

**PLANNING
PERMIT**

Permit No.: PA1600131BA

Planning scheme: Corangamite

Responsible authority: Minister for Planning

ADDRESS OF THE LAND:

464 Boundary Road, Timboon

THE PERMIT ALLOWS:

Use and development of land for a Wind energy facility and associated buildings and works, including a permanent anemometer and earthworks.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

DEVELOPMENT PLANS

1. Before the development starts, development plans must be prepared to the satisfaction of the responsible authority. When approved, the plans will be endorsed by the responsible authority and will then form part of this permit. The plans must be fully dimensioned, drawn to a scale and three copies must be provided to the responsible authority. The plans must be generally in accordance with the *'Planning Permit Application Timboon West Wind Farm (July 2016)*, but modified (where required) to show:
 - a. Turbine specifications including:
 - i. details of the model and capacity of the turbines to be installed.
 - ii. elevations and dimensions of the turbines, including overall maximum and minimum height of turbines to the tip of the rotor blade when vertical, and base diameter at ground level, including tower and concrete base.
 - iii. materials and finishes of the turbines.
 - iv. global positioning system coordinates using WGS84 datum for the centre of each turbine at ground level.
 - v. distance from the centre of each turbine to the nearest boundary of the wind energy facility site, and each dwelling (if any) within 1 km of the turbine.
 - b. The staging area located 30 metres further north from the identified drainage line.
 - c. The location, setbacks to property boundaries, layout and dimensions of all works including site entrances, access tracks, power cable routes, any designated car parking areas, and ancillary works such as firefighting infrastructure and water tanks.

- d. The locations, elevations, dimensions, materials and finishes of all buildings, including any temporary concrete batching plant(s).
 - e. The location, elevations and dimensions of any permanent anemometers.
 - f. Any staging of the permitted development.
2. Despite any other condition of this permit, no plans will be endorsed by the responsible authority, and no variation to the endorsed plans will be approved by the responsible authority, which allow a turbine to be located within 1 kilometre of a dwelling that existed on 27 July 2016 (measured from the centre of the turbine at ground level to the closest point of the dwelling) unless evidence has been provided to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine.

Layout not to be altered without consent

3. Except as permitted under condition 5, and subject to condition 4, the use and development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.
4. The responsible authority will not consent to an alteration or modification of the use and development as shown on the endorsed plans under condition 3 unless the responsible authority is satisfied that the alteration or modification will not give rise to an unreasonable adverse change to assessed landscape, vegetation, cultural heritage, visual amenity, shadow flicker, noise, fire risk or aviation impacts.

Any application for the consent of the responsible authority for an alteration or modification to the endorsed plans under condition 3 must be accompanied by supporting material addressing the matters referred to in this condition, to the satisfaction of the responsible authority.

MICRO-SITING OF TURBINES

5. Micro-siting of turbines (as defined in this condition) is permitted without the need for consent under condition 3 provided that:
- a. the developer of the wind energy facility has written advice from appropriately qualified experts that the alteration or modification will not result in material adverse change in landscape, vegetation, fauna, cultural heritage, visual, shadow or noise impacts compared to the endorsed plans;
 - b. No turbine located more than a kilometre from a dwelling is moved to within 1 km of a dwelling that existed on 27 July 2016 and which was not the subject of written consent of the owner as at that date, unless evidence has been provided to the satisfaction of the responsible authority that the owner of the dwelling has consented in writing to the location of the turbine;
 - c. The micro-siting does not result in the removal of native vegetation, unless that removal has been authorised by a planning permit.

The measurement of any distance between a dwelling and a turbine must be from the centre of the turbine tower at ground level to the closest point of the dwelling.

For the purpose of this condition, 'micro-siting of turbines' means:

- i. an alteration to the siting of a turbine by not more than 100 metres; and
- ii. any consequential changes to access tracks, internal power cable routes and other related infrastructure.

Plans and global positioning system coordinates of the relocated turbines and copies of the advice referred to in condition 5(a) must be provided to the responsible authority.

