



PLANNING PERMIT

Form 4

Application No:	5376
Planning Scheme:	Loddon Planning Scheme
Responsible Authority:	Loddon Shire Council
ADDRESS OF LAND:	Bendigo-Pyramid Road, Mitiamo; 2403 Echuca-Serpentine Road, Prairie; 178 Illingworths Road, Calivil; adjacent road reserves; and unused Government Roads and Crown land within project boundary
PROPERTY DESCRIPTION	A total of 54 land parcels (36 freehold and 18 Crown land parcels), adjacent road reserves and unused Government Roads within project boundary
WHAT WILL THE PERMIT ALLOW:	Use and development of the land for a Renewable energy facility (solar farm) and associated ancillary infrastructure; use of the land for Utility installation; creation/alteration of access to a Road Zone Category 1; construction of buildings or works under the Floodway Overlay, Land Subject to Inundation Overlay, and Public Conservation and Resource Zone; and removal of native vegetation.

THE FOLLOWING CONDITIONS APPLY TO THE PERMIT

Plans to be provided and approved before commencement of use and development


- 1) Before the use and/or development start(s) (or stages thereof), detailed development plans must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions, be generally in accordance with the plans provided in the application submitted 29 June 2018 and three copies must be provided.

The detailed plans to be provided for each applicable stage (where applicable) are:

- a. a project layout plan (site plan) detailing the following:
 - ii. the location of all solar panels that are to be constructed showing a setback in accordance with the conditions of this permit
 - iii. location of substation, battery storage area and operation and maintenance facility (or facilities)
 - iv. construction compound(s)
 - v. location of the transmission line
 - vi. location of any earth pads
 - vii. setbacks of buildings and infrastructure from property boundaries and water bodies

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- viii. location of security/perimeter fencing
 - ix. location of creek crossings
 - x. vehicle access points to the property
 - xi. internal access tracks
 - xii. location of laydown areas
 - xiii. proposed finished surface levels of the site
 - xiv. location of native vegetation to be removed and retained.
 - b. elevation and floorplans of all buildings including, substation(s), battery storage area(s) and terminal station(s)
 - c. elevation plans of the transmission towers and solar panels to be constructed on site in accordance with the conditions of this permit
 - d. plans of all earth pads consistent with the conditions of this permit
 - e. vehicle access points to the property designed to accommodate the vehicles (size and type) to be accessing the site during construction and operation
 - f. plans showing wetland protection zones and native vegetation protection buffer zones, in accordance with the conditions of this permit
 - g. fencing details in accordance with the requirements of the North Central Catchment Management Authority (NCCMA).
- 2) Before the use and development allowed by this permit begins, a Traffic Management Plan (TMP) in accordance with Part 4 of the Road Safety (Traffic Management) Regulations 2009 and must be approved by the Responsible Authority. When approved, the TMP will be endorsed and will then form part of the permit. The TMP must identify the preferred construction vehicle route(s).

Plans not to be altered

- 3) The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Local Roads

- 4) Before construction commences a condition report of the existing council managed/owned infrastructure along the preferred construction vehicle route(s) identified in the TMP required under Condition 2 of this permit, including but not limited to sealed surface, pavement, drainage, culverts and bridges and condition of such infrastructure must be recorded to Council's satisfaction. The pre-construction condition report must be facilitated and paid for by the applicant.
- 5) It will be the applicant's responsibility to inspect the roads (and the associated infrastructure) nominated for use during construction at a frequency no lesser than stipulated in Council's Road Management Plan 2017.

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- 6) It will be the applicant's responsibility to maintain and repair throughout construction the sections of the road nominated for use during construction to a standard no lesser than that identified in the pre-construction condition report.
- 7) At the end of the construction period, a post-construction condition report of the council managed/owned infrastructure (including any new infrastructure constructed by Council during the construction period) along the preferred construction vehicle route(s) identified in the TMP required under Condition 2 of this permit, must be undertaken. The condition of such infrastructure must be recorded to Council's satisfaction. Any variation in the condition of the infrastructure must be identified within the post-construction condition report. The post-construction condition report must document how any variation in the condition of the infrastructure will be addressed. The post construction condition report must be facilitated and paid for by the applicant.
- 8) Any repair work identified within the post-construction condition report required to re-instate local roads (to at least their pre-existing condition as per condition 4) must be addressed and repaired by the applicant at their cost to Council's satisfaction.
- 9) Any repair, maintenance and/or rehabilitation work on Council infrastructure identified within the post-construction condition report must be undertaken to current engineering standards and to the satisfaction of Council's Technical Services Department.

