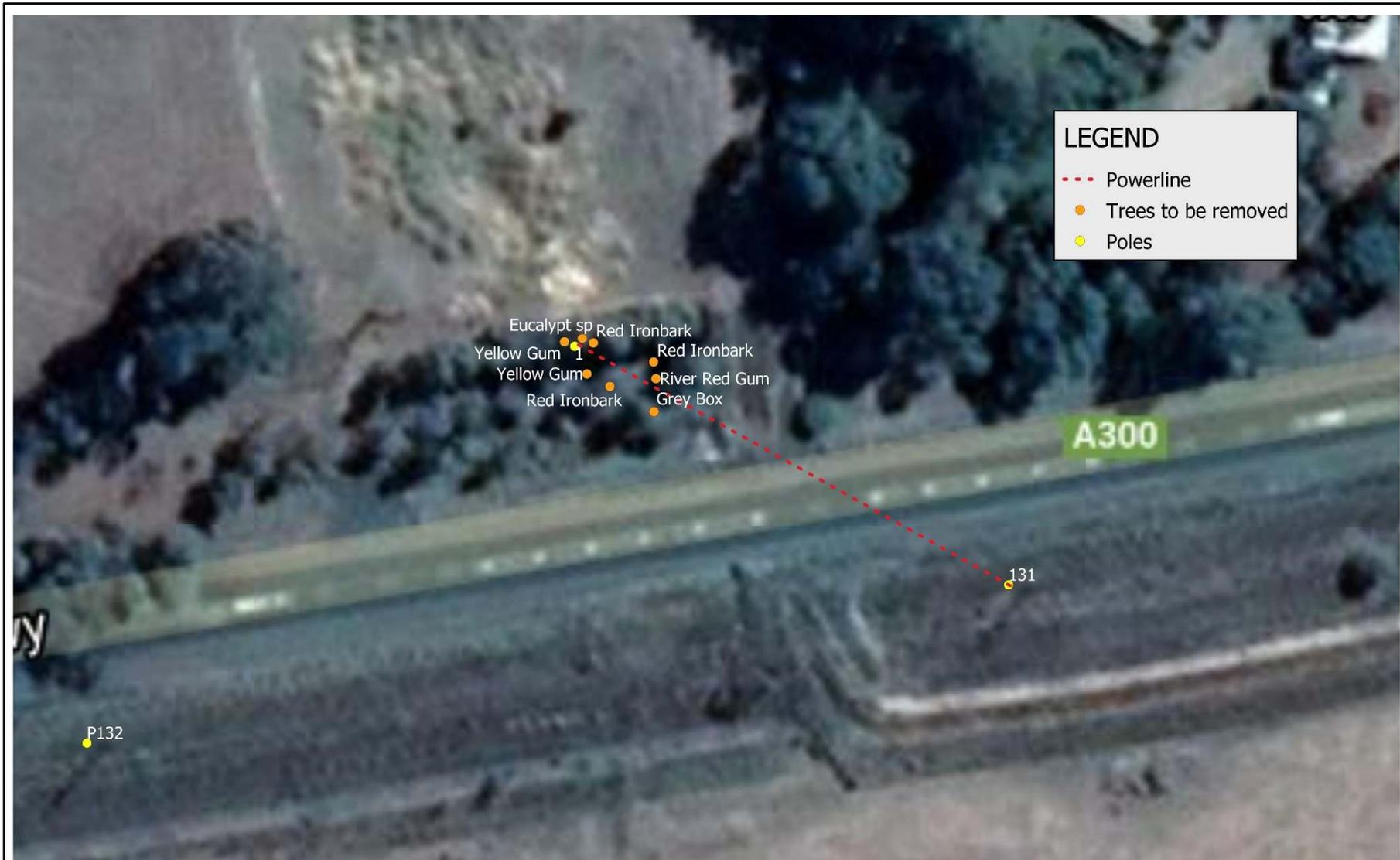


Figure 2. Tatura Solar Farm



Database Searches

Environmental Protection and Biodiversity Conservation (EPBC) Act Protected Matters Search – An online tool, provided by the Commonwealth Department of the Environment, Water, Heritage and the Arts which identifies matters of national environmental significance that *may* occur in, or *may* relate to the area nominated.

Ecological Vegetation Classes (EVCs) – A vegetation classification system developed by DSE for Victoria. EVCs are groupings of vegetation communities based on floristic, structural and ecological features. It should be noted that this database is incomplete and used only as a guide.

Victorian Biodiversity Atlas - data provided from the DELWP, lists all the flora and fauna species which have been identified within the search area from previous studies.

Naturekit - data provided from the DELWP, provides GIS layers and information on the presence of Ecological Vegetation Class's and general flora and fauna data.

Legislation

Environmental Effects Act 1978

The *Environmental Effects Act 1978* provides for assessment of proposed projects (works) that are capable of having a significant effect on the environment. The Act does this by enabling the Minister administering it to decide that an Environmental Effects Statement (EES) should be prepared.

The Minister might typically require a proponent to prepare an EES when:

- there is a likelihood of regionally or State significant adverse effects on the environment
- there is a need for integrated assessment of potential environmental effects (including economic and social effects) of a project and relevant alternatives, and
- normal statutory processes would not provide a sufficiently comprehensive, integrated and transparent assessment.

The EES process provides for the analysis of potential effects on environmental assets and the means of avoiding, minimising and managing adverse effects. It also includes public involvement and the opportunity for an integrated response to a proposal.