SPECIFICATIONS

6. The wind energy facility must meet the following requirements, unless varied by the written consent of the responsible authority:
 - a. The wind energy facility must comprise no more than 3 turbines.
 - b. The overall maximum height of the turbines (to the tip of the rotor blade when vertical) must not exceed 150 metres above natural ground level.
 - c. The lowest point of the swept path of a turbine blade must not be less than 24 metres above natural ground level at the turbine base.
 - d. Turbines must be mounted on a tubular tower.
 - e. Each turbine is to have not more than three rotor blades.
 - f. The transformer associated with each wind generator must be located beside each tower and pad mounted, or enclosed within the tower structure.
 - g. The colours and finishes of all buildings and works (including turbines) must be non-reflective such as to minimise the visual impact of the development on the surrounding area,

LANDSCAPING

On-site landscaping plan

7. Before the development starts, an on-site landscaping plan must be prepared to the satisfaction of the responsible authority. The plans must be fully dimensioned, drawn to a scale and three copies must be provided. When approved, the plan will be endorsed by the responsible authority and will then form part of this permit.

The on-site landscaping plan must include:

- a. landscaping to screen the control building (other than the turbines);
- b. details of plant species proposed to be used in the landscaping, including height and spread at maturity;
- c. a timetable for implementation of all on-site landscaping works;
- d. maintenance and monitoring program to ensure the ongoing health of the landscaping.

The landscaping as shown on the endorsed on-site landscaping plan must be completed in accordance with the implementation timetable, and monitored and maintained, all to the satisfaction of the responsible authority.

Off-site landscaping program and plan

8. Within six months after the date of endorsement of the development plans under condition 1, an off-site landscape program must be prepared by the permit holder and submitted for endorsement by the responsible authority.

Once endorsed, the off-site landscape program must be completed to the satisfaction of the responsible authority.

9. The off-site landscaping program must have the objective of reducing the visual impact of turbines from all non-participant dwellings within 4 kilometres of a turbine, and must provide:
 - a. Details of all dwellings within 4 kilometres of the nearest turbine;
 - b. A methodology to ascertain the extent of landscaping to be offered to dwelling owners relating to the visibility of turbines from their dwellings;
 - c. Details of typical plant types, including height and spread at maturity, and maturity of stock at planting stage; a method for calculating the cost of undertaking and maintaining the off-site

landscaping for two years, and arrangements for alternative arrangements if landowners wish to source their own plants and do their own landscaping;

- d. The method used and number of attempts to make offers for off-site landscaping to landholders;
- e. The time limit that offers are subject to; and
- f. Details of how evidence of offers to landscape dwellings under this condition are to be recorded, to ensure records can be provided to demonstrate the condition has been discharged.

The permit holder must make progress reports on the off-site landscaping program available on request by the responsible authority.

NOISE

Pre-construction assessment

- 10. Before development starts, a pre-construction noise assessment must be undertaken to reflect the final turbine layout and turbine model chosen. The pre-construction noise assessment shall be prepared by a suitably qualified and experienced independent acoustic engineer to demonstrate that the wind energy facility will comply with the relevant noise limits specified in this permit, to the satisfaction of the responsible authority.
- 11. The pre-construction noise assessment must be accompanied by a report from an environmental auditor appointed under the *Environment Protection Act 1970* with their opinion on the methodology and results contained in the pre-construction noise assessment. If a suitable auditor cannot be engaged, the proponent may seek the written consent of the Minister for Planning to obtain an independent peer review of the pre-construction noise assessment instead.

Performance requirement

- 12. The operation of the wind energy facility must comply with New Zealand Standard 6808:2010, Acoustics – Wind Farm Noise (the Standard) as modified by this condition to the satisfaction of the responsible authority. The following requirements apply:
 - a. The operator must ensure that at any wind speed, wind farm sound levels at noise sensitive locations (as defined in the Standard) do not exceed a noise limit of 40dB L A90 (10 min), provided that where the circumstances specified in condition 12(b) apply, the noise limit of 40dB L A90 (10 min) will be modified as specified in condition 12(b).
 - b. At the specified assessment positions referred to in condition 13(b), the noise limit of 40dB L A90 (10 min) referred to in condition 12(a) will be modified in the following way when the following circumstances exist:
 - i. where the background sound level is greater than 35 dB L A90 (10 min), the noise limit will be the background sound level L A90 (10 min) plus 5 dB;
 - ii. where special audible characteristics, including tonality, impulsive sound or enhanced amplitude modulation occur, the noise limit will be modified by applying a penalty of up to + 6 dB L90 in accordance with section 5.4 of the Standard;
 - iii. where a high amenity noise limit has been found to be justified, as defined by section 5.3 of the Standard, for specific location determined to be high amenity areas following procedures outlined in clause C5.3.1 of the Standard.
 - iv. Where a higher base noise limit is agreed between the wind farm operator and a dwelling owner, a written agreement shall be obtained from the dwelling owner and evidence of the agreement must be provided to the satisfaction of the responsible authority.

