



Approval

Dundonnell Wind Farm, Victoria (EPBC 2012/6557)

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Proposed action

Person to whom the approval is granted Dundonnell Wind Farm Pty Ltd

Proponent's ACN (if applicable) ACN 133 651 019

Proposed action To develop and operate the Dundonnell Wind Farm, including the installation of up to 104 wind turbines and associated infrastructure, a powerline corridor and site access road; at Dundonnell, approximately 225 kilometres west of Melbourne, Victoria [see EPBC Act referral 2012/6557 and the variation request letter dated 3 July 2013].

Approval

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved
Listed migratory species (sections 20 & 20A)	Approved

Conditions of approval

This approval is subject to the conditions specified below.

Expiry date of approval

This approval has effect until 30 April 2036.

Decision-maker

Name and position The Hon Josh Frydenberg MP
Minister for the Environment and Energy

Signature



Date of decision

26/8/16

Conditions attached to the approval

1. The **approval holder** must not **impact** more than:
 - a. 1.572 hectares of **natural temperate grassland of the Victorian volcanic plain**;
 - b. 2.057 hectares of **seasonal herbaceous wetlands (freshwater) of the temperate lowland plains**;
 - c. 5 **spiny rice-flowers**.
2. Prior to **commencement of construction** of the **wind energy facility stage**, to compensate for the **impact** of up to 0.666 hectares of **natural temperate grassland of the Victorian volcanic plain** the **approval holder** must **secure** an offset consistent with the **EPBC Act Environmental Offsets Policy** that contains at least 2.46 hectares of **natural temperate grassland of the Victorian volcanic plain**.
3. Prior to **commencement of construction** of the **transmission line stage**, to compensate for the **impact** of up to 0.906 hectares of **natural temperate grassland of the Victorian volcanic plain** and up to 2.057 hectares of **seasonal herbaceous wetlands (freshwater) of the temperate lowland plains** the **approval holder** must **secure** an offset consistent with the **EPBC Act Environmental Offsets Policy** that contains at least:
 - a. 3.4 hectares of **natural temperate grassland of the Victorian volcanic plain**; and
 - b. 6 hectares of **seasonal herbaceous wetlands (freshwater) of the temperate lowland plains**.
4. The **approval holder** will ensure that the offsets required by conditions 2 and 3 will form one contiguous area containing 5.86 hectares of **natural temperate grassland of the Victorian volcanic plain** and 6 hectares of **seasonal herbaceous wetlands (freshwater) of the temperate lowland plains** when both conditions have been implemented.

5. Prior to **commencement of construction** of each **stage**, the **approval holder** must provide the **Department** with:
 - a. Written evidence demonstrating that an offset consistent with the requirements separately outlined in conditions 2 and 3 has been **secured**.
 - b. A report prepared by a **suitably qualified expert** detailing the **baseline vegetation quality** of the offset site(s).
 - c. **Shapefiles** capturing the spatial attributes of the offset site(s).
6. By the 10 year anniversary of the **commencement of construction** of each **stage**, the **approval holder** must demonstrate that the offset site(s) has increased the **baseline vegetation quality** of **natural temperate grassland of the Victorian volcanic plain** and **seasonal herbaceous wetlands (freshwater) of the temperate lowland plains** by at least 2 value points each, consistent with the **Department's offsets assessment guide**.
7. The increase in **baseline vegetation quality** required in condition 6 must be verified in writing by a **suitably qualified expert** independent of the **offset manager**. The **suitably qualified expert** must prepare a report that details the results of an assessment that demonstrates that this increase has occurred. The report must be provided to the **Department** and be made available on the **approval holder's** website within 20 business days of the 10 year anniversary of the **commencement of construction** of each **stage**.
8. The **approval holder** must comply with **planning permit** conditions where they relate to monitoring, managing, mitigating, avoiding, offsetting, recording, or reporting on impacts to **protected matters**.
9. The approval holder must advise the **Department** in writing of any proposed change to **planning permit** conditions for which condition 8 applies, within 10 days of formally proposing a change or becoming aware of a proposed change .
10. The **approval holder** must notify the **Department** in writing of non-compliance or potential non-compliance with any condition of this approval for which condition 8 applies, within ten (10) business days of becoming aware of the non-compliance or potential non-compliance.
11. Within 10 days after the **commencement of construction** of the **wind energy facility stage** and the **transmission line stage**, the **approval holder** must advise the **Department** in writing of the actual date of **commencement of construction** of each **stage**.
12. The **approval holder** must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval and make them available upon request to the **Department**. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the **EPBC Act**, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.
13. Within three months of every 12 month anniversary of the **commencement of construction** of each **stage**, the **approval holder** must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the **Department** at the same time as the compliance report is published. The

approval holder must continue to publish the report until such time as agreed to in writing by the **Minister**.