Construction management

- 10) During construction phase(s) appropriate dust suppression measures must be implemented to ensure that a nuisance is not caused to adjoining landowners or the general public to the satisfaction of the Responsible Authority.

General Amenity

- 11) The use permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the appearance of any buildings, works or materials; the emission of noise, artificial light, vibration, smell, fumes, smoke vapor, steam, soot, ash, dust, waste water, waste products, grit, or oil, the presence of vermin, or otherwise.

Permit Expiry

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

- The development is not started within 6 years of the date of this permit.
- The use is not commenced within 6 years of the date of this permit.
- The development is not completed within ten years of the date of this permit.

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The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

North Central Catchment Management Authority (NCCMA)

- 12) Unless otherwise agreed in writing with the NCCMA, the number of permanent access crossings over Bullock Creek must be limited to three (3) crossings.
- 13) All buildings (excluding any approved creek crossings, tracks and associated cabling) and solar panels must be setback a minimum of 30 metres from the top of bank of Bullock Creek.
- 14) All buildings, solar panels and works (excluding any approved crossings and associated cabling) must be setback a minimum of 20 metres from the centreline of the waterway/drainage path in the south eastern corner of the development site.
- 15) Unless otherwise agreed in writing with the NCCMA, all buildings and solar panels must be setback a minimum of 20 metres from the edge of the current mapped Department of Environment, Land, Water and Planning (DELWP) wetland located in the south eastern corner of the development site.
- 16) Prior to the commencement of works, detailed design plans of the proposed development must be submitted to the Responsible Authority and the NCCMA for their approval. The design plans must detail the location of the proposed works in proximity to the waterways/wetland and proposed finished surface levels of the site. Existing land levels through the site should be maintained to preserve flood flow paths through the site. Any buildings and works must not alter the passage of flood waters through the site to the extent that neighboring properties are adversely affected.
- 17) The substation, battery storage area, O&M building, PCUs/inverters and terminal station must be raised to be a minimum of 300mm above the 1% AEP flood level. If sited on fill pads, the fill pads must be limited to the amount necessary to raise the structure and must not extend more than 2 metres from the walls of the structure.
- 18) The underside of the solar panels (in the horizontal position) must be a minimum of 300mm above the 1% AEP flood level.
- 19) Fencing within the floodplain must be of an open style construction up to the 1% AEP flood level to allow the passage of flood waters through the site. Prior to the commencement of works, plans of the proposed fencing style must be submitted to the NCCMA.

VicRoads

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Traffic Management Plan

20) Before the commencement of any works on the subject land (or stages thereof) and before the engagement of any haulage contractors, a Traffic Management Plan (TMP) supported by an updated Traffic Impact Assessment Report (TIAR) must be approved by VicRoads and the Council in its capacity as road authority under the Road Management Act 2004 for local and arterial (public) roads used to transport material to/from and within the vicinity of the solar energy facility.

The TMP and TIAR must be prepared by a VicRoads pre-qualified consultant and shall identify the points of access (either direct or indirect) to the subject land from the arterial road network during all phases of the development (e.g. the construction phase and on-going operations and maintenance etc).

The TMP and TIAR may be prepared and submitted in stages.

The TMP (for each applicable stage), without limiting the generality of the plan, must include:

- a. Prior to commencement of any works, an existing conditions survey of public roads (not including M roads) and associated road infrastructure that may be used in connection with the solar energy facility (for access, delivery of material, pre-construction or construction purposes etc), including details of the suitability of the proponent's use, design, condition and construction standard of the relevant public roads and bridges.
- b. The existing conditions survey must be undertaken for the following locations:
 - i. Bendigo-Pyramid Road from the:
 - (1) Echuca-Serpentine Road to the Echuca-Mitiamo Road; and
 - (2) Echuca-Mitiamo Road to the Boort-Mitiamo Road.
 - ii. Pyramid-Yarraberb Road from the Bendigo-Pyramid Road to the Echuca-Serpentine Road;
 - iii. Prairie West Road from the Pyramid-Yarraberb Road to the Echuca-Serpentine Road;
 - iv. Echuca-Serpentine Road from the Prairie Road to the Bendigo-Pyramid Road;
 - v. all internal roads bounded by the above arterial and local roads that will be used for delivery and construction of the proposed development as identified in the approved TMP;

and

- vi. all arterial road intersections where delivery and construction routes intersect with local roads as identified in the approved TMP.
- 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.

