



**Permit No.:** PA1600155

**Planning scheme:** Moyne

**Responsible authority:** Minister for Planning

**ADDRESS OF THE LAND:**

Private land at 270 Woodcutters Lane Hexham; Woodcutters Lane Hexham; 30 Woodcutters Lane Hexham; Hamilton Highway Hexham; 287 Hamilton Highway Mortlake; Boonerah Estate Road Mortlake; Hamilton Highway Mortlake; 35 Thulborns Lane Mortlake; 2085 Terang-Mortlake Road Mortlake; Sagnols Lane Mortlake; Mortlake-Framlingham Road Mortlake; Terang-Mortlake Road Mortlake; Hood Avenue Mortlake; 59 Woorndoo-Chatsworth Road Woorndool; 161 Chamallak Lane The Sisters; 239 Mortlake-Framlingham Road Mortlake; 133 Mortlake-Framlingham Road Mortlake; Tapps Lane Noorat; and Tapps Lane Kolora.

Crown land at Dowling Street Mortlake; Sagnols Lane Mortlake; and Government Road.

Road reserves at Cliffords Lane; Londrigens Lane; Tapps Lane; Grinters Lane; Chamallak Lane; Mortlake-Farmlingham Road; Section Lane; Sagnols Lane; Hamilton Highway; Connewarren Lane; Thulborns Lane; Boonerah Estate Road; Unnamed Road; and Hexham-Woorndoo Road.

**THE PERMIT ALLOWS:**

Removal of native vegetation..

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT**

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**Development plans**

1. The development as shown on the endorsed plans must not be altered or modified without the written consent of the responsible authority.

**Vegetation removal**

2. This permit allows for the removal of up to 0.706 hectares of remnant patch native vegetation and does not allow for the removal of any scattered indigenous trees, unless varied with written consent from the Minister for Planning.

### Referral authority conditions

3. Before works start, the permit holder must advise all persons undertaking the vegetation removal or other works on site of all relevant permit conditions and associated statutory requirements or approvals.
4. Before any permitted clearing of native vegetation starts, a Construction Environmental Management Plan (CEMP) must be endorsed by the Department of Environment, Land, Water and Planning – Environment Portfolio. All works are to accord with the endorsed plan. The CEMP must include:
  - a. a detailed description of the measures to be implemented to protect native vegetation to be retained during construction works. These measures must include:
    - i. The erection of protective fencing around native vegetation to be retained, including the tree protection zones of native trees to be retained (with reference to “AS 4970-2009 Protection of Trees on Development Sites”).
    - ii. Specifications to ensure that works only occur in areas of native vegetation during dry conditions when soil is hard and cannot be deformed by construction movements. This must including monitoring of climatic conditions, and contingency plans to be enacted if conditions change during works.
    - iii. The use of a protective covering (such as Terratrak) for any works area or accessway that occurs in or traverses native vegetation, to minimise disturbance from vehicle movements and construction activities.
    - iv. Description of the work method(s) to be used, which demonstrates that native vegetation impacts are to the minimum extent necessary and are consistent with the permitted losses. This includes description of the method(s) for creating necessary electric line clearance space.
  - b. Vehicle, equipment and machinery hygiene protocols.
  - c. The person/s responsible for implementation of and compliance with each action.
  - d. A site plan, drawn to scale with dimensions and georeferences (such as VicGrid94 co-ordinates), that clearly shows:
    - i. the location and area of all native vegetation, including scattered trees, present along the transmission line corridor, generally in accordance with Report No. 15101 (2.5) “Salt Creek Wind Farm Power Line: Biodiversity Assessment” prepared by Brett Lane & Associates (dated September 2016).
    - ii. The location and extent of native vegetation that is permitted to be removed under this permit.
    - iii. The location, alignment and extent of all works areas and accessways that occur in or immediately adjacent to native vegetation.
    - iv. The location and area of all sites where equipment, machinery, vehicles or materials are to be stored or stockpiled during works.
5. To offset the removal of 0.706 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Permitted clearing of native vegetation – Biodiversity assessment guidelines (DEPI 2013) and Native vegetation gain scoring manual (DEPI 2013) as specified below:
  - a. A general offset of 0.163 general biodiversity equivalence units with the following attributes:
    - i. be located within the Glenelg Hopkins Catchment Management Authority boundary or Moyne municipal district;

- ii. have a strategic biodiversity score of at least 0.415.

This may be varied with written consent of the Minister for Planning.

- 6. Before any native vegetation is removed, evidence that the required offset has been secured must be provided to the satisfaction of the Minister for Planning. The offset evidence can be:
  - a. a security agreement signed by both parties, to the required standard, for the offset site or sites, including a 10 year offset management plan and/or
  - b. an allocated credit extract from the Native Vegetation Credit Register.

A copy of the offset evidence will be endorsed by the Minister for Planning and form part of this permit. Within 30 days of endorsement of the offset evidence by the Minister for Planning, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning. At the conclusion of the project, offset requirements can be reconciled with agreement by the Minister for Planning and the Department of Environment, Land, Water and Planning.

- 7. Annual monitoring and reporting is required for offsets not secured on the Native Vegetation Credit Register. In the event that a security agreement is entered into as per condition 4, the applicant must provide the annual offset site condition report to the Minister for Planning by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

**Expiry**

- 8. 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.
- 9. The Minister for Planning may extend the permit if a request is made in writing prior to the expiry of the permit, or within six months after the permit expires.



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Signature for the responsible authority

Date issued:

9/5/17

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### IMPORTANT INFORMATION ABOUT THIS NOTICE

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#### WHAT HAS BEEN DECIDED

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The Minister has granted and issued a permit under Division 6 of Part 4 of the **Planning and Environment Act 1987**.

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#### WHEN DOES A PERMIT BEGIN?

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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?

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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?

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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.