

Planning and Environment Regulations 2015
Form 4

SECTION 63, 64, 64A AND 86

**PLANNING
PERMIT**

Permit No.: PA1900604

Planning Scheme: Moyne

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

WARRUMYEA ROAD PANMURE VIC 3265

- Lot 1 TP446350V VOLUME 02127 FOLIO 322

TAPPS LANE NOORAT VIC 3265

- Lot 1 TP956967G VOLUME 11557 FOLIO 814
- Lot 1 TP446362N VOLUME 02168 FOLIO 552
- Lot 2 TP956968E VOLUME 11556 FOLIO 430
- Lot 2 TP446362N VOLUME 02168 FOLIO 552

LONDRIGANS LANE KOLORA 3265

- Lot 1 TP956968E VOLUME 11556 FOLIO 430
- Lot 2 PS080636 VOLUME 08719 FOLIO 873

TAPPS LANE KOLORA VIC 3265

- Lot 1 TP761875X VOLUME 08861 FOLIO 903
- Lot 4 PS412947M VOLUME 10390 FOLIO 722
- Lot 1 PS412947M VOLUME 10390 FOLIO 719

456 GRINTERS LANE KOLORA VIC 3265

- Lot 2 PS209050M VOLUME 09770 FOLIO 111
- GRINTERS LANE KOLORA 3265
- Lot 2 TP395362T VOLUME 11187 FOLIO 637

Road Reserves:

- Sisters-Noorat Road
- Cliffords Lane
- Chamallak Lane
- Tapps Lane

THE PERMIT ALLOWS:

Use and development of a utility installation, and removal of native vegetation.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

Development plans

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

Native vegetation

2. The native vegetation permitted to be removed, destroyed or lopped under this permit is 2.421 hectares of native vegetation, as described in Appendix 3.2 (NVR Report) of *Biodiversity Assessment: Mortlake South Wind Farm Underground Transmission Line* (Ecology and Heritage Partners, June 2019). The removal of vegetation must only be to the minimum extent necessary to allow the installation of the transmission line.
3. To offset the removal of 2.421 hectares of native vegetation, the permit holder must secure the following native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017):
 - i. A general offset of 0.526 General Habitat Units:
 - ii. located within the Glenelg Hopkins Catchment Management Authority or Moyne Shire Council
 - iii. with a minimum Strategic Biodiversity Value of at least 0.256.
4. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
 - 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.
5. 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 Department of Environment, Land, Water and Planning Barwon South West regional office via BSW.planning@delwp.vic.gov.au.
6. Within 6 months of the conclusion of the permitted clearing of native vegetation under this permit, the offset requirements can be reconciled with the written agreement of the responsible authority and DELWP.

Construction Environment Management Plan

7. Before any works start, a Construction Environment Management Plan must be prepared to the satisfaction of the responsible authority and DELWP. When approved, the plans will be endorsed and will form part of this permit. The plan must:
 - a. be generally in accordance with the *Biodiversity Assessment: Mortlake South Wind Farm Underground Transmission Line* (Ecology and Heritage Partners, July 2019),
 - b. describe measures to minimise the amenity and environmental impacts of the construction, operation and decommissioning of the facility,
 - c. be in accordance with all relevant Environmental Protection Authority (EPA) requirements and guidelines,
 - d. include the locations (detailing setbacks from native vegetation and waterways) of any staging areas, including, but not limited to, facilities such as site huts, sanitary facilities and laydown areas for plant and material. All staging areas must be restricted to existing cleared areas close to existing roads and tracks, and must not adversely

impact upon native vegetation. Such sites must not be located on native vegetation and waterways,