Noise compliance assessment

- 13. For the purposes of determining compliance, the following requirements apply:
 - a. Acoustic compliance reports shall be prepared by a suitably qualified and experienced independent acoustic engineer to demonstrate compliance with the noise limits specified in the

Standard.

- b. Noise assessment positions must be located according to the Standard, and shown on a map.
 - c. A final compliance report must be submitted to the responsible authority after a 12 month period following full operation of the facility.
 - d. All noise compliance reports must be accompanied by a report from an environmental auditor appointed under the *Environment Protection Act 1970* with their opinion on the methodology and results contained in the noise compliance testing plan. If a suitable auditor cannot be engaged, the proponent may seek the written consent of the Minister for Planning to obtain an independent peer review of the noise report instead.
 - e. Compliance reports must be publically available.
14. Following commissioning of the first turbine, all noise complaints shall be managed following the procedures set out in the noise complaints evaluation plan and complaints response plan.

Noise complaints evaluation

15. For the purposes of complaints evaluation, the following requirements apply:
- a. Post installation sound levels shall, where practical, be measured at the same locations where the background sound levels were determined (GPS coordinates and a map showing these locations is to be provided).
 - b. If a potential non-compliance with condition 12 is detected, or an acoustic investigation is required under the Complaints Investigation and Response plan endorsed under condition 16, an independent assessment report must be prepared by a suitably qualified and experienced independent acoustic engineer to:
 - identify the weather and operational conditions associated with the complaint / potential non-compliance.
 - analyse the uncertainty and confidence levels in the monitoring, and the steps taken to reduce uncertainty.
 - target assessment to identify the cause and remediation actions.
 - submit a remediation plan to the satisfaction of the responsible authority outlining, the investigation process, complainant communications, actions and timelines to resolve the complaint / potential non-compliance.
 - If the complaint is not resolved through the processes outlined above, the responsible authority may request an independent peer review at the cost of the permit holder and on/off shut down testing to resolve uncertainty.
 - c. Following the initial post-construction reporting process, additional independent assessment may be requested by the responsible authority at any time, where complaints are received and are considered to reasonably warrant investigation.
 - d. If investigations indicate special audible characteristics are occurring, procedures outlined in Appendix B of the Standard should be applied.

COMPLAINT INVESTIGATION AND RESPONSE PLAN

16. Before the development starts, the permit holder must prepare a Complaint Investigation and Response plan to the satisfaction of the responsible authority. When approved, the plans will be endorsed by the responsible authority and will then form part of this permit. The complaint investigation and response plan will be designed to respond to all aspects of the wind farm including (but not limited to): operation noise, construction noise, construction impacts, traffic, shadow flicker.
17. The endorsed complaints investigation and response plan must be publicly available on the wind

farm operators website.

18. The plan must be prepared in accordance with Australian/New Zealand Standard AS/NZS 10002:2014 – *Guidelines for complaint management in organisations* and shall include:
- a process of investigation to resolve a complaint
 - a requirement that all complaints will be recorded in an incidents register
 - how contact details will be communicated to the public
 - a toll free telephone number and email contact for complaints and queries
 - details of the appropriate council contact telephone number and email address (where available)
 - a table outlining complaint information for each complaint received, including:
 - the complainant’s name
 - any applicable property reference number if connected to a noise background testing location
 - the complainant’s address
 - a receipt number for each complaint which is to be communicated to the complainant
 - the time, prevailing conditions and description of the complainant’s concerns including the potential incidence of special audible characteristics (for a noise complaint)
 - the processes of investigation to resolve the complaint.
19. A report including a reference map of complaint locations, and outlining complaints, investigation and remediation actions is to be provided on an annual basis to the satisfaction of the responsible authority.
20. The register and complaints response process shall continue for the duration of the operation of the wind energy facility and must be made available to the responsible authority on request.
21. The owner of the wind energy facility must implement and comply with the approved Complaint, Investigation and Response Plan for the duration of the operation of the wind energy facility.

