

2023

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Delburn Wind Farm

PROPOSED AMENDMENTS TO CONDITIONS

EDITS BY DELBURN WIND FARM PTY LTD

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FOR APPLICATION

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PA2001063 – Latrobe Wind Farm Permit

Addresses

Lot	Volume	Folio	Description
Lot 1 on TP 244690V	8176	26	Strzelecki Highway Driffield
Road R1 on PS 601788C	11337	40	
Road R1 on PS 731579	11566	435	
Crown Allotment 54B Parish of Narracan South	8876	243	Strzelecki Highway Delburn
Lot 1 on TP 513765S	3486	43	Strzelecki Highway Delburn
Crown Allotment 51A Parish of Narracan South	3317	244	Strzelecki Highway Delburn
Crown Allotments 64H, 64J, <u>and</u> 64K and Parish of Narracan South	8180	543	
Crown Allotment 52A Parish of Narracan South	8180	541	Strzelecki Highway Delburn
Lot 1 on TP234268	8051	94	Strzelecki Highway Delburn
Lot 1 on TP 532464A	7218	598	Strzelecki Highway Delburn
Lot 1 on TP 511651	8047	825	Strzelecki Highway Delburn
Lot 1 on TP 244100W	8102	39	Strzelecki Highway Delburn
Lots 1, 2 and 3 on TP 643644D	9581	568	
Lots 1, 2 and 3 on TP 643643F	9581	567	
Crown Allotment 61 Parish of Narracan South	4637	243	
Crown Allotment 58 Parish of Narracan South	8082	120	Strzelecki Highway Delburn
Crown Allotment 59 Parish of Narracan South	5277	262	Strzelecki Highway Delburn
Crown Allotment 108A Parish of Narracan South	8242	568	Strzelecki Highway Delburn
Crown Allotment 108 Parish of Narracan South	8082	121	Strzelecki Highway Delburn
Lot 1 on TP 608877C	11517	415	
Crown Allotment 82 Parish of Narracan South	4347	386	Strzelecki Highway Delburn
Lots 1, 2 and 3 on TP 643640M	9581	564	
Lot 2 on PS 731579K	5839	686	Strzelecki Highway Delburn
Lot 1 on PS 731579K	9581	565	Strzelecki Highway Delburn
Crown Allotment 64G Parish of Narracan South	4637	243	
Crown Allotment 66B Parish of Narracan South	8180	545	Strzelecki Highway Delburn
Crown Allotment 65B Parish of Narracan South	7715	119	Strzelecki Highway Delburn
Crown Allotment 46 Parish of Narracan South	7050	958	Strzelecki Highway Delburn
Lots 1 and 2 on TP 535303K	7218	599	
Crown Allotment 47B Parish of Narracan	2950	985	Strzelecki Highway Delburn
Lots 1 and 2 on TP 663165D	5918	436	
Lot 1 on TP 534908D	7150	912	Strzelecki Highway Delburn
Lots 1 and 2 on TP 534750N	7081	111	
Crown Allotment 58A Parish of Narracan South	8180	542	Strzelecki Highway Delburn
Lot 1 TP 597260B	3909	786	Strzelecki Highway Delburn
Lot 1 on TP 543114S	2970	935	Strzelecki Highway Delburn
Lot 1 on TP 238200C	8111	203	Strzelecki Highway Delburn
Lot 1 on TP 554992Y	8095	63	Strzelecki Highway Delburn
Lot 1 on TP 360956J	3302	353	Strzelecki Highway Delburn
Crown Allotment 64B Parish of Narracan South	3302	354	Strzelecki Highway Delburn
Crown Allotment 77B Parish of Narracan South	3067	400	Strzelecki Highway Delburn
Crown Allotment 64C Parish of Narracan South	3632	341	

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Crown Allotment 64E Parish of Narracan South	3684	737	Strzelecki Highway Delburn
Crown Allotment 65D Parish of Narracan South	7181	142	Strzelecki Highway Delburn
Lot 1 on TP 643645B	9581	569	Strzelecki Highway Delburn
Lots 1 and 3 on TP 434234Q	6539	671	
Lots 1 and 2 on TP 532547V	7235	962	
Lot 1 on TP 246770M	8380	102	
Crown Allotment 34 Parish of Narracan	3611	74	Strzelecki Highway Delburn
Crown Allotment 36 Parish of Narracan	8035	701	Strzelecki Highway Delburn
Crown Allotment 42 Parish of Narracan	7234	764	Strzelecki Highway Delburn
Crown Allotment 38 Parish of Narracan	3159	723	Strzelecki Highway Delburn
Crown Allotment 37 Parish of Narracan	6873	486	Strzelecki Highway Delburn
Crown Allotment 32 Parish of Narracan	4322	314	Strzelecki Highway Delburn
Crown Allotment 27 Parish of Narracan	3591	29	Strzelecki Highway Delburn
Crown Allotment 35 and 35A Parish of Narracan	6957	359	
Crown Allotment 15 Parish of Narracan	8864	677	Strzelecki Highway Delburn
Crown Allotment 77 Parish of Narracan	7720	94	Strzelecki Highway Delburn
Crown Allotment 33 Parish of Narracan	3161	34	Strzelecki Highway Delburn
Crown Allotment 26 Parish of Narracan	7447	354	Strzelecki Highway Delburn
Crown Allotment 110 Parish of Narracan South	8211	540	
Lots 3 and 4 on PS 731579K	5957	340	

Roads (Including 'Government' or 'Paper Roads')

Road reserve between McDonalds Track to Varys Track, Driffield

Golden Gully Road Narracan

Road reserve between Crown Allotment 20A and 33 Parish of Narracan

Road reserve between Crown Allotment 33 and 23 Parish of Narracan

Birds Gully Road Narracan

Morwell-Thorpdale Road Narracan

Strzelecki Highway Driffield

Kings Road Driffield

Road reserve around Lot 1 on TP 535303 Driffield

Smiths Road Driffield

Ten Mile Creek Road Narracan

Stocks Road Driffield

Clarks Road Narracan

Creamery Road Delburn

Road reserve between Crown Allotment 34Q and 56 Parish of Narracan

Darlimurla Road Delburn

Road reserve between Crown Allotment 56A Parish of South Narracan and Crown Allotment 110 Parish of South Narracan

Road reserve adjacent to Lot 1 Title Plan 663165, Crown Allotment 26 Parish of Narracan and Crown Allotment 33 Parish of Narracan

Road reserve between Crown Allotment 26 Parish of Narracan and Crown Allotment 33 Parish of Narracan within Lot 1 Title Plan 535303

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Preamble

The use and development of land for a wind energy facility and anemometers including the construction of buildings and the carrying out of works, the removal, destruction or lopping of native vegetation, the alteration of access to a road in Transport Zone 2 and the construction or putting up for display of business identification signs.

Conditions

DEVELOPMENT PLANS

1. Before development starts, amended development plans must be submitted to, approved and endorsed by the responsible authority. When endorsed the plans will form part of this permit. The plans must be fully dimensioned, drawn to ~~as~~ scale. They must be generally in accordance with the application plans (Dwf_Ovr_042-01a-V3-5 Planning Zone Rdz1 (Rev 01a), Dwf_Ovr_36-04a-V3-5 Site Plan (Rev 3.5), Dwf_Ovr-38-02a-V3-5 - Native Veg Impact Map (Rev 02a), Figure 2 Overview 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g Ecological Features – Latrobe City (Ecology And Heritage Partners, 30 June 2021), Wind Turbine Generator Typical Elevation (Delburn Wind Farm Rev F (23/04/2021), Vestas Hardstand Type A - Boom Crane – Pages 1, 2 And 3 Of 3 *Drawing No. 5.1 (13/11/2019), Vestas Hardstand Type B - Boom Crane – Pages 1, 2 And 3 Of 3 *Drawing No. 5.1 (13/11/2019), Vestas Corridor Scenarios Drawing No 3.2 (Rev 1 (14/02/2020), Vestas Corridor Scenarios Drawing No 1.1 (Rev 1 (30/06/2020), Operations & Maintenance Facility – Site Plan (Rev D (23/04/2021), Guyed Lattice Mast Typical Elevation (Rev A, 27/04/2021), Visitor Centre Site Plan (Rev D, 26.04/2021), Indicative Business Identification Sign (16/10/2020)) but modified to show:
 - a. the removal of reference to the Battery Energy Storage System (BESS) from all plans;
 - b. the materials and finishes of the wind energy facility;
 - c. elevations to all buildings proposed within the Operations and Maintenance Facility;
 - d. native vegetation removal plans must be drawn to scale with a key, north point, dimensions and geo-references (such as VicGrid94 co-ordinates) and be modified to clearly show:
 - i. the location and identification of the land affected by this permit, including standard parcel identifiers for the affected and adjacent land and road names;
 - ii. the location and area of all native vegetation present, including large trees within patches and scattered trees, that are permitted to be removed under this permit;
 - iii. all areas of native vegetation to be retained;
 - iv. native tree protection zones of trees to be retained next to construction impact zones (unless included in a 15 metre buffer zone);
 - v. native vegetation protection zones (no-go zones) for native vegetation to be retained next to construction impact zones;
 - e. apart from the connection between the Terminal Station and the existing 220kV transmission line and the cable connection points within junction boxes, all power lines are to be underground;
 - f. details of aviation safety lighting if required; and

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- g. Micro-Siting Plan identifying a footprint at ground level within which each turbine may be located.

SPECIFICATIONS

2. The wind energy facility must meet the following requirements:
- subject to condition 7, the wind energy facility as that part of the Delburn Wind Farm within the Latrobe City Council Municipality must comprise no more than 28 wind turbines with the following specifications:
 - the overall maximum height of the wind turbines (to the tip of the rotor blade when vertical) must not exceed 250 metres above foundation level;
 - wind turbines must be mounted on a tubular tower with a hub-height of no greater than 168 metres above foundation level;
 - each wind turbine is to have not more than three rotor blades, with a rotor diameter of no greater than 180 metres;
 - the ground clearance from the bottom of the blades to the ground level is not less than 40.5 metres;
 - the transformer associated with each wind turbine generator must be enclosed within the tower or nacelle structure;
 - the wind turbine towers, nacelles and rotor blades must be of non-reflective finish and colour that blends within the landscape to the satisfaction of the Minister for Planning;
 - the colours and finishes of all other buildings and ancillary equipment must be such as to minimise the impact of the development on landscape to the satisfaction of the Minister for Planning;
 - access tracks within the site are to be sited and designed to minimise impacts on overland flows, soil erosion, the landscape value of the site, environmentally sensitive areas and, where appropriate, the land use activities on the land to the satisfaction of the Minister for Planning;
 - all wind turbines must be set back at least 100 metres from boundaries to non-participating neighbouring properties and roads which are formed roads at the date of this permit;
 - within the micro-siting footprint, the following wind turbines (as referenced on Dwf_Ovr_36-04a-V3-5 Site Plan (Rev 3.5)) ~~should~~ must be set back from the Strzelecki Highway to the maximum extent possible no less than the corresponding distances listed below;
 - T09 – 103.3 m;
 - T10 – 188.4 m;
 - T11 – 200.0 m;
 - T12 – 200.0 m;
 - T15 – 141.4 m;
 - T16 – 102.9 m;
 - T20 – 102.1 m;
 - T27 – 177.4 m;
 - ~~Wind~~ turbines must be located no less than 300 metres apart.

Commented [OA3]: Wind turbine setbacks from the Strzelecki Highway:

- The drafting of this condition is problematic as it applies to 'wind turbines' within Latrobe, rather than the turbines which gave rise to the discussion of set-backs at the hearing i.e. those which were proposed to be sited within 200m of the Strzelecki Highway road reserve, giving rise to community concerns about blade throw, driver distraction, etc
- Furthermore, the condition provides that the turbines should be set back from the highway to the 'maximum extent possible' within the micro-siting footprint. The maximum set back within the micro-siting footprint could be up to 100m from the turbine as shown in the endorsed development plans. There is no qualification on 'maximum extent possible'.
- Because specific turbines haven't been singled out, and there is no qualification on 'maximum extent possible' condition 2(g) could be interpreted as requiring all wind turbines to be set back as far as the micro-siting footprint allows (up to 100m), irrespective of other relevant factors such as maximising the wind resources and energy capture (when also accounting for impacts from other nearby wind turbines) and minimising noise impacts on neighbours. This is not what was intended as the Panel noted in their report that:
"As outlined in this chapter the Panel has concluded there is no statutory requirement for turbine setback from the Strzelecki Highway and no demonstrated need to increase setbacks for driver safety, particularly on the Strzelecki Highway ... The Panel considers that at this time, the opportunity could be taken, and considering the flow on impacts to other matters associated with turbine locations, to maximise the distance the turbine base is from the Strzelecki Highway. As the Panel has concluded, there is no specific road safety need to do this, but it may give comfort to submitters to move turbines away from the Highway where possible"
- It is therefore clear that the Panel's intention was:
 - to focus on turbines near the Strzelecki Highway which were of concern to the submitters; and
 - for turbines to be set back as far as possible when doing so would not impact 'other matters associated with turbine locations' presumably including maximising the wind resource and energy capture, geological/geotechnical consideration, flora and fauna impacts, telecommunication pathways, noise, etc.
- This is not reflected in the condition as originally provided in the permit, and therefore modifications in the wording of the condition to better capture the panel's intent and also provide compliance certainty have been made.

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- i. lightning protection devices must be installed on each wind turbine;
- j. ~~A~~all anemometers / meteorological masts greater than 30 metres must be clearly marked in the interests of aviation safety in accordance with Guideline D of the *National Airports Safeguarding Framework* (NASF) (Commonwealth Department of Infrastructure, Transport, Regional Development and Communications, July 2012).
- k. fire detection and suppression systems must be installed in each wind turbine nacelle;
- l. monitoring systems must be installed in each wind turbine tower, to detect temperature increases in the turbines and shut them down when a threshold temperature is reached; and
- m. each wind turbine generator must be certified to be in accordance with the International Electrotechnical Commission (IEC) standard 61400 Part 1 (Design Requirements), Part 23 (Full-scale structural testing of rotor blades) and Part 24 (Lighting Protection).

DEVELOPMENT IN ACCORDANCE WITH ENDORSED PLANS

- 3. Except as permitted under conditions 4 and 5, the use and development must be generally in accordance with the endorsed plans. The endorsed plans must not be altered or modified without the written consent of the responsible authority.

MICROSITING

- 4. Before development starts, a Micro-siting Plan must be submitted to, approved and endorsed by the responsible authority, identifying a footprint at ground level within which each turbine may be located. When endorsed the plan will form part of this permit.

The Micro-siting Plan must be fully dimensioned and drawn to ~~a~~-scale. The footprint for each turbine identified on the Micro-siting Plan:

- a. must not extend more than 100 metres in any direction from the centre of the turbine at ground level as shown on the development plans endorsed under condition ~~1~~;
- b. must not be within 1 km of a dwelling that existed on 23 December 2020, unless the operator has provided evidence to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint;
- c. must not result in a material adverse impact on native vegetation, or habitat for Growling Grass Frog.

The Micro-siting Plan must be submitted with written advice from a suitably qualified ecologist to the satisfaction of the responsible authority, confirming that the micro-siting plan meets the requirements specified in condition ~~4~~.c.

Any changes to access tracks, electricity cabling and associated infrastructure arising from micro-siting a turbine in accordance with an endorsed Micro-siting Plan do not require further written consent of the responsible authority, and do not require amendments to the development plans endorsed under condition 1.

- 5. The endorsed Micro-siting Plan must not be altered or modified without the written consent of the responsible authority.

STAGING

- 6. The use and development may be completed in stages in accordance with the endorsed ~~d~~evelopment ~~p~~Plans. The corresponding obligations arising under this permit may be completed in stages.

AVIATION

- 7. Development must not commence until:

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Field Code Changed

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- a. Airservices Australia confirm that the changes to the Latrobe Valley Airport Runway 03 RNAV (GNSS) Approach [YLTV RNAV (GNSS) RWY 03 LTVGN01] as recommended in the report of Ian Jennings from Chiron Aviation Consultants will be implemented; and

Either:

- i. Airservices Australia confirm that changes to the Runway 21 Instrument Approach Procedures which result in PANS-OPS airspace no longer being penetrated by the wind turbines will be implemented as approved by the Latrobe Regional Airport Board;
or
ii. turbine T03 is capped at a tip height of 507m AHD and turbine T04 is capped at a tip height of 535m AHD and supporting evidence of a suitably qualified aviation consultant demonstrates that no changes are required to the Runway 21 Instrument Approach Procedures.

8. Within 30 days of the endorsement of development plans under condition 1 of this permit the coordinates and estimated survey heights of each turbine must be reported to ensure that the location of the wind ~~energy facility~~ farm can be mapped for the information of pilots to the Airservices Australia Vertical Obstacle Database (VOD) email address vod@airservicesaustralia.com.

LANDSCAPING

9. Before development starts, an Off-~~s~~Site Landscaping Program must be submitted to, approved and endorsed by the responsible authority. When endorsed the Off-~~s~~Site Landscaping Program will form part of this permit.

The Off-site Landscaping Program must:

- a. provide for off-site landscaping or other treatments to reduce the visual impact of the turbines from any dwelling ~~that exists at the date the program is endorsed~~ within 6 kilometres of a wind turbine(s) where a turbine is visible from the dwelling, to the satisfaction of the responsible authority;
- b. include a methodology for determining:
- i. the type of landscaping treatments to be proposed; and
- ii. a timetable for establishing and maintaining the landscaping for at least two years;
- c. include a process for making offers to be available for acceptance 1 year ~~after the installation of all of the wind turbines~~ ~~post completion of construction~~ to either:
- i. establish and maintain the landscaping on the landowner's land, for a period of at least two years; or
- ii. make a cash contribution in lieu (which must be sufficient to cover the cost of the landowner establishing and maintaining the landscaping, for a period of at least two years);
- d. include a process for recording:
- i. offers that have been made to landowners;
- ii. whether or not the offers are accepted; and
- iii. when and how offers are actioned following acceptance.
- e. include a process for the preparation and provision of progress reports regarding the implementation of the endorsed Off-site Landscaping Program to be provided to the responsible authority annually from the date the Off-~~s~~Site Landscaping Program is

Commented [PM4]: Added definition to which dwellings qualify for the screening treatment.
DWF does not have access to information of new build dwellings during the wind energy facility construction within 6km of the turbines.

Commented [PM5]: 'post completion of construction' is an ambiguous milestone given the commissioning and grid connection processes. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the native vegetation reconciliation condition

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endorsed until 3 years ~~after the installation of all of the wind turbines~~ ~~post-construction~~
and at other times on request; and

- f. include a requirement that landscaping treatments proposed for a dwelling in a Bushfire Management Overlay are reviewed by a suitably qualified bushfire risk consultant to ensure the bushfire risk from landscaping is acceptable.

10. The endorsed Off-site Landscaping Program:

- a. must be implemented to the satisfaction of the responsible authority; and
b. must not be altered or modified without the written consent of the responsible authority.

NOISE

High Amenity Noise Environment

11. For the purposes of the development enabled by this planning permit, the Rural Living Zone Schedule 2 area northwest of Boolarra is designated "high amenity" and should be treated as such when considering ~~wind farm~~ noise from the wind energy facility under the *New Zealand Standard 6808:2010 Acoustics – Wind Farm Noise*.

Pre-Construction Noise Assessment

12. Before development starts, a pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise*, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* for any area in addition to that defined in Condition 11 must be submitted to the satisfaction of the responsible authority. The pre-construction noise assessment is to be prepared in accordance with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* by a qualified acoustic consultant and specifically address:

- a. the final turbine selection and layout;
b. measurements at the most sensitive receivers or at representative receivers close by;
c. measurement and modelling uncertainty and statistical variation in noise measurements, wind speed and noise modelling be specifically identified and considered in determining the ~~Project~~ wind turbine locations and application of the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* criteria;
d. rounding of measured and calculated noise levels to the nearest decibel; and
e. compliance with the applicable noise limits at ~~surrounding~~ sensitive receivers, including those in high amenity areas.