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- d. The designation and suitability assessment of appropriate pre-construction, construction and transport vehicle routes to and from the site. Any identified route(s) should avoid built up locations of towns (e.g. through the middle of Gisborne etc), wherever practicable.
- e. Functional Layout Plans and reporting demonstrating whether, and if so, how truck movements to and from the site can be safely accommodated within the road reserve. Mitigation measures are to be developed by the proponent and agreed to by VicRoads and Council for all hazards including, but not limited to:
 - (1) Oversize and overmass haulage;
 - (2) Traffic management;
 - (3) Removal of roadside vegetation;
 - (4) Reduction in speed limits;
 - (5) Alteration to any road furniture or intersection;
 - (6) Emergency management; and
 - (7) Risk management.
- f. Recommendations regarding the need for road, bridge and intersection upgrades to accommodate any additional traffic, oversize or overmass loads, or site access requirements (whether temporary or ongoing).

Where upgrades are required, the TMP shall include:

- i. Functional Layout Plans showing any mitigation works identified in the TIAR must be submitted and approved by VicRoads. The plans shall clearly show all mitigation works including (but not limited to);
 - (1) Proposed surface treatments;
 - (2) Signage locations (traffic and advertising);
 - (3) Line marking treatments;
 - (4) Swept path analysis for all b-double, oversize and overmass vehicles.
- g. The timing of when the works are to be undertaken.
- h. A program of regular inspections to be carried out during the construction of the solar energy facility to identify maintenance works necessary as a result of construction traffic.
- i. Works required by the TMP must be completed expeditiously to the satisfaction of VicRoads and the Council.
- j. 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; and
 - ii. provide for resident safety.
- k. Measures to be taken to manage traffic impacts associated with the construction and ongoing operation of the solar energy facility on the traffic volumes and flows on surrounding roads.
- l. A program to rehabilitate existing public roads and associated road infrastructure to a safe and usable condition to the greater standard of either the:

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- i. Standard no less than what is required to support the proposed use; or
 - ii. The condition identified by the surveys required under the condition above.
- During the following stages:
- i. The construction period;
 - ii. At the conclusion of the construction of the solar energy facility; or
 - iii. First two years during the operation of the solar energy facility.
- m. The proponent is responsible for any damage caused to construction vehicles or other vehicles in the event that the safe and usable quality of any public road and associated infrastructure is degraded or compromised as a result of the development, and that VicRoads or Council will not accept liability for any such damage.
- 21) By no later than three (3) months after the date of completion of the solar energy facility, a post-construction conditions survey of public roads (not including M roads) as identified by the approved TMP that have been used in connection with the solar energy facility (for access, preconstruction or construction purposes etc.), must be submitted and approved by VicRoads and Council.
The report shall include details of any dilapidation or damage to the roads and a program of rehabilitation in accordance with the requirements of the approved TMP.
- 22) The traffic management and road upgrade and maintenance works identified in the endorsed TMP must be carried out in accordance with the endorsed TMP to the satisfaction of VicRoads and Council.
- 23) The provision of a security bond (or other legal agreement as agreed in writing by VicRoads) prior to the commencement of works on the subject land equal to the reasonable estimated costs of the rehabilitation/replacement of any road infrastructure identified as being at risk by the TMP to the satisfaction of VicRoads and Council. A contract between the Developer and the VicRoads must be prepared for the terms of use of the security bond (or other legal agreement) at no cost to, and to the written satisfaction of the Roads Corporation.
- 24) All roadworks and road associated works, reporting, contracts and the provision of VicRoads road escort vehicles and personnel are to be at no cost to VicRoads or Council, including but not limited to all additional:
- a. Route survey work, together with all associated VicRoads bridge assessments for the over dimensional and overmass vehicles and their loads; and
 - b. Traffic management resources and equipment such as variable message signs.