BLADE SHADOW FLICKER

Performance requirement

22. Shadow flicker from the wind energy facility must not exceed 30 hours per annum at any dwelling existing at 27 July 2016. Any dwelling may be exempt from this condition. This exemption will be given effect through a written agreement with the landowner of the dwelling and evidence of the agreement must be provided to the satisfaction of the responsible authority.

TELEVISION AND RADIO RECEPTION AND INTERFERENCE

23. Before the development starts, a pre-construction survey must be carried out to determine television and radio reception strength in the area within 5 km of the site and in which dwellings are located as at 27 July 2016, to the satisfaction of the responsible authority.

The pre-construction survey must include testing at selected locations to enable the average television and radio reception strength in the area within 5 kilometres of the site to be determined. The specific locations of testing will be determined by an independent television and radio monitoring specialist, to the satisfaction of the responsible authority.

24. If, following commencement of the operation of the wind energy facility, a complaint is received regarding the wind energy facility having an adverse effect on television or radio reception at any dwelling within 5 km of the site which existed at 27 July 2016, a post-construction survey must be carried out at the dwelling.

25. If the post-construction survey establishes any increase in interference to reception as a result of the wind energy facility, the operator of the wind energy facility must undertake measures to mitigate the interference and return the affected reception to pre-construction quality, to the satisfaction of the responsible authority.

ACCESS TRACKS

26. Access tracks within the site must be sited and designed to minimise impacts on overland flows, soil erosion, the landscape value of the site, cultural heritage sites, environmentally sensitive areas and, where appropriate, the farming activities on the site, to the satisfaction of the responsible authority.
27. Access tracks must be surfaced in a manner which does not unduly contrast with the surrounding landscape.

LIGHTING

28. External lighting of infrastructure associated with the wind energy facility is not permitted other than:
- a. lighting for construction purposes;
 - b. lighting necessary in the case of an emergency or for operational call-outs at reasonable times;
 - c. each of which must be to the satisfaction of the responsible authority.
29. No aviation obstacle lighting is permitted except with the written consent of the responsible authority.

AVIATION SAFETY CLEARANCES

30. Within 30 days of the endorsement of plans under condition 1, copies of the development plans endorsed under condition 1 must be provided to the following entities, to enable details of the wind energy facility to be shown on aeronautical charts of the area:
- a. CASA;
 - b. the Department of Defence (RAAF Aeronautical Information Service);
 - c. Airservices Australia;
 - d. any aerodrome operator within 15 km of the outside property boundaries of the site;
 - e. the Aerial Agriculture Association of Australia;
 - f. Western Aerial Agriculture;
 - g. any organisation responsible for providing air ambulance services in the area; and
 - h. Agencies responsible for aerial firefighting.

TRAFFIC MANAGEMENT

Traffic management plan

31. Before the development starts, a traffic management plan prepared by a suitably expert must be endorsed by the responsible authority. The traffic management plan is to be prepared in consultation with VicRoads and Corangamite Council in their capacity as road authorities under the *Road Management Act 2004* for local public roads in the vicinity of the wind energy facility. The traffic management plan must be to the satisfaction of the responsible authority. When approved, the traffic management plan will be endorsed by the responsible authority. The traffic management plan must be complied with, unless varied by the written consent of the responsible authority.

The traffic management plan must include:

- a. a nominated route for traffic accessing and departing the site
- b. an existing conditions survey of public roads that may be used in connection with the