13. The pre-construction noise assessment report must be accompanied by a report prepared by an environmental auditor appointed under Part 8.3 of the Environment Protection Act 2017 that verifies if the acoustic assessment undertaken for the purpose of the pre-construction (predictive) noise assessment report has been conducted in accordance with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise*.

SHADOW FLICKER

14. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling that existed at 23 December 2020, unless an agreement has been entered into with the relevant landowner waiving this requirement. The agreement must be in a form that applies to the land comprising a pre-existing dwelling for the life of the wind energy facility, to the satisfaction of the responsible authority, and must be provided to the responsible authority upon request.

Commented [PM6]: 'post construction' is an ambiguous milestone given the commissioning and grid connection processes. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the native vegetation reconciliation condition

Commented [PM7]: Project is not defined

Commented [PM8]: Consistency with NZS and other conditions (i.e. 12.b.)

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TELEVISION AND RADIO RECEPTION AND INTERFERENCE

15. Before development starts, a Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the survey will form part of the permit.
16. The Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey must:
 - a. be carried out by a suitably qualified and experienced independent television, mobile phone, NBN and/or radio monitoring specialist or specialists; and
 - b. include testing at selected locations within 5 kilometres of the facility (based on where impacts may be expected, and as identified in the DNV GL 'Delburn Wind Farm EMI Assessment' PP227556-AUME-R-03, Rev. A dated 6 November 2020) to enable the average television, mobile phone, NBN and radio reception strength to be determined.
17. If a complaint is received after the installation of the wind ~~turbines~~ **energy** facility regarding the effect of the facility on ~~S~~atellite ~~C~~ommunications, ~~T~~elelevision, ~~M~~obile ~~P~~hone, NBN ~~and-or~~ ~~R~~adio ~~R~~eception at a dwelling that existed at 23 December 2020 within 5 kilometres of the site, the operator must:
 - a. investigate the complaint in accordance with the Complaint Investigation and Response Plan required by this permit; and
 - b. if the investigation indicates that the facility has had a detrimental impact on the quality of reception, restore reception at the pre-existing dwelling to at least the quality determined in the Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey required by this permit, to the satisfaction of the responsible authority.

Commented [PM9]: Consistency of language

TRAFFIC MANAGEMENT

Pre-construction public road survey

18. Before development starts, a Pre-Construction Public Road Survey must be submitted to and endorsed by the responsible authority. Once endorsed the survey will form part of the permit.

The Pre-Construction Public Road Survey must assess the suitability, design, condition and construction standard of the relevant public roads and access points, and must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
- b. include recommendations, if any, regarding upgrades required to accommodate construction traffic, and to meet the requirements of condition 19; and
- c. be approved by the relevant road management authority prior to submission to the responsible authority for endorsement.

Traffic Management Plan

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

The Traffic Management Plan must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
- b. identify appropriate traffic routes to be used by construction traffic;
- c. identify appropriate over dimensioned routes to be used for over dimensioned trips;

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- d. specify measures to be taken to manage traffic impacts associated with the construction of the wind energy facility including specific locations where truck wheel wash stations will be located;
 - e. include a program to inspect, maintain and (where required) repair public roads used by construction traffic;
 - f. state that all public roads will be reinstated to the condition they were in prior to the commencement of construction works at the cost of the permit holder;
 - g. **identify** agreed processes and practices for the protection and maintenance of the existing road surface along all public roads proposed to be used during the works for works related activities;
 - h. **specify** details including road safety audits and plans of any works required to upgrade public roads; and
 - i. be approved by the Head, Transport for Victoria in consultation with Latrobe City Council prior to submission to the responsible authority.
20. The endorsed Traffic Management Plan must be implemented to the satisfaction of the Head, Transport for Victoria and the responsible authority. The endorsed Traffic Management Plan must not be altered or modified without the written consent of the Head, Transport for Victoria and the responsible authority. Any proposed alteration or modification to the endorsed Traffic Management Plan must be prepared in consultation with the relevant road management authority prior to submission to the responsible authority for endorsement.

Commented [PM10]: grammatical tidy up

Commented [PM11]: grammatical tidy up

Traffic upgrade works

21. Where traffic upgrade works are recommended or required under the Pre-~~e~~Construction Public Roads Survey, endorsed Traffic Management Plan, or any other plan or report required by any condition of this permit, the following documents must be submitted to, approved and endorsed by the responsible authority prior to commencement of the traffic upgrade works:
- a. detailed plans for the required works; and
 - b. a program indicating when the works will be undertaken.

The plans / program required under this condition must be approved by the relevant road management authority. Traffic upgrade works must be completed to the satisfaction of the relevant road management authority.

TRANSPORT FOR VICTORIA (DETERMINING)

22. Before development starts, a pre-design and construction meeting must be undertaken with the Department of Transport (Gippsland Region) to ensure compliance with access and maintenance requirements including design and plan submissions.
23. Before any works commence within a declared arterial road reserve:
- a. ~~F~~unctional layout plans must be submitted to and approved by the Head, Transport for Victoria; and
 - b. a working within the road reserve consent must be obtained from the Head, Transport for Victoria.
24. Before development starts, the permit holder must provide a security fee to the Head, Transport for Victoria for the duration of the defects liability period for works within the road reserve.
25. Unless with the agreement of the relevant road **management** authority, all temporary access and roadworks must be returned to an acceptable standard to the satisfaction of the relevant

Commented [PM12]: Added 'management' for consistency (i.e. condition 21)

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road management authority.

26. Any required signage located within the road reserve of the Strzelecki Highway must be approved by the Head, Transport for Victoria.
27. The operator of the wind energy facility must inspect each wind turbine generator at least annually for signs of blade degradation and maintain the wind turbine blades to the satisfaction of the responsible authority.

ENVIRONMENTAL MANAGEMENT PLANS

Environmental Management Plan

28. Before development starts, an Environmental Management Plan must be submitted to, approved and endorsed by the responsible authority. When endorsed the Environmental Management Plan will form part of this permit.
29. The Environmental Management Plan must:
 - a. describe measures to minimise any amenity and environmental impacts of the construction and decommissioning of the facility;
 - b. include a Construction Environmental Management Plan;
 - c. be generally in accordance with the Delburn Wind Farm Environmental Management Plan Framework (v2.0 dated 11 December 2020); and
 - d. include organisational responsibilities, and procedures for staff training and communication.
30. The endorsed Environmental Management Plan:
 - a. must be implemented to the satisfaction of the responsible authority; and
 - b. must not be altered or modified without the written consent of the responsible authority.

Construction Environmental Management Plan

31. The Construction Environmental Management Plan (CEMP) to be included within the Environmental Management Plan must include:
 - a. procedures to manage dust and noise emissions, erosion, mud and stormwater run-off;
 - b. procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete;
 - c. details of sediment and erosion control measures to be implemented;
 - d. details of the sediment control measures to treat and manage runoff;
 - e. a monitoring program (including, as a minimum, visual monitoring during construction activities) and an investigation and response plan; and
 - f. a condition that no ~~stockpiles or storage of~~ material is to be stored or stockpiled on the gas pipeline easement at any time.

Commented [PM13]: Improved sentence structure

Bat and Avifauna Management Plan

32. The Environmental Management Plan must include a Bat and Avifauna Management Plan (BAM Plan), which must focus on managing and mitigating any bird and bat strike events arising from operation of the wind ~~farm~~energy facility. The plan must:
 - a. include a statement of the objectives and overall strategy for minimising bird and bat strike arising from the operation of the wind energy facility;
 - b. include a mortality monitoring program of at least two years duration that commences

Commented [PM14]: Changed for consistency

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when the first turbine is commissioned or such other time approved by DEECA (Environment Portfolio). The monitoring program must include:

- i. procedures for reporting any bat strikes to DEECA (Environment Portfolio) monthly;
 - ii. information on the efficacy of searches for carcasses of birds and bats, and, where practicable, information on the rate of removal of carcasses by scavengers, so that correction factors can be determined to enable calculations of the likely total number of mortalities; and
 - iii. procedures for the regular removal of carcasses likely to attract raptors to areas near turbines; and
 - c. be approved by DEECA (Environment Portfolio) prior to submission to the responsible authority.
33. When the monitoring program required under the BAM Plan is complete, the operator must submit a report to the responsible authority and DEECA (Environment Portfolio), setting out the findings of the program. The report must be:
- a. to the satisfaction of the responsible authority and DEECA (Environment Portfolio); and
 - b. made publicly available on the operator's website.
34. After considering the findings of the monitoring program and consulting with DEECA (Environment Portfolio), the responsible authority may direct further investigation of impacts on birds and bats. The further investigation must be undertaken to the satisfaction of the responsible authority and DEECA (Environment Portfolio).

Flora and Fauna Management Plan

35. Before development starts, a Flora and Fauna Management Plan must be prepared in consultation with DEECA and completed to the satisfaction of the Secretary of DEECA. The Flora and Fauna Management Plan must include specific measures to avoid, minimise and mitigate potential impacts on flora and fauna within the Land subject of this permit project site during construction and operation of the project wind energy facility, including but not limited to:
- a. measures to further minimise and mitigate impacts to retained vegetation, in particular endangered Ecological Vegetation Classes;
 - b. measures to further minimise and mitigate the removal of large trees and large hollow-bearing trees;
 - c. measures to further minimise and mitigate impacts on native fauna during construction and habitat clearance;
 - d. measures to prevent and control pathogens, weeds (non-native species) and pest (non-native) animals;
 - e. a program for on-going monitoring and adaptive management of listed communities and listed species of flora and fauna within the Land subject of this permit project site; and
 - f. measures to avoid pollutants, contaminated run-off and sediment from entering waterways and waterbodies.
36. Before upgrades (if required) to Nursery Track start, the design of the waterway crossing must be submitted to and approved to the satisfaction of the Secretary of DEECA. The waterway crossing must be designed in accordance with the design guidelines specified within the Melbourne Strategic Assessment Publication Growing Grass Frog Crossing Design Standards

Commented [PM15]: 'project site' is not a defined term

Commented [PM16]: 'project' is not defined

Commented [PM17]: Project site not defined

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(DELWP, 2017).

NATIVE VEGETATION MANAGEMENT AND OFFSETS

37. Before development starts, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Tree Protection Fencing

38. Before development starts, a native vegetation protection fence must be erected around all scattered trees to be retained within close proximity to the works. This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of 12 × the trunk diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of star pickets, ~~chain mesh~~, or similar to the satisfaction of the responsible authority. The fence must remain in place until all works are completed to the satisfaction of the responsible authority.

Protection of native vegetation and/or trees to be retained

39. Except with the written consent of the responsible authority and ~~the DELWP/DEECA~~, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access;
 - trenching or soil excavation;
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - entry and exit pits for the provision of underground services; and
 - any other actions or activities that may result in adverse impacts to retained native vegetation.

Commented [PM18]: MoG department change not picked up in corrections

Native vegetation permitted to be removed, destroyed or lopped

40. The native vegetation permitted to be removed, destroyed or lopped under this permit is 10.592 hectares of native vegetation. The reconciliation of removal and offsets can be undertaken without the need to amend existing permits within 12 months of ~~the installation of all of the wind turbines~~ project completion.

Commented [PM19]: 'project completion' is not defined. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the Off-site Landscaping conditions

Native vegetation offsets

41. Before any native vegetation is removed, the permit holder must secure the following native vegetation offsets in accordance with ~~the~~ Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) to offset the removal of native vegetation for the ~~wind energy facility~~ Project:
- a species offset of 0.375 general habitat units with a minimum strategic biodiversity score of 0.319 and 8.05 species units of habitat for Strzelecki Gum (*Eucalyptus strzeleckii*). The offset must protect 49 large trees in either the general units, species units or a combination thereof across all habitat units protected. The offsets are to be located within the West Gippsland Catchment Management Authority boundary or Latrobe City municipal area.
42. Before any native vegetation is removed, evidence ~~that~~ the required offset for that section of the ~~project-wind energy facility~~ has been secured must be provided to the satisfaction of the responsible authority. This evidence must be either:
- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing

Commented [PM20]: 'Project' is not defined

Commented [PM21]: Duplicated from earlier in the sentence

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management of the site; and/or

- b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register that identifies the relevant section of the project/wind energy facility.

Commented [PM22]: Project not defined

Offset evidence

43. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the DEECA Gippsland regional office via Gippsland.planning@delwp.vic.gov.au.

BUSHFIRE RISK AND MITIGATION

Wind Farm Construction Phase Bushfire Mitigation and Management Plan

44. Before development starts, a Construction Phase Bushfire Mitigation and Management Plan (CBMMP) must be prepared in consultation with the CFA, submitted to and approved to the satisfaction of the responsible authority. The CBMMP must:
- a. outline the requirements for working on the site during the fire danger period;
 - b. outline the prevention, preparedness, response and recovery arrangements;
 - c. set out asset protection zones or defensible space for all infrastructure as appropriate and the maintenance requirements for those areas;
 - d. address the *CFA Guideline for Renewable Energy Installations (2021)*;
 - e. establish a primary contact person for the community to contact with bushfire related concerns, questions or issues;
 - f. outline all permitted activities and the procedures for undertaking these activities during the ~~Fire Danger Period~~ to ensure they are appropriate having regard to the requirements under the Country Fire Authority Act 1958, including:
 - i. compliance with ~~Total Fire Ban Day~~ restrictions; and
 - ii. obtaining permits for any “hot work” activities;
 - g. ensuring require that all ~~S~~ staff, ~~C~~ contractors and site visitors are informed of fire response procedures that follow identified legislative requirements, policies and procedures;
 - h. ensuring require that all works undertaken during the declared ~~Fire Danger Period~~ have appropriate permits from ~~Local Government~~ Latrobe City Council and CFA;
 - i. ensuring require that all construction and operational works follow appropriate Work Health and Safety requirements;
 - j. ensure require that all contractors:
 - i. are appropriately briefed and understand their legal and policy obligations in relation to managing bushfire risks;
 - ii. have appropriate procedures, safe work practices, contingency plans, Material Safety Data Sheets (MSDSs) for operation of all equipment, chemicals, and flammable materials that may contribute to bushfire risk; and
 - iii. have appropriate ‘initial’ suppression equipment available on site;
 - k. implement require that a policy of ‘no work’ on declared ~~Code Red~~ Fire danger days (or the equivalent as outlined within the Australian Fire Danger Rating System) be implemented;

Commented [PM23]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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- l. ~~provide~~require that appropriate bushfire training be provided for contractors and staff;
- m. establish emergency assembly areas;
- n. require provision of fire suppression capability including 'slip-ons', in addition to ~~HVP~~ plantation management resources, to enhance response to potential fires in the ~~development~~ wind energy facility area;
- o. require the installation of appropriate signs to assist emergency response crews ~~determine to identify~~ track names, locations, ~~and~~ wind turbines and other infrastructure; and
- p. require the develop~~ment of~~ policies and procedures that require the following:
 - i. ~~vehicles are not to drive off the areas of formed road surface~~ hardstand, or cleared mineral earth during the fire danger period;
 - ii. upon declaration of a ~~C~~code ~~Red day~~ (or the equivalent as outlined within the Australian Fire Danger Rating System), ensure the site is made safe; and
 - iii. at each construction site, provide an ~~E~~emergency ~~i~~nformation ~~C~~ontainer that contains copies of emergency procedures and site maps.

Commented [PM24]: Clarification required to cover the construction period where roads and hardstand areas are being constructed – plant operator vehicles will need somewhere to safely park while allowing the works to progress and not block access ways in event of emergency response

Fire Protection Design

45. The ~~wind~~ wind energy facility must include the following ~~bush~~ fire design requirements:
- a. an Asset Protection Zone around each turbine of a minimum of 50 metres where all vegetation is removed during the fire danger period;
 - b. security fencing around turbines to prevent public access;
 - c. fire detection systems, in built fire protection and suppression systems, remote alarming and notification systems in turbines to report potential bushfire risks, including:-
 - i. ~~ensur~~inge the detection systems include arc and smoke detection devices installed as per the manufacturer's specifications;
 - ii. ~~installing~~ gas suppression systems into the electrical cabinets within the nacelles;
 - iii. ~~connecting~~ the system to the ~~sites~~ wind energy facility's Supervisory Control and Data Acquisition (SCADA) system and ~~ensuring~~ inge that upon activation an alert is received at the control room-;
 - iv. ~~implement systems~~ensuring that when multiple alarms are activated, the wind turbine commences an automatic shutdown procedure; and,
 - v. ~~ensur~~inge other sensors and indicators are understood to assist with the determination of current fire risk-;
 - d. cameras on a selection of wind turbines and/or met masts (anemometers) to support early detection of bushfires across the landscape, noting that:
 - i. the number and locations of cameras will be determined in accordance with the manufacturer's specifications for camera capability and bushfire landscape assessment to ensure adequate coverage over the ~~project~~ wind energy facility site and immediate surrounds;
 - ii. ~~ensure~~ the firefighting agencies must have ongoing access to the cameras; and
 - iii. ~~develop~~ procedures must be developed that ensure early notification to fire agencies occurs when smoke or flames are detected-;

Commented [PM25]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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- e. lightning conductors to dissipate electricity to ground and reduce turbine damage and bushfire risk;
- f. prior to the commencement of construction, install ~~the up to~~ 5 x 100,000 litre static water supply tanks within the wind energy facility site or surrounding area and ensure they are filled;
- g. access roads and fire protection systems including ~~W~~water ~~S~~supply must be constructed in accordance with the *CFA Guideline for Renewable Energy Installations (2021)* and maintained throughout the operational life of the ~~project~~wind energy facility;
- h. the visitor information area will be provided with defensible space that ensures that the communal areas will not be exposed to more than 12.5 kW/m² at FDI50; and
- i. the operations and maintenance building will be designed and provided with defensible space to meet BAL29.