Environment Protection and Biodiversity Conservation Act 1999

Any action that has, will have, or is likely to have a significant impact on a matter of national environmental significance, as defined under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires approval from the Commonwealth Environment Minister. Matters of National Environmental Significance relevant to this study may include nationally threatened species (plants and animals), migratory species, and endangered ecological communities.

Flora and Fauna Guarantee Act 1988

The provisions of the *Flora and Fauna Guarantee Act 1988* (FFG Act) bind all public agencies, public landowners and land managers. Removal of any native plants protected under the FFG Act requires a permit from the DSE, where this occurs on public land. It is understood that such a permit is not required for such works on private land. The Act allows for the listing of potentially threatening processes. Any actions that may result in a potentially threatening process should be avoided or managed appropriately.

Clearing of native vegetation- Biodiversity assessment guidelines

In Victoria, a planning permit is usually required to remove, destroy or lop native vegetation. Landholders / managers must apply for a planning permit from their local council. If a permit is granted, a native vegetation offset must be obtained before the native vegetation is removed, to compensate for the impact of the removal on biodiversity.

The Guidelines for the removal, destruction or lopping of native vegetation (2017) are incorporated into the Victoria Planning Provisions and all planning schemes in Victoria. The Guidelines replace the previous incorporated document titled Permitted clearing of native vegetation – Biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013).

There are three assessment pathways for an application to remove native vegetation: Basic, Intermediate and Detailed. The assessment pathway reflects the potential impact the removal has on biodiversity. These pathways are determined by:

- amount of native vegetation (in hectares)
- whether any large trees are to be removed, and
- location of the native vegetation.

Extent of native vegetation	Location category		
	Location 1	Location 2	Location 3
Less than 0.5 hectares and not including any large trees	Basic	Intermediate	Detailed
Less than 0.5 hectares and including one or more large trees	Intermediate	Intermediate	Detailed
0.5 hectares or more	Detailed	Detailed	Detailed

Proponents can refer to the online-tool Native Vegetation Information Management to understand which risk-pathway the application will be assessed under. The biodiversity report produced by NVIM can be used as part of an application under a Basic and Intermediate risk pathway, whereas a site assessment by an accredited quality vegetation assessor is required as part of an application under the Detailed-risk pathway.

Catchment Management Authority – Regional Catchment Strategies

A primary function of a Catchment Management Authority is to prepare a Regional Catchment Strategy (RCS) for its region and coordinate and monitor its implementation. The strategies describe the natural assets of a region, and how they are interrelated, outlining what needs to be done to manage and use the assets in a sustainable way.

The RCS is an important planning and working document for all organisations and people involved in natural resource management in the region, including government agencies and councils, water authorities, industry, Landcare and community groups. Its main focus is the land, water and biodiversity in the region. It provides a framework for effort, an investment guide, a means of integrating policy and an action plan for catchment works.

Local Government – Environmental Planning Overlays / Vegetation Protection Overlays

N/A

Appendix 1- Site Photographs

Image ID	Tatura Solar Farm	Comments
<p>IMG_20210505_153551</p>		<p>Location Pole 2</p> <p>Typical of site conditions, vegetation dominated by phalaris and wild oats.</p>
<p>IMG_20210417_150611</p>		<p>Location Pole 5</p> <p>Looking south to Pole 4. Devoid of vegetation.</p>
<p>IMG_20210417_145929</p>		<p>Location Pole 6</p> <p>Looking west to Pole 8. Devoid of vegetation.</p>

Image ID	Tatura Solar Farm	Comments
IMG_20210417_143226		<p>Looking south.</p> <p>Red Ironbark, River Red Gum, Grey Box and Red Ironbark to be removed (left to right). Pole peg can be seen in foreground and connecting pole in middle background.</p> <p>Ground cover dominated by phalaris.</p>
IMG_20210417_144952		<p>Looking north.</p> <p>Yellow Gum, Yellow Gum, Red Ironbark, and Eucalypt sp to be removed (left to right). Pole 1 located 1m in front of 2nd Yellow gum from the right.</p> <p>Vehicles and equipment will install pole from private property.</p>

Appendix 2 - EES Act Triggers

Referral criteria: individual potential environmental effects

Individual types of potential effects on the environment that might be of regional or State significance, and therefore warrant referral of a project, are:

- potential clearing of 10 ha or more of native vegetation from an area that:
 - is of an Ecological Vegetation Class identified as endangered by the Department of Sustainability and Environment (in accordance with Appendix 2 of Victoria's Native Vegetation Management Framework); or
 - is, or is likely to be, of very high conservation significance (as defined in accordance with Appendix 3 of Victoria's Native Vegetation Management Framework); and
 - is not authorised under an approved Forest Management Plan or Fire Protection Plan
- potential long-term loss of a significant proportion (e.g. 1 to 5 percent depending on the conservation status of the species) of known remaining habitat or population of a threatened species within Victoria
- potential long-term change to the ecological character of a wetland listed under the Ramsar Convention or in 'A Directory of Important Wetlands in Australia'
- potential extensive or major effects on the health or biodiversity of aquatic, estuarine or marine ecosystems, over the long term
- potential extensive or major effects on the health, safety or well-being of a human community, due to emissions to air or water or chemical hazards or displacement of residences
- potential greenhouse gas emissions exceeding 200,000 tonnes of carbon dioxide equivalent per annum, directly attributable to the operation of the facility.