- wind energy facility (for access, pre-construction or construction purposes), including details of the suitability, design, condition and construction standard of the relevant public roads
- c. the designation of all vehicle access points to the site from surrounding roads. Vehicle access points must be designed and located to ensure safe sight distances, turning movements, and avoid potential through traffic conflicts
 - d. the designation of appropriate pre-construction, construction and transport vehicle routes to and from the site
 - e. details of when the engineering plans are to be prepared and submitted to the Responsible Authority for approval. When submitted the engineering plans must demonstrate whether, and if so how, truck movements to and from the site can be accommodated on sealed roadways and turned without encroaching onto the incorrect side of the road.
 - f. details of when recommendations regarding the need for road and intersection upgrades to accommodate any additional traffic or site access requirements (whether temporary or ongoing) will be provided to the Responsible Authority, including, where upgrades are required, when the engineering plans are to be submitted to the Responsible Authority for approval. The engineering plans (if required) must:
 - i. show the required works
 - ii. outline the timing of when the works are to be undertaken
 - g. a program of regular inspections to be carried out during the construction of the wind energy facility to identify maintenance works necessary as a result of construction traffic
 - h. the designation of operating hours and speed limits for trucks on routes accessing the site which:
 - i. avoid school bus routes and school bus times where relevant
 - ii. provide for resident safety
 - iii. give consideration to agricultural practices and the use of agricultural machinery on roads in the vicinity of the development.
 - i. measures to be taken to manage traffic impacts associated with the ongoing operation of the wind energy facility on the traffic volumes and flows on surrounding roads
 - j. the number of anticipated vehicle movements and hours of travel
 - k. a program to rehabilitate existing public roads to the condition identified by the surveys required under condition 31b above:
 - i. at the conclusion of the construction of the wind energy facility
 - ii. every [five] years during the operation of the wind energy facility (if required).
 - l. Measures to be taken for works or activities within the road reserve, and details of those proposals.

Traffic management and road upgrade and maintenance works

32. The traffic management and road upgrade and maintenance works identified in the endorsed traffic management plan must be carried out in accordance with the endorsed traffic management plan to the satisfaction of the responsible authority.
33. Upon completion of construction activities the permit holder must reinstate any damage to local roads caused by truck traffic, associated with construction related to the project to the satisfaction of the responsible authority and at no cost to council.
34. Before the development starts, a maintenance bond/bank guarantee to the value of 5 per cent of the cost of the road upgrade and maintenance works shall be submitted to the Corangamite Shire

Council to be held for a period of 12 months from the date of practical completion of the works. Prior to the release of the bond/bank guarantee the permit holder must provide an independent report that certifies that the roads are in a satisfactory condition.

ENVIRONMENTAL MANAGEMENT PLAN

General requirement for an environmental management plan

35. Before the development starts, an environmental management plan must be prepared, to the satisfaction of the responsible authority. When approved, the environmental management plan will be endorsed by the responsible authority and will then form part of this permit. Once endorsed the permit holder must publish the plan on their website. The environmental management plan:
- must be generally in accordance with the *Planning Permit Application Timboon West Wind Farm, Volume 1, 2 and 3 (July 2016)*;
 - must be prepared in consultation with the agencies specified in conditions 36 to 44 or any other agency as directed by the responsible authority;
 - may be prepared in sections or stages;
 - must be in accordance with all applicable EPA requirements;
 - should contain all storm water runoff within the development site.
 - must meet the requirements of conditions 36 to 44 below.
36. The use and development must be carried out in accordance with the endorsed environmental management plan, to the satisfaction of the responsible authority.

Construction and Work Site Management Plan

37. The environmental management plan must include a construction and work site management plan. The construction and work site management plan must include:
- the identification of fuels, other hazardous materials and all other potential contaminants stored or used on site during the construction phase of the wind energy facility, and appropriate storage, construction and operational methods to control any identified contamination risks;
 - procedures for managing potential spills and leaks and pollution incidents, including incorporation of appropriate pollution control measures outlined in EPA Publication 480 *Environmental Guidelines for Major Construction Sites*;
 - procedures to suppress dust emissions from construction-related activities. Appropriate measures may include water spraying of roads and stockpiles, stabilising surfaces, temporary screening and wind fences, modifying construction activities during periods of heightened winds and revegetating exposed areas as soon as practicable;
 - procedures for managing noise emissions from construction-related activities;
 - criteria for the siting of any temporary concrete batching plant associated with the development of the wind energy facility and the procedure for its removal and reinstatement of the site once its use finishes. The establishment and operation of any temporary concrete batching plant must be designed and operated in accordance with EPA Publication 628 *Environmental Guidelines for the Concrete Batching Industry*;
 - appropriate sanitary facilities to be provided for construction and maintenance staff, which must be designed and operated in accordance with EPA Publication 891.2 *Code of Practice – Onsite wastewater management* (December 2008);
 - procedures to capture storm water runoff within the development site
 - procedures to retain the identification of waste re-use, recycling and disposal procedures;
 - a timetable, where practicable, for the construction of turbine bases, access tracks and power

cabling during warmer months, to minimise impacts on ephemeral wetlands, local fauna and sediment mobilisation;