Commented [PM26]: Inserted to clarify that only 5 tanks are required in aggregate across all elements of the Delburn Wind Farm and Terminal Station as was recommended by FRC (rather than an interpretation of 5 tanks under each permit)

Wind Farm Operational Phase Bushfire Mitigation and Management Plan

46. Before the wind ~~energy facility farm~~ commences operation, an Operational Bushfire Mitigation and Management Plan (OBMMP) must be prepared in consultation with the CFA and submitted to and approved by the responsible authority. The OBMMP must be generally in accordance with the CBMMP but modified to outline requirements for safe operation of the wind energy facility and associated facilities such as the visitor information area including specifically addressing the fire danger period. The plan must address the *CFA Guideline for Renewable Energy Installations (2021)* and include:
- a. prevention, preparedness, response and recovery arrangements;
 - b. vegetation management requirements;
 - c. a requirement to develop a maintenance regime and undertake regular inspections of all infrastructure in accordance with the manufacturer's specifications;
 - d. a requirement to undertake develop bushfire preparedness audits to record all "annual" fire danger season preparedness activities and prevention works;
 - e. a requirement to prepare and maintain a communications plan for internal and external stakeholders;
 - f. outline the minimum firefighting equipment that is to be provided onsite or readily accessible (as per ~~the OPEMP~~response plan);
 - g. ~~specify~~ staff and contractor bushfire prevention and suppression training requirements that includes the use of firefighting equipment and appropriate personal protective clothing;
 - h. ~~specify~~ the minimum maintenance requirement for the Asset Protection Zones (APZs) around wind turbines and other buildings/structures;
 - i. ~~specify~~ maintenance requirements for access roads and tracks to meet industry standards for emergency vehicle access;
 - j. ~~specify~~ minimum requirements for ~~DWF management staff~~ and contractor vehicles for firefighting water and basic fire suppression equipment during the declared ~~fire~~ fire danger ~~period~~;
 - k. a requirement to prepare and maintain an induction package for CFA ~~and~~ HVP plantation workers containing all relevant information on the ~~W~~wind energy facility farm operations, including specific bushfire response information;
 - l. a requirement to prepare and maintain a maintenance program for the ~~5 x~~ 100,000 litre

Commented [PM27]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM28]: Clarification of which 'response plan' is relevant

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static water supplies, ~~that~~ includes water level monitoring and ~~that~~ the outlet is in working order;

- m. a requirement to install ~~E~~mergency ~~i~~nformation ~~C~~ontainers at locations determined in conjunction with CFA that includes ~~s~~ information relating to the wind turbines and the emergency procedures;
- n. a requirement to undertake pre fire danger period checks to ensure firefighting equipment is maintained and the water tanks are full;
- o. a requirement to undertake pre fire danger period checks to ensure the static water supplies are full and maintained;
- p. a requirement to ensure the maintenance of the safety systems imposed by *Australian Standard AS3959 - Construction of buildings in bushfire-prone areas* is included within the annual checks and maintenance regime;
- q. a requirement to, in conjunction with ~~HVP~~the plantation manager, regularly review the 'operational protocols' to ensure they are current and reflect the various stages of the ~~project~~wind energy facility and the changing bushfire risk as the ~~project~~development and use progresses;

Wind turbine specific operational matters to be added in the OBMMP:

- r. operating parameters for the wind turbine generators that must be adhered to including maximum operating temperature and wind speed;

Visitor information area specific operational matters to be added in the OBMMP:

- s. a requirement to maintain the surrounding defensible space at the visitor information area during the fire danger period;
- t. a requirement to ensure the emergency information signage at the visitor ~~centre~~information area is maintained and legible;
- u. a requirement to develop an emergency management plan that outlines the closure of the visitor information area on days declared a ~~T~~total fire ban day and outlines the prevention, preparedness and response arrangements for emergencies at the visitor ~~centre~~information area;
- v. ~~at the visitor information area,~~ a requirement to provide emergency contact information at the visitor information area, for people to contact the wind energy facility maintenance and operations centre; and
- w. a requirement to ensure the visitors ~~information~~ area car parks can be locked and public access prevented as required.

EMERGENCY PLANNING AND MANAGEMENT

Construction Phase Emergency Management Plans

- 47. ~~Before~~ development starts, a Construction Phase 'Emergency Management Plan' (CPEMP) that outlines the requirements for working with emergency services and responding to bushfires or other emergencies occurring on the wind ~~farm~~energy facility site must be prepared in consultation with the CFA and submitted to and approved by the responsible authority. The plan must outline the procedure for engagement and response with emergency services.

Commented [PM29]: Minor edits as consented to by CFA (see correspondence provided)

Operational Phase Emergency Management Plan

- 48. ~~Before~~ the wind energy facility ~~farm~~ commences operation, an Operational Phase Emergency Management Plan (OPEMP) must be submitted to and approved by the responsible authority. The OPEMP must be generally in accordance with the CPEMP but modified to outline

Commented [PM30]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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requirements for safe operation of the site during the fire danger period. The plan must outline the additional requirements for operating on the site that addresses the *CFA Guideline for Renewable Energy Installations (2021)* and *Australian Standard AS3745: Planning for Emergencies in Facilities*. The plan must include:

- a. ~~incorporate~~ emergency procedures based on identified risks and hazards at the facility, including but not limited to:
 - i. bushfire/grassfire; and
 - ii. electrical infrastructure faults and fire.
- b. the shutdown procedures in the event of a bushfire in the landscape;
- c. remote shut down procedures for turbine operations during bushfires or reported faults, or at the request of ~~the~~ emergency services;
- d. processes to engage with the fire agencies during bushfires to ensure their directions are being complied with;
- e. a description of emergency prevention, preparedness and mitigation activities;
- f. a description of activities for preparing for, and prevention of emergencies (e.g. training and maintenance);
- g. control and coordination arrangements for emergency response (e.g. evacuation procedures, emergency assembly areas and procedures for response to emergencies);
- h. a description of the agreed roles and responsibilities of on-site personnel (e.g. equipment isolation, fire brigade liaison, evacuation management);
- i. a facility description, including infrastructure details, activities and operating hours;
- j. a site plan depicting infrastructure (wind turbines, generators, diesel storage, buildings), site entrances, exits and internal roads; ~~the~~ fire services (water tanks, fire hydrants, fire hose reels); ~~the~~ and neighbouring properties;
- k. up-to-date contact details of facility personnel, and any relevant off-site personnel that could provide technical support during an emergency;
- l. a manifest of dangerous goods (if required under the Dangerous Goods (Storage and Handling) Regulations 2012);
- m. emergency procedures for credible hazards and risks, including grassfire and bushfire;
- n. procedures for notifying the emergency services;
- o. procedures for evacuating personnel;
- p. a fire management plan ~~must be incorporated into the emergency management plan,~~ that includes all of the fire mitigation measures that will be implemented to reduce the risk of fire so far as is reasonably practicable, established through a risk management process. ~~The~~ fire management plan must specifically address:
 - i. risk management measures specific to fire (as above); and
 - ii. a fuel (vegetation) reduction and maintenance plan/procedure; ~~the~~
- q. procedures to follow when the fire protection systems are activated; and
- r. detail the requirements for an Emergency Information Container to be installed at each road entry to the site and detail the information the container must contain.

Commented [PM31]: Redundant text as this sub-condition is all the requirements of the OPEMP

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Fire Water Resources

49. Fire water access points must be clearly identifiable and unobstructed to ensure efficient access.
50. Any static fire water storage tank(s) must be:
- be above ground water tank(s) constructed of concrete or steel;
 - be capable of being completely refilled automatically or manually within 24 hours;
 - be located at vehicle entrances to the facility and must be positioned at least 10m from any infrastructure (electrical substations, inverters etc.);
 - be provided with a hard-suction point, with a 150mm full bore isolation valve, equipped with a Storz connection, sized to comply with the required suction hydraulic performance. (Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap provided.) The hard-suction point must be:
 - positioned within four (4) metres to a hardstand area and provide a clear access for emergency services personnel; and
 - protected from mechanical damage (i.e. bollards) where necessary;
 - have an all-weather road access and hardstand must be provided to the hard-suction point. The hardstand must be maintained to a minimum of 15 tonne GVM, eight (8) metres long and six metres wide or to the satisfaction of the CFA;
 - ensure the road access and hardstand must be kept clear at all times;
 - provide, where the access road has one entrance, a ten (10) metre radius turning circle must be provided at the tank;
 - have an external water level indicator must be provided to the tank and be visible from the hardstand area;
 - have signage indicating 'FIRE WATER' and the tank capacity must be fixed to each tank; and
 - provide signage must be provided at the front entrance to the wind energy facility, indicating the direction to static water tank(s). Signage must be to the satisfaction of CFA.

Commented [PM32]: Conditions 49 and 50 are not part of the OPEMP so should have their own header for clarity

Commented [PM33]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Fuel/Vegetation Management

51. Fire break(s) must:
- ~~At the perimeter, commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.~~
 - ~~a. Be~~ constructed using either mineral earth or non-combustible mulch such as crushed rock;
 - ~~b. Be~~ free of vegetation, including grass, at all times; and
 - ~~c. Be~~ free of all combustible and extraneous materials at all times (e.g. this area must not be used for the storage of materials or the placement of infrastructure of any kind).
52. Surrounding each wind turbine, the wind farm energy facility operator must undertake the following fuel management measures during the fire danger period:
- Provision of an Asset Protection Zone around each turbine of a minimum of 50 metres where all vegetation is removed during the fire danger period;

Commented [PM34]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM35]: This is a requirement of solar and BESS facilities, but not wind energy facilities

It formed part of the Panel's recommended conditions but it is not clear where this has arrived from (other than a section of the CFA guidelines which is not relevant for WEFs)

CFA agree this requirement is not relevant and can be removed

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- b. ~~A~~ll leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
 - c. ~~L~~ong grass and/or deep leaf litter must not be present in areas where plant and heavy equipment will be working.
 - d. ~~T~~here must be a clearance of at least two (2) metres between the lowest branches and ground level where trees are located within an area of defendable space/~~A~~ssessment Protection Zone; and
 - e. ~~T~~he canopy of any trees must be separated by at least 5 metres.
53. All plant and heavy equipment must carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the ~~F~~ire ~~D~~anger ~~P~~eriod.
54. Maintenance and repair activities that involve flame cutting, grinding, welding or soldering (hot works) must be performed under a 'hot work permit' system or equivalent hazard or risk management process.

Bushfire Risk Familiarisation

55. Prior to commissioning the wind energy facility, operators are to offer a familiarisation visit and explanation of emergency procedures to ~~CFA (including local brigades), the plantation manager, FRV, CFA (including local brigades), FRV~~ and any other relevant emergency services. Information on the specific hazards and fire suppression requirements of the wind energy facility should be provided during this visit. Arrangements must be made for site familiarisation with the local brigades prior to commissioning of facilities to confirm access arrangements, fire suppression and detection systems, and contact information for at least two persons who may be able to provide information or support during emergencies (24 hours a day).
56. A schedule for ongoing site familiarisation to account for changing personnel, wind energy facility infrastructure and hazards should be developed in conjunction with the local CFA brigades.
57. An annual emergency exercise must be conducted at the wind energy facility, with an invitation extended to the local CFA brigades to participate.
58. Staff operating and/or working within this wind energy facility are required to be trained in:
- a. facility and operational risks and hazards;
 - b. facility emergency management roles, responsibilities and arrangements;
 - c. the use of any fire-fighting equipment where there is an expectation for staff to undertake first aid firefighting;
 - d. the storage, handling and emergency procedures for dangerous goods at the facility; and
 - e. the location of first aid facilities and application of first aid equipment.
59. Appropriate monitoring for facility infrastructure must be provided, to ensure that any shorts, faults or equipment failures with the potential to ignite or propagate fire are rapidly identified and controlled, and any fire is notified to 000 immediately.

Commented [PM36]: Future proofing in event of a change in land ownership

AUTHORITY CONDITIONS

Ausnet Services (Determining)

60. The minimum distance required between a wind turbine (as measured at the centre point of the tower) and any transmission line is the greater of the below distances:

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a. Maximum height of the blade tip plus the extent of the easement from the transmission line centreline; or

b. Three times the rotor diameter.

~~60-61.~~ No wind turbine shall be constructed within 630 metres of AusNet Transmission Group's easement, and no guyed lattice masts shall be constructed within 176 metres of the AusNet Transmission Group's easement.

~~61-62.~~ No buildings or structures are permitted on AusNet Transmission Group's easement other than interface works required for connection of the wind energy facility farm-electrical system to the transmission line. Design plans for such work must be submitted to and approved in writing by AusNet Transmission Group prior to the commencement of construction.

~~62-63.~~ Details of any road or track construction and the installation of services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

~~63-64.~~ Gates must be installed in any new boundary fences that cross the easement to enable access by AusNet Transmission Group vehicles.

~~64-65.~~ Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.

~~65-66.~~ A Permit to Work Adjacent to Exposed High Voltage Electrical Apparatus² must be obtained prior to the commencement of any works on the easement that involves the use of any plant or equipment exceeding 3 metres operating height.

~~66-67.~~ Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on the easement.

~~67-68.~~ All future works in the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

APA Group

~~68-69.~~ Prior to the endorsement of plans in accordance with Condition 1, an electrical hazard study must be prepared in accordance with the requirements of Australian Standard 4853-2012 (for Low Frequency Induction and Earth Potential Rise), in consultation with the APA, Latrobe City Council, and the final report provided to the APA, Latrobe City Council, and the Minister for Planning responsible authority.

~~69-70.~~ The current ground level over the existing high pressure gas pipeline easement is not to be reduced and must be maintained, unless agreed in writing with the pipeline licensee/operator (APA VTS Australia (Operations) Pty Ltd), to the satisfaction of the Responsible Authority.

COMPLAINTS

Complaint Investigation and Response Plan

~~70-71.~~ Before development starts a Complaint Investigation and Response Plan must be submitted to, approved and endorsed by the responsible authority. When endorsed the plan will form part of this permit.

~~71-72.~~ The Complaint Investigation and Response Plan must:

- respond to all aspects of the construction and operation of the wind farm energy facility;
- be prepared in accordance with *Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for complaint management in organisations*; and
- include a process to investigate and resolve complaints (different processes may be

Commented [PM37]: Updated in accordance with AusNet's revised position on wind turbine setbacks from transmission lines. See letter of support

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Commented [PM38]: Clarification that the relevant Council is Latrobe City

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required for different types of complaints).

72-73. The endorsed Complaint Investigation and Response Plan must:

- a. be implemented to the satisfaction of the responsible authority; and
- b. not be altered or modified without the written consent of the responsible authority.

Publishing information about complaints handling

73-74. Before the development starts, the following information must be made publicly available and readily accessible from the wind ~~farm project~~energy facility website, or another publicly available resource to the satisfaction of the responsible authority:

- a. a copy of the endorsed Complaints Investigation and Response Plan; and
- b. a toll-free telephone number and email contact for complaints and queries to the wind energy facility operator.

Complaints Register

74-75. Before development starts, a Complaints Register must be established which records:

- a. the complainant's name and address (if provided), including (for noise complaints) any applicable property reference number;
- b. a receipt number for each complaint, which must be communicated to the complainant;
- c. the time and date of the incident, and the prevailing weather and operational conditions at the time of the incident;
- d. a description of the complainant's concerns; and
- e. the process for investigating the complaint, and the outcome of the investigation, including:
 - i. the actions taken to resolve the complaint; and
 - ii. for noise complaints, the findings and recommendations of an investigation report undertaken in accordance with EPA requirements.

75-76. All complaints received must be recorded in the Complaints Register.

76-77. A complete copy of the Complaints Register along with a reference map of complaint locations must be provided to the responsible authority on each anniversary of the date of this permit, and at other times on request.

DECOMMISSIONING

77-78. The following requirements must be met when a turbine(s) permanently ceases operation:

- a. the responsible authority must be notified within two (2) months after the turbine(s) permanently ceases operation;
- b. prior to commencing decommissioning works, a Decommissioning Traffic Management Plan must be submitted to, approved and endorsed by the responsible authority. The plan must specify measures to manage traffic impacts associated with removing the wind turbine(s) and associated infrastructure from the site, to the satisfaction of the responsible authority;
- c. all above ground infrastructure, plant, equipment and access tracks that are no longer required for the ongoing use of the land or decommissioning of the wind energy facility must be removed;
- d. reinstatement of the site, or the relevant part of the site, to the condition it was in prior to the commencement of development must occur to the satisfaction of the responsible

Commented [PM40]: Clarification that the removal of infrastructure is only that which is above ground and that which is no longer required for the ongoing use of the land (consistent with the terms agreed with the landowner, HVP)

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authority; and

- e. a resource recovery plan must be prepared, submitted and approved by the responsible authority, which includes details of materials that can be recovered, for re-use and recycling, from all infrastructure associated with the wind energy facility.

SPATIAL INFORMATION AND EMERGENCY RESPONDERS

78-79. Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au to be used to direct emergency services to and within the site. This information must be in the ESRI Shapefile or Geodatabase .gdb format, GDA94 or GDA2020 datum and include:

- the location and boundaries of the wind ~~farm~~ energy facility extents polygon(s);
- Tower wind turbine location and name/number;
- All access ~~entry~~ points onto private property;
- All ~~internal~~ roads that lead to the individual ~~towers~~ wind turbines; and
- the locations of site compounds, substations, maintenance facilities, and anemometers.

79-80. If there are any subsequent changes to turbine location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au within 30 days of the change, to enable details of any changes to the wind energy facility to be known to emergency services dispatchers.

EXPIRY

80-81. This permit will expire if one of the following applies:

- the development is not started within 5 years of the date of this permit;
- the development is not completed within 10 years of the date of this permit; or
- the use is not commenced within 10 years of the date of this permit.

PERMIT NOTES

1. The use and development of land permitted by this permit forms part of the Delburn Wind Farm, which is covered by three planning permits for the wind energy facility and a related planning permit for a utility installation (terminal station):

- PA2001063 – Wind Energy Facility (Latrobe);
- PA2001064 – Wind Energy Facility (Baw Baw);
- PA2001066 – Wind Energy Facility (South Gippsland); and
- PA2001065 – Utility Installation (Latrobe).

Commented [PM41]: Note to DTP to check address following M0G change

Commented [PM42]: Changes so language is consistent

Commented [PM43]: Note to DTP to check address following M0G change

Commented [OA44]: Added for clarity around this permit forming part of a development covered by multiple permits

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PA2001064 – Baw Baw Wind Farm Permit

Addresses

Lot	Volume	Folio	Description
Crown Allotment 16 Parish of Narracan South	5058	585	Strzelecki Highway Delburn
Crown Allotment 17 Parish of Narracan South	6585	954	Strzelecki Highway Delburn
Crown Allotment 17C Parish of Narracan South	8712	739	Strzelecki Highway Delburn
Lot 1 on TP 411380H	8123	847	Strzelecki Highway Delburn
Lot 1 on TP 762860G	5058	583	<u>Strzelecki Highway Delburn</u>

Roads (Including 'Government' or 'Paper Roads')

Road reserve between Crown Allotment 20A and 33 Parish of Narracan

Ten Mile Creek Road Narracan

Road reserve adjacent to Lot 1 Title Plan 663165, Crown Allotment 26 Parish of Narracan and Crown Allotment 33 Parish of Narracan

Preamble

The use and development of land for a wind energy facility and anemometer; including the construction of buildings and the carrying out of works; buildings and works associated with the removal, destruction or lopping of native vegetation.

Conditions

DEVELOPMENT PLANS

- Before development starts, amended development plans must be submitted to, approved and endorsed by the responsible authority. When endorsed the plans will form part of this permit. The plans must be fully dimensioned, drawn to scale. They must be generally in accordance with the application plans, Dwf_Ovr_36-04a-V3-5 Site Plan (Rev 3.5), Dwf_Ovr-38-02a-V3-5 - Native Veg Impact Map (Rev 02a), Figure 2 Overview 2Ecological Features – Baw Baw Shire (Ecology And Heritage Partners, 30 June 2021), Wind Turbine Generator Typical Elevation (Delburn Wind Farm Rev F (23/04/2021), Vestas Hardstand Type A - Boom Crane – Pages 1, 2 And 3 Of 3 *Drawing No. 5.1 (13/11/2019), Vestas Hardstand Type B - Boom Crane – Pages 1, 2 And 3 Of 3 *Drawing No. 5.1 (13/11/2019), Vestas Corridor Scenarios Drawing No 3.2 (Rev 1 (14/02/2020), Vestas Corridor Scenarios Drawing No 1.1 (Rev 1 (30/06/2020), Guyed Lattice Mast Typical Elevation (Rev A, 27/04/2021), but modified to show:

~~a. the removal of reference to the Battery Energy Storage System (BESS) from all plans~~

~~b.a.~~ the materials and finishes of the wind energy facility;

~~c.b.~~ native vegetation removal plans must be drawn to scale with a key, north point, dimensions and geo-references (such as VicGrid94 co-ordinates) and be modified to

Commented [PM45]: BESS was not applied for in Baw Baw and did not appear on any plans to be removed from

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clearly show:

- i. the location and identification of the land affected by this permit, including standard parcel identifiers for the affected and adjacent land and road names;
- ii. the location and area of all native vegetation present, including large trees within patches and scattered trees, that are permitted to be removed under this permit;
- iii. all areas of native vegetation to be retained;
- iv. native tree protection zones of trees to be retained next to construction impact zones (unless included in a 15 metre buffer zone);
- v. native vegetation protection zones (no-go zones) for native vegetation to be retained next to construction impact zones;
- ~~d-c.~~ apart from the cable connection points within junction boxes, all power lines are to be underground;
- ~~e-d.~~ details of aviation safety lighting if required; and
- ~~f-e.~~ Micro-Siting Plan identifying a footprint at ground level within which each turbine may be located.