Referral criteria: a combination of potential environmental effects

A combination of *two or more* of the following types of potential effects on the environment that might be of regional or State significance, and therefore warrant referral of a project, are:

- potential clearing of 10 ha or more of native vegetation, unless authorised under an approved Forest Management Plan or Fire Protection Plan
- matters listed under the *Flora and Fauna Guarantee Act 1988*:
 - potential loss of a significant area of a listed ecological community; or
 - potential loss of a genetically important population of an endangered or threatened species (listed or nominated for listing), including as a result of loss or fragmentation of habitats; or
 - potential loss of critical habitat; or
 - potential significant effects on habitat values of a wetland supporting migratory bird species
- potential extensive or major effects on landscape values of regional importance, especially where recognised by a planning scheme overlay or within or adjoining land reserved under the *National Parks Act 1975*
- potential extensive or major effects on land stability, acid sulphate soils or highly erodible soils over the short or long term
- potential extensive or major effects on beneficial uses of waterbodies over the long term due to changes in water quality, streamflows or regional groundwater levels
- potential extensive or major effects on social or economic well-being due to direct or indirect displacement of non-residential land use activities
- potential for extensive displacement of residences or severance of residential access to community resources due to infrastructure development
- potential significant effects on the amenity of a substantial number of residents, due to extensive or major, long-term changes in visual, noise and traffic conditions
- potential exposure of a human community to severe or chronic health or safety hazards over the short or long term, due to emissions to air or water or noise or chemical hazards or associated transport
- potential extensive or major effects on Aboriginal cultural heritage
- potential extensive or major effects on cultural heritage places listed on the Heritage Register or the Archaeological Inventory under the *Heritage Act 1995*.

Appendix 3 - Permitted vegetation clearing pathways

Step 1
Do I need a permit?

Local council can confirm if you need a permit to remove native vegetation. Organise a pre-application meeting with your local council to help answer the following questions:

- Am I removing native vegetation? Appendix 1 will help you to determine if the vegetation is native.
- Do I qualify for an exemption? There are a range of exemptions that mean a permit is not required to remove native vegetation. Refer to the exemption guidance on the [DELWP website](#).
- Are there any other requirements? Check with your local council whether any schedule, Native Vegetation Precinct Plan or environmental overlay applies. Also check whether the vegetation could be protected under other local, state or federal legislation.

If you need a permit to remove native vegetation, continue to Step 2.

Step 2
What is my assessment pathway?

Use the Native Vegetation Information Management removal tool ([NVIM removal tool](#)) to map the native vegetation and determine your assessment pathway: <https://nvim.delwp.vic.gov.au/>.

Note: If you are removing 0.5 ha or more of native vegetation you are automatically in the Detailed Assessment Pathway. This is approximately a rectangle of 100 metres long and 50 wide or 7 large scattered trees or 16 small scattered trees.



Step 3
Do I need an accredited native vegetation assessor?

If you are in the Basic or Intermediate Assessment Pathway you do not need to appoint an accredited native vegetation assessor. You can complete the application yourself using the [NVIM removal tool](#).

You need an accredited native vegetation assessor to complete a site assessment report.

Step 4
Can I reduce my impacts, offset requirements and costs?

Use information in the NVIM removal tool to minimise impacts on native vegetation. Try not to remove areas of native vegetation with higher condition and strategic biodiversity value scores, large trees (allow space for a tree protection zone within 15 metres of the tree trunk) and areas shown as Location 2 and 3 on the *Location map*.

Use information from the site assessment and work with the accredited native vegetation assessor to minimise impacts.

Step 5
Prepare the application

Follow the prompts in the NVIM removal tool to provide additional information that is required for your application. The tool will calculate your offset requirement and you must decide how you will secure the offset – on your own property, or purchased through a broker. Check the costs to secure the offset before proceeding with the application.

Download the *Native vegetation removal report* (NVR report). The report will form part of your planning permit application.

Obtain a NVR report for the Detailed Assessment Pathway from the accredited native vegetation assessor. Work with the accredited assessor to complete the application.

Step 6
Lodge the application

Check you have completed all application requirements and attached any necessary information. Examples of statements you could use in the application are provided in Appendix 4 of guidelines

Lodge the planning permit application with your local council.

Appendix 4 – NVIM Report

Native vegetation removal report

A report to support an application to remove, destroy or lop native vegetation in the **Basic Assessment Pathway** using the modelled condition score

This report provides information to support an application to remove native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report is not an assessment by DELWP or local council of the proposed native vegetation removal. Biodiversity information and offset requirements have been calculated using modelled condition scores contained in the *Native vegetation condition map*.

Date and time: 11 May 2021 11:38 AM

Lat./Long.: -36.4122430169849,145.234334710363

Native vegetation report ID:

Address: Address unknown

328-20210511-008

5923 MIDLAND HIGHWAY TATURA 3616

Assessment pathway

The assessment pathway and reason for the assessment pathway

Assessment pathway	Basic Assessment Pathway
Extent of past plus proposed native vegetation removal	0.076 hectares
No. large trees	0 large tree(s)
Location category	Location 1 The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

Offset requirement

The offset requirement that will apply if the native vegetation is approved to be removed

Offset type	General offset
Offset amount	0.054 general habitat units
Offset attributes	
Vicinity	Goulburn Broken Catchment Management Authority (CMA) or Greater Shepparton City Council
Minimum strategic biodiversity value score	0.480
Large trees	0 large tree(s)

Biodiversity information about the native vegetation

Description of any past native vegetation removal

Any native vegetation that was approved to be removed, or was removed without the required approvals, on the same property or on contiguous land in the same ownership, in the five year period before the application to remove native vegetation is lodged is detailed below.