- j. Procedures to ensure that construction vehicles and equipment use designated tracks and works areas to avoid impacts on native vegetation.
- k. procedures to provide a buffer to protect any site of Aboriginal Cultural Heritage
- l. procedures for covering trenches and holes at night, and filling trenches as soon as practical after excavation, to protect native fauna;
- m. the removal of works, buildings and staging areas on completion of the construction phase of the project.

Construction Noise Management Plan

38. The environmental management plan must include a construction noise management plan. The construction noise management plan must include:

- a. performance requirements for noise at nearby receptors in accordance with EPA Publication 1254;
- b. procedures for measuring compliance with performance requirements; and
- c. procedures for receiving, evaluating and responding to complaints.

Sediment, erosion and water quality management plan

39. The environmental management plan must include a sediment, erosion and water quality management plan which must be prepared in consultation with the Corangamite Catchment Management Authority.

The sediment, erosion and water quality management plan must include:

- a. identification of all construction and operational processes that could potentially lead to water contamination;
- b. procedures to ensure that silt from batters, cut-off drains, table drains and road works is retained on the site during and after construction and replaced as soon as possible. To this end:
 - i. all land disturbances must be confined to a minimum practical working area
 - ii. soil to be removed must be stockpiled and separate soil horizons must be retained in separate stockpiles and not mixed, and soil must be replaced as soon as possible in sequence
 - iii. stockpiles must be located away from drainage lines;
- c. the installation of geo-textile silt fences (with sedimentation basins where appropriate) on all drainage lines from the site which are likely to receive run-off from disturbed areas;
- d. procedures to ensure that steep batters are treated in accordance with EPA Publication 275 *Construction Techniques for Sediment Pollution Control*;
- e. procedures for waste water discharge management;
- f. a process for overland flow management to prevent the concentration and diversion of waters onto steep or erosion prone slopes;
- g. pollution management measures for stored and stockpiled materials including waste materials, litter, contaminated run-off and any other potential source of pollution to ground or surface waters;
- h. incorporation of appropriate pollution control measures outlined in EPA Publication 480 *Environmental Guidelines for Major Construction Sites*;
- i. an agreed program and appropriate capacity for annual inspection and regular maintenance of

- any on-site wastewater management system;
- j. siting of any concrete batching plant and any on-site wastewater disposal treatment fields at least 100 metres from any watercourse;
- k. a program of inspection and remediation of localised erosion within a specified response time.
- l. assurance that best practice sedimentation and pollution control measures are undertaken at all times, in accordance with Environment Protection Authority guidelines (EPA 1991; EPA 1996; Victorian Stormwater Committee 1999) to prevent offsite impacts to waterways and wetlands.

Hydrocarbon and hazardous substances plan

40. The environmental management plan must include a hydrocarbon and hazardous substances plan.

The hydrocarbon and hazardous substances plan must include:

- a. procedures for any on-site, permanent post-construction storage of fuels, lubricants, waste oil or other hazardous substances or potential contaminants to be in bunded areas;
- b. contingency measures to ensure that any chemical or oil spills are contained on-site and cleaned up in accordance with EPA requirements.

Fire prevention and emergency response plan

41. The environmental management plan must include a fire prevention and emergency response plan prepared in consultation with and to the satisfaction of the CFA.