Functional layout plan(s)

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25) Prior to the commencement of any construction (or stages thereof) on the subject land hereby approved by this planning permit:

- a. The TMP and updated TIAR shall clearly identify where access to the subject land is to be.
- b. Demonstration that all necessary permits have been obtained for the removal of vegetation within the road reserve for the purpose of providing access to the site for material.
- c. Should vehicular access to the subject land be:
 - (i) Direct from the Bendigo-Pyramid Road, then:
 1. A functional layout plan (FLP) shall be submitted and approved by VicRoads. The FLP shall be drawn to scale by a VicRoads pre-qualified consultant, clearly dimensioned to show (but not be limited to) the following:
 - a. A single point of vehicular access shall be sealed from the Bendigo-Pyramid Road to the arterial road reserve boundary;
 - b. All other vehicular accesses to the Bendigo-Pyramid Road closed, all gates and crossover infrastructure removed and the nature strip area reinstated;
 - c. A Basic Right (BAR) and Basic Left (BAL) turn treatments at the access location in accordance with Austroads (2017) Guide to Road Design Parts 4 (Figure A28) and 4A (Figure 8.2) respectively.
 - d. Any proposed kerb and channel as required at the crossover with the Bendigo-Pyramid Road.
 - e. The swept path analysis of the following vehicles at 10 km/hr (min) and with 15 metres (min) radii:
 - i. Simultaneous 26 metre b-double trucks (one with 0.5 metre clearances on both sides of the vehicle) entering and exiting without overlapping each other or crossing into any opposing lanes; and
 - ii. The largest oversized or overmass vehicle as identified in the TMP (without clearances).
 - f. A pavement overlay on the Bendigo-Pyramid Road to the satisfaction of VicRoads and shall extend to the arterial road reserve boundary.
 - g. A flag light on the Bendigo-Pyramid Road opposite the proposed access.
 - h. All services, trees, line marking, signs, on-road lighting, other existing accesses and crossovers (on both sides of the arterial road) and other infrastructure (e.g. power poles etc) that are to remain in place or to be relocated or removed.

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- (ii) Indirect from the Bendigo-Pyramid Road via a local road:
- (1) A FLP shall be submitted and approved by VicRoads. The FLP shall be drawn to scale undertaken by a VicRoads pre-qualified consultant, clearly dimensioned to show (but not limit to) the following:
- i. The identified local road intersection(s) with the Bendigo-Pyramid Road; and
 - ii. A Basic Right (BAR) and Basic Left (BAL) turn treatments at the access location in accordance with Austroads (2017) Guide to Road Design Parts 4 (Figure A28) and 4A (Figure 8.2) respectively.
 - iii. Any proposed kerb and channel as required at the intersection with the Bendigo-Pyramid Road.
 - iv. The swept path analysis of the following vehicles at 10 km/hr (min) and with 15 metres (min) radii:
 - i. Simultaneous 26 metre b-double trucks (one with 0.5 metre clearances on both sides of the vehicle) entering and exiting without overlapping each other or crossing into any opposing lanes; and
 - ii. The largest oversized or overmass vehicle as identified in the TMP (without clearances).
 - v. A pavement overlay on the Bendigo-Pyramid Road to the satisfaction of VicRoads and shall extend to the arterial road reserve boundary.
 - vi. Flag lighting on the Bendigo-Pyramid Road opposite the local road intersection(s).
 - vii. All services, trees, line marking, signs, on-road lighting, other existing accesses and crossovers (on both sides of the arterial road) and other infrastructure (e.g. power poles etc) that are to remain in place or to be relocated or removed.
- d. Upon VicRoads' approval of the FLP, a Road Safety Audit must be undertaken at the detailed design stage in accordance with VicRoads' Road Safety Audit Policy.
- i. The audit findings and the consultant's responses to the findings must be provided to VicRoads for review and approval.
 - ii. Any mitigating works arising out of the audit must be carried out by the applicant at no cost and to the Roads Corporations' satisfaction.
- e. The following roadworks shall be completed to the satisfaction of and at no cost to VicRoads:
- i. The BAR and BAL turn treatment(s);
 - ii. Pavement overlay(s) on the Bendigo-Pyramid Road;
 - iii. The Installation of flag lighting;
 - iv. Any service relocation and vegetation removal; and

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- v. Any other works as required by VicRoads within the arterial road reserve.

Department of Environment, Land, Water & Planning (DELWP)

Final Design

- 26) Prior to the commencement of works, detailed design plans of the proposed development must be prepared to the satisfaction of DELWP in consultation with the NCCMA, Dja Dja Wurrung Clans Aboriginal Corporation. The plans must be then submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the permit. The design plans must be drawn to scale and include details of all infrastructure locations (including both temporary and permanent; stack sites; cable and panel locations) waterway crossings for both access and cable routing; wetland protection zones; native vegetation protection buffer zones and earthworks.