Permit/PIN number	Extent of native vegetation (hectares)
None entered	0 hectares

Description of the native vegetation proposed to be removed

Extent of all mapped native vegetation	0.076 hectares
Condition score of all mapped native vegetation	0.598
Strategic biodiversity value score of all mapped native vegetation	0.600
Extent of patches native vegetation	0.000 hectares
Extent of scattered trees	0.076 hectares
No. large trees within patches	0 large tree(s)
No. large scattered trees	0 large tree(s)
No. small scattered trees	8 small tree(s)

Additional information about trees to be removed, shown in Figure 1

Tree ID	Tree circumference (cm)	Benchmark circumference (cm)	Scattered / Patch	Tree size
A	84.5	126	Scattered	Small
B	97	126	Scattered	Small
C	78.5	126	Scattered	Small
D	88	126	Scattered	Small
E	113	126	Scattered	Small
F	119	126	Scattered	Small
G	92.5	126	Scattered	Small
H	53	126	Scattered	Small

Other information

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed must be provided with the application. All photographs must be clear, show whether the vegetation is a patch of native vegetation or scattered trees, and identify any large trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Topographical and land information

Description of the topographic and land information relating to the native vegetation to be removed, including any ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan. **This is an application requirement and your application will be incomplete without it.**

The topography is flat where the trees to be removed on the road reserve of the Midland Highway. There are no concerns with erosion or saline discharge as a result of removing the trees.

Avoid and minimise statement

This statement describes what has been done to avoid the removal of, and minimise impacts on the biodiversity and other values of native vegetation. **This is an application requirement and your application will be incomplete without it.**

The pole location has been located to remove the least amount of trees possible. The alignment from the existing pole to the south to the new pole to the north has been placed where there is a gap in vegetation. The installation of the pole itself will not entail removing any native vegetation or trees however the trees must be removed to meet the power distribution line clearance requirements.

Defendable space statement

Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required if your application also includes an application under the Bushfire Management Overlay.

Not applicable

Offset statement

An offset statement that demonstrates that an offset is available and describes how the required offset will be secured. **This is an application requirement and your application will be incomplete without it.**

Powercor has a written agreement with the Secretary to DELWP under the Utility installations exemption-procedure for the removal, destruction or looping of native vegetation. This agreement allows Powercor to undertake works prior to sourcing offsets. Evidence of the secured offsets (allocated credit extracts or executed first party offset agreements) for all endorsed projects for the financial year must be provided to the relevant DELWP region annually by the 31 August. Powercor will source offset from Vegetation Link.

Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in *Guidelines for the removal, destruction or lopping of native vegetation*. If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. This *Native vegetation removal report* must be submitted with your application and meets most of the application requirements. The following needs to be added as applicable.

Property Vegetation Plan

Landowners can manage native vegetation on their property in the longer term by developing a Property Vegetation Plan (PVP) and entering into an agreement with DELWP.

If an approved PVP applies to the land, ensure the PVP is attached to the application.

Applications under Clause 52.16

An application to remove, destroy or lop native vegetation is under Clause 52.16 if a Native Vegetation Precinct Plan (NVPP) applies to the land, and the proposed native vegetation removal is not in accordance with the relevant NVPP. If this is the case, a statement that explains how the proposal responds to the NVPP considerations must be provided.

If the application is under Clause 52.16, ensure a statement that explains how the proposal responds to the NVPP considerations is attached to the application.