SPECIFICATIONS

2. The wind energy facility must meet the following requirements:
 - a. the wind energy facility as that part of the Delburn Wind Farm within the Baw Baw Shire Council Municipality must comprise no more than 1 wind turbine with the following specifications:
 - i. the overall maximum height of the wind turbines (to the tip of the rotor blade when vertical) must not exceed 250 metres above foundation level;
 - ii. wind turbines must be mounted on a tubular tower with a hub-height of no greater than 168 metres above foundation level;
 - iii. each wind turbine is to have not more than three rotor blades, with a rotor diameter of no greater than 180 metres;
 - iv. the ground clearance from the bottom of the blades to the ground level is not less than 40.5 metres;
 - b. the transformer associated with each wind turbine generator must be enclosed within the tower or nacelle structure;
 - c. the wind turbine towers, nacelles and rotor blades must be of non-reflective finish and colour that blends within the landscape to the satisfaction of the Minister for Planning;
 - d. the colours and finishes of all other buildings and ancillary equipment must be such as to minimise the impact of the development on landscape to the satisfaction of the Minister for Planning;
 - e. access tracks within the site are to be sited and designed to minimise impacts on overland flows, soil erosion, the landscape value of the site, environmentally sensitive areas and, where appropriate, the land use activities on the land to the satisfaction of the Minister for Planning;
 - f. all wind turbines must be set back at least 100 metres from boundaries to non-participating neighbouring properties and roads which are formed roads at the date of this permit;
 - g. wind turbines must be located no less than 300 metres apart.

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- h. lightning protection devices must be installed on each wind turbine;
- i. ~~A~~all anemometers / meteorological masts greater than 30 metres must be clearly marked in the interests of aviation safety in accordance with Guideline D of the *National Airports Safeguarding Framework* (NASF) (Commonwealth Department of Infrastructure, Transport, Regional Development and Communications, July 2012).
- j. fire detection and suppression systems must be installed in each wind turbine nacelle;
- k. monitoring systems must be installed in each wind turbine tower, to detect temperature increases in the turbines and shut them down when a threshold temperature is reached; and
- l. each wind turbine generator must be certified to be in accordance with the International Electrotechnical Commission (IEC) standard 61400 Part 1 (Design Requirements), Part 23 (Full-scale structural testing of rotor blades) and Part 24 (Lighting Protection).

DEVELOPMENT IN ACCORDANCE WITH ENDORSED PLANS

- 3. Except as permitted under conditions 4 and 5, the use and development must be generally in accordance with the endorsed plans. The endorsed plans must not be altered or modified without the written consent of the responsible authority.

MICROSITING

- 4. Before development starts, a Micro-siting Plan must be submitted to, approved and endorsed by the responsible authority, identifying a footprint at ground level within which each turbine may be located. When endorsed the plan will form part of this permit.

The Micro-siting Plan must be fully dimensioned and drawn to a scale. The footprint for each turbine identified on the Micro-siting Plan:

- a. must not extend more than 100 metres in any direction from the centre of the turbine at ground level as shown on the development plans endorsed under condition 1;
- b. must not be within 1 km of a dwelling that existed on 23 December 2020, unless the operator has provided evidence to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint;
- c. must not result in a material adverse impact on native vegetation, or habitat for Growling Grass Frog.

The Micro-siting Plan must be submitted with written advice from a suitably qualified ecologist to the satisfaction of the responsible authority, confirming that the micro-siting plan meets the requirements specified in condition 4.c.

Any changes to access tracks, electricity cabling and associated infrastructure arising from micro-siting a turbine in accordance with an endorsed Micro-siting Plan do not require further written consent of the responsible authority, and do not require amendments to the development plans endorsed under condition 1.

- 5. The endorsed Micro-siting Plan must not be altered or modified without the written consent of the responsible authority.

STAGING

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

AVIATION

- 7. Within 30 days of the endorsement of development plans under condition 1 of this permit the

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coordinates and estimated survey heights of each turbine must be reported to ensure that the location of the wind ~~energy facility farm~~ can be mapped for the information of pilots to the Airservices Australia Vertical Obstacle Database (VOD) email address vod@airservicesaustralia.com.

LANDSCAPING

8. Before development starts, an Off-Site Landscaping Program must be submitted to, approved and endorsed by the responsible authority. When endorsed the Off-Site Landscaping Program will form part of this permit.

The Off-site Landscaping Program must:

- a. provide for off-site landscaping or other treatments to reduce the visual impact of the turbines from any dwelling ~~that exists at the date the program is endorsed~~ within 6 kilometres of a wind turbine(s) where a turbine is visible from the dwelling, to the satisfaction of the responsible authority;
 - b. include a methodology for determining:
 - i. the type of landscaping treatments to be proposed; and
 - ii. a timetable for establishing and maintaining the landscaping for at least two years;
 - c. include a process for making offers to be available for acceptance 1 year ~~after the installation of all of the wind turbines~~ ~~post completion of construction~~ to either:
 - i. establish and maintain the landscaping on the landowner's land, for a period of at least two years; or
 - ii. make a cash contribution in lieu (which must be sufficient to cover the cost of the landowner establishing and maintaining the landscaping, for a period of at least two years);
 - d. include a process for recording:
 - i. offers that have been made to landowners;
 - ii. whether or not the offers are accepted; and
 - iii. when and how offers are actioned following acceptance.
 - e. include a process for the preparation and provision of progress reports regarding the implementation of the endorsed Off-site Landscaping Program to be provided to the responsible authority annually from the date the Off-Site Landscaping Program is endorsed until 3 years ~~after the installation of all of the wind turbines~~ ~~post construction~~ and at other times on request; and
 - f. include a requirement that landscaping treatments proposed for a dwelling in a Bushfire Management Overlay are reviewed by a suitably qualified bushfire risk consultant to ensure the bushfire risk from landscaping is acceptable.
9. The endorsed Off-site Landscaping Program:
- a. must be implemented to the satisfaction of the responsible authority; and
 - b. must not be altered or modified without the written consent of the responsible authority.

Commented [PM46]: Added definition to which dwellings qualify for the screening treatment. DWF does not have access to information of new build dwellings during the wind energy facility construction within 6km of the turbines.

Commented [PM47]: 'post completion of construction' is an ambiguous milestone given the commissioning and grid connection processes. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the native vegetation reconciliation condition

Commented [PM48]: 'post construction' is an ambiguous milestone given the commissioning and grid connection processes. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the native vegetation reconciliation condition

NOISE

Pre-Construction Noise Assessment

10. Before development starts, a pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the *New Zealand Standard NZS6808:2010*,

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Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* for any area must be submitted to the satisfaction of the responsible authority. The pre-construction noise assessment is to be prepared in accordance with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* by a qualified acoustic consultant and specifically address:

- a. the final turbine selection and layout;
- b. measurements at the most sensitive receivers or at representative receivers close by;
- c. measurement and modelling uncertainty and statistical variation in noise measurements, wind speed and noise modelling be **specifically identified and** considered in determining the **Project wind turbine locations** and application of the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* criteria;
- d. rounding of measured and calculated noise levels to the nearest decibel; and
- e. compliance with the applicable noise limits at **surrounding sensitive** receivers, including those in high amenity areas.

11. The pre-construction noise assessment report must be accompanied by a report prepared by an environmental auditor appointed under Part 8.3 of the Environment Protection Act 2017 that verifies if the acoustic assessment undertaken for the purpose of the pre-construction (predictive) noise assessment report has been conducted in accordance with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise*.

SHADOW FLICKER

12. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling that existed at 23 December 2020, unless an agreement has been entered into with the relevant landowner waiving this requirement. The agreement must be in a form that applies to the land comprising a pre-existing dwelling for the life of the wind energy facility, to the satisfaction of the responsible authority, and must be provided to the responsible authority upon request.

TELEVISION AND RADIO RECEPTION AND INTERFERENCE

13. Before development starts, a Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the survey will form part of the permit.
14. The Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey must:
 - a. be carried out by a suitably qualified and experienced independent television, mobile phone, NBN and/or radio monitoring specialist or specialists; and
 - b. include testing at selected locations within 5 kilometres of the facility (based on where impacts may be expected, and as identified in the DNV GL 'Delburn Wind Farm EMI Assessment' PP227556-AUME-R-03, Rev. A dated 6 November 2020) to enable the average television, mobile phone, NBN and radio reception strength to be determined.
15. If a complaint is received after the installation of the **wind turbines energy facility** regarding the effect of the facility on ~~S~~atellite ~~C~~ommunications, ~~T~~elevision, ~~M~~obile ~~P~~hone, NBN ~~and~~ ~~R~~adio ~~R~~ecception at a dwelling that existed at 23 December 2020 within 5 kilometres of the site, the operator must:
 - a. investigate the complaint in accordance with the Complaint Investigation and Response Plan required by this permit; and

Commented [OA49]: Added for consistency with other WEF permits

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Commented [PM52]: consistency

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- b. if the investigation indicates that the facility has had a detrimental impact on the quality of reception, restore reception at the pre-existing dwelling to at least the quality determined in the Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey required by this permit, to the satisfaction of the responsible authority.

TRAFFIC MANAGEMENT

Pre-construction public road survey

16. Before development starts, a Pre-Construction Public Road Survey must be submitted to and endorsed by the responsible authority. Once endorsed the survey will form part of the permit.

The Pre-Construction Public Road Survey must assess the suitability, design, condition and construction standard of the relevant public roads and access points, and must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
- b. include recommendations, if any, regarding upgrades required to accommodate construction traffic, and to meet the requirements of condition 17; and
- c. be approved by the relevant road management authority prior to submission to the responsible authority for endorsement.

Traffic Management Plan

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

The Traffic Management Plan must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
- b. identify appropriate traffic routes to be used by construction traffic;
- c. identify appropriate over dimensioned routes to be used for over dimensioned trips;
- d. specify measures to be taken to manage traffic impacts associated with the construction of the wind energy facility including specific locations where truck wheel wash stations will be located;
- e. include a program to inspect, maintain and (where required) repair public roads used by construction traffic;
- f. state that all public roads will be reinstated to the condition they were in prior to the commencement of construction works at the cost of the permit holder;
- g. identify agreed processes and practices for the protection and maintenance of the existing road surface along all public roads proposed to be used during the works for works related activities;
- h. specify details including road safety audits and plans of any works required to upgrade public roads; and
- i. be approved by the Head, Transport for Victoria in consultation with Baw Baw Council prior to submission to the responsible authority.

18. The endorsed Traffic Management Plan must be implemented to the satisfaction of the Head, Transport for Victoria and the responsible authority. The endorsed Traffic Management Plan must not be altered or modified without the written consent of the Head, Transport for Victoria and the responsible authority. Any proposed alteration or modification to the

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endorsed Traffic Management Plan must be prepared in consultation with the relevant road management authority prior to submission to the responsible authority for endorsement.

Traffic upgrade works

19. Where traffic upgrade works are recommended or required under the Pre-~~e~~Cconstruction Public Roads Survey, endorsed Traffic Management Plan, or any other plan or report required by any condition of this permit, the following documents must be submitted to, approved and endorsed by the responsible authority prior to commencement of the traffic upgrade works:
- detailed plans for the required works; and
 - a program indicating when the works will be undertaken.

The plans / program required under this condition must be approved by the relevant road management authority. Traffic upgrade works must be completed to the satisfaction of the relevant road management authority.

TRANSPORT FOR VICTORIA (DETERMINING)

20. Before development starts, a pre-design and construction meeting must be undertaken with the Department of Transport (Gippsland Region) to ensure compliance with access and maintenance requirements including design and plan submissions.
21. Before any works commence within a declared arterial road reserve:
- ~~F~~unctional layout plans must be submitted to and approved by the Head, Transport for Victoria; and
 - a working within the road reserve consent must be obtained from the Head, Transport for Victoria.
22. Before development starts, the permit holder must provide a security fee to the Head, Transport for Victoria for the duration of the defects liability period for works within the road reserve.
23. Unless with the agreement of the relevant road management authority, all temporary access and roadworks must be returned to an acceptable standard to the satisfaction of the relevant road management authority
24. Any required signage located within the road reserve of the Strzelecki Highway must be approved by the Head, Transport for Victoria.
25. The operator of the wind energy facility must inspect each wind turbine generator at least annually for signs of blade degradation and maintain the wind turbine blades to the satisfaction of the responsible authority.

Commented [PM54]: Consistency

ENVIRONMENTAL MANAGEMENT PLANS

Environmental Management Plan

26. Before development starts, an Environmental Management Plan must be submitted to, approved and endorsed by the responsible authority. When endorsed the Environmental Management Plan will form part of this permit.
27. The Environmental Management Plan must:
- describe measures to minimise any amenity and environmental impacts of the construction and decommissioning of the facility;
 - ~~I~~include a Construction Environmental Management Plan;
 - be generally in accordance with the Delburn Wind Farm Environmental Management Plan Framework (v2.0 dated 11 December 2020); and

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- d. include organisational responsibilities, and procedures for staff training and communication.

28. The endorsed Environmental Management Plan:

- a. must be implemented to the satisfaction of the responsible authority; and
- b. must not be altered or modified without the written consent of the responsible authority.

Construction Environmental Management Plan

29. The Construction Environmental Management Plan (CEMP) to be included within the Environmental Management Plan must include:

- a. procedures to manage dust and noise emissions, erosion, mud and stormwater run-off;
- b. procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete;
- c. details of sediment and erosion control measures to be implemented;
- d. details of the sediment control measures to treat and manage runoff;
- e. a monitoring program (including, as a minimum, visual monitoring during construction activities) and an investigation and response plan; ~~and~~

Bat and Avifauna Management Plan

30. The Environmental Management Plan must include a Bat and Avifauna Management Plan (BAM Plan), which must focus on managing and mitigating any bird and bat strike events arising from operation of the wind ~~farm~~energy facility. The plan must:

- a. include a statement of the objectives and overall strategy for minimising bird and bat strike arising from the operation of the wind energy facility;
- b. include a mortality monitoring program of at least two years duration that commences when the first turbine is commissioned or such other time approved by ~~DELWP-DEECA~~ (Environment Portfolio). The monitoring program must include:
 - i. procedures for reporting any bat strikes to DEECA (Environment Portfolio) monthly;
 - ii. information on the efficacy of searches for carcasses of birds and bats, and, where practicable, information on the rate of removal of carcasses by scavengers, so that correction factors can be determined to enable calculations of the likely total number of mortalities; and
 - iii. procedures for the regular removal of carcasses likely to attract raptors to areas near turbines
- c. be approved by DEECA (Environment Portfolio) prior to submission to the responsible authority.

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

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

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

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responsible authority and DEECA (Environment Portfolio).

Flora and Fauna Management Plan

33. Before development starts, a Flora and Fauna Management Plan must be prepared in consultation with DEECA and completed to the satisfaction of the Secretary of DEECA. The Flora and Fauna Management Plan must include specific measures to avoid, minimise and mitigate potential impacts on flora and fauna within the Land subject of this permit project site during construction and operation of the wind energy facility/project, including but not limited to:
- measures to further minimise and mitigate impacts to retained vegetation, in particular endangered Ecological Vegetation Classes;
 - measures to further minimise and mitigate the removal of large trees and large hollow-bearing trees;
 - measures to further minimise and mitigate impacts on native fauna during construction and habitat clearance;
 - measures to prevent and control pathogens, weeds (non-native species) and pest (non-native) animals;
 - a program for on-going monitoring and adaptive management of listed communities and listed species of flora and fauna within the Land subject of this permit project site; and
 - measures to avoid pollutants, contaminated run-off and sediment from entering waterways and waterbodies.

Commented [PM57]: 'project site' is not a defined term

Commented [PM58]: 'project' is not defined

Commented [PM59]: Project not defined

NATIVE VEGETATION MANAGEMENT AND OFFSETS

34. Before development starts, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Tree Protection Fencing

35. Before development starts, a native vegetation protection fence must be erected around all scattered trees to be retained within close proximity to the works. This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of 12 × the trunk diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of star pickets, chain mesh, or similar to the satisfaction of the responsible authority. The fence must remain in place until all works are completed to the satisfaction of the responsible authority.

Protection of native vegetation and/or trees to be retained

36. Except with the written consent of the responsible authority and ~~the~~ DEECA, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access;
 - trenching or soil excavation;
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - entry and exit pits for the provision of underground services; and
 - any other actions or activities that may result in adverse impacts to retained native vegetation.

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Native vegetation permitted to be removed, destroyed or lopped

37. The native vegetation permitted to be removed, destroyed or lopped under this permit is 0.083 hectares of native vegetation. The reconciliation of removal and offsets can be undertaken without the need to amend existing permits within 12 months of the installation of all of the wind turbines ~~project completion~~.

Commented [PM60]: 'project completion' is not defined. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the Off-site Landscaping conditions

Native vegetation offsets

38. Before any native vegetation is removed, the permit holder must secure the following native vegetation offsets in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) to offset the removal of native vegetation for the ~~Project wind energy facility~~:

Commented [PM61]: Project is not defined

- a. ~~Aa~~ species offset of 0.067 species units of habitat for Strzelecki Gum (*Eucalyptus strzeleckii*) located within the West Gippsland Catchment Management Authority boundary or Baw Baw Shire municipal area.

39. Before any native vegetation is removed, evidence that the required offset for that section of the ~~project wind energy facility~~ has been secured must be provided to the satisfaction of the responsible authority. This evidence must be either:

Commented [PM62]: Project not defined

- a. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site; and/or
- b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register that identifies the relevant section of the ~~project wind energy facility~~.

Commented [PM63]: Project not defined

Offset evidence

40. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the DEECA Gippsland regional office via Gippsland.planning@delwp.vic.gov.au.

BUSHFIRE RISK AND MITIGATION

Wind Farm Construction Phase Bushfire Mitigation and Management Plan

41. Before development starts, a Construction Phase 'Bushfire Mitigation and Management Plan' (CBMMP) must be prepared in consultation with the CFA, submitted to and approved to the satisfaction of the responsible authority. The CBMMP must:

Commented [PM64]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

- a. outline the requirements for working on the site during the fire danger period;
- b. outline the prevention, preparedness, response and recovery arrangements;
- c. set out asset protection zones ~~s~~ or defensible space for all infrastructure as appropriate and the maintenance requirements for those areas;
- d. address the *CFA Guideline for Renewable Energy Installations (2021)* ~~;~~;
- e. establish a primary contact person for the community to contact with bushfire related concerns, questions or issues;
- f. outline all permitted activities and the procedures for undertaking these activities during the ~~F~~ire ~~D~~anger ~~P~~eriod to ensure they are appropriate having regard to the requirements under the Country Fire Authority Act 1958, including:
- i. compliance with ~~T~~otal ~~F~~ire ~~B~~an ~~D~~ay restrictions; and
- ii. obtaining permits for any ~~"hot work"~~ activities ~~;~~;
- g. ensuring require that all ~~S~~taff, ~~C~~ontractors and site visitors are informed of fire

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response procedures that follow identified legislative requirements, policies and procedures;

- h. ~~ensuring-require~~ that all works ~~undertaken~~ during the declared ~~fire~~ ~~D~~anger ~~P~~eriod have appropriate permits from ~~Local Government~~ Baw Baw Shire Council and CFA;
- i. ~~ensuring-require~~ that all construction and operational works follow appropriate Work Health and Safety requirements;
- j. ~~ensure-require that~~ all contractors:
 - i. are appropriately briefed and understand their legal and policy obligations in relation to managing bushfire risks;
 - ii. have appropriate procedures, safe work practices, contingency plans, Material Safety Data Sheets (MSDSs) for operation of all equipment, chemicals, and flammable materials that may contribute to bushfire risk; and
 - iii. have appropriate 'initial' suppression equipment available on site;-
- k. ~~implement-require that~~ a policy of 'no work' on declared ~~C~~ode ~~R~~ed ~~F~~ire danger days (or the equivalent as outlined within the Australian Fire Danger Rating System) be implemented;
- l. ~~provide-require that~~ appropriate bushfire training be provided for contractors and staff;
- m. establish emergency assembly areas;
- n. ~~require~~ provision ~~of~~ fire suppression capability including 'slip-ons', in addition to ~~HVP~~ plantation management resources, to enhance response to potential fires in the ~~development~~ wind energy facility area;
- o. ~~require the~~ installation of appropriate signs to assist emergency response crews ~~determine-to identify~~ track names, locations, ~~and~~ wind turbines and other infrastructure; and
- p. ~~require the~~ development of policies and procedures that require the following:
 - i. vehicles are not to drive off areas of formed ~~the~~ road surface, hardstand, or cleared mineral earth during the fire danger period;
 - ii. upon declaration of a ~~C~~ode ~~R~~ed day (or the equivalent as outlined within the Australian Fire Danger Rating System), ensure the site is made safe; and
 - iii. at each construction site, provide an ~~E~~mergency ~~i~~nformation ~~C~~ontainer that contains copies of emergency procedures and site maps.