Waterway Crossings

- 27) Where a road or other access way crosses Bullock Creek, a suitable bridging structure must be constructed to the satisfaction of the Responsible Authority upon the advice of DELWP and NCCMA.
- 28) The final layout design must show all cables crossings of Bullock Creek. The cable crossings may be delivered as an overhead line or directionally bored at locations agreed to by DELWP.

Buffer to Riparian Vegetation

- 29) The final layout design must include a buffer for the protection of riparian vegetation adjacent to Bullock Creek. The buffer must be a minimum of 30 metres from the base of the trunk of the trees of riparian vegetation adjacent to Bullock Creek or from top of bank, whichever is greater and must be approved by DELWP and the NCCMA. Access tracks, creek crossings and underground or overhead cables may be within the 30-metre buffer but must be outside Tree Protection Zones of native vegetation being retained.

Construction Environmental Management Plan

- 30) Before on-ground works commence, an environmental management plan for the construction of the solar farm which is to the satisfaction of DELWP, must be submitted to and approved by the Responsible Authority. When approved, the plan is to be endorsed and will then form part of the permit. The development must be conducted in accordance with the endorsed plan. The construction environmental management plan is to include but is not limited to:

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- a. overview of construction methods including management zones and construction zones, site preparation, environmental management, access, construction activities, schedule and timing of works, and contractor briefing
- b. management Structure and Roles including an environmental audit process
- c. applicable planning and legislative requirements
- d. summary of further plans to be developed
- e. procedures to ensure that vehicles and equipment use designated tracks and works areas to avoid impacts on native vegetation
- f. the removal of works, buildings and staging areas on completion of construction of the project.

Operational Environmental Management Plan

- 31) Before operation of the solar farm commences, an operational environmental management plan which is to the satisfaction of DELWP, must be submitted to and approved by the Responsible Authority. When approved, the plan is to be endorsed and will then form part of the permit. The operation of the solar farm must be conducted in accordance with the endorsed plan. The operational environmental management plan is to include but is not limited to:
- a. environmental considerations; management of and/or mitigation of impacts on:
 - i. surface water pollution
 - ii. erosion and sediment
 - iii. terrestrial ecology
 - iv. aquatic ecology
 - v. land management
 - vi. visual impacts
 - vii. dust, odour and air quality
 - viii. noise and vibration
 - ix. waste management
 - x. hazardous materials
 - xi. environmental incidents and emergencies
 - xii. fire hazards.
 - b. summary of further plans to be developed
 - c. procedures to ensure that vehicles and equipment use designated tracks and works areas to avoid impacts on native vegetation
 - d. advice to all onsite staff and monitoring personnel to report to DELWP bi-annually for the first five years of operation any siting of dead birds or bats at the site during normal operations and maintenance inspections.
- 32) The operational environmental management plan must be reviewed every three years to the satisfaction of the Responsible Authority and any consequential changes to the plan submitted to and approved by the Responsible Authority.

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Native Flora and Fauna Management Plan

- 33) Prior to commencement of works a 'Wildlife Management Plan' must be submitted to and approved by DELWP. The requirements of the plan must be implemented during the preconstruction, construction and post-construction phases of the project. The plan must be to the satisfaction of the DELWP. The plan is to contain but not be limited to:
- a. salvage and translocation of threatened flora and fauna species and ecological communities
 - b. methods to mitigate impacts on native fauna discovered during construction
 - c. methods to handle and relocate any wildlife at risk of impact during construction including potential areas for relocation
 - d. methods to mitigate the need for wildlife control during operation of the facility (addressing both threatened species and non-threatened species such as kangaroos and white cockatoos)
 - e. process and timing of reporting of any inadvertent impacts to wildlife.
 - f. advice to all onsite staff and monitoring personnel of correct procedure for assisting injured wildlife. Contact details of local veterinary staff and wildlife carers must be provided to ensure any injured wildlife found that cannot be released back to the wild are treated accordingly and in a timely manner.
 - g. injured wildlife procedure must include an experienced and licensed wildlife carer and/or ecologist be present to supervise works and capture and relocate fauna if necessary.

Notification of permit conditions

- 34) Before works start, the permit holder must advise all persons undertaking works of the environmental conditions, including vegetation protection conditions, of the planning permit. A copy of the planning permit is to be made available to all employees working on the project.