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

www.delwp.vic.gov.au

Disclaimer

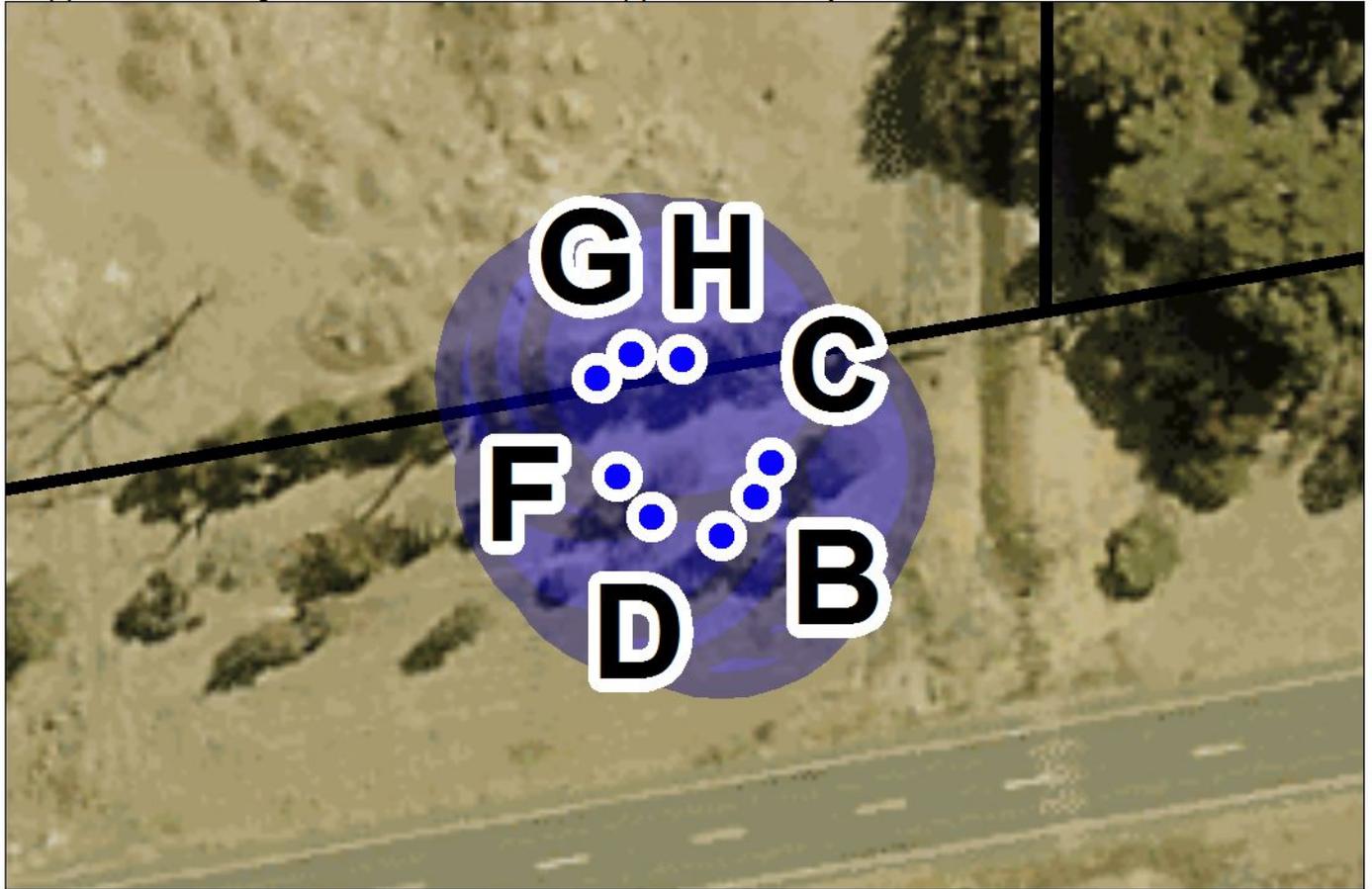
This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of planning schemes in Victoria or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of planning schemes in Victoria.