Fire Protection Design

42. ~~The~~ wind energy facility must include the following ~~bush~~ fire design requirements:
- a. an Asset Protection Zone around each turbine of a minimum of 50 metres where all vegetation is removed during the fire danger period;
 - b. security fencing around turbines to prevent public access;
 - c. fire detection systems, in built fire protection and suppression systems, remote alarming and notification systems in turbines to report potential bushfire risks, including:-
 - i. Ensuring the detection systems include arc and smoke detection devices installed as per the manufacturer's specifications;
 - ii. installing gas suppression system into the electrical cabinets within the nacelles;

Commented [PM65]: Providing clarity in relation to which LGA is relevant

Commented [PM66]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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- iii. connecting the system to the ~~sites~~ wind energy facility's Supervisory Control and Data Acquisition (SCADA) system and ensuring that upon activation an alert is received at the control room;
- iv. ~~implement systems~~ ensuring that when multiple alarms are activated, the wind turbine commences an automatic shutdown procedure; and,
- v. ensuring other sensors and indicators are understood to assist with the determination of current fire risk;
- d. cameras on a selection of wind turbines and/or met masts (anemometers) to support early detection of bushfires across the landscape, noting that:
 - i. the number and locations of cameras will be determined in accordance with the manufacturer's specifications for camera capability and bushfire landscape assessment to ensure adequate coverage over the ~~project~~ wind energy facility site and immediate surrounds;
 - ii. ensure the firefighting agencies must have ongoing access to the cameras; and
 - iii. ~~develop~~ procedures must be developed that ensure early notification to fire agencies occurs when smoke or flames are detected;
- e. lightning conductors to dissipate electricity to ground and reduce turbine damage and bushfire risk;
- f. prior to the commencement of construction, install up to the 5 x 100,000 litre static water supply tanks within the wind energy facility site or surrounding area and ensure they are filled;
- g. access roads and fire protection systems including ~~W~~water ~~S~~supply must be constructed in accordance with the CFA Guideline for Renewable Energy Installations (2021) and maintained throughout the operational life of the ~~project~~ wind energy facility;

Commented [PM67]: Inserted to clarify that only 5 tanks are required in aggregate across all elements of the Delburn Wind Farm and Terminal Station as was recommended by FRC (rather than an interpretation of 5 tanks under each permit)

Wind Farm Operational Phase Bushfire Mitigation and Management Plan

43. Before the wind energy facility ~~farm~~ commences operation, an Operational Bushfire Mitigation and Management Plan (OBMMP) must be prepared in consultation with the CFA and submitted to and approved by the responsible authority. The OBMMP must be generally in accordance with the CBMMP but modified to outline requirements for safe operation of the wind energy facility and associated facilities including specifically addressing the fire danger period. The plan must address the CFA Guideline for Renewable Energy Installations (2021) and include:
- a. prevention, preparedness, response and recovery arrangements;
 - b. vegetation management requirements;
 - c. a requirement to develop a maintenance regime and undertake regular inspections of all infrastructure in accordance with the manufacturer's specifications;
 - d. ~~develop a requirement to undertake~~ bushfire preparedness audits to record all "annual" fire danger season preparedness activities and prevention works;
 - e. a requirement to prepare and maintain a communications plan for internal and external stakeholders;
 - f. outline the minimum firefighting equipment that is to be provided onsite or readily accessible (as per the OPEMP ~~response plan~~);
 - g. specify staff and contractor bushfire prevention and suppression training requirements that includes the use of firefighting equipment and appropriate personal protective

Commented [PM68]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM69]: Clarification of which 'response plan' is relevant

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clothing;

- h. ~~specify~~ the minimum maintenance requirement for the Asset Protection Zones (APZs) around wind turbines and other buildings/structures;
- i. ~~specify~~ maintenance requirements for access roads and tracks to meet industry standards for emergency vehicle access;
- j. ~~specify~~ minimum requirements for ~~DWF management~~ staff and contractor vehicles for firefighting water and basic fire suppression equipment during the declared ~~fire~~ fire ~~Danger~~ Period;
- k. a requirement to prepare and maintain an induction package for CFA ~~&and~~ HVP plantation workers containing all relevant information on the ~~Wwind~~ energy facility ~~Farm~~ operations, including specific bushfire response information;
- l. a requirement to prepare and maintain a maintenance program for the ~~5 x~~ 100,000 litre static water supplies, ~~thate~~ includes water level monitoring and that the outlet is in working order;
- m. a requirement to install ~~Emergency~~ information ~~C~~ containers at locations determined in conjunction with CFA that includes ~~information~~ relating to the wind turbines and the emergency procedures;
- n. a requirement to undertake pre fire danger period checks to ensure firefighting equipment is maintained and the water tanks are full;
- o. a requirement to undertake pre fire danger period checks to ensure the static water supplies are full and maintained;
- p. a requirement to ensure the maintenance of the safety systems imposed by *Australian Standard AS3959 - Construction of buildings in bushfire-prone areas* is included within the annual checks and maintenance regime;
- q. a requirement to, in conjunction with ~~HVP~~ the plantation manager, regularly review the 'operational protocols' to ensure they are current and reflect the various stages of the ~~project~~ wind energy facility and the changing bushfire risk as the ~~project~~ development and use progresses;

~~Wind turbine specific operational matters to be added in the OBMMP:~~

- r. operating parameters for wind turbine generators that must be adhered to including maximum operating temperature and wind speed;

EMERGENCY PLANNING AND MANAGEMENT

Construction Phase Emergency Management Plans

- 44. Before development starts, a Construction Phase 'Emergency Management Plan' (CEMP) that outlines the requirements for working with emergency services and responding to bushfires or other emergencies occurring on the wind ~~farm~~ energy facility site must be prepared in consultation with the CFA and submitted to and approved by the responsible authority. The plan must outline the procedure for engagement and response with emergency services.

Operational Phase Emergency Management Plan

- 45. ~~Before the wind~~ energy facility ~~farm~~ commences operation, an Operational Phase Emergency Management Plan (OPEMP) must be submitted to and approved by the responsible authority. The OPEMP must be generally in accordance with the CEMP but modified to outline requirements for safe operation of the site during the fire danger period. The plan must outline the additional requirements for operating on the site that ~~addresses~~ the *CFA Guideline for Renewable Energy Installations (2021)* and *Australian Standard AS3745: Planning for*

Commented [PM70]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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Emergencies in Facilities. The plan must include:

- a. ~~incorporate~~ emergency procedures based on identified risks and hazards at the facility, including but not limited to:
 - i. bushfire/grassfire; and
 - ii. electrical infrastructure faults and fire.
- b. the shutdown procedures in the event of a bushfire in the landscape;
- c. remote shut down procedures for turbine operations during bushfires or reported faults, or at the request of ~~the~~ emergency services;
- d. processes to engage with the fire agencies during bushfires to ensure their directions are being complied with;
- e. a description of emergency prevention, preparedness and mitigation activities;
- f. a description of activities for preparing for, and prevention of emergencies (e.g. training and maintenance);
- g. control and coordination arrangements for emergency response (e.g. evacuation procedures, emergency assembly areas and procedures for response to emergencies);
- h. a description of the agreed roles and responsibilities of on-site personnel (e.g. equipment isolation, fire brigade liaison, evacuation management);
- i. a facility description, including infrastructure details, activities and operating hours;
- j. a site plan depicting infrastructure (wind turbines, generators, diesel storage, buildings), site entrances, exits and internal roads; ~~z~~ fire services (water tanks, fire hydrants, fire hose reels); ~~z~~ and neighbouring properties;
- k. up-to-date contact details of facility personnel, and any relevant off-site personnel that could provide technical support during an emergency;
- l. a manifest of dangerous goods (if required under the Dangerous Goods (Storage and Handling) Regulations 2012);
- m. emergency procedures for credible hazards and risks, including grassfire and bushfire;
- n. procedures for notifying the emergency services;
- o. procedures for evacuating personnel;
- p. a fire management plan ~~must be incorporated into the emergency management plan,~~ that includes all of the fire mitigation measures that will be implemented to reduce the risk of fire so far as is reasonably practicable, established through a risk management process. ~~t~~The fire management plan must specifically address:
 - i. risk management measures specific to fire (as above); and
 - ii. a fuel (vegetation) reduction and maintenance plan/procedure-~~z~~;
- q. procedures to follow when the fire protection systems are activated; and
- r. detail the requirements for an Emergency Information Container to be installed at each road entry to the site and detail the information the container must contain.

Fire Water Resources

46. Fire water access points must be clearly identifiable and unobstructed to ensure efficient access.
47. ~~Any~~ static fire water storage tank(s) must ~~be~~:

Commented [PM71]: Redundant text as this sub-condition is all the requirements of the OPEMP

Commented [PM72]: Conditions 47 and 48 are not part of the OPEMP so should have their own header for clarity

Commented [PM73]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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- a. be above ground water tank(s) constructed of concrete or steel;
- b. be capable of being completely refilled automatically or manually within 24 hours;
- c. be located at vehicle entrances to the facility and must be positioned at least 10m from any infrastructure (electrical substations, inverters etc.);
- d. be provided with a hard-suction point, with a 150mm full bore isolation valve, equipped with a Storz connection, sized to comply with the required suction hydraulic performance. ~~(Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap provided.)~~ The hard-suction point must be:
 - i. positioned within four (4) metres to a hardstand area and provide a clear access for emergency services personnel; and
 - ii. protected from mechanical damage (i.e. bollards) where necessary;
- e. have an all-weather road access and hardstand must be provided to the hard-suction point. The hardstand must be maintained to a minimum of 15 tonne GVM, eight (8) metres long and six metres wide or to the satisfaction of the CFA;
- f. ensure the road access and hardstand ~~must~~ be kept clear at all times;
- g. provide, where the access road has one entrance, a ten (10) metre radius turning circle ~~must be provided~~ at the tank-;
- h. have an external water level indicator must be provided to the tank and be visible from the hardstand area;
- i. have signage indicating 'FIRE WATER' and the tank capacity must be fixed to each tank; and
- j. provide signage ~~must be provided~~ at the front entrance to the wind energy facility, indicating the direction to static water tank(s). Signage must be to the satisfaction of CFA.

Fuel/Vegetation Management

48. Fire break(s) must:

- a. ~~At the perimeter, commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.~~
- b. be constructed using either mineral earth or non-combustible mulch such as crushed rock;
- c. be free of vegetation, including grass, at all times; ~~and~~
- d. be free of all combustible and extraneous materials at all times (e.g. this area must not be used for the storage of materials or the placement of infrastructure of any kind).

49. Surrounding each wind turbine, the wind ~~farm energy facility~~ operator must undertake the following fuel management measures during the ~~fire~~ danger ~~period~~:
- a. ~~Provision~~ of an Asset Protection Zone around each turbine of a minimum of 50 metres where all vegetation is removed during the fire danger period;
 - b. ~~All~~ leaves and vegetation debris must be removed at regular intervals during the declared fire danger period;
 - c. ~~Long~~ grass and/or deep leaf litter must not be present in areas where plant and heavy equipment will be working;

Commented [PM74]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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Commented [PM75]: This is a requirement of solar and BESS facilities, but not wind energy facilities

It formed part of the Panel's recommended conditions but it is not clear where this has arrived from (other than a section of the CFA guidelines which is not relevant for WEFs)

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d. There must be a clearance of at least two (2) metres between the lowest branches and ground level where trees are located within an area of defensible space/Asset Protection Zone; and

e. The canopy of any trees must be separated by at least 5 metres.

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

51. Maintenance and repair activities that involve flame cutting, grinding, welding or soldering (hot works) must be performed under a 'hot work permit' system or equivalent hazard or risk management process.

Bushfire Risk Familiarisation

52. Prior to commissioning the wind energy facility, operators are to offer a familiarisation visit and explanation of emergency procedures to ~~CFA (including local brigades), the plantation manager, HVP, CFA (including local brigades), FRV and any other relevant~~ emergency services. Information on the specific hazards and fire suppression requirements of the wind energy facility should be provided during this visit. Arrangements must be made for site familiarisation with the local brigades prior to commissioning of facilities to confirm access arrangements, fire suppression and detection systems, and contact information for at least two persons who may be able to provide information or support during emergencies (24 hours a day).

Commented [PM76]: Future proofing in event of a change in land ownership

53. A schedule for ongoing site familiarisation to account for changing personnel, wind energy facility infrastructure and hazards should be developed in conjunction with the local CFA brigades.

54. An annual emergency exercise must be conducted at the wind energy facility, with an invitation extended to the local CFA brigades to participate.

55. Staff operating and/or working within this wind energy facility are required to be trained in:

- a. facility and operational risks and hazards;
- b. facility emergency management roles, responsibilities and arrangements;
- c. the use of any fire-fighting equipment where there is an expectation for staff to undertake first aid firefighting;
- d. the storage, handling and emergency procedures for dangerous goods at the facility; and
- e. the location of first aid facilities and application of first aid equipment.

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

COMPLAINTS

Complaint Investigation and Response Plan

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

58. The Complaint Investigation and Response Plan must:

- a. respond to all aspects of the construction and operation of the wind ~~farm~~ energy facility;
- b. be prepared in accordance with *Australian/New Zealand Standard AS/NZS 10002:2014* –

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Guidelines for complaint management in organisations; and

- c. include a process to investigate and resolve complaints (different processes may be required for different types of complaints).

59. The endorsed Complaint Investigation and Response Plan must:

- a. be implemented to the satisfaction of the responsible authority; and
- b. not be altered or modified without the written consent of the responsible authority.

Publishing information about complaints handling

60. Before the development starts, the following information must be made publicly available and readily accessible from the wind ~~energy facility farm project~~ website, or another publicly available resource to the satisfaction of the responsible authority:

- a. a copy of the endorsed Complaints Investigation and Response Plan; and
- b. a toll-free telephone number and email contact for complaints and queries to the wind energy facility operator.

Complaints Register

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

- a. the complainant's name and address (if provided), including (for noise complaints) any applicable property reference number;
- b. a receipt number for each complaint, which must be communicated to the complainant;
- c. the time and date of the incident, and the prevailing weather and operational conditions at the time of the incident;
- d. a description of the complainant's concerns; and
- e. the process for investigating the complaint, and the outcome of the investigation, including:
 - i. the actions taken to resolve the complaint; and
 - ii. for noise complaints, the findings and recommendations of an investigation report undertaken in accordance with EPA requirements.

62. All complaints received must be recorded in the Complaints Register.

63. A complete copy of the Complaints Register along with a reference map of complaint locations must be provided to the responsible authority on each anniversary of the date of this permit, and at other times on request.

DECOMMISSIONING

64. The following requirements must be met when a turbine(s) permanently ceases operation:

- a. the responsible authority must be notified within two (2) months after the turbine(s) permanently ceases operation;
- b. prior to commencing decommissioning works, a Decommissioning Traffic Management Plan must be submitted to, approved and endorsed by the responsible authority. The plan must specify measures to manage traffic impacts associated with removing the wind turbine(s) and associated infrastructure from the site, to the satisfaction of the responsible authority;
- c. all above ground infrastructure, plant, equipment and access tracks that are no longer required for the ongoing use of the land or decommissioning of the wind energy facility must be removed;

Commented [PM77]: Consistency of language

Commented [PM78]: Clarification that the removal of infrastructure is only that which is above ground and that which is no longer required for the ongoing use of the land (consistent with the terms agreed with the landowner, HVP)

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- d. reinstatement of the site, or the relevant part of the site, to the condition it was in prior to the commencement of development must occur to the satisfaction of the responsible authority; and
- e. a resource recovery plan must be prepared, submitted and approved by the responsible authority, which includes details of materials that can be recovered, for re-use and recycling, from all infrastructure associated with the wind energy facility.

SPATIAL INFORMATION AND EMERGENCY RESPONDERS

65. Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au to be used to direct emergency services to and within the site. This information must be in the ESRI Shapefile or Geodatabase .gdb format, GDA94 or GDA2020 datum and include:

- a. ~~The~~ the location and boundaries of the wind ~~farm energy facility~~ extents polygon(s);
- b. ~~Tower~~ wind turbine location and name/number;
- c. ~~All~~ access ~~entry~~ points onto private property;
- d. ~~All~~ ~~internal~~ roads that lead to the individual ~~towers~~ wind turbines; and
- e. ~~The~~ the locations of site compounds, substations, maintenance facilities, and anemometers.

66. If there are any subsequent changes to turbine location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au within 30 days of the change, to enable details of any changes to the wind energy facility to be known to emergency services dispatchers.

EXPIRY

67. This permit will expire if one of the following applies:
- a. the development is not started within 5 years of the date of this permit;
 - b. the development is not completed within 10 years of the date of this permit; or
 - c. the use is not commenced within 10 years of the date of this permit.

PERMIT NOTES

1. The use and development of land permitted by this permit forms part of the Delburn Wind Farm, which is covered by three planning permits for the wind energy facility and a related planning permit for a utility installation (terminal station):

- a. PA2001063 – Wind Energy Facility (Latrobe);
- b. PA2001064 – Wind Energy Facility (Baw Baw);
- c. PA2001066 – Wind Energy Facility (South Gippsland); and
- d. PA2001065 – Utility Installation (Latrobe).

Commented [PM79]: Note to DTP to check address following MOG change

Commented [PM80]: Grammatical tidy up

Commented [PM81]: Note to DTP to check address following MOG change

Commented [OA82]: Added for clarity around this permit forming part of a development covered by multiple permits

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PA2001065 – Latrobe Terminal Station

Addresses

Land

Lot	Volume	Folio	Description
Crown Allotment 52B Parish of Narracan	11761	521	Strzelecki Highway Delburn
Crown Allotment 77 Parish of Narracan	7720	94	Strzelecki Highway Delburn

Roads (Including 'Government' or 'Paper Roads')

Deans Road

Varys Track

Preamble

The construction of buildings and the carrying out of works associated with a utility installation (terminal station); the removal, destruction or lopping of native vegetation and the construction or putting up for the display of business identification signs.

Conditions:

DEVELOPMENT PLANS

- Before development starts, development plans must be submitted to and endorsed by the responsible authority. When endorsed the plans will form part of this permit. The plans must be fully dimensioned and drawn to scale and be generally in accordance with plans advertised as part of the planning permit application (Skt-Delburn-Sec-Op2, Rev 1 (30/06/20), Dwf_Ovr_027a_04b Tsb2 Rev 04b (28/06/2021), Deans Road & Varys Track Upgrade Scenarios, Rev A (30/02/2021), Typical Business Identification Sign, Rev B (28/06/2021), but modified to show:
 - the final location of the proposed ~~terminal station~~substation; and
 - the final layout and dimensions of all transmission poles and the 220kV transmission tower.
- The use and development must be generally in accordance with the endorsed plans. The endorsed plans must not be altered or modified without the written consent of the responsible authority.