The fire prevention and emergency response plan must be generally in accordance with the *Emergency Management Guidelines for Wind Energy Facilities* - CFA May 2015 and must include:

- a. criteria for the provision of static water supply tanks solely for fire-fighting purposes, including minimum capacities, appropriate connections and signage;
- b. procedures for vegetation management, fuel control and the provision of fire-fighting equipment during declared fire danger periods;
- c. minimum standards for access roads and tracks to allow access for fire fighting vehicles, including criteria for access to static water supply tanks for fire-fighting vehicles;
- d. a requirement that, within one month after the commencement of the operation of the wind energy facility, the operator of the wind energy facility facilitates a familiarisation visit to the site and explanation of emergency services procedures for:
- e. the CFA (including headquarters level, the CFA Regional Office and local volunteer brigades as specified by the CFA Regional Office);
 - i. Rural Ambulance Victoria;
 - ii. Corangamite Shire Council's Municipal Emergency Management Committee; and
 - iii. Victoria Police;
- f. subsequent familiarisation sessions for new personnel of the organisations referred to in condition 41(f) on a periodic basis as required;
- g. if requested, training of personnel of the organisations referred to in condition 41(f) in relation to suppression of wind energy facility fires.

Biosecurity management plan

42. The environmental management plan must include a biosecurity management plan to be prepared in consultation with DEDJTR and to the satisfaction of the responsible authority.

The biosecurity management plan must include:

- a. procedures to prevent biosecurity risks, which may include (but are not limited to):
 - i. the cleaning of all plant and equipment before transport onto and off the site; and

- ii. the use of material/products on site which are free of invasive plants and animals;
- b. a protocol for effective identification of biosecurity risks, early intervention to manage biosecurity risks, ongoing monitoring of biosecurity risks, trace-backs, and integrated control measures when entry, establishment or spread of specific risk targets is identified;
- c. a requirement to comply with approved government or industry standards and procedures for the identification, prevention and management of biosecurity risks that apply from time to time, which include (but are not necessarily limited to):
 - i. the DEDJTR's *Invasive Plant and Animal Management Policy Framework* (undated);
 - ii. the DEDJTR's *Biosecurity Guidelines for Movement of Equipment Contractors Between Farms* (Note Number: AG1171 published in January 2005 and updated in July 2009); and
 - iii. the DEDJTR's recommended standards and practices for managing viticulture biosecurity and plant biosecurity risks.

Environmental management plan training program

43. The environmental management plan must include a training program for construction workers and permanent employees or contractors at the wind energy facility site, including a site induction program relating to the range of issues addressed by the environmental management plan.

Environmental management plan reporting program

44. The environmental management plan must include a program for reporting environmental incidents, including:
- a. a register of environmental incidents, non-conformances and complaints, together with corrective actions taken in response to such incidents, non-conformances or complaints
 - b. identification of the person to whom reports of environmental incidents, non-conformances and complaints should be made.

Implementation timetable

45. The environmental management plan must include a timetable for implementation of all programs and works referred to in conditions 35 to 44 above.

Review of the environmental management plan

46. The environmental management plan must be reviewed and if necessary amended in consultation with the responsible authority and other authorities as directed by the responsible authority every five years, to reflect operational experience and changes in environmental management standards and techniques.
47. The amended environmental management plan must be submitted to the responsible authority for re-endorsement. Once re-endorsed, the amended environmental management plan will take the place of the earlier environmental management plan and will form part of this permit.

CULTURAL HERITAGE MANAGEMENT PLAN

48. The use and development must at all times comply with Cultural Heritage Management Plan 14574 (Proposed Wind Farm, 464 Boundary Road, Timboon West, Victoria).

BATS AND AVIFAUNA MANAGEMENT PLAN

49. Before the development starts, a Bat and Avifauna Management Plan (BAM Plan) must be prepared in consultation with DELWP to the satisfaction of the responsible authority.
50. When approved the plan will be endorsed by the responsible authority and will then form part of the permit.
51. The BAM Plan must include:

- a. a statement of the objectives and overall strategy for managing and mitigating any significant bird and bat strike arising from the wind energy facility operations
 - b. a monitoring program of at least two years duration that commences on the commissioning of the last turbine of the first stage of the use and development approved by this permit or such other time approved by the responsible authority
 - c. Requirements to ascertain:
 - i. the species, number, age and sex (if possible) and date of any bird or bat mortality resulting from strike or barotrauma
 - ii. the number and species of birds and bats struck at lit versus unlit turbines (if relevant)
 - iii. any seasonal and yearly variation in the number of bird and bat strikes
 - iv. whether further detailed investigations of any potential impacts on populations of key species of birds or bats are warranted. Any further detailed investigations required are to be undertaken in consultation with DELWP and to the satisfaction of the responsible authority.
 - d. Procedures for the reporting of any bird or bat mortality resulting from strike or barotrauma to the responsible authority and to DELWP within seven days of becoming aware of any strike, and identifying where possible whether the strike was at a lit or unlit turbine.
 - e. the development of correction factors for estimates of carcass removal by scavengers to enable accurate calculations of the total number of mortalities
 - f. procedures for the regular removal of carcasses likely to attract raptors to areas near turbines.
 - g. procedures for periodic reporting, within agreed timeframes, of the findings of the monitoring to the responsible authority, DELWP and the local community
 - h. procedures for developing measures, in consultation with the responsible authority and DELWP, to offset impacts to populations of key species if these are detected through the monitoring program
52. Following the completion of the bat and avifauna monitoring program, a report must be submitted to the responsible authority and DELWP setting out the findings of the program to the satisfaction of the responsible authority. The responsible authority may direct that further investigation of potential or actual impacts on birds or bats is to be undertaken, in which case:
- a. the extent and details of the further investigation must be to the satisfaction of the responsible authority and DELWP
 - b. the investigation must be carried out to the satisfaction of the responsible authority and DELWP.
53. The use and development of the wind energy facility must be carried out in accordance with the endorsed BAM management plan to the satisfaction of the responsible authority.

SITE SECURITY

54. During construction and operation appropriate security must be implemented so that equipment storage and individual turbines are locked when not in use and are made inaccessible to the general public, to the satisfaction of the responsible authority.

DECOMMISSIONING

55. Within six months after the construction of the wind energy facility is completed, the operator of the wind energy facility and the owners of the properties which make up the site must enter into an

agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*.

The agreement must require the operator of the wind energy facility to do the following where any or all turbines have permanently ceased to generate electricity:

- a. notify the responsible authority in writing of the turbine(s) ceasing operation. Such notification must be given no later than two months after the turbine(s) cease operation
- b. undertake the following to the satisfaction of the responsible authority within such timeframe as may be specified by the responsible authority:
 - i. remove all above ground non-operational equipment
 - ii. remove and clean up any residual contamination
 - iii. rehabilitate all storage areas, construction areas, access tracks and other areas affected by the decommissioning of the turbine(s), if those areas are not otherwise useful to the on-going use or decommissioning of the wind energy facility
 - iv. submit a decommissioning traffic management plan to the responsible authority and, when approved by the responsible authority, implement that plan
 - v. submit a post-decommissioning revegetation management plan, including a timetable of works, to the responsible authority and, when approved by the responsible authority, implement that plan.

56. Application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the Act within one month after the agreement is executed.

57. The operator of the wind energy facility must pay the reasonable costs of the preparation, execution, registration and enforcement of the section 173 agreement.

PRELIMINARY INVESTIGATIVE WORKS

58. For the purposes of this permit, the carrying out of preliminary investigative works, including geotechnical investigations, for the purposes of gathering data or making other assessments necessary or desirable in order to prepare the development plans or other plans specified in this permit, is not considered to be commencement of the development.

EXPIRY

59. This permit will expire if one of the following circumstances applies:

- a. the development is not started within five years of the date of this permit
- b. the development is not completed within ten years of the date of this permit.

60. The responsible authority may extend the permit if request is made in writing:

- a. Prior to the expiry of the permit; or
Within six months after the permit expires.

Date issued: 28 April 2017

Signature for the responsible authority

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

<i>Date of amendment</i>	<i>Brief description of amendment</i>
	Permit amended under section 72 – amend condition 31 to remove waiting period of six weeks once a TMP is endorsed to commence works.

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED

The Minister has granted and issued a permit under Division 6 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.
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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.
 6. In accordance with section 97H of the **Planning and Environment Act 1987**, the responsible authority specified in the planning scheme is the responsible authority for the administration and enforcement of the **Planning and Environment Act 1987** and the relevant planning scheme in respect of this permit (whether or not the permit is amended) except that the Minister remains the responsible authority in respect of—
 - * any matters which the permit specifies to be done by, approved by or done to the satisfaction of the Minister; and
 - * any extension of time under section 69 in relation to the permit; and
 - * the correction of the permit under section 71(1); and
 - * the amendment of the permit under section 97J.
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WHAT ABOUT REEVIWS?

In accordance with section 97M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit.