Protection of native vegetation to be retained

- 35) Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
- a. A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - b. Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the Responsible Authority and the DELWP. The protection fence must remain in place until all works are completed to the satisfaction of DELWP. Existing farm fencing that is

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located around native vegetation identified for retention may be utilised as vegetation protection fencing subject to the appropriate no-go zone signage/flagging being placed on it.

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

Native vegetation offsets

- 37) To offset the removal of 2.089 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- a. A general offset of 1.273 general habitat units located within the NCCMA boundary or Council municipal district, and
 - i. have a Strategic Biodiversity Value score of at least 0.594 and
 - ii. provide protection for at least 11 large trees and
 - iii. is in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Offset evidence

- 38) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. This evidence must be:
- a. an established first party offset site. This must include:
 - i. a security agreement signed by both parties, and
 - ii. a management plan detailing the 10-year management actions and ongoing management of the site;

to the satisfaction of the DELWP and approved by the Responsible Authority.

Every year, for ten years, after the Responsible Authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

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- b. credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the Responsible Authority and form part of this permit.

Within 30 days of endorsement of the offset evidence by the Responsible Authority, DELWP at: loddonmallee.planning@delwp.vic.gov.au

- 39) Without the prior written consent of the department, there is to be no removal, destruction or lopping of native vegetation (not included in *Native vegetation removal report Report ID: GHD_2018_016*) associated with the development from Crown land.

Erosion and Salinity Management

- 40) During construction no polluted and/or sediment laden run-off is to be discharged directly or indirectly into any watercourses. Pollution or litter traps must be provided on site.
- 41) All works must be designed and constructed to minimise soil erosion. All tracks/paths must be effectively groomed and compacted to minimise the risk of erosion and sediment run-off.
- 42) To avoid damage to understorey native vegetation; the waterway and adjoining freehold land, silt/sediment from the construction and operation of the solar farm must be retained on site during and after the construction stage of the project. This shall be achieved by:
- a. Establishing workable sediment traps.
 - b. Designing and constructing table drains and cut-off drains in such a manner to reduce water velocity and subsequent soil erosion.
 - c. Avoiding 'V' shaped cross section drains.
 - d. Constructing cut-off drains along the contour.
 - e. Avoiding batters steeper than 3:1 (horizontal:vertical).

Weeds and Pathogens

- 43) To prevent the spread of weeds and pathogens all:
- a. earth moving equipment and associated machinery must be made free of soil, seed and plant material before being taken to the works site and again before being taken from the works site on completion of the project
 - b. excavated material, including topsoil, taken from the works site to be returned later must be stored on a clean site free of weeds.

Rehabilitation Plan

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- 44) A decommissioning and rehabilitation plan to the satisfaction of the DELWP, must be submitted to and approved by the Responsible Authority when operation of the solar farm ceases. The decommissioning and rehabilitation plan must include but is not limited to:
- the timing for the removal of infrastructure and rehabilitation of the land to a suitable character and/or quality
 - soil stabilisation
 - re-vegetation works
 - the appropriate disposal, recycling or reuse of components.
- 45) Unless otherwise agreed in writing by DELWP, a maximum of three (3) crossings may be constructed over Bullock Creek. Additional temporary crossings during construction may be approved in consultation with the DELWP, NCCMA and the Responsible Authority.

Ausnet

- 46) No part of the proposed development is permitted on AusNet Transmission Group's easement other than interface works required for connection of the Solar Farms electrical system to the 220 kilovolt 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.
- 47) Access to and along the easement must be maintained at all times for AusNet Transmission Group's vehicles, staff and contractors.
- 48) 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.
- 49) The use of vehicles and equipment exceeding three (3) metres in height are not permitted to operate on the easement without prior written approval from AusNet Transmission Group.
- 50) Approval must be obtained from AusNet Transmission Group as to the position and/or suitability of any roads that are proposed within the easement.
- 51) Details of any proposed services within the easement must be submitted to AusNet Transmission Group and approved in writing prior to the commencement of work on site.

Goulburn Murray Water (GMW)

- 52) No buildings are to be constructed within 30 metres of Bullock Creek measured from the inside top edge of the bank. Access tracks, creek crossings and underground or

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overhead cables may be permitted within the 30 metre buffer zone in accordance with the requirements of the relevant NCCMA and/or works on a waterway licence.