STAGING

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

MATERIALS

- All external finishes of buildings and works must be coloured in muted shades of a non-

Commented [PM83]: Wording changed to a more accurate description of the asset consistent with Victorian transmission planning

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reflective nature to the satisfaction of the responsible authority.

TRAFFIC MANAGEMENT

Traffic Management Plan

5. Before the development starts a traffic management plan must be prepared to the satisfaction of ~~and endorsed by the Head, Transport for Victoria and Latrobe City Council, and endorsed by the responsible authority.~~ The traffic management plan must be complied with, unless varied by the written consent of the Head, Transport for Victoria and Latrobe Council.

Commented [OA84]: Consistency with the WEF TMP, there should only be one endorsing authority, with prior sign off from the relevant RIMAs.

The traffic management plan must:

- a. identify pre-construction, construction and transport vehicle routes to and from the ~~substation-terminal station~~ site;
 - b. nominate the expected average daily vehicle movements on identified access routes to and from the ~~substation-terminal station~~ site; and
 - c. identify construction traffic management measures to be implemented on public roads during the construction of the ~~substation-terminal station~~.
6. The endorsed Traffic Management Plan must be implemented to the satisfaction of the Head, Transport for Victoria and Latrobe City Council. The endorsed Traffic Management Plan must not be altered or modified without the written consent of the Head, Transport for Victoria, Latrobe City Council and the responsible authority. Any proposed alteration or modification to the endorsed Traffic Management Plan must be prepared in consultation with the relevant road management authority prior to submission to the responsible authority for endorsement.

Commented [PM85]: This duplicates condition 6 so is redundant

Traffic Upgrade Works

7. Where traffic upgrade works are recommended or required under the endorsed Traffic Management Plan, or any other plan report required by any condition of this permit, the following documents must be submitted to, approved and endorsed by the responsible authority prior to commencement of the traffic upgrade works:
- a. detailed plans for the required works; and
 - b. a program indicating when the works will be undertaken including the timing or trigger for the removal of temporary access or roadworks.

The plans / program required under this condition must be approved by the relevant road management authority. Traffic upgrade works must be completed to the satisfaction of the relevant road management authority.

8. Before any works commence within a declared arterial road reserve:
- a. functional layout plans must be submitted to and approved by the Head, Transport for Victoria;
 - b. a working within the road reserve consent must be obtained from the Head, Transport for Victoria; and
 - c. the permit holder must provide a security fee to the Head, Transport for Victoria for the duration of the defects liability period for works within the road reserve.
9. Unless with the agreement of the relevant road ~~management~~ authority, all temporary access and roadworks must be returned to an acceptable standard to the satisfaction of the relevant road management authority.

Commented [PM86]: Consistency with other conditions (i.e. condition 7)

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ENVIRONMENTAL MANAGEMENT

Environmental Management Plan

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

The Environmental Management Plan must:

- a. describe measures to minimise any amenity and environmental impacts of the construction and decommissioning of the facility;
 - b. include a Construction Environmental Management Plan (CEMP);
 - c. be generally in accordance with the Delburn Wind Farm Environmental Management Plan Framework (v2.0 11 December 2020); and
 - d. include organisational responsibilities, and procedures for staff training and communication.
11. The endorsed Environmental Management Plan:
- a. must be implemented to the satisfaction of the responsible authority; and
 - b. must not be altered or modified without the written consent of the responsible authority.

Construction Environmental Management Plan

12. The Construction Environmental Management Plan (CEMP) to be included within the Environmental Management Plan must include:
- a. procedures to manage dust and noise emissions, erosion, mud and stormwater run-off; and
 - b. procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete.

Sediment, Erosion and Water Quality Management Plan

13. Before the development starts, a sediment, erosion and water quality management plan must be prepared in consultation with the West Gippsland Catchment Management Authority to the satisfaction of, and to be endorsed by, the responsible authority. When endorsed the plan will form part of this permit. The plan must include:
- a. procedures to manage overland flows during construction activities; and
 - b. procedures to ensure stormwater drainage from the proposed buildings and impervious surfaces are retained and disposed of within the boundaries of the subject land to the satisfaction of the responsible authority.
14. The development must be carried out in accordance with the endorsed sediment, erosion and water quality management plan, to the satisfaction of the responsible authority.

Native Vegetation Management and Offsets

15. Before development starts, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Protection of native vegetation and/or trees to be retained

16. Before development starts, a native vegetation protection fence must be erected around all scattered trees to be retained within close proximity of the works. This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of 12 x the

Commented [OA87]: Consistency with the WEF permit wording regarding fencing of trees to be retained

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trunk diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of ~~star pickets~~ chain mesh, or similar to the satisfaction of the responsible authority. The fence must remain in place until all works are completed to the satisfaction of the responsible authority.

17. Except with the written consent of the responsible authority and ~~the DELWP/DEECA~~ within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:

Commented [PM88]: MoG change not picked up in corrections

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

Native vegetation permitted to be removed, destroyed or lopped

18. The native vegetation permitted to be removed, destroyed or lopped under this permit is 1.657 hectares of native vegetation. The reconciliation of removal and offsets can be undertaken without the need to amend existing permits within 12 months of ~~the utility installation project~~ completion.

Commented [PM89]: 'project' not defined

Native vegetation offsets

19. Before any native vegetation is removed, the permit holder must secure the following native vegetation offsets in accordance with ~~the~~ *Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017)* to offset the removal of native vegetation for the ~~utility installation project~~:

Commented [PM90]: 'project' not defined

- a species offset of 0.683 general habitat units with a minimum strategic biodiversity score of 0.197. The offset must protect 4 large trees ~~within the general~~ habitat units protected. The offsets to be located within the West Gippsland Catchment Management Authority boundary ~~area~~ or Latrobe City municipal area.

Commented [PM91]: Grammatical tidy up

20. Before any native vegetation is removed, evidence that the required offset for ~~that section of the utility installation project~~ has been secured must be provided to the satisfaction of the responsible authority. This evidence must be either:

Commented [PM92]: The terminal station does not have 'sections' unlike the WEF which is split into three permits

Commented [PM93]: 'project' is not defined

- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site; and/or
- credit extract(s) allocated to the permit from the Native Vegetation Credit Register that identifies the ~~relevant section of the project~~ utility installation.

Commented [PM94]: The terminal station does not have 'sections' unlike the WEF which is split into three permits

Offset evidence

21. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the DEECA Gippsland regional office by email to Gippsland.planning@delwp.vic.gov.au.

Commented [PM95]: Note to DTP to check address following MOG change

Flora and Fauna Management Plan

22. Before development starts, a flora and fauna management plan must be prepared in consultation with DEECA and completed to the satisfaction of the Secretary of DEECA. The flora and fauna management plan needs to be informed by the assessments included within

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the final environment report (under condition (a)) and must include specific measures to avoid, minimise and mitigate potential impacts on flora and fauna within the ~~project~~ utility installation site during construction and operation of the ~~project~~ utility installation, including but not limited to:

Commented [PM96]: 'project' not defined

- a. measures to further minimise and mitigate impacts to retained vegetation, in particular endangered ecological vegetation classes;
- b. measures to further minimise and mitigate the removal of large trees and large hollow-bearing trees;
- c. measures to further minimise and mitigate impacts on native fauna during construction and habitat clearance;
- d. measures to prevent and control pathogens, weeds (non-native species) and pest (non-native) animals;
- e. a program for on-going monitoring and adaptive management of listed communities and listed species of flora and fauna within the utility installation ~~project~~ site; and
- f. measures to avoid pollutants, contaminated run-off and sediment from entering waterways and waterbodies.

BUSHFIRE RISK EMERGENCY AND MANAGEMENT

23. Before development starts, a detailed analysis should be completed of the terminal station design to eliminate or protect areas where embers can land on or against combustible materials. Any recommendations arising from the completion of this analysis must be undertaken prior to commencement of the operation of the terminal station.

Construction Phase Bushfire and Emergency Management Plan

24. Before development starts, a Construction Phase Bushfire and Emergency Management Plan (CBEMP) that addresses the *CFA Guideline for Renewable Energy Installations (2021)* and *AS3745 – Planning for Emergencies in facilities* must be submitted to and approved by the responsible authority. The CBEMP must outline the requirements for working on the site including addressing the fire danger period. The plan must outline the prevention, preparedness, response and recovery arrangements and as a minimum include:

Commented [PM97]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

- a. ~~detail the requirements for~~ an Emergency Information Container to be installed and detail the information that the container must contain;
- b. ~~ensure require~~ all access roads and tracks are identified and meet CFA Guidelines for emergency vehicle access;
- c. establish a primary contact person for the community to contact with bushfire related concerns, questions or issues;
- d. ~~outlining require~~ all permitted activities and the procedures for undertaking these activities during the ~~F~~ire ~~D~~anger ~~P~~eriod ~~and to ensure they~~ are appropriate having regard to the requirements under the Country Fire Authority Act 1958, including:
 - i. compliance with ~~T~~otal ~~F~~ire ~~D~~anger ~~D~~ay restrictions; and
 - ii. obtaining permits for any ~~“hot work”~~ activities;
- e. ~~ensuring require that~~ all ~~S~~taff, ~~C~~ontractors and site visitors are informed of fire response procedures that follow identified legislative requirements, policies and procedures;
- f. ~~ensuring require~~ that all works during the declared ~~F~~ire ~~D~~anger ~~P~~eriod have appropriate permits from ~~Local Government~~ Latrobe City Council and CFA;

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- g. ~~ensuring-require~~ that all construction and operational works follow appropriate Work Health and Safety requirements;
- h. ~~ensure-require that~~ all contractors:
 - i. are appropriately briefed and understand their legal and policy obligations in relation to managing bushfire risks;
 - ii. have appropriate procedures, safe work practices, contingency plans, Material Safety Data Sheets (MSDSs) for operation of all equipment, chemicals, and flammable materials that may contribute to bushfire risk; and
 - iii. have appropriate 'initial' suppression equipment available on site.
- i. ~~require that implement~~ a policy of 'no work' on declared ~~C~~ode ~~R~~ed ~~F~~ire danger days (or the equivalent as outlined within the Australian Fire Danger Rating System) be implemented;
- j. ~~sets out-require~~ that no staff or contractors will be permitted at the site on a ~~T~~otal ~~F~~ire ~~D~~anger day unless for critical works and no staff or contractors are permitted at the site on ~~C~~ode ~~R~~ed days (or the equivalent as outlined within the Australian Fire Danger Rating System);
- k. ~~require that provide~~ appropriate bushfire training be provided for contractors and staff;
- l. ~~require the~~ establishment of emergency assembly areas;
- m. ~~require the~~ installation of appropriate signs to assist emergency response crews ~~determine-to identify~~ track names, locations ~~and turbines~~ and other infrastructure;
- n. ~~require the~~ development of policies and procedures that require the following:
 - i. vehicles are not to drive off ~~areas of formed~~ the road surface, hardstand, or cleared mineral earth during the fire danger period;
 - ii. upon declaration of a ~~C~~ode ~~R~~ed day (or the equivalent as outlined within the Australian Fire Danger Rating System), ensure the site is made safe;
 - iii. at each construction site, provide an ~~E~~mergency ~~I~~nformation ~~C~~ontainer that contains copies of emergency procedures and site maps;
- o. ~~set out~~ processes ~~to-for~~ engaging with the fire agencies during bushfires to ensure their directions are being complied with;
- p. ~~set out~~ procedures to be followed when the fire protection systems are activated.

Terminal Station Design

25. The terminal station design must include the following bush-fire requirements:
- a. ~~an Asset Protection Zone that ensures all areas of the~~critical infrastructure components will not be exposed to radiant heat in excess of 12.5 kW/m²;
 - b. an Asset Protection Zone that is non-vegetated and covered with a non-combustible surface such as mineral earth or crushed rock;
 - c. a 100,000 litre firefighting water supply to be provided in the Varys Track area; and
 - d. security fencing around the terminal station to prevent public access.

Operational Phase Bushfire and Emergency Management Plan

26. ~~Before the~~ terminal station commences operation, an Operational Bushfire and Emergency Management Plan (OBEMP) must be submitted to and approved by the responsible authority. The OBEMP must be generally in accordance with the CBEMP but modified to outline the

Commented [PM98]: Not relevant for this permit. No wind turbines are in close proximity to the terminal station

Commented [PM99]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM100]: FRC's recommendation for 12.5kW/m² related to infrastructure components critical to the operations of the station and the broader electricity network (i.e. not applicable to the security fence).

The 12.5kW/m² can be achieved by vegetation clearance and/or radiant heat barriers

Commented [PM101]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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additional requirements for operating on the site that addresses the CFA's Guidelines for Renewable Energy Installations and AS3745. The plan must outline the prevention, preparedness, response and recovery arrangements and must include:

- a. ~~D~~details of the requirements for familiarisation visits and explanation of emergency procedures to CFA and other emergency services;
- b. a requirement to ~~develop relationships~~engage with ~~the plantation manager~~HVP, CFA and ~~Fire Rescue Victoria~~ to encourage them to undertake familiarisation visits;
- c. ~~develop a requirement to undertake~~ bushfire preparedness audits to record all "annual" fire danger season preparedness activities and prevention works;
- d. ~~a requirement to~~ prepare and maintain a communications plan for internal and external stakeholders;
- e. outline the minimum firefighting equipment that is to be provided onsite or readily accessible ~~(as per response plan)~~;
- f. ~~specify~~details of staff and contractor bushfire prevention and suppression training requirements that includes the use of firefighting equipment and appropriate personal protective clothing;
- g. ~~a requirements~~ to maintain all Asset Protection Zones during the fire danger period to ensure they are non-~~vegetated~~;
- h. ~~a requirement to~~ install ~~E~~emergency ~~i~~nformation ~~C~~containers at locations determined in conjunction with CFA that includes information relating to the terminal station and the emergency procedures;
- i. ~~details of~~ procedures ~~to for~~ undertak~~i~~ng pre fire danger period checks to ensure firefighting equipment is maintained and the water tanks are full;
- j. ~~a requirement to~~ undertake pre fire danger period checks to ensure the static water supplies are full and maintained; and
- k. ~~ensure require that~~ the maintenance of the safety systems imposed by AS3959 is included within the annual checks and maintenance regime.

Commented [PM102]: Future proofing in event of a change in land ownership

Commented [PM103]: Appears to be a translation error from the WEF conditions where there are separate BMMPs and EMPs (response plans)

REFERRAL AUTHORITY CONDITIONS

Ausnet Services (Determining)

27. No part of the proposed development is permitted on AusNet Transmission Group's easement unless otherwise agreed to in writing by AusNet Transmission Group.
28. Access to and along the easement must be maintained at all times for AusNet Transmission Group's vehicles, staff and contractors.
29. Parking, loading, unloading and load adjustment of large commercial vehicles is not permitted on the easement.
30. Fuelling of any vehicles, equipment or plant is not permitted on the easement
31. The use of vehicles and equipment exceeding 3 metres in height ~~are is~~ not permitted to operate on the easement without prior written approval from AusNet Transmission Group.
32. Details of proposed road construction and the installation of services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.
33. All trees and shrubs planted on the easement must not exceed 3 metres maximum mature growth height.

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34. Natural ground surface levels on the easement must not be altered by the stockpiling of excavated material or by landscaping without prior written approval from AusNet Transmission Group.
35. All services traversing the easement must be installed underground.
36. All future works within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

EXPIRY

37. This permit will expire if one of the following applies:
 - a) the development is not started within five (5) years of the date of this permit; or
 - b) the development is not completed within ten (10) years of the date of this permit.

PERMIT NOTES

1. The use and development of land permitted by this permit forms part of the Delburn Wind Farm, which is covered by three planning permits for the wind energy facility and a related planning permit for a utility installation (terminal station):
 - a. PA2001063 – Wind Energy Facility (Latrobe);
 - b. PA2001064 – Wind Energy Facility (Baw Baw);
 - c. PA2001066 – Wind Energy Facility (South Gippsland); and
 - d. PA2001065 – Utility Installation (Latrobe).

Commented [OA104]: Added for clarity around this permit forming part of a development covered by multiple permits

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PA2001066 – South Gippsland Wind Farm Permit

Addresses

Land

Lot	Volume	Folio	Description
Crown Allotment 52 Parish of Narracan South	7476	159	Strzelecki Highway Delburn
Crown Allotment 54A Parish of Narracan South	7578	77	Strzelecki Highway Delburn
Crown Allotment 55C Parish of Narracan South	7590	34	Strzelecki Highway Delburn
Crown Allotment 55D Parish of Narracan South	5968	507	Strzelecki Highway Delburn
Crown Allotment 56 Parish of Narracan South	7456	121	Strzelecki Highway Delburn
Crown Allotment 56A and 56B Parish of Narracan South	3863	503	Strzelecki Highway Delburn
Crown Allotment 55A Parish of Narracan South	7528	19	Strzelecki Highway Delburn
Crown Allotment 55B Parish of Narracan South	2404	617	Strzelecki Highway Delburn

Roads (Including 'Government' or 'Paper Roads')

Road reserve between Crown Allotment 34Q and 56 Parish of Narracan South

Strzelecki Highway Delburn

Road reserve adjacent to Crown Allotment 110 Parish of Narracan and Crown Allotment 56A Parish of Narracan South

Land between Crown Allotment 56A Parish of South Narracan and Crown Allotment 110 Parish of South Narracan

Road reserve between Crown Allotment 56 and 56A Parish of Narracan South

Commented [PM105]: Return added to provide clarity around each individual land description (missed in corrections)

Preamble

The use and development of land for a wind energy facility and anemometer including the construction of buildings and the carrying out of works and the removal, destruction or lopping of native vegetation and the alteration of access to a road in Transport Zone 2.

Conditions

DEVELOPMENT PLANS

- Before development starts, amended development plans must be submitted to, approved and endorsed by the responsible authority. When endorsed the plans will form part of this permit. The plans must be fully dimensioned, drawn to a scale. They must be generally in accordance with the application plans numbered (Dwf_Ovr_36-04a-V3-5 Site Plan (Rev 3.5), Dwf_Ovr_043-01a-V3-5 Wtg Set-Backs (Rev 01a), Dwf_Ovr-38-02a-V3-5 - Native Veg Impact

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Map (Rev 02a), Figure 2 & 2a Overview Ecological Features – South Gippsland (Ecology And Heritage Partners, 30 June 2021), Wind Turbine Generator Typical Elevation (Delburn Wind Farm Rev F (23/04/2021), Vestas Hardstand Type A - Boom Crane – Pages 1, 2 And 3 Of 3 *Drawing No. 5.1 (13/11/2019), Vestas Hardstand Type B - Boom Crane – Pages 1, 2 And 3 Of 3 *Drawing No. 5.1 (13/11/2019, Vestas Corridor Scenarios Drawing No 3.2 (Rev 1 (14/02/2020), Vestas Corridor Scenarios Drawing No 1.1 (Rev 1 (30/06/2020)), Guyed Lattice Mast Typical Elevation (Rev A, 27/04/2021), but modified to show:

~~a.~~ the removal of reference to the Battery Energy Storage System (BESS) from all plans

Commented [PM106]: BESS was not applied for in South Gippsland and did not appear on any plans to be removed from

~~b-a.~~ the materials and finishes of the wind energy facility;

~~b.~~ native vegetation removal plans must be drawn to scale with a key, north point, dimensions and geo-references (such as VicGrid94 co-ordinates) and be modified to clearly show:

- i. the location and identification of the land affected by this permit, including standard parcel identifiers for the affected and adjacent land and road names;
- ii. the location and area of all native vegetation present, including large trees within patches and scattered trees, that are permitted to be removed under this permit;
- iii. all areas of native vegetation to be retained;
- iv. native tree protection zones of trees to be retained next to construction impact zones (unless included in a 15 metre buffer zone);
- v. native vegetation protection zones (no-go zones) for native vegetation to be retained next to construction impact zones;

~~c.~~ apart from the cable connection points within junction boxes, all power lines are to be underground;

~~d.~~ details of aviation safety lighting if required; and

~~e.~~ Micro-Siting Plan identifying a footprint at ground level within which each turbine may be located.