Figure 1 – Map of native vegetation to be removed, destroyed or lopped

Mapped native vegetation to be removed, lopped or destroyed



Legend

-  Mapped native vegetation
-  Property boundary

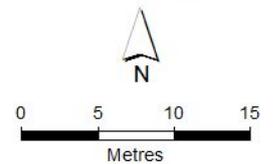


Figure 2 – Map of property in context

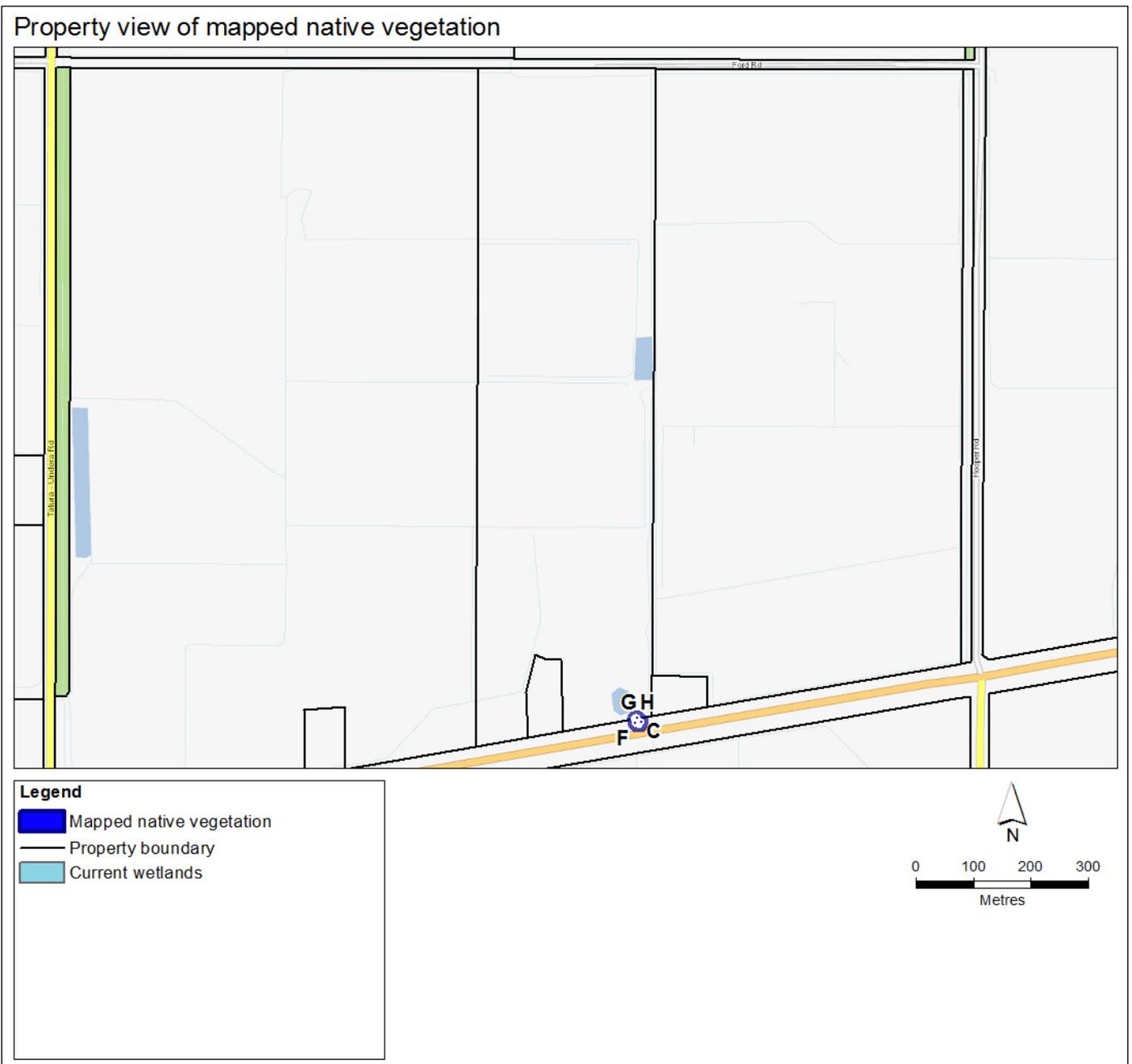
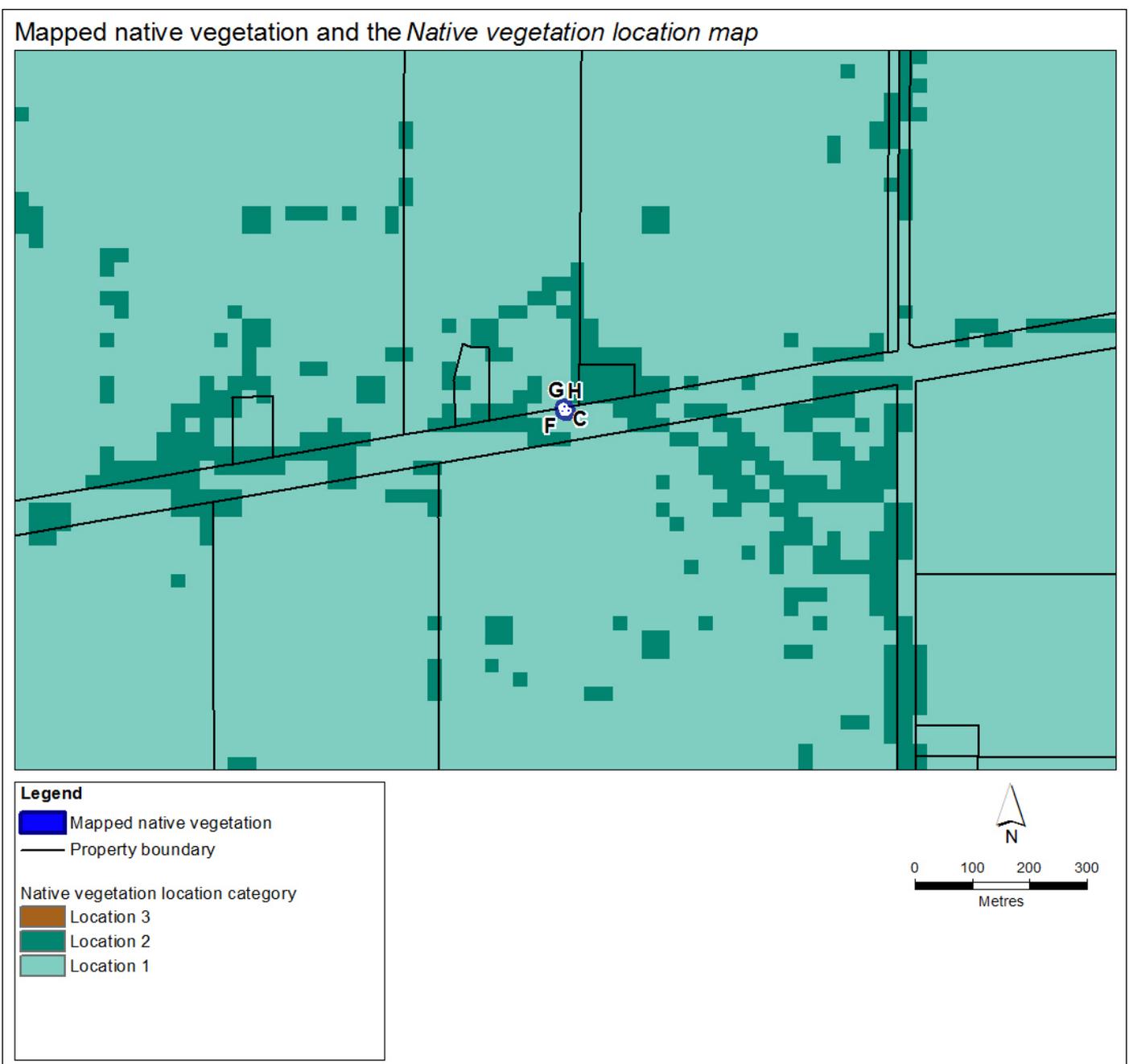
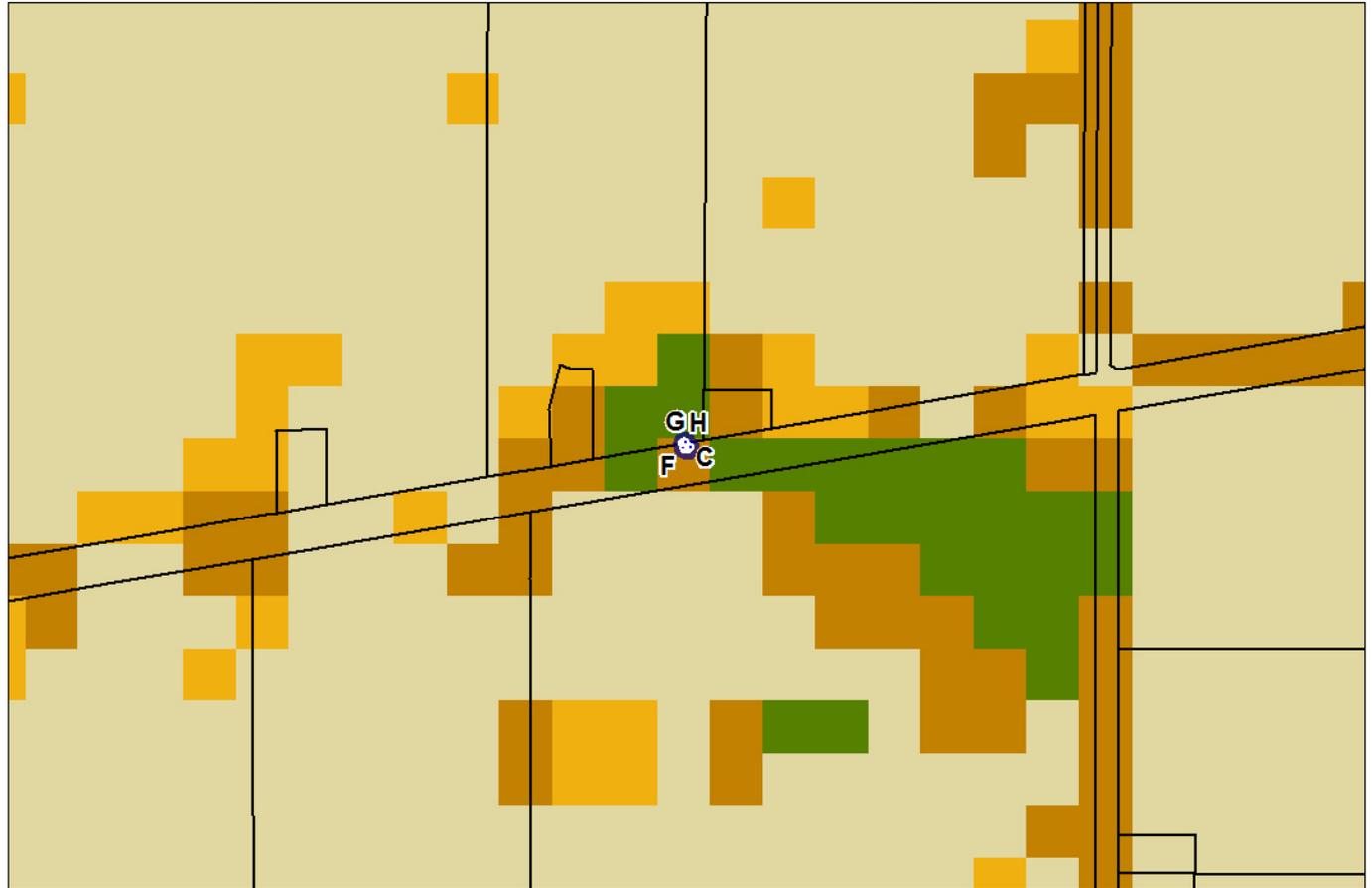