14. Upon the direction of the **Minister**, the **approval holder** must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
15. If, at any time after five years from the date of this approval, the **approval holder** has not **substantially commenced** the action, then the **approval holder** must not **substantially commence** the action without the written agreement of the **Minister**.

Definitions

Approval holder – means the person to whom the approval is granted, or to whom the approval is transferred under section 145B of the **EPBC Act**.

Baseline vegetation quality – means the quality of the vegetation community prior to the implementation of any management measures. This information must be demonstrated in a report prepared by a **suitably qualified expert**.

Commencement of construction – means the date that preparatory works are first undertaken, including, but not limited to, the clearing of vegetation, the erection of any onsite temporary structure and the use of heavy duty equipment for the purpose of breaking ground for fencing, buildings or infrastructure, including any works for the creation of vegetation buffers.

Corangamite water skink - means the threatened reptile species *Eulamprus tympanum marnieae*, listed under the **EPBC Act**.

Department – means the Australian Government Department administering the **EPBC Act**.

EPBC Act – means the *Environment Protection and Biodiversity Conservation Act 1999*.

EPBC Act Environmental Offsets Policy – means the Australian Government policy document titled: *EPBC Act Environmental Offsets Policy, Department of the Environment, 2012*.

Golden sun moth - means the threatened moth species *Synemon plana*, listed under the **EPBC Act**.

Impact – means any measureable direct or indirect disturbance and/or change that is likely to occur as a result of any activity associated with the proposed action.

Minister – means the Commonwealth Minister administering the **EPBC Act** and includes a delegate of the Minister.

Natural temperate grassland of the Victorian volcanic plain – means the threatened ecological community listed under the **EPBC Act**.

Offsets assessment guide – means the offsets guidance tool provided in the **EPBC Act Environmental Offsets Policy**.

Offset manager – means a person(s) or other third party engaged by the **approval holder** for the purpose of managing an offset site(s), including undertaking any management actions, ongoing monitoring and reporting.

Planning permit – means any planning permit issued in the Victorian Government approval process, including: Planning Permit 2015/23858, Moyne Planning Scheme Planning Permit PL 15/075, and Moyne Planning Scheme Planning Permit PL 15/074 (Substation).

Protected matters – means **natural temperate grassland of the Victorian volcanic plain, seasonal herbaceous wetlands (freshwater) of the temperate lowland plains, spiny rice-flower, golden sun moth, striped legless lizard and Corangamite water skink.**

Seasonal herbaceous wetlands (freshwater) of the temperate lowland plains – means the threatened ecological community listed under the **EPBC Act**.

Secure(d) – means formally entering into a long term conservation agreement such as a section 173 agreement under the *Victorian Planning and Environment Act 1987* or a Trust for Nature (Victoria) covenant.

Shapefiles – means an Esri compatible file containing '.shp', '.shx' and '.dbf' files and any other relevant file extensions capturing attributes including at least the **EPBC Act** reference number and **EPBC Act** protected matters present at the relevant site. Attributes should also be captured and submitted in '.xls' format.

Spiny rice-flower – means the threatened plant species *Pimelea spinescens subsp. spinescens*, listed under the **EPBC Act**.

Stage – means the separate locations and activities described in **Planning Permit 2015/23858 (wind energy facility)** and Moyne Planning Scheme **Planning Permit PL 15/075 (transmission line)**.

Striped legless lizard - means the threatened reptile species *Delma impar*, listed under the **EPBC Act**.

Substantially commence(d) – means the installation of any permanent infrastructure associated with the proposed action.

Suitably qualified expert – means a person(s) with qualifications in environmental science, biology or ecology and demonstrated experience in the management of native vegetation and the preparation of offset strategies under the **EPBC Act**, or a person otherwise agreed to in writing by the **Department**.

Transmission line – means the location and activity described in the Moyne Planning Scheme **Planning Permit PL 15/075**.

Wind energy facility – means the location and activity described in **Planning Permit 2015/23858**.