SPECIFICATIONS

2. The wind energy facility must meet the following requirements:

- a. the wind energy facility as that part of the Delburn Wind Farm within the South Gippsland Shire Council Municipality must comprise no more than 4 wind turbines with the following specifications:
 - i. the overall maximum height of the wind turbines (to the tip of the rotor blade when vertical) must not exceed 250 metres above foundation level;
 - ii. wind turbines must be mounted on a tubular tower with a hub-height of no greater than 168 metres above foundation level;
 - iii. each wind turbine is to have not more than three rotor blades, with a rotor diameter of no greater than 180 metres;
 - iv. the ground clearance from the bottom of the blades to the ground level is not less than 40.5 metres;
- b. the transformer associated with each wind turbine generator must be enclosed within the tower or nacelle structure;
- c. the wind turbine towers, nacelles and rotor blades must be of non-reflective finish and colour that blends within the landscape to the satisfaction of the Minister for Planning;

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- d. the colours and finishes of all other buildings and ancillary equipment must be such as to minimise the impact of the development on landscape to the satisfaction of the Minister for Planning;
- e. access tracks within the site are to be sited and designed to minimise impacts on overland flows, soil erosion, the landscape value of the site, environmentally sensitive areas and, where appropriate, the land use activities on the land to the satisfaction of the Minister for Planning;
- f. all wind turbines must be set back at least 100 metres from boundaries to non-participating neighbouring properties and roads which are formed roads at the date of this permit;
- g. wind turbines must be located no less than 300 metres apart.
- h. lightning protection devices must be installed on each wind turbine;
- i. All anemometers / meteorological masts greater than 30 metres must be clearly marked in the interests of aviation safety in accordance with Guideline D of the *National Airports Safeguarding Framework* (NASF) (Commonwealth Department of Infrastructure, Transport, Regional Development and Communications, July 2012).
- j. fire detection and suppression systems must be installed in each wind turbine nacelle;
- k. monitoring systems must be installed in each wind turbine tower, to detect temperature increases in the turbines and shut them down when a threshold temperature is reached; and
- l. each wind turbine generator must be certified to be in accordance with the International Electrotechnical Commission (IEC) standard 61400 Part 1 (Design Requirements), Part 23 (Full-scale structural testing of rotor blades) and Part 24 (Lighting Protection).

DEVELOPMENT IN ACCORDANCE WITH ENDORSED PLANS

- 3. Except as permitted under conditions 4 and 5, the use and development must be generally in accordance with the endorsed plans. The endorsed plans must not be altered or modified without the written consent of the responsible authority.

MICROSITING

- 4. Before development starts, a Micro-siting Plan must be submitted to, approved and endorsed by the responsible authority, identifying a footprint at ground level within which each turbine may be located. When endorsed the plan will form part of this permit.

The Micro-siting Plan must be fully dimensioned and drawn to a-scale. The footprint for each turbine identified on the Micro-siting Plan:

- a. must not extend more than 100 metres in any direction from the centre of the turbine at ground level as shown on the development plans endorsed under condition 1;
- b. must not be within 1 km of a dwelling that existed on 23 December 2020, unless the operator has provided evidence to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine footprint;
- c. must not result in a material adverse impact on native vegetation, or habitat for Growling Grass Frog.

The Micro-siting Plan must be submitted with written advice from a suitably qualified ecologist to the satisfaction of the responsible authority, confirming that the micro-siting plan meets the requirements specified in condition 4.c.

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Any changes to access tracks, electricity cabling and associated infrastructure arising from micro-siting a turbine in accordance with an endorsed Micro-siting Plan do not require further written consent of the responsible authority, and do not require amendments to the development plans endorsed under condition 1.

5. The endorsed Micro-siting Plan must not be altered or modified without the written consent of the responsible authority.

STAGING

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

AVIATION

7. Within 30 days of the endorsement of development plans under condition 1 of this permit the coordinates and estimated survey heights of each turbine must be reported to ensure that the location of the wind energy facility can be mapped for the information of pilots to the Airservices Australia Vertical Obstacle Database (VOD) email address vod@airservicesaustralia.com.

LANDSCAPING

8. Before development starts, an Off-site Landscaping Program must be submitted to, approved and endorsed by the responsible authority. When endorsed the Off-site Landscaping Program will form part of this permit.

The Off-site Landscaping Program must:

- a. provide for off-site landscaping or other treatments to reduce the visual impact of the turbines from any dwelling that exists at the date the program is endorsed within 6 kilometres of a wind turbine(s) where a turbine is visible from the dwelling, to the satisfaction of the responsible authority;
- b. include a methodology for determining:
 - i. the type of landscaping treatments to be proposed; and
 - ii. a timetable for establishing and maintaining the landscaping for at least two years;
- c. include a process for making offers to be available for acceptance 1 year after the installation of all of the wind turbines ~~post completion of construction~~ to either:
 - i. establish and maintain the landscaping on the landowner's land, for a period of at least two years; or
 - ii. make a cash contribution in lieu (which must be sufficient to cover the cost of the landowner establishing and maintaining the landscaping, for a period of at least two years);
- d. include a process for recording:
 - i. offers that have been made to landowners;
 - ii. whether or not the offers are accepted; and
 - iii. when and how offers are actioned following acceptance.
- e. include a process for the preparation and provision of progress reports regarding the implementation of the endorsed Off-site Landscaping Program to be provided to the responsible authority annually from the date the Off-site Landscaping Program is endorsed until 3 years after the installation of all of the wind turbines ~~post construction~~ and at other times on request; and

Commented [PM107]: Added definition to which dwellings qualify for the screening treatment. DWF does not have access to information of new build dwellings during the wind energy facility construction within 6km of the turbines.

Commented [PM108]: 'post completion of construction' is an ambiguous milestone given the commissioning and grid connection processes. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the native vegetation reconciliation condition

Commented [PM109]: 'post construction' is an ambiguous milestone given the commissioning and grid connection processes. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the native vegetation reconciliation condition

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- f. include a requirement that landscaping treatments proposed for a dwelling in a Bushfire Management Overlay are reviewed by a suitably qualified bushfire risk consultant to ensure the bushfire risk from landscaping is acceptable.
- 9. The endorsed Off-site Landscaping Program:
 - a. must be implemented to the satisfaction of the responsible authority; and
 - b. must not be altered or modified without the written consent of the responsible authority.

NOISE

Pre-Construction Noise Assessment

- 10. Before development starts, a pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise*, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* for any area must be submitted to the satisfaction of the responsible authority. The pre-construction noise assessment is to be prepared in accordance with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* by a qualified acoustic consultant and specifically address:
 - a. the final turbine selection and layout;
 - b. measurements at the most sensitive receivers or at representative receivers close by;
 - c. measurement and modelling uncertainty and statistical variation in noise measurements, wind speed and noise modelling be specifically identified and considered in determining the Project wind turbine locations and application of the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise* criteria;
 - d. rounding of measured and calculated noise levels to the nearest decibel; and
 - e. compliance with the applicable noise limits at surrounding sensitive receivers, including those in high amenity areas.
- 11. The pre-construction noise assessment report must be accompanied by a report prepared by an environmental auditor appointed under Part 8.3 of the Environment Protection Act 2017 that verifies if the acoustic assessment undertaken for the purpose of the pre-construction (predictive) noise assessment report has been conducted in accordance with the *New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise*.

Commented [PM110]: Consistency with NZS and other conditions

SHADOW FLICKER

- 12. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling that existed at 23 December 2020, unless an agreement has been entered into with the relevant landowner waiving this requirement. The agreement must be in a form that applies to the land comprising a pre-existing dwelling for the life of the wind energy facility, to the satisfaction of the responsible authority, and must be provided to the responsible authority upon request.

TELEVISION AND RADIO RECEPTION AND INTERFERENCE

- 13. Before development starts, a Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey must be submitted to, approved and endorsed by the responsible authority. Once endorsed, the survey will form part of the permit.
- 14. The Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey must:
 - a. be carried out by a suitably qualified and experienced independent television, mobile

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phone, NBN and/or radio monitoring specialist or specialists; and

- b. include testing at selected locations within 5 kilometres of the facility (based on where impacts may be expected, and as identified in the DNV GL 'Delburn Wind Farm EMI Assessment' PP227556-AUME-R-03, Rev. A dated 6 November 2020) to enable the average television, mobile phone, NBN and radio reception strength to be determined.
15. If a complaint is received after the installation of the wind ~~turbines~~ energy facility regarding the effect of the facility on ~~S~~atellite ~~C~~ommunications, ~~T~~elevision, ~~M~~obile ~~P~~hone, NBN and ~~R~~adio ~~R~~ecreption at a dwelling that existed at 23 December 2020 within 5 kilometres of the site, the operator must:
 - a. investigate the complaint in accordance with the Complaint Investigation and Response Plan required by this permit; and
 - b. if the investigation indicates that the facility has had a detrimental impact on the quality of reception, restore reception at the pre-existing dwelling to at least the quality determined in the Satellite Communications, Television, Mobile Phone, NBN and Radio Reception Strength Survey required by this permit, to the satisfaction of the responsible authority.

TRAFFIC MANAGEMENT

Pre-construction public road survey

16. Before development starts, a Pre-Construction Public Road Survey must be submitted to and endorsed by the responsible authority. Once endorsed the survey will form part of the permit.

The Pre-Construction Public Road Survey must assess the suitability, design, condition and construction standard of the relevant public roads and access points, and must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
- b. include recommendations, if any, regarding upgrades required to accommodate construction traffic, and to meet the requirements of condition 17; and
- c. be approved by the relevant road management authority prior to submission to the responsible authority for endorsement.

Traffic Management Plan

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

The Traffic Management Plan must:

- a. be prepared by a suitably qualified and experienced independent civil or traffic engineer;
- b. identify appropriate traffic routes to be used by construction traffic;
- c. identify appropriate over dimensioned routes to be used for over dimensioned trips;
- d. specify measures to be taken to manage traffic impacts associated with the construction of the wind energy facility including specific locations where truck wheel wash stations will be located;
- e. include a program to inspect, maintain and (where required) repair public roads used by construction traffic;
- f. state that all public roads will be reinstated to the condition they were in prior to the commencement of construction works at the cost of the permit holder;

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- g. identify agreed processes and practices for the protection and maintenance of the existing road surface along all public roads proposed to be used during the works for works related activities;
- h. specify details including road safety audits and plans of any works required to upgrade public roads; and
- i. be approved by the Head, Transport for Victoria in consultation with South Gippsland Shire Council prior to submission to the responsible authority.

Commented [PM111]: Grammatical tidy up

18. The endorsed Traffic Management Plan must be implemented to the satisfaction of the Head, Transport for Victoria and the responsible authority. The endorsed Traffic Management Plan must not be altered or modified without the written consent of the Head, Transport for Victoria and the responsible authority. Any proposed alteration or modification to the endorsed Traffic Management Plan must be prepared in consultation with the relevant road management authority prior to submission to the responsible authority for endorsement.

Traffic upgrade works

19. Where traffic upgrade works are recommended or required under the Pre-~~e~~Construction Public Roads Survey, endorsed Traffic Management Plan, or any other plan or report required by any condition of this permit, the following documents must be submitted to, approved and endorsed by the responsible authority prior to commencement of the traffic upgrade works:
- a. detailed plans for the required works; and
 - b. a program indicating when the works will be undertaken.

The plans / program required under this condition must be approved by the relevant road management authority. Traffic upgrade works must be completed to the satisfaction of the relevant road management authority.

TRANSPORT FOR VICTORIA (DETERMINING)

20. Before development starts, a pre-design and construction meeting must be undertaken with the Department of Transport (Gippsland Region) to ensure compliance with access and maintenance requirements including design and plan submissions.
21. Before any works commence within a declared arterial road reserve:
- a. ~~F~~unctional layout plans must be submitted to and approved by the Head, Transport for Victoria; and
 - b. a working within the road reserve consent must be obtained from the Head, Transport for Victoria.
22. Before development starts, the permit holder must provide a security fee to the Head, Transport for Victoria for the duration of the defects liability period for works within the road reserve.
23. Unless with the agreement of the relevant road management authority, all temporary access and roadworks must be returned to an acceptable standard to the satisfaction of the relevant road management authority.
24. Any required signage located within the road reserve of the Strzelecki Highway must be approved by the Head, Transport for Victoria.
25. The operator of the wind energy facility must inspect each wind turbine generator at least annually for signs of blade degradation and maintain the wind turbine blades to the satisfaction of the responsible authority.

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ENVIRONMENTAL MANAGEMENT PLANS

Environmental Management Plan

26. Before development starts, an Environmental Management Plan must be submitted to, approved and endorsed by the responsible authority. When endorsed the Environmental Management Plan will form part of this permit.
27. The Environmental Management Plan must:
 - a. describe measures to minimise any amenity and environmental impacts of the construction and decommissioning of the facility;
 - b. ~~include~~ include a Construction Environmental Management Plan;
 - c. be generally in accordance with the Delburn Wind Farm Environmental Management Plan Framework (v2.0 dated 11 December 2020); and
 - d. include organisational responsibilities, and procedures for staff training and communication.
28. The endorsed Environmental Management Plan:
 - a. must be implemented to the satisfaction of the responsible authority; and
 - b. must not be altered or modified without the written consent of the responsible authority.

Construction Environmental Management Plan

29. The Construction Environmental Management Plan (CEMP) to be included within the Environmental Management Plan must include:
 - a. procedures to manage dust and noise emissions, erosion, mud and stormwater run-off;
 - b. procedures to remove temporary works, plant, equipment, buildings and staging areas, and reinstate the affected parts of the land, when construction is complete;
 - c. details of sediment and erosion control measures to be implemented;
 - d. details of the sediment control measures to treat and manage runoff; ~~and~~
 - e. a monitoring program (including, as a minimum, visual monitoring during construction activities) and an investigation and response plan; ~~and~~

Bat and Avifauna Management Plan

30. The Environmental Management Plan must include a Bat and Avifauna Management Plan (BAM Plan), which must focus on managing and mitigating any bird and bat strike events arising from operation of the wind ~~farm~~energy facility. The plan must:
 - a. include a statement of the objectives and overall strategy for minimising bird and bat strike arising from the operation of the ~~wind~~energy facility
 - b. include a mortality monitoring program of at least two years duration that commences when the first turbine is commissioned or such other time approved by DEECA (Environment Portfolio). The monitoring program must include:
 - i. procedures for reporting any bat strikes to DEECA (Environment Portfolio) monthly; ~~and~~
 - ii. information on the efficacy of searches for carcasses of birds and bats, and, where practicable, information on the rate of removal of carcasses by scavengers, so that correction factors can be determined to enable calculations of the likely total number of mortalities; and
 - iii. procedures for the regular removal of carcasses likely to attract raptors to areas near

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turbines; and

- c. be approved by DEECA (Environment Portfolio) prior to submission to the responsible authority.

- 31. When the monitoring program required under the BAM Plan is complete, the operator must submit a report to the responsible authority and DEECA (Environment Portfolio), setting out the findings of the program. The report must be:
 - a. to the satisfaction of the responsible authority and DEECA (Environment Portfolio); and
 - b. made publicly available on the operator's website.
- 32. After considering the findings of the monitoring program and consulting with DEECA (Environment Portfolio), the responsible authority may direct further investigation of impacts on birds and bats. The further investigation must be undertaken to the satisfaction of the responsible authority and DEECA (Environment Portfolio).

Flora and Fauna Management Plan

- 33. Before development starts, a Flora and Fauna Management Plan must be prepared in consultation with DEECA and completed to the satisfaction of the Secretary of DEECA. The Flora and Fauna Management Plan must include specific measures to avoid, minimise and mitigate potential impacts on flora and fauna within the Land subject of this permit ~~project site~~ during construction and operation of the ~~project~~ wind energy facility, including but not limited to:
 - a. measures to further minimise and mitigate impacts to retained vegetation, in particular endangered Ecological Vegetation Classes;
 - b. measures to further minimise and mitigate the removal of large trees and large hollow-bearing trees;
 - c. measures to further minimise and mitigate impacts on native fauna during construction and habitat clearance;
 - d. measures to prevent and control pathogens, weeds (non-native species) and pest (non-native) animals;
 - e. a program for on-going monitoring and adaptive management of listed communities and listed species of flora and fauna within the Land subject of this permit ~~project site~~; and
 - f. measures to avoid pollutants, contaminated run-off and sediment from entering waterways and waterbodies.

Commented [PM112]: 'project site' is not a defined term

NATIVE VEGETATION MANAGEMENT AND OFFSETS

- 34. Before development starts, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Tree Protection Fencing

- 35. Before development starts, a native vegetation protection fence must be erected around all scattered trees to be retained within close proximity to the works. This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of $12 \times$ the trunk diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of star pickets ~~or~~ chain mesh ~~or~~ similar to the satisfaction of the responsible authority. The fence must remain in place until all works are completed to the satisfaction of the responsible authority.

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Protection of native vegetation and/or trees to be retained

36. Except with the written consent of the responsible authority and ~~the~~ DEECA, within the area of native vegetation to be retained and any tree or vegetation protection zone associated with the permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access;
 - trenching or soil excavation;
 - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - entry and exit pits for the provision of underground services; and
 - any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation permitted to be removed, destroyed or lopped

37. The native vegetation permitted to be removed, destroyed or lopped under this permit is 1.669 hectares of native vegetation. The reconciliation of removal and offsets can be undertaken without the need to amend existing permits within 12 months of the installation of all of the wind turbines~~project completion~~.

Commented [PM113]: 'project completion' is not defined. Suggested wording is a more definitive milestone which is transparent for all stakeholders and is consistent with the way this is suggested in the Off-site Landscaping conditions

Native vegetation offsets

38. Before any native vegetation is removed, the permit holder must secure the following native vegetation offsets in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) to offset the removal of native vegetation for the ~~Project~~wind energy facility:
- ~~A~~a species offset of 1.375 species units of habitat for Strzelecki Gum (*Eucalyptus strzeleckii*) located within the West Gippsland Catchment Management Authority boundary or South Gippsland Shire municipal area.
39. Before any native vegetation is removed, evidence the required offset for that section of the ~~project-wind energy facility~~ has been secured must be provided to the satisfaction of the responsible authority. This evidence must be either:
- an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site; and/or
 - credit extract(s) allocated to the permit from the Native Vegetation Credit Register that identifies the relevant section of the ~~project-wind energy facility~~.

Offset evidence

40. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence, a copy of the endorsed offset evidence must be provided to Planning & Approvals at the DEECA Gippsland regional office via Gippsland.planning@delwp.vic.gov.au.