Figure 3 – Biodiversity information maps



Native vegetation removal report

Mapped native vegetation and the *Native vegetation condition map*



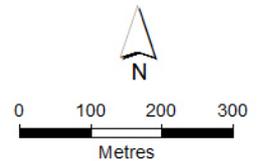
Legend

-  Mapped native vegetation
-  Property boundary

Native vegetation condition*

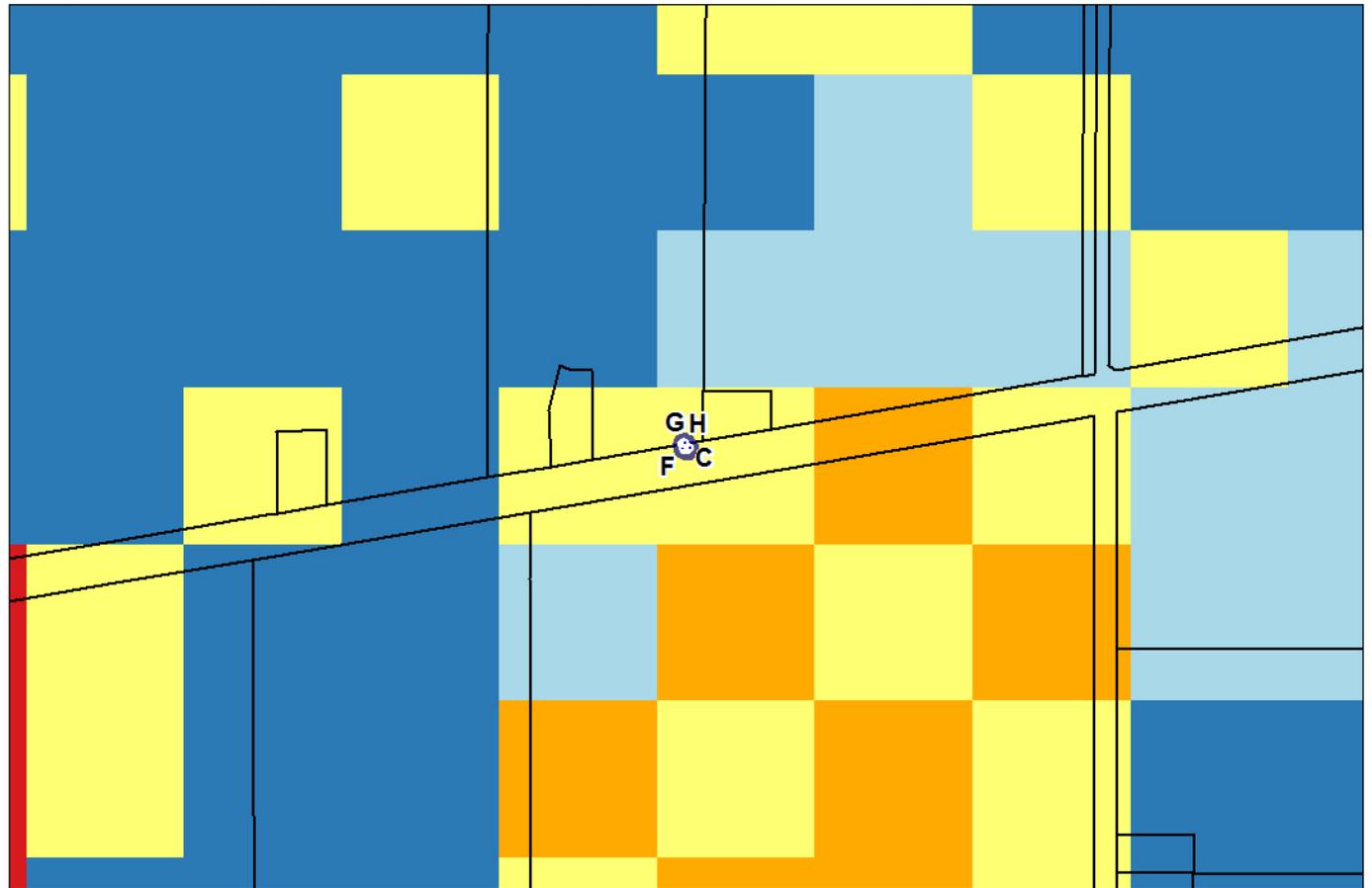
-  0.81 - 1.00
-  0.61 - 0.80
-  0.41 - 0.60
-  0.21 - 0.40
-  0.00 - 0.20

* These classes are for display purposes only



Native vegetation removal report

Mapped native vegetation and the *Strategic biodiversity value map*



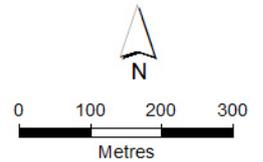
Legend

-  Mapped native vegetation
-  Property boundary

Strategic biodiversity value*

-  0.81 - 1.00
-  0.61 - 0.80
-  0.41 - 0.60
-  0.21 - 0.40
-  0.00 - 0.20

* These classes are for display purposes only



Appendix 1 - Details of offset requirements

Native vegetation to be removed

Extent of all mapped native vegetation (for calculating habitat hectares)	0.076	The area of land covered by a patch of native vegetation and/or a scattered tree, measured in hectares. Where the mapped native vegetation includes scattered trees, each tree is assigned a standard extent and converted to hectares. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree a circle with a 15 metre radius. The extent of all mapped native vegetation is an input to calculating the habitat hectares.
Condition score*	0.598	The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. The condition score is the weighted average condition score of the mapped native vegetation calculated using the <i>Native vegetation condition map</i> .
Habitat hectares	0.045	Habitat hectares is a site-based measure that combines extent and condition of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score: <i>Habitat hectares = extent x condition score</i>
Strategic biodiversity value score	0.600	The strategic biodiversity value score represents the complementary contribution to Victoria's biodiversity of a location, relative to other locations across the state. This score is the weighted average strategic biodiversity value score of the mapped native vegetation calculated using the <i>Strategic biodiversity value map</i> .
General landscape factor	0.800	The general landscape factor is an adjusted strategic biodiversity value score. It has been adjusted to reduce the influence of landscape scale information on the general habitat score.
General habitat score	0.036	The general habitat score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native vegetation. The general habitat score is calculated as follows: <i>General habitat score = habitat hectares x general landscape factor</i>

* **Offset requirements for partial removal:** If your proposal is to remove parts of the native vegetation in a patch (for example only understorey plants) the condition score must be adjusted. This will require manual editing of the condition score and an update to the calculations that the native vegetation removal tool has provided: habitat hectares, general habitat score and offset amount.

Offset requirements

Offset type	General offset	A general offset is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. All proposals in the Basic and Intermediate assessment pathways will only require a general offset.
Offset multiplier	1.5	This multiplier is used to address the risk that the predicted outcomes for gain will not be achieved, and therefore will not adequately compensate the biodiversity loss from the removal of native vegetation.
Offset amount (general habitat units)	0.054	The general habitat units are the amount of offset that must be secured if the application is approved. This offset requirement will be a condition to any permit or approval for the removal of native vegetation. <i>General habitat units required = general habitat score x 1.5</i>
Minimum strategic biodiversity value score	0.480	The offset site must have a strategic biodiversity value score of at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.
Vicinity	Goulburn Broken CMA or Greater Shepparton City Council	The offset site must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed.
Large trees	0 large tree (s)	The offset site must protect at least one large tree for every large tree removed. A large tree is a native canopy tree with a Diameter at Breast Height greater than or equal to the large tree benchmark for the local Ecological Vegetation Class. A large tree can be either a large scattered tree or a large patch tree.