- 53) No buildings are to be constructed within 30 metres of Goulburn Murray Water (GMW) open channel no. 3/1 measured from the inside top edge of the bank. All works associated with the upgraded to the bridge (structure no. 008614) are permitted within the 30 metre buffer zone in accordance with the requirements of an 'Construction and Use of Private Works Licence' from GMW.
- 54) A 10m vertical clearance must be provided from the top of channel bank no. 3/1 to the transmission lines for maintenance and works on the channel.
- 55) All solar panels must be setback five metres from GMW easements, freehold, or reserve boundaries containing GMW infrastructure.
- 56) No solar panels are to be located within 30 metres of Bullock Creek measured from the inside top edge of the bank.
- 57) Prior to the commencement of use, the bridge known as structure number 008614 must be upgraded fit for purpose in accordance with GMW's requirements. All costs associated with the upgrade to the bridge must be at the applicant's expense.
- 58) If applicable, all wastewater from the office must be treated and disposed of using an EPA approved system, installed, operated and maintained in compliance with the EPA Code of Practice – Onsite Wastewater Management, Publication 891.4, and to the satisfaction of Council's Public Health officer.
- 59) If applicable, the wastewater disposal area must be located in accordance with Table 5 of the EPA Code of Practice – Onsite Wastewater Management, Publication 891.4, July 2016, from any waterways, drainage lines, dams or bores.
- 60) Prior to commencement of works, the applicant must obtain a 'Construction and Use of Private Works Licence' from GMW for any works carried out on GMW freehold land, easement or reserves.
- 61) All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991)

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Permit notes

- Any works to be undertaken within the road reserve must require a Works Within Road Reserve permit from Council (for municipal roads only) and necessary permit fees must be paid before commencing any works within road reserve. It is the applicant's responsibility to submit a traffic management plan and implement such plan during the construction works within road reserve. Appropriate Memorandum of Understanding must be obtained from Council's Technical Services Department prior to installing any traffic management signs for such works
- Any other Council and agency permits required to undertake works within road reserve must be obtained by the applicant and the applicant must adhere to the conditions specified in such permits.

NCCMA

- Prior to the commencement of works a separate works on waterway permit for any works within the bed and banks of any designated waterway must be obtained directly from the NCCMA.

DELWP

- DELWP advises that live capture and relocation of native fauna will require a Management Authorisation under the *Wildlife Act 1975*. A Management Authorisation can be obtained from DELWP (environmental.research@delwp.vic.gov.au).
- DELWP advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the *Flora and Fauna Guarantee (FFG) Act 1988*. All native vegetation likely to be affected should be checked against the *Protected Flora List* (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office (loddonmallee.environment@delwp.vic.gov.au).
- Offset requirements are determined in accordance with DELWP (2017) *Guidelines for the removal, destruction or lopping of native vegetation*. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.
- Prior to the commencement of works on Crown land, a licence must be obtained from DELWP over the government road and water frontage within the development; the licence must be in the name of the occupier and issued for a purpose related to the proposed use of renewable energy facility.

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GMW

- GMW advises for the purposes of solar farm applications, solar panels are not treated as buildings. Where applicable, GMW will refer specially to either buildings or solar panels.
- For works on waterways, it is recommended that applicant contact the relevant Catchment Management Authority as a licence may be required to undertake these works.
- Applications for a 'Construction and Use of Private Works Licence' can be made by contacting GMW on 1800 013 357 or by following the link the <http://www.gmwater.com.au/customer-services/forms>
- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

VicRoads

- The increase in discharge of any drainage onto the arterial road reserve from the subject land is not permitted unless approved in writing by VicRoads.
- Separate 'detailed design' approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of:
 - i. Basic Right and Basic Left turn treatments
 - ii. Pavement overlay(s)
 - iii. Flag lighting installation and
 - iv. Any other works in the arterial road reserve.
- Please forward details marked attention to Team Leader Asset Maintenance on: nr.mailbox@roads.vic.gov.au
- Further information regarding VicRoads' consent to work within the road reserve can be found on the VicRoads Website: <https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve> or by or telephoning (03) 5434 5154.
- Once Council makes its decision, please forward a copy of the decision to VicRoads as required under Section 66 of the Planning and Environment Act 1987.

File Notes:

- This permit was amended under Section 71(1) of the Act on 16 January 2019 for additions in address and preamble.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

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

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

- * from the date specified in the permit; or
- * if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and 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 5 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 an Application for Review 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.
- * 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