- e. include pollution management measures for stored and stockpiled materials including hazardous materials, waste and any other potential contaminants,
 - f. include measures to control sediment laden runoff, including but not limited to the installation of geo-textile silt fences on all drainage lines from the site which are likely to receive run-off from disturbed areas, and revegetating exposed areas as soon as practicable,
 - g. Include measures to minimise the establishment and spread of weeds and pathogens during and following construction,
 - h. include identification of native vegetation to be retained and describe measures to be used to protect the vegetation during construction. These measures must include the erection of a protective fence around all retained native vegetation, to the satisfaction of the responsible authority, including the Tree Protection Zones of all retained native trees. All Tree Protection Zones must comply with AS 4970-2009 Protection of Trees on Development Sites, to the satisfaction of the responsible authority,
 - i. include a clear purpose, roles and responsibilities, communication methods, implementation timetable, incident response protocols and auditor/monitoring schedule for the EMP and each sub plan,
 - j. include a Fauna Management Plan, which outlines:
 - Management and mitigation measures to address impacts to fauna utilising remnant native vegetation;
 - Procedures for covering trenches and holes at night, and filling trenches as soon as practicable after excavation to protect native fauna;
 - Management and mitigation measures to address other impacts to native fauna, including impacts to the Growling Grass Frog;
 - Installation of silt fencing upstream of the potential Growling Grass Frog habitat in order to prevent frogs entering the construction zone, as identified on Figure 2I in the *Biodiversity Assessment: Mortlake South Wind Farm Underground Transmission Line* (Ecology and Heritage Partners, July 2019);
 - Induction procedures for construction staff on the identification of Growling Grass Frog and procedures should the species be identified during construction;
 - Salvage and relocation protocol for the Growling Grass Frog.
8. The use and development of the wind energy facility must be carried out in accordance with the endorsed Environment Management Plan to the satisfaction of the Responsible Authority.

Traffic management

9. Before development starts, a Traffic Management Plan must be prepared to the satisfaction of, and endorsed by, Moyne Shire Council, Corangamite Shire Council, and VicRoads. Once endorsed, the Plan will form part of the permit.

The Traffic Management Plan must be prepared by a suitably qualified and experienced independent civil or traffic engineer, and must include:

- a. Detail potential traffic-related impacts (including on road users) as a result of the proposed use and development, and detail proposed mitigation measures.
- b. Nominated access points for vehicles and plant to the transmission cable

- alignment, including areas for loading and unloading of bulk quarry materials;
- c. Nominated haulage routes for the movement of bulk quarry materials to the site, and for the removal of bulk spoil from the site;
 - d. Estimated start and end date for the use of each haulage route, and if these dates are altered, Moyne Shire Council, Corangamite Shire Council, and VicRoads must be notified of the alternative dates as soon as practicable;
 - e. Estimated heavy vehicle traffic volumes for each route, expressed as two-way trips;
 - f. Estimated light traffic and workforce vehicles and designated parking areas for such vehicles.
 - g. Delineation of areas of road reserve which are not to be disturbed and how this will be managed.
 - h. The frequency of inspection and reporting for the Road Quality Auditor to VicRoads, Moyne Shire Council and Corangamite Shire Council;
 - i. Timeframes for repair of any damage, to be in accordance with the VicRoads or relevant Council Roads Management Plan;
 - j. A pre-haulage pavement condition survey for nominated routes;
 - k. A requirement for a post-haulage pavement condition survey for nominated routes.
10. All costs associated with traffic management and road maintenance works must be borne by the permit holder.
 11. The monitoring and maintenance of roads identified in the traffic management plan must be completed to the satisfaction of a suitable road quality auditor. The auditor must be to the satisfaction of Moyne Shire Council, Corangamite Shire Council, and VicRoads.
 12. A copy of the endorsed Traffic Management Plan must be provided to the Minister for Planning.
 13. The endorsed Traffic Management Plan must be implemented to the satisfaction of Moyne Shire Council, Corangamite Shire Council, and VicRoads. The endorsed Traffic Management Plan must not be altered or modified without the written consent of Moyne Shire Council, Corangamite Shire Council, and VicRoads.

Expiry

14. This permit will expire if one of the following circumstances applies:
 - a. the development is not started within two years of the date of this permit.
 - b. the development is not completed within four years of the date of this permit.
15. The responsible authority may extend the permit if a request is made in writing:
 - a. prior to the expiry of the permit, or
 - b. within 12 months after the permit expires and the development or a stage of the development started lawfully before the permit expired.



Signature for the Minister

Date issued: 12 / 12 / 19

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

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

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

WHEN DOES A PERMIT BEGIN?

A permit operates—

- * from the date specified in the permit; or
 - * if no date is specified, from the date on which it was issued.
-

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
 2. A permit for the use of land expires if—
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use is discontinued for a period of two years.
 3. A permit for the development and use of land expires if—
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - * the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - * the use is discontinued for a period of two years.
 4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
 5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.
-

WHAT ABOUT REVIEWS?

- * The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- * An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- * An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- * An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- * An application for review must state the grounds upon which it is based.
- * A copy of an application for review must also be served on the responsible authority.
- * Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.