

PLANNING PERMIT

Permit No: P2009/104

Planning Scheme: Corangamite Planning Scheme

Responsible Authority for Administration and Enforcement of this Permit: Corangamite Shire Council

ADDRESS OF THE LAND:

565 Collins Lane, Berrybank
(Volume 06311 Folio 0064 Lots 1,2,3,4 & 5 on title plan TP671945E)

THE PERMIT ALLOWS:

Use and development of land for a Utility Installation (electrical terminal station) and reduced car parking provision.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

DEVELOPMENT PLANS

1. Before the development starts, development plans must be prepared to the satisfaction of the Minister for Planning. When approved, the plans will be endorsed and will form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided.

The plans must be generally in accordance with the plans comprising Exhibit A27 at the panel hearing but modified to show:

- a) The location, maximum height, external finish, colours and surfacing materials of all proposed buildings and works;
- b) The location, width and surfacing material of the proposed vehicle access;
- c) Provision of a car parking area for maintenance and service vehicles;
- d) Details of measures to be taken to enclose the transformers to achieve the required noise limits as specified in *Interim Guidelines*

for Control of Noise from Industry in Country Victoria (EPA publication No. N3/89).

- e) Details of access between Collins Lane and the Terminal Station site.
2. The layout of the site and the size of the proposed buildings and works as shown on the endorsed plan must not be altered or modified without the written consent of the Minister for Planning.

LANDSCAPING

3. Before the development starts, a landscape plan must be submitted to and approved by the Minister for Planning. When approved, the plan will be endorsed and form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - a) a survey (including botanical names) of all existing vegetation to be retained and/or removed;
 - b) details of surface finishes of pathways and driveways;
 - c) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - d) landscaping and planting around the perimeter of the Terminal Station compound designed to screen views to the Terminal Station; and
 - e) a maintenance schedule and requirements for the proposed landscaped areas.
4. Before the use of the development commences or by such later date as approved by the Minister for Planning the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
5. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the responsible authority, including the replacement of any dead, diseased or damaged plants.

NOISE

6. Noise levels emanating from the land must comply with the requirements of the Environment Protection Authority's Information Bulletin No. N3/89 *Interim Guidelines for Control of Noise from Industry in Country Victoria*.

ENVIRONMENTAL MANAGEMENT PLAN

7. Before the development starts, an environmental management plan must be prepared to the satisfaction of the Minister for Planning, in consultation with the Department of Sustainability and Environment, Corangamite Shire Council, Country Fire Authority and other agencies as specified in this condition or as further directed by the Minister for Planning. The environmental management plan may be prepared in sections or stages. When approved, the plan will be endorsed and will then form part of this permit.

The environmental management plan must include the following as appropriate:

- a) A **construction and work site management plan** which must include:
 - (i) procedures for access, noise control, dust emissions, spills and leaks from the handling of fuels and other hazardous materials and pollution management. Such construction and work site procedures are to be in accordance with relevant EPA requirements;
 - (ii) the identification of all potential contaminants stored on site;
 - (iii) the identification of all construction and operational processes that could potentially lead to water contamination;
 - (iv) the identification of appropriate storage, construction and operational methods to control any identified contamination risks;
 - (v) the identification of waste re-use, recycling and disposal procedures;
 - (vi) appropriate sanitary facilities for construction and maintenance staff in accordance with the EPA Publication 891.1 *Septic Tanks Code of Practice*;
 - (vii) procedures to ensure that construction vehicles and equipment use designated tracks and works areas to avoid impacts on native vegetation;
 - (viii) the covering of trenches and holes at night time and to fill trenches as soon as practical after excavation, to protect native fauna.
- b) A **sediment, erosion and water quality management plan**. This plan must be prepared in consultation with the Glenelg-Hopkins

Catchment Management Authority and other authorities as may be directed by the Minister for Planning. The plan must include:

- (i) 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:
 - all land disturbances must be confined to a minimum practical working area;
 - soil to be removed must be stockpiled and separate soil horizons must be retained in separate stockpiles and not mixed and replaced as soon as possible in sequence; and
 - stockpiles must be located away from drainage lines;
- (ii) 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;
- (iii) procedures to suppress dust from construction-related activities. Appropriate measures may include water spraying of roads and stockpiles, stabilising surfaces, temporary screening and/or wind fences, modifying construction activities during periods of heightened winds and revegetating exposed areas as soon as practicable;
- (iv) procedures to ensure that steep batters are treated in accordance with Environmental Protection Authority Publication 275 *Construction Techniques for Sediment Pollution Control*;
- (v) procedures for waste water discharge management;
- (vi) a process for overland flow management to prevent the concentration and diversion of waters onto steep or erosion prone slopes;
- (vii) 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;
- (viii) incorporation of pollution control measures outlined in EPA Publication 480 *Environmental Guidelines for Major Construction Sites*;
- (ix) appropriate capacity and an agreed program for annual inspection and regular maintenance of any on-site

- wastewater management system constructed to service staff, contractors or visitors; and
- (x) a program of inspection and remediation of localised erosion within a specified response time.
- c) A **hydrocarbon and hazardous substances plan**. The plan must include:
- (i) procedures for any on-site, permanent post-construction storage of fuels, lubricants or waste oil to be in bunded areas; and
 - (ii) contingency measures to ensure that any chemical or oil spills are contained on-site and cleaned up in accordance with Environment Protection Authority requirements.
- d) A **fire prevention and emergency response plan** prepared in consultation with and to the satisfaction of the Country Fire Authority, the Department of Sustainability and Environment, and Corangamite Shire. This plan must include:
- (i) criteria for the provision of static water supply tanks solely for fire fighting purposes, including minimum capacities, appropriate connections and signage,
 - (ii) procedures for vegetation management, fuel control and the provision of fire fighting equipment during declared fire danger periods;
 - (iii) 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;
 - (iv) the facilitation by the operator, within 3 months after the commencement of the operation of the terminal station, of a familiarisation visit to the site and explanation of emergency services procedures for the Country Fire Authority, Rural Ambulance Victoria, Corangamite Shire Council's Municipal Emergency Management Committee and Victoria Police;
 - (v) subsequent familiarisation sessions for new personnel of those organisations on a regular basis and/or as required; and
 - (vi) if requested, training of authority personnel in relation to suppression of electricity terminal station fires.
- e) a program for weed management.

CAR PARKING

8. The reduction in car parking spaces, and the number of on-site car spaces to be provided, shall be to the satisfaction of the Minister for Planning.
9. Before operation of the terminal station begins, areas set aside for parking of vehicles, access lanes and paths as shown on the endorsed plans must be:
 - a) Constructed to the satisfaction of the responsible authority.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Drained to the satisfaction of the responsible authority.
 - d) Appropriately lit to the satisfaction of the responsible authority.

Thereafter the car parking areas must be maintained to the satisfaction of the responsible authority and must be used solely for parking purposes.

EXPIRY

14. This permit will expire if one of the following circumstances applies:
 - the development is not commenced within 5 years of the date of this permit;
 - the development is not completed within 10 years from the date of commencement.

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

Date Issued:

26 OCT 2010



Signature for the Minister

IMPORTANT INFORMATION ABOUT THIS PERMIT

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.

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.

6. In accordance with section 97H of the Planning and Environment Act 1987, the Minister is the responsible authority in respect to any extension of time under section 69 in relation to this permit.

WHAT ABOUT APPEALS?

The permit has been granted and issued by the Minister under Division 6 of Part 4 of the Planning and Environment Act 1987. Section 97M provides that Divisions 2 and 3 of that Part and section 149A do not apply in relation to an application referred to the Minister under this Division, a permit issued under this Division or an amendment of a permit issued under this Division. The effect of this is that the Minister's decision is final.