BUSHFIRE RISK AND MITIGATION

Wind Farm Construction Phase Bushfire Mitigation and Management Plan

41. ~~Before~~ development starts, a Construction Phase 'Bushfire Mitigation and Management Plan' (CBMMP) must be prepared in consultation with the CFA, submitted to and approved to the satisfaction of the responsible authority. The CBMMP must:
- outline the requirements for working on the site during the fire danger period;
 - outline the prevention, preparedness, response and recovery arrangements;

Commented [PM114]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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- c. set out asset protection zones or defensible space for all infrastructure as appropriate and the maintenance requirements for those areas;
- d. address the *CFA Guideline for Renewable Energy Installations (2021)*;
- e. establish a primary contact person for the community to contact with bushfire related concerns, questions or issues;
- f. outline all permitted activities and the procedures for undertaking these activities during the ~~Fire Danger Period~~ to ensure they are appropriate having regard to the requirements under the Country Fire Authority Act 1958, including:
 - i. compliance with ~~Total Fire Ban Day~~ restrictions; and
 - ii. obtaining permits for any "hot work" activities;
- g. ~~Ensuring~~ require that all ~~Staff~~ Contractors and site visitors are informed of fire response procedures that follow identified legislative requirements, policies and procedures;
- h. ~~ensuring~~ require that all works undertaken during the declared ~~Fire Danger Period~~ have appropriate permits from ~~Local Government~~ South Gippsland Shire Council and CFA;
- i. ~~ensuring~~ require that all construction and operational works follow appropriate Work Health and Safety requirements;
- j. ~~ensure~~ require that all contractors:
 - i. are appropriately briefed and understand their legal and policy obligations in relation to managing bushfire risks;
 - ii. have appropriate procedures, safe work practices, contingency plans, Material Safety Data Sheets (MSDSs) for operation of all equipment, chemicals, and flammable materials that may contribute to bushfire risk; and
 - iii. have appropriate 'initial' suppression equipment available on site;
- k. ~~implement~~ require that a policy of 'no work' on declared ~~Code Red~~ Fire danger days (or the equivalent as outlined within the Australian Fire Danger Rating System) -be implemented;
- l. ~~provide~~ require that appropriate bushfire training be provided for contractors and staff;
- m. establish emergency assembly areas;
- n. ~~require~~ provision of fire suppression capability including 'slip-ons', in addition to ~~HVP~~ plantation management resources, to enhance response to potential fires in the ~~development~~ wind energy facility area;
- o. ~~require the~~ installation of appropriate signs to assist emergency response crews ~~determine to identify~~ track names, locations, and ~~wind~~ turbines and other infrastructure; and
- p. ~~require the~~ development of policies and procedures that require the following:
 - i. vehicles are not to drive off ~~areas of formed~~ the road surface, hardstand or cleared mineral earth during the fire danger period;
 - ii. upon declaration of a ~~Code Red~~ day (or the equivalent as outlined within the Australian Fire Danger Rating System), ensure the site is made safe; and
 - iii. at each construction site, provide an ~~Emergency~~ information ~~Container~~ that contains

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copies of emergency procedures and site maps.

Fire Protection Design

42. The wind energy facility must include the following ~~bush~~ fire design requirements:
- an Asset Protection Zone around each turbine of a minimum of 50 metres where all vegetation is removed during the fire danger period;
 - security fencing around turbines to prevent public access;
 - fire detection systems, in built fire protection and suppression systems, remote alarming and notification systems in turbines to report potential bushfire risks, including:
 - ensuring the detection system include arc and smoke detection devices installed as per the manufacturer's specifications;
 - installing gas suppression system into the electrical cabinets within the nacelles;
 - connecting the system to the ~~site~~ wind energy facility's Supervisory Control and Data Acquisition (SCADA) system and ensure that upon activation an alert is received at the control room;
 - implement systems ensuring that when multiple alarms are activated, the wind turbine commences an automatic shutdown procedure; and,
 - ensuring other sensors and indicators are understood to assist with the determination of current fire risk;
 - cameras on a selection of wind turbines and/or met masts (anemometers) to support early detection of bushfires across the landscape, noting that:
 - the number and locations of cameras will be determined in accordance with the manufacturer's specifications for camera capability and bushfire landscape assessment to ensure adequate coverage over the ~~project~~ wind energy facility site and immediate surrounds;
 - ensure the firefighting agencies must have ongoing access to the cameras; and
 - develop procedures must be developed that ensure early notification to fire agencies occurs when smoke or flames are detected;
 - lightning conductors to dissipate electricity to ground and reduce turbine damage and bushfire risk;
 - prior to the commencement of construction, install up to the 5 x 100,000 litre static water supply tanks within the wind energy facility site or surrounding area and ensure they are filled;
 - access roads and fire protection systems including Water Supply must be constructed in accordance with the CFA Guideline for Renewable Energy Installations (2021) and maintained throughout the operational life of the ~~project~~ wind energy facility;

Commented [PM115]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM116]: Inserted to clarify that only 5 tanks are required in aggregate across all elements of the Delburn Wind Farm and Terminal Station as was recommended by FRC (rather than an interpretation of 5 tanks under each permit)

Wind Farm Operational Phase Bushfire Mitigation and Management Plan

43. Before the wind ~~energy facility farm~~ commences operation, an Operational Bushfire Mitigation and Management Plan (OBMMP) must be prepared in consultation with the CFA and submitted to and approved by the responsible authority. The OBMMP must be generally in accordance with the CBMMP but modified to outline requirements for safe operation of the wind energy facility and associated facilities including specifically addressing the fire danger period. The plan must address the CFA Guideline for Renewable Energy Installations (2021) and include:

Commented [PM117]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

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- a. prevention, preparedness, response and recovery arrangements;
- b. vegetation management requirements;
- c. a requirement to develop a maintenance regime and undertake regular inspections of all infrastructure in accordance with the manufacturer's specifications;
- d. a requirement to undertake develop bushfire preparedness audits to record all "annual" fire danger season preparedness activities and prevention works;
- e. a requirement to prepare and maintain a communications plan for internal and external stakeholders;
- f. outline the minimum firefighting equipment that is to be provided onsite or readily accessible (as per the OPEMP response plan);
- g. specify staff and contractor bushfire prevention and suppression training requirements that includes the use of firefighting equipment and appropriate personal protective clothing;
- h. specify the minimum maintenance requirement for the Asset Protection Zones (APZs) around wind turbines and other buildings/structures;
- i. specify maintenance requirements for access roads and tracks to meet industry standards for emergency vehicle access;
- j. specify minimum requirements for DWF management staff and contractor vehicles for firefighting water and basic fire suppression equipment during the declared fire danger period;
- k. a requirement to prepare and maintain an induction package for CFA &and HVP plantation workers containing all relevant information on the Wind Farm energy facility operations, including specific bushfire response information;
- l. a requirement to prepare and maintain a maintenance program for the 5 x 100,000 litre static water supplies, that includes water level monitoring and that the outlet is in working order;
- m. a requirement to install Emergency information containers at locations determined in conjunction with CFA that includes information relating to the wind turbines and the emergency procedures;
- n. a requirement to undertake pre fire danger period checks to ensure firefighting equipment is maintained and the water tanks are full;
- o. a requirement to undertake pre fire danger period checks to ensure the static water supplies are full and maintained;
- p. a requirement to ensure the maintenance of the safety systems imposed by *Australian Standard AS3959 - Construction of buildings in bushfire-prone areas* is included within the annual checks and maintenance regime;
- q. a requirement to, in conjunction with HVP the plantation manager, regularly review the 'operational protocols' to ensure they are current and reflect the various stages of the project wind energy facility and the changing bushfire risk as the project development and use progresses;

~~Wind turbine specific operational matters to be added in the OBMMP:~~

- r. operating parameters for the wind turbines that must be adhered to including maximum operating temperature and wind speed;

Commented [PM118]: Clarification of which 'response plan' is relevant

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EMERGENCY PLANNING AND MANAGEMENT

Construction Phase Emergency Management Plans

44. Before development starts, a Construction Phase 'Emergency Management Plan' (CPEMP) that outlines the requirements for working with emergency services and responding to bushfires or other emergencies occurring on the wind ~~farm-energy facility~~ site must be prepared in consultation with the CFA and submitted to and approved by the responsible authority. The plan must outline the procedure for engagement and response with emergency services.

Commented [PM119]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Operational Phase Emergency Management Plan

45. Before the wind energy facility ~~farm~~ commences operation, an Operational Phase Emergency Management Plan (OPEMP) must be submitted to and approved by the responsible authority. The OPEMP must be generally in accordance with the CPEMP but modified to outline requirements for safe operation of the site during the fire danger period. The plan must outline the additional requirements for operating on the site that addresses the *CFA Guideline for Renewable Energy Installations (2021)* and *Australian Standard AS3745: Planning for Emergencies in Facilities*. The plan must include:

Commented [PM120]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

- a. ~~incorporate~~ emergency procedures based on identified risks and hazards at the facility, including but not limited to:
 - i. bushfire/grassfire; and
 - ii. electrical infrastructure faults and fire-~~i~~
- b. the shutdown procedures in the event of a bushfire in the landscape;
- c. remote shut down procedures for turbine operations during bushfires or reported faults, or at the request of ~~the~~ emergency services;
- d. processes to engage with the fire agencies during bushfires to ensure their directions are being complied with;
- e. a description of emergency prevention, preparedness and mitigation activities;
- f. a description of activities for preparing for, and prevention of emergencies (e.g. training and maintenance);
- g. control and coordination arrangements for emergency response (e.g. evacuation procedures, emergency assembly areas and procedures for response to emergencies);
- h. a description of the agreed roles and responsibilities of on-site personnel (e.g. equipment isolation, fire brigade liaison, evacuation management);
- i. a facility description, including infrastructure details, activities and operating hours;
- j. a site plan depicting infrastructure (wind turbines, ~~-~~generators, diesel storage, buildings), site entrances, exits and internal roads; ~~z~~ fire services (water tanks, fire hydrants, fire hose reels) ~~z~~ and neighbouring properties;
- k. up-to-date contact details of facility personnel, and any relevant off-site personnel that could provide technical support during an emergency;
- l. a manifest of dangerous goods (if required under the Dangerous Goods (Storage and Handling) Regulations 2012);
- m. emergency procedures for credible hazards and risks, including grassfire and bushfire;
- n. procedures for notifying the emergency services;
- o. procedures for evacuating personnel;
- p. a fire management plan ~~must be incorporated into the emergency management plan,~~

Commented [PM121]: Redundant text as this sub-condition is all the requirements of the OPEMP

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that includes all of the fire mitigation measures that will be implemented to reduce the risk of fire so far as is reasonably practicable, established through a risk management process. ~~The~~ fire management plan must specifically address:

- i. risk management measures specific to fire (as above); and
- ii. a fuel (vegetation) reduction and maintenance plan/procedure;
- q. procedures to follow when the fire protection systems are activated; and
- r. detail the requirements for an Emergency Information Container to be installed at each road entry to the site and detail the information the container must contain.

Fire Water Resources

46. Fire water access points must be clearly identifiable and unobstructed to ensure efficient access.
47. Any static fire water storage tank(s) must ~~be~~:
 - a. ~~be~~ above ground water tank(s) constructed of concrete or steel;
 - b. ~~be~~ capable of being completely refilled automatically or manually within 24 hours;
 - c. ~~be~~ located at vehicle entrances to the facility and must be positioned at least 10m from any infrastructure (electrical substations, inverters etc.);
 - d. ~~be~~ provided with a hard-suction point, with a 150mm full bore isolation valve, equipped with a Storz connection, sized to comply with the required suction hydraulic performance. ~~(Adapters that may be required to match the connection are 125mm, 100mm, 90mm, 75mm, 65mm Storz tree adapters with a matching blank end cap provided).~~ The hard- suction point must be:
 - i. positioned within four (4) metres to a hardstand area and provide a clear access for emergency services personnel; and
 - ii. protected from mechanical damage (i.e. bollards) where necessary;
 - e. ~~have~~ an all-weather road access and hardstand must be provided to the hard-suction point. The hardstand must be maintained to a minimum of 15 tonne GVM, eight (8) metres long and six metres wide or to the satisfaction of the CFA;
 - f. ~~ensure~~ the road access and hardstand ~~must~~ be kept clear at all times;
 - g. ~~provide~~, where the access road has one entrance, a ten (10) metre radius turning circle ~~must be provided~~ at the tank;
 - h. ~~have~~ an external water level indicator must be provided to the tank and be visible from the hardstand area;
 - i. signage indicating 'FIRE WATER' and the tank capacity must be fixed to each tank; and
 - j. ~~provide~~ signage ~~must be provided~~ at the front entrance to the ~~wind energy~~ facility, indicating the direction to static water tank(s). Signage must be to the satisfaction of CFA.

Fuel/Vegetation Management

48. Fire break(s) must:
 - a. ~~At the perimeter, commence from the boundary of the facility or from the vegetation screening (landscape buffer) inside the property boundary.~~
 - b. ~~a.~~ ~~Be~~ constructed using either mineral earth or non-combustible mulch such as crushed rock.

Commented [PM122]: Conditions 47 and 48 are not part of the OPEMP so should have their own header for clarity

Commented [PM123]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM124]: This is a requirement of solar and BESS facilities, but not wind energy facilities

It formed part of the Panel's recommended conditions but it is not clear where this has arrived from (other than a section of the CFA guidelines which is not relevant for WEFs)

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~~e.b.~~ ~~B~~bbe free of vegetation, including grass, at all times; ~~and~~

~~d.c.~~ ~~B~~bbe free of all combustible and extraneous materials at all times (e.g., this area must not be used for the storage of materials or the placement of infrastructure of any kind).

49. Surrounding each wind turbine, the wind ~~farm~~energy facility operator must undertake the following fuel management measures during the ~~F~~ire ~~D~~anger ~~P~~period:
- ~~P~~rovision of an Asset Protection Zone around each turbine of a minimum of 50 metres where all vegetation is removed during the fire danger period;
 - ~~A~~ll leaves and vegetation debris must be removed at regular intervals during the declared fire danger period;
 - ~~L~~ong grass and/or deep leaf litter must not be present in areas where plant and heavy equipment will be working;
 - ~~T~~here must be a clearance of at least two (2) metres between the lowest branches and ground level where trees are located within an area of defendable space/Asset Protection Zone; and
 - ~~T~~he canopy of any trees must be separated by at least 5 metres.
50. All plant and heavy equipment must carry at least a 9-litre water stored-pressure fire extinguisher with a minimum rating of 3A, or firefighting equipment as a minimum when on-site during the ~~F~~ire ~~D~~anger ~~P~~period.
51. Maintenance and repair activities that involve flame cutting, grinding, welding or soldering (hot works) must be performed under a 'hot work permit' system or equivalent hazard or risk management process.

Bushfire Risk Familiarisation

52. ~~Prior to commissioning the wind energy facility, operators are to offer a familiarisation visit and explanation of emergency procedures to CFA (including local brigades), the plantation manager, FRV, CFA (including local brigades), FRV and any other relevant emergency services.~~ Information on the specific hazards and fire suppression requirements of the wind energy facility should be provided during this visit. Arrangements must be made for site familiarisation with the local brigades prior to commissioning of facilities to confirm access arrangements, fire suppression and detection systems, and contact information for at least two persons who may be able to provide information or support during emergencies (24 hours a day).
53. A schedule for ongoing site familiarisation to account for changing personnel, wind energy facility infrastructure and hazards should be developed in conjunction with the local CFA brigade.
54. An annual emergency exercise must be conducted at the wind energy facility, with an invitation extended to the local CFA brigades to participate.
55. Staff operating and/or working within this wind energy facility are required to be trained in:
- facility and operational risks and hazards;
 - facility emergency management roles, responsibilities and arrangements;
 - the use of any fire-fighting equipment where there is an expectation for staff to undertake first aid firefighting;
 - the storage, handling and emergency procedures for dangerous goods at the facility; and

Commented [PM125]: A number of minor edits to sub clauses to improve readability as consented to by CFA (see correspondence provided)

Commented [PM126]: Future proofing in event of a change in land ownership

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e. the location of first aid facilities and application of first aid equipment.

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

COMPLAINTS

Complaint Investigation and Response Plan

57. Before development starts a Complaint Investigation and Response Plan must be submitted to, approved and endorsed by the responsible authority. When endorsed the plan will form part of this permit.
58. The Complaint Investigation and Response Plan must:
- a. respond to all aspects of the construction and operation of the wind ~~farm~~ energy facility;
 - b. be prepared in accordance with *Australian/New Zealand Standard AS/NZS 10002:2014 – Guidelines for complaint management in organisations*; and
 - c. include a process to investigate and resolve complaints (different processes may be required for different types of complaints).
59. The endorsed Complaint Investigation and Response Plan must:
- a. be implemented to the satisfaction of the responsible authority; and
 - b. not be altered or modified without the written consent of the responsible authority.

Publishing information about complaints handling

60. Before the development starts, the following information must be made publicly available and readily accessible from the wind energy facility ~~farm project~~ website, or another publicly available resource to the satisfaction of the responsible authority:
- a. a copy of the endorsed Complaints Investigation and Response Plan; and
 - b. a toll-free telephone number and email contact for complaints and queries to the wind energy facility operator.

Complaints Register

61. Before development starts, a Complaints Register must be established which records:
- a. the complainant's name and address (if provided), including (for noise complaints) any applicable property reference number;
 - b. a receipt number for each complaint, which must be communicated to the complainant;
 - c. the time and date of the incident, and the prevailing weather and operational conditions at the time of the incident;
 - d. a description of the complainant's concerns; and
 - e. the process for investigating the complaint, and the outcome of the investigation, including:
 - i. the actions taken to resolve the complaint; and
 - ii. for noise complaints, the findings and recommendations of an investigation report undertaken in accordance with EPA requirements.
62. All complaints received must be recorded in the Complaints Register.
63. A complete copy of the Complaints Register along with a reference map of complaint locations must be provided to the responsible authority on each anniversary of the date of this permit,

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and at other times on request.

DECOMMISSIONING

64. The following requirements must be met when a turbine(s) permanently ceases operation:
- the responsible authority must be notified within two (2) months after the turbine(s) permanently ceases operation;
 - prior to commencing decommissioning works, a Decommissioning Traffic Management Plan must be submitted to, approved and endorsed by the responsible authority. The plan must specify measures to manage traffic impacts associated with removing the wind turbine(s) and associated infrastructure from the site, to the satisfaction of the responsible authority;
 - all above ground infrastructure, plant, equipment and access tracks that are no longer required for the ongoing use of the land or decommissioning of the wind energy facility must be removed;
 - reinstatement of the site, or the relevant part of the site, to the condition it was in prior to the commencement of development must occur to the satisfaction of the responsible authority; and
 - a resource recovery plan must be prepared, submitted and approved by the responsible authority, which includes details of materials that can be recovered, for re-use and recycling, from all infrastructure associated with the wind energy facility.

Commented [PM127]: Clarification that the removal of infrastructure is only that which is above ground and that which is no longer required for the ongoing use of the land (consistent with the terms agreed with the landowner, HVP)

SPATIAL INFORMATION AND EMERGENCY RESPONDERS

65. Before development starts, the permit holder must provide spatial information data to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au to be used to direct emergency services to and within the site. This information must be in the ESRI Shapefile or Geodatabase .gdb format, GDA94 or GDA2020 datum and include:
- ~~The~~ the location and boundaries of the wind ~~farm~~ energy facility extents polygon(s);
 - ~~Tower~~ wind turbine location and name/number;
 - ~~All~~ access entry points onto private property;
 - ~~All~~ Internal roads that lead to the individual ~~towers~~ wind turbines; and
 - ~~The~~ the locations of site compound, substations, maintenance facilities, and anemometers.
66. If there are any subsequent changes to turbine location, internal roads or access points during construction, or after completion of construction, updated data must be provided to Land Use Victoria via email Vicmap.help@delwp.vic.gov.au within 30 days of the change, to enable details of any changes to the wind energy facility to be known to emergency services dispatchers.

Commented [PM128]: Note to DTP to check address following MOG change

Commented [PM129]: Note to DTP to check address following MOG change

EXPIRY

67. This permit will expire if one of the following applies:
- the development is not started within 5 years of the date of this permit;
 - the development is not completed within 10 years of the date of this permit; or
 - the use is not commenced within 10 years of the date of this permit.

PERMIT NOTES

1. The use and development of land permitted by this permit forms part of the Delburn Wind

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Farm, which is covered by three planning permits for the wind energy facility and a related planning permit for a utility installation (terminal station):

- a. PA2001063 – Wind Energy Facility (Latrobe);
- b. PA2001064 – Wind Energy Facility (Baw Baw);
- c. PA2001066 – Wind Energy Facility (South Gippsland); and
- d. PA2001065 – Utility Installation (Latrobe).

Commented [OA130]: Added for clarity around this permit forming part of a development covered by multiple permits

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