

**PLANNING
PERMIT**

Permit No: PA1600101

Planning Scheme: Pyrenees

Responsible Authority: Minister of Planning

ADDRESS OF THE LAND:

Volume 8178 Folio 460 Lot 1 TP242371

Volume 11111 Folio 284 Lot 1 TP571312

Volume 11166 Folio 19 Lot 1 TP761464

Volume 11166 Folio 20 Lot 2 TP761464

Volume 8350 Folio 829 Allotment 5B Section A Parish of
Nanimia

Volume 5826 Folio 143 Lot 1 Section 1 Parish of Enucl

Unused Government Road - Between parcels Lot 1
TP571312 and Lot 3 TP406280

Oddies Road

Dunnets Road

Skipton Road

Mount Emu Settlement Road

Nanimia Pit Road

THE PERMIT ALLOWS:

Removal of native vegetation and create and alter access
to roads within the Road Zone Category 1.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Development plans

1. Before the development starts, plans must be prepared to the satisfaction of the Minister for Planning. When approved, the plans will be endorsed by the Minister for Planning 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 Minister for Planning. The plans must be generally in accordance with the 'SHWF_1_0136_0A_Overhead Powerline' (27/10/2016) and 'SHWF_DELWP_17_17271_002A' (16/6/201) but modified (where required) to show:

- a) In the Overhead Powerline plans, delete references to 'impacted trees', 'impacted vegetation' and 'land where approval is required' and instead show only 'native vegetation to be removed'.
 - b) In the Overhead Powerline plans, delete references to 'proposed new access, revised' and 'proposed new access, original' and instead show either 'new access to RDZ1' or 'alter access to RDZ1'.
 - c) Amend Page 1 of the Overhead Powerline plans to add a note to each new or altered access to RDZ1 specifying the specific name of the road.
2. The development as shown on the endorsed plans must not be modified without the written consent of the Minister for Planning.

Vegetation removal

3. This permit allows for the removal of up to 0.523 hectares of remnant patch native vegetation and 37 scattered indigenous trees, unless varied with the written consent from the Minister for Planning.

DELWP Environment portfolio conditions

Notification of Permit Conditions

4. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Protection of Native Vegetation

5. Before any permitted clearing of native vegetation starts, a report to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning detailing the measures to be implemented to protect the native vegetation to be retained during construction works, and the person/s responsible for implementation and compliance.

Protection of Remnant Vegetation and Trees

6. Before the works start, a native vegetation protection fence must be erected around all remnant patches and trees to be retained on site. This fence must be erected around the remnant patch at a minimum distance of 15 metres from retained native vegetation. The fence must be constructed to the satisfaction of the Minister for Planning. The fence must remain in place until all works are completed.

Except with the written consent of the Minister for Planning 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) entry and exit pits for underground services; or
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Protection of Scattered Trees

7. Before the works start, a fence must be erected around all scattered trees to be retained on site. This fence will protect the tree by demarcating the tree protection zone and must be erected at a radius of 12 x the diameter at a height of 1.3 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree. The fence must be constructed of star pickets, flagging or similar to the satisfaction of the Minister for Planning. The fence must remain in place until all works are completed to the satisfaction of the Minister for Planning.

Offset requirement

8. To offset the removal of native vegetation the permit holder must secure 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:

7.1 General Offset

A general offset of 0.105 general biodiversity equivalence units with the following attributes:

- a) be located within the Glenelg Hopkins Catchment Management Authority boundary or Pyrenees Shire Council municipal district
- b) have a strategic biodiversity score of at least 0.205

7.2 Specific Offset

A specific offset of 0.602 specific biodiversity equivalence units for Button Wrinklewort, *Rutidosis leptorhynchoides*.

7.3 Offset evidence and timing

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 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 must be provided and 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.

The offsets may be varied with the written consent of the Minister for Planning, if the Minister for Planning is satisfied that:

- following detailed design the extent of native vegetation removal will be less than described in this condition; or
- upon the completion of development an audit of the final quantity of native vegetation removed identifies that it is less than the amount already secured.

VicRoads Conditions

9. The access crossover to Skipton Road, adjacent to Lot 1, TP242371, shall be constructed generally in accordance with the drawing Truck Access to Rural Properties Type B (VicRoads Standard Drawing SD 2065).
10. The access crossover to lot 1, TP571312 may be constructed to the applicant's design.
11. The developer shall ensure that all relevant approvals have been sought prior to any works being undertaken in the road reserve.

Expiry

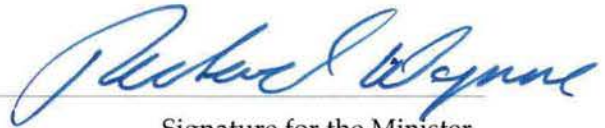
12. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within five years of the date of this permit
 - b) the development is not completed within ten years of the date of this permit.

13. The Minister for Planning may extend the permit if a request is made in writing:

- a) prior to the expiry of the permit, or
- b) within six months after the permit expires.

Date Issued:

8/16/17



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 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.

WHAT ABOUT REVIEWS?